

REMINISCENCES

Some Reminiscences of Ranjit Singh Sarkaria (Retd. Judge of The Supreme Court of India). (His date of birth is: 16th January 1916).

After practising as a Pleader from 1940, first at Lahore, and then at Ambala and Patiala, I was elevated as an Advocate of Patiala High Court. As a matter of convention and long-standing practice, I was on the recommendation of the Chief Justice (Hon'ble M.V. Bhide) appointed and confirmed as Naib Nazim (Judicial) and served at Narwana as a Magistrate Ist Class-cum-Sub-Judge from 20.4.1943 to 1946. During this period, a dispute between Hindus and Muslims took place at Kalayat, a historic town connected with Kurakshetra War. There is a Temple of Kapul Muni. There are two Masjids, inside the town which is predominated by Hindu Rajputs. Of yore, Muslim Qazis/Maulvis were not giving any Azans loudly calling the Muslims for prayers in these mosques, and castigated the local Muslims as to why they were not giving the Azan (call for prayers in these mosques). As a result, one Ali Niwas gave the Azans and this provoked the Hindu Rajputs – who were in majority in the town, to stop it by indulging in violence.

Fearing breach of the peace, and under instructions from the District Magistrate, Sunam, I, accompanied by Mr. Salamat Ali, Deputy Superintendent of Police, and about ten constables, went to Kalayat, as communal trouble there on this count, was apprehended on the Id-Day which was approaching. We stayed in the Dharamshala of Kalayat. We decided that the DSP should advise the Muslims, particularly Ali Nivaz, not to call the Azan at the old Masjids inside the town, while I called

Telu Ram and the leaders of the Rajputs, and advised them not to create or encourage disturbance of the peace. We were persuading the parties to reach an agreement, whereunder, Muslims would be given a part of the common land outside the Abadi of the village for building a mosque, from where they might call the Azan, but not from the old mosques inside the village Abadi.

When we were so advising and warning the leaders of the two communities, some Muslims who had collected in the Idgah, outside the village Abadi, loudly chanted Nara-e-Takbir. Then, some Hindu ruffians gave a loud call shouting "Bangey Gai¹Rey". As a result, a huge crowd of Hindus armed with Jelies, lathis and sharp weapons ran towards the Idgah; I also along with my police party, ran to the Idgah and made a cordon to stop the Hindus from attacking the Muslims who were hardly 40 or 60 inside the Idgah. First, a shower of brickbats was made by the mob on our party and on the Muslims inside the Idgah^{c.e.} (its open courtyard). One, of the mob, even hurled a gandasi blow at the DSP, but a constable warded it off with the butt of his rifle on which it left a mark. The constables armed with rifles were in kneeling positions and crying and demanding that I should order "firing". I did not do so. I surged ahead and located the persons/leaders with whom we were earlier holding talks. I persuaded those Hindu leaders to make a cordon to check the mob from entering the Idgah. In the meantime, one person from the Idgah, ran out from the backside. The crowd diverted towards that side. At this stage, I ordered a lathi charge on the attacking mob. It proved to be effective in dispersing the crowd. The peace was restored and maintained thereafter.

The State Government, headed by Malik Hardit Singh, Prime Minister ^{of} Patiala State, issued a Commendation Certificate to me and also granted two advance increments to me. Thereafter, H.H. Maharaja Yadevinder Singh on his visit to Narwana, publicly, in a speech/appreciated ^{my role as} (commendable) in dealing with the situation, effectively).

SOME NOTES/RECOLLECTIOS to the Best of Memory during my posting as Sub-Judge First Class. Section - 30 Magistrate at Bhatinda—1947.

In January or February, 1947, when I was posted there as Additional District Magistrate (Judicial)-cum-Senior Sub-Judge, Maharaja Yadevinder Singh visited Bhatinda. He met, among others, the officers, including Shri Rajbir Singh Kang, District and Sessions Judge, myself, and Shri Diali Ram Puri, City Magistrate (Judicial), and Col. Jaswant Singh of 3rd Patiala Infantry ^{and the} Superintendent of Police, and (perhaps, Raja Shivdayal Singh, Deputy Commissioner of Bhatinda (with headquarters at Barnala?)) His highness the Maharaja directed that we should open refugee-camps, particularly, for non-Muslims fleeing and coming from the North-Western Frontier Provinces ^{and then} set up at Bhatinda, to be looked after by the local officers. He also advised us to record the statements of important persons at the Railway Station, coming from Pakistan. Accordingly, three refugee camps were set up, particularly for Non-Muslims fleeing and coming from the North-West Frontier Province and other places in the proposed Pakistan. Accordingly, three refugee camps were set up at Bhatinda to be looked after by the local officers. His Highness also advised us to record the statements of

important persons at the Railway Station, coming from Pakistan. Later, he himself advised the refugees in the refugees camps, particularly, those coming from N.W.F. Province, Multan, Bhawalpur etc., that they should go to wind up their business at their native places and then come back to India, but they should send their families, bringing their valuables to India, in time. He warned them that the National Indian Leaders and others who were advising them not to leave Pakistan, were not correct, because 'after the partition of India, no non-Muslim will be able to stay safely and carry on his avocation in Pakistan.'

Accordingly, a voluntary Committee of local Judicial Officers, headed by Shri Rajbir Singh Kang, D. & S. Judge, and myself, and also including Shri Dyali Ram Puri, Magistrate, came into being. Turn by turn we used to go and record at the Railway Station, statements of refugees coming from Pakistan, about the happenings, and their sufferings in that country which were forcing them to flee their hearths and homes. Many of the refugees whose statements we recorded, were found injured and most of them had lost their relatives as a result of the assaults made on them by Pakistani Muslims and their armed forces.

On the 9th or 10th August, 1947, I was sitting in my Court-room at about 8 or 9 a.m. when I noticed through the back window, a crowd of people assaulting a Muslim milk-man. I had my loaded 36-bore revolver. Armed with it, I immediately ran to the place and fired a shot into the air. The crowd dispersed. The milk-man who had sustained a bleeding head-injury, was sent for admission and treatment to the local, Government Hospital. The Medical Officer, Dr. Bhagwant Singh was a God-fearing person who rendered medical aid to the victims irrespective of their belonging to different religious faiths.

H.H. Maharaja Yadevinder Singh again visited Bhatinda near about the 2nd week of August and exhorted the local police officers and Magistrates that they should protect the lives and property of the Muslims, and should not tolerate any assault on their lives. He added that if the Muslims wanted to move to Pakistan, they should be first accommodated in refugee camps, and thereafter, escorted to Pakistan. He repeatedly warned the Police and the Magistrates, that if any organized attack on Muslims was not effectively stopped, he would hold the officer/others concerned, responsible for failure to perform their duty.

Then on the 22nd August, the first noticeable incident happened when Shri Rajbir Singh Kang, myself and the Kotwal, together went to the Railway Station to see off a Muslim Executive Engineer who was leaving for Pakistan. We saw there was some Commotion: A group of Nihangs shouting "Sat Sri Akal", appeared. The Kotwal asked them whereto they were going. They said they were going to Nankana Sahib to protect the Gurudwara there. In the meantime, a train full of refugees arrived. A Sikh ^{lay} who was apparently wounded and lost several relations at the hands of Muslims in Pakistan, ironically castigated them. ^{The} Commander of the Rajput, i.e. of Rajput unit of the Army, ordered the army-men present, there, to fire at the attacking Sikhs. But the army-men under his command, instead of firing at the rioters, threatened to kill their Major who then got himself transferred to Jalandhar. Later on, we learnt that he was shot dead by ^{his} own army-men of the same unit at Jalandhar. The morale of that unit was worst affected as a reaction to what the Pakistan army was doing to the Non-Muslim refugees coming from that side to India.

Another incident which I remember, probably took place on 21st or 22nd Aug. 1947. I was then living in a rented house adjacent to Birla Cotton Mill. The house in my occupation, was located in 'Lehrewalian Ka Ahata.' There was a kacha lane in front of that house, ending at the gate of said Cotton Mill. Opposite to the Mill and my residential house, were two big Ahatas; one quite opposite to the Mill and my residential house, ~~were two big Ahatas, one quite opposite to the Mill~~, was known as Bhana-Mall Ka Ahata. It had a pucca boundary wall about 9 feet in height. Adjacent to it in front of my residential house, across the kacha lane, was the Ahata of Arjan Mull. Beyond this Ahata was the playground of the local Government College and the College Building in this Ahata. The Ahata across the lane in front of my residential house, had a mud boundary wall, 5 or 6 feet in height, while on the other side of this Ahata towards the College ground, was a barbed-wire fencing (Two of my sister, Dr. Beant Kaur's sons, (who along with her husband, Dr. Sarwan Singh Sidhu, and her sons living in their own house at Temple Road, Lahore), had been sent by her, earlier, to my house at Bhatinda. They were, namely, Harbans Singh Sidhu and Dipi alias Gurdip Singh, while their third son, Tinka, remained with them to come later on.)

The Muslim residents at Bhatinda, of my Mohalla, including some women and children and old people – about 20 in number, had taken shelter in my house. While they were given shelter in my house, I was asking the police authorities to make adequate arrangements for their safe escort in sending them by rail to Pakistan.

One day, probably on 18th Aug, 1947, while on guard duty at my house, on its roof, (along with my sister's sons aforesaid), I saw a mob coming close to my house. When the mob came close to the mud-wall

on the boundary of Arjan Das' Ahata, across the lane close to my residential house, they shouted that Mohammedans had come and entered my house and that they were in pursuit after them. I shouted back that no Muhammedans had come into my house. I saw in the mob old Bagga Singh, also, whose service as Chawkidar had been dispensed with by me.

He told his companions in the mob that he knew that several Muslims had taken shelter in the house, and that I would not fire at them if they entered the house to assault those Muslims. The mob were armed with sticks and sharp-edged weapons, and started mounting the mud-wall of Arjun Das' Ahata, shouting : "Andron Kadh Ke Liawangey." I warned them that I would shoot if they dared to enter my house. Some of them, probably Bagga Singh, retorted : "He will not shoot us; he is falsely scaring us away". Thereupon, the mob again shouting, tried to scale the wall to enter my house. I, thereupon, fired a shot from my .22 bore 'Savage' rifle, over the heads of the mob. The bullet went whistling over their heads and ultimately hit the wall of the College after crossing the entire length of Arjan Das's Ahata and the College play ground. The ground of the Ahata which had been ploughed, had become muddy by recent rains. All the members of the mob ran towards the barbed-wire fencing through the muddy ground. Some of them fell in the muddy ground and again rose and rushed through the barbed-wire fencing, naked as their underwear's or dhotis had become torn and trapped by the barbed-wire fence. This left me and my companions i.e my sister's sons, laughing.

On 24.8.1947, Bir Devinder Singh, Superintendent of Police who had been sent to Patiala to seek further instructions, returned to Bhatinda, and a meeting was held at about 10.30 or 11.00 a.m. in the Govt. Rest House. The meeting was attended, among others, by Col. Jaswant Singh, Shri D.R. Puri, (Magistrate).

AT BHATINDA: AUGUST 1947

One day, probably on 28th August, 1947, while on guard duty along with my sister's son, Harbans Singh Sidhu, on the top of the House, we saw ^{two} Muslim boys, aged between 10-12, being pursued by a mob of about 20-30 persons in the College ground. The pursued boys scaled the high walls of Bhana Mall's Ahata and then the wall of the Ahata facing the gate of the Mill.

The boys ran towards the gate of the Mill wherein their Muslim fathers were working as workmen. But the men guarding the Mill directed the boys to enter and take shelter in my residential house. In an instant, the boys scaled the iron-gate of my residential house and jumped into the compound of my residential house. I asked my peon, Man Singh, to lead and shut those boys also, in the same room in which 18 or 20 other Muslims were taking shelter. In the meantime, the mob that was pursuing the boys, entered the Ahata of Arjan Das through the barbed-wire fencing and then came across close to the mud-wall on the side of the lawn opposite to my house. I along with my sister's sons, Harbans Singh and Gurdeep, was on guard on the roof of my house. The mob came close to the mud-wall on the boundary of Arjan Das's Ahata, across the lane close to my house. They shouted :
"Mohammedans have come and entered your house. We are in pursuit

after them." I shouted back: "No Mohammedan has come into my house." I saw old Bagga Singh, also, in the mob, whose service as Chawkidar, had been dispensed with by me.

Bagga Singh told his companions that several Muslims had taken shelter in my house and that I would not fire at them (i.e. mob) as I had threatened. The members of the mob were armed with sticks and sharp-edged weapons. The mob then started mounting the mud-wall of the Ahata of Arjan Das, shouting: "Andron Kadh ke Liawange." I warned them that I would shoot them if they dared to enter my house. For an instant, they hesitated, but again shouted louder. I warned them that I would shoot if they tried to come close to enter my house. Some of them, probably on Bagga Singh's incitement, retorted: "He will not shoot us. He is falsely scaring us away." Thereupon, the mob again started shouting and tried to scale the wall to enter my house. I, thereupon, fired a shot from my .22 bore 'Savage' rifle, over their heads. The bullet went whistling over their heads, and ultimately, it hit the wall of the College after crossing the entire length of the Ahata of Arjan Das and the College play-ground. The ground of the Ahata which had been ploughed, had become muddy by recent rains. All the members of the mob ran towards the barbed-wire-fencing through the muddy ground. Some of them fell on the muddy ground and again rose and rushed through the barbed-wire fencing, naked as their underwears or dhoties got torn, and trapped in the barbed-wire fence. This left me and my nephew laughing.

On 24.8.1947, Bir Devinder Singh, Superintendent of Police who had been sent to Patiala to seek further instructions, returned to

Bhatinda, and a meeting was held at ^{Batinda at} about 10.30 or 11.00 A.M. in the Govt. Rest House. The meeting was attended, among others, by Col. Jaswant Singh, D. R. Puri, Magistrate, and other officers of the Indian Army, to hear what further instructions, Mr. Bir Devinder Singh had brought to convey ^{to the} Magistrate and other Army officers of the units of the Indian Army to hear what further instructions from the highest authority, Mr. ~~Bir~~ Devinder had brought to convey ^{to the} Magistrate and other Army Officers of the units of the Indian Army.

Quite contrary to the prior instructions which we had been receiving from time to time, from Maharaja Yadevinder Singh, Bir Devinder Singh said that "we are required to lift the curfew and make the Muslims move to Pakistan." He gave a graphic account as to how the Maharaja had received these instructions from Sardar Patel, Home Minister of India. He said when Maharaja Yadevinder Singh received such instructions from the Home Ministry Delhi, he was surprised and wanted to confirm them directly from Sardar Patel. Accordingly, he rang up Sardar Patel and gave an extension receiver to Bir Devinder Singh ^{S.P.} to join in hearing the talk and confirmation directly from Sardar Patel. On telephone, while seeking these instructions, Maharaja Yadevinder Singh told Sardar Patel, that "if the curfew is lifted as ordered by you, there will be a large-scale massacre of the Muslims by the huge non-Muslim mob which is being kept out of the town by the security forces." Sardar Patel then retorted:

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Sardar Patel ^{then} retorted : “ A large number of refugees are coming to take shelter, from Pakistan. કેટલે મોટે સંખ્યામાં શરણ ? ”

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Make these people thus move to Pakistan.”

I have heard that the Maharaja had got these talks with Sardar Patel tape-recorded, to safeguard his own position as an impartial ruler. (I have heard that the Maharaja, to safeguard his own position as an impartial, non-communal ruler, had got these talks with Sardar Patel, tape-recorded).

When at the meeting on 20th August, 1947 at about 11.00 a.m., Mr. Bir Devinder Singh, SP, conveyed all these instructions that had been received from Sardar Patel, I protested that if the curfew was lifted at that stage in the situation, then about a lakh of Hindus and Sikhs provoked to retaliatory violence who were then being stopped and kept out of the city by our small army/police pickets, would rush in to loot and massacre the Muslims inside the city. I added that left to myself, I

would not lift the curfew without making prior arrangements, i.e. effective arrangements for moving the Muslims to adequately guarded camps with all other facilities for their stay in the camps till they were safely escorted to Pakistan, according to their wishes.

This led to a sharp, verbal encounter between myself and SP, Mr. Bir Devinder Singh. The latter said : "You are only a Sub-Judge on the Civil side, though invested with some Magisterial powers : You are not a City Magistrate. You have therefore, no responsibility in the matter."

As a protest after such arguments, I walked out of the meeting. The City Magistrate, Shri Diali Ram Puri passed an order lifting the curfew. His order lifting the curfew at 2.00 p.m., was proclaimed on the same day. As a result, by 4.00 p.m., the invading mobs, rushed into the town and massacred about four thousand Muslim; men, women and children. Their number had been estimated because I, as Naib Nazim Devani, was also an officer-holder i.e. official Member of the nominated Municipal Committee of Bhatinda which had to make and bear the cost of collecting and disposing of the number of dead-bodies by the Municipal employees of the lowest strata who were paid Annas 8/- for every corpse collected for disposal. The funds for this purpose, were mainly contributed by the rich Municipal Commissioners and other citizens of the town.

II

In August 1947, while posted as Naib Nazim Dewani at Bhatinda, I was invested with and exercising the powers of the Subordinate Judge, and a Section-30 Magistrate, also. Due to the riots and partition of

Indian Sub-continent and the migration of a number of Sr. Judicial officers, the post of the District and Sessions Judge, Bhatinda fell vacant and there was a huge back-log of murder cases awaiting trial. Consequently, I received orders that I should take over as officiating District & Session Judge, Bhatinda. Even the post of the Superintendent of the office of the District Court, fell vacant. As a rule, a law graduate used to be appointed to that post. It so happened that Shri Radha Krishan Battas, a law graduate after being discharged from the army, came to me with a letter of Pt. Narain Dutt Advocate, and asked my opinion as to whether or not he should apply for the vacant post of Superintendent of the office of the District Judge. His predicament was that if he did not then enter Government service, within fifteen days or so, he would become 'over-age' and 'unqualified' for entering Govt. service. His apprehension was well-founded because in the then Patiala State, the maximum age prescribed for entry into Govt. service was seldom relaxed. I asked him to submit the application forthwith and assured him that I will recommend it to the Chief Justice for approval. Though I was not clear about my powers as officiating District Judge, I provisionally accepted Mr. Battas' application and appointed him as officiating Superintendent of the office of the District and Sessions Judge, Bhatinda, subject to approval and confirmation by the High Court, which then promptly accorded the necessary approval to his officiating appointment.

Coincidentally, Mr. Naranjan Das Garg, the stenographer of the Court, was appearing in B.A. Examination. The Court timings were from 6.00 A.M. to 1.30 P.M. So I arranged with him that I would myself

record all the evidence in the Court language in my own hand and that every day after Court hours he should with the aid of Mr. Battas, under my supervision, translate that record into English and type it. I talked to Mr. Battas and decided that since my posting as Sessions Judge was only of an 'officiating' character, and there was a huge accumulation of murder cases, awaiting trial, I would work from 6.30 A.M. to 6 or 7.00 P.M. every day recording evidence and trying murder cases and that Mr. Battas should carefully study the Civil Appeals and put up notes for my ~~guidance to deal with those appeals, also, every day for about one hour~~ guidance to deal with those appeals, also, every day for about one hour between 5 and 5.30 P.M. This arrangement worked very well, and as a result, 8 to 10 murder cases were decided every month, ~~apart from~~ disposal of about 50-60 appeals every month. My aim was to set up a record in disposal of cases on merit. As a result, in the last month of my officiating term as Sessions Judge for about five months, I had disposed of 16 murder cases, while in the 17th murder case, the bulk of the evidence had been recorded and only one or two witnesses remained to be examined when orders of my reversion to my substantive post of Senior Sub-Judge-cum-ADM, and transfer to Sangrur were received.

In September or October 1947 or in the beginning of 1948, when I was appointed as officiating District and Sessions Judge, Bhatinda, an interesting case came up before me. There were three accused persons and one approver in that "murder case". The approver was very gaudily dressed. The substance of the story was that the accused had murdered one Phumbi, and had also burnt the dead-body of a woman who was admittedly killed by the approver. At the first hearing, before me, the accused requested that the approver should be kept outside for

some minutes as they wanted to make a request to the Court. I acceded to their request. While the approver was kept outside, they submitted that Phumbi who was alleged to have been murdered by them (the accused), was very much alive and his murder was a story concocted to prepare ground for justifying grant of pardon to the approver. They asserted that the only murder, i.e. of the woman, was committed by the approver and that they had only helped to dispose off her body. Thereupon, I directed by warrant, to arrest and produce Phumbi. As a result, Phumbi was brought and produced in Court by the police, but I could not try the case further because of my reversion and transfer to Sangrur.

III

MY TRANSFER TO PATIALA IN 1949, to be there in 1950, also, as ADM-cum-Sub-Judge.

I was in 1949, posted as ADM-cum-Sub-Judge First Class at Sangrur. Shri Devinder Singh Chahal was then Excise Commissioner of PEPSU posted at Patiala. Maharaja Yadevinder Singh was the Raj-Pramukh of PEPSU. Shri Gian Singh Rarewala was the Chief Minister; Col. Raghbir Singh, the Home Minister, and Mr. Ram Nath Seth, another Minister. These three constituted the primary Cabinet Sub-Committee. Mr. B.M. Patel ICS and Mr. R. Bhida ICS were posted as Constitutional Advisors of the Raj-Pramukh and the Govt. Shri Devinder Singh Chahal was a scion of a big family of landlords. He had served as a Magistrate, District Magistrate (known as Nazim), and also as District and Sessions Judge, and thereafter, on the formation of

PEPSU he became Excise Commissioner of PEPSU. He was known to my father, Shri Atma Singh Sarkaria, when the latter was serving the State as SDO, XCN and then as Chief Irrigation (Engineer). Indeed, while Sh. Chahal posted as Nazim (Deputy Commissioner), village Sunderpura, Tehsil Narwana, was owned by widows who were issueless. One of those widows adopted after the death of her husband, as son, the natural son of the then Chief Justice of Bikaner State. The younger widow had also adopted a relation's son who was originally a resident of the old Delhi (Bara) near Chandni Chowk. The adopted son of the deceased widow, Brij Rani, filed a suit for declaration and possession of the property of the deceased on the ground that he was her adopted son, and, as such, entitled to the entire estate of Sunderpura subject only to a right of maintenance for the surviving widows.

Moti Lal of Narwana was my teacher when I was studying in the primary class. He was the Mukhtiar-e-Aam of the younger widow. He engaged me as a lawyer to defend her in the Court of the District Judge (Nazim), Sunam, whose Court the 'adopted' son had filed the declaratory suit. One other widow (i.e. the third co-widow) had engaged Mr. Dalip Chand Adv. as her counsel. There was no conflict of interest between the client of Sh. Dalip Chand and of the widow whom I was representing. I had prepared and filed a written statement on behalf of my client. As an off-shoot, my client had given notices for ejectment and recovery of rent against a large number of tenants. All these notices had been drafted by me and were filed in the Court of Sh. Devinder Singh Chahal, the Collector, at Sunam. On the date fixed, I came from Patiala to Sunam to appear before Shri Chahal in all those

ejectment cases. On reaching his Court, I learnt that Nazim Sahib would not come to the Court that day, as he was to go after an hour or so on tour. I then went to his house and requested the Nazim to hear me to dispose off those summary matters. He acceded to my request and through a peon called the counsel for the opposite side. In spite of the entreaties of the opposing counsel to adjourn the matters, Sh. D.S. Chahal refused to grant the adjournment and asked me to submit my arguments in the presence of the opposing counsel, whom, he advised that he could make his submissions also, in reply to my arguments. The latter could not give a satisfactory reply. Mr. Chahal thereupon immediately pronounced orders in my client's favour in those cases that were dealt with summarily.

I have mentioned all this, above, to show that Sh. Chahal was a competent officer and granted me reasonable accommodation as a result of which I had won a number of cases in his Court.

It was in the month of May, 1949 (?) when we heard/learnt from news appearing in daily newspapers, at Sangrur, that Mr. Chahal had been trapped and arrested while taking a bribe of Rs.5,000/- from Mr. Khanna, Secretary of Hamira Distillery, Kapurthala. Sh. Harbux Singh (originally of Faridkot Service) was posted as District and Sessions Judge, Sangrur. I was then, along with him and others, sitting in the club, when this news was being discussed. I said the case must be false because Mr. Devinder Singh Chahal was enjoying an impeccable reputation for integrity. Moreover, he was a big landlord of great wealth and it was difficult to believe that he would solicit and get a bribe of Rs.5,000/-

Just a few days thereafter, I received orders of the Chief Justice (S.B. Teja Singh) that I had been transferred and posted as Additional District Magistrate (Judicial) at Patiala. These orders were communicated to me through Sh. Harbux Singh, District and Sessions Judge. While delivering the orders, he recalled and warned that I should not have openly discussed this matter in the club about Mr. Chahal's implication in the corruption case. (In those days even such corruption cases were tried by Magistrates because no special Courts had been set up to try such corruption cases.)

Later on, I learnt why I particularly had been transferred to my home District to try this case when at least two seniors, namely, Sh. Haqiqat Singh and Sh. Hazura Singh were available for that purpose. Perhaps, the Chief Justice was not sure about their ability and integrity to deal with this case.

On the very first day of my taking over as ADM, Patiala, the Ahlmad placed the big bloated file of D.S. Chahal's case before me. The Ahlmad/Reader further told me that Sh. Narinder Singh Advocate-General has been specially deputed by the Govt. to conduct the case on behalf of the prosecution, while the accused would be defended by a group of eminent Lawyers including Sh. Ramlal Anand and his son, and a leading lawyer of Jalandhar, Sh. Chiranji Lal Adv. of Bhatinda and three or four other lawyers. I further learnt that if the case goes to the High Court or the Supreme Court, it will be argued by Mr. K. M. Munshi, the famous lawyer. He further told me that Jai Gopal Sethi, the President of Supreme Court Bar had also been engaged to argue the case at the final stage. According to my

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estimate, for every minute the Court was sitting, and dealing with the case, the accused would be paying Rs.5/- as fee to his lawyers.

On the very first day of my posting after transfer to Patiala, I took that big file with me to my home, and studied it thoroughly. Still I was not convinced about the truth of the prosecution case.

The Magistrate who was the leader of the raiding party, was S.R. Khanna while one of the witnesses was also gazetted officer of the Indian Court Service and one Shyam Lal, Police Sub-Inspector, and others were also members of the raiding party.

According to the prosecution story, before the formation of PEPSU, all the seven states which were integrated into PEPSU, had their separate pot-stills which worked under the supervision of their Excise Staff. Hamira Distillery manufactured very large quantity of absolute alcohol which could be sufficient to prepare blended portable liquor for consumption in the whole of PEPSU. They were therefore, anxious that if all alcohol manufactured by them, was purchased by the Excise Dept., it will bring them a monopoly of huge profit. They carefully studied the weaknesses and strong points of Mr. Chahal's character as they knew that the accused Chahal only could ensure the success of their plan. They found that the accused Chahal enjoyed an unimpeachable reputation for integrity and would not accept bribes as a matter of course. They discovered that Chahal had weakness ^{of} sex with white-skinned women. They therefore, invited him to see a naked dance of tantalizing Anglo-Saxon women in the Clark's Hotel, Simla. But each such function meant lot of expenditure to be paid to those women and Hotel-keeper Manager. Mr.C.K. Khanna, the General Secretary and the Chairman of the Distillery, suggested to Mr. Chahal

that such parties would continue in future, for meeting the expenses of such parties to be continued in future they suggested the plan. The plan was that Mr. Chahal should get all the pot-stills in PEPSU closed, and this would result in saving the Excise staff now supervising those pot-stills, and instead, the entire bulk supply of alcohol at fixed rate of Rs.1-14 per liter would be supplied by Hamira Distillery where it could be blended and then issued for distribution. They suggested that for every litre of alcohol supplied, 4 Annas will be set apart and available to Mr. Chahal to meet the expenses of such sexual parties at Clark's Hotel. They also suggested that since Hamira Distillery was a Limited Concern, they would debit Annas 4, fictitiously, in the name of their car driver, Sham Singh. The accused agreed and submitted the entire plan/proposal to the Government, in connivances with the Hamira people they ensured that the proposal ~~would be~~ ^{would be} put up before the Cabinet ~~only~~ after the commencement of the financial year. The plan was submitted to the Govt. about three or four months before the expiry of the financial year. It was followed by a large number of letters written by Mr. Chahal to the Govt. or the Secretary concerned, asking the Government to expedite its orders on the proposal, but in connivance with the Receipt Clerks/Officials concerned, Mr. Chahal and Hamira Distillery people ensured that those letters were not put up before the Cabinet Committee within the financial year, but only after its expiry. So when no sanction or orders on his proposal were received within the Financial Year concerned he directed by a letter to the Chairman/Secretary of Hamira Distillery to ~~start~~ ^{start} supplying the alcohol/liquor in anticipation of the Government Sanction. He wrote a similar letter to the Govt. that since he had not received any reply to his

proposal and numerous reminders, he had, in anticipation of the Government's sanction, asked the Hamira Distillery people to begin supplying the alcohol/liquor.

He wrote a similar letter to the Govt. that since he had not received any reply to his proposal and numerous reminders, he had in anticipation of the sanction asked the Hamira people to begin supplying the liquor." He stressed that if he had not issued such a direction to Hamira Distillery, the Govt. would suffer a daily loss of excise duty running into thousands of rupees. Feeling that there was negligence on their part in not considering the proposal within time and believing that Mr. Chahal was reputedly an officer of great integrity, the Cabinet Sub-Committee sanctioned the proposal with retrospective effect from the commencement of the Financial Year.

At that time, Mr. Singh (grandfather of Ms. Maneka Gandhi) was the District Magistrate, Patiala. He wanted to 'exploit' the situation and try to become the Excise Commissioner in place of Mr. Chahal. He was in touch with Mr. Chander Kishore Khanna of Hamira Distillery. Perhaps, he encouraged Khanna in laying the trap and before the plan for the raid was executed, he arranged to ensure that Khanna would see the Chief Minister and tell him how Mr. Devinder Singh Chahal was extorting bribes from them (Hamira Distillery). There was another circumstance which had stopped Hamira Distillery Manager from paying further 'commission as bribes' to Mr. Chahal. It was that the Govt. had decided to promote Mr. Chahal as Divisional Commissioner, and as such, he might be required to relinquish the charge of Excise Commissioner. Mr. Chahal however, prevailed upon the Govt. that he should be allowed to continue to work as Excise Commissioner in

addition to his duties as Divisional Commissioner, at least for some time till the Govt. decided whom to promote as Excise Commissioner. As a stop-gap arrangement, the Hamira Distillery people stopped paying the 'commission' (bribes) to him on the supply of alcohol. On the other hand, the accused also became impatient in extorting as much 'commission' (bribe money) on the bills submitted to him by Hamira Distillery for the supply of alcohol, during the uncertain period during which he was holding only additional and provisional charge of Excise Commissioner. During this period, the Hamira Distillery people stopped paying commission on the bills submitted by them for the liquor/alcohol supplied. They would repeatedly write or send letters to the accused to pass their Bills.

The accused would withhold the Bills and pass them only when C.K. Khanna would personally come and pay the 'commission'.

C.K. Khanna then saw the Chief Minister (S. Gyan Singh Rarewala) who was then holding a meeting with Col. Raghbir Singh, Home Minister, and Seth Ram Nath Minister. Khanna informed the Principal Secretary to the Chief Minister that he wanted to see the Chief Minister. Sh. Gyan Singh, Chief Minister, then came out from the meeting room to the adjacent room and met Mr. C.K. Khanna. The latter told the Chief Minister "that Devinder Singh Chahal was demanding a bribe and that if they arranged a trap, he would get the accused caught red-handed". Shri Gyan Singh (as he long after the decision of the case told me) that on hearing the complaint of Mr. Khanna, he was surprised and warned him that if the allegation turned out to be false, he (Khanna) would be prosecuted. Khanna said : "You should arrange a raiding party and the

accused would be caught while taking the bribe". Consequently, the raiding party headed by the Assistant Commissioner, Sh. S.R. Khanna was arranged which followed C.K. Khanna to the Haweli (known as Chelanwali Haweli) in Mohulla Raghomajra). P.K. Khanna produced Rs.5,000/- in currency notes, the numbers of which were noted by Mr. Khanna Assistant Commissioner. It was the month of May—a hot summer month. The raiding party waited in the big gate of the house's large compound, while C.K. Khanna went ahead with those marked currency notes and knocked at the door of the Haweli. A servant came and opened the door. C.K. Khanna went inside the front room and asked the servant to inform the accused. The latter came. He was half-dressed probably preparing for a bath. He accepted the bundle of notes and put it in the pocket of his warm woolen coat hang^{ing} therefrom a peg. The accused invited Khanna for lunch. Khanna excused himself and said that he was in a hurry and came out. The door was shut behind him. On turning to the main gate, he informed Assistant Commissioner, Khanna heading the party, that the accused had accepted the money and showed him the entrance door of the room wherein he had met the accused. The raiding party rushed to the door of that room and Khanna knocked at ^{door} that. A servant opened the door. Khanna told him to inform the accused that Khanna had come. Probably, mistaking the raider for C.K. Khanna, the accused came out and was surprised to find Assistant Commissioner Khanna and the raiding party. Raiding Khanna asked the accused to give him the currency notes which he had just taken from C.K. Khanna as bribe. The accused tried to push him out i.e. the raiding Khanna, and then picked up the coat in the pocket of which he had put those marked currency notes and threw it

at the servant shouting that he should throw it in the well situated in the inner courtyard. Shamlal Sub-Inspector, however, quickly intercepted the coat in mid-air. Thereupon, the accused tried to tell the raiding party that the money had not been taken as a bribe but was given for an innocuous purpose. ^{The} raiding officer told the accused that he could give that explanation to the Court; and, prepared the seizure/recovery memo which was signed by the accused and attested by the witnesses accompanying the raiding officer.


The accused then prevailed upon the raiding party to first produce him before the Chief Minister where he would confess the crime and request him (C.M.) to accept his resignation. Consequently, the raiding party, ~~took~~ took the accused to the Secretariat and produced him before the Chief Minister. As soon as the Chief Minister came into the adjacent room, the accused took off his turban and placed it at the feet of the C.M., and weeping requested him to accept his resignation and not to prosecute him as it was his first lapse. The Chief Minister repeatedly asked the accused "Oh, you have taken the bribe? I would not believe it". The accused repeatedly replied wailing: *and urging him not to*

prosecute him. Leaving him in that room to wait for a while, Sh. Gian Singh C.M. went to the adjacent room and told his colleagues, Col. Raghbir Singh and Seth Ram Nath, that the accused has been caught accepting a bribe of Rs.5,000/- and that he was confessing the commission of the crime and begging, that instead of prosecuting him, his resignation from the post he was holding, be accepted. Rarewala's colleagues were also surprised and were sceptical about his being caught red-handed while taking a bribe. They agreed that if the

accused would confess the crime before the Raj Pramukh and the latter in view of the fact that it appeared to be a first lapse, recommend that instead of criminal prosecution, his resignation be accepted, then the Cabinet would act accordingly.

In spite of this confession, the Chief Minister did not ask the accused to reduce his confession and request for resignation, into writing. The Raj Pramukh was however, out of station for 2 or 3 days. When after 2 or 3 days, the accused was produced before the Raj Pramukh, the accused entirely retracted his confession and said that he had been falsely implicated at the instance of the Chief Minister, Gian Singh Rarewala, and his colleague, Col. Raghubir Singh.

The accused was therefore, prosecuted and challenged in Court for trial. These were the circumstances in which the accused was prosecuted. He engaged Sh. K.M. Munshi, an eminent Adv. It was learnt that the accused had paid him an advance fee, also, for conducting his case before the High Court and ^{the} Supreme Court. In the meantime, Sh. K.M. Munshi was appointed Governor or Constitutional Advisor to the Nizam of Hyderabad. Consequently, Mr. Munshi offered to return the advance fee that he had received, to the accused; but the latter refused to accept it saying that since Munshi had studied the case and gone through the records he was entitled to retain the advance. It is said that Mr. Munshi believed from ^{the} version and conduct of ^{the} accused that the latter had been falsely implicated. Even Pt. Nehru, the Prime Minister, wrote a letter to the Constitutional Advisor and the Chief Minister of PEPSU, that before prosecuting the accused in Court, it should be properly verified with certainty, that the charge against the accused Chahal, was not false.

The trial of the accused took almost one year. All witnesses for the prosecution were cross-examined by Sh. Ram Lal Anand, famous Adv. For weeks at a stretch, for instance, Mr. Khanna Asstt. Commissioner the head of the raiding party, was cross-examined for 17 days. All witnesses for the prosecution were examined for days. Their evidence was recorded by me in my own hand. The prosecution case was conducted in Court throughout by Sh. Narinder Singh Advocate-General. Even when the main prosecution witnesses had been examined, a small doubt lingered in my mind about the guilt or innocence of the accused. But the senior counsel, Sh. Ram Lal committed one mistake—perhaps to prolong the proceedings which incidentally added to his fees which were paid on daily basis, called all the documentary evidence and the correspondence which passed between M.K. Khanna of Hamira Distillery and the accused,  and the correspondence between the accused and the Govt.; and the contrivance by the accused that his proposal to accept the plan of purchasing all the liquor/alcohol from Hamira Distillery at the intimated rate. This correspondence and its concomitant circumstances dispelled all doubt in my mind that the story of accepting the bribe of Rs.5,000/- by the accused, was not an isolated affair but one link in a series of installments paid as bribes in the garb of 'commission' on payment of bills.

The final arguments in the case on behalf of the accused, were addressed in my Court by Sh. Jai Gopal Sethi, the famous Adv. who had become the Chairman of the Supreme Court Bar.

Evidence was brought on the record that the accused had about 15 or 16 lakhs in Bank Deposits and that he was owner of seven villages. Mr. Sethi wound up his arguments, submitting like this: —

“Look at it, what was the position of the accused? He was a District Magistrate, a Sessions Judge, an Excise Commissioner and Divisional Commissioner. He is reported to be a person of great wealth, having several lakhs as bank deposits. The source of which was the huge income form the seven villages owned by him. Taking of a bribe of mere five thousand? It passes one's comprehension.”

I rejected this argument after referring to the reliable circumstantial and documentary evidence which furnished adequate confirmation and corroboration of the reliable testimony of C.K. Khanna and the Prosecution witnesses who were members of the raiding party.

As regards the sentence, I observed “that the general rule is that the higher the official position abused, the greater the punishment. But in this case I am disposed to take a lenient view because I think, that the accused is a new adventurer in the field of corruption. Might be when he came to the Excise Department, he saw cheap money flowing in abundance at every step and was swept off his feet by its seductive currents. To what depths of degradation and shame this man of wealth, position and status has fallen! It is as sad as it is bad”.

With these remarks, I convicted the accused for the offence of taking illegal gratification and sentenced him to six months imprisonment and a fine of Rs.15,000/- and in default of payment of fine, to undergo two months further imprisonment.

The case was decided by me in 1950 or 1951. The delay was due to the circumstance, that one day which was perhaps a holiday, I received information via Sh. Narender Singh A.G. that the step in the main gate of the compound of accused's Kothi, on which while sitting, Magistrate Khanna, leader of the raiding party, had, after the raid, prepared the seizure memo/ recovery memo and got it signed by the accused, was being demolished. I was requested to visit the spot forthwith. I acceded to this request and went there along with the representative of the prosecution. I noted that the accused and his representative would be called and informed on reaching the spot. On reaching the spot, I found marks of the recently demolished and removed step. On the basis of what I thus noted on visiting the spot, the accused made an application for transfer of the case. At the request of the accused, I postponed further proceedings in the case in my Court. I also received a copy of an order requiring me to report, along with the transfer application and affidavit of the accused in which he had added some false allegations of facts to make out a case for transfer of the case from my Court. In my report I had to deny those false allegations of facts to make out a case for transfer of the case from my Court. In my report I had to deny those false allegations while admitting that the accused could not be informed before visiting the site to verify demolition of the step in the main gate, because of the immediacy of the matter and the possibility of causing disappearance of he circumstantial or other evidence about the demolition of the step. After a substantial interval, on rejection of the transfer application of the accused by the Supreme Court, the case was again taken up by me for further proceedings.

There is another circumstance/event which probably took place before the making of this transfer application. Mr. Chiranji Lal one of the Adv. appearing for the accused was known to me since my posting at Bhatinda in 1945-46. He came to me and said that he had heard that my father was selling plots of land measuring about 40 Bighas in all, in the area of Baddungar estate, situate behind the Kothi of Shri Bhagwan Singh Grewal and that he had a customer who could buy the entire land at the rate of Rs.4.12/- or 5 per square yard including the portions that had been ear-marked for roads and streets. I asked him since when he had started the business of brokerage for sale of land. After further questioning, he came out with the disclosure that the prospective customer, in reality, was Shri Devinder Singh Chahal whose case was pending before me. I rebuked Shri Chiranji Lal and warned him to tell his client that such offers only confirm his guilt and criminality. Not only this, another friend W.S.E. who was just like a respected elder brother to me, came and straight away said that he would procure a gratification of more than a lakh from Mr. Chahal and out of it his share would be Rs.50/- thousand. I was surprised and spurned this offer rather rudely.

Another close relation of the ruler also approached me and conveyed a message of the ruler that Mr. Chahal had gone to this ruler and told him that he had been falsely implicated by Gian Singh and Col. Raghbir Singh, as the brother of Raghbir Singh has been arrested while smuggling liquor—(though this incident of smuggling took place many months after the arrest of the accused, Mr. Chahal). I respectfully told the royal messenger, that if this case is false, I would never convict the accused. But there is another side of the picture. If a man of great

wealth, position and status, holding high official position as of this accused, after coming to the Excise Department, starts taking such bribes in installments-then, in view of the abundant circumstantial and direct, reliable evidence on the record, a judicial officer who acquits him, cannot be excused or forgiven for such heinous, unjudicial act, even in the next world.

When all attempts by the accused and his cohorts failed to get the case transferred from my Court or to get a favorable acquittal by paying directly or indirectly illegal gratification or through safarash from superior sources, his henchman attempted other means. In those days, a trilingual dictionary of constitutional, legal, administrative terms compiled by me, was being printed at my ancestral house in the press installed by my father, on Press Road, Patiala.

After Court hours every day, I used to go to my father's press to correct the proofs and then return, after night-fall to my residence on Bhupinder Nagar Road which was at a distance of about two miles, on my bicycle. At about 9 or 9-30 p.m. when I reached near the Phul Cinema, I saw 2 or 3 Sikh Youths one of whom was in the Excise Dept. and related to Mr. D.S. Chahal. On seeing me they boarded the Jeep, and loudly shouting abuses, chased and tried to run me over by the Jeep. Throwing my bicycle on the road, I jumped over the fence and entered the bank of the Rajbaha. The jeep ran over my bicycle, damaging its hind wheel. Thereafter, I dragged the bicycle to my residential house which was 2 or 3 furlongs away on Bhupinder N. Road. On reaching my house, I rang up and telephoned to Sh. Narendra Singh, Advocate-General about what had happened. He got one constable posted near my house for my security.

1984: In the 2nd Fortnight of October

In October, 1984, when I was staying in 5, Sunehri Bagh Road, New Delhi

PSOs

My five security men (~~Peons~~) every week repeatedly rotated and transferred from the common pool of P.S.Os of Prime Minister's Security. One of them (who was a Gharwali) incidentally told me loudly that 'yesterday, when Mrs. Gandhi on her son's birthday, gave and got served her personal staff with food, sweets and drinks, security officer Beant Singh and constable Satwant Singh, threw their food/sweets towards others saying 'that they should eat and drink what had been offered by Ms. Gandhi and that they would not eat that, as they were in the category of :

On the same day or on the following day, there was a marriage ceremony at Delhi, of the son or grandson of Sh Gurdial Singh I.P. retired I.G.P. Punjab, and member of the Punjab Public Service Commission. I also, had attended that marriage function. There, Sh. J.S. Bawa, Director of CBI was also present. I knew J.S. Bawa since 1960-61 when he was posted as S.P. Karnal and when I was District and Sessions Judge, Karnal. I took Sh. J.S. Bawa aside and told him what I had heard from one of my PSOs about the vengeful utterance of Beant Singh. I advised him that as a matter of abundant caution he should get Beant Singh and his younger PSO, Satwant, transferred and posted outside in some other Department or as PS(O) to some other VIP. Bawa agreed and next day told me personally, that those two person had been

got transferred from Prime Minister's security staff. Bawa was about to retire from Service as he was shortly reaching the age of Superannuation. Mrs. Gandhi was then out of Station. Probably, she was on a tour of the South from where she returned to Delhi about 14-15 days after the transfer of Beant Singh and she noticed that Beant Singh and Satwant Singh had been transferred from her security staff. (I learnt later, that she asked her private Secretary, Mr. Dhawan, and others as to who had transferred them without her approval. None of them was able to answer why and under whose orders they had been transferred). She peremptorily asked Dhawan to get them back on her security staff. Bawa having retired from service, those questioned, including Dhawan, were unable to give her the necessary information or reasons for their transfer. Moreover, the information about Beant Singh's unusual behavior was too cryptic to conclude that he was determined to murder Mrs. Gandhi.

It was only after her assassination that the CBI dug into the past of Beant Singh whose ^{great-}grandfather (as I later learnt) was baptized by Guru Gobind Singh, himself. Beant Singh and his ancestor were Chamars by caste. In order to propagate that castism was taboo to Sikhism, Guru Gobind Singh educated him and made him his personal assistant in preparing 6 or 7 copies of Granth Sahib.

Beant Singh and Satwant Singh were not devout Sikhs. They used to trim their beards. Later on, I learnt that some Sikh, probably an agent of Pakistan's Secret Intelligence, took Beant Singh during the period of his leave to Anandpur Sahib and reminded him of his great-grandfather's service rendered to Guru Gobind Singh. Beant Singh was then taken by the same Pakistan agent to Darbar Sahib Amritsar,

and showed him the damage to the shrine done by the Army during Operation Blue Star. Probably, it was that stranger who had incited him to avenge the destruction and killing done by the armed forces during the Operation Blue-Star. Possibly, that agent must have incited Beant Singh and his younger companion to take a vow at Darbar Sahib, to avenge the wrong by assassinating Mrs. Gandhi.

On his return to New Delhi after leave, he asked Kehar Singh who was a Jat Sikh and a devout Sikh, to baptize him. It is said Kehar Singh then baptized him. There is no convincing proof that Beant Singh had told Kehar Singh that he was taking Amrit to avenge Operation Blue Star by killing Smt. Indra Gandhi. From the newspaper reports and other information received, I learnt that the only incriminating evidence against Kehar Singh was nebulous and unreliable, that the then Chief Justice of the Supreme Court, Shri R.S. Pathak, entertained a review petition, and issued notice. Though the notice was discharged presumably on the technical ground, that at that stage when Kehar Singh's conviction and sentence of death had been upheld by a Bench of the Supreme Court, it was only the President who, on the advice of his Prime Minister, could commute his sentence of death.

It was also learnt later on that Balbir Singh S.I. co-accused who was convicted and sentenced to death by the trial Court (but was acquitted by the Supreme Court) was also an informer to facilitate the transfer of Beant Singh and Satwant Singh from Prime Minister's Security staff. Rumor also was there that Beant Singh, in fact, would have killed Balbir Singh also, but was unable to do so because he had exhausted his ammunition in assassinating Smt. Indira Gandhi. In fact, fearing the attack on him, Balbir Singh had run away from the spot.

Incidentally, on the day, I had gone to All-India Medical Institute to get my blood examined by Dr. Gandhi who was Incharge of the laboratory there located on the first floor of the building on its backside, when an Assistant of Dr. Gandhi was drawing my blood into a syringe, Dr. Ershad came running and told us that Mrs. Indira Gandhi had been shot and brought to the Institute, either dead or in a critical condition, and that a crowd had gathered and was shouting to attack all Sikhs. The loud shouts of that crowd were audible even in the Laboratory. Dr. Ershad advised us to leave the laboratory and the Institute by the back gate. In fact, he led and accompanied us to that gate. A Sikh constable was standing at the gate. He asked him also to run away. My wife was also with me. We then asked our car driver to take us first to 53, Madhuvan Colony situated across the river Jamuna, where our house was under construction and lot of material such as bundles of electricity wire, switches, electric lamps and bundles of zinc pipes etc. were lying and a Sikh carpenter was also working. We asked our Chawkidar, Walaiti, to put the electricity fitting material i.e. wire bundles in the loft and the zinc pipes in neighbor, Mr. N.C. Jain's house, and returned to 4, Sunchri Bagh Road. There we received telephone calls from our Hindu neighbor, Mr. Jain, and also from Sh. Muni Lal Jain, resident of House no. 178 of Madhuvan. The calls were to the effect, that our building material, electricity wires, equipments and zinc pipes were all being robbed. We were also told that the houses of other Sikhs, including that of Sh. Mohinder Singh Joshi, has also been raided by plundering crowds and that I should ask the higher Govt. authorities to send police to ward off these raiders and plunderers. I rang up then the Home Secretary, but there was no response. I then contacted on

telephone, the Deputy Commissioner, Kayshap. He replied that he had no magisterial powers. I then rang up Lt. Governor (Mr. Govai), Delhi. His response was also evasive. At About 2 p.m. I was successful in contacting on phone, Sh. Narsimah Rao, Home Minister. The Home Secretary had first informed me that they were short of Police force to quell the anti-Sikh riots. Somebody at 2 p.m., informed me from the office of Narsima Rao, Home Minister, that curfew had been imposed in Madhuvan and in Trans-Jamuna Area. By 2 p.m., in Trans-Jamuna Area, a large number of Sikhs had been killed. I learnt that Kuldip Singh, ex-editor of Fauji Akhbar and his son have been killed. I also received telephone call from Justice Chaddha, that while he and his wife had taken shelter in the Kothi of a Colleague Judge, Sh. R.S. Narula retired Chief Justice had gone out and was to return by plane at about 2.p.m. He had arranged that Shri R.S. Narula would be taken directly from the airport to the cantonment by a distantly related Army Officer and would be advised not to come to his residential house in Defence Colony because marauders had twice raided his house to kill him.

I was receiving calls from Sikh friends and families, also. Bhai Mohan Singh Rambaxy's sons (who were well-known to Rajivji) telephoned that I should go with them to Prime Minister's house and request Rajivji to curve these anti-Sikh riots. My Security staff and Private staff advised me that I should not move out of the house as it would be difficult to protect us, outside the house against the anti-Sikh rioting mobs. I accordingly advised the sons of Bhai Mohan Singh of Ranbaxy.

I was informed in reply to query from Home Minister's house at about 2 p.m., that curfew had been imposed in Madhuvan and other

riot-affected areas. I told them ^{that} mere imposition of curfew has not prevented the riots, nor protected the victims. ^{that} He should requisition the army if he was short of police force. Indeed, through Justice Chaddha, Major-General Jamwal at Delhi Cantonment was contacted. His reply was sufficient to curb the riots. Indeed, he rushed with 50 or 70 members of the armed force to the trans-Jamuna areas where riots were going on. He and his men were obstructed—rather, ~~then~~ helped—by the local police.

Non-Sikh neighbors in Madhuvan, were very helpful in giving shelter to the Sikh neighbours and other residents of the colony. Thus Mohinder Singh Joshi, Judge of Delhi High Court and his son and family took shelter in the house of Shri Munni Lal Jain, then Registrar of Delhi High Court. Our servant, Walayati, also took shelter in the house of a neighbour, Shri Jain. I also lodged a report with the police through a letter about the valuable material worth about 30 thousand rupees taken away by the rioters. The Police Officer who came to record my statement, first begged, that I should not get the case registered as it would reflect on his efficiency. I insisted that he must record the report and register the case. He then recorded my report but I think, that he must have under-valued the material that had been plundered and taken away by the rioters.

Later on, I learnt from enquiries made from various sources, including Mr. M.S. Joshi and his family members, that somebody was standing on the Railway line on the boundary of Madhuvan. He had a list of the Nos. of the houses in Madhuvan which were owned by the Sikhs. He was directing the rioters as to which houses should be ransacked. The rioters, as directed, raided these houses of Balwant

Singh Sekhon, Law Secretary also, but he or his family were not then living in the house. Some young men mostly Hindus who had come to Delhi to appear in some competitive examinations to enter Govt. Service, were staying in his house. Those young men removed the signboard of Sekhon, and when the raiders came, they stood there armed with sticks, shouting that the house belonged to them (Hindus). Neighbour, Dr. P.K. Misra living in the contiguous house, also came out and warned the rioters to keep away.