

Santhanam Committee Report on Corruption

Smt. Gayatri Devi

THE Ministry of Home Affairs has charge of so many important departments that it is very difficult to know which out of the many one should speak about.

To my mind this Ministry is the most vital of all because it is the foundation on which all other Ministries are based. If the working of the Ministry of Home Affairs is smooth, clean and efficient, then we shall be strong within our country and capable of facing problems from outside. To be strong from within we must have a clean administration.

The fact that he appointed the Santhanam Committee is proof that the Home Minister was sincere when he pledged to eradicate corruption in this country within two years.

The Santhanam Committee deserves congratulations for a report on the subject of ministerial corruption, a subject which the ruling party has hitherto treated with resentment and silence. On a previous occasion I said in this House, that corruption in this country has reached a magnitude which in its peril seriously competes with the Chinese aggression. In my recent contacts in different parts of the country I found a deep resentment to this form of corruption. I mention this to contradict the cynical assertions some times made, that corruption would not be so widespread unless the people wanted it.

The question the House has to ask itself is — does it really want to eradicate this evil at all levels, including the highest? Because unless you eradicate this evil at all levels, you are not going to eradicate it at any of the lower levels, on the simple principle, that the tone of an organisation is set at its highest and not at its lower or lowest levels. On this principle alone the leadership has failed this country. No amount of reports or recommendations will wipe out this evil unless this House sets about it in a determined manner.

Ministerial corruption cannot be easy to unearth, much less to prove, though often it is practised blatantly. It is most necessary, therefore, that the definition of corruption must be made so wide, as to include the various ways in which a Minister's favour

is sought to be secured. It must include the use by the Minister of the apparatus and machinery of administration for his or his Party's purposes. For instance last November when the Congress held its Session at Jaipur, Government money and personnel were openly utilised which is against all law and convention. At this point I should like to add that it is wrong of the Ruling Party to allow such institutions as the Bharat Sewak Samaj to undertake public works, which is the responsibility of the Government Departments, but the Government often gives them work to provide them with some sort of remuneration. I mention this because it has been brought to my notice that the maintenance of part of the road between Jaipur and Agra, which is National Highway No. 11, and other roads in Rajasthan have been allotted to the Bharat Sewak Samaj, and they are not capable of doing the job properly. The public should not have to suffer because of the Ruling Party supporting their own social organisations.

I should also like to mention that it is often found in constituencies, which have not voted for the Congress, that the poorer members of society are not allowed their normal rights, and that basking under the protection of the Congress, Ministers and other officials openly tell them that "you can't have this or that as you didn't vote for us". I have many proofs of this but do not propose to elaborate on them now, but the Home Ministry must be very firm about eradicating this evil. This tendency of identifying the Government officials from highest level to Panchayats with the Ruling Party is a serious challenge to democracy. And not only that but this too is a form of corruption.

This House will also have to consider how far the conditions about the grant of licences and permits and Government contracts have produced corrupt practices. It is clear that the distribution of licences, permits, quotas should rest in an independent organisation which objectively considers such applications in the light of our national planning, and there should be periodical reviews of such grants and the implementation of these grants. But this is an independent matter which I shall refer to on another occasion.

At present I am asking the House to define corruption to include any attempts at influence-peddling or goodwill-buying. This influence-peddling or goodwill-buying has taken many forms in this country. It does not always take the form of money, nor is it always for immediate returns. Similarly, the gift is not always made to the Minister but often to some other person

such as a son, nephew, son-in-law, etc. In the Companies' Act, a provision has been incorporated to penalise Directors who show any undue favour to their relatives and the term "relatives" includes a list of forty-nine persons, ranging from parents, daughters-in-law, mother's brother's wife, father's sister's husband, etc., and such relationship that may arise by adoption, whether by full blood or half blood and whether by legitimate or illegitimate descent or ascent. What is sauce for the business goose must be sauce for the Ministerial gander.

One of the finest Prime Ministers of England, Lord Asquith, had to reply to the House of Commons on a completely unfounded charge, that he took part in the appointment of a son-in-law as Chairman of the Sudan Cotton Corporation. I would, therefore, earnestly suggest that once the fact of such a minister or his relative is proved to have amassed wealth, excessive or disproportionate to his circumstances, then by law the onus should be placed upon the Minister to prove that this wealth was legitimately acquired. There is no reason why a wide distinction has been made between the Officers and the Ministers, whereby the Officers' properties are subject to periodical declaration, even for acquiring a table or chest-of-drawers and the Minister is not subject to the slightest obligation to reveal his property!

In the latest budget proposals, there is a provision by which the Finance Ministry proposes to take away the secrecy which attaches to the Income-Tax assessee's returns to the Income-Tax Department. I think this may lead to harassment. But if the Government submits an ordinary citizen to this form of complete disclosure of his manner of earning to everybody, surely the Government cannot object to the disclosure by the highest of public servants — the Minister — of his earnings. All such returns should be made available to a tribunal which may be constituted under the Santhanam Committee proposals. Unless the proposed tribunal is permitted to obtain all material available in all departments, the particular matter referred to a tribunal will not yield satisfactory conclusions.

It may be pertinent to consider the suggestion of the Committee as regards the body to be appointed to inquire into the allegations against the Ministers. The aim should be to simplify the proceedings as much as possible and to reach a conclusion in the shortest time. It would be better to leave the appointment of the tribunal to the President, in consultation with the Chief Justice of India at the Centre, and in the States to the Governor in consultation with the State Chief Justice. At this juncture I should like to deviate a bit and to suggest that as far as possible, State Governors should not have any party affiliation, so as to inspire confidence of justice to all sections of the public. To come back to the point, I suggest

the tribunal may perhaps consist only of one rather than three members suggested and it is better that this one member should be a sitting Judge of the Supreme Court or any one of the High Courts.

The Santhanam Committee deserves to be particularly congratulated, for that part of their recommendations where they lay down the conditions under which inquiry into allegations against Ministers are to be ordered. It is natural to assume that they are dissatisfied with the manner in which in the past even serious allegations, such as those which had been made by no less a man than the former Finance Minister, Mr. C. D. Deshmukh, had been cavalierly treated.

There is one more matter which I would like to raise here and that concerns penalty. Once a Minister is found to be guilty of corruption, the mere loss of Ministership or ineligibility for any elective post is not going to be a deterrent to this kind of person. The penalty must involve confiscation of property unaccounted for, and he should be treated like a criminal of the lowest type, deprived of all civic rights. This may sound rather drastic but I would like you to consider that unless this House sets about this reform in a ruthless manner, the country will go down rapidly in spite of all its plans and its administration.

The Committee has pointed out that there is a widespread impression of failure of integrity among ministers in the country. That is an understatement. Indeed, there is hardly a man outside the Congress ranks who does not hold the view that the failure of integrity is due to the unwillingness of the Government to take the matter in hand, under the belief that the image of the Congress will be tarnished in the eyes of the common man. I would ask this House to consider seriously that the image likely to be tarnished is not merely that of the Congressman but of everyone of us, of every person who takes to political life, even in all sincerity. Twenty years ago, a politician was regarded as an unselfish fighter for our freedom. Gandhiji, the first among them, regarded political freedom as only a means to an end, a social regeneration. How is it that within a couple of decades the fair name of a legislator, a politician, has become a synonym for a dacoit and a humbug? It is high time we all of us, act so ruthlessly towards the corrupt and the contemptible among us, that the dacoit no longer is attracted to political and civic life, and the name of the politician is regarded as another term for an earnest social reformer. Lord Morley used to say that the highest virtue in a modern man was public service; it is for us to restore the esteem in which the public servant should be held.

(Text of the speech delivered during the Demands for Grants of the Home Ministry in the Lok Sabha on April 13).

Dange Letters

M. R. Masani

IN a free society it is important that the people should know the truth and that no obstruction should be put in the way of their knowing what is happening, whether in their country or elsewhere and of knowing of what goes on in the political life of our country.

Now, there are two separate issues about which I would like to talk this afternoon. Both relate to the right of the people to know the truth. The first subject is about Mr. Dange's letters in our National Archives which have become a subject matter of controversy recently.

The Home Minister in response to a request made that the people of India should know whether these letters alleged to be written by Mr. Dange are or are not authentic, has taken the line that there is no occasion for Government to examine whether these letters are genuine or not. I say with all respect, this appears to me to be an evasion of duty on the part of the Government to leave the people in the dark as to whether these are authentic documents or not. This is something which concerns a leader of a political party which, in other countries, is banned as subversive or disruptive but to which our Government gives full liberties and all facilities. This party has denounced these documents as a forgery attributed either to the British Government or the present Government of India. It is necessary for the Government to establish the veracity of these documents by proper handwritten or other evidence and then to guide the people about its veracity.

Now the facts are briefly these as is evidenced by the file. The story starts before the launching of the Kanpur prosecution. Col. Kaye, the Director of the Intelligence Bureau, commenting on the question whether Shri Dange should be prosecuted or not, writes on the 27th July, 1923 the following:

"All information about him (Mr. Dange) reaches the same conclusion that he is personally a mere worm; and this does support the belief that he is not worth powder and shot."

He then refers to Dange's "confession of personal cowardice. I think a severe official talking to by someone in authority — not a police authority — will probably frighten Dange very effectively; he is quite obviously very nervous already."

On the same side, against prosecution, comes Mr. Montgomery, the Home Secretary of the Bombay Government, on the 3rd August, 1923. He says, he, that is Mr. Dange, "is one of the most fruitful sources of information as to Bolshevik activities." So, both

these officers advised against Mr. Dange's prosecution. However, the decision was to the contrary. The Kanpur prosecution case was launched and he was convicted.

Then there are four chapters in this story. The first is of 25th May, 1924, when Mr. Dange wrote a letter to the District Magistrate, Kanpur, from Sitapur jail. He says that the climate is either too hot or too cold in these parts, the language is not his, and he would like to be interviewed by his people. Could he be transferred to Bombay? On the 25th July, 1924, the Government's decision is made that there should be no transfer till after the appeal had been disposed of. That is the first chapter.

The second chapter is that Mr. Dange and Nalini Bhushan Das Gupta, a fellow-prisoner, write to the District Magistrate on the 7th July, 1924, expressing their readiness to give an undertaking not to commit any more offences and requesting their release, and they say they "are undergoing suffering we cannot sustain." Again, the application is forwarded to Delhi, and on the 11th August, 1924, the Government's reply is given that they are not prepared to take the petition into consideration pending appeal.

Then comes the controversial chapter, the third one. This time, Mr. Dange separately forwards to the Governor-General a petition dated 28th July, 1924, and in that petition he makes that objectionable offer to serve as an intelligence agent. Mr. Dange refers to a conversation with the Deputy Commissioner of Police in Bombay, Mr. Stewart: "Mr. Stewart said: 'You hold an exceptionally influential position in certain circles here and abroad. Government would be glad if this position would be of some use to them.' I think I still hold that position. Rather it has been enhanced by the prosecution. If your Excellency is pleased to think that I should use that position for the good of Your Excellency's Government and the country, I should be glad to do so, if I am given the opportunity by your Excellency granting my prayer for release."

Now, this letter is the one that has been claimed a forgery by Mr. Dange and those who support his point of view. Then, that letter was forwarded. On that, on the 26th September, 1924, the Home Secretary in Delhi makes a noting: "This is interesting and rather amusing." On the 1st October, 1924, Dange's letter to the Governor-General-in-Council — the appeal — is rejected and relief is not given. Then, finally, on the 16th November, 1924, comes the fourth communication, another letter to the Governor-

General, asking for a remission of the sentence. This too is rejected.

Now, Mr. Dange's claim regarding the last two letters is that the signature has been spelt with a T and not a D, and that, therefore, these two last letters, where there come the objectionable offer, which was rejected, are not authentic.

In the light of this, the question arises — either these papers are genuine or they are fabrications as Mr. Dange claims.

All the circumstantial evidence, the notes on them, the jail stamp and the handwriting generally, seem to show that these letters are authentic. But I think we have to be judicial and fair in this matter. We should not be left to making our own guesses. I think it is right, fair to Mr. Dange and fair to the people of this country, that the truth should be established; whether these letters claimed to be a forgery were fabrications or authentic. Why does the Home Minister, who was approached and has given this reply in writing to me, evade this obligation? Can it be his desire to shelter Mr. Dange? Is it in appreciation of that bogus nationalism which passed that pseudo-patriotic resolution of October-November,

1962, in the face of opposition within his own party? Are we trying to placate Mr. Khrushchev by protecting his man? These are questions that do arise.

A local journal in Delhi — *Thought* — says that Mr. Nanda "cannot be happy at any harm being done to 'friendly' Mr. Dange." This is not the kind of suspicion that we, who want to have our public life above suspicion, should tolerate. If we do not face the issue, if we evade our obligations in ascertaining the truth in this matter, then these fears will be expressed. I do not mind saying that, for a year or two now, there are people in the INTUC who have been complaining that Mr. Nanda, as Labour Minister, was too friendly to Mr. Dange and the Communist Party. This evasion of responsibility would strengthen that suspicion and I therefore urge that the Home Minister and the Home Ministry face their obligations and, by handwriting evidence and other expertise, ascertain whether these signatures that Mr. Dange says are not his, these handwritten letters in his own hand, are genuine or are not genuine. We should all keep an open mind on this question. This is a matter that concerns the country and not just one political party.

(From the speech delivered during the Demands for Grants of the Home Ministry in the Lok Sabha on April 14).

When Thieves Fall Out....

.....To meet the requirements of the Registration of Papers (Central) Rules, 1956, PATRIOT, the New Delhi English weekly, published as required on March 1, 1964, a statement in Form IV on its 7th page.

In this statement various details were given including names and addresses of shareholders more than one per cent of its total capital.

Of the 11 names.....the 5th name is..... "Shri S. Amrat", 9 Kohinoor Road, Bombay 14.

..... "Who is this Shri S. Amrat?" Is it the full and correct name of the shareholder or does it stand for "Shripad Amrit" which may be an abbreviation for the full name SHRIPAD AMRIT DANGE, the President Chairman of the Communist Party of India?

(*Current*, Bombay, March 21)

The opponents of Mr. Dange have found.....his considerable personal interest in the publishing company of Delhi. According to rumours circulating in the CPI, the investment in the said company standing in the name of "S. Amrit" amounts to Rs. 30,000..... they are secretly whispering that Mr. Dange could not have so much money through regular means because he was born neither with a silver spoon in his mouth nor could he boast of large property or movable assets before he became a whole-timer of the

party. To carry this insinuation further, they alleged that Mr. Dange pays income-tax on an annual income of about rupees one lakh. A document in circulation inside the CPI gives biographical details of Mr. Dange's life and asks how he has been able to amass so much property that he has to pay an income-tax of that order. Mr. Dange is also alleged by his detractors to own two apartments and a "palatial" bungalow in Bombay.

There is also going on in the CPI, the story of the disappearance of a sum of Rs. 60,000 which the late Mr. Ajoy Ghosh, the then General Secretary of the Party, had before his death persuaded two "progressive" businessmen to make available to the party for its election funds. According to the story, the sum of money was in two cheques of Rs. 35,000 and Rs. 25,000. These cheques are believed to have been encashed after Mr. Dange became the Chairman of the C.P.I. Who cashed these cheques? The Leftists in the party ask this question and demand an inquiry into the whole affair. (*Thought*, New Delhi, March 28)

Mrs. Gaury (a former Minister) is alleged to have said that Mr. C. Achuta Menon, Secretary of the Kerala Communist Party had misused his position for personal gains. She alleged that Mr. Menon's property

included a fleet of taxis, a spacious bungalow and other valuable assets.

She said there were reasons to believe that the Rightists (in the CPI) were getting huge financial aid from foreign countries.

(*Statesman*, Calcutta, April 4.)

One of such charges, which may come before the National Council (of the CPI) is said to pertain to passing out some secret papers to the Chinese by a Leftist leader during the 1961 official-level talks.

The other charge is related to a partnership in an export-import business firm of Delhi by a Left leader who has never shared the profit with the Party though he took advantage of his position in the Party in furthering his business.

(*Indian Express*, Bombay, April 7)

Replying to a question, Mr. Dange said that he had no investments in a Delhi newspaper which he mentioned by name. He said: "At one stage the company which publishes the paper wanted temporary accommodation for money. I loaned them Rs. 30,000 for a short period for which they gave me the security of shares.

"The application form for shares was signed by me. For business purposes nobody will like my name to be associated. So they used the name of S. Amrit. But later on, I got my money back and there is no share in business now. Before I left for Moscow on March 14, I liquidated my holding in the newspaper."

(*Times of India*, Bombay, April 16)

...he (Mr. Dange) is said to have admitted to the C.P.I. National Council that it was true that he received an annual salary of £ 5,000 sterling from the WORLD FEDERATION OF TRADE UNIONS....

.....at this meeting Dange confessed that in addition to the £ 5,000 he also ANNUALLY received about £ 12,000 for his 'expenses' in connection with his work for the All India Trade Union Council (AITUC).

In 1963, however, China, because of the split it had with Soviet Russia, had refused to pay her share of contribution to the W.F.T.U. on the ground that this is a Soviet-dominated organisation. So for the year 1963 Dange is said to have revealed that he only received £ 8,000 from the W.F.T.U. for his A.I.T.U.C. expenses instead of £ 12,000.

At the meeting on April 12, Mr. Dange is further said to have revealed that "this year" (presumably 1964) he had so far collected Rs. 1,60,000 in Maharashtra for his Trade Union work....

Among the things Mr. Dange is reported to have revealed at the April 12 meeting to his colleagues was the alleged fact that his uncle was the Director of one of the biggest European hotels.

He is also reported to have made a further claim, which shocked a number of poor Communists present at the meeting. He is said to have claimed that his (Dange's) father owned 10,000 shares in the Scindia Steam Navigation Company. Mr. Dange did not reveal the present ownership of this alleged holding.

At this meeting (April 12) Mr. Dange, cornered from all four sides, is further said to have admitted that he, along with two Andhra Communist leaders, had received sums of money from the Soviet Union. Our report states that Mr. Dange did not reveal the quantum of the amounts alleged to have been received nor did he indicate what was the purpose of these alleged receipts of money from the Soviet Union.

The names of the two Andhra Communists whom Dange is said to have mentioned, are said to be Mr. C. Rajeswara and Mr. P. Sunderayya.

It is further reported that Dange admitted at the meeting (April 12) that he imported paper from the USSR and that he sold it at a profit to the C.P.I.

He is said to have claimed that he fully accounted for his share of Soviet money received but he charged another Comrade (from Madras) with having received Rs. 30,000 from paper merchants who had obliged in the paper deal. The Comrade Mr. Dange named belongs to the leftist faction in the C.P.I. He is one of Dange's main accusers since the first publication in CURRENT of the Dange letter.



"I'm afraid, Sir, the Constitution makes no provision for a motion of no-confidence in the Supreme Court."

Courtesy: Hindustan Times

Crisis In Eastern India

K. K. Sinha

AT the moment Calcutta and other parts of West Bengal are quiet and one often wonders at the quick return to normalcy as if nothing serious had happened in this area in January last. This is indeed a peculiarity of the Bengalee Hindu — a quick, mercurial change of temper and the subsequent devastating action, and then a sudden drop down to the normal mood or even an abrupt diversion of attention towards a different, unconnected issue, forgetting the tempest of the past. Any analogy with the Nor'wester?

The "riots" of January started in the areas populated by the refugees from East Pakistan who had come several years earlier and are "settled" on the outskirts of Calcutta, in the district of 24-Parganas or that of Nadia in the north, and they soon spread to the heart of Calcutta city. But there are reasons to believe that there were also *agent provocateurs* from Pakistan. As the reports of the Khulna riots trickled down, these acted like incendiary provocations which set the smouldering fire aflame, and then came the outrageous reports of killings and rape and loot from Narayanganj, Rajshahi and Dacca in East Pakistan, where the number of persons killed ran into thousands, putting West Bengal far behind. All this is covered ground.

The riots were suppressed with a strong hand after the initial hesitation and delay, and the calling of the military was none too soon. The ruling party, busy feasting on the sumptuous Patnaik dishes at Bhubaneswar, appeared to be overtaken by the events which had spread out into the sprawling and congested city and outskirts as also in some of the villages, and for a time it was non-plussed and paralysed. The police was also taken aback at the sudden and enormous load of work and the need to make quick decisions while the politicians were taking their own time to recover from the shock. The advent of the military thus helped them to come to their bearings and Home Minister Nanda's arrival on the scene, and imparting a sense of urgency indeed proved a turning point. The minority community heaved a sigh of relief but the police now seemed to go to the other extreme on occasions, and this created a feeling of bitterness in the majority population against the administration. But all this is partially implied in this vicious game of hatred. It is nothing new; we have had such cyclic succession of disorder and repression, making one realise the cheapness of human life.

Meanwhile the detailed stories of killings in East

Pakistan percolated through the jute curtain of Ayub Khan and the trek of refugees began. From dozens a day it rose to several thousands, though spasmodically. More than 2,60,000 have already reached by now in a short span of about 3 months. The attention now shifted to the border roads and railheads. This time the refugees are coming (on an average 4 to 5 thousand a day in mid-April) without any possessions and the stories of males killed and women taken away predominate.

There are still about 9 million non-Muslims in East Pakistan of which only 0.2 million have so far crossed the border. The sense of security has been eroded to a much greater extent than ever before and it is quite likely that at least 5 to 6 million will come out in course of the next 2 years or so. At least we should prepare ourselves for this magnitude of influx.

There has been a lot of talk about Dandakaranya for some years as a major project for rehabilitating the refugees that had come earlier. But the fact is that this area has not yet been made ready enough to absorb even the earlier refugees, what of those that are now pouring in on such a large scale at short notice. Out of about 35,000 refugee families proposed to be rehabilitated in this area only about 8,000 families have so far been settled. It is also to be noted that 25% of all land reclaimed will have to be handed over to the States for rehabilitating their landless tribals. But already over 40,000 new refugees have been sent to temporary camps located there and their living condition is horrible, to say the least. Some of these encampment sites are very dry, hot and bare and the refugees coming from a humid climate find it unbearable in temporary tents, with extremely inadequate provision for water. Epidemic is already prevalent and the press reports are that there are at least 15 deaths a day. The overwhelmed staff there are doing their very best, but they cannot make miracles. They are overworked and cramped with many difficulties, one of them being receiving VIP's and Congress leaders who come to 'see' things but not to help. It seems the political leadership had not expected the rush and had not arranged for the necessary administrative staff and materials. The same old story, eh! But it should be noted by the authorities concerned that unless things improve rapidly, the Opposition groups in Bengal may begin talking against Dandakaranya and ask the refugees not to go there or to come back from there to Bengal. After all the elections are approaching.

These hapless refugees are victims of political con-

licts including the Partition of the subcontinent. As such they cannot be considered a problem only for the Bengalees, they are a national problem. It is therefore a correct policy that *all* the States of India undertake adequate responsibility to rehabilitate these refugees. There has been some generous response from at least some of them. But mere intention is not enough. Very quick execution is necessary on an emergency basis.

There was a tendency towards ignoring this calamity or at least minimising its extent on the part of the world press due to its peculiar political attitude towards Pakistan vis-a-vis India, but this got itself corrected at least partially when the exodus included tens of thousands Christian tribals. The world's Christian missionaries rushed to the scene with aid and publicity equipments and now the people outside are becoming slowly aware of the magnitude of the problem. Even then the world focus is still on the religion of the refugees and more attention goes to the Christians than to the Hindus.

The recent recrudescence of 'riots' in Jamshedpur, Rourkela and other parts of South Bihar and Orissa indicated that the tribals have taken the exodus from East Pakistan rather seriously and are retaliating against it by attacking the Muslims in these localities. Of course the highly strung communalists had been busy spreading rumour and hatred among them.

To the Bengalees this development has, peculiarly enough, been a matter of gratification because it proved that Bengalees are not the only ones who are guilty of "riots", and also because now that the Christian tribals are at it, a new slant will be given to this persistent problem. (Incidentally, the Belghoria killings a few days earlier were not purely a communal affair; they were mixed up with an industrial dispute). They also 'relished' these 'riots' because what the Bengalees were prevented from doing by the military, these more aggressive and uninhibited tribals have done in quick time. This gives an inkling into the present-day mood of the Bengali mind. They feel they have not yet taken full revenge of what has happened in East Pakistan.

Here it should be mentioned that Bengali intellectuals have noted that very few educated Bengali Muslims in East Pakistan supported the killings of Hindus. In fact at least 34 Muslims are reported to have given their lives to save Hindus. This is a very significant fact which did not get the prominence it deserves. The Bengali press in Calcutta fully encourages the franchise movement in East Pakistan.

The Muslims in Calcutta and elsewhere are a little nervous quite understandably. They know that to go to Pakistan — especially to East Pakistan — is to invite a worse situation economically and socially. This is particularly true of those who are not Bengali-speaking. So there is a trend in them to accept the

future fatalistically and there is another which feels that one must retain the guts to fight out in self-defence if it comes to that, whatever the consequence, for when death is certain, why not face it squarely; this policy of desperate self-defence has paid dividends in January last, they feel. There is also a trend to move to Pakistan, and some of them are preparing to go, though still hoping that this may not ultimately be necessary. Of course the tendency to shift to Muslim localities has been going on.

In this mood of conflict, uncertainty and tension, the few outstanding Muslims who are culturally above the average and have had no mental involvement with Pakistan, feel helpless and isolated from both the communities and in their utter loneliness and mental agony some of them are breaking down in terms of nerves and stamina. And this again is giving shocks to their Hindu friends. The intellectual communication is thus under great strain.

It is also true that in such an atmosphere of desperation as well as frustration, Pakistani spying and propaganda is rampant. Its network has been laid for quite a long time and there must be several spy rings and operating centres in this city as well as State. When the relations between the two communities are strained it is rather difficult at this late stage to uncover all these rings and centres; for these centres are based not only on purely political motivations but also on large-scale smuggling of goods between the two countries with which some nefarious businessmen are also interlocked.

Since the latest exodus of refugees from Pakistan has begun there have developed some interesting political slogans. The most important of these are two: Population Exchange and Economic Boycott of Pakistan. It is the former that is gaining momentum. The idea is that let there be a full exchange of minorities between Pakistan and India; that is, let us welcome 1 crore non-Muslims from Pakistan and let Pakistan accept 5 crores of Muslims in exchange, in an orderly fashion and thus be done with this problem for good. The other variant is that let 1 crore of East Pakistan Hindus be replaced by 1 crore of Muslims from the eastern zone of India. There have been an increasing number of public meetings on this issue and this is raising an alarm in the Muslim mind.

On the other slogan of economic sanction there is a move to start a satyagraha in front of Goods Trains carrying coal, etc. to Pakistan. If it starts, who knows this may catch the mass mind and we may be landed with another dislocation.

This move is coming from the non-communist Opposition and as a result a new political realignment is emerging — PSP, Socialist Party, Forward Bloc and Workers Party. It is expected that they may merge into a single party later. The communists are again caught into a trap. Quite a big fraction of

their leadership as well as their supporters in West Bengal are Muslims and they are trying their best to preach communal harmony but their refugee-base is revolting. This makes them paralysed, in addition to their own internal split.

Meanwhile there is persistent rumour that Pakistan is taking active steps to clear all border areas of non-Muslims. That explains the large exodus of Christian tribals and Buddhists into Assam and Tripura. This is rather ominous, if true and on an effective scale.

To sum up the total situation, therefore, one might conclude that the situation in the eastern zone has become more confused and the political mood more unstable and brittle. The communal mind is fast pervading even the services and the police in not only West Bengal but also Orissa and Bihar. On the other hand it appears that Pakistan is determined to rake up this "eviction" issue as a major one, *a la* Kashmir, in the east and with this to exert its diplomatic and political pressure upon India, in collusion with China, if no peace between the two countries is arrived at on terms satisfactory to the Ayub regime. This "eviction" issue has become 'necessary' in order to involve East Pakistanis against India, which

Kashmir has failed to do; as this eastern wing is giving a severe and chronic headache to Rawalpindi and is fast developing towards an explosion.

If this be the Pakistani strategy, India must expect a continuation and even an aggravation of the present situation. The tension between the two communities will grow. Law and order problem will become more complex. The influx of refugees will increase in dimensions and the overall relations between India and Pakistan will be greatly strained.

Essentially and basically, the problem that is emerging in eastern India is not merely a human one, not merely one of administering at short notice the transit of vast numbers of refugees from the points of entry to far away places of rehabilitation, and of maintaining law and order and providing security to minorities, but a political one. It will have no end, not even a chance of diminution without tackling boldly the entire Indo-Pakistani relationship. If the Ayub regime realises that India is determined to straighten out things this way or that, a stable relationship may perhaps be arrived at before it is too late. But this assumes imaginative leadership fully alert and having a good grip over all the strings.

Kashmir—Past And Future

Raman Desai

MORE than fifteen years have passed since Pakistan, through its irregulars and later through the regular army, attacked Kashmir. These years have led to a forgetfulness on the part of many people, of the crucial events of those days and a brief recapitulation of the facts may not be irrelevant.

According to the estimate of 1951, the Jammu and Kashmir state comprised an area of about 85,000 square miles with a population of 44 lacs. (Out of this, an area of about 31,000 square miles with a population of about 16 lacs lies on the other side of the ceasefire, in Pakistani hands.) Non-Muslims formed 23% of the total population, a little more than the percentage of Muslims in pre-partition India. The census figures of 1961 state the population of the Jammu & Kashmir state, on our side, at 36 lacs. Muslims account for 24 lacs, Hindus 10 lacs, Sikhs 63,000, Buddhists 48,000. In 1951, Kashmir province had 16 lacs people and Jammu, 10 lacs, Ladakh one lac persons. Culturally, the Hindus and Muslims form a group remarkably similar in language, customs and conventions, with sometimes even places of common worship. Those who know Kashmir have not been surprised at complete communal peace even during

the recent Hazratbal troubles and even during the communal riots in Pakistan and in India.

The state touches Tibet, Chinese Turkestan, Russian Turkestan, Afghanistan, Pakistan. It is contiguous to India about 250 miles, Pakistan 350 miles, Afghanistan 100 miles, Russia 100 miles, China and Tibet 300 miles. The State can be divided geographically into three well-defined regions: one, Kashmir valley and the basin of the Jhelum; two, region from Punjab plains to the Pir-Panjal range and the trans-Himalayan plateau, with Ladakh, Baltistan and Gilgit. From a strategic point of view the Jammu region, abutting on the Indian border upto Banihal pass leading to the Kashmir Valley, cannot be permitted to go to alien hands, as this would present an enemy a strong foothold in the plains leading to Delhi.

Ladakh is a Buddhist district. It lies to the east of Kashmir Valley; its elevation varies from 8,000 to 15,000 feet above the sea. There are two routes to Leh, its capital, one from Srinagar, (243 miles) passes through the Sonamarg valley, then on to Zoji Pass (11578 foot high, 64 miles from Srinagar, about two miles long) and to Kargil through bleak

snow-covered mountains and to Leh; Secondly, from Manali in Punjab 200 miles through thick jungles and high mountain ranges. This route over the Zoji Pass has ancient history; here the caravans from India carried cotton textiles, spices and handicrafts to central Asia and Tibet; Leh was the centre of exchange of these goods, for tea, silk and wool.

If we surrender Srinagar to Pakistan, we surrender the main route to Ladakh, forsake the Buddhist population, give up the strategic centre where Russia, China, India and Pakistan meet, to a by no means friendly power. It is doubtful if Pakistan can retain control of Ladakh either; China would swallow it. Zoji Pass, like the Khyber, has seen many an invasion from ancient times. How long would China take to infiltrate into Sonamarg Valley and capture Srinagar?

The people of Ladakh as early as 1953, have made it clear that in the event of Kashmir drifting away from India, the Ladakhis would sever their connections with Kashmir and merge with India.

On June 28, 1938, the Working Committee of the Muslim Conference met at Srinagar and passed a resolution to allow all people to become its members, "irrespective of their caste, creed or religion." A National conference came into being, composed of all types of political leaders, and put forth a National Demand for a responsible government under the aegis of the Maharajah of Kashmir. In Kashmir where the ruler was a Hindu but the majority of the people were Muslims, strangely, the general atmosphere for centuries had been of a tolerant and peaceful outlook on religious beliefs. The Muslim League ideology was alien to their traditions and the political leaders followed the advice and programme of the Congress in India. In 1944 when Jinah went to Kashmir to stir up some action on his "two-nations" theory, the reception he got from his Muslim audience at Baramulla compelled him to run for safety from a danger of personal injury. Similarly, when Savarkar tried to explain his theory of "Hindu State" in a public meeting, Pandit Fotedar roundly dismissed his plea as against all traditions of communal amity in Kashmir, and added that no Hindu was prepared to listen to him.

So disappointed Jinah was at his reception in Kashmir that when the National Conference demanded transfer of power in the hands of the people, in May 1946, and the Maharaja let loose a reign of terror, Jinah issued a statement in which he condemned the Quit Kashmir movement as "an agitation carried on by a few malcontents who were out to create disorderly conditions in the State."

It is interesting to recall that it is only after August 8, 1953, when Sheikh Abdullah was dismissed as Prime Minister, for his acts affecting the stability and unity of the State, and arrested, that Pakistan started

treating that erstwhile Quisling, for whom no abuse was too great, as a martyr and a patriot. The other colleagues of Sheikh Abdullah who also were pioneers in the fight for freedom and who remained consistent in their friendship with India, still continue to earn the calumny of Pakistan.

It may also be recalled that when the question of plebiscite was mooted with regard to Junagadh, where the ruler, a Muslim, had made a show of accession to Pakistan and run away to Karachi, Liaquat Ali refused to consider the proposal; in fact, a plebiscite was held and decided in favour of India. Similarly, Pakistan would hardly think of a plebiscite for Hyderabad. Actually, there was no mention of an unconditional plebiscite for Kashmir by any of the parties concerned, where a part of the territory was illegally held by Pakistan, and its vacation by the armed forces of Pakistan was the preliminary condition for holding any referendum to the people. This, even assuming that plebiscite is something so remotely away from a general election, resolutions of a Constituent Assembly, and a series of free and unfettered elections over a number of years.

Round about 15th August 1947, almost all States acceded to India or to Pakistan. The Maharaja did not take any decision. Lord Mountbatten visited him on June 19, 1947, and stayed in Srinagar for a few days, and urged him to take a decision on one side or the other. The Maharaja did not budge. The Muslim leaders requested Gandhiji to speak to him but even that did not avail.

Pakistan knew full well that even under a referendum the people of Kashmir would have preferred to accede to India. Therefore Pakistan began a series of raids on Kashmir territory from the first week of September 1947, a fortnight after independence of both the countries. Hundreds of armed men from Murree operated in Poonch and daily the raids intensified. Pakistan at this stage, had a standstill agreement with the Maharaja but this did not prevent Pakistan from sending armed forces on raiding forays and an intense economic blockade of the State. Supplies of food, petrol, essential commodities were cut off and communications tampered with.

On 15th October 1947 began a large-scale operation of Pakistan against Kashmir. A fortnight before, Sheikh Abdullah and colleagues had been released from jail. These leaders requested Pakistan not to force a decision on them but to give them time to get the decision of the people, whether to accede to India or Pakistan or remain independent. G. M. Sadiq twice went and saw Liaquat Ali Khan, the Prime Minister of Pakistan and Pakistan knew that such leaders were against her and in reply to such requests Pakistan launched a full-scale military invasion of Jammu & Kashmir by October 22.

Sheikh Abdullah flew to Delhi to request Indian

Governments' despatch of armed forces. The Maharaja appealed to India, on October 24, "for military help." The Indian Government acted constitutionally. Unless the Maharaja acceded to India, it would not be correct to extend armed assistance. The Maharaja signed the accession agreement and Indian troops were flown in to save the valley of Kashmir from the harrowing loot and arson which the town of Baramulla had already undergone. The accession was in the same form as in the case of other states in India, "the accession of Kashmir State to the Dominion of India." Mountbatten wrote a separate letter to the Maharaja in which he stated, "it is my Government's wish that, as soon as law and order have been restored and the soil cleared of the invader, the question of the State's accession should be settled by a reference to the people." Thereafter elections, with universal adult franchise were held and a constituent assembly of the State invoked and this Assembly approved the State's accession to India.

Intense fighting, where the Pakistani Armed forces took part, with the thinnest of disguises, continued for months at all fronts but by May 20, 1948, the Indian army was in a position to recapture the earlier border posts at Domel and Muzaffarabad. At this point, the Pakistan army battalions came out in the open and bringing 4.2 inch mortars and medium guns tried to stem the obvious defeat before them. On July 10, the United Nations Commission arrived in India and appealed for a stoppage of armed activity. Since Pakistan could no longer face the scrutiny of this Commission, it confessed, what it had hitherto denied, that Pakistan army battalions were in the fight and that the army headquarters were in control of the fight.

For the next six months, while the U.N. Commission was negotiating a ceasefire, the fight continued in Ladakh and Poonch areas. Ceasefire came into force on 1st January 1949.

On January 1, 1948, India lodged a formal complaint to the Security Council against Pakistan's aggression. India requested the Council to ask Pakistan to prevent its forces, civil and military, participating in the invasion. Pakistan emphatically denied that it gave any such assistance and insisted that it did all in its powers "to discourage the tribal movement by all means short of war." The Council set up a Commission of five members to proceed at once and offer to mediate between the parties. When the Commission reached Karachi on July 5, 1948, Pakistani brigades had been in action in Kashmir. The Commission then and later confirmed that Pakistan had acted in a manner inconsistent with international law. From 1st January 1949, a ceasefire was ordered. Before this, correspondence between India and the Commission involved some assurances on both sides. The ceasefire was agreed to by India,

which had brought by now the Pakistani invasion to a standstill, if not in immediate collapse, on the basis that the commission agreed that the responsibility for the security of Kashmir rested with India; that there will be no recognition of Azad Kashmir; Pakistan shall be excluded from all affairs of Jammu and Kashmir in particular in the plebiscite, if one should be held; if a plebiscite is found to be impossible for technical or practical reasons, the Commission will consider other methods of ensuring a free expression of the people's will; and finally, and most importantly, the plebiscite proposals shall not be binding upon India if Pakistan does not implement Parts I and II of the resolution of 13th August 1948.

The basic resolution of the Council of 13th August 1948 is in three parts. Part I requires a ceasefire, Part II, Pakistan had to withdraw all her forces, regular and irregular, while India was required to keep sufficient troops for the security of the State. It is only on fulfilment of these two parts that the third part relating to the plebiscite can come into effect. Pakistan had never withdrawn its forces from the captured areas now termed as Azad Kashmir. In August 1953, the Prime Ministers of India and Pakistan met and entered into negotiations but this attempt at agreement was ruined by the Pakistan press which launched a campaign against any agreement.

In October 1951, the Constituent Assembly, elected on the basis of free adult franchise, to frame a Constitution and function as a legislature, assembled in Kashmir. In February 1954, the Assembly confirmed the State's accession to India. Elections to the new Legislature were held in March 1957; a further election was held in 1962 under the control of the Election Commissioner who has managed our elections with a high sense of integrity.

There need be no mystery about Sheikh Abdullah's views today; they are the same as in the year 1949 when he gave an interview to Michael Davidson of *London Observer*; he stated "accession to either side, cannot bring peace. We want to live in friendship with both the Dominions. Perhaps a middle path between them with economic cooperation with each will be the only way of doing it. However an independent Kashmir must be guaranteed not only by India and Pakistan but also by Britain, USSR and other members of the U.N." As regards areas held by Pakistan, he stated that after an independent Kashmir was established, if those areas chose to secede and join Pakistan, he would have no objection. He did not say if he would give a similar right to Jammu and Ladakh to secede to India. Those who have a soft corner in their hearts for this cloudy orator, may recollect that in pursuit of his ideas, he imprisoned the leaders of Jammu without a trial. It is interesting to recall that the Communists then

backed Sheikh Abdullah for an independent Kashmir backed, no doubt, by USSR. The dismissal of Sheikh Abdullah after nearly three years of this sort of agitation was the result of disillusionment about him among the majority of his colleagues in the Ministry and the Conference, coupled with corruption and gross misuse of cooperative stores which had a monopoly of consumer goods.

In any consideration of this problem, the fact of Pakistan's alliance with China, in which as an earnest of Pakistan's sincerity, so to speak, a large chunk of territory, over which the suzerainty, according to the Security Council's resolutions still rests with India, has been presented to China. A guarantee of independence of Kashmir, by such powers, would mean little else but a division of the State between Pakistan and China in a short time.

Out of six zones of the State, three are today in the hands of Pakistan. They are predominantly Moslem, the minorities having been liquidated. The remaining three zones, Jammu, Kashmir and Ladakh are on this side of the ceasefire. Those who advocated plebiscite now must make up their minds to what zones they would refer the matter. Would the voters in zones in Pakistani hands, coupled with Moslem voters in the three areas on this side of the ceasefire, form a total mass of voters? Then obviously, no vote need be taken; the vote would be for Pakistan. And then would the Jammu and Ladakh zones, which would, by overwhelming majorities refuse to join Pakistan, be compelled to join Pakistan? And who would assure these non-Moslems of any security of life? Obviously, we should have to provide for the influx of another set of refugees, from Jammu and Ladakh totalling more than 8 lacs persons. And would that involve an exchange of Moslems from India?

If the plebiscite be confined to the Jammu and Kashmir state on our side of the ceasefire, then again, the minorities, which are in overwhelming majorities in Jammu and Ladakh would refuse to merge with Pakistan or even consider an independent State. If the plebiscite be confined to the Kashmir Valley, it is unlikely that Sheikh Abdullah would lead his people to vote for Pakistan. Though why a plebiscite should ever be confined only to Kashmir Valley is not understood, except with the deliberate object of appeasing Pakistan and giving it a cause for further mischief. Actually, Sheikh Abdullah would reject an idea of partition between Kashmir and Jammu.

It would not be possible for any Indian Government today to withdraw the Indian army from the Kashmir borders without the strongest opposition from the Indian people. This would amount to a voluntary defeat, worse than the defeat at the hands of the Chinese. This resentment by the people would, most unhappily, lead to communal riots throughout the country. And with all the sacrifices these things would

involve, the net result would only be a further inducement to Pakistan to claim parts of Assam and NEFA.

We cannot expect to reconquer the areas Pakistan holds in the West and North-west. With regard to the areas this side of the ceasefire, it is well to rid ourselves of a guilt complex, a feeling of moral inferiority akin to masochism, felt by some of us; there are among us cynical men who attribute to our people all types of intrigues. Our first task is to ensure the people of Kashmir a clean and efficient government, an administration denied to them all these years. The next is to assure them that they will be a part of India, a vast brotherhood with all the privileges and duties of a united nation. It may well be that the Kashmiris, in spite of being subjected to the blandishment of a bigoted Pakistan, may have something to teach us of communal integrity. But it is time the security of our country takes the first priority, in our foreign policy, in place of chimerical fantasies based on panchsheel. England was described by Birkenhead as a military but not a martial race. We need not be aggressive but those of us who have seen the Western democracies, two successive generations running, venture into war for freedom should not shrink from the prospect, if thrust upon us, of a near war with China or Pakistan but face the unhappy possibility with courage and equanimity.



"Dad, is he in any way related to that wicked Sheikh you've been telling us about?"

Courtesy: Hindustan Times

With Many Voices

"The deep
Moans round with many voices. Come, my friends,
'Tis not too late to seek a newer world."
—Tennyson.

It is dangerous for a national candidate to say things that people remember.

—Senator McCarthy, *New York Times Weekly Review*, March 29.

Industry in which production is dominated by finance inevitably suffers by elevating the stock-broker and the salesman above the manager and the technician.

—Mr. Anthony Wedgewood Benn,
British M.P., *Guardian*, April 10.

The Jan Sangh and the Swatantra Party have many supporters among important Congressmen who are usually sarcastic about Congress socialism.

—*Patriot*, April 6.

Congress socialism is a South Sea Bubble.

—Mr. Rajagopalachari, Swarajya, April 11.

Arthur Koestler was wrong: the ultimate battle will not be between the communist and the ex-communists it will in fact be the communists who will be fighting the other communists.

—*The Economic Weekly*, April 4.

The tragic insistence that Jawaharlal Nehru must continue as Prime Minister and the refusal to appoint a full-fledged deputy, reflects the increasing incapacity of the ruling party to select a leader and to intervene to prevent the present drift.

—Mr. Romesh Thapar, *The Economic Weekly*, April 4.

The only thing that allowed the human race to stop living as animals and to start living as human beings was the adoption of a set of rules — a system of justice. Maintaining a system of justice in an orderly society is essential to whatever else people accomplish.

—Mr. Frank W. Wilson, U. S. Judge,
American Reporter, April 3.

To those who contend that economic progress and improvement of the standard of living bring about a bourgeois conception of life, I say that we are proud to see our citizens living better. If this is degeneracy, we are in favour of it.

—Mr. Khrushchev, *Statesman*, April 7.

It makes all the difference in the world whether we put Truth in the first place or in the second place.

—*Opinion*, March 31.

If they indulge in stupidities and crime and you react, they call you a reactionary.

—R. S., *Thought*, March 7.

In less than two years of independence, Algeria's biggest export has become Algerians — to France. Algerians have been fleeing Ahmed Ben Bella's socialist state during past few weeks at the rate of a thousand a day.

—*U. S. News and World Report*, April 6.

Everyone is not like the Finance Minister who is able to shed his skin and come back again.

—Mr. Asoka Mehta, *Hindustan Times*, April 4.

Only such a party which believed in "freedom and democracy" should be allowed to replace the Congress.

—Mr. Morarji Desai, *Link*, April 5.

It is remarkable how the freedom fighters of yesterday began so early to imitate the language of the imperialists.

—Mr. Jayaprakash Narayan, *Hindustan Times*, April 20.

Shastri's political philosophy is as difficult to determine as the sex of a Hindu deity.

—Mr. Wells Hangen, Quoted in *Mainstream*, April 18.

All we can ask honest, patriotic communists now is to say "Plague on both your houses" to both the sections at top and join the Congress to strengthen its radical Nehruite wing.

—*Blitz*, April 18.