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## PREFACE

While promotion of national interests has always formed the main basis of any British policy, their strong sense of national pride and the desire for prestige and acclaim has, perhaps, led them to achieve their objectives through diplomacy rather than by the use of force. This has been so even in their dealings with the Princely States of India over which they exercised undisputed paramountcy during the *Raj*. Indeed the history of British relations with the Princely States is full of examples where the Paramount Power has patiently pursued normal means of diplomacy in the attainment of its political objectives. It has, however, always been a lot of persuasion, very little of compromise and full use of the threat of intervention. Added to these were, in some appreciable measure, hypocrisy; deviousness, and even dishonesty, (the age old associates of diplomacy even though not outwardly recognised as such), if only to provide egoistic and self-elating cover to purely selfish motives.

The British diplomacy for securing their interests in Kashmir, during the pre Independence period between 1925 and 1946, is closely connected with the Kashmiri Muslim agitation of 1931-one complementing the other. It is a story of how, behind a facade of moral obligation of carrying the "White man's burden" , the British practiced intrigue in fuelling the fire and creating a situation that left the Maharaja with no option but to succumb to their demands. A very fascinating subject no doubt but a challenging task never- the - less.

The main challenge to research on this period was posed by the Central and State Governments' general ban on consultation of unpublished official records pertaining to Kashmir from 1925 onwards. Fortunately the ban does not apply to some micro-filmed Crown Representative Records acquired by the National Archives of India from India House Library, London. There are also microfilmed private papers of the Viceroys of the period, acquired by the Nehru Memorial Museum and Library at New Delhi, the access to which is free. All these put together provided a fair amount of authentic material to form the basis of the present study. However, the paucity of the material, and the fact that the British officials in India have, quite understandably, left no direct evidence of the inner motives or intrigue, the story has had to be constructed on the basis of inferences; necessitating, at times, the attribution of big interpretation to, but, small facts.

With the existing restrictions on the primary sources, much reliance had to be made on the secondary sources, such as contemporary writings and books, written subsequently, after independence, by people who had lived through the period, to witness the goings on in the State. These sources, however, created problems related to objectivity, some of which were difficult of being resolved. Unfortunately the Muslim agitation generated so much controversy, both inside as well as outside the State, that the writers of those days themselves became sharply divided into two opposing camps. While the Muslims harped on their grievances against the Maharaja, the Hindus considered the agitation to be part of an Anglo-Muslim conspiracy against the Hindu Maharaja. The nationalists, represented by the Indian National Congress, also seem to have been convinced of the existence of the Anglo -Muslim conspiracy, and though holding no particular brief for the Princes in general were constrained to lend moral support to the Maharaja of Kashmir in this case. With both sides getting involved emotionally, objectivity was bound to suffer.

Some objectivity might have been expected from writers who took a distant view of history by writing twenty years or so after the event. But this also was not to be. Independence, in its wake, brought to power in Kashmir the very people who had launched the agitation against the Maharaja. Although the end of the Dogra rule in the State after its accession to the Indian Union had nothing to do with the earlier Muslim agitations against the Maharaja, it was in the political interest of those who came to power, to project the change as the result of, what they wished to call, the "freedom struggle" in Kashmir. Consequently the general research on

the subject, which might have exposed the not too glorious side of the "struggle", in having served the British cause, was discouraged by imposing a ban on the use of official documents for the purpose. As if to ensure that the truth does not see the light of the day through other sources, the Government of India, perhaps as a matter of political expediency, imposed a similar ban on the consultation of such records at the National Archives. The history of the "freedom struggle" was then written by politicians in the garb of historians, who alone were granted access to official records so that they could be presented in a manner favourable to those in power. The most prolific among such politicians turned historians was Pt Prem Nath Bazaz whose writings seem to have formed the basis for many a recent writer on Kashmir, without this source having been subjected to, what in research is known as, internal criticism. It has been often ignored that, being essentially a politician, Bazaz's writings have been greatly affected by his political compulsions. It was thus that what he considered as activities of *goondas* and *badmashes* or at best of intransigent Muslims, who suffered no grievances under the Dogras, in 1931, was put forward as a "Struggle for Freedom in Kashmir", in 1954. With politics influencing history like this, objectivity could not have got but the back seat. Mention may also be made here of the works of Dr. HL Sexena and Muhammad Yusuf Saraf, Chief Justice of Pakistan Occupied Kashmir, that represent the two extremes of the case. While *The Tragedy of Kashmir* written by the former projects the Maharaja's case, *The Kashmiris Fight for Freedom*, by the latter, is an espousal of the cause of the agitators as being a righteous one. It must be said to the credit of both that while their interpretations have mostly been uninhibited and free, they have scrupulously carried out the obligation of maintaining the sanctity of facts.

Needless to say that history must be read with context to the social setting of the period under study. What took place in Kashmir during the pre Independence period occurred under a princely order valid and legal then. The events have to be viewed in relation to the existing law of the land and the accepted norms and values of that period, without bias against the system, no matter how much we may disapprove of it today. Any interpretation in this work that seems to go in favour of the Maharaja must not, therefore, cause eye brows to be raised and be misconstrued as a defence of the princely order as such.

In the course of the text the term 'Muslim' has often been used to represent Muslim agitators in Kashmir and their abettors in British India, without meaning the Muslims in general, many of whom had refused to be associated with the ongoing "struggle".

The British interests in Kashmir did not cease with the grant of independence to the Sub-Continent. With Pakistan opting to join the Anglo-American block after independence, the protection of its interests became a British responsibility. Consequently, in a display of diplomacy par excellence, Mountbatten, very adroitly, made the most serious and concerted moves in support of Pakistan's efforts at securing the accession of Kashmir, even as he continued to be counted among India's great friends and well-wishers. Mountbatten's performance must be judged by the fact that of all the other means of diplomacy that were at the disposal of all the other British rulers during the *Raj*, he had only one - that of persuasion - available to him for achieving his objective; and of this he made the most affective use.

Unfortunately, Mountbatten's role in promoting British interests, not only as the last Viceroy of undivided India but also as the first Governor General of the Indian Union has been underplayed by most writers of modern Indian history. This is, probably, because Mountbatten's success in being able to, literally, lead the Indian leaders by the nose, shows up some of our national heroes of the freedom struggle in poor light, and no Indian could have felt enthused to contribute towards this so soon after Independence. Now when so much time has passed since those fateful days, and the feet of clay of our national heroes have already got exposed on many other occasions, we might, in the interest of history, bring to light the dubious role played by the British in the Kashmir affair through Lord Mountbatten.

The most authentic account of Mountbatten's masterly strokes of diplomacy, without of course being termed as such, is contained in *Mission With Mountbatten* by his press Attaché',

Alan Campbell - Johnson, (Robert Hale Lt, London, 1951). This has been made effective use of, though much had to be read between the lines to get to the whole truth.

Much assistance and cooperation has been received from various sources in the compilation of this work, In this connection reference needs to be made to the cooperation extended by Miss G Kapadia, officer in charge Research Room at the National Archives New Delhi in 1981. Her positive attitude greatly minimised the frustration caused by the restrictions imposed by the Government. Special mention must also be made of the assistance received from Lt. Col Bhagwan Singh (Retd), the author of *Political Conspiracies of Kashmir*, who, besides making available to me some rare and useful books on Kashmir out of his private collection, helped to fill the lacunae in the story here and there, through his personal knowledge of the subject. The greatest assistance has, however, been received from Dr A.C Bose, former Head of Department of History and Dean of Social Sciences, University of Jammu, who provided expert guidance in the technicalities of research work. In the end I would like to thank Colonel Prabhu Singh VrC, who has gone through the draft most painstakingly and offered some valuable suggestions which have been duly incorporated.

K BRAHMA SINGH

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## CHAPTER - I

### THE BACK – DROP

#### FOUNDATION OF JAMMU AND KASHMIR STATE

Kashmir is perhaps the only region of India which has, thanks to Kalhana's famous Rajtarangani, a connected history of its own dating from the 7th Century A.D. It is known that Kashmir was a part of the Empire of Ashok. After the commencement of the Christian era the Valley was invaded by the Tartars. In the 6th Century A.D. came the white Huns and later the Valley came under the sway of Hindu Kings. Dynastic revolutions followed and with the propagation of Islam the Valley passed into the hands of Muslim rulers. With the advent of the Mughal rule in India, Kashmir passed under their rule in 1586. Later, with the weakening of the Mughal power, Ahmed Shah Abdali wrested Kashmir from them and thus commenced the Afghan rule. Although earlier to this Kashmir had passed through many a vicissitude of good and bad governments, the Afghan rule was coloured with persecution and tyranny, never before witnessed here. In 1819 a section of the persecuted people appealed to Maharaja Ranjit Singh of Punjab to come to their rescue. Consequently the Sikhs invaded Kashmir and with the defeat of the Afghan Governor, the Afghan rule was replaced by the Sikh<sup>1</sup>.

While Kashmir was passing through this turmoil, Jammu was witnessing the phenomenal rise of Raja Gulab Singh, the man destined to bring Jammu and Kashmir together politically. Gulab Singh was the descendent of the princely house which ruled over Jammu till the annexation of this principality, along with other neighbouring smaller ones, by the Sikh government of Lahore in 1808. He joined Maharaja Ranjit Singh's service in about 1809, and soon distinguished himself, both as a soldier as well as an administrator, to such an extent that the Maharaja made him the Raja of Jammu in 1820. Thereupon Gulab Singh, with the concurrence of the Lahore Durbar, entered upon a policy of expanding the frontiers of his little state. He first annexed, one after the other, all the principalities around Jammu. By annexing all territory lying north of Jammu and south of Kashmir, and with the conquest of Ladakh and Baltistan, Gulab Singh had, by 1840, enveloped Kashmir with his territories from the north, south and the east. It was probably because of this that Gulab Singh remained associated with the affairs of Kashmir even while it was under the Sikh Governor. In 1841, when a revolt took place against the Sikh Governor, he was sent to Kashmir by the Durbar to deal with it. His success against the rebels enabled him to appoint a Governor of his choice in Kashmir, and to have a greater say in Kashmir affair for the next few years before he finally became its Maharaja.<sup>2</sup> The few intervening years were, however, to be of great trial and tribulation for Raja Gulab Singh, as we shall presently see.

After the death of Maharaja Ranjit Singh in 1839 the Lahore government gradually became weak on account of Sikh rivalries and internecine quarrels over ascendancy at the Lahore Durbar. The Jammu Rajas (Gulab Singh and his brothers) were the greatest sufferers in the struggle for power that ensued after the death of Maharaja Kharak Singh and his son Nau Nihal Singh on one and the same day (5 November 1840). With Nau Nihal Singh leaving no issue behind, the direct line of ascendancy to the throne was broken which resulted in a free-for-all among the various claimants. Probably because the Jammu Rajas exercised undisputable influence over the Sikh army, their help was sought practically by every Sikh claimant to power, but immediately on gaining ascendancy the same would strive for their destruction. Raja Dhyani Singh and later his son Raja Hira Singh fell victims to such treacheries before Rani Jindan finally took over as the regent on behalf of her minor son Maharaja Dalip Singh. This arrangement did not, however, mean the end of Gulab Singh's troubles, because it only brought to power an "unscrupulous" and "unworthy" Lal Singh as the right hand man of Rani Jindan.<sup>3</sup>

However, Raja Gulab Singh had till then kept himself aloof from the Punjab politics. But Lal Singh saw in him a source of threat to his position and therefore determined to pull the lion out of his den. Jammu was invaded by the Lahore army in April 1846. The Dogras were defeated in a number of battles fought on the outskirts of Jammu. To save Jammu from being sacked Gulab Singh surrendered to the Sikh army, to be taken to Lahore as a prisoner, on the charge of failure to pay government dues. How Raja Gulab Singh extricated himself out of this precarious

situation and was presented to Maharani Jindan at the court by the army as a nobleman rather than a prisoner makes a most fascinating story, which is not being narrated here for fear of transgressing the limits of our subject. Suffice it to say that he was allowed to return to Jammu honourably, after he politely declined the Maharani's offer of the post of the Prime Minister. Thereafter repeated efforts were made by the Durbar to drag Raja Gulab Singh into Punjab politics if only to control the situation which had been created by the near confrontation between the government and the army. But the embittered Gulab Singh, very sagaciously, kept himself out of trouble and concentrated on the administration of his own State. He refused to be drawn-in even when the Khalsa Army itself appealed to him to take over as the Prime Minister after Wazir Jawahir Singh was put to death by the Sikh soldiery in September 1845. On the eve of the Anglo-Sikh War, therefore, the army had to content itself with Lal Singh as the Prime Minister and Sardar Tej Singh as their Commander-in-C;hief.<sup>5</sup>

In the various battles between the British and the Sikhs that followed, the Sikhs fought bravely but they were handicapped not only by lack of good leadership but also by the treachery of Lal Singh and Tej Singh who it appears were working for the destruction of the army, which they had begun to dread. On the insistence of the army, Gulab Singh was once again asked to take over as the Prime Minister; more for negotiating peace than continuing the war. Consequently Gulab Singh reached Lahore on 27 January 1846. By then the war had definitely gone against the Sikhs but the British had also suffered heavy losses in men and material and they were not in any way less keen to end hostilities than their worthy adversary. They appreciated that a protracted war would go against their interests and "truly felt that to subjugate Punjab in one season was a task difficult of achievement and full of imminent risks". In Gulab Singh they saw not only a commander who with his skill and capacity could prolong the war but also an able man under whose direction the Sikhs could place their valour and unanimity to put up stiffer resistance and even perhaps to reverse the trend of the war. Nevertheless they could not end the war till the Sikhs were pushed back across the Sutlej.<sup>6</sup> So the war continued even as negotiations were going on.

In the Battle of Sobraon the Sikhs were defeated decisively but the British who had witnessed with "stolid astonishment" the indomitable courage of the Sikhs during the battle, now showed even greater eagerness for peace than ever before. On the other hand the Sikh soldiery readily assented to the proposal of the Durbar that Gulab Singh, their chosen Minister, should have full powers to treat with the English on the already accepted basis of recognizing a Sikh government in Lahore. Evidently, during the course of negotiations, the British tried to exploit the fact of Gulab Singh's earlier sufferings at the hands of the Sikh Durbar and reportedly offered to make him an independent ruler of Jammu if only he would adopt a pro-British stance. It is, however, a tribute to Gulab Singh's political maturity and unstinted loyalty towards the Sikh ruling dynasty that he refused the offer and through diplomatic maneuvers was able to secure for Maharaja Dalip Singh and the Sikh any the most honorable terms possible for one vanquished.<sup>7</sup>

One of the provisions- of the Treaty of Lahore was that L I ,50,000 Sterling were to be paid by the Sikhs to the British as war indemnity. Immediately after the Treaty was signed Lal Singh once again got himself elevated to the post of Prime Minister and in an attempt to dispossess Raja Gulab Singh of his territories he offered to transfer Kashmir and Jammu (including Ladakh and Baltistan) to the British in lieu of the war indemnity. Raja Gulab Singh who had earlier during the course of the negotiations spurned the British offer of making him an independent ruler of his hill territories, was now compelled, as a matter of self preservation, to himself ask the British for this favour in consideration for having negotiated a speedy peace. The British were only too happy to do something for one who might have "rendered himself formidable in a day, by joining the remains of the Sikh forces and opening his treasures and arsenals to the war like population "<sup>8</sup>, even at that late stage, after he had reached Lahore. They remembered the anxiety from which they had suffered at the sudden exposure of their

vulnerability when in a veiled threat during the talks at Kasur, Gulab Singh had said that "the way to carry on a war with the English was to leave the war with the sturdy infantry entrenched and watched, and to sweep the open country with cavalry to the gates of Delhi."<sup>9</sup> They therefore, had reasons for feeling grateful to one, who, though capable of executing his implied threat, had not in fact done so. Coincidentally what was most agreeable to Raja Gulab Singh was also of much political and military advantage to the British, which made it convenient for them to appease the Raja. By the Treaty of Amritsar 1846 Gulab Singh was granted independent possession of not only his own territories of Jammu, Ladakh, and Baltistan but also that of Kashmir in consideration of a payment of rupees 75 Lakh, the reduced amount of the war indemnity due from the Lahore Durbar. This, besides fulfilling Gulab Singh's life-long ambition, helped the British in further reducing the power and importance of the Maharaja of Punjab. Gulab Singh was finally invested with the title of Maharaja at Amritsar on 15 March 1846 when the new state of Jammu and Kashmir came into being.<sup>10</sup>

### **Physical And Political Geography<sup>11</sup>**

Within a few years of the creation of the State, some territorial adjustments were made between the British and the Maharaja. After the final territorial adjustment the State of Jammu and Kashmir was composed of territory that lay between 32°.17' and 36°.58' North Latitude and 73°.26' and 80°.30' East Longitude. On the north it was bounded by the Chinese Turkistan and a narrow strip of Afghanistan which separated it from Russian Turkistan. On the east it had a common boundary with Tibet, on the south with Punjab and on the west with the North-West Frontier Province of India. The State itself could be divided into four geographical regions. First the sub-mountain and semi-mountainous tract consisting of the plain contiguous to the Punjab and the broken country skirting the Himalayan ranges; second, the outer hill area comprising the whole area covered by ranges of low hills to the south of the Pir Panjal mountains that separate Jammu from Kashmir; third the Jhelum Valley, consisting of the valleys that drain into the Jhelum and the Krishan Ganga rivers; and fourth the Tibetan and the semi-Tibetan tract consisting of the middle reaches of the Indus and Aksai Chin.

The political divisions of the State were based on the geographical divisions - the first two constituting the province of Jammu, the third the province of Kashmir and the fourth constituting the district of Gilgit and the frontier Illaqa of Skardu, Ladakh and Kargil. Territory wise the Jammu province covered 12,378 sq. miles, Kashmir 8,539 sq. miles, and Gilgit and frontier 'Illaqa' 63,554 sq. miles.

With a total area of 84,471 sq miles, the Jammu and Kashmir State became the largest princely state of India. By comparison it was larger than Hyderabad, about as large as Mysore, Bikaner, Gwalior and Baroda put together, and it was about two thirds the size of the whole of Bombay Presidency. But, even more important, was its strategic location. Indeed territories of three powers viz Britain, China and Russia and of the independent kingdom of Afghanistan met on the northern borders of the State.

### **The British Regret**

It appears that the Governor-General Lord Harding came in for severe criticism for having transferred Jammu and Kashmir to Gulab Singh. The criticism came from his countrymen both in India and abroad especially when over a period of time it was realised by them how the cool temperature and beautiful valley of Kashmir could have been utilized as a British colony. The East India Company was charged with having "sold" Kashmir to Gulab Singh for a paltry sum just to fill its coffers. In a letter written to Lord Ellenborough in justification of his action, Lord

Harding gives in detail the considerations that led him to conclude the Treaty of Amritsar. From this letter it appears that the main considerations had been, firstly, that Gulab Singh had not joined the Sikhs in their war against the British and, secondly, that the Government's own interests required that the Sikh State be weakened by separating the hill area from the plains<sup>12</sup>. In another letter to a close relative Lord Harding explained further his reasons for deciding against the retention of Kashmir. He wrote that "the distance from Sulej to Kashmir is 300 miles of very difficult mountainous country quite implacable for six months" and felt that "to keep a British force 300 miles from any possibility of support would have been an undertaking that merited a strait - waistcoat and not a peerage" and that "the arrangement that was made was the only alternative."<sup>13</sup>

Supporting the action of Lord Harding, Sir George Clerk wrote to Sir Charles Napier in March 1840 that "their aggressions, whether Chinese or Goorkhas on one side of him or Afghans on the other, will be retarded rather than precipitated by his proximity to them in that form instead of our being in more direct contact with them".<sup>14</sup>

There can be little doubt that the British had sound diplomatic reasons for transferring Kashmir to Maharaja Gulab Singh. But as time wore on and the circumstances that had forced them to affect the transfer receded in the past, the British generally looked upon the deal with much regret. In 1849 when Punjab was annexed by the British, at least one of the grounds which had necessitated the creation of Jammu and Kashmir under the Dogras had become irrelevant. As a matter of fact, Maharaja Gulab Singh had somehow laid himself open to suspicion that he was in league with the Sikh insurgents and as such he was now more a source of anxiety for the British than of strength. Although Maharaja Gulab Singh's complicity in the affair was not proved, the Governor General of India was constrained to remark that "we should at the same time be careful not to release in any degree the vigilance with which we watch over the conduct of our new subjects in the districts adjoining His Highness' territories or abandon the proper precautions of keeping ourselves well informed as to all the proceedings of a prince so astute and powerful as the Maharaja has shown himself to be"<sup>15</sup> Subsequently with the strengthening of their position in India after 1857, even such grounds, as the creation of a buffer state etc, had totally vanished. Thus, as each year passed by, the British regret at having given away Kashmir became more and more acute, finally reaching a stage when "no Englishman [could] leave Kashmir without a sigh of regret that a province so full of promise should ever have been allowed to slip through [their] fingers".<sup>16</sup> While initially the British regret seems to have been just for having allowed the "Switzerland of the east" to slip out of their hands, with the emergence of the Russian factor the regret turned into anxiety. This pushed them into taking action aimed at practically undoing what they had done with regard to Jammu and Kashmir in 1846.

The Russian moves southward, since the early part of the 19th Century were all too well known to the British, but the threat that these moves posed to the security of Afghanistan and consequently to the Indian Empire was not perhaps fully appreciated till the occurrence of the Panjdeh incident in 1885. The Russians had then challenged Afghanistan's claim to Panjdeh on the Russo-Afghan border and forcibly evicted the Afghans from their outpost. Although the incident passed off peacefully due primarily to the forbearance displayed by the Amir of Afghanistan, it had bought home to the British the existence of the threat from Russia. Indeed with the extension of the Caspian railway net-work right up to Termez the distance which



separated the Afghan frontier from Russian bases had already been eliminated.<sup>17</sup> Not only were Herat and Kabul threatened, but there also now existed a possibility of an approach over the Hindu Kush to Chitral. The Valley of Chitral in turn afforded a "ready road to India from Bokhara via Badkashan". The Panjdeh incident had in fact highlighted the strategic importance of Gilgit which covered all the passes over the Hindu Kush leading into India.<sup>18</sup>

As the British had, thus far, made no arrangements for the defence of India against any invasion from Russia, they were overtaken by near panic when the possibility of such a threat suddenly dawned on them. While so far they had been handling the affairs of the northern border areas through the Maharaja of Jammu and Kashmir, now they decided to take over direct control by means foul or fair. Fortunately for them the Panjdeh incident had coincided with the death of Maharaja Ranbir Singh who, though not in any way hostile to British interests in the region, had been zealously guarding his independence much the same way as his father, Maharaja Gulab Singh had done. The British took advantage of Ranbir Singh's death and no sooner had young Pratap Singh ascended the *gaddi* than he was confronted with a letter from the Viceroy charging him with inefficiency. He was then forced to accept the positioning of a British Resident in his State which his father and grandfather had resisted stoutly.<sup>19</sup> The British had appreciated that they could not afford to indulge in niceties and formalities to gain what they wanted to. In 1888 they strove to depose the Maharaja on a trumped up charge of having links with the Czar. Fortunately some people in India and England took it upon themselves to expose the conspiracy and the British were forced to abandon the decision of direct annexation.<sup>20</sup> They were, however, not going to let this opportunity of gaining control over Kashmir and consequently Gilgit, slip by and in March 1889 the Maharaja was forced to issue a proclamation, announcing the surrender of powers in favour of a Regency Council with his younger brother Raja Amar Singh as its chairman; retaining for himself nothing but the position of a titular head of the State. Raja Amar Singh had all along been a co-partner in the British conspiracy and, therefore, through the medium of the Regency the de-facto control of the State passed into British hands.

The British motive of self interest behind this move was never in doubt. While some Muslims who had just then begun to be organised into a pro-British political forum may have supported the British action in Kashmir, contemporary Indians generally saw through the British game and raised much hue and cry against it. No doubt some present day writers like Mohammad Yusuf Saraf and Prem Nath Bazaz have, in their writings many years after the event, longingly wished that the British had annexed Kashmir then,<sup>21</sup> but their wish appears to have been motivated by their rabidly anti-Dogra bent of mind. So intense was Bazaz's hatred of the Dogras that he had gone to the extent of branding the support extended by the people of India of those days, to the cause of the Maharaja as "irrational patriotism that considered native rule, however corrupt, absolutist despotic and cruel as preferable to the domination of the British". It may not be quite relevant to the topic but one is tempted to ask whether according to Mr. Bazaz those who believe that the British rule was less corrupt and more efficient than our self rule after independence would be justified on the basis of "rational patriotism" to again invite the British to take over.

Doubts regarding British motives, if any, were soon removed by the British themselves. The first action they took after the virtual deposition of the Maharaja in 1889 was to re-establish the Gilgit Agency under a British scheme for the defence of Gilgit. Although the defence of Gilgit was now essentially a permanent British liability, the expenses of this frontier army had to be borne in their entirety by the State, which was on all counts more than a fair charge on Kashmir

revenues. The champions of the welfare of the people of the State no longer felt any qualms about the great financial strain that their move caused to the State exchequer. They even began to justify '*begar*' (forced labour) for Gilgit against which they had cried themselves hoarse in unison with the poor Kashmiris who had to bear the weight of this "mal-practice". Hereafter the Maharajas of Kashmir were never pulled up for the continuance of '*Begar*'. In fact in 1930 Maharaja Hari Singh's government was given a clean chit regarding '*Begar*' which they said existed in "a mild form" in "some remote parts of the State, like the frontier districts" and this was considered by them as "absolutely necessary in the interest of administration in these localities; being unavoidable in view of the physical features and climatic conditions". In order to satisfy the guilty conscience the British convinced themselves that "even in these places the system was worked in such a manner as to cause the least amount of hardship to the persons concerned and full payments were always made according to rates fixed by the civil authority".<sup>24</sup> It was conveniently forgotten that what was objectionable from moral point of view was not the amount that was paid but the force or compulsion that still had to be exercised.

The Regency Council was abolished by the British Indian Government in 1905 after which some powers were restored to Maharaja Pratap Singh. In 1921 full powers were restored to the Maharaja but things were never the same as they used to be during the rule of his father and grandfather. The Maharaja had been so humbled and humiliated that it was now impossible for him to challenge either the *de-facto* or *de-jure* authority of the Resident. The Maharaja tried to assert himself never-the-less. It is believed that he stoutly resisted British attempt to acquire the right to purchase land in Kashmir. Even as early as 1909 he successfully asserted himself to claim the right of the ruling family to provide the Commander-in-Chief for the State army.

At the death of Raja Amar Singh the only male member in the ruling family, other than the Maharaja himself was Raja Hari Singh who was then just 14 years old. The British wished to put the army under the control of a military board guided by a British advisor till Hari Singh completed his education. Pratap Singh refused to, accept the suggestion and after prolonged correspondence with the Viceroy, succeeded in having his way in appointing Hari Singh as the C-in-C and himself carrying on the work till the young Raja came of age.<sup>26</sup> Apparently the British yielded not so much because of the pressure from the Maharaja but because of some little consolation that this provided to a man who, they knew, they had wronged.

Maharaja Pratap Singh died in 1925 and was succeeded to the *gaddi* by his nephew Hari Singh. It is well-known that the British policy with regard to ruling princes was to weaken them through fresh encroachments on their authority after every new succession. It was perhaps with this policy in mind that they had upheld the claim of Hari Singh to the Kashmir *gaddi* against that of Raja Jagat Deo Singh of Poonch, the adopted son of Maharaja Pratap Singh. The Political Department had hoped that on ascending the *gaddi* Raja Hari Singh, the son of their friend Raja Amar Singh, brought up under a British guardian from his infancy and educated in the western style at Mayo College that he was, would remain a toy in the hands of the Resident like his father had been. It may be recalled that Raja Amar Singh had helped the British in their conspiracy against Maharaja Pratap Singh.

Raja Hari Singh stood cornered in another way too. In 1924 he was involved in a case of black mailing in London which came to be known as the case of Mr. 'A'. The young Raja had gone to London under the guardianship of a British officer, Captain Arthur, who had been specially selected for the purpose by the Political Secretary Sir John Wood and duly approved by the Viceroy.<sup>28</sup>

It is generally believed that the whole drama of blackmailing Hari Singh was enacted with the connivance of the Political Department with the aim of humiliating and putting to shame the heir apparent of Jammu and Kashmir to such an extent that he would not have the courage of standing up to them after becoming the Maharaja. This may appear a little far-fetched but the Political Department of those days is known to have been capable of doing anything. In this connection it is interesting to note that Captain Arthur was selected by Sir John Wood much against the advice of the Army Headquarters in India who considered the officer most unsuitable for the job. Apparently the Secretary of State for India in London was genuinely unhappy over the whole affair. In what could be termed as the indictment of Sir John Wood (who had since taken over as the Resident in Jammu and Kashmir) and the Political Department, he wrote the following letter to the Viceroy on 22 January 1925.

"I read very carefully what you say in your letters of the 26 December and 1st January about Hari Singh's case. Personally I am very sorry for this young fellow. Like another he fell among thieves and worse and there was no better Samaritan available than Sir John Wood's protégé Captain Arthur ....

"I have carefully considered what you say about Sir John Wood. My own opinion is that he committed a very gross error of judgment. At the moment of Arthur's appointment, India was full, and England was fuller, of gallant and distinguished officers invalided from war. The Political Department should have felt a deep responsibility when sanctioning the appointment of a protector to a prince so young, so inexperienced, and so wealthy. To have sanctioned the appointment at such a moment of a man with a bad military record and disapproved by military authorities, seems to me in itself to have been a scandalous error of judgment. I agree with your observation that it is easy to be wise after the event; but while making full allowance for this reflection I cannot acquit those responsible for what they did. At such a time of all others, they should have selected for this position an officer of field rank who had played his part and exhausted his usefulness in the trenches. I agree with what I understand to be your view that Sir John Wood can hardly remain in Kashmir".<sup>29</sup>

The least that the Viceroy could have done in this matter was to have removed Sir John Wood from the State. Ultimately, however, he did not even take this little action on the plea that Wood had been "a good servant to the Government of India" and he was "reluctant to take a course which (would) bring his career to a close in the ICS in rather unpleasant circumstances".<sup>30</sup>

Like this the Viceroy had indeed thrown himself open to suspicion. It must have, therefore, been a pleasant surprise for the Viceroy when rather than getting the blame for having nominated a wrong type of a person to accompany Raja Hari Singh to England, he received a letter of apology from the Raja for having acted in a manner that landed him in trouble.<sup>31</sup> From the letter it appears that Hari Singh had put in his resignation as the senior member of the State Council but the Maharaja had refused to accept it. So whether the blackmailing episode was arranged by the Political Department or not, the British stood to gain by it politically in that they had Raja Hari Singh on the defensive on the eve of his succession to the *gaddi*; or so they thought.

Even though the British had expected Hari Singh to offer no resistance to the British policy in Jammu and Kashmir that was being followed during Maharaja Pratap Singh's time, they had not totally ruled out such a possibility. They seem to have been particularly worried about what the attitude of the new Maharaja would be with regard to Gilgit. As a matter of fact the question of obtaining from Hari Singh an assurance regarding the retention of British control over Gilgit

as a pre-condition' to the recognition of his claim to the *gaddi* of Jammu and Kashmir was hotly debated within Government circles, before he was finally recognized as the Maharaja of Jammu and Kashmir. The Viceroy had then ruled that no such pre-condition be made and instead a wait and see policy be adopted; waiting to see his attitude towards Gilgit on becoming the Maharaja and then acting as considered necessary.<sup>32</sup>

British hopes of having a stooge as the Maharaja of Jammu and Kashmir after the death of Pratap Singh, were, however, belied as Hari Singh on ascending the "*gaddi*" proved to be a tough nut to crack. With the British' policy in Kashmir being what it was, any successor to Maharaja Pratap Singh should have found it difficult to maintain even the *status quo* let alone force a change in the prevailing situation. But Hari Singh took it upon himself to regain the past authority of the earlier Maharajas of Kashmir. From the very first day of his rule he began to assert his authority, both with regard to Gilgit as well as other matters in which it stood usurped. Towards this end the Maharaja engaged himself in a political struggle with the British between 1925 and 1935, which, in fact, forms the subject matter of the next few chapters.

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## CHAPTER II

### ADVENT OF HARI SINGH'S RULE

Maharaja Hari Singh had been associated with the affairs of the state long before he actually ascended the 'gaddi' on the death of his uncle Maharaja Pratap Singh. In 1915, after completing his education at Mayo College Ajmer, he became the Commander-in-Chief of the State Forces. In 1921 he became the senior member of the State Council in addition to being the Commander-in-Chief. He utilised this opportunity in establishing contact with the people and in understanding their problems and difficulties. As a matter of fact, he had already won their confidence by his zealous efforts to solve the food problem during the scarcity conditions in 1921-22. No doubt it was the intelligent handling of the situation that averted, what could have been, a severe famine in the Valley. I

After the *Raj Tilak*, which was celebrated in February 1926, Maharaja Hari Singh took advantage of his intimate and first-hand knowledge of his people and inaugurated a series of reforms in the State. On the occasion of the Raj Tilak itself, while proclaiming justice as his religion, he announced eleven boons to his people, which included the following:-<sup>2</sup>

a) All royal coniferous trees growing in areas assessed to land revenue could be cut down and used by the landowner free of charge, provided of course that it was not sold.

b) Dead and fallen timber could in future be removed by the villagers throughout the year instead of for three months in the year as followed till then.

c) Over and above the nominal programme of development of education in the State, 50 additional schools in Jammu, 50 in Kashmir, 10 in Gilgit and 10 in Ladakh were specially sanctioned on the occasion. Timber for the purpose was to be granted by the State forest department to the villagers free of charge.

d) The *Khalsa* land were transferred to *Shamlat deh*

e) Three travelling dispensaries for Jammu and three for Kashmir were sanctioned.

f) Facilities for technical education were extended to Baramulla, Anantnag, Leh, Kishtwar, Samba, Mirpur and Bhadarwah.

g) One first class up-to-date hospital for Srinagar was sanctioned.

The Maharaja also appointed a State Council in 1926 with Sir Albion Bannerji as the Foreign and Commerce Member, Major General Janak Singh as the Army and Revenue Member, Khan Bahadur Maulvi Nasir Ahmed as the Home and Judicial Member, Mr. GEC Wakefield as the Police and Public Work's member, Lala Tulsi Ram as the Finance Member and Mr. P K Watal as the Minister-in-Waiting.<sup>3</sup>

Soon after his *Raj Tilak* the Maharaja undertook extensive tours of the State to acquaint himself further with the real condition of his people. One important result of his tours was the passing of the Agriculturist Relief Regulation which enabled the agriculturist debtor to take the creditor to court for settlement of accounts.<sup>4</sup> It also fixed the maximum interest, that could be charged, at 12% and that too provided the entire interest did not exceed 50% of the total amount decreed, and the debtor could now pay in easy installments under law. Subsequently was passed the Land Alienation Act which protected the tenants from being dispossessed of their land holdings by money lenders for nonpayment of debts. The advantage gained by the Muslims in Kashmir Valley was that the transfer of land by the poor peasantry into the hands of Hindu moneylenders, which had assumed alarming proportions, was halted. Hari Singh could thus

well take credit for saving the Muslim peasantry from becoming increasingly landless.<sup>6</sup>

In 1927 the term State Subject was redefined to give it a much wider and effective meaning. As a matter of fact it was in 1922 that, at the instance of Hari Singh, who was then the senior member of the Council, a committee was appointed to define the term Hereditary State Subject, so that practical shape to the policy of manning the State administration with natural born subjects of the state, could be given. The committee had reported that the term should be held to "mean and include all persons born and residing within the State before the commencement of Maharaja Gulab Singh's rule and those settled down therein before the commencement of, S 1942 (1885 AD) and have been since permanently residing therein." This definition was now fully accepted and, in January 1927, orders were issued that none who was not a hereditary state subject would be appointed to posts under the government without the express permission of the Ruler.<sup>7</sup>

In order to secure proper supply of trained state subjects for the superior branches of state services, the Maharaja constituted a Scholarship Selection Board with a grant of Rs. 100,000/- per annum to select scholars for special training in British India and European countries. A convention was subsequently established that the scholarship be divided between the Hindus and Muslim on a fifty-fifty basis; probably on representation from Muslims that they could not compete with the educationally more advanced Hindus. Consequently, many Muslims along with Hindu stipendiary, received training in law, civil engineering etc in foreign countries. Special scholarships were also awarded to Muslims for undergoing law courses, medical training, secretariat training and training in co-operative work and accountancy outside the State in British India with a view to bring them up to the level of the more advanced Hindus.<sup>8</sup>

Besides, non-hereditary state subjects were hereafter debarred from acquiring any immovable property in the State or selling it to one other than a hereditary state subject.<sup>9</sup>

A department of civil supplies was established with the object of assisting local enterprises. Standing instructions were issued that preference be accorded to indigenous products. In matters of contracts it was decreed that state subjects be given preference over others even if "other things being equal the bid of the latter is five percent more favourable". In another act of favouring the state subjects it was laid down that only the sons of the soil could be the shareholders and directors of the semi-state bank (the Jammu and Kashmir Bank) that was being established about then.<sup>10</sup>

A number of progressive laws were enacted by Maharaja Hari Singh within the first few years of his rule. In 1928 the Infant Marriages Prevention Regulation was enacted. The Regulation also prohibited incompatible marriages. Also in the same year was enacted the J & K Vaccination Regulation, making vaccination against small pox compulsory. The incidence of the disease was reported to have been brought down considerably as a result of this regulation.

II

Other measures of reform were the enactment of Hindu Widows Re-marriage and Suppression of Immoral Traffic in Women regulations. The latter must have been particularly beneficial to Kashmiri Muslims whose poorer woman folk often fell prey to the lust of the pleasure seeking tourists.<sup>12</sup>

Female infanticide among Rajputs, which was the result of their abject poverty, was ended by law. As an inducement, the poor among the Rajputs were given grants of financial aid at the time of the marriage of their daughters.<sup>13</sup>

Maharaja Hari Singh also waged a relentless war against untouchability. In this he had to face stiff opposition from orthodox Hindus. Schools, tanks, wells and temples were thrown open to,

who came to be known as, Harijans. So determined was he in his efforts that he did not hesitate to relieve from service the head priest of the Raghunath temple (who had long association and much influence with the ruling family) when he protested against the admittance of the low castes into the Raghunath temple. All this the Maharaja did even before Gandhiji's movement in this direction.<sup>14</sup>

Yet, perhaps, the most important regulation enacted by him in the early years of his rule was the Compulsory Primary Education Regulation. School attendance committees were set up to ensure implementation of the provisions of the Regulation and action was taken against guardians who prevented the attendance of their wards at school. It was claimed by the government that every town or village of 500 or more people in the State had a school of its own.<sup>15</sup>

As a unique welfare measure a system of grain control was established, which protected the cultivator against the severe effects of price fluctuations. By giving money to the agriculturist in advance he saved him from going to the money lender. The system eliminated the middleman and ensured maximum profit to the cultivator. The system also provided for buffer stocks and fair price to urban people.<sup>16</sup>

Maharaja Hari Singh also proved to be a great builder. He spent lakhs of rupees in building roads in the State which provided work to the landless labour. It is believed that the beautiful Gulab Bhavan was also built in Srinagar with the primary object of providing work to the labourers.<sup>17</sup>

The form of government was naturally autocratic but, considering that the Maharaja was quite accessible to his subjects, it could be said to be of a somewhat benevolent and progressive form. Initially there was an appointed day every week when the Maharaja received petitions. But, as the administration was regularised and decentralized on modern lines, occasions for people seeking direct access to the Ruler became fewer. Wishes of the people were ascertained by an annual conference of ministers with people's representatives. The Kashmiri subjects, specially, were treated with regard, consideration, and love, as never before. Apart from what he did for the Muslim agriculturist, he did much to promote industry and crafts which were the main strong holds of the Kashmiri Muslims and also of the State economy. The Maharaja would often join the Muslims in their Eid prayers and granted land for the Eidgah at Jammu; besides giving thousands of rupees towards the same cause on varying occasions. During floods in Srinagar city in 1928, when the Jhelum waters reached the embankment level at night, he is known to have been among the first to arrive on the scene and personally supervise the *bund* repair operations. He was the first Maharaja to learn Kashmiri<sup>18</sup> and with all that he was doing for the Kashmiris, he could perhaps be, justifiably, considered as the architect of Kashmiri morale<sup>19</sup>

Maharaja Hari Singh was basically a secularist. At the time of his *Raj Tilak* he had declared that "I am a Hindu but as a ruler over my people my only religion is justice" and unlike his ilk, Hari Singh's dislike of flattery almost bordered on hatred.<sup>20</sup> His government contained eminent men without any consideration of religion. Even in his private life he hardly differentiated between the Hindus and the Muslims. Many of his close friends and members of his personal staff are known to have been Muslims. The State administration even though inadequately represented by the Muslims, for reasons of their educational backwardness, could not be termed Hindu. In 1931, for instance, of the five ministers two were Muslims, two Hindus and one European. Among the High Court Judges, the Chief Justice was a Parsi of great renown and of the others one was a Hindu and the other a Muslim. Several other high offices were occupied by Muslims both in the civil administration as well as the army.



Within five years of Hari Singh's rule the State Government could boast of its progressive character by listing of the following achievements in its administrative Report for the year 1930.

a) A rise in the educational institutions for boys from 950 to 1036 during the year 1929-30 with provision in the budget for 31 additional Arabic teachers to attract Muslim children to schools. The amount allotted for scholarships to Muslims and backward classes was also doubled. A 34% increase in the girl students was recorded during this period.

b) An increase in the hospitals and dispensaries from 60 that there were in 1926 to 86 in 1930 and formulation of a scheme for five new dispensaries per province per year. It is noteworthy that expenditure on medical relief rose from less than 5 and a half lakhs in 1926 to about 12 and a half lakhs in 1931.

c) Completion of the preliminary survey for the construction of a model town in Srinagar and the start of work on the improvement of sanitary conditions and beautification of the city.

d) A substantial rise in the co-operative societies from 2716 to 2916, in their working capital from Rs. 78,93,608 to Rs. 89,42,782 and in their membership from 57,100 to 63,364; all during the year under review.

e) A rise in the number of agriculture credit societies from 2,349 to 2,438, in their working capital from Rs. 44,42,289 to Rs. 49,43,234 and in their membership from 44,163 to 45,602.

1) A general increase in the grants to Public Works Department with good progress having been made with irrigation and flood control works.

g) Improvement registered in control of liquor, famine relief, water supply, fire protection, installation of electricity etc.

## **SOCIO - ECONOMIC CONDITIONS**

The total population of the Jammu and Kashmir State in 1931 was about 3,646,243. The two main communities were (as they are even today) the Muslims and the Hindus comprising about 2,402,000 and 7,003,00 of the population respectively. Buddhists numbered about 39,000 and were confined entirely to the Ladakh region. Another minority community of some consequence were the Sikhs, who equalled the Buddhists in number but were concentrated mainly in the provinces of Kashmir and Jammu. Against the overall density of 43 to a square mile in the State, the density in the Kashmir and Jammu provinces was 184 and 144 respectively. The rural population far outnumbered the urban (as everywhere else in India) with a near ratio of 9:1. In Kashmir the Muslims predominated in numbers while the Hindus (Kashmiri Pandits) formed the main minority community in the ratio of 1 :20 In the Jammu province also the Muslims constituted the majority but only in the ratio of about 5:3, the Hindus forming the main minority community.<sup>25</sup>

Eighty percent of the population of Kashmir lived by agriculture, which included some land-less labour. Land in Kashmir province and in the frontier districts was held by Zamindars either as "*Haq-i-assami*" or as tenants holding directly under the state. The actual *assamidar* had all the rights of a proprietor but had no right of alienation by sale or mortgage, as the state was theoretically supposed to be the real owner of land. Transfers were, however, permitted within the Municipal limits of Srinagar City and in the towns of Anantnag, Shopiyan, Bijbehara, Pam pore, Sopore, Baramulla and Muzaffarabad. There were also tenants-at-will who held land subject to the will of the proprietor, who could eject them at any time. In Kashmir tenants-at-will included a large number of *Zamindars* who in 1926 had been found to have encroached on

huge 'Khalsa' areas and brought them under cultivation illegally. The occupancy tenants had the right of occupancy of land under 1 proprietor or an *assami*. They could not be ejected without special reasons nor could the rent on the land be altered at the will of the landlord. In Kashmir occupancy tenants consisted mainly of tenants who held the land at the time of the first settlement and had since been recognised as such by a competent court. They were granted *assami* rights in subsequent settlements.<sup>24</sup>

In Ramnagar, Basohli and Mirpur tehsils of Jammu province also, almost all land was owned by the state, but the land-holders were *malguzars*. They enjoyed the right of selling and mortgaging land. In other parts of Jammu province also some of the lands were held by the government and there were numerous occupancy tenants in addition to tenants-at-will. The remaining land in which people enjoyed proprietary rights were parcelled out for cultivation to tenants, who had either occupancy rights or rights of tenants at will.<sup>25</sup>

The standard of fixing revenue, in places where the state did not enjoy proprietary rights, was the same as in the Punjab, namely half the let assets or half the profits of the proprietor from lands cultivated by tenants-at-will. In fact, however, government share worked out to 22½ percent of the gross produce after the customary 10% deductions from it had been made. Where the state held proprietary rights as in Kashmir, it was entitled to half the gross produce which it actually took before the first settlement. This was fixed at 30% of the gross produce. The period of settlement was fixed at 40 years.<sup>26</sup>

Unfortunately no unbiased account of the socio-economic condition of the Kashmiri Muslim of the rural areas is available. All opinion in this regard appears to be politically motivated. Based on political motives we have broadly, one, the Anglo-Muslim opinion depicting the plight of the Kashmiri Muslim as pathetic and miserable if only to justify British intervention in the affairs of the State and two, the Hindu Nationalistic opinion refusing to accept that conditions in Kashmir were in any way worse than those obtaining in other princely states or for that matter in British India. Representative of the two divergent opinions are the ones expressed by Sir Albion Bannerji, a Bengali Christian Civil Servant of the Government of India, who was the senior member of the State Council for three years before he resigned in March 1929, and Mr. G.S. Raghavan, a journalist who had served on different occasions as the editor of the *Hindustan Times*, the *Hindu Herald*, the *Nation* and the *Sunday Times*.

Sir Albion Bannerji in a statement he issued at Lahore, on 19 March 1929, after he resigned from his post in the State Government, drew a very grim picture of the condition of the Kashmiris. He said, "Jammu and Kashmir is labouring under many disadvantages with a large Mohammedan population absolutely illiterate, labouring under poverty and very low economic conditions of living in the villages and practically governed like dumb driven cattle. There is no touch between the government and the people, no suitable opportunity for representing grievances and the administrative machinery itself requires over hauling from top to bottom to bring it up to modern conditions of efficiency. It has at present little or no sympathy with the people's wants and grievances". He, however, admitted that "some effective measures by His Highness' Government did have some salutary effect".<sup>27</sup>

The fact that Sir Albion at the end of his statement appealed to the British to sympathetically consider the legitimate demands of the Muslims (which had yet to be formulated at that time) and to secure internal autonomy for them, (as if such autonomy existed in other states or in British India), clearly betrayed his pro Anglo-Muslim bias. It appears that he resigned from his post on account of political differences with the Maharaja and his statement was politically motivated. It is interesting to note that after resigning from Kashmir Sir Albion settled down in

England and started a monthly entitled *Indian Affairs*.<sup>28</sup> From a letter that he wrote to Lord Irwin on 13 November 1930 it appears that he had all along been a Government of India man. In the letter he requested the Viceroy to nominate him to the Council of State.<sup>29</sup> Action taken by Lord Irwin on this request could not be traced but in a letter to Lord Wellington dated 19 November 1931 the Secretary of State Sir Samuel Hoare made it known that he had taken note of the name of Sir Albion Bannerji for consideration of appointment to his Council as suggested by the Viceroy in his letter of 24 October 1931.<sup>30</sup> In view of the very close links that Sir Albion had with the British and the British Indian Government, it is quite possible that he acted at their behest. Sir Albion may have been right in what he said about the conditions in Kashmir but what we need for our present study is not only statement of facts but also their comparison with the conditions prevailing elsewhere in India. This comparison is provided by a contemporary writer, GS Raghavan, who seems to have carried out a detailed study of the socio-economic conditions prevailing in Kashmir, in 1930-31.

In his book *Warning of Kashmir* Raghavan opined that the landholding tenants in Kashmir were on the average distinctly better situated than their conferrers in several parts of India. Generally speaking, they were fairly well-fed, and well-clothed though, unfortunately, as a matter of habit, developed due to cold during the greater part of the year, they kept themselves dirty giving an impression of being poverty stricken. Their housing conditions were according to him, better and physically they were sturdier than, for instance, the tenants in the United Provinces (now Uttar Pradesh) of British India. Raghavan felt without hesitation that in Kashmir there was "not a fraction of the squalor, misery, hunger and suffering that one sees almost everywhere in British India".<sup>31</sup>

He admitted that poverty did exist in its acute form forcing the poor to go to the money lender during the cold season when the peasant was out of work due to snow all around but felt that after the drastic steps taken against it by Hari Singh, usury in Kashmir was no longer "the day light robbery" that it had been in Kashmir before him and not the form of "organised depredation" that it was in British India at the time.<sup>32</sup>

Commenting further on the socio-economic conditions in Kashmir as personally seen by him, Raghavan writes that in a short period of his rule the Maharaja had effectively transformed the life of the people and overhauled the administration<sup>33</sup> and that the Kashmir citizen was a free man on whom aristocracy did not weigh as a terror as of old and he "stood liberated from physical oppression and moral bondage".<sup>34</sup> He, in fact, considers Hari Singh as the "architect of Kashmiri morale". Raghavan goes on to write that "in 1931 the sojourner in Kashmir could probably find little difference between the State and any other area governed under modern system of administration".<sup>35</sup>

In describing the condition of the Kashmiri Muslims, Raghavan appears to have indulged in rhetoric at places. This is probably to counteract the exaggerated accounts of the "miserable plight" of the Kashmiri being published by the Muslim press of British India in those days. Never-the-less his description makes much sense considering that even the British seem to have been impressed by the performance of the Maharaja during the first few years of his rule. This is reflected in the confidential demi-official correspondence between the Viceroy and the Secretary of State for India in London pertaining to Hari Singh as a ruler. In reply to an enquiry by the Secretary of State as to "how Maharaja Hari Singh was shaping"<sup>36</sup> in March 1928, the Viceroy, Lord Irwin wrote, (on the basis of the Resident's report), that "so far as administration work goes the Maharaja is alert, receptive and energetic but he can hardly be called a good administrator though the general standard of administration still remains high, judged by such

standard as are applicable. The Maharaja deserves credit for introducing the Agriculture Relief Act. On the whole, though surrounded by every sort of temptation to indolence and vice, he, in general, lives simply and works hard, if somewhat intermittently, devoting undeniable ability and energy to the welfare of his subjects".<sup>37</sup>

In fact, there was so much undeniable evidence to show that Kashmir was comparatively under good administration that even the rabid anti Dogra opinion had to admit it, even though with some reservations. In order to justify the Muslim agitation of 1931, it admitted to his rule being good only during the "earlier years". Conveniently the fourth and the fifth years of his rule, when the agitation was in full swing, were excluded from the "earlier years" and termed "later years" during which time, it is alleged, Hari Singh transformed himself into an "ease loving and pleasure seeking despot, least interested in the affairs of his State".<sup>38</sup> The whole idea of dividing the short period of five years rule, (from the day ascended the '*gaddi*' to the time the agitation against him was started), into earlier and later years is so ridiculous as to raise doubts regarding the sincerity of the originators.

The Census of India 1931 Report pertaining to Jammu and Kashmir, ;t two years after Sir Albion's statement, also does not appear to support his views. The report goes on to say that "undoubtedly the Kashmir province is blessed with copious boons of nature and enjoys a decided priority over the sister province of Jammu".<sup>39</sup> Commenting on the positive checks on population of Jammu and Kashmir, other than war, the report points out that "starvation and famine, though in a mild form, does effect the birth rate in the Jammu province and the Frontier Districts, while the Kashmir province is in this respect better suited. As regards disease this check also received full play in Jammu province where plague cuts off the natural increase to a great extent".<sup>40</sup> The Report further indicates that the highest increase in the number of houses had taken place in Kashmir which recorded an increase of 20.3% as against 6.6% in Jammu." This it attributes to the "65% increase in population in Kashmir in the last forty years as against only 24% increase in Jammu".<sup>41</sup> Generally the condition of the *zamindar* (land holder) was reported to be that of "steady progress".<sup>42</sup> It was reported that the abnormal fall in prices in British India (1930-31) did not affect the Kashmiri *Zamindars* who obtained a higher fixed price from the Food Control Department, which had proved a great boon both to the urban and rural population.<sup>43</sup>

The urban Muslims of Kashmir could even perhaps be termed as well off. In their hands was concentrated the complete trade, industry and skilled craft for which Kashmir is so famous. What is unique about Kashmir is that instead of Kashmir manufacturers going in search of the market, the market itself came to Kashmir annually in the form of tourists in search of Kashmiri products.<sup>44</sup> They made good profits on their arts and crafts. It is, however, another matter if the employees of skilled labour (who were all Muslims) treated the workmen (again all Muslims) in a scandalous manner.<sup>45</sup> There appears to have been during Hari Singh's rule a noticeable effort on the part of the Government to accelerate the general economic growth in the State. Trade and industry were particularly helped through the State Department of Industries which also arranged industrial exhibitions from time to time. There were in 1931, 2 Match factories, Santorin factory, several carpet factories, factories for willow work, tannery and knitting, a tent factory and many hand-weaving silk factories. Industries were in fact being developed as a continuous process. There were, for instance, plans for establishing a modern power loom for silk weaving and woollen goods. Efforts also appear to have been in hand to exploit the considerable mining resources of the State.<sup>46</sup>

The other community in Kashmir was that of the Kashmiri Pandits. They numbered about

72,000 in 1931; a mere five percent of the total Kashmiri Population. From time immemorial Kashmiri Pandits have followed occupations of literary, priestly and administrative nature. They are well-known all over India for their subtlety of mind and quick wittedness. Not only in Kashmir but in British India also there were many distinguished Kashmiri Pandits; Moti Lal Nehru, Jawahar Lal, Sir Tej Bahadur Sapru, Raja Sir Hari Krishen Kaul and Raja Daya Krishen Kaul to name a few. In the past they were famous for their Sanskrit learning. When the state language became Persian, they very soon acquired proficiency in that language also and thus continued to command the esteem and administration of even Muslim rulers. As a matter of fact, generations of intellectual training gave the Pandits superiority as an official class for which the Muslims had neither prepared themselves nor cared to do so. They naturally found their way to government services no matter whose rule it was. Muslims, in fact, contemptuously called the Pandits "pen pushers" and with few Muslims in this field even Muslim traders and craftsmen were forced to engage Pandits as clerks in their business.<sup>47</sup> They were debarred as a community to join the army as combatants - being considered non-martial along with the Kashmiri Muslims - but here also they were plentiful as clerks and on other non-combatant posts.<sup>48</sup>

In Jammu the main occupation of the Muslims (who were also considered as Dogras) was agriculture. Of course, land in Jammu was not as fertile and productive as in Kashmir but the plains contiguous to the Punjab, where the majority of the Muslims dwelled, were fairly productive and afforded the farmer a reasonable living. Economically they were handicapped by lack of arts and crafts which had been mastered by their Kashmiri co-religionists. Extremely low literacy amongst them came in the way of their joining the services other than the army. In the State Forces they were well represented being about 1/3 of the total with many of them occupying high posts (see appendix C). A large number of them joined the Indian Army,<sup>49</sup> where they were enrolled under the vacancies of Punjabi Mussalmans. The Muslim peasant could not have been, in any way, worst off than the Hindu peasant as both tilled similar lands with more or less the same productivity.

The Rajputs dwelt mostly in the rural areas. of the northern portion of the Jammu region skirting the lower Himalayan ranges known as the *Kandi Illaqa*. Although recognised as agriculturists there was little scope for the Rajputs of these areas to carry on agriculturist pursuits profitably in view of the dry and stony nature of the soil and total lack of irrigation facilities. In fact till quite recently there was great scarcity of drinking water in this region, especially during the summer months. Their hard living conditions in such arid terrain made the Rajputs good material for the army. Their joining the State Force in large numbers was, therefore, as much due to their suitability and economic necessity, as it was due to their assumed loyalty to the Ruler. The army thus became their main and in some cases the only occupation. This occupation could not, by any stretch of imagination, be termed lucrative. Pays were quite meagre compared with those of the Indian Army while their service conditions in the frontier areas were more arduous than what the Indian Army was normally called upon to undergo. Education among the Rajputs was just of the standard required of them in the army. Consequently, they found little representation in the civil services. No doubt, a few Rajputs who were close to the ruling family had secured high civil jobs, which remained a terrible eye sore to both the Kashmiri Muslims as well as the Kashmiri Pandits, but Rajputs in general were poorly represented in the civil service. Indeed, well-to-do Rajputs were far and few. Even the army officers as a class could not be termed as well to do; their pays being about one half of their counterparts in the Indian Army. The general economic condition of the Rajputs (about

which no one has ever bothered to write) was therefore not envious by any standard.<sup>50</sup>

The other Dogras consisted of the Khattris, Mahajans, and the Brahmins. They were well-educated and consequently well represented in government services. They (especially the Mahajans) also engaged in trade and business. The poorer among the Brahmins joined the army and were considered equally martial along with the Rajputs. Generally the socio-economic condition of these Dogras could be considered similar to that of the Hindus of Punjab.<sup>51</sup>

The literacy rate in the State as a whole was low compared with that of other States and British India.<sup>52</sup> This was probably because the large Muslim population was averse to education just like their co-religionists in British India. The hilly terrain and the lack of means of communications, which cut off large areas from the main stream of life in the State, also contributed greatly to this state of affairs.

We have seen that widely divergent views on the socio-economic condition of the people of J&K have been expressed by various individuals and organisations. This should not cause any surprise nor lead one to suspect the sincerity and truthfulness of those who have made varying claims. The fact is that development is a continuous process and while much may have been done by a government for its people, there would, at every stage be a lot more yet to be done. The stance that one takes in this regard depends on which way he is looking - towards what has been achieved or what still remains to be done.

The performance of the Dogra governments of J & K must be judged after taking into account the initial extreme backwardness of the area that they inherited, the peculiar handicaps of inaccessibility imposed by the mountainous terrain and the all too meagre resources at their dis-

posal as compared to the magnitude of the task of development. What Maharaja Hari Singh's government was up against while striving to improve the living standards of its people during the first ten years of his rule may be gauged from what Sheikh Mohammad Abdullah had to say about the condition of the people of the State after 34 years of self rule during which thousands of crores of rupees, in the form of Central financial assistance, are known to have been spent on the economic development of the State. In 1981 the Sheikh wrote rather frankly that:-

"neglected and down-trodden sections are still groaning under the loathsome burden of abject poverty. The progress achieved, though substantial, can by no means be described as balanced. A vast multitude of our brethren in rural areas continue to be deprived of the basic necessities of life. Glaring discrepancies between the rich and the poor, the possessed and the dispossessed, the haves and the haves not, have (still) to be removed"

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48. Personal knowledge as author of the official history of the Jammu and Kashmir Rifles  
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the author at Jammu 1981. As an example Col Bhagwan Singh cites that the State subaltern  
received only Rs. 150/- pm as against Rs. 300/- or so entitled to that rank in the Indian  
Army. A major in the State was paid Rs. 250/- as against about Rs. 600/- in the Indian  
Army. Even States like Hyderabad paid more to its officers than J& K could.

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## CHAPTER - III

### BRITISH DISENCHANTMENT

Evidently Maharaja Hari Singh's rule was off to a flying start and the British who had been watching the affairs of the State, for reasons of their own, with very keen interest, did not fail to take note of Hari Singh's qualities as a ruler. As noted earlier in the last chapter, some personal and confidential letters exchanged between the Viceroy of India and the Secretary of State for India, London, speak of Maharaja Hari Singh's administration as being of a high standard generally, judged by such standards as were applicable and of the Maharaja himself "devoting undeniable ability and energy to the welfare of his subjects".

The Viceroy's good opinion about the Maharaja though based mostly on the reports of Mr. Howell, the British Resident in Kashmir, was also the result of his personal knowledge of Hari Singh. This is quite evident from his comments on the criticisms of Hari Singh made by the Resident in his report to the Viceroy. Referring to the two adverse remarks made by the resident, first, that "His Highness though capable of generosity is vindictive and is apt to allow an ancient grudge or a hereditary antagonism to cloud his judgement" and second that "His Highness shows a growing tendency towards extravagance, specially on pomp and ceremonies and his personal apparatus of aggrandisement", the Viceroy in a letter to the Secretary of State considered it necessary to "qualify somewhat the impressions that Howell's comments would by themselves leave". It was not that what Howell had said was not true, but because the Viceroy considered that "other things are true too". He went on to say that he himself had seen a good deal of Hari Singh lately and that he had always got on well with him. In fact he had "never found him in small or big things unreasonable or out to take an advantage." He praised Hari Singh's work in the Standing Committee and considered him a "definite acquisition to the Chamber of Princes". In an obvious reference to the strained relations between the Resident and the Maharaja the Viceroy felt that "the side of him that Howell dwells is due principally to the recollections of past associations with the Residency".<sup>1</sup>

The high opinion that the Viceroy had of Maharaja Hari Singh's ability is also reflected in his letter to the Secretary of State for India dated 9 March 1928, in which he suggests that Hari Singh accompany the Maharaja of Patiala to England to help him with Butler Committee "as he is a sane and reasonable man and would help keep Patiala on the right lines and help Patiala control Alwar". The Viceroy had such regard for the Maharaja that he would have been "sorry to risk hurting Kashmir own feelings by not giving him the option".

Although the British appeared to be quite satisfied with Hari Singh's performance as a ruler and considered him to be "genuinely anxious to run his state well",<sup>2</sup> the brushes with the British authority which he had begun to have, nearly as soon as he became the Maharaja, could not have, been to their liking. What disturbed the British was that Hari Singh had begun to assert himself from the word go and had belied their hopes that he would be another puppet ruler. The Resident, particularly, was anathema to him. When Sir John Wood was the Resident the relations between the two were so strained that Wood had to be replaced by Howell in the hope of easing matters. But the Problem was not the individual but the "Resident qua Resident".<sup>3</sup> During Maharaja Pratap Singh's time the Resident had become the *defacto* ruler and Hari Singh started asserting himself to reverse the position. The new Resident, Mr. Howell, explained the Maharaja's behaviour in this regard by saying that "Hari Singh has been so moved by his experience of Residency control in the earlier years as to be now almost obsessed with a passion for divesting himself of all traces of it" and that he "consequently tries to exalt

himself and his government in various minor ways at the expense of the Government of India and their representative and to hold the Resident *qua* Resident at arm's length and to avoid contact with him, especially contact on a plane of equality". Howell, however, admitted that his personal relations with His Highness were pleasant enough and that he had on occasions gone out of his way to show Howell friendliness and courtesy.<sup>4</sup> The general impression among British government officials in this regard seems to have been that Hari Singh had "an element of a bully in him" and that "when he has only the Resident to deal with, he tends to assert himself in a domineering way or worse".<sup>5</sup> In fact, to Mr. Birkenhead Secretary of State for India London, he seemed to present a "puzzling blend of good and bad qualities" and he considered Hari Singh as "young bumptious and difficult".<sup>6</sup>

The reason for the British bitterness was a series of incidents in which Hari Singh had asserted himself more than what they were used to; not only in Kashmir but also in other Princely States. He was, therefore, considered by them good as he worked for the good of his people and bad as he refused to serve British interests.

In November 1927 occurred, what came to be known as the case of Colonel Ward. It appears that soon after ascending the *gaddi* the Maharaja ordered the retirement of all service personnel who had crossed the age of retirement as laid down in service rules. One such person affected was Colonel Ward who was still in state service at the age of eighty. On being retired from service in 1927 he was also made to vacate his government quarters. The Viceroy and the Secretary of State for India pressed the Maharaja to make an exception to the rule in the case of Colonel Ward, as the Secretary of State did not like the idea of "throwing a British subject to the dogs"<sup>7</sup>; for this is what, he thought, the whole thing amounted to. The pressure on the Maharaja seems to have been kept up for more than a year before the Secretary of State decided to allow the Maharaja to have his way. Extracts from the final communication of the Maharaja to the Secretary of State in this regard are reproduced below to show how finally the Maharaja dealt with the case in spite of such pressures.

"In the face of these facts I cannot see on what grounds Colonel Ward deserves any special treatment. It must be remembered that Colonel Ward is about 80 years of age and that, being so, it can hardly be urged that he can have any possible grievance against being retired from service. In principle I do my best to avoid making exceptions to rules and regulations governing service in the State. There are many officers who have rendered much more valuable service to the State than Colonel Ward and if I were to make an exception in his case by permitting him to live on in the house which had been placed at his disposal during his service, there would be much heart-burning and dissatisfaction.

"There is another aspect also. It is well-known that Colonel Ward has approached several high officers of the Imperial Government to bring pressure to bear upon me and my government in regard to this case. In these circumstances any leniency displaced would be open to serious misconception as having been extracted by force and against all rules and regulations.

"In conclusion I would add that it has been my unfortunate experience that officers whose services I have been compelled to dispense with for incompetency or in-utility have misrepresented my motive and I have in several such cases been charged with anti-British tendencies. I dare say that similar remarks have been passed against me in connection with the case of Colonel Ward also. I have not thought fit to take notice of such slanderous allegations".<sup>8</sup>

That the stand of the Maharaja in Colonel Ward's case was genuine could hardly be disputed

but, while the Viceroy considered that the Maharaja had acted "harshly and unwisely"<sup>9</sup>, the Secretary of State thought that the Maharaja's straight forward letter was "typically disingenuous".<sup>10</sup> This, in spite of the fact that discrete inquiries made by the Viceroy through Mr. Wakefield, one of Maharaja's advisors (and probably British agent) who knew the ins and outs of what went on in Kashmir, had not revealed anything of a "personal pique" in the matter as was being suspected by the Viceroy and the Secretary of State.<sup>11</sup> It may perhaps surprise those, who felt (and still feel) that the British were great respecters of the law, rules and regulations, to note how the British judgement could get clouded when their own interests or those of British subjects were involved. Rather than appreciating the Maharaja's principled stand they seem to have looked upon his action with disdain and contempt. They shamelessly pressurised the Maharaja for over a year in a bid to force him to do what, even they themselves could not have failed to realise, was wrong and against the tenets of good administration. The case was ultimately given up by the Viceroy with the remark that he did not on the "present information see how we can press him further in the matter as our only appeal can be admisericordiam".<sup>12</sup> The Secretary of State on his part seems to have felt disgusted on receiving Hari Singh's letter and while forwarding his letter to the Viceroy wrote that "It is evidently no use arguing with His Highness any more".<sup>13</sup>

Meanwhile, in about March 1928, yet another incident took place after which the Maharaja must have earned a good amount of British ill-will. While the Resident was out of station the Maharaja ordered the demolition or removal of the Residency flag staff in Srinagar on which the Union jack was flown. The Maharaja appears to have been informed that in other Residencies the flag staffs were not situated on the ground and he seems to have decided to bring the Kashmir Residency in line with the rest. Evidently, the Maharaja's information was not correct and he was compelled by the Viceroy to replace the flag staff.<sup>14</sup> The Secretary of State for India seems to have taken a very serious note of Hari Singh's action which he considered "so pointed an insult to the suzerain", which could not be condoned "till he has done enough to discount so grave a lapse".<sup>15</sup>

Some people, who have lived through this period, would have us believe that the Maharaja's quarrel with the British over the issue of the Union Jack was not merely to bring the Kashmir Residency in line with Residencies in other States but to exercise certain rights which accrued to him by virtue of the special status of Kashmir. After all, for nearly the first forty years of its existence, there was no Resident in Jammu and Kashmir as such. The post of the Resident was brought in through the back door by gradually building up the "Officer on Special Duty", to become a full fledged Resident and more during Maharaja Pratap Singh's reign.<sup>16</sup> Maharaja Hari Singh was probably trying to reverse the trend. Through concerted effort he had managed to secure for his law courts full criminal jurisdiction over all British- Indian subjects and full civil jurisdiction over everybody in the State regardless of nationality. This had greatly clipped the powers of the Resident who had so long been running a Residency court for looking after this aspect in the State. In fact, there had been a hundred other small matters in which the limitation in the internal sovereignty of the State was being felt. Little by little Hari Singh had succeeded in re-establishing for his State its authority that had been abridged during the rule of his pre-decessor.<sup>17</sup> Now, as a "result of the Union Jack episode alluded to above, while the Resident was allowed to fly the Union Jack at Srinagar, the Maharaja succeeded in having the Resident debarred from moving to Jammu during winter. He had to move down to Sialkot. instead."<sup>18</sup>

It is surprising but true that the Viceroy was quite used to asking the Indian Princes for

"favours" that were not always in keeping with rules and regulations, nor, for that matter, morally correct. Such favours were, of course, not personal but primarily for serving British interests in India. We have already seen how they persisted in asking the Maharaja of Jammu and Kashmir to do something in Colonel Ward's case which they should have known was wrong.

In 1930 when the Civil Disobedience Movement was in full swing the Viceroy asked the Maharaja to monetarily favour one Mr. RS Sarma CIE, MLA, editor of the *Bangalee* just because he was, through his newspaper, espousing the British cause. The Viceroy must have felt terribly humiliated on receiving from the Maharaja, in reply to his request, another sermon on good governance to explain his inability to pay any subsidy to Mr. Sarma. The Maharaja's letter makes interesting reading and is reproduced below :

"Your Excellency's letter of introduction, dated the 28th June 1930 favouring Mr. R.S Sarma CIE, MLA, editor of the *Bengalee* newspaper, has been delivered to me. I regret very much that I have been unable to help Mr. Sarma to the extent that he desired, because on principle I have always set my face against subsidising any newspaper on any account whatsoever ... it also becomes necessary not to have any unusual monetary connections with any newspaper because that fact is at once construed into a desire to secure a white-washing organ. All I have been able to do in the case of the *Bangalee* is to have it placed on the list of newspapers to which our advertisements are sent .... I feel certain that Your Excellency will agree with my views and forgive my not having been able to do more for Mr. Sarma".<sup>19</sup>

From a perusal of Lord Irwin's Papers, (Halifax papers as they are known), it appears that the Viceroy was not used to receiving such replies from the Princes as were being sent in by Maharaja Hari Singh. A few examples of how the Princes were vying with each other, during the same period, to fulfil every wish of the Crown Representative would illustrate the point.

In April 1930 Lord Irwin asked the Nawab of Bhopal to use his influence to keep the Muslims out of the Congress agitation as some *Ulema* had started saying that the salt-tax was against their religion and events in Peshawar had brought in a good deal of Muslims into the agitation.<sup>20</sup> Evidently the Nawab of Bhopal obliged and received a letter of thanks for assuring the Viceroy that he would continue to exert his influence in the "right direction".<sup>21</sup> In May, same year, the Nizam of Hyderabad readily obliged the Viceroy with his pronouncements to his co-religionists against the Civil Disobedience Movement.<sup>22</sup>

How low the British could stoop in the matter of seeking favours from the Princes and how readily the Princes obliged may be gauged from the letter that the Viceroy addressed to the Rulers of Bhopal, Patiala and Nawanagar on 2 May 1930 requesting them to call up their debentures with the *Bombay Chronicle* which he felt was identifying itself with the "forces of disorder, the Indian National Congress".<sup>23</sup>

The Viceroy may have hesitated to place the matter before the Princes concerned, but none of the three Princes seem to have suffered from any qualms in calling up their debentures.<sup>24</sup>

In an equally mean manner Lord Irwin is known to have asked the Maharajas of Bikaner and Jodhpur to take action against Marwaris, connected with their states, who were assisting the Civil Disobedience Movement in Bengal.<sup>25</sup> These two Princes also obliged the Viceroy as readily as the others.

But the meanest 'request', perhaps, was made by the Viceroy when he asked the Nawab of Bhopal to stop the monthly allowance being granted by His Highness to Abdul Kalam Azad for studies just because he was "very closely associated with Pandit Moti Lal Nehru, and allied with him, in all his endeavours, to seduce Muslims from their loyalty to government".<sup>26</sup> This

request was also duly conceded to.

Indeed it was not only in matters relating to such "favours" that Maharaja Hari Singh was rubbing the British on the wrong side. Bigger issues were involved too. The prime one being Gilgit. We have seen that the British were worried about how the new Maharaja would view the existing arrangements in Gilgit. It may be recalled that the area of the Gilgit frontier was then divided under two categories of administration. One, the settled area of Gilgit Wazarat ruled directly by the Maharaja and second, the Gilgit Agency under the control of the British Political Agent. The worst British fears came out true when immediately on assuming rule Maharaja Hari Singh started pressing for the abolition of the Agency and restoration of its control to the State.<sup>27</sup> This was totally unacceptable to the British because, apparently, the Russian threat in the region had not diminished in any way since the Panjdeh affair in 1885.

No doubt, the Czarist regime in Russia had been ousted in 1917 but its policy of military and political advance southwards did not seem to have been given up by the Union of Soviet Socialist Republic that now emerged. An article on the "Military and Political Advance of the USSR in Asia" published in *Poslayduya Noyosti*, dated 28 August 1925, would give a good indication of the Soviet activity in the region and the anxiety it was causing to the British. The article, which seems to have been taken a serious note of in the British Indian Government circles, went on to say that "in spite of all the power and authority of Great Britain, owing to the political activities of the USSR, three of the strongest Mohammadan states, Persia, Turkey and Afghanistan, have escaped from her sphere of influence .... and [they] have even concluded friendly agreements with her sworn enemy Soviet Russia . . . . During 1925 they (Russians) have despatched to Afghanistan two squadrons with Red pilots and flying instructors and 200 machine guns. Soviet aeroplanes, yet earlier, at the end of 1924 and beginning 1925, took a successful part in the bombing of the eastern tribes of Mangalas and Jadras in Khost. After the collapse of the rising in Khost the position of the government became stronger and with that, so the

Bolsheviks aver, the influence of the USSR in Afghanistan was also strengthened".<sup>28</sup>

The British could not have, therefore, taken kindly to the Maharaja asking for the abolition of the Agency at that time. Never-the-less they seem to have remained quite tolerant towards Hari Singh in the initial stages even as he forcefully persisted in his demand. They even seem to have given in, in small connected matters, like flying of the State flag in the Agency alongside the Union Jack.<sup>29</sup> Every effort seems to have been made by the Viceroy for settling the "important and tiresome questions" arising out of the British "position of co-operation in the Gilgit Agency" through friendly talks with the Maharaja in the hope that these talks "would have done something to smooth the progress" of the official exchanges.<sup>30</sup> Perhaps because of the forcefulness with which the Maharaja pressed his case, the British seem to have adopted a cautious approach while dealing with Maharaja Hari Singh in this regard. Every effort seems to have been made so as not to annoy Hari Singh on any account during the years that discussions on Gilgit were going on. In this connection, it is interesting to note how the Resident thought that even the question of getting a good advisor for the Raja of Poonch needed to be approached warily as the Maharaja was "apt to be touchy on the subject of Poonch affairs", and that "if he (the Resident) attempted to press the question now, he might spoil everything". Consequently, the Resident decided to wait "for an opportunity when he finds himself on sufficiently friendly terms to bring the matter to the Maharaja's notice and try and get something done smoothly".<sup>31</sup> This cautious approach is also indicated in a letter from the Secretary of State for India to the Viceroy, in connection with Colonel Ward's case in which he seems to realise that "It is

undesirable to antagonise him, especially at present".<sup>32</sup>

It seems that, in an endeavour to win over Hari Singh, the Viceroy was prepared to go to the greatest extent. He pressed the British Government very hard for the inclusion of Maharaja Hari Singh in the Indian delegation to the League of Nations. The Secretary of States, however, even though admitting that Hari Singh was well-suited for the job and that his inclusion would improve ties with Kashmir on account of the responsibility and trust reposed in him, refused to oblige the Viceroy on the pretext of Mr 'A' issue being raked Up.<sup>33</sup> The Viceroy went to the extent of recommending Hari Singh for bestowal of Grand Companion of the Indian Empire (GCIE) in the hope that the conferment of the honour might cure Hari Singh of his tendency to assert himself.

But the Secretary of State was not prepared to be as indulgent with regard to Hari Singh as the Viceroy was. In a letter to the Viceroy he wrote that "in the light of some of his recent actions of which the King is likely to have some knowledge, this would not be an appropriate time to propose the bestowal of a GCIE". He felt that even though "from the psycho-analytical point of view the bestowal of an honour was held to be the best way to cure Hari Singh of his tendency to assert himself at all costs and to bring him back to the straight path, we could not afford to expose ourselves so openly to the oft-flung reproach that we honour those who flout us and have no rewards for our quiet well behaved friends". He was prepared to consider the question again only after seeing how Hari Singh "carries himself in the blaze of publicity that is likely to attend him for a time", if he visited England that summer (1928) and "if on his return he behaves with greater consideration to the Resident".<sup>34</sup>

In order to understand the full implication of the Viceroy's recommendation of Hari Singh for an award on his own, an example of how the Princes normally pleaded with the British for such awards for themselves may not be out of place. In a letter to the Viceroy, Lord Irwin, the Secretary of State for India Lord Wedgewood Benn writes about the interview that the Maharaja of Patiala had with him to plead his case for some award like the GCE or an honorary rank of a Lieutenant General. In support of his case the Maharaja of Patiala is reported to have said that "he had always been and remained intensely loyal to the British Crown but the reward for his loyalty appeared to be of this kind", (the humiliation suffered by him owing to the Fitz Patrice Enquiry). He is further reported to have said that the Princes had only to lift up their finger for Congress support, but they would not do it and yet, if they remained on the British side, they were treated as he had been. Lord Wedgewood Benn went on to record that the Maharaja "spoke under the stress of great emotion and more than once wept".<sup>35</sup>

Apparently, Hari Singh did not 'behave' in the manner that the British expected him to and continued to assert himself both with regard to Gilgit as well as in other matters. When he did eventually go to England in the summer of 1928, he busied himself in openly airing his grievances against the British-Indian Government through Leslie Scott who had been engaged by some Princes (including Hari Singh) for giving publicity, in England, to the numerous cases of injustice from which his client Princes were suffering, At a small luncheon party in the House of Commons, in the last week of June 1928, at which Maharaja Hari Singh was present as the chief guest, "Leslie Scott developed his scheme of a council for Indian States' questions, under the presidency of the Viceroy and led up to the necessity for the establishment of such a body by arguing that many of the Princes, despite their intense loyalty, smart under a sense of injustice inflicted, not intentionally but as a result of the lack of opportunity for public discussion combined with the autocracy of the individual political officer",<sup>36</sup> To leave no doubt in anyone's mind that Maharaja Hari Singh was one of the aggrieved, Leslie Scott is reported to

have gone on to "tell the assembled company that His Highness could furnish plenty of instances of injustice to Kashmir".<sup>37</sup> The Secretary of State for India, Lord Birkenhead, took Leslie Scott "sharply to task" over this matter but spoke to Hari Singh "in more general terms on the subject of the exalted and responsible position" that he then occupied.<sup>38</sup>

Although Lord Birkenhead got the impression that the effect of his talk on Hari Singh had been good, the Maharaja still does not seem to have done anything thereafter that could have pleased the British. Contrarily he continued to earn "notoriety" for being anti-British. The very fact that Maharaja Hari Singh made a reference to his being considered anti-British in his letter to the Secretary of State for India with regard to Colonel Ward's case, eluded to earlier, shows that the charge, even though not on record, must have been quite serious. Hari Singh's persistence in demanding the abolition of the Gilgit Agency could not but have contributed towards the general impression that he was anti British.

Maharaja Hari Singh's continued leanings towards the Indian National Congress, which was then on the path of confrontation with the British Raj, must have also greatly irked the British. Hari Singh does not seem to have made any attempt to conceal his nationalistic feelings. He is known to have given full vent to these feelings in his speeches at the meetings of the Chamber of Princes.<sup>39</sup> The last straw on the camel of British patience, however, was placed during the first Round Table Conference in London, In a speech overflowing with nationalistic fervour he stated rather boldly that "as Indians and loyal to the land whence we derive our birth and infant nurture we (the Princes) stand as solidly as the rest of our countrymen for our land's enjoyment of a position of honour and equality in the British Common-Wealth of Nations". None could have failed to notice that in saying so Hari Singh was in fact speaking the language of the Indian National Congress but he did not just stop there. In order to leave no doubt in anyone's mind about his whole hearted support to the Congress idea of the Greater Federation of India, he went on to say during the discussion of the Federal Structure Committee Report that "I have never disguised from my friends my warm support of the idea of an All-India Federation .... Federation ensures unity of our country and prevents the hopeless splitting of our Motherland".<sup>40</sup>

What the Maharaja had said was clearly in keeping with the Moti Lal Nehru Report which envisaged the future linking of the Indian States with the rest of India in a federal polity. This could not have been appreciated by the British who had been opposed to the idea of a united India right from the beginning under the plea that the pledged commitment of His Majesty's Government to preserve the territorial integrity of the Indian States precluded any consideration of the problem of India's independence as a unit.<sup>41</sup> In fact, the Simon Commission had, as late as May 1930, set aside the idea of an immediate Federation of Greater India to include the Indian States and the Viceroy had more or less endorsed the findings of the Commission. In a letter to Mr. Dawson (editor *The Times*) dated 17 June 1930, Lord Irwin clearly showed his inclination to agree with Simon, though he felt that Simon in his report had "deliberately refused to dress them (his conclusions) up at all" in, what may be called, Dominion Status form, which was "what the Indians wanted without understanding what Dominion Status actually implied."<sup>42</sup> Subsequently, commenting on his despatch, he wrote to Rt Honble the Vis Count Cecil of Chetwood on 01 Oct 1930 that: "We have tried in our despatch (to the RTC) with such tact as we could command, to amplify and develop this scheme (Simon's) in the way in which it would inevitably work".<sup>43</sup> Undoubtedly the Viceroy had in his despatch "poured altogether too much cold water on the Federal idea".<sup>44</sup>

In England also the general British opinion was in favour of the Simon Report. The King

himself seems to have been emotionally involved. This is seen from two letters that Lord Stamfordham (Private Secretary to His Majesty) wrote, one each to Lord Irwin and Wedge Wood Benn, on 6 July 1930. To the Viceroy he wrote that "as to the Simon Report the King shares the general view of all who, from political and military association with India and its people, think that the Report is a very remarkable achievement ... Meanwhile His Majesty trusts that the Government here will regard it as the core of their policy and not allow the Round Table Conference to tear it to bits".<sup>45</sup> In his letter to the Secretary of State for India he seems to have complained that the Viceroy in two of his telegrams to the King on this subject had not appreciated the Simon Commission Report to the extent that the King expected him to. He expressed the King's fears that by making it clear that "the Conference will enjoy the unfettered right of examining the whole problem in all its bearings", the Viceroy sounded "as if the Report may be thrown to the wolves at the Round Table Conference".<sup>46</sup>

While the British and the British Indian Governments were, perhaps not prepared to regard the Simon Commission Report as their sheet anchor to which they would hold fast as the King would have liked them to, they were certainly in favour of making it the basis for discussion at the Round Table Conference as far as would be possible without giving the impression that the "British heel was on India",<sup>47</sup> In this they had hoped for the co-operation of the Princes who, they believed, would never agree to the idea of an All-India Federation. As a matter of fact the Princes seem to have been advised both in India, before their departure for the Conference, as well as in London, to keep away from the idea of the All-India Federation. This is evident from a letter which Sir Walter Lawrence wrote to Lord Irwin on 3 December 1930, in which he goes on to say that "it is curious that without any consultation with you I have taken exactly the same line with the Princes as you took with them in India, I have advised them to show all friendliness to British-India in its desire for advancement in the world; but have strongly dissuaded them from rushing in with the suggestion for federation. I have put it on selfish grounds that they should wait and see what the future units of British India are like before they clamour for federation with these units",<sup>48</sup> This was exactly the line taken by Sir John Simon by saying that "any closer organic union between the States and British-India must grow out of traditional and consultative arrangements on matter of common concern".<sup>49</sup>

For a while the British apple cart at the Round Table Conference appeared to have got upset when during the opening sessions of the Conference the Princes in general expressed their willingness "to come at an early date into some federal system".<sup>50</sup> The British even seemed to have been gripped by near panic and a serious thought seems to have been given to making an announcement for the postponement of the Conference on the pretext that "the States scheme of federation introduces a new element into the problem" and that "this possibility (of All-India Federation) has come to us so suddenly that time is required to explore it".<sup>51</sup> It was, however, not before long that they realised that the federation scheme as propounded by most of the Princes was quite innocuous. As a matter of fact, the scheme put forward by Sir Akbar Hydari, the leader of the Hyderabad delegation, who claimed the support of Bhopal, Gwalior, Mysore and Baroda, among the major States, and the backing of the Mussalman representatives of British India, was found to be one which could be used as an antidote to the scheme put forward by the Nationalists. An essential feature of Hydari's scheme was that the Federal Assembly "should be very small and aristocratic"<sup>52</sup> with representatives from the States and the Crown together totalling up to the representatives from the Provinces. The idea being that "if the Federal Legislature is constituted on these lines eliminating the popular demagogues from British-India and giving the States and the Crown due weight, the Indian States would



come in at once; but if a central legislature for British-India is allowed to develop on democratic lines and makes itself the dominating political influence in India and the main stage for political manoeuvres and publicity then the States will never come in".<sup>53</sup> This was, in fact, in keeping with the "Mussalman idea of defeating Hindu domination by splitting its forces etc".<sup>54</sup> Hydari put the British at ease by assuring them that "Hyderabad would certainly not agree to any other form of federal legislature".<sup>55</sup> He was "perfectly firm about his position" which fact the British thought was "likely to be one of very great importance from the point of view of Government of India".<sup>56</sup>

The Viceroy in India was himself surprised at the move of the Princes in this direction, because during all the talks that he had with them they had left him in no doubt that they would be "quite unprepared to adopt a policy of immediate entry into an organic federation".<sup>57</sup> He, however, found cheer in the Hyderabad scheme of federation which, with a safe federal council, would in fact "build a dyke against democracy at the centre" and thought that "there would be a great deal to be said for some such plan".<sup>58</sup> He fully saw the attraction that such a scheme would have for both the minorities and Europeans and the British themselves.

What had, in fact, given jitters to the British was the line adopted b) the group of Princes led by the Maharaja of Bikaner. The Bikaner group was reported to be "very closely in touch with the Indian liberals and particularly Sapru" who was expecting to get from them support for his demand "for as wide a measure, as possible, of responsibility at the centre",<sup>58</sup> There was, however, the hope that the Princes, "when it comes to examining the actual subjects in regard to which adherence to a federation will involve sacrifices of each state's liberty", will not be ready to "give practical embodiment to the principles which they have in general applauded",<sup>59</sup> And sure enough while many ardent supporters of the federation indulged in rhetoric to extol the virtues of an All India Federation none was prepared to give his assent to joining it without a guarantee of some safeguards for the States within the Federation. The Maharaja of Bikaner himself made his assent conditional by saying that the final answer to the question whether, if a Federal Government is devised for India, the Princes and States would enter into association with it "must obviously depend on the structure of the government indicated, such for instance as certain safe guards - constitutional and fiscal for the preservation of the rights and interests of the States and their subjects" and that the "Indian Princes will come into the federation of their own free will and on terms which will secure the just rights of their States and subjects".<sup>60</sup> Subsequently the Maharaja of Bikaner along with the Nawab of Bhopal, Sir Akbar Hydari of Hyderabad, and Sir Mirza Ismail of Mysore, as States' representatives on the Federal Structure Sub Committee No, I, pressed strongly for equality of distribution of seats in the upper Federal Chamber as between the States and British India, and created a deadlock over the issue of "weightage" to be conceded to the States.<sup>61</sup>

In great contrast to the stands taken by other Princes on the issue of the All-India Federation, Maharaja Hari Singh stood out for his wholehearted and unconditional support to the Federal idea. Participating in the discussion on the Second Report of the Federal Structure Sub Committee No I on 15 January 1931, Maharaja Hari Singh accorded his support to the Greater Federation of India, unconditionally and in the most unambiguous terms, when at the end of his long speech extolling the virtues of such a federation, he said that he would not approach the question in a spirit of petty bargaining and that even though several details pertaining to paramountcy and personal and dynastic issues had yet to be worked out, he was ready in the interest of Greater India, to join such a Federation, whatever shape it may take.<sup>62</sup>

Although the British Government had agreed to consider the All-India Federation scheme

and had even set up a Federal Sub-Committee, (known as the Shankey Committee), for this purpose, they never were really reconciled to the idea; not at least till the Second Round Table Conference at the end of 1931. In fact it would be nearer truth to say that they were trying to push through the scheme for the smaller federation of British India even as the Greater India scheme was being considered. This is apparent from a letter that Sir Samuel Hoare, Secretary of State for India then, wrote to Lord Willington, who had taken over as the Viceroy of India since May 1931. In this letter dated 26 November 1931, Sir Hoare spelled out the British policy with regard to the Federation issue in the following words:

"The whole basis of our discussion with the various representative members of the Conference (RTC II) has been that (1) there must be considerable delay in the drafting of an All India Federation, (2) it is an open question and this being so, whether it is a good thing or not to begin with provincial autonomy".<sup>63</sup>

The opposition to the All-India Federal scheme by the British Government in India seems to have been more total. As a matter of fact Lord Willington appears to have continued to oppose the idea long after the British Government in London had pledged itself to the scheme, (even though of the Hydari type), after the Second Round Table Conference. Even after the Secretary of State had stated categorically that he and the Government were "pledged at every turn to the All India Federation",<sup>64</sup> the Viceroy continued to press for the establishment of the British India Federation in preference to the All India one. On 18 March 1932 the Secretary of State was constrained to write to the Viceroy about the existing general impression that the Government of India was unsympathetic to the idea of the All India Federation "The people", he wrote, "had not forgotten the fact that in the Government of India despatch, All India Federation was regarded as a distant ideal, almost at the very moment when the Princes were coming over to make an offer to enter an All-India Federation", and that "since then there does not seem to have been any great enthusiasm for it in official circles", so far as he could judge.<sup>65</sup> Sir Lothian, Chairman Indian Franchise Committee, in a letter to the Secretary of State for India on 27 March 1932 informed him that "official Delhi has never been friendly to federation because the scheme was the child of the RTC and not of its own initiative".<sup>66</sup>

With the Viceroy so opposed to the All-India Federation scheme, it should not be considered unlikely that he pulled up the Princes who had been too vocal with regard to the scheme at the First Round Table Conference, soon after they got back to India. Maharaja of Bikaner's complete somersault on the issue of All-India Federation on his return to India seems to have been made under pressure from the Viceroy although he vehemently denied this having been so.<sup>67</sup> Maharaja of Patiala dissociating himself from All-India Federation Scheme, also seems to have been under pressure from the Viceroy.<sup>68</sup> It would, therefore, be reasonable to assume that similar pressure was also applied on Maharaja Hari Singh, who, as we have seen, was the most vocal and most categorical of the lot, in his support to the All-India Federation. The fact that Hari Singh made no statement to revise his stand on the issue goes to show that he did not succumb to the pressure like Bikaner and Patiala did. Be it as it may, his speeches at the Round Table Conference and his refusal to turn about on the issue of All-India Federation were bound to cost him the support and sympathy of the British during the Muslim agitation in Kashmir that followed the first Round Table Conference.

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1. Irwin to Birkenhead 21 March 1928, Halifax Papers
2. Ibid., II April 1927

3. Ibid., 21 Mar 1928
4. Ibid.,
5. Birkenhead to Irwin 5 April 1928, Ibid.
6. Ibid., 5 Jan 1928
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8. Maharaja Hari Singh to Lord Peel 17 April 1929, Halifax Papers
9. Irwin to Peel 21 Feb 1929, Ibid.
10. Peel to Irwin, 17 April 1929, Ibid.
11. Irwin to Peel 21 FEB 1929, Ibid.
12. Ibid.
13. Peel to Irwin 17 April 1929, Ibid.
14. Birkenhead to Irwin 5 April 1928 and Irwin to Birkenhead 24 May 1928, Ibid.
15. Birkenhead to Irwin 5 April 1928, Ibid.
16. H L Saxena p 64
17. G S Raghavan pp 35-36
18. Bhagwan Singh, Lt. Col., p 17. Some Crown Rep Records pertaining to Kashmir indicate that the Resident used to function from Sialkot even before Hari Singh's accession but he was probably not debarred from moving down to Jammu Residency then as he was now.
19. Hari Singh to Irwin 9 Aug 1930, Halifax Papers.
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21. Ibid., 7 May 1930 "
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31. Irwin to Birkenhead 14 July 1927, Ibid.
32. Birkenhead to Irwin 5 Jan 1928, Ibid.
33. Ibid., 26 Mar 1928
34. Birkenhead to Irwin 5 April 1928, Ibid.
35. Diary of Events RTC by Wedgewood Benn 22 Jan 1931, Ibid.
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37. Ibid.,
38. Ibid.,
39. As admitted by the Maharaja during his speech at the meeting of the Federal Structure Sub Committee No.1 on 15 Jan 1931 reproduced at Appx 'A'.
40. Indian Round Table Conference, (12 Nov 1930 to 19 JAN 1931) Proceeding, Govt. of India Central Publication Branch, Calcutta 1931 pp 244-246
41. J B Das Gupta *Jammu and Kashmir*, The Hague 1968, pp 57- 58
42. Halifax Papers
43. Ibid

44. Dawson to Irwin 25 Nov 1930 *ibid*
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47. Wedgewood Benn to Irwin Dairy of events RTC 24 Nov to 10 Dec 1930, *ibid*.

48. Halifax Papers

49. Irwin to HM the King 4 Oct 1930, *Ibid*.
50. Wedgewood Benn to Irwin 8 Nov 1930, *Ibid*.
51. *Ibid*.
52. Sir George Schuster to Irwin 9 Oct 1930, *Ibid*.
53. *Ibid*.
54. *Ibid*.
55. *Ibid*.
56. *Ibid*.

57. Irwin to Sir Waiter Lawrence 17 Nov 1930. *Ibid*. This may have been generally so but it is unlikely that the Maharaja of Kashmir could have given any such impression to the viceroy in view of his open support to the cause in the meeting of the Chamber of Princes in 1929 (op cit FN 39) The fact that the Viceroy made an attempt to keep Hari Singh away from the RTC ( Irwin to Hari Singh 25 April 1930) could indicate that the Viceroy was not too sure of the stand that Hari Singh would take at the RTC.

58. Sir George Schuster to Irwin 7 Nov. 1930, *Ibid*.

59. *Ibid*., 20 Nov 1930

60. Indian Round Table Conference (12 Nov 1930 to 19 Jan 1931) Proceedings, 2nd Plenary Meeting 15 Nov 1930

61. *Ibid*., Discussion on the Second Report of the Sub Committee No.1 (Federal Structure)

62. The full text of Maharaja Hari Singh speech is reproduced at Appx 'A'

63. Sir Samuel Hoare to Lord Wellington 26 Nov 1931,

Temple wood Collections Roll I

64. *Ibid*., 28 Jan 1932

65. *Ibid*., 18 Mar 1932

66. Lothian to Hoare 27 Mar 1932, *Ibid*.

67. *Amrit Bazar Patrika* June 26, 1931

68. *Ibid*., June 18, 1931

## CHAPTER- IV

### MUSLIM DISCONTENT

Despite what Maharaja Hari Singh had done for his subjects, discontent among the Muslims began to surface within the first few years of his rule. So much so that in 1931 the Maharaja had to face a violent agitation by his Kashmiri Muslim subjects, apparently aimed at overthrowing his rule. The greatest detractors of the Dogra rule in Kashmir having themselves admitted that the measures taken by the Maharaja during the early years of his rule were just and his conduct noble, one wonders what made the Kashmiri Muslims so hostile towards the Maharaja within this short period of his rule. The supporters of the agitation would have us believe that within a few years of his rule the Maharaja managed to transform himself, from the good ruler that he was during the "earlier years", into an ease-loving and pleasure-seeking despot, least interested in the affair of the state during the "later years" before the agitation. This argument would, however, appear least convincing to any historian. It is known that Hari Singh ascended the *gaddi* in 1926 and the agitation against him had been, more or less, worked out by 1930. Only the precision of a motivated politician could, therefore, divide the first four years .of the Maharaja's rule into its "earlier years" and "later years".

We have already seen in Chapter II that the Maharaja's position as the Hindu ruler of a Muslim majority state was a difficult one. It is, therefore, possible that the Muslim discontent that surfaced in 1931-32 was not entirely due to the genuine grievances that the Muslim subjects had against the Maharaja. In fact there is ample evidence to prove that the Muslim agitation was largely engineered and financed by the British Indian Muslims whose interests in Kashmir were much beyond their concern for the Kashmiri Muslim.

#### **Muslim League Interests**

For years before 1931 the relations between the Hindus and the Muslims in British India had been anything but cordial. One reason, probably, was the educational backwardness of the Muslims and their consequent economic inferiority to the Hindus. The main reason, however, was the spread of the idea of Muslim nationalism as opposed to Indian nationalism. Unfortunately, the British, who were quick to grasp the potentialities of the situation, exploited the strained Hindu-Muslim relations to strengthen their hold over India. A policy of "divide and rule" was initiated by them which did not allow the two communities to come together in spite of the efforts of some well-meaning Indians.<sup>2</sup>

The first seeds of hatred between the two communities were sown by Mr. Beck, Principal of the Anglo-Oriental College Aligarh in 1893 when he organised the Mohammedan Defence Association with the object of preventing the Muslims from joining the Indian National Congress; advocating loyalty to the Government, and Anglo-Muslim collaboration.<sup>3</sup> This "Englishman engaged in Empire building activities in far off land"<sup>4</sup> is believed to have played a very important part in alienating the bulk of the Muslims from the Hindus; his greatest contribution being the enunciation of the two nation theory and the conversion of Sir Syed Ahmed Khan, from the great Indian nationalist that he was during his earlier years, to a staunch Muslim communalist in his later years.

The gulf created by Beck widened with the passage of time. In 1906 was established the All India Muslim League with a view to "support, whenever possible, all measures emanating from the Government" and "to protect the cause and advance the interest" of the Muslims throughout the country and "to controvert the growing influence of the so called Indian National Congress, which had a tendency to misinterpret and subvert British rule in India."<sup>6</sup> So in 1909 while the

Hindus opposed communal representation and separate electorates as introduced under the Minto-Morley Reforms, the Muslims worked for its implementation. In fact, hatred between the two communities had by 1930 developed to such an extent that any small matter was sufficient to cause an outbreak of open hostilities.<sup>7</sup>

As it is, the repercussions of the communal situation in India were bound to be felt in Kashmir, but the All India Muslim League was not to allow such a course to take its own time. Kashmir, with such a preponderance of Muslim population, ruled over by a Hindu Maharaja provided an ideal hunting ground for its communal activities and it could not afford to forego the chance for the exploitation of the situation.

The Muslim League started taking interest in Kashmir in good earnest from the start of the Twenties. It had just then suffered an eclipse; the lime light having been stolen by the Indian National Congress after its Non-Cooperation Movement in 1920.<sup>8</sup>

Ironically, however, the Khilafat Movement which the Congress had incorporated in its Non Co-operation Movement to Win over Muslim Support also gave birth to Pan-Islamism<sup>9</sup> and, consequently, a new lease of life had been granted to the Muslim League. No better cause than a struggle against a Hindu Maharaja's "tyranny" over his Muslim subjects was there to win the Muslims into the fold of the Muslim League. Consequently a social organisation Anjuman-e-Kashmiri Mussalman-i-Punjab was converted into the All India Kashmiri Conference in 1920, to take up the cause of the Kashmiri Muslims. Sir Mohammad Iqbal visited Kashmir in July 1921 and, thereafter, became emotionally involved in Kashmir politics.<sup>10</sup> He began using his poetic prowess in high-lighting the "sufferings" and "misery" of the Kashmiri Muslims to excite their passion against the Hindu Maharaja. Some members of the association also started publication of newspapers devoted to the cause of social uplift of the Muslim, but later in 1926 a weekly named *Kashmiri*, published from Lahore, took it upon itself to sow seeds of discontent against the Dogra Raj, even as Maharaja Hari Singh was announcing boon after boon for his subjects. A Kashmir Publicity Board was also set up to highlight the "sufferings" of the Kashmiri Muslims under the Dogra rule. The idea of Islamising Kashmir was 'thus gradually and painstakingly nourished.<sup>11</sup> So much so that within a short period, while the State was going through the "early years" of Hari Singh's good rule, the Muslims had been sufficiently aroused to even purpose in 1928 that Kashmir might be handed over to the Afghans, (who by all accounts had perpetrated the worst form of repression that the Kashmiris had ever known), to save the Muslims from the "tyranny" of the Hindu rule.<sup>13</sup> This created an impression among the Hindus that it was not the "sufferings" of the Kashmiri people but the Hindu rule that the Punjabi Muslims were exercised about.

The Muslim League suffered a second eclipse in the wake of the Mass Civil Disobedience Movement launched by the Congress on 26 January 1930. Their reaction to the truce that followed was that of "wounded pride".<sup>14</sup> The Muslim League had now to struggle for retaining the right of being the sole representative of the Muslims. Sir Mohammad Iqbal again came to its rescue by suggesting something to fight for. In his presidential address to the Allahabad session of the All India Muslim League in December 1930, he came up with the idea that was ultimately to develop into the Muslim demand for Pakistan, by suggesting the union of the Muslim majority areas of the Frontier Province, Baluchistan, Sind and Kashmir within a separate federation.<sup>15</sup> As the only hitch in Kashmir joining such a federation was the Hindu Maharaja, efforts were set afoot to dislodge him, or at least make him ineffective. Consequently a meeting of the All India Jammu and Kashmir Muslim Conference was held in December itself to step up activities against the Maharaja.<sup>16</sup> Interestingly the Muslims of Kashmir for

whose benefit the All India Jammu and Kashmir Muslim Conference had been established at Lahore, had not been so far associated with its activities, nor had they themselves ever put up their grievances to the Maharaja. The absurdity of the situation was realised and delegates from Jammu were invited to the Conference for the first time in December 1930<sup>17</sup>. At the Conference it was decided that grievances of the State Muslims be put to the Maharaja on his return from London. Ironically, however, this was not to be done by the people of Jammu or Kashmir, but by the Nawab of Dacca, who was appointed to head the deputation. Side by side, the Muslim vernacular press of Lahore intensified its personal attack on the Maharaja, slander on individual ministers and its denunciation of the administration in general, in what could be termed as an alarming virulent campaign against the State Government.<sup>18</sup> Leading Muslim papers thus engaged in creating strong public opinion against the State by inciting communal hatred were the *inquilab*, *Al Fazal*, *Siyasat*, *Al Aman*, *Sun Rise*, *Eastern Times*, *Muslim Out Look*, *Zamindar and Light*. These papers and subsequent publications such as *Kashmir Mussalman*, *Kashmiri Mazloom and Maktoobe Kashmir* sufficiently aroused the Muslims to revolt against the Maharaja even before he had been presented with their grievances.<sup>19</sup> The campaign of exaggerations and half truth indulged in by these publication was ultimately to shock even some members of the British House of Commons. On 24 September 1931 questions on inaccurate stories circulated by the Lahore press, with the sole object of exciting popular feelings against the ruling family of Jammu and Kashmir, were raised in the House of Commons by Major Graham Pole<sup>20</sup> The Viceroy himself, though otherwise sympathetic towards the Muslim cause, had to, in a communication to the Secretary of State for India London, admit that "articles in newspapers depicting Mohammedans as downtrodden slaves are gross and malicious untruths."<sup>21</sup>

In a bid to secure a foot hold in Kashmir the Ahmedias in the Indian Muslim League seem to have taken it upon themselves to finance the agitation in Kashmir and thereby retain complete control over it. There was, it appears, constant and regular exchange of intelligence between the agencies established by the agitation on both sides of the border and it is believed that hardly anything took place during the agitation which was not instigated by the Ahmedias or which did not have their tacit support.<sup>22</sup> This hold over the agitation was apparently tightened after Mirza Bashir-ud-Din Mohammad Ahmed Amir of the Jamait-e-Ahmedia "took the initiative in setting up the All-India Kashmir Committee on 22 July 1931 to co-ordinate anti-state activities".<sup>23</sup> Besides continuing to give financial aid to the agitators, the Committee arranged their legal defence and prepared cases before the various inquiry commissions set up to go into the Muslim grievances.<sup>24</sup>

Their hold over the agitation can be judged from the fact that, when Sheikh Mohammad Abdullah tried to come to terms with the State Government, in what came to be known as the "Kashmir Settlement" after the July riots, he was, as has been narrated in the next chapter, not permitted to do so and was literally compelled to restart the agitation just because it had not yet served the purpose of the Indian Muslims.

The other faction of the Punjabi Muslims, that was deeply involved in raking up trouble in the State, under the guidance of the Muslim League, was the Ahrars. While the Ahmedias exercised influence in Kashmir the Ahrars controlled the agitation in Jammu. How completely the two factions together controlled the agitation in the State is evident from the fact that the vicissitudes of their own struggle for power within the Party in Punjab markedly influenced the course of the agitation in Jammu and Kashmir. While working in complete harmony against the State Government, individually each faction strove for supremacy over the other, and any

attempt on the part of the State Government to negotiate with one invited reaction from the other in the form of renewed display of subversive prowess - by the Ahmedias in Kashmir and Ahrars in Jammu. It was thus that the State government's grant of permission to Mazhar Ali (Ahrar Party) to visit Kashmir and see things for himself, invited such reaction from the Ahmedias that the State authorities had to issue a communiqué, denying having shown any special favour to the Ahrars and extending a similar invitation to the Ahmedias also.<sup>25</sup>

The interests of the Muslims of Punjab in Kashmir may not have been political alone. Jobs in the State, to which they stood debarred after the enforcement of the State-Subject rules, might have been a major interest of the Punjabi Muslims. This is evident from the fact that this point of Muslims from Punjab being enlisted in government jobs, if there were not enough qualified Kashmiri Muslims to fill them, constituted one of the major demands that were put up to the Maharaja after the agitation.<sup>26</sup>

The Muslim League's interests in Kashmir and the influence that it exercised over the agitation through moral, physical and financial help that it provided through the Ahmedias and the Ahrars, point to the fact that the agitation was engineered by the Muslim League for a cause which was not totally connected with the grievances of the local Muslims. The contemporary nationalist Indian press does not seem to have had any doubt regarding this. It categorically charged the British-Indian Muslims of managing the agitation against the Maharaja with ulterior motives. Commenting on the agitation the editor of the *Tribune* wrote on 2 August 1931 that "the plain fact is that the whole of the present artificial agitation is a deliberate and almost undisguised attempt to establish Muslim Raj in Kashmir \_ ... As regards the alleged grievances of the Mussalmans of Kashmir against the State, it is a matter of common knowledge that no section of the people of the State is treated with greater consideration, or have less by way of grievances than the Muslim subjects of His Highness". On 14 August the *Tribune* carried another article asserting that "until the mobilisation of the British Muslims outside the border, Kashmir never had any Hindu-Muslim problem at all. The present agitation .... is but the inevitable corollary of feelings and sentiments roused by organised agitation by the All India Kashmir Conference and the whirl-wind campaign of false-hood and half-truths indulged in by the rabid section of the Muslim press" Earlier, in an editorial on 8 August 1931, it had charged that "at the bottom of this essentially engineered agitation there are two sinister ideas ... one is to divert attention from the burning issue of India's constitutional deliverance ... the other is to further the professed aim of the Iqbal school". Likewise, on October I, 1931, the *Daily Pratap* commented that "the agitation let loose in Kashmir is not meant for the redress of grievances but to over-throw the Government". The *Hindu* too voiced similar views when on 24 October 1931 it wrote that "the grievances being published by the Muslim press and the loud cries raised by them about the conditions in Kashmir State are known to all truth loving people to be utterly unfounded". The Akalis also refused to be taken in by the Muslim professions that the agitation was the result of the grievances that the local Muslims held against the State The *Daily Akali* is reported to have written that "if the dispute had been between the Maharaja of Kashmir and his subjects and for the rights of all his Kashmiri subjects, we would have been on the side of the Kashmiris, but the dispute is being led by those who want to see the establishment of a Muslim state in northern India".

The Indian National Congress had also refused to associate itself with the agitation. Of course, initially it had been the policy of the Congress not to interfere in the affairs of the states; first, because their hands were full with problems in British-India and second because it probably considered Princes as Indian rulers enjoying a certain amount of autonomy and as



such so many potential cells of resistance to British power.<sup>27</sup> But, by now, it had been realised that the people of the States had to be drawn into the nationalist movement against the British. Therefore the States Peoples Conference had been formed to look after the interests of the people of the States so as not to let them get alienated from the national main stream. In the case of Kashmir, however, even the States Peoples Conference did not consider the cause of the people agitating against the Maharaja as worth taking up. Shri Ramananda Chatterji did not as much as mention Kashmir in his presidential address to the Third Session of the States Peoples Conference in June 1931 when the situation in Kashmir was about to explode.<sup>28</sup> As a matter of fact Mahatma Gandhi asked Congress men not to interfere in the affairs of the State. As a result of this, nationalist Muslims in the Punjab immediately withdrew their support to the agitation in Kashmir.<sup>29</sup> The Congress evidently suspected the sincerity of purpose behind the agitation. The Anglo-Muslim conspiracy against the Maharaja of Kashmir must have been glaringly evident to many contemporary Indians.

The attitude of the Indian National Congress is explained through its mouth piece, the *Amrit Bazar Patrika*. In a commentary on the "Kashmir Day" organised by the All-India Kashmir Committee, it doubted the aim of the agitation being that of protection of the rights of the Muslims of Kashmir. It termed the Kashmir Committee as being composed of rank communalists out to create serious unrest in the State. Referring to the grievances of the Muslims, as published by the "Foreign Secretary" of the Ahmedia community, the paper asked if most of these grievances were not found in some of the Muslim states as well in British India. It was of the view that if the grievances were genuine there were far better methods of redressing them than resort to agitation in its present form. It went on to suspect the intentions of the British- India Muslims as they had taken up the cause of only one community and against the chief of one State.<sup>30</sup> Writing again on 15 August the paper concluded that the agitation was the handy-work of communal Muslim malcontents led by Maulana Shaukat Ali, who, not being satisfied by stirring trouble in British-India, had invaded the Hindu State of Kashmir apparently with a view to complete the hegemony of the Muslim states in northern India as dreamt of by Sir Mohammad Iqbal. Yet in another editorial while admitting that conditions in Kashmir were not ideal, it pointed out that nor were they ideal in British India or States ruled by Muslim Princes. In its view the "game" was "far deeper" than could be "perceived at first sight". Clarifying what was being termed as its support to the Maharaja (in an obvious reference to the objections raised by some nationalist Muslims led by Dr. Ansari), the paper in an editorial on 26 August 1931, explained that it had at no time, supported autocracy but had only decried the sincerity of purpose behind the agitation. Why only Kashmir it asked. Why not all the States? <sup>31</sup>

### **The Kashmiri Muslim Elite**

The stage having been set for the agitation, actors had now to be found from within the State to start it and carry it through; and these were not difficult to find. With the spread of education among Muslims there emerged in Srinagar a large group of educated youth. Most of these young men had received their education at Lahore or Aligarh, (the hot beds of Muslim communalism), with scholarship from the Punjabi Muslims<sup>32</sup> and had come back to the State fully indoctrinated with Muslim politics and ready to start an agitation against the Hindu rule in Kashmir. Unemployment that faced them on their return helped them in taking the plunge with enthusiasm. Their main plank was to demand representation of Muslims in the state services in proportion to their population. However, to mobilise support of the masses for their cause, a religious twist was given to the demand by projecting it as a struggle against the Hindu rule which was bent upon keeping the Muslims out of government jobs. They also did not hesitate

to excite, religious passions and raise the cry of "Islam in danger" in fulfilment of their aims."<sup>33</sup> This group led by Sheikh Abdullah which formed the back-bone of Muslim leadership was quick to exploit the economic conditions resulting from the countrywide economic depression that had hit the carpet industry badly and thrown out of employment a large number of workmen, by bringing all these skilled but uneducated un-employed also under their fold.<sup>34</sup>

Not all the Muslim leaders appear to have been motivated by noble sentiments in joining the agitation. Some had doubtful antecedents and probably joined it to wipe out their past. Some bore personal grudges against the government and had their own scores to settle. On the other hand, there were others who having nothing else to do in particular sought to satisfy their urge for recognition through leadership of the ignorant masses by inflaming their religious passions.<sup>35</sup>

Communal twist having been given to the agitation by every section of the Muslim elite, no matter what their personal reasons for joining it, involvement of the religious leaders was to be expected. However, serious rift existed between the two Mir Waiz and they do not seem to have been in the forefront of the agitation in its earlier stages. As a matter of fact, in the early stages of the agitation some *Maulvis* are known to have even opposed the use of mosques for political purposes.<sup>36</sup> But the political leaders, who were as well-versed in religious matters as the Maulvis, were able to dominate religious congregations and effectively use religion as a means for achieving political ends even without the support of the religious leaders. Facing a threat of being isolated, the religious heads were subsequently left with no choice but to join. It was, therefore, not long before the two Mir Waiz agreed to resolve their differences and join the agitation.<sup>37</sup>

It would not be correct to assume that the entire Muslim elite were against the Maharaja. In those days loyalty to the Ruler was considered a virtue by the Muslims as much as by the Hindus. The only thing that could lead the Muslims away from this call of duty was the stronger call of loyalty to Islam. The leaders of the agitation were fully aware of this and that is why they had raised the cry of "Islam in danger". Even then not all Muslims got taken in and a large section of the Muslim elite who saw no clash between its loyalty to the Maharaja and Islam at the same time, refused to be drawn into the agitation. Not that they did not believe in the existence of grievances but that they would rather have them redressed through petitions than through agitation.

Though denominational sects among the Muslims did not provide the divide between the agitators and loyalists, generally the Shias kept away from the agitation which was dominated by the Sunnis. Shias or, for that matter, other loyalists did not oppose the agitation as such. They remained neutral or, at best lent support to the government by sending messages assuring it of their loyalty. One could hardly blame them for this. The leaders of the agitation had given it such a religious colour that any opposition to it would have been considered un-Islamic by the illiterate masses. No Muslim, could have had the courage to be branded a traitor to Islam by opposing the agitation.

The Muslim elite comprising government servants showed the two extremes. While the majority of them remained against it, there were some cases of Muslim police officers evading to carry out orders of their superiors, involving action against the agitators.<sup>38</sup> While deposing before the Dalal Commission some Muslim officials gave implied support to the cause while others, though not supporting the agitation, did not condemn it either. But there were others, like the Deputy Inspector General of Police Srinagar, Sheikh Aziz Din, who not only dealt with the agitators strongly while on duty but also spoke freely and frankly against the agitators while

deposing before the Dalal Commission.<sup>39</sup> There were numerous other government officials of this type.

The Muslims in the State army, who comprised about 30% of it, remained steadfast in their traditional loyalty to the Maharaja. The prominent individual leaders of the agitation are discussed below:

**Khawaja Saad-ud-Din Shawl.** Shawl is treated by some as the father of the modern political movement in Kashmir. He, no doubt, played an important part not only in the agitation of 1931 but also in whatever little agitation that was conducted during the last days of Maharaja Pratap Singh's and early years of Maharaja Hari Singh's rule. Although a Sunni himself, it was he who protested to the government against denying to the Shias the right of taking out a Tazia for security reasons and, later in October 1924, he was the prime-mover of the presentation of a memorandum to Lord Reading, the Viceroy, alleging discrimination against the Muslims by the State Government. However, the fact that both the earlier petitions to the ~overnment as well as the one to the Viceroy were drafted by one Agha Haider, an advocate from Lucknow, (who was ostensibly on a holiday in Srinagar but probably with the purpose of fomenting trouble in Kashmir), gives an impression that he was merely being used as a tool by outside Muslims, who had already made plans for a showdown with the State Government. This impression of instigations by outside Muslims is strengthened by the fact that the memorandum contained, among other things, an appeal for recruiting outside Muslims in State services if suitable Muslims were not available in Kashmir. After the Committee that was set up to go into the allegation found the charges baseless; Shawl was expelled from the State.<sup>40</sup> In 1927 Maharaja Hari Singh permitted him to return to the State as a gesture of good-will, but not before he had tendered an unqualified apology. It may or may not have anything to do with his association with the agitation, but his financial position on the eve of the agitation is known to have been precarious. He is reported to have mortgaged his property to meet the demands of his creditors.<sup>41</sup> He remained in the forefront of the agitation throughout. He was given the honour of reading out the Muslim demands to the Maharaja after the agitation. He is given credit for building up Sheikh Mohammad Abdullah as the leader of Kashmiri Muslims.

**Khawaja Ghulam Ahmed Ashai.** It is believed that Ashai was one who joined the agitation to wipe off his shady past. There had been complaints against his character while he was a school teacher. All the same he was promoted Assistant Inspector of Mohammedan Education, probably, because the charges against him could not be proved. His bad reputation had, however, overtaken him and once, as the Assistant Inspector of Education, he had to face the ignominy of not being permitted to inspect CMS School, Srinagar by its principal on the grounds of his bad character. Ultimately, he was retired prematurely on complaints of corruption.<sup>42</sup> Ashai then grabbed the opportunity provided by the paper war against the State Service Regulations, started by the Reading Room Party, to rise to the upper rungs of leadership of the Muslim youth. In association with Sheikh Mohammad Abdullah he created a more militant group out of the Reading Room Party, which called itself Muslim Young Men's Association and he became its founder president.<sup>43</sup>

**Gauhar Rehman** Gauhar Rehman was another leader with a disreputable past. He was a forest ranger and had been dismissed for irregularities. Once he had also been charged with the abduction of a Hindu girl. It is believed that he had made an attempt to leave the State and to go to Kabul, but was probably unable to acquire the necessary passport.<sup>44</sup> Subsequently he was able to rehabilitate himself by raising the cry of "Islam in danger"

**Maulvi Ahmed Ullah.** He was a Jagirdar of the State, but had taken part in the demonstra-

tions against the Maharaja during the Viceroy's visit in 1924. As a punishment he had been deprived of the privilege of attending the Durbar.<sup>45</sup> So he donned the garb of a political sufferer for earning a place in the Muslim leadership.

**Munshi Shab-ud-Din.** Munshi Shab-ud-Din was an old hand at organising agitations. He came into prominence during the sericulture riots.<sup>46</sup> He was nominated one of the seven representatives for putting up the demands to the Maharaja before the July riots.

**Sheikh Mohammad Abdullah.** Perhaps the most dynamic and moving personality behind the agitation was Sheikh Mohammad Abdullah. Son of SM. Ibrahim, a Pashmina merchant, he was born in Saura village on 15 December 1905. He passed his Matriculation rather late in 1922, and this initial handicap continued to haunt him in his later years. After passing his Faculty of Science from Sri Pratap College in Srinagar in 1924 he sought admission to the Prince of Wales College Jammu (as Science had not yet been introduced at Degree level at Srinagar) but was unable to secure admission on the ground that all the limited seats had already been filled up. It appears that one seat was filled up after Abdullah's application had been rejected and this remained a sore point with him all through his later life. This bitter experience threw him into the arms of the Punjabi Muslims who not only got him admitted to the Islamia College, Lahore but also gave him a Scholarship which earned them his gratitude and put him completely at their disposal.<sup>47</sup>

Sheikh Abdullah had reached Lahore during the aftermath of the Khilafat and the Non-Cooperation Movement. By then the chances of India gaining independence had perhaps brightened but it had at the same time deepened the Hindu-Muslim hostilities. The fear of the Hindu majority, genuine or imaginary, had pushed the Muslims into a political stream of their own as distinct from Indian nationalism. It was with this background of animosity towards the Hindus that Sheikh Abdullah had his early political schooling. He was also a frequent visitor to Sir Mohammad Iqbal.<sup>48</sup>

He proceeded to Aligarh for his M.Sc. in 1928 and returned to Srinagar on 12 April 1930 after completing his M.Sc. in Chemistry at the age of about 24 1/2 years. It is believed that when he returned to Srinagar he had brought along with him a plan for the agitation against the State Government.<sup>49</sup> This belief lends support to the view that securing of jobs for the educated unemployed Muslim youth, was an excuse for starting the agitation rather than its cause. At any rate, immediately on his arrival, he plunged into politics.

About April 1931 he joined the State High School Srinagar, as a science teacher on a salary of Rs. 60/- p.m. Apparently he did not eschew politics even on getting a job and continued to criticise the Government. In an effort to ease the political situation at Srinagar, the Government issued orders for his transfer to Muzaffarabad. But Abdullah utilised this opportunity for presenting himself to the masses as a political martyr and thus confirming his berth in the Muslim leadership. He announced his resignation from the job to a congregation at Khanaq-i-Maulla in the course of a highly emotional speech which electrified the crowd. Maulana Zafar Ali Khan from India, who happened to be at the meeting, was overjoyed and convinced that the leader for the agitation had been found. He further played on the excitement of the masses and, in a bid to further bolster up the Sheikh and to provide the movement with a slogan, shouted 'Sher-i-Kashmir'. The slogan had the desired effect on the crowd and a leader was born.<sup>50</sup> The sobriquet stuck to him.

Of course, Sheikh Abdullah had the making of an ideal Muslim leader. He had been gifted with a melodious voice and his recitation of the Holy Quran was so enchanting and deeply penetrating that it subconsciously attracted even passersby. The audience has been once seen

sobbing while he was reciting a portion of the Holy Book.<sup>51</sup> Deeply religious as the Kashmiri Muslims are, it was natural that they should have been drawn towards him. Saad-ud-Din Shawl, Maulvi Mohammad Abdullah advocate, and Munshi Shab-ud-Din on whom the leadership of the agitation was being thrust had realised that unless someone was built up as a mass leader it would be difficult to start a movement and much more difficult to sustain it. They knew that they themselves were not only old but also possessed neither the stamina nor the requisite qualities essential for a mass leader, which they saw in Sheikh Abdullah. They, therefore, began to build up Sheikh Abdullah. After his arrest on 14 July, it was through the effort of these leaders that the slogan of 'Sher-i-Kashmir' was taken up in good earnest. In subsequent appearances these and other elder leaders, treated him, in the glare of watchful congregations, as a saviour who possessed supernatural powers. They would bow before him take off his shoes and touch his clothes for creating an aura of holiness. These manipulations and his superb recitation of the Holy Quran helped to make him a religious hero. Many a legend about him became current which, though not true, were readily believed by the gullible, hero worshiping, illiterate, masses. Besides, Abdullah was a very impressive speaker capable of carrying the audience with him. He often used this quality for arousing religious passions working them up to a state of frenzy.<sup>52</sup>

Sheikh Mohammad Abdullah, in spite of his public image of a "lion", was a practical down-to-earth politician who always considered discretion to be the better form of valour. He "roared" mostly under the security of the mosques and even here he was careful not to say anything for which he could be charged with sedition, especially if the religious congregations happened to be attended by government officials on duty. He also did not make too much of himself as the "lion of Kashmir" and felt no qualms about securing his release from detention by tendering unqualified apologies to the Maharaja. It is on record that he got himself released from jails at least four times after assuring the government each time of his good conduct- the last time being after Independence when, while undergoing a sentence for sedition, he gave a written undertaking of continued loyalty to the Maharaja to seek his pardon.<sup>53</sup> Also perhaps as part of "practical politics" he seems to have acted as a British agent for defeating Civil Disobedience Movement launched by his own party in 1934 under the dictatorship of Choudhary Ghulam Abbas, as revealed by his letters to Sir B J Glancy, the Political Secretary, Government of India and Colonel Colvin the British Prime Minister of Kashmir.<sup>54</sup>

**Choudhary Ghulam Abbas.** Born on 4 February, 1904, Ghulam Abbas Khan was coming up at Jammu in the same manner as Sheikh Abdullah was in Kashmir. He was the leader of the educated Muslim youth of Jammu who by fanning communal hatred and raising religious slogans ultimately became a sort of mass leader of the Jammu Muslims. Before him the Muslim leadership in Jammu was in the hands of moderate Muslims, who had organised themselves into the Anjuman-e-Islamia. They were generally loyal to the Maharaja and believed in petitions as a means for redress of their grievances. This did not suit Ghulam Abbas who had come under the influence of the Punjabi Muslims and was imbued with a different mission. When his efforts to broaden the sphere of action of the Anjuman, (which was purely of a religious and social character) to include political activity were thwarted by the elders, he broke away from them and formed the Young Men's Muslim Association even before he went to Lahore for his L.L.B. degree, which he obtained in 1931.<sup>55</sup>

#### **Other Leaders Supporting the Agitation.**

Besides the prominent members of the Muslim elite described above, there was a host of others who not only supported the agitation but also took an active part in it. In this connection,

following names may be mentioned:

a) **Mohammad Rajab** who was one of the founders of the Reading Room Party and its president when the party was given a regular organisational shape;

b) **Mufti-Jalal-Ud-Din Hakim Ali, Pirzada Ghulam Rasool, Pirzada Ahmed Shah Fazili and Hakim Murtaza** who were the first to be elected to the managing committee of the Reading Room Party;

c) **Mohammad Yusuf Shah and Mohammad Hamdani** (the two Mir Waiz) and Agha Sayed Hussain Jalali, who were nominated to represent the Kashmiri Muslims, along with four others, for putting up the grievances to the Maharaja before the July riots; and

d) **Maulvi Mohammad Abdullah and Pir Maqbool Gilani**, the two notable citizens who sympathised with the agitators.

It may be of interest to note that of all the leaders and sympathisers of the agitation that have been mentioned, only two, namely Agha Sayed Hussain Jalali and Maulvi Mohammad Abdullah, were 'Shias' while all the others were 'Sunnis'.<sup>56</sup>

### **The Loyalists**

It appears that there was an appreciable number among the Muslim elite which was opposed to the agitation for varying reasons. The Anjuman-i-Islamia was opposed to outside interference and the methods of open confrontation with the Ruler whom they held in esteem. It even passed a resolution to this effect on 17 September, 1931.<sup>57</sup> Outside this party, loyal Muslims expressed their support for the Maharaja on various occasions. A memorial signed by 774 "respectable" Muslims was submitted to the Maharaja on 7 October 1931 expressing shame for the "undesirable and abominable acts committed by certain unruly persons and bad characters". They promised to help the Government in apprehending criminals, as proof of their loyalty.<sup>58</sup> Earlier they had hailed the Kashmir Settlement. Services of the Education Minister Agha Sayed Hussain were utilised by the Government to refute Sir Albion's Statement.<sup>59</sup>

Prominent among the Muslims, who opposed the agitation and supported the Government, were (a) Mirza Ghulam Mustafa, Maulvi Rahim Shah Sande, Munshi Assadullah and Maulvi Sharif-ud-Din who are reported to have even suggested the arrest of Sheikh Abdullah to the Governor<sup>60</sup> and (b) Colonel Ghulam Ali and General Samunder Khan, the two retired officers who appear to have been in constant touch with the Government apprising it of the latest developments.<sup>61</sup> There were perhaps many more who did not want to oppose the agitation openly for fear of being branded traitors to the community. (e.g. Agha Sayed Hussain retired Home and Judicial Minister who felt that the Maharaja had done much for the Muslims and they had little ground for creating trouble ).<sup>62</sup>

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## CHAPTER V

### PREPARATION FOR THE SHOWDOWN

#### **Muslim Grievances**

Whatever may have been the inner motives of the British-Indian Muslims or the Muslim leadership in Kashmir, in starting an agitation in Kashmir, outwardly they claimed to be fighting for their grievances against the Maharaja's rule. This is not to deny the existence of grievances. Grievances the people did have, as they would have under any government. It is only that an analysis of the grievances would show that many of them were either unreasonable or of a trivial nature. At least, one pertaining to lack of religious freedom was non-existent, which had been made up just to arouse the masses into action. The important ones, on the other hand, were of a type that could not have been remedied over-night. It also could not be established that the Maharaja was against looking into the genuine demands of his Muslim subjects which forced them into taking recourse to a violent agitation. Even the Resident had to admit to the Viceroy that the "Maharaja was determined to meet legitimate demands of Muslims".<sup>1</sup> And yet the submission of the Muslim demands formed the last act of the drama; at the end of the agitation.<sup>2</sup> Clearly grievances, even those that could be considered legitimate, rather than being the primary cause of the agitation, were in fact used by the Muslim leaders to fan the flames of unrest that had its source elsewhere. This contention is also supported by the fact that the Reading Room Party that had taken up the Muslim cause had not formulated their grievances before the agitation. In fact, as has been described in the next chapter, they were unable to reduce their grievances on paper even after they had fought the first round with the Government. The grievances discussed in succeeding paragraphs are the ones that were often voiced by the Muslim leaders from time to time and the ones that came up for special treatment by the various writers who wrote about the Kashmiri's "glorious fight for freedom", after Indian Independence.

The main Muslim grievance against the State administration was their inadequate representation in government services. This fact of inadequate representation of Muslims in government services was duly recognised by the Dalal Commission appointed by the Maharaja in 1931 to look into the Muslim grievances. The Commission considered the desire on the part of the Muslims to have a greater say in the government as genuine and natural. The Commission, however, upheld the explanation advanced by the State Government that the inadequate representation was due to non-availability of sufficient number of educated and qualified Muslims. It observed that "while Pirzada Ghulam Rasool had in his statement before it placed the number of unemployed educated Muslims at 100, Prem Nath Bazaz had proved beyond doubt that Hindus in this category were about five times the number. Never-the-less, the Commission was of the opinion that this was a permanent source of embitterment of the Muslim intelligentsia and an incentive to them to excite the masses through elusive religious grievances in order to force the Government to accept their claim for a much larger share in the state services and, in that sense, the paucity of the Muslims in State services might be taken as one of the circumstances leading to the occurrence of the disturbances in the State."<sup>3</sup>

It would appear from the demands submitted to the Maharaja on 19 October 1931 (attached as appendix 'B') that the Muslim demand pertaining to the services was not just for "adequate" representation but for representation proportionate to the strength of their population. The State Government, while recognising the need for "adequate" representation of Muslims in the services (towards which end it seems to have made some efforts), was not prepared to sacrifice



efficiency, which would naturally have been the first casualty in case the system of communal representation on the basis of population had been adopted. In order to understand the State Government's stand in this regard, a parallel may be drawn with the situation that existed in British-India in those days. The problem of inadequate representation of Muslims in government services existed in British-India also. The State of Muslim representation in all India and Central services in 1929, for instance, ranged from a minimum of 3.1 % in the Indian Civil Services, to a maximum of 10% in the Income Tax. Interestingly, with the best British efforts, the figure of 3.1% indicated an improvement of 0.7% over the 1924 figure. In the Income Tax 10% reflected an improvement of 1 % over the 9% in 1924<sup>4</sup> figure. The Muslims in British-India were demanding 33 per cent on the basis of their population, but the British, even while accepting their demand in principle, would not commit themselves to exact percentages to go by.<sup>5</sup> No wonder, Mr Glancy, who was appointed by the Maharaja to go into the Muslim demands in Kashmir, at the insistence of the British at the end of 1931, remained equally evasive in his recommendation to the State Government in this regard. His observation that the educational standard laid down for a job must not be more exacting than what efficiency demanded<sup>6</sup> was also, in fact, the restatement of British policy in India - diplomatically worded, but in no sense different from or better than the policy being pursued by the State Government.

It may be pointed out here that the State Government had, apparently, already taken some effective measures to ensure better representation of Muslims in the services, but the outcome of such measures was bound to take time which the Muslims, in their eagerness to start an agitation under communal compulsions, were not prepared to give. It, in fact, goes to the credit of Hari Singh that, in an age when Rajas and Maharajas could, as a matter of custom and usage, and above all as a necessity for the security of their *Raj*, fill up government posts with members of their community, more on the basis of their loyalty than their efficiency, he was making such strenuous efforts to give a fair deal to his Muslim subjects in government services. In this connection, it would be relevant to note that the Hindus, the majority community in Hyderabad and Bhopal under Muslim rulers, went almost unrepresented in government services during the same period, in spite of their presumably higher standards of education. A sample survey of the Hyderabad State Civil List would show that in the Finance Office establishment out of a total of 93 appointments in all grades, 66 were occupied by Muslims. Similarly there was a preponderance of Muslims in the Public Works Department where 33 out of 46 Assistant Engineers and 83 out of 107 among the clerical staff were Muslims.<sup>7</sup> The Executive Council had four Muslims one Hindu and one European. In the Legislative Council seven out of nine unofficial members were Muslims; two other being Europeans.<sup>8</sup> The Hyderabad State Force had hardly any Hindu in the officer cadre or among other ranks<sup>9</sup>. Likewise the Hindus, the majority community in Bhopal, were least represented in the State Government. What to talk of other posts and appointments there was no Hindu even in the State Council<sup>10</sup>

Closely connected with the Muslim grievance of inadequate representation in state services was the allegation of State Government's neglect of Muslim education. It was propagated that the Dogras paid scant attention to the education of the Muslims and it was their fixed policy to keep the Muslim masses illiterate so that they could not only be kept out of government jobs conveniently but also "take their sufferings with fatalism characteristic of illiterate masses".<sup>11</sup> To substantiate the charge it was pointed out that Sharp's recommendations for the uplift of Muslim education, which he made in 1915, had not been implemented.<sup>12</sup>

Although it is true that the targets set by Sharp had not been fully achieved, the charge that

the Dogra, were deliberately keeping the Muslims illiterate for. Perpetuating their rule would appear, ridiculous in view of Hari Singh's special efforts in this regard alluded to earlier. The insincerity at the back of this charge is also evident from the fact that the element out to create trouble at all costs even gave a twist to the Maharaja's motives in instituting special scholarships for Muslims to save them from competing with the educationally advanced Hindus in this respect. An impression was sought to be created that the real aim of the Maharaj in granting the special scholarships to Muslims was to keep them away from merit scholarships and perpetuate their backwardness.<sup>13</sup> Much was also made of the fact that the Inspector of Muslim Education, appointed on the recommendation of 'Sharp, was downgraded during Maharaja Hari Singh's rule; forgetting that the Education Minister himself was a Muslim all along this period.<sup>14</sup>

The fact remains that the Muslims as a community have always lagged behind others in this respect and the situation was no better in British India. The Muslim illiteracy was, in fact, deplored by the Vice Chancellor of Calcutta university at its convocation in 1931.<sup>15</sup> Colonel Suhrawardy is reported to have chided his community for putting the blame of their educational backwardness on others by saying that the "Hindus have not acquired that literacy merit by looting their Muslim countrymen".<sup>16</sup>

Besides the general trait of the Muslim community being cause of their educational backwardness, their preference for remunerative pursuits requiring special skill and ability but no education appears to have been another reason of the Kashmiri Muslim's aversion for education<sup>17</sup>

Another grievance being aired was that the Maharaja was surrounded mostly by mediocre Rajputs whom he had appointed at responsible posts. It was alleged that many of the gazetted Officers in various departments of the government were mere matriculates and one of the Dogra Rajput department head was not even literate as he used to attest official documents With his thumb impression.<sup>18</sup> This grievance does not find mention in the list of grievances, submitted by the Muslims to the Maharaja although many have written about it later as an issue connected with the Muslim agitation.

A scrutiny of the State Civil and Military list pertaining to 1930 (extracts at Appendix 'C') would, however, give a lie to the assertion that Hari Singh was surrounded by Rajputs in administration: As a matter of fact, the Maharaja had acquired the services of some very eminent men like Sir Albion Bannerji, V N Mehta, P K Wattal and Wajahat Hussain for the State Council. The only Rajput in the State Council was Major General Rai Bahadur Janak Singh CIE (a graduate) Who, appropriately, was the Army Minister. The Personal Secretary to the Maharaja was Lieut Colonel Nawab Khusro Jang, and two of his ADCs were Muslim. As per the same list, on the Military side, the Military Secretary was Captain M W Reed, while the senior General Staff Officer at Army Headquarters was Colonel Rahmat Ullah Khan. Lt Colonel Khushal Khan was Commander Artillery and Captain Khuda Baksh was Commandant J&K Training School. In all (Civil and Military), there were thirteen senior officers (Indian and British) serving in the State in various capacities on deputation from India.

From the Civil List referred to above it is impossible to locate any illiterate Dogra Rajput who, as the head of a civil department, affixed his thumb impression where his signatures should have been. Out of a total of 126 important appointments listed in Appendix 'C' only about 16 appear to have been held by Dogra Rajputs and none of these is known to have been illiterate. The only department where the Dora Rajputs dominated was the army. But considering the fact that the Dogra Rajputs continue to be represented in the Indian Army quite

out of proportion to their population, their joining the State Force in large number, may not have been a matter of undue favour of the Maharaja. Only those who have read the history of the J&K State Force would know what all the Dogra soldier has had to go through for earning a salary which was the lowest compared with other Indian States.<sup>19</sup> Such sweeping statements as the Maharaja's government being full of illiterate Dogra Rajputs could only be made by politician writing in the grab of historians. Maharaja Hari Singh was, in fact, known to have a fad for employing highly qualified people in his government.

Charges of discrimination against Muslims in other ways were also made. Ten years sentence for cow slaughter was cited as one example.<sup>20</sup> The punishment was not specifically laid down for Muslims, but as no Hindu would ever think of killing a cow, the defaulters could only be from the Muslim community. In that sense the law could be considered discriminatory. This grievance was, however, never included in the long list submitted to the Maharaja at the end of the agitation. Apparently the "grievance" originated from British-India. As a matter of fact, the Maharaja received hundreds of telegrams from his Muslim subjects denying that permission to slaughter cows had ever been their demand, after it came to be known that the British Government was, at the instance of the British-Indian Muslims, trying to pressurise the Maharaja into permitting cow slaughter in the State<sup>21</sup> That this was never a demand of the local Muslims is proved by the fact that the law banning cow slaughter has been retained in the State by all the elected governments after independence.

Next was the provision of the Arms Act then in force which was made out to be an "invidious type of social discrimination".<sup>22</sup> While the act made it obligatory for the people to obtain licences for all weapons in their possession, the Rajputs were allowed one licence-free fire-arm

with sufficient amount of ammunition per family for "religious ritual and worship". That the Rajputs worshiped arms in those days, as they do even today, is a well known fact, but this may not have been the sole reason for granting the Rajputs this privilege. This was perhaps the legacy of the caste system which granted privileges not only to Rajputs but also to Brahmins. Possession of one licence-free fire-arm by a Rajput family could, however, hardly be considered a discrimination of the "invidious" type and a grievance of any consequence. It might interest the reader to know that there is an instance of Kudavas in Coorg being allowed to possess weapons without licence till today under a privilege granted to them by the British for some act of loyalty displayed by them some centuries back.<sup>23</sup>

Restrictions on admission to the Sri Pratap Singh Memorial Military School which was open to Rajputs only was given out as another source of Muslim annoyance.<sup>24</sup> The school which was run under strict military discipline and with all the facilities it provided for sports and physical training was the only one of its kind in the State then and had thus acquired a certain amount of prestige. The desire of the well to do Muslims to send their wards to this prestigious school was therefore understandable. However, as explained by Justice Dalal in his report after the July 1931 riots, the School was a private one, founded and supported by religious gift money left by the late Maharaja Pratap Singh for this purpose and he had wished that this money be used for the benefit of his own community.<sup>25</sup>

The biggest plank which was used by the leaders to draw the masses into the agitation was the allegation that religious freedom was denied to the Muslims in the State. It was alleged that there were restrictions in the State on *Azan* and *Khutba*<sup>26</sup> as a matter of State policy. This was denied by the Maharaja and the Dalal Commission also found no substance in the allegation. Evidently, the allegation formed a part of the general cry of "Islam in Danger" to make it

simpler for the Muslim masses to associate themselves with the agitation.

Anyone who has lived through the period would be able to tell that there were no restrictions ever in the State on the calling of *Azan* and the reading of *Khutba* by the Muslims. One, wonders how the British considered the grievance not only genuine but also so serious as to warrant the issue of an ultimatum to the Maharaja to either redress this grievance forth-with by issuing a communiqué to that effect or face open British intervention.<sup>28</sup>

What the real British motives were in supporting this Muslim demand so fervently will be discussed in the chapters that follow. Suffice it to say here that the British had issued the ultimatum with intentions which had nothing to do with the genuineness or otherwise of the grievance. Little wonder that they took no action against the Maharaja when he refused to issue the required communiqué on the grounds that there already existed complete religious freedom in the State.

Lack of freedom of press and platform was another grouse that the Muslims had against the State administration. The press Act of 1914, then in force, was considered unsatisfactory and it was alleged that the State Government was not allowing any paper other than the *Ranbir Weekly* to be published in the State.<sup>29</sup>

Although it is true that the State press laws were not in line with those in British India, it does not appear correct to say that the Government was "preventing" publication of more newspapers or periodicals. Lack of local publications in those days was probably because there was not the necessary expertise to run a paper, nor perhaps enough readership or demands for advertisement to make such publications economically viable. As a matter of fact the agitators themselves seem to have changed their stand on the issue when, while listing this particular grievance in the draft put up to the Maharaja after the agitation, they explained that their demand for the freedom of the press implied permitting the entry into the State of newspapers/periodicals published by the Muslim press in British-India. This explanation took away much of the force from their demand and because the ban on the entry of such papers/periodicals had been imposed by the government as a result of the agitation and as such, could not be its cause.

From the way the Muslim papers from British India swamped the State during the earlier part of the agitation, even when engaged, in a venomous tirade against the Ruler and the State, and the manner in which the leaders within the State were using the platform to whip up communal frenzy and disaffection against the State Government, it becomes clear that the outdated, and primitive press laws in the State, were of no hindrance to the Muslim malcontents. The only time that such laws were perhaps enforced was under instructions at the British when their Raj was threatened. It was thus that while no action was taken against the Muslim press or Muslim leaders for instigating the Muslims against the Maharaja and the State, serious note was taken of school boys wearing the "National" flag in their button holes. For organising protest against Mahatma Gandhi's arrest, the Dogra Sadar Sabha was dissolved, the publication of *Ranbir* banned, and a number of non state subject students of Sri Pratap College Srinagar were deported<sup>30</sup> The Hindus whose freedom alone was curbed by the State, probably had a greater grievance against the government in this regard than the Muslims.<sup>31</sup>

Another sore point with the Muslims was the enormous increase in the budget allocation for the Maharaja's Privy Purse. It was alleged that the Ruler himself took away about 12.5%, of the budget as his Privy, Purse, both in cash and kind.<sup>33</sup> The percentage that the Privy purse formed of the budget could perhaps be disputed as 24 lakhs actually works out to about 9% of the total budget of 252 lakhs but the fact could still not be denied that it was on the excessive side. The

Maharaja is said to have increased his Privy Purse from rupees 12 lakhs a year to 24 lakhs only after he amalgamated with the State his private property, inherited from his father, which yielded by itself an annual income of Rs. 24 lakhs.<sup>34</sup> In that sense, in spite of the increase in the Privy Purse the State exchequer could perhaps be considered a gainer by Rs.12 lakhs. The amount also may not have been as enormous as it looks considering that all expenditure relating to the Maharaja was met from this source. Grants were also very often made out of the Privy Purse for charitable purposes. Even *lnams* for good work were, more often than not, paid from the Privy Purse.<sup>35</sup>

Grievances as the real cause of the Muslim uprising of 1931 appears doubtful when it is seen that a time had come when anything and everything that the Maharaja did, good or bad, was made an issue of. The Maharaja's promulgation of the definition of Hereditary State Subject was interpreted as a step aimed at debarring the Muslims of Punjab from entering State service.<sup>36</sup> It was, conveniently forgotten that if the step prevented the Punjabi Muslim from joining State, service, it also affected the Punjabi Hindu in a similar manner. And, ultimately, it was the State subject (Muslim and Hindu) who was to gain. In any case, criticism of the State subject rule on this ground appears unfair considering that the State Government was never given a chance before the agitation, to prove its good intentions.

The State Subject rule also prevented outsiders from acquiring property in Kashmir. One benefit was that the Englishmen were prevented from converting Kashmir into their colony.<sup>37</sup> No doubt the British-Indian Muslims also got debarred from settling down in the State, but so did the Hindus, who were economically much better off and in a position to edge the Muslims out of the competition for acquisition of property in Kashmir. Little wonder, the Kashmiri Muslim is zealously clinging to the concept of State subject till today - so long after Independence.

Perhaps the only genuine demand of the Muslims which reflected healthy political aspirations was the one relating to constitutional reforms in the State. Unfortunately, however, apart from adding this demand to the memorandum submitted to the Maharaja after the agitation, this was never seriously made an issue of, during the agitation. Nor could it be established that the Maharaja was averse to carrying out the constitutional reforms sought by his people. Never-the-less, who ever thought of it - whether the Kashmiri leaders or Muslim leaders of Punjab - can take full credit for having served the cause of democracy in the State.

A scrutiny of Muslim demands that were ultimately submitted to the Maharaja (see Appendix 'B') would show that not all the demands were trivial or unreasonable. Many of them, no doubt, reflected healthy aspirations of the people in keeping with the times which should have been the Maharaja's duty to meet. There is little or no controversy over the Maharaja being progressive in outlook. It is also known that, though the Hindus never made an issue out of it, they had a silent grouse that the Maharaja was pro-Muslim.<sup>38</sup> The question, therefore, arises as to what prevented a Maharaja like Hari Singh from doing his duty in meeting the genuine demands of his Muslim subjects and nipping the agitation in the bud. The answer to this question may be partly found in the fact that, being a Hindu ruler of a Muslim majority state, his job of keeping the Muslims satisfied was not an easy one. As a matter of fact, the hard times ahead of Maharaja Hari Singh had already been predicted by some far-sighted people even before he formally ascended the *gaddi*. Writing in this strain, on 25 September 1925, the day Maharaja Pratap Singh passed away, the editor of the *Indian Daily Mail*, Bombay noted as follows:

"In one respect Kashmir resembles Hyderabad- that is in the fact that the religion of the ruler

differs from that of the majority of his subjects. Naturally there are complaints of the oppression of Mohammedans by the Hindus in the former and of the Hindus by the Mohammedans in the latter. This and other questions should provide a busy time for the new Maharaja".

Maharaja Hari Singh's position was perhaps even worse than that of the Nizam of Hyderabad in that, while the Nizam had the support of the British for anything that he did, the Maharaja had nothing to fall back upon; having lost any sympathy that the British may have had for him, for reasons discussed in Chapter III.

Evidently, the Maharaja's predicament had been appreciated by Mahatma Gandhi also. In reply to a letter written to him by Prem Nath Bazaz in 1934, he wrote back to say that a Hindu prince of a Muslim majority state can only rule by not ruling ie by allowing the Muslims to do what they liked, "abdicating when they are manifestly going wrong".<sup>39</sup>

Besides being a Hindu ruler of Muslim subjects, the Maharaja's task of handling his people was made all the more difficult by the peculiar character traits of the Kashmiri. Even the Dalal Commission that enquired into the causes of Muslim unrest, opined that the leaders were difficult to handle because they were quick to change their attitude and speech according to circumstances.<sup>40</sup>

To add to the Maharaja's difficulties were the external factors - the Indian Muslim League and British compulsions - that stood between him and his people, as would become clear in the story that follows.

### **The First Signs Of Subversion**

The first two years of Maharaja Hari Singh's rule were so studded with boons and reforms that the Punjab-based All-India Muslim League, in spite of its concerted efforts, found it difficult to instigate the Muslims of Kashmir to act against the Maharaja and no untoward incident appears to have occurred up to 1927. In 1928, however, the Maharaja had to proceed to England in connection with the work relating to the Indian State's Committee. He left behind a Cabinet of Ministers with Sir Albion Bannerji as the senior member to carry on the work of administration. Taking advantage of the Maharaja's absence from the State and with Bannerji not too well-disposed towards the Ruler, the Punjabi Muslims through their press started with renewed vigour the virulent campaign of calumny against the Maharaja. The communal motives of the agitators were clear from the fact that (as noted earlier) some articles appearing in these Muslim papers even suggested the handing over of Kashmir State to Afghanistan. It is doubtful, though, whether the Kashmiri Muslims, with stories of Afghan brutalities still alive in their minds, would have relished the idea.

In early 1929 Sir Albion Bannerji, the Maharaja's Minister for Police and Foreign Affairs, threw a bomb- shell as if to give impetus to the otherwise floundering agitation. On relinquishing his appointment in the State he issued a very offensive press statement at Lahore on 15 March 1929 in which he criticised the Government's "callousness" towards the condition of the people.<sup>41</sup> The fact that he had at no stage, while in Government as the senior member of the Cabinet (something like the Prime Minister), brought this to the notice of the Maharaja, lends support to the impression in some quarters that his resignation and the subsequent press statement were politically motivated. As a matter of fact even his resignation from 'State service does not seem to have been in protest against the government's callousness in this regard. Had it been so he would not have stuck on to his post for months after his resignation had been accepted<sup>42</sup>. Whether intentional or not, Bannerji made way for the take-over by Wakefield, which had some very positive bearing on the agitation.

Whatever might have been the motives of Bannerji, his statement created a stir. It was widely commented upon in the press and effectively taken up by the Muslim organisations of Punjab as a stick to beat the Maharaja with. In April 1929, a session of the All-India Kashmir Muslim Conference was held at Ludhiana where this press interview formed the basis of "the vilest form of vituperation" against the Maharaja and the State.<sup>43</sup> Highly inflammatory speeches were made in an attempt to excite communal passions outside and within the State. These agencies must have, however, felt terribly exasperated with the near zero reaction within the State. Not many of the agitation leaders in the State seem to have taken up the cause effectively. On the other hand, many loyalists like General (Retd) Samunder Khan, Colonel (Retd) Ghulam Ali and Mirza Ghulam Mustafa condemned Bannerji's statement and issued a, pro Government statement claiming that the Muslims were leading a very happy and contented life and that, as, compared to the inhabitants of other Princely states, they were economically prosperous.<sup>44</sup>

In, order, probably, to show that though opposed to outside interference, and agitational forms of approach to their problems, they were not unsympathetic towards Muslim grievances, the moderates, represented by General Samunder Khan and Sheikh Abdul Aziz submitted a joint memorial to the Maharaja. The memorial drew attention of the Maharaja to the unfavourable position of the Muslims in the services and the disabilities suffered by the Hindu converts to Islam with regard to inheritance etc. The memorial also protested, against the law forbidding child marriage, which was stated to be permitted under the Muslim law. The Maharaja directed Mr P.K. Wattal to look into the grievances, particularly the one relating to representation of Muslims in the services and assured the Muslim representatives that everything consistent with efficiency would be done to bring the proportion of the Muslims in the services to, at least, 50%. On the basis of the Maharajas assurance to the memorialists, Mr, Wattal began working on a scheme for the appointment of a Civil Service Recruitment Board,<sup>45</sup>

### **The Reading Room Party**

As noted earlier in Chapter IV, Sheikh Mohammad Abdullah, Mohammad Rajab, Qazi Saif-ud-Din and Ghulam Ahmed Mukhtar returned to Srinagar in April 1930 after completing their studies at Aligarh. According to Mr. Rashid Taseer they had brought with them broad outlines of a plan for starting an agitation in Kashmir. Perhaps, in accordance with this plan, Mohammad Rajab and Sheikh Abdullah in conjunction with Bashir Ahmed (a retired Revenue Assistant) set up a small Reading Room in the house of one Syed Ali Akbar, which was partly occupied by a postmaster. It was a cover meant to camouflage political discussions by a dozen or more unemployed graduates, Encouraged by the response of educated Muslims, the Reading Room was given a regular organisational shape. Rajab and Sheikh Abdullah were elected President and Secretary respectively. Mufti Jalal ud Din Fazili and Hakim Ghulam Mustafa were elected to the managing Committee. The plan which they had brought from Aligarh now began to be implemented. In order to win over the British public opinion these young men established contact with Sir NL Bannerji who was editing the monthly *Indian States* (London) and articles based on information furnished by them appeared in this magazine depicting the 'pathetic' condition of the people of Kashmir. Maulana Azad Shabhani, Khatib Jamia Masjid Calcutta, who was considered a leading exponent of Jamal ud Din Afghani's Pan Islamic Movement, was also taken into confidence. He travelled to Srinagar incognito and held several meetings with the Reading Room Party giving them detailed exposition of the concept of Pan-Islamism. He also gave them useful suggestions about launching a popular movement. The Kashmir Government, it is believed, came to know of his visit only after he had left the State

and, even then, took no action beyond keeping the members of the party under closer watch:<sup>46</sup>

The scheme for setting up a Civil Services Board on which Wattal had been working could not be finalised before the Maharaja's departure for England, in August 1930, to attend the Round Table Conference. On the basis of the Maharaja's general approval obtained before his departure, the scheme was sanctioned by the Cabinet and its rules were published. In its final form the Board was adjointed to adjust communal proportions in the services through a procedure of recruitment which provided for 1/3 vacancies to be filled through competition, 1/3 through promotions, and 1/3 through nomination. The rules fixed the maximum age limit at 22 years and required the candidates to have a good family background.<sup>47</sup>

No sooner had the rules been published, than a hue and cry was raised by the members of the Reading Room Party. The rules were criticised as aimed at adversely affecting the recruitment of Muslims to State services. They would not allow the Government time to prove its sincerity. Probably the real reasons behind the opposition to the creation of the Recruitment Board were, first, that as the agitation had already been decided upon anything that the Maharaja did had to be opposed, and, second, that the age limit fixed, though of no general disadvantage to the Muslims, had adversely affected the chances of some Muslim leaders like Sheikh Abdullah, (who was by now 26 years of age), of ever getting a respectable job in the Government. No wonder Government's repeated assurances that, though the rules might affect some individuals they would never be allowed to adversely affect the Muslims in general, did little to pacify the leaders.<sup>48</sup> Some believe that the low age limit was specially fixed to keep the leaders out of service. If that was so, the Cabinet had, undoubtedly, acted unwisely.

A memorandum registering its protest was presented by the Reading Room Party to the Government on 11 September 1930. The Cabinet granted an interview to Sheikh Abdullah and Abdul Aziz Fazili and tried to explain to them the good intentions of the Government behind the creations of the Board. It was pointed out that there were many Muslim graduates below the upper age limit who could apply for Government jobs. But the Sheikh could not, naturally, be satisfied with anything that debarred him forever, from a job better than that of a school master at Rs. 60/- p.m., which he had secured by then. The meeting ended in threats and counter-threats. The attitude of both the sides hardened and both prepared themselves for the final showdown.<sup>49</sup>

The Reading Room Party now made its contacts with Muslim newspapers outside the State more regular and frequent and started sending regular despatches in support of their charges of discrimination by the Government against the Muslims. The Government on its part banned the entry of *Sayassat* and *Muslim outlook* Strangely, however, *Inquilab*, in spite of its equally venomous writings against the State and the Maharaja was not banned even now and the minds of the Muslim subjects were allowed to be subverted by its writings.<sup>50</sup> The *Inquilab* was known to enjoy the patronage of the Punjab Government<sup>51</sup> and its proscription was probably prevented by the British through the good offices of Wakefield. It could also be Wakefield's own method of taking "action" without hurting the agitation.

The young men of the Reading Room Party had realised that they could not carry on the fight with the Government on their own and must embroil in it all sections of the Muslim elite. They quickly sought and obtained the cooperation of the two religious heads of Srinagar. Fortified with the inclusion of these religious luminaries, the leaders of the Party now came forward to fight out the issue with the Maharaja on a communal plane, so as to enlist the support of the masses for the cause which could not otherwise have been intelligible to them. The movement was then heralded by the cry of 'Islam in danger'.<sup>52</sup>



While this paper-war against the enforcement of the Service Regulations was going on' the militants within the party formed, what it called, the 'Muslim Young men's Association' (nothing to do with the Young Men's Muslim Association at Jammu) with Ghulam Muhammad Ashai as President and Sheikh Muhammad Abdullah as Secretary. It circulated a pamphlet *Replica* depicting the Services Rules as being intended to frustrate Muslim aspirations.<sup>53</sup> Whatever the cause of this split the distinction between the two groups remained only on paper and both functioned without any rift.

The wider aims of the agitation could not possibly have been attained without the coordination of the activities of all the Muslims of Jammu and Kashmir. Consequently, towards the end of 1930, the Young Men's Muslim Association at Jammu sent a deputation to Srinagar to establish contact with the Reading Room Party, particularly the Muslim Young Men's Association group, for coordinating their activities against the State. The delegation included Abdul Majid Qarshi.<sup>54</sup>

Even as the Kashmir Government was trying to convince the people of their good intentions regarding the Services Board, the Muslims of Punjab stepped up their activities against the Government to enable the Kashmir Muslims to negotiate with the Government from a position of strength. Side by side, the Young men's Muslim Association of Jammu devoted itself, whole-heartedly, to anti-government activities. The State saw no signs of good intentions in the Jammu and Kashmir Muslim Conference sending a deputation to meet the Maharaja. Consequently, at a meeting of the Cabinet in February 1931, it was decided to prohibit the entry into the State of the deputation led by the Nawab of Dacca. Simultaneously, the *Inquilab*, which had been given a long rope till then, was at last proscribed. Strangely enough, the Young Men's Muslim Association was only warned for their anti-State activities.<sup>55</sup> Obviously moderation, as advocated by Wakefield, determined the State government's policy in those days.<sup>56</sup>

### **Events Leading to the Showdown**

The government's inaction against the activities of the Reading Room Party and the Jammu Association, and the propaganda carried on by the Muslim press outside the State, had helped the agitators in creating a situation so charged with communal passions that only a spark was now needed to kindle the flames of revolt. This spark was provided by a series of incidents that took place at Jammu and Srinagar which were fully exploited by the Muslim leadership for working up the religious frenzy of the masses to such an extent that they were prepared to sacrifice their all in defence of their faith which was presented to them as being in grave danger.

At Udhampur a leading land-holder embraced Islam. The Tehsildar sanctioned a fresh mutation of his lands eliminating his name and mutating the same in the name of his brother. The matter was taken to court which upheld the action of the Tehsildar on the ground that after conversion the individual was no longer entitled to his ancestral property.<sup>57</sup> The Muslims used this incident to charge the Government with trying to prevent the spread of Islam in the State.

Later, on 29 April 1931, a police Inspector Babu Khem Chand ordered the Imam to stop the *Khutba*<sup>58</sup> during the course of which he was highlighting the cruelty and tyranny of the ancient pharaohs. The Sub-Inspector felt that the Imam had transgressed the bounds of law and was guilty of instigating the Muslims against the Ruler in the name of reading the *Khutba*. The congregation resented this and leaving the municipal park where the Eid prayers were being held, then marched in a procession to the main mosque where the action of the Inspector was

condemned. Without waiting for action by the police Inspector General they took the matter to court and sued the Inspector under section 296 PC; for disturbing a religious assembly. The ADM, while holding that no such incident of stopping the recital of *Khutba* took place, unnecessarily went on to rule that *Khutba* was not a part of the prayers. Such a decision, so uncalled for, necessarily irritated the Muslims. The Government while siding with the Muslims appealed on their behalf against the ruling of the ADM regarding the *Khutba*, to the High Court. The High Court set aside the ruling of the ADM and held the *Khutba* to be a part of prayers, but recommended no punishment for Babu Khem Chand, probably because he had not meant any deliberate affront to any religion. Meanwhile the Government had suspended the Inspector but took no further action against him in view of the judgment of the court.<sup>59</sup> In this connection it would be relevant to note that Babu Khem Chand had earlier acted against Arya Samaji's also when he felt that they had violated some laws.<sup>60</sup>

What might have been an ordinary error of judgement on the part of a police officer in performance of his duties was blown out of proportion by the Muslim agitators to strengthen and justify their cry that Islam was in danger. The Hindu reaction to the episode, resulting from the mutual suspicion recently created between the two communities, aggravated matters and only helped the agitators further.. The Hindu public gathered outside the court shouting slogans like "Khem Chand ki Jai" and "Hindu Dharam Ki Jai" making it a purely communal issue.<sup>61</sup>

On the Eid day trouble also occurred at Dagore village in Samba Tehsil. There had been a dispute between the two communities over the use of the village tank. In a court case the matter had been decided in favour of the Hindus. The Sub Inspector in the village fearing breach of peace over the issue on Eid day, when the Muslims were to use, the tank for ablution before prayers, stopped them from doing so until he had completed his inquiries. On finding that such. Ablutions were practiced in the past, he permitted the use of the tank but it delayed the Eid prayers. The matter was reported to the Young Men's Muslim Association who were quick to use the incident to show to Muslim masses that Islam was in danger.<sup>62</sup>

The Maharaja was to return to the State on 3 May 1931. He was returning as a national hero after his famous speeches at the Round Table Conference. Besides, he had been blessed with a son while he was abroad and how he was returning with Maharani Tara Devi and the infant Yuvraj. Consequently, a meeting of leading Jagirdars and influential men of Srinagar was convened by an SDM, Pandit Bal Kak Dhar, for setting up a reception committee for according to the Maharaja a popular welcome and to felicitate him on the birth of the Yuvraj. The meeting elected Mr. Dhar as the President in the face of opposition from a group led by Khawaja Noor Shah and Pir Maqbool Gilani. Mirza Ghulam Mustafa was elected vice-president and Khawaja Ghulam Ahmed Ashai its Secretary.<sup>63</sup>

The Reading Room Party would not miss the opportunity of frustrating the efforts of the loyalists to accord a reception to the Maharaja. Taking advantage of the rift in the Reception Committee over the choice of the President, they brought pressure on some Muslim elements in the Committee to dissociate themselves from it and form an exclusive Muslim reception committee under the banner of the Reading Room Party. It was, probably, expected that with the formation of two reception committees the Maharaja would not accept invitation from either and there would be no reception at all. A separate meeting of the Muslims of the Reading Party was convened in which Sheikh Abdullah without any consideration of the occasion delivered his fiery speeches against the Government. Naturally, he was elected the convener another reception committee was formed which also sent a telegram to His Highness requesting permission to present an address of welcome on his return. As anticipated the Maharaja

declined both the invitations. This, indeed, was a success of the Reading Room Party.

As if providence was out to help the agitators, another incident, which could be conveniently used by them for arousing communal passions, occurred on 4 June 1931 in Central jail Jammu. A Hindu head Constable, Labhu Ram, threw away the bedding of one constable, Fazal Dad Khan, who was lying on his bed in the lines, when he should have been on duty. The bedding contained a copy of the "*panjsurah*" (five chapters from the Holy Quran). The Head Constable said that he did not know it, but Fazal Dad alleged that he had kicked it after he had been told about it. Fazal Dad complained about it to his seniors and simultaneously made an application to the Young Men's Association who reacted sharply.<sup>65</sup>

Meanwhile, Mr. Wakefield had rushed to Jammu and conducted an inquiry into the conduct of the Head Constable. Mistri Yaqub Ali and Sayed Altaf Ali Shah were associated with the inquiry as representatives of the Association. After the Inquiry Wakefield concluded that disrespect to the Holy Quran was accidental. Mistri Yaqub Ali, while agreeing that it was accidental, considered the action of the Head Constable as rash. Altaf Ali insisted that it was deliberate. The inquiry also found constable Fazal Dad guilty of misrepresentation and he was, therefore, dismissed from service on this account. In order to accommodate the opinion of Mistri Yaqub Ali, Head Constable Labhu Ram was retired from service for rashness unbecoming of his rank.<sup>66</sup> The Young Men's Muslim Association (YMMA) must have been greatly encouraged in their activities by the Government associating them with their inquiry. So, rather than being appeased, they were emboldened to express great dissatisfaction at the way the case had been handled by the Government. A cry that a formidable peril had beset Islam was raised which produced the desired electrifying effect on the masses. Without trying to go into the facts of the case the incident was accepted by the masses as *Tauhin-i-Quran* and they prepared themselves for avenging this *Tauhin* by over throwing the Government that supported it.

The Muslim press, in order to make sure that the people did not swerve from the path set for them, used these incidents as material for the most provocative and slanderous writings, adding fuel to the fire.<sup>69</sup>

The Reading Room Party also could not afford to miss the opportunity of preparing the masses for the supreme sacrifice. Posters containing coloured versions of the Jammu incidents printed mostly at Lahore and Sialkot were smuggled mainly through the efforts of Mr. Abdul Majid Qarshi and were distributed all over the Valley.<sup>68</sup> When one Mohammad Ismail was arrested by the police while affixing one such poster, Sheikh Abdullah utilised the opportunity for exciting the Muslims by holding a protest meeting at Jamia Masjid. In order not to miss the point he started his speech by recitation from the Holy Quran and then made an impassioned 'speech protesting against the "sacrilege" committed at Jammu. He worked up the excitement of the religious congregation to the highest pitch by telling them that they were nothing but slaves.<sup>69</sup>

To aggravate the communal situation prevailing in the State further some Muslims reported that they had found leaves of the holy Quran in a public latrine at Srinagar. These leaves were reported to have been picked up by a Mohammedan and thrown into the river without these having been shown to the police. The story, even though incredible, was taken up by the police, for investigation,<sup>70</sup> but meanwhile the Reading Room Party made the best of it for arousing religious passions to the breaking point.

All these activities of the Muslims were construed by the Hindus inside and outside the State as an attempt on their part to over-throw the Hindu dynasty and to establish Muslim rule in its

place.<sup>71</sup> Their view was strengthened by the cry for a Muslim Sultan for Kashmir often raised by the agitators. Poems specially composed with this theme were recited by them in streets and in meetings.<sup>72</sup> Consequently all Hindu organisations in the State stood solidly behind the Ruler and not a single Hindu supported the agitation. To counter Muslim propaganda Pandit Gwasha Lal of Srinagar contributed a number of articles to such journals as the *Princely India* and *The Rajasthan* which were devoted to the Hindu cause.<sup>73</sup> A number of articles in reply to the charges made by the Muslims against the Ruler and written by "A Kashmiri Hindu" were also published in the *Amrit Bazar Patrika* of Calcutta.

The Maharaja on return from Europe had been upset to find the political situation in the State so different from what it had been when he had left the State. Immediately he set about putting the house in order and held a cabinet meeting soon after his arrival. The Cabinet was divided in its opinion. While Wakefield advised moderation towards the agitators, Wattal appears to have been in favour of handling the situation firmly.<sup>74</sup> It appears that the Maharaja had not yet properly sized up the situation and was inclined to follow a middle course; greater action than what Wakefield had taken but without closing down chances of reconciliation. The result was that, even after his return, the Government's actions appeared half-hearted, notwithstanding the assertion made by Justice Muhammad Yusuf Saraf that the Maharaja began speedy recruitment to the army from his community and imported arms to meet the coming Muslim revolt.<sup>75</sup>

The first half-hearted step taken by the Government was towards the prevention of the circulation of papers published by the Muslim press for propaganda purposes. After *The Inquilab* was proscribed, a newspaper entitled *Kashmiri Mussalman* had begun to be issued from Lahore to continue this propaganda work. The Government waited till the middle of June before taking action to proscribe this paper but by then the paper had done considerable damage. To circumvent the State laws regarding proscription, a newspaper entitled *Mazloom-i-Kashmir* was published and the continuity in the propaganda was maintained. When this too was proscribed out came another *Maktoob-i-Kashmir*.<sup>76</sup> This too was proscribed but it appears the Government's reaction to this tactics deliberate or not, was too slow and one or the other Muslim propaganda papers continued to circulate in the State. It also appears that the Government failed miserably in preventing smuggling of other propaganda material, (Printed in British India), into the State. Proscribed papers and special posters and pamphlets continued to circulate within the State practically till the eve of the July.

The maximum that appears to have been done to counteract the activities of the Reading Room Party was the convening of a meeting of the notable citizens of Srinagar by the Governor and seeking their confidence and help. Mirza Ghulam Mustafa, Maulvi Rahim Shah Bande, Munshi Assadullah and Maulvi Sharif-ud-Din from among those who attended it, condemned the activities of the Reading Room Party and assured the Government of their whole-hearted support. They even suggested the arrest of Sheikh Mohammad Abdullah. Maulvi Mohammad Abdullah and Pir Maqbool Gilani, however, opposed the suggestion of arrest. The Governor decided not to arrest Abdullah, but, in his capacity of the Chairman of the Jamia Masjid Repairs Committee, he issued an order prohibiting holding of public meetings or delivering of political speeches within the Masjid. This order of the Government was defied by Sheikh Abdullah within a few days by holding a public meeting there and that appears to have been the end of the Government action.<sup>78</sup> On the other hand, the Reading Room Party branded those who had supported the Government as traitors to Islam making their future cooperation with the Government impossible.

Next the Government thought that the removal of Sheikh Abdullah from Srinagar would

automatically ease the situation. He was, therefore transferred to Muzaffarabad. The Government had probably failed to realise that having already become a leader of some eminence Sheikh Abdullah was hardly interested in retaining a petty job of a school teacher. He took this opportunity of making a hero of himself. He resigned the job and announced it to the people at a public meeting at *Khanaq-i-Maula*, in the course of a highly emotional speech, presenting himself as a political victim. The showmanship and superb oratory of the Sheikh enabled him to make his resignation from this petty job look like a supreme sacrifice for the sake of the Muslim cause.<sup>79</sup> The stage was thus set for the final showdown.

## References

1. Resident to Polindia 5 Aug 31 Crown Rep Records Kashmir I, National Archives N Delhi.
2. Muslim demands submitted to the Maharaja on 19 Oct 1931 (Appx B)
3. Dalal Commission Report p 35
4. Home Dept Special file no 21/21/30. pp1-14, National Archives New Delhi.
5. Ibid.
6. Glancy Commission Report pp 18-22
7. HEH The Nizam's Govt. classified list of officer & est PWD & est list of Finance Office (Jammu Archives)
8. H S Balluya in *Amrit Bazar Patrika* Sep 1, 1931
9. Lt. Col. Bhagwan Singh, who attended a course in Hyderabad in 1937 in an interview with the author at Jammu in 1981
10. Bhopal State Review of Adm Reports up to 30 Sep 1928 (Jammu Archives)
- II. Muhammad Yusuf Saraf pp 319-24
12. Ibid.
13. Ibid.
14. H L Saxena pp 279-80
15. *Amrit Bazar Patrika* Mar 1, 1931
16. Prem Nath Bazar, statement before Dalal Commission (see Appx'O')
17. G S Raghavan, p49
18. Prem Nath Bazaz, *History of Struggle for Freedom in Kashmir* Srinagar 1954 p 148
19. The author has the honour of writing the official history of the erstwhile J & K State Force, now known as the Jammu and Kashmir Rifles Regiment of the Indian Army. J & K State Force are the only State Force to have the honour of being absorbed in the Indian Army en-block.
20. J B Das Gupta p 52
21. *Amrit Bazar Patrika* Oct 8, 1931
22. J B Das Gupta p 52
23. *India Today*, New Delhi June 16-30, 1981
24. Muhammad Yusuf Saraf p 346
25. Dalal Commission Report p48
26. *Azan* is the call given from the mosque to announce the prayer time to the Muslims five times a day. *Khutba* is the address read out by the Maulvi from *Khutba-i-Masura* in Arabic before the commencement of the special prayers (*Nimaz*) on Fridays, Eid and other festivals. The *Khutba* extols the greatness of God and virtues of prayer. It is to be distinguished from 'Waz' (speech) which is delivered by the Maulvi at his discretion. (Author's interview with Maulvi Suraj-ud-din of Mohalla Ustad Jammu in Jan 1988)
27. Dalal Commission Report pp 24 - 31
28. See chap VII note 26. The British should have known better that Gulab Singh had removed all restrictions on the calling of *Azans* and reading of the

- Khutba* immediately on becoming the Maharaja of Kashmir in 1846. Colonel Lawrence witnessed both these rituals being performed during his visit to Kashmir, and reported the same to the Secy to the Govt. of India ( Foreign secret file 1243-47 of 26 Dec 1846, National Archives N. Delhi).
29. Muhammad Yusuf Saraf p 346
  30. Residents Fortnightly Report for the first half of March and first half of May 1930. Crown Rep Records Kashmir VI National Archives Delhi.
  31. The extent of the freedom of the press and platform that a people are entitled to have always remained a matter of controversy between the people and their government even in democracies. Ironically, Sheikh Mohammad Abdullah, a strong Votary of free and frank expression during the Maharaja's days held a some what different view on the subject while he was the head of the government himself. Inaugurating the meeting of the National executive of the National Union of Journalists, the Sheikh sought "limits to the freedom of expression when the law of the land was infringed upon". (Indian Express New Delhi Aug 9, 1981) the Maharaja's government in 1931 had probably never tried to do anything more than that.
  32. Muhammad Yusuf Saraf p 306
  33. JB Das Gupta p 53
  34. Bhagwan Singh Lt Col p 15
  35. It is on record that on being pleased with the good work done by the State army units during the 2nd world War, Maharaja Hari Singh gave from his Privy Purse six months pay to all ranks as 'inam' (*Jammu and Kashmir Information*, a State Government Publication April 1944)
  36. Muhammad Yusuf Saraf p 344
  37. HL Saxena p 100. Interestingly British subjects that stood debarred from acquiring landed property in Kashmir seem to have been much agitated over this and questions on the propriety of such a law were asked in the British Parliament on 23 Nov 1931 (Crown Rep Records Kashmir III)
  38. G S Raghavan called him "the staunchest pro-Kashmiri alive" (p 41 )
  39. H L Saxena pp 27-28 quoting from correspondence between Bazaz and Mahatma Gandhi which came into his possession.
  40. Dalal Commission Report p 20. Dr Arthur Neve, considered to be a great well-wisher of the Kashmiris has characterised them to be "treacherous as a Pathan without his valour. .. Cringing while in subjugation .... they are impudent when free" (*Picturesque Kashmir*, London 1900, p X)
  41. Chapter II FN 27
  42. In his Fortnightly Report for 2nd half of January the Resident mentions that Sir Albion still does not know who is to succeed him when he retires from his appt in March 1929. (Crown Rep Record Kash 7, National Archives N Delhi)
  43. H L Saxena pp 101-102
  44. Muhammad Yusuf Saraf p 354
  45. H L Saxena pp 102-103
  46. Muhammad Yusuf Saraf pp 354-55
  47. G S Raghavan pp' 65-67. Also Saraf p 355
  48. H L Saxena pp 106-16'7
  49. Ibid.
  50. Muhammad Yusuf Saraf p 356
  51. Ibid.
  52. J B Das Gupta pp 55-57
  53. Muhammad Yusuf Saraf p 357
  54. Ibid.
  55. G S Raghavan p 67
  56. Muhammad Yusuf Saraf p 367
  57. Ibid., pp 361-63
  58. Evidently the Imam was delivering the Waz in the name of *Khutba*

See note 26 ante for definition of Khutba.

59. Muhammad Yusuf Saraf pp 361-63
60. PN Bazaz, Dalal Commission Report Exhibit No 52
61. Muhammad Yusuf Saraf pp 361-63
62. Ibid.
63. Ibid., P 358
64. Ibid.
65. Ibid., pp 361-63
66. Ibid P 367. Interestingly by this punishment to the individual which was clearly unjustified and awarded only to appease the YMA was, in retrospect, not considered unjust enough by the State Government headed by Colonel Colvin. Referring to the incident in its Adm Report from 1931-33; the Govt. then felt that in cases of mob excitement strict justice had no place and possibly the crisis would have been averted if stronger action had been taken against the Head Constable even if he was not fault.
67. G S Raghavan p 74
68. Muhammad Yusuf Saraf pp 363-64
69. P N Bazaz *Kashmir Ka Gandhi* Srinagar 1935 pp 37-38 (Yusuf Saraf p 365)
70. Sudarshan Kaul, Dalal Commission Report Exhibit No 12
71. Muhammad Yusuf Saraf p 360
72. H L Saxena pp 135-36
73. Muhammad Yusuf Saraf p 360
74. Ibid., P 367
75. Ibid. Mohammad Yusuf Saraf, who otherwise shows great respect for facts, seems to have allowed his imagination to run astray in an attempt to glorify the "Kashmiri's fight for freedom". Apparently he has ignored the fact that each soldier that the Princes enrolled or every weapon which they imported" (from the Ord depots in India) was with the sanction of the British. With the British sympathies decisively lying with the Muslim cause, it is most unlikely that they would have allowed such military preparations even if there was need for them. V.D. Mahajan in his *India Since 1926* (P641) sites an interesting example of the helplessness of the Princes in this regard where the British Indian Government on receiving a demand for 25 pistols from Patiala asked the State Govt. to explain why it wanted 25 pistols more when they already had 48.
76. G S Raghavan p 73.
77. Muhammad Yusuf Saraf p 360
78. Ibid. pp 365-66
79. Ibid., pp 367-68

## CHAPTER VI

### THE SHOWDOWN

As a part of its conciliatory moves the Government took the initiative by inviting the Muslim representatives to a meeting with the Maharaja to afford them an opportunity of presenting their grievances personally to him. The Muslims were to send four representatives from Jammu and seven from Kashmir. The YMMA of Jammu chose Mistri Yaqub Ali, Sardar Gauhar Rehman, Choudhary Ghulam Abbas Khan and Sheikh Abdul Hamid advocate as the representatives of Jammu Muslims and despatched them to Srinagar in the last week of June 1931. The Reading Room Party, however, acted in a more dramatic manner. The aim was to utilise the occasion not only to demonstrate the mass strength for increasing the bargaining power, but also to build its own leadership base. Consequently, a mass meeting was convened by the Party on 21 June for selecting their representatives. In a bid to put up a united front before the Government, the two Mir Waiz, Mohammad Yusuf Shah and his rival Hamdani, were brought together on the same platform by the Party and they thrilled the crowd by shaking hands with each other, perhaps for the first time in their lives. The Sheikh, however, was not going to let them steal the lime-light. He enacted a bigger drama by taking the Holy Quran in his hands and pledging never to betray the cause of the Muslims of Kashmir. The people were so moved that they authorised him to nominate the representatives. Consequently, he nominated Khawaja Saad-ud-Din Shawl, the two Mir Waiz, Agha Sayed Hussain Jalali, Khawaja Ghulam Ahmed Ashai, Munshi Shahab-ud-Din and, of course, himself as the representatives of Kashmiri Muslims<sup>2</sup>

This was, however, not to be the end of the drama. After the nomination part of the meeting was over, the leaders retired to a house in the vicinity, ostensibly to have tea, but actually to plan for the future, while the crowd hung on. This provided an opportunity to one Abdul Qadir, an employee of a British Officer, Major Butt, to exploit the incited communal passions of the crowd. Getting on to the dais he addressed the crowd. According to the official version placed before the court and admitted by him his speech ran as follows:

"Muslim brethren, the time has now come when we should meet force by greater force to put an end to the tyrannies and brutalities to which you are subject nor will they solve the issue of disrespect of the Holy Quran to your satisfaction. You must rely upon your own strength and wage a relentless war against oppression". Pointing his finger towards the palace he thundered: "Raise it to the ground".<sup>3</sup>

The motives of Abdul Qadir in making this speech have not been established. It could just be that he was excited by earlier speeches and because of his own flair for oratory he could not contain himself. But there could also be more sinister motives. The dais may have been deliberately left vacant for him to say what the leaders themselves could not say for fear of being blamed for the failure of talks with the Government. He also may have been an agent planted with directives to ensure that the Muslim passions did not cool off. His being an outsider and a cook of a British Officer go to suggest this. Whatever the motives, Abdul Qadir could easily take the credit for setting off the riots.

Abdul Qadir was arrested on 25 June and charged under sections 124(A) (treason) and 153 of Penal Code. There was wide spread resentment over his arrest.<sup>4</sup> The Government not having acted against anyone else engaged in delivering such speeches, the people had probably been convinced that the Government was not entitled to take any action against any body for seditious activities. Whether the Reading Room Party had planned Abdul Qadir episode or not, it took full advantage of the situation created by it. It had realised that if the masses were to be



made to revolt against the Maharaja, the tempo of communal frenzy created by Abdul Qadir had to be maintained. Meetings were held on the 25th and 26th where speeches intended to "cause public excitement and promote feelings of hatred between the two communities" were made by Sheikh Mohammad Abdullah and others. This fact was duly reported to the authorities by the two different District Magistrates deputed to attend each of these meetings.

It was in this atmosphere charged with communal hatred that there occurred at Srinagar an incident that snapped whatever little ties that still existed between the two communities. A Kashmiri Pandit girl, about 9 years of age, was kidnapped, raped, and then strangled to death on 29 June. The Hindus believed this to be an act of Muslims. In order perhaps to drive the point home to the Muslims, they wanted to take the funeral procession through a particular locality which the Government did not permit. On trying to force their way through that locality the procession was dealt with sternly and "brutally" lathi charged in order to make it disperse.<sup>6</sup> This caused great bitterness among the Hindus. Some Hindu papers, forgetting that the case of rape and murder of the girl was still under investigation of the Government, prejudicial comments against Muslims, which added to the prevailing communal tension.<sup>7</sup>

The Abdul Qadir episode put the real issue of presentation of Muslim demands to the Maharaja into the shade. The Jammu deputation arrived in Srinagar in the last week of June,<sup>8</sup> but for a long time after their arrival the Muslims did not approach the Maharaja for putting their demands to him. The leaders from Jammu and Srinagar were, probably utilising this opportunity for evolving a stratagem for joint action, against the Government. The Jammu deputation, therefore, continued to enjoy the hospitality of the Reading Room Party, whose guests they were.

In the meantime the Hindus got alarmed at the manner in which the Government was trying to appease the Muslims and felt that the Muslims would take the bread out of their mouths. They appear to have concluded that the reception of the Muslim deputation by the Maharaja would seriously affect them. The orders of the Government stopping recruitment to all posts by the departmental heads and giving powers to the Recruiting Board to make appointments with due regard to all communities made the Hindus think that the Government had begun to yield to Muslim pressures. Their fears were confirmed by the policy of appeasement being followed by the Government towards the Muslims, which enabled them to act with boldness and impunity. They considered the Maharaja's decision to meet the Muslim deputation and their demands as the fruit of their agitation and felt that they themselves were suffering because of their loyalty to the Maharaja.<sup>9</sup> This further added to the communal tension in the State.

The atmosphere in the State could now hardly be considered congenial for attempting a political settlement. The Government also perhaps wanted to dispel the impression that in dealing with the Muslims it was acting under their pressure and to assure the Hindus that they would not be ignored just because there was no danger of an agitation from them. The Maharaja, therefore, decided not to receive the Muslim deputation. This was announced to the Muslim public on 3 July through Sheikh Abdullah at the Jamia Masjid in the presence of the Additional District Magistrate.<sup>10</sup> With the Magistrate present in the mosque the speeches were on a very low note. The Leaders just expressed the hope, that the Maharaja, who had announced Justice to be his religion, would give them their rights as soon as the matter is put up to him. The Magistrate warned the people, again through Sheikh Abdullah, that they were not to form a procession but to disperse in peace and this was duly complied with.<sup>11</sup>

Obviously the Maharaja, though probably still not totally in the picture, had begun to act on his own, free of Wakefield. By 9 July he had formulated his policy and announced it to the

people through a proclamation on that day. This proclamation was duly read over to a gathering of about 10,000, especially assembled for the purpose at Hazuri Bag in Srinagar.<sup>12</sup>

In this message to the people the Maharaja started with the expression of pride that he used to take in the fact that his State had remained free from communal strife and his present pain at seeing the situation so changed due to external influences. He regretted that the incidents in Jammu were being associated with Government policy and were being misrepresented inside and outside the State to convey that Islam was in danger. He believed that the sole purpose of the agitation was to promote communal strife. He reminded the people that at the beginning of his rule, he had announced that his religion was justice and asserted that this had been the guiding principle of all his acts and policies. He assured the people that no discrimination would ever be made on grounds of religion. He was, he said, prepared to listen to the grievances of the people subject to two fundamental conditions; viz (a) that political activities were confined within the law of the land and (b) that no outside interference was sought in any shape and form. He expressed his inability to listen to requests from his people so long as communal tension existed. He reiterated the Government's stand that the various communities should put a stop to all forms of political activity that tended to prevent restoration of friendly relations between them and that representations from only that community would be considered which did so. He declared that everyone within the State was and would always be free to practice his own religion subject to the paramount demands of peace and order. He further declared, probably to allay Hindu fears, that there was no foundation to the rumour that cow slaughter was going to be permitted in the State. He was happy that Muslim subjects themselves had condemned this insinuation. Regarding recruitment to State services he clarified that there was no desire on the part of the Government to follow a blind rule of numerical percentage for the various communities, irrespective of considerations of qualifications and merit. Subject to this policy no one community would be allowed to gain undue predominance. Adequate representation would be secured to hereditary state subjects from all classes and communities, he declared. In a bid to assure the Muslims of the sincerity of the Government he gave an undertaking that he would personally watch the practical execution of this policy by his officers. In another reassuring bid he made it known that he was not a believer in false ideas of prestige and held that just action to undo a wrong was a sign of strength rather than of weakness. He, however, made it clear that he would not be coerced by threat. To boost the morale of the police, which had probably been affected by Government's action against officials who had acted in good faith, the Maharaja assured them that they would be supported provided they acted impartially and with proper judgement. **In** the end the Maharaja appealed to outsiders not to interfere in the internal affairs of the State. He said, that he did not claim immunity from legitimate criticism but felt that unjustified outside interference was doing immense harm to the interests of the people as it was making it difficult for him to realise his aim of maintaining the progressive character of his administration. In a prayer to God he hoped that the people would receive the light of truth and wisdom and that they would live in peace and happiness with one another as before.<sup>13</sup>

The message, though well-received by the Hindus who had been assured that no undue favour to the Muslims would be shown, failed to produce the desired effect on the Muslims. The first reaction of the Muslims appears to have been one of general satisfaction, but as soon as they dispersed they came under the influence of their leaders, who succeeded in convincing them against it. The main point exploited by them appears to have been the Maharaja's stress on efficiency in the policy of recruitment. This was emphasised as an indication of the

Government's policy of keeping the Muslims out of the service.<sup>14</sup>

On 10 July, which happened to be a Friday, a mammoth meeting was held in Jamia Masjid, where the audience was reported to be about 15,000 strong, wherein the Maharaja's proclamation was criticised. Sheikh Abdullah during the course of his speech, referred to Abdul Qadir among shouts of "long live Abdul Qadir" and subscriptions were raised in his name.<sup>15</sup>

Another meeting was held on 11 July in a mosque at Batmalu. Sheikh Abdullah and others delivered fiery speeches at the meeting reminding the audience of the historic religious wars waged by the Mohammedans, particularly the battle of Badar. The gathering was assured that Maulana Shaukat Ali and all the other Indian Mohammedans were prepared to help them. Sheikh Abdullah said that he was in receipt of many letters from them on the subject.<sup>16</sup>

Meanwhile, during four hearings in the Sessions Court from the 6th to the 9th of July, it was found that carrying Abdul Qadir daily from the judicial lock up to the court and back was most inconvenient in view of the obstructions being presented by the people. Crowds of Muslim young men surrounded the court and its premises, shouting "long live Abdul Qadir". They began even to obstruct the lorry, in which Abdul Qadir was brought from judicial lock up, in an attempt to prevent the trial.<sup>17</sup> On 11 July the District Magistrate, therefore, suggested that the trial be held in the Jail itself. This was accepted by the Chief Justice, who issued a confidential order to the effect that Abdul Qadir's trial be, in future, held inside the Jail and in camera. This confidential order, however, became known to the Reading Room Party within minutes of it having been issued, so many people were involved in the case that it is not fair to blame Mr. Wakefield to whom the orders were issued for making necessary security arrangements, for this leakage; but there exists a belief that it was he who leaked out the secret information. Be it as it may, the order was known to everyone by the 12th of July and members of the Reading Room Party went round the city referring to this order as a decision of the Government not to proceed with the case legally but to sentence Abdul Qadir summarily at the next hearing in the jail on 13 July. It goes to the undoubted credit of the leaders of the Reading Room Party that they were able to convert almost every action of the Government to their advantage.

The agitators now planned a final showdown with the Government for 13 July 1931 when Abdul Qadir's case was to be heard at the Central Jail. On 12 July the leaders of the Reading Room Party went round the city exhorting the people, through house to house propaganda, to observe *hartal* on 13, July and to collect at the jail to force admission into it for hearing the trial. The police received reports on 12 July that the agitators were planning to attack the Jail on 13 July.<sup>19</sup> That the police did not rely on these reports is another matter but, viewed in retrospect, these reports indicate that the showdown on the 13 July was pre planned. This assumption is also confirmed by the events that followed the Jail incident.

### **The July Riots**

On the fateful day, 13 July 1931, the Session Judge of Kashmir, Pt. Kishen Lal Kichlu, arrived at the jail at about 1 p.m. for conducting further hearing of the case- State vs Abdul Qadir - within the four walls of the Central jail, Srinagar. A mob had already collected outside and it followed the Judge into the jail compound by breaking the wooden gate near the armoury. More and more people began pouring into the compound forcibly until the crowd swelled to about 3,000 in number. The Session Judge seeing all this asked the counsel of the accused to speak to the agitated mob and remove their misunderstanding, which might have caused all the excitement. On being spoken to, the crowd left the compound but collected by the roadside and in the almond garden of the jail, shouting slogans like "Abdul Qadir Zinda Baad" "Islam Zinda baad" etc.<sup>20</sup> The police force present at the jail consisted of 22 armed and 119

other policemen.<sup>21</sup> As this force was not sufficient to over-awe the agitated crowd (of about 5,000) the Session Judge phoned up the Deputy Inspector General of Police and the District Magistrate for help. In the meantime, the mob re-entered the Jail compound. It attacked the outer main gates of the Jail and broke one of its iron sockets. The police force at the outer gate was violently attacked by the mob with stones and brickbats causing injuries (some serious) to two head constables and eight constables. The District Magistrate, who had also arrived by now, ordered a lathi charge, but this did not prove effective in the face of stones and brickbats that were being hurled at the police by the mob.<sup>22</sup>

The situation was growing very serious. The DIG Police Srinagar Sheikh Aziz Din, who had also arrived on the scene, feared that if the situation was allowed to get worse the mob might snatch rifles from the police and set free the prisoners from the Jail. It had already been reported on the same day that a party of four under trial prisoners with police guard had been attacked by a mob near Kathi Darwaza, the prisoners set free, and the guard belaboured. Telephone wires too had been cut and the Jail press set on fire. The prisoners in the Jail rent the sky with yells and were breaking open windows in an attempt to escape. Consequently the DIG Police considered it necessary to open fire and the District Magistrate ordered the firing, accordingly. ] 80 Buck-shot cartridges were fired under the directions of the DIG Police himself. The crowd dispersed but managed to loot and set fire to the police lines. They also attacked the Fire Brigade vehicle, (which had been requisitioned before the telephone wires had been cut), on its way to the Jail injuring all the crew. Shortly afterwards a detachment of the State Cavalry arrived and complete calm was restored at the Jail. It was later known that six persons had been killed on the spot and about 60 wounded. Of the latter another four died subsequently.<sup>24</sup>

After the rioters had receded from the Jail they broke up into a number of groups. Two sections waited at a distance, one on Hari Parbat and the other in a lane. Another group, in the meantime, went to Vicharnag about two miles from the Jail and five miles from the city. This part) perpetrated on the Hindus of the place atrocities, like pillage, arson brutal assaults and indescribable outrages on women. They are repartee to have looted all that they could remove and destroyed the rest.<sup>25</sup> A third group proceeded towards the city carrying the dead on charpoys looted from the police lines. Two wounded were brought to Maharajgang first to the Civil Dispensary and afterwards to a private dispensary. It was here that Dr. Abdul Wahid called out to the mob saying "this is the time to loot the Hindus", which evidently they did right well - judging from the state of shops as seen by Brigadier Southerland immediately after the looting. Brigadier Southerland was the Chief of Staff of the J&K State Forces and he had come to the scene in response to the call to the army to aid civil authorities. By the time the army arrived Hindu shop: in various places in the city had already been looted and there were visible signs of looting in Nauhatta, Bhuri Kadal, Maharajgang, Safa Kadal and Ali Kadal. At some places Brigadier Southerland actually saw some men carrying on the loot but they fled on seeing him. All along the route of his tour of the city immediately after the riots he observed that no Muslim shop had been looted anywhere. Hindus also complained to him of having been beaten up by the Muslims.

There was a large crowd around the Jamia Masjid where the corpse: of the dead had been collected. There were in all 11 dead bodies (as against 10 believed killed in the firing) in the Jamia Masjid, but people outside had been made to believe that there were forty of them.

At midnight 13/14 July the Jammu representatives Choudhary Ghulam Abbas, Sardar Gauhar Rehman and Mistri Yaqub Ali, who had chosen to stay back in Srinagar even after they had

been refused audience by the Maharaja, were arrested from their house-boat and lodged in the Badami Bagh Cantonment. Sheikh Mohammad Abdullah, Maulvi Abdu Rahim and Ghulam Nabi Gilkar against whom warrants of arrest had also been issued, could not, however, be arrested immediately as they had taken shelter in the Jamia Masjid for the night and the Government did not consider it expedient to arrest them while they were surrounded by such a huge mass of indignant and excited humanity.<sup>28</sup> Interestingly none of the leaders was present on the scene at the time of firing. It is possible that had the leaders been present to control the crowd there may not have been the necessity for firing at all. But the leaders probably had some other plans and had stayed away deliberately.

Khawaja Noor Shah Naqshbandi offered the compound of Khanq-i-Naqshbandi, of which his father was the *Muttvali*, for burial of those killed. It is believed that he made this offer for burying all the dead, whom he considered as martyrs, at one place, so that a suitable Mazar could be built round the place and their memory perpetuated.<sup>29</sup> This burial place at one place must have suited the Government also for security reasons and they willingly accepted the offer. Whatever, Noor Shah's motives might have been he did not hesitate to extract from the Government the price for the land, which he offered for this "noble cause". The Government paid for eleven plots at the rate of Rs. 4001 - per plot<sup>30</sup> which must have been a lot of money in those days. The Maharani immediately announced a donation of Rs. 30001 - for the families of those who had been killed in police firing.

Trouble was feared on 14 July when the dead were to be taken out for burial. The first thing that was done on that day was to whisk away Sheikh Abdullah from the Jamia Masjid in a military lorry and lodge him in the cantonment with his colleagues from Jammu. Next, Brigadier Southerland arranged with the Mir Waiz that only 50 people, besides those who were to carry the biers, would constitute the burial party. The word of the Mir Waiz was faithfully carried out by the people. When the bodies were brought out of the Masjid the army present on duty paid full respects to the dead. The burial was carried out by the relatives of the deceased and after the burial rites were over the party returned to Jamia Masjid and dispersed in an orderly manner.<sup>32</sup>

The rest of the day also passed off peacefully except for a few stray cases of stoning of military pickets, established in the town for maintaining peace.<sup>33</sup> However, on the 15th there was a major clash between the mob and a military picket at Nawa Bazar. On being asked to disperse the mob refused and began to hurl stones and abuses at the army. It was reported that some people from the mob even attempted to snatch the rifle of one sepoy. Consequently, four men of the picket were ordered to fire seven rounds on the mob. This resulted in one being killed and three injured (all below the waist) while Pt. Gwasha Lal, who we have seen had been writing pro-Hindu articles in various magazines, was badly beaten up by the Muslims at Nawa Bazar.<sup>34</sup>

By the 16th the situation appeared to be returning to normal. At Rainawari a shopkeeper reported that his shop had been looted by troops. A court of inquiry was ordered to investigate the matter. No substance was found in the charge.<sup>35</sup>

The army had dealt with the situation quite firmly and complete quiet returned to the city by the 19th of July. In an attempt to malign the army and to work up the people against it, the Muslim leaders levelled many accusations against it. One such false accusation was that a small Gujjar boy had been shot at by a sepoy for no rhyme or reason, causing injury to his fingers. On investigation it was found that the boy had picked up a blind detonator from the cantonment area which exploded when the boy playfully hit it with a stone, causing injury to his fingers.

The rumour that the boy had been shot at by a sepoy did much harm to the reputation of the army, before it was scotched.<sup>36</sup>

It is possible that some excesses were committed by troops as happens almost everywhere, but Brigadier Southerland appears to have taken pains to investigate thoroughly all complaints made against them and was of the opinion that, on the whole, the conduct of the troops had been exemplary.<sup>37</sup>

Even while normalcy was being restored to the city, reports were being received that the agitators had been busy in the country side. Cases of forcible conversion of Hindus, accompanied by cruelty, were brought to the notice of the Government. Several speakers were reported to have created commotion through violent speeches. The wooden bridge at Sangam on the Srinagar- Jammu Highway was burnt on 24 July as a well-planned affair<sup>38</sup> In this connection, it is significant to note that the Government had received anonymous letters from loyal Muslim subjects fore- warning it of the plan to destroy the Sangam bridge, on which no action seems to have been taken by the authorities other than "to watch the situation".<sup>39</sup>

Three Hindus were reported to have been killed in the July communal riots and about 163 were injured, some seriously.<sup>40</sup> All together 336 rioters were arrested. Of these 217 were released for want of sufficient evidence or on bail.<sup>41</sup>

Highly coloured reports of the happenings in the State were put out in the Muslim and Anglo-Indian press of India. "Hundreds were killed when the police opened fire on peaceful Muslims engaged in praying" the reports said. The words ruthless, massacre, butchery, were used and the police was depicted as homicidal maniacs<sup>42</sup> forgetting that many among the police including the Deputy Inspector General, who had allegedly opened fire on the faithful while they were "praying", were themselves Muslims.

Immediately after the occurrence of the riots, the Government appointed a Commission of Inquiry on 14 July consisting of Chief Justice Sir Barjor Dalal, a Parsi, as Chairman and two Judges of the High Court One Hindu and One Muslim as members to investigate the cause of the disturbances. The initial order had also provided for non-official members from the two communities. However, after the Muslim non official members Khawaja Saad-ud-Din Shawl resigned and Khawaja Ghulam Ahmad Ashai who was nominated in his place also resigned within the next few days, it was decided not to have any non official members at all. The Reading Room Party appealed to the Muslims to boycott the Commission and demanded the instituting of an "impartial" inquiry headed by a British. The Resident communicated to the Maharaja the following secret message from the Viceroy

"The Viceroy wonders whether it would not be wise for His Highness to ask for independent outside assistance for a commission of inquiry or at least for the services of a Mohammedan High Court Judge to add to the existing Committee".

In his long reply the Maharaja pointed out that if the impression was allowed to grow that an outside Muslim Judge would be nominated to the Commission, that would adversely affect the prestige of the State high Court. He assured the Viceroy that the situation would return to normal soon.<sup>44</sup>

While the work of the Commission was in progress, suitable measures were adopted by the Government to prevent further outrages A warning was issued to all peace-loving citizens to dissociate themselves from those who had disturbed or were disturbing public peace.<sup>45</sup> The city was divided into a number of wards and two officials one Hindu and one Muslim were deputed in each of these to look into the complaints of the people<sup>46</sup> To assure the Muslims of the Government's good faith and intentions, Khan Bahadur Mirza Zafar Ali Khan, a retired judge

of the Punjab High Court, was taken into the Cabinet as education minister. The Resident considered that this action of the Maharaja was aimed at removing one of the grievances of the people and was indicative of the fact that the Maharaja was ready to meet legitimate demands of his people.<sup>47</sup>

### **The Kashmir Settlement**

On 25 July, the Maharaja appointed Raja Hari Krishen Kaul, a civil servant from outside the State, as Minister-in-waiting. After a few days, when Mr Wakefield was dismissed, he was appointed the Prime Minister. Immediately on taking over as Prime Minister, Raja Kaul started working out a political settlement with the agitators in Kashmir. His policy, however, was not one of appeasement. Even as he began his negotiations with the leaders of the agitation, he got a Royal proclamation issued which denounced the agitation and referred to its leaders as *Goondas* and bad characters; asking the public to keep away from such people who were out to create trouble. This had the desired effect. It convinced the agitators that the Government meant business. So when he extended a reconciliatory hand it was quickly grasped by the leaders of the agitation. He deputed Noor Shah Naqshbandi,

Ghulam Ahmed Ashai, Mir Waiz Yusuf Shah, Maulvi Mohammad Abdullah and Pandit Raghunath Mattu to convey to Sheikh Abdullah the Government's readiness to release him provided he undertook not to flake any more speeches against it. This was the first time Sheikh Abdullah had been jailed and action contemplated against him. So after showing 'some semblance of a protest for saving face, the "Sher" gave in and agreed to give the necessary undertaking to the Government. Consequently, he along with other prisoners, was released on 01 August.<sup>48</sup>

The Government now asked the Muslims to put up their grievances to the Maharaja on the 6th of August for his consideration. Unfortunately, however, the issue of Muslim grievances had been pushed into the background by their leaders themselves and now they found it difficult to put them down in black and white. On 3 August, therefore, they requested the Prime Minister to extend the date of submission to the 10th of August.<sup>49</sup> The grounds given for the extension were that they were unable to reduce their demands to writing in such a short period.<sup>50</sup> They probably needed time for consultations with the Muslims of British-India. The Government agreed to 10 August as the date for submission of grievances. But they could not submit them by the 10th also. Obviously, the green signal from British-India was not forthcoming. It is possible that the Punjab Muslims were still debating whether to submit the grievances at all to the Maharaja, as that would amount to accepting his authority. Or probably they wanted any action by the loc, Muslims leaders postponed, at least till after 14 August, which they were planning to observe as "Kashmir Day" in Kashmir and throughout India as a display of their political strength. Whatever the reason, deputation of ten Muslims waited on the Maharaja only on the 15th of August. Even then they just read out a long representation protesting the loyalty to the Maharaja and accusing the Hindus of poisoning the Roy, mind, but contained no demand other than the removal of Raja Ha Krishen Kaul from appointment of Prime Minister, probably, because he was not allowing them the freedom of action that Wakefield did. The Maharaja also made a general reply but emphatically refused to oblige them regarding his Prime Minister.<sup>51</sup>

In the meantime, the Maharaja, in his eagerness to end the trouble in Kashmir (probably for fear of British intervention) invited Sir Tej Bahadur Sapru and Maulana Abdul Kalam Azad to help him in bringing about a settlement. Abdul Kalam Azad tried to reason out with Sheikh

Abdullah and advised him to place his demands before the Maharaj, but he does not seem to have cut much ice with him.<sup>52</sup> Government also invited Sir Mehar Shah from Punjab to help in working out some agreement and thereby forestall British intervention. Sheikh Abdulla on the other hand, was probably being advised by his patrons in Punjab not to agree to a settlement as that would foreclose chances of British intervention which they had planned for all these days. However, the Sheikh, probably a little shaken by the firm action of the Government, was prevailed upon by Sir Mehar Shah and finally made to agree to submit his demands to the Maharaja as a prelude to a lasting politic, settlement.

Consequently, Muslim grievances (interim) were presented to the Maharaja on 24 August. The address presented by the Muslim deputation, though expressing fervent personal loyalty to the Maharaja, was full of "Communal Venom".<sup>53</sup> The points made included the following

- a) Prohibiting of the *Khutba* in the State.
- b) Dismantling of Mosques.
- c) Stoppage of the *Azan*.
- d) Atrocities by Hindus, police, army and officials.
- e) Raja Har Krishen Kaul was a Hindu Communalist.
- f) Government favouring the Hindu Press which was spreading false-hoods like stories of forcible conversions of Hindus
- g) Proper atmosphere for submitting Muslim representation not existing.<sup>54</sup>

The Maharaja replied to the Muslim deputation on the following day. He characterised all the charges as baseless and considered that the representation contained several gross misstatements which did not need to be gone into in detail. He said that Hindu and Muslim officers were scrutinising cases against the prisoners. Of the 336 arrested only 57 had been committed to the courts and the rest had been released after such scrutiny. He denied that there was any minor in Jail and that any favour had been shown to Hindu news-papers. He cited examples of *The Ranbir* of Jammu and *The Riyasat* of Delhi against whom action had been taken by his Government. He then went on to narrate all that he had done for the Muslims during the five to six years of his rule. He finally asked the Muslims to place their genuine grievances so that they might be enquired into, but insisted that before that they must get rid of outside influence.<sup>55</sup>

Even as the Maharaja was making this reply an agreement was being worked out in a bid to put an end to the agitation. It was finally ready on 26 August. It was signed by the concerned parties and Sir Mehar Shah signed as a witness. As per the terms of the agreement the Muslim representatives, (the two Mir Waiz, Ahmed Ullah, Sayed Hussan Shah Jalali, Saad-ud-Din Shawl, Sheikh Mohammad Abdullah, Ghulam Ahmed Ashai, Yaqub Ali Shahbuddin, Ghulam Abbas and Gauhar Rehman) under took that:

- a) the agitation was to be suspended i.e. no speeches aimed at creating hatred against the Government or Maharaja or any other community would be made;
- b) it would be announced at Jamia Masjid and other mosques that Muslim nationals of the State did not take inspiration from any outside elements and they, while being loyal to the Maharaja, would hope that he would sympathetically consider their grievances;
- c) they would appeal to their sympathisers outside the State on that so long as the Government did not take a decision on their memorandum, which they were about to present, no steps likely to effect the political climate might kindly be taken; and that
- d) normal laws of the country would not be affected by the agreement. It is interesting to note that in the text of the undertaking the Muslim leaders expressed their gratitude to the Prime



Minister for his kindness, sympathy, and magnanimity in dealing with their requests and the hope that he would likewise sympathetically consider their demands (when presented). They, however, added the following note to this undertaking

"In spite of the reply to our representation presented to His Highness on August 15 not being satisfactory, we humbly bow to it with all the respect due to it, and declare our readiness and loyalty to abide by the aforesaid terms of the provisional settlement".<sup>56</sup>

The Government on its part made the following "concessions" that: -

- a) as soon as the agitation was called off, all emergency regulations and orders in force since two months would be suspended;
- b) the High Court would be requested to release on bail all those accused of rioting as well as those already on trial, and hearings in those cases would remain suspended until the publication of the Dalal Inquiry Commission Report; and that
- c) all such Government servants who had been dismissed or Suspended or degraded on charges of complicity in the agitation, shall be restored to their posts provided they gave an undertaking that they would not in future take part in the agitation.<sup>57</sup>

## References

1. Muhammad Yusuf Saraf pp 371-72
2. Ibid., pp 372-73
3. Ibid P 374
4. Ibid., pp 374-75
5. Ch. Bhagat Ram, ADM Kashmir, Dalal Commission Report E Exhibit 14
6. PN Bazaz, Dalal Commission Report Exhibit 52
7. H L Saxena pp 131-32
8. Justice Yusuf Saraf puts the date somewhere in the first week July (p 381) while Dr Saxena believes that the Jammu deletion arrived sometime in third week of June(p 125). There does not appear any mention of the delegation being present at the time of the election of the Kashmiri delegates on 21 Jul. The delegation it appears arrived in the last week of June ie after 21 June but before 3 July when the Maharaja withdrew his offer of an audience.
9. G S Raghavan pp 77-78
10. Ch. Bhagat Ram, ADM Kashmir Dalal Commission Report Exhibit no 14
11. Ibid.,
12. Pt Sudarshan Kaul ASP, Dalal Commission Report Exhibit NO.12
13. G.S. Raghavan pp,78-83
14. Pt Sudarshan Kaul ASP, Dalal Commission Report Exhibit No 12.
15. Raizada Trilok Chand, Dalal Commission Report Exhibit No 6
16. Ibid.
17. Ibid.
18. H L Saxena pp 131-32, and Dalal Commission Report pp 4-5
19. Sheikh Aziz Din, DIG, Dalal Commission Report Exhibit No 9
20. Jailor's Journal Dalal Commission Report Exhibit 19
21. Muhammad Yusuf Saraf pp 379-80
22. Jailors Journal, Dalal Commission Report Exhibit No. 19
23. Sheikh Aziz Din, DIG, Dalal Commission Report Exhibit No 9
24. *Amrit Bazar Patrika* July 16, 1931
25. Ibid., Govt Communiqué on July riots. The Govt version of the July riots was upheld by the Resident Kashmir vide his telegram R 66 to Pol India Simla 14 July 1931. (Crown Representative Records, Kashmir, I National Archives

- New Delhi)
26. Brig O P Southerland, Dalal Commission Report Exhibit 84
  27. Ibid
  28. Muhammad Yusuf Saraf pp 381-82
  29. Ibid P 378
  30. *Amrit Bazar Patrika* July ] 6, 193]
  31. Ibid.
  32. Brig Southerland, Dalal Commission Report Exhibit 84
  33. Ibid
  34. Ibid
  35. Ibid
  36. Ibid
  37. Ibid
  38. *Amrit Bazar Patrika* July 31, ] 93] carrying J&K Govt  
Communiqué
  39. Dalal Commission Report Exhibit 48-A
  40. PN Tikoo P 110
  41. *Amrit Bazar Patrika* July 31,193], J&K Govt Communiqué
  42. H L Saxena pp ] 39-40
  43. Ibid., pp ]36-38
  44. PNK Bomzai, *History of Kashmir* New Delhi 1962 p658
  45. *Amrit Bazar Patrika*, July 31 1931, Govt Communiqué
  46. Ibid., Aug 8, 1931
  47. Resident to Pol India dt 5 Aug 31 Crown Rep Records, Kashmir-1 National Archives,  
New Delhi
  48. Muhammad Yusuf Saraf pp 395-396
  49. Ibid.
  50. *Amrit Bazar Patrika* Aug 8, 1931
  51. Muhammad Yusuf Saraf p 398
  52. Ibid.
  53. Resident to Pol India 25 Aug 31 Crown Representative Record  
file 423 (1) p (secret) 1931 pt I, National Archives, New Delhi.
  54. *Amrit Bazar Patrika* Aug 26, 1931
  55. Ibid, Aug 28, 1931
  56. Middleton Commission Report Appx 2
  57. Ibid.

## CHAPTER VII

### AGITATION CONTINUED

Apparently the Government had over-awed the Kashmiri leaders. In the "Kashmir Settlement" (as it came to be called) the only gain that they appear to have made was to have the prisoners released and even that without the Government agreeing to withdraw cases against them. The whole thing appears to have come as an anti-climax to the masses who had been worked up to such a high pitch of communal frenzy and excitement. They naturally refused to accept the Settlement. The agreement was interpreted as a demonstration of weakness on the part of the leaders and a betrayal of the people by them. The leaders were charged with having been bought over by the Government. To show their resentment a mob attacked Sheikh Abdullah's house but, fortunately for him, he managed to escape by the back door and the mob had to contend itself with shattering the windows of his house.<sup>1</sup>

On 27 August at a public meeting in Jamia Masjid, Sheikh Abdullah tried to explain his position by saying that the Government had to be given a chance for the redress of grievances. He might have been right in that, but who among the crowd was interested in that. Under the influence of external forces, and worked up by local Muslim leaders, (including Sheikh Abdullah himself), their struggle, they believed, was for a cause much higher than just redress of grievances. The Muslim League also must have been sore over the local leadership trying to come to terms with the State Government. It is significant to note that this meeting addressed by Sheikh Abdullah was attended by Sheikh Din Mohammad of Gujranwala (who later became a judge of Lahore High Court). The pact also sent a wave of discontent among the Muslims of Jammu. The agreement could now at best be used by Muslims as a breathing time for preparations for the second round.

Commenting on the Government communiqué regarding the "Kashmir Settlement" the *Amrit Bazar Patrika* in an editorial congratulated the Maharaja for his wisdom and foresight in arriving at a settlement. Likewise, Hari Krishen Kaul and Nawab Mehar Shah were also congratulated for the peace efforts made by them.<sup>2</sup>

However, the Kashmiri Pandits protested against this settlement. They probably got the feeling of having been by-passed despite being the biggest sufferers during the riots. Or perhaps, they felt hurt that the Government was negotiating with the people who were responsible for killing, beating and looting them.<sup>3</sup> They also, probably, feared that the Government, in its efforts to woo the Muslims, might totally ignore their (Hindu) interests. They were, however, too weak due to their negligible numbers and the agitation which they started was soon put down by the Government after granting them some minor concessions. Their protest, however, resulted in creating more bitterness between the two communities.<sup>4</sup>

#### **THE SECOND ROUND**

Sheikh Abdullah had realised that if he was to maintain his leadership he would have to ride the tide, that he had set into motion, rather than stem it. It is also possible that he had been admonished by his string-pullers from the Punjab for his role in bringing about the "Kashmir Settlement". It may be mentioned here that the All India Kashmir Committee immediately after the signing of the Settlement, gave an ultimatum to the Maharaja and threatened action against him in case he did not redress Muslim grievances within two months<sup>5</sup>, even though the list of grievances was yet to be submitted to the Maharaja. Sheikh Abdullah and his party could not afford to ignore the dictates of the Punjab Muslims and hence had no alternative but to back out of the "Kashmir Settlement".

Be it as it may, Sheikh Abdullah started holding fresh public meetings from 13 September onwards and resumed delivering inflammatory seditious speeches charging the Government with violating the terms of the agreement in not reinstating all the dismissed officials.<sup>6</sup> The Government took no action against him and waited patiently for the memorial which the Muslim organisations were to submit in accordance with the terms of the Settlement. Little did it probably realise that the Kashmir leaders were now acting in response to the call given by the All-India Kashmir Committee through a recent resolution and, therefore, had no intentions of submitting the demands or grievances, nor, for that matter, of observing any other terms of the agreement. They were, without doubt, planning an open revolt with the aim of over-throwing the Government under directions of the British Indian Muslims.<sup>7</sup>

So as not be left behind the Ahmediyas in claiming leadership of the State's Muslims, the Ahrars of Punjab now decided to storm the State, with what may be called a civil invasion, by sending in a mass of volunteers. The aim was to stretch the State's resources ( for dealing with the law and order situation) to such an extent as to make it necessary for the State Government to seek help of the British Indian Government, under which situation their terms could be dictated to the Maharaja. Consequently, towards the end of August, Ahrars volunteer started entering the State from different directions to be arrested by the State Government. The entry of Ahrar *Jathas*, no doubt, created a very serious situation for the State authorities and they appealed to the British Government for stopping this anti-State activity from British -India. The British, however, refused to take action against the Ahrars on the ground that it would create a tremendous law and order problem for them. They also considered the situation not so critical as was being made out by the Kashmir Durbar, even though the Resident supported the Durbar's plea.<sup>8</sup>

In the meantime, the memorial had also been drafted for presentation not perhaps to the Maharaja but to the Commission of Inquiry headed b) a British nominee, to which the Maharaja was expected to yield under pressure of the British and the British Indian Muslims. The initial draft was apparently prepared by Ghulam Ahmad Ashai, but was sent to Lahore for approval of the All India Kashmir Committee.<sup>9</sup>

The Maharaja, in the meantime, resisted the efforts that were being made for undermining his authority. His acceptance of an outsider as the chairman of a commission at this stage would have shaken the people's confidence in the State's Chief Justice and the Judiciary which he had built up with such great effort. He had also to insist that the Muslims present their grievances/ demands to him and none else in order to maintain his own authority. He, however, understood the implications of British intervention and appeared determined to avoid such a contingency, as far as possible. To this extent he was even probably prepared for conciliation with the British-Indian Muslims.

In one such conciliatory move he accepted the demand of the Ahrars party for conducting its own inquiry in Kashmir, provided, of course the committee so constituted did not involve itself in political activity. He probably hoped that seeing things for themselves might remove their misunderstandings about what was going on in Kashmir.<sup>10</sup> In response to his offer Mazhar Ali, the leader of the party, visited Kashmir on a tour of investigation. But nothing came of his visit. Instead, it was used by Mazhar Ali for self-aggrandisement. He began boasting that the Kashmir Government had recognised him as the sole representative of the Muslims inside and outside Kashmir and it was therefore, negotiating with him for a settlement. This annoyed the Ahmediyas, and the Government, probably, fearing an adverse reaction from them, had to issue a communiqué clarifying the situation. In this communiqué, while the Government reiterated

that it would not tolerate outside interference, it expressed willingness to allow anyone from outside to come to Kashmir and see things for himself. The other side was also thus permitted to visit Kashmir if it so desired.<sup>11</sup>

As part of the Government strategy in dealing with the situation created by outside Muslims, Prime Minister Hari Krishen Kaul seems to have contacted some Hindu organisations in British-India in an attempt to start agitations by Hindus in Muslim ruled states. Such agitations could have also been embarrassing to both the Government of India as well as the British-Indian Muslims and could be expected to put both on the defensive. The potentialities of such a move had probably been realised by the Maharaja himself soon after he was faced with the problem of countering outside influence on the agitation. But then he had hoped to gain British appreciation for not seeking support of Hindu-India in dealing with the agitation. It was thus that he had refused Dr Moonje's offer of starting counter propaganda on his behalf in British-India and informed the Viceroy accordingly.<sup>12</sup> The move had now been made probably because he had failed to win the British favour by keeping away from it. Unfortunately for Sir Hari Krishen, however, the British intelligence, who were probably already on the lookout in this direction, got wind of the move no sooner than it was made and the Government of India asked the Resident to "drop a hint at the right quarter" so that this activity is stopped and there the matter ended.

The way the situation was developing made it impossible for the State Government to ignore it any more. When no memorial seemed to be forthcoming, Sheikh Abdullah and his lieutenant Kalaldin were arrested on 22 September for making seditious speeches.<sup>14</sup>

Immediately after the arrests, a public meeting was held inside a mosque and a "war council" (as it was called) was formed. Mufti Jalal-ud-Din was appointed the first "dictator" and the next course of action was planned. Notices appeared in the city announcing that a procession would be taken out from Jamia Masjid on 23 September. Immediately, the Government issued a proclamation banning all processions. In spite of this, processions were taken out which had to be forcibly dispersed by the police and the army.<sup>15</sup> The Muslims were now in revolt, openly declaring that their aim was to over-throw the State Government.<sup>16</sup>

This naturally led to some confrontation and bloodshed at a number of places. A military picket which was surrounded by a mob at one place had to open fire to disperse the mob, killing two and injuring two others. At another place a cavalry charge had to be ordered to disperse an unruly mob; resulting in the death of one man.<sup>17</sup> Two were killed in Maisuma Bazar when fire was opened on a violent mob.<sup>18</sup>

As if pre-planned, trouble also broke out simultaneously in the countryside. A mob attacked a military picket at Anantnag and tried to snatch away their weapons. The picket opened fire killing 19 and wounding 30.<sup>19</sup> In another incident at Shopian the police station was attacked by a mob killing one Head Constable. The army that rushed to the rescue of the police was compelled to open fire killing two and wounding four.<sup>20</sup>

Hundreds of people were arrested all over Kashmir under instructions from Khawja Salam Shah, who was the Assistant Governor at that time.<sup>21</sup>

Mir Waiz Yusuf Shah, on whom the mantle of leadership had fallen after the arrest of Sheikh Abdullah, proclaimed a *Jehad* against the Hindu Raj. Consequently, on 24 September, all able bodied Muslims were armed with spears, axes, lances and even a few match-lock guns and a *Paltan* was organised which came to be known as the 'Narchoo Paltan'.<sup>22</sup> A great show of armed force was thus made at Khanyar. To avoid an armed clash and unnecessary loss of lives, the Maharaja rushed Nawab Khusro Jang to meet the leaders and explain to them the folly of an

armed rebellion. Side by side, to avoid any clash between the Narchoo Paltan and the army he withdrew the troops from the city. Mohammad Yusuf Saraf greatly commends this action of the Maharaja. He thinks that the 'paltan' being ill-equipped, the army could have easily repulsed their attack and, at the same time, left hundreds of them in pools of blood.<sup>23</sup>

The Maharaja, however, was convinced that something drastic would have to be done if unnecessary loss of life was to be avoided. On 24 September the Government promulgated an emergency legislation, called notification No. 19 L of 1988 (S) (1931 AD), drafted on the lines of the Burma Ordinance 1818. It was first enforced in Srinagar alone, but was subsequently extended by separate notifications to the towns of Jammu, Anantnag, Sarnal, Mattan, Bijbehara, Pulwama, Baramulla, and Sopore. Under this Notification the powers of the army, police and civil officials were enhanced. Non-compliance of orders was made punishable with imprisonment extending up to three years or with flogging not exceeding thirty stripes or fine extending up to Rs. 1000/-. Collective fines could be imposed and arrests could be made without warrants. Even spread of rumours was made punishable with imprisonment extending up to one year or by flogging or by fine. Most offences under the Penal Code or under section 17 of the Criminal Law Amendment Act of 1971 (Bikrami) were made cognizable and nonbailable.<sup>24</sup> Rules under this notification were published for public information in the form of *Ailans*. All shops were ordered to be opened on 26 September. All arms were ordered to be deposited with the Government. Gathering of five or more persons at one place was prohibited and curfew was imposed from 10 p.m. to 5 a.m.<sup>25</sup>

With this drastic action, the Maharaja seemed to have scored over the Anglo-Muslim combine and the agitation appeared to be coming to an end without the Maharaja having acceded to the Anglo Muslim demand for an "impartial inquiry". What is more, the British looked to be on the verge of missing an opportunity of intervention in the affairs of the State. This they were not to allow and on the day following the promulgation of the ordinance the Resident delivered a pre-emptory note, (in the form of an authoritative advice) from the Government of India to the Maharaja demanding its acceptance within twenty four hours. The note directed that (a) steps be taken to remedy through a communiqué, the more obvious grievances such as the cow-killing ordinance, the prohibition of *Khutba* the stoppage of *Azan* etc. (b) an inquiry by a commission to be headed by a British Officer on loan from the British Indian Government, be ordered and (c) externment orders in respect of Sir Daya Krishan Kaul brother of Raja Hari Krishan Kaul be issued. This note was in the form of an ultimatum accompanied by a threat of British intervention in the State in case of non-compliance.<sup>26</sup> The aim, probably was, to boost the sagging morale of the agitators.

The Maharaja, however, would not be cowed down and in an action perhaps unparalleled in the history of British relations with Indian Princes, he stoutly refused to bow before the ultimatum. He refused to issue a communiqué on the grounds that no such grievances as given in (a) above existed. There was no prohibition of *Khutba* or *Azan*, and permission for cow-killing, though probably a demand of British-Indian Muslims, was never demanded by the Kashmiri Muslims. As regards the externment order of Sir Daya Krishan Kaul, the Maharaja informed the British that he had nothing against the individual and requested the British to issue the necessary chargesheet so that action could be taken against him. He also expressed his inability to appoint an outsider to look into the grievances of his subjects as that would undermine his authority. In any case, he felt that he could take action in the matter only after the agitators had submitted their grievances or demands to him first. The British, who had apparently acted in haste (without even perhaps consulting the Resident) had to beat a tactical

retreat and that was the end of the peremptory note.<sup>27</sup>The Maharaja then went through the rituals of 19 L unhindered, even if somewhat hurriedly.

The special Notification remained in force for 11 days only, but during this short period it succeeded in restoring complete calm and tranquillity in the city.<sup>28</sup> Flogging proved to be the most efficacious. In all about 100 men are reported to have been sentenced to flogging by special magistrates; different sentences having been awarded under different sections. The agitators charged that these powers were misused by officials. The summary trials which were conducted were necessarily based mainly on information supplied by the police or by troops. In these circumstances, as Middleton observed later, "there was a rich field for dishonest minor officials to exploit". A number of cases of misuse of power that were brought before the Middleton Commission, which enquired into the conduct of officials, could not, however, be proved even though some of them appeared to be based on facts.<sup>29</sup>

The leaders of the agitation appear to have been taken by surprise by such firm action of the Government. They hurriedly called a meeting following which they are reported to have applied for audience with the Maharaja which was granted. They are reported to have explained their conduct and assured the Maharaja of their loyalty.<sup>30</sup> The Maharaja is also reported to have received a large number of telegrams and messages from responsible Muslim citizens. The general tone of these communications was to disown sympathy with outside agitators and to affirm that the Kashmiri Muslims preferred to be left to themselves to settle their grievances, whatever those might be, face to face with their own Ruler. Such messages also came from thousands of Co-operative Societies, Jammu Zamindars and other public bodies. Posters appeared at various places appealing to Muslims to cease the agitation.<sup>31</sup>

By 4 October, 1931 it was all quiet on the Kashmir front. So the Maharaja utilised the occasion of his Birthday Durbar on the 5th to once again extend his hand of "mercy" towards his "misguided" subjects and announced a general amnesty to prisoners on the occasion. In the proclamation issued on that day he refuted allegations of lack of religious liberty in the State and reiterated that there were no restrictions what-so-ever on *Khutba* or *Azan*. He asked Government Officials to make sure that religious susceptibilities of no section of his subjects were hurt in any way. He also refuted the existence of any discriminatory laws against the Muslim subjects. Referring to the laws prohibiting cow-killing he said that his Muslim subjects had repeatedly made it known to him that they never demanded permission to kill cows. He felt sorry that the sufferers in the agitation had been the poor classes. He considered the task which the troops had been called upon to perform as most unpleasant and praised them for having performed it so remarkably well. Striking a paternal note he said that "parents have sometimes to use force in bringing the refractory children to order, but the parent has not the heart to continue to punish the child after it has ceased to be disobedient". So be it with the Ruler and, now that the purpose of the Government had been served, he ordered that:

- a) Notification No. 19-L recently enacted be withdrawn;
- b) other emergency measures be abrogated at the earliest possible moment;
- c) troops be withdrawn;
- d) prisoners be released; and
- e) all cases of offences against the State be dropped.

He once again called for Muslim demands to be put up to him for his consideration. Closing on a somewhat sentimental note he said "I have done my duty, and it is now for you, my people, to do yours".<sup>32</sup>

Almost immediately after the issue of the proclamation a memorial signed by 774 persons of

standing was submitted to the Government expressing shame over "undesirable and abominable acts committed by certain unruly persons and bad characters". The signatories promised help in apprehending criminals as a proof of their loyalty to the Government.<sup>33</sup>

Sheikh Abdullah was released in the process but not before he had given an undertaking (second one during one year of his political career) to the Government, through Mir Waiz Yusuf Shah, to the effect that he would not make any speech in public until the presentation of the memorandum to the Maharaja<sup>34</sup>

The Muslim agitators were now called upon to present the memorandum of their grievances on 16 October 1931. The Government also invited other communities to present their grievances. The memorandum that Maulvi Abdur Rahim had taken to Lahore had since been received after being revised and redrafted by the All-India Kashmir Committee. The Committee sent Maulana Yaqub Khan (later, editor of the *Civil and Military Gazette*) Maulana Mohammad Ismail Ghazanvi and Maulana Abdur Rahim Dard to Srinagar to guide Sheikh Mohammad Abdullah in his negotiations with the Government (or carrying out any changes in the draft if necessary). The memorial was, however, held up and was not presented to the Maharaja till 19th October, 1931.<sup>35</sup>

After the Maharaja's proclamation the Ahrars decided to suspend temporarily the sending of *Jathas* into the State w.e.f. 9th October. This was probably done to give Maharaja the time to come to terms with the British and British-Indian Muslim. In the short period from about the middle of September to about 5 October as many as 2500 Ahrars from across the border had entered the State creating a big law and order problem for the Government,<sup>36</sup>

With peace having returned, there started a regular tussle between the Maharaja and the British-Indian Government over the appointment of a British officer to inquire into the incidents that had taken place since 22 September. In order to forestall the British move, on 19 October, the Maharaja again appointed his Chief Justice Sir Barjor Dalal for holding an inquiry into the September riots.<sup>37</sup> The British would not accept this and insisted that a British officer be appointed for this purpose. Then when the Maharaja was forced to submit to this British demand a tussle started over the manner of appointment of British officer to head a commission to look into the grievances of the people. Apparently the British, in keeping with the wishes of the agitators, wanted that the appointment of Mr Glancy as the head of the commission be announced and the grievances put up to him by the Muslims direct without reference to the Maharaja. This was unacceptable to the Maharaja as such an action would undermine his authority. Before asking for the loan of the services of Glancy, therefore, he wished to be assured by the Government of India that (a) this would not involve any dictation by the Government of India as to the duties on which he (Glancy) was to be employed; (b) that Glancy would look into only those demands which His Highness may consider necessary to forward to him after going into them himself first and (c) there was to be no reopening of the Riot Inquiry Commission (Dalal Commission) that enquired into the July 1931 riots.<sup>38</sup> This assurance was given by the Government of India only after a week's haggling on 18 October,<sup>39</sup> and after the Maharaja had on the day before, promised that he would announce the Glancy Commission after the Muslims present their demands to him on the 19 October, but would not in any case postpone the announcement after Glancy's arrival at Srinagar.<sup>40</sup>

In a personal letter to, the Viceroy on 12 October the Maharaja had brought to his notice the impropriety of the Muslim leaders in having the draft of their demands published in the *Statesman* of 8 October and the *Civil and Military Gazette* of 9 October before it had been submitted to him. This action on the part of the Muslim leaders, he had thought, gave a good



indication of the trend of their demands. He had then gone on to request the Viceroy that his demand for the loan of the services of Mr Glancy be kept a secret to prevent giving an impression of British intervention which would destroy his authority.<sup>41</sup> In his reply to the Maharaja on 17 October, the Viceroy promised to keep the appointment of Glancy a secret till his official appointment by His Highness on his arrival at Srinagar.<sup>42</sup>

The settlement between the British and the Maharaja was the green signal for the Muslim agitators to put up their memorial, (which they had received ready made from Lahore), to the Maharaja on 19 October 1931. Saad-ud-Din Shawal had the honour of reading it out to him (Appx 'B, attached).

The Maharaja made a brief reply. He promised due consideration and, at the same time, made known his intention of appointing a commission soon, to go into their grievances. To demonstrate its sincerity and authority, the Government announced the restoration of Pathar Masjid at Srinagar to the Muslims, though certain conditions, like not using it for political activity were imposed. The mosques, which provided the political leaders with ready audiences, were, however, an integral part of Muslim politics and this condition imposed by the Government could never have been accepted by the agitators. Consequently the Condition was ignored by them no sooner than it was imposed. This Masjid, it may be mentioned, was constructed by Empress Noor Jahan and was being treated as a national monument. It was finally handed over to the Muslims on 29 November 1931.<sup>43</sup>

As mentioned earlier, the Government had also invited other communities to present their grievances. Consequently the Sikhs demanded 1/ 3rd of jobs under the government and also one Sikh minister in the Cabinet. The Kashmiri Pandits wanted a fair deal in the services in relation to their qualifications. They also demanded the recruitment of Pandits in the State Army.<sup>44</sup> The Dogras, it appears, had no intention of embarrassing the Government by placing their demands. So apparently none was made.

Even after the Muslim demands had been put to the Maharaja he did not make the announcement of the appointment of Glancy Commission. Evidently the Maharaja was sore over the British breach of promise in leaking out to the *Statesman* on 20 October 1931 the fact of the appointment of Mr Glancy to head the Grievances Commission under their pressure. The Resident himself seems to have been embarrassed by the incident, deliberate or otherwise. In a telegram to the Government of India dated 21 October, he conveyed the distress of the Durbar over the Indian News Agency Press message dated Simla 20 October regarding "the selection of Glancy by the Government of India to preside over the commission announced by His Highness [which created] the very impression of dictation by the Government of India which the Durbar had asked should be avoided."<sup>45</sup> The Maharaja's delay in making the official announcement of the appointment of Glancy was probably an attempt to salvage some of his lost prestige.

As the Maharaja resisted making the announcement fresh pressures were built up against him. The Ahrars resumed their *Jathas* into the State with the British still taking no action against them as they felt that the situation was not so critical as made out by the Kashmir Durbar and the Resident.<sup>46</sup> The draft ordinance prohibiting *Jathas* into the State had been prepared but was to be issued only when the situation deteriorated.<sup>47</sup> Acting with impunity the Ahrars now opened up another front opposite Kohala for entry into Kashmir, in addition to the Suchetgarh border to which they had confined their activities so far.<sup>48</sup> As a matter of fact by 4 November 1931, when the British finally issued the Ordinance prohibiting the entry of *Jathas* into the State, the State Government was handling about 4300 Ahrar prisoners, lodged at

Satwari and Udampur in make-shift jails.<sup>49</sup>The *Jathas* besides creating administrative problems of board and lodge (which included provision of blankets), also created law and order problem for the State. Entry of each *Jatha* and its arrest invariably created tension between the Hindus and Muslims in Jammu. On 2 November for instance there was a clash between the Rajputs of Tope Village and the members of the Ahrars *Jatha*. On the news reaching Jammu City a large number of Muslims formed into a *Jatha* and rushed to the aid of the Ahrars. The Ahrars had in the meantime been arrested by the State authorities and brought to Jammu. The incident set off communal riots in the City.<sup>50</sup>

It appears that beside serving the Anglo-Muslim cause of forcing the Maharaja to announce the Glancy Commission, the Ahrars, who had not been able to, so far, match their achievements in Jammu with those of the Ahmedias in Kashmir, wished to rehabilitate themselves and were out to create a situation in Jammu similar to, if not worse than, what the Ahmedias had succeeded in creating in Kashmir only a few days earlier. Consequently on 30 October, Allah Rakha Saghar, calling himself the dictator of the *Anjuman-i-Sarfroshan* gave an ultimatum to the Government to accept all their demands within 24 hours. Processions were taken out at Jammu and the Report of the Dalal Commission (regarding July disturbances) was burnt publically. On 1 November he started a Civil Disobedience Movement. The authorities tried to avoid taking action as that would have aggravated the situation and given an excuse to the British to intervene. Action could not, however, be avoided and Saghar was arrested on 2 November. His arrest, as was expected, caused considerable excitement among the Muslims. Troops had to be rushed to Jammu city on 2 and 3 November to disperse unruly mobs. Firing had to be resorted to at Razi Camp, which left two killed and fifty wounded. There was a complete hartal in Jammu city when the Durbar moved from Srinagar to Jammu on 4 November; so tense was the situation.<sup>51</sup>

The Maharaja now found that he had stretched his security resources to the limit and could no longer hold his own. On 4 November he asked for British troops, who arrived immediately on the same day. The British had been waiting for this moment and on that very day issued an ordinance prohibiting the entry of Ahrars into the State.<sup>52</sup> The Maharaja's fight against the British came to an end in the next few days, leaving him down and out. He now had no alternative but to accept the British demands.

As the first action of surrender he had to dissolve the second Riot Enquiry Commission on 10 November and on 12 November he appointed Mr. Middleton, a British Officer loaned by the Government of India to head a Commission for inquiry into the September riots.<sup>53</sup>

Also on 12 November the formation of the Grievance Committee (popularly known as the Glancy Commission) was announced. Sir B.J. Glancy of the Foreign Department, who had by now arrived at Srinagar, was appointed Chairman with two Muslims and two Hindus as its members. These members were M/S. G.A. Ashai (representing the Kashmir Muslims), Ghulam Abbas (representing the Jammu Muslims), Lok Nath Sharma (representing the Jammu Hindus) and Prem Nath Bazaz (representing the Kashmir Pandits). The Committee was to enquire into and report on the various complaints of religious or general nature contained in the memorials submitted to the Maharaja, and also such complaints as might be directly laid before the Commission.<sup>54</sup>

In the proclamation announcing the setting up of the Grievance Committee the Maharaja also committed himself to convene a conference under the chairmanship of Mr. Glancy for considering constitutional reforms.<sup>55</sup>

The Hindus were not satisfied with the manner in which the Glancy Commission began

conducting its proceedings. Although the Maharaja had, in its terms of reference, included consideration of grievances of all communities (so as not to let others be the losers for not having agitated), the Commission apparently was interested only in the grievances of the Muslims. The Hindus resented its interference in matters pertaining to cow-killing, which was never an issue, and also its consideration of the Hindu law of inheritance over which, they felt, it had no jurisdiction. Consequently, both the Hindu members were asked by their respective communities to resign from the Commission. The Jammu member resigned promptly but Prem Nath Bazaz refused to resign shocking everyone concerned. Bazaz was, therefore, dubbed a traitor and was disowned by the Pandit community. He was rebuked and pushed out of the Yuvak Sabha ignominiously.<sup>56</sup> What had enraged the Pandits was that the Commission had completely ignored the 141 page document of their demands. Continuation of Bazaz on the Commission was, therefore, considered his betrayal of his community. So enraged did they become that they made his stay among his community impossible and he was forced to shift to a Muslim locality where he was received with open arms.<sup>57</sup> His support for their demands naturally earned for him a permanent place of honour in the hearts of the Muslims, "who in later years were to repay in small measure the debt of gratitude that they owed to him".<sup>58</sup> Considering Prem Nath Bazaz's action, in the light of the statement that he had made before the Dalal Commission (Appx. D), only a few months back, his present stand does not appear to have been an expression of conviction.

With the Commission now unrepresented by the Hindus, Glancy had no opposition in arriving at conclusions which were probably pre-determined.

### **The Mirpur Riots**

The appointment of the Glancy Commission was the culmination of the Muslim agitation of 1931, but it did not put an end to the communal trouble in the State. There were a number of factors that urged the Muslims on to continue the agitation against the Maharaja even after the announcement of the Glancy Commission. The prime factor seems to have been that the Maharaja probably in fresh attempts to free himself of the British hold had begun to ask for the withdrawal of British troops as soon as the situation in Jammu had been brought under control by the middle of November.<sup>59</sup> The British on the other hand were interested in keeping their troops in Jammu longer than was absolutely necessary for restoring law and order.<sup>60</sup> So when a report in the *Statesman*, that a deputation of Muslim members of Legislature had protested to the Viceroy over despatch of troops to Jammu, set into circulation a rumour that the British troops were being withdrawn, the Resident in Kashmir was alarmed. On 11 November he hastened to report that the local Muslim leadership was much concerned about the rumour and he hoped that the troops will not be withdrawn till Glancy Committee got well started with its work.<sup>61</sup> Subsequently the Punjab Muslims after probably having been put wise by the British "also felt perturbed over the rumour that troops were being withdrawn".<sup>62</sup> Whether the Muslims opposed the withdrawal of troops to be able to reap the fruits of their agitation to the fullest extent or only just because "Hindu pride (was) undoubtedly hurt by the presence of British troops",<sup>63</sup> they provided the British with a good excuse to retain their troops in Jammu. It was thus that Mr E M Jenkins, British officer on special duty with British troops in Jammu, opined that while considering the question of withdrawal of troops, its reaction on the Muslim attitude will also have to be considered. He felt that "the local extremist will probably pick at the withdrawal" while Muslims in general who were then fully co-operating in the investigations may not do so in case the troops were withdrawn against their wishes. He understood that great importance was to be attached to the co-operation of Muslims in the investigations,<sup>64</sup> because

until the Muslims consented to co-operate, there could be little hope for any lasting settlement.<sup>65</sup> The Army (Northern Command) in their appreciation of the situation had also concluded on 20 November that no immediate withdrawal was possible nor any date could yet be fixed for its ultimate withdrawal.<sup>66</sup> Evidently, therefore, the British were determined to resist Maharaja's pressures to the contrary and keep their troops in Jammu till their purpose (beyond that of ensuring law and order) was served. The only way to counter the Maharaja's pressure for the withdrawal of British troops and put him on the defensive was to start an agitation against him. Fortunately for the British their interests coincided with those of the Ahrars of Punjab. The Ahrars even after all the trouble that they had created in Jammu so far, had not been able to match their laurels with those of Qadianis in Kashmir, who had stolen the lime-light by forcing the Maharaja to appoint the Glancy Commission.<sup>67</sup> The political compulsions that egged the Punjabi Muslim on to start trouble in the State are best stated by the Viceroy in his letter to the Secretary of State, London, dated 22 November as produced below:

"There is no doubt that the Mohammedan community I am rather afraid with the support and approval of my Mohammedan Hon'ble colleague- are keeping up the agitation against the Maharaja until they see whether they get satisfactory terms as a result of our discussions in London; and a further thing is that these Ahrars folk, who were Congress *wallahs* originally and are now on the Muslim side have got to be kept occupied if the Muslims are to keep them in good heart for their propaganda" .<sup>68</sup>

Under these political compulsions, the Ahrars decided to work up trouble in the Mirpur District of Jammu. Mirpur was chosen as the centre of their campaign, first, because the majority of the population was Muslim, being in the ratio of 40: 1 and, second, it was situated at a considerable distance from Jammu, and was not easily accessible from there due to poor means of Communication.

Towards the end of November 1931 while the Maharaja was engaged in a tussle with the British over the issue of withdrawal of troops, the Ahrars sent a large number of agents clandestinely from Punjab into Mirpur and, taking advantage of the economic distress caused by the failure of crops and the general economic depression through which the country was then passing, instigated the people to start a no rent campaign under the local leadership of Qazi Gauhar Rehman of the Jammu Young Men's Muslim Association. The movement caught on, in spite of the fact that the State Government had already announced a remission in land revenue ranging between 12 1/2 to 25% in different parts of the State, (on the basis of the actual losses sustained by the cultivator), primarily because of the communal colour that was given to the campaign. Disobedience and violence against Hindu rule were depicted as religious virtues by Muslim leaders in their addresses to the masses and religious passions were aroused to such an extent as to ensure success of the agitation.<sup>69</sup>

In the meantime the State Government had argued their case regarding withdrawal of British troops sufficiently well to be able to convert at least the Resident to their view point. In a communication to the Government of India dated 9 December the Resident forwarded the Durbar's views that the situation necessitating presence of British troop no longer existed and that their further retention, and that of civil officers, was likely to seriously impair the authority of Durbar and that it was unfair to base decision on feelings outside State over which Durbar had no control. He also intimated the Maharaja's resolve not to return to Jammu while the control of State troops and police was vested in British commanders. To this he added his own

view that the internal situation allowed for the withdrawal of troops by 15 December. He also felt that in case extraneous considerations were allowed to dictate postponement of withdrawal, Kashmir and other states may in future hesitate to ask for such assistance. In his opinion, "steps taken by His Highness to meet Muslim demands justify him in asking that the undignified position in which he was placed should not be allowed to continue longer than necessary."<sup>70</sup>

The British, however, do not seem to have been impressed by the Resident's pleadings probably because of the "extraneous considerations" that were dictating the British decision to delay the withdrawal, and continued to consider the retention of troops to be in the interest of the State as well as British India.<sup>71</sup> It was ultimately not before 21 December that they reluctantly yielded to the State's demand.

No sooner had the British troops left the State than the agitation in Mirpur gained momentum. The Ahrars were it appears now out to create a situation that would force the Maharaja to once again seek British military support and thereby to compel him to accept the British demand for a change in his ministry.<sup>72</sup>

On 20 December, the Government promulgated Notification No L-24 to provide for enhanced punishment for the non-payment of government dues. On 29 December 50 persons were arrested under this Notification for non-payment of revenue. This set the ball rolling for the worst ever communal riots in the State. Many incidents of violence by the Muslim majority against the Hindu minority, including looting, murder, rape and forcible conversions occurred, resulting in Hindu's' fleeing from the villages and collecting in Mirpur town.<sup>73</sup> The gravity of the situation in Mirpur district may be gauged from the statement of the State Publicity Officer where-in he admitted that the Muslims were in open rebellion against the State and were attacking the Hindus everywhere. Six Hindu villages were listed to have been looted and burnt by Muslims. The Punjab leaders were reported by him to be behind these riots.<sup>74</sup> The communal nature of the riots was subsequently confirmed by Mr. L W Jardines who, as the State's Finance Minister, (imposed by the British after the Maharaja's capitulation) toured the area soon after the riots. Jardines reported that Seri town was in ruins and the expensive Dharamsal would have to be rebuilt. The Granth Sahib had been destroyed and the *Murtis* in the temples had been broken to bits. He went on to report further that several Sikhs whose hair had been cut short had come and wept before him.<sup>75</sup> Two other villages, Khuiratta and Dhnanan were also reported by him to have been almost entirely destroyed. The Resident on his part admitted in his fortnightly report for the second half of January 1932, (even though somewhat grudgingly), that there could be little doubt that "this agitation owed not a little to Ahrars (i.e. extra State) instigation",<sup>76</sup> though he subsequently felt at the same time that "the results attained could not have been reached had not the Mirpur and the surrounding areas been in the state of disaffection".<sup>77</sup> As to the causes of disaffection the Resident had little to offer by way of opinion. He only considered that the "unrest was the result of a carefully planned agitation which took the form of exploitation of all grievances genuine or otherwise."<sup>78</sup> He was however, categorical in reporting that the "Settlement (land) of Mirpur was not a genuine grievance".<sup>79</sup>

Mr. CV Salisbury, the British Officer on Special Duty at Mirpur who went into great detail in trying to find out the causes of the people's disaffection in the Mirpur region after the event seems to have concluded that the "exclusion of Mohammadan agriculturists from State service" and "defects in the Revenue administration"<sup>80</sup> were the main causes of the unrest. Colonel EJD Colvin who had by then taken over as the Prime Minister of Kashmir and studied the problem in greater detail did not, however, agree with Salisbury's findings. In his comments on Salisbury's report Colvin states that "Salisbury's conclusions that Patwaris are regarded by

Mohammadan villagers as hostile agents of Hindu capitalists, must be accepted with reserve in as much as the whole of Salisbury's brief stay in the Mirpur Tehsil was during the period of acute communal tension".<sup>81</sup> Commenting specifically on Salisbury's opinion that the inefficiency of the non-Muslims and their preponderance in the revenue staff were largely responsible for the unrest in that *Tehsil*, Colvin remarked that "as the agitation was largely communal and designed to deprive the Hindus of certain advantages which they were enjoying, the fact that a large majority of revenue officials were Hindus, rendered them a particularly suitable target for attack".<sup>82</sup> Refuting the charge that the Government had been extracting revenue which the peasant was not in a position to pay, Colvin argued that "before the agitation for non-payment of land revenue started, the revenue was being paid without demur and since the disturbances subsided land revenue has been coming in satisfactorily".<sup>83</sup>

Salisbury also appears to have tried to make out that the communal riots reflected the struggle between the Muslim peasant and the Hindu money lender. Commenting on this aspect of the unrest as suggested by Salisbury, the Revenue Minister Mr Mehta (inducted into the State Government as part of Colvin Ministry) observed that "there is no evidence of any injustice being done to the Mohammadan agriculturist, who was represented to be the victim of the show in courts of law when adjudicating the rival claim of the money lender (Hindu) and the debtor (Muslim). As a matter of fact the Agriculturists Relief Act has put the debtor very much beyond the clutches of the money lender for his debts, and the application of the land Alienation provision has confined alienation of land within the tribes devoted to agriculture, keeping the non agriculturist *sahukar* out of proprietorship of land all together".<sup>84</sup>

As regards the preponderance of non Muslims among the Revenue staff, Salisbury had himself noted in his report that in the Mirpur Wazarat out of the three Tehsildars one was a Muslim even before the disorder began, while since December 1931 the Wazir Wazarat of Mirpur who is an Assistant Collector of 1st grade had also been a Muslim.<sup>85</sup>

Evidently the leaders of the agitation were quite aware that the nature of the people's grievances against the government was not such as to cause a violent upheaval which they were seeking to create to make way for British intervention. For instigating the masses to violence and rebellion a religious cause was necessary. It was therefore propagated that a detachment of the State Cavalry (Hindus) had carried out unprovoked firing on a prayer congregation at Rajaori. The story set into circulation by Chowdhury Ghulam Abbas, was considered by the Resident as "so widely improbable as to carry its own refutation"<sup>86</sup> but it could not have failed to have its effect on *the Muslim masses*. To give these riots a semblance of a political movement, the agitators drew up a list of fifteen demands which included dismissal of loyal Muslim Zaildars, (of which there was quite a number), remission of land revenue by one half and employment of Muslims in State services in proportion to their population irrespective of their qualifications.<sup>87</sup>

Although the State Government used the Army extensively to quell the riots, these continued into the following year.<sup>88</sup> On 27 January 1932 thousands of Muslims laid siege to Mirpur town where about one thousand Hindu refugees were sheltered. Communal trouble also spread to Kotli, Rajaori, Poonch and Bhimber in which the Hindus (including Sikhs) suffered terribly. As the situation went out of control, the State Government once again sought British help on 29 January 1932<sup>89</sup> which was promptly rendered. Peace returned to the State no sooner than the British troops entered the Jammu Province. But this also resulted in the Maharaja's total surrender as he accepted the British demand for change in the Kashmir Ministry with Lieutenant Colonel EJD Colvin, an Indian Civil Service Officer, as the Prime Minister and

three other British nominees to head the Home, Revenue and Police Departments.<sup>90</sup>

### **Fresh Disturbances In Kashmir**

At Srinagar also the disturbances continued into the next year. On the basis of intercepted correspondence which Mufti Zia-ud-Din of Poonch was carrying on with Abdul Rahim Dard of Punjab seeking his assistance against the State Government he was arrested and externed from the State. Sheikh Abdullah immediately started an agitation against the externment order. He was arrested on 19 January 1932 for defying the ban and delivering a speech in the Khanaq-e-Mau a inciting the audience against the externment order. After a summary trial he was sentenced to six months imprisonment. The army was called out to deal with the situation resulting from his arrest. Fire had to be opened at a number of places, including Baramulla, Sopore and Uri, resulting in some casualties. This drastic action, probably unhampered by the British, quickly restored order.<sup>91</sup>

Seeing that the Glancy Commission had completely ignored their demands, the Kashmir Pandits launched a *Roti* agitation demanding free land grants, special scholarships for industrial and technical education, and cash grants for starting factories and business as alternative means of livelihood when government jobs would be denied to them for ensuring greater Muslim representations. Although it was a genuine demand, the Government now controlled by the British came down on the agitators with a heavy hand. Some agitators were even reported to have been flogged by orders of the British inspector-General of Police and the agitation fizzled out very soon.<sup>92</sup> It is possible that Prem Nath Bazaz had foreseen the Government's helplessness in protecting their interests which made him decide that the Kashmiri Pandits should throw themselves at the mercy of the Muslims.

Calm prevailed for a few months after the publication of the Glancy Commission's Report. Sheikh Abdullah utilised this opportunity to spend some time outside the State and to meet leaders of the Kashmir Committee, the Ahrars and editors of the Muslim press at Lahore, to thank them for their support and, probably, for seeking further guidance with regard to the formation of a political party in the State.<sup>93</sup>

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2. *Amrit Bazar Patrika*, Sept. 01, 1931
3. PN Bazaz Statement before the Dalal Commission (witness No 38)
4. H L Saxena, p 225
5. *Ibid.*, pp 139-140
6. *Ibid.*, pp 226-227
7. *Amrit Bazar Patrika* Sept 26, 1931
8. Pol India to Resident 26 Oct' 31, Crown Rep Records file 423 (I) P (Secret) 1931 pt I
9. Muhammad Yusuf Saraf p 401
10. Resident to Pol India 25 Aug '31, Crown Rep Records file No. 423 (I) p (Secret) 193] pt. 1
11. *Amrit Bazar Patrika* Sept. 29, 1931.
12. Viceroy to Secy of State London 31 July '31, Crown Rep Records Micro film Kashmir I National Archives new Delhi.
13. Pol Secy to Resident ] 9 Sept '31, Crown Rep Records Micro film Kashmir IV. Although the Prime Minister denied the charge the British seem to have gathered enough evidence to show that he was involved.
14. *Amrit Bazar Patrika* Sept 24, 193 I

15. Ibid.
17. Ibid Sept 24, 1931
18. H L Saxena, p 226
19. *Amrit Bazar Patrika* Sept 26 (Govt. Communiqué)
20. Ibid. Sept 27, 1931
21. Muhammad Yusuf Saraf, p 404
22. "Narchoo" is a long spear, sometimes with five prongs of blades, used for fishing. "Paltan" means battalion
23. Muhammad Yusuf Saraf pp 405-07
24. Ibid., p 408
25. H L Saxena pp 229-30
26. Govt. of India to Resident 25 Sept' 31, Crown Rep Records file 423 (2) P (Secret) 193 I pt. II.
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31. *Amrit Bazar Patrika* Sept 29, 1931
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56. P N Tikoo, p 130 .
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67. H L Saxena p 251
68. Viceroy to Secy of State 22 November'31, Temple wood collection Roll 2
69. H L Saxena pp 253-254
70. Resident to Polindia 9 December'31 Crown Rep Records Kashmir-7
71. Polindia to Resident 14 December' 31 Ibid.
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73. Report of Mr L W Jardines Finance Minister J&K Crown Rep  
Records Foreign pol file No 124(2) P (s) 1932
74. H L Saxena p 256
75. Crown Rep Records Foreign Pol file No 124 (2) P (s) 1932
76. Ibid., file 35 p (Secret) of 1932
77. Resident to Pol Secy 12 July 32 Crown Rep Record file 124.  
2/p (Secret) of 1932.
78. Ibid.
79. Ibid,
80. Colvin to Resident 30 June' 32, Ibid.
81. Ibid.
82. Ibid.
83. Colvin to Resident 10, ,Sept' 1932, Ibid.
84. Mehta to Colvin 25 (?) June 1932, Ibid.
85. Colvin to Resident 30 June Ibid,
86. Resident to Pol Secy, Crown Rep Records file 145 p (s) 1932
87. H L Saxena p 255 ;
88. At the time of the riots the total strength of the J&k State  
Force was 6 infantry battalions (about 800 men each), one cavalry regiment (about 600 strong) and three mountain batteries. This strength was required to be deployed all over the State in view of the wide spread disturbances in addition to the permanent requirement of manning out-posts in the strategic areas of Gilgit and Ladakh. Not more than about 1100 men (including about 100 of the cavalry) could therefore, be made available for deployment in the troubled areas of Mirpur, Kote, Rajaori, Bhimber, Nowshera and Riasi. This much strength was not sufficient to control riots on such a large scale, spread over such a vast area, specially in view of the restrictions imposed on troops mobility by the hilly terrain and poor means of communication. (Reference history of the J&K Rifles by the author,)
89. Crown rep Records file 124 (2) P (Secret) 1932 (Foreign Po\)
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## CHAPTER VIII

### THE BRITISH INVOLVEMENT

Though the declared British policy towards the Indian princely states was that of non-interference in their internal affairs, in actual practice it does not seem to have been ever so. The "responsibility for the general soundness of their (States') administration"<sup>1</sup> that the Imperial Council had assumed while guaranteeing the internal independence of the Princely States and affording them protection against external aggression, provided the British ample scope for intervention in the internal affairs of the States. In fact, under the pretext that the Imperial Government (the general policy of non-intervention notwithstanding) would not "consent to incur the reproach of being indirect instrument of misrule"<sup>2</sup> they could intervene in the affairs of any State at any time. After all it was the Viceroy himself who was to decide whether a State was well-ruled or misruled. He could, therefore, at any time give the dog a bad name and hang him

The scope for British intervention in the internal affairs of States was further enlarged when in 1926 Lord Reading declared that it 'was the right and duty of the British Government "to preserve peace and good order" within the States.'<sup>3</sup> This together with the Indian Princes (protection against disaffection) Act of 1922, under which the Government of India took on the obligation of taking action against those engaged in anti-states activity directed from British-India, gave the British-Indian authorities unlimited scope for manipulating intervention even while swearing by the general policy of non-intervention. By assuming the twin responsibility of protecting the states' subjects and their rulers, the British could side with one or the other depending on where their own interests lay.

Interestingly, while the British continued to justify intervention in the affairs of the States under the pretence of self imposed moral obligations like "bringing the blessings of civilisation to the subjects of Indian Rulers",<sup>4</sup> history of their relations with Indian States, right from the beginning, is replete with examples where they have served purely selfish interests through intervention; any benefits accruing to the people or their Ruler there from being incidental.

This particular characteristic of British policy, whereby self interest was pursued under cover of high sounding moral obligations, is perhaps best explained by what Lord Wedgwood had to say (though not in this context) with regard to a peculiar trait of his race. The British, he wrote, "had a strong feeling of national pride and a desire for prestige taking (either) a more dignified form of the white man's burden' or the more vulgar form ... of sheer lust for domination".<sup>6</sup> It appears that while for a common Englishman his strong feeling of national pride and a desire for prestige took the dignified form, the policies of the British colonial governments were, more often than not, dictated by sheer lust for domination. It was, perhaps, because the Englishmen generally would not accept the use of foul and under hand means, that their governments were compelled to use coatings to cover up their deeds, (aimed at promoting self interest), which might have otherwise put the proud nation to shame. So while Pitt's India Act 1784 contained a preamble with a noble declaration that any scheme of conquest and extension of domination in India was "repugnant to the wish, the honour, and the policy of this (British) nation",<sup>7</sup> Lord Wellesley proudly announced in 1800 that he would "heap kingdoms upon kingdoms, victory upon victory, revenue upon revenue" and accumulate "glory and wealth and power until the ambitions and advice even of [his] masters shall cry mercy".<sup>8</sup> The subsequent British Indian rulers may not have been as candid and outspoken as Wellesley but none could ever boast of a policy wherein moral considerations outweighed national interests.

Two cases during the contemporary period where the British decided to side with the rulers of badly ruled States to the detriment of the States' subjects are the ones pertaining to Hyderabad and Patiala. The Resident in Hyderabad had been reporting adversely on the manner of functioning of the Nizam to the Viceroy, but the latter had ignored the reports ostensibly because he thought that "the Nizam's wickedness had become an obsession with Barton (the Resident) and that he was falling into exaggeration in regard to it"<sup>9</sup> but in actual fact because of the usefulness of the Nizam to British interests. This explains why, even after the Viceroy saw things for himself during his visit to the State in December 1929 and was convinced that the Resident had all along "faithfully represented the feelings of all classes in Hyderabad State,"<sup>10</sup> little was done to set matters right. As a matter of fact, as the Nizam was able to prove his usefulness to the Empire still further, within four months of the adverse report against him, the Viceroy reported so favourably on the Nizam's performance as to recommend him for the award of the "Great Chain of Victorian Order"; a rare honour in those days. The Nizam's numerous virtues that merited the recommendation included his favourable (to the British) attitude towards the coming Round Table Conference which the Viceroy felt was "all that could be desired".<sup>11</sup> But what was more important still was that his Exalted Highness had "exhibited praise-worthy desire to be of assistance to the Government of India at the present crisis" caused by the Congress Civil Disobedience Movement. In the recommendation the Viceroy recalled that in May (1930) the Nizam had issued "useful manifesto to his co-religionists" asking them to dissociate themselves from the Congress movement and made a "generous offer of twenty lakhs of rupees to help the Government in fighting Civil Disobedience".<sup>12</sup> The Viceroy also considered that the recognition of the Nizam's present attitude would be of much value as "it would please Mohammedan sentiments throughout the country",<sup>13</sup> and help "increasing the Resident's prestige. The only points that were perhaps not considered by the Viceroy in making his recommendation were the Nizam's ability to rule and his contribution towards the well-being of his people.

In Patiala also the British-Indian authorities chose to side with the Ruler during the popular uprising against him. In early 1930 a book entitled *Indictment of Patiala* was published from Delhi on the basis of an inquiry conducted by the Indian States Peoples Conference in which serious charges were levelled against the Maharaja of Patiala. The publication, it seems, created quite a furore and there were demands from the people asking the Government of India to hold an official inquiry into the affairs in the Patiala State. However, the Viceroy, even though admitting that "the indictment of his administration that had been published [was] not something that one [could] pooh-pooh or quietly smother" and that there were "statements very grave in character" made by people who had "come forward publically and professed their willingness to stand cross examination",<sup>14</sup> he decided to protect the Maharaja against his people. To pull the Maharaja out of trouble, the Viceroy proposed an inquiry by the Agent to the Governor General which he thought, "would not satisfy the enemies of the Maharaja - the Akali Party in Punjab and the Congress extremists - who [were] angry at the Maharaja's declaration against the Congress resolution on Independence. The Viceroy considered that such an inquiry would have the advantage of being the usual form of preliminary inquiry into the allegations of maladministration while it would not prejudice the Maharaja by assuming his guilt as might be the public result of appointing a special officer or commission."<sup>15</sup>

The British hypocrisy with regard to their concern for the grievances of the State subjects, when they clashed with their own interests, stood bared when the Government of India ordered the Punjab Government to take action against the Riyasti Praja Mandal, which was agitating

against the misrule of the Maharaja of Patiala. In his directions to the Punjab Government the Secretary Home wrote, rather unabashedly, that while "the Government of India, on the information before them accept the view of the Government of Punjab that there are yet insufficient grounds for declaring the organisation unlawful... they do not think that in this particular case it would be necessary to withhold action merely on the ground that the machinery for ventilating the reasonable grievances of the State subjects would thereby be shut down." <sup>16</sup> What the Home Secretary had against the Praja Mandal was that it had connections with the Indian National Congress and had been guilty of glorifying Bhagat Singh and Dutt as National martyres.<sup>17</sup>

In the case of Kashmir in 1931, British interests clearly lay on the side of the agitators. As noted in earlier chapters, Maharaja Hari Singh's relations with the British were not too cordial. His insistence on the restoration of Gilgit to the State, his pro-Congress leanings, and his general un-subservient attitude bordering on being anti-British, were a source of annoyance to the British-Indian Government. The long rope that they seem to have given to the Maharaja was probably due, first, the awareness that Hari Singh was, otherwise, ruling his State well and, second, the impression carried by Lord Irwin that the Maharaja's attitude was the result of some sort of a complex from which he was suffering which could be cured with a show of tolerance and bestowal of honours, and authority on him "to give him the necessary poise".<sup>18</sup> However, as the Maharaja continued to press hard over the issue of Gilgit and persisted in his recalcitrant ways, the British cup of patience seems to have been full by 1930 and action against him was very much called for.

A little far-fetched as it may appear, spread of disharmony between the Muslims and the Hindus in itself, has been identified by some, as another British interest in Kashmir. It is believed that the Maharaja took much pride in the communal harmony that existed in his State at a time when the Hindus and Muslims were going at each other's throats in British-India. It is possible that he bragged about it in private conversation on the subject in London during his stay there, in connection with the Round Table Conference.<sup>19</sup> This could not have been appreciated by the British for whom Hindu Muslim unity was an eye sore. For one, it was against their policy of divide and rule in India and second the fact that communal disturbances took place only in British-India, left their policy exposed. This point was made by Mr. Gaya Prasad in the Indian Assembly when he charged the British with encouraging the *Statesman* to carry on communal propaganda against Kashmir to show to the world that communal trouble was not confined to British India alone.<sup>20</sup>

Another British interest that could be served through the agitation was their lingering desire to get back Kashmir which they had, as a matter of after-thought, felt that it had been mistakenly transferred to Gulab Singh. They seem to have taken full advantage of the agitation to push through a proposal for the exchange of Kashmir province for the Kangra district of Punjab as put forward by Sir Mehr Shah of Punjab to Mr. Glancy. The eagerness with which the proposal was received by the Secretary of State London is seen from his letter to the Viceroy on the subject which is reproduced below:

"Glancy tells me that Sir Mehr Shah came and saw him before he left for India and in the course of conversation mentioned one point which may perhaps be worth passing to you. It was about Kashmir. He proposes that the Maharaja shall retain his Jammu province but exchange Kashmir proper for the Kangra district of Punjab where the Hindus form 90% of the population. He believes that if he is entrusted with negotiations, he could persuade the

Maharaja. The result of course, even if the people of Kangra were willing to exchange British rule for Dogra rule, would be to diminish the Hindu and enormously increase the Muslim population of the Punjab."<sup>21</sup>

The Viceroy's reaction is equally interesting. He wrote:

"I have seen Mehr Shah and he has discussed with me what you have told me he talked to you about the Kangra Valley. I don't think this is a very likely thing to be acceptable to His highness of Kashmir. For, I understand, that it means taking away from him the whole of Srinagar, Gulmarg and the most valuable part of his State. However it is quite worth while keeping in mind and I promise I won't forget it".<sup>22</sup>

The Muslim agitation in Kashmir was assured of British support not only because of British vital interests in the State but also because of their obligation under the unannounced Anglo-Muslim collusion against the Indian National Congress that was operative in British-India in those days. In pursuance of their policy of divide and rule the British had decided to side with the Muslim League in India to build it up as a counterpoise to the Indian National Congress. It may be remembered that the years 1930-31 was the time when the Congress was literally on war path demanding "Puran Swaraj" for a united India with even the right to secede from the British Empire. Indeed, the Civil Disobedience Movement and the boycott of English goods launched by the Congress had created a serious situation for the British. The boycott had in fact so hit the British economic interests that a Tory Member of Parliament was constrained to hold Mahatam Gandhi responsible for the "poverty of Lancashire".<sup>23</sup> The Viceroy of India had himself admitted that the "Boycott remained [his] most serious difficulty as it is no doubt the part of Congress policy that is being most damaging to Great Britain".<sup>24</sup> The British were trying to pull themselves out of their troubles with the help of the Muslim League whose interests also clashed with those of the Congress. As partners in the unwritten alliance, therefore, the Muslim League was opposing all that the Congress sought and did; depriving the Congress of much of its strength by weaning away most of the Muslim support from it. So much so that it even opposed the salt concessions. It was also with the help of the Muslim League that the British traders were able to implement, what was known as, the Lancashire Indian Trade Scheme, to counter the Boycott. The scheme envisaged encouragement of British trade with Muslim traders and scraping of such trade altogether with Hindu dominated towns like Calcutta, Bombay and Karachi.<sup>26</sup>

The Muslims were however, to earn maximum British gratitude for their support to the Government at the first Round Table Conference in London. It was they who had bailed out the British from the awkward position that they had found themselves in when the Princes, in a surprise move, opted for the All India Federation. Sir Akbar Hydari, Hyderabad's delegate to the Round Table Conference, by suggesting a form of federation with a weak centre,<sup>27</sup> which nullified the advantages of the Greater Federation of India being sought by the nationalists, provided the British with the proverbial straw to save them from drowning at the Round Table Conference. It may not be proved conclusively that Hydari's scheme was a brain child of the British themselves but the fact that the Resident in Hyderabad had forwarded the Nizam's request that Hyderabad representative "might be made aware of the attitude generally of the Government of India at the Round Table Conference in order that, the attitude may be supported by the Hyderabad delegation"<sup>28</sup> goes to show that both were working in close co-operation with each other. Be it as it may the scheme was indeed pleasing to the British and the fact that the Hyderabad delegate was firm about not accepting any other form of federation was

considered to be "one of very great importance from the point of view of the Government of India".<sup>29</sup> Quite naturally the scheme had the support of Mr Jinnah of the Indian Muslim League.<sup>30</sup>

The whole hearted support that the British received from the Muslim is also revealed by what Nawab of Bhopal wrote to the Viceroy from London. The Nawab wished "to see a new direction given to Muslim policy which would conserve them as a force for the good of the Empire" and "a power which amidst storm and stress of political turmoil could be depended upon by the Government as a potent factor for, peaceful and ordered progress".<sup>31</sup> The British could not have asked for anything better.

It was not the Muslim Princes alone that had supported the British at the Round Table Conference. The Muslim League as a whole seems to have been at their beck and call. Indeed they had "authoritative Mohammedan support"<sup>31</sup> with Mohammad Ali Jinnah appearing to "understand the British political position much better than any other speaker" Jinnah had, as a matter of fact, already made his Party's position clear in this regard as early as 1928, when he had told the Viceroy that "he and such as him were the people to whom [the British] must look to work a new constitution and that if [the British] met them in some such way as he suggested it would be [the Muslims] who would take the brunt of the attack in India instead of [British]"<sup>34</sup> Similar sentiments were expressed by Mr Shaukat Ali (another Muslim League leader of consequence) when he assured the British that if the "Mussalman's faith was untouched they would stand by Britain through thick and thin". He had hoped that "Britain's friends" would not be handicapped.<sup>35</sup>

The British on their part had already begun to take care that their friends' were not handicapped in any way and that nothing was done to displease them. Little wonder that the Simon Committee in its recommendations had made full use of the fourteen points that Mr. Jinnah had put forward in March 1929 as the minimum Muslim demand for a political settlement in India.<sup>36</sup> Lord Irwin, who had been, on the other hand anxiously hoping that the Simon Commission would not say anything that might alienate the Muslims<sup>37</sup> seems to have been relieved to find that the Simon Committee had in fact been "very favourable to Muslim claims".<sup>38</sup> Subsequently after the end of the Round Table Conference the Secretary of State evolved a policy whereby in any verdict on disputes between the two communities, the Government would ensure that the Muslims kept their separate electorates and their weightage in the provinces where they were in a minority, and that their claims in Punjab and Bengal would be "properly considered and adjudicated upon with a view to "meeting all their demands". Any such policy statement was, however, "to be so worded as to leave it very doubtful what real intentions of His Majesty's Government were".<sup>39</sup>

The protagonists of the Muslim agitation, probably suffering from a guilty conscience for having served, through their agitation, a British cause, would have us believe that the British support to the agitation was because of their moral obligation towards a just cause. It is argued that the British were all powerful and there was no need for them to resort to under-hand means of supporting a wrong cause for gaining control over Gilgit or for curing the Maharaja of his recalcitrance.<sup>40</sup> This argument does not, however, appear too convincing. For being in dire need of Muslim support as a matter of survival, and the agitation throwing up prospects of their objectives in Kashmir being served, the British could not have but supported the Muslim cause-genuine or otherwise. As a matter of fact they supported the agitation without, perhaps, being convinced of the genuineness of the cause. The main Muslim demand was for government jobs in proportion to their population and the British had themselves yet to fulfil this demand in

British India to any better extent than the Maharaja had done.<sup>41</sup> It is also doubtful if the British were convinced about the other main Muslim grievance pertaining to lack of religious freedom. All the other demands grievances were of a nature that could not have justified such an upheaval especially in view of the fact that they were formulated and submitted after open British intervention and when two rounds between the Government and the agitators had already been fought. It may be pertinent to note that the British had shown no sympathy for these very grievances when they were put to the Viceroy, Lord Reading, in the form of a memorial from the Kashmiri Muslims in 1924. The Resident had then considered General Janak Singh's report on the Muslim memorial to be "an admirable document" which "disposes conclusively the alleged grievances of the Memorialists"<sup>42</sup> As far as underhand means were concerned, the British are known to have preferred these to use of force, particularly while pursuing objectives of pure self-interest. Even earlier in 1889 the British Indian Government had to enact a big drama of deposing the Maharaja of Kashmir on charges of sedition just to gain control over Gilgit<sup>43</sup>

The Maharaja's "repressive" measures to suppress the agitation also could not have provided the British with moral grounds for intervention in Kashmir affairs, because during the same period the British were themselves perpetrating the worst kind of repression against their subjects involved in the Nationalist Movement. Jallian-Wala-Bagh is not the only instance of British brutality against peaceful demonstrators. There are numerous examples of excessive force having been used by the British- Indian authorities against non-violent *Satyagrahis* killing many<sup>44</sup> while armoured cars are known to have been used against crowds "armed with brickbats, crowbars and axes", which crushed demonstrators under the wheels.<sup>45</sup> The All-India Congress Committee Papers pertaining to this period are also full of reports of "barbarious" methods of repression employed by the British against Congress volunteers.

That the repression let loose by the British-Indian Government against their political opponents was brutal was not just a Congress charge. Some Englishmen also seem to have been shocked at the methods adopted by the British-Indian authorities to suppress the nationalist movement. The Secretary of State for India, London, took serious note of a newspaper report regarding sentencing of some Congress volunteers to 25 stripes each.<sup>46</sup> Typical of the reign' of terror let loose by the British-Indian authorities on the Nationalists all over India during the Civil Disobedience Movement is the report on Gujarat submitted to the Secretary of State by Mr. H N Brails who had seen things for himself in the interior of Gujarat. The report in parts reads as under:

"The repression (in Gujarat) has been brutal and most of it was needless. Most of the demonstrators were harmless and ought to have been tolerated. In fact the *lathi* has exasperated the people and disgraced us ....

"In villages of Gujarat, far from the eyes of white officials, there is reign of terror- wanton beatings even on Barodan territory and even on Barodan subjects. I fear that the roughest Indian Officials and officers were deliberately chosen for this work. I took 40 depositions and gave a copy to the Commissioner, Mr. Garrett, an able but not, I think, a scrupulous or a sensitive man. Of Hotson, the real force in this presidency I should say the same thing."<sup>47</sup>

Lord Wedgewood Benn, the Secretary of State for India, does not seem to have been too happy over what Lord Irwin, the Viceroy, had to offer by way of justification. But what he was evidently concerned about was not so much the immorality involved in such methods being used by the British Indian authorities as he was about the efficacy of such methods. His letter to the Viceroy in this regard is revealing.

"I was very grateful to you for the enormous trouble that you took in explaining exactly what is the practice in connection with the whipping of prisoners. But if it is a fact that a large number of the Civil Disobedience prisoners are really in that state of exaltation which persuades them to invite suffering and if there is any substance in Gandhi's philosophy that the bearing of suffering both directly and indirectly by example is an unconquerable force, then we are only giving strength to his side".<sup>48</sup>

Due to non availability of specific documents (access to which has been banned by the Government of independent India) it may not be possible to prove beyond doubt that the British engineered the Muslim agitation of 1931, for achieving their political ends in Kashmir but there seems to have been enough circumstantial evidence to show that they stoked the fires to keep the agitation going till all their political objectives had been fulfilled. For the purposes of a study of the nature of British involvement in the agitation, the period of the unrest of 1931-32 may be divided into three parts. First the preparatory stage, second the showdown in Kashmir province and third the riots in Jammu.

During the preparatory stage the British involvement was mainly of a covert sort. They not only took no action against the Muslim press of Lahore for indulging in the spread of calumny and false-hood against the Maharaja of Kashmir but also encouraged such a tirade through their mouth piece, the *Statesman*, which began giving prominence in its columns to one sided reports on Kashmir affairs. In clear support to the Muslim stand and as a veiled incitement of the Muslims against the State, it wrote that "a community with a clear majority in six northern states, the Punjab, Bengal, Sind, Baluchistan, the North West Frontier Province and Kashmir, cannot be subjugated to oppression." This was doubtless by way of encouragement to the Muslims who, it said were "now awake and united as never before",<sup>49</sup> Ultimately the Paper's propaganda against the State became so intense as to attract attention of the members of the Indian National Assembly.<sup>50</sup>

In order to understand the full implication of what was published in the columns of the *Statesman* it is important to understand its links with the Government. While the *Statesman* had always been considered as the mouth-piece of the British-Indian Government it had moved still closer to the Government since 1929 when Lord Reading took over as chairman of the Advisory Committee in England which dealt with the affairs and the policy of the *Statesman* and the *Englishman*. On taking over charge Lord Reading, had assured the Secretary of State that "the purpose that we all wish to secure, will be accomplished by this means."<sup>51</sup> Any reflection on the *Statesman*, hereafter could, therefore, be considered as reflection on the Government of India. In this context Mr. Gaya Prasad's statement (referred to earlier in this chapter) may be considered as a veiled charge that the British were supporting the communal disturbance in Kashmir.

The partisan attitude adopted by the British in Kashmir is quite evident when it is considered that even as they were permitting the Muslim press to vilify the Maharaja of Kashmir, they had no hesitation in invoking the Indian Princes Act against the *Riyasat* of Delhi for publishing articles that showed the Nawab of Bhopal in bad light.<sup>52</sup> The provisions of this Act had also been invoked, during the same period, against the Riyasti Praja Mandal for its activities against the Maharaja of Patiala,<sup>53</sup> while no action was taken against the All India Jammu and Kashmir Muslim Conference for its activities against the Maharaja of Kashmir from British soil.

While the Muslims in Kashmir were being worked up against the Maharaja by their leaders before the flare-up on 13 July 1931, the British seem to have given tacit sort of help to the agitators through Mr. Wakefield, a British officer in service of the Maharaja as the head of the



Police and the Home Department. It was during the absence of the Maharaja from the State from November 1930 to May 1931, when Wakefield, as the senior member of the State Council, was all in all in the State, that the agitation gained in strength. It is difficult to produce direct evidence in support of the fact that Wakefield was inciting the Muslims to revolt against the Maharaja but it is well known that he took little action against the Muslim leaders so as not to hurt their agitation. As a matter of fact Justice Dalal listed the fact of tolerance of the Muslim subversive activities by the State Government and the unhindered entry of the publications of the Anglo-Muslim press into the State during this period, as one of the circumstances that led to the July disturbances.<sup>54</sup> It may be recalled that Muslim publications from Lahore preaching communal hatred and revolt were permitted entry into the State by Wakefield till as late as one month before the actual communal flare-up in July 1931. Even when some papers were proscribed not much seems to have been done by him to prevent circulation of these papers, when they appeared under different names, to over-come legal restraints. Nor, for that matter, was much done to check smuggling of the proscribed papers, in their original form, into the State. This might have been attributed to his inefficiency (or that of his staff) had he not displayed during the same period swiftness of action in coming down heavily on the pro-Congress papers and demonstrators. In March 1930 serious note was taken of some boys in Jammu schools wearing "National flags" in their button holes and the State authorities (Police and Home) were reported to be "fully aware of the importance of taking measures to counter act [such] undesirable activities among the students". In connection with the Jammu demonstrations on Mahatma Gandhi's arrest in May 1930 the State authorities headed by Wakefield issued orders for (a) dissolving the Dogra Sadar Sabha; (b) banning of the publication of *Ranbir*; (c) appointing a commission to investigate the "existing unsatisfactory conditions in the Prince of Wales College and other schools in Jammu in the matter of political agitation"; and (d) deportation of certain students (non state subjects) of the Sri Pratap College Srinagar from the State for organising protest against Mahatma Gandhi's arrest,<sup>55</sup>

Mr. Wakefield's involvement seems to have been quite an open affair and known to most people who lived through that period. Serious allegations of his complicity in the affair were made by Thakur Kartar Singh, the State Secretary and one Abdul Majid in their statements before the Dalal Commission which enquired into the July 1931 riots.<sup>56</sup> As a matter of fact, a perusal of the statements made by many other witnesses would show up oblique references to Wakefield's nefarious designs. Considered in isolation one might treat this as Wakefield's personal involvement but viewed in the larger perspective of the British interests in Kashmir, there appears a strong possibility of Wakefield having acted at their behest. The way Wakefield was used by the Viceroy and the Resident for obtaining inside information in Colonel Ward's case, (alluded to earlier in Chapter III), lends credence to the belief that he was in effect a British agent. It is even possible that he was planted in the Kashmir Government by the British to make it in-effective in face of the agitation, and Sir Albion Bannerji was made to resign only to make way for him. It is interesting to note that Sir Albion did not resign from his appointment in a huff as has been made out by most historians. In his fortnightly report for the second half of January, the Resident mentions that Sir Albion still does not know who is to succeed him when he retires from his appointment in March 1929.<sup>57</sup> Obviously his resignation was not impulsive or unpremeditated and as such could have been as part of a well thought out plan. Probably Albion Bannerji too was a Government of India man. Only he was not perhaps as useful as Wakefield could have been. Mohammad Yusuf Saraf has tried, unconvincingly though, to discount the allegation of Wakefield's involvement in the agitation,<sup>58</sup> probably

because the allegation, if accepted, would deprive the "Kashmiris Fight For Freedom" of much of its apparent lustre. Even after the agitation passed into its second stage of rioting and violence, the British support to the agitation remained to be of the implicit type. Under the guise of offering sympathy and help the Viceroy seems to have invited the Maharaja to Simla to perhaps pull him up for strong measures that he had taken to suppress the agitation. The Maharaja, however, while politely declining the invitation, hinted at the encouragement that the agitators were receiving under the impression that they had the support of the British-Indian Government. He wrote that "Your Excellency may be gracious enough to choose the best method of giving the parties (in Punjab) a hint of the attitude of Your Excellency's Government without prejudicing the issues involved", provided the report of the Resident justified *this* step. He expressed confidence *in* that "as soon as the prestige of my Government is aided by such a support, the wild agitation now carried on will... receive a check". He also felt certain that his "people would not have committed a breach of peace leading to its natural consequence (action by his Government) if it were not for insidious incitement and persistent instigation from outside".<sup>59</sup>

No such hint to the parties in Punjab was given by the Viceroy even though the Maharaja had accepted that any such hint would not affect the issues involved (ie Muslim grievances). As a matter of fact the Viceroy seems to have acted to the contrary. He provided more support to the Muslim demand for an impartial commission of inquiry by communicating to the Maharaja through the Resident a suggestion that His Highness ask "for a commission of enquiry, or at least for services of a Mohammadan High Court Judge to add to the existing committee", because "the findings by the present committee (Dalal Commission), if local Mohammedans refused to serve on it, would do little to allay agitation". The Viceroy seems to have made the suggestion on account of the "extensive, Mohammedan propaganda [that was] being worked on the frontier, at Simla and in India generally"<sup>60</sup> The Inquiry Commission (known as the Dalal Commission) set up by the Maharaja consisted of all the three judges of the High Court which included one Muslim.<sup>61</sup> The Maharaja pleaded that it would adversely affect the prestige of the State high Court if an outside Muslim judge was appointed to the Commission of Inquiry. The British, however, persisted in their demand (still being made secretly) and just as the Maharaja was trying to come to terms with the local agitators, the Resident repeated the Viceroy's suggestion for an impartial inquiry, on 1 August 1931;<sup>62</sup> a day after six prominent agitation leaders had secured their release after giving an undertaking to the Government that they would refrain from further seditious activities.<sup>63</sup> It is interesting to note that the British displayed double standard even with regard to setting up "impartial" commissions of inquiry- one for Kashmir and the other for themselves. While in Kashmir they were supporting the institution of impartial inquiry by an outside agency, they opposed such demand of the Muslims after the shooting incident in Peshawar on 30 April 1930 (in which 30 demonstrators were killed and an equal number wounded). Not only was any such inquiry disallowed but also an outside agency was not permitted to assist the locals to place their cases before the official committee as the Chief Commissioner NWFP considered that this would inevitably be misinterpreted and would "give rise to belief that Peshawar Muslims must look to outside body rather than local government for redress of their grievances", which could not but weaken his authority.<sup>64</sup>

At the end of the first round between the agitators and the State Government, the latter seem to have got the better of the former. The leaders were no doubt released but only after they had given an under-taking that they would not indulge in seditious activities any more. The "Kashmir Settlement" was also of little gain to the agitators.<sup>65</sup> It was naturally not acceptable to

the British-Indian Muslims. Fresh efforts were now made by them to restart the agitation in Kashmir. To boost up the morale of the local Muslim leaders, the Ahrars of Punjab started sending *Jathas* into Jammu for creating a diversion for the State authorities 66 to make them loosen their hold on the situation in Kashmir. It was at this stage that the British once again came in with indirect support to the agitation in Kashmir by refusing to invoke the Indian Princes (protection against disaffection) Act of 1922 against the Ahrars, in spite of the fact that the seriousness of the situation that was created by the civil invasion of the State was repeatedly endorsed by the Resident in his reports to the Government of India.<sup>67</sup>

Prompted by the Ahmediyas of Punjab, and with the tacit support of the British, the Kashmir Muslims started the second round of the agitation in the end of September 1931. But in spite of having to deal with the Ahrars *Jathas* in Jammu, the State Government came down heavily on the agitators in Kashmir by promulgating 19 L. But just as it appeared that the Maharaja had succeeded in stamping out the rebellion, the British jumped into the affray openly and themselves took up the cause of the agitators. As part of this overt intervention the Resident was asked by the Government of India to render on their behalf an "authoritative advice to the Durbar,"<sup>68</sup> which, besides other things, enjoined upon the Maharaja to redress the Muslim grievance pertaining to lack of religious freedom in the State forthwith, before the formal submission of other grievances by them. The British had thus blatantly joined the Muslims in raising the general cry of Islam in danger. It is difficult to believe that this was done as a matter of conviction because the Viceroy does not seem to have consulted the Resident to ascertain the veracity of the Muslim charges against the State, with regard to cow killing, *Azan* and *Khutba*, before the issue of the ultimatum. This is clear from his telegram to the Secretary of State for India nearly a fortnight after the issue of the ultimatum in which he admits that "the restrictions on Muslims" were still in the process of "being obtained from the Resident",<sup>69</sup> Evidently the Resident's report, when it was ultimately submitted, did not support the Anglo-Muslim allegations and no action was taken against the Maharaja when he refused to act on the British advice-cum-command in this regard. In fact even as he was waiting for the Resident's report, the Viceroy had realised the *faux pas* that he had made. This explains why he beat a hasty retreat and informed the Secretary of State that it was improbable that there would be any need to press the matter of cow killing and other religious grievances, as these would be the subject of the impartial inquiry that he was pressing for.<sup>70</sup>

Whatever the British motives in intervening so openly in support of the agitators in Kashmir, the intervention seems to have caused a great uproar among the Princes of other States. Many of them who happened to be in London at that time, complained bitterly about it to the Secretary of State of India; most of them appearing to be "almost demented" over the issue. Both Bikaner and Bhopal thought that the British had gone much further in their intervention than they had ever done before in case of any other State.<sup>71</sup> The strong representations from Bikaner and other Princes, as regards intervention (in Kashmir) generally and with regards to cow killing ordinance particularly, forced the Secretary of State (who does not seem to have been kept fully in the picture by the Viceroy) to ask the Viceroy for the "grounds for action showing relation to classification of occasions of intervention as recently agreed upon".<sup>72</sup> In reply, amusing as it may sound, the Viceroy explained that he regarded his intervention as falling under "assistance against rebellion".<sup>73</sup> Here was the Crown Representative assisting the Maharaja in putting down the rebellion against him by supporting the cause of the rebels (the alleged religious restrictions in the state) which according to his own admission he had yet to verify.<sup>74</sup> Not only this he had refused to take action against the Muslim press of Lahore that

was fanning the flames of rebellion and was yet to take action against the Ahrars of Punjab who were engaged in a civil invasion of the State to make it impossible for the Maharaja to handle the rebellion with his own resources. How the Secretary of State could have been satisfied with such a reply appears puzzling. He was perhaps himself too busy trying to satisfy the Muslim delegates in London "that there [had] been no postponement of action [in Kashmir] such as they suggested"<sup>75</sup> and that the situation created by the Ahrars was being handled with "utmost tact and caution"<sup>76</sup> as requested by them.

The brave front put up by the Maharaja in face of the British ultimatum notwithstanding, he seems to have succumbed to their demand for loan of a British officer from the Government of India to head the Grievances Commission. He also seems to have been obliged to rush through the rituals of Notification no 19L so as to quell the revolt before the start of the "active British intervention", as threatened by them. Consequently Notification No 19L and all measures connected with it were withdrawn through a Birthday proclamation on 5 October 1931. What must have, however, exasperated the British and the British-Indian Muslims was that despite having to act under their pressure, the Maharaja managed to take some wind out of the sails of the agitation by extracting one undertaking or the other from its leaders before issuing orders for their release<sup>77</sup> Obviously the local leadership was not strong enough to continue the agitation and this necessitated deeper and deeper British and British-Indian Muslim involvement, to keep the agitation going after 5 October 1931.

So far the agitation had achieved nothing and it was already dead. After all if the aim of the Muslim leaders was only to submit their demands/grievances to the Maharaja then this could have been done even without the agitation. In fact the Maharaja had repeatedly been asking the Muslims to put up their grievances to him. The immediate Anglo-Muslim interest in keeping the agitation alive was, therefore, to force the Maharaja to (a) appoint a commission under a British officer to enquire into the disturbances to include the July riots; (b) appoint a commission headed by a British officer to go into the Muslim grievances and (c) effect a change in the Kashmir ministry; demands that still remained unfulfilled. Probably to give the Maharaja time to consider these demands, the Ahrars agitation against him was suspended with effect from 9 October.

After some wrangling the Maharaja gave-in with regard to the appointment of an inquiry commission headed by a British officer but got the British to agree that the Commission would inquire only into the September riots and there would be no reopening of the July riots commission, popularly known as the Dalal Commission. He also yielded to the appointment of the Grievances Commission under a British officer (Glancy) to be loaned by the Government of India for the purpose, but on the condition that his demand for the loan of the services of Glancy to head the Grievances Commission would be kept a secret to prevent giving an impression of British intervention, which would destroy his authority.<sup>78</sup> On the Maharaja's insistence the British also agreed that Glancy would not only consider Muslim demands but also those of other communities.

Apparently the British, on the demand from the British-Indian Muslims, were insisting on the peoples' being placed before the Glancy Commission direct without these demands being submitted to the Maharaja, unconcerned by the fact that such an action would greatly undermine Maharaja's authority. On Maharaja's insistence they agreed to the demands being put up to the Maharaja who would then appoint the Commission to go into them and make recommendations. The Maharaja on his part promised to announce the appointment of the Glancy Commission after the Muslims presented their demands to him but not to postpone the

announcement after Glancy's arrival in the State.<sup>79</sup>

After this secret agreement between the British Indian Government and the Maharaja, all seemed to be going well till the British made a breach of promise, and leaked out to the *Statesman* the fact of Glancy having been appointed under their pressure, before the Maharaja could make the announcement himself. The Maharaja reacted with a breach of promise on his part and refused to make the announcement with regard to the appointment of Glancy long after the Muslims had put up their demands to him and even after Glancy had arrived in Srinagar.<sup>80</sup> The Maharaja may have reacted in this manner to impress upon his subjects that he was still the master of his affairs but it does not seem to have been appreciated by the British. In order to force the Maharaja to make the announcement regarding the Glancy Commission they seem to have let loose the Ahrars against the Maharaja once again; This time the Ahrars not only organised *Jathas* into the State but also clandestinely sent in hundreds of their agents to incite the Muslims of Jammu to revolt against the State authorities. In short a situation was created in Jammu which compelled the Maharaja to seek British military help.<sup>81</sup> That the British had a hand in the creation of such a situation is evident from the fact that the British still took no action against the Ahrars which they were morally bound to, under the provisions of the Indian Princes (protection against disaffection) Act of 1922 against those engaged in anti state activity from across British Indian territory. It would appear that the excuse put forward by the Viceroy against taking the Ahrars to task in that promulgation of an Ordinance to prevent the Ahrars from acting against the State, would create trouble for them in Punjab<sup>82</sup> was at best a lame one, as no such trouble arose when they finally promulgated the Ordinance on the day the Maharaja asked for their military assistance. This lends credence to the theory that they deliberately withheld the issue of the Ordinance, to allow a situation to arise which would compel the Maharaja to seek their assistance. That the situation was serious and that the British motives in withholding the Ordinance were a suspect may be read between the lines in the letter that the Resident wrote to the Political Secretary after its promulgation. The letter reads as follows;

"I should like to express through you, to His Excellency the Viceroy and Government of India my appreciation of the promptness and thoroughness with which the needs of the Durbar have been met by the promulgation of the Kashmir Ordinance and the despatch of troops. I realise to the full the reasons which rendered the Punjab Government averse from the promulgation of the Ordinance if it possibly could be avoided and I understand also the weight of the considerations which lay behind the reluctance of the Government of India, and the various interests which may have to be conciliated. I was afraid as I sent my telegrams on the subject that they might be considered importunate, but from the horizon visible here I had no doubt that the action asked for was imperatively necessary."<sup>83</sup>

To make his action look voluntary the Maharaja announced the appointment of Glancy as the head of the Grievances Commissions on 12 November well after the arrival of British troops in Jammu. Also on that day was announced the setting up of the Middleton Commission to inquire into the disturbances that took place after 21 September. This was, however, not to be the end of the Maharaja's troubles. No doubt the Muslim delegates had "offered no criticism on the composition of the Glancy Committee" when they met the Secretary of State for India in London and had also accepted the "suitability of Middleton, though at first inclined to express preference for a high court judge" but they had "urged the necessity for change of existing Kashmir ministry even while the two inquires [were] in progress, apparently on the ground that these would be prejudiced by existing ministry continuing in office"; an argument that the Secretary of State found "difficult to counter". 84

Apart from the fact that the British were obliged to fulfil all demands of the British-Indian Muslims, the change in the Kashmir Ministry was their own special requirement too. First, they could not probably stand the sight of the Prime Minister of Kashmir, Raja Hari Krishan Kaul, who besides having ably assisted his Maharaja in the firm handling of the Kashmir agitation, seemed (to the British) to have been behind the resistance that the Maharaja was offering to British moves. Both the general (Muslim) opinion as well as the Viceroy's own opinion was that "the villain of the piece really (was) the Maharajas' Prime Minister Hari Krishan Kaul" .<sup>85</sup> In order to achieve the early surrender of the Maharaja, therefore, he had to be deprived of the support of such a strong Prime Minister, who was serving him so loyally. Second, the change of ministry and the appointment of a Briton as the Prime Minister were necessary for securing British interests in Gilgit.

It was perhaps with the object of forcing the Maharaja to change his Prime Minister in favour of their nominee that the British-Indian Government decided to keep their troops in Jammu even after peace had been restored there. The Maharaja on the other hand, realising that he was being pulled into the dragnet started making forceful appeals to the Government of India for the withdrawal of British troops as soon as normalcy returned to Jammu within the first few weeks of their arrival there. As if to help the British to resist the Maharaja's pressure with regard to the withdrawal of troops, the local Muslim leadership goaded on by Ahrars agents, who had entered the State clandestinely in hundreds, started an agitation in the Mirpur district of Jammu, ostensibly over the economic distress of the Muslim peasantry, caused by the failure of crops. Coincidentally, the first salvo was fired by the agitators in the form of launching a No- Rent Campaign at the end of November just when the "Hindu pride"<sup>86</sup> had begun to get hurt by the presence of British troops and the Maharaja had begun to seek their withdrawal. The British could not, however, allow the agitation to assume too serious a proportion while their troops were still at Jammu because in that case the involvement of their troops would have become inevitable. The Maharaja was, therefore able to easily contain the agitation and continue to pursue his demand for withdrawal of British troops.

The British resisted the Maharaja's demand for the withdrawal of troops for several weeks after it was made and even after the Resident had expressed his opinion that the internal situation in Jammu allowed withdrawal by 15 December.<sup>87</sup> Evidently extraneous considerations" (as feared by the Resident) <sup>88</sup> were being allowed to dictate postponement of the withdrawal. One of these extraneous considerations could have been the demand of the local and British-Indian Muslims to keep the troops in Jammu if only to hurt "Hindu pride". But the more important one must have been the realisation that the longer the stay of British troops the greater the extension of their authority in the State.<sup>89</sup> For general consumption the excuse that was put forward was that "so long as *Jathabandi* continued there [was] grave danger of incidents occurring both in British-India and Jammu. It [was] therefore in the interest of the State as well as British-India to retain troops longer than may be absolutely necessary, rather than to withdraw them prematurely and risk having to send them back".<sup>90</sup>

It was perhaps because of the moral pressure created by the Maharaja's resolve not to return to Jammu while the control of State troops and police vested in British commanders,<sup>91</sup> that the British finally decided to withdraw their troops on 21 December 1931. To ensure that their intervention with troops did in fact result in some extension of their authority (if not complete), withdrawal was made on the condition that there-after "a British representative of the Residency would remain in Jammu for some weeks to keep the Resident and Government of India informed of developments, and supply material to contradict exaggerated or alarming

rum ours likely to inflame feelings in British India".<sup>92</sup>

It would appear that the British had to withdraw their troops without making much political gain. The old Kashmir Ministry was still intact and the Maharaja though, perhaps, enough humbled, does not appear to have been pushed sufficiently against the wall to easily accept the surrender of his rights in Gilgit. There was, therefore, still further requirement for British military intervention in the State, if they were to ensure complete fulfilment of their objectives. It may have been a matter of coincidence that just about then the Ahrars of Punjab were prepared, (under some political compulsions),<sup>93</sup> to go all out to create trouble in Jammu, serious enough to force the Maharaja to once again ask for British military assistance.

Be it as it may, the No-Rent campaign in the Mirpur district, picked up terrific momentum, no sooner than the British troops withdrew from Jammu. The campaign took an ugly turn with effect from 29 December 1931 when the State authorities made some arrests' on charges of non-payment of revenue under Notification No L-24 (promulgated since 20 December), The next one month witnessed an unprecedented communal holocaust where-in the Hindu minority suffered terribly at the hands of the Muslim majority under incitement of Aharar agents.<sup>94</sup> The Maharaja used his army extensively to bring the situation under control but his resources could not match the magnitude of the task and on 29 January he was forced to once again seek British military support.<sup>95</sup>

The British hand in creating a situation in Jammu that compelled the Maharaja to seek military aid was suspected by most non-Muslims in British India. This is evident from the letter sent to the Viceroy by eight Hindu and Sikh members of the Indian Legislative Assembly. The letter referred to the wide spread impression in the country that not only had the Paramount Power not done enough to put down with a firm hand this trouble in Kashmir and to protect the lives, property and honour of the Hindus but that the Maharaja had failed to make effective use of his own resources because of the fear of the Paramount Power restricting His Highness in using sufficient force to put down the rebellion.<sup>96</sup> In reply the Political Secretary, writing on behalf of the Viceroy denied the allegation of British inaction. He cited examples of help given whenever asked for by His Highness. However, rather than condemning the atrocities committed by the Muslim majority over the Hindu minority, he seems to have assured the Muslims that the help had been given on the condition that His Highness would be ready and anxious to remedy legitimate grievances, if any, that under-lay the communal riots.<sup>97</sup> While denying the allegation of inaction, the Viceroy seems to have evaded reference to his total inaction against the Muslim press of Punjab and prolonged inaction against the Aharar *Jathas*.

Just like in Kashmir the British sympathies here had always lain with the Muslims. Nothing was done by them that might hurt the agitation in the remotest way or which was likely to give an impression that they were siding with the State Government. It was thus that the Government of India had even refused a seemingly innocuous request of the Kashmir Government for loan of an air craft for distributing notices to the rural population of Jammu with regard to collection of revenue, on the grounds that they were not sure whether the revenue being demanded by the Durbar was fair or not and also because the notices were of a threatening and not conciliatory nature.<sup>98</sup> It is another matter that in days to come when, having achieved their objective of gaining control over the State government (by imposing a Briton as the Prime Minister and their nominees as heads of all the important departments) they were under no obligation to support the agitation blindly, they considered the revenue being charged by the Government as fair and one that could not justifiably be made a cause for an agitation.<sup>99</sup>

After the British troops had taken over at Mirpur, the partisan attitude of the British

authorities in favour of the Muslim rebels seems to have been glaringly visible. Although the various British agencies that investigated into the riots testified to the communal violence, religious intolerance and the all-round destruction wrought by Muslim rioters, no action seems to have been taken against them. In fact they were assured that "once they settled with their own Hindus no further action will be taken against them, save a fine on villages responsible for the sack of Seri".<sup>100</sup> It was also perhaps to please the rioters who had been strictly dealt with by the State troops before the arrival of British troops, that humiliations were heaped upon the State Forces by removing them from Mirpur-Kotli area on arrival of Imperial troops as it was alleged that they had not been able to "distinguish between the civil disturbances and a state of war". As if they themselves had been able to make that distinction while dealing with the situation at Jallian Wala Bagh<sup>101</sup> The British authorities felt that "the State troops who may have grown accustomed to dealing with civil disturbances in a way that would not be tolerated in British India will dislike being made to adopt more humane methods".<sup>102</sup> This was undoubtedly a wild charge against the State troops, who had behind them a long history of good discipline and gentlemanliness, (which had often been appreciated by the British themselves in no uncertain terms)<sup>103</sup> and apparently made without proper inquiry or investigation, merely on the basis of motivated Muslim allegations. Little wonder that the State troops were removed from the scene the day after the arrival of British troops. It is also pertinent to note that the State army deployed in this region before the arrival of British troops contained a good proportion of Muslim officers and men<sup>104</sup> who could not have employed "inhumane" methods against their own kinsmen. This Muslim element must have in fact, had a sobering effect even on their Hindu comrades-in-arms in this regard.

After the riots, the State Government, now headed by Colvin, seems to have done little to ameliorate the sufferings of the Hindus. Most of the relief work was done by private organisations such as the Hindu Sabha, Arya Pradeshal Prithi Nidhi Sabha Punjab, Dayanand Dalit Uddar Mandal Punjab, and Shrimoni Gurdwara Prabhandak Committee Amritsar, who were acknowledged, even by British authorities, to have done "genuinely good work".<sup>105</sup>

Outwardly the Viceroy continued to show that whatever he was doing in Kashmir was to help the Maharaja and "to pull him through his troubles".<sup>106</sup> But in expressing his hope that "before he (the Maharaja) can settle matters, it will mean a considerable extension of our (British) authority",<sup>107</sup> he seems to have laid himself open to the suspicion, that he may have been, if nothing else, fishing in troubled waters. Little wonder that he honestly thought that he would have to "put strong pressure if not to insist on his (Maharaja) altering the personnel of his ministry".<sup>108</sup> The Ministry was ultimately changed and while EJD Colvin was appointed the Prime Minister of Kashmir with effect from 22 February 1932, three other British nominees took over Home, Revenue and Finance departments.

Perhaps in vindication of the belief that the entire drama of British intervention was manipulated with the prime object of forcing the Maharaja to concede control of Gilgit to the British, they seem to have started working on plans for the transfer of Gilgit to the British-Indian Government immediately after the entry of British troops into Kashmir. Thereafter no other issue seems to have been pursued with greater vigour by the new Prime Minister, and by August 1933 he was finally able to submit a pleasing proposal to the Viceroy in this regard. This is revealed in a private and personal telegram from the Viceroy to the Secretary of State for India which reads as follows:

"My official telegram dated 31 August 1933 Gilgit. Alternative proposal of Kashmir Government to transfer entire control of civil and military administration to Government of



India seems to provide excellent opportunity for permanent stabilisation of position in Gilgit which is recognised to be so desirable (see correspondence ending with your Foreign Secretary's letter of 24 February 1932, F 67/30/1) understand that there might be departmental difficulties of a financial character, in view of fact that saving will accrue to military budget where as additional expenditure would be involved on civil administration, but perhaps some adjustments could be made between military and political budgets to meet any objection of this sort, in view of the major issue involved" .<sup>109</sup>

The British interest in the well being of the people of Kashmir, if they ever had any, subsided with the transfer of the Gilgit territories.<sup>110</sup> As a matter of fact the State administration under Colvin came down more severely on the dissentients than had the administration before him, and the Muslims had more to grudge under the "British rule" than they had under the Maharaja's. The disillusioned Muslims restarted their agitation but with no support forthcoming from the British Indian Government and the Punjabi Muslims the agitation lost its thunder. How Colvin was able to handle the agitation forms the subject matter for the next chapter.

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43. A note by Secy to G O I Mr J P Thomson dt 26 Sept 1925 on Crown Rep Record file 19 (10) P of 1925 clearly suggested this. He wondered whether "the restrictions which have been placed on the powers of the late Ruler (Pratap Singh) from time to time have been in any degree due to its (Kashmir's ) geo graphical position".
44. Numerous instances of such incidents could be cited from news papers of this period. To quote only a few 4 killed and 100 injured in police firing on a crowd in UP which had collected to accord welcome to released political prisoners; Lathi charge on political prisoners in Jorabagan Jail on 22 Mar' 31 for shouting "Mahatma Gandhi ki Jai" and firing on political prisoner demonstrators in Hijli Jail (*Amrit Bazar Patrika*, 3,13 and 23 Mar 31.)
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92. Pol Secy to Resident 14 Dec '31 Ibid. This was probably to make way for the Resident to be stationed at Jammu during winter months and not Sialkot where he used to be till then.
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97. Pol Secy to Resident 12 Jan '32 Crown Rep Records Kashmir IV
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100. Report by L W Jardine, File 124/2/p(s) of 32', Crown Rep Record Kash.V
101. Foreign and Pol file 194-Internal, Ibid., Kashmir IX
102. Ibid.
103. The author has personal knowledge of the State Forces having written their official history.
104. The 6th and the 4th Battalions of the State Force that were mainly responsible for dealing with the disturbances in this area were composed of 50% Muslims each ref note ante
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106. Viceroy to Secy of State 01 Feb Templewood Collections Roll 2 107. Ibid
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## CHAPTER IX

### KASHMIR UNDER BRITISH RULE

Immediately after the Maharaja's surrender to the British, they began to induct their officers into State service for gaining complete control over its administration. As it is, with the appointment of Lieutenant Colonel EJD Colvin as the Prime Minister and three other British nominees taking over as ministers for Home, Revenue and Finance, the entire administration could be considered to be run under the direct orders of the Government of India. But the British did not stop at that. Mr CV Salusbury was appointed Administrator of Jammu and Mr Lawther was brought in to take over as the Inspector General of Police in the State in replacement of Lieutenant Colonel Gandharab Singh. Mr Amar Singh of the Punjab Police was inducted into the State Police as the Deputy Inspector General. Several Hindu Officers including Thakur Chattar Singh Charak, Governor of Jammu, were relieved forthwith, while Mr Salusbury got busy filling up the vacancies by promoting Muslims to these posts.<sup>1</sup> The Maharaja had thus been humbled and the aim of the Political Department was served. It perhaps mattered little to the British that their political objectives in Kashmir had been achieved at the cost of unnecessary loss of innocent Hindu, Muslim and Sikh lives, whether intended or not.

Apparently the Muslims in general were happy over the change in the government because of the impression that the British had taken all the trouble due to the genuineness of the Muslim cause and that all their demands would now be met. They were, however, to realise the truth after the Middleton Commission and the Glancy Commission, which the Maharaja had been forced to appoint, published their reports. Both these reports came as an anticlimax to the great excitement of the past six months.

#### **Reports of the Inquiry Commissions**

Middleton submitted his report in early January 1932. The conclusions of the report were as under:

a) The report blamed the Muslim leaders for breach of agreement, and restarting the agitation in September 1931 unjustifiably. It went on to say that whether the authorities were dilatory in giving effect to the agreement or not, no allegation of breach of agreement was justified until such a list (of actions wished to be taken by the Government) had been presented and opportunity given for Government action thereon. This campaign (to point out to the people that the terms of this agreement had not been observed by authorities) "was one which could be tolerated by no government .. It was calculated to bring the Government into disrepute". The authorities were, therefore, forced to take action, and on September 21, 1931 they arrested Sheikh Mohammad Abdullah who had been one of the most active leaders of this campaign.<sup>2</sup>

b) Referring to the police firing outside Jama Masjid on 22 September, in which two people were killed, the Commission was of the opinion that "had the leaders been present (at the Jama Masjid) where they had asked the people to assemble on 22 September (following the arrest of Sheikh Abdullah) or had the officials made adequate plans and remained on the spot themselves, it is possible that all resort to force might have been avoided. Hostilities ceased with the arrival of the first of these leaders".<sup>3</sup>

c) "During the day, throughout Srinagar, attempts were being made to form processions, most of which were dispersed without any serious result, but in one case a woman was injured in the foot, probably as a result of a sharp missile thrown by the mob. She was reported to be dead and carried through the streets. Crowds collected round her *charpoy* or

cot and in Maisuma Bazar, in an attempt by the Cavalry and the police to disperse the crowd, a policeman and a sowar or horseman were knocked down and attacked .... A magistrate arrived with armed police and directed firing .... his action was fully justified ... two killed as a result of this clash".<sup>4</sup>

d)"Throughout September 24, ] 93 I armed crowds of Muslims were moving about Srinagar City ... The police failed to cope with the situation and was withdrawn .... In these circumstances emergency measures were essential".<sup>5</sup>

e) Referring to the general charge of excesses committed during the emergency by the military and civil officials the Commission observed that "in the main the sentences (under the emergency laws) were necessary to suppress the spreading of false rumours or shouting of inflammatory slogans liable to lead to an out break... I see no reason to believe that such cases (of false implications) were of frequent occurrence or that the magistrates failed in their duties of weighing the evidence before them ... Of the truth of other allegations of bestiality and ill-treatment, I am not satisfied" The only ill-treatment that had come to light was that the people were forced to stand up and shout "Maharaja Bahadur ki jai" on occasions when the police and the troops passed by and that in many cases they were beaten up, if they delayed in doing so. This was strongly condemned by the Commission.<sup>6</sup>

f) The allegations made in Shopiyan were "so false and exaggerated as effectually to prevent the truth coming to light." The Commission however, seriously commented upon the inefficiency of the medical treatment given to the wounded at the local dispensary.<sup>7</sup>

g) Commenting on the allegation that Muslims at Anantnag were forced to utter slogans against their religion Mr. Middleton said "I do not believe this allegation and it does not appear that officials of Anantnag had resorted to any oppressive action after the unfortunate clash on September 23". He considered the firing on the mob, which had attacked the police and killed a police official, as justified.

The report, which had justified Government action rather than condemned it, must have come as a terrible shock to the agitators. Except for minor pulling up of the Government here and there Middleton had practically exonerated the Government on all counts. Justice Dalal had, perhaps, censored the Government more than what Middleton had done. In any case, if the aim of the Muslims in demanding this Commission had been to expose Government "brutalities" then they do not appear to have achieved their purpose. Evidently the British, who had already achieved their objectives in Kashmir, now wanted to play fair.

The Glancy Commission presented its report to the Government on 22 March 1932. Most of its recommendations were of a general nature unaccompanied by any concrete suggestions. The important recommendations were as under :-

a) It recommended that all buildings claimed by the Muslims as their religious shrines be restored to them<sup>9</sup> It may be recalled that some of them had already been restored to them by the Government even before the Glancy Commission made its recommendations. There were others involving disputes with other communities. Glancy Commission recommended that these be settled amicably.

b) The Commission recommended complete religious freedom<sup>10</sup> without suggesting that there was lack of it during the period. The recommendation was in the form of a sermon extolling the virtues of religious freedom. In view of the fact that the Commission accepted that there was no official interference in the freedom of religion, the recommendation was meaningless. Even the State procedure pertaining to conversions based on Hindu and Muslim law of inheritance was justified by the Commission.

c) It recommended that proprietary rights should be granted to occupancy tenants.<sup>11</sup> Although this may be treated as of some gain to the Muslims, the gain was mostly psychological. It did not affect the peasant in any other way than giving him the right to sell his land by virtue of the ownership conferred on him. This may not have been to his advantage in practical terms.

d) As regards recruitment to State services the Commission recommended that the minimum qualification should not be fixed unnecessarily high and went on to lay down minimum qualifications for various jobs. It also recommended that posts should be properly advertised, providing as wide publicity as possible. This was a very vague and general recommendation which had avoided to touch upon the demand of jobs for Muslims in proportion to their [population. It just mentioned that due regard should be paid to the legitimate interests of all communities in the matter of recruitment to Government services.<sup>12</sup> The position, therefore, did not materially change from what it was before the agitation, except perhaps that the maximum age limit of 30 years was retained and not allowed to be reduced.

e) Regarding education of Muslims the Commission recommended that the post of Inspector of Muslim Education be revived.<sup>13</sup> This was a meaningless recommendation in view of the fact that, during Maharaja Hari Singh's entire rule thus far, the Education Minister himself had always been a Muslim. Other recommendations in this regard were also vague. The Commission merely indulged in generalities, like, that there ought to be more Muslim teachers, more Muslim stipendiary, more Muslim students etc. without appearing to appreciate the magnitude of the problem. It, however, gave the Government ten years to achieve the targets set; a speed perhaps not much faster than the speed at which the Government was already moving in this direction.

t) It recommended that grazing tax on *Bakarials* be suspended or reduced.<sup>14</sup> With an eye on pleasing the Muslims it took no note of the fact that the *Bakarials* were causing considerable damage to the State forests and it was to discourage them from entering the State that this special tax had been levied on them.

g) That '*Nautor*' area in Mirpur be written off.<sup>15</sup>

h) That proper payments be made to labour requisitioned by the State<sup>16</sup> which, he should have known, was already being done as revealed in the official study report on the subject.<sup>17</sup>

i) It recommended that full benefits of forest concessions be granted to villagers especially with regard to fuel and timber.<sup>18</sup> It may be recalled that this concession had already been granted to the villagers much earlier.

j) A general recommendation was made that the industrial development should receive the Government's urgent attention.<sup>19</sup> This recommendation is as valid today as it was then.

k) It finally recommended the abolition of marriage tax, reduction of meatless days and some other minor points.<sup>20</sup> The non-official Muslim members attached notes of dissent pertaining to the "disabilities" imposed on converts, and restrictions on the licensing of arms in the Kashmir Valley and entry to the Rajput High School, which the Commission had evidently upheld.

Chaudhury Ghulam Abbas appended a separate note of dissent which contained the following points, which the Commission had refused to accept;

- a) Muslim proportion in the services to be brought up to their population ratio in ten years.
- b) Hindus, over fifty years, to be retired from services, to make way for Muslims.
- c) Departmental promotions not to exceed one third of the total.
- d) Recruitment to the Cavalry be thrown open to Muslims. In other Regiments also the

Muslims to comprise one half of the total.

e) A Public Service Commission be appointed.

f) Land revenue be assessed on the basis of 1/6th of the Produce as in the Punjab and not 1/4th as in Jammu.<sup>21</sup>

The Maharaja accepted all the recommendations of the Commission and issued necessary orders for their implementation. There were, however, very few that could be immediately implemented and most of them required long term planning. The Muslims on the other hand had been expecting dramatic results to be produced by these Commissions. Such were indeed the high hopes for quick results that the All India Kashmir Committee got disillusioned when nothing had happened even after 12 days of the publication of the Glancy Commission Report and, on 4 April 1932, a deputation met the Viceroy to bring to his notice the unnecessary delay that the State Government was making in the implementation of the recommendations of the Glancy Commission. The Kashmir Committee probably failed to realise that the State Government against whom they had made the charge was now headed by a British and now the Viceroy could not be as enthusiastic about attending to their complaints as he might have been a few months earlier. He directed the deputation to meet the Prime Minister, which the deputation did, only to be ignored by him.<sup>22</sup>

Sheikh Abdullah, who had led the Muslim expectations to such a high pitch, was, however, more practical himself. He sought to win the favour of the new Government for maintaining his own position and to that extent he was prepared to go against the sentiments of his people. Soon after his release from Jail on 4 June 1932 (his term having been cut short 11<sup>1/2</sup> months on his giving an undertaking to the new Government"<sup>23</sup> Sheikh Abdullah met the Resident and made it known to him that "he and his followers had great faith in Colonel Colvin and were perfectly satisfied with the recommendations of the Glancy Commission" but "they only feared that intrigues on the part of the Hindus might lead to these recommendations not being carried out fully"<sup>24</sup> About the same time, in order to leave no doubt in anyone's mind regarding his loyalty to the British he made this clear in an interview to a representative of the *Civil and Military Gazette* of Lahore. The paper quoted Abdullah as having said that "the bulk of Kashmiri Muslims believe that, since the appointment of Colonel Colvin, Kashmir has changed for good" and that "the Muslims of Kashmir were most thankful to the Resident, who from the very beginning had been most kind and sympathetic to them."<sup>25</sup>

### **Constitutional Reforms**

Although it is difficult to believe that Maharaja Hari Singh, known for his progressive views, would not have agreed to constitutional reforms without the pressure of the agitation, such reforms as actually took place may be considered as the real worthwhile gain of the 1931 agitation. However, the British themselves being opposed to any reform towards a democratic form of government in India, the State Assembly, or Praja Sabha, that actually came into being as a result of the reforms introduced by the Colvin government was no more than token democracy.

Colvin Convened the Constitutional Conference in the second week of March, 1932, under the Chairmanship of Mr. B J Glancy. The Conference included two official members, Rai Bahadur Pandit Anant Ram, Director of Land Records, and Mohammad Ibrahim Inspector of Schools, and 12 non-official members representing various communities. Interestingly Prem Nath Bazaz still represented the Kashmiri Pandits, in spite of having been thrown out of the community. The conference was to decide on the practicability of establishing a Legislative Assembly, and its powers and functions, if so established.<sup>26</sup>

After much discussion in which many opinions were expressed, the Conference decided to give the experiment a trial. The Assembly so constituted was to have the powers to make laws, subject to the final assent of the Maharaja. On the question of franchise it was agreed that, while the number of voters on the electoral rolls should consist of approximately ten percent of the total population, the detail for it should be worked out by a franchise Committee to be appointed for the purpose. Recommendations were made to the Maharaja, accordingly. In keeping with the British policy in India the Chairman recommended adoption of the system of separate electorates.

Accepting these recommendations, the Government, on 31 May 1932, appointed a Franchise Committee under the Chairmanship of Justice Sir Barjour Dalal, with L.W. Jardines as Vice Chairman and Thakur Kartar Singh, Sheikh Abdul Qaiyum and Shri Ram Nath Sharma as members. On 24 March 1933 Sir Ivo Elliot replaced Jardines and Hira Nand Raina replaced Sharma as Secretary. The Committee had no non-official member. It recommended the setting up of a legislative Assembly consisting of seventy five members. The distribution of seats being, elected Muslims twenty one, elected Hindus ten, elected Sikhs two and nominated members forty two. It also provided that the number of Muslims, including those nominated, would not be less than thirty two and that of Hindus not more than twenty five. Twelve out of the non-official members could be from any community.<sup>28</sup>

The right of franchise was limited to the following

- a) Only those women who had passed the middle standard of education.
- b) Among the males to *Zaildars*, *Lambardars*, *Imams* of mosques, *purohits* of temples, *Granthis*, Priests, title-holders, pensioners, doctors, *Hakims*, lawyers, teachers, middle class pass persons and Jagirdars.
- c) In general to those who paid Rs. 20/- or more as revenue, owners of property (moveable) worth Rs. 600/- or more and those, other than Bakarwals, who paid Rs. 20/- or more as grazing tax.

Those convicted of offences carrying 6 months or more imprisonment were barred from standing for elections for 5 years unless granted Government amnesty.<sup>29</sup> The Assembly that finally emerged was almost powerless. The Maharaja retained all legislative powers as inherent in his person. He also had the power of veto. No discussions with regard to the army or privy appointed purse could be held in the Assembly.<sup>30</sup> In any case its usefulness cannot be denied as it provided an opportunity for the training of the people in constitutional matters: "The step must have aroused a political awakening among the people and thus paved the way for the democracy to come.

The forming of the Legislative Assembly was delayed due the disturbances created by the Muslim Conference in January 1934 over the Franchise Committee Report. It was after the "Civil Disobedience Movement", started by the Muslim Conference, had been withdrawn that the formation of the Assembly was announced and elections held<sup>31</sup> the first session of the Assembly, named the *Praja Sabha* was held on 17 October 1934.<sup>32</sup>

## **EMERGENCE OF THE MUSLIM CONFERENCE**

Although the Reading Room Party had served its purpose well during the agitation, it could not be considered a political party in the strict sense of the term. It lacked a proper organisation at the grass root level as well as a manifesto and other characteristics of a political party. The name itself signified a camouflage for political activity.

The recommendations of the Constitutional Reforms Commission, which were accepted by



the Maharaja in full, virtually gave a license to the people for political activity and a fillip to the growth of political parties in the State. The Muslims, who had been in the thick of politics for the past few years, were quick to realise the importance of having a single full-fledged political party for all the Muslims of the State<sup>33</sup> under the changed circumstances. Consequently after preliminary consultations among all those who had gained prominence during the agitation, Sheikh Abdullah proceeded to Jammu, where, as a result of his discussions with Choudhary Ghulam Abbas, Mistri Yaqub Ali, Sheikh Ghulam Qadir, AR Saghar and others, it was finally decided to float a single political organisation embracing Muslims from all parts of the State. The inspiration and help for the implementation of this decision, however, continued to come from the All India Kashmir Committee in Punjab. The Committee despatched Maulana Abdul Rahim Dard, Maulvi Ismail Ghaznavi, Syed Habib Shah (Editor *Daily Syasat*) and Zahur Ahmed to Srinagar to help the local Muslims in working out details for the organisation of the party. The Kashmir Committee also made available financial assistance and even provided a car to the workers to facilitate their movement. A Committee was set up to convene the conference. It drafted a constitution and decided to name the organisation as the "All Jammu and Kashmir Muslim Conference".<sup>34</sup>

The formation of the Muslim Conference did not however have an absolutely smooth sailing. Even as preparations for holding the first session of this party-in-being were in progress voices of dissent began to be raised by some Muslims of Jammu led by Gauhar Rehman who were opposed to the idea of floating a single political party for Kashmir and Jammu. They probably feared that the party would be dominated by the Kashmiri Muslims by virtue of their sheer numbers. At least they were not prepared to accept the leadership of Sheikh Abdullah. At a public meeting on 15 September they accused Sheikh Abdullah of having given an undertaking to the Government (probably referring to the undertaking he had given for securing his release from jail) to the effect that he would cease all agitation if the recommendations of the Glancy Commission were implemented by the Government. Chowdhury Ghulam Abbas, however, appears to have prevailed upon the Jammu masses to accept the formation of a single party for Jammu and Kashmir.<sup>35</sup>

Impediments in the way of the formation of the Party also appeared at Srinagar in the form of challenge to the leadership of Sheikh Mohammad Abdullah from Mir Waiz Yusuf Shah. However, fresh communal tensions resulting in Hindu-Muslim clashes in Srinagar in September 1932, had the effect of uniting the Muslims on the eve of the inaugural session of the Muslim Conference.<sup>36</sup>

The inaugural session of the All- Jammu and Kashmir Muslim Conference was held on the 14th, 15th and 16th of October 1932 in the historic Pathar Masjid. The committee which drafted the constitution had also adopted a party flag similar to that of the All- India Muslim league. The flag hoisting ceremony was performed on the 14th by Wali Ullah Jani-ul-Abodin, a representative of the All-India Kashmir Committee.<sup>37</sup>

The Session was presided over by Sheikh Abdullah. In the course of his presidential address he recalled the *Khutba* and "*Tauheen-e-quran*" incidents and the Government's involvement in them. He expressed his gratefulness to the Muslims of India in general and of Punjab in particular, for their total sympathy during the "trials and tribulations" of the Kashmiri Muslims. He demanded immediate and full implementation of the recommendations of the Glancy Commission. He assured Hindus and Sikhs that the movement was not directed against them. "We shall always try to redress their grievances, but they must also respect our just rights" he said.<sup>38</sup>

The resolution prepared by the subcommittee formed for the purpose, put forward special demands of the Muslims including those that had not been accepted by the Glancy Commission - amendment to the Hindu law of inheritance with regard to the apostates, being one such demand. Employment of Muslims in State services purely on the basis of their population and withdrawal of the army and repeal of emergency laws from Mirpur area were also demanded,<sup>39</sup> though, significantly, no attempt was made to condemn even in a general way, the communal riots that had taken place there.

The session authorised the President to convene a meeting of the General Council within the next four months to review the progress that had been made in connection with the implementation of the recommendations of the Glancy Commission.<sup>40</sup>

Immediately after the session Sheikh Abdullah went away to Punjab and remained there for the next full three months. He did not even attend the meeting of the Working Committee of the Conference held at Jammu on 17 December 1932.<sup>41</sup>

Various motives have been ascribed to Sheikh's prolonged stay in the Punjab. According to Dr. H.L. Saxena, Sheikh Abdullah slipped away to Punjab to evade arrest which was being contemplated by the Colvin administration after his offensive speeches at the Muslim Conference Session.<sup>42</sup> Mohammad Yusuf Saraf, however, considers it a normal visit for holding discussions with the Muslim leaders there.<sup>43</sup> It appears that there was a little of both. While his prolonged stay away from the State even at the cost of missing the meeting of the working committee, which was held at Jammu in his absence on 17 December, does suggest that he was evading action against him by the State Government, there are also reasons to believe that he utilised his sojourn for chalking out with the Punjab Muslim leaders the future course of action for the newly formed Muslim Conference in Kashmir.

### **Struggle for Leadership in Kashmir**

Despite the show of unity made by the two factions of Kashmiri Muslims, one led by Sheikh Abdullah and the other Mir Waiz Yusuf Shah, at the inaugural session of the Muslim Conference, they were not able to prevent their differences from surfacing into the open shortly afterwards. With British rule in the State, now there was no longer the bond of struggle against a common foe and for, a common cause (in defence of the faith), to keep them united. The reason for the estrangement between Sheikh Abdullah and Mir Waiz Yusuf Shah was mutual jealousy and mistrust which must have been exploited by the British administration in the State to contain the Muslim agitation. In his struggle for political supremacy, Mir Waiz Yusuf Shah began opposing Sheikh Abdullah, at first covertly and later overtly, accusing Abdullah of being a Qadiani (which Abdullah must have been denying). To fight him on the religious plane, the Sheikh enlisted the support of the other Mir Waiz, Hamdani, so what should have been a fight between Yusuf Shah and Sheikh Abdullah became a fight between the two Mir Waiz. Open clashes broke out between the two factions on 17 August 1932. These clashes must have caused great anxiety to the organisers of the inaugural session of the Muslim Conference. Whether it was an old trump card played by the Muslim leaders or just a providential act, Hindu-Muslim clashes broke out in September 1932 which brought temporary halt to the mutual bickering of the two factions.<sup>44</sup> In this way the first session of the Muslim Conference passed off peacefully.

After the formation of the Muslim Conference a bitter struggle for power ensued within the party with both factions taking to the streets to settle the issue. Sheikh's three months absence from the State from November 1932 to January 1933 came as God sent opportunity to Yusuf Shah for carrying on a whirlwind campaign against Sheikh Abdullah, calling him a coward who had run away to the Punjab to evade arrest.<sup>45</sup>

The Sheikh returned to Srinagar, on 20 January] 1933, about a month before the time limit of four months for the convening of the meeting of the General Council of the Muslim Conference was due to expire. But soon after his return also returned the factional war. Serious clashes took place between the two factions on 30 January 1933.<sup>46</sup> The meeting of the General Council of the Conference was thus held at Srinagar in a tense atmosphere on 5 March 1933. At the meeting it was decided to submit a fresh memorial to the Government containing more demands of the Muslims. The Hindus were once again asked to support Muslim demands and not to cause hindrance towards their fulfilment, if they were to live in peace.<sup>47</sup>

On 8 March 1933 Sheikh Abdullah issued a press note regarding his meeting with Colonel Colvin, giving the impression that Colvin was favourably inclined towards him and the Muslim demands. This, apparently, irritated Colvin but, before he could do something about it, Sheikh Abdullah again slipped into the Punjab.<sup>48</sup> Mohammad Yusuf Saraf would again have us believe that this trip was also made with a view to holding consultations with Muslims leaders of the Punjab. He remained there till 27 April 1933.<sup>49</sup>

There were serious clashes between the two factions again in April 1933. Apprehending trouble on 6 April (the day of Ramzan Eid) the Government had issued orders to Yusuf Shah and Hamdani to hold their congregations at Jamia Masjid and Eidgah, respectively. Both disobeyed and while Yusuf Shah went to the Eidgah, Hamdani went to Jamia Masjid. In the clashes that the two leaders thus invited, hundreds of Muslims were injured. The Government took action against both Mr Waiz and bound them to good behaviour in sureties of Rs. 1000/- each. Mir Waiz Hamdani, (probably following in the footsteps of his leader in matters pertaining to release from jail), quickly deposited his surety and secured his release. Mir Waiz Yusuf Shah, however, refused and was sent to Udampur Jail on 27 April, for confinement.<sup>50</sup>

On hearing about the arrest of Yusuf Shah, Sheikh Abdullah immediately returned to the State but in the meantime some unknown person had filled up Yusuf Shah's surety and he also returned to Srinagar on 3 May 1933. Thereafter the rival groups clashed again and again and the Government was forced to Promulgate Regulation 19L to control the situation. Sheikh Abdullah with three of his associates and three 01 Yusuf Shah's group were arrested on 31 May. These arrests were followed by large scale disturbances but they were soon controlled by the army that had to open fire a number of times<sup>51</sup> With the *defacto* responsibility for controlling the disturbances now resting with the British, the Maharaja must have played polo while all this was going on.

With the arrest of Sheikh Abdullah, the Muslim Conference got directly involved in a confrontation with the State Government. It launched an agitation for the release of Sheikh Abdullah and other leaders. It appears that the Government was not against releasing Sheikh Abdullah who had all along adopted a pro-government stance but would not release him in response to the agitation, for, "to do so would be to add immensely to his prestige and importance and to lose a great measure of the authority of the Government".<sup>52</sup> In order, therefore, to arrange for his release without either side losing face, the Government offered to release the Sheikh after six weeks, if during that period there was no breach of peace. The Muslim Conference grabbed at the opportunity of securing the release of its President without having to resort to the agitational methods. As it was, with the British now on the other side and no support forthcoming from the British Indian Muslims, who could not act against the British, there were no chances of the agitation ever succeeding. Colvin's determined measures against the agitators, which included the establishment of punitive police posts in the disturbed areas, the cost of which was to be paid by the Muslims of the locality, made the chances of

success remoter still. Consequently, peace prevailed during the next five weeks and Abdullah and others were released.<sup>53</sup>

Evidently certain Europeans in Kashmir "prompted by pro-Muslim sentiments" tried to interfere in these disturbances<sup>54</sup> on behalf of the Muslims, just as they used to during the agitation against the Maharaja in 1931, forgetting, perhaps, that the times had now changed. One such person who had of recent years made herself prominent by encouraging anti-State activities and had been a "frequent source of trouble in Kashmir for more than a decade" was Lady Nethersole.<sup>55</sup> A case for her expulsion from the State was taken up by Colvin in May 1933 and she was finally expelled by the Resident on 10 July on grounds of "gross misconduct,"<sup>56</sup> probably with a view to set an example for other Europeans in the State.

In this connection it is interesting to note that even though Lady Nethersole was as deeply involved in anti-State activities in 1931 as she was in 1933, no such drastic action was taken against her in 1931. As a matter of fact on appearance of a letter from her to the editor of the *Civil and Military Gazette* in 1931, in which she had accused the State Government of "broadcasting lies", the Resident had taken no more action than having a letter sent to her stating that the Resident considers it highly undesirable that European visitors should associate themselves with political controversies inside the State". (Crown Rep Records Kashmir I) Under the impact of Colvin's strong measures against rioting, the Muslim Conference set up a committee for bringing about unity among its two factions but the rift had by now gone beyond redemption. In the final parting of ways Mir Waiz Yusuf Shah floated a separate party in August 1933 which he called the "Azad Muslim Conference" leaving the field free for Sheikh Mohammad Abdullah.<sup>57</sup> With the power struggle within the Party ended, the Muslim Conference leadership could now pay undivided attention to organisational work. The policy of the Party, however, continued to remain pro-British. In a circular issued on 28, September to Party workers Sheikh Abdullah, as the President of the Party, directed that "a hatred propaganda against the Government is essential to be brought into force" (Sic) but added that "a very strong propaganda among the Muslim must in result show that preference to the British Government is given".<sup>58</sup> The Sheikh also appears to have written to Mirza of Qadian a number of letters urging him frantically to influence Colvin in his favour.<sup>59</sup> Evidently Sheikh Abdullah continued to feel that the Muslim masses could be united under him only by arousing the communal passions by showing his struggle to be only against the Hindu rule even if it was now non-existent.

#### **Muslim Agitation - 1934**

Sheikh Abdullah was again elected President of Muslim Conference at its second session held at Mirpur from 15th to 17th December 1933. He had been in the chair for a month when the Report of the Franchise Committee was published on 20 January 1934. There was much hue and cry over the Report as it fell short of Muslim expectations. This and many other smaller issues which had been a source of discontent among the Kashmiri Muslims were utilised by some young local Muslim Conference leaders to start an agitation against Colvin's administration in the Kashmir Valley with effect from 27 January.<sup>60</sup> Evidently Sheikh Abdullah was not in favour of this agitation against Colvin whose favours he had been trying to win all this time. He therefore, once again slipped over to Punjab,<sup>61</sup> leaving the people to face the music as best as they could.

Colvin on the other hand came down heavily on the agitators. As one of the immediate steps to curb the agitation, Notification 19 L was promulgated and flogging carried out "as an antidote to stone throwing by the populace".<sup>62</sup> Serious note was taken of seditious speeches

whether made inside or outside the mosques and the leaders making such speeches were arrested and even interned in some cases. All processions were totally forbidden and large scale arrests of volunteers were made to enforce these orders. Firing had to be resorted to on violent mobs at Pulwama and Bijbehara during the first week of February, resulting in some deaths.<sup>63</sup>

By the time the All-India Kashmir Committee could meet at Lahore on about the 10th of February to take note of what was happening in Kashmir the agitation had practically met its end. The Committee, never-the-less, passed a resolution condemning the "brutal methods", such as firing, flogging; lathi charges on women and children and on unarmed gatherings, used by the State administration for suppressing the agitation. The resolution also condemned the Princes Protection (against disaffection) Act 1922 under which the Committee thought, the British were supporting the Maharaja of Kashmir.<sup>64</sup>

Some newspapers such as the *Syasat* of Lahore tried to revive the old tradition of lending moral support to the agitation in Kashmir by publishing seditious matter, (such as brutal methods being employed by the State Government), forgetting that the Government in Kashmir had now changed. These were promptly proscribed.<sup>65</sup>

Although the agitation in the Valley had not received the wholehearted support of all the leaders of the Muslim Conference its withering away in this manner was not considered good for the future of the Party by most leaders. Consequently a meeting of the Working Committee of the Party was held at Sialkot on 10 February to chalk out the future course of action. At the meeting Sheikh Mohammad Abdullah as usual took a pro-Government stand. He explained that the Prime Minister had promised to redress Muslim grievances and had asked them to submit a list to him in writing. He also assured that the Franchise Committee Report would be amended but only on the condition that the agitation in Srinagar was suspended. He, therefore, pleaded strongly for the suspension of the agitation for some time, to give time to the Government to act. Most members, however, were opposed to the suspension of the agitation and instead suggested that the agitation be continued even as the demands are submitted to the Prime Minister and that a dictator be appointed to negotiate these demands with the Government. Finally the working Committee ignored the advice of its President and decided by majority vote to suspend the constitution and appoint Choudhary Ghulam Abbas as the "dictator" for negotiating the Muslim demands with the Government.<sup>66</sup> It also authorised Ghulam Abbas to start a civil disobedience movement in case their demands were not conceded to by the Government within fifteen days.<sup>67</sup> The authority to call off the agitation was therefore, automatically vested in the "dictator."

In the meantime the Resident had got in touch with the Government of Punjab for securing its assistance in cutting off outside support for the agitation. He had met the Governor of Punjab at Lahore on 8 February and had explained to him the situation in Kashmir. The Governor had assured him that the Punjab Government would not hesitate to take steps to prevent an invasion of Kashmir by *Jathas* and active agitation against the Kashmir Government by "Punjab Muslim agitators."<sup>68</sup> Evidently the Governor seemed to be determined to take stringent action against the Punjab Muslim agitators in case they created trouble for Kashmir. He had, a few days earlier given a similar assurance to Colonel Colvin when the latter had met him to show him the correspondence between Mirza of Kadian and Sheikh Abdullah.<sup>69</sup>

Numerous allegations were made against the Colvin administration with regard to the "brutal methods" employed by it to quell the disturbances. Colvin took pains to explain the position of his Government. In a Government communiqué issued on 23 February 1934, it was explained

that firing in Pulwama and Bijbehara during the first week of February was justified by a magisterial inquiry that considered it necessary (and controlled) to avoid loss of life and property of peaceful citizens.<sup>70</sup> In another communiqué issued on 01 March the Government declared that there was no truth whatsoever in statements concerning Kashmir affairs, made in certain quarters, to the effect that (a) caning had taken place in public (b) everyone caned had fainted; and that calling of *Azan* or saying of prayers had been interfered with.<sup>71</sup> Earlier Colvin had explained to the Resident probably for the information of the Government of India, that "the only alternative to caning would have been the use of troops which would have led to bloodshed."<sup>72</sup> Regarding the allegation of religious restrictions on Muslims he had explained that an order under Section 144 had been issued prohibiting Mir Waiz Hamdani only from delivering *Waz* (which is not a prayer) at the mosque on Eid as breach or peace was feared.<sup>73</sup> An amusing situation had thus been created in which the British were denying allegations against them, the like of which they had supported when these were made against the Maharaja in 1931-32.

It was all too clear to the British that the Muslims were generally dissatisfied at the non implementation of the recommendations made by the Glancy Commission but Colvin was faced with various difficulties in their implementation.<sup>74</sup> On receiving the Muslim ultimatum regarding the start of the Civil Disobedience, while he promised to do his best in speeding up the implementation process, he refused to accept any amendment to the Report of the Franchise Committee as demanded by the Muslim Conference. Consequently Chaudhury Ghulam Abbas launched his Civil Disobedience Movement against the State Government.<sup>75</sup>

The Colvin administration once again came down heavily on the agitators. Chaudhury Ghulam Abbas and many other leaders and volunteers of the Muslim Conference were arrested and the Movement practically remained a non-starter. It failed to pick up momentum primarily because of lack of support from the Muslims of Punjab. Whether it was because the Governor of Punjab had used his rapport with them to dissuade them from helping the agitation in Kashmir, or because of the split that had developed in the Kashmir Committee, the Muslim leaders of Punjab generally made it known to Sheikh Abdullah that they were no longer in a position to help him and that he should get in touch with his fellow workers and arrive at a settlement with the Kashmir Government.<sup>76</sup> As part of long term planning they suggested a change in tactics and to concentrate on a compromise with the Hindus and Sikhs with a view to combine all Kashmir subjects in a general agitation to force the Kashmir Government to grant a constitution fully "representative of the people and with full powers and responsibility."<sup>77</sup>

The agitation also failed to pick up because Sheikh Abdullah who could still claim a good following in the Valley was not only disinclined towards the continuation of the agitation but was also co-operating with the Government to bring about its end. Evidently Sheikh Abdullah remained outside the State for the duration of the agitation at the behest of the Resident, in order to deprive the agitation of his leadership.<sup>78</sup> On the Resident asking him to use his influence with the people to cooperate with the Kashmir Government in the establishment and working of the new Assembly, the Sheikh had assured him that he had no intention of entering the State then and opined that the agitation which was receiving little support from Punjab would shortly terminate.<sup>79</sup>

Although Sheikh Abdullah was making all out efforts to gain Colvin's favour, the latter appeared to be cold-shouldering him every time. When the Sheikh spoke so favourably about Colvin at the meeting of the Working Committee on 10 February, what pleased Colvin was not what he had spoken but the prospects of his "fading away" politically.<sup>80</sup> Then after his meeting

with the Resident referred to above the Sheikh seems to have spread a rumour that the Prime Minister was negotiating with him for a settlement of the issue. This was immediately denied by Colvin.<sup>81</sup> Colvin had, as a matter of fact, been contemplating action against Abdullah, ever since he had slipped into Punjab, in the form of his externment, but apparently the Governor of Punjab had advised him against such an action as Abdullah, according to him, was, in that case, likely to create more trouble for Colvin from Punjab.<sup>82</sup>

As the best ever effort to please Colvin and to make him take notice of him, Sheikh Abdullah, notwithstanding the fact that the constitution of his party stood suspended, issued a statement in his capacity as its President, formally withdrawing the Civil Disobedience Movement in April 1934.<sup>83</sup> However, though this action of Abdullah must have pleased Colvin immensely he still does not seem to have given him the regard that he was expecting on his return to Kashmir. He complained bitterly about it to Mr. B.J. Glancy the Political Secretary to the Government of India in a letter dated 14 May 1934, The letter gives the full picture of the game that Sheikh Abdullah was playing for being recognised as the sole Muslim representative of Kashmir and the manner in which he was being treated by Colvin and is, therefore, reproduced here-under in full.

"I am very thankful to you for your kind letter of the 24th March that I received at Lahore. I very much regret to inform you that my intentions of cooperating with the government in restoring peace in the country and making the proposed Legislative Assembly a success has been misconstrued by the government and what they would have willingly conceded to Sheikh Abdullah the fire-eater, has been niggardly denied to Sheikh Abdullah the moderate co operator. Against the wishes of Mr Abbas and many other colleagues who represent the left wing of the Muslim Conference, I suspended the civil disobedience programme at some personal risk. I declared cooperation with the Legislature. I obeyed your advice to remain aloof from the recent agitation and did not visit Kashmir until jail going was in practice here (sic) And even now when I came here, despite the strong requests of the people, I have not even addressed a public meeting. What is the result? Kashmir Government wants to squeeze me by pouncing on me. I am sending you a copy of a letter that I have sent to the PM today. From this you can yourself know what I have been doing. Now will you please let me know what I am expected to do under these circumstances. I am writing these lines because I know my views have all along been misrepresented to you and I am afraid if I do not give you these facts this impression may continue in future".<sup>84</sup>

In his letter to Colvin referred to by Sheikh Abdullah he had made the following points

- a) That though their legitimate demands had not been met, he had advised his people to give a trial to the constitution sanctioned by the Government.
- b) That in his interview with him, he (Abdullah) had explained that while he would cooperate with the Government, the Government should also "help (him) in all legitimate ways in order to strengthen (his) hands".
- c) That during his interview he had submitted that as the civil disobedience movement had been suspended by him, there was now no need for punitive police and the ordinance that had been promulgated to suppress the movement and that all political prisoners should be released. Although he had not made these as pre-conditions for his co-operation he had submitted that this would considerably ease his "herculean task", but nothing had been done by the Government towards this end.
- (d) That though the Government was making his task difficult, he would stick to the path of co-operation.

(e) That his experience had been that the Government only listened to the extremists and not moderates like him who had always tried to keep the extremists in check.<sup>85</sup>

It was indeed a pathetic letter which reflected the frustration and helplessness of Sheikh Abdullah in face of tyranny. Evidently Colvin had managed to tame the "Lion of Kashmir".

Immediately after the withdrawal of the Civil Disobedience Movement, the State Government announced the constitution of the Legislative Assembly, to be called the Praja Sabha, by the promulgation of Regulation No I of 1931 (s). Even though none of the demands of the Muslim Conference regarding the amendment to the recommendations of the Franchise Committee had been accepted by the State Government, the party decided to contest elections for the Praja Sabha. However, probably, in disapproval of Sheikh Abdullah's hobnobbing with the State Government, he was not awarded a party ticket and was kept out of the elections. The Muslim Conference ultimately swept the polls for the Muslim seats. **It**, therefore, emerged as the largest single party representing the Muslims of Kashmir and Jammu; completely routing the Azad Muslim Conference of Mir Yusuf Shah.<sup>86</sup>

Apparently the formation of the Praja Sabha had a very sobering effect on the political atmosphere in the State. With the Praja Sabha providing to the people a forum for giving vent to their grievances, there was now less need for them to take to the streets. Personally Sheikh Mohammad Abdullah suffered, probably, the worst eclipse of his political career. He had been excluded from the Praja Sabha and had also lost the president-ship of the Party at its third annual session held from 11 to 13 November 1934 at Sopore, his place having been taken by Mian Ahmed Yar who had earlier been elected leader of the Muslim Conference in the Assembly.<sup>87</sup> This may be partly attributed to his role during the Civil Disobedience Movement and partly to the fact that his mentor, Mirza of Qadian had lost control over the Muslim Conference, after he had to leave the All-India Kashmir Committee under pressure from the non-Qadiani Muslims.<sup>88</sup> What was, perhaps, even worse was that, in spite of what he had done to help Colvin, he had still not been able to win his favour.

### **Transfer of Gilgit**

As noted earlier at the end of the last Chapter, the British had started working for the transfer of Gilgit to the British-Indian Government as soon as they had secured entry into the State in the form of their military intervention, which the Maharaja had been forced to seek. It has also been seen how a proposal for the transfer had already been submitted to the Indian Government by Colvin in August 1933. Further progress in the matter appears to, have got held up due to disturbances and also probably due to State Government's preoccupation with the setting up of the Legislative Assembly. Be that as it may, It was not before the beginning of 1935 that the scheme for the transfer of the strategic Gilgit territory to the British-Indian Government on lease for 60 years, could take final shape. The terms of the agreement which was ratified by the Viceroy at Delhi on 3 April, and which was to take effect from 1 August 1935, included the following:-

- a) That the civil and military administration of entire Gilgit territory would be resumed by the Viceroy and the Governor General of India, although the territory would continue to be included within the dominions of the Maharaja of Kashmir.
- b) Customary salutes and honours would continue to be paid in the territory as hitherto. The flag of His Highness was to fly at the official headquarters of the Agency throughout the year.
- c) In normal circumstances, no British or British Indian troops would be despatched through that portion of the Gilgit Wazarat that lay beyond the left bank of Indus.



d) All rights pertaining to mining were reserved to His Highness, but the grant of prospective licenses and mining leases was not to be made during the period of the agreement.<sup>89</sup>

Apparently the Maharaja had opposed the lease of his territory for sometime but ultimately had to give in. All that he seems to have been able to do was to give the agreement a respectable look as if made between two equals. Never-the-less Gilgit was lost to him for all practical purposes; his flag being allowed to fly there notwithstanding.

#### References

1. Muhammad Yusuf Saraf p 435
2. Middleton Inquiry Commission Report p 63
3. Ibid., P 64
4. Ibid.
5. Ibid., P 67
6. Ibid. Here it would be pertinent to note that the Maharaja had passed special confd instructions to the troops deployed in the city at the time of the promulgation of 19L, to the effect that (a) while all measures to restore order should be taken, nothing was to be done which was likely to cause bitterness or permanent hostility, (b) there was to be no punishment without trial by magistrate; and (c) no undue harassment of the public (J&K govt Mil Block E-99 of 1931 file 10 Jammu Archives).
7. Ibid.
8. Ibid., pp 63-67
9. Report of the Commission appointed to Inquire into Grievance and Complaints (Popularly known as Glancy Commission Report) pp 3-4
10. Ibid., pp 5-7
11. Ibid., pp 27-28
12. Ibid., pp 18-22
13. Ibid., pp 9-11
14. Ibid., P 28
15. Ibid., P 31, 'Nautor' means land brought freshly under cultivation, through efforts of the cultivator.
16. Ibid., P 39
17. Home Public file 223/1930 National Archives New Delhi
18. Glancy Commission p 39 Also see note 2 chapter II
19. Ibid P 45
20. Ibid P 46
21. Ibid.
22. Muhammad Yusuf Saraf p 462
23. H L Saxena pp 291-92. 'Perhaps the' third undertaking in one year of his "struggle"
24. Resident to Pol Secy 8 June 33 Crown Rep Records Kashmir II
25. H L Saxena p 292
26. Ibid.
27. Ibid., pp 293-294
28. Muhammad Yusuf Saraf pp 502-03
29. Ibid.
30. Ibid., P 506
31. HL Saxena p 319-20
32. Muhammad Yusuf Saraf p 507
33. Ibid., P 481
34. Ibid pp 481-82
35. Ibid
36. Ibid., pp 486-87
37. Ibid., pp 482-83
38. Ibid.
39. Ibid., pp 483-84

40. Ibid.
41. HL Saxena p 305
42. Ibid., pp 305-306
43. Muhammad Yusuf Saraf p 485
44. Ibid, pp 486-87
45. HL Saxena p 305
46. Muhammad Yusuf Saraf p 492
47. HL Saxena p 306
48. Ibid., pp 306-307
49. Muhammad Yusuf Saraf p 488
50. Ibid.
51. Ibid., P 489
52. Resident to Pol Secy 8 June' 33 Crown Rep Records Kashmir II
53. H L Saxena pp 311-13
54. Resident to Polindia 2 June 33 Crown Rep Records Kashmir I
55. Viceroy to Secy of State 26 April '34, Ibid.
56. Resident to Polindia 19 July '33 Ibid.
57. Muhammad Yusuf Saraf p 492
58. HL Saxena p312. In view of above the opinion expressed by JB Das Gupta (pp 59-60) that the Muslim Conference camp into beaing as a "counter poise to the Anglo-Princedom of Kashmir" does not appear quite sound.
59. Ibid pp 312-13
60. Muhammad Yusuf Saraf pp 497-99
61. HL Saxena pp 318-319
62. Resident's Fortnightly Report for second half of Feb '34 Crown Rep Records Kashmir- III
63. Resident to Polindia 28 & 29 Jan and 6 Feb'34 Ibid.
64. Muhammad Yusuf Saraf pp 499-500
65. Op. Cit. FN 62
66. Colvin to Lang (Resident) 13 Feb 34 forwarding report of IGP J&K on Sialkot meeting of J&K Muslim Conference on 10 Feb '34, Crown Rep Records, Kashmir III
67. Muhammad Yusuf Saraf pp 499-500
68. Resident's Fortnightly Report for first half of Feb '34, Crown Rep Records Kashmir III
69. Resident to Glancy 5 Feb '34, Ibid. The attitude of the Punjab Govt in preventing Punjabi Muslims from interfering in Kashmir affairs in 1934 may be contrasted with their attitude in similar circumstances in 1931
70. Crown Rep Records Kashmir III
71. Ibid.
72. Resident's Fortnightly, Report for first half of Feb '34. Ibid.
73. Lang to Glancy 26 Jan '34, Ibid.
74. Ibid. 1st Feb '34
75. Muhammad Yusuf Saraf pp 499-500
76. Chief Secy Punjab to Pol Secy Gal 23 Mar '34 Crown Rep Records Kashmir III
77. Resident's Fortnightly Rep011 for first half of Feb' 34. Ibid. In view of this, PN Bazaz's assertion that Sheikh Abdullah's resolve that henceforth "Kashmir's freedom movement would be conducted on secular, progressive and democratic lines was the result of his meeting with Sheikh Abdullah and made under his influence (*The History of Struggle for Freedom in Kashmir*. Srinagar 195 I P 164) may not be quite correct.
78. Resident's Fortnightly Report for 2nd half of Feb '34, Ibid.
79. Ibid.
80. Colvin to Lang 13 Feb '34, Ibid.
81. Resident to Pol india 19 Mar' 34, Ibid.
82. Resident to Glancy 5Feb '34, Ibid.
83. H L Saxena p 320
84. Crown Rep Records Kashmir III
85. Ibid.

86. Muhammad Yusuf Saraf pp 504-505
87. Ibid pp 506-507
88. HL Saxena p 315
89. *Agreement between the British Government and His Highness, The Maharaja of Kashmir on lease of Gilgit*, State Archives Jammu.

## CHAPTER - X

### FORMATION OF THE NATIONAL CONFERENCE.

The British had realised that they could not continue their direct rule in Kashmir indefinitely. Consequently, after having achieved their aim of gaining control over Gilgit they started making preparations for their withdrawal from the State. These preparations, it appears, included the setting up of British agents in order to retain their ability to manipulate disturbances on an as required basis and thereby keep their hold over the Maharaja. Coincidentally this preparatory period, between August 1935, when Gilgit was leased out to the British, and February 1937, when Colvin actually reverted to the Indian Civil Service, also happened to be the lean period of Sheikh Abdullah's political career, as alluded to in the preceding chapter. The way in which the Punjabi Muslims had begun to treat him, had left the Sheikh bitter towards them and he had decided to stand on his own feet, at least free of their support. In a scathing attack on his erstwhile mentors the Sheikh, in his press interview at Lahore in 1935, said:

"Communalism in the State owes its origin to the false propaganda of the communal leaders of Punjab. I desire that those self made guardians of Islam should no longer interfere in our internal matters. It shall be my earnest endeavour henceforth to shape the political movement in the State expressly on the principles of the Indian National Congress. This will take a little time but I am determined to purge my country of the bane of communalism whatever the obstructions in my way".<sup>1</sup>

Sheikh Abdullah must have realised that by following the above policy while he would be able to stand on his own, there would be appreciable loss in support from the local Muslims. To compensate for this expected loss, the Sheikh began to woo the Hindus to his fold. In his reply to the joint address on his return from Lahore he said:

"My fight is for the emancipation of my country. Let us all rise above petty communal bickering and work jointly for the welfare of the masses. I appeal to my Hindu brethren not to entertain imaginary fears and doubts. Let me assure them that their rights shall not be jeopardised if they join hands with the Mussalmans"<sup>2</sup>

It, however, appears intriguing to note that what Sheikh Abdullah had said with regard to his future plan to associate the Hindus with his political movement was, in fact, in keeping with the advice tendered to him by the British Indian Muslims in early 1934<sup>3</sup> The motive of the Punjabi Muslims in advising the Sheikh so, is difficult to understand, when these very people were themselves refusing to co-operate with the Hindus in India in the freedom movement. Probably, after the British had taken over the administration of the State, their co-partner, the Indian Muslim, had no use for Sheikh Abdullah and his freedom struggle and this was one way of telling him that from then onwards he should fend for himself. Be that as it may, the Sheikh seems to have realised that with all external aid shut out, no movement in Kashmir could survive without the support of the local Hindus. He had also, perhaps, realised that no Hindu (other than a few of the Prem Nath Bazaz kind) would come forward to join him until he severed completely his connection with the Muslim Conference in Kashmir and the Muslim league in India.

By seeking Hindu support, the Sheikh had certainly qualified for support of the Indian National Congress. Unfortunately for him, however, the policy of the Congress during these days was that of non interference in the affairs of the Princely States. No doubt the Party had, in its Nagpur session in 1920, passed a resolution demanding "representative institutions and

responsible governments in the States at an early date" and expressed sympathy for the peoples of the States engaged in fighting for fundamental rights, freedom of speech and press etc. but this was to be achieved through persuasion and good will.<sup>4</sup>This policy of friendliness towards the States was continued up to 1935 when it was officially clarified by the party once again (evidently to contradict the policy of active intervention in the States that was being advocated by the Socialist group in the party), that its goal in the States was to be achieved through persuasion, truth and non-violence rather than force and agitation' Mahatma Gandhi had himself declared the policy of non interference to be "wise and sound", In a statement on the subject he had said;

"I am of the opinion that whatever we are able to accomplish in British India is bound to effect the States [automatically] ...

"The States are independent entities under the British law ... That part of India which is described as British has no more power to shape the policy of the States than it has, say [to shape] that of Afghanistan or Ceylon. I wish it was otherwise, but I recognize my importance in the matter. India of the States is undoubtedly an integral part of the geographical India but that carries us no further than where we stand today. Portugese and French India are also an integral part of geographical India but we are powerless to shape the course of events there ...

"It is my conviction that any attempt on the part of the Congress at interference can only damage the cause of the people of the State"<sup>6</sup> This certainly was not the type of support that Sheikh was looking

for. With the support of the Muslim League lost and that of the Congress not forth-coming to the extent of providing him with the necessary prop, Sheikh Abdullah seems to have remained, politically, in a state of suspense, till the Congress changed its policy towards the States (in 1937) and encouraged the Sheikh to form the National Conference in 1939.

It was during this period of political suspense that the British seem to have tried to cultivate Sheikh Abdullah as their agent for maintaining their hold over Kashmir politics even after their withdrawal from the State. They seem to have taken full advantage of the Sheikh's persisting efforts to gain their favour as part of his programme of political rehabilitation. The first time they seem to have used him was at the end of 1935 itself, to launch an agitation against Mr. H.K. Lal, the Director of Sericulture who, besides being a Hindu, had very pronounced pro-Congress leanings and as such must have been most inconvenient to the British. This is evident from some letters that are believed to have been exchanged between Mr. B.J. Glancy, Colonel Colvin, Mr. L.E. Lang (the Resident) and Sheikh Mohammad Abdullah. These letters Photostatic copies of which were published in the *Blitz*, Bombay, dated 24 April 1965, are self-explanatory and are reproduced at Appendix 'E. It is interesting to note that it was not the British who made the first move to recruit Abdullah. The initiative was taken by Abdullah himself probably in an effort to save himself from getting dragged into political oblivion.

The last one year of Colonel Colvin's tenure as the Prime Minister of Kashmir, passed off peacefully, except for some mild disturbance on account of the observance of the "Responsible Government Day" in which Hindus also participated for the first time, in response to appeals made by Chaudhury Ghulam Abbas and Sheikh Abdullah. The association of the Hindus in the political movement was, it may be recollected, part of the changed tactics of the Muslim Conference. The All India Kashmir Committee also seems to have made plans to start an agitation, over the non implementation of the recommendations made by Glancy, under the guidance of Bashir-ud-Din Mehmood, (head of the Ahmedia Community) who was reported to have sanctioned large sums of money for it, probably to re-establish himself in Kashmir.<sup>8</sup>But

with the Colvin administration in Kashmir enjoying the support of the Punjab Government.<sup>9</sup> the agitation never got off beyond the threatening stage. What is, however, pertinent to our subject is the fact that Sheikh Abdullah co-operated with the State Government through-out.

By now it was quite evident that the net gain of British intervention in Kashmir was decidedly tilted in favour of the British themselves - the prime one being the acquisition of Gilgit - while the Muslims, the other partner in the 1931-32 agitation, do not seem to have benefitted to any great extent. As a matter of fact, the Muslim masses, in whose name the battle royal was fought, were totally disillusioned at its outcome. After the transfer of Gilgit to themselves, the British appear to have lost all interest in, what the masses had been made to believe were, their grievances and no helpful move to have these redressed seems to have been made. Indeed with the renewed airing of the familiar grievances by the Muslims even long after the British had taken charge of the State, and Colvin resorting to flogging, lathi charges, firing (with resultant deaths), imprisonments and externment to deal with the agitators to the same extent (if not greater) as the Maharaja's earlier Government, the situation after the British intervention could be said to have returned to square one. What was worse, the heavy expenses incurred on the British troops while they operated in the State and the expenses connected with the various commissions had also to be borne by the State<sup>10</sup> and consequently the people. There also must have been a considerable fall in tourist traffic, the effect of which would have been felt by the poor who thrived on it. What little the people had gained as a result of the Glancy Commission's recommendations, which could actually be implemented, they could, probably, have gained by putting up their demands to the Maharaja (when he asked for them) without even having to start the agitation. It is, therefore, ironical, as it is tragic, that the common man suffered indignities and made sacrifices only to get back to from where he had started.

Immediately after the departure of Colvin from Kashmir, the Maharaja apparently made a bid for "suitable enhancement in [his] position and dignities" with regard to his surrendered territory. The proposal submitted to Government of India through the Resident included the following:-

- a) That the appointment of the Political Agent in Gilgit be made after obtaining the, consent of His Highness's Government.
- b) That Durbar in Gilgit be held in the name of the Maharaja.
- c) That the feudatory chiefs of the leased territory and the Political Agent should attend His Highness' Durbar at Srinagar and Jammu when invited to do so and that the feudatory Chiefs should present their usual *Nazrana* on such occasions in person.
- d) That the Yuvraj be awarded the title of His Highness and "Prince of Gilgit or Chitral" on the lines of the "Prince of Berar" of Hyderabad.

The British, however, were not prepared to undo what they had achieved after so many years of effort even to the small extent as suggested in the proposal. Consequently the case first accumulated dust at the Resident's office, and subsequently somewhere in Delhi, till it died its natural death.

The departure of Colvin from the State also coincided with the change in the policy of the Congress with regard to the Princely States. The tussle between the two Schools of thought within the Congress - one that the States should democratise before joining the expected Federation and the second that the States would automatically democratise through the influence of a democratic India after independence-seems to have ended with the victory for the former in 1937, when at the political conference of the Party at Travancore, it was decided that non interference in the States was no longer to be the policy of the Congress.<sup>12</sup>

This was also the time when Sheikh Abdullah had begun to regain his popularity. At the fifth annual session of the Muslim Conference held in Poonch from 14th to 16th May 1937, the Sheikh was once again elected the President of the Party<sup>13</sup> and was consequently in a position to act on his own. The proceedings of the political conference of the Congress, at Travancore, eluded to earlier, perhaps, encouraged him to move closer to that Party for the attainment of two objectives of a powerful Assembly and Responsible Government in Kashmir.

Any doubt that Sheikh Abdullah might have entertained with regard to changed policy of the Congress must have been removed when he met Pandit Jawahar Lal Nehru in January, 1938, and also when he accompanied him on his tour of the North West Frontier.<sup>14</sup> Evidently, Nehru assured the Sheikh of the support of the Indian National Congress in his struggle for "Responsible Government" in Kashmir but probably on the condition that he changed the banner under which the struggle was to be carried out. As it is, Sheikh Abdullah, besides being disenchanted with the change in the attitude of the Muslim League towards him, had probably realised that secular objectives such as the securing of a "Responsible Government" in the State could not be achieved through communal politics and had consequently been trying to involve the other communities as well in his movement. Now his association with Nehru, and the first hand information that he acquired about the status of the Muslims in the Congress during his tour of the Frontier, encouraged him to move closer to the Congress. In any case, with the Muslim Leagues support gone, the Sheikh hardly had an option other than seeking the support of the Congress to keep his movement going. Congress support also suited his genius. Sheikh Abdullah was known to be a very ambitious man and now was the time for him to pull himself out of the secondary position in the hierarchy of leaders, (in which he had been placed by the Punjabi Muslims in return for their support), so that he did not have to share the political power that would come to him on the attainment of a "Responsible Government". What better way could there be for him to achieve this than joining hands with the Indian National Congress whose interests lay in the Sheikh being at the helm of affairs in Kashmir. After his return to the State from his tour of the Frontier, the Sheikh availed of the first opportunity for setting into motion the process of effecting change in the name of his Party that was so necessary for linking himself with the Congress.

The sixth annual session of the Muslim Conference was held in Jammu from 25th to 27th March, 1938 and Sheikh Abdullah was once again elected the President. Addressing the session, the Sheikh said that it was essential that all those people who suffered from the existing system of government should get an opportunity to join in the struggle for the achievement of "Responsible Government" He pointed out that the sufferers were not only Muslims but also Hindus and other citizens of the State. It was, therefore, necessary that a joint action was initiated and a united front was formed against the forces that stood in the way of the achievement of their goal. For this, he said, there was the requirement for renaming the Muslim Conference so as to make it a non-communal party. Many in the Party were, however, opposed to this move and resisted the resolution that was introduced in the Subjects Committee meeting, seeking to change the name of the Muslim Conference to Political Conference. Consequently, the Subjects Committee deferred the consideration of the resolution through an amendment passed to this effect.<sup>15</sup>

In order, perhaps, to force the pace in bringing about the change in the name of the Party, in April, 1938, an association named National Conference was formed in Jammu with Mr. S.A. Sheikh as its president.<sup>16</sup> In May same year, another secular party by the name of National Congress (nothing to do with the Indian National Congress) was formed with Khawaja

Mohammad Umar Butt as its president.<sup>17</sup> These moves, which could not have been carried out without the connivance of Sheikh Abdullah, had the desired effect. Faced with the prospects of the Party breaking up into splinter groups the Working Committee at its meeting in Srinagar, commencing 28th June, 1938, passed a resolution, recommending to the General Council the change in the name and constitution of the Party.<sup>18</sup> The sailing, in having the resolution passed, had not been smooth though. The discussion on it lasted five days during which Choudhary Ghulam Abbas and company opposed the resolution very strongly. Even after the resolution was ultimately passed, the danger of division among Muslims over the issue when it came up before the General Council meeting for its endorsement, continued to loom large.<sup>19</sup>

In order, probably, to avert the impending threat to the unity of the Party, the leaders organised an agitation against the State Government before the meeting of the General Council was to be held. Excuses for starting agitations are not, generally, difficult to find especially among masses susceptible to the arousing of communal passions, but fortunately for them a reasonably good excuse came their way when it was most wanted. On 24 August, the High Court dismissed the appeal of one Mohammad Akbar of Mirpur against his conviction by the Sessions Judge of Jammu to undergo three years imprisonment and a fine of Rs. 100 for making highly inflammatory and seditious speech at the Session of the Muslim Conference. The Muslim Conference launched an agitation against the judgement of the High Court. Meetings were held in different parts of the State at which passages from Akbar's speech, found seditious by the Court, were read out and the audience was asked to repeat them in a chorus to defy the judgement of the Court. On this, the Government promulgated Notification 19 L, as if to lend dignity to the agitation. Under the provisions of the Notification a large number of people and leaders of the Muslim Conference including Sheikh Mohammad Abdullah were arrested and the agitation was brought under control in less than a fortnight.<sup>20</sup>

Although this agitation had nothing to do with the Muslim Conference's struggle for a Responsible Government, efforts seem to have been made by the leaders to project it as such, towards the end of the show, by publishing a manifesto which they called "National Demands".<sup>21</sup> The switch over was probably to test the participation of the Hindus in such agitations. However, not any more Hindus seem to have participated in this agitation than in the specified observance of the "Responsible Government Day" held earlier on 5 August. This may have been because the Muslim leadership found it difficult to dissociate itself from communal politics, though it was explained away by them as under:-

"The fact that Muslims have largely participated in the struggle is due partly to the very large percentage of Muslims in the population and partly to the extremely limited opportunities we have had both in respect of time and resources to win over the complete confidence of the minority communities, which are apt, in the beginning, to be slightly suspicious of a struggle initiated by the majority community."<sup>22</sup>

The Hindus may indeed have been suspicious of the Muslims real motives in demanding a beyond hat. The majority of the Hindus may have, therefore, construed that the fight of the Muslims was a communal one against the Hindu Maharaja of a predominantly Muslim State rather than one for the political emancipation of all communities.

Even as the Maharaja, in the absence of any interference from the British, was now able to suppress every agitation that was launched against him, one after the other, he continued to introduce political reforms in the State to the extent possible. Through a proclamation on 11 February 1939 the number of elected members was increased from 33 to 40 to give them a majority over the non elected members whose number was reduced from 42 to 35. Under the



same proclamation, the office of Deputy President of the Praja Sabha was thrown open to members of the Praja Sabha. Besides, in order to establish closer relationship between the Council and the Praja Sabha, the office of Under Secretaries, to be appointed by nomination from among the non official members of the Praja Sabha, was created.<sup>24</sup> Subsequently, on 7 September that year, the Maharaja promulgated the Jammu & Kashmir Constitution Act XIV of 996 S (1939 AD) which was a comprehensive constitutional enactment embodying various provisions regarding the Executive, the Legislature and the Judicature of the State, repealing the previous Constitutional Regulation NO.1 of 1991 S (1934 AD).<sup>25</sup>

The State Government, headed that it was at that time by Mr. Gopaldaswamy Iyenger, could not, in any case, have been less appreciative of Sheikh Abdullah's efforts to convert his movement into a secular one. The State Government then does not seem to have been repressive as far as the agitation for "Responsible Government" was concerned. This point seems to have been conceded by the Party leadership, indirectly, even while it patted itself for keeping the movement non violent. In a pamphlet issued by Bakshi Ghulam Mohammad and Janki Nath Sapru to apprise the people of British India of the popular movement in Kashmir it was stated that:-

The military was not summoned even once and the efficacy of the bullet was never put to the test. Not that the Government had become suddenly 'scrupulous and humane but they could not with equanimity butcher a non violent and inoffensive people.'<sup>26</sup>

This in a way supported the State Government's claim that it was not opposed to any political activity as such but acted only against violence.

Sheikh Abdullah was released from jail on 28 February 1939 and he immediately set about to complete the process of effecting the change the name of the Muslim Conference. The Sheikh's main problem was to make Choudhary Ghulam Abbas accept the proposed change. The differences between Sheikh Abdullah and Choudhary Abbas were known to be not only on ideology, opinion, or conviction but also personal, resulting from individual ambition and the consequent struggle for political supremacy. But Abbas had some genuine apprehensions too, particularly about what the attitude of the Hindus would be towards purely communal grievances of the Muslims. He seems to have doubted if even a Hindu like Jawahar Lal would ever support the communal demands of the Muslims. It was only after Nehru made it known in writing, that he, in fact, condemned the State Government's "repressive and discriminatory" laws against Muslims and that he fully supported their grievances that Abbas agreed to support the proposal for the change in name and constitution of the Party.<sup>27</sup>

A meeting of the General Council was held at Srinagar on 27th April, 1939 and the June 28 resolution of the Working Committee was ratified, apparently without much fuss. And finally, a special session of the Muslim Conference was held on 10th and 11 June wherein a resolution, seeking to change the name of the Party to All Jammu and Kashmir National Conference, was passed after minor opposition from some members. The resolution laid down that henceforth every citizen of Jammu and Kashmir, who was a major, whether male or female, would, irrespective of his religion or race, be entitled to become a member of the Conference, provided he undertook in writing to have the establishment of a Responsible Government and the securing of individual liberties as his political goal.<sup>28</sup>

It appears that the change in the name had been supported by most members of the Party merely to allow Hindus to join their struggle. The nationalistic idea, though, probably, at the back of Sheikh Abdullah's mind, (whatever his reasons), had not been fully appreciated by a large section of the Muslims. This is obvious from the fact that the resolution as noted above

was passed with communalistic amendments as moved by Choudhary Ghulam Abbas. As we have already seen the idea of associating the Hindus in the Muslim struggle against the Maharaja had, in fact, originated from the Indian Muslim League way back in 1934. Mohammad Ali Jinnah is also reported to have advised the Muslims of Kashmir to try and win the hearts of the non Muslims and involve them in their struggle, during his visit to the State in 1935-36<sup>29</sup>, Evidently Abbas & Co had accepted the proposal for the change in name of the Party more as a means for implementing the directions of their mentors in British India rather than as a matter of change of heart. It was perhaps because of this back-ground that not many non Muslims came forward to join the newly formed party.

The first session of the National Conference was held at Anantnag from 30th September to 2nd October, 1939. Sheikh Abdullah' was appropriately elected president. The Conference adopted a resolution embodying certain National Demands. These National demands, spoke of, besides other things, elections on the basis of joint electorates with seats reserved for minorities and all safe guards and weightage guaranteed to them according to the principles enunciated, accepted or acted upon by the Indian National Congress from time to time. By another resolution the Conference appreciated the intention underlying the statement issued by the Working Committee of the Indian National Congress with regard to the War and against the .British policy towards the aspirations of the Indian people.<sup>30</sup> These resolutions gave an impression that the National Conference had become a part of the Indian National Congress and alarmed the section of Muslims, who had supported the change in name, only on the condition that the communal objectives would remain intact. Their worst fears of the National Conference getting pulled towards the Congress seemed to be coming true.

Sheikh Abdullah had to do some tight rope walking for keeping a balance between the nationalists and the communalists in his party in an effort to retain the support of both. It was perhaps to keep up his image of a Muslim leader that the National Conference celebrated Eid-e-Milad with even greater gusto than used to be done by the Muslim Conference. However, in his effort to demonstrate his continued devotion to Islam and commitment to Muslim interests, he over shot the mark, when in a speech he compared Islam with the sun and other religions with the stars.<sup>31</sup> This and his subsequent affirmation that he "was a Muslim first and Muslim last"<sup>32</sup> created much suspicion among the new entrants (the Hindus) to the Party and some of them even went to the extent of resigning from the Party. The balance was upset the other way when Sheikh Abdullah went all out to give a rousing reception to Pandit Jawahar Lal Nehru and Khan Abdul Ghaffar Khan during their visit to Kashmir in May, 1940. <sup>33</sup> Ultimately, Ghulam Abbas broke away from the National Conference and once again revived the Muslim Conference on 10th October, 1940. <sup>34</sup>

There can be no doubt that the majority of the Kashmiri Muslims decided to stay on with Sheikh Abdullah in the National Conference. This is quite evident from the fact that in the numerous clashes that took place between the National Conference and the Muslim Conference subsequently, the latter invariably came off second best. Apparently, Sheikh Abdullah still remained the most popular figure in Kashmir and the magic appeal that he had for the illiterate peasantry, though, perhaps, somewhat diminished because of his leanings towards the Congress, was still dominant. There was, however, to be no end to Sheikh's need for double talk, as a matter of political compulsion. Most of the Muslims who had preferred to stay back in the National Conference had done so because of their implicit faith in the Sheikh being "Muslim first and Muslim last"- his nationalistic garb notwithstanding. Sheikh Abdullah could not, therefore, afford to lose his image of a communal leader, even as there was the requirement

of projecting himself as a secular leader for attracting non Muslims to his party and also for qualifying for Congress support. '.

In order to strengthen its communal credentials, the National Conference went into competition with the Muslim Conference in opposing the State Government's measure to give recognition to Devnagari script along with Persian, even as Urdu was to be retained as the medium of instruction in educational institutions. Both parties vied with each other in making the script issue a communal one; if only for creating a religious cause to fight for. Evidently, the stakes were too high for the National Conference and none seems to have felt any qualms on having to give a go by to the Party's much publicised "National Demands", that guaranteed to the minorities, besides other things, their legitimate linguistic rights according to the "principles enunciated, accepted, or acted upon by the Indian National Congress",<sup>35</sup> The Sheikh might have known that the Congress, while accepting Hindustani as the *Lingua franca* for India, had given equal recognition to both Devnagari and Persian scripts.<sup>36</sup> How was then the measure adopted by the State Government more communal than the one accepted by the Congress. This gave one an impression that the differences between the National Conference and the Muslim Conference were more a result of clash of personalities than ideological.

Whatever the causes of the division in the Muslim ranks, the State Government evidently stood to gain in dealing with the various agitations that were launched by them thereafter. What must have helped the Maharaja even, perhaps, more, was the near total absence of British interference during this period. There were a number of reasons why the British were no longer inclined to support the political movement in Kashmir. Firstly, having achieved their prime interest in Kashmir - occupation of Gilgit - the element of self interest that had propelled them into action in 1931-32 was no longer present, and, secondly, the movement was largely spear-headed by the National Conference which, with its links with the Indian National Congress, however remote, had forfeited its right to British support. On the other hand the Maharaja was no longer on the wrong side of the British. As a matter of fact while the National conference had supported the Congress resolution on the War, the Maharaja was supporting the War effort in a big way. Although the war actually broke out on 1 September 1939, its imminence was fairly clear by 23 August, as the British and French negotiations with Germany headed for a dead-lock. Reacting to the tense situation in Europe at that time, Maharaja Hari Singh had hastened to send the following telegram to the Viceroy of India on 24 August 1939 which must have pleased His Excellency immensely:

"Last night wireless news sounded ominous. I hope I am wrong and the worst may yet be averted. But if not the whole Empire must meet the resulting aggression on peace loving humanity and defend the sanctity of hearth and home and the cause of honour. I deprecate publicity and am loath to speak personally [but] I do desire your Excellency, and through you the King Emperor, to know that if war comes, Kashmir may be depended upon to do what Kashmir has ever done since coming under the aegis of His Britanic Majesty; and of course my personal services are always, and will be in event of war, at his Majesty's disposal."<sup>37</sup>

Simultaneous to the above offer being made, the Maharaja earmarked two units of the State Force for Imperial Service and placed them at the disposal of the Viceroy of India, while orders were issued for the recall of all officers and men of the State army on leave. The Maharaja's anticipatory action had been so fast that the day after the War actually broke out, all the units of his army stood mobilised for war. All these units were then placed at the disposal of the British Government. The Maharaja then made an impassioned appeal to the Dogras in general (including Muslims) and Rajputs in particular to help in the war effort by enrolling themselves

in the army, be it State or Indian. He did remain conscious of the political differences India had with Britain but felt that India must stand shoulder to shoulder with Britain in this hour of emergency, while the settlement of the independence issue must await the return of peace.<sup>38</sup> In order to induce his people to lend whole-hearted support to the cause, his appeal was supplemented with a proclamation, which contained an assurance as under:-

"Let every man who may here-after enlist under His Highness' banner realise that when he goes to fight at the bidding of his master, he does so as a soldier of a Sovereign who will not only look after him while he is on the battle-field, but also look after his family. And should he lose his life, his master will in the absence of the bread winner, not leave his family uncared for"<sup>39</sup>

The response to the Maharaja's appeal was tremendous and right through the period of the War, there never was a dearth of recruits not only for the State Force but also for the Indian Army. In the first five years of the War Some 51,000 recruits were enrolled of which 6000 joined the State Force and the rest the Indian Army.

Apart from placing a large number of its troops at the disposal of the British Government for use during the War, the Jammu and Kashmir State made substantial contribution to the War effort in many other ways, as enumerated below:-<sup>40</sup>

(a) During the early stages of the War the Maharaja presented 18 fully equipped motor ambulances six for the British Expeditionary Force in France, six for the French Army and six for the Indian Army. Subsequently, during 1944-45, half a squadron of fighter aircraft (eight in number) at a cost of L40,000 was offered to the Viceroy for use in the War. An additional sum equivalent to L10,000 was also offered to meet the cost of two fighter aircraft as reserve for the half squadron.

(b) A portion of the Kashmir House at Delhi was placed at the disposal of the Government of India, free of rent, for the accommodation of some Government offices.

(c) At the commencement of the War the Maharaja appointed an influential War Aid Committee with Her Highness the Maharani as the President to raise funds for providing comforts to troops engaged in the War. The Kashmir War Aid Committee made a total contribution of over Rs. 1,446,000.

(d) Maharaja Hari Singh himself made liberal contributions to the war effort from his Privy Purse. Apart from his individual contribution of Rs. 4 lakh to the War Aid Committee, he made substantial personal donations to various other War funds including Lord Mayor's Fund for the relief of the suffering and home-less in England. Later, in response to the Viceroy's appeal, he adopted five Polish Children (refugees) in British India for a period of one year. He even placed his personal Lockheed aeroplane at the disposal of the Government of India for use in connection with the War.

(e) The State's most important contribution towards the War effort, other than the supply of a large number of troops, was however, the supply of thousands of wooden components of rifles, manufactured by State artisans. Besides, hundreds of thousands of shovels, table knives, clasp knives etc, manufactured in the State were supplied to the British Government. Other important, locally manufactured items supplied to the British Government for use by troops during the War included lakhs of yards of parachute cloth and large quantities of woollen goods.

Indeed, the Maharaja's contributions towards the war effort had been great and the British would not have displeased one who was exerting so much to help them.

We have already seen in Chapter- III that the British, notwithstanding Maharaja Hari Singh's

anti-British stance during the first few years of his rule, held a high opinion of his capabilities. They do not seem to have changed their opinion even after they came into direct conflict with him during the 1931-32 agitation. This may be seen from the fact that they bestowed upon him a unique honour by appointing him a member of the British War Council.<sup>41</sup>

Whatever their obligations towards the Maharaja, however, the British obligation to support the Indian Muslim League was even greater. After all, while the Congress had launched its Quit India movement and was generally considered to be sabotaging the War effort, the Muslim League was co-operating with the Government of India in the successful prosecution of the War. Even during the War, therefore, the British were not loath to interfering in Kashmir affairs if it was for serving the cause of the Muslim League. Viewed in this light the Muslim claim that Mr. Gopaldaswamy Iyyengar known for his pronounced leanings towards the Indian National Congress, was removed from the post of the Prime Minister of Kashmir as a result of the British pressure on the Maharaja,<sup>42</sup> may not be ill- founded.

Although even his worst detractors would concede that Gopaldaswamy Iyyengar dealt strongly, and even-handedly, with violence and "*goondaism*" no matter from which quarter it came, the Muslim Conference, and consequently the Muslim League, believed that at the political level he was more inclined to favour the National Conference. Examples are cited by them to show this. One such example was his action in associating Bakshi Ghulam Mohammad with the Government Fuel Committee and Mirza Afzal Beg with the Food Committee set up by the Government.<sup>43</sup> The re-seating, in the State Assembly in 1942, of the National Conference members (who had resigned there from in 1941) without making them undergo the process of bye elections is cited as yet another example.<sup>44</sup> These examples and many others that are normally advanced in support of this premise may not stand critical scrutiny in view of the shifting stands of Sheikh Abdullah and his party, but there can be no denying the fact that Mr. Iyyengar was universally accepted as a staunch Congressman by all the Hindus, the Muslims and the British themselves. In this connection it may be interesting to note that Major General H.L. Scott, the Englishman Chief of Staff of the State Forces, while writing about those days many years later, (in a different context though), recalled that Gopaldaswamy Iyyengar was an "out and out Congressman"<sup>45</sup> This fact of his being a Congressman by itself should have been sufficient for the British to force his ouster from Kashmir in April, 1943.

There was, however, little else that the British could do to help the Muslims of Kashmir in their fight against the Maharaja so long as they remained divided into the National Conference and the Muslim Conference, with each constantly going for the others throat. It could also have been that the British were not inclined to support any movement for a Responsible Government as that would amount to supporting the freedom struggle in British India.

Considering the fact that the Maharaja was not in a position to carry out any constitutional reform beyond what the British would allow him to, the futility of the "Freedom struggle" that was being waged against him must have been known to all. The only purpose that the struggle could serve was that of a "Jehad" against the Hindu rule and that is what the struggle was all about both for the National Conference as well as for the Muslim Conference. Both, indeed, spoke the same language and used the same method of exploiting the religious susceptibilities of the simple but deeply religious Kashmiri Muslims. The apparent disunity among them was, as eluded to earlier, borne out of personal ambitions of the leaders of the two parties. The government stood to gain from the division in the ranks of the Muslims and this must have been a source of concern not only to the Indian Muslim League but also to the leaders of both the Muslim organisations in the State. Consequently, the leaders of both the parties approached

Mohammad Ali Jinnah to visit the State and help in resolving their differences.<sup>46</sup>

Mohammad Ali Jinnah visited the State in May<sup>44</sup> and was accorded a rousing reception by both the National Conference and the Muslim Conference. In fact, the leaders of both the parties vied with each other in displaying their regard and loyalty for Mr. Jinnah in the hope of gaining his support in their struggle for a position of undisputed leadership. The Muslim unity talks for which Mr. Jinnah had been invited to Kashmir, however, proved to be a failure, primarily because Mr. Jinnah refused to declare for Sheikh Abdullah. Evidently Mr. Jinnah suggested that the National Conference be dissolved and merged with the Muslim Conference. The Sheikh could not have accorded the great welcome to Mr. Jinnah, that he did, just to listen to this from him. Known for changing colours with the ease of a chameleon, the Sheikh not only turned down the suggestion off hand, but also seems to have used "language of a most offensive and vituperative character" against the one he was adoring only a few hours back. This is evident from the statement that Mr. Jinnah issued at the time of his departure, the last paragraph of which reads as follows:-

"As regards the Mussalmans, as I said, we are vitally concerned with their welfare, but I regret that although Sheikh Mohammad Abdullah and his party and the Muslim Conference discussed matters with me in Delhi and in Lahore before my arrival here, and were good enough to accord me a great reception and were anxious that I should hear both sides and bring about a settlement, when I, after consideration, suggested that the Mussalmans should organise themselves under one flag and one platform, not only my advice was not acceptable to Sheikh Abdullah, but, as is his habit, which has become second nature with him, he indulged in all sorts of language of a most offensive and vituperative character in attacking me. My advice to the Mussalmans is that the differences can only be resolved by argument, discussion, exchange of views and reason and not by *goondaism* and one thing that I must draw the attention of the Kashmir Government about is that *goondaism* must be put down at any cost, and there should be constitutional liberty of speech and freedom of thought, which is the elementary right of every citizen under any civilised form of Government".<sup>47</sup>

The above statement reflects the anguish of Mr. Jinnah, not so much at the failure of his mission as it was over the "goondaism" exemplified by Sheikh Abdullah and his followers. The Maharaja must have been greatly amused at Mr. Jinnah asking his government to put down 'goondaism' at any cost, even as he pleaded for the grant of constitutional liberty of speech and freedom of thought which, as he put it, was he elementary right of every citizen under any civilised form of Government. That is exactly what the Maharaja was claiming to be doing. Who was then to decide what was "goondaism" and what was genuine freedom of thought and expression. Probably, what Mr. Jinnah was saying was that, what was hurled at him was "goondaism" that was to be put down at all cost, but when the same was directed towards the Maharaja it was to be termed as constitutional liberty.

Be that as it may, Jinnah's attitude in the matter was clearly partisan. The National Conference was decidedly the better organised and the larger of the two parties with a regular manifesto in the form of "New Kashmir" and if the Muslim struggle was to continue under a single flag, the weaker party should have merged with the stronger. There also could have been no denying the fact that there was at that time, no other Muslim leader in Kashmir who was more popular, more dynamic and more charismatic than Sheikh Abdullah. The only other leader that could come anywhere close to Sheikh Abdullah was Choudhary Ghulam Abbas but his popularity was confined to the Jammu region. Sheikh Abdullah could, therefore, claim to be the undisputed leader of Kashmiri Muslims, and as there were more

Muslims in Kashmir than in Jammu, the Sheikh could also lay his claim to the overall leaderships of the Muslims in the State. By suggesting a merger of Sheikh Abdullah's party with Muslim Conference, Mr. Jinnah had ignored his rightful claim to Muslim leadership.

The pro-Muslim Conference stance adopted by Mr. Jinnah seems to have been, primarily, the natural outcome of his abhorrence of the word "national". On this issue the National Conference leaders seem to have argued that while the prefix "national" was necessary for seeking cooperation of the non-Muslims, it would not in any way effect the overall objective of the Muslims. For, in any democratic set up in Kashmir, national or communal, it would ultimately be the Muslim majority that would rule.<sup>48</sup> This argument, however, does not appear to have cut much ice with Mr. Jinnah. If he was opposed to nationalism in British India as a matter of creed, how could he accept it in Kashmir, even in its remotest form. Besides, the main aim of Jinnah in visiting Kashmir was for re-establishing the over-lordship of the Muslim League in Kashmir politics and as such the unity he was seeking was to be on his own terms. It is hardly surprising, therefore, that ignoring Sheikh Abdullah's better credentials to leadership, his choice fell on the much more amenable Ghulam Abbas.

Apart from the leadership issue, there were some other factors also that might have influenced the Sheikh in deciding against merging with the Muslim Conference. He had probably realised that if ever the Muslims gained political power they would not be able to rule without the active co-operation of the Hindus, especially in the Jammu region, where there was a sizeable Hindu population, and though not many Hindus had yet joined the movement he did not want to close the door on them by allowing his party to revert to the communal name. Then there was also his newly developed relationship with Jawahar Lal Nehru and Abdul Ghaffar Khan whom he had evidently begun to admire, and with whom he would not have wanted to sever his links. And finally, Sheikh Abdullah is believed to have been under the influence of a section of the National Conference with communistic leanings, which was genuinely opposed to any reversion to a communal name.<sup>49</sup>

The unity talks with Mr. Jinnah having failed, and with the British having adopted a neutral, if not a pro-Maharaja, stance, Sheikh Abdullah how turned towards a policy of reconciliation with the Maharaja. Consequently, when the Maharaja returned to the State after touring certain theatres of War, in the second week of July, 1944, Sheikh Abdullah and his party decided to celebrate the occasion of his safe return by according to him a public ovation. This probably alarmed the Muslim Conference leaders who feared that by arranging such a reception for the Maharaja, the National Conference might take the cake.

The Muslim Conference also, therefore, jumped into the arena for winning the favours of the Maharaja. With the efforts of the two parties put together the Maharaja was given a grand ovation in Srinagar on 31 July 1944,<sup>50</sup> such as he could not have even dreamt of. He was made to go around the city in his car through streets decorated with flags and buntings and photographs, and thronged by people who while shouting pro-Maharaja slogans, accorded the most tumultuous welcome to him. Although, a joint venture, the National Conference definitely stole the lime light with some of its leaders going as far as jumping onto the bonnet of the Maharaja's Car and shouting "Maharaja Bahadur Ki Jai" right into his ears<sup>51</sup>.

The next step taken by the National Conference to win the Maharaja's favour was to provide for the perpetuation of the Dogra dynasty as a constitutional monarchy in the Party's future policy and programme as enunciated in the "New Kashmir" adopted in September 1944.<sup>52</sup>

It may not have been entirely due to the changed attitude of the National Conference but in early October that year, the Maharaja issued a proclamation announcing his decision to appoint

two popular ministers (a Muslim and a Hindu) from among the members of the Assembly. The National Conference accepted the offer and nominated Mirza Afzal Beg, the deputy leader of the party, as its candidate for the election.<sup>59</sup> The Muslim Conference boycotted the election probably to save itself from the ignominy of losing it. Ultimately, Mirza Afzal Beg from among the Muslim Members and Wazir Ganga Ram from among the Hindus were elected and appointed the first popular ministers in the State.

Muhammad Yusuf Saraf believes that some Indian National Congress leaders who visited Kashmir (ostensibly as sojourners) during 1943-44 were instrumental in bringing about a reproachment between the Maharaja and the National Conference.<sup>54</sup> This may not, however, be quite correct. Sheikh Abdullah is known to have accepted any advice only when it suited him, and anybody (least of all down-the-ladder Congress leaders who are known to have visited Kashmir during that period) being able to influence him does not sound plausible. No doubt the National Conference's drift towards the Maharaja is attributable to the Sheikh's political compulsions. He could not accept the support of the Muslim League as that would have put his leadership into jeopardy. Nor could he depend on the support of the British now that they had adopted a pro-Maharaja stance for the period of the War. Sheikh Abdullah therefore, had, in fact, no alternative other than turning towards the Maharaja for the attainment of his political goals, and even perhaps his personal ambition. Considering the Maharaja's favourable response to the Sheikh's overtures, it may be said that even in the beginning when the Maharaja was inclined to go out of his way to please his Muslim subjects, the Maharaja might have yielded much more out of a conciliatory approach than what he had to as a result of the agitation.

The War in Europe ended on 8 May 1945 and the victory of the Allies was celebrated in the State as it was in other parts of the country. A Royal Salute of 31 guns was fired from all the forts simultaneously on the announcement of the Armistice by the British Prime Minister, Sir Winston Churchill. The next two days were observed as holidays during which thanks-giving prayers were held, government and private buildings were illuminated and sweets were distributed to troops. Similar celebrations were held when Japan surrendered on 15 August 1945.

As the war came to an end on all fronts, the State units that had gone out for service under the Crown started returning to the State one by one, the last one returning on 30 January 1946. Two units, however, did not return and these were the two famous mountain batteries of the State Force which had been transferred to the Indian Army in 1942.

There is much controversy regarding the sagacity of the State Government in making these transfers and as to who master-minded the deal, as lack of artillery support in the State Force, during the crucial time of the Pakistani invasion, had some far reaching effect on the course of operations in Kashmir before the arrival of the Indian Army. This of course, we shall discuss in detail, at its appropriate place, in the next chapter.

#### References

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2. Ibid
3. op cit Chapter IX Note 77
4. All India Congress Committee (AICC) Papers file G 27 (PEI) of 1934. Nehru Memorial Museum and Library New Delhi



5. Ibid
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8. Resident to Colvin, May 25, 1936 Crown Representative Records  
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9. Govt., of Punjab to Jt Secy July 31, 1936 Ibid
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38. Ibid
39. Ibid
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46. Mohd Yusuf Saraf p 6] 8
47. Ibid pp 636-37
48. Ibid pp 629-3]
49. Saxena H L P 397
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- 51 . Mohd Yusuf Saraf pp 597-98
52. Ibid P 598
53. Ibid
54. H.L Saxena. pp 382-83

## CHAPTER XI

### THE ACCESSION ISSUE

The shadows of coming events had, perhaps, begun to be cast even as the last shots of the War were being fired, and the State Government in anticipation of the troubled times ahead, had requested the Government of India to release the State Force units, serving under the Crown, as early after the War as possible. Independence was on the cards and the communal hatred, which alone could justify the demand for the partition of the Country, had already been whipped up by the leaders of the Indian Muslim League to such a dangerous level that violence between the Hindus and the Muslims could have broken out at any time, at the slightest provocation. The State Government was, therefore, faced with the problem of preventing the communal trouble in British-India from spilling over into the State, particularly in the districts of Poonch and Mirpur, the predominantly Muslim population of which was already being

, subverted by propaganda from across the border. This area of the State had a long border with that part of Punjab which was known to be the hot bed of communal Muslim politics and due to a variety of reasons, the people of the area had their faces turned more towards British India than towards Jammu. The main one was that because of the not too good means of communications, Jammu was difficult of access to the people of these areas. In contrast, the close proximity to Punjab and better means of communications leading to it, had made the people dependent on Punjab much more than on Jammu. Besides this the people of this area had strong links with British India through the Indian Army which they joined in large numbers. It was particularly said about Poonch that every male Muslim in the Jagir was, had been, or, when old enough, would be a Soldier in the Indian Army.' It was little wonder therefore, that the Muslims of these areas had constantly come under the influence of the communal politics of the Punjabi Muslims and could be used by them for fomenting trouble in the State at will. In fact ever since Mohammed Iqbal propounded the idea of the federation of the Muslim majority provinces of Northern India (to include Kashmir) in 1930, the Mirpur-Poonch area had already become a cauldron seething in a state of, more or less, violent agitation -taking at times the form of an open rebellion. Consequently the area had since then, been officially declared as a "disturbed" area.<sup>2</sup>

The need for opening up the country, through construction of roads and tracks, which was not only economic but also strategic, had already been recognised by the State Government and some attempt towards this end had been made in the Thirties. The work had, however got stalled during the period of the War. After the War the British-Indian Government allotted funds to important recruiting areas (including those within Princely States) for expenditure on the welfare of the population of these areas. The amount detailed for each area was to be proportionate to the number of recruits supplied by it during the War and naturally, an appreciable amount had fallen to the share of the Mirpur-Poonch area. The State Government decided to utilise the amount for the development and construction of roads as a measure of people's welfare. Interestingly while heads were being counted for determining the amount that would be due, the people got the impression that they were to receive their share individually in cash and when the State Government did not dole out the cash to individuals, this was added by them to their grievances against the State administration,<sup>3</sup> which they were piling up, one over the other, genuine and not so genuine, as an excuse for starting trouble for extraneous reasons, that had little to do with the redress of grievances as such.

Although no untoward incident had taken place in the State till the end of 1945, repercussions of the communal tension which was building up in British-India could be sensed not only in Mirpur and Poonch but also in the border areas of Jammu district, including Jammu town itself. Because of its proximity to Sialkot, Jammu town was, in fact, most vulnerable to mechanisations of the Punjabi Muslims for starting communal riots. The Sialkot Muslims who had an easy access to Jammu were known to be in constant touch with the pro-Pakistan Muslims in Jammu. In fact, in the beginning of 1946 some mischief mongers were specially despatched to the Town for fomenting communal trouble there. Ultimately Eid-i-Milad which fell on 15 February was chosen for setting off the worst ever communal riots in Jammu. To ensure the co-operation of the Hindus (for it takes two to start a fight) a carcass of a calf was put on display in the Town on the 12<sup>th</sup>.<sup>4</sup> Consequently, on the day of Eid, the Hindus were too excited to miss any opportunity of settling scores with the Muslims who had hurt their sentiments just a few days before. The Muslims had been permitted not only to take out a religious procession but also to shout pro-Pakistani slogans, as there could be no law against such activity. Communal fighting broke out after the procession had covered half its distance when the Hindus decided not to let the pro-Pakistan slogans go unchallenged and countered these with pro-India ones. Consequently, the Army had to be called in to control the situation. A total curfew was clamped on the town for three days, while all persons arriving from Sialkot' by train were thoroughly screened at the railway station itself and the suspected "*goondas*" were forced to return to Sialkot by the next train. These riots in Jammu town caused considerable communal tension in the entire Jammu Province, which gave the State Army units quite a busy time, much after they had been controlled.

### **The Quit Kashmir Movement.**

Meanwhile trouble also arose in Kashmir but this was of a different nature to the one in the Jammu province. In March, 1946 came the Cabinet Mission to India for negotiating with the Indian leaders the manner in which the transfer of power was to be made. When the Cabinet mission made no headway in its talks with the leaders of the Congress and the Muslim League, because of the latter's insistence on partition and the formers opposition to it, the Mission put forward its own formula on 16 May, 1946. After a careful examination of Muslim League's demand for Pakistan, the Mission came to the conclusion that it was not practicable to set up a sovereign Muslim State and instead suggested a federal union of India with a weak Centre. With regard to Princely States, and that is what is really pertinent to our subject, the Cabinet Mission made it clear that while it would not be possible for the British Government to carry out its obligation of paramountcy over such States after a new self-governing government, or governments, came into being in British India, the British Government could not and would not in any circumstances transfer such paramountcy to an Indian Government. The paramountcy was to lapse on India attaining independence, and the Princes were to be free to decide their future.<sup>6</sup>

The Cabinet Mission's reference to paramountcy issue provoked Sheikh Mohammad Abdullah, the leader of the National Conference in Kashmir, to challenge the validity of the Treaty of Amritsar, under obligation of which the paramountcy was to revert to the Maharaja of Kashmir after the British departure from the Sub-continent. With a highly anti-government speech at Srinagar on 15 May 1946, he launched what was termed as the "Quit Kashmir" movement.<sup>7</sup> Although it was never very clear as to what was the aim of the movement, the initial indications were that it was aimed at over-throwing the Maharaja. This was a total reversal of the earlier policy of the National Conference seeking a Responsible Government

under the aegis of the Maharaja as the constitutional monarch, as envisaged in the New Kashmir concept of 1944. Evidently, Sheikh Abdullah had found an opportunity to start a movement for the ouster of the Maharaja so that on the lapse of the paramountcy, power could be transferred to him as the leader of the people of Kashmir. May be it was his last chance of establishing a Sultanate or a Sheikhdom for himself in Kashmir, the desire for which he was suspected to have been nourishing since the beginning of his political career in 1931.<sup>8</sup> Whatever the motives, however, the movement was doomed to fail from the very start. The Muslim Conference came out openly against it and consequently the movement was deprived of the support of the Indian Muslim league and the British-Indian Government that had been instrumental in ensuring the success of earlier movements in Kashmir. On the other hand the Hindu Mahasabha while expressing its sympathies with any movement which had the objective of transferring power to popular control, wished to recognise the fact that the administration of Kashmir State was more progressive than some of the other powerful States such as Hyderabad and Bhopal.<sup>9</sup> The Party, was of the view that any effort to oust the Maharaja by unconstitutional means was bound to have repercussions on other Indian States, but what was even worse for the movement was that it failed to elicit support of the Indian National Congress or the States People's Conference. In fact Acharya Kripalani, the Congress president, went to the extent of calling the movement a mischievous move and appealed for its immediate withdrawal.<sup>10</sup> Pt. Nehru the president of the All India States Peoples Conference disapproved of the movement less pointedly, as he considered it unfortunate "that a marked variation in the policy, both of the All India States People's Conference as well as of the National Conference, should have been made [by Sheikh Abdullah] without full consideration of the respective bodies", but he deprived Sheikh Abdullah of the official support of States People's Conference never-the-less.

For the State Government, Sheikh Abdullah's speeches inciting the people to over-throw the Maharaja amounted to an act of treason. It acted swiftly and arrested the Sheikh while he was in the process of escaping to British-India via Kohala. There was some trouble on the arrest of Sheikh Abdullah but with the Maharaja under no restraint from the British-Indian Government, the unrest was easily taken care of. By 01 June the "Quit Kashmir" movement had been successfully contained and the troops; moved back to the barracks.<sup>12</sup>

Even as Sheikh Abdullah had been arrested, some of the other leaders of the National Conference had managed to escape into British-India, in a bid to gain the support of the Indian people for their cause. They gave exaggerated accounts (bordering on lies) of the action of the army in putting down the agitation. While there were few takers of such stories, Jawahar Lal Nehru proved to be most gullible. Based on information provided to him by these leaders, Nehru immediately issued a statement condemning the "atrocities" committed by the State troops. He alleged that after the army action, Srinagar had become the city of the dead, and the dead bodies were not handed over to the relatives but were instead soaked in petrol and burnt. He further alleged that the mosques, including their inner shrines had been occupied by the military and the wall of the Jama Masjid had been knocked down to allow passage for military lorries.<sup>13</sup> He must have been terribly embarrassed when he ultimately learnt that he had been fed on lies. Interestingly Nehru's allegation that the mosques had been occupied by the army and that the wall of the Jama Masjid had been pulled down to make way for military vehicles was contradicted by none other than the vice president of the J&K Muslim Conference.<sup>14</sup> It goes to Nehru's credit, though, that, not caring for the embarrassment that it caused him, he issued a fresh statement to express his regret at having made false allegations, as soon as he

realised that he had been misinformed.<sup>15</sup>

In spite of officially dissociating himself and the States People's Conference (of which he was the president) from the "Quit Kashmir" movement as such, Nehru decided to go to Kashmir in his personal capacity to try and secure the release of Sheikh Abdullah who was being tried for treason. The State Government on the other hand, considering, perhaps, that Nehru had adopted a partisan attitude in favour of "Quit Kashmir", banned his entry into the State, lest it should create a disturbance. Some people believe that the ban was not directed against Nehru as such. It had been imposed by the government in a bid to keep the State free of outside interference while it was engaged in curbing the movement for the Maharaja's ouster. Had Nehru been permitted entry, there was a danger of the dying movement earning a fresh lease of life. Nehru's visit could have also prompted Jinnah to arrange a similar visit. Be that as it may, the ban seems to have hurt Nehru's ego and he determined to force his entry into the State at Kohala on 19 June 1946.

Accordingly Nehru and party crossed the Kohala bridge that day in the afternoon in four taxis. The District Magistrate rushed to Kohala to serve notice on him but Nehru refused to go back. Instead he got off the vehicle and started advancing on foot. Some black flag demonstrators, who had collected on the State's side of the bridge tried to block the road but they were chased away by the company of the Garrison Police that had been despatched to Kohala to meet the situation. In the meanwhile Diwan Chaman Lal, in order to counter the black flag demonstrations, organised the large crowd that had collected on the British Indian side of the bridge, into a "*Jatha*" and led it into the State territory shouting anti State slogans. They even teased and taunted the Garrison Police for being loyal to the Maharaja but the policemen refused to be provoked and acting under strict orders not to use force either against Nehru or Chaman Lal "*Jatha*", kept falling back from one cordon to another, as the crowd advanced and the State officials pleaded with Nehru not to press his move forward. He was at last persuaded to leave the crowd and proceed to Domel in a Government vehicle for talks. Here Nehru made it clear that unless he was arrested' he would not give up his march to Srinagar.<sup>16</sup> He was, therefore, arrested by the District Magistrate but with a proviso that he was under arrest only for the purpose of preventing him from going to Srinagar and that he was free to go back any time without even having to undergo the formality of being released. In fact, a State car was placed at his disposal for his return Journey. Diwan Chaman Lal and Mr. Asif Ali, who were to act as Sheikh Abdullah's defence counsel during his trial, were, however, permitted to proceed to Srinagar even as Pt. Nehru remained at Domel. The British-Indian authorities who, as we have already seen, were this time not interested in fomenting trouble in Kashmir, stopped all traffic on their side of the bridge and prevented the "*Jathas*" from going beyond Mansehra.<sup>17</sup>

Much has been made of Nehru's "arrest" at Domel by the various writers of political history of Kashmir. Whatever colouring that may have been given to Nehru's "arrest" by such writers after Independence, he was generally considered to be in the wrong at that time, having acted more out of impulsiveness than as a matured and seasoned politician. Evidently he had caused much embarrassment to the Congress party whose silence in the matter was deafening. The general feelings of the Indian National Congress in this regard are best reflected in a letter that Sardar Vallabhbhai Patel wrote to the All Ceylon Neta Ji Valibar Sangam, Colombo in reply to their expression of regret over the official silence of the Congress on the issue. The letter dated 25 June 1946 is reproduced below:

"I have received your telegram of the 20th instant addressed to Bombay and redirected here. I

am surprised to read its contents. You presume to know more about the Kashmir affair from such a long distance than we here know on the spot. You must know that neither the Congress President nor any Congress leader has expressed his opinion on this matter at all. The question of arrest of pt. Jawahar Lal Nehru was also a doubtful affair and we were arranging for his return back immediately. This has already been done and your anxiety about this affair is out of place. About your advice to the Congress to take immediate steps to crush the arrogant and autocratic spirit of the Kashmir Government I can only say that the whole working Committee is in session all the while and the Committee has thought fit to express no opinion on it nor has pt. Nehru thought fit to consult the Working Committee about the affair. He has taken action individually as President of the All India State's Peoples Conference on his own responsibility".<sup>18</sup>

Be that as it may, Nehru's ego was certainly hurt and he seems to have made it a personal prestige issue. It is even generally believed that the Maharaja's exile from the State after Independence was the direct result of Nehru's "arrest" episode. Nehru himself lent credence to this belief when in one of his weaker moments, he, more or less, confirmed that this was in fact so. During a visit to Jammu after the Maharaja's exile he was greeted by people with banners and placards demanding the return of the Maharaja. Nehru was beyond himself with rage and in his speech at the Parade Ground (Jammu city), he declared that the Maharaja would never be allowed to return. He shocked everyone (including the author) by raising his voice and saying in Hindi "*men usko ane dun jisne mujeh qaid kiya, men jo Wazir- e- azam Hind banane wala tha*" (shall I allow him to come back, he who arrested me, who was to become the Prime Minister of India)<sup>9</sup>

The Dogras of Jammu could not have been expected to support such a movement of the Kashmiris but the Kashmiri Pandits also did not, by and large, support "Quit Kashmir". The All State Kashmiri Pandits Conference and many other prominent Kashmiri Pandits in their individual capacity seem to have dissociated themselves from this movement. With a large number of Muslim also having openly declared against the idea behind "Quit Kashmir", the Maharaja could, perhaps, justifiably boast, in his announcement of 15 July, that the majority of the people was with him.<sup>20</sup>

On 21 June, Maulana Abdul Kalam Azad, the Congress president, appealed to Pt. Nehru to, return to New Delhi for discussions in connection with the approaching Independence, providing him with a much needed face saving device. Nehru left Domel the same day in the State car, (that had been placed at his disposal) under escort from the Garrison Police.<sup>21</sup> Allegations of ill- treatment of Pt. Nehru and his party by the State troops at Kohala were again made by interested parties but these were promptly denied by Nehru himself on his return to British India.<sup>22</sup>

By the end of July, the situation in Kashmir had returned to normal and when Nehru expressed a desire to visit Srinagar on 24 July he was permitted to do so by the State authorities. He was also permitted to attend the open court, (not very common in independent India), at Badami Bagh, where Sheikh Abdullah was being tried, as his defence counsel. No one could, however, save Sheikh Abdullah from being convicted, Abdullah had certainly committed a political tactical blunder and much as he tried to wriggle out of it during his defence, the charge against him was proved and he was sentenced to, what amounted to, three years simple imprisonment.<sup>23</sup>

### **Muslim League's Direct Action.**

On 29th July 1946, the Muslim League withdrew its acceptance of the Cabinet Mission

proposals and decided to prepare a programme for "Direct Action", for the creation of Pakistan. The date fixed for the commencement of the Direct Action was 16 August and complete lawlessness prevailed, there-after, in all the Muslim majority provinces of India, lasting continuously for the next few months, with only varying extent of loot, rapine, rioting, murders, and other conceivable forms of violence. Consequently, tension in the border areas of the State contiguous to Punjab increased manifold. Some excitement was created in the Mirpur -Poonch area during the elections to the Praja Sabha in November 1946. The election campaign was used by the Muslim leadership for whipping up communal hatred, with every action of the Government being given a communal colouring.<sup>24</sup> Some tension was also created when in December a large number of refugees started pouring into the State as a result of fresh spate of arson loot and murder in the trans-border areas west and north-west of Muzaffarabad; some 1500 having entered the town by the end of the month. Other-wise the border areas remained incident free till the end of the year.

Although outwardly the British gave the impression of taking a neutral stance, there were plenty of indications to show that they were siding with the cause of the Muslim League. Evidently, the Cabinet Mission proposals were a hoax and in actual fact the British had already decided on the creation of Pakistan of which they wished Kashmir to form part. Through-out 1946 there were reports of British officers of the Indian Army touring the Mirpur-Poonch areas; ostensibly for recruitment, and activity related to the welfare of ex-servicemen, but in actual fact for instigating the Muslim population of these areas against the State, to pave the way for the State's union with Pakistan, as and when it came into being.<sup>25</sup> It is possible that these officers did not have the official sanction to do so but it proves, never-the-less, that the British as a nation were pro-Pakistan. But of this we shall see more, subsequently in the Chapter.

In spite of the incitement to revolt and violence that was being directed from across the border, the Muslims of the border areas of the State remained, by and large, peaceful right up to April 1947 by which time the new Viceroy, Lord Louis Mountbatten had taken over and the partition of the country on the basis of religion had become, more or less, a certainty. Was this calm, then, a lull before the storm, one might have wondered. May be it was, as subsequent events seem to suggest, but there could be another reason for it. Evidently the Muslims of these border areas had not yet decided in favour of joining Pakistan, and even as they were averse to an accession to the Indian Union they had the alternative of remaining independent, the possibility of which had not yet been fore-closed. This line of thinking of the Muslims of Jammu in general is indicated by the statement made by Choudhary Hameed Ullah Khan, as the acting President of the J&K Muslim Conference at a press conference in Jammu on 28th May 1947, which reads, in parts, as under:-

"Accession to Pakistan would be unpleasant to Hindus while accession to India will disturb Muslims. Therefore we have decided not to enter into any controversy either with India or Pakistan. The second thing we have decided is that we should try to acquire independence for the State. The third question before us is what would be the position of the Maharaja. We have never been lacking in showing loyalty and respect for him and it is because of this attachment that we did not support the "Quit Kashmir" movement although in one way it was a natural movement. We, therefore, felt that we should try to find out a solution which would maintain the position of the Maharaja Bahadur while at the same time it should also satisfy the Praja. The best solution that we have found is that the Maharaja should become a constitutional King as is the position in many other countries ... The fourth thing that we have decided is that we should have a Constituent Assembly of our own to draft our



Constitution .....

"I have the support of all important leaders of Muslim Conference, and Chaudhuri Ghulam Abbas Khan has himself expressed agreement with this proposal. A representative convention of the Muslim Conference will be called within a month where the proposal will be unanimously adopted so, therefore, this solution should be considered the official policy of the Muslim Conference. Muslim League has not given us this solution, nor are we presenting it to deceive the Hindus. We have arrived at this solution in all honesty and after taking into account the local situation .... We do not want to get instructions from the Muslim League and Hindus should also give up being led by Congress. The best thing for us is that the League and the Congress should leave us undisturbed and we should give up both the parties. When we say that we want to separate ourselves from Hindustan and Pakistan, we mean that we want to be friends with both of them but we do not want to be influenced by anyone of them. We would have political as well as economic relations with both- We think that we will have good relations with Pakistan and in presence of the Hindu ruling dynasty, we will also have pleasant relations with India."<sup>26</sup>

Chaudhuri Hameed Ullah's statement seems to have generated much controversy, and though the Working Committee at its meeting at Srinagar on 18 July fully endorsed the views expressed by the Chaudhuri and passed the resolution asking the Maharaja to declare independence, he could not have a similar resolution passed at the Muslim Conference party workers meeting that was held the next day. Instead a resolution demanding the accession of the State to Pakistan was adopted.<sup>27</sup>

Various motives have been attributed to Chaudhuri Hameed Ullah for trying to push through the resolution on the independence of Kashmir. The pro-Pakistan element in the Muslim Conference tried to make out that Hameed Ullah's statement was an expression of his personal view and not a reflection of the genuine feelings of the Muslims of the State, who, they claimed, were all in favour of acceding to Pakistan.<sup>28</sup> The correct position, however, seems to be that there actually was a large section of Muslims in the Muslim Conference, especially the older lot, who realised that, as it would not have been possible to persuade the Maharaja to join Pakistan, remaining independent, to which he was not likely to be so averse, would be a better alternative to a union with India. The resolution to this effect could not be passed at the convention probably because of the superior oratory of some youthful Muslim Conference leaders, at a time when emotions were known to have swayed the audience more than reason.

### **The Maharaja's Dilemma.**

The Indian Independence Act which was passed by the British Parliament on 12 July 1947, provided for the termination of the suzerainty of the Crown over the Indian Princely States. All treaties, agreements, and functions exercisable by His Majesty with regard to these States were to lapse with effect from 15th August, 1947, which was fixed as the day of Indian Independence. The Rulers of the States were given the option of joining one Dominion or the other but if anyone of them failed to exercise his option before 15th August he would automatically become an independent ruler of his State.

For Maharaja Hari Singh of Jammu and Kashmir the choice was difficult. About 75% of the population of the State was Muslim and a large section of it was decidedly in favour of joining Pakistan on the basis of religion. Equally large was the other section of the Muslims which though not in favour of joining Pakistan, was, for reasons perhaps of religious prejudice, not for joining India either. It was in favour of Kashmir remaining independent. We have already seen how some prominent members of the Muslim Conference had tried to push through a resolution

on independence of Kashmir. They were not the only Muslims favouring independence. The Maharaja must have then known, what was subsequently confirmed, that Sheikh Abdullah and his National Conference were also at that time in favour of an independent Kashmir.<sup>29</sup> Besides, it is also generally believed that the Chiefs of Gilgit principalities had made it known to the Maharaja their preference for an independent State of Jammu and Kashmir.<sup>30</sup> The 25% Hindus and Buddhists were of course all for joining the Indian Union. After the people of the State, especially the Kashmiris, witnessed the Pakistani savagery in October, the scales definitely tilted in favour of the Indian Union, but as things stood before 15 August 1947, the choice of the majority of the Muslims seemed to be for either joining Pakistan or remaining independent, with the good will of both the Dominions. Any suggestion that the idea of independence originated from the Maharaja out of his personal ambitions and desire for self aggrandisement may not, therefore, be quite correct.

Some people are of the view that the idea of independence for Kashmir was in fact the brain child of Mr. Mohammad Ali Jinnah. Not that he wished Kashmir to remain independent but that this demand was to be made "for the time being" so as not to frighten the Maharaja away from Pakistan.<sup>31</sup> This sounds ridiculous. Even as the demand for an independent Kashmir was being put across to the Maharaja by the Muslims of the State, Mr. Jinnah was making frantic efforts to persuade the Maharaja to opt for Pakistan. He tried to allure the Maharaja by promising him the same status and privileges in Pakistan as he enjoyed under the suzerainty of the British Crown.<sup>32</sup> For making this offer, he used the good offices of Major General H.L. Scott, an Englishman who was at that time the States' Chief of the Military Staff.<sup>33</sup>

The blocking of the passage of Chaudhuri Hameed Ullah's resolution on the independence of Kashmir also could not have been without the approval of Mr. Jinnah. Besides, the economic blockade imposed by Pakistan in violation of the Stand Still Agreement could not have been aimed at encouraging the Maharaja to opt for independence.

However, what is pertinent to our subject is the fact that the pro Pakistan lobby also included Lord Louis Mountbatten, even while he was the Viceroy of undivided India, perhaps as a matter of British policy. Although the basic principle of Accession of States was that it was vested in the discretion of the Ruler, (since he was an autocrat), Mountbatten, in his advice to the Maharaja, during his visit to Srinagar in June 1947, wished it to be recognised that this discretion should be qualified by the geographical contiguity of the State to the successor Dominion, the communal composition of the State, and a plebiscite if necessary to ascertain the will of the people.<sup>34</sup> It is ironical that the man who drafted the June 3 (1947) plan, on which was based the Indian Independence Act of 1947 and under which the option of joining one Dominion or the other or that of remaining independent rested entirely on the Ruler of the State, should a month later, be talking of limiting the Ruler's discretion to just signing on the dotted line in accordance with the wishes of his people. The manner in which Mountbatten wished to qualify the discretion of the Ruler was certainly intended to favour Pakistan. But in order to bind the Maharaja further to a single option of joining Pakistan, he advised him not to declare independence under any circumstances; the wishes of the people in this case not withstanding. Then to make it easier for the Maharaja to swallow his implied advice to him to join Pakistan, Mountbatten pulled out an undertaking, (which he had very thoughtfully and painstakingly extracted and appropriately passed on to the Maharaja), from the newly created States Department, to the effect that if Kashmir went to Pakistan, this would not be regarded as an unfriendly act by the Government of India.<sup>35</sup>

It is said that the Maharaja pretended colic pain to avoid meeting Mountbatten on the last day

of his visit, to convey his decision in the matter.<sup>36</sup> But, with Mountbatten's advice implying what it did, it should not be surprising if the Maharaja's pains were real. Apart from his personal fears of joining a theocratic state and his mistrust of the Pakistani leaders, he could not have thrown the Hindu population to the wolves. On joining Pakistan, there probably would have been transfer of population but then what was he to do in Pakistan with the entire Hindu population migrating to India.

It appears that the Maharaja did toy with the idea of an independent Kashmir for some time. Probably, with neither India nor Pakistan coming forward to guarantee his independence, Hari Singh realised the impracticability of the proposition under the circumstances, but his aversion to a union with Pakistan, and the Indian leaders cold attitude towards him, had left him with no other choice. The attitude of the Indian leaders had, in fact, been most discouraging. We have already seen how they had it conveyed to him through Mountbatten that the new Indian Government would not take it amiss if the Maharaja were to decide in favour of joining Pakistan, in keeping with the wishes of the people. When in July, the Maharaja sent his Prime Minister Mr. R.C. Kak to Delhi to explore the possibility of the State's accession to the Indian Union, he was curtly told that India did not want the accession of the State without ascertaining the wishes of people, leaving the Maharaja cold and dry. Significantly Mountbatten then directed Mr. R.C. Kak to meet Mr. Jinnah.<sup>38</sup> What transpired between the two is not known but the meeting goes to show that the Indian leaders would have rather let the State go to Pakistan than discuss the accession issue with the Maharaja without associating the people of the State in the negotiations. With this attitude of the Indian leaders the Maharaja also seems to have developed apprehensions about his own future were he to join the Indian Union. The will of the people that the Indian leaders were continuously harping upon, was in practical terms the will of Sheikh Abdullah and the Maharaja probably knew full well that the Sheikh would use the undue importance that was being conferred on him, (without any such provision in the Indian independence Act), to take revenge on him. In this Sheikh Abdullah would have the support of Pt. Nehru who, the Maharaja feared, was himself nursing a wounded ego since the Kohala episode of 1946. So while the Sheikh would have the support of the highest authority in India, the Maharaja could see none who might support him. These fears and apprehensions, (which were not unfounded as proved by subsequent events), and the natural urge for survival, had forced the Maharaja to keep alive his option of remaining independent - impracticability of the proposition notwithstanding.

It was towards the end of June 1947 that the Maharaja expressed his fears of ill-treatment at the hands of the Congress rulers, were he to join the Indian Dominion, to Rai Bahadur Gopal Das, who happened to meet the Maharaja about then. Rai Bahadur Gopal Das immediately apprised Sardar Vallabhbhai Patel of the Maharaja's feelings. Sardar Patel, in turn, hastened to get in touch with the Maharaja and in a letter dated 3 July assured him that the Congress was not only not his enemy, as he happened to believe, but there were in the Congress many strong supporters of his State. He also assured him that Pt. Jawahar Lal Nehru could never be his enemy. He attributed all the misunderstandings to lack of personal contact between the leaders of the Congress and His Highness. <sup>39</sup> Evidently, the Maharaja felt quite satisfied with what Sardar Patel had written. He had indeed found a friend in the Congress and hereafter he constantly remained in correspondence with the Sardar, showing quite clearly his inclination towards an accession with the Indian Dominion. From the information that the Rai Bahadur passed on to Sardar Patel it appears that the Maharaja had accepted the Indian suggestion for the dismissal of Pt. Ram Chand Kak, the State's Prime Minister, and for the

declaration of general amnesty for political prisoners as a prelude to accession to India.

Mahatma Gandhi Visited Srinagar on 01 August, 1947. What transpired between him and the Maharaja is not known. Evidently he too assured the Maharaja that the Congress was not opposed to his remaining the constitutional head of the State after its accession but probably insisted on Sheikh Abdullah's participation in the negotiations for the accession. The Maharaja who was known to hold Mahatma Gandhi in highest esteem seems to have "accepted the Mahatma's advice without demurring. As a first step in this direction, the Maharaja dismissed his Prime Minister Pt. Ram Chand Kak on 11 August as he was suspected to be responsible for creating the misunderstanding between the Maharaja and the Congress leaders. Major General Janak Singh, long retired, was recalled and appointed the stop-gap Prime minister of the State, while search for a permanent successor, who could effectively negotiate with Sheikh Abdullah, was started. However, just as the reorientation of the State's policy had begun, Independence came on 15 August, and in order to gain time the Maharaja approached the newly created Dominions of India and Pakistan for a Stand Still Agreement with both, pending his final decision. Pakistan accepted the offer while the Indian Government refused to entertain the request on the ground that the request was not accompanied by a similar request from the representative of the State's people, meaning Sheikh Abdullah, who was in jail.<sup>40</sup> One wonders at the sagacity of the Indian leaders in this regard. Or were they acting on the advice of their new Governor General lord Louis Mountbatten.

It is not for us to discuss here the advisability or otherwise of the Indian leader's decision to invite Mountbatten to become free India's first Governor General. It would however, be of interest to note the manner in which the Indian offer was welcomed by not only the British Government but also the leaders of Pakistan. In his comments on the proposal, Sir Vincent Churchill conveyed to the Viceroy, "that a constitutional Governor General retained an unlimited right to receive information and to give advice, and that on this basis Mountbatten could give the new Government aid which he should not withhold"<sup>41</sup> The British Government were also reported to have been "deeply impressed by the Muslim League's support to the proposition which Ismay was able to convey to them in writing from Laiquat".<sup>42</sup> Mountbatten, as we shall presently see, did indeed make the best use of his position to render advice to the Indian leaders, but this advice, particularly that pertaining to Kashmir, invariably turned out to be against Indian interests. So much so that, but for the fact that the offer to Mountbatten was made by Indian leaders themselves, one might have been induced to believe that the appointment of Mountbatten as the Governor General of India was part of the Anglo-Muslim conspiracy to mislead India with regard to Kashmir affairs. In the present context the insistence on the part of the Indian leaders on the approval of the people of the State in whatever the Maharaja did or proposed with regard to accession, seems to have been an outcome of Mountbatten's advice - looks so much, as it does, like the advice he gave to the Maharaja earlier in his capacity as the Viceroy of India. Ultimately it was this attitude of the Indian leaders that was responsible for the mess that we are in today. It provided bargaining power to Sheikh Abdullah that he skilfully used for black-mailing the Indian Government into submission to his demand for a special status for Kashmir within the Indian Union. The working out of special modalities and terms of accession of Kashmir necessarily required prolonged negotiation between the Maharaja, the Indian Government and Sheikh Abdullah; resulting in the fateful delay in the State's accession to the Indian Union.

### **Take-over of Gilgit.** <sup>43</sup>

With the paramountcy of the British Crown over the State lapsing on 15 August 1947, the lease deed between the British and the Maharaja, under which the latter had leased out Gilgit to the former in 1935 for a period of sixty years, would have automatically become redundant with effect from that date. Consequently, arrangements were made by the two governments for proper handing/taking over of the province, (as Gilgit region was to be termed henceforth) some days before Independence. The day fixed was 01 August and on that day Brigadier Ghansar Singh took over charge as the State's Governor of the Province. Having been cut off from Gilgit ever since 1935, when the territory was leased out to the British, the State authorities do not seem to have realised the great change that had taken place in Gilgit since the good old days. Little wonder that trouble for the new Governor, in establishing his control over the Province, started no sooner than the formalities of the handing/taking over ceremony were over.

Brigadier Ghansar Singh had been sent to Gilgit all by himself in the hope that the lower administrative staff would automatically transfer its services from under the British to those under the State. This, however, was not to be so. During the decade and more of their rule over Gilgit, the British had so administered the area from Peshawar that the staff in Gilgit had come to consider themselves as part of the North West Frontier Province administration. The matters were made worse by the British Military officers who, with the avowed aim of forcing the accession of the State to Pakistan, had been openly instigating the staff against the State. Their hold was particularly firm over the 600 strong Gilgit Scouts who were directly under their command. Consequently while the civil employees struck work, the Scouts declined to take the oath of allegiance to the Maharaja of Kashmir, pending consideration of their demands with regard to increase in pay and allowances and other terms of service. To add to the difficulties of the Governor, the Political Agent, in anticipation of the transfer, had exhausted all stocks of essential commodities like cloth, kerosene, sugar etc, before handing over charge of the Agency. The Governor was, therefore, up against a formidable task right from the word go. The only consolation was that he received unreserved cooperation from the local populace, including the Rajas and the Mirs who appeared to be quite happy to return to the State's fold. Their loyalty to the Maharaja was, however, soon subverted by the British Officers and Pakistani agents, at least to the extent that many of them were not prepared to support the Maharaja were he to join the Indian Dominion.

Apart from administration, the Governor was also responsible for the security of the Province - both internal as well as external. While the task increased in magnitude with the passage of each day, his means for accomplishing it became more and more unreliable. The Gilgit Scouts whose role it was to maintain internal security, and in the event of hostilities to form the first line of defence, could no longer be relied upon. Without perhaps realising that the British officers were themselves responsible for the hostile attitude of the Gilgit Scouts, the State Government had, in the interest of continuity, decided to retain the services of Major Brown and Captain Matheson for the command of this force. They were to be assisted by Captain Mohammad Sayeed and lieutenant Haider Ali of the State Army which in fact made the Scouts an unreliable outfit all the more. On the other hand, the two companies of the 6th Jammu & Kashmir Infantry located at Bunji for use in the internal and external defence of Gilgit happened to be Muslims, whose loyalties were a suspect ever since it was known that they had shouted pro-Pakistan slogans on their way up from Bandipur to Bunji.<sup>44</sup> For the security of Gilgit, therefore, the Governor had to choose between the devil and the deep sea. He and Gilgit

were doomed in any case. The initiative lay in the hands of the pro-Pakistan element, (which included the two British Officers), that was now waiting for the opportunity to spell the doom.

### **The Drift towards the Indian Dominion.**

Apparently, the Maharaja had made up his mind in favour of the Indian Dominion ever since Sardar Patel wrote to him, to assure him of his future, on 3 July 1947. The only thing that was keeping him away from taking the plunge was the Indian Government's insistence on obtaining Sheikh Abdullah's consent on the State's accession to India. It seems that the Maharaja would not trust the Sheikh to the extent the Indian leaders were inclined to. Never-the-less the Maharaja had, evidently, yielded and was only waiting for the appointment of a permanent Prime Minister (after the dismissal of Mr. R.C Kak) to start dialogue with the wily Sheikh. Meanwhile, even as the search for a suitable Prime Minister for Kashmir, (with the involvement of Sardar Patel in this matter) was on, the process of the State's drift towards the Indian Dominion had started. Apart from the Maharaja's inclinations towards India, Pakistan's attitude in backing out of its commitments under the Stand Still Agreement, and its enforcement of a virtual economic blockade of the State was also responsible for the State's drift towards India. On 23 August the State Government made a request to the Indian Government for connecting the State with the Indian post and Telegraph and also for linking the State with India by road and air.<sup>45</sup> These requests were conceded to and action to meet the State's demands was taken in hand by the Government of India. On 13 September request was made by the State for loan of the services of Lieutenant Colonel Kashmir Singh Katoch of the Indian Army for appointment as the Military Advisor to the Maharaja.<sup>46</sup> This too was granted and Colonel Katoch took over the new appointment that was created for him after the services of Major General H.L. Scott were terminated on 24 September. The Maharaja's choice of the new Prime Minister of his State ultimately fell on Justice Mehr Chand Mahajan to the great satisfaction of Sardar Patel,<sup>47</sup> who was then handling the Kashmir affairs. But even before Justice Mahajan could actually take over as the Prime minister, the Maharaja declared general amnesty on 26 September to make way for the release of Sheikh Abdullah in keeping with the wishes of the Indian Government. It is another matter that the Sheikh, probably oblivious of the compulsions under which the Maharaja was acting, tendered a written apology for his past behaviour and assured the Maharaja of his continued loyalty to him and his dynasty, (reproduced at Appx) which the Maharaja had put up as a precondition for his release. This has often been used by the Sheikh's opponents to embarrass him.

Sheikh Abdullah's release from jail did not, however, pave the way for the State's accession to India as some of the Indian leaders had thought it would. The Sheikh who had meekly submitted a written apology and given an assurance of his loyalty to the Maharaja, to secure his release from jail, roared like a lion when he realised his importance on coming out of jail. He refused to commit either way and declared that he would opt for the Dominion that would recognise the sovereignty of the people in this regard and, what was even more important, deal with him as the sole representative of the people of Jammu and Kashmir.<sup>48</sup> He also made it known that he could not decide which way to go till the power was transferred to the people (meaning himself). It was quite obvious that the Sheikh was moving towards 'an independent Kashmir or some sort of a loose federation with the Dominion that would guarantee its security without having any thing to do with the State's internal affairs, other than, perhaps, providing the necessary finances for economic development. He is known to have approached Pakistan with similar pre-conditions but Mr. Jinnah rejected his demands, both for being considered the

sole representative of the people of the State as well as well as for the grant of a special status.<sup>49</sup> It goes to the credit of Sheikh Abdullah that even after his bargaining power had been curtailed by the outright rejection of his demands by Pakistan, he was able to extract from India terms of accession that nearly met his demands. Consequently the Maharaja began to be pressurised by the Indian leaders to surrender power to the Sheikh even before signing the instrument of accession.<sup>50</sup> This the Maharaja seems to have resisted. Apparently, he would not trust the Sheikh the way the Indian leaders did. He probably had more experience in dealing with Sheikh Abdullah than they had. The Sheikh's demand for the transfer of power before accession should have been suspected in any case. Would not power have been transferred to the people automatically after accession, as it had happened in the case of other States. Then why this insistence on transfer of power before accession, one might have asked. Besides what was the guarantee that the Sheikh would opt for India after power had been transferred to him. But the Indian leaders had committed themselves so irrevocably to the principle of accession with the wishes of the people that they had lost all initiative and had to, per force, meet every wish of Sheikh Abdullah if only to make him say 'yes' to the State's accession to India. The Sheikh while making use of every bit of the tremendous bargaining power he had acquired from the Indian Government's rigid one point programme was naturally in no hurry to decide the issue of the accession. As a matter of fact he deliberately delayed giving his consent so as to be able to extract maximum concessions.

Meanwhile Pakistan, evidently apprehensive of what appeared to be pro-India developments in Kashmir, had decided to take direct action and secure the accession of the State to Pakistan by force. So even as haggling between the Maharaja, Sheikh Abdullah and the Indian Government were continuing, Pakistan was preparing for the invasion of Kashmir. As it is Pakistan had already backed out of the Stand Still Agreement and totally cut off the State's supply of arms, ammunition and equipment. The plan now was to engineer an armed revolt in the vulnerable Mirpur-Poonch area and, while the major portion of the State Army would get tied up thus, to storm the Valley with armed raiders from the North West Frontier Province. Consequently, the pro-Pakistan element which now had open support of the Dominion of Pakistan- both moral as well as material- immediately got busy working up the Muslims of the border areas against the Hindus and the State Government. While processions in support of Pakistan were taken out in open defiance of Section 144 and Pakistani flags hoisted on private buildings in Mirpur and Poonch, large scale smuggling of arms and ammunition into these areas was started with open connivance of the Government of the newly created Dominion of Pakistan. Serving personnel of the Pakistan Army belonging to these border areas (and they were in hundreds), were sent to their homes on leave with arms and ammunition, while they were officially shown as deserters.<sup>51</sup>

### **A Grave Situation**

The situation as assessed by the State's Chief of the Military Staff, Major General H.L. Scott and submitted to the Maharaja on 22 September 1947 was as under:-

"A survey of the recent tendencies and events leaves little doubt that the Muslim Conference leaders intend to push forward their policy of the union of the State with Pakistan by force if necessary. It is clear that in this respect they are finding ready support and assistance in the districts of Hazara and Rawalpindi. There can be little doubt that a close alliance is intended, if not already formed, between the Muslim Conference leaders and the excited and fanatical agitators across the State's border to the West. The recent rising in Bagh Tehsil of Poonch constitutes the first fruits of this alliance.

"On the southern border of the State the Muslims have massacred, driven out, and looted the Sikhs and Hindus. The former having thus acquired a taste for massacre and loot are likely to be ready for fresh adventure. Even more dangerous than these are the many thousands of Muslim refugees that have passed into the districts of Jhelum, Gujrat, and Sialkot, from the east. These have lost much and are no doubt prepared to recoup themselves at the expense of anyone they are in a position to attack. Revenge and fanaticism must be equally strong motives.

"There are few indications that the Pakistan authorities are making efforts to restrain their people. In fact, the contrary may be said to be true. There can be little doubt that Pakistan Police and troops are not reliable".<sup>52</sup>

At the end of the report the General pointed out the danger involved in the dispersal of troops on the vast frontiers of the State with no strong mobile reserves available in hand for use in an emergency,<sup>53</sup> without, of course, suggesting the way for avoiding the dispersal and creating the reserve with the small State Force having to hold such a long frontier. As a matter of fact he himself was responsible for the deployment of troops as it existed then and must have known too well that with the paucity of troops nothing could have been done about the danger he was pointing out. The only answer was raising of more units of the army but that was not possible with the State's source of arms and ammunition cut off by Pakistan, while Indian help was not forthcoming.

Although General Scott had done nothing which could be treated as a disloyal act, his leanings towards Pakistan as an Englishman must have been all too evident to the Maharaja. It was perhaps these leanings which encouraged Mr. Jinnah to use him as a go-between during his efforts to allure the Maharaja into acceding to Pakistan. Even more incriminating was his tacit support to an offer made by General Sir Douglas Gracey, Commander-in-Chief of the Pakistan Army to establish Pakistani picquets and patrols on the road from Pakistan leading into the State via Domel to prevent Pakistani raiders from invading the State.<sup>54</sup> It is difficult to believe that General Scott did not realise that the offer if accepted would have facilitated the invasion rather than checked it. Fortunately, the Maharaja saw the trap and rejected the recommendations of his Chief of Military Staff off hand.<sup>55</sup> He also perhaps felt that continuance of General Scott's services any longer would be unwise. Be that as it may, General Scott was relieved of his duties on 24 September to be sent on leave till the termination of his term on 01 November 1947. He was succeeded by Brigadier Rajinder Singh of the State Force. General Scott left the State immediately and as a last act of service to the State, he sent a cryptic message from Rawalpindi on his way to England stating that raiders in their thousands were being collected, armed and trained in places like Abbottabad and Nathia Gali for the last six months for an invasion of the State.<sup>56</sup>

The Maharaja was quite aware of the handicap that his Army was suffering from, even before it was pointed out to him by his Chief of the Military Staff but there was nothing that he could do about it. Indeed the answer lay in raising more troops but while there was no dearth of recruits, where was he to get the arms and equipment from. He had already used his reserves of arms and equipment in re-raising the 7th J&K Infantry (that had been disbanded during World War II) and the raising of a number of Garrison Police companies and with this he had reached his tethers end. Besides the paucity of the infantry troops, the deficiency of mountain batteries which had been transferred to the Indian Army in 1942 was now being greatly felt. According to General Scott the batteries were transferred to the Indian Army on the advise of Gopalaswamy Iyyengar, the State's Prime Minister then, even though he had himself strongly



opposed the transfer.<sup>57</sup> May be that was so but the motives that he ascribes to Iyyangar for recommending the transfer seem most farfetched, bordering on the ridiculous. He would have us believe that as an "out and out" Congressman Iyyangar did not want the State to have a strong army lest it should enable the Maharaja to hold out against India after independence.<sup>58</sup> General Scott conveniently ignored the fact that the Maharaja was himself an out and out Congressman, (as often charged by the British themselves) so where was the question of his having to hold out against India. The offer for the transfer of the batteries came from the British and it is well known that though all orders of the British to the States came in the form of suggestions and advice, the latter had little choice other than to accept them. Outwardly the motive behind the transfer was economic, favouring the State. But if ever there was politics involved in the transfer, it is more likely to be British rather than Congress politics. It is generally believed that the British had decided on the partition of the country on religious grounds right from the time they realised that they would have to give up their Indian possession some day or the other. The scheme no doubt envisaged Kashmir forming part of the Muslim State they had in mind but the resistance that the Maharaja would have offered to any such move might also have been foreseen. It might well have been, therefore, that the transfer of the batteries was a British move to make sure that the Maharaja was not able to hold out against a blitz action by Pakistan; which was exactly what ultimately happened.

For raising new units (including the mountain batteries) the State approached the Government of India for procuring the necessary weapons, equipment and ammunition. The Indian Home Minister and the Defence Minister gave assurances of help but the indent for weapons and equipment that was sent by the State to the Indian Army Headquarters, "got stuck in red tape and no release could be made. It is believed that the release of arms and equipment was stalled by the British staff officers who were still holding most of the key appointments at the Indian Army Headquarters.<sup>59</sup> Ultimately all that the State was able to obtain was an assurance from the Government of India that some Indian military force would be concentrated at Madhopur on the State's border with India, for rendering to the State succour in case of need.<sup>60</sup> This force may have been of some use for meeting an attack on Jammu but could not have been expected to be of any help to the State for countering the impending invasion of the Valley.

The greatest handicap from which the State Force was, suffering was that the traditional loyalty of the Muslim troops towards the Maharaja could no longer have been taken for granted under the changed circumstances. This limitation does not seem to have been realised. In fact implicit faith in the loyalty of Muslim troops formed the basis for the deployment of units to meet the fast developing threat, from across the border with the Muslim State of Pakistan. So while the 4th Battalion, with fifty percent Muslims in its ranks, was deployed in the vital Muzaffarabad-Kohala sector, the 6th Battalion which also held fifty percent Muslims was deployed in the Gilgit-Ladakh sector.<sup>61</sup> Even the pro-Pakistan slogans that the Muslim companies of the 6th Battalion raised on their way from Bandipur to Bunji do not seem to have aroused the suspicions of the Military authorities beyond ordering of an inquiry, and then conveniently accepting the denials by the accused.<sup>62</sup>

Today with the advantage of the hind sight we may be able to clearly see that the faith of the military authorities in their Muslim troops was misplaced but the debacle that ultimately resulted there from may have been difficult to foresee then. These very troops had remained most steadfast in their loyalty to their Ruler while handling the various anti Maharaja agitations by their co-religionists. The 4th Battalion had, perhaps, the best record of communal amity.

Besides having fought shoulder to shoulder against the Japanese in Burma, the Hindus and Muslims of the Battalion had set a unique example of eating from one *Langer*, (cookhouse), food cooked by a team of cooks belonging to both the communities.<sup>63</sup> Little wonder that their Commanding Officer, Lieutenant Colonel Narain Singh had sworn by his Muslim troops when the Maharaja asked him to report on their loyalty before the Pakistani invasion.<sup>64</sup> Strange, however, are the ways of communal fanaticism which even today we understand only perhaps a shade better than we did in those days.

Apart from trusting the Muslim troops there was no other alternative either. After all only faith could beget faith. But what was even more important was that it was too late for doing anything else, if at all anything else could have been done.

#### **Invasion of Kashmir.**<sup>65</sup>

Pakistan commenced its offensive in Poonch on 01 October 1947 and in the Mirpur sector a few days later. About the same *time* were started raids on border villages in the Jammu sector. The offensive in the Poonch and Mirpur sectors was of such magnitude that the State Army was forced to commit its reserves to save the territory from falling into Pakistani hands. Like this the Pakistanis were able to tie down nearly seven of the total of nine battalions in the State Army. Of the remaining two battalions, one was deployed in Gilgit-Ladakh sector and the other in the Muzaffarabad sector - the two sectors chosen by Pakistan for their main offensive. It may not have been then realised by the State military authorities but with both the later battalions being composed of fifty percent Muslims, Pakistan had already won half the battle.

After tying up the State Force, including its reserves, in other sectors, Pakistan launched its main offensive in the Muzaffarabad sector, as per plan, on 21/22 October night, with the aim of going straight for Srinagar. On that fateful night, the Muslim element of the 4th Battalion at Ramkot and Lohargali, (the State's border posts on the Abbottabad-Mansehra-Muzaffarabad-Domel road), swept by religious fanaticism forgot their oath of loyalty to their Ruler and the State, and joined hands with the enemy to lead him to pre arranged positions in the area around Muzaffarabad and Domel, and perform, perhaps, the most treacherous and dastardly act in the annals of military history. Before it was twilight over 5000 fully armed tribesmen, stiffened by regulars from the Pakistan Army, and led mostly by Officers of the Pakistan Army, stormed the sleeping city of Muzaffarabad. In the couple of hours that followed hell was let loose in the City - arson, loot, massacre rape, and everything else that may have been expected of barbarians. Simultaneously a section of the raiders guided by the traitors from the 4th Battalion moved out to liquidate the posts of the Battalion that were holding out. Most of these posts fought tenaciously for some time but were ultimately overwhelmed by superior numbers of the enemy. The Battalion Headquarters at Domel was attacked before its unwary personnel could reach out for their weapons, that were locked up in their 'Kotes'.<sup>66</sup> Of the entire Battalion in the Muzaffarabad sector only one Hindu company, located on the Kohala bridge, still remained intact. There was no possibility of this comparatively small force turning about and attacking, so the raiders decided to ignore it for the time being, as they made a bee line for Srinagar, along the Domel- Srinagar road.

The Company at Kohala was then commanded by a young and dashing officer, Lieutenant (Later Lieutenant Colonel) Labh Singh. He had indeed come to know of the fate that had befallen the Battalion Headquarters but before he could take his orders from the Commanding Officer the communication had got cut. With his rear cut Labh Singh was in a difficult position, but though he still had a chance of safely withdrawing to Poonch, he decided to hold out at Kohala till a clearer picture of the situation emerged.

Labh Singh's Company first received Pakistani attention on 24 October when two British officers, a Brigadier and a Lieutenant Colonel, walked across the Kohala Bridge and sent for the Company Commander. On arrival, Labh Singh was warned by the Brigadier, of an impending attack on his post by Pakistani tribesmen. The Brigadier suggested that Labh Singh get his Company out of the area before the raiders make it impossible for him to withdraw. He offered to accept the Company's surrender and escort the men safely to Rawalpindi where they could join the Sikh and Gorkha troops of the Indian Army who were in the process of being repatriated to India and get repatriated along with them. The condition, however, was to be that the Company would have to surrender all its weapons other than the personal arms of the men, before being allowed to proceed to Rawalpindi. Labh Singh rejected the offer off hand and boldly told the British Officer that the Dogras would rather fight to death than surrender like this. The meeting ended abruptly and the British officers left wishing the Dogras all the best - quite obviously sarcastically.

The Kohala Company was not, however, serving any useful purpose by remaining where it was, because the enemy in any case had a free run along the Abbottabad-Domel-Srinagar road and there was no need for him to open up the Kohala approach which the Company was defending. So ultimately Labh Singh decided to withdraw, along with the large number of refugees who had sought his protection over the last few days, to Bagh in Poonch district. The withdrawal commenced on the 26th when the raiders were just a few miles away from Srinagar. It was a long trek through enemy infested territory but the Company, under the inspiring leadership of Lieutenant Labh Singh, and his spirited second in Command, Jemadar Suraj Prakash, was able to make it to Bagh by 31 October; escorting nearly ten thousand Hindu and Sikh refugees to safety.

The exact date of the Pakistani invasion of the Valley may not have been fore-known but the invasion itself could not have come as a surprise either for the State or the Indian Government. This is evident from the nature of the correspondence that passed between the two governments. In a letter to Sardar Patel dated 01 October the Prime Minister of Kashmir wrote as under:-

"A separate self contained letter is being sent to the Hon'ble Defence Minister for supplying of arms and ammunition. Part of these was requisitioned long ago through the Resident and the remaining represents our immediate present needs. It is requested that you may kindly use your good offices to have the indents supplied immediately. The reasons for this need hardly be stressed as you must be well aware of the dangers which are being manufactured and threatened against the State. In case we are fully equipped we are resolutely determined to face, (the threat) if forced (sic)"<sup>67</sup> Another letter written by the State's Deputy Prime Minister to the Indian Defence Minister is even more revealing. In his letter dated 3 October 1947 he wrote:-

"An indent for military equipment was sent to you on 01 October, and another letter connected herewith is being sent today. I trust this will receive your earliest attention.

"I am writing this to say that Mr. Justice Mahajan after meeting you at Delhi conveyed the hope that it would be possible for the Indian Dominion to concentrate some military forces at Madhopur or at any equally near and convenient centre for rendering this State succour in case it is needed.

"In my letter being sent today, the situation that seems to be developing requires strengthening of all resources. The State is determined to face the menace squarely but in case occasion arises for the Government here to avail of the help promised above, it trusts

that it can confidently rely on the fulfilment of the same."<sup>68</sup>

On 5 October Mr. Shiv Saran Lal, Deputy Commissioner Dera Ismail Khan, who was then in Delhi on leave, passed on information about the impending invasion of Kashmir by tribesmen of the NWFP to Pt. Nehru. While passing on this information to Sardar Patel, Nehru wrote;-

"Shiv Saran Lal's statement demonstrates the immediate danger to Kashmir State. What we can do about it I do not know. Anyhow we should think about it jointly and device some plan. I think you should also inform the Maharaja of Kashmir. The Maharaja has some knowledge of it already. These further details might help him to get the true view of the situation."<sup>69</sup>

The information which Shiv Saran Lal had given was, indeed, already known to the Maharaja and that was the reason why he was frantically trying to procure arms and equipment from India. By 15 October refugees arriving at Muzaffarabad had provided the State Government with even more authentic information about the planned invasion. The State Government seems to have kept the Indian Government well posted with the developments. The nature of the threats that the Maharaja was, anticipating could well have been judged from the fresh indent for weapons and equipment that he sent to the Government of India on or about 15 October (see appendix 'G') Apart from demanding heavy weapons which included mountain artillery guns and fighter aircraft, the State had put in a demand for large quantities of explosives for the planned demolition of the Kohala bridge and portions of the Muzaffarabad - Mansehra road, to make them unusable by the invaders.

The new indent was carried personally by Lieutenant Colonel Bhagwan Singh who submitted it direct to the Defence Minister after obtaining the approval of Sardar Patel. We have it on the authority of Colonel Bhagwan Singh that except for expressing doubts on whether the Indian Government would be able to give fighter aircraft to the State (even if the State could find the pilots for them) Sardar Patel gave his approval for the supply of all the other items indented for, and issued necessary instructions to the Defence Minister to this effect. The Defence Minister too is reported, by the Colonel, to have passed orders for taking immediate action on the indent but these orders were ignored by the Army Headquarters where most of the key appointments were still being held by British Officers. Even as the indent was apparently being processed at the Army Headquarters, Colonel Bhagwan Singh seems to have been told by some Junior Indian Officer on the quiet that, notwithstanding what orders the Home Minister and the Defence Minister may have issued in this regard, the senior British staff officers had decided not to let the indent pass for issue of stores, on some pretext or the other.<sup>70</sup> Obviously action was being deliberately delayed by the British Commander -in-Chief of the Indian Army. Needless to say that the British Commander-in-Chief could not have made light of the Defence Minister's orders unless he had the support of Lord Mountbatten, the British Governor General of free India, and the Supreme Military Commander, General Auchinlek.

Be that as it may, the fact remains that the Indian Government was quite aware of the existence of the grave threat to Kashmir from Pakistan and the life and death struggle that the State was faced with. Yet, while the State Government continued to plead for military equipment to meet the Pakistani threat, the Indian Government remained divorced from reality. The Indian leaders seemed to see nothing beyond placating the Sheikh and kept pressing for transfer of power to him, even at that critical juncture. So much so that even a day before the actual invasion Sardar Patel (probably under pressure from Nehru and Abdullah) wrote to Mehr Chand Mahajan, Kashmir's new Prime Minister, for setting up a responsible government in the State with the support of Sheikh Abdullah. Mehr Chand Mahajan seems to have been rather

irked at the most unrealistic attitude adopted by the Indian Government in seeking the introduction of constitutional reforms in the **State** while its very existence was at stake, and shot back the following letter on the 23 October:-

"I note your views about the constitutional position in the State, but the situation in the State at the present moment is such that one cannot get a single moment to think of politics. We are practically working on a war basis and every minute of our time is taken up with the border situation which is worsening every day. Practically the whole of our Muslim Military and police had either deserted or has not behaved in the proper manner. The help that you kindly promised has not arrived and we are surrounded on all sides. You will agree with me that it is hardly the time to think of any constitutional issues. As soon as I get breathing time I will come to you and discuss these matters. All that I pray is that kindly implement the promise you made for sending the equipment to us but which has not so far arrived.

"Expecting an immediate implementation of your very kind promise "<sup>71</sup>

One wonders as to what was the urgency of transferring power and constitutional reforms before accession. Nehru believed that Abdullah was genuinely for joining India, but then why was he insisting on transfer of power before accession. Could the Sheikh have been so naive as not to understand that the Maharaja would be forced to part with power once he acceded to India. It is also difficult to believe that Sheikh Abdullah could not have fore-seen the tremendous power that he would be able to wield against the Maharaja with the support of his friend Nehru, which he ultimately did, to the extent of securing the Maharaja's exile from the State. Obviously there was more to it than met Nehru's eye. He explained away to Nehru that by insisting on power being transferred to the people (through himself) he was only trying to carry the people with him for the ultimate accession to India, but in actual fact by feigning inability to commit either way before power was transferred to him, he was only trying to keep his option of remaining independent open. May be Nehru understood Abdullah's game, (although he never gave such an indication), but having committed himself so irrevocably to the principle of accession on the basis of the wishes of the people, where was his option other than wooing Sheikh Abdullah and following his dictates. It is never-the-less a poor reflection on the political wisdom of Indian leaders that by voluntarily binding themselves to a single option they laid themselves open to black mail. The Sheikh was never the lion that he was made out to be by Nehru- not at least after he had tendered an unqualified apology to the Maharaja to secure his release from jail.<sup>72</sup> It was no doubt the undue lift that Nehru gave him that made him so. The "Maharaja Card" could have been effectively used against him as Sardar Patel would probably have done if he had had his way. Any way what was done was done, and here we were faced with an invasion by Pakistan with India not in a position to do anything about it under self imposed restraints.

Having already committed his reserves in the Poonch and Mirpur sectors, the Maharaja had no troops at Srinagar to meet the invasion nor had the much promised arms and equipment arrived from India. The only course open to the Maharaja was to seek Indian help but even that was to take time and there was an urgent requirement of keeping the enemy away from Srinagar till such help arrived. Consequently about 150 men doing odd duties in the Badamibagh Cantonment were formed into a company supported by a section of medium machine guns and a section of 3 inch mortars and immediately despatched to the front for delaying the enemy advance till the arrival of help from India. As the task, that this force was to perform, was of vital importance to the security of not only Srinagar but also that of the entire State, the Maharaja entrusted the command of this force, even though small, to none other than

his Chief of the Military Staff, Brigadier Rajinder Singh, with three other Junior officers under his command.

### **Brigadier Rajinder Singh's Action<sup>73</sup>**

Brigadier Rajinder Singh left Srinagar in military transport augmented by some civil buses, at 6.30 PM on 22 October and reached Uri about mid-night. Uri had been selected as the main defensive position and the force set about to organise and construct its defences immediately. The defences were reasonably set by next morning and as the enemy was still some miles away, Brigadier Rajinder Singh, after leaving his defences to the care of a small party, moved forward with the major portion of the force towards Garhi to make contact with the enemy as far away from his defences as was possible, so that maximum delay to his advance could be caused.

The first clash with the enemy took place on the morning of 23 October when the column was about half a mile short of Garhi. In the head on collision, in which both sides surprised each other, the enemy, because of his numerical superiority, got the better of the small Dogra force, and compelled it to withdraw to Hatian (about 4 Km further back) to take up a regular delaying position there.

The action at Garhi, though a short one, gave Brigadier Rajinder Singh some idea of the strength of the raiders. It was now clear that his force stood no chance of delaying the enemy to any appreciable degree unless it was reinforced. He therefore, flashed a message to his Army Headquarters at Srinagar for taking the following action:-

(a) All the other available men in the Cantonment (orderlies, guards, rear headquarters of battalions deployed on the border, men in transit etc) to be formed into units and despatched to the front immediately, (b) Additional supporting weapons to be procured from somewhere and sent forward urgently.

(c) One company from Poonch to advance via Haji Pir and join up with the force at Uri.

(d) The only remaining company of the 4th Battalion, which was located at Kupwara, to move down to Baramulla and thence to Uri.

Meanwhile after taking up another intermediary position between Hatian and Uri, Brigadier Rajinder Singh finally fell back to his main defensive position at Uri by night fall on 23 October. Here he was joined by reinforcements, sent in response to his orders, which consisted of just one platoon of infantry (about 30 men) , one section medium machine guns (two guns), and one section 3 inch mortars (two mortars). Captain Jawala Singh, who came with the reinforcements, while bringing an assurance from the Army Headquarters that action was in hand on the Brigadier's other instructions, delivered to him a written order from His Highness the Maharaja, binding him to hold Uri at all costs, even if it meant fighting to the last man and the last round. The reinforcements were woefully inadequate but there was nothing else that could be done about it. Brigadier Rajinder Singh, therefore, started preparing for a do or die battle with whatever he had. The bridge at Uri was prepared for demolition but was to be demolished only after a maximum number of refugees had crossed over to Uri.

Very soon during the day on the 24th, the enemy came hurtling along the road. As soon as he was sighted, the demolition on the bridge was set off and the bridge was destroyed beyond use. Although this might have dampened the spirits of the raiders, the need for them to reach Srinagar before the arrival of the Indian Army urged them on. In their hurry they launched a frontal attack only to be mowed down by the sweeping fire of the medium machine guns. The 3-inch mortars also took a heavy toll of the enemy, before he could retreat to safety. Having been beaten back thus, the enemy now resorted to a tactical move which was to leave the Dogras with no choice but to withdraw. Keeping the defenders engaged frontally a large

portion of the enemy crossed over to the north bank of the Jhelum river by a foot bridge, that happened to have fallen in his hands intact, with the intention of re-crossing it by a similar foot bridge at Mahura and getting behind the Uri defences. Another enemy column, with a similar aim of getting behind the defences, moved over the hills round the left flank. These were dangerous moves and had Brigadier Rajinder Singh stuck to his Uri defences as ordered, he would not have been able to stop the raiders from getting a free run to Srinagar. So before the enemy could get behind him to cut him off, Brigadier Rajinder Singh withdrew to Mahura to fight the next battle there. Obviously, Maharaja's orders had to be interpreted intelligently by his Chief of Staff and the withdrawal was necessary for causing the maximum delay to the enemy, which indeed was the Maharaja's intention in issuing his orders for holding Uri at all costs.

The first vehicle of the retreating column reached Mahura at about 10.30 PM on 24 October. Mistaking it for the enemy, the staff at the Mahura power station cut off the electric supply and the whole of Srinagar was plunged into darkness. That was the Dussehra night and the Maharaja in order to prevent panic among the people was going through the usual practice of celebrating the festival as if nothing was amiss, even as he had started negotiations for an unconditional accession to the Indian Union. When the lights went out, it was believed that the enemy had captured the Mahura power station. The Maharaja had by that time just completed the formalities of the Durbar and the dinner that followed was held with the help of the Palace generator. It was mainly because of the brave face put on by the Maharaja that calm prevailed in Srinagar even at a time when all seemed lost.

At dawn on the 25th October, the enemy caught up with the Dogras at Mahura and launched a fierce attack on the hurriedly constructed defence. After this attack was beaten back, the enemy resorted to his usual tactics of outflanking the position and trying to cut off the rear. By mid-day the enemy mounted another heavy attack and while over a thousand Pathans hammered at the defences, an equal number, or perhaps more, once again moved across the River and over the hills to turn both the flanks. By evening this position too had become untenable and Brigadier Rajinder Singh was forced to withdraw to yet another delaying position at Buniyar.

The delay that the small Dogra force was causing must have been very frustrating for the enemy who was in a hurry to reach Srinagar before the Indian Army could arrive. Impatiently he again attacked the defences frontally but only to be beaten back with a bloody nose. So, once again the same tactics of holding the front and outflanking the position. During the fighting that lasted the whole day on the 26th, the Dogras too suffered heavy casualties but they held their ground till night fall. However on sensing the danger of getting out flanked Brigadier Rajinder Singh once again planned a withdrawal to give the next battle at Seri short of Baramulla.

Unfortunately, the Brigadier had held on to his position too long with the intention of gaining maximum time for the Ruler in his efforts to requisition Indian help. By the time the withdrawal started on the 26/27 night the enemy had closed in too near the defences, making a clean break by the defenders difficult. The worst was that by then the enemy had already worked his way behind the defences and established a road block a few kilometres to the rear. As the Dogras tried to rush their vehicles through the road block they came under heavy fire of the enemy. While most vehicles got across, Brigadier Rajinder Singh's vehicle got stuck as the driver of the vehicle got killed. The Brigadier himself took to the wheel but he too received a gun shot in the leg and was wounded. The vehicle had, therefore, to be abandoned, as the men dismounted and ran out of enemy crossfire to safety. We have it on the testimony of Captain

(now Lieutenant Colonel and retired) Khazan Singh, who was travelling in the same vehicle as Brigadier Rajinder Singh, that he and his men offered to carry the Brigadier on their backs but the Brigadier appreciating that carrying him on the back would hinder the withdrawal, asked them to leave him there and themselves rush to the next defensive position. That was the last that was seen of the gallant son of Jammu who laid down his all in defence of the State created by his ancestors. The tragedy of the situation lies in the fact that, probably unknown to Brigadier Rajinder Singh and his party, the last vehicle of the column was yet to cross the road block when Captain Khazan Singh and his men abandoned their vehicle. When the last vehicle did finally arrive it steered its way past the abandoned vehicle through enemy fire without knowing that Brigadier Rajinder Singh was lying wounded somewhere around.

With the enemy following too close on their heels, and the force having got greatly disorganised, it was not possible for the Dogras to take up a defensive position at Seri as was planned by Brigadier Rajinder Singh. So they rushed past Baramulla to take up a defensive position between Baramulla and Pattan. On their way, a little beyond Baramulla, they were met by the Company of the 4th Battalion that had just then moved down from Kupwara under Captain Prabhat Singh. Thereafter Captain Prabhat Singh took charge of the force, while Captain Jawala Singh, himself wounded, carried the dead and the wounded to Srinagar. As it was too late to save Baramulla, and in order to avoid a running fight, Captain Prabhat Singh deployed his company and the remnants of Brigadier Rajinder Singh's force, a little distance to the east of Baramulla and waited for the enemy there. It was at this stage on the morning of 27th October that some troops of the Indian Army landed at Srinagar and the situation could be saved.

### **Indian Help Delayed**

But why had it taken so long for Indian help to arrive. There can hardly be any doubt that the man who by himself was responsible for this delay was none other than the Indian Governor General Lord Louis Mountbatten. This would be quite clear from the study of the sequence of events after the Maharaja requested for help.

The Maharaja seems to have sent in his request to India for military aid on the evening of 24th October. The Defence Committee which met on the 25th considered that the most immediate necessity was to rush in arms and ammunition already requested by the Kashmir Government. The question of sending troops was also considered but Mountbatten urged that it would be dangerous to send any troops unless Kashmir offered to accede. This was fair enough and it should not have been any problem to obtain the Maharaja's offer to accede within a matter of hours. As a matter of fact the Maharaja had never been averse to an accession to the Indian Union, and it was the Indian Government's insistence on accession only with the approval of Sheikh Abdullah that had caused all the delay. Now even Sheikh Abdullah was present in Delhi and quite prepared to give his approval for the Maharaja's offer of accession to India to save Srinagar from the Pakistani marauders. But Mountbatten was not to be satisfied with just accession, and as if to make a decision on this point by the Defence Committee difficult, he insisted that "accession should only be temporary prior to a plebiscite." As should have been expected, Mountbatten's proposal met with stiff opposition from some members of the Defence Committee led by Sardar Patel who had probably seen the trap that they were being led into. Consequently no final decision was taken on these vital questions on the 25th, but it was agreed that V P Menon should fly to Srinagar at once to find out the true position there.<sup>74</sup> This was clearly delaying tactics. Otherwise what doubt could there have been regarding the situation in Kashmir after General Lockhart had already read out to the Defence



Committee a telegram from Headquarters of the Pakistan Army stating that some five thousand tribesmen had attacked and captured Muzaffarabad and Domel and reports showed that they were now a little more than 35 miles from Srinagar.<sup>75</sup> In fact Nehru had already spoken to Mountbatten the previous evening about the "bad news" he had received from Srinagar regarding the tribal raid.<sup>76</sup> The critical situation that Nehru had painted to Mountbatten under the mistaken belief that the State troops were totally absent from the scene was even worse than what it actually was.

Just exactly how Mountbatten delayed sending aid to Kashmir for more than 48 hours is best indicated by what Allen Campbell has written on the proceedings of the Defence Committee meetings in his book *Mission with Mountbatten*. Relevant extracts are reproduced below:-

"Mountbatten then explained to me in detail the reason for the line he had taken on accession at the Defence Committee and the modification it involved to his previous approach. He said that while urging the Maharaja to make up his mind about accession before the transfer of power, he had, all along exerted his whole influence to prevent him from acceding to one Dominion or the other without first taking steps to ascertain the will of his people by referendum, plebiscite, elections, or even, if these methods were impracticable, by representative public meetings. When during the past forty eight hours it became clear that the Government was determined, against the military advice, both of their own Chiefs of Staff and of himself, to send in troops in response to a request from Kashmir for aid, he (Mountbatten) returned to the charge of accession.

"He considered that it would be the height of folly to send troops into a neutral state, where we had no right to send them, since Pakistan could do exactly the same thing, which could only result in a clash of armed forces and in war. He therefore urged that if indeed they were determined to send in troops, the essential pre-requisite was accession and unless it was made clear that this accession was not just an act of acquisition, this in itself might touch off a war. He, therefore, urged that in the reply his Government asked him to send on their behalf to the Maharaja accepting his accession offer, he should be allowed to add that this was conditional on the will of the people being ascertained as soon 'as law and order was restored. This principle was freely accepted and unilaterally proposed by Nehru".<sup>77</sup> From the above, it becomes very clear that Mountbatten was instrumental in causing the delay, to the extent of forty eight hours, in allowing Indian troops to be despatched to Kashmir. Fortunately for us the 200 odd men of the State Force under Brigadier Rajinder Singh, in a life and death struggle with 5000 of the enemy, were able to gain more time for the Government of India than could be frittered away by Mountbatten.

One wonders why Mountbatten was so adamant about the wishes of the people being ascertained when, while himself framing the draft Indian Independence Act, 1947, he had made no such provision in it. Was it a matter of his personal conviction which was so strong that he would rather have let Pakistan grab Kashmir by force than allow his Government to deviate from the high ideal of self-determination? Even if that was so, was it not enough to satisfy his conscience that Sheikh Abdullah who according to his own reckoning, was the leader of the largest political party in Kashmir, had endorsed the accession offer made by the Maharaja. The stance that Mountbatten had taken was going so much against Indian interest that it is difficult to be fooled into believing that he was in fact trying to save India from the throes of war. It might be more reasonable to believe that Mountbatten, who believed that "by sending its irregular troops into the State Pakistan had spoiled the whole thing"<sup>78</sup> was only trying to help Pakistan in making the best of the folly that it had committed.

With the arrival of the Indian Army before the raiders could reach Srinagar, Kashmir had indeed been saved. Whatever views on the accession issue that the people of Kashmir may have held before the Pakistani invasion, they were decidedly for a union with India after it. This was glaringly visible to everyone, except perhaps Mountbatten. During the six days from the date of the commencement of the invasion to the day the Indian troops landed in Srinagar, not a soul stirred in Srinagar neither to welcome Pakistani action nor to protest against the Maharaja's moves to secure accession to India- even though there were practically no troops in Srinagar and around, who could have prevented them from acting in any manner that they may have wished to do. As a matter of fact the arrival by the Indian Army sent a wave of relief and joy among the people and it was with their voluntary help that troops could be despatched to the front post haste, in civilian transport. But Mountbatten was not to allow the matter to settle in favour of India so easily. How he complicated the matter further to allow Pakistan to enjoy the fruits of aggression is dealt with in the next chapter.

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## CHAPTER -XII

### POST ACCESSION ROLE

#### **Keeping Pakistan's Options Open**

The Indian Government's commitment to a referendum in Kashmir was God-sent for Pakistan. It had indeed created an all-advantage -Pakistan situation. By invading Kashmir Pakistan had gambled and failed and yet it was not to suffer the consequences of its failure. A fresh option of securing the accession of Kashmir through referendum had been opened up for Pakistan. Interestingly Pakistan, whose only chance of securing the accession of Kashmir (if chance it did have) lay in granting the choice to the people rather than the Ruler, did not at any stage demand that the accession of the State be decided on the basis of the wishes of the people. To the contrary Mr. Jinnah had it repeatedly conveyed to the Maharaja that he alone could decide the issue of accession without any reference to his people. This seems to have been the stand of the Pakistan Government even as late as 21 September when its Prime Minister, Mr. Liaquat Ali Khan, made the following statement:-

"The correct position is that the Indian Independence Act of 1947 has left all Indian States completely free to join either one Dominion or the other or to enter into treaty relations with either. Legally and constitutionally there is no question of putting limitations on this right of the States. Muslim League leaders before 15 August, and the official spokesmen of the Pakistan Government thereafter, have publically declared their agreement with this view, and have since rigorously stood by it. No objection has been raised by Pakistan to any State acceding to the Dominion of India." <sup>1</sup>

Pakistan's stand on the issue may appear to be at variance with the stance adopted by Mountbatten. But this was probably a diplomatic move. With Mountbatten pressing the "wishes of the people" concept so vigorously and effectively there was no real need for Pakistan to foreclose its option of seeking accession on the basis of the wish of the Ruler. No doubt the chances of the second option materialising were few but they were there, none-the-less, with the Maharaja being offered a semi independent Sikkim like status in Pakistan. Besides, Pakistan must have had its eyes set on Juna garh and Hyderabad also, in which cases the 'wishes of the Rulers' could have helped. In any case Pakistan had another option for Kashmir - the invasion. We now know, as we did to some extent even then, that even as Liaquat Ali Khan was making a statement on accession on the basis of the discretion of the Ruler, preparations were on in Pakistan for the invasion of Kashmir. It would, therefore, appear that Mountbatten and Jinnah were acting hand in glove as far as Kashmir was concerned and the referendum option was made available to Pakistan as soon as the other two failed.

#### **Suggestion of Reference to UN**

After making the Indian leaders commit themselves to holding of a referendum in Kashmir, Mountbatten was now to make sure that they would not wriggle out of this commitment. He was quite aware that leaders like Sardar Patel had accepted his advice on making the accession conditional only under pressure of the urgent requirement for sending troops to Kashmir without any loss of time and that there was a chance of them backing out after the troops had been sent and Kashmir saved. He no doubt had tremendous influence with Nehru and could get him to do what he wanted to, but he seems to have been "worried that Nehru might find himself slipping unwittingly by sheer force of circumstance, into a State of mind where he could actually be influenced by adulation and flattery". Knowing Nehru's weakness he seems to have planned to exploit it himself before somebody else could, to make sure that there would be no

going back on the issue of ascertaining the wishes of the people before making the accession final. This was discussed between Mountbatten and Jinnah during their meeting at Lahore on 01 November. In the meeting, to allay Jinnah's fears and to bind India further to its commitment, Mountbatten suggested a U.N. controlled plebiscite in Kashmir. No opposition to the proposal from Nehru was envisaged and Mountbatten had no problem in getting Nehru to make a "big broadcast" to this effect.<sup>3</sup> But Nehru seems to have disappointed both Mountbatten and Jinnah in not committing to withdrawal of Indian troops from Kashmir as a per - requisite for the proposed plebiscite. Besides, Nehru and Patel seemed to think that referendum could not take place during the winter months and would in any case take time to organise. Mountbatten was, in fact, unhappy over the intended delay in the holding of the plebiscite - ostensibly for the reason that any long term military commitment over a wide front would not be favourable for India,<sup>4</sup> but actually to prevent India from having the Pakistani aggression vacated by force of arms.

On 26 November Nehru had once again to reaffirm his Government's commitment to a referendum in Kashmir to repudiate what Mountbatten considered a "dangerous suggestion of Sheikh Abdullah that there might now be no referendum"<sup>5</sup> He, however, once again rejected Pakistan's proposal for a simultaneous withdrawal of troops by India and Pakistan before the referendum.

Mountbatten's worry was, however, not Nehru but Patel, who seemed to be having an adverse influence on Nehru both with regard to the question of simultaneous withdrawal of troops by India and Pakistan as well as on holding of the plebiscite "without delay", as was being insisted on by Mountbatten. Indeed Patel had begun to oppose all negotiations with Pakistan in view of "reports of large scale concentration of tribals for a renewed attack on Kashmir and continuing stories of ghastly atrocities, including the whole sale murder of non Muslims and the selling of Kashmiri girls in Pakistan"<sup>6</sup> This hardened attitude of the Indian Government convinced Mountbatten that "the deadlock was complete and the political pressures, both internal and external, so intense that only the introduction of a third party with international authority acting in an agreed capacity could break it"<sup>7</sup> Consequently during the meeting of the Prime Ministers of India and Pakistan on 8 December, which had obviously been arranged by him for the purpose, he "injected the suggestion that the United Nations Organisation might be called up to fill the third party role"<sup>8</sup> The suggestion, as might have been expected was welcomed by Liaqat Ali, but Nehru wanted time to consider it in greater details.

Once back in Delhi, Mountbatten seems to have brought Nehru round to his way of thinking but only to the extent that his "attitude to the idea now [became] less negative than it was at Lahore"<sup>9</sup> The main resistance to the proposal seems to have been coming from Patel. Patel had been receiving a growing volume of evidence through his own sources of information, of Pakistan's connivance at the raiders' operation. He probably held the view that if Pakistan could not stop the raiders, India might have to do it, even if it meant an open war between the two countries. At one stage Patel had even brought matters to a head by refusing to implement the financial agreement with Pakistan and withholding the payment of Rs. 55 crores, till it ceased to support the raiders. We know how the "danger" was blown off through the intervention of Mahatma Gandhi. The result of Nehru's "positive attitude" interacting with, what

Mountbatten would have wished to call, Patel's negative attitude, only was that on 20 December the Indian Cabinet decided to make a limited appeal to the United Nations accusing Pakistan of helping the raiders.<sup>11</sup>

This was not exactly what Mountbatten had wanted. His main worry was the possibility of an open war between the two Dominions. He knew that Pakistan was not in a position to make war and any war that India may force on it, may well be to the detriment of Pakistan. In fact there was the chance of Pakistan losing the war and with it all that it had gained through the invasion. Mountbatten's aim in suggesting that the United Nations Organisation might be called in to fill the third party role was to seek its mediation and thereby prevent India from starting a war. He, therefore, sent another letter to Nehru warning him of the great danger of the Kashmir conflict escalating into a full-fledged war between India and Pakistan and urging the overwhelming need for caution and restraint. Taking advantage of the fact that Nehru derived the deepest satisfaction in pursuing his particular brand of foreign policy, a paragraph was added to emphasise "how embroilment in war with Pakistan would undermine the whole of [his] independent policy and progressive social aspirations"<sup>12</sup> But Nehru does not seem to have responded as Mountbatten would have expected him to, and his reply gave him the impression that "he [was] still in a cold fever over Kashmir and seized only of the immediate problem", whatever that may mean. Mountbatten could, however, derive some satisfaction from the fact that Nehru was ready to go ahead with the appeal to the United Nations as decided upon by the Cabinet. The procedure adopted by the Government of India would automatically defer a decision on starting a war, and buy time, which could provide Mountbatten with fresh opportunities for making the Government of India veer round to his policy. In the meantime he got the British Prime Minister to send an "excellently worded message to Nehru urging caution"] Interestingly while all this pressure was being exerted on Nehru and his Government for exercising restraint to the extent of foregoing its advantage, no effort, whatsoever, was made to make Pakistan yield even a wee bit for the sake of peace in the sub-continent. To the contrary every effort was made to secure Pakistan's position that it had acquired through aggression.

### **Complaint to the UN**

Mountbatten's opportunity came when the draft of the complaint to the United Nations was to be made out. Luckily for him Sardar Patel who had been dealing with Kashmir, as a subject of the States Ministry, had by then developed differences with Nehru over the approach to the problem, and when the draft of the complaint was being made Patel was in the process of being eased out of the responsibility with regard to Kashmir, on the grounds that international issues were involved and that the matter should be dealt with by Nehru as the Minister for Foreign Affairs. It was perhaps for this reason that the draft was prepared in the absence of Sardar Patel, who was then unwell, though under the plea that decision in the matter could not be postponed owing to the "urgency of the matter" .<sup>14</sup> Because of Patel's absence, Mountbatten seems to have had a free run in the matter of preparation of the draft, and after making out a strong case for its moral and legal rights in Kashmir, India went on to unnecessarily commit itself to a plebiscite which "might be held under international auspices". Indeed Mountbatten had achieved what he had wanted to inter nationalisation of the issue to prevent India from taking strong measures to meet the Pakistani invasion of Kashmir. He probably knew that the condition that India had set for its acceptance of the U N sponsored plebiscite, in that it was to take place only after the "soil of the State had been cleared of the invader and normal conditions restored", could ultimately be taken care of by the strong pro-Pakistan lobby, represented by the Anglo-American block at the United Nations. And So it was. The Anglo American block

pounced on the opportunity provided by India, through the kind courtesy of Lord Mountbatten, to help Pakistan out of the difficult position. Pakistan's aggression about which India had, in the main, complained was thus side tracked by the Security Council while India and Pakistan, were put on the same pedestal by asking India also to withdraw its forces from Kashmir, albeit after Pakistan had done so, to make way for the proposed plebiscite. It is another matter that even this one sided verdict of the Security Council was not acceptable to Pakistan, that was, at that time, more interested in delaying matters and preventing India from forcing the issue than in an immediate plebiscite. With the memories of the atrocities committed by the raiders still fresh in the minds of the people of Kashmir an immediate plebiscite could not have gone the Pakistan way.

The rationale behind India's complaint to the Security Council about the Pakistani aggression in Kashmir at a time when the invaders were on the run and would have, in any case, been cleared out of the State within a matter of months if not weeks, was beyond comprehension. Representative of the general surprise expressed by many, over India's decision to appeal to the Security Council, is the one expressed by Mr. Patrick Maitland, editor of the *Fleet Street Letter* London. Seeking views of Alan Campbell Johnson in the matter he asked:-

"Is this conflict going to drag on for many months, and even for years, does the Government of India honestly suppose it will gain any thing by going to the Security Council or are the Indian forces in such an unfavourable position that the Indian Government has taken this course in desperation."<sup>15</sup>

In a feeble defence of the action of the Government of India which had been taken at the behest of Mountbatten, Campbell-Johnson wrote back to clarify that India had appealed to the Security Council because it felt that it had a strong case, both morally and in law, and that the Security Council was the proper forum in which to present it.<sup>16</sup> That was indeed so but then India should have restricted its appeal to the extent of branding Pakistan as the aggressor and obtaining the world body's sanctions against it. In fact, by committing itself to an UN controlled plebiscite, India surrendered the very moral and legal advantage which had prompted it to refer the matter to the Security Council.

### **Indians Disillusioned**

There was all round disillusionment in India over the course that the discussions on India's complaint at the Security Council had taken and bewilderment at the delay by the United Nations in accepting India's basic complaint that an act of aggression by Pakistan had taken place in Kashmir. There was also a general feeling of hurt over the "unashamedly pro Pakistan" attitude adopted by the British delegate.<sup>17</sup> Even Sardar Patel found it "difficult to follow British diplomacy in this affair". Mountbatten, however, does not seem to have felt any embarrassment over the fate that his brain-child was meeting at the United Nations. He was quick to attribute the failure of the mission to the bad handling of the case by the Indian delegation, who, he felt, had neither been able to establish recognition of India's legal title nor that of its moral grievance as a plaintiff. Though "it was [Mountbatten] who encouraged [Nehru] to take the Kashmir case to the UNO" on the grounds that India had a strong case, he had now suddenly found that Pakistan's position was simpler and its demand for simultaneous and complete withdrawal of all forces and a neutral administration was an easier one to present, and for the delegates (including the British) to understand.<sup>18</sup> But who, if not Mountbatten, had complicated India's case. Are we to believe that Mountbatten had not realised how "simple" Pakistan's case was and how "complicated" India's while he goaded Nehru into making a reference to the UN.

The fact of the matter is that Mountbatten himself was interested only in the plebiscite and

"it [had] always been [his] hope in supporting a reference to the United Nations that it would lead to the earliest despatch of a Commission certainly by the end of January to the scene of the conflict" He was disappointed only to the extent that the Security Council had settled down to seek an agreed resolution on the general issues of principle before hand"<sup>19</sup> Never- the - less he appeared to have been "concerned about the suspicions [that were] seeping the minds of the Indian. Government and the politically conscious public, which taken together could well [have] developed] into a frontal attack on Indo-British good will"<sup>20</sup> According to him "India's unwillingness to recognise that a plebiscite carried out under the auspices of Abdullah and with the sole support of Indian troops, even if with Security Council backing, would not be regarded as fulfilling the condition of its fair conduct." He too seems to have felt the same way, except that, in his opinion, the British "attempt to deal out even handed justice was producing heavy handed diplomacy".<sup>21</sup>

With much of the Indian political comment in the press and elsewhere conforming to the belief that the British delegation to the United Nations had sinister designs which included a permanent readiness to support Pakistan and betray the Indian cause in the interests of power politics, the British found refreshing, the attempt of the ever resourceful *Dawn* of Pakistan at redressing the balance by charging them of betraying the Muslim cause.<sup>22</sup> Whether this was part of the Anglo - Muslim conspiracy or not may not be easy to say but it looked very much like the old trick of the freedom struggle days, which the British employed to suggest their innocence and impartiality vis-à-vis the Congress and the Muslim League.

Whatever may have been the feeling of the people of India regarding the attitude of the British delegate at the United Nations, Mountbatten does not seem to have suffered any handicap on that account in maintaining his sway over Nehru and in having his "advice" accepted by the Government of India. When during the second week of April, '48, the majority of the members of the Security Council, tabled an agreed resolution making various recommendations including the sending of a Plebiscite Commission to India, Nehru's reaction was violently adverse. Nehru felt, and rightly too, that the resolution had rejected every contention put forward by the Indian delegate. The resolution was in fact passed from a pre-conceived position. Consequently Nehru felt that the only course open to India was to oppose the resolution completely. He even appeared to be fully resolved to issue instructions for general condemnation of the resolution to Iyyengar at Lake Success. But Mountbatten "with his over whelming persistence and flair for argument in detail" prevailed upon Nehru "which made him to act upon second thoughts and to avoid taking a dangerous decision from a preconceived position"<sup>23</sup> Mountbatten was also instrumental in securing Nehru's agreement on allowing the proposed Plebiscite Commission to come to India.<sup>24</sup> Clearly the British representative at the U.N. and their representative in India Were acting in unison in the pursuance of their policy - one getting the required resolution passed in the Security Council and the other getting it accepted by the Indian Government.

### **Military Operations Influenced**

Even as the British were working for a cease fire in Kashmir to pave the way for a U N sponsored plebiscite there, they seem to have been making concerted efforts to influence the operations by the Indian Army in such a way as not to let India drive Pakistan out of Kashmir totally before the Security Council could enforce the cease-fire. That was the time when India had just gained Independence and it should not be surprising if the Indian leaders lacked the expertise in handling the armed forces. The situation was, perhaps, made worse by the fact that the Indian leaders that mattered, tended to be more idealistic than realistic in matters of policy



governing the use of force as a means for achieving political objectives. In those days (which extended right up to 1962 if not beyond) convenience rather than necessity dictated the government policy in military matters, resulting in hesitancy in action. The Indian Government at that time was, therefore, very vulnerable to being misled in military matters by known military experts 'masquerading as friends, but .with their hearts elsewhere.

In the beginning of the operations in J&K there were two military experts of great renown - the Governor General Lord Louis Mountbatten of Burma fame and the British Commander - in - Chief of the Indian Army, General Robert Lockhart, who, by virtue of their appointments, were duty bound to advise, in keeping with Indian interests. Then we had General Auchinlek, the Supreme Commander, who should have been looking after (not promoting though) the interests of both India and Pakistan. Unfortunately, however, all three of them have given enough evidence of their great affinity for the Pakistani cause as far as Kashmir was concerned. In the first instance they feigned ignorance regarding the impending invasion of Kashmir till it actually went in. I say feigned because it is quite impossible to believe that they actually knew nothing about it before it came. In this connection it may be recalled that Major General H L Scott, the State's relieved Chief of Military Staff, even as a passer-by, had noticed the great preparations for the invasion that were going on at Abbottabad and other places in the North West Frontier Province of Pakistan and had sent information regarding this to the State as early as 24/25 September.<sup>25</sup> Interestingly at this time Pakistan too had a British, General Sir Douglas Gracey, as the Commander-in -Chief of its Army. He must have been in the thick of the preparations that were being made for the intended invasion of Kashmir, in view of the fact that the invading force was being built around the nucleus formed by the Pakistan Army personnel who were officially shown as being on leave/ deserters.<sup>26</sup> It should have been General Gracey's duty to keep the Supreme Commander, General Auchinlek, in the picture about the developing situation that was most obviously fraught with dangerous consequences for both the countries. Are we to believe that General Gracey failed in his duty to keep General Auchinlek informed of the serious situation that was developing or that Gracey, Auchinlek and Mountbatten were Quite aware of what was coming, but had deliberately turned a blind eye to Pakistani activities for letting them take the chance of grabbing Kashmir by force, before India could retaliate. From the events that followed the invasion, and the dubious role played by practically every British Officer, whose services had been retained by the Indian Government, one is inclined to believe in the latter.

General Gracey informed the Supreme Commander about the invasion officially only on 25 October three days after it had been launched and the raiders had broken through the State's main border defence, and were a little more than 35 miles from Srinagar.<sup>27</sup> One cannot crib about General Gracey's loyalty to his Government in giving the raiders maximum time to achieve their objective but one cannot condone the fact that Mountbatten and our Commander-in-Chief, General Lockhart, who should have been loyal to the Indian interests, also did what Pakistan wanted. On the pretext of saving India, from the inevitable catastrophe which could have resulted from a war that might have broken out between India and Pakistan, had India decided to intervene militarily, these experts, would not take cognisance of the critical situation in Kashmir, and haggled over the question of sending Indian troops to Kashmir for forty eight hours, as if to enable the raiders to capture Srinagar before Indian troops could be sent to save it. Interestingly while Pakistan, that would have been the loser had a war actually broken out, seemed least worried about the possibility of a war resulting from its invasion, our military experts, even with the military edge that India had over Pakistan, were determined to avert war,

even if it meant handing over Kashmir to the aggressor on a platter. Some advice this.

After the State's accession to India and the Indian Government's decision on sending troops to Kashmir, only about 330 men were airlifted to Srinagar even though the Commander-in-Chief of India had received information from the Commander-in-Chief Pakistan that some 5000 tribesmen, with the possibility of more tribal reinforcements joining them, were advancing towards Srinagar.<sup>28</sup> There were also reports that the State Forces were absent (which was not correct though) and altogether a critical situation was developing. One wonders on whose military advice, if not that of our Commander-in-Chief, were 330 men considered sufficient to meet the Pakistani onslaught. It is possible that only these many men were sent due to the constraints of the air lifting capacity of the Indian Air Force at that time but even otherwise not more than one battalion (800 men) seems to have been planned for sending to Kashmir initially for halting the advance of over 5000 well armed invaders, while a brigade strength (three battalions plus supporting troops) was to be built up ultimately for clearing the State of the invader.<sup>29</sup> The Indian troops on making contact with the raiders short of Baramulla were taken completely by surprise at the strength of the enemy. The Sikh Battalion that had been flown in fought the enemy fiercely but greatly out-numbered they were unable to stem the tide of the invasion and were forced to retreat right up to the outskirts of Srinagar City. The lack of appreciation of the situation in Kashmir to the extent of causing a debacle, by the great war veteran, General Sir Robert Lockhart, even after he had been posted with accurate information regarding the strength and disposition of the 'enemy, cannot be passed off as a normal error of judgement.

The Supreme Commander, General Auchinlek who, as we have already seen, had been feigning ignorance about Pakistan's intentions of invading Kashmir, seems to have suddenly become active after the invasion. He is credited with having got cancelled Jinnah's regular invasion orders of 27 October after the Indian troops landed in Kashmir and thus averting an open war between Indian and Pakistan.<sup>30</sup> Jinnah should have known that Pakistan was not in a position to fight an open war with India to any advantage, It is doubtful if Jinnah ever was serious about an open war with India, But if he ever did earnestly issue orders to his Army to openly march into Kashmir as alleged, General Auchinlek, by refusing to endorse them had only saved Pakistan from acting foolishly, We know that "Pakistan Army was in no shape to take on the Indian Army within weeks after partition"<sup>31</sup> so why should Pakistan have gone in for an open war at a disadvantage when its objective could so conveniently be pursued through a war by proxy, Little wonder that while he made this creditable effort to dissuade Jinnah from making an open declaration of war, General Auchinlek took no cognisance of Pakistan Army's entry into Kashmir in the guise of deserters, personnel on leave and as "Azad Kashmir" forces. Subsequently in March, 1948, after Mountbatten had made sure that India would not, under any circumstances, declare war against Pakistan, General Gracey (who had earlier claimed that he refused to obey Jinnah's orders for marching into Kashmir unless such orders were confirmed by the Supreme Commander) allowed regular Pakistani troops to participate in an undeclared war with India,

Apparently the dubious role being played by the Supreme Commander, General Auchinlek, had become quite evident to the discerning members of the Indian Government like Sardar Patel. As a matter of fact Sardar Patel who had clearly seen through the British game minced no words as he charged Auchinlek with throttling the initiative of the Indian Army and of allowing his Headquarter in Delhi to act "as the advance post of Pakistan"<sup>32</sup> Consequently he demanded immediate liquidation of the Supreme Command. This move of Sardar Patel was vehemently

resisted by Pakistan and Mountbatten, but the Sardar persisted with his demand, Ultimately the matter was referred to the British Government who "reluctantly came to the conclusion that they had no option but to close down the Supreme Command headquarters on 30 November"<sup>33</sup>, Sardar Patel also seems to have suspected the role being played by the Indian Commander-in-Chief, General Robert Lockhart, and it was probably on his (and Sardar Baldev Singh's) insistence "that Lockhart was removed, but why he should have been succeeded by another British Officer, General Sir Roy Bucher, is difficult to understand. Consequently the military situation created by the earlier Commander-in-Chief by crushing the initiative of the Indian Army remained as it was right up to the end of December, 1947.

In the meantime the British had played foul in Gilgit also. The two British officers, Major W A Brown and Captain Matheson who continued to remain in charge of the Gilgit Scouts, as their services had been requisitioned by the State on the termination of the lease of Gilgit to the British since 1st August staged a disgraceful coup against the State's Governor in Gilgit, Brigadier Ghansar Singh, with the help of Gilgit Scouts on 01 November. They put the Governor under arrest and attacked the unwary State Force garrison at Bunji, after inciting the Muslim element of 6th J&K Infantry to mutiny.<sup>34</sup> The men of the Bunji garrison led by two young brave officers Captains Baldev Singh Bajwa and Sukhdev Singh Parmar, then made frantic efforts to join up with the Skardu garrison. As the enemy openly led by the British officers had blocked all the regular routes between Bunji and Skardu, Bajwa and Parmar took to the mountains in search of some alternative route. No such route, however, existed. After wandering in the high altitude mountainous regions without food and water for ten days they finally returned to Bunji to be taken prisoners by the traitors. Thereafter the two British Officers took over charge of Gilgit administration to be ultimately handed over to Pakistan on a platter.<sup>35</sup> It is Difficult to believe that these British Officers, who had willingly accepted service under the State, acted treacherously on their own and in their individual capacity. But would these officers have acted the way they did had not the British policy been so visibly pro-Pakistan with regard to the issue of Kashmir's accession.

The military situation in Kashmir in January, 1948 was not too good, which became a matter of grave concern to every right thinking Indian. Maharaja Hari Singh complained bitterly about this "depressing" military situation to Sardar Patel<sup>36</sup> That was the time when the advance towards Kohala had been halted after the capture of Uri in the second week of November 1947, without any further intention of ever continuing it, and the State troops that had been holding on to their various posts in the Poonch Jagir and Mirpur district had had to abandon most of them for want of ammunition and rations which the Indian Army had not been able to provide to them, so long after taking over operational control in J&K. But what had, perhaps, caused the greatest distress to the Maharaja and everyone else in the State was the fall of Mirpur in the end of November. In the hope of receiving reinforcements from the Indian Army, the State Force garrison there had held on to the town right up to the time its ammunition was totally exhausted and it was overwhelmed by the enemy. Consequently the withdrawal of the garrison had not been orderly and while it still managed to escort thousands of Hindu /Sikh refugees out of the town to Jhangar, many more were left behind at the mercy of marauders. What befell these Hindu Sikh men, women and children, who were unable to commit suicide, is too heart-rending to be narrated. The tragedy was heightened by the fact that a Brigade of the Indian Army, even after losing some precious time because of undue caution during its advance from Jammu, had reached Jhangar a week earlier but had, unfortunately, till then, not been able to do anything beyond helping in the evacuation of Kotli next door. Military experts, and Maharaja

Hari Singh was one, feel that after reaching Jhangar if the Indian Brigade Commander had reinforced Mirpur along with Kotli, instead of deciding to go for them one by one, both could have been saved. It is also believed that the enemy situation in Jhangar area was not so bad as to demand the evacuation of Kotli after it had been reinforced. All these happenings had sullied the fair name of the Indian Army. But was the Indian Army totally to blame.

One of the reasons which Maharaja Hari Singh believed to have been the cause of this sorry State of affairs was that the Indian Army Officers lacked experience because of rapid promotions after the withdrawal of the bulk of the British Officers from the Indian Army after Independence. This may have appeared so at the time Hari Singh wrote to Sardar Patel, particularly in view of the Indian Army's performance in the Mirpur Kotli area but considering the J&K operations as a whole, today we know, that the Indian officers, though young in years, were generally not lacking in military talent and their failings at places were more a matter of exception than the rule. Even in the case of Mirpur-Kotli fiasco, the great caution that the Indian Brigade Commander was exercising, much against the advice of the local State Force commanders, may not have been entirely his own thinking. Many old officers of the period believe that caution in that operation was due to the briefing that the Brigade Commander had received before the operations at the Army headquarters which was at that time completely dominated by British Officers (including the British Commander in Chief).<sup>38</sup> What really affected the performance of the Indian Army in J&K was, in fact, what the Maharaja gave out his second reason - wrong policies of the Indian Government, which, today we know, were due to Mountbatten's advice and influence.

The "full weight of Mountbatten's authority" was against further advance of the Indian Army for fear of "extension of already vulnerable and tenuous lines of Communications."<sup>39</sup> On the face of it the advice did, indeed, look sound. A careful Scrutiny would, however, show that the advice was politically motivated in keeping with the British Policy of enabling Pakistan to retain as much of the occupied territory as was possible, even as efforts were being made at the United Nations for the transfer of the whole of Kashmir to Pakistan through a plebiscite. The fear of the lines of communications getting extended seems to have been deliberately instilled to dissuade the Indian Government from ordering further advance of the Army. Otherwise even a person with common military knowledge would know that there are various methods of dealing with a situation created by extended lines of communication and armies do not abandon their advance just because the lines of communication have got extended.

Mountbatten's military advice was particularly directed against any advance beyond Uri which the Indian Army had captured as early as the middle of November, 1947. Apart from the general hoax regarding the extended lines of communication, Mountbatten showed his great concern over "the most serious news of concentration of another formidable enemy force, estimated at six thousand in the Uri area". He feared that any attempt by the Indian Army to up-stick from the Uri defences and advance towards Kohala, while six thousand of the enemy was waiting to pounce on it, entailed the risk of losing Uri and that a "withdrawal from Uri would renew a threat to Baramulla, Srinagar and the Vale all over again"<sup>40</sup> Stretching the argument further Mountbatten opined that a reverse on the Uri front in turn "might well give over - whelming impetus to the argument, stressed with ever increasing insistence in Government circles, that the only way to deal effectively with the raiders [was] to occupy their bases or nerve centres inside West Punjab - and this would mean War".<sup>41</sup> Finally to make his advice acceptable to Nehru he touched his soft spot by concluding that "embroilment in war with Pakistan would under-mine the whole of Nehru's independent foreign policy and progressive

social aspirations"<sup>42</sup> Mountbatten knew that implementation of his particular brand of foreign policy gave Nehru the greatest satisfaction.<sup>43</sup>

The attitude of the Army Headquarters in Delhi which was obviously acting under the directions of the Government, was most puzzling for the field commanders in J&K. Lieutenant General L P Sen who was at that time a Brigadier, commanding a Brigade on the Uri front, has described the in-explicable attitude of the Army Headquarters thus:-

"The spring offensive had to be launched without teeth to it because of the denial of reinforcements necessary to provide the punch for affecting a breakthrough. When the two advances from east to west were bogged down and operation to be mounted took a south to north direction, extra brigades were immediately moved into J&K

. State ... Army Headquarters handling of the operation in Kashmir in 1947-48 leaves more than a little room for speculation whether the formations deployed were really intended to score a decisive success which they could and would have achieved had reinforcements been moved in, or whether it was the intention that their capacity should be limited to a strength where only a stalemate could result. From the attitude adopted by Army HQ, the second would appear the correct assessment."<sup>44</sup>

Mountbatten's motive in advising caution in general and forbidding advance beyond Uri in particular would, however, appear sinister when viewed in the light of Pakistan Army's objective as formulated by its British Commander-in-Chief, General Gracey. In the concluding paragraph of his appreciation of the situation made in April, 1948 he writes:-

"It is obvious that a general offensive [by India] is about to start very soon now ... If Pakistan is not to face another serious refugee problem with about 2,750,000 people uprooted from their houses, if India is not to be allowed to sit on the door steps of Pakistan to the rear and on the flank at liberty to enter at its will and pleasure, if the civilian and military morale is not to be effected to a dangerous extent and if subversive political forces are not to be encouraged and let loose within Pakistan itself, it is imperative that the Indian Army is not allowed to advance beyond the general line Uri-Poonch Naushera"<sup>45</sup>

From all accounts Pakistan Army was not in a position to, by itself, hold the Indian Army on the line marked by their Commander-in-Chief. Apart from the fact that Pakistan Army was no match for the Indian Army, Pakistan's involvement in the Kashmir war was limited for fear of provoking India to attack Lahore and Sialkot. Are we then to believe that it was a coincidence 'that the Indian Army decided to halt exactly where General Gracey wished it to. Evidently what worried Pakistan, worried Mountbatten also, and hence his great stress on the danger of an open war in general, and advance beyond the line decided upon by Pakistan, in particular.

### **Mountbatten's Continued Responsibility**

It appears that the British influence on the Indian policy on Kashmir, both, political as well as military, continued to be exercised through the "friendly" advice of Mountbatten long after he had left India. His letter to Jawahar Lal Nehru from London dated 15 August 1948 makes interesting reading. Extracts reproduced below would give some indication of what was holding up an all out Indian action in its war (even if undeclared) with Pakistan. In his belief that Nehru "could be actually influenced by adulation and flattery", Mountbatten wrote:-

"We have just come back from a meeting at the Albert Hall where over 4000 people joined together to celebrate the first anniversary of India's independence. No doubt you will see the full report in the press, *but I thought that you "would like to know that every time your name was mentioned it brought all proceedings to a standstill, so long and so genuine was the*

*applause.*

"Edwina and I are off tomorrow morning to Ireland and after that to Canada, and will not be back until the end of month, and I know that you will have in the meanwhile to take some very vital decisions. How I wish I could be with you in Delhi and help you to make them by giving you a chance to discuss all the points with me as you used to in the old days. Although I have no right whatever to make any comments, let alone give you any advice now, I feel in a way a continuing responsibility for the situation that you are faced with, for it was I who encouraged you to take the Kashmir case to the UNO.

"Since I have been over here, I have had the opportunity of discussing this problem with every sort of person and with all shades of opinion. I have been struck by the unanimity of thought over here that India was absolutely right to go to the UNO. I know that you (and I) have been criticised in India for having gone to the UNO, because UNO handled the matter in a way that caused disappointment in India. But in the comparative detached atmosphere in London it is more than ever clear that the alternatives before India were and still are, open war or a decision by UNO. There were really no other alternatives except, perhaps, continuation of undeclared war with all the risks that entail of it eventually turning into a declared war.

*"I think you will agree with [me that) Pakistan is in no position even to declare war, since I happen to know that their military commanders have put it to them in writing that declaration of war with India can only end in the inevitable and ultimate destruction of Pakistan.*

"Therefore a declared war can only come about by India making the declaration.

*"I know that you will instinctively shrink from taking such a course, but I also know that there are some of your colleagues in the Cabinet and the more noisy and unthinkable elements in the country who will press you to declare war, I, therefore, feel it may be some use if enumerated again the disastrous consequences of such an act on the part of India.*

"After all that the leaders of free India have said and stand for can we honestly contemplate that India's first major international act should be a declaration of war and the final and open abandonment of all other methods of settling an international dispute? This will inevitably be of the gravest possible prejudice to India's future international position. *Indeed UNO might outlaw her, in my opinion naming her as the aggressor.* What a paradoxical tragedy that would be.

" I am certain I do not need to re-assure you as to the sincere friendship which H M G feel towards India ... But whatever their feelings would be, they would have no option, in my opinion, but to conform with UNO's.

" I need not remind you that you have 4 Crore Muslims spread all over India, to whom communal peace was given by Gandhiji's teaching and finally his death. *Can anyone doubt that all Gandhiji's teaching would be thrown by the board, and that communal massacres, which would make the Punjab look mild by comparison, would follow open warfare with a Muslim State.*

"Have you asked your Chiefs of Staff Committee to give you the advantages and disadvantages of declaring war? If you had a thousand bombers, or a hundred, or even fifty, which could completely flatten out the Pakistan bases, then I could understand the temptation to declare war. .. And we know from our own experience in England how ineffective even a first class bombing force can be until after years of training and war experience.

"If, therefore, you will agree that no sane man could subscribe to a declaration of war, what is the alternative? Apart from going on with an un-declared war, which is so likely to lead to

ultimate disaster, the alternative must be UNO.

"I think that India should show more patience with UNO ... All my discussions here have convinced me that it was not malice, power politics or any sinister motive which brought about the un-satisfactory treatment of our case ... I know that you, unfortunately, did not share my view that the last resolution of UNO was not unfavourable for India, but if you will look at it again I think you will find that if UNO were to implement it, it can provide a reasonable solution to India. Certainly an infinitely better solution than plunging all the rest of India into the consequences of war.

*" If UNO, as Krishna (Menon) seems to think likely, order a ceasefire, with all the forces in their present positions, you might feel that this was giving unfair advantage to Pakistan. But is it? If there are enough competent and honest observers they can prevent the forward movement of troops and ammunition and they can prevent any form of consolidation by Pakistan, or at least report any infringement which would put Pakistan out of court before UNO and the world. "The only satisfactory conclusion that I can see would be for UNO to condemn Pakistan publically for sending their army into Kashmir on the ground that this is Indian territory. I do not myself see how such a condemnation could precede the acceptance of the order of ceasefire. As I said just now, the act of complying with the cease-fire order could in no way prejudice India's military position, as your military advisors will tell you, but the condemnation of Pakistan by UNO which can then follow would be the justification of the policy which you have pursued from January and the beginning of peace in Kashmir. In effect this would enormously strengthen your position with your followers and public opinion would certainly establish India's rightful position in the world.*

There is hardly any need for comments on this letter. The guile that Mountbatten has used for driving his point home makes his sincerity a suspect. He has used every trick up his sleeve, like flattery, appeal to idealism, his military authority to instil a fear of War, threat of action by the UN and even ridicule heaped on India's capacity to make war, to persuade Nehru to accept the cease-fire and, so to say, not to do anything till then that might hurt Pakistan. A careful scrutiny would show that his arguments are, in fact, weak and even puerile at places, but made with such an air of authority as to look compulsive to the ignorant and the gullible.

It may be noted that at the time when the letter was written, the Indian Army had begun to assert itself. It had met with a fair amount of success in the Jhangar, Nowshera and Poonch Sectors and the Pakistan Army was generally on the run everywhere. The least knowledgeable person, let alone Lord Louise Mountbatten of Burma fame, would have known that a cease fire at that stage was to the advantage of Pakistan. His arguments against the certainty of Pakistan consolidating its position in Kashmir after the cease-fire were obviously meant to deceive. The fear psychosis that Mountbatten has tried to create in respect of the disastrous consequences of an open war also appear to be the work of Mountbatten the politician rather than Mountbatten the military expert. This may not have been evident to the ordinary man then, but today after having gone through two wars with Pakistan everyone now knows that wars may be fought without even fifty bombers when the other side has even less and that the threat of disastrous consequences listed by Mountbatten was a mere bogey created for dissuading India from declaring war on Pakistan just because Pakistan was not in a position to fight.

The cease-fire came into effect from 01 January 1948. It could not have been a matter of a coincidence that the Indian Army's advance came to a halt more or less where the Pakistan's Commander in Chief had wished it to - the Uri-Nowshera-Poonch line. On the other hand Mountbatten's "prediction" that the cease-fire would be followed by general condemnation of

Pakistan by the world body did not come true as might have been expected. On the contrary the UNO put India and Pakistan on the same pedestal and treated both as equal partners in crime. Far from naming Pakistan as the aggressor it decreed that both sides withdraw their forces from the State and the dispute be decided through a plebiscite under aegis of the UN. The only saving grace perhaps was that Pakistan was to withdraw first. There was no "wah wah" from any quarter either, for India's peace policy as was being anticipated.

It would appear that Mountbatten's advice was in continuation of his pro-Pakistan policy with regard to Kashmir. First it was Mountbatten's insistence on the wishes of the people being ascertained before accession even though there was no such provision in the Indian Independence Act of which he himself was the architect; second, the causing of a forty eight hours delay in allowing the despatch of Indian troops to Kashmir even when the raiders were known to be on a free run to Srinagar; third unilaterally making the accession provisional (*de facto* if not *de jure*) to sow the seeds of a dispute where there was none; fourth, unnecessarily committing the country to a plebiscite while complaining to the UN about Pakistani aggression; fifth, making the Indian Government go slow on its military operations by frightening it of the disastrous consequences of the undeclared war escalating into a declared one; and finally the ceasefire to enable Pakistan to retain some substantial amount of the fruit of aggression.

### **Double Standards**

The question arises as to what were Mountbatten's motives in securing the accession of the State to Pakistan. Was it because of his personal conviction that though the "basic principle of accession was that it was vested in the personal discretion of the Ruler, it was recognised that this discretion should be qualified by the geographical contiguity of the State to the successor Dominion, the communal composition of the State, and a plebiscite, if necessary, to ascertain the will of the people,"<sup>47</sup> as he seems to profess that it was so. But if that had really been so, why did he not on the basis of this conviction advise the Nizam of Hyderabad, just the same way as he did the Maharaja of Kashmir. Surely the "recognised" qualifying principle of a Ruler's discretion left the Nizam with no other viable option other than a complete accession to India. Geographically Hyderabad was totally land-locked and surrounded on all sides by the Indian Dominion which settled the issue of contiguity for good, and on the communal side its population was overwhelmingly Hindu which was, without the slightest possibility of doubt, all for acceding to India. However while Mountbatten had tried his best to tie down the Maharaja of Kashmir to a single option - that of joining Pakistan - even as he had all the three options still open to him, he got involved in searching out for the Nizam a second option that never, really, existed.

Mountbatten seems to have been aware that the Nizam in his negotiations with India, whether for the Stand Still Agreement or for his final relationship with India, was playing for time. For his final decision he was waiting, first of all, to see the outcome of the Kashmir issue; secondly, for the British support that he was expecting; thirdly for the strengthening of his army to be able to negotiate from a position of strength; and, lastly, for the outcome of his hobnobbing with Pakistan. Mountbatten also seems to have been aware that "left to his own devices and in possession of sovereignty, which he never enjoyed under the Paramount Power, he [Nizam] [would] continue to reinforce the prerogatives of himself and of the communal oligarchies around him".<sup>48</sup> Yet while the Nizam sent delegation after delegation to Delhi, which entered into 'Ruritarian' discussions<sup>49</sup> on the Nizam's shifting stands and changing proposals, and even as the situation was getting murkier and murkier for India, leading the States Ministry to the point of exasperation, Mountbatten advised "unusual diplomatic patience and non-



communal objectivity" <sup>50</sup> in the handling of the Nizam as if to allow Nizam the time that he was bidding for.

Far from insisting on the Nizam adopting the only option open to him as per Mountbatten own stipulations - a complete accession to India, - the Governor General was trying to work out formulae which could preserve Nizam's symbolic status and even meet his aspirations for remaining independent to the maximum possible extent. Consequently he directed all his conciliatory resources to "find the formula that would close the gap between accession and association. He went so far as to recommend a lavish document which could then be accepted by both parties as an 'instrument' without suffix or prefix but meaning accession to Sardar (Patel) and association to His Exalted Highness". <sup>51</sup>

Notwithstanding the fact that in giving the Nizam more time the Indian Government would also have been allowing Rizvi and his fanatical movement fresh scope, Mountbatten continued to show the greatest indulgence to the Nizam and would not allow his Government to force the pace in making the Nizam see reason. So much so that even as late as April, 48 he would not have a strongly worded letter sent to Hyderabad which might appear to the Nizam as an ultimatum by the Government of India. He found the States Ministry letter "drafted by V P [Menon] and heated up by Sardar Patel" openly accusing the Nizam's Government of breaches of Stand Still Agreement, and calling upon it to fulfil its obligations and ban the *Ittehad* and *Razakars*, as very stiff and of a threatening tone, even after it had been "cooled down"; by Nehru on Mountbatten's advice, before it was despatched. <sup>52</sup> Subsequently when the Nizam took exception to the letter and sent Monckton (his British advisor) to seek an explanation from Mountbatten, the Governor General of India was most apologetic and hastened to deny that any affront was meant. In this he was ably supported, as usual, by the Prime Minister Jawahar Lal Nehru. <sup>53</sup>

Even as late as May '48, while the Nizam was arrogantly refusing to listen, Mountbatten hesitated to send a last warning letter to the Nizam. The draft had been prepared but its despatch was deferred. Mountbatten seems to have taken the line that "the judgement of history [would] be not only whether the advice was good but also whether it was so presented to the Nizam that in his [then] mood and situation he would be likely to accept it" and that a letter of this nature should only be released after every other expedient had failed; when it should be lodged as a final friendly plea. <sup>54</sup>

It would appear that by pursuing a policy of appeasement and over indulgence, Mountbatten, the great friend of India, was creating the problem rather than solving it. This was subsequently vindicated by the fact that the Hyderabad issue was settled in no time after Mountbatten relinquished his office in India. Evidently Mountbatten, like he did in the case of Kashmir, was acting more in keeping with British policy than as a matter of any convictions. The British policy in the case of Hyderabad obviously was to secure an "honourable settlement for the Nizam," <sup>55</sup> that was to be more honourable, perhaps, than the settlements made with other states. Mountbatten had no doubt tried his utmost to get the best *far* the Nizam. By inflating the Nizam's capacity to militarily resist the Indian demand for a complete and normal accession, he succeeded in instilling caution in the Government of India, that prevented it from forcing the issue. This was supplemented by his usual gimmick, stressing "India's need to adopt ethical and correct behaviour towards Hyderabad and to act in such a way as could be defended before the bar of world opinion" <sup>56</sup> Mountbatten had in fact succeeded in persuading Nehru. to give an assurance that he had "no intention of forcing accession in terms of the Indian Constitution on Hyderabad", and that "nor had he any intention of swallowing up the Hyderabad Army". <sup>57</sup>

Even Patel seems to have been made to relent and to withdraw "his veto on anything other than full accession"- much to Mountbatten's "surprise and relief". 58 It is another matter that the Nizam, probably because of developments with regard to Kashmir, and expectations of support from opinion abroad, felt convinced that given adequate time he could achieve, on his own, much more than what Mountbatten, with all his diplomatic and manipulative attributes, could get for him. Consequently, under a false sense of security provided by his jingoistic Muslim oligarchy he stalled negotiations at every stage and played for time. Ironically the Frankenstein that Mountbatten had created for the Indian Government, by exaggerating the Nizam's military capabilities, to obtain for him the best possible terms within India, also encouraged the Nizam to bid for the moon and lose everything in the bargain.

As if Mountbatten had been negotiating with the Nizam as the British representative rather than the Indian Governor General he briefed the British Prime Minister on its outcome. Mr Attlee is reported to have expressed his satisfaction that "everything humanly possible had been done to secure an honourable settlement for the Nizam, and that [the British] could all go away with a clear conscience in the matter". This leaves one wondering whether Mountbatten was, in the process, serving the British or the Indian cause. Is it any wonder then that in Kashmir also he was serving the British cause and all the hullabaloo with regard to ethics, world opinion, natural justice, contiguity, will of the people etc was only political gimmickry that was employed in the furtherance of the British diplomacy in Kashmir.

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## CHAPTER - XIII

### EPILOGUE

Though the declared British policy towards the Indian State was that of non- interference in their internal affairs, in actual practice this does not seem to have been always so. There are numerous examples of blatant British interventions in the internal affairs of Princely States, over the years of their rule in India, ostensibly as a matter of treaty obligations towards the Rulers, or under the moral obligation towards the people of the concerned state, but in reality for promoting self interest. They are known to have, more often than not, turned a Nelson's eye to gross maladministration of certain Rulers, and supported them against their subjects, just because they were supporting the British cause in India. On the other hand in Jammu and Kashmir, notwithstanding the good opinion they had of the Maharaja as an able and just ruler, they decided to support the Muslim agitation of 1931 against him because the agitation served their purpose in more than one way. Firstly, it helped in weakening the authority of the Maharaja and thereby curing him of his recalcitrance to a large extent, and, secondly. it enabled them to gain uninterrupted control over the strategic territory of Gilgit for the next sixty years. The agitation, abetted, organised, financed and completely controlled by the British Indian Muslims, earned British support also because of their obligations under the Anglo-Muslim collusion that was in vogue in those days, as a matter of mutual interests, against the nationalist movement.

Whatever the British motives, the manner of their intervention in Kashmir was blatantly one-sided. Much hue and cry was raised by Rulers of other States before the Secretary of State for India, London, and the Viceroy, over this British intervention in Kashmir, which was considered by them as totally unjustified. The Viceroy, in what could be termed as a masterly stroke of diplomacy, passed off this intervention as an obligation under the category of "assistance [to the Ruler] against rebellion". The viceroy had indeed assisted the Maharaja in putting down the rebellion against him but only after he had been forced to yield to the demands of the rebels.

Having realised that the Indian Independence could not be delayed any more, the British Government sent Lord Mountbatten to India, decidedly with the mission of creating Pakistan. as an Anglo - American foot-hold on the Sub Continent after its independence, for use as a pawn in their game plan against the Soviet Union. It was, therefore, because of the British interest in partitioning India, and not Jinnah being some unique phenomenon, (as some vested interests have tried to make him out to be), that Pakistan was created within ten years of its having been conceived. It goes to Mountbatten's credit that in spite of the "highly charged atmosphere" that he found on his arrival in India "partition was rushed through before the Hindu hatred of the idea had time to gather weight" Having created Pakistan as a matter of their policy, it was quite natural for them to support it on the Kashmir issue, both for the appeasement of a friend in need, as well as meeting the common strategic requirement with an (would be) ally. Consequently this formed the basis for their post-independence diplomacy in Kashmir.

Whether Mountbatten was acting on his own, as a matter of his conviction that what he was advocating was morally and ethically the correct course for India to adopt, even if it meant losing Kashmir, or whether as a matter of British policy favouring Pakistan on the Kashmir issue, he, by insisting on making the accession of the State temporary and conditional is responsible for creating the Kashmir dispute in its present form. Pakistan's invasion had been a

gamble that failed because of the unexpected. One, the determination of some members of the Indian Cabinet, led by Sardar Patel, to send troops to Kashmir against Mountbatten's advice, and, two, gallantry of Brigadier Rajinder Singh and his small band of State Force soldiers who delayed the raiders for a period longer than what was anticipated by Mountbatten and Pakistan. The gamble having failed, that might have been the end of Pakistan's case in Kashmir, had not the Government of India made the final acceptance of the accession of the State, subject to the wishes of the people being ascertained after law and order had been restored; giving a new lease of life to Pakistan's claim on Kashmir. It is this commitment of the Government of India, originated, nourished and cherished by its Governor General Lord Louise Mountbatten, that forms the crux of the Kashmir problem.

Strangely, however, the British role in creating the Kashmir problem has been completely played down by most historians. One reason for this could be that they did not wish to embarrass the Indian leaders, (especially Nehru who was considered the national hero), who could not be totally absolved of the guilt of accepting Mountbatten's advice so blindly, as to allow it to act against national interests. The mere shame of our national heroes having been duped by Mountbatten made our "patriotic"

type of historians to avoid the issue. It was not just a case of apportioning blame for the muddle that had been created. Mountbatten's attitude and actions challenged the very sagacity of the decision to appoint him the Governor General of free India, even after having known the British role in the creation of Pakistan. The blame was, therefore, most conveniently passed on to the Maharaja for, what was described as, his indecision on the issue of accession before the Pakistani invasion. It was convenient because the Maharaja forlorn and condemned by the emerging "socialistic pattern of society" was in no position to refute the charge himself and none other was interested in taking up cudgels on behalf of the dying monarchy - not even in the interest of history. Charging the Maharaja with indecision was, in fact, somehow considered a political necessity. It not only covered up the role that Sheikh Abdullah, the protected political species, had played in delaying the accession, but the argument that the Maharaja was undecided and still weighing the pros and cons of going one way or the other, at the time of the invasion, was also expected to make Pakistan's treachery look more outrageous. That none of these helped India during the projection of its case at the UNO is of course another matter.

It is most ironical that while most writers on the subject have levelled the charge of Maharaja's indecisiveness more as a matter of unconcerned adherence to the official line, than any person I know, Dr Karan Singh, Maharaja's own son, has been most enthusiastic about it. As a matter of fact, Karan Singh has out done Mountbatten in ridiculing his father by suspecting that in his heart his father still did not believe that the British would actually leave.<sup>2</sup> In his eagerness to prove his socialistic and progressive credentials, in keeping with changed times, Karan Singh has little consideration for the fact that even before he was born, his father was pleading for his country's freedom without bothering about what that freedom would have in store for his person and his dynasty. Explaining his father's deplorable conduct in pretending colic to avoid having to convey his decision to Mountbatten on the accession issue, Karan Singh opines that "indecisive by nature [his father] played for time"<sup>3</sup> As a scholar of political science he believes that a "typical feudal reaction to a difficult problem is to avoid facing it" and that his father who was "particularly prone" to this, probably did what might have been expected of him. In any case, feels Karan Singh that his father missed the "last real chance of working out a viable political settlement" and arriving at a meaningful discussion with

Mountbatten, who had even brought an assurance from the Indian leaders that they would not take it amiss if the Maharaja chose to accede to Pakistan.<sup>5</sup> What is unfortunate about Karan Singh's comments over the matter is not the criticism of his father but the fact that, even with the advantage of the hind sight that he posses today he has failed to spell out what decision he would have expected his father to take had he not been so indecisive by nature and feudalistic in outlook. Or for that matter, and even appropriately, what would have been his own decision under the circumstance prevailing then, had he been in his father's place.

It is difficult to believe that Dr. Karan Singh and all the others who have written on the subject have failed to see through Mountbatten's game. What was there for the Maharaja to decide when Mountbatten had left him with no option by asking him to ascertain the wishes of the people and act accordingly. It was therefore, not the Maharaja's indecision that made him to avoid meeting Mountbatten, but, perhaps, his decision to reject Mountbatten's advice.

The Maharaja's rejection of Mountbatten's advice was also not totally without justification. By suggesting that the Maharaja should act only in accordance with the wishes of his people, Mountbatten was depriving the Maharaja of his prerogative granted to him by the British themselves through the Indian Independence Act, and there was nothing surprising about the Maharaja trying to resist it. But even if he was to surrender his right, how was he to ascertain the wishes of his people so fast before 15th August. Was it as simple as Mountbatten had made it out to be - to find out in "one way or the other"<sup>6</sup> which way they would like to go. In any case the exercise would have been meaningless in view of the fact that it was to be carried out by the Maharaja himself. Would Pakistan, or for that matter Mountbatten himself, have accepted the Maharaja's findings if these had favoured the Indian Union. Could not the endorsement of the Maharaja's decision to accede to India by the National Conference, the State's largest political party, be considered as having been done in deference to the wishes of the people. Then why was this not acceptable to Pakistan and even to Mountbatten.

Clearly Mountbatten's advice to the Maharaja regarding the ascertaining of the will of the people was not borne out of his love of democracy. If that had been so he would not have advised the Maharaja against the option of remaining independent. What if on ascertaining the wishes of the people the Maharaja had found that the majority was for remaining independent. There can be no doubt that Mountbatten had thrown in the idea of "the wishes of the people" to open the possibility of the State's accession to Pakistan, which the Maharaja would not have conceded to, if left to himself. The British, probably, hoped that like the earlier happening in the North West Frontier province the choice of the people of Kashmir between India and Pakistan would ultimately degenerate into a religious choice as between the Gita and the Quran, giving the necessary edge to Pakistan over India. But the British hopes were Maharaja's fears, and this by itself accounts for his hesitation in referring the matter to his people. Evidently the Maharaja was against taking any chance with a plebiscite that might lead to an accession to Pakistan. In a letter to Nehru after the Government of India had committed itself to a UN sponsored plebiscite, Mehr Chand Mahajan made it clear that as far as the Maharaja was concerned, he would rather abdicate than go along with his people to Pakistan on the basis of a plebiscite.<sup>7</sup>

The Maharaja's aversion to an accession to Pakistan may not have been due to personal considerations alone. The Maharaja could not have been so naive as not to understand that whether he acceded to India or Pakistan, personally his position, in years to come, would not remain any better than the comptroller house-hold of his palace. In this he, probably, had more to fear from Nehru and Abdullah than from Jinnah and Abbas. The Maharaja's chief worry

seems to have been his Hindu Sikh subjects. He knew that while his Muslim subjects would have no problem in secular India, there would be no place for the Hindus and Sikhs in the theocratic Pakistan. What is being projected by the historians as the Maharaja's indecision is, therefore, in actual fact, his resistance to Mountbatten's pressure for compelling him to accede to Pakistan.

Whatever may have been the attitude of the historians towards the issue, the question still remains as to what made the Indian leaders to follow Mountbatten blindly to the extent of landing themselves in such a mess. The British in India, whether in their individual capacity or as a matter of their national policy, are generally known to have been pro Muslim for a variety of reasons. which, having been dealt with in great detail in the preceding chapters, need not be repeated here. Mountbatten could not have been an exception as he was the British representative who had been sent to the Sub Continent specially to implement his country's policy. How did the Indian leaders then fall into the trap and inadvertently help Mountbatten in the furtherance of British policy rather than their own. There could be many reasons for this but before discussing any of these let it be made clear that any suggestion that might cast aspersions on the integrity, sincerity or moral character of leaders like Nehru and Patel, who were at the helm of affairs at that time, would be preposterous. It must be appreciated, never-the less. that these leaders, great as they were in their own right, were after all humans and quite prone to failings in keeping with their genius. Any hero-worship that attempts to cover up their failings would not, therefore, be in the interest of history.

Apparently Mountbatten got an upper hand over the Indian leaders right from the word go through the sheer force of his personality which neither of them could match. During his negotiations with them for independence "the impact of Mountbatten's forceful personality and astonishing energy, produced electrifying results", while he "swept the Indian leaders along such a speed that they had no time to draw breath to quibble".<sup>8</sup> This in itself probably filled the Indian leaders with a sort of inferiority complex. Or at best they developed a tendency for hero-worship which prevented them from seeing anything wrong in Mountbatten's advice even when it was grossly so. Matters became even worse after Independence. The situation created by the aftermath of partition seems to have become such that it was beyond the administrative ability of the Indian leaders (including Sardar Patel) to handle and they were compelled to seek assistance of Mountbatten. An Emergency Committee was formed of which Mountbatten was made the Chairman and, thereafter, the entire administration of the country passed, *defacto*, into the hands of Mountbatten.<sup>9</sup> Being so dependent on Mountbatten on everything the Indian leaders could not have been expected to come out openly in opposition to Mountbatten's advice, even when it appeared to be against Indian interests. Even then Sardar Patel seems to have broken himself free of Mountbatten when it came to Kashmir affairs where actually Mountbatten's advice went against Indian interests. But by then Mountbatten had considerably strengthened his hold on Nehru by exploiting his weakness for idealism and his known susceptibility to flattery.

Even after Mountbatten relinquished his post of the Governor General of the Indian Union. he continued to advise Nehru on Kashmir affairs from London, as a matter of his "continued responsibility"<sup>10</sup>. He remained particularly worried about the possibility of a war breaking out on the Sub Continent and it goes to his credit that in spite of Pakistan providing the provocation by openly entering the conflict with its regular army, India, though militarily superior, not only restrained itself from declaring war on Pakistan but also accepted the cease fire to allow it to retain a large portion of J&K territory as the fruit of its aggression. Credit must also go to

Mountbatten for India accepting the holding of plebiscite in J&K under the aegis of the United Nations although the State had legally acceded to the Indian Union and thus become a part of it.<sup>11</sup> Unfortunately for Mountbatten, however, all his efforts to provide Pakistan with yet another chance for acquiring Kashmir proved futile. With memories of the atrocities committed by the Pak-sponsored raiders on the Kashmiris still fresh in their minds, Pakistan was not quite sure of the verdict of the plebiscite going its way; the religious appeal that it would evoke notwithstanding. Not wanting to risk losing what it was holding, Pakistan scuttled the U N move by refusing to act on the demilitarisation clause of the resolution passed by the world body in this regard. Apparently Pakistan was then quite reconciled to the solution of the Kashmir issue on the basis of the Cease Fire Line. Subsequently, however, successive governments in Pakistan kept taking up the issue of self-determination in Kashmir, from time to time, under the force of domestic political compulsions. The most serious attempt at raking up the issue, however, has been the recent one in which the Kashmiris themselves have been incited to revolt over the issue; or so it has been made out to be.

It is ironical that in spite of the high idealism, bordering on the ridiculous, displayed by India with regard to the issue of self-determination in Kashmir, Pakistan, through the medium of a vicious propaganda campaign, has been able to create a very strong feeling among the Kashmiris that it is India that is responsible for denying to them, what they consider to be, their right. So strong has, in fact, been Pakistan's propaganda, and so feeble India's efforts at countering it, that even the Indian intelligentsia have been effected by it and today there are many among them who have begun to, inwardly, feel the shame of this being so. This impression needs to be countered not only to assuage the hurt feelings of the Kashmiris, and to clear the guilt conscience that anyone of us may be suffering from but also to be able to view the problem from the correct perspective.

First of all it must be understood that self-determination is not a right of the Kashmiris, as they seem to have been made to believe. Legally the discretion of joining one dominion or the other or that of remaining independent was vested entirely with the Rules of the Princely States. The element of ascertaining the wishes of the people of Kashmir in this regard was introduced by India, as a matter of its obsession with fair play, purely for self satisfaction. So committed were the Indian leaders to this ideal that even though the Maharaja of Kashmir was naturally inclined towards an accession to India, they refused to discuss this matter with his representative who had been sent to Delhi for the purpose, on the ground that no such discussions could be held without the participation of a recognised people's representative.<sup>12</sup> They even went to the extent of having it conveyed to the Maharaja (through Mountbatten) that they would not take it amiss were the Maharaja to accede to Pakistan on the basis of the wishes of his people. India then did not sign the Stand Still Agreement, proposed by the Maharaja on the lapse of British paramountcy on 15 August 1947 on similar grounds<sup>13</sup> Even when Kashmir fell into its lap, as a result of the Pakistani invasion, India, notwithstanding the fact that the Maharaja's request for accession was this time accompanied by a similar request from Sheikh Mohammed Abdullah, who unquestionably represented the majority in Kashmir, went to the absurd extent (even if under the influence of Mountbatten), of accepting the accession only under a self imposed stipulation that the question would ultimately be settled by a reference to the people as soon as law and order have been restored in Kashmir and its soil cleared of the invader.<sup>14</sup> But India did not stop at just that. As if to bind itself still further, India, while complaining to the Security Council about Pakistan's aggression in Kashmir, went on to unnecessarily make a mention of its desire to ascertain the wishes of the people on the issue of



the State's accession." No country in the world would ever have acted against its national interests in the pursuance of an ideal, however high, as India did to serve the cause of self-determination in Kashmir. On this account India did, indeed, lay itself open to the charge of being imprudent and totally lacking in political sagacity, but to charge it with having subverted the process of self-determination would be blasphemous, so to say.

While India was going all out in securing for the Kashmiris the privilege of self-determination in the matter of accession, Pakistan that is today posing as the champion of the cause of the Kashmiris was harping on the legality and constitutionality of the issue to debar the Kashmiris from exercising their will and trying to secure the accession by winning over the Maharaja.<sup>16</sup> It was again Pakistan that sabotaged the UN efforts to hold a plebiscite in Kashmir over the issue. The resolution adopted by the world body in this regard laid down that "the Pakistan Government should undertake to use its best endeavours to secure the withdrawal of tribesmen and Pakistan nationals IJpt normally resident therein, who have entered the State for the purpose of fighting, and to prevent any intrusion into the State of such element and any furnishing of material aid to those fighting in the State" and that "when it is established to the satisfaction of the Commission, set up in accordance with the Council resolution, that the tribesmen are withdrawing" should India "put into operation, in consultation with the Commission, a plan for withdrawing their own forces from Jammu & Kashmir, and reducing progressively to the minimum strength required for the support of the civil power in the maintenance of law and order"<sup>17</sup>The stipulations set forth in the resolution of the Council of 21 April 1948, quoted above, were very clear, and these formed the basis for the United Nations Commission for India and Pakistan (UNCIP) resolution of 13 August 1948, which in turn set forth the Cease Fire Order and the Truce Agreement between India and Pakistan, whereby the "Government of Pakistan agree [d] to withdraw its troops from the State"<sup>18</sup>And yet no withdrawal of troops by Pakistan was ever made. to make way for the partial withdrawal of troops by India and the subsequent setting into motion of the process for the holding of a plebiscite in Kashmir.

Pakistan stalled the proceedings by raising a controversy over the interpretation of the UNCIP resolution when there should have been none, particularly in view of the clarification that the Chairman of the UNCIP had already given in response to similar points raised by India before accepting the resolution. In his letter to the Prime Minister of India the Chairman had written to say that "the interpretation of the resolution as expressed in Para 4 of [the Prime Minister's] letter coincided with its [Commission's] own interpretation".<sup>19</sup> India's interpretation of the resolution, put up for consideration of the Commission, referred to above by the Chairman, as the one coinciding with that of the Commission. pertained to paragraph A3 of Part II of the UNCIP resolution, which laid down that pending a final solution. the territory evacuated by Pakistani troops would be administered by the local authorities under the surveillance of the Commission. India had sought confirmation of its interpretation that this paragraph would not be applied in practice so as:

- a) to bring into question the sovereignty of the Jammu and Kashmir Government over the portion of their territory evacuated by Pakistani troops;
- b) to afford any recognition to the so called "Azad Kashmir Government"; or
- c) to enable this territory to be consolidated in any way during the period of the truce to the disadvantage of the State.<sup>20</sup>

Pakistan's interpretation seeking recognition of the "Azad Kashmir" Government as the local authority in Pakistan Occupied Kashmir (POK) and the retention of the "Azad Kashmir" forces

in terms of the UNCIP resolution was preposterous, to say the least, and was, therefore, not acceptable to India and even to the Commission itself. Evidently Pakistan had deliberately made an absurd demand to throw in the, proverbial, spanner in the wheel for fear of the outcome of the proposed plebiscite at that stage.

Although the Pakistani stand was not in keeping with the Security Council and UNCIP resolutions it received much support from the Anglo-American block, whose interests lay in appeasing Pakistan so as to be able to use its air bases for spy missions over the Soviet union, rather than upholding the verdict of the UN. Those were the days when the Soviet Union had taken a neutral stand over the Kashmir issue. The western powers, therefore, had a field day in bullying and exerting undue pressure on India to make it yield to Pakistan's most unreasonable demands - seeking to equate the aggressor and the victim. The Security Council and UNCIP resolutions were, hereafter, shelved and solutions other than the plebiscite were sought to be thrust on India with their bulldozing majority at the UN. Fortunately India could hold out against the Western onslaught till the Soviet Union sensing the Anglo-American motives in supporting Pakistan on the issue, came to India's rescue with its power of the veto. The deadlock was now complete and with this ended the remotest possibility of a plebiscite ever being held in Kashmir.

After Pakistan failed to act on the UN and UNCIP resolutions, making the holding of a UN sponsored plebiscite impossible the initiative in the matter passed on to India. It now had two options. Either to have Pakistan's aggression vacated on its own through the use of military force or to content itself with a *Status quo* along the Cease Fire Line (CFL). Evidently India settled for the latter and not unwisely at that. The other course meant going to war with Pakistan and India was neither in a position to defy the UN nor did it have the military capability to make such a war decisive, and as such meaningful. Consequently India decided to call it a day as far as the UN sponsored plebiscite was concerned and instead sought to ascertain the wishes of the people, (to which it stood emotionally committed), through the State Constituent Assembly duly elected on the basis of adult franchise. The State Constituent Assembly finally adopted a constitution in 1957, Article 3 of which stated categorically that "the State of Jammu and Kashmir is and shall be an integral part of the Union of India".<sup>21</sup>

It should not have been surprising that Pakistan did not appreciate the significance of this historical decision by an elected body, as they had never seen fair elections in their own country till then (and nor were they to see them for many more years to come). That the verdict of the people through their Constituent Assembly is not rigged is, however, amply proved by the fact that for the next two decades and over, there never appeared more than a microscopic section of the people that ever disputed the State's accession to the Indian Union, or demanded, any more, right to self determination. On the other hand the Kashmiris gave a big rebuff to Pakistan during the Indo-Pak war of 1965. They not only refused to give shelter to the Pakistani infiltrators but also assisted the Indian Army in apprehending them. This lack of people's support to Pakistani infiltrators is authoritatively cited in world military circles as one of the major causes of Pakistan's military failure in Kashmir. Then in 1971 again the Kashmiris stood solidly behind the Indian Army as it was engaged in evicting the Pakistan Army from picquet after picquet, liberating considerable Kashmir territory from under Pakistan's illegal occupation. What further proof is then required of the fact that the people of Kashmir that found representation in the State's Constituent Assembly were predominantly in favour of the State's accession with the Indian Union. There was no way of finding out the wishes of the people of Pakistan Occupied Kashmir (POK), in view of Pakistan's reluctance to provide such

an opportunity to these people. However, taken together, the people of Kashmir who favoured India far exceeded those wishing to throw in their lot with Pakistan, even if it was assumed that the majority of people in POK formed the latter category.

What India had done was the best that could have been done under the circumstances to remove the prevailing uncertainty about the future of the State, and get along with its political and economic development. But India seems to have continued its streak of bunglings on the Kashmir issue even after this. With the accession of the State having been made irrevocable on all counts, legal, moral, and factual, this should have been the end of the matter. Unfortunately, however, India failed to shut the door on the issue even though the States accession to India was now as complete as it could ever have been. As a matter of fact by keeping itself available for negotiations with Pakistan without pre-conditions, India, inadvertently, lent credence to Kashmir being disputed territory. What was worse, notwithstanding the repeated assertions by Indian leaders that Kashmir was as good an integral part of India as any other, it was never made to look like one. It is universally accepted that even in cases where the people have a right to self-determination with regard to their future union with one country or the other, this right can be exercised only once, but an idealistic India chose to make its presence in Kashmir dependent on the continued wishes of the people, throwing itself open to black mail by wily Kashmiri leaders

The most consistent and damaging part of India's Kashmir policy, particularly during the Nehru and India Gandhi days, has been that, in what was intended to be an effort to strengthen the nationalist forces in Kashmir, too much dependence was made on a few individuals to the detriment of the masses. These individuals, sensing their indispensability to the Government of India for keeping up the pro-India climate in the State, used the position conferred on them, for acquiring for themselves a free hand in State affairs - ostensibly for doing good to the people but in actual fact for securing their seat of power and perpetuating corruption for filling their coffers. Having acquired impunity on the ground of their "national outlook" and assured "loyalty" to the country, the new ruling class was not made answerable to their people by those who put them in power. For fear of harming the "national cause" no one questioned their phenomenal rise from rags to riches. Nor were these individuals asked as to why, even after they had received billions and trillions of rupees as loan/ aid from the Central Government, the Kashmiri peasant was still poor - unable to earn enough during the summer months to be able to pull through the winter months, which he is even today forced to spend in the plains of Jammu and Punjab in search of work. Apparently the policy of the Central Government was to reward loyalty rather than honesty and proficiency. It even turned a blind eye towards the notoriety that the State Government earned in rigging elections, even if to allow the "loyalists" to retain power. The "loyalists", on their part made occasional display of confrontation with the Centre for maintaining their hero-like image with the people which provided them with the necessary leverage for improving their personal prospects of political power.

Meanwhile, in, what could be termed as, a display of poor form of diplomacy, India had failed to conceal its eagerness to reach a solution of the Kashmir issue on the basis of a partition along the Cease Fire Line or any other line mutually agreed upon. As a bad bargainer India had thus laid all its cards on the table and by implication surrendered its claim on Kashmir territory under occupation of Pakistan. Consequently the initiative passed on to Pakistan. With India's *de facto* acceptance of Pakistan's position in the so called Azad Kashmir, the dispute was reduced to just that pertaining to Kashmir under Indian control. So while Pakistan could now go on the offensive India had pushed itself on to the defensive - trying to justify its own presence in

Kashmir, on the basis of the wishes of the people. Even after the Indo - Pak war 1965 which had established India's military superiority over Pakistan, India failed to snatch the initiative back from Pakistan, as one might have expected of it to do under the favourable situation that it had been able to create. On the other hand by returning to Pakistan all the Kashmir territory that it had lost during the war, India granted legitimacy to Pakistan's right over its occupied territory, in even more subtle terms. In 1971 when Pakistan made yet another attempt to annex by force the part of Kashmir under Indian control. India, notwithstanding its decisive victory in the Indo Pak war once again let Pakistan off the hook, and except for retaining small bits of the captured POK territory, here and there, for improving its tactical position along the Cease Fire Line, returned the major portion of all such territory to Pakistan's control. After the Simla Agreement, that followed the war, it could well have been said that India had gained nothing and Pakistan had lost nothing; both sides having decided to revert to square one.

The only positive side of the Indo- Pak war of 1971 for India was that it established the incapacity of Pakistan to take Kashmir by force. Notwithstanding the right conferred by the Simla Agreement on both the parties to stick to their respective stands, the issue seemed to have been permanently settled on the basis of a *status quo* along the Line of Actual Control (LOAC), that had replaced the earlier Cease Fire Line. With the Muslims having once again demonstrated their loyalty towards India, there was now, consequently, no requirement for the Central Government to pursue its policy of appeasement of the Kashmiri leadership, nor for it to lay itself open to black mail. The Central Government, however, failed to take advantage of the situation for promoting accountability and good governance in the State and convincing the masses that they had made *the* right choice while opting for an accession to the Indian Union. Instead, with India's position in the part of Kashmir under its control now appearing unassailable, the party in power started indulging in petty politicking purely for party gains. Henceforth individuals in the ruling elite (that was created in what was considered to be "national interest") were to be favoured not only on the basis of their loyalty to the Country, but also on the extent to which they were prepared to share power with the ruling party at the Centre. The story of the removal of Farooq, installation of GM Shah and return of Farooq is now part of this history and needs no repetition. The point to be noted, however, is that under the Farooq-Rajiv accord the ruling clique in Kashmir ceased to look like the heroes that they had made themselves out to be. The resultant loss in their popularity was then sought to be made up by allowing rigging in elections on an unprecedented scale. Anyone opposed to these "nationalists", even though he had sworn by the Indian Constitution before standing for the election, was shamelessly prevented from gaining entry to the State Assembly. No heed was paid to people outside the ruling clique who agitated for fairly elected governments in the State, as against the ones being thrust on them by the Centre, or those who innocuously demanded basic amenities and a greater share in Central Government services. All this generated a feeling among the people that they were not being treated with dignity and honour like other citizens of our Country, and that they were at times unreasonably maligned as suspects and foreign agents. This is not to say that all the grievances of the people were genuine or that all their demands could have been met even with the best efforts of the State or the Central Government. No doubt many of the grievances were the result of some misgivings, but the State and Central Governments, rather than working for the removal of such misgivings, had been, more often than not, contributing towards them. With the manner in which the elections were conducted in 1989 who could, for instance, blame the people if they felt humiliated and insulted

Unfortunately for us the 1971 war had a positive side for Pakistan also and they seem to

have made the most of it. After the 1971 war Pakistan realised, which it had not done after the earlier one in 1965, that considering India's sources of national power as compared with its own, it could never expect to win an open war against India. But as fight it had to, for avenging the humiliation that it had suffered during the 1971 war, it started planning for waging some sort of an indirect war or a war through proxy as it may be termed, for achieving its objectives. While the chances of success for Pakistan in such a proxy war in Kashmir would be greatly enhanced, it would be the Kashmiris who would be paying for it with their lives, rather than the Pakistanis themselves, as had been the case in the earlier wars. The financial burden on Pakistan would also be many times lighter. After all what is the cost of a few thousand Kalashnikov or AK 47 rifles that it would be required to supply to the insurgents, or the inherent organisational expenditure, when compared with the cost of a full-fledged war: Fortunately for Pakistan the angry mood of the people of Kashmir and the non-performance and ineffectiveness of the Farooq government fitted perfectly with its plan for engineering an armed revolt in Kashmir. The issue of self-determination in Kashmir was by then long dead and Pakistan would have known this; having itself throttled it at its inception. Pakistan would have also known that withdrawal of troops by both India and Pakistan (no matter in which order) still remained a pre-requisite for the holding of a free and fair plebiscite and it would be wishful thinking for someone to believe that what could not be done immediately after the Cease Fire in 1949 could be done now, and India and Pakistan may, after all, be persuaded to vacate their respective territories which they have been holding for the last half a century or so. But for the start of any insurgency there is the need for establishing a "rallying cry" and self-determination, with its universal appeal, not only made a good cause for winning local support but also for drawing international attention, and hence Pakistan's interest in self-determination for the Kashmiris.

The tragedy of Kashmir is the extreme simplicity of its people which makes them very vulnerable to exploitation by the cunning - both within as well as outside the State. The Kashmiris are deeply religious minded and the exploitation of their religious susceptibilities has more often than not, formed the basis for all the various political movements launched by their leaders from time to time since 1931. No matter what the real motives behind these movements may have been, they were presented to the masses as a struggle in the name of Islam. In 1931 itself they were made to struggle for a cause that turned out to be not really their own. Both the British and the British -Indian Muslims, who had kept on prodding the Kashmiri Muslims to continue with the agitation even after the Maharaja had agreed to consider their demands, withdrew their support to the agitation as soon as their own interests had been served. Consequently after an year of turmoil, during which the poor among the Kashmiris suffered tremendously and made the supreme sacrifice of many lives, they were, at the end of it, more or less, at the same place from where they had started. It was, in fact, this realisation on the part of Sheikh Mohammad Abdullah that resulted in his ultimate parting of ways with the Indian Muslim League. The present situation in Kashmir is nothing but an action-replay of the situation in 1931. The same simplicity of the Muslim masses and similar exploitation by Muslims from outside the State, for a cause that is not the Kashmiris' own. The only difference today is that the Kashmiri Muslims are being made to get killed in greater number. The future of the movement is also destined to be similar to that of the 1931 agitation - back to square one with all the sufferings and sacrifices going waste.

The Kashmiris must understand that Pakistan is no friend of theirs, and its motives in Kashmir, far from being philanthropic are out and out selfish - annexation of Kashmir. The

proposition of and Independent Kashmir, which provides the source of inspiration to most of the militants, is as distasteful to Pakistan as it is to India, as that would involve vacation of its illegally occupied territory of Kashmir also. Pakistan's idea of self determination, which it is purporting to espouse is, therefore, only that of providing the Kashmiris with a single option of joining Pakistan on the basis of religion. How many Kashmiris get killed in the process is, of course, of little consequence for Pakistan. The *Azadi* that the Kashmiris may be aspiring for is already guaranteed by the Indian Constitution even without Article 370 and they do not have to depend on their unscrupulous leaders or Pakistan for safe-guarding it. They may, like any other, fight for their rights under the Constitution, for which they will find many supporters in India, including their co-religionists, many times more in numbers, living in various other parts of the Country.

It may not be politically expedient for both India and Pakistan to admit openly, but the fact remains that neither is in a position to alter, by the use of military force, the situation created by the Cease Fire Agreement between them, and the J&K State already stands partitioned between the two. This should be sufficiently clear from the abortive attempts that Pakistan has made towards disturbing the *status quo*- first in 1965 and then in 1971. Indications now are that the proxy war, that Pakistan is currently engaged in for the same purpose, will end up the same way as did the two open wars. Both sides agreeing to a permanent *status quo*, roughly along the Line of Actual Control, therefore, appears to be the only viable solution to the Kashmir dispute between India and Pakistan. That, in practical terms, is what the Shimla Agreement is all about.

#### References

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3. Ibid
4. Ibid
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7. Mehr Chand Mahajan to Nehru, Durga Das p 100
8. Campbell-Johnson p 258
9. Ibid pp 177-78
10. Mountbatten to Nehru Durga Das pp 220-22 II.
11. Campbell-Johnson p 317
12. Ibid P 289
13. Ibid p 223
14. Ibid P 225
15. Indian Complaint to Security Council as reproduced at Appx Ten, Durga Das p 347
16. O P cit Chap XI note 32
17. Security Council Resolution of 21 Apr 1948 as reproduced in Appx Thirteen, Durga Das pp 352-53
18. UNCIP Resolution of 13 Aug 1948 Reproduced at Appx Fourteen, Durga Das pp 356-58
19. Chairman UNCIP to Prime Minister India, Durga Das pp 360-61
20. Prime Minister India to Chairman UNCIP, Durga Das pp 358-60
21. Article 3 of the Constitution of Jammu and Kashmir