

# The Ahrar Point of View.

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Ever since the Ahrar agitation for constitutional reforms in Kashmir State began, forces have been at work to misrepresent the situation in Kashmir and the position of the Ahrar party in relation to that situation. The Hindu press and the Hindu news-agencies have defiantly ranged themselves against us and made it practically impossible for the Indian public and the Provincial and Central Governments in India to see either the situation in Kashmir State or our own position in their true perspective. We cannot ever hope to counteract any propaganda that the Hindu community with its enormous resources of publicity makes up its mind to do. As compared with the Hindus the Muslims are practically a voiceless people in India. But we must exert what slender resources we have in this connection to place true facts about the Kashmir situation before the various parties interested in it, including the British rulers in India.

Not that we are particularly anxious to canvass the sympathy of the British in India. We realise in fact, that no political organisation that stands for real constitutional reforms and responsible government in any part of the country can have the genuine sympathy of the Government of India on its side. But whatever the ultimate attitude of the British Government towards the Kashmir situation may be, we must not, of course, allow either the Government or any section of the Indian public to form the wrong idea of the

situation, if we can possibly avoid it. Hence this humble attempt to present to the Government our own reading of, and views on, the Kashmir trouble in a language, which our foreign rulers' and the English knowing can read.

There is no doubt that Kashmir is to-day in the throes of a revolution, which has manifested itself in a radical change, in popular ideas. One, however cannot emphasise the fact too much that this revolution does not aim at doing any harm to the person of the ruler of the State. It does not contemplate the substitution of one person for another on the gaddi. Its sole object is to secure for the people of Kashmir their "birth right" to use a popular Congress phrase, self-government through an elected assembly and a responsible Ministry functioning under the aegis of a constitutional monarch. This is the demand of the Kashmir people, and the keenness of the demand may well be judged from the fact that the entire populace seems to be quite willing to sacrifice life and property freely for the cause.

Many people, including the Darbar of Kashmir, have tried to make themselves and others believe that the demand of reforms in the State does not emanate from the people concerned, but from a party of men living in India. "Outside agitation" has been held responsible for the entire trouble in the State. But let us remind those who subscribe to this view of one single fact. The "Outside agitation" was prevented by the Government of India from entering the State several months ago. The Kashmir Ordinance practically closed the gates of the State to outside Muslims and changed

both the scene and the objective of the Ahrar movement of civil disobedience. Muslim newspapers from British India were banned in the State and a strict censorship of news succeeded in cutting off the movement in the State from that outside. But did the agitation in the State subside after the Muslims of Kashmir were thus isolated from their natural sympathisers in British India? It only gained in volume and intensity until on the showing of the State officials themselves there was wide-spread and open rupture between the rulers and the ruled there.

The Hindu Press in British India and the communiques of the publicity officer of the State have been full of stories of an alleged rebellion, its extent the immediate causes of the various incidents connected with it and the thoroughly unscrupulous way in which the State officials have been seeking in grossly false version of things, a justification for acts of heartless tyranny for the purpose of suppressing a genuine and popular demand for constitutional reforms. Just now we only wish to emphasise that the growing trouble in Kashmir indicates one thing clearly. The agitation in that State has definitely developed into that battle of liberty, which once begun cannot stop until it is won.

## THE BRITISH IN KASHMIR.

Recent developments in the Kashmir State and the various unfortunate incidents connected there with have been a subject of strong and wide-spread comment in the press and on the public platform. But with very few exceptions our publicists, who have interested themselves in the subject, have been solely concerned with exaggerating this alleged outrage on Hindus or that alleged atrocity on Muslims during the disturbances. They have generally managed to ignore the fundamental fact lying in the background of the present situation in Kashmir or that is a keen and popular demand for a progressive measure of responsibility in the Government of the State. And yet, this fact furnishes the key to the real problem of the situation. A wave of popular discontent against the existing order of things is sweeping over Kashmir. It has burst upon the unhappy valley with a momentum gathered through many decades. At times this discontent voices itself in an articulate and intelligible manner. At other times owing to an unfortunate lack of tactful leadership on one side and a still more unfortunate absence of wise statesmanship on the other, it expresses itself in outbreaks of disorder and lawlessness. Let us by all means attend to the symptoms and outward manifestations of the disease, and try to find palliatives for them. But while doing so, we must not allow ourselves to lose sight of the disease itself.

The heaviest responsibility of taking due cognizance of the underlying reality and keeping it steadily in view falls

on the British Government and its agents in India, who are in the last resort responsible for the contentment and well being of the subjects of Indian States. They, more than anybody else, must realise that the problem in Kashmir is not merely one of checking crime, disorder and official or mob excesses, or of redressing specific grievances arising out of the working of the present administration of the State, but one of dealing with the insistent and growing demand of several million subjects of Kashmir for constitutional reforms in the direction of responsible Government. For the first time in the history of British rule in India a conflict has arisen between the ruler of an Indian State and his subjects over the latter's demand for a due share in the Government of the State. What is the paramount power going to do about this conflict? Is the demand of the Kashmiris entitled to a hearing on the part of the British power, which has undertaken the responsibility of maintaining peace and justice not only in British India but in Indian India as well? If not, what is to be the remedy of the obvious and growing discontent in the State.

It would be too late in the day for the British authorities to plead inability to interfere with the constitution of an internally sovereign state. The doctrine of *laissez faire* and non-intervention in the internal affairs of a State came to a formal end in 1858, when the British Government extended to Indian Princes a promise to protect their persons, their dynasty and their thrones against internal rebellion.

as well as foreign aggression. This promise at once placed the Paramount Power, as its own agents have freely recognised and affirmed, in the position of a judge between a Prince and his subject in respect of every conflict that may arise between them. If the British Government has in the past confined its control over Indian States to suggesting minor administrative alterations here and there or changes in the personnel as distinguished from the system of an administration, it was only because a demand for more comprehensive changes never came to a head in an Indian State. But surely this cannot justify the Paramount Power in refusing to take cognizance of such a demand when it does come to a head and becomes as insistent as it is in Kashmir today

After all the Paramount Power has, as a matter of fact, intervened in the Kashmir situation. It has lent its forces to the State authorities for purposes of controlling the situation. It has promulgated Ordinances in British territory for the benefit of the Kashmir Government. It has, we dare say, suggested some inquiries into the present happenings and developments of the State and lent its judicial and political officers to carry out those inquiries. But the scope of the inquiries carefully excludes the real demand of the people, a demand, which was clear enough when the Glancy commission was appointed and its terms of reference were decided, and which has since grown to volume and insistence. This refusal, on the part of the

British, to face the real demand of the people changes the entire significance of their intervention, which becomes one of a partisan instead of a judge as it ought to have been. In effect the Paramount Power seems to say to the people of Kashmir "If it is a question of some grievances or the misdeeds of some corrupt officials of the State, we are willing to ask the State to inquire into them through the agency of our own officers. But if it is a question of constitutional reforms we refuse to take cognizance of it. Your demand for reforms may be just or unjust. It is for your ruler to decide. If he concedes your demand and satisfies you, well and good. But if he chooses to spurn and ignore it, *we shall help him in enforcing his will.*"

The British authorities claim to stand as a judge between the ruler of a State and his subjects as far as any minor grievances of the latter against the former are concerned. But when the grievance relates to the all-important questions of constitutional reforms, they are willing to help blindly one party against the other. In the case of Kashmir they refuse to consider that after all there may be some justice and reason in the popular demand for an effective voice in their administration when the suppressed demand of the people breaks through it in the form of disorders and general demonstrations.

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## THE BOGEY OF "PAN-ISLAMISM,"

Some people have been trying hard to persuade themselves that there exists no genuine demand on the part of the subjects of Kashmir for a responsible Government in the State, and that such a demand emanates if at all, not from the Kashmiris themselves but from the Ahrar in British India and is a part of some wicked pan-Islamic plans. We should like to examine the bogey of "pan-Islamism" against the movement for constitutional reforms in Kashmir.

Where, after all does pan-Islamism come into this movement, and in what way is the demand for responsible government in Kashmir differ from a similar demand that has shaped the history of British India during the last 50 years or so? We are told that there is something inherently mischievous about a demand, which in the case of Kashmir, is actuated by a secret desire to substitute some form of Muslim Raj for the present Hindu ruler-ship in the State. Those who are advocating constitutional reforms in Kashmir have declared in the clearest possible terms that they desire absolutely no change in the ruling dynasty of the State. Muslim Public Associations in Jammu and Kashmir, the Ahrar organisation and almost every individual leader interested in Kashmir reforms have assured their critics that whatever measure or scheme of responsibility is introduced in the constitution of the State is to function under the aegis of the present ruler and his dynastic successors, for whom the throne of

Kashmir is to remain absolutely safe. But the critics refuse to believe it. The position of some of them is in plain terms. "You may not demand the deposition of the present Maharaja or the substitution of a Muslim King for him. But we know that in your heart of hearts you entertain that very wish you openly repudiate. We refuse, therefore, to distinguish between the open demand and the secret wish, and must oppose both indiscriminately." The absurdity of such a position should be obvious to anyone at a glance. It is quite as preposterous as if the British Government were to say to India, "Your outward demand is for self-government under the British Crown. But we know that your secret intention is to wage a war against the Crown at a future date. We, therefore, refuse to see the difference between what you ask for and what we believe to be your secret intention." In fact if such a line of argument were to become popular in this world, no proposition would ever stand a chance of being considered on its own merits.

There are others among the opponents of reforms in Kashmir, who seem to say "Well, even if you do not want the deposition of the present ruler of the State, or the substitution of another dynasty for his, what you do want is equally bad. A responsible Government in the State will mean the transfer of power from the Hindu ruler and the small Hindu minority that now dominates the administration to the vast majority of Muslim subjects of the State. Your demand is, therefore, virtually for the substitution of Muslim Raj for Hindu Raj." This argu-

ment is again so silly that even its advocates, when confronted with it, will probably repudiate it. But this is really what their accusation of pan-Islamism against the agitation for responsible government in Kashmir amounts to in the last analysis.

The exponents of this very curious view choose to forget that the merits of the case for a responsible Government in Kashmir or any other part of the world are not affected by the religion or religions of the parties concerned. Surely Swaraj, in the sense of responsible self-government is not the "birth-right" of a people only when it includes a Hindu majority and a non-Hindu minority? The mere fact that the position of the majority and the minority in British India is reversed in the case of Kashmir does not exclude the people of that unfortunate State from a similar right. There can be no two different principles of political justice for Hindus and Mussalmanas. If it is right and proper and patriotic for the people of British India, consisting of a majority of Hindus, to demand an effective voice in the working of their Government, it cannot be so very wicked on the part of Kashmiris, who happen to consist of a majority of Muslims, to urge a similar demand.

To take an other analogy from British India the small European Domiciled Community here stands in much the same relation to our present rulers as the Hindu minority in Kashmir does to its Maharaja. They—the Domiciled Europeans—have every thing in common with our British rulers. They can legitimately

fear that an Indian majority, dominated as it would be by a non-European majority will not be quite so considerate the interests and privileges of Europeans in India as the present British dominated Government is. But does that provide them with any justification to oppose responsible self-government in India. What would the Hindus, the very people who are now opposing such an ideal in the case of Kashmir say if the domiciled European community were to argue; "Any movement which aims at a transfer of political power from our own brethren to our Indian majority is inherently mischievous and wicked for that reason, and deserves to be condemned." Let our Hindu friends in British India be fair to themselves and to others, and beware of using against the people of Kashmir such arguments as can be employed with deadlier effect against the avowed political aspirations of their own home-lands.

What the minority in Kashmir, as in any other part of the world, is entitled to is to deny the majority the right of having a responsible Government in the State, but due protection and safeguards for itself in a responsible constitution. But so far as such protection is concerned, there can absolutely be no doubt that the the Muslims of Kashmir will be only too glad to extend it to their Hindu fellow-subjects of Kashmir. What the Muslims want is not to swamp the Hindu minority in the State out of their legitimate seats in its administration, but a responsible constitution that will benefit all and inspire the confidence of all.

## KASHMIR'S NEW PRIME MINISTER.

Lieut-Colonel E. J. D. Colvin has taken the place of Raja Sir Hari Kishen Kaul as Prime Minister of Kashmir. The change is to be welcomed in so far at least as it involves the departure of a bad and admittedly unsuitable official from the State. Raja Hari Kishen dominated the stage of Kashmir for the last six months or so. Throughout this period several millions of Muslim subjects of the State have been groaning under a regime of ruthless and intense repression that he chose to impose upon them. He managed to crowd into six months the repression and tyranny that any other agent of maladministration in a State would have probably practised in a life-time. The pages of the History of Kashmir during these eventful months have been not only stained with blood, but actually soaked in it; and Raja Hari Kishen must bear his full share of the responsibility for allowing that blood to be shed. When leaving the State the Raja is carrying away with him a few thousands of rupees, which he ill deserved to be paid out of the public revenues of the State. But with these he is also carrying away an ample and well deserved portion of the sighs and curses of hundreds of orphans and widows in Kashmir, who were not orphans and widows when Raja Hari Kishen came to rule them six months ago.

We must heave a sigh of relief when a man with as black a record of six months of Ministership as there could possibly be, lays down the reins of office, even though we know nothing so far how his successor will acquit himself of the grave responsibilities upon which he is entering. Mr Colvin, who has now been "lent" by the Government of India to the Kashmir Durbar, and will act as Prime Minister of the State, is one of the senior officers of the Political Department. Beyond this we know nothing about his qualifications for the high office to which he has been appointed. He may prove the right man for it, or Kashmir may once again find itself in the unfortunate position of having the wrong man to deal with her insistent cry for popular rights. Time alone will show the wisdom or otherwise of the new selection, and we must suspend our judgment on it for the time being.

But we may take this opportunity of reminding the new Prime Minister of Kashmir of one supreme fact, which he must bear in mind if his period of office is to prove more successful than that of his predecessor did—that is the need of viewing the problem of Kashmir in its true perspective. It is a gravely troubled and seriously disturbed State that he has been called upon to administer. He has to restore peace and order to it—which is to say that he has to guide the demand for popular rights back to constitutional channels. As long as the State continues to taboo all talk of responsible government and tries to

terrorise people into giving it up, as long as it is considered a sin for the people of Kashmir to ask for progressive control over the administration and as long as it is attempted to put down this alleged sin by force of arms—so long must there be trouble and disturbance in that State. Let the State authorities make a clear distinction between legitimate and constitutional agitation for constitutional reforms and lawlessness or rebellion against the State. Let it be clearly brought home to the people that the State has no objection to the first, but objects only to the second, and the people will not, we dare say, fail to make a distinction between the two things. By treating the two things as one and punishing both in an indiscriminate way, you actually force people to lose sight of the distinction between the one and the other. Official excesses bring in their train as a natural and unavoidable sequence non-official excesses, and the vicious circle goes round and round until it becomes difficult for any one to find which is the cause and which the effect.

After all what the people of Kashmir want is constitutional reforms including a due measure of responsibility, with a fully responsible government as the ultimate ideal. Is such an ideal shared in common by the rulers and the ruled, or is it not? This is the crux of the problem of Kashmir. If the Kashmir Durbar is at one in regarding responsible government as a legitimate ideal for his subjects, it has only to say so in order to end all the bitterness and misunderstanding that Raja Hari Kishen's

brief regime has served to bring in. If, however, the Durbar does not think that its subjects can ever aspire to a responsible form of Government, the struggle between the forces of reform and those of obstinate conservatism, we are afraid, continue and grow more intense as time progresses. This is a clear lesson for any one to learn from the history of similar movements in other parts of the world.

An immediate official announcement that the people of Kashmir may legitimately aspire to a fully responsible Government, followed by substantial steps towards that ideal, will produce a marvellous change in the situation of the State. It is such a gesture that is needed today to pacify troubled Kashmir. Well begun they say is half done, and Mr Colvin will do well to mark the beginning of his official regime with an announcement such as we have suggested. Let such a gesture come forth, and we have no doubt that there is peace and contentment instead of the present disturbance and discontent in the State and co-operation in place of the present conflict between the ruler and the ruled. Mr Colvin owes it doubly to the people of Kashmir who press for such an announcement. He owes it not only as the Prime Minister of Kashmir and the most responsible and potent adviser of His Highness the Maharaja, but also as an officer of the Government of India, which stands as a Paramount Power over the State and on whose suggestion and advice his appointment has no doubt been made. In his former capacity he must



realise that the situation in Kashmir will calm down speedily if a sympathetic attitude is officially adopted towards a legitimate demand of the people, and will calm down in no other way. In his latter capacity he must realise that after all a steady progress toward responsible Government as the only solution of the problem, with which not only Kashmir but all Indian States confront India's constitution makers. Looking at the ultimate reality of things, what is after all, to be the future of Indian States in India? What safeguards are to be there against the inevitable recrudescence of maladministration in one State or the other? Must the Paramount Power always stand as a judge between the rulers and the ruled in the states, performing its duties in a fitful and half-hearted way, and being constantly blamed by both parties? The problem has never yet been faced squarely. But it has become too urgent and important in the case of Kashmir to be evaded any longer. This problem, let us make bold to say, is susceptible of no other solution than that of establishing responsible forms of Government or by successive stages if need be, or in the States. This is true of every single State in India, whether it be ruled by a Muslim or a Hindu dynasty. The time has come when the Paramount Power should decide upon a general policy in this regard, and apply it to the case of individual states according as the problem of a popular demand for self-government comes to a head therein. We sincerely hope that as far as Kashmir is concerned Mr Colvin will carry

with him indefinite instructions in this connection from Delhi, and try to carry them out at Srinagar in an intelligent, sympathetic and statesmanlike way

### **WHO WANTS A RESPONSIBLE GOVERNMENT IN KASHMIR?**

Does a demand for a responsible Government in Kashmir really exist on the part of the Kashmiris, or is it merely a myth created by the Ahrars for some nefarious ends of their own? To any person, who wants to face facts honestly the answer to the question should be clear enough. But there are people in this world who take it upon themselves to deny the obvious. It, therefore, falls to my lot to argue a proposition, which really needs no argument.

Those who would deny the existence of such a demand on the part of the subjects of Kashmir have made a good deal of capital out of the fact that the Muslim demands as officially presented by some Muslim leaders to His Highness the Maharaja's Government in Srinagar contained no mention of a responsible Government. It is further stated—and the statement is not incorrect—that some Ahrar leaders as well as some members of the All-India Kashmir Committee were present in Srinagar—though the Ahrar leaders were kept out of the confidential talks of the Kashmir leaders—when these “official” demands of the Kashmir Muslims were drafted. The Ahrar leaders insisted on a demand for a responsible Government being included in the draft, but some representatives of the Kashmir Committee advised the Kashmiris not to include it, and certain representatives of the Kashmir Muslims decided to follow the All-India Kashmir Committee's advice and reject the Ahrars' suggestion. All these statements are, as we have said, substantially correct; but do they really prove that the demands drafted under the above circumstances represent the views and sentiments

of the Muslims of Kashmir? The logic of events—the most potent and convincing logic in the world—has conclusively shown that they did not. This answer is written right across every page of the blood-stained history of Kashmir during the last six months or so.

The demand for a responsible Government in Kashmir had assumed a definite shape long before the "official presentation" of Muslim demands to the Government of the State. Scores of Muslim public bodies in Jammu, Srinagar, Muzaffarabad and other places had already adopted resolutions on the subject. All of them laid down in clear terms that the subjects of Kashmir regarded a popularly controlled administration as the only solution of the problem of the State. These resolutions were publicly adopted in spite of the fact that the authorities of the State regarded them as open sedition against His Highness the Maharaja.

The Muslim representatives of Kashmir who assembled at Srinagar to draft their "official demands" chose to ignore this clear indication of popular opinion of the subjects. We have no desire to start a controversy with any party of Muslim workers. But we must repeat what has already been made clear in the columns of the Ahrar that it was pointed out to the Muslim leaders of Kashmir that a demand for responsible Government would be inexpedient and inopportune, that such a demand would not be entertained either by the State Government or by the Paramount Power, and that on such an issue the Muslims of Kashmir would find the forces of the State and the resources of the British Government ranged against them. This advice was, indeed, represented as based on the results of some discussions which the advisers claimed to have held with representatives of the Government of India. This was the sole reason why the representatives of Kashmir decided at the time to eschew a demand for Responsible Government of the State. They preferred to demand on behalf of the people, not what

the people wanted, but what they themselves considered was likely to be conceded. They hoped, by this means to avoid a conflict between the rulers and the ruled in the State, and persuade the people to accept for the time being a scheme of reforms in which there was to be no measure of responsibility whatsoever. The Ahrar leaders told them at the time that they were misrepresenting the popular sentiment and asking for the people something that would not be acceptable by them.

This view of the Ahrar leaders was endorsed quite unexpectedly by no less than about 500 telegrams received by the Kashmir Government from different parts of the State just when the "official" demands of Muslims were being presented to them. In the course of these telegrams important and influential public bodies repudiated the draft of the "official" demands and declared that they wanted nothing short of responsible Government in the State. The Ahrar leaders rightly decided, therefore, to throw in their lot with this demand which had been wrongly and unwisely excluded from the "official" draft.

The Ahrar are very often accused of having created restlessness and disturbances in the Kashmir State. This is not true, what the Ahrar actually did was to say to the people of Kashmir, "There is really nothing wicked or extravagant about your demand for a responsible Government in the State. You need not be afraid of voicing such demands merely because some people tell you that it has no chance of being accepted by the authorities. Those who advise you to give up this claim on the ground of it being unacceptable to the State Government or even higher authorities, are doing you a grave injustice and a serious disservice. Remain peaceful and act in a constitutional way, and you may depend upon our doing what we can to bring pressure to bear on the State authorities and the Government of India to concede

your demand which is inherently and undeniably just." As long as the Ahrar leaders were allowed to guide and lead the agitation in Kashmir, it remained surprisingly peaceful. In spite of the gravest provocations on the part of police and military force and petty State officials every now and then, there were practically no rioting and no violent demonstrations on the part of the Muslims of Kashmir from the day when the Ahrar leaders took charge of the situation to the day when the Viceregal Ordinances in British India prohibited their entry into the State. But when Kashmir was isolated from the influence of the Ahrars, the inevitable happened. The State Forces rapidly extended a reign of terror to different parts of the State and at many places provoked the people into acts of retaliation and reprisals.

This aspect of the recent history of Kashmir should make it clear to any disinterested observer what the Ahrar did and what they did not do in the State. They must repudiate the allegation that they have been responsible for the chaos that has recently prevailed in Kashmir. But they must plead guilty to the charge of having taught the Kashmiris that there was really nothing to be afraid about voicing and demonstrating their demand for responsible self-government. The Ahrar may also claim to their credit that as a result of this teaching whatever difference of opinion there existed in the past, among Muslim leaders in Kashmir, is no longer in existence. Even those who at one time seemed prepared to accept the "official" demands have come round to the view that nothing short of a responsible government would be of any use to the people of the State. The "Green Shirts" who were at one time believed to be under the influence of the All-India Kashmir Committee now wear badges on which is inscribed "We want an Independent Assembly." Almost every public platform on the State now resounds with that demand, which has behind it the solid support of a united Kashmir.

## NEED OF A NEW POLICY FOR MUSLIMS.

Appeals in the name of Muslim interests are being made by two different sections of the community to the Ahrar party just now. One of these sections asks us, now that a European has been appointed Prime Minister of Kashmir in place of Raja Hari Kishen Kaul, to give him a chance of overhauling the administration of the State and in the meantime to call a halt to our activity. The other section wants us on the other hand to realise that our agitation on the issue of Kashmir has only served to strengthen the hands of the British Government in its manoeuvres against Hindus and Muslims alike in India and done a great harm to real Muslim interest. It, therefore, asks us to widen the issue of our agitation and change it into a direct fight with the Government of India, which, it says, is not only ultimately responsible for continued maladministration in Kashmir, but is also practically refusing to concede Muslim rights in the rest of India. According to one section the Ahrar should now disband their organisation and go to sleep over the happy idea that Kashmir has a Colvin instead of a Kaul for its Prime Minister. According to the other section they should more or less fall into line with the Congress and lead a general campaign against the British Government for Muslim rights, and press it from one side just as the Congress is pressing it from the other. Muslim interests, according to this second school of thought, will be safeguarded through an understanding and co-operation with the Congress and never through a policy of standing aloof from it.

Let us admit that there are valued and respected leaders of the Muslim community in both of these camps, though there are also others, who are only anxious to use Muslim interests as a cover for advocating either British

or Congress interests. Those whose counsel to the Ahrar is inspired by official circles in Delhi or Congress circles in Ahmedabad and Bombay we can, of course, never hope to convince,—and shall not try to. To them we can only say that while the Ahrar are willing to co-operate with the British Government as well as the Congress on the issue of Muslim interests, they refuse to let the Muslims be used as a mere cat's paw with which to draw either the British or the Congress chestnuts out of the fire. But to those honest friends of Islam in India, who like ourselves are not afraid of advocating just and genuine claims of the community in opposition to either party we should like to explain the Ahrar position.

As far as the issue of Kashmir is concerned the Ahrar have from the start taken their stand on the fundamental truth that a responsible Government in the State is the only permanent and effective cure of the ills from which several millions of Muslims have been suffering there. This position they see no reason to change. Mere alterations in the personnel of the cabinet of the State do not affect this position except in so far as they may be part of an intended change in the system of administration there.

We are willing to give Mr Colvin just as we were always willing to give Raja Hari Kishen, a chance of overhauling the administration. But let us know what the overhauling is going to be. Is it to consist in the substitution of a few new officials for the old, and the exemption of the Muslims from a few unjust taxes and religious disabilities from which they are now suffering? This may perhaps do some good to the Muslims, but how long will the good last? Even supposing that Mr Colvin proves a just and wise administrator, what about his successors? What safeguard is there that a just and wise Prime Minister in Kashmir will not be followed by a wicked, and oppressive official, or that the oppression and bar-

barities that have been practised on the people of Kashmir during recent months will not be repeated at a subsequent stage in the history of that State? And what about the popular demand for an effective voice in the administration of the State? How can you ignore it? Look at it either from the point of view of inherent justice or expediency the only proper and satisfactory solution of the Kashmir problem lies in a frank recognition and generous concession of this demand. If the new regime in Kashmir convinces us that it is more sympathetic towards this demand than the preceding regime was, it can expect co-operation from the Ahrar. Otherwise the change leaves us quite cold and our agitation wholly unaffected.

On the issue of Muslim demands in British India, we must frankly admit that, so far we have deliberately kept ourselves out of the way of our friends who thought that they could secure a concession of these rights through what they called the policy of "Anglo-Muslim Alliance." Of all the meaningless terms that have recently been employed in Indian politics this term of Anglo-Muslim alliance is perhaps the most meaningless. But we have allowed its advocates to try their experiment. And what has it brought to the Muslim community? Where, in fact, is that alliance which some of our friends, including Maulana Shaukat Ali, have been making with the British Government for all these months? The British Government has at every step told the Muslims to go and place their demands before Mahatma Gandhi. A vague and unsatisfactory policy of Procrastination in regard to Muslim demands so far has been the only constitution, as far as we can see of the British Government to this alleged alliance between the British and the Muslims. Because of this supposed alliance its Muslim advocates have asked us and the rest of the community to swallow the extra-strong dose of repression in the



Frontier Province They would not raise their little finger in protest against what has been happening there, and yet accuse the Pathans of having sought the protection of the Congress. Because of this supposed alliance they want Muslims to co-operate with the Round Table Conference Committees, even though the communal problem remains unsettled. We are very often asked by these friends to remember that with the exception of the manner and measure of Muslim representation in the legislatures all other Muslim demands have already been conceded. But let us not forget that all these demands were conceded by the Congress about two years ago. The only difference between the Muslim community and the Congress relates to the form of electorate and the number of seats that Muslims are to have in the Punjab and Bengal legislatures. And this is the very demand of the Muslims about which the British Government hums and haws but refuses to make up its mind. The fruits of the alleged Anglo-Muslim alliance have in short been that the British Government has accepted those Muslim demands which the Congress itself had accepted long ago and about which there was no difference of opinion in the country, and practically refused to accept what the Congress had refused to accept. In addition to this magnanimous act of saying ditto to the Congress resolutions, the British Government has allowed the two sores in the Muslim body politic—the one in the Frontier Province and the other in Kashmir—to remain unhealed. The reform in the constitution of the Frontier Province is a mockery in view of the peculiar and lawless laws that continue to disfigure its statute book, and the form that British intervention in Kashmir has taken is so far nothing but an attempt to use Muslim grievances and Muslim agitation for the promotion of British interests.

We have allowed the advocates of this policy of Anglo-Muslim alliance to have their innings. They have had it,

and the results are there for the Muslim community to see. The time has come when the Muslims should revise their policy, and we assure our friends who realise the need, of such a revision; that the Ahrar will not fail to respond to the call of Muslims in British India as they have not failed to respond to it in Kashmir.

### SWARAJ OUR BIRTH-RIGHT.

Bal Ganga Dhar Tilak introduced a very helpful phrase in Indian politics when he said about two decades ago "Swaraj is our birth-right." Since then it has furnished a subject for innumerable discourses from the public platform and adorned the front-page of many a nationalist newspaper. But times have changed during the twenty years or so for which this pithy phrase has had a vogue. From the Hindu politicians, to whom it owed its origin, it has penetrated down to Muslim masses, and, therefore, no longer serves the purpose of the Hindu politician as it was probably intended to do. It was quite helpful as long as it furnished an argument for the transfer of power from a British bureaucracy to a Hindu majority in the country. But it became a dangerous slogan when the question of transferring power to a Muslim majority here and there began to be mooted. The Hindu politician has, therefore amended this phrase, and we find its latest version to be "Swaraj is the birth-right of Hindus," but not of Muslims.

The determined fight of Hindus against what they have called a "statutory" majority of Muslims in the Punjab and Bengal has followed the lines of this present version of Mr. Tilak's phrase. The rule of a majority of Hindus over small Muslim minorities in the U.P., Bihar, and Orissa, Madras and C.P., is all right. But let us not have "communal" rule in the Punjab and Bengal. This has been the argument on which the Hindu politician seems prepared to stake almost his all. Time was when self-styled Swarajists did not feel ashamed of opposing in the legislature and outside the grant of reforms to the North-West Frontier Province. But the Pathans have since

taken the decision of their political fate from the hands of Hindu Swarajists into their own. And the Congress has had to fall into line with the Pathan demand and make an alliance with Khan Abdul Ghatfar Khan,—an alliance which the Congress is now exploiting for all it is worth. But though the Hindu politician has reconciled himself with the ideal of reforms—that is what reforms the British Government may agree to give it—in the Frontier Province, his opposition to the rule of the Muslim majority in the Punjab, Bengal and Sind continues unabated.

The most flagrant illustration of the Hindu policy of regarding Swaraj as the birth-right of Hindus alone is, however, furnished by the Kashmir controversy. The Muslims of Kashmir ask for nothing but those very rights in their home-lands, for which people in British India have been successfully fighting during the last 50 years or so. They want no "statutory" majority, and one willing to give the Hindu minority whatever safeguards may be considered necessary for it. They are, in short, willing to meet half-way every objection that the Hindu politician pretends to urge against the rule of a Muslim majority in the Punjab and Bengal. But still the Hindu politician refuses to see any reason, justice or cogency in their demand. The call is for a firm, and still more firm rule in Kashmir. "Down with the agitation and the agitators that seek a transfer of a power from a Hindu Raja and a Hindu oligarchy to the people, a majority of whom are Muslims!" This is the cry that resounds from one corner of British India to the other, and is taken up now by the Hindu and Sikh M. L. A.'s in Delhi and again by innumerable speakers at Hindu public meetings.

We are not at all surprised at this cry or the inconsistency shown by the Hindu politicians in claiming as their birth-right what they refuse to recognise as the birth-right of the Kashmir Muslims. But we are both surprised and pained to see some Muslims acquiescing in the Hindu policy and indirectly helping it. When some members of the so-called All-India Kashmir Committee "befriended" the Kashmir Muslims by advising them to make no mention of responsible

Government in their demands, they unconsciously played the game of the Hindus. Fortunately the Kashmiris have by this time repudiated and outgrown those "officials" demands, which some of their representatives presented to the Kashmir Government about six months ago. But some alleged friends of the Kashmir Muslims in British India still continue to harp on the inadvisability of pressing a demand for responsible Government. They would seem to think, just as the Hindus do, that the birth-right of Swaraj is not for Muslims to claim. God has, according to them, conferred this birth-right on Hindus only, reserving for the Muslims the proud privilege of claiming British rule as the be-all and end-all of their political aspirations. We have no doubt that many of the members of the all-India Kashmir Committee have by this time realised their mistake and come round to the Ahrar view about a satisfactory solution of the Kashmir problems. To others who perhaps still think that it would be too extravagant a demand for Kashmir Muslims to claim Responsible Government in their State, we should like to make a present of the views, which a special correspondent of the "Statesman" has recently expressed on the subject.

He says, talking of the Hindu politicians in British India, "These good men and their Press cannot have it both ways. No one seriously disputes their contention that alien rule is undesirable and usually humiliating, if it can be avoided, and if that is their faith they should not quarrel with the Jammu and Kashmir Moslems for agreeing with them. On the contrary, by demanding Swaraj for themselves in British India and by opposing the great Kashmir majority's similar demand at every twist and turn, they only the more encourage the Kashmir Moslems. For their attitude in this matter provokes the suspicion that by Swaraj they mean the complete dominance of the majority race in British India, and the Moslems of Kashmir, comprising a vastly greater majority of the State's people, simply retort that that is what they mean, too, except that they expect only a fair share and not a monopoly of

power in the State. It is perfectly obvious that that feeling—the huge majority's objection to the despotism of a very small minority—is the fundamental cause of all the State's troubles of the past eight months, exactly as it was the beginning of the nationalist movement in British India. If the Durbar honestly fails to recognize this, the failure itself is due to one of the direct causes of Muslim discontent. Unless this basic discontent is removed, it will remain," he says, "with the danger of a repetition of the same consequences, until it is remedied. And until it is remedied, too, an enduringly peaceful settlement of the communal problem in Northern India as a whole may remain as elusive as it has been till now."

A Britisher does not obviously regard the Muslim demand for "Swaraj" under the aegis of the present ruler—as at all extravagant. While some Muslims in the Punjab continue to regard it extravagant?

### JUDICIAL INQUIRIES.

Bitter disappointment has been the lot of some of our friends, who not long ago when into raptures over the appointment of Mr L. Middleton to inquire into the Kashmir disturbances. Qadian was at one time swearing by the Middleton and the Glancy Commissions. Today we find it swearing at them. Mr Middleton, at any rate, has been severely criticised about his report by a meeting said to have been held at Qadian. But though disappointed, Qadian is never disillusioned. Its latest demand is for yet another inquiry into the events about which Mr Middleton has submitted a report. When the Dalal Committee failed to satisfy Muslims, Qadian asked them to hope for every thing from Mr Middleton. Having been disappointed by that gentleman it now wants us to concentrate our hopes on another inquiry, which it has undertaken to demand. We presume that if the next inquiry produces equally unsatisfactory results, a demand will be made for a fourth investigation and so on. The Kashmir problem is thus to be solved through

a succession of inquiry committees all trying to apportion blame between the police and the Muslim subjects of Kashmir for outbreaks of violence in the State

We are quite sure that Muslims will not encourage this new demand that has been formulated in Qadian for the obvious purpose of diverting their attention from the main issue of the Kashmir problem to other and smaller issues rising from it. The Middleton Report must be condemned as a one-sided document, but the results of an inquiry conducted under the present political conditions in Kashmir can be nothing else. When the people of a State are fighting against the very constitution which governs them they are fundamentally in the wrong in the eyes of the law. And being fundamentally on the wrong side of the law they can never compete on equal terms with the agents of the law in the judicial inquiry. The mere fact, for instance, that according to technical law an otherwise peaceful gathering of men was an unlawful assembly would deprive them of the right of using peaceful intentions or peaceful conduct on self-defence, and the law would ordinarily hold the police justified in shooting them down in spite of their peaceful conduct. But even if it is proved in case of such a conflict that a police party or a magistrate did exceed the limits of justifiable conduct, the State would be sure to take a lenient view of such excesses. In other words, a judicial inquiry can bring out only the technical truth, which may be something very different from the real truth. And when this technical truth contains proof of a State official's guilt, the State will fail to take any notice of it.

Even the Middleton Report, bad and one-sided as it is, refers to several cases of firing as unjustified. To take one example, it describes the firing at Anantnag on September 23, 1931, in the following words:

"I consider that the attempts to persuade the crowd to disperse before or when the procession started were of a very half-hearted nature and that a very large number of people in the procession did not know that orders had been given forbidding it, and further that many people joined the procession during its march and could know nothing about the prohibition.

"I consider that two magistrates were very much to blame for going away together from the vicinity of the

Idgah to consult the Governor over the telephone and that they were even more to blame for not returning to the spot with the troops directly they got an urgent message from the Assistant Superintendent of Police. It seems to me that instructions from the Governor were totally unnecessary and that these two officials shirked the responsibility attaching to their position. The fact that they remained at the telephone after getting instructions from the Prime Minister in order to get them repeated by the Governor shows that they were unfit for the posts which they held. Similar censure appears to me to apply to Subedar Dharam Singh who disregarded urgent messages in order to seek unnecessary orders from Brigadier Onkar Singh.

"The orders given by the Governor as stated by him and as stated by the Tehsildar and Munsiff do not agree, it appears to me impossible that any of these three officers could forget the orders given on such an important occasion and that some evidence has been deliberately withheld

"The allegation of a few witnesses that there was a plot to shoot down the crowd at the Idgah seems to me to be pure nonsense. Its origin can be traced from the fact that the Assistant Superintendent of Police was overheard to remark to the magistrate that they had missed their opportunity; that remark appears to me to be an entirely innocent and natural remark. The magistrate should have been on the spot where the crowd were assembled in an open place before night-fall and that was the obvious place at which they should have made a determined effort to disperse the crowd, it was entirely due to their inefficiency and avoidance of responsibility that the ultimate clash took place after dark in a narrow and confined space, leading to very serious results."

As a result of this firing 21 men were killed and 27 wounded, according to official figures. Actually the casualties may be more. The responsibility for these deaths and injuries must be definitely fastened on some officials of the State, according to Mr Middleton. But we frankly consider it unlikely that the State will do any such thing."

## CHOICE BEFORE BRITAIN.

Will Britain take steps to ensure Muslim co-operation in India for the purpose of building up in this country a contented and self-governing dominion of her Empire or will she force Muslims to range themselves in a fight against her, as the Congress has already done. The choice is becoming increasingly definite and imperative for the British Government, because the Muslim community can no longer delay a decision of the question of its own future politics. We do not of course, refer here to those few Muslim knights and self-seeking arm-chair politicians, whose conscience and political opinions are in the safe keeping of the British Government. Their co-operation the Government can never fail to get under any circumstances. They may threaten now and then to non-co-operate with the Round Table Conference committees. But every body knows—and the Government more than anybody else—that these threats are sheer bluff, easy to expose and difficult to maintain. We have only recently been amused spectators of a scene in the R. T. C. Consultative Committee, where these Muslim representatives' bluff elicited a counter-bluff from Sir Tej Bahadur Sapru and Mr. Jaykar, and even Maulana Shaukat Ali, who is out to preach the gospel of co-operation to the community had to "hang down his head in shame" at the undignified way in which his brave Muslims hastened to withdraw their threat. On the co-operation of such Muslim "representatives" the British Government may we dare say, always count, but not so on the co-operation of the Muslim community, which with all its faults, has a courageous soul and is not afraid of the heavy odds against it.

We should make it quite clear to the British Government that the general body of Muslims in India has for a long time been feeling most uneasy not only on the question of their future representation in the legislatures, but also on the acute problems of Kashmir and the Frontier Province. They feel that in Kashmir their perfectly reasonable demand for a due share in the administration as being suppressed with the help of British bayonets. The Muslims of Kashmir ask for what is the only permanent remedy of misadministration, which by common consent has



existed in that State for a long time. But in response to this demand they are bullied, maltreated, provoked and shot down by the score. And the British Government indirectly helps all this. In the Frontier Province, Muslims feel that the British Government pretends to give them with one hand what it takes away with the other. It is making arrangements to set up a reformed legislature in that Province but at the same time treats the Pathans, as far as the actual manner of ruling them is concerned, as something less than human beings. This mockery of reforms is frankly causing resentment among Muslims. Besides, the issue of Muslim representation in the legislatures remains undecided, and it would appear from the policy of the Government that it wants to see the result of its struggle with the Congress before coming to a settlement with the Muslims.

In these three causes the Muslim community has ample reason for restlessness, which has been now. we should like to point out, grown into a feeling of serious doubt whether after all, the presence of the British in India is in any way a source of strength to the Muslims against a hostile majority of Hindus. Is it not actually a resource of weakness, and has the time not come when Muslims should face facts instead of hugging illusions? The conviction is steadily forming itself in the Muslim mind that if the Muslims must fight the British Government on the issue of Kashmir, the Frontier Province and the measure and manner of Muslim representation in the Councils. Then they must, with the Hindus and the British Government both denying their rights and attempting out of different motives to suppress them, anticipate the future and prepare themselves for a life-and-death struggle with both.

If the British Government allows this feeling of the Muslims to decide their future policy, it will have none but itself to blame for the bitterness that a political struggle will create between them and it. The best—and in fact the only—guarantee of an indissoluble link subsisting between Britain and India when the latter country comes at last into her own is a friendly feeling between Indian Muslims and

Britain. The Congress has already gone too far in its  
 fight with the British, and their mutual struggle has  
 already created too much bitterness to have any hope  
 that the Congress can ever form a friendly link  
 between Britain and a self-governing India. Such a  
 link can be furnished only by Muslims. The onus  
 is now for Britain to make whatever it will lay  
 today the foundation of such a link or destroy  
 for all the chance of creating it in the future. The  
 Congress frittered away the opportunity of forming  
 an alliance with the Muslims and if the British  
 as this picture fails to see the usefulness of the  
 friendly link referred to, it is just possible that the  
 Congress may make overtures and rectify their past error.  
 It would then create a condition of affairs the seriousness  
 of which the Government will place its own seal upon.

**BRIEF REPORT**  
ON THE  
**SUFFERINGS** 2  
OF THE  
**HINDUS AND SIKHS**  
OF  
**JAMMU STATE**  
DURING  
**MUSLIM REBELLION**  
IN  
**MAGH S. 1988 B.**



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**BRIEF REPORT ON THE SUFFERINGS**  
OF THE  
**HINDUS AND SIKHS**  
IN  
**JAMMU STATE.**

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It is now fully known all over the country that the Muslim rising and rebellion in Kashmir in 1931 was a part of Pan-Islamic scheme and to it, all Muslims—whether State subjects or State officials or outsider Muslims and others—contributed their might. The result was ruin of the Hindus and Sikhs of the State in all respects.

Upon this, the appointment of Glancy Commission for, among other, consideration of some of the religious questions of the Hindus, added to the injury. The protests of the Sanatan Dharam Sabhas, etc., had no effect.

A deputation on behalf of the Punjab Sanatan Dharam Pritinidhi Sabha waited on the Prime Minister on 30-12-31 and the grievances of the Hindu and Sikh sufferers were placed before him. The Prime Minister assured the deputationists that the question of cow-killing will not come up before the Commission, the Hindu and Sikh Holy places will be re-built and the safety of the Hindus and Sikhs will be fully secured.

Hardly a month had passed, that alarming news of a similar rising in Jammu State began to pour in, and telegrams from the Hindus and Sikhs of Kotli, Mirpur and Rajauri were received. The text of one of these telegrams ran as follows :—

“ Almost all Hindu and Sikh villages in Kotli and Rajauri Tehsils, sacked and burnt by Muslim mobs. Similarly some villages in Mirpur Tehsil. Several places of Worship desecrated and burnt. Hundreds destitutes migrating to Mirpur District. Muslims in open

rebellion. Hindu-Sikh life and property admittedly in danger everywhere. Authorities taking no satisfactory action. Kindly help immediately to save Hindu race. Hindu Sabha, Mirpur."

Such telegrams created a very great consternation in the Punjab. The Mahabir Dal Sevaks were sent to Mirpur for the relief work the same night, but the party was not allowed to proceed from Jhelum onwards. Further telegrams received on 28-1-32, described the situation getting still worse and Sevaks for further help were not allowed by the Jhelum police to proceed to Mirpur .

Hundreds of refugees in most pitiable condition began to come to Jhelum from the State and Lala Rame Shah, the President of Sanatan Dharam Sabha, Jhelum, took upon himself the task of feeding them all. About 600 arrived and were lodged in Shahji's Sarai. Later on, a large number left to see their relations in different places in the Punjab, but still a good number remained. The relief work is continued upto now.

The relief party of Sevaks, anyhow, reached Mirpur on 7-2-32, and with the help of local Hindus opened a relief camp there on 12-2-32. The number of refugees availing themselves of relief of food, clothes, and medicines etc., reached upto 450 or so. This centre works as a base for opening relief centres in the interior; such as Nowshera and Kotli. Bhimber centre is also working in full swing.

Some people from the Punjab went to see the arrangements of the Mahabir Dal camp at Mirpur, and being satisfied with its work, gave some monetary help.

The common features of this rising, as well as, those of the one in Kashmir State, were one and the same, which conclusively prove that this, too, was baised on the same lines and was engineered by the Muslims and others of British India. The State Muslims were instigated and the Muslim officials and other influential Muslims of the State, made an unholy alliance with them. The Muslims, armed

with lathies, axes, swords and rifles, gathered in hundreds and thousands with the excuse of Friday prayer for Nafal (Prayer for rain) and openly chalked out their plans of plundering the Hindu and Sikh property in different villages. They demolished or burnt their houses, abducted Hindu and Sikh women and forcibly converted the Hindus and Sikhs to Islam under the threat of death. A large number of Hindus and Sikhs were done to death and their Holy places and books were looted, burnt or desecrated. The ring-leaders sprang up in every *Illqa* who declared themselves as the Raja of the State and demanded payment of the land-revenue. They were openly asking their followers either to convert the Hindus and Sikhs to Islam, or to kill them. Even their womenfolk are reported to have taken part in this nefarious work.

Virtually every effort was made to deprive the Hindus and Sikhs of their shelter, property and religious places, so that they dare not come back and settle again in the State, leaving the State to Muslim and Muslims alone.

Lieutenant-Colonel Stewart, Assistant Chief of the State Military Forces, Jammu, complains in a statement issued by him that, "the most regrettable feature of the situation is nothing but exaggeration and inventions that are still being circulated by the partisans of both the parties, communal enmity is being excited by propaganda which neglects facts and conceals truth." We quite agree with the Colonel, that in some cases exaggerations or possibly inventions may have been circulated, but those thousands of people who have been driven out of their sheltering places and have practically been reduced to beggary have not left their homes for the sake of fun. They have a right to tell of their sufferings. Their helpless condition, deserves full sympathy from the general public, if not from the State officials. Our complaint also is the same that the State has not so far been able to check the propaganda of the Muslim rebels who have become so bold that to refer to a fresh incident as given in the "Tribune" of the 12th March, 1932, the Muslims collected in a large number of 500 and attacked the police with sticks and stones, wounding four Police officials, one Lumbardar and one Zaildar, who were sent on 8-3-32 for the arrest of one Subah at Tral in Kashmir State.

The Colonel has himself stated in one of the paragraphs of his report, that, "the agitators appear to have circulated that the State troops would not be allowed to employ any force at all." This idea, no doubt, is generally prevalent amongst the general public; as the Military who fired at the time of Kashmir riots were court martialled and punished, and this naturally emboldened the rioters and the Military itself must have been depressed by it. It is no wonder, therefore, that when some refugees came out under the protection of troops to places of safety, to use the words of Colonel, "the rioters had no hesitation about taking offensive upon them and the Military had to open fire to save these people." And in the words of the same statement, "on one occasion a mob armed with swords and axes actually rushed towards a detachment. Before being dispersed by firing, this particular mob wounded two men and damaged two rifles." Is there, in the face of this evidence, still a doubt in the mind of any person that the weak State Administration, most probably on account of some of the highly placed Muslim officials being in alliance with the rioters, was the real cause of the emboldment of the rebels.

A significant statement in an Urdu letter of a Muslim servant of the State, to hand, gives a true picture of affairs in the following words :—

"Kotli from Nowshera is at a distance of 40 miles. No house of the Hindus has been left without, either being burnt or looted, and the police people have also run away. Those Hindus who have been left in the country have become destitute even for bread and clothes. All the goods etc. have been plundered by the Muslims, others have been put on fire. If—would have toured this side, he would also have been killed..... I reached Jajot, when just the Post Office was being looted. With much entreaties in the name of God and Rasul I had hardly taken out the papers that the mob began to plunder..... Had the Post Office been in the hands of a Musلمان, then it might have been saved..... No Hindu has been left behind in this part all have gone away. If I had not been a Musalman, the Post Office of

Jajot also would have been burnt. Serious rebellion has spread in this part.....Great calamity has befallen the state and my life is also in danger.....I hear that Tehsil Kotli is also looted and burnt and no house of any Hindu is left without being burnt, all the Hindus of this part have run away.”

A brief summary of the happenings and their consequent ruins in different Tehsils attacked by the Muslim mobs, is given hereafter.

But as regards the losses of life, property-moveable and immoveable-and also of mental religious torture is not possible to make a correct estimate of the same for the obvious reasons; firstly, that no statements or information is received from each and every affected village of all the Tehsils of Jammu State, secondly; that statements have not been received even from each and every Hindu and Sikh family of the villages mentioned herein and thirdly, no facilities were available to verify each and every statement by personal observation and calculation or to make independent inquiries to reach at, at least, approximate estimates of losses of all kinds. Bearing this all in mind, we would request the reader to go through the next part of the report, and try to stretch his own imagination about the losses, ruins and misery brought on thousands of humanbeings by this Muslim rising.





## BHIMBAR TEHSIL:

Serial No.	Name of Village.	No. of Statements.	Dates of Occurances.		No. Hindu and Sikh houses.
			Magh 1988-B.		
1	Bhimbar	..	1	...	...
2	Ghural	..	1	10th, 11th	... 100
3	Samahani	...	11	11th, 17th	... 40
4	Khambah	...	2	12th, 13th	... 12
5	Kathiala Bakhssian	...	1	12th	... 12
6	Sander	..	1	13th	...
7	Dharamsala Seriah	...	2	13th	... ..
8	Thakura Gura	...	1	13th	... 25
9	{ Mohra Bhirokhan Dakhli Seriah }	{ .. .. }	1	13th	... ..
10	Bahmala Canaura	...	3	13th	... 150
11	Nowshera	..	1	...	...
12	Mutlashi	...	2	13th, 14th	... 12
13	Bhiwani	...	3	15th	... 20
14	Dharmal Jhingar	..	1	14th	... 14
15	Alibeg	...	3	15th	... 20
16	Dal	...	1	15th	... 20
17	Mitrial	...	1	18th	... ..
18	Charun	..	14	19th	... 50
19	Tunin	...	2	19th	... 1
20	Gohra Nikka	...	1	...	... ..
21	Pahal	..	1	19th	... ..
22	Kholian	..	1	20th, 21st	... 8
23	Chauki Bandi	...	...	...	... ..
24	Sarsala	...	...	..	... 9
25	Varing	...	1	...	... 40

### Dates of Occurances.

The rising in the Bhimbar Tehsil seems to have commenced from the 10th of Magh S. 1988. B, (25-1 1932) and lasted upto 21st of Magh S. 1988-B., (3-2-32). *i. e.* for 12 days.

### No. of Villages Affected.

The number of villages affected by the rising as given in statements, to hand, is 25, but it is not difficult to understand that there must be many more villages which must have suffered thereby. (Naturally there must be a large number of Hindus and sikhs in these villages.)

### Houses Looted and Burnt.

It is not possible to estimate the number of Hindu and Sikh houses having been looted, demolished or burnt, as such number is not available. But roughly speaking, if we take a minimum number of houses of each of these villages only, the loss must not be less than of 500 houses. A rough and lowest estimate of the price of each house being taken at Rs. 200/-, it should amount to a sum of Rupees one Lac, although there must be houses far more valuable and costly, built by rich businessmen and zamindars. The value of the houses of such villages, where of no information is available, cannot be calculated and added to this loss. Thus the loss in demolition and burning of the immoveable property of this Tehsil alone cannot be taken less than Rs. 4 Lakhs.

### Loss of Moveable Property.

There is no source by which the loss in moveable property can be even approximately known. If we take these 25 villages alone into account and that also of the persons whose statements of their own losses are to hand, the loss in immoveable property too, has been very heavy and enormous and it is not possible to make a correct estimate of such kind of loss. Anyhow, an attempt will be made to make a rough idea in this respect, of some of these villages by the statements to hand. Villages Sahman, alone, to which Zaildar Budhekhan—the ring leader of this part of Tehsil belongs, is said to

have suffered a loss of Rs. 2 Lakhs. Similarly Dal, Thakura Gurha and Mohra Bhairokhan's losses are estimated at 1 Lakh each. Alibeg village, with its big Gurdwara, has suffered in thousands and the total of the same must amount to not less than Rs. 3 Lakhs. If the case of other villages, whose information is not available is taken into consideration, it will be no exaggeration to say that this Tehsil alone must have suffered a heavy loss of at least of Rs. 12 Lakhs by this mobocracy of the Muslims.

In fact every kind of moveable property in the shape of cash, gold and silver ornaments, clothes, cotton, silk, cooking and other utensils, household furniture, such as cots, beddings, boxes, sewing machines, marriage dowries, every kind of grain, such as wheat maize, rice, bajra etc., wool, bulls, cows, buffaloes, horses, saddles, kerosine oil, tobacco, shop goods of thousands of rupees, agriculture implements, doors, beams etc., were taken away by the dacoits and in some cases they dug the floors of the houses to find out the valuables and treasure. If anybody tried to take away his goods and valuables before the date of occurrence, he was chased and looted on the way, and in the cases of those who fled with their lives and concealed themselves in the jungles and other safe places, were stripped off their clothes even. Account registers, registration deeds and papers of accounts were burnt.

**Bhimbar.**—The Headquarters of the Tehsil is not far from the British boundry of the Gujrat District, being only at a distance of 28 miles from Gujrat proper. Here is a Tehsildar, Naib Tehsildar and Munsiff of the State. It was attacked 2 or 3 times by the Muslim mobs who were in thousands, but the presence of the Military, the bravery of the people themselves and the help of Lala Devi Chand, Munsiff, saved it, though up to now it is feared, that the Muslims may not attack it unaware and loot the place. The Tehsildar-Raja Sarwar Khan has, it is generally complained, been in alliance with the rioters and did not prove himself worthy of the position. He miserably failed in fulfilling his duties as a protector of the State subjects entrusted to his charge.

### Loss of Life.

Besides plundering the moveable property and burning or demolishing the immovable one, the mob was not slow in taking to other heinous and inhuman methods against the Hindus and Sikhs such as burning the Hindus and Sikhs alive or murdering them. It is reported that there were 3 sick people in a house at Bhawani, when they tried to run away with their lives, they all were burnt alive. Same story, it is said, was repeated at Ghural, when 2 or 3 Hindus were treated in the same way. The brother of Bhagat Ram of Kuthiala Bakhshian is reported to have been done to death. Amar Nath Sahn of Kholian, is stated to have been burnt alive when his shop was put on fire,

The whereabouts of one woman, Ishro of Mutlasi, were not known till lately. One Sunder Singh of Baroh reported in writing on 17-2-32 to the Special District Magistrate Bhumbar, that he came to know from a forest guard that the dead bodies of 8 Sikhs were seen by him lying in the jungle, when the crows and vultures were found snatching and eating them. What was the result of any investigation, if held, is not yet known.

### Forcible Conversions

In every place a special effort had been made by the mob to forcibly convert the Hindus and Sikhs to Islam. They were threatened with their lives, if they did not accept it. They collected in hundreds and thousands in different places and declared that there was now Muslim Raj and the ring-leader always ordered his followers either to convert these Kafirs to Islam, or to kill them. Naturally the Hindus being in a very small number, unaware and disorganised, were overawed by the big crowds and agreed to become Muslims. Their tufts were cut off, the sacred threads were torn, the moustaches were cut in a particular fashion. They were forced to have their meals with the Muslims. So much so, that they were asked to partake of beef or to kill the cow with their own hands.

Such conversions are reported to have taken place in this Tehsil as follows :—

1. Sohne Shah and other 80 Hindus of Khambah.
  2. 10 Hindus of Dal.
  3. Reloo of Bahamala.
  4. Labhu Brahman of Thakura Gurah.
  5. 6 or 7 Hindus of Mohra Bherukhan.
  6. 22 persons of Dharamsala Jhingar,
  7. Jiwan Jat of Tunin.
  8. About 100 Hindus of Gharun such as Kaloo Jat, his women and also 7 Brahmans.  
Lachhu Jat and his son, who was robbed of Rs. 300, also.  
Ishar Das Jat.  
Gian Jat with his mother and brother's wife.  
Manjhi Jat with his brother.  
Guranditta Jat. He was robbed of Rs. 100 worth of property also.
- Kirpa Ram Jat. Gokal Jat tried to run away with Rs. 200, but was caught and put in an oven with head downwards. He had to yield under pressure of coercion.

9. At Dharamsal Sialan about 30 people.

#### Desecration of Sacred Places and Books

There was a big Sikh Gurdwara at Ali Beg in this Tehsil with a school and a Goshala attached to it. It was open to Muslims also for food etc. and quite a large number of Hindus, Sikhs and Muslims availed of its langars every day. The buildings were burnt and raised to the ground. It is reported that there were 25 volumes of Granth Sahib there, and these are said to have been burnt along with the building. The loss of this Gurdwara alone is estimated to be of Rs. 1½ Lakhs. The ring-leader, Fazal Rahman, Zaidar, is reported to have said openly that the Gurdwara should be burnt and a mosque be erected in its place. One Dharamsala and one temple at Samahni and Ghural each were treated likewise. One Dharamsala and one temple at Dal and one Dharamsala with Grantha Sahib at Thakura Gurha and two temples of Tunin were looted or burnt.

## TEHSIL MIRPUR

Serial No	Name of village	No of Statements	Date of occurrence.	No. of Hindu and Sikh houses.
Magh 1988-B				
1	Mirpur	.. 3	12th, 13th and 15th	.
2	Kotla Dattan	.. 2	11th, 14th, 15th and 16th.	17
3	Abdupur	3	14th ...	12
4	Dillu Chak	1	do ..	1
5	Dhundhian	.. 1	do ...	6
6	Dhalangla Dakhli Kalal	1	do ...	7
7	Kaladab	1	do	26
8	Kas Kalal	.. 1	15th	1
9	Hajo Dakhli Kakra	1	do	30
10	Jatley	4	do	14
11	Pindi Sabharwal	... 2	do ...	
12	Samwal	. 2	do ...	40
13	Kotla Jangian Dattan	... 1	do	
14	Cheeley	1	do	5
15	Kalas	. 3	15th, 16th ...	12
16	Bhakhral	. 2	do	3
17	Sukh Champur	28	16th ...	40
18	Chhabarian Dattan	2	do	4



### Dates of Occurances and No. of Villages Affected

The statements show that the area in this Tehsil was in rising from the 10th of Magh, 1988 B to the 16th of Magh, 1988 B. (i. e. 23rd January, 32 to 29th January, 32) and different villages were attacked on different dates, as shown in the table above. It seems that one and the same mob was constantly at work and felt quite free to do as it liked. They held a big meeting on the 13th of Magh, near Dilloo Chak whereafter regular attacks were commenced on neighbouring Hindu and Sikh villages. Thus 16 villages besides Mirpur and Nowshera seem to have been visited by the mob in these days.

**Mirpur.**—Mirpur proper was attacked on 3 occasions but the rebels were repulsed and did not succeed in their nefarious object, though they are having their eyes on it like Bhimber and it is no wonder if the administration does not take effective measures to punish the offenders, this place may also share the fate of other unfortunate villages of this Tehsil. It is a big town mostly inhabited by rich Hindus, though the Muslim population is not small. It is reached from Jhelum being situated at a distance of about 20 miles and one is to cross the river for that purpose. Another route of 40 miles to Mirpur from Jhelum is along the canal road, which is not open to the general public.

### No. of Houses Looted or Burnt.

A Punjab Government Communique published in the 'Tribune', dated 28-1-32, says that according to a report dated 21st February, from Mr. C. V. Salisbury, the British Civil Officer at Mirpur, the damage caused in Mirpur Tehsil upto date are, number of houses burnt 121 and number of houses looted 139, in it he says, a portion of Bhimber Tehsil which is controlled by British troops is included. But according to the statements at our disposal, the total number of houses looted, burnt or damaged in both ways, amounts to about 230. In this figure, Tehsil Bhimber is not included as it

has been treated separately and neither any other villages are included, about which no information is available

Such a vast difference in these numbers cannot be accounted for. If we take the mean figure of both these estimates, the real number of houses looted or burnt must be somewhat near the figure of 185. Even if the official figures be taken correct, could one imagine the extent of damage done to the Hindus and Sikhs of this Tehsil alone, and above all, how one could think of the sufferings of the Hindus and Sikhs when they were deprived even of their shelter places and what kind of anxiety, trouble and expenses might be incurred by these unfortunate sufferers to rebuild their houses and what satisfaction and guarantee is there to them for the safety of their persons, honour, houses and property in future ?

Although it is not possible to calculate the loss of immovable property of these villages, but at the rate of Rs 200/- per house only, it amounts to Rs. 37,000/-. But after including such a loss of other villages also, the amount would be somewhere near Rs. 75,000/-, though we know this estimate is a very low one. Some State buildings also were looted or damaged

### Loss of Moveable Property

It is not so easy to have a correct idea of the losses suffered by our Hindu and Sikh brethren during this turbulent period

One railway guard, Bakhshi Tirath Ram, was robbed of his money on 28-1-32 on the way to Mirpur. The matter was reported to the Jhelum Police, but was not recorded. He states that he saw some *Ahrars also among the Muslim dacoits*. Another Tara Singh Mistri was going from Ali Beg to Mirpur on 25-1-32, when his cash and clothes worth Rs. 65 were robbed. Similarly, one Gulab Rai, Brahman, was waylaid in the journey and his personal clothes were taken off with a sum of Rs. 500 he had with him. His personal loss of gold and silver ornaments, Currency notes and other household articles at his village, besides his house and shop, is reported to be of a decent amount of Rs. 6,000 or so.



A rough estimate can be made from this one instance alone. The loss of one person of Dilloo Chak was about Rs. 2,000. One Sahukar of Kas Kalial was looted and his loss of property was currency notes, Rs. 1,500, gold ornaments, Rs. 1,500, Postal cash certificates, Rs. 3,000, gold ornaments of other people, 100 tolas worth at least Rs. 2,500, silver ornaments 20 seers which may be estimated of the value of Rs. 800. Household furniture, clothes etc. Rs. 300, wheat 100 bags of the value of Rs. 500, making a total of Rs. 10,000, leaving aside the houses which were looted and demolished. One person of Dhudian suffered a loss of about Rs. 6,000 in cash, ornaments, grain, cow, buffalo, etc., etc.

There are 7 statements out of 17 houses of Kotla Dattan, a rich town—and the loss of these 7 houses only is given as under:—

The loss of one person alone, has been estimated at about Rs. 16 thousand; another of these gave a rough estimate of his total loss at about Rs. 20,000. This all will amount to Rs. 36,000 (we have counted the commodities at the lowest price)

If the loss of the remaining 10 houses of Kotla Dattan is estimated only at the rate of Rs. 1,000 each, then the total loss must be Rs. 10,000, thus the whole loss of the immoveable property of this village alone goes upto the sum of Rs. 45,000.

The losses of Sukhchainpur must be similarly at about Rs. 40,000; Jatley Rs. 15,000; Chhabrian Dattan, Rs. 4,000; Pindi Sabharwal, Rs. 4,000; Samwal, Rs. 4,500; Bhakhral, Rs. 3,000; Gheeley, Rs. 5,000; Kotla Jangian Dattan, Rs. 500,

Thus the loss of these 17 villages in moveable property at the lowest estimate must be about Rs. 1,80,000. But we are sure that other villages in the Tehsil must have suffered like wise, whose account is not available.

The Hindus and Sikhs generally were well off and held their own lands or prosperous business, hence their losses must have been

far more than estimated above. One instance of Sunder Singh o Kotla Dattan is worth mentioning, who was on his way to Jhelum and was looted in the Bela of the river. The culprits were arrested by the Jhelum Police and they confessed their offence. Gosain Lakshmi Dass's ear-rings were taken off by the son of Alam Din, resident of British territory and was arrested for that offence by the police.

Mr. C V. Salusbury in his report already referred to, says that 15 Hindus and 3 Muslims were killed as a result of communal disturbances. To call this a "communal disturbance" is to avoid the point at issue and to belittle the nefarious crimes committed by the rebels. It was an open rebellion and so was declared by the ringleaders who led the mobs for plundering the Hindus and Sikhs. They openly said that Muslim Raj was established. The armed crowds in thousands gathered without any hitch by the beat of drum and they were asked to loot the Hindus and kill them if they were not accepting Islam. Bata Chib, of Ghazi Gohra, their ringleader, was declaring that the present Governor was their own brother and the Wazir, Military officers and Sub-Inspector of Police were Muslims and it was with the permission of the Governor that the Hindus and Sikhs be looted and killed.

Sukchainpur witnessed the most horrible scene when 12 persons (including 3 women) were said to have been burnt alive to death. Kartar Singh, Bhama Devi and Pandit Dayanand of Sukchainpur received serious blows at the hands of the rebels.

Panjera lost 2 persons—Shankar Singh and Ram Singh—who on the mob murdered and threw into fire.

Jodh Singh of Dhanna is reported to be missing.

Two persons of Samwal were butchered and burnt. Diwan Chand of Pindi Sabharwal died of Pneumonia in Jammu Hospital contracted after the incident.

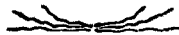
### Forcible Conversions.

Mr. Salisbury in his above mentioned report has stated that "not a single case of rape or forcible conversion has been substantiated". As regards the first, we have got no statement till now, though the statement of Col. Stewart mentions the abduction of women, but we are given to understand that the Musalmans of Raipur converted Beli Ram s/o Ganga Ram of Raipur, with his wife Parbati and his minor son Ishar Dass. We will be glad to contradict the report, if our further enquiries go to prove it to be false.

Lt.-Col. Stewart says that "a number of forced conversions have been reported, but the evidence available does not point to these having been brought about *by any very great violence.*" (Italics are ours). Does it mean that, "very great violence" would be considered having been used, had the Hindus and Sikhs been killed. The next paragraph of Col's statement proves that, "those people seem to have outwardly conformed to Mohammadan customs", Surely under the threat of death and this perhaps can not be considered a "very great violence". It is a curious way of suppressing the true facts.

### Desecration of Sacred Places and Books.

At Kalas, a Gurdwara was looted and the Granth Sahib was burnt. Jately Gurdwara with 3 Granth Sahibs was looted; of these 2 sacred books are said to have been burnt and the third was taken away by the mob.



## TEHSIL KOTLI.

Serial No	Name of Village.	No of Statements.	Dates of occurrences	No of houses of Sikhs and Hindus,
Magh 1988-B				
1	Bal Brahmanan ..	3	10th ..	25
2	Dharamsala Bal Brahmanan	1	do .	.
3	Fatehpur Dehari .	1	do .	15
4	Kaini Bhaian	1	do	100
5	Kotli Sohlan .	3	do ..	20
6	Changpur .	1	do	35
7	Mohra Bhaian ..	1	do ..	20
8	Kaini .	2	11th ..	
9	Khui Ratta .	7	do	30
10	Dhanna ..	2	11th and 12th .	80
11	Sairi	6	11th	
12	Hathoa ...	1	do ..	.
13	Palahal Khurd .	2	do	16
14	Brahda .	1	do	40
15	Chamberi ..	2	12th ..	15
16	Panjera .	2	12th, 13th	16
17	Chauk Sahiban ..	1	12th	3
18	Desah Brahmanan	2	do ...	14
19	Chandra ...	1	13th	3
20	Kanora Dakhl Amban .	1	do	3
21	Dharam Sal Silian ...	3	14th	9
22	Sahansa ...	15	13th, 14th, 15th	3
23	Sarsawa ...	1	...	...

Serial No.	Name of Village.	No of Statements.	Dates of occurrences		No. of houses of Sikh and Hindus.	
			Magh 1988-B.			
24	Sarua	...	3	14th, 15th	...	3
25	Chak Noor	.	2	14th	...	3
26	Rajoha	...	2	do	...	30
27	Lungar	...	1	do	...	20
28	Gunn	...	1	...	...	80
29	Palat Pain	...	1	15th	...	...
30	Navan Gram	...	2	do	...	...
31	Chhatran	..	2	do	..	4
32	Tarala	...	1	16th	...	25
33	Bandi Moraha Bal	...	2	19th	...	...
34	Bhanada	...	1	20th	..	..
35	Batoa	...	1	22nd	...	15
36	Bahial	...	1	..	..	6
37	Panjan	...	...	...	...	20
38	Saria	.	...	...	...	10
39	Darhah	...	...	...	...	...
40	Halal	..	...	.	..	25
41	Sabzkote	..	...	...	...	30
42	Chauk Brahmanan	...	...	...	...	10
43	Khoar	...	...	..	..	12
44	Kajlan	...	...	...	...	15
45	Jagalpal	.	...	...	...	20
46	Jajot	..	...	...	..	15

Serial No	Name of Village	No. of Statements.	Dates of Occurances	No of houses of Sikhs and Hindus.
Magh 1988-B				
47	Kapurthala	..		5
48	Vandian	...	.	4
49	Kamable Mohra	..	.	1
50	Hukharni	..	.	3
51	Dharal fort	.	.	6
52	Sarahlia	..	..	1
53	Kas			100
54	paplan	.	...	.
55	Samloran		..	.
56	Khad Brahmanan			
57	Sardpur	.	.	20
58	Matrela	..		10
59	Bharmedtar	.	.	2
60	Bandi	.	.	5
61	Barmoch	...	..	
62	Qarz Ali	.	.	30
63	Kharoty	...	..	60
64	Sanag		.	5
65	Dandlia	...	.	3
66	Mohra Bakhshian	.	..	1
67	Got	.	.	8
68	Dhanwan	...	..	2
69	Banawar	...		3

Serial No	Name of Village.	No. of Statements.	Dates of Occurrences.	No. of houses of Sikhs and Hindus.
			Magh 1988-B	
70	Jajora	..	...	2
71	Taral	..	...	2
72	Boral	..	...	2
73	Samror	..	...	2
74	Sarata Kartut	..	..	6
75	Dhahan	..	..	10
76	Chauka	..	...	1
77	Gowhti	..	..	2
78	Bag Bakshian	..	...	2
79	Kangar	..	...	7
80	Borah	..	..	6
81	Malarth	..	..	4
82	Nosi Sarotah	..	..	5
83	Thala	..	..	1
84	Islamabad	..	..	2
85	Rajor	..	...	1
86	Sialian	..	..	5
87	Jhandora	..	..	3
88	Turman	..	..	2

Note.—We had one statement only in which a brief description of happenings in 78 villages is given with the number of Hindu and sikh houses therein. There may be some mistake in giving names of the villages and possibly one or two might have been given once or twice.

### **Tehsil Kotli.**

This Tehsil is situated on the northern side of Mirpur Tehsil and southern side of Poonch State. This place is still difficult to reach and is possibly at a distance of 60 or 70 miles from any railway station. The whole tract is hilly, and impenetrable

#### **Dates of Occurances**

Kotli Tehsil, it seems, has been in a state of disturbance from the 10th Magh to 22nd of Magh 1988-B which means a period of 13 days. After this, no disturbances are reported by the State authorities because no Hindus and Sikhs were left in small villages on account of whom the disturbances could happen and it can on no account be considered restoration of peace and order; as Lt.-Col. Stewart himself in his statement observes that "the main roads are now considered to be quite safe" Here words "main" and "now considered", have great significance, which clearly shows that main roads are considered to be safe, whether they are actually so, this cannot be vouched. Those thousands of people who have become homeless and penniless are still lying in different relief centres or with their relations in British territory and cannot dare to go back as they are not sure of their future safety, the administration having done practically nothing to satisfy them, excepting issuing statements that the situation is improving and every thing is quiet.

#### **No. of Houses Affected.**

From the table given above it appears that according to 80 statements to hand, 88 villages of this Tehsil have suffered. The number of the houses of these villages burnt or looted must be not less than 1,200, though this is in no way an exhaustive list. It seems that this Tehsil has comparatively suffered the most, as it is connected with the Kashmir province of the State, where similar rising occurred last year. The population affected by this fanatic anarchism in this Tehsil must be about 5,000 people, including women and children and the loss in immoveable property cannot be less than Rs. 3 Lakh at the lowest computation.



### Loss of Immoveable Property.

Such losses must have been far heavier than those in Mirpur and Bhimber Tehsils, as the number of houses and villages affected is far larger and moreover some of the towns have been enjoying better commercial prosperity, such as Dhanna, Sahansa, Lungar, Khui Ratta and Gunni, which are said to have suffered in lakhs. Thus the total loss suffered by these villages must not be less than 15 Lakhs, (even after taking the warning of Lt. Col. Stewart into consideration) although we are of opinion that the administration is trying to minimise the losses to cover its own inefficiency and negligence.

Some people were trying to take away their valuables to places of safety, when the Muslim coolies who carried the loads took away the articles to their own houses and threatened the owners to give them the receipts of the articles thus taken away. Two or three dacoits were seen selling gold at Rawalpindi, but the police would not take any action on the report of the sufferer. As soon as the warrants were issued by the orders of the court, the culprits had disappeared. One Thakar Dass of Dehari was looted on the way. When some families left their villages for places of safety, they were stripped off their personal clothes also. The furniture of the State schools at Dhanna, Bal Brahmanan, Kaini Bhatan, Kotli Solan, Brahdla and Gunni were looted and buildings also of a school or two were burnt. In one or two cases, the dacoits took away the doors and beams also and in some places the floors were dug out to find out the buried treasure.

Pandit Khushi Ram—the Forester's house and property at Sahansa was also not spared. State Institutions at Palahal Khurd were looted.

Hussain Bux, goldsmith of Khui Ratta, took the furniture and property of Bhagwanti to keep it safe and save it from loot, which, besides other things, consisted of sewing machine worth Rs. 185/-. One trunk load of clothes was given over to another Muslim goldsmith with the same object and even the wife of the goldsmith had some articles of this woman for safe custody. How far it was a true sympathetic act, under the circumstances, one cannot fail to understand.

The only Hindu of Bharand had 4 houses, of which one was burnt and the other 3 were taken possession of. In many cases the account registers, stamp deeds and other account papers were put to fire, so that the loans advanced to Muslims may not be recovered. The cattle herds of the Hindus were in many cases taken away by the rebels. Thus the total Hindus and Sikhs loss of this Tehsil, in no way, can be less than Rs. 20 lakhs

#### Loss of Life.

One Hindu, 80 years old of Panjera was chipped with axes and burnt. Similarly one Ram Singh of that village was treated likewise. Another old Hindu was left behind and it is not known what became of him. Shrimati Revati of Dhanna was reported to have been thrown alive into burning fire. Sita Ram was also thrown in fire, but he escaped with his arm burnt. Guranditta Chhimba of Sairi met with the same fate. Two Hindus of Brahdala were so cruelly beaten that one of them died on the way and the other in hospital. Two Hindus were killed by the Muslim mob, at Kaini Bhan also.

#### Forcible Conversions

People had to flee away to save themselves from being killed or forcibly converted to Islam and they had to wander about in jungles for days together without food and protection. But those who could not run away or conceal themselves or were taken hold of on the way, were threatened to be done to death if they did not accept Islam. In all places this went on without hitch and the Hindus had to yield to the force of violence, and in the words of Col. Stewart, they had to adopt at least outward customs of Moham-madans, not under "a very great force."

Fourteen persons of Sairi consisting of men, women and children were forcibly converted to Islam and one Hindu girl was forcibly married to a Muslim. Some Hindus of Dhanna are reported to have been taken in the fold of Islam under threat.

There were some Hindus left behind in Desah Brahmanas, what became of them was not known till recently.

Nanak Chand Khatri of Sairi was forced to accept Islam and on his refusal it was tried 2 or 3 times to throw him in fire, and under the pressure he had to yield when his tuft was cut, and sacred thread thrown off.

Ten people of Kotli Sohlan were converted against their wishes and under threats. On the refusal of Motu Ram of Lungar he and his father were tied down to a pillar and fire was burnt underneath. This made them to yield, when they were let loose and the usual methods of cutting the tuft etc. were applied. These people were forced to say Namaz and were told that on 'Id Day' they will be given beef etc. They were also forcibly taken with the *jatha* to plunder Kotli.

One woman of Bandi Mohra Bal had a girl of 3 days. She was forcibly made to yield to be Musalman and Rs. 50 were taken away from her. Another Hindu Jat woman of the same village and her son were pressed under threat to accept Islam. Their names were changed to that of Muslim nature. Not only this, she had one hundred rupees and some valuable clothes for the dowery of her daughter, which were also taken away.

The mob was so daring that they demanded the heads of 2 Brahmans of Sairi when they were under protection in Thana and the police had to give away 3 Hindus next day with some others. They all were converted and their own women were married to them according to Muslim rites and the daughter of one of the converts was to be given over to a Muslim. The converts were to be made to kill cow with their own hands when the arrival of the Military, just in time, saved the whole situation.

#### **Desecration of Sacred Places and Books**

One Gurdwara of Panjera with the holy Granth and one Hindu temple were burnt. Sahansa had a Gurdwara with 4 Grant Sahibs, which was put on fire. One Hindu temple and one Dharmasala at Dhanna were burnt.

One Hindu temple, and a temple and a Dharmsala of Bawa Brahm 'Shah at Kaini Bhaiyan were looted and the Granth Sahib and cap etc of Bawa Sahib were given over to fire.

Maya Ram Brahman of Kanaura was busy in his worship when he was mercilessly beaten till he became unconscious. The idols of Thakurji were broken to pieces. Gurdwara of Sahansa was burnt and a temple and a Dharmsala at Palahal Khurd were demolished and the sacred idols were desecrated

One Dharmsala and Thakurdwara at Bal Brahmanan were burnt.

Another Dharmsala at Kotli Sohlan was burnt and the holy Granth was desecrated. Sauri had to sacrifice to the fanaticism of the mob 4 Granth Sahibs and 2 Hindu Temples, which were burnt. Similarly one Dharmsala and one temple at Changpur were levelled to the ground with fire.

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#### TEHSIL RAMPUR RAJAURI

Serial No	Name of Village	No of Statements	Dates of Occurances	No of Hindu and Sikh houses
			Magh 1988-B	
1	Thanna	3	5th	.
2	Ghamir	1	6th	.
3	Khetar Arian	2	12th	...
4	Thanna Mandi	1	14th	.
5	Sohana	2	do	.. 50

We have so far only 9 statements from 5 villages of Rampur-Rajauri Tehsil and are not in a position to say much about the condition of affairs there. Anyhow Thanna, said to be a big market place, has suffered very heavily According to the statement of one

person only he seems to have suffered a loss of not less than Rs 6,000. One Shrimati Bhana Devi of the same place also lost no less than Rs. 1,000. Some persons owners of lakh, have suffered terribly.

Thanna Mandi was looted and burnt and one Karam Singh of that place is reported to have suffered in thousands.

One Jaswant Singh of Thanna and 6 persons of Ghamir are supposed to be missing. About other matters, these few statements give no information hence we cannot say about it.

Eighteen persons of Sohanna with their families are reported to have been forcibly converted to Islam. Some women have been abducted and some Hindu and Sikh girls have been forcibly married with Muslims.

The whole Tehsil is situated in a remote corner of the Jammu province, and being most difficult to reach neither any help from the State was rendered in time, nor the Hindus could come out of the State area to save themselves, their families and property.

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#### POONCH AREA.

Baghalyar                      1                      14th Magh 1988 B.

#### MUZAFFARABAD AREA.

Chhatter                              1                              24th Magh 1988 B.

Out of Jammu province, we had only 2 statements from 2 places, one of Poonch State and the other of Muzaffarabad Area. They give the same woeful story, but having no detailed information about happenings nor sufficient number of statements, we refrain from expressing any opinion thereon.

## CONCLUSIONS.

1. The nature of conditions being unsafe, the restrictions being imposed on travellers in the State area, and the time being too little at our disposal, we were not in a position to collect full materials for the purpose of this report, neither could we reach all the affected areas to see things ourselves.

2. But in spite of all this we were able to collect 211 statements relating to 136 affected villages with about 2,000 houses of Hindus and Sikhs in the Bhumbar, Mirpur, Kotli and Rajpuri Tehsils, which list can in no way be considered exhaustive and quite correct. But the material supplied by these statements is quite sufficient to judge the extent of ruin and misery brought on the Hindus and Sikhs of Jammu State by the Muslim rebellion.

3. An effort is being made by interested persons to give it a communal colour, while, it was clearly an open Muslim rebellion against a Hindu Ruler engineered by outside agencies, with the help of some State Muslim officials.

4. It is generally believed that the Hindus of the State are being punished for the sins of the Hindus of British India, who are fighting the battle of Swaraj. One or two British officials in the State are reported to have told the Hindus to go to Gandhi and Patel, when they went to ask for the removal of their grievances. The Muslims are endeavouring to fulfil the dream of Dr Sir Mohammed Iqbal of a Muslim State on the borders of India.

5. The Hindus and Sikhs of the State had done nothing to be ruined in this way, only because they were Hindus and Sikhs and happened to belong to the religion professed by their Maharaja and had with honest labours and strenuous efforts earned money and this unfortunately became the cause of their ruin, as in the words of a Muslim leader, the Hindus generally tempted the Muslims to plunder them, as they were able to earn wealth. It was the duty of the State to protect them by all possible means, as the State derived the large sums of money in the shape of revenues from these men.

6. The Hindus and Sikhs were scattered in small numbers in far off villages-while the number of Muslims was large and overwhelming,

7. A large number of Hindus and Sikhs possessed big tracts of lands and carried on very lucrative business and had therefore large fortunes and costly houses and a large number of Muslims in the village itself and in the neighbouring villages were their debtors.

8. Nearly all the houses of the Hindus and Sikhs in every place excepting 3 or 4 big towns, were looted and in a large number they were burnt or demolished and in some cases, their floors were dug out and doors and beams etc, were taken away.

9. Every kind of moveable property of whatever nature was taken away by the rioters and the thousands of Hindus and Sikhs of Bhumbar, Mirpur, Kothl and Rajori Tehsils were practically made penniless and were driven out of their homes to save their lives. Cattle were in many cases taken away. Even those who ran with their lives were caught and robbed. The total loss is not easy to be calculated and must not be less than forty Lakhs at the lowest

10. It is urged by some people, that as Hindus and Sikhs in some places tried to save themselves by self-defence, this enraged the Muslim rebels and made them murder Hindus and Sikhs, otherwise murder was not in their programme. This reason is quite wrong. In many places, where no resistance was offered the Hindus and Sikhs were murdered or burnt alive. The number of such Hindus and Sikhs so far known, from these statements only, is about 32, but this is not all and the number must be far greater.

11. A very large number of Hindus and Sikhs with their families were forcibly converted to Islam under the threat of death. The exact number is not available, but looking to the circumstances, the number must be in hundreds.

12. Hindu and Sikh women and girls were abducted and in some cases they were forcibly married to Muslims.

13. Hindu and Sikh Holy-Places were looted, demolished or burnt and the sacred books etc., such as Granth Sahib, Vedas and idols etc. were burnt and desecrated. One big-Gurdwara of Ali Beg itself, was of the value of Rs.  $1\frac{1}{2}$  lacs or so. The exact number is not known but, according to statements in hand the number of Gurdwaras or Dharamsalas and Temples amounts to about 23 and 26 respectively and the number of Granth Sahibs burnt is considered to be about 50, and 2 volumes of Holy Vedas and others sacred books.

14. Account registers, registration deeds and other account papers were burnt.

### Remedies

1. Unless the matter is taken seriously and treated as Rebellion and the Muslim officials removed, there can be no further guarantee for the safety of the Hindus and Sikhs.

2. Let the offenders be dealt with severely according to Law and punished properly.

3. The ring-leaders be treated as rebels and dealt with accordingly. We have been supplied with a list of such 62 people belonging to *Ilaqa Sainla*, Tehsil Kotli, and of 69 of *Ilaqa Khari*, Tehsil Mirpur, who hold very responsible positions such as Jagirdars, Lambardars and Zaildars, Military pensioners. Besides this, there is a list of 31 Military pensioners of British India and residents of Tehsils, Mirpur and Bhimbar, who have been taking active part in plundering Kotli Tehsil.

4. Punitive police posts at the cost of the Muslim rebels be placed in important places, consisting of Hindu and Sikh constables etc., and the Muslims be held responsible for the safety of the person, honour and property of the Hindus and Sikhs residing in their villages.

5. All abducted women be restored to their relations with out further delay and the culprits dealt with severely.



6. Immediate steps be taken by which forcibly converted Hindus and Sikhs be reclaimed and their further safety be guaranteed by the administration.

7. Hindu and Sikh Holy places be built at the cost of the rebels of these villages.

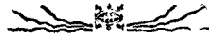
8. The loans of the Hindus and Sikhs due from the Muslims be made safe and after reasonable reduction with mutual consent, be paid to the Hindus and Sikhs.

9. The stolen property be recovered and returned to the Hindu and Sikh owners.

10. The number of the Hindus and Sikhs in the State be increased gradually by granting facilities of settlements to them.

11. The number of Hindu and Sikh officials be increased and those Muslim officials who be suspected of any mischief should be immediately dealt with.

12. Just as in Kohat, etc., long term loans, without any interest be advanced to the sufferers to build their houses and start business



### CORRECTION

Please read "Loss of moveable property", on page 13. heading line, instead of "Loss of Mobeable property"

. As the report was to be printed in a very short time i.e. within two days only, some mistakes, due to oversight in correcting proofs, might have occurred, for which we regret

**MUSLIM REBELLION**  
IN  
**KASHMIR**  
&  
**THE HINDUS.**

BY  
**BHAI PARMANAND**

M A., M L. A.

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## FOREWORD.

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The last decade can conveniently be characterised as a period of continuous struggle or war in India. It is a period during which the congress has been on the offensive attacking the Govt. on the front. It began fight under the leadership of Mahatma Gandhi.

It was he who introduced in an open manner religious element in the political programme of the country by taking up Khilafat agitation. No doubt it served his purpose. He got the Muhammedans to his side for the first time in the history of the congress. This was in fact the real secret of his greatness, but the greatness was merely temporary. The other side proved to be very clever. It soon turned the scale against the Mahatma. The very religious fanaticism, which was excited by M. Gandhi in Muhammedans, was turned against the Hindus. The stranger part of it was that while Mahatma Gandhi was using Ali Brothers for the congress, the Ali Brothers were using him for the purpose of moslem aggrandisement. As a result the Muhammedans ultimately went over to the other side.

The Hindus under the flag of the congress continued to fight the Govt., but they were attacked from behind by the Muhammedans, as we find illustrated in the Malabar rebellion for the first time. The Malabar offensive was followed by such recurrent offensives at various other places. Whatever was the pretence, religious, communal or personal

## B

it assumed the shape of a general attack by the Muhammedans on the Hindus. In the earlier years the cause or the excuse was religion; in the latter part it assumed the form of a dispute about communal rights. What was the fault of the Hindus in Malabar during the Mopla rebellion? The barbarous acts and the inhuman atrocities committed by the Muhammedans on the Hindus of Malabar form a tragic story in the history of communal relations in India.

Passing by many such offensives, we come to Kohat. At the bottom of the Kohat trouble was the idea of expelling the Hindus altogether from the frontier. This was exactly the reason that was proclaimed by the tribes of the Tirah territory, who being angry on account of the Rangla Rasul case, deprived all the Hindus of their property. About 300 families took refuge in Peshawar and near about it. It was through the pressure of the British Govt. brought on the tribes that the Hindus of Tirah could go back to their homes. Leaving the so-called communal riots, we come to Kishoregang in the east Bengal and the district of Sukhar in Sindh. In both those parts the Muhammedans are in an overwhelming majority. Getting infuriated over petty things they carried on plunder and arson over a very large area in order to wipe out the Hindus from those parts.

Then came the 14 points of Mr Jinnah,—it was said that these points contained all that Muhammedans demanded as their political rights and safeguards. But, what was the motive behind them, was clearly expressed in theory by Dr Iqbal's <sup>speech</sup> of the creation of a Muslim India. It was a part of this scheme that Kashmir was selected as the proper place for the new agitation. The plan was matured at Lahore. We get simply surprised when we learn that the Ahrars had spent several lacs in carrying on this agitation. Their source must be very deep and

unknown. The Muslim rebellion in Kashmir and all that happened in connection with it, has sufficiently exposed the Ahrar's movement and laid bare the designs of our Muslim friends. Not a single Muslim has come out to condemn the inhumanities committed by their coreligionists. They take them as a normal part of their plans. Under these conditions prevailing in the country, for Mahatma Gandhi and his Congress, to fight the British Government on the front and to get stabbed on the back, is not to court defeat but invite ruin and disaster over the Hindus.

*Bhai Permanand*



# PANISLAMIC ORIGIN

## OF

### KASHMIR AGITATION.

New Delhi, Wednesday Nov 18th 1931 The General Secretary of the Hindu Mahasabha has issued the following statement on the Kashmir situation to the Press —

The Hindu Mahasabha had been watching closely the development of events in Kashmir since its very inception. It was aware of the inner working carried on in connection with it. Doctor Moonje, the working President of the Hindu Mahasabha, had seen through it at Simla, where prominent Muslims were hatching plans about it in secret conclave. The Mahasabha drew the attention both of the Government and the State to the Pan-Islamic intentions behind it at an early stage, and pressed that the agitation be nipped in the bud, before it assumed sufficient dimensions. No heed was, however, paid to the warnings of the Mahasabha at that stage.

Telegrams received from Kashmir Hindus at the Akola session of the Hindu Mahasabha drew its attention to the serious atrocities committed upon the Hindu population, which is in such a hopeless minority within the State. The Mahasabha condemned the atrocities, expressed sympathy with the sufferers and warned outside Muslim leaders against complicating the situation more and more.

### OUTSIDE INTERFERENCE.

An all India Kashmir Day was however, observed by the Muslims throughout India, and a violent agitation and

intensive campaign in the Press and platform, uninterfered in the least by the Government, was carried on in the Punjab particularly, and throughout the country in general

Riot, looting and arson in Jammu and Kashmir were followed by the entry of Ahrari Jathas, the Red Shirts, which were first organised, and brought into existence by the now famous Khan of the Frontier, Abdul Ghaffar Khan. It was about this very Red Shirts organisation that Dr Ghosh, the President of the Peshawar Congress Committee issued a warning to the effect that it was essentially a communal organisation.

We accordingly considered it our duty to proceed to Kashmir and study the situation fully on the spot. We left Delhi after the last meeting of the working Committee of the Mahasabha reached Jammu on the 8th, and after visiting both places and interviewing the Prime Minister, drops and conferring with a few Muslims returned on the 16th to Delhi.

## A CORRECT ESTIMATE.

Our study of the situation has been enough to enable us to form a correct estimate of it. Having seen, heard and studied things on the spot, and having given careful attention to the printed report of the Sanatan Dharam Young men's Association and the Muslim memorial on its demands, we are in a position to assess the agitation at its true value

Careful perusal of Muslim demands brings out only two alleged grievances existing from before, one demanding restoration of a few mosques attached to the State with their properties, and another demanding the right to convert Hindus without entailing forfeitures of property. The attachment of the old mosques involves matters of past

history The demand to carry on conversion without entail-  
ing forfeiture drops of property *i e* , to alter the Hindu law  
based upon the SASTRAS and accepted as sacred and unal-  
terable by the entire population in the country is preposter-  
ous on the face of it. Yet, these two alone form the basis  
of the whirlwind agitation carried on an all India scale  
against the unfortunate Hindu State of Kashmir

### FLIMSY EXCUSE.

To these two grievances have been added the fresh  
demands made out on the lines of Jinnah's 14 points asking  
for a democratic constitution, but demanding that seats  
should be reserved in the Ministry and the Legislature for  
the Muslims in proportion to their numbers. These in  
brief, form the principal planks of the entire Muslim agi-  
tation against the Kashmir State. That an agitation on  
such flimsy ground should have been allowed to assume  
such wild, formidable, violent and riotous dimensions, and  
should have been encouraged by educated and cultured  
Muslims from all sides should be a matter of surprise and  
bewilderment to every body

But, to those who are aware of the Pan-Islamic  
vision held up before the Indian Muslims by Sir Mohammed  
Iqbal, Sir Mohammed Shafi and others, and the secret and  
open propanganda carried on in connection with it, as well  
as the insistence on Jinnah's 14 points in every possible  
sphere, nothing should be either surprising or bewildering

Whereas several Hindu rulers like Baroda, Mysore,  
etc, have already introduced some shape of democracy  
within their States, could not Muslim leaders have employ-  
ed the energies better, in persuading Muslim Rulers to set  
an example by introducing constitutions on these lines in  
their own States.



## CONCESSION TO MUSLIMS.

What is, however, to be deplored is the fact that this agitation should have been started against the very ruler who has shown such steady, open and continuous favour to Muslims since his very accession to the throne, both by offering appointments and introducing legislation such as the land Alienation Act and the Agriculturists' Relief Act, so utterly ruinous to the Hindus of the State and so highly advantageous to the Muslims.

Even the most intimate associates and Officers of the Maharaja and officials have been Muslims like Nawab Khusro Jung and others surrounding him with Muslim influence on all sides and at the top of them had been Mr. Wakefield, who had gradually come to wield supreme power in the State and whose systematic Pro—Muslim policy, as stated by the Hindus of the State, to have completely ruined them, and sown the seeds of this violent agitation which needed only a pretence to start, by encouraging Muslims of the State, to become more and more insistent, violent and aggressive, the more they continued to get.

## HINDU SUFFERINGS.

The sufferings, ruin and indignity to which the hopeless Hindus of the State have been put at Srinagar, Jammu, Vicharnag, Baramula, and other places are too touching and distressing to admit of detailed mention.

A perusal of the report of the Sanatan Dharam Young Men's Association, Jammu and Kashmir, which gives un-challengeable facts and figures, showing the favouritism meted to the Muslims under the present rule and the extreme sufferings of every kind which, the Hindus have undergone during the recent troubles, will be enough to make one wonder, if the Hindus were really living under

the protection of a Hindu ruler? Government have moved, alas, too late, to prevent the mischief. The importation of British Officers and soldiers within the State - besides presenting a most unfortunate spectacle has already led to apprehension within the minds of the people of the State, if this is not going to be the thin end of the wedge.

The State, on the other hand, though a little firm at the beginning of the trouble, has gone on yielding and releasing actual mischief makers, granting amnesties, appointing commissions, throwing overboard the findings of its own inquiry Committee, importing British Officers and making still further concessions, yielding practically to all preliminary demands of the Muslims by its recent declaration.

### **THE PRIME MINISTER.**

The presence of an experienced and able administrator like Raja Hari Krishen Kaul, the present Prime Minister, at the helm of affairs, would make a definite change for the better in the entire tone of administration, if the Prime Minister refused to yield to the unreasonable pressure and moved in a just and equitable manner, mindful also of the fact that it is the duty of the State to protect the Hindus, who are in such a hopeless minority there. It is not without extreme pain that we have to criticise the policy adopted since the time Mr Wakefield had maintained, hitherto, with some slight variations

We would appeal to His Highness to be firm, and at the same time just and equitable without being nervous about the fact that he is Hindu Ruler and can, therefore, show that he is just towards non-Hindus only by yielding to their unreasonable demands more and more. And we would remind His Highness also of his duty of affording special protection to the Hindu minority which has suffered

so terribly at the hands of the Kashmir Muslims without the slightest provocation on its part

We further appeal to the Hindus throughout the country to wake up betimes and resist unitedly this Pan-Islamic campaign against one of the foremost Hindu States and the helpless Hindu minority within it. We would also remind the Government that the existence of a strong and well protected Hindu State on the Frontier at a position of the utmost strategic importance intervening between India and other foreign Powers can be the only best guarantee for the internal peace of the country

### **TROUBLE CONTINUED IN KASHMIR.**

Lahore December 14th. Bhai Parmanand, M L A, has returned from Jammu, where he had gone to study the political situation

In the course of an interview Bhaiji said that during his stay in Jammu, he had a fairly long discussion with the local Hindu leaders and representatives of different shades of opinion.

He was of opinion that the trouble had continued for such a long time on account of the weakness of the Government which was caused by the divided councils of the Ministers of Kashmir Government

Some of the old members of the Ministry, he said instead of helping the new Prime Minister and supporting his authority, were putting obstacles in his way in order to discredit him and wanted to show that the administration, if placed in their hands could effectively deal with the situation

He was also of opinion that the agitation in the State, which was described as a political movement for the amelioration of Kashmir Muslims and which sought to secure political rights for them, was undoubtedly an anti-

Hindu movement, which had caused serious loss and sufferings to Hindus in Jammu and Kashmir

The Hindu, he said, were in a dilemma. The ruling Prince being a Hindu, the Hindu population could not openly oppose his Government and make his position more awkward. Their dissatisfaction with the Government was only due to the fact that they were neither sufficiently protected nor indemnified for the losses they had suffered. They could not forget the very unjust and unfair anti-Hindu laws, which were passed during the short period of his reign.

Having all this load on their minds they did not think it right to take advantage of His Highness's difficulties.

Regarding the boycott of the Glancy Commission Bhanji had discussion with the representatives. Their position was very simple. They thought that the Muslim demands for the change of Hindu law of inheritance was a question of religion with the Hindus, and they thought that neither the Commission, nor any other power had the right to interfere in it and bring the Hindu Dharam Shastra in discussion. They seemed to be determined that if the Commission took it up and His Highness's Government supported it, there would be no course open to them, but to stand against the Government and to agitate against that unjust interference. The reasons they put forth were that the Indian leaders everywhere had put a unanimous demand that in any future constitution of the country no bill or law in the central or Provincial legislatures would be brought forward or discussed, when it concerned, the Muslim religion unless it was previously approved by Muslim members of the legislature. With that demand of Muslims continued Bhanji, it was not for a few agitators in the Kashmir State to demand that the Hindu law should be changed so as to facilitate proselytism in the

State They said that the law which deprived a man of his right of property, if he deserted his old faith was common both to Hindus and Muslims, but the Mohammedan law went one step further. It not only deprived the deserter of his property but also confiscated his conjugal right and declared him an outlaw, thereby, depriving him of the ordinary protection of law. They also said that British India Caste disabilities Act went against the Hindu law but that Act was passed seventy years before the mutiny and was prompted by the Christian missionaries to facilitate their conversion work. It was after the mutiny that the Crown took charge of India and a general proclamation followed assuring that every body's religion would be respected and that there would be no interference in the matters of religion by the Crown.

The Kashmir Hindus believed that with such a declaration on the part of the Crown for British India no commission had the power to interfere in the religion of Hindus of any State. If any change was deemed necessary, it must be effected with the concurrence of the representatives of Hindus, through a regularly constituted assembly. If that grievance was removed they had every desire to cooperate with the commission, and would make every effort to make it a success.

## **ORIGIN OF KASHMIR TROUBLE.**

Kashmir is peculiarly situated in that a Hindu ruler happens to be at the head, of the state having a predominantly Muslim population. No complaints about disabilities of Muslim subjects of the Kashmir State, no articulate expression of their grievances against the policy of the State had hitherto reached the public. The public were therefore not a little surprised when the report of the storming of the Jail in the Capital of Kashmir by a number of Muslims was followed by the news of serious

communal riots. The Anglo Indian Press came out with a long catalogue of grievances of the Muslim subjects, their state of slavery, their exclusion from State services etc, and broad hints were dropped of the incapacity of the Kashmir administration to deal with the situation undaunted by the active propaganda of a section of Muslim communalists in "British" India as well by the Anglo Indian press. The Government of Kashmir succeeded in quelling the disturbances in the State, restoring to a great extent the traditional friendly relations among the two great communities living in Kashmir. An "Associated Press" message from Srinagar, capital of Kashmir, dated August 7 informed the public that Srinagar was assuming normal conditions. An Enquiry Committee has been appointed by the Government of Kashmir to ascertain, among other things, the root cause of the recent riots. A deputation of Mohammedan "Jagirdhars" waited upon His Highness to express their sentiments of loyalty and to offer their services in restoring peace and tranquillity. The city of Srinagar has been divided into eight wards and two officials, a Hindu and a Mohammedan have been posted in each ward to investigate any complaints from the people.

Evidently all these have not been quite to the liking of a section of Muslims in British India and their newly found allies. They would lead a deputation to His Highness the Maharaja of Kashmir to discuss the Muslim position in the Kashmir State. The personnel of the deputation which was to be led by Sir Zulfiqar Ali Khan and was to contain Sir Mohammed Iqbal, Khawaja Hassan Nizami and Mr. Nurul Huq, proprietor of the "Muslim Outlook" of Lahore gave a clear indication of its trend and character. Have not these very gentlemen hit upon the idea of observing throughout India what they have chosen to call the "Kashmir Day" when pressure would be brought upon the

British Government "to secure the elementary rights of humanity" and full "liberty of speech and writing." The Government of Kashmir evidently saw through the game of Sir Zulfiqar Ali, Sir Mohammed Iqbal and their friends and refused to accept the proposed deputation. The Prime Minister of Kashmir in his reply to Sir Zulfiqar Ali Khan stated that "His Highness's" Government still hold that a visit of any deputation, when normal conditions have been restored and things are steadily improving is bound to create fresh excitements and misgivings, especially in view of what you yourself intimate, namely that the agitation is deep rooted." The cogent arguments advanced by the Prime Minister of Kashmir have not evidently satisfied the Anglo Indian press. The Simla correspondent of *Chowringhee "Friend" of India* has wined to say. "It may be true that, on the surface, all now appears to be quite in the state, but messages and messengers from Kashmir do not suggest that the people have forgotten their grievances. This solicitude for the people of Kashmir will hardly mislead the public

The game of Sir Zulfiqar Ali, Sir Mohammed Iqbal and their friends seems to be deeper. It was Sir Mohammed Iqbal, who as president of the Allahbad session of the Muslim league put forward the demand of "the creation of Muslim India within India" and elaborated his scheme thus "I would like to see the Punjab, North West Frontier Province, Sind and Baluchistan amalgamated into a single state. Self Government within the British Empire, the formation of a consolidated North West Muslim state appears to me to be the final destiny of the Muslims at least of North West India." Kashmir, as a glance at the map of India would easily convince the public happenings to be a thorn on the path of realization of the poet's dream of creating a consolidated Muslim state in North West India. A Hindu State lying so close to the federated Muslim State mars the geographical symmetry and comes

into conflict with the political idea behind the creation of a Muslim India. It is here, perhaps that one has to seek for an explanation of the sudden growth of consciousness in the mind of Sir Mohammed Iqbal, Sir Zulfikar Ali Khan and their friends that the terms of the treaty concluded between the East India Company and Maharaja Gulab Singh require a new interpretation. It may be, the game is deeper still and that others too may have an eye on beautiful Kashmir (*Liberty*)

### THE MIDDLETON ENQUIRY

The Muslim Press in British India made so much fuss about the so called excesses perpetrated on the innocent Muslims in Kashmir who had attempted into rebellion against the State. An outside and impartial inquiry was thrust upon H. H. The Maharaja of Kashmir.

Mr. Middleton the inquiring officer has published his report and his conclusion can be summed up in one or two paragraphs. In the first place he says "The Military had to resort to firing on 4 occasions and the firing in all cases was necessary and completely justified and restricted to the minimum necessity, and again "rumours of alleged excesses (on account of retaliation against the Muslims, which allegation was responsible for the appointment of the enquiry) during the Military occupation were so rife among the Europeans residing in Srinagar that although I had issued public notices asking all eye-witnesses to attend, I felt my duty was not completed by taking the evidence of those who came forward in response. I made several attempts to trace the more serious rumours to their source and in all cases I found that they were not based on personal knowledge and no credible evidence was forthcoming in support of them.....".

For instance "on Aug 26th an agreement was arrived at between the Srinagar Leaders and the Prime Minister,



but within a short time a wide spread campaign was organised to point out to the people that terms of this agreement had not been observed by the authorities. Only two specific cases of the alleged breach were brought to my notice in evidence. They are without any solid foundation and others may also be of an imaginary nature. Regarding the Shopian evidence Mr Middleton used strong words "Real or supposed suspicions were supported by falsehood much of the evidence is palpably false and is full of instances to indicate utter worthlessness. The majority of the mass of allegations of the villagers are false and all are exaggerated."

In spite of Glancy commission and enquiry by Mr Middleton, the Muslim of Kashmir remained busy with their work and on the 15th December they took forcible possession of a temple at Vara Nag and built bathing places for the Mohamedans. A few days before the State authorities forbade the keeping of weapons by any body; which order, however, though resented by Rajputs, was not carried into effect. The agitation in Kashmir was having repercussion in the Jammu Province and the Hindus of that part were feeling very uneasy at the trend of events in Jammu, some days before the Mohamedans encouraged by the Ahrari Volunteers had arranged and attacked the Hindus at Jammu. Not only, the Mohamedans plan failed but in the fight that followed a few Hindus and Mohamedans were killed.

By the middle of December, the Ahrari agitation was coming to an end and the Hindu newspapers were commenting with a sigh of relief that was being restored in the Jammu State. Ahraris, however, called a conference at Sialkot and it seems after discussing some further plans they hit upon creating trouble on an entirely new issue in a new field. It would not be out of place to remark here that the Muslim communalist leader showed unusual prom-

ptness in carving out the scheme of agitation which were proposed by the Congress leaders to subvert the Government. Allahabad Congress leaders were talking of no rent campaign for a long time. It is immaterial for our purpose whether they had any substantial material at their disposal to start such a campaign, but we know this much that the Ahrar Agitators picked up the idea and actually carried it out to further their plan in Kashmir State.

Taking a broad view of the situation thus created in the country, we find a strange phenomena. The Hindus through the Congress planning to attack the British Govt on front and the Moslems attacking the Hindus from behind. This game had its start in the Khilafat agitation. Mahatmaji in order to win over the Moslems to the Congress aroused in them a religious fanaticism, which was soon turned against the Hindus. Similarly when the Congress devised certain methods of war to gain their political end the same methods were adopted by the Moslems in their war upon the Hindus.

### THE CAUSES.

The causes of the mischief says the correspondent of the Stateman "appear to fall roughly under two heads. One the revision of the Revenue Settlement made last summer and secondly the indiscretions of local officials. The Ahrari agitation, of course, is a much important factor, but it seems to have reaped which others had previously sown. Again "some Muslim petty officials do seem to be implicated in the general conspiracy, but more of them are co-operating against it. The first popular flareup of this period seems to have sprung from these causes in an Illaqa that for State reasons shall be nameless. The Zauldar there was a Muslim, but a loyal member of the fraternity, seems to have been disliked by the coreligionists. His unpopula-

city is said to have embittered him against some Muslims of a neighbouring village. The complaint was laid against them and a Police Force went out to arrest them. The arrest was prevented by a large, and hostile crowd gathered from the neighbourhood and there was a severe clash. That was the beginning of more general and violent hostilities and political agitators were ready to make the worst use of it. At another place he says "Rajadnani where I slept last night in a hut with my two pony drivers, they had surprised over the excited crowd shouting slogans and had caught a Maulvi carrying such incriminating literature, which, it is alleged, with a letter subsequently found at Nor showed that the whole insurrection in Jammu Province was a concerted and well organised conspiracy, but without the backing of Punjab Ahraris."

Then we come to the incident referred to above, which took place on January 1st and is described by the people in another form. The police had arrested three Muslim dacoits, a mob of several thousands of Muslim armed with lathies, gathered at Chaumuk, a few miles from Mirpur, surrounded the officer for about seven hours and rescued the dacoits from the hands of police. The magistrate ordered the superintendent of police, who was a Mohammedan to fire on the mob, but the latter disobeyed the order and he too along with the magistrate had to run away; thus both of them managed to escape with their lives with great difficulty. The Governor also went to that village but returned without doing anything. Again a huge meeting was held at Mirpur and the non payment of revenue was openly preached. At this time the Prime minister and the Governor visited Mirpur but the agitation had gone out of their control.

Another encouraging thing for the Muslim agitators was the presence of Mohammedan Officials in the District of Mirpur. It is said that as soon as Mirpur became the centre of agitation, the Jammu Government set itself upon

a very wrong course of policy. They believed that the Mohammedan Officials would help to pacify the spirit of revolt that had been excited in the Muslim population. Thakur Dayal Singh, Wazir Wazarat, was transferred from Mirpur and his place given to Mohammed Akram from Katwa. Wazir Mohammed was posted as Supdt. of Police. Above all Raja Mohammed Afzal Khan Governor of Jammu was sent to Mirpur. Raja Mohammed Afzal Khan descended from the family, which had been the ruler of this territory before the Sikh Government conquered it.

### MIRPUR.

The District of Mirpur is divided into three Tehsils. Mirpur, Koth and Bhumbar. Mirpur is about 20 miles further in the mountains, beyond which is territory of Poonch, and the city of Poonch is some 30 miles from Koth. This territory was subjected to Muslim deprivations. The mountainous district of Mirpur was specially selected for the purpose of rebellion for various reasons. In the first place, this part was at a very great distance from Jammu, the seat of the Govt. and the way towards it was rough and hilly. There are no roads from Jammu one could go by foot or on horse back but with great difficulties. Another reason was that in this part were found very well-to-do Hindus, who could be made easy victims.

Mirpur was made the centre of agitation. This district had a total population of about four lacs, out of which Hindus numbered only ten thousand. The Ahrar agitators sent their agents to the various towns and villages in the district of Mirpur to inculcate the non-payment of revenues to the State. They tried to cross the river and reach Mirpur town. Some of them were detected in the way and sent back, but one Gauraham by some hook or crook reached Mirpur. He was arrested by Pt. Uday Ram Sub-Inspector police and

was sentenced for one and a half month under section 143 Ranbir Code

The State fixed 15th of Poh (29th Dec 1931) as the date of final payment of land revenue and Patwaris were instructed to approach the Zamindars & use all conciliatory means, which however proved ineffective. An Ordinance thereupon had to be issued for the realization of revenue and the people who refused payment were arrested. About 50 arrests were made, and when those persons were placed in lorries to be transferred to Jammu, they were openly using the slogans " Dogra Raj Murdabad, • Islam ka bol bala dusman ka munh kala. "

On the 18th Poh, Friday, in a mosque called "Gakhran Mosque" in Mirpur, eight thousand Mohamedans assembled and decided upon non payment of revenue. One Maulvi, Abdulla addressed the gathering and told them not to cultivate the land of a well known Hindu Bakshi Ram Shah. Another Maulvi Mohd Ismail from Amritsar dictator of the Ahrar said that his party had destroyed the prestige of the Maharaja; that no Mohamedan had been left at Sialkot who had not gone to Jail; that he had a Jatha of five hundred just then ready to march. After this meeting at the mosque Maulvi Mohd Ismail was taken out in procession Bazar was closed and the Hindus were overawed with terror. It was the activities of the Police that saved the town that day. One simple incident let to the outburst of popular feeling. There were certain Mohamadan Lambardars and Zamindars, who opposed the agitation and were taking the side of the State. Choudhri Abbas Ali Zaildar of village Chattan and Chaudhri Fazal Ellahi Zaildar of vilage Patyan, were surrounded in their houses by several hundred Moslems. Both of them had to run away for their lives and take shelter in Mirpur

On the 26th of Poh (8th Jan) section 144 was declared in the District of Mirpur. Next day Mr. Lawther the I. G.

and Raja Mohammed Afzal Khan accompanied the Military and Police and went to Rihmon, two miles from Mirpur. The villagers not only refused payment but became ready for resistance. The Official party got hold of some cattle and left the village. The villagers followed and attacked them. The Police was ordered to fire. One Gulab was killed and few persons got injuries. Thousands of countrymen who had gathered in the village now came to Mirpur. They were shouting usual slogans to terrorise Hindus.

A great procession was held over the dead body of Gulab and agitation for non payment was spreading fast. Friday, the 15th, eight or nine thousand Mohamedans assembled in the Juma Mosque. Mohd Ismail of Amritsar led the Moslem funeral procession. He told them that one, Kama, would render incalculable service. They should trust him. Another Maulvi Mohd Zaman said "Let them take away money worth hundred and thousand. Don't pay Rs 10/- Din (Religion) is more dear than money". It was announced that Hindu named Both Raj had become Mohamedan and he was named Sheikh Mohammed. On 15th January the Wazir Wizarat held a Durbar of Muslims. Fifteen demands were framed. Dismissal of zaildars, reduction of revenue by half, employment according to the proportion of population were among them. Even Mohamedan Zaildars as Allhdad of Lehri and Fazal Rahman of Banjri were bound down by the Moslems in Chamik.

On the 16th, 27 persons were forbidden to go out of Mirpur. On that very day a medical party of Ahrar reached Mirpur. On 22nd January, several thousand Mohamedans gathered in the Juma Mosque. Inflammatory speeches were delivered against the Hindus to incite the religious fanaticism. At the end the mob led a procession arrived with axes and Lathis. Mr Lawther himself saw this procession going to the tomb of Gulab.

The way to Mirpur became unsafe. Roads were blocked, Telegraph wires were cut, lorries were obstructed on the way to Mirpur. One Kartar Singh coming to Mirpur was attacked in the way and he saved his life with great entreaties. On 11th Jan: the Hindu population of Jammu got excited and gathered round the palaces and asked the Maharaja to shoot the Hindus rather than see them killed by Mohamedans. Mob Col. Janik Singh assured the crowd on behalf of His Highness that sufficient arrangements were being made for the protection of their brethren. Alarming complaints regarding the taking away of three Moslem Dacoits again poured in. Again crowded meeting of the Hindus were held in Jammu, resolutions were passed, and deputation waited upon His Highness. Again the same assurance was repeated.

The Hindus in the country saw, they were in great danger. They began to migrate to towns. The Moslem mob began to attack those who were fleeing from their villages. In the meantime a great Sahukar of Jammu Lala Bhola Nath Malhotra was murdered by a Mohamedan in village Ratyan, Tehsil Ranbir Singh Pura. This created a great sensation in Jammu and inflamed the murderous instinct of the Mohamedan rebels. The migration from the villages to Mirpur went on and the Hindus of Samwal also left Mirpur. Kalu Mal Seth of village Chanaukh was bringing his goods to Mirpur; he was stopped at Rahta and after a great difficulty he managed to get away from the robbers. From Tehsil Koth about twenty women and children could manage to come to Mirpur. In the way they were met by some rebels, but for their good luck a party of Hindu youngmen from Mirpur which had gone out to receive them brought them safely.

During the attack on Koth Solana, the rebels were threatening of killing Sardar Singh the richest man of that village. Sardar Singh tried his utmost to get out of

the town, when he failed in his efforts, he left his family in charge of certain Chamars and escaping through forests reached Mirpur from where twenty five Hindu and Sikh youngmen had gone to Kotli Solana to save their women and children. Similarly twenty men and children came from Batoah and about seventy from Bhal who were saved by Lala Sardari Lal Inspector of Police. The Sub-Inspector of Sukhchenpur demanded an immediate Military help. From all sides there were heard cries of 'save us', 'save us'. One Khatri, Lala Diwan Chand from Brote Gala was seduced by two Moslems and was belaboured in such a way that he fell senseless. Some Hindu who had gone for a walk saw him and brought him before the Governor. The people of the villages sent telegrams praying for protection by means of aeroplanes, but to no effect. Even the publicity officer of Jammu State said on the 25th that Mohamedans had risen in rebellion. They are attacking the Hindus every where. This is the result of the Punjab Maulvis poisonous propoganda among them. Six villages it is said, have been looted and burnt. Immediate relief is not possible on account of trouble having extended over large area. On the twenty seventh January thousands of Mohamedans laid a seige to Mirpur and all the inhabitants of the town men, women and children kept walking whole the night sitting on the roofs of their houses. It is said about thirty five village of Tehsil Rajori, Kotli and Mirpur have been all ruined and plundered by the rebels. Lala Gauran Ditta of Seri was killed, several Hindus were forced to embrace Islam.

In a few days more than one thousand refugees were found in Mirpur. They described in a pathetic terms, how their relations were burnt alive; how their wives were violated and their property worth lacs was destroyed. The rebels all made their attacks in a very peculiar way, they set fire on the lofty peaks of the hills and by the beat of the



drums summoned all the villagers of the surrounding Illaqa, while they were on the point of looting and plundering the Hindus. It was in this very fashion, that the village of Samwal, nine miles from Mirpur was attacked. When Chunni Lal was returning from another village Pindi ha was stopped in the way by the Muslim crowd; in self defence he had to fire a few shots from his rifle wounding two or three. The crowd dispersed and in a very short time, by the beat of drum, thousand of Mohamedans gathered together attacked Samlwal and began to burn the houses of the Hindus and Sikhs. The members of the family of Chunni Lal were cut into pieces and burnt alive. Their names are as follows:—

Daulat Ram, Labha Shah, Mela Devi daughter of Jhandu, wife of Ramchand and Mani Ram. The Military reached in time, but did nothing to save the burning people. They arrested Chunni Lal and came away. Similarly Thana of Sukh-Chenpur was put on fire along with ten houses of the Hindus and Sikhs. Besides the two constables the following persons, it is said have been burnt alive.

Ladha Singh, Bhagwant Devi, Mool Singh's mother-in-law of Kara Singh, Diwan Chand, Pars Ram and his wife, Kirpa Ram Gaurd and his wife with her daughter eight days old. The village Kalyan Bansi four miles from Mirpur contained fourteen Brahman families. The rebels attacked that village at 12 noon. Fifty Cavalry was there and the rest of military was only three miles from that place. The Brahmans had arms, and were determined to defend themselves; but the cavalry people forced them to leave their houses at the point of bayonets and all their goods were taken away by the robbers. An old man who could not walk was left behind, while the son was forced by the military officers to accompany them. The people of Kotli and Poonch were sending telegrams again and again but could not get relief



REFUGEES—from the disturbed area A photograph taken at Mirpur Hindus fled from the fury of Moslem mobs and are being persuaded to return only now that troops have restored order

It is said however that Military Reinforcement are coming but it is not possible to say whether they will be able to check the wild storm. For these people who were surrounded with danger on all sides did not see any way out. Those panic stricken people did not know what to do. Reports came pouring in that Mirpur, which was the centre of these helpless men women & children, is besieged by the rebels. Mr Lawther I G P finding these difficulties had gone back to Jammu and Mr Jardine has been placed in-charge of Mirpur with all necessary powers. The Prime Minister depended upon Raja Mohd. Afzal Khan the Governor of Mirpur and the resident of the same Tehsil. He could not and would not control the situation. Col Rehmat Ullah who was In-Charge of the Military was the same man who has been suspected of the conspiracy with the rebels,

A large number of Hindus have succeeded in coming to Jhelum. The miserable condition and the woeful tails of those people excited pity even in the stone hearted people. They told that the Gurdwara of Ali Begh worth fifty thousands was reduced to ashes. Gurdwara which was set on fire; from there they had to run to Devi-Dwara which they locked from inside. The Mohamedan Mob however, collected an amount of fuel outside its walls and set the building on fire. It is not known whether those who took shelter in the Devidwara are alive or dead.

A large number of Hindu and Sikh women from the villages of Partab Singh Pura, hall, Kulwari reached the British territory in the villages of Dhanad, Choha Khalsa, and Rawalpindi and sent telegrams to His Highness to the effect of surrounding of the male members by the rebels and urging him for protection. A number of Hindus from the Tehsils of Rajori, Kotly, Bumber, Mirpur reached Jammu and related there heart rending stories. They

siad that their daughters have been taken away by the rebels and forcibly married to Mohammedans. One woman told how her only son Rup Singh who tried to stop the rebels from disgracing the Granth Sahib by kicking it with their shoes, was burnt alive along with fifteen other Hindus and Sikhs. A Hindu youth came from Mirpur to Lahore who stated that Hindu houses in Smali were burnt and three Hindus were killed and in Sukhchainpur fifteen persons were burnt alive. The rebels have taken possession of the fort of Seri. The building of co-operative Bank in Ritta along with Post Office were put on fire by the rebels. About twelve hundreded refugees were staying at Mirpur and Hinbu Sabha was maintaining them. A large number of them had gone to Jammu where they gave their statements. Pandit Lakshmi Chand of village Mohra Patwi Pand said that Dhero was converted by Said Anyat Shah and was still in their hands. Nothing is known of his brothers Mani Ram, Duni Chand and Khayali Relu. Ch Lal Man Jat of Pohvani Tehsil Bhumber said that Hindus in the villages were burnt and his mother and wife were still unknown. Pundit Kalu Ram of Sohana said that his wife and his brother's wife are not found. Pundit Nand Lal of Mehri said that his two sisters and the sisters of his mother were still unknown. Diwan Chand of Sohna said that his two brothers one nephew, two sons three daughters, and brother's wife could not be traced. Pundit Kishan Chand of Mehri Nalla said that forty men women and children were converted. Sant Ram Jat of Bhumble Ghand said that he was converted by force and has run away secretly. Hindus of the village were still surrounded by the rebels. Bishan Dass of Khani said that he and Kashi Ram ran both from the village, in the way Kashi Ram was killed by the rebels. Pundit Hera Nand of Khamla said that his brother's wife, child, and nephew were besieged in a fort. His two brothers made their way to the forest. Sunder Singh of Koslan said that in

his village about ten persons were converted, though with some difficulty they managed to escape. A number of women and children were missing.

## KOTLI.

Next to Mirpur come Kotli Tehsil. In this Tehsil the work of devastation was the greatest. On 22nd Jan news was received that in one village Sensia where there lived only one Mohamedan barber, a large crowd of Muslims gathered there on the pretext of saying prayers. The real object was to plunder the Hindu-houses, so the Hindus quietly left the village. On the same day it was said that several thousand Mohamedan rebels armed with Rifles, Swords, Axes and Lathis had besieged the town of Kotli and had put on fire the Hindu Temple and the Co-operative Bank. Even before that on 17th 8 Jathas of Mohamedans had gone to the town and on Friday hundreds gathered together to say prayers. They attacked the town and the Military in defence fired upon them there by killing a few of them.

Village Bhagai was looted and the Hindus of Motibara had entered into the Tehsil compound with tears in their eyes. They said that the rebels wanted them to become Mohamedans on the threat of murder. They have left away every thing and have come away with their lives. One Dhakkan Dass who was sick and unable to run, was forced to become Mohamedan. Girdham Lal of Dodona was asked to become Mohamedan but he too escaped. Between Kotli and Nowshera there is a place called Sehri. Mehta Tara Chand was Naib Tehsildar there and Lala Khan Chand Sub-Inspector of Police. They were present at 80' clock when the Mohamedans besieged the Police Station. The attackers who were several thousand in number invited the Hindus to become Mohamedans. Hari Chand with his family, Amarnath, Balwant Singh, Bishan

Singh were converted. Two men were converted at Salona. There houses were not touched, and the remaining 60 or 70 houses were put on fire. Those men and women who took shelter in the Police station are still surrounded by the rebels. They are without food and clothing.

A Maulvi came to Kotli Solhan from Chaumukh and began preaching "Islam in Danger". A sub-judge sent police to arrest this man during Jumma prayers on Jan 22nd which was Mirpur day. The crowd turned on the police to beat them out of the village and attacked the Hindu quarters of Kotli Solhan and went afterwards to the hills just about Kurratta. There were four runners who had prepared the ground for them for a second Maulvi from a village near by had been preaching non payment of rent. It seemed to have been agreed that a signal for general rising in several villages should be an explosion of fire works by the Mob on the hills. When this was done the Mob pelted down into Kurratta and warned all to leave as it would be destroyed. The Mob then ascended the upper part of the village and plundered a few houses and later on its ranks were swelled from other villages and the whole place was destroyed by fire. The Mob lingered here for a day or two and then having collected as big a force as possible split up into 2 parties, one of which proceeded to the attack of Kotli and looted such places as Thanna, while the other took to opposite direction and attacked Seri.

The correspondent complained about the roads in this part had the irritating habit of avoiding villages and probably we had passed on many ruined home steads as we had noticed on the way. Thanna for example was nearly a mile from the road but we could see that much of its Bazar had been gutted. Very infrequently we came to an isolated cottage which had been burnt. On the top

of the hills we saw the ruins of Kuratta. They appeared to have comprised of the business centres of all the Mohallas which had pucca houses and looked to have been quite prosperous. It seems some hundreds of Swarajists gathered on the hills rising to the north on Jan 23rd. The day after there had been so much mischievous talk in many mosques at Jammu prayers. The Hindus generally fled from their proper houses and took refuge in muslm houses. The rebels then rushed in the village and fired it so effectively that it is now a much worst semblance than even Sukhchampur. The Post office and large dispensary were destroyed, but little hospital and school were saved. The Moslem houses where the refugees found shelter were also spared, but for the rest, the place presents a deplorable ruin. As it is more or less perched on a small hillock, the place of it at night must have been an awesome spectacle of the vally, but probably there were other and similar villages here and there. On the way we met the Column under Major Mohammed Khan and Captain Abdul Aziz which had come of from Nowshera. They reported that at Sohna between Seri and Dharamsala a detachment under Captain Ali Akber (note the three Moslem names there were several Moslem Sepoys in the Military) had met a Swarajists Jatha which had shouted and stoned and then Ali Akbar had given order to fire. The Jatha dispersed with unknown casualties. It is reported nine insurgents were killed on the spot.

Apart from the vague signs and tokens afforded by propaganda, in the mosques, of the immediate neighbourhood the first warning to reach Kothi was an influx of refugees from the villages of the surrounding area, who reported the advance on the town of the rebel army which aimed at plunder outlaying bigger prey. The general direction of the most serious threat was reported to be on the road towards Kothi from Sehri about 17 miles south-east. Two prolonged

and organised attacks "Says the special correspondent of the Statesman" were made on this town (Kotli) on the night of January 26th and between 2 p m on 29th and 9 a m on the 30th. It is the story of gallant and resourceful resistance by a force of less than 60 men to the attempt by 3000 rebels to sack the whole of this township. To meet it, the local Supt of Police Mr Thakur Ratan Singh had a few Police men, meagerly armed and a small Company of the 6th Kashmir Infantry under Captain Lakhpat Rai ... The two Officers posted Pickets on the roofs of the southern most houses of the town and the inhabitants were concentrated in the Government Building on the North side of the town.

The first attack began at 10-30 on the night of the 26th. This practically coinciding with the rather feeble attempts against Mirpur. The insurgent's number were estimated at a little over 1000. They were well led by men subsequently proved to be Ex-Soldiers of the Indian Army. .... An Ex-Jamedar gave the pickets such anxious moments with good marksmanship from Winchester repeating Rifles that they were forced to abandon the roof-tops and seek protection of houses and compound walls. The attack was broken off at 5 in the morning, when the insurgents retired in the neighbouring hills leaving 5 or 6 dead in the cemetery."

Frontier day Jan 29th brought news that concerted attack on the town from all sides had been planned. The Seri Force was known to be on the move again, in communication of a much larger force under one Kima Khan moving in over the hills from across the river. The Supt of Police accordingly took men and the Captain to a house about 400 yards from the town. Kima Khan's force opened the attack at 2 p m. It soon became apparent that the position of the Supt's picket was untenable for a great number urged on by an indiscreet Maulvi, threatened to



cut the post off from the town. Pickets therefore withdrew to the shelter of house on the town outskirts and were able to do some execution on the insurgents. Towards the midnight the fire became so desultory that the Supdt returned to his quarters for rest. About six in the morning however a Force of insurgents suddenly rushed in the Moslem Mohalla and a few other houses round it. There was a brisk exchange of gunfire between them and the pickets on the roofs. Thakur Ratan Singh returned to the scene and found the situation to be precarious as the raiders were in a position to work their way in the heart of the town. He therefore collected the Sepoys of the pickets and a few Police men armed with old Swords and ordered a charge on the rebels. The raiders promptly set fire on the houses and under cover of smoke made their escape. Eleven were taken prisoners and nearly 20 were killed.

Thus the siege of Kotli had ended when Mr Lawther and Jardine arrived at the scene.

Before me is an estimate prepared by the petty officials, of the damage done in the Kotli Police station area, (One of the two Thanal areas of the Kotli Tehsil.) It mentioned 28 villages were the number of houses and shops damaged or destroyed varies from one to 100 or more. At Dhania it is reported that 87 houses and fifteen shops were burnt with a total loss of property amounting to nearly 2½ lacs and at Saisava, it is alleged, that 90 houses, 20 shops, 3 sacred places and one Government building were burnt with a total loss reckoned at, approximately 2 lacs. Even when, it is read with the necessary pressure the complete list is a formidable and most distressing document; but and an excessively sombre picture has been drawn of murder, rape and forced matrimony being practiced on a terrible scale in this district of Mirpur, Moslem State officials failing to protect Hindus. The local authorities have been able to ascertain only 5 deaths and

there is no mention of any outrage on women, although the change is made that at Sarona 24 persons were forcibly converted.

## RAJORI.

Two more Theasils suffered from the hands of the devastators. One of them is Rajori. Rajori is a Tehsil of District Riyasi. The other Tehsil is Bhumbhar of District Mirpur. Bhimbhar is situated in the same position with regard to Gujerat as Mirpur is with regard to Jhelum. The Illaqa of Rajori extends between Mirpur and Bhumbhar. "During the attack of Rajori nearly 40 miles from Mirpur" says the correspondent of Stateman "A Tehsildar led out what Troops he had in a bold manner to meet an ill-disciplined hoard of plunderers. A day or two latter, there was the attack on Police patrol Kotli Solhan, closely followed by an attempt to attack Kotli from all sides. This infection proceeded to Poonch State enough to cover an area of 40 square miles over the whole of which disorder and panic was spread. A disinterested abserver made a remark that in Geographical dimensions the trouble in this quarter of Kasmir State has no parallel since the Mopala Rising

By 28th Jan Fire spread to Tehsil Rajori about 500 Mohamedans gathered together and attacked the Hindus of village Darhal Malkas and burnt the houses and shops of Bishan Lal Seth, Nihal Chand, Karam Chand, Mani Ram Mahajan and Nand Lal who managed to escape with their lives. Post office was set on fire and some cash taken away. The Hindus of the village Darhal, Bharot, Shashtra came to Rajori. On the night of 4th March in the village Madho Narain, Nathu and Lachman's shops were plundered and looted. Hindus of Khanna were very nervous. Muslem Mob was gathering at Kundi. In these villages even Police Constables were assaulted by the

Moslem rebels. Rajori was saved on account of picketing the town being picketed for the whole night by two fifty (250) men. A Mob of several thousands attacked the town of Khanna at 8 O'clock. It took one hour to plunder the Hindu and Sikh shops; temples and Dharmshalas were desecrated and set on fire. Sardar Natha Singh Tehsildar of Rajori inspite of his old age was doing his best to save the situation. Hindu shops were looted at Rahman Amarnath Seth was bound and taken away and Bodh Raj Seth also met the same treatment. At Nastiala the mob wanted to attack Kirparam Nambardar but two Muslems of Poonch had sent a message to the effect that his son had stood surety for them, therefore he should not be plundered in their presence. Thus Kirpa Ram was saved. In Murjal, Fatehpur and Chandhri Narpathra Hindus were looted. In Bharo the rebels plundered Lala Nandlal's shop and set all his buildings on fire. At Shahadara the people of the city resisted the rebels with the result that some of the rebels were wounded. Next day was Friday and an attack on Rajori was expected again. Khanna was attacked, the mob was led by regular horsemen who began the attack with the sound of Bugles. Mohamedan inhabitants were ordered to stand on the roofs of their houses. Rajori was in a great danger and all offices in the Tehsil Compound were closed; but for Natha-singh's courage Rajori would have been plundered long ago.

Mirza Mohd. Hussain Zaidar of Bharat had reported to the Tehsildar that the people had turned rebels and wanted to plunder Rajori. The Tehsildar ordered all men, women and children to take shelter in the Tehsil. Women left their cooking and leaving all things went to the Tehsil for protection. The rebels wanted the Tehsildar to come alone and talk to them. Sardar Natha Singh while going to the mob, was met by Ghulam Rasul Nambardar in the way: the latter told him that it was no good to go to

the rebels. In the meantime Sardar Tirth Singh Wazir Wazarat arrived there with some Military. He ordered the mob to disperse. Two of the rebels were arrested and the rest ran away into the neighbouring hills. Sardar Tirth Singh belongs to the family of Hari Singh Nalwa of Gujranwala. He offered almonds from his own pocket to one Jiwan who had protected the Thakurdwara from the Lands of the rebels. Besides Rajori, several Hindu villages were looted and set on fire. The homeless Hindus and Sikhs of the place left for Mirpur. The Govt seemed to have come to an end. The roads were infested with rebels. Life, property and honour were all unsafe. The rebels gathered in thousands and there was none to prevent them from committing barbarities.

The people of the villages sent telegrams praying for protection by means of Aeroplanes but to no effect. Even the Publicity Office of Jammu State said on 25th that Mohamedans had risen in rebellion. They were attacking the Hindus every where. That was the result of the Punjab Maulvis' poisonous propaganda among them. Villages, it is said, had been looted and burnt. Immediate relief was not possible on account of the trouble having extended over a large area.

About 145 men and women from the Poonch Ilaqa came to Sathni. They had been without food for many days. They were so reduced that they even could not walk. Their sorrows and cries melted the heart of even the hardest man. They had been put in Dharamshala. Sardar Natha Singh gave Rs 20/- and Sardar Sohan Singh one bag of rice for their food. Mankot was under the protection of Military. Eighty two men were brought to the court; they said that about 150 more Hindus were surrounded by the rebels who were taking away their girls and marrying them to Mohamedans & in order to keep those in Islam they married their own wives to them. It was said

that about 2000 men from neighbouring villages had reached Rajora, of which about 800, were without food, and clothing

The rebels have got 50 converts from Malpeta village. Mal and Tharyan villages were also attacked by the rebels but the Hindus were defending themselves with great courage. The wife of Kaka was converted forcibly and married to a Mohamedan. Kaka's brother died of this shock, his mother was converted and nothing more is heard of her. In Sohana about 8 Hindu virgins were converted and married to Mohamedans. On the same day there came news that on 1st Feb the rebels attacked the village Hal. Here the Hindus and Sikhs were strong and became ready for fight. The Mohamedans of the village too joined hands with them and the rebels were driven away.

### BHIMBHAR.

The rebel crowd which continued looting Thanna for three days after burning the Post Office and temples and reducing the whole to a heap of ashes went to Shahdra where a few Sikhs offered resistance but were looted in the long run. This mob, in its round, burnt several villages. A man named Guran Ditta Mal was tied to a tree and his house and shops were set on fire. Newsheera was protected still by Military. Then would come the turn of Bhimbhar where every Friday several thousands of Mohamedans assembled not only from the villages around, but also from the British territory. The road from Khalyan to Bhimber was in the possession of Moslem rebels. From Baraug Tehsil Bhimber, on account of molestation by Mohamedans, Hindus left their villages and came to British territory. One Pandit Amarnath of Mutlashi was going with a marriage party, the party was looted in the way and Pandit Amarnath with great diffi-

culty reached Mirpur. The bride was taken possession by the dacoits. No body knows what happened to her.

Kashmiri Lal Jali wrote from Bhimber that since the destruction of Thana Mandi, no trace had been found of many Hindus. He did not know what had happened to even his own relations; Iqbal Singh, Bhim Singh, Bhagat Ram and Dev Nath.

From Palag to Nowshera a distance of 40 miles, all the Hindu villages were burnt and those who were masters of lacs a few days ago were wandering through the forests penniless and helpless. All the Chamars who inhabited this area were forced to embrace Islam and it seemed that no trace of Hinduism would be left in that part. On the 13th of Magh Sher Singh Namberdar of Chowki Mandi was looted and plundered. The Hindus of Samaki has come away to Bhumber. Math has been attacked, but defended by the Military.

A ten years old daughter of Sant Singh Mukhia of village Kalsian was taken away by the robbers. The Hindus of Gahari were converted forcibly to Islam. Bodhis and sacred threads of Hindu were cut. On 16th the Hindus in Dheina 4 miles from Bhumber when migrating to the British territories close to the Custom Office, they were attacked by the rebels and women were ravished. After looting this village they decided to attack Bhimber on Friday, but Lala Dip Chand Magistrate was successful in keeping them off. They however, plundered Ali Beg and burnt the famous Gurdwara of that place. Their number was swelling day by day. The Numbardars and Zaldars who at first seemed to be on the side of the State were openly encouraging the excited Mob. They openly declared that the property, honour and safety of the Hindus were insecure if they did not come within the fold of Islam.

A part of the Military was sent to Fort Khorh to relieve the besieged. British Regiments were sent to some villages of Koth, Fatehpur, Kabog and Gramika. The Hindus of these villages were boldly defending themselves against the rebels. The rebels had taken possession of the Fort of Tirvich and declared a Faqir named Lal Bad Shah as their King for he wore Red clothes. Several villages in the District of Gujerat were being terrorised by the Mohamedans, so much so that the Zaildar and Nam-bardars were instructed not to allow their men to cross the frontier and receive and help the refugees in a proper manner. Similarly another Zaildar of Samani named Budha Khan had declared himself King in the Tehsil of Bhumber. The Nam-bardars were supporting him with all their might. He was not only busy in looting the Hindus but forcing them to embrace Islam. Several hundreds of Hindus of Khamba were surrounded by Mohamedans and being pressed for conversion. Mr Jardine with his Squadron left Chaumukh to relieve them. In their letter to Mahant of Ali Beg they say "for 4 or 5 days we have got nothing to eat. The rebels say they will continue the attack for 4 months and threaten us to death if we do not accept Islam; come and do save us." The 18th of Magh was a critical night for the town of Bhumber. Lala Devi Chand Magistrate had tried all the conciliatory methods with the Mohamedans during the day time but he was handicaped by the Mohamedan Tehsildar of Bhumber. The next day on the 19th of Magh the rebels looted the Hindus of Mohra Sadan.

Some loot and atrocities were committed in several villages round about Nosherah. In Bhavani and Sarya several Hindus were killed. In Dharam Sal Jang, Guru Granth and Gurudwara were burnt. A large number of men and women were besieged in the fort of Berhal and were being pressed for conversion. The Hindus had left their villages and were wandering in the forest. Noshera

was once saved from attack by some military men, who happened to be there, but the rebels were still hovering about it. A letter from Noshera describes the terrible condition prevailing there. The letter said "We are in great danger, who can save us? Besides publishing this letter do some thing practical to help us. Relief should come immediately, we are on our last breath. Forty villages round about Noshera have been plundered and burnt. What more can I write? Do what you can do to save us. We see with our own eyes the dead bodies of the Hindus being eaten by Kites and crows".

## THE DESTRUCTION OF THE HINDUS AND PRETENSIONS OF MOSLEM.

*In the words of the correspondent of the Statesman.* "There are usual stories of wholesale outrages on and abduction of Hindu women. I tried to get corroboration of them from the 3 or 4 thousand refugees at Mupur, Kotli and Poonch. With chagrin, my Hindu interpreters will have to admit failure. I am told that Hindu girls have been taken in to Moslem houses. Perhaps their gallant fathers desecrated them.

Then there are forcible conversions. I have good evidence of three physically forcible conversions of the Hindus. There may have been several more. It is known of course that perhaps 4 hundred persons embraced Islam in order to save their houses even before the attackers definitely approached them." Mark how cynically the Anglo Indian correspondent, comments on these forcible conversions; "But these conversions are mystified. If a man were forcibly compelled to disbelieve Shakespear's existence and shout Baconien theory instead, would that mean, that in his heart he had fully accepted the Baconian theory? Cranelly, Ridly and Latimar were cremated alive



rather than change their belief a little. Will any Hindu say that faith plus casting of their ashes into Ganges would have made these three Bishops believers in Rama and Krishna in the life hereafter. To cut off man's Bodhi, to part with moustaches by violence and force, beef down his throat is a brutal and insane performance. But is the Hindu faith so fickle a thing that the outrage would automatically make the man believe in God and Mohammedan's Prophet of God? No. Things have been bad enough up there, without wild and vicious talk on either side. Thousands of Hindus have lost their homes and most of their property including important account-books, and it will be long before they can resume their normal life. Consider for a moment whether exaggeration was necessary. There were reasons to believe that there had been arson and looting in about a 100 villages of the Kotli and Rajori Tehsils alone. It occurred in a few villages of Poonch. In Mirpur Tehsil, Mr. Salusburys investigations show that 75 houses most of them in sukhchainpur have been burnt and there was disgraceful looting in other villages. In Thanna Kuratta and Seri and a few others destruction was complete".

It is an amazing fact that inspite of the clear evidence of an impartial and an apologist for Moslems, no Moslem leader has uttered a word in condemnation of the atrocities of his coreligionists, "The Moslems of British India are in a difficulty" says the same correspondent "because the more responsible moslems in Jammu will not pretend that their coreligionists have done great evil. They, therefore, persist in the charge that Dogra Sepoys have outraged Moslem women and mutilated moslem corpses in the villages. They declare too and sometimes without having been within a 100 miles of the scene of action, that the Troops firing had been unjustified".

"I am convinced that this is nonsense. *As the instigation of the British Officials in the State*, the Durbar forces in the affected area were so organised that there should be an equal or very nearly equal number of Hindus and Mohame-dans in each Mobile Column and the majority of their officers were Moslems. On the other hand I have seen myself that the Mobile Columns had been worked too hard and have been too small to waste time in revenging the great provocation shown them in a country where they might have been attacked by large Mobs at any time. Some time they were so attacked and it is preposterous to suggest, in imitation of the Congress Press that 30 or 50 men should hold their fire when they are being stoned by 10 or 20 times their number of insurgents, some of whom possibly carrying guns. After personal observation I decline to believe the stories of these atrocities until infallible proof of them is given or the reputation of Moslem Soldiers is shattered for ever. It never will be. It is only fair to say that these Moslem legends were started against the Hindus after a long time"

### PERSONAL VISIT.

There is a vast difference between things seen and things heard. I wanted to see the effects of what had happened with my own eyes. I can thus bear personal testimony to the effect that even after more than a month has elapsed. we see that 5 & 6 thousand refugees who have lost their homes and who have been reduced to the most unhappy state of starting a fresh in their life are being fed at Mirpur, Kotli, Bhumber and Rajori. It is no exaggeration to say that laacs are required to support and rehabilitate them. Again there are thousands of Chamars who have been forcibly converted and if they are not immediately taken back, besides being a dead loss to the Hindu Society they would make the conditions of life much worst for the remaining Hindus.



A SEARCH- among the ruins for personal property which may have escaped the flames —A typical scene in one of Kashmir's devastated villages following the recent disturbances

I left Delhi for Mirpur on the evening of March 1. On the morning of the 2nd Lala Sewak Ram met me and expressed his willingness to accompany me on the conditions that the question of our visit should be referred to the Punjab Government and their consent obtained in the matter beforehand. The matter was referred to the Chief Secretary for consultation with the Punjab Government. He referred it in return to Mr Salisbury, in charge of the disturbed areas, and in the evening we received a letter addressed to Rai Bohadur Sewak Ram by the Chief Secretary, Punjab Government, in which it was said that Mr. Salisbury would meet us at Jhelum and render all help necessary for our purpose.

On 3rd morning we left by car. At about 2 o'clock we met Mr Salisbury at Sarai Aurangabad Thana, two miles this side of Jhelum. He told us in very brief words that the Hindus had left their homes in many cases under false alarm and that there was great need of removing their panic in order to restore normal conditions. We explained to him the view which we had got from the reports of the Press, and added that we shall have to talk the matter over to him after making full enquiries in to the whole trouble. We fixed the next day 2 o'clock for our meeting and left for Mirpur.

The leading Hindus of Mirpur came by two cars and met us a few miles from Mirpur. At the town itself we were met on the road by several hundred Hindus, including the refugees, but there being no use of any demonstration, we quietly passed by. The whole of the evening and half night was spent by us in listening to the sorrowful tales of the refugees from various villagers.

. The next morning we visited these people in the Sanatan Dharma Mandir, Arya Samaj, and Gurudwara. Their number, which originally was over 1,200 was reduced.

now to a little less than 1,000. It is very creditable to the Hindus of Mirpur, who have been feeding and clothing these people at their own expense. We saw women of respectable families cooking and helping to distribute food to these people. The relief parties belong to various organisation of the Punjab, such as Arya Paradeshak Sabha, Mahabir Dal, Hindu Sabha, Local Arya Samaj and Singh Sabha. The workers of these organisation are assisting the Mirpur people, but their proper sphere of relief extends to other towns besides Mirpur, where the refugees have similarly assembled for shelter.

## WORK OF DESTRUCTION.

In order to have an idea of the devastation committed by the rebels, it is necessary to know that besides the refugees at Mirpur various other towns, which remained safe from the attack of the rebels in that part, have afforded shelter to very large numbers of men, women and children, who had to run away from their villages without any food and clothing in the severe wintry month of January, and keep wandering about in mountains and forests without any food and sleep till they found shelter.

Mirpur is at a distance of 25 miles from Jehlum, 15 miles of which forms part of State territory. From Mirpur, Koth is about 40 miles. From Koth, Poonch is 26 miles. In this line of 80 miles and on all sides surrounding there is not left a single village in which Hindus have escaped from the devastating hands of the rebels and dacoits combined together. Their work of destruction began about 21st of January, and its fury lasted for about 10 days. They attacked Hindu houses, took away all that they could and then set the houses on fire.

It seems murder was not a part of their scheme. In two villages, a number of Hindu men and women were

burnt alive, but in these cases provocation seems to have been given to the rebels by the firing of some Hindus in their defence. We saw in one village three Hindu houses which must have cost Rs 15 to 20 thousand each altogether deserted with some portions burnt and the floors dug up in order to find some hoards under the earth

In Tahsil Mirpur, Mirpur was the city of shelter. So were Rajauri and Kotli in Tahsils of Kotli and Rajauri. Each of the latter have got over 1,000 men, women and children as refugees. It is said Poonch had got over about 2,000 and in the Tahsil of Bhumbur, Noshera, Bhuwani and Kambah have each got between 300 and 400 refugees. In addition to these numbering over 6,000, a large number have migrated to British territory. Three or four hundred are being fed at Jehlum and hundred or over at Gujarkhan, Gujranwala, Rawalpindi Districts

So complete was the work of destruction and they had to stop it because nothing more was left to destroy or to burn. Besides this, there is no doubt there have been cases in which gross violence has been done to women in which men and women have been forced into conversion and married and unmarried girls have been forcibly abducted. These cases, however, require thorough investigation, before one can pronounce any definite opinion on them. Besides about three or four hundred forcible conversion, however, there is a very large number, said to be three or four thousand, of *Chamass* who at the time of attack by Mohamedan mob agreed to accept Islam just to save their houses, cattle and property from being destroyed.

## CO-ORDINATION AND RELIEF.

The whole area was still disturbed. Hindus could not go from one place to the other without risking their life.

Letters and messages were coming to Mirpur from various places pressing for great need of affording relief to the refugees in those towns. We explained this position to Mr. Salisbury and he was very good enough to say that whenever he was asked for help, he would very willingly give Military or Police to escort any kind of relief to any of the above town.

In the matter of distribution of relief we had, however, to meet another difficulty as there were various organisations which had appealed for funds and had sent their agents to do the work. The danger was that their work would be duplicated in some cases and some cases would be left without relief. We had a meeting of the various workers to discuss this point with them. It was not thought practicable to combine them under one head, and we decided and appointed a Central Committee, consisting of the various organisations of Mirpur to regulate the distribution and control of the relief to different centres. Mirpur was the central town, from where relief could be easily worked and the Committee for the present was to consist of the following persons

Lala Thakur Das, Mahasai Karamchand, Secretary, Arya, Samaj Lala Amarnath, Secretary, Sanatan Dharma Sabha, Bhai Sardar Singh, Secretary, Singh Sabha, Lala Ram Lal, Secretary, Hindu Sabha and Lala Amarnath, Wakil.

This Committee told us that they badly wanted the lead of some experienced men whether they be lawyers or retired police officers to help them in the conduct of cases which were soon to be started.

## OUR MEETING WITH MR. SALISBURY.

Again we had an interview at 2 o'clock with Mr Salisbury for an hour and a half. We explained to him the actual position as we had been able to study. We said that the Musalman Deputy Commissioner and other officers who according to the people of Mirpur instead of putting down the rebellion had helped it to grow, had kept him in complete darkness about the tragic happenings and about the misdeeds of their coreligionists. Mr Salisbury took down all we had to say in his note-book. We told him that we did not want any favour but strict justice. Mr Salisbury wished that these people should return to their homes. Our point was that nobody could be more anxious to go to their homes than the people themselves, but the question was where were their homes. They were all burnt, the whole area was infested with murderers and marauders; no Hindu could walk his way safely. They saw the persons who had looted and burnt their homes with their own eyes freely going about. Our proposal was that they would go back to their homes as soon as the criminals were arrested and punitive police established in certain places to ensure their security of life and property.

### REHABILITATION.

"These 8 to 10 thousand persons, who were driven out by their fellow subjects, risen in arms against the State, as well as determined to wipe the Hindus out of existence in that part, these people once so sorely betrayed by their own neighbours with whom they were living in amity for over 100 years, these people some of whom had dealings worth hundreds of thousands of rupees reduced to the extreme verge of poverty, their houses burnt all their things taken away, how could they go back and where could they go back? How was it possible for them to start their life again? The day of their return seems as yet far off. Just



at present no less than a lac of rupees would be required to keep them alive. A large number of them in different places are suffering from pneumonia and other diseases which they caught while they were wandering in extreme cold weather without food and clothes. A great deal is being spent in administering medicine to these people. Their rehabilitation would be the last thing that would come when normal conditions come back.—A similar thing had happened at Kohat, and Kohat Hindus numbering between four and five thousand had to stay out of their homes for about ten months. When they went back, the Government gave them a loan of five lacs to restart their business. We shall see what the Kashmir State does it do to punish the offenders who have perpetrated such inhuman and brutal crimes on a population of innocent men, women and children.

## APPEAL.

The question which every Hindu is to put to himself is where from this amount is to come and how is it to be collected? There is one word more I have to say, when the Mohamedans started their Anti-Kashmir agitation, we had thought that the only reply to their move was to start a similar agitation in the name of the Hindus of Hyderabad or Bhopal. For that purpose, too, money was needed. It is no longer a secret now that 7 or 8 lacs was subscribed by the outside Mohamedans in order to carry on the Ahrar agitation against Kashmir. We want to make an appeal to the Hindus but to our surprise we find that the Moslems have proved more clever in the tactics of War. Before giving an opportunity to the Hindus to agitate against any Moslem State, they have overwhelmed the Hindus of Kashmir in a most terrible ruin. We always fight on the defensive and the offensive of the Mohamedans makes us helpless even to do that. The Hindus have got a life and death struggle before them. I wish there was a radical change in their mentality and they came out into the field with men and money,

# HARROWING TALE OF ATROCITIES IN KASHMIR

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*M L A's Letter to Viceroy*

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## PARAMOUNT POWER URGED TO TAKE MEASURES

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ASSURANCE TO HINDUS AND SIKHS NEEDED.

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New Delhi, Feb. 10:

Eight Hindu and Sikh members of the Assembly have addressed a letter to His Excellency the Viceroy on the Kashmir situation

The letter runs —“We the following members of the Legislative Assembly, take this opportunity of inviting Your Excellency's attention to the extremely dangerous situations that has been allowed to develop in Kashmir, and to the serious misapprehension that is likely to arise in the minds of public in general as to the attitude of the Government of India in this matter

Your Excellency is no doubt aware that even the special correspondent of an anti-Kashmere Angli-Indian Paper, has been constrained to confirm the reports published by other newspapers that an organised conspiracy has been allowed to shape itself into a fearful rebellion

against not only His Highness the Maharaja of Jammu and Kashmir State, but has also developed into a crusade against the peaceful Hindu and the Sikh subjects of His Highness, in order to wipe them out of existence. As submitted to Your Excellency by the deputation of the Hindu and Sikh members of the Assembly in November last, that the main object of the Ahrar movement against the Kashmir State was not to seek the redress of legitimate grievances of the Muslim subjects of the state but to further the pan-Islamic design to see a Muslim Empire established in Northern India. The fact has been corroborated by the open propeganda of the rebels to this effect, the forcible conversion of the Hindus and Sikhs and forcible re-marriage of Hindu wives to Muslims, and by the proclamations of Muslim kings. The rebels did not stop at this alone but burnt the Sikh Gurdwaras and Hindu temples and committed other acts of sacrilege.

## ALLEGED ATROCITIES

Taking their cue from the Moplah rebellion, the rebel bands armed with weapons of offence, have sacked and plundered Hindu villages, burnt and killed Hindu and Sikh men, women and children in a cruel manner; Hindu and Sikh women were kidnapped and ravaged and property of immense value destroyed. The Hindus and the Sikhs were compelled to flee to save their lives and honour and take refuge wherever they could get it in a destitute and miserable condition. One Mirpur town alone shelters more than a thousand refugees. We do not want to weary Your Excellency with the details of the sufferings of these unfortunate peoples but we venture to point out to Your Excellency that their sufferings have caused a deep and widespread distress to the refugees and severe pain and resentment to their co-religionists in British India,

## INADEQUATE MEASURES.

We are grateful to Your Excellency's Government for the help rendered to the Kashmir Durbar. We may venture to point out that the test of adequacy lies only in the effect it actually produces and that judged by that test, the measures taken so far have proved to be extremely inadequate. "The agreed limit of British operations" is plainly too narrow, and we may be permitted to respectfully suggest the urgent desirability of issuing a *Communique* making it plain that the Maharaja of Kashmir will have all the support that British Government can give him to put down this serious outbreak of lawlessness in the state and that His Highness will have full support of the Government of India in all measures that His Highness chooses to adopt in suppressing this rebellion.

It is well known that the agitation has been engineered, fed and nourished by the fanatic Moulvis and Ahrar leaders from the Punjab who still continue to find their way into Kashmir, despite the measures taken to prevent them, that mosques and places of public worships in British India have been systematically used for inciting and aiding this campaign, that arms and ammunitions have found their way in Kashmir from outside, and that inflammatory leaflets and newspaper articles have been allowed to have wide circulation. All this needs stiffening if the trouble is to end in Kashmir and the conflagration to be prevented from spreading into the adjoining British districts. We shall be failing in our duty both to the Government and the Hindu community if we did not bring to Your Excellency's notice, the widespread impression that not only has the Paramount Power not done enough to put down strongly this trouble in Kashmir and to protect the lives, property and honour of the Hindus, but that His Highness the Maharaja has failed to make effective use of his own resources because, the fear

of the Paramount Power restricting His Highness in using sufficient force to put down this rebellion

### NEED FOR ASSURANCE.

We venture to suggest that in these-troublous times, widespread feeling among a large section of the public, even though not fully justified by facts, has to be taken into serious consideration in shaping the policy of the Paramount Power. It is not enough that the policy be right; it is necessary for the restoration of public confidence that it should be believed to be right. The situation has been allowed to get worse during the last few months. So the impression will find justification in certain quarters that in spite of the British Paramountcy Pax Britannica is losing its meaning for the Hindu community in the northern India. We would therefore submit to Your Excellency to take stern and effective measure to convince the great mass of the Hindu community that the lives, the property and the the honour of Hindu men and women are as great a matter of very anxious solicitude to the Government as those of Muslm fellow subjects and that the Maharaja of Kashmir will have not only a free hand in protecting his Hindu subjects but also the active support, financial as well as military of the Paramount Power, in restoring peace and order in the State.

### RELIEF PARTIES.

Your Excellency can easily understand the magnitude of the relief measures required in Kashmir to place on their feet again those who have lost their all. Thousands of men, women and children, are, we fear in an extremely distressed, condition, and the task of relief is very probably beyond the unaided resources of the State. The call of the distres-

sed knows no limits of political boundaries, and the social and charitable organisations in British India 'would naturally like to render such assistance as they can in these times of unprecedented economic depression. We hope that a large-hearted humanitarian like Your Excellency' will not only see that no avoidable restrictions are imposed on the movements and the activities of relief parties under well-known charitable organisations but will also consent to place yourself at the head of the movement for relief and issue an appeal to generous hearted men among all communities to subscribe liberally to the relief of the distressed in the affected area''

The letter is signed by Bhai Parmanand, Sardar Sant Singh, Sardar Harbans Singh, Mr. Raghur Singh, Mr. B. Das, Mr Goswami Puri, Mr S G Jog, and Mr Lalchand Navalrai

For Reply P T O,

# GOVERNMENT OF INDIA AND KASHMIR.

## “ FULLEST SUPPORT ”

### VICEROY'S REPLY TO HINDU & SIKH LEADERS

*New Delhi, Thursday.*

The Political Secretary has replied on behalf of H E the Viceroy to the representation of Hindu and Sikh members of the Assembly regarding the recent events in Kashmir.

The letter says “The endeavour of His Excellency's Government has throughout been to give the fullest support to His Highness the Maharaja of Kashmir in reestablishing his authority and no request hitherto made by the Kashmir Durbar for assistance has been refused. The genuineness of this desire is illustrated by the Ordinance enacted by the Governor-General to prevent incursion into Kashmir and by action consistently taken by the Punjab Government to prevent hostile invasions from the Punjab into Kashmir State.

Further evidence of the Government of India's anxiety to be of assistance is furnished by the prompt loan of services of Government officers to the Durbar as soon as any such request has been made.

His Excellency cannot, therefore, agree that the Government of India have in any way failed to implement the obligations of the Paramount Power towards His Highness or his people. The help thus rendered has been given in the confident belief that if any legitimate grievances under the recent disturbances, His Highness will be ready and anxious to remedy them. Should His Highness ask for further assistance of a reasonable kind, His Excellency will do all in his power to meet His Highness' wishes, but the Government of India have good reasons to believe that breaches of law have now been checked and substantial progress has been made in restoring order.

### SYMPATHIES WITH SUFFERERS.

I am to add that His Excellency deeply deploras the loss and suffering caused to innocent persons of whatever class or community during the disturbances. He is glad to understand that the Maharaja has already opened a Relief Fund with a Relief Committee to administer it within the State. All charitably-minded persons, of whatever community, may be encouraged to send subscriptions to this Committee, but it is understood that His Highness does not wish such relief committee funds to be inaugurated or relief committees formed by outside agencies.

The letter is addressed to Bhai Parmanand who has been asked to communicate it to other-signatories.

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With compliments from the Publicity Officer  
His Highness' Government, J. & K., Srinagar

REPRESENTATION OF SANATAN DHARAM  
YOUNGMEN'S ASSOCIATION, SRINAGAR,  
TO THE PRIME MINISTER 4  
AND  
HIS REPLY THERETO.



Y:481(Y7392-7).241

**SRINAGAR,**  
The 6th September 1931.



To

THE PRIME MINISTER,

HIS HIGHNESS' GOVERNMENT,

JAMMU AND KASHMIR,

SRINAGAR.

SIR,

With reference to the interview that you so kindly gave yesterday to me and my colleague Kashapbandhu as representatives of the Sanatana Dharma Youngmen's Association, I beg to State as follows —

The position of the younger generation of Kashmiri Hindus with regard to the situation that has developed after the events of 13th July is indicated in the statement that was presented to the Riots Enquiry Committee on behalf of the Sanatana Dharma Youngmen's Association. The Association claims to represent and serve the interests of the whole Kashmiri Hindu community of Kashmir. Although the membership is restricted to youngmen, the Association is the chief nucleus for Kashmir Hindu workers in the city and has enjoyed the confidence of the older members of our community and also of non-Kashmiri Hindus, as is evident from the generous response made to our appeal for funds for Vicharnag Relief and the huge audiences that have gathered at our meetings. The outbreak of 13th July, 1931, stirred the Hindu community to its very depth. It was this Association that directed into healthy channels, the energy of our youngmen, many of whom had been driven to desperation and might have added to the difficulties of the situation. The activities of the Association were all directed towards co-operation with the Government in bringing about peaceful conditions. The Association checked the spread of wild rumours which always work havoc where disturbed conditions exist. The Association organized relief for starving and naked sufferers. The Association responded to the call of the Committee of Enquiry and engaged itself in collecting evidence for that Committee. But when Mr Abdulla and other internees were released, the Association found itself in a difficult position, and the feeling of the members ran so high that it was decided to organize protests. But on the friendly remonstrances of some of our elders who pointed out that we should only be embarrassing the Government by such activities we decided to wait. We were told that the

Government had even before 20th July committed itself to release the internees, that it would as it had declared bring all delinquents to Justice and that all anti-Government and anti-Hindu speeches would be stopped. We were told that we should be patient, that the Government would deal severely with those who were fomenting mischief again and that the silence of the Hindus would not be misunderstood. But far from fulfilling the undertaking, they had given before their release, the internees held numerous meetings in which open challenges were thrown before the Government and the "*Ahli-Baradaran-i-Watan*". This went on for weeks. The more ardent spirits became restive and demanded strong protest. It cost us much effort to control the impatience of some of our members. But when on the top of this came the settlement with those very people who are believed to have fomented the riots, the situation was aggravated. An association like ours which claims to represent the public cannot detach itself from the thoughts and feelings of the public. It can to a certain extent curb, educate and guide its constituents. But it cannot do more. It cannot fly in the face of a whole community of intelligent and educated men. The least that the Sanatana Dharma Youngmen's Association could do in the circumstances was to express itself strongly against the settlement. The Urdu text in which "Sharait" serves for both "undertakings" and "concessions" looked like a treaty between two "High Contracting Parties".

The Government is no doubt aware that the Hindu public feels aggrieved over the provisional settlement with the Mohammedans having been entered into without the Hindus who were the sufferers being a party to it. The history of the last decade justifies this apprehension of the Hindus. It may be deplorable, but it is a fact that the impression is widespread in Hindu Kashmir that the Government has in the past acted as if the interests of the Hindus could be sacrificed to the interests of the Mohammedans. It has bowed several times to the unjustifiable clamour of the Mohammedans evidently to escape the reproach of being a Hindu Government. That the Hindus have been treated unfairly in the matter of recruitment to public offices, for which instances may be gathered from the statement presented by the Association to the Riots Enquiry Committee. This being the case, the apprehensions of the Hindu public, were natural, especially as the provisional settlement makes mention of a larger settlement regarding Muslim demands to follow.

It need hardly be added that we stand steadfastly for loyalty to His Highness and nothing is farther from our intentions than a desire to embarrass the Government. The prestige of the administration is the best guarantee for our safety and well-being. Kashmiri Pandits would have considered it a privilege to join the deputation of the Hindus that waited on His Highness the other day, but the statement presented by the Hindu Sahayak Sabha which had organized the deputation, did not in some respects represent our views. As early as 21st of July, the Association applied to His Highness to be pleased to receive its deputation, and should His Highness be pleased to grant their request they will feel honoured to avail of His Highness' graciousness. We venture to think that in the meantime the Kashmiri Hindu public would feel greatly re-assured by a declaration from the authorities that the non-inclusion of Hindus in the recent settlement does not imply that Hindu interests are not constantly present in their minds, and that there will be no adjustment of communal "claims" in any sphere, whatsoever, without Kashmiri Hindus being given equal opportunity with other classes of His Highness' subjects to present their claims, and such claims receiving the consideration they deserve. The Association would be grateful for such a declaration.

Yours obediently,

PREM NATH BAZAZ,

PRESIDENT,

*Sanatan Dharm Youngmen's Association,*

*Srinagar.*

Srinagar,

The 5th September 1931. }

HIS HIGHNESS' GOVERNMENT, JAMMU AND KASHMIR

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FROM

THE ASSISTANT SECRETARY TO

THE PRIME MINISTER,

*Srinagar.*

TO

PANDIT PREM NATH BAZAZ, PRESIDENT,

SANATAN DHARAM YOUNGMEN'S ASSOCIATION,

*Srinagar*

*No 437-C, dated 6th September 1931*

SIR,

I am directed by the Prime Minister to acknowledge receipt of your letter dated yesterday and to reply as follows —

It is unnecessary to make any observations as regards the history of your activities or your pretensions except to point out that the claim of Kashmiri Pandit Youngmen's Association to represent all the Hindus of the State or of Kashmir is to say the least of it a tall presumption and that their expectation of being allowed to dictate the policy of Government is equally preposterous. Your contention that the Kashmiri Pandits abstained from joining the deputation of Hindus because the statement presented by the Hindu Sahayak Sabha which had organized the deputation did not represent your views is not in accordance with facts. The advance copy of the memorial which was given to the Prime Minister by one of the signatories contained the signatures of four Kashmiri Pandits of standing, one of them being President of the Sanatan Dharam Sabha, Kashmir, and no information was received on behalf of any Kashmiri Pandit that the memorial was not in accordance with the views of that community. Indeed the reply which was given by His Highness to the deputation was intended not only equally for all classes of Hindus but in some respects was intended principally for Kashmiri Pandits. The

Prime Minister is very sorry that owing to some misunderstanding you should have abstained from presenting yourself to His Highness with the deputation but I am afraid it is too late now to mend the mistake and you must wait for another opportunity when the Hindu subjects may have occasion to appear again before His Highness.

The Prime Minister regrets that he is unable to accept your position that there was any justification for consulting the Hindu public in connection with the provisional settlement with the Muslims to which the Hindus could not be a party by any stretch of imagination. That the interests of the Hindu public are as much near His Highness' heart as those of any other class of his subjects would be obvious from the reply which His Highness gave to the Hindu deputation particularly where His Highness said "and you have no cause to fear that the policy now being pursued by my Government will in any way unjustly affect your interests".

The question of claims and demands has not arisen yet and the assurance which you want has already been given to you in the last paragraph of His Highness' reply to the Hindus in the following words.—

"I am prepared at all times to receive legitimate requests or representations from my people and to meet their needs as far as is admissible in the interest of peaceful and healthy progress of my subjects as a whole... . and I shall be prepared to receive any such representation which you may wish to make in the future"

I have the honour to be,

Sir,

Your most obedient servant,

BISHAMBER NATH,

ASSISTANT SECRETARY TO

*Prime Minister.*

# MEMORIAL

PRESENTED BY THE  
SANATAN DHARM YOUNGMEN'S ASSOCIATION,

IN BEHALF OF

## KASHMIRI PANDITS

TO

HIS HIGHNESS THE MAHARAJA BAHADUR

OF

JAMMU AND KASHMIR

AND

### His Highness' Reply thereto.

SINAGAR  
24th OCTOBER 1931.

Published by the Secretary  
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To

**HIS HIGHNESS THE MAHARAJA BAHADUR  
OF JAMMU & KASHMIR,  
SRINAGAR.**

5

*May it please Your Highness,*

We, representatives of Kashmiri Pandits, beg to submit below our community's demands for Your Highness' consideration. Our community's loyalty to Your Highness' house is well-tryed. Our devotion to Your Highness' person and throne needs no reiteration. Our hopes have been centred in Your Highness ever since Your Highness' assumption of the office of Senior Member of the late State Council. Your Highness' liberalism and solicitude for the people have found expression in several reforms which must for ever enshrine Your Highness in our hearts. Encouraged by all this, and with a view to assist Your Highness' Government, we venture to avail of the opportunity which has been so graciously granted to us for placing our demands before Your Highness -

1. Recent events have unmistakably proved the machinery of the administration in the State to be unsound and totally unfit for purposes of modern government. The Srinagar Riots Enquiry Committee has not gone into the matter at any length, but even its findings corroborate our statement. Nepotism and Jobbery are still at work in the selection of men for higher posts in the State. If in the time of His late Highness, outsiders were given responsible posts to the exclusion of local men, the tendency in more recent years has been to put men (local in many cases) irrespective of merit or qualifications in charge of such posts. We stand by the principle of preference for "State - subjects" and do not desire any change in the definition of the term. But we are opposed to a system under which the posts of a Governor of a Province and the Inspector-General of Police can be given to mediocre men wanting, as has been found by the Riots Enquiry Committee, in executive efficiency. Merely communal or even national considerations should not weigh in selecting men for posts of the highest responsibility. We would not exclude even Englishmen and Lent officers from such posts, should circumstances make their appointment necessary. For obvious reasons, we

must rule out such Englishmen and Lent officers as have been directly connected with the Government during the last ten years. The appointment of really capable men at the helm will obviate the necessity of making too frequent changes in the administration and improve its general tone. But more than that the policy of drift will give way to purposeful government. The irresolute methods of administration should end. The Government has of late become top-heavy, and indiscriminate expenditure has contributed to the unsatisfactory state of our finances. This combined with laxity in the control of audit and accounts, makes the Government grope after make-shifts. Recent orders of penny-wise and pound-foolish retrenchments, which have mainly affected our community, should be withdrawn. Retrenchment should, in the first instance, aim at stopping wasteful expenditure and begin with highly paid services.

2. The Government should make adequate arrangements for the protection of law-abiding citizens, their homes and their places of worship against unprovoked attacks, loot, arson and incendiarism. No well-wisher of the Government can contemplate with equanimity the utter bankruptcy to which the administration of law and order in the State was reduced recently. We are not for a rule by ordinance, such as became necessary last month simply because the ordinary law was not set in motion. But the Government should never fail to discharge the primary functions of government. In the Muffasils the position of our community is perilous, and special measures of protection are necessary. The Government should deal with the situation with sympathy and understanding, and make it possible for us to breathe freely. Fire-arms should be granted to those Kashmiri Pandits who can reasonably apprehend danger to their life and property

3. The wrongs suffered by our community in the recent riots need not be mentioned here. But *Vicharnags should be made impossible for all time*. Your Highness' illustrious grandfather, Maharaja Ranbir Singh, granted three lakhs of rupees as compensation to the Shias, who were looted in his time by the Sunnis. Your Highness has already been gracious enough to declare, that the question of granting compensation to Hindu sufferers of recent riots, is engaging Your Highness' attention. This grant of relief is, therefore, not one of our demands today. But we cannot help observing that these sufferers have not so far received that attention from the authorities that their case deserved. We take this opportunity of informing Your Highness that there is a wide-spread impression in our community, that we are doomed to suffering because we may not make noise



such as must compel attention. If law and order are to be vindicated, it is the Kashmiri Pandit who must suffer *Lathi charges*, if retrenchments are to be made, it is Kashmiri Pandits who must be victimised before others, if a favourite is to be pitchforked into high office, it must be over the head of some Kashmiri Pandit. It is again Kashmiri Pandit officers who can be turned out from service with impunity without reason. And a Kashmiri Pandit official's worth may be recognised on all hands, and yet he may be condemned to an inglorious career taking orders from those whom he should command. No one can say that we as a community suffer from the disease of impatience. One can easily imagine what would have followed if any other community's place of worship had been set on fire, as our temples have been set on fire, even after the amnesty. We do hope that Your Highness' Government will *demonstrate* in practice that *whatever might have been the case so far*, no discrimination against us will be allowed in future in any sphere whatsoever.

4. Consistently with our culture and the tradition of our community both here and outside the State, we cannot look on things through communal glasses. It was the proud boast of the great Pandit Moti Lal Nehru that his mind could not run in communal channels. This sums up, we believe, the position of the average Kashmiri Pandit on communal matters. Long before the Musalmans of Kashmir had become politically conscious, it was Kashmiri Pandits who fought for modernism in the administration. It was they who first raised the cry of Kashmir for Kashmiris. It was they who first demanded a legislature, a free press and a free platform. They cannot today go back on their nationalism, and repudiate these and other essentials of good government. Recently they have not been so vocal on political reform, but the reason is that the Musalmans have presented their claims avowedly on communal grounds and for communal ends. Kashmiri Pandits are as anxious as any other community for the introduction of constitutional government, but they are equally anxious that the body politic should not be corrupted by the canker of communalism. Even that greatest votary of liberty, Mahatma Gandhi, was once so upset with the communalism of the Indian Press as to say, that if he had the power of an autocrat, he would proscribe all papers in India with the exception of his own "Young India". In India today one provincial Legislature and several Municipalities have become arenas for communal firebrands, a state of affairs which is by no means enviable. We should rather do without a free press and a free platform and the right of representation than make our country a hot-bed of communal warfare. Recent events in Kashmir are a tragic demonstration of the evils of communalism. Free press and plat-

form or no press and platform, the Government can at no time deal too strongly with those who preach hatred among different classes of people. We are opposed to giving statutory recognition to the vicious principle of communal representation. The constitution of a legislature in accordance with the stage of our political evolution, its powers and functions, the franchise and other matters are things of detail which cannot be decided without a regular and open enquiry. We reserve to ourselves the right of making concrete proposals on all such matters at the proper time.

5. One matter which has driven our community to the verge of despair is our economic position. It was proved by our spokesmen before the Riots Enquiry Committee, that about a thousand of our educated men: Matriculates, Under-graduates, B.A.'s., B.Sc.'s., M.A.'s., M.Sc.'s., I.F.S.'s. and L.L.B.'s. are without service. The number of such youngmen in all other communities put together cannot be more than 200. In recent years about a hundred Kashmiri Pandit educated men have settled outside the State, including such distant places as Italy and England. The Government has in the past on numerous occasions passed over the claims of our qualified men, and given preference to men of indifferent worth from other communities. The Riots Enquiry Committee has observed that qualified men from among Mohammedans are not available, although, paradoxically enough, it states that they have a "legitimate grievance" in that they are not represented in service in larger numbers. The truth, however, is that Kashmiri Pandits have the grievance that their Graduates must give way before Matriculates of other communities. The Committee again states that Muslims were never excluded from service because they were Muslims. It could be correctly said that Muslims have been taken in service because they are Muslims, and it was in the humour of despair that many Kashmiri Pandit young men expressed their preparedness some time ago to embrace Islam when applications for certain posts were invited from Muslims alone. *The glaring truth is that Kashmiri Pandits are being excluded from service because they are Kashmiri Pandits.*

We have said above that the most responsible offices in the State should be given to the best available men, not excluding Englishmen and Lent officers, but we cannot help observing that Kashmiri Pandits have not even been considered for those high posts which have been recently or are even now in the hands of State-subjects belonging to different other communities in the State. Even Sir Albion Bannerjee, whose oft-quoted statement has been exploited so successfully to our detriment, could not help remarking that Kashmiri Pandits are a "depressed class".

It will be admitted by all that a community, whose political importance in the past history of Kashmir is unquestionable, and which has given to India her best politicians, is not receiving its due in its own home. Our fault is that without any special facilities we received higher education, beating the other communities in the race. Although our population is small, 60 to 75 per cent of those in the State who have received or are receiving higher education belong to our community. With this inherent sin of being Kashmiri Pandits, we cannot expect to get even petty clerkships, which we are told, must be conferred not on grounds of efficiency but on grounds of communalism. Without other resources to draw upon, Kashmiri Pandits have been left wondering how to keep body and soul together. During recent years, this vicious policy of making appointments on communal grounds, has operated against our interests alone. And unless a miracle happens in this age - notorious for its absence of miracles - there is absolutely no hope for our younger generation, which believes in the dignity of labour, to earn honest livelihood in the State. We do not want to tire Your Highness by giving examples, but the appendices IV, IV (a) V and V (a) of the Statement presented to the Riots Enquiry committee, a copy of which is herewith submitted, which could be supplemented by similar statements relating to other non-Muslim communities, will speak for themselves. We however wish to point out the case of a Kashmiri Pandit First Class First M.A. in *English* who was refused the post of a lecturer in *English* in the Prince of Wales College, which was conferred on a Second Class Mohammedan M.A. in *Philosophy*, a thing which would not be possible in any College outside Kashmir. The same gentleman was on a previous occasion passed over to make room for a *Third Class* Mohammedan M.A. in *English*. Several others of our First Class M.A.'s. have been treated in a similar manner. Such things must be stopped at once. Our community will feel reassured by Your Highness' issuing orders that all such preferences must become a thing of the past. We also pray to Your Highness to be pleased to publicly announce that our community will not *any more* be placed under any disability in the matter of employment, in the State. We respectfully beg to submit that in such matters quibbling formulas do not at all serve any useful purpose. We do not claim any special rights. We do not ask for preference in any matter on the ground that we are a minority. We want fair field and no favour in the matter of grant of service.

6. There can be no reason for the exclusion of Kashmiri Pandits from the Army. Even at present, Kashmiri Pandits hold high military ranks in British India and several States.

We do not want to refer to old times, but the history of Kashmir during the times of the Afghans and the Sikhs furnishes examples of epic courage displayed by scions of Kashmiri Pandit families. In Maharaja Ranjit Singh's army, many Kashmiri Pandits held high command and distinguished themselves in various battles against the Afghans. In several battles in the State, Kashmiri Pandits fought and scored victories. Skardu and Muzfferabad were once conquered by a Kashmiri Pandit Ganesh Pandit Dar. They played an important part in the conquest of the frontiers and their consolidation. How Kashmiri Pandits helped not only in the creation but also in the building of the State needs no detailed description. But for the supreme sacrifice and courage of Pandit Birbal Dar and Mirza Pandit Dar, the history of Kashmir might have been differently written. It is therefore, not at all unreasonable to expect that the doors of military service will be thrown open to our community in the very near future.

7. The problem of providing employment for the unemployed is greater than that of removing the disability which has been put on our community. The question of mass unemployment can be solved by the State and the State alone. It is the duty of the State to provide a living wage for every adult male willing to work. More than that, the best interests of the State lie in this that educated men are not given cause for disaffection against the administration. It is notorious that discontented B.A.'s. feed revolutionary forces. When we say this, Your Highness, we are pointing out a danger which we shudder to contemplate and which all well-wishers of the State should be anxious to avert. It is not for us to suggest a scheme for the relief of unemployment, but a country with the natural wealth and physical advantages of Kashmir, must provide employment not for one thousand but for thousands of educated men.

The Government has not so far shown a real appreciation of the problem. Both the sympathy and efficiency so necessary for the solution of this problem have been wanting. This calls for change. As many Kashmiri Pandit families as possible should be encouraged to take to agriculture by liberal grants of land. All the existing restrictions in the sale, mortgage and transfer of agricultural land in favour of Kashmiri Pandits should be removed. Special scholarships have been granted to all the communities other than Kashmiri Pandits for general education. On the same principle, special facilities should be provided for Kashmiri Pandits to encourage them in the fields of agriculture, industry, arts and craftsmanship. The only community in the State which is not classed as backward is

our community, obviously because we are the most educated and our occupation has mainly been, owing to circumstances which are the creation of history, Government service. For these reasons, however, we are economically worse off than other communities. We also claim to be a "backward community" so far as really productive professions are concerned. To give us encouragement in such spheres, special facilities are necessary. But even these measures will not mitigate unemployment in our community to any appreciable extent. The removal of the present disabilities under which our educated men have been put is essential, but even that will not remove the difficulty. A brisk industrial programme without further loss of time is urgently needed.

8 In the end we beg to submit that for a settlement of the constitutional issues arising from the demands submitted by different communities, a Joint Free Conference of officials and non-official representatives of the communities is necessary. All communities should be given *equal* opportunity to present their case. We regret to have to submit that during the past, important decisions detrimental to our interests, have been taken by the Government behind our back. The Conference, we are proposing, will examine the outstanding issues in all aspects, and also take into account all pertinent matters including the future of Indian States in general as finally evolved at the Round Table Conference, the peculiar strategic position of the State, and the existing state of affairs obtaining in different States,

To sum up our community's demands:-

(a) The machinery of administration in the State should be remodelled to serve the purposes of modern government. Jobbery and nepotism should be ended. Positions of the highest responsibility should be given to men of tried worth, Indians or Englishmen. The efficiency of administration should be maintained at the highest standard. A resolute Government is our first demand.

(b) Proper arrangements should be made for the protection of law-abiding citizens, their property, their homes and their places of worship against attacks, loot, arson and incendiarism. Kashmiri Pandits should be provided with fire-arms, where necessary, Special arrangements should be made for the protection of Kashmiri Pandits in the Muffasils.

(c) We are for the principle of a fair field for all and no favour for any. All discrimination against our community should be stopped. The practice of passing over the

claims of highly qualified Kashmiri Pandits and giving preference to men of indifferent merit belonging to other communities should become a thing of the past. The recommendation for giving preference to Mohammadan Matriculates over Hindu Graduates should be repudiated. As all other communities have been given special facilities to induce them to take to literary pursuits, our community should be provided with similar facilities for agriculture, commerce, and industry.

(d) The problem of educated unemployment should be seriously tackled not only in the interests of our community but also in the interests of the State. Recent orders of penny-wise and pound-foolish retrenchment which have mainly affected our community, should be withdrawn. Retrenchment should, in the first instance, aim at stopping wasteful expenditure and begin with highly paid services. As many Kashmiri Pandit families as possible should be encouraged to take to agriculture. All restrictions on the sale, mortgage and transfer of agriculture land in favour of Kashmiri Pandits should be removed. A brisk industrial Programme should be launched forth at once.

(e) Communalism should not be introduced in the body politic in any form. No statutory recognition should be given to communal majorities and minorities.

(f) The Military Department should be thrown open to Kashmiri Pandits

(g) Subject to the above conditions, our community is for the establishment of a system of government on constitutional lines. We are for a legislature which is free from all taint of communalism. we, however, reserve to ourselves the right of making concrete proposals on constitutional reform at the proper time. We are for free press and free platform, but license must be mercilessly put down. In our opinion the Government can at no time deal too strongly with those who preach hatred between different classes of Your Highness' subjects.

(h) To deal with all constitutional issues arising from the demands of various communities and to recommend a scheme of reforms, a Joint Free Conference should be instituted which will take into account the future of Indian States in general, the peculiar strategic position of Kashmir, and the existing condition of affairs in different Indian States. Equal opportunity should be provided to all communities to present their points of view.

Srinagar,  
24th October, 1931.)

We beg to remain,  
Your Highness'  
Most loyal and obedient subjects.

1. Pt. JIA LAL KILAM, B A, L L B  
*Vakil High Court & Municipal Commissioner.*
2. Pt. JANARDHAN TENG, M A., L. L B.  
*Vakil High Court.*
3. Pt. PREM NATH BAZAZ, B. A  
*President, Sanatan Dharm Youngmen's Assocn*
4. Pt. KASHYAP BANDHU,  
*Vidhya Vachaspati*
5. Pt. DAMODHAR BHAT, B. A  
*Secretary Sanatan Dharm Youngmen's Assocn.*

C O N T E N T S.

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1. The Abrar Point of View. Y: 481(Y73Q2-7). pp. 1- 18. 241
2. Brief Report on the Sufferings of the Hindus and Sikhs of Jammu State during Muslim Rebellion, Y: 481(Y73Q2-7) - 241 pp. 19- 36.
3. Muslim Rebellion in Kashmir and the Hindus. By Bhai Parmanand. Y: 481(Y73Q2-7) pp. 36- 65. 241
4. Representation of Sanatan Dharam Youngmen's Association, Srinagar, to the Prime Minister and his reply thereto. Y: 481(Y73Q2-7). pp. 66- 69. 11
5. Memorial presented by the Sanatan Dharma Youngmen's Association on behalf of Kashmir Pandits to H.H. the Maharaja and His Highness' Reply thereto. Y: 481(Y73Q2-7) pp. 70- 76. 241
6. Criticism on the Glancy Commission Report and other Papers. (Typed). Y: 481(Y73Q2-7) pp. 77- 87. 241
7. Representation of a deputation on behalf of the Sanatan Dharm Pritinidhi Sabha, Punjab and the Punjab Mahabir Dal to the Prime Minister. Y: 481(Y73Q2-7) pp. 88-104. 241
8. Glancy Commission Report and Kashmir Pandits. Y: 481(Y73Q2-7) pp. 105-108. 41
9.        dto.                                dto.                                41 pp. 109-116.
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11. Kashmir Hindus and the Recent Disturbances. Y: 481(Y73Q2-7) pp. 133-154. 241
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16. Report of the Commission appointed to enquire into the Grievances and complaints. 12th Nov. 1931. (Chairman: B.J.Glancy). Y: 481(Y73Q2-7) pp. 260-292. 241, N31
17. Orders on the Recommendations contained in the Glancy Commissioner's Report. Y: 481(Y73Q2-7) pp. 293-296. 241, N31
18. A Brief Report on the Administration of Jammu and Kashmir, 1930. Y: 241, 8: 1 pp. 297-319.
19.        dto.,                                1931.                                41 pp. 320-326.

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M. D. S. Hindoo Nath S. S. Kunzari  
..... Agra.....  
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Dated Srinagar the 7th May 1932.

6

Dear Sir,

I herewith beg to submit the following for what action your goodself will deem necessary.

Needless to say that our community looks to you for help and guidance.

1. Criticism on the Glancy Kay Commission Report.
2. Ultimatum to the Government.
3. Representation to the Prime Minister.
4. Statement regarding amplification of the recommendations of the Commission.

Yours faithfully,

*Jahid Khan*

Municipal Commissioner  
and Vakil High Court,  
Srinagar, Kashmir,

T: 481 (Y 73 Q 2 - 7) 74

The District Magistrate,  
Kashmir Province, Srinagar.

Sir,

You are perfectly aware of the fact that the suppress recommendations of the Glancy Commission have met with an unqualified disapproval and protest from all shades of Hindu opinion and it is rightly believed to be one of the most one-sided documents that has ever been designed to drive the last nail into the coffin of Hindus in Kashmir. That the Kashmir Hindus have been hit hard in particular needs no proof. Merit has been cast aside and in its place a minimum test has been prescribed with this unholy proviso that the standard of efficiency should not be more exacting and those who possess qualifications in excess of their standard should not be held to deserve appointment as a matter of right. This in plain English means that a Hindu graduate has to give way before a Mohammedan primary passed gentleman in case both of them compete for a job. I may not be misunderstood that my community is in any way averse to Mohammedans getting a legitimate share in the administration of the country. On the contrary I shall welcome the day when our Mohammedan brethren give proofs of that efficiency which would give them a legitimate claim to all the Government posts. But to brush aside merit as also competition in an unceremonious manner simply because a particular community did not take advantage of educational facilities and thereby found themselves in an unenviable position of inability to stand in competition is hardly fair or just.

The matter does not stop here. If however it was thought thought advisable that merit and competition should be flung to the back-ground, one would naturally expect that some provision would have been made for a community whose means of subsistence have been from times immemorial nothing but Government service and whose advancement in education is unique in the whole of India. Cut off from Government services the only alternative for the Kashmiri Hindus is to follow agricultural, technical or commercial pursuits. Kashmiri Hindus had made a demand for grants of agricultural lands so as to provide themselves a means of subsistence in case Government service was denied to them. The answer of the Commission is that such grants have been discontinued from some time past and this practice cannot be revived now. Then again Kashmiri Hindus had submitted to the Commission that encouragement may be given to them in receiving technical training. But here too special scholarships are provided for a community other than the Kashmiri Hindus. The result is that the Kashmiri Hindu has been by cruel process of verbal jugglery drawn into the vortex of eternal miseries where he has to feed himself upon nothing but unemployment and consequent starvation. But how the Kashmiri Hindu public opinion has been flouted becomes clear by the fact that although thousands of Kashmiri Hindus in scores of meetings declared no confidence in their member Mr. Premnath Bhat yet no heed was paid to them and the result was a Report which has sealed the death knell of Kashmiri Hindus.

The only course left for them under the circumstances is that they should make themselves felt by the Government. I am well aware of the fact that the Government has enough means at its disposal to crush a movement backed by a minority community. But it needs being brought to your kind notice that Kashmiri Hindus although a minority stands a class apart. Those of us who know its past history will bear me out that many a time repression of the direst kind was practiced upon it and in pursuance thousands were flung into jails, thousands were killed and thousands were drowned in rivers and all this was done only to realize that it was futile to crush this community. On the contrary this is authentic history that repression at one time went to such lengths that the numerical strength of this community amounted to the inmates of eleven houses only. But by voluntary sufferings this community got itself purified and gained that strength which made its voice to be heard from one end of India to the other not only in the past but at present also. So far as our loyalty and

and it will ever remain so. And it is why that before taking the dreaded step my community is going to take, I have thought it advisable to submit this letter to you with the request that the following points may kindly be acceded to:-

1. That the recommendations of the Glancy Commission should not be given a practical shape so far as they touch the Kashmiri Hindus.
2. A declaration may be made by the Government that liberal grants of agricultural land will be made in favour of the Kashmiri Hindus.
3. That special scholarships will be guaranteed for them for receiving technical education.
4. That Dharamartha Fund scheme or Hindu Trust will be used for the amelioration of the sorrowful conditions obtaining amongst Kashmiri Hindus, and
5. Kashmiri Hindus should receive preference so far as the grant of Government contracts are concerned.

The declaration of a policy on the above lines may be made within three days onwards the date your goodself receives this letter of mine. There are many more points which deserve being brought to your kind notice but that would be done in case the above request is acceded to.

If, however, the Government relies more on its powers of repression and does not meet the legitimate and just demands of the Kashmiri Hindus who aim at nothing but asking for bread, it is welcome to do so. We also on our part are prepared to do our duty which we owe to our God, King and country and should willingly invite sufferings on ourselves so as to convince the Government and the world public opinion of the justice of our cause.

To us it should mean only either victory or death for in the words of Mahatma Gandhi "A SATYAGRAHI KNOWS NO DEFEAT"

I beg to remain,  
Sir,  
your most loyal subject,

Sh. Kashyapa Pandita

FIRST / DICTATOR.

Srinagar,  
20-4-1952.

Hon'ble the Prime Minister,  
His Highness' Government,  
Jammu and Kashmir, Srinagar.

Sir,

It is the wide spread belief amongst our Community that the recommendations of the Glancy Commission are highly detrimental to the best interests of Kashmir Hindus and so far as our reading of the report goes, the conclusions we have arrived at are not at all different from those arrived at by the rest of our Community. Not only has the Commission failed to appreciate our view point but it has over and above that flooded us with recommendations, which have been accepted or acted upon in no part of the civilized world. Rather the recommendations have been rightly characterized to be such as would drive the last nail in the coffin of Hinduism in Kashmir. The time at our disposal does not permit us to prepare an exhaustive note on the report but we do herein detail certain points that shine out glaringly from out of it, and upon which the feelings of our community are highly acute.

(a) The test of minimum qualifications prescribed for recruitment to Government services mean the total negation of merit and competition. We do not know of any country in the world where inefficiency or lesser merit is given preference over genuine merit. However the minorities in British India make clamour for safeguards in constitution for the protection of their "special rights" our community is of the firm belief that the only weapon that gives safety to minorities or for the matter of that even to majorities is merit and capacity to stand in competition in any walk of life. While we do not press for any "special safeguards" the most wholesome principle of giving recognition to merit has been set aside in an unceremonious manner. On the contrary recommendations have been made that guarantee protection to the majority community a thing unheard of any where in the world. In this connection the following passage may pertinently be quoted from the report:-

"In course of time pure competition may come to regulate all appointments. But in the present state of affairs the standard should not be more exacting than the efficiency demands and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right";

simply because the majority community failed to take advantage of the educational facilities the minority communities are informed that although they possess qualifications in excess of that standard they should not be held to deserve appointment as a matter of right. Whether or not, we "enjoyed a position of advantage with regard to State services", as is suggested by the Commission that we did, we will not have the least objection if by the "steady growth of education amongst other communities", our proportion in services is lessened provided it is not being done through the back door of favouritism or by the introduction of the pernicious principle of communalism in the body politic. But it is really intolerable for a community whose chief means of subsistence from times immemorial has been Government service to see itself banned from entering State service by methods that are neither fair nor just. Let all the posts go to the communities other than that of ours but let it be by methods that cause the least hardship or heart-burning to any body. It may be submitted herein that our spokesmen have proved before various Commissions that our community does not at all enjoy any advantages in services as is erroneously belief held by most people.

(b) The qualifications prescribed for various orders of services are ridiculously low. A middle pass has been given official recognition even for posts that are of a highly responsible character with important duties to discharge. This is sure to sound a death knell to efficiency in Government. The interests of a Government lie in maintaining its efficiency at a very high level. But here the case is quite the reverse. In this connection it may be submitted that the report so far as its retrograde character goes is a distinct

Commission has made recommendations of a highly disappointing character. It is provided therein that training should be given to the sons of craftsmen in technical schools. Now it is common knowledge that there is no class of craftsmen in our community and considering this fact in the light of recommendations just mentioned, it means that training should not be given to the youths of our community. Then again it is recommended that the special scholarships be given to Mohammadan students in technical schools. Pandits are recommended that like all other communities they should be given a fair chance in this matter and might receive special encouragement if they manifest an increased tendency to take advantage of technical education. This is not only vague and undefined but even a specimen of arguing in a circle. Mohammadans are recommended special scholarships equal to merit scholarships because they have not manifested an increased tendency towards educational pursuits. But Pandits are given such encouragements if they manifest an increasing desire towards technical education. Yet in the second line the Commissioners contradict themselves by saying that under Mr. Andrews time the most distinguished students at the Technical Institute are reported having been Pandits. It clearly means that the increased tendency to take advantage of technical education was manifest many years ago. Why no recommendation then for their getting scholarships?

(g) In view of the reply given by His Highness that "with the steady growth of education in other communities the position of advantage which your community enjoyed in the past cannot continue", The Kashmiri Pandits had made a submission that liberal grants of Khalsa land be made in their favour. The answer given by the Commission may be stated in its own words:-

"Such grants have been discontinued for so many years. It seems distinctly inadvisable that the practice should be revived".

(h) In connection with the above, reference may be made to the recommendation with respect to the grant of proprietary rights. It is suggested that if proprietary rights are bestowed it appears essential to safeguard the interests of the agriculturists by the introduction of a Land Alienation Enactment. It is further recommended that all possible care should be taken to see that the existing rights of agriculturists are not in any way impaired by privileges conferred on other classes. Although no specific order has been passed by His Highness in respect to these recommendations, the recommendations themselves mean that all possible ways should be adopted by which your community would acquire land.

(i) The result of the recommendations of the Commission is as follows:-

- (1) Recruitment from Kashmiri Pandits community should be stopped.
- (2) No encouragement should be given to them in matters technical.
- (3) No grants of land are to be made in their favour.
- (4) Since they are mostly town dwellers they cannot even purchase.
- (5) Since all avenues are stopped for them they must enact a miracle to feed themselves.

(j) What little trade there was in the hands of Kashmiri Hindu Hindus that has been totally ruined by the introduction of a piece of legislation the like of which is found on the Statute book of no country in the world. The Hindus all over the State had pressed for the abrogation of this act known as Agriculturists' Relief Act. But far from suggesting any recommendations that would have made its provisions less stringent the commission has recommended methods as to how the village money lender would become extinct.

(k) There is a distinct discouragement given by the Commission to Hindi and Sanskrit while recommendations have been made for an increase in number of Mullas in schools (a class that does not boast for having receiving any great encouragement in even in Muslim countries for more reason than one) a word is found in the whole of report which would have been completely corrected and such

Commission has made recommendations of a highly disappointing character. It is provided therein that training should be given to the sons of craftsmen in technical schools. Now it is common knowledge that there is no class of craftsmen in our community and considering this fact in the light of recommendations just mentioned, it means that training should not be given to the youths of our community. Then again it is recommended that the special scholarships be given to Mohammadan students in technical schools. Pandits are recommended that alike all other communities they should be given a fair chance in this matter and might receive special encouragement if they manifest an increased tendency to take advantage of technical education. This is not only vague and undefined but even a specimen of arguing in a circle. Mohammadans are recommended special scholarships equal to merit scholarships because they have not manifested an increased tendency towards educational pursuits. But Pandits are given such encouragements if they manifest an increasing desire towards technical education. Yet in the second line the Commissioners contradict themselves by saying that under Mr. Andrews time the most distinguished students at the Technical Institute are reported having been Pandits. It clearly means that the increased tendency to take advantage of technical education was manifest many years ago. Why no recommendation then for their getting scholarships?

(g) In view of the reply given by His Highness that "with the steady growth of education in other communities the position of advantage which your community enjoyed in the past cannot continue". The Kashmiri Pandits had made a submission that liberal grants of Khalsa land be made in their favour. The answer given by the Commission may be stated in its own words:-

"Such grants have been discontinued for so many years. It seems distinctly inadvisable that the practice should be revived".

(h) In connection with the above, reference may be made to the recommendation with respect to the grant of proprietary rights. It is suggested that if proprietary rights are bestowed it appears essential to safeguard the interests of the agriculturists by the introduction of a Land Alienation Enactment. It is further recommended that all possible care should be taken to see that the existing rights of agriculturists are not in any way impaired by privileges conferred on other classes. Although no specific order has been passed by His Highness in respect to these recommendations, the recommendations themselves mean that all possible ways should be stopped by which our community would acquire land.

(i) The result of the recommendations of the Commission is as follows:-

- (1) Recruitment from Kashmiri Pandits community should be stopped.
- (2) No encouragement should be given to them in matters technical.
- (3) No grants of land are to be made in their favour.
- (4) Since they are mostly town dwellers they cannot even purchase land.
- (5) Since all avenues are stopped for them they must enact a miracle to feed themselves.

(j) What little trade there was in the hands of Kashmiri Hindu Hindus that has been totally ruined by the introduction of a piece of legislation the like of which is found on the Statute book of no country in the world. The Hindus all over the State had pressed for the abrogation of this act known as Agriculturists' Relief Act. But far from suggesting any recommendations that would have made its provisions less stringent the commission has recommended methods as to how the village money lender would become extinct.

(k) There is a distinct discouragement given by the Commission to Hindi and Sanskrit while recommendations have been made for an increase in number of Mullas in schools (a class that does not boast for having receiving any great encouragement even in Muslim countries for more reason than one) a word is found in the

thing as encouragement to Sanskrit and Hindi. On the contrary against the accepted practice, Hindi itself has been banned from Government schools.

(1) Although a minority we have a right to live as good as the preservation of our culture and if the Muslimization of our culture is not seriously contemplated one would have expected the Commission to make a recommendation for the protection of the culture of the minorities which has been guaranteed to the minorities even in the democratic vest. Language, religion and culture have been specifically ordained to be protected even by the mandate of League of Nations.

(1) The recommendation of wholesale Muslimization of the teachers cadre is a gratuitous under direct insinuation against Pandit teachers. As anywhere else here also the Pandit has been found indispensable. In more than one Islamic schools the number of Hindu teachers is large enough. The qualifications prescribed for a primary school head master is a "Middle pass". How far a distinct service will be done to the cause of education becomes clear by the fact that a "Middle pass" is no qualification ~~at all~~ at all, simply because a community is to be thrust into appointments no regard has been paid to general efficiency.

(m) Dharmartha Fund is purely a Hindu trust and has its own ~~sources~~ sources of income as most Muslim ~~Waqafs~~ Waqafs have. But there ~~is no reason~~ is no reason why a Hindu trust should be utilized in non-Hindu purposes when a similar recommendation has not been made with respect to Muslim Waqafs. We do not suggest that any such recommendation should be made even for Muslims. We are of the strong belief that such funds should be utilized for the welfare of community to which the trust belongs. This is only fair and just.

(n) Our demands for the restoration of certain places of worship have been brushed aside without ~~any~~ assigning any reasons. If ~~these~~ grounds could be handed over to the Muslims, there is no earthly reason as to why Shankaracharya and Harjartat hills should not be handed over to us. In the end we beg to submit that the time at our disposal being short we have not been able to do full justice to the cause which we claim to represent. But we are sure, that even the above is enough to show, that the Commission has failed to appreciate or understand the peculiar position in which our community stands. In this connection we may be pardoned to quote a passage from our own memorial submitted to His Highness which runs as follows:-

"The problem of providing employment for the unemployed is greater than that of removing the disability which has been put on our community. The question of mass unemployment can be solved by the State and the State alone. It is the duty of the State to provide a living wage for every adult male willing to work. More than that, the best interests of the State lie in this that educated men are not given cause for disaffection against the administration. It is notorious that discontented B.A.'s feed revolutionary forces. When we say this, Your Highness, we are pointing out a danger which we shudder to contemplate and which all wish-wishers of the State should be anxious to avert."

(o) We now do we feel ourselves bound by the recommendation of the Commission simply because a Kashmiri Pandit served on it. The said member had long ago lost public confidence and non-confidence was voted and passed against him in many meetings.

In the end we pray that sympathetic consideration be paid to the above submissions, and the recommendations of the Commission be not given a practical shape as long as a declaration of the Policy is not made in such a manner as will secure a fair field for all and favour for none. That would reassure our community of the fact that the ~~well-being~~ welfare of our community is much at the heart of the Government as that of any other community.

We beg to remain.

Sir.

Your most obedient servants

Srinagar 21-1-1987.

The intensity of the public feeling with respect to the recommendations of the Glancy Commission having been appreciated by the authorities, we were advised at a meeting held at the house of the Governor of Assam that the public viewpoint may be laid before Hon'ble the Prime Minister who, it was said, was coming over to Dibrugarh on Sunday the 16th of May 1932.

After consideration, it was thought advisable to avail of this opportunity. An interview with Hon'ble the Prime Minister was accordingly arranged for us by the Revenue Minister who also invited Pt. Nand Lal Kaul, Pt. Tara Chand Tripathi and Pt. Chandra Mohan.

The case of our community was placed before the Prime Minister by our spokesman Pt. Jia Lal Kilax. The manifold aspects of the various features of the Glancy Commission Report so far as they pertained to the Kashmir Hindus were referred to and his attention was specifically drawn towards the fact that the recommendations as they stood had failed to bestow that sympathetic consideration to our peculiar requirements to which we were entitled as the most educated, cultured and important minority in the State. It was further brought to his kind notice that the recommendations were such as left no room for our development in any walk of life, but, on the contrary, tended towards making serious additions to the unemployment of our educated youngmen, which was already assuming enormous proportions. It was also pointed out to him that the submissions we made for the safeguard of the interests of our community did not at all clash with the legitimate interests and aspirations of any other community in the State. The Prime Minister was pleased to give us a patient and sympathetic hearing and appreciated the fact that under the present circumstances we were mostly hit hard. He was pleased to assure us that he was prepared to favourably consider our case at as early a date as possible and to recommend to the Government of His Highness the Maharaja Bahadur such "amplification" of the Commission's recommendations as might be necessary to remove the hardships and disabilities which those recommendations entailed on our community.

In view of the assurance held out to us that our legitimate grievances will meet redress, we make a strong appeal to our community to maintain a calm atmosphere of peace and wait for the decision of the Government which we hope will be announced at an early date. Nobody knows the depth of your feelings more than we claim to do-- but it needs ever be borne in mind that self-restraint and discipline are the two pillars of success. We therefore earnestly appeal that no such action be taken by any of you as might tend to show that we are a community lacking in discipline and cannot keep ourselves under restraint even when it is necessary to do so. With heart within and God above, we hope that our cause, which is righteous, will triumph.

We need hardly add that all that may be necessary on our part to bring the above assurances to fruition will be done by us to the best of our ability.

1. Jia Lal Kilax.
2. Kashyapa Banik.
3. Pramodhar Phat.
4. Janki Nath Choudhary
5. Pina Nath Razaz.



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AGENCY COMMISSION REPORT AND KASHMIRI PANDITS.

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The test of minimum qualifications laid for recruitment to Government services vains the total negligence of merit and competition, that is the only safeguard for a minority. The Commission says "Minimum qualifications should not be pitched unnecessarily high", while the safety of our community or for the better of that of any minority and also the efficiency of the Government lies in putting "minimum qualification" necessarily high." But why minimum qualifications are insisted upon? Simply to open the doors of services for a community that has failed to take the advantage of educational facilities even in Muslim times when even they could not boast of any education worth the name. That it means so is proved by the following recommendations of the Commission:-

- ( a ) Kashmiri Pandits demanded merit as a valid criterion for recruitment to services but that has been brushed aside most unceremoniously.
- ( b ) "Due proportion" of services is guaranteed to all communities, on the basis of a minimum qualification test. Every body knows what due proportion means. In this connection the following sentence may be pertinently quoted from the report, "But in the present state of affairs the standard should not be more exacting than efficiency demands and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right."
- ( c ) This is made further clear by the recommendation that six monthly returns have to be submitted to the Government indicating the number of each community in the Department at the close of the period to which the return relates.
- ( d ) Then again, "In the case of any Departments where the consideration to the claims of any particular community does not appear to have been given the power of appointment might be withheld from the heads of those Departments". This is the recommendation of the Commission and in the words of the Commissioners "Departments in the case of which section would seem proper to be taken note are Public Works, Customs and Press Departments.
- ( e ) Local Departments are to be filled by people living in that particular locality. For a community whose subsistence has been mainly on Government services and a large number of whom are town dwellers the effect is clear."
- ( f ) That the whole report is a veiled and a successful attempt of fixing communal proportions in services becomes all the more clear by the fact that pure competition has been completely done away with. Reference may be made again to the report which contains "In course of time pure competition may come to regulate all appointments. But in the present state of affairs the standard should not be more exacting than efficiency demands and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right". When that day will come when pure competition may come to regulate all appointments is known to God.

The above makes it clear that by a process hitherto unknown in any part of the civilized world the doors of service have been closed for Kashmiri Pandits. Addressing the Kashmiri Pandits the Commission quotes the following words from His Highness' reply:-

xxz " I am certain you will be the first to recognize that with steady growth of education in other communities the posi-  
P.T.O.

position of advantage which your community enjoyed in the past in regard to State service cannot continue."

The answer of Kashmiri Pandits will be " Give all the facilities to people in education but donot stifle competition which you have unfortunately done." Reference may in this connection be made to the admission contained in the Commission Report that about a thousand qualified Kashmiri Pandits ( Matriculates and Graduates) are unemployed. The Muslim unemployed educated youths which is a considerable number in the eyes of the Commission is something like 145 ( 12 graduates, 133 matriculates ). While all this fuss has been created for making provision for a " considerable number" of Muslim educated youths extending to 145, no provision or recommendation has been made for a thousand Kashmiri Pandit educated youths and thousands more now receiving education. but why should it have been made ? In these days of religious freedom they can change their religion and get jobs!

There are certain recommendations of a fantastic sort, contained in the Commission Report. For instance,

- ( A ) The Principal of Srinagar College is enjoined upon to be careful in the matter of making admissions to the Science classes where, it has been alleged that the Muslims are not given a fair chance of admission, as if the Muslims have evinced a very great solicitude for receiving scientific education. How well it would have been, if the Commissioners knew that till recently science was banned in Islamia School on the ground that handling of chemicals amounted to idolatry in the eyes of certain Muslim divines. Even now science teachers in the Islamia school is a Kashmiri Pandit.
- ( B ) Then again it is suggested that the education Department Secretariate and the teachers' cadre should be muslimised with qualifications prescribed rediculously low. But who says that the report is communalistic in tone and tenor.
- ( C ) By a process of reasoning unintelligible to ordinary mortals the Commission has held that " It appears desirable that the scale prescribed for special Mohammadan scholarships and merit scholarships should be the same; special Mohammadan scholarships would in that case be reserved for such Muslims as are unable to attain success in the matter of scholarships open to general competition." In plain English it means " The merit of a non-muslim is equal to the religion of a Muslim". This combined with the fact that Mullas are to be given special encouragement and facilities would make the propagation of Muslim faith so easy that even His Holiness Mirza Bashir Mohammad will fight shy of his proselytising activities. But all this is alright. But what about the Kashmiri Pandits ? The Commission tells them that " Like other communities now fortunate in regard to State employment..... an increasing proportion of their numbers will have to seek an outlet in private enterprise." Private enterprise means technical, agricultural and other similar pursuits. One would expect that some encouragement would be given to Kashmiri Pandits in this direction. But the recommendations of Mr. Sharp and adopted by the Commission are as follows:-

1. Training should be given to the sons of craftsmen.
2. Special scholarships should be given to Mohammadan students etc; Pandits like all other communities and not specialy to be given special encouragement if they manifest an increased tendency to take advantage of technical education. Mohammadans are to be given special scholarships equal to merit scholarships in order to produce in them a desire for education but the Pandits will be given encouragement if they manifest a desire for technical pursuits of their own accord.

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pp motherly treatment will go thus far and no further. At the present moment Mohammadans follow agricultural, technical and commercial pursuits, and have made them their own, but yet special scholarships are recommended for them in technical schools. But the Hindus are recommended such facilities neither here nor there. A Mohammadan may well say "Tails I win heads you lose".

b) Kashmiri Pandits had made a demand that in order to create a desire for taking to agricultural pursuits liberal grants of land should be made to them. The answer vouchsafed may be given in the words of the Commission which is as follows:-

"Such grants have been discontinued now for several years. It seems distinctly inadvisable that the practice should be revived".

But the Kashmiri Pandits need thank the Commission that they have not recommended that the lands already granted to Kashmiri Pandits should be resumed.

c) One would have expected that some sort of encouragement would be given to Kashmiri Pandits in the matter of getting Government contracts. But here competition is taken to its logical conclusions.

Ousted from services with no encouragement in technical, agricultural or commercial pursuits one fails to know as to what is to become with the community of Kashmiri Pandits. It would not be any even for Almighty to set matters right if the existing circumstances are allowed to remain as they are.

Kashmiri Pandits had submitted that the retrenchment should be effected as not to cause hardships to their community which has always been a rule of practice. But while no answer has been given to this submission the policy of effective retrenchment itself has been justified. It is not within our Province to criticise the policy of returning monumental buildings to Muslims or the ground that they are national assets as opposed to communal assets in the same way as Taj Mahal or other similar buildings are held by the British Government to be so yet there seems no reason as to why Shankara Pariya and Hari Parbat hills should not have been given to Hindus on the ground that it was not within the pale of practical politics to do so, although it was highly political to hand over Id-gah and other buildings to Muslims. If sauce for the gander has not been the same for goose it has been here. Similarly various grievances of the Kashmiri Pandits have been brushed aside without even taking any notice. On the contrary Dharmartha Funds have been made available for all classes although this is a Hindu trust. Heaven and Earth will be moved if a single Muslim Waqaf property were even suggested to be used for non-muslim purposes. "But what holds good in the case of Hindus cannot hold good in case of non-hindus", may be the answer forthcoming. Unmindful of the religious susceptibilities of the Hindus meat has been made available on all the days of the year excepting four. Living as we are in an Indian State the analogy of British India will be meaningless. Above is a brief summary of the whole report. Such points as the banishing of ~~the~~ Hindi from the girl schools etc: has not been specifically dealt with herein. But one may ~~xxxxxxx~~ ask what have the Kashmiri Pandits got? One may say "More kicks than half penny".

NOTE. The people who inflicted sufferings upon Vishnagarh people have got all they asked for. But what about Vishnagarhis who served as their 'Morchas'.

A deputation on behalf of the Sanatan Dharam Prithividhi Sabha Punjab and the Punjab Mahabir Dal waited on the Prime Minister, His Highness' Government, Jammu on the 9th April, 1932 and presented the following representation :-

" You were kind enough to grant us a personal interview for some time today, but as you were otherwise very busy and could not afford more time for discussion regarding the sufferings of the Hindus and Sikhs of Jammu State, you directed us to put in our point in writing and to submit to you, when you will be in a better position to give replies to each of the items. We therefore take the liberty of placing the following points before you :-

1. It is more than 10 weeks that the Muslim rebellion broke out in Jammu State, but as far as we are aware no enquiry has since been made by the appointment of a regular Commission by which the extent of Hindu and Sikh losses and sufferings would be known to the public. The general complaint is that the State authorities are marking time and do not mean to do any thing in the matter, while the happenings in Kashmir and Jammu regarding the alleged grievances of the Muslims received prompt attention of the authorities and regular enquiry was immediately held and the reports are also out. You kindly informed us that necessary information was being collected and could be had from the Officers appointed for that purpose. We shall feel obliged if such an information could be supplied to us as regards each Tehsil under the following heads:-

- (a) The number of Hindus and Sikhs effected by the recent ~~Muz~~ Muslim risings.
- (b) The number of villages with its Hindu and Sikh population previous to the happenings.
- (c) The number of houses demolished as well as those of having been burnt, with the full number of such houses previously there.
- (d) The number of Hindus and Sikhs having been forcibly converted to Islam and of those who have since been reclaimed.
- (e) The number of abducted Hindu and Sikh women and of those having been recovered back to their relations by this time.
- (f) The number of Hindus and Sikhs burnt alive or killed.
- (g) The estimate of losses in moveable and im-moveable

im-moveable property on account of the risings.

(h) The number of temples, Dharamsalas, Gurduwaras etc. having been desecrated, demolished and burnt with a number of sacred books thus treated.

2. What steps have since been taken to restore peace and confidence for the aggrieved Hindus and Sikhs and in what village they have re-settled since then and in what number.

3. The circumstances have forced the general Hindu public in India to believe that no steps are being taken to recover stolen property and if ~~they~~ any thing is done at all it is in a way a halting one and would not lead to the desired object. The Hindus and Sikhs being away from their homes are not in a position to help in the cases and the matter is being <sup>~</sup>delegated to back ground on this account. The method of investigation is said to be most defective and faulty so that it would never succeed in bringing the offence in the clutches of Law. On the contrary the idea is generally prevailing that those Officials who succeed in recovering the stolen property have been proceeded against under one excuse or the other. The cases of Iabhu Ram and Chuni Lal are being cited as a proof of this allegation.

4. It is generally complained that the offenders are free to move and are not being arrested and dealt with according to Law. If any are being arrested they are being let off on bails of very small amounts, which fact is making the sufferers to suspect the bonafides of the Officers concerned. This bailing out of the offenders is said to having been done for want of sufficient accommodation in lock ups and jails. But, according to the sufferers fears this will pave way for fresh troubles.

5. You gave us to understand during the interview that the recent happenings were considered by you as an open rebellion and will be treated as such and special courts are being considered to be constituted for the purpose. But the delay being made in making an announcement regarding the appointment and composition of such Tribunals is creating suspicions in the minds of the public and especially of the refugees regarding the intentions of the State Administration in this respect.

6. On the occasion of an interview with your predecessor by a

sacred places of Hindus and Sikhs affected by Kashmir risings will be rebuilt at the cost of the State. How far this has been done is not known to us. We shall feel obliged if full information on this point is supplied to the Sabha so that assurance could be given to refugees.

7. Similarly it is requested that the Hindus and Sikhs sacred places affected during the recent rebellion may be rebuilt at the cost of the Muslim rebels or by the State. The Sabha may be afforded an opportunity to send its representatives to such places and report to the Sabha if it could do anything in the matter financially.

8. We are anxious to know the number and addresses of forcibly converted Hindus and Sikhs yet to be reclaimed so that the Sabha may be able to send religious preachers for their being brought back.

9. You were good enough to inform us during the interview that punitive police posts had been located in some places and more are under consideration. We shall feel obliged if the names of such places are supplied to the Sabha so that it may be in a position to induce the refugees to return to their homes with this assurance. We believe the composition of these Posts will be confidence inspiring and will not prove a further source of mischief. The levy of the cost will we understand be put on the Muslim rebels.

10. We think that the announcement of a refundable loan of big sum without interest will go a long way to enable the refugees to come back to their villages. The necessity of such a loan is quite evident from the facts that nothing has been left with them and that they are not in a position to maintain themselves even for a little time. The standing crops are already destroyed and the cattle have been taken away or famished during their absence, they can not possibly start their living without substantial help from the State in the shape of a loan atleast.

11. It has been brought to our notice that some constitution is being framed for the State which will give the Muslims a clear majority while no safe guards are being provided for minority communities. Although we have not come across any constitution of any country or State with a statutory majority on communal basis, but at present we are concerned with this matter only so far as it affects the present affairs, as we consider that any such decision will create more menace to the minds of the sufferers and their resettlement will

will be all the more difficult. We think the Administration should take the warning before hand and should not do any such thing which would precipitate the affairs any more.

12. The general impression is prevalent widely in the country that the present trouble in Kashmir and Jammu State is being created by the Agents of the British Administration with a view to swallow the Hindu State on which the British Government is said to have their eyes since long. It is in the interest of the British Government as well as of the State Administration that such steps be taken which may remove this impression, though wrong it may be. Otherwise it is feared that this one point alone may not create further troubles. It is complained quite generally that certain British Officers now posted in the State are persuing a Policy leading to such an impression.

13. We are thankful to you for the curtesy shown and having given your valuable time to hear us-. We assure you of one thing that we do not want any kind of favour or preference for the aggrieved Hindus and Sikhs. We want bare justice and fair treatment towards these unfortunate people. We are sorry to find that a general complaint is being made that even bare justice is not being meted out to them. Our complaint is not against the other community as much as it is against the State Administration.

14. We are not sending this statement or the substance of our interview with you, to the press, till we are in receipt of a full reply from you within a reasonable time. We believe that the replies from you will help in removing the wrong impressions from the minds of the ~~general public~~ general public in the country, when published in the Press alongwith this statement. We believe you will have no <sup>objection</sup> hesitation in this respect.\*

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Letter No. 1731/c dated 19th April, 1932 from The Prime Minister, His Highness' Government Jammu and Kashmir to Goswami Ganesh Dutta, General Secretary, Punjab Santan Dharam Pritinidhi Sabha, Lahore in reply to the representation made by the deputation on the 9th April, 1932.

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\* The answers to the questions raised in your representation

1. The advisability of holding a formal enquiry into the disturbances in the Mirpur Mazrat and Rajouri Tehsil was carefully considered, but it was decided that no useful purpose would be served by such an enquiry. The main difference between the disturbances in this area and those that took place in Srinagar and Jammu, was that in the case of the former no suggestion of inefficiency or highhandedness on the part of Darbar officials or forces has been made as was the case in Srinagar and Jammu.

Some of the information asked for in para 1, a, b, c, d, e, f, g, and h, of your representation is available and will be sent to you separately, while the remainder is being collected.

2. The following steps have been taken to restore confidence amongst Hindus and Sikhs and to resettle them in their homes. :-

(a) The whole area has been toured by Mr. L. W. Jardine, I.C.S., Finance Minister, or by Mr. B. C. A. Lawther, C.I.E., Inspector General of Police. An experienced and capable Military Officer, who is a Dogra, has been appointed Administrative Officer of the disturbed area.

(b) Under the direction of these three officers moveable columns have visited the villages affected by the disturbances. Troops have been located at all points where there are large Hindu communities while Additional Police posts of a semi permanent nature are now being stationed at all places which Hindus and Sikhs have abandoned in large numbers.

(c) A number of experienced Police Officers have arrived on deputation from the Punjab and are engaged in investigating serious offences, such as murder and rape, and are producing a connected account of the disturbances which, it is hoped, will lead to the discovery and apprehension of the ringleaders.

(d) The Chief Engineer has provided an engineering staff to estimate the value of the damage done to the property of Hindus and Sikhs in the large Qasbas such as Seri and Khuiratta, with the object of ascertaining the best method of assisting the owners of these buildings to reconstruct them.

In the case of  
(e) ~~Scattered~~ scattered Hindus and Sikhs, Ambardars and Zaildars have been directed to assist the sufferers



- 6 -

sufferers to re-build their houses and to provide them with the necessities of life. This work has already begun in many places.

(f) For both Kasbas and scattered homes Government has taken on itself the task of providing timber for rebuilding.

(g) The task of rebuilding Dharamsalas, Gurdwaras etc, has already been put in hand in some places, while measures are being taken to this end in all places.

(h) A Relief Fund was opened by Her Highness, the proceeds of which have been used to maintain refugees in such places as Kotli, Ehimber and Rajouri. No complaints have been received of any failure in this respect.

It is not possible to give accurate figures for the number of Hindus and Sikhs who have returned to any particular village, but the number will prove to be large.

(3) Looted property has been restored by the Muslims to the owners in large quantities. The policy of searching houses and arresting persons found in the possession of Hindu and Sikh property, ~~xxxxxxx~~ was abandoned for various reasons but largely because it was found that such property came into the possession of Muslims in several ways which can not be differentiated. It proved impossible to ascertain whether such property had actually been stolen or had been entrusted to the persons in whose possession it was found, or had been removed from houses which had been set on fire by persons other than those who removed the property. It is hoped that the present policy will in the event lead to the restoration of at least the greater part of the property of Hindus and Sikhs without having recourse to prosecutions which should not tend to improve the relations between the two communities.

Head constable Labhu Ram has been convicted by a Criminal court. The case of Chunilal is "subjudice" and hence can not be discussed.

(4) The policy under which arrests on a large scale have been abandoned and many persons already arrested have been released on bail, has been described in the previous paragraph. The policy of His Highness & Government in regard to this question was not affected by the inadequacy of Jail accommodation to meet

to meet the unexpected strain.

(5) Two benches of Session Judges composed of one Hindu and one Muslim each have been appointed to try the more important cases arising out of the disturbances. They are ready to begin work as soon as a sufficient number of cases are ready to be put into court.

(6) Steps have already been taken for the repair and reconstruction of religious buildings. A sum of money has already been ear-marked for the reconstruction of the Gurdwara at Ali Beg. It is understood that the management of that building proposes to make their own arrangements for its reconstruction on a new plan.

(7) The cost of rebuilding religious buildings will ultimately be financed from collective fines imposed on the Muslim population. At a later stage it may well be desirable for a Committee to be formed from the communities affected to arrange for the reconstruction of such buildings.

(8) The local attitude in the disturbed area with regard to persons alleged to have been converted to Islam is that in fact they have never abandoned the religion to which they originally adhered. It is suggested that this view should receive encouragement from their co-religionists outside the State.

(9) A list of additional Police posts already in existence or shortly to be created is annexed. The cost of these posts will ultimately be borne by the Muslim population.

(10) It is not strictly accurate that the Hindus and Sikhs concerned are without resources. Many of them were able to remove their valuables. Others left their property with Muslims who restored it intact. In most cases the standing crops have not been destroyed. At the same time an application for a loan by any Hindu or Sikh who has suffered loss in the disturbances will be considered sympathetically on its merits.

(11) The views expressed in your para 11 have been noted.

(12) There are no grounds for the impression which in your para 12, you say is widely prevalent in the country, and you may safely contradict it. The allegation contained in the final sentence of your 12th paragraph requires further elaboration.

(13) His Highness' Government hope that the Hindus and Sikhs

are satisfied that the policy adopted is not only

not only calculate to benefit them but in fact will achieve this result.

List of places where additional Police posts have been locate  
\* \* \* \* \*

1. Darhal.
2. Changas and
3. Sohana.

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Letter from Dr. Parashu Ram Sharma, In-charge, Mirpur Relief  
Work of the Sabha, dated 4th May, 1932 to The Prime Minister, His  
Highness' Government, Jammu and Kashmir, Jammu in reply to his No.  
1731/C of the 19th April, 1932 addressed to Goswami Ganesh Duttaji.  
\* \* \* \* \*

I beg to acknowledge with thanks the receipt of your letter No.  
1731/C of the 19th April 1932 addressed to Goswami Ganesh Duttaji,  
General Secretary of the Sabha. After the receipt of the said letter  
I had called for reports from different centres of relief on the  
points referred to in it, and also went myself on tour to Khimbar  
and Mirpur centres to make personal enquiries regarding the same, so  
that I could be more certain of the facts to be mentioned in my  
reply.

Before I venture to reply your letter in detail I wish to clear  
certain points so that the facts may be judged rightly as are being  
given here. Firstly our workers and myself have a direct contact  
with the sufferers and ascertain facts from them with full care.  
Hence, to my mind, they represent the true state of affairs while  
the official versions are tinged with one policy or the other  
behind the statements. Secondly I have tried to put the facts in in  
the same simple and direct language as it emanated from the aggrie-  
ved themselves, though these may look rather blunt. Thirdly it is a  
daily experience of all of us, that it is not easy to prove certain  
allegations by mere facts but it is the conclusions and conected  
consequences which give a clue to a certain policy behind them.  
Fourthly all the efforts of the Sabha in this and other directions  
are with a view to create confidence in the minds of the sufferers,  
so that they may be able to re-settle in their homes with a sense  
of security for the future and the reign of peace and progress may  
once more be established in the State.

1. You state in para 1 of your letter that no useful purpose

purpose could be secured by holding a formal enquiry into the recent disturbances in the Mirpur Wazarat and Rajauri Tehsil \* mainly for the reason that " no suggestion of <sup>in-</sup>efficiency or high handedness on the part of Darbar officials or forces have been made." I am afraid either true reports have not reached you or whatever have reached, these are not considered sufficiently grave for instituting a public enquiry. The reports in our possession go to prove without any doubt, whatsoever, that from big Muslim officials down to a Chaukidar not only criminally failed in the discharge of their duty but they are reported to have connived at the nefarious actions of the rebels and in some cases were giving free and full consultations in their plans. Unless an enquiry is held how is it possible to know whether the officials proved inefficient and they were guilty of the charges being brought by the people against them.

I have got scores of statements with me which clearly show that applications were given by the aggrieved people to the Magistrates to take early steps to check the activities of the mobs, so far so, I have got statements of a few of Muslims also to that effect, but no heed was ever paid to their lamentations by the Muslim officials incharge. Does it require any further proof that the Darbar officials proved themselves not only inefficient but something worse. Please allow me to say that this shuffling of the matter and not to hold any enquiry into the conduct of these officials will go very much against the present state administration.

2. As regards the Police Officers on deputation from the Punjab I find from what I have come to know from the people themselves that they are proving more troublesome than the offenders. One of the Muslim Superintendents of Police is reported to have said to this effect that he was not the servant of the Maharaja Bahadur and the Maharaja Bahadur could not do anything against him. He was the servant of the British Government and he was sure that the British Government would not care to question about his doings. Whatever experience of the Punjab Police is to the general public here, it is quite safe to say that they can never prove helpful in the recovery of the stolen property and bringing the offenders

offenders to book. They may serve their own ends by this occasion and will not prove serviceable for the work for which their services are lent. The sooner, the people say, they are sent back the better.

Whatever I have come to know in these days is that the whole policy of the Police and other officials is to bring about compromise between the aggrieved and the offenders, no matter whether justice is done to the unfortunate sufferers and the offenders are duly punished for their crimes or not. To my mind it is a wrong policy and it will never establish amicable relations between the two parties, however anxious the Authorities may seem to be to achieve this end. The adoption of this policy has gone so far that false cases are being brought against the sufferers so that by pressure they may give up the suits brought against the dacoits and silently suffer the indignity and loss imposed upon them in every way.

3. You say in your letter that "Lumbardars and Leildars have been directed to assist the sufferers to rebuild their houses and to provide them with the necessities of life." As far as my information goes only one or two houses have so far been built by the Muslim offenders, but their construction and material is very bad and of inferior quality that it is not safe to live in them. Moreover the attitude of the very offenders against the sufferers is not such which makes the sufferers to believe that they will not be safe in their hands and feel reluctant to remain there although some have gone back for their crops, leaving their wives and children in the relief centres.

4. It is very kind of His Highness' Government to provide timber for the rebuilding of the houses of the Hindu and Sikh sufferers, but timber alone cannot make the buildings. They will be required to spend money on making the timber fit for building purposes and erecting walls and other materials while they are not in a position at the present moment to spend any amount for this purpose. Something more is needed to enable them to build their houses, and this was represented to the officers concerned who felt convinced of the reasons given. The houses should be built by the consent of the sufferers and in their presence so that the material and labour be not wasted.

5. In one or two places, the construction of Dharamsalas and Gur-

and Curudwase is said to have been taken in hand, but in other places nothing has so far been done. I am afraid where anything is done, it will not be satisfactory. Anyhow I would press this point to your earnest attention and hope that matter will receive proper and prompt care. It is very urgently.

6. The relief fund opened by Her Highness no doubt has been used for the good of the people in some places while in other places the relief centres started by certain religious societies did not avail of it. I have come to know that a first instalment of Rs 500/- was paid over to Hindu Sabha, Shimbar and another sum of Rs 1000/- was also sent there later on but I am informed that only Rs 500/- out of it were paid and the remaining sum of Rs 500/- was not allowed to be paid to Hindu Sabha by Mr. Jardine with a remark that no money should be given to the sufferers so that they will be forced to go back to their villages for want of funds, and the help given by outside societies was not considered by certain officials favourably for that very reason.

7. The policy of searching houses for looted property and arresting persons found in the possession of such property is said by you to have been abandoned mainly for this reason that it was not possible to differentiate as to how the stolen property came into the possessions of the Muslims. I agree to some extent with you in the idea that having recourse to prosecutions will not tend to improve the relations between the two communities, but on the other side I fear by taking no steps in bringing the offenders to book will also embolden the offenders and they will resort to same kind of crimes easily. I wish my views may prove false but looking to the general circumstances of the human nature I am afraid this policy will not achieve the end the authorities have in the mind and will encourage the criminals in future.

No doubt Head constable Labhu Ram has been convicted by a criminal court but up till now the people in general are of opinion that while Labhu Ram is on the one hand suffering for his zeal in recovering the stolen property, on the other he incurred the displeasure of Mr. Lawther by arresting his orderly - Mohammed Khan. No only this, eleven more cases have been brought against him to show that it is not safe for a

for a subordinate to go against the wishes of his superior. As regards my own experience of the courts of British India, I can safely say that the courts in the states must be upto anything and it is not difficult to clap any body in prison if the officials so desire. Anyhow this is the general impression which people have got about the conviction of Labhu Ram. I am told that orders were actually issued for Labhu Ram being promoted to sub-inspectorship, but the arrest of the said orderly is said to be the cause of his conviction. Chuni Lal is said to be a better man even than Labhu Ram, but his case being "subjudice" I would not go into his case for the present. But it is quite clear and curious that while the most heinous criminals and rebels after their arrests are at large on nominal bail, these two persons are receiving special attention of the officials, if they have committed more heinous crimes than the rebels and are not bailed out.

8. I have come to know about the formation of two benches of Session Judges, one for Nowshetra and the other for Mirpur. I believe they are to start their work very soon and the cases of Labhu Ram and Chuni Lal will be tried by the Nowshetra Bench. I wish to bring to your kind notice that it will not be easy for these accused to get any legal help at Nowshetra especially when they cannot afford to spend any money for this purpose. I believe in the absence of any arrangement by the accused themselves, legal help will be arranged for by the State itself, as is generally the case. How these benches will fare will be seen from their work at the proper time.

9. Para 4 of your letter says that the policy of releasing the offenders on bail was not affected by the inadequacy of jail accommodation to meet the unexpected strain. We had to refer to this fact in our representation in the light of a remark by Mr. Lawther at Shimbar on the 10th March, 1932.

10. As regards the forcible conversions I am told that a large number of them have come back to the fold of their original religion. I understand that some wrong impression has been created in your mind that the Hindus outside the State have not encouraged these people for coming back to Hinduism. The board of learned Pandits of this Sabha openly gave, in the very beginning, a verdict in accordance with the instructions of the Government that such people be taken into custody.

without any hitch and necessary actions were taken in this connection in different centres. But what action will be taken against the offenders in this respect is not known by your letter.

11. I am grateful for the information given by you, that additional Police posts are being posted in different localities, but I may be allowed to warn the Authorities concerned that much depends upon the compositions of these posts. Otherwise like the Punjab Police these may also prove a further source of trouble and mischief for the Hindus and Sikhs and reports are being received to this effect from some places even now.

12. Paragraph 10 of your letter says that many of the Hindus and Sikhs were able to remove their valuables. I differ from you on this point only so far that the number of such people was not many but a very few and those who removed their valuables, were in many cases looted in the way. The largest number say about 98% are without resources, and are not in a position to start their living without any help from the State. As far as I know the Darbar has not so far announced the granting of loans without interest to deserving Hindus and Sikhs and without this no applications can be submitted. I am afraid the subordinate officials will not look to such applications generously and even if a loan is granted, its distribution under the circumstances does not seem to be quite fair and proper. Any how an announcement to this effect is very necessary.

13. It seems that certain Acts passed by the State favouring the Muslims have not been properly protested against by the other parties and their silence was taken as their consent or weakness. Gradually the State Muslims being emboldened by these privileges and taking them as the weakness of the State, as Mr. Middleton has said in ~~his~~ his report, and being instigated by the outside agitators the atmosphere became so tense that the rebellion broke out openly. The circumstances show that the agitation has been conducted by the interested persons outside the State like Kadianis, Ahrars etc and the British Authorities also have not been, as Mr. Middleton says, quiet enough in suppressing the agitation in British India. Anyhow in my opinion it is very important that very effective steps be taken to bring the ring-leaders and others to book at an early date, otherwise peace cannot be restored



restored in the State, because the present policy of the State Authorities is encouraging for outside agitators and State Muslim officials and they are bent on creating further mischief.

14. Paragraph 12 of your letter denies the existence of such grounds by which it could be proved that the British Government have any hand in creating these disturbances. But people do not feel convinced of the argument on account of the policy pursued in handling the affairs. You require further elaboration regarding the allegations contained in the final sentence of the 12th paragraph of our representation. I, therefore, take the liberty of stating certain facts which have come to my notice and have made the people to conclude as stated therein :-

(a) A deputation waited on Mr. Jardine in the presence of Mr. Lawther on the 3rd, February, 1932 at Kotli when during the interview, he is reported to have said that before the Hindus want their complaints to be removed they should think of Chauri Chaura incident.

(b) On previous day when the Hindus of Kotli went out to receive Mr. Jardine, the first thing he said to have uttered was, " Are you still living." Similarly pointing out to a temple he said, " Is it still standing."

(c) When the said deputation represented their grievances Mr. Jardine is reported to have said to this effect that the hair of Sikhs will come out again so the tufts of Hindus. The new sacred threads can be put on and converted Hindus can be brought back. As regards rapes and murders, cases can be brought against the offenders provided they could supply necessary evidence. This made the deputation all the more sad and disappointed as Mr. Jardine instead of sympathising with them, made the miseries of these people a point of joke and ridicule.

(d) When Mr. Jardine left Kotli for Poonch on the 5th February, 1932 a representation signed by a large number of people of that place was presented, so that he could supply Military for their protection, but he refused to take this representation which was subsequently sent to him by registered post from Poonch.

(e) Mr. Jardine or Mr. Lawther is reported to have said to the sufferers to go to Gandhi and Patel for help. Such kind of remarks add to the dignity and position of these officers.

(f) One Abdullah and Lakhan of Mohra Saddar Tehsil Khimbar were in lock up and the First Class Magistrate of Khimbar did not sanction their bail application on the 27th Phagan, 1932. But next day Mr. Lawther went to the Hawalat and put the following remarks on the application for bail :-

" I have been to the Hawalat this morning. Will you kindly see that as many persons as possible be immediately released on bail. We cannot keep as many persons in the Hawalat and as a matter of convenience and policy this practice is to be followed.

Lala Devi Chand,  
Senior Magistrate,  
Khimbar.

Sd/- B.Lawther.  
I.G.P.  
10-3-32.

Immediate."

Note:- The underlining was done by Mr. Lawther himself.

(g) Babu Chaukidar of Daura, a ringleader of the rebels, was release on bail by Mr. Lawther on 10-3-32 and sent this order to the Munsiff, "Bail is to be taken today.

Sd/- B.Lawther."

(h) It is generally reported that in criminal cases arising out of the rebellion, the trying magistrate at Khimbar have entered remarks on the respective files to this effect, that as per verbal orders of Mr. Jardine the case should be filed etc. If these are correct then it clearly shows that the Judicial courts are, as previously said, merely a ~~farce~~ farce and any official can make them to do as he would like. It is, moreover, undue interference in the ~~work~~ work of the courts.

(i) The whole of the staff of Mr. Lawther the I.G.P. as well as that of D.I.G.P. consists of Muslims and they are actually very slow in recovering the looted property, or to collect necessary materials for the cases against the rebel Muslims.

(j) The ~~sufferers~~ sufferers have put in their plaints some four months back but nothing has so far been done in attending to their, cases which according to sufferers' view is a serious complaint against the administration and savours of partiality towards Mohammedans because the sufferers are the Hindus and Sikhs. They conclude that certain forces behind the curtain are trying to force the Hindus and Sikhs to leave the State so as to leave it to the

~~SECRET~~

the Muslims alone. Such incidents as already given are making the sufferers to doubt the bonafides of the Officers incharge of the affairs.

(k) The reports appeared in the newspapers - in one Mr. Salisbury is reported to have heard the complaints of the refugees gone to Jhelum and in the other Mr. Lawther and yourself went all the way to Sialkote to hear the grievenes of the refugees in the Ahrar camp there. The first statement, as I pointed out in a letter to Mr. Salisbury was misleading and gave the impression that he heard the complaints of the Hindu and Sikhs refugees. The second statement made the matter clear only by the words " Ahrar Camp " being mentioned in it. It is quite clear ~~and by the way~~ from this that the British Officers paid more heed to the Muslims than to the Hindus and Sikhs - the actual victims. It is not possible for me to say why it was so, but the only conclusion which people are deriving from all the " incidents " is that the State authorities responsible for the affairs are adopting a pro-muslim policy and are not minding the sufferings of the Hindus and Sikhs and no justice and sympathy is being shown towards them which they deserve on account of their miseries. If I may be pardoned to say so, while you went to Sialkote for this purpose, as far as my information goes, you never took the trouble of going to Hindu sufferers lying, in Jammu itself. Almost similar complaint is made by the people against other officials who either have never cared to go and see the miserable condition of the sufferers or if they at any time happened to be near them, they never heard their complaints and snubbed them angrily and went so far as to say that nothing had happened with them. It is not easy to understand and appreciate the troubles of the miserable people for those who have not undergone the same kind of trouble at any time. God alone can help the afflicted and give them peace and my humble prayer is that you should be an instrument in His hands to bring out these unfortunate persons from their present miserable condition.

I hope this humble letter of mine will receive your kind attention and you will give your favourable consideration to all the points mentioned in it. I will be, too glad, to correct myself if any incorrect statement has crept in, but wherever these are correct, ~~that I am sure, will receive that and sympathetic treatment at your~~

your hands at an early date, and you will earn the blessings and gratitude of the afflicted and others.

With regards;

Yours faithfully,

AGENCY COMMISSION REPORT AND KASHMIRI PANDITS.

The test of minimum qualifications laid for recruitment to government services means the total negligence of merit and competition, that is the only safeguard for a minority. The Commission says "Minimum qualifications should not be pitched unnecessarily high", while the safety of our community or for the better of that of any minority and also the efficiency of the government lies in putting "maximum qualifications necessarily high." But why minimum qualifications are insisted upon? Simply to open the doors of services for a community that has failed to take the advantage of educational facilities even in Muslim times when even they could not boast of any education worth the name. That it means so is proved by the following recommendations of the Commission:-

- a) Kashmiri Pandits demanded merit as a ~~xxx~~ criterion for recruitment to services but that has been brushed aside most unceremoniously.
- b) "Due proportion" of services is guaranteed to all communities, on the basis of a minimum qualification test. Every body knows what due proportion means. In this connection the following sentence may be pertinently quoted from the report, "But in the present state of affairs the standard should not be more exacting than efficiency demands and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right."
- (c) This is made further clear by the recommendation that six monthly returns have to be submitted to the Government indicating the number of each community in the Department at the close of the period to which the return relates.
- (d) Then again, "In the case of any Departments where the consideration to the claims of any particular community does not appear to have been given the power of appointment might be withheld from the heads of those Departments". This is the recommendation of the Commission and in the words of the Commissioners "Departments in the case of which section would seem proper to be taken now are Public Works, Customs and Press Departments.
- e) Local Departments are to be filled by people living in that particular locality. For a community whose subsistence has been mainly on Government services and a large number of whom are town dwellers the effect is clear.
- (f) That the whole report is a veiled and a successful attempt of fixing communal proportions in services becomes all the more clear by the fact that pure competition has been completely done away with. Reference may be made again to the report which contains "In course of time pure competition may come to regulate all appointments. But in the present state of affairs the standard should not be more exacting than efficiency demands and those who possess qualifications in excess that standard should not be held to deserve appointment as a matter of right". When that day will come when pure competition may come to regulate all appointments is known to God.

The above makes it clear that by a process hitherto unknown in any part of the civilized world the doors of service have been closed for Kashmiri Pandits. Addressing the Kashmiri Pandits the Commission quotes the following words, from His Highness' reply:-

~~xxx~~ "I am certain you will be the first to recognize that with steady growth of education in other communities the posi-  
P.T.O.

"... of advantage which your community enjoyed in the past in  
to State service cannot continue."

The answer of Kashmiri Pandits will be " Give all the facilities to people in education but donot stifle competition which you unfortunately done." Reference may in this connection be made to admission contained in the Commission report that about a thousand qualified Kashmiri Pandits ( Matriculates and Graduates) are unemployed. The Muslim unemployed educated youths which is a considerable number in the eyes of the Commission is something like 145 ( 12 graduates, 133 matriculates ). While all this has been created for making provision for a " considerable number" of Muslim educated youths extending to 145, no provision or recommendation has been made for a thousand Kashmiri Pandit educated youths and thousands more now receiving education. But why should it have been made ? In these days of religious freedom they can change their religion and get jobs!

There are certain recommendations of a fantastic sort, contained in the Commission Report. For instance,

- A ) The Principal of Srinagar College is enjoined upon to be careful in the matter of making admissions to the Science classes where, it has been alleged that the Muslims are not given a fair chance of admission, as if the Muslims have evinced a very great solicitude for receiving scientific education. How well it would have been, if the Commissioners knew that till recently science was banned in Islamia School on the ground that handling of chemicals amounted to idolatry in the eyes of certain Muslim divines. Even now science teachers in the Islamia school is a Kashmiri Pandit.
- B ) Then again it is suggested that the education Department Secretariate and the Teachers' cadre should be muslimised with qualifications prescribed ridiculously low. But who says that the report is communalistic in tone and tenor.
- C ) By a process of reasoning unintelligible to ordinary mortals the Commission has held that " It appears desirable that the scale prescribed for special Mohammadan scholarships and merit scholarships should be the same; special Mohammadan scholarships would in that case be reserved for such Muslims as are unable to attain success in the matter of scholarships open to general competition." In plain English it means " The merit of a non-muslim is equal to the religion of a Muslim". This combined with the fact that Mullas are to be given special encouragement and facilities would make the propagation of Muslim faith so easy that even His Holiness Mirza Bashir Mohammad will fight shy of his proselitising activities. But all this is alright. But what about the Kashmiri Pandits ? The Commission tells them that " Like other communities now fortunate in regard to State employment..... an increasing proportion of their numbers will have to seek an outlet in private enterprise." Private enterprise means technical, agricultural and other similar pursuits. One would expect that some encouragement would be given to Kashmiri Pandits in this direction. But the recommendations of Mr. Sharp and adopted by the Commission are as follows:-

1. Training should be given to the sons of craftsmen.
2. Special scholarships should be given to Mohammadan students etc: Pandits like all other communities and not specially to be given special encouragement if they manifest an increased tendency to take advantage of technical education. Mohammadans are to be given special scholarships equal to merit scholarships in order to produce in them a desire for education but the Pandits will be given encouragement if they manifest a desire for technical pursuits of their own accord.

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Step motherly treatment will go thus far and no further. At the present moment Mohammadans follow agricultural, technical and commercial pursuits, and have made them their own, but yet special scholarships are recommended for them in technical school. But the Hindus are recommended such facilities neither here nor there. A Mohammedan may well say "Tails I win heads you lose".

(b') Kashmiri Pandits had made a demand that in order to create a desire for taking to agricultural pursuits liberal grants of land should be made to them. The answer vouchsafed may be given in the words of the Commission which is as follows:-

"Such grants have been discontinued now for several years. It seems distinctly inadvisable that the practice should be revived".

But the Kashmiri Pandits need thank the Commission that they have not recommended that the lands already granted to Kashmiri Pandits should be resumed.

(c') One would have expected that some sort of encouragement would be given to Kashmiri Pandits in the matter of getting Government contracts. But here competition is taken to its logical conclusions.

Ousted from services with no encouragement in technical, agricultural or commercial pursuits one fails to know as to what is to become with the community of Kashmiri Pandits. It would not be easy even for Almighty to set matters right if the existing circumstances are allowed to remain as they are.

Kashmiri Pandits had submitted that the retrenchment should be so effected as not to cause hardships to their community which has always been a rule of practice. But while no answer has been given to this submission the policy of effective retrenchment itself has been justified. It is not within our Province to criticise the policy of returning monumental buildings to Muslims on the ground that they are national assets as opposed to communal assets in the same way as Taj Mahal or other similar buildings are held by the British Government to be so yet there seems no reason as to why Shankaracharya and Hari Parbat hills should not have been given to Hindus on the ground that it was not within the pale of practical politics to do so, although it was highly political to hand over Id-gah and other buildings to Muslims. If sauce for the gander has not been the sauce for goose it has been here. Similarly various grievances of the Kashmiri Pandits have been brushed aside without even taking any notice. On the contrary Dharmartha Funds have been made available for all classes although this is a Hindu trust. Heaven and Earth will be moved if a single Muslim Waqaf property were even suggested to be used for non-muslim purposes. "But what holds good in the case of Hindus cannot hold good in case of non-hindus", may be the answer forthcoming. Unmindful of the religious susceptibilities of the Hindus meat has been made available on all the days of the year excepting four. Living as we are in an Indian State the analogy of British India will be meaningless. Above is a brief summary of the whole report. Such points as the banishing of Hindi from the Girl schools etc: has not been specifically dealt with herein. But one may ~~xxxxxx~~ ask what have the Kashmiri Pandits got? One may say "More kicks than half penny".

NOTE. The people who inflicted sufferings upon Vicharnaghi people have got all they asked for. But what about Vicharnaghis who served as their 'Morchas'.

Gentlemen, we owe a word of explanation to the public as to how this present movement came to start rather abruptly. You are well aware of the facts that the recommendations of the Lancy Commission raised a storm of protest against itself and Pt. Bandhu Ji, the true leader that he was gauged the depth of public feeling and sent an ultimatum to this blessed Government (or more properly speaking and an apology for a Government) that the wrong done to Kashmir Hindu community may be set right. For the first time in the history of modern times this Government seemed to have deviated into sense and Col. Colvin the Prime Minister came all his way from Jammu and granted an interview to our leaders and promised them a favourable reconsideration of their case. A sort of truce was established by which it was provided that the sympathetic consideration on behalf of the Government was contingent upon maintaining public peace. So far every thing went alright. The authorities devoid of reason and vision soon took into their head to undo the good work done by the Prime Minister. They stopped the meeting in which announcement for the maintenance of peace was to be made. With the greatest difficulty they granted permission afterwards for holding the meeting. At this meeting as you already know an announcement was made that pending decision of the Government all public activities should be stopped. Pt. Bandhu Ji also made a stirring appeal for peace. On the basis of that speech which he delivered for the cause of peace he was arrested. No Government on the face of this earth which has not made a complete sale or mortgage of its statesmanship have taken such a foolish step. But the authorities are bent on teaching us a lesson and in an earnest of it arrested Pt. Bandhu Ji.

Let us see who will be taught a lesson !

THIRI DICTATOR.  
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# Recommendations of Constitutional Conference

## Non-Muslim Interests Sacrificed.

Challenge to Minorities.



### LAWFUL RIGHTS

"I cannot allow my Government to be coerced by threat into unjust action and it is my duty to protect the law-abiding sections of my people from encroachments on their lawful rights" This is one of the sterling thoughts in which the Maharaja Bahadur's message of the 25th. Har last is couched. The occurrences which followed in Kashmir, Jammu, Mirpur and Reasi, one after another, have given these words meanings which the farthest stretch of imagination then could have hardly embraced. These sentiments were fully re-echoed in our memorials of October last. It was stressed therein that a constitution for Kashmir under these circumstances would be premature and it could wait till the All-India Federation Scheme, according to which States would be as good integral units of progressive India as other autonomous provinces, has been accomplished. The subsequent events have abundantly shown that our suspicions then were only too well founded.

### BEHIND THE SCENES

But during all this time we could not lay aside our fears. They grew deeper with the announcement of the constitutional conference, meeting at a time when hardly had the blood of innocent men, women and children dried on the hands of the rebels. In the first stages of consideration, opinion crystallized in favour of non-co-operation with it till the honour of law stood unretrieved, but the advisability of bearding the lion in its den was allowed to prevail as a concession to certain views and it was decided to participate with reservations. It, however, became clear from the very start that the conference was far different from what the people had come to understand by it. Our representatives were more like witnesses than as colleagues of the President. Not even the censored reports of its proceedings were accessible to the public. The representatives had hardly any thing common with him except the secrecy of the proceedings. The President has submitted final recommendations without inviting the signatures of his so-called colleagues. He has recognised full statutory communal majority with separate electorates for the Muslims and protection to the minorities has been altogether denied. To what extent President was conference in himself would be clear from the single fact that, some days after the conference was over and the members had dispersed, he suggested slight alterations in the recommendations, very probably as the result of some understanding between his two colleagues from Kashmir. At any rate, the President has perpetrated an unparalleled wrong on the undisputedly advanced, literate and civilized people of the State by laying down such precedence for those who are admittedly backward, illiterate and aggressive as a community. The English usually advocate that the people of India should receive thorough education in the art of ruling before they can be given full voice in the administration of their country, but here is a luminary from amongst them who holds that the Muslims of Kashmir should get full voice in the administration of their country before they may or may not care to receive education in the art of ruling. Is it proposed to drive us to wilderness by placing our culture, honour and progress at the mercy of primitive hordes? What a fine improvement on the Secretary of State who is reported to have said only a week ago that under no circumstances the Muslims will get statutory communal majority in the Punjab and Bengal!

### CALL OF DUTY

It is, therefore, unthinkable that the Glancy constitution is a feasible solution of the problem. No constitution that ignores full protection to the minorities and is based on sheer communal proportions can be tolerable. The only honourable course for the minorities at this juncture is to completely disassociate from such reforms and to equip themselves with all legitimate and constitutional means to combat them with full strength of purpose. Surely, our safety shall be proportionate to our sacrifices. Let it be our duty then that these recommendations, like those of the Simon Commission, go to rest in the dusty archives of the State as a memorial to the President's unique sense of political justice.

Mahendra Singh,

General Secretary,

Hindu Yuvak Sabha

Jammu.

April 21, 1932

Onkar Press, Jammu.

Dear Reverend Sir,

As it is necessary to make a passing reference to the Glanby Commission, it may be stated for an accurate understanding of the situation, that this Commission was composed of four non-official members additionally with the object of investigating into the grievances and complaints of His Highness's subjects. This became necessary in pursuance of the disturbance caused in the State by the Mohamedan agitators outside and inside who committed arson, pillage, and murder of so many Hindus in all districts of the State both in Kashmir and Jammu Province.

In doing so it was chiefly to be examined if there were any religious and or secular disabilities from which Mohamedans or any other community as well, was suffering.

It was in the ordinary course expected, that since our community did not enjoy any special privileges or easements even under the Hindu label, it had nothing to lose. Much less was <sup>it</sup> expected, that even the small crumb of bread that in a very measure measure was provided us in the Government would be snatched away.

We had sanguine hopes that the disabilities we Hindus suffered from Agricultural Relief Regulation (the Sahukars Bill), the ban on procurement or purchase of lands or transfers thereof from the agriculturist (were he a Mohamedan or a Hindu), the non-provision of any facilities in Industrial Avocations, in getting Government contracts freely, in acquiring control of Hindu religious Trust, or of places of worship, would ipso facto be removed.

Comprehensive and reasonable grounds of a non-contentious nature were advanced in support of our grievances, but unfortunately our fears were realised and we have received quite adverse results. Mr Glancy when he was previously serving in the State had openly shown tendencies for the Muslim cause, and though it was expected this time that he came over to sit on an impartial investigation

~~of which the Government had the right to demand the same~~  
-faction and policy. It was least expected that even in this far off country he would harp upon the tune of communal faction and act on imperial policy of "Divide and Rule" which he practically operated in favour of Mohammedans.

It is widely known that the Political Secretariat of the Government of India was allied with the Indian Party of M. Basheer Ahmad whose insensate and mischievous campaign was to be gratified at the expense of the Maharaja who was sufficiently enough intimidated and weakened and who felt further weakened by detachment of Raja Sir Hari Kishan Koul. The Maharaja was overwhelmed ~~and~~ and a Report was issued in which what ~~was~~ not ~~has~~ been snatched away from the Hindus. And little vestige they possessed has been taken away either in the matter of services, lands or denial of other rights. The Maharaja had to and did <sup>the recommendations in</sup> sanction the Report with intrepid haste.

Apart from other deprivations, the minimum qualification for entrance in the State services has been fixed in so much as a Middle pass Mohammedan is to have preference over any the best Hindu Graduate, when it is provided in the Report that "the standard should not be more exacting than efficiency demands, and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right". This invidious distinction has not been prescribed by ~~the~~ his compeer in British India, where in following the same line of creating a "Split" so many Hindus of varied qualifications and service have been turned out and rejected in favour of Mohammedans possessing lesser qualifications.

In the matter of Lands it has been stated that, since the Government has from some-time past discontinued the grants of lands\* the <sup>practice</sup> ~~acts~~ cannot be revived (only because it had to in a little or greater degree to ~~and~~ relieve distress to a rightless Hindu). So it will be obviously clear that all the disabilities have been imposed upon us and being saddled with all obligation towards the Government, we are to exist without any rights, privileges not to say of other amenities of life, or even of any source of sustenance. We are to be obligors without any compensa-

ting rights. The preliminary principles of jurisprudence stand abrogated in the case of the singular community of ours.

All this is the outcome of a desire or a fear to gratify the riotous demands of a Mohammedan looter and in doing so one serious deviation has been made in transferring the very basic rights of other communities into their hands.

Thus strangled our young leaders concerted together and offered an ultimatum to the Government to redress the grievances thus imposed or to amend report materially as would safeguard the interest of the most highly cultured section of His Highness' Subjects who besides being the aborigines have the tradition and legacy of an ancient history behind them.

The Colvin regime of administration continues under the spell and dictation of the Political office and the subordinate officers are all but the Kashmiri. So with having no representation whatever and therefore reckoning on no support, an effort in dismay was made to approach the Prime Minister in a deputation when all the grievances inflicted un-necessarily were tabled before him for redress. Lukwara though he feeling convinced somehow assured of some soothing help, Public mind was keenly agitated and to allay its anxiety a public meeting was called in which it was deemed advisable to announce this frail hope to the public. Permission had to be sought from the Governor who is the District Magistrate. The accredited Leader Sh. Kshyap Bhandu explained the Prime Minister's wishes and called for a halt of agitation for fifteen days. Even on this a pretext was found and on a very flimsy ground he was arrested through the indiscreet and impolitic act of the Governor (who is also an alien to our subject-race). He was soon after convicted and sentenced under the Ordinance.

In quick succession, P. Damodar Butt B.A. Secretary of S.D.S Youngmens Association, P. Vidh Lal, P. Mohan Kishan B.A. P. Jia Lal Kilam Advocate High Court and Municipal Commissioners about 100 others were arrested as Dictators and Volunteers one after another.

The situation now tense

The situation grew tense and the community feeling ~~was~~ -  
-fied launched upon a regular course of non-violence and Satyagrah  
against Schools and Colleges picketing of offices, Courts etc.  
A ~~continued~~ <sup>new</sup> course of lectures in defiance of the Ordinance in  
force was arranged and each day Dictators came upon the stage to  
defy the Ordinance and courted arrest on the plea of the vital  
problem of Bread by asking for it everywhere.

The bright <sup>feature of the</sup> movement has been that the picketing has been  
commendably non-violent.

This movement was manned by small young boys and children. Within  
this arrests of about 100 persons detention of 350 boys in lock-up  
and transportation of twenty prisoners to inclement hot climate of  
Jammu has taken place so far and extreme harassment is going on  
by the Local Officers.

This, reached its climax only yesterday when small boys  
were peacefully scotting on the approach to the Court, the I.C.-  
Mr. Lawther, D.I.G. Police Kh. Aziz-Ud-Din, the new District  
Magistrate S. Attar Singh and the D.S.P. S. Prithvi Nandan Singh  
all allied, personally ~~caned~~ caned the boys severely so much so  
that so many of them were fiercely and brutally <sup>caned</sup> and are lying in  
Hospitals and homes.

This is a treatment accorded to Kashmiri Pandits for a  
non-violent movement, when it will be remembered that no such  
treat was given to Muslim rioters and hooligans, who offered  
extreme forms of violence.

The Kashmiri Pandit officials, however small in numbers  
are being maltreated and mishandled so much so that Head Masters  
of High Schools and Medical Officers have been transferred from  
Srinagar to Mufassil and Jammu by a designed move of subordinate  
~~and~~ unsympathetic officers. The result has been that any  
sympathetic possibilities of medical aid to patients in the  
Hospital were removed.

The Colvin Government is <sup>sitting</sup> ~~sitting~~ mute and composed over  
this ~~the~~ sad state of affairs and stands unmoved because the  
Imperial Government's ~~policy~~ <sup>policy</sup> is strengthened and  
the ulterior cause is served by keeping his Highness' country

in disorder.

The Press has been banned. Telegrams are censored and no communication is possible. People stand gagged and stifled inside territory.

Therefore we have to appeal to your good sense of assisting us and our movement by educating public opinion on this vital question of BREAD affecting us and solicit that Indian Government and the Viceroy may kindly be moved in the matter of alleviating our distress. Now or never is the time for rendering us any assistance, we cherish to receive from our worthy and respected Apostles of position and wisdom beneficently minded towards us. The signs of our imminent extinction are not remote otherwise. This can be done by convening public meetings and approaching State authorities for investigating into and remedying our grievances by an open Enquiry. We earnestly hope you will very graciously deign to extend your helping hand in the cause of your trampled brethren.

I beg to remain,

Yours faithfully,

Maheshwari  
N<sup>o</sup> 12 Drelator

Kashmir Hindi Bread Movement

Shitalach  
N. S. Mehta 22<sup>nd</sup> May 32.

Sir-Tej-Bahadur-Supru.

Honourable-Pandith Jagatnarain Malla

Pandith Hridayanath Kunsru

} Allahabad

On Saturday  
--- Yesterday 300 nonviolent ~~men~~ boy demonstrators crying  
for bread near entrance court and police office brutally  
whipped and flogged by corrupt custodians of law themselves  
Stop All fainted away more than half severely injured  
and bleeding admitted indoor patients in Government  
and private dispensaries Stop Actual state of affairs  
held back from Ruler by vindictive alien officers Stop  
Pray immediate response to brutalities perpetrated failing  
which extermination of Kashmir <sup>Pandiths</sup> ~~is~~ imminent Stop City  
observing hartal in resentment Stop Earnestly appealing your  
generous sense of brotherhood.

Kashmiri~~XXXXX~~ Pandiths.

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Not to be telegraphed.

### KASHMIR IN MOURNING

KASHMIR Bulletin No: 6 dated 21st May 1932.

#### SUMMARY OF PREVIOUS EVENTS

- (1) Period of agitation... 15 days.
- (2) Arrests today :- a. Dictators..... 15.  
b. Speakers, Volunteers and Pickets. 44.  
c. Boy ---- do ---- ----do----- 53. 112.
- (3) Convictions today... 41. (4) Searches... one house. Nothing incriminating found (5) Lathie charges on boys... twice (6) Hartal... 5 days.
- (7) Internments... two. Order partially withdrawn after 15 days but no allowance granted so far (8) Prisoners transported... twenty (9) Transfer of Government officers... two. (10) Evictions ... two (11) Hunger strike by prisoners... one day (12) Strike of educational institutions 15 days. (13) Speeches in Government Institutions -  
a. previously attacked.... 16. ) Total = 48.  
b. New offices captured.. on the day. (424.)  
c. Offices repeated... 22. (14) Boys wounded by kicks... 7.
- (15) Boys fainted: - a. By exhaustion..... (6.) 92.  
b. By flooring ~~xxx~~ and trampling, etc.... (6.)
- (16) Boys under treatment in Hospital: - a. indoor... 15.) 46.  
b. outdoor... 31.
- (17) Boys detained in custody during day and later released... 361.

#### DIARY OF THE DAY.

- (1) At about 6 in the morning prayers offered at Hariparbat. Audience thousands including ladies.
- (2) All educational institutions picketed. Negligible number of students attended majority of which belonged to other communities. Results surprisingly successful.
- (3) Black flag and other demonstrations of Bal Satha. Speeches and slogans throughout day outside office rooms. Observation of absolute non-violence. Small peaceful processions of small boys through ~~the~~ streets and roads taken out, cries of " Roti Roti and bread and jail songs being the functions of the processionists. Offices visited: -  
a. Chief Electrical Engineer, b. Elec. Electrical Engineer, c. Special Session Judges, d. High Court, e. Session Judge, f. Additional District Magistrate, g. Chief Judge, h. City Magistrate, i. City Munsiff, j. Sub-Registrar, k. Registrar small causes, l. Court Inspector, m. Wazarat, n. Tehsildar, o. Naib-tehsildar, p. Inspector of customs q. Divisional Engineer, Kashmir Division, r. Accountant General, s. Finance Minister, t. Stationery Depot, u. Director Kashmir Valley Food Control Department, v. Municipality, w. Chief Conservator of Forests, x. Conservator of Forests Utilization circle, y. Conservator of Forests Kashmir circle, z. Deputy Inspector General of Police.
- (4) At Shitalnath at about 5 P.M. the 15th Dictator held a mass meeting. The audience which was extra-ordinarily huge was seated bear-headed. Speeches were delivered. 15th Dictator and the 3rd College Dictator were arrested. Meeting declared unlawful
- (5) The small boys were trampled under the heavy boots of the police officers. The holy thread and Gita Ji of some of the boys was torn by the Police. Boys arrested were locked in office rooms and they were not allowed to take water or even answer the calls of nature.
- (6) After the meeting was declared unlawful at Shital the audience proceeded to Rughnath Mandir where a meeting was held. Here also several speeches were delivered breaking the regulation. But no arrest was made to the disappointment of the audience in general and the speakers in particular. The meeting was declared unlawful.
- (7) Another and the last meeting was again held at Shitalnath but no arrest made although the regulation was openly defied.
- (8) Hartal was observed throughout the city after the news of the brutal treatment committed on the small boy Satyagrahis spread in the city.

Dated 22nd May 1932.

Director, Publicity Branch  
Kashmir Hindu Bread movement



With compliments from Publicity Officer  
His Highness' Government, J. & K., Srinagar

10

MEMORIAL PRESENTED BY THE  
MUSLIM DEPUTATION

AND

HIS HIGHNESS' REPLY THERETO.



Y:481(Y73Q2-7). 2/11

SRINAGAR,  
23RD AUGUST 1931.

... بر سر کوه ... در آن کوه ...  
 ... بر سر کوه ... در آن کوه ...  
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(۲۰) نمائندگان بحیثیت مجموعی مطالبات تیار کرنے میں مصروف تھے۔ کہ اسی دوران میں فریق ذمی غرض سے یہ خیال کیا۔ کہ اب تک مسلم رعایا کے شکایات وہ بوجہ اپنی رسوخ اور غلبہ گی کے بے کار ثابت کرتے رہے۔ اب چونکہ حضور نے ان کے نمائندگان کو بلا واسطہ معروضات گوش گزار ہو چکا وعدہ فرمایا۔ اسلئے انہوں نے بطور حفظ مانع موانع پیدا کئے۔ اور محض اپنے ناجائز مفاد کو قائم رکھنے کے خاطر اس سارے معاملہ کو فرقہ دارانہ رنگ دیا۔ اس سلسلہ میں پنجاب کے ہندو اخبارات۔ جموں کے یووک بھاکے اشتہارات۔ سرسنگر جموں کے غیر مسلموں کے جلسوں کے تقاریر میں ثبوت ہیں۔ یہ کہنا کہ مسلمان اپنے معروضات میں گاوکشی کی اجازت۔ مناد کا انہدام اور اپنی حکومت کا قیام مدنظر رکھتے ہیں۔ صریح طور پر اس غرض کیلئے تھا۔ کہ حضور والا کو اپنی قدیمی وقادار مسلم رعایا کی نسبت ہٹا دیا جائے۔ اور حضور کے خیالات مکرر ہوں۔ اس بارہ میں عجیب تر بات یہ ہے۔ کہ عمال حکومت ان اخبارات اور ان شررا گنہگاروں کی کوئی بھی روک تھام نہیں کی۔ حالانکہ تا حد امکان اہل اسلام کے طرف سے ان اتہامات کی صاف طور پر تردید ہوتی رہی۔ اس ناپاک پروپینڈا سے ایک تو حضور والا کے خاطر مبارک پر کدورت پیدا ہوئی۔ ثانیاً ناواقف عام سہل طبیعتہ میں منافرت شدید کے جذبات موجزن ہوئے۔ ان تمام سببوں کا مقصد غایت یہ تھا۔ کہ حضور کچھ تیس یا بیسی کا شرف حضور کی مسلم رعایا کو نہ ملے جیسا کہ وہ کامیاب ہو گئے۔ اس غلیظ پروپینڈے پر عمال حکومت نے نمائندگان کو بلا کر فرمایا۔ کہ فرقہ دارانہ سوال رفع ہونے پر مطالبات پیش کرنے کے واسطے موقعہ بخشا جائیگا۔ حالانکہ مسلم رعایا کی طرف سے کوئی فرقہ دارانہ سوال تھا۔ اور فرقہ دارانہ کشمکش کی تمام تر ذمہ داری فریق مخالف کی بر تھی۔ اور حکام کو صراحتاً یہ بات عرض بھی کی گئی۔ بلا وجہ معقول ایک کم سن پنڈت لڑکی کا جو کہ مرگئی تھی جلوس نکالنا۔ اور اس جلوس میں مسلمانوں کو کوسنا اور امر کی قطعی دلیل ہے۔ کہ فریق ذمی غرض عمدتاً فضا کو کد کرنا چاہتا تھا۔

(۲۱) ناسکر راجہ سر پنڈت ہری کشن کول صاحب کے ذریعہ جو اطلاعات حضور کی خیر خواہ مسلم رعایا تک پہنچے۔ وہ نہایت جگر خراش۔ درد انگیز اور پر از خطر ہیں۔ وہ مسلم رعایا جو عادتاً حضور والا کی فرمانبردار اور خیر خواہ رہی اور رہے گی۔ اسی مسلم رعایا پر یہ غلط الزام لگایا گیا۔ کہ حضور والا اور شہزادہ بندہ اقبال کے بدخواہ ہیں۔ مسلم رعایا نہایت جرات اور ہمت دلی سے کمال ادب کے ساتھ عرض پر داز میں۔ کہ یہ قسم کا کمرہ تمام مسلم رعایا پر لگایا کرنا نہ صرف ان کے سابقہ روایات۔ وقادار میں کے خلاف ہے۔

بلکہ یہ بھی مسلم رعایا کے خلاف ایک ناپاک سازش ہے۔ نظیر اُچند و فادارانہ امور گذارش ہیں۔  
 (الف) سر راجہ امر سنگھ صاحب آنجنہالی کے زمانے میں مسئلہ گدی نشینی کے موقعہ پر جبکہ چند  
 اشخاص نے غرضمندانہ سازش کی تو اس وقت مسلم رعایا ہی نے سختی بخمدار پہنچانی کی کوشش کی۔ یہ  
 کوشش کامیاب ہو کر حضور اور حضور کے خاندان کیساتھ مسلم رعایا کی بھی خواہی و فاشکاری کی دلیا  
 میں ایک ممتاز یادگار ہے۔

(ب) سر راجہ امر سنگھ صاحب آنجنہالی کے آخری بیماری کے موقعہ پر نہ صرف مسلمانان ریاست نے  
 بلکہ تمام مسلمانوں نے بھی بصرِ زکیر کمالِ خلوص کیساتھ مساجد و معابد میں دعائیں کیں۔ اور  
 خیرات تقسیم کئے۔ اور اپنی عقیدت کا ثبوت دیا۔

(ج) گلرگ کے برفانی پہاڑ پر (آئندہ بخیر) جب حضور والا کو جسمانی تکلیف عاید ہوئی تھی اس موقعہ  
 پر تاصحت یابی کلی جس وفاکشی اور اخلاص کا ثبوت مسلمانوں نے دیا وہ نظر انداز ہونیکے قابل نہیں ہے۔

(د) سخت نشینی کے موقعہ پر مسلمانوں نے جو عام طور پر خوشیاں منائیں وہ ذات والا پر  
 روشن و ظاہر ہیں۔

(ه) تولیدِ مجددِ مہاراجکار جی کے تقریب پر جبکہ حضور والا فرانس میں رونق افروز تھے۔  
 متعدد ایام میں جیقت در ثا دیانے و مسرت کا اظہار غریب سے غریب مسلم رعیت نے اپنی استطاعت سے  
 پڑھ کر کیا۔ وہ کچھ دور عرصہ کی بات نہیں جو تازہ کر نیکے قابل ہو بلکہ کل کا واقعہ ہے۔

(و) فرانس سے جب حضور والا رونق بخش مملکت ہوئے تو حضور کی استقبال میں جو حصہ مسلم رعایا  
 کا تھا۔ یہی نظیر تاریخ ریاست میں ملتی مشکل ہے۔ جس جوش و خروش و اظہار مسرت کے ساتھ مسلمانوں  
 نے اپنے اخلاص اور محبت کو دونوں تک ظاہر کیا اسکا موقع حضور والا کے زیر نظر ہے۔ پس پشادہ  
 ان چیت جزوی واقعات کے مسلم رعایا کی نسبت ایسی ناپاک شبہات کا پیدا کرنا مسلم رعایا کے تباہ  
 کرنے کی منظم و مکروہ سازش کا معمولی شاخسانہ ہے۔ بصدادب حضور کی تیر خواہ مسلم رعایا عرض بردار  
 ہے۔ کہ حضور کے دل مبارک میں اگر کسی بدخواہ ریاست نے ایسا شہہ ڈال دیا ہو۔ اسکو قطعاً جو خاطر  
 عاظر فرمایا ہوا ہے۔ ہم مسلم رعایا سے ریاست کی طرف سے نہایت پر زور الفاظ میں حضور کو اصرار کیا تھا  
 یقین دلاتے ہیں کہ ہمارے رگ و پشہ میں اور خون میں وہی محبت اور وہی اخلاص وہی عقیدت



ان شاء الله تعالى في يوم السبت ١٤ ربيع الثاني ١٤٢٤ هـ  
 في الساعة الواحدة من بعد الظهر في دار المعلمين بـ  
 مكة المكرمة حضرنا نحن الفقهاء الكرام والمعلمين  
 والطلاب المشرفين على هذه المؤسسة العلمية  
 والبرامج الدراسية التي هي في طليعتها  
 وتتمتع بسمعة طيبة وتاريخ عريق في  
 التعليم العالي والبحث العلمي في هذا  
 البلد المبارك وقد حضرنا جميعنا  
 متفقين على ما يلي :-  
 ١- استمرار العمل في هذه المؤسسة  
 العلمية والبرامج الدراسية التي هي في  
 طليعتها وتتمتع بسمعة طيبة وتاريخ  
 عريق في التعليم العالي والبحث العلمي  
 في هذا البلد المبارك وقد حضرنا جميعنا  
 متفقين على ما يلي :-  
 ٢- استمرار العمل في هذه المؤسسة  
 العلمية والبرامج الدراسية التي هي في  
 طليعتها وتتمتع بسمعة طيبة وتاريخ  
 عريق في التعليم العالي والبحث العلمي  
 في هذا البلد المبارك وقد حضرنا جميعنا  
 متفقين على ما يلي :-  
 ٣- استمرار العمل في هذه المؤسسة  
 العلمية والبرامج الدراسية التي هي في  
 طليعتها وتتمتع بسمعة طيبة وتاريخ  
 عريق في التعليم العالي والبحث العلمي  
 في هذا البلد المبارك وقد حضرنا جميعنا  
 متفقين على ما يلي :-

وہی و فواداری اہل تک مشتم ہے۔ جو ابتدا سے چلی آتی ہے۔ علاوہ اسکے جو تعاون اور فرما ہندوار حضور کے کو زمینت کے ساتھ باوجود شکایات کے مسلم رعایا نے کی۔ اسکی نظیر ہی کسی فریق سے نہیں مل سکتی ہے۔ جو وہ حالت میں جبکہ صورت یہ تھی جو کہ اوپر گذارش کی گئی۔ تو انصاف فرمایا جاوے کہ حضور کی مظلوم مسلم رعایا اپنے مطالبات و معروضات پیش کرنے کے قابل کیونکر ہوتی۔ اسلئے اصلی معروضات اس ماحول میں پیش کرنا مناسب حال نہیں تھا۔ اور نہ کسی حق رسی کی کوئی توقع ہو سکتی تھی۔ تاہنا جبکہ اسوقت حضور والا کی مسلم رعایا اعمال حکومت کی طرف سے انتہائی مظالم گنہگار مشق ہو رہی ہے۔ اور بے کسی کی حالت میں سراسیمہ ہے۔ تو اس بے اطمینانی کی حالت میں معروضات کا پیش کرنا خلاف محل و موقع کے ہوگا۔

(۴) موجودہ واقعات کی طرف اختصار کیا تھہ سہر دست حضور والا کی توجہ مبذول کرانے کی آرزو رکھتے ہیں۔ فریق غرض مند نے جنکا کافی غلبہ اور اقتدار تہ رسوخ نظام حکومت میں ہے۔ انہوں نے ابتدا سے مسلمانوں کو بدنام کرنے کے لئے غلط رپورٹیں بنا کر اصلیت کو پوشیدہ رکھا۔ اور بہترین مضامین کو جو حضور والا کے بلند خیالی اور رعیت نوازی کے تعریف میں تھے۔ بری رنگت و کیر حقیقت کو بگاڑا۔ اور بیگناہ مسلم جماعت کو قصور وار ٹھہرانے کی کوشش کی۔

(۵) موجودہ نکالیف کی وجوہات اور ان مظالم کی داستان جو مسلم رعایاے سرکار پر توڑے گئے ہیں۔ اور اب بھی توڑے جا رہے ہیں۔ اپنے پشت پر ایک لمبی تاریخ رکھتے ہیں۔ اور یہاں انکا ذکر بے موقع ہے۔ صرف اس قدر عرض کرنا ضروری ہے۔ کہ غیر مسلم طبقہ خاص جذبہ سے متاثر ہو کر مسلم رعایا کے مذہبی امور میں مداخلت کے مرتکب ہوا۔ جسکی ابتداء اعمال حکومت کی طرف سے ہوئی مثلاً بندش خطبہ عید الضحیٰ۔ توہین قرآن کریم۔ اہتمام مساجد، بندش اذان وغیرہم۔ استقدر و نخراتن واقعات ہیں۔ جن سے پرامن مسلم رعایاے سرکار کے مذہبی جذبات اور وفار کو اس قدر کاری ضرب لگی ہے۔ اور وہ حکام کی ناعاقبت اندیشی سے استقدر متاثر ہوئے۔ کہ انہیں اسلام خط سے نظر آنے لگا۔ چنانچہ واقعات شاہد ہیں۔ کہ جب مسلمانوں نے مذکورہ دلخراش واقعات میں انصاف کے لئے دروازہ کھٹکھٹایا۔ تو باوجود کافی ثبوت ہم پہنچانیکے لڑنا ان کو رہا کر دیا گیا۔

وہی قدر ایک غریب لوطن ہے، جسکا قصور صرف یہ تھا۔ کہ اس نے قرآن شریف کے توہین کرنے

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مسلمانوں کے خلاف مستقل ہو چکی تھی۔ جنہوں نے ہندوؤں کے اشرافوں پر مسلمانوں پر قیامت برپا کر دی۔  
 رائگیروں کو قتل کیا گیا۔ مارا گیا۔ گھروں سے امن پسند مسلم شہریوں کو نکال نکال کر بری طرح اذیت کیا گئے  
 کہ قتل کیا گیا۔ مسلمانوں کے گھروں میں غارتگری کی۔ کوئی گسراتی نہیں چھوڑی گئی۔ اور مستورات کی بھرتی  
 کی گئی۔ چھوٹے چھوٹے بچوں کو نہ صرف پٹا گیا۔ بلکہ قتل کیا گیا۔ ایک غیر مسلم قانون کا چٹھہ دید بیان  
 ان حالات پر روشنی ڈالتا ہے۔ یہاں ممکن ہو انگریز مسلمان مردوں اور عورتوں کو دریا برد کیا گیا  
 اور بعض کا گلہ گونٹھا گیا۔ اب تک دریا سے شہد کی نعشیں برآمد ہو رہی ہیں۔ مہاراج گنج اور بھوری گدل  
 میں حالات یہاں تک پہنچ گئے کہ مسلمانان اہل محلہ کو تین دن تک گھروں میں قافہ کشی کے حالت میں  
 محبوس رہنا پڑا۔ جبہ گدل سے صفا گدل تک جو حشر بپا ہوا۔ وہ بیان سے باہر ہے۔

۸۶ ہندوؤں نے فوج کو ہر طرح خاطر و ملالت اور قہما قسم کھانے کھلا کر زیر اثر رکھا۔  
 ۹۱ مہاراج گنج۔ ڈومبہ گدل۔ ٹواب بازار۔ پٹہ بار۔ وچارنگ میں فوجی سپاہی اور  
 ہندوؤں نے بہت سے بیگناہ مسلمانوں کو بلا وجہ قتل کیا۔

۱۰۱ اس اندھا دھند قیامت میں قانون اور ضابطہ برائے نام بھی قائم نہیں رہا۔ نہ  
 انصاف نے انصاف اور قانون کی طرف توجہ کی۔ بلکہ فرقہ دارانہ جذبات میں مبتلا ہو کر انتقام گیری و  
 ظلم و ستم پر کمر باندھی گئی۔ نتیجہ یہ ہوا کہ حقیقت پوشیدہ رہی۔ مسلمانوں نے مجبوراً ایفین کیا۔ کہ  
 ایک منظم سازش کی بنا پر ان کو تباہ کیا جا رہا ہے۔ چند ایک گذشتہ واقعات مثلاً جلوس کانگریس اس  
 امر کا بین ثبوت ہے۔ کہ عمال حکومت نے خلاف قانون کانگریسی جلوس پر مواخذہ تک نہ کیا۔  
 باوصف ایسے نمایان نظائر کے مسلمانوں پر بیجا ظلم روا رکھا گیا۔ ورنہ حضور والا کی ذات والاصفات  
 سے مسلم رعایا کو ہرگز توقع نہیں کہ حضور جیسا رحمدل حکمران کبھی ایسے احکام کی اجازت عطا فرمائے۔  
 ۱۱۱ آدھی رات چند قومی نمائندگان کو گرفتار کیا گیا اور ان کو اپنے شہید بھائیوں کی تہمتوں کو  
 میں شریک ہونے کا موقع نہیں دیا گیا۔ جس سے قوم کے دلوں کو ایک کاری زخم لگا۔

۱۲۱ مسلم رعایا کے خلوص اور عقیدت کا اس امر سے بھی حضور والا باور فرما سکتے ہیں  
 کہ باوصف ہندو مظلومیت کے مسلمانوں کو گرفتار اعتماد حضور والا کی ذات گرامی پر رہا کہ قتل  
 ہونے لگی اور ہینا کرنے سے ہندو فوج کا بے ہتیار امن پسند ہندو مسلمانوں کے قتل کرنے

گھروں میں گھس کر لوٹ مار۔ غارتگری۔ مسزوات کی بھرتی۔ اور منہاں مردوں کی آبروریزی۔ بیٹ اور بچوں کا نہایت بے رحمانہ قتل کرنے کے باوجود مسلم رہنماؤں کے نمائندگان جن میں میرزا غلام قاسم بھی شامل تھے۔ حضور والا کی خدمت میں اسی روز محض عرض حالات کرنے اور حضور سے انصاف طلبگار ہونے کیلئے حاضر ہوئے۔ مگر سازش تو اس حد تک کامیاب ہو چکی تھی کہ حضور نے ایسے نازک موقع پر بذات خود حالات کو شکدار فرمانے سے انکار فرمایا اور نمائندگان کو شرف باریابی عطا نہیں فرمایا۔

(۱۲۸) اس محترمتان کے وقت یہ ناممکن تھا کہ عام مسلمان صبط سے کام لیکر شہیدوں کا جنازہ نکالنے سے باز رہتے۔ لیکن محض حضور والا کے حکم کی تعمیل میں کلیجہ پر پتھر رکھ کر مسلمانوں نہایت خاموشی سے شہیدوں کو دفن کیا۔

(۱۲۹) جس بیگناہ اور کثیر جماعت کو بلا وجہ جیل خانہ میں ڈالا گیا۔ انہیں کم سن بچے بھی شامل ہیں ان کیساتھ جو بدسلوکی ہوئی۔ اور بوری ہے۔ وہ از حد شرمناک ہے۔ اور انکو رہا کرنا قرین انصاف۔

(۱۳۰) حضور والا کے حکام کی تعمیل میں بوجہ خاص شہر کے مقرر ہوئے۔ انہیں دو اہم مرکزوں پر ایسا ناسلی بخش انتظام کیا گیا۔ جنگی موجودہ صورت پہلی حالت سے بھی بدتر ہے۔ کیونکہ مسلمان جو نیرافروں کی ناخبر بہ کاری اور کمزوری سے ہندو اعدے اور بخر بہ کار آفیسر خوب فائدہ اٹھا رہے ہیں۔ جس سے وہ مدعا ہی مفقود ہے۔ جس کیلئے ایسا انتظام رائج کیا گیا تھا۔ اور اس طریق سے مسلمانوں کا بے حد نقصان ہوا۔ اور ہو رہا ہے۔ اور انہیں پنڈت صاحبان نے اپنی قدیمی روایات کے ماتحت بالکل کورے کا کورا ہی رکھا۔ اور درخواستیں قبول کرنے سے بھی انکار کیا گیا۔ باوجودیکہ مال مسروقہ اور چھپائے ہوئے مال مملوکہ کی نشان دہی بھی ہوتی رہی۔ لیکن غیر مسلم طبقہ سے کوئی تعرض نہیں کیا گیا۔ اور یہاں مسلمان کو دھکے دیکر نکال دیا گیا۔

(۱۳۱) ایک مسلمان آفیسر نے جبکہ مسلمانوں کی سخت ضرورتوں کو ایک غیر مسلم دوکانداروں کی خانہ نداشتیاں کئیں۔ تو کافی مال برآمد ہوا۔ علاوہ اسکے سچو قسم خانہ نداشتی پر مسلمان خوردوں کے کپڑے وغیرہ برآمد ہوئے۔ تحقیقات سے یہ بھی ثابت ہو چکا ہے۔ کہ ذی عرض غیر مسلم طبقہ نے جنہوں نے اپنا مال و حساب چھپا کر مسلمانوں کو تباہ کرنے اور لوٹ کی کمانی کو کامیاب بنانے کا منصوبہ کیا تھا۔

دیباچی وقت کھل جانا جبکہ انکی تلاش ہوتی۔ مگر کمانک حضور خف سے شرمناک ہے۔ اجماع جازبی فرمانے

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جن کے بوجھ سے ایسی تماشنی کا سلسلہ بند ہوا۔ اور غیر مسلم محفوظ رکھے گئے۔

(۱۷۶) بہت سے لوگ محفوظ و الخیر ہیں جن کا پتہ نہیں چلتا۔ اور یہ بھی معلوم نہیں کہ آیا وہ جیل میں ہیں۔ یا کہ مارے گئے۔ کیونکہ قیدیوں کی فہرست اب تک باوصف اصرار کے نہیں ملی۔

(۱۸۶) باوجود اس بات کے کہ بانی فساد مسلم رعایا کو بتایا جاتا ہے۔ تمام فساد محفوظ ہیں لیکن اس کے برعکس مساجد و معابد کی توہین لگئی۔ اور مسلم متبرک مقامات کو منہدم کیا گیا ہے اس سلسلہ میں بھی حکام انتظامی نے پروا تک نہ کی۔ طرفہ تر یہ ہے کہ جہاں کہیں ہندوؤں کی آبادی کی قدر کم ہے۔ اور مسلمانوں کی زیادہ۔ وہاں پر کوئی شکایت ہندوؤں کی نہیں۔ برخلاف اسکے جہاں ہندو زیادہ ہیں۔ وہاں شکایات عام طور پر ہیں۔ اس سے صاف ظاہر ہے کہ کس حد تک غیر مسلم طبقہ کی کہانی درست ہے۔ ان تمام شکایات کو حکام کی نوٹس میں وقتاً فوقتاً لایا گیا۔ حضور سر راجہ پنڈت ہری کشن کراول صاحب کیخبر میں بھی عرض لگئی۔ مگر بے سود۔

(۱۹) جیل کے مقدمات کے سلسلہ میں تمام تفتیش کنندہ عہدہ دار غیر مسلم ہیں۔ اور جیل کے ذمہ دار افسراں بھی ہندو ہیں۔ اسلئے نتیجہ یہ ہوا کہ جیل کے قیدیوں کی جماعت کثیرا کا تک اس قدر بڑھ کر گذرنے پر نہ تو چالان ہوا۔ اور نہ ان کو ضمانت پر رہا کیا گیا۔ صحیح اطلاعات سے معلوم ہوا کہ قیدیوں کو اذیت پہنچانی جاتی ہے۔ اور ان کو مجبور کیا جاتا ہے کہ وہ جھوٹی شہادت دیں۔ جھوٹا اقبال کریں۔ اسی طرح بعض ملازمان جیل پر بڑی سختی لگائی۔ کہ وہ واقعات جیل کے متعلق جھوٹی شہادتیں اور ان کے انکار پر ان کو تہنل کر کے تبدیل کیا گیا۔ اور موٹو خوف کیا گیا۔ علاوہ اسکے ہسپتال جیل کو بھی خوف و طمع دیکر جھوٹی شہادت دینے پر آمادہ کیا جا رہا ہے جس کا نتیجہ یہ ہے کہ انکو ای کیٹی میں صلحت ظاہر نہیں ہوگی۔ یہ طریقہ اس اعلان کی بھی صحیح توہین ہے۔ جنہیں ملازمین کو صحیح شہادت دینے کی بلا گرفت اجازت دی گئی تھی۔

(۲۰) غیر مسلم طبقہ کی سازش صرف سرینگر پر ہی محدود نہیں۔ بلکہ مفصلات میں بھی غیر مسلم متعصب حکام نے بے زبان مسلمانوں کو غراب کرتے کیلئے وہی طریقہ اختیار کیا ہے۔ جس کا مدعا اس عامہ کو بر باد کر کے مسلمانوں کو حضور دار مہرانا ہے۔ انہیں اوجہ سے کامیابی ہوئی ہے کہ مفصلات میں اکثر عہدہ دار غیر مسلم ہیں۔ اور مظلوم مسلمان رعایا محض بے زبان۔ مثال کے طور پر۔

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ستمبر ۱۹۲۱ء ۱۵ - ۱۰

نشانی و پتہ: ...  
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Translation of the representation made by the Deputation of Muslim Representatives of Jammu and Kashmir on 15th August 1931.

YOUR HIGHNESS,

The loyal Muslim subjects of Your Highness have been in hopes for a long time that they would be granted an opportunity of presenting to Your Highness in person their humble representation. As the audience granted to-day lends support to the belief that Your Highness will be pleased personally to consider grievances of Your loyal subjects, they beg to submit in all respect and humility through their representatives of Jammu and Kashmir as follows —

- 1 The declaration made by Your Highness on the occasion of the Raj Tilak that Your Highness' religion was justice has ever remained the centre of hopes for Your Highness' Muslim subjects. They believed that all the representations which were submitted to Your Highness before Your Highness' accession as well as those which were made after the accession to the Ministers of Your Highness' Government for submission to Your Highness must have come to Your Highness notice. But the facts show that these representations were not presented to Your Highness in their true light. The efforts of the Muslims to wait in a deputation of their leading representatives upon Your Highness in this connection did not meet with success. In these circumstances Your Highness' subjects elected their representatives from Jammu and Kashmir in compliance with Your Highness' wishes who were promised the privilege of direct access for making the representation. The representatives of Jammu were instructed by Mr Wakefield at Jammu to join the representatives of Kashmir at Srinagar for this purpose

While the representatives were yet engaged in preparing the representation the interested party which had so far rendered ineffectual the prayers of the Muslim subjects by its preponderating influence began to create difficulties when it found that Your Highness had agreed to hear in person the Muslim representatives and in order to maintain its undue advantage gave the whole affair a communal colouring. The writings of the Hindu papers of the Punjab, the posters of the Hindu Yuvak Sabha and the speeches made in the meetings of the non-Muslims at Jammu and Srinagar are sufficient proofs of this assertion. The allegations made to effect that Muslims intended to ask for in their representation permission to slaughter cows or to insist on destruction of temples or to seek to establish their own rule were clearly made with the object of creating suspicion in Your Highness' mind against your always faithful subjects and to poison Your Highness' mind about them. The most inexplicable thing in this connection is that authorities did not take any action against these papers or to check the flow of these mischievous allegations although the Muslims clearly contradicted the charges to the best of their ability. This unholy propaganda in the first place prejudiced Your Highness' mind and secondly it stirred strong feelings of hatred among the un-informed Hindu public. The ultimate object of these efforts was to prevent the direct access of the Muslim subjects to Your Highness and this object was thus successfully achieved. Under the influence of this selfish propaganda the authorities sent for the Muslim representatives and told them that they would be given an opportunity to make their representations after the suspension of the communal propaganda although the

Muslim subjects had not raised any communal issue and the whole responsibility for the communal tension rested on the opposite party as was emphatically explained to the authorities. The organising of a procession without reasonable cause of a young Pandit girl who had died and to curse the Muslims in that procession is a conclusive evidence of the fact that the interested party was deliberately engaged in creating unfavourable atmosphere for the Muslims.

3. In particular the information which was given to Your Highness' loyal Muslim subjects by Raja Sir Pandit Hari Kishan Kaul, is most alarming and dangerous. The very Muslim subjects who by nature are and have ever been loyal and faithful to Your Highness were charged with entertaining feelings of disloyalty towards Your Highness and the Hereditary. The Muslim subjects beg to submit most emphatically and respectfully in all sincerity that a despicable charge of this nature is not only opposed to their tradition of loyalty but is also a part of the unholy conspiracy against the Muslim subjects. A few facts evidencing the feelings of loyalty are detailed below —

- a. When a few selfish persons conspired in connection with the question of Gaddi Nishini during the time of the late lamented Sir Raja Amarsingh Sahib, it was the Muslim subjects who endeavoured to have the title of the rightful claimant recognised. This successful endeavour is a memorable event among the traditions of the Muslim loyalty towards Your Highness and the Ruling Family.
- b. During the last illness of the late lamented Raja Sir Amarsingh Sahib, it was not only the Muslims of the State, but all Muslims in general who incurred heavy expenditure in arranging sincere prayers in their places of worship and distributing charity and thereby proved their loyalty.
- c. The feelings of sincerity and loyalty shown by Muslims when Your Highness sustained an injury over the snow-covered hill at Gulmarg till complete recovery were too conspicuous to be ignored.
- d. Your Highness is fully aware of the universal rejoicings among the Muslims on the occasion of Your Highness' Raj Tilak.
- e. The unbounded joy expressed by even the poorest among the Muslim subjects beyond their meagre means on the auspicious birth of Maharaj-Kumarji when Your Highness was in France is too recent to require reminding.
- f. The part played by the Muslim subjects in the reception accorded to Your Highness on return from France is un-precedented in the history of the State. The impression in Your Highness' mind must yet be fresh of the manner in which the Muslims gave expression continuously for several days to their unbounded joy and enthusiasm on this occasion.

In face, therefore, even of these few facts the attempt to create unmerited suspicions regarding Muslim subjects

is but a minor indication of the organised and detestable conspiracy to ruin them. Your Highness' Muslim subjects beg most respectfully to request that in case any enemy of the State has created any such suspicion in Your Highness' mind it may graciously be removed. We on behalf of the Muslim subjects of the State beg most emphatically to assure Your Highness that we are actuated now as ever by the same feelings of love, sincerity, loyalty, and faithfulness. Moreover, the co-operation and obedience which the Muslim subjects have always shown to Your Highness' Government, inspite of certain grievances will not be found in any other community.

In these circumstances when the conditions were as have been described above it is for Your Highness to judge how the oppressed Muslim subjects of Your Highness could have represented their grievances as it was not advisable to submit them in this atmosphere, nor was there any hope of their redress. Secondly when at present Your Highness' Muslim subjects are being subjected to extreme oppression by the authorities and are in panic on account of their helplessness it will be out of place and unportune to submit any representations in the existing conditions of insecurity.

4. Our sole object in view at present is briefly to invite Your Highness' attention to the existing conditions. The interested party which wields preponderating influence in the administration have kept back the true facts by concocting false reports in order to discredit the Muslims from the very outset and have attempted to implicate falsely the innocent Muslims by presenting in false colours even the best writing which praised Your Highness' magnanimity and love of justice.
5. The causes of the present troubles and the tale of oppression to which the Muslim subjects have been and are being subjected have a long history behind them and it would be out of place to mention them here. Suffice it to say that the non-Muslim community was actuated by definite purpose to interfere with the religious affairs of the Muslim subjects and the ball was set rolling by the officers of the Government, for example the prohibition of Khutba-i-Id-ul-Zuba, the insult to the holy Quran, the dismantling of mosques, the stoppage of Azan were heart-rending events of a nature which grievously wounded the religious feelings and prestige of the peaceful Muslim subjects and they were so impressed by the short-sightedness of the authorities that they considered Islam to be in danger. And as the events show when the Muslims ask for justice in these matters the accused were discharged inspite of the fact that sufficient evidence was produced.
6. Qadeer is a stranger whose only fault was that he expressed detestation against the person who had insulted the holy Quran. A criminal case was started against Qadeer which took a religious aspect. We assert on the strength of our enquiry and knowledge and belief that just as the public used to go to hear the case they went to the Jail also to hear it. They never made any attack and even came out of the compound. Arrests began to be made without cause from among a party which was waiting in



the garden to say prayers which resulted in excitement and thereupon fire was opened without any enquiry or warning and many helpless men and innocent children were mercilessly shot dead or wounded. The officers present on the spot did not even care to provide any medical aid for the wounded or to express any sympathy for those who were killed or injured. To shoot poor unarmed people and then to render no aid, to allow the injured to die in anguish with the consciousness that even the least human sympathy was not shown to them in their last moment of life, is a spectacle which must melt the hardest heart. The details are so very gruesome as to make us fear that they are bound to prove disgusting to Your Highness. We therefore pass over this indescribable incident and mention the subsequent events only in a general way. Some men of the Police Training School who were coming towards the city in a lorry wounded and killed peaceful Mohammedan passers-by without any justification. In order to maintain the public peace and to prevent public excitement from spreading as the result of taking the few dead bodies which could be found to different localities, the Muslims collected the bodies in the Juma Mosque in spite of such oppressive treatment. When one or two persons who had received grievous injuries were being carried to the dispensary of Dr. Abdul Wahid they were subjected to gross insults in order to provoke breach of peace and charge with lathies with the result that they died. And then fast propaganda was started to implicate the Muslims.

7. On that day when unfortunately at such a critical and dangerous occasion when no aid was forthcoming from the Government the carrying of one or two of the wounded into the city proved a source of excitement and disturbance among the mischievous and conspiring non-Muslims. In short the martyrs were subjected to such insults that it is possible that some irresponsible persons might have been provoked into committing excesses upon shop keepers. After this, stories were fabricated and exaggerated accounts of loot propagated. At the same time Hindu Military pickets were posted in the city. This Military force was already encouraged against the Muslims on account of the poisonous propaganda carried on a few weeks before this occurrence and which wrought havoc on the Muslims, at the instigation of Hindus. The passers-by were killed or beaten. Peaceful Mohammedan citizens were dragged out of their houses and maltreated before being arrested. Muslim houses were sacked, no atrocity was spared and even women were outraged. Little children were not only beaten but also killed. The statement of a non-Muslim lady who was an eye-witness throws light on these facts. Poor Muslims, men and women, were ruined, wherever they could be got hold of and some were strangled. The corpses of the martyrs are still being recovered from the river. Things at Maharajanj and Bohrikadal reached such a pass that the Muslim inhabitants had to remain confined without meals in their houses for three days. The havoc wrought from Haba Kadal to Safa Kadal is indescribable.
8. The Hindus entertained the soldiers in every way and influenced them by a variety of dishes.
9. At Maharajanj, Dumbā Kadal, Nawa Bazar, Batyar and

Vicharnag, the Military force and the Hindus killed many innocent Muslims without any justification

10. In this indiscriminate orgy, law and procedure were trampled under foot, nor did the officers even pay any heed to justice or law and under the influence of communal feelings they became vindictive and tyrannical. The result was the truth was never revealed. The Muslims felt compelled to believe that they were being ruined as a result of an organized conspiracy. Some past events like the Congress procession clearly show that the authorities took no action against the unlawful Congress processions. In spite of such glaring precedents, Mohammedans were given unduly harsh treatment, otherwise the Muslims never could expect from a merciful Ruler of Your Highness' personality to issue such orders.
11. At the dead of night some representatives of the community were arrested. They were not allowed to join the funeral of their martyred brethren. This has lacerated the heart of the community.
12. Your Highness can form an idea of the sincerity and loyalty of the Muslim subjects from the fact that in spite of this massacre, absence of medical aid, slaughter of peaceful Muslim passers-by at the hands of the Hindu Military force, the invasion of homes, the pillage, the outrages on women, the insult of Muslim men, the beating, the cruel murder of children, the Muslim subjects had such trust and confidence in Your Highness that their representatives including the Mir Waiz of Kashmir presented themselves to place the facts before Your Highness and to seek justice. But the conspiracy had succeeded so far that Your Highness declined to give a hearing in person and did not receive the representation.
13. On this doomsday it was impossible for Muslim public to exercise restraint and abstain from taking out the funeral procession of the martyrs. But it was simply in obedience to Your Highness' commands that the Muslims steeled their hearts and buried the martyrs in silence.
14. Little children have also been confined in prison along with a large number of innocent persons without sufficient cause. The maltreatment to which they were and are being subjected is very shameful and their release would be in accordance with justice.
15. The arrangements made in two important Wards out of the four into which the city was divided under Your Highness' commands are so unsatisfactory that their present condition is even worse than the previous one. The experienced and senior Hindu Officers are taking full advantage of the inexperience and weakness of the junior Muslim Officers. The very object with which this arrangement was set up is being defeated and great loss has been caused and is being caused to the Muslims. True to their traditions these Pandits have thus reduced the Muslims to utter helplessness from whom petitions even were not received. Although information was furnished as to where the concealed and stolen property could be found but non-Muslims were not even touched and Muslim applicants were refused hearing and turned out.

16. When on the insistent requests of the Muslims, a Muslim officer searched one or two non-Muslim shopkeepers' houses, considerable property was recovered. Besides in similar other searches the cloaks etc of Muslim women were found. Enquiries made go to show that the designs of interested non-Muslims who concealed their own property in order to ruin the Muslims and to give colour to the story of the loot would have been exposed, if searches had taken place. But suddenly the Chief Minister issued orders under which these searches were stopped and non-Muslims screened.
17. Many persons are missing and it is not known about them whether they are in Jail or they were killed because inspite of repeated requests the list of prisoners has not yet been supplied.
18. Inspite of the fact that the Muslim subjects are said to have started this trouble, all temples are safe although mosques and Muslim places of worship were desecrated and dismantled while the local officers looked on unconcerned. The wonder of it is that wherever the Hindu population is very small as compared with Muslim population there have been no complaints from the Hindus. On the other hand the complaints are general in those parts of city where the Hindu population is larger. This makes it clear how far the story of the non-Muslims can be true. These complaints were brought to the notice of the authorities from time to time and the matter was also represented to Raja Hari Kishan Kaul but in vain.
19. All officers who are investigating the cases arising out of the Jail incident are non-Muslims and the responsible officers of the Jail are also Hindus. The result has been that the large number of prisoners in the Jail have neither been *challaned* so far nor released on bail even after such a delay. It is learnt from reliable sources that the prisoners are put to great hardships to induce them to give false evidence or to compel them to make false confessions. Similarly some Jail officials were treated harshly to induce them to give false evidence in connection with the Jail incidents. On their refusal to do so they were degraded and transferred and also dismissed. Moreover, those living near the Jail are also being induced by fear or favour to give false evidence. Consequently the truth will not be revealed before the Enquiry Committee. These methods are also a violation of the notification whereby Government servants were promised protection from molestation on account of giving true evidence.
20. The conspiracy of the non-Mohammedans is not confined to Srinagar as even in the Mufassils bigoted non-Muslim officers have adopted similar methods with the object of disturbing the peace and then to implicate the peaceful Muslims. They have succeeded because most of the officials in the Mufassils are non-Muslims and the oppressed Muslim subjects are dumb. For example a house in the village of Khulana in the Uri Tehsil accidently caught fire and the owner was burnt with his family. The brother of the deceased clearly admits in his statement that the fire was accidental and Police also arrived at the same conclusion and yet attempts are still being made to hold the Muslims to be responsible for this affair. The

poisonous effect of this nefarious propaganda is causing great excitement among the Muslims throughout the State. In this connection the suspension without cause of Muslim teachers and the transfer and removal of innocent Muslim officials are also relevant. When the State of affairs is such that the Muslim subjects inspite of being the aggrieved party have been held to be the aggressors and the true facts have been kept in the dark it was hoped that enquiries would be made and correct facts brought to Your Highness' notice through an independent Commission. But, unfortunately for the Moham-medans, in the first instance, permission was not given for the inclusion of two able Muslim lawyers from outside the State and the Muslim subjects had therefore to express want of confidence in the Commission. Subsequently when certain conditions for their participation were put forward these were also ignored and the Enquiry Committee was appointed. But even before this Official Enquiry Committee could submit any report, a Government communique was issued which implied that the Muslims were responsible for all the disturbances. As the version which appeared in this communique was opposed to facts the Muslims felt convinced that *ex-parte* judgment had been given to consummate their ruin. This communique had and is having its effect on the Enquiry Committee as well as on the cases before the courts and it is apprehended that truth is never likely to come out. Besides the *Milap* has also testified to effect that the communique is the summary of the report of the Enquiry Committee. On this ground also the Muslims have lost all confidence in Raja Hari Kishan Kaul Sahib whose repressive policy and partial attitude are a matter of great anxiety. The recruitment of the Sikhs in the Police specially on this occasion is viewed with great concern by the Muslims. It will not be out of place to submit to Your Highness that Raja Hari Kishan Kaul was really nominated by Hindu communalists of the Punjab for supporting the Hindu cause. But in the meantime he was appointed the Chief Minister of the State, which strengthened his hands against the Muslims and unfortunately for the Muslims he obtained this unique and golden opportunity of fulfilling the wishes of his co-religionists and satisfying his own desire from the effects of which the Muslim subjects cannot consider themselves safe and secure. We, therefore, venture to invite Your Highness' special attention to the fact that it is very dangerous to permit the continuance of the nefarious propaganda and provocative articles in the Hindu Press which give publicity to unfounded charges to effect that Muslims are forcibly converting Hindus and removing their sacred tufts particularly when the entry of Muslim papers in the State is prohibited. In these unfortunate circumstances and surcharged situation it would have been out of place and inappropriate for the Muslim representatives to have submitted their representation. It is, therefore, respectfully prayed that Your Highness may be pleased to take these requests into consideration in the spirit of justice and mercy and issue orders for creating proper atmosphere for the submission of Muslim representation in the spirit of sincere loyalty and with a reasonable chance of the grievances being redressed in order that Your Highness' Muslim subjects may pass their days in peace and security under your gracious and benevolent rule and be bound

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for ever to Your Highness and the Royal Family in true loyalty and devotion to the glory and prosperity of Your Highness and the Royal Family.

(Sd) GHULAM AHMED ASHAI.

„ GAUHAR RAHMAN.

„ YAQUB ALI.

„ MOHAMMAD YUSAF, MIRWAIZ.

„ SAAD-UD-DIN SHAWL.

„ AHMEDULLAH, MIRWAIZ, HAMDANI.

„ GHULAM ABAS.

„ S. M. ABDULLAH.

„ SHAHAB-UD-DIN.

„ SAYED HASSAN SHAH, JALALI.

Réply to the representation presented to His  
Highness on the 15th August 1931, by  
a deputation of ten persons represent-  
ing the Muslims of the cities of  
Jammu and Srinagar.

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His Highness is aware that his Muslim subjects are loyal and devoted to his Person and Throne and needs no assurance on this subject, all the same he much appreciates the expression of loyalty which is so emphatically made. His Highness feels deeply grieved at the unfortunate and sad incidents of 13th July last and for the loss of life and property which resulted therefrom and greatly sympathises with the families of those who lost their lives and with those who suffered from hurts, wanton pillage and other causes.

References have been made to several events connected with the occurrences of 13th July and subsequent days. In view of the fact that these events form the subject of enquiry by the Riots Enquiry Committee and by Courts of Law, His Highness does not desire, at this stage, to express any opinion relating to them. His Highness' sole aim in relation to these matters is the ascertainment of truth and this solemn duty has been entrusted by him to the able and impartial Judges of his High Court, headed by a Chief Justice of Sir Barjor Dalal's standing and reputation, which constitutes the Committee of Enquiry. His Highness cannot help feeling that a mistake was made when the two non-official Mohemmadan Members were prevented by certain misguided persons from serving on the Commission which on account of their withdrawal had to be converted into an Official Committee of Enquiry. He trusts that the Muslim community will not now commit another mistake but will put forward before the Committee of Enquiry all the evidence which they may have in support of the allegations made in the representation, which His Highness has no doubt will be duly weighed and considered by that body. His Highness wishes to point out that besides promptly appointing a Commission of Enquiry as aforesaid, he did all he could to anticipate the wishes of his Muslim subjects by firstly constituting Sessions Courts, each presided over by two Sessions Judges, one Mohemmadan and one Hindu, to try persons accused of rioting, etc, and secondly by the nomination of Mohemmadan and Hindu Police Officers and Magistrates to make joint investigations. The Police investigation relating to the Jail riot though conducted by a Hindu Police Officer has been under the direct supervision of the Deputy Inspector General of Police, Sheikh Aziz Din. The Deputy Inspector General of Police has also been supervising all the enquiries which were made jointly by the officers primarily deputed for the purpose.

The 'Ailan' to which reference has been made in the representation is evidently the communique of the 28th July 1931, which was issued on the basis of facts reported by the Executive Officers and the Police. The petitioners, fear that the communique is calculated to influence the opinion of the Commission or the decision of Courts, is unfounded. It cannot affect the Courts of Law or the Committee of Enquiry any more than a similar statement issued by the Resident in Kashmir a week earlier. His Highness and his Government have an entirely open mind as regards the true facts that may be ascertained by the

Committee of Enquiry or by the Law Courts. His Highness views all his subjects alike and expects his Courts and Officers to deal with cases irrespective of caste or creed of the parties.

It is obvious that after a riot or a disturbance arrests have to be made from amongst those who are found in the crowd or against whom *prima facie* evidence becomes available. In this manner out of many thousands of persons forming the crowd only 336 were arrested. Two Officers, one Hindu and one Mohemmadan, were ordered by His Highness to scrutinize the evidence against the prisoners and those against whom there was no substantial evidence were discharged; others were released on bail and recently some more men have been similarly released under instructions of the Prime Minister. Only 239 persons were put in Jail, but at present there are only 69 persons in custody of whom 57 have been committed to Courts and 12 have been ordered to be released on bail which they have not been able to furnish so far. No children of tender age are reported to be in the Jail. Three boys were arrested but they have all been released on bail. The relatives of prisoners could have ascertained at any time from the Srinagar Jail whether the persons whose whereabouts they wanted to find out were there or not. The Superintendent of Jail is, however, being directed to issue a complete list of the persons who are now in Jail in connection with the incidents of 13th July.

The petitioners complain of differential treatment of vernacular newspapers. It is stated that while muslim newspapers are severely dealt with, hindu newspapers which are alleged to contain equally objectionable matter remain un-noticed. This allegation is not based on facts. In proscribing a newspaper the consideration is, as is the case in other Indian States, whether a mischievous propaganda is being carried on against the Ruler or his Government or against the maintenance of Law and Order. Action has been taken on this principle in the past also against hindu papers, such as the 'Ranbir' of Jammu and the 'Riyasat' of Delhi.

The solicitude of His Highness for the general uplift and advance of his Muslim subject is evidenced by what he has already done during the short period of five to six years since the commencement of his reign, for instance:—

1. Enactment of the Agriculturists' Relief Regulation.
2. Extension of the Land Alienation Regulation to the whole of Jammu Province as a permanent measure.
3. Extension in the term of Land Settlement from 20 to 40 years.
4. Write-off of "Tasfiya Raqaya" and Revenue arrears.
5. Expansion and development of the co-operative movement including Co-operative Banks.
6. Introduction of Compulsory Primary Education and expansion of Education in all Branches.
7. Increase in the amount of special Scholarships for Muslims.
8. Holding of Industrial Exhibitions.
9. Increase in the price paid to Zamindars for silk cocoons.
10. Extension of medical relief to outlying places.

11. Prohibition of 'Begar'.

All these measures were introduced wholly or mostly for the benefit of His Highness' Muslim subjects.

The account of the incident of the funeral procession of a Kashmiri Pandit girl appears to be a distorted one. According to official reports received, no cursing of Muslims appears to have been indulged in. It should be noted that this was the first procession which was forcibly dispersed by a Lathi charge because the processionists persisted in taking a route other than the one which they had been ordered to follow.

The representation contains several mis-statements which it is unnecessary to deal with in detail but a few of them deserve notice. It is not in accordance with the report made by Mr Wakefield, Political Minister, that the representatives of Jammu were asked to put in a joint representation with the representatives of the Muslims of Kashmir. The Muslim representatives of Jammu who were asked by Mr Wakefield to make their representation lost time in trying to associate with them the Muslims of Srinagar, and it was again on the strong advice of Mr. Wakefield, Political Minister, in view of the situation caused by the communal tension which had arisen, that His Highness, after full discussion in Council, arrived at the decision to postpone the presentation of the deputation.

The decision arrived at in the *Tauhin-i-Quran* case was based on Mr Wakefield, Political Minister's enquiry in association with two Mohammedan representatives and the facts are clearly detailed in the communique issued in that connection.

In the *Khutba* case, the agitators would not allow the executive to deal with the matter but took it to Court. In case of dissatisfaction with the Judgment, it was open to them to appeal to get the decision set aside which they have not done.

Any attempts at desecration of sacred places or places of worship of any creed, which His Highness considers severely reprehensible, are matters to be dealt with by Courts of Law.

It is not a fact that any order was issued by the Prime Minister to stop any searches. The allegation is, therefore, clearly based on some mis-understanding.

The representation is full of expression of communal tension. In this connection His Highness wishes to emphasise that suspicion begets suspicion and that the wisest course for people to adopt is to shake off outside evil communal influence and re-establish amicable relations so that all communities may live peacefully together as common and loyal subjects to His Highness who considers it his duty to hold the balance even between them. Out of the said indulgence in suspicions, His Highness considers arise the baseless charges levelled against the Prime Minister. 'The heart-rending information' which is alleged to have been imparted by him is not specified, but if, in view of the vile slogans used in the women's and children's processions and reports of certain mischievous speeches before him, the Prime Minister asked the representatives whether they entertained views subversive of Government expressed therein or had come to see him as loyal subjects of His Highness, the Prime Minister only discharged his duty to His Highness and to the State. The allegation that he had been nominated by some Hindu organisations of the Punjab to assist the Hindus is utterly false and His Highness wishes to make it known that he has the fullest confidence in the impartiality and uprightness of his Prime Minister, Raja Hari Kishan Kaul.



His Highness cannot too strongly deprecate the tendency of some misguided and irresponsible persons to create agitation amongst his Muslim subjects which is calculated to tamper with their loyalty, and wishes to emphasise the necessity of his Government maintaining Law and Order and dealing properly with persons who transgress the Law.

His Highness' Government are doing all in their power to create a calm and peaceful atmosphere, but it seems necessary to point out that in order to achieve this object, the active co-operation of true leaders of His Highness' Muslim subjects is not less necessary and His Highness trusts that they will realise their responsibility to come forward and assist in this matter.

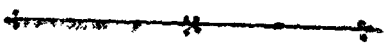
His Highness is ever ready to receive legitimate requests and representations from all classes and communities of his people in a constitutional manner and should his Muslim subjects wish to submit such a request or representation, it is hardly necessary to say that His Highness will receive it and give it due consideration.

By Command of His Highness

HARI KISHAN KAUL,  
RAJA, C. S. I., C. I. E.,  
PRIME MINISTER,  
*His Highness' Government,*  
*Jammu and Kashmir*

SRI NAGAR  
23rd August 1931. }

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۱۰۰۰ و ۱۰۰۰... در این کتاب...

ان اعلان سے ایسی غلطی سرزد نہ ہوگی۔ بلکہ ان شکایات کی تصدیق میں جو انہوں نے عرضداشت میں پیش کی ہیں۔ جو کچھ شہادت وہ دیتا کر سکتے ہیں۔ کمپنی مذکورہ بالا کے اجلاس میں پیش کریں گے۔ حضور عالی کو یقین کال ہے۔ کہ اس شہادت پر اصحاب کمپنی معقول مزاجت اور غور کریں گے۔ سر حضور یہ بھی بتلانا چاہتے ہیں۔ کہ انکو ایسی کمپنیشن فوراً مقرر کرنے کے علاوہ جو کچھ بھی آنحضرت کی مسلم رعایا چاہ سکتی تھی۔ اس کے پورا کرنے کا آنحضرت نے پیشتر ہی سے حق الامتداد کیا ہے۔ اولاً یہ مقدمات بلوہ وغیرہ کی رہائش کیلئے عدالت کے سیشن مقرر کی گئیں۔ جن میں ایک ہندو اور ایک مسلمان جج ہیں۔ دویم ہندو مسلمان افسران پولیس و مجسٹریٹ مقرر کئے گئے۔ جو مل کر تفتیش کریں گے۔ بلوہیل کے متعلق تفتیش کی گئی۔ وہ ایک ہندو افسر پولیس نے کی۔ مگر زیرنگرانی شیخ عزیز الدین ڈی پی اسپیکر جنرل پولیس کے۔ اور ڈی پی اسپیکر جنرل پولیس ہی کی نگرانی میں۔ جملہ تحقیقاتی افسران جو اس غرض کیلئے مقرر کئے گئے۔ کام کرتے رہے ہیں۔

یہ ظاہر ہے کہ جس اعلان کا ذکر آپ نے اس محروصہ میں کیا ہے۔ اس سے مراد اعلان مورخہ ۲۴ جولائی ۱۹۳۱ء ہے۔ جو افسران پولیس و انتظامی افسران کے بیان کردہ واقعات پر مبنی تھا۔ آپ کا یہ اندیشہ بے بنیاد ہے۔ کہ اس اعلان کا انٹرکیشن کی رائے یا عدالت ہائے فیصلہ جات پر پڑنے کا احتمال ہے۔ عدالت قانونی یا انکو ایٹری کمیٹی کے لئے یہ اعلان ایسا ہی بے اثر ہے۔ جیسا کہ اعلان ریڈنٹ صاحب بہادر جو اس سے ایک ہفتہ پیشتر جاری ہو چکا تھا۔ ان واقعات پر جو عدالت ہائے قانونی یا انکو ایٹری کمیٹی کی تحقیقات سے معلوم ہونگے۔ سری سرکار والا اور ان کی گورنمنٹ کونسل صاف دلی سے شوہر قریب سے۔ سری حضور اپنی تمام رعایا کے ہر فرد کو مسادی سمجھتے ہیں۔ اور ان کو توقع ہے۔ کہ حضور کی عدالت ہائے افسران تمام مقدمات میں بغیر لحاظ مذہب و ملت فریقین کا رروانی کریں گے۔

یہ خیال ہے کہ بلوہ یہ فساد کے بعد ان شخصوں کی گرفتاریاں عمل میں آتی ہیں۔ چونکہ مجمع میں شامل ہوں۔ یہاں کے برخلاف کسی قسم کی باوی نظری شہادت پیدا ہو جائے۔ پیمانہ پختہ اس طریق پر ہزار ہا اشخاص کے مجمع میں سے صرف پچاس کسان گرفتار کئے گئے۔ دو افسران ایک ہندو اور ایک مسلمان گرفتار شدگان کے خلاف شہادت کی پڑناں کیلئے مقرر کئے گئے۔ اور جنکے برخلاف وزنی شہادت موجود نہ تھی۔ ان کو یا کر دیا گیا۔ بعضوں کو ضمانت پر چھوڑا گیا۔ اور

خال ہی میں چیتہ اور اشخان پڑایم منسٹر صاحب کی ہدایت کے مطابق رہا گئے تھے میں  
 کل ۲۲۶ شاخص ہیں یہ بھی گئے جن میں سے اب صرف ۶۹ مجبوس ہیں۔ ان میں سے  
 ۷۰ کا عدالت میں چھلان کیا گیا اور ۱۲ کے واسطے ضمانت پر رزاکے جانے کا حکم دیا گیا  
 مگر ابھی تک وہ لوگ ضمانت دیا نہیں کر سکے۔ لیکن بچوں کے حمل میں ہونے کی کوئی رپورٹ  
 موصول نہیں ہوئی ہے۔ تین لڑکے گرفتار ہوئے تھے۔ مگر وہ تمام ضمانت پر چھوڑ دئے گئے ہیں۔  
 گرفتار شدگان کے اقارب جن دخت بھی پاپٹہ پنگرہیل سے معلوم کر سکتے تھے۔ کہ آیا وہ اشخاص جو کہ حکم پتہ  
 یہاں موجود ہیں یا نہیں۔ بہر حال سپرٹنڈنٹ پولیس کو ہدایت کی جارہی ہے کہ وہ ان لوگوں کی جو کہ  
 وقوعات مورخہ ۱۳ جولائی کے سلسلے میں سویت جیل میں ہیں ایک مکمل فہرست اجراء کریں۔

آپ نے یہ بھی شکایت کی ہے کہ وہی زبان کے اخبارات کیساتھ ایک یا سلوک نہیں کھاتا  
 اور ظاہر کیا ہے کہ مسلم اخبارات کیساتھ سخت برتاؤ کیا جاتا ہے اور ہندو اخبارات کا کوئی نوٹس  
 نہیں لیا جاتا باوجودیکہ ان میں بھی ایسی شد قابل اعتراض مضامین ہوتے ہیں۔ یہ شکایت افحاش  
 مننی نہیں ہے۔ بہانہ بھی جیسا کہ اور ہندوستانی ریاستوں میں دستور ہے۔ کسی اخبار کا داخلہ بند کرنے کیلئے  
 قابل غور امر یہ ہوتا ہے کہ آیا وہ والٹے ملک یا اس کی حکومت یا حفظ امن اور قانون کے تقاضے  
 شرراگیز پراپوگنڈا کر رہا ہے۔ یہ چنانچہ اس اصول کے مطابق ہندو اخبارات مثل رنیر جموں و ریاست  
 دہلی کے خلاف بھی کارروائی میں لائی گئی ہے۔

- ۱) ریگولیشن اور سی ریسٹریکٹڈ ان کا انعقاد۔
- ۲) ریگولیشن اور سی ریسٹریکٹڈ ان کا انعقاد۔
- ۳) تصفیہ بقایا اور باقیات نالیہ سرکار کا اخراج۔
- ۴) اتحاد کمیٹیوں کی ترقی و توسیع بشمولیت اتحادی بینک۔
- ۵) بلازمی اینڈ رانی ٹولیم کا اجراء اور توسیع تعلیم ہر قسم۔

۷) مسلمانوں کے مخصوص وظائف کے زخم میں اضافہ کی۔

۸) صنعت و حرفت کی نیا نیاں کا انعقاد

۹) رشیم کی ٹوبوں کی قیمت میں جو زمینداران کو دیا جاتی ہے۔ ایزادگی

۱۰) دور دراز مقامات پر ملتی آمداد کا ہینا کیا جانا۔

۱۱) بیگار کی ممانعت

یہ تمام تجاویز کلام یا زیادہ تر سرخیور کی مسلم رعایا کے مفاد کی خاطر عمل میں لائی گئیں۔

کشمیری پنڈت لڑکی کے جنازے کے بارے میں جو بیان کیا گیا ہے۔ اس کی شکل خلاف

اصولیت ہے۔ سرکاری رپورٹوں سے جو موضوع مل رہی ہیں۔ یہ ثابت نہیں ہوتا۔ کہ اہل

اسلام کو اس موقع پر کوٹا گیا ہو یہ اعتراض کر رہے ہیں۔ کہ یہ پہلا جلوس تھا جس کے منتشر کرنے کے لئے

لاٹھی چارج استعمال کرنا پڑا کیونکہ وہ لوگ جو جلوس میں شامل تھے۔ یہ خلاف حکم ممنوع راستے سے اترتی

لے جانا چاہتے تھے۔

عرضیہ میں کئی ایک غلط بیانیوں ہیں۔ جن پر اس جگہ مفصل بحث کرنا غیر ضروری ہے۔

گراں میں سے چند ایک قابل نوٹس ہیں۔ یہ آکر کہ مسٹر ویفلڈ پولیکل منسٹر نے نابندگان جموں کو

ہدایت کی کہ وہ نابندگان کشمیر کے ساتھ ملکر متفقہ معروضات پیش کریں۔ صاحب موصوف

کی رپورٹ کے مطابق نہیں ہے۔ جموں کے مسلم نابندگان نے جنکو مسٹر ویفلڈ نے تعلقہ پیش کرنا کہا تھا

سرنگم میں آکر محض اس کو شش میں کہ سرنگم کے مسلم بھی ان کے ساتھ شامل ہوں وقت گزار دیا۔

اور بعد ازاں مسٹر ویفلڈ پولیکل منسٹر کے پورے مشورے کے مطابق ان حالات کو مدنظر رکھتے

ہوئے جو کہ فرقہ دارانہ کشمکش کی وجہ سے پیدا ہوتے تھے۔ سرکار والا باجلاس کو نئی پوری جو کہ بعد

اس نتیجے پر پہنچے کہ ڈپوٹیشن کی حاضری کو نامتوی کیا جانا چاہئے۔

تو میں قرآن کے مقدمے کا فیصلہ بھی اس تحقیقات پر مبنی ہے جو کہ مسٹر ویفلڈ پولیکل منسٹر

نے بشمول دو مسلم نمائندگان کی تھی۔ اور اس بارہ میں جو واقعات معلوم ہوئے۔ وہ پھر

اس اعلان میں درج ہیں۔ جو کہ اس سلسلہ میں شائع کیا گیا تھا۔

خطبہ کشمیر میں شورش کشمیر کے حکام انتظامیہ کو کارروائی نہ کرنے دی اور

عدالت میں لے گئے۔ عدالت کے فیصلہ سے اگر تشفی نہ ہوئی۔ تو ان کو عدالت بالا میں اپیل کا  
استحقاق تھا۔ مگر وہ اپیل کرنے سے قاصر رہے۔

کسی مقدس مقام یا کسی مذہب کے مقام پر تشفی کی توہین کا اقدام کرنا سرسختوں  
کی نظر میں نہایت قابل تفریق فعل ہے اور چھوٹے معاملات کے تصفیہ کے لئے عدالت قانونی میں کارروائی ہونی چاہیے  
یہ امر درست نہیں ہے کہ پرائیم منسٹر صاحب نے تلاشیں بند کرنے کے لئے کوئی حکم صادر کیا تھا  
لہذا یہ شکایت صحیحاً غلط فہمی پر مبنی ہے۔

غرضداشت کی عبارت کلیتاً فرقہ دارانہ کشمکش کی ہے۔ اور اس بارہ میں حضور  
والا واضح کرنا چاہتے ہیں کہ اشتباہ سے اشتباہ پیدا ہوتا ہے۔ ایسی صورت میں رعایا کیلئے نہایت  
دانستندانہ طرز عمل ہے کہ وہ بیرونی برے فرقہ دارانہ اثرات سے علیحدہ ہو کر باہمی خوشگوار تعلقات  
از سر نو قائم کریں۔ تاکہ تمام جماعتوں کے لوگ مل جل کر سرکار والا کی وفادار رعایا کی مانند  
با امن زندگی بسر کر سکیں۔ جو کہ اپنی رعایا کے مابین میسران انصاف کو مساوی  
رکھنا اپنا فرض تصور کرتے ہیں۔ سرسختوں سرکار والا کا یہ خیال ہے کہ مذکورہ بالا اشتباہ سے ہی متاثر  
ہو کر پرائیم منسٹر صاحب کی ذات کے خلاف بے بنیاد الزامات عائد کئے گئے ہیں۔ "جگر خراش اطلاع"  
جو کہ ظاہر کیا گیا ہے کہ انہوں نے دی بالخصوص بیان نہیں کی گئی ہے۔ لیکن ان قابل نفرت نعروں  
کو مد نظر رکھتے ہوئے۔ جو کہ عورتوں اور بچوں کے چلو سون میں لگانے گئے اور ان چند شرانگیز تقریروں  
کی مینا پر جن کی رپورٹ ان کے پاس پہنچی۔ اگر پرائیم منسٹر صاحب نے نمائندوں سے یہ  
دیباقت کیا کہ آیا وہ بھی ویسی ہی گوبہنٹ کی مخالفت کی ذہنیت رکھتے ہیں جو ان نعروں اور  
تقریروں سے ظاہر ہوتی ہے۔ بلکہ نمائندگان مذکور بحیثیت وفادار رعایا، سرکار ملاقات کرنے  
آئے ہیں۔ تو پرائیم منسٹر صاحب نے محض ایسا فرض انجام دیا۔ جو کہ ان پر سرکار والا اور ریاست کے  
طرف سے عاید تھا۔ یہ امر کہ انکو پنجاب کی کسی مہندوسہا نے اہل ہنود کی امداد کے واسطے نامزد  
کیا تھا بالکل جھوٹ ہے اور حضور پر نور یہ ظاہر کرنا چاہتے ہیں کہ آنحضرت کو اپنے پرائیم منسٹر صاحب  
راجہ ہری کشن کول کی نیک نیتی اور غیر جانبداری پر کامل بھروسہ ہے۔

سرسختوں ان گمراہ اور غیر ذمہ دار اشخاص کی حرکات حد سے زیادہ ناپسند فرماتے ہیں۔ جن کا

مقصد سرکار والا کی مسلم رعایا میں شورش پیدا کرنے کے ان کی وفاداری میں لغزش پیدا کرنے کا ہے۔ اور سرکار والا انہما فرماتے ہیں کہ حفظ امن برقرار رکھنا اور ان اشخاص کے ساتھ جو قانون کی خلاف ورزی کریں سلوک مناسب کرنا انکی گورنمنٹ کے لئے از بس ضروری ہے۔

سرکچیف اور سرکار والا کی گورنمنٹ پر امن فضا پیدا کرنے کے لئے تنہی الامکان سعی کر رہی ہے۔ لیکن یہ جتنا بھی واجب ہے کہ اس مدعا کے حصول کے لئے سرکار والا کی مسلم رعایا کے حقیقی لیڈروں کا عملی تعاون بھی کم ضروری نہیں۔ اور سرکچیف کو بھروسہ ہے کہ یہ حقیقی لیڈراں اپنی ذمہ داری کا احساس کرتے ہوئے اس بارہ میں گورنمنٹ کی امداد پر کمر بستہ ہو جائیں گے۔

سرکار والا اپنی رعایا کے ہر طبقے اور ہر فرقے کی معقول معروضات اور استدعاؤں پر جو آئینی طریقے پر پیش کئے جائیں غور کرنے کیلئے تیار ہیں اور اگر حضور مدوح کی مسلم رعایا اس قسم کی استدعا یا عرضداشت پیش کرنا چاہتے تو یہ کہتا غیر ضروری ہے کہ سرکار والا ایسی عرضداشت کو پوری توجہ سے سماعت فرمائیں گے۔

۲۳ اگست ۱۹۳۱ء

حکیم سہری حضور سرکار والا

دستخط: ہری کشن کول

پرائیم منسٹر

## FOREWORD.

The news of the orgy of loot, arson, incendiarism and assaults that was perpetrated in Srinagar, Kashmir, on 13th July 1931, is already public property. His Highness the Maharaja of Jammu and Kashmir appointed a Commission of Enquiry immediately after the occurrence to make the necessary investigations and suggest measures for the suppression of such outbreaks in future. The Commission contained four non-official members, two of whom were Muslims, chosen from leaders nominated by the community. But these latter expressed their inability to serve on the Commission. His Highness then ordered that the Commission should proceed on with its work with only the official members, namely three judges of the High Court only, one of whom is a Hindu Chief Justice and one of the other judges being a Parsi and Muslim respectively. Regarding the actual facts of the outbreak reference may be made to the Government communique issued on the 28th July, a copy of which is enclosed as Appendix VI.

The following note is a slightly revised form of the statement prepared for the Sanatan Dharma Youngmen's Association Kashmir, Srinagar, which was presented to the Enquiry Commission on 12th August 1931. The conclusions set forth are based on unimpeachable evidence of persons who had direct knowledge of the several events dealt with herein. A special committee was appointed by the Association soon after the disturbance to go round and collect evidence on spot. Every statement of fact has been carefully verified by the committee. Five of the six Appendices attached to this note formed part of the original statement also. Particular attention of the reader is invited to Appendices III and IV and also to Appendix V read together with Appendix IV.

The Association wants to make it clear that it does not stand for communalism. Unfortunate events have occurred which compel the members to oppose themselves to a section of their Muslim brethren. But, their policy and endeavour are broad-based on nationalism and it is just because some officers of His Highness' Government appear to have encouraged or connived at the nefarious propaganda of the communalists, and the latter partially succeeded in misleading their co-religionists into the paths of hatred and distrust, that the Association has ventured to raise its voice of protest against such evil forces.

The members of this Association have tried in the past to work in co-operation with their Muslim compatriots for the good of the larger community and they will leave no stone unturned to work for



communal harmony in the future. But in order to bring about such conditions it is necessary that the faults of commission or omission from the Government or any section of either community should be thoroughly exposed

Prem Nath Bazaz

B A.

President,

The Sanatan Dharma Youngmen's Association,  
Kashmir, Srinagar.



# THE SANATAN DHARMA YOUNGMEN'S ASSOCIATION, SRINAGAR.

## KASHMIR HINDUS AND THE RECENT DISTURBANCES, 1931.

For a proper appreciation of the present situation, it is important to refer to a few facts that are obvious from a study of the history of Kashmir. The contribution of Kashmir Hindus to the Aryan arts, Literature, Philosophy, and Culture during the Hindu Period is too well known to require a mention here. Then followed the Muslim rule of 600 years and for the larger portion of this period, the Kashmir Hindus were a hunted and persecuted community. The majority of them were converted to Islam at the point of the sword, and large numbers had to leave hearth and home to seek refuge elsewhere in India. The inherent love of learning which characterised the Kashmir Hindu did, however, assert itself, and he adapted himself to the altered conditions of life and mastered the Muslim culture and Literature. His contribution to it also is not a mean one. The Muslims of Kashmir, did not take to letters and strangely enough even during the Muslim rule, the Kashmir Hindus and not the Kashmir Muslims, formed the literary class. In the comparatively settled times of the great Zainul-Abdin (about 1450 A D) and of the early Moguls, the Kashmir Hindus were held in high esteem. Even so late as the second decade of the last century, they changed the Government of the country, under the leadership of Birbal Dar and Mirza Dar and rescued themselves and the land from the tyranny and barbarism of the Pathan rule by bringing the Sikhs to Kashmir. Commanding the influence of King-makers, the Kashmir Hindus filled the most important administrative posts under the regime of the Sikh governors as well as the first two Dogra rulers. Under Maharajas Gulab Singh and Ranbir Singh, the Kashmir Hindus, were the Governors of both the provinces, the Accountants General, the Development ministers and other high officers.

2. During the late Maharaja Pratap Singh's rule, English education was introduced in the State. The Kashmir Hindu, as usual, took full and early advantage of it while (as usual again) his Muslim countrymen lagged behind, in spite of special Muslim Scholarships and liberal grants-in-aid. Naturally the Kashmir Hindu was recruited in the lower grades of the clerical establishment. During the first years of his rule when he was "condemned unheard," Maharaja Pratap Singh's time was characterised by a general improvement in the administration.

of the State "What with the opening up of the interior of the country by a net-work of district roads providing tolerable means of transport and traffic, construction of the Jhelum Valley and the Banihal Cart Roads linking the State with the outside world, cash assessment of land revenue giving a full control to the agriculturist over the produce of his land, codification of revenue and tenancy laws establishing security of tenure, introduction of primary education and cooperative credit, suppression of forced labour, enforcement of laws against alienation of land construction of irrigation canals ensuring a dependable water supply and other salutary measures the standard of living among the peasant classes has risen and a general improvement is markedly perceptible"

3 During the closing years of his reign, the Punjab communal politics crossed the State boundaries for the first time. Serious allegations were made against his rule and the matter was represented to H E Lord Reading, the then Viceroy of India. *The allegations were scrutinised and proved to be grossly malicious and untrue*. The leaders of the agitation were punished. Mr. Said-ud-din Shawl was exonerated, a Muslim Tehsildar Mr. Noor Shah Nakshbandi, was forced to resign and Mr. Hassan Shah Nakshbandi's jagir was confiscated.

4 On his accession to the throne, His present Highness announced that his religion was Justice. *His love for his Muslim subjects is sufficiently evidenced by his participation in Id prayers*. He granted land for Idgah at Jammu and had a compound wall built round it. Boons were announced relieving the peasantry which is mainly Muslim, of some unpaid revenue arrears and granting them facilities in the matter of grazing-lands for cattle and transferring "Khalasa" lands to them. *He granted pardon to Messers Said-ud-din Shawl and Noor Shah and restored the jagir of Mr. Hassan Shah Nakshbandi*. Mr. Noor Shah has been promoted since his re-employment. Only a few months back, His Highness conferred further boons on the agricultural classes, remitting revenue arrears amounting to lakhs of rupees, and extending the term of settlement from 20 to 40 years. Indeed he has all along shown great solicitude for the welfare of the classes as well as the masses of his subjects. Nine years ago in his capacity as Senior Minister to his uncle the late Maharaja, he had the definition of the term "State Subjects" made more stringent. He issued orders for reserving public offices and grants of land for State subjects only. *As the Hindus on account of their education were better represented in the services than their Muslim countrymen, this policy of protection was ultimately designed in the main to help the Muslims of the State*. He also took steps to relieve the indebtedness of the peasant classes. Regulations were passed stopping all "Shali" trade. Special Benches were established in the Kashmir Valley to decide under summary procedure all cases arising out of what may be called.

"Shahi-advance" contracts. Out of 17,279 suits, 8,189 were dismissed, causing a heavy loss to a section of the Hindus. The decreed amount was to be paid in ludicrously easy instalments. The Grain Control Department of Kashmir which was set up 8 or 9 years ago *has assured producer a fair price for the yield of his land* and protected him from the profiteering middleman whose speculation had brought him a profit of over 200 p c. at the cost of both the consumer and the producer. A sum of Rs. 17,00,000 is disbursed annually in advance without interest to facilitate the payment of revenue by the peasantry.

5 Since the outset of His Highness' rule, Mr. G. E. C. Wakefield had been virtually at the helm of affairs. A definitely pro-Muslim Policy has been in operation during all this period presumably with His Highness' consent. In order to liquidate rural indebtedness not covered by the Grain Regulation, the Agriculturists' Relief Regulation was hurried through with retrospective effect, behind the back of the Hindus, involving them in an incalculable loss of money. The Land Alienation Act was extended to save Muslim peasants from losing their landed proprietorship. *Confidential circulars were issued, instructing heads of Departments to recruit candidates for certain appointments from Muslims exclusively. Ill-qualified and un-qualified Muslims were given preference over highly qualified Hindus\** Many instances of supersession of capable and energetic Hindu officials by their Muslim subordinates of indifferent merit can be cited. The authorities lent colour to the got up grievance of the Muslims that their educated men were not taken in the services. The truth about this statement will be clear from Appendixes IV and V. Very few Muslims of any education are out of Government Service. If we consider the proportion of those Muslims in service to such of them as are educated, we shall see that the complaint of the inadequate representation of Muslims in service is a hoax. It is no exaggeration to say that almost all Kashmiri Hindus who are out of service are educated and that almost all Muslims who are educated are in service. Muslim institutions like the Islamic School are manned by Hindu teachers without any external pressure by anybody, for the simple reason that efficient Muslim teachers are not forthcoming. About a hundred Kashmiri Pandits work as employees of Muslim traders for the same reason. It is not a little surprising therefore that these very Muslims want 77 p c. representation in the services. If the Government were to take up the challenge and ask them to produce the men with proper qualification, the bubble would be picked. It will not do for the Government to find the number of Muslims who are employed let them find the numbers of their educated men who are not employed.

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\* Vide Appendix IV

Only last year, 4 Muslim graduates in law fresh from the University were appointed Munsiffs over the heads of over a dozen highly qualified Hindu candidates of many years standing, whose seniority had been established by an order of His Highness himself. The Scholarship Selection and the Civil Service Recruiting Boards seem to have been designed simply to create new opportunities for Muslims. *Scholarships were granted to Muslim graduates to qualify in Law in British Indian and English Universities, although no such Scholarships have ever been awarded to Hindus.* In the Executive line claims of qualified and approved Hindu candidates were overlooked in favour of unqualified Muslims. It is notorious that *Mr. Wakefield issued an order to the Srinagar Municipality to select "only Muslims" for certain vacancies, although trained Hindu Graduates with special training for those posts were available and there were no Muslims of the requisite qualifications.* What wonder is there that scores of starving Hindu graduates declared their preparedness to accept Islam in order to be considered for these posts? It is a long tale too woeful to narrate in full, and all this because His Highness is a Hindu and his religion is Justice.

6 It is evident that the Maharaja has done more for his Muslim subjects than even a Muslim Prince could or would do for them. Mainly to benefit the Muslims of Kashmir, His Highness has made primary education free and compulsory in the cities of Srinagar and Jammu and other townships in the State, *the Hindus, especially of Kashmir who pleaded for the measure did not want it for themselves as education was already universal among them.* There may be unpalatable facts, but they are there to prove that His Highness was consciously biased in favour of his Muslim subjects. His Highness has allowed an ever-increasing recruitment of Muslims, irrespective of qualifications, both in Government and in his household. This is one of the causes that has emboldened the local Muslims, with the result that is all too obvious. But, however, much he tried to placate them, they only showed themselves to be more unpalatable.

7 The foregoing survey must prove useful for a true assessment of the recent Muslim agitation in and outside the State.

8 An adequate explanation for the recent occurrences which culminated in the rebellion on the 13th July, 1931, must be sought in the violent propaganda persistently carried on in the Punjab Muslim Press. The agitation to secure "Muslim rights" was being vigorously carried on for a number of years by the Punjab Muslim Press, the All India Kashmiri Muslim Conference, the Simla Kashmiri Muslim Board and the Punjab Labour Board. Dr. Sir Mohammad Iqbal's presidential address at the last session of the All India Muslim League openly advocated a Muslim confederacy for North-Western India, which inevitably fired the imagination of certain of our educated Muslim countrymen. In December 1930, was held a session of

the All-India Kashmiri Muslim conference presided over by the Nawab of Dacca who, in his fiery address, declared that it was a matter of shame for the Muslim majority to be ruled by the Hindu minority. The Jammu Muslim Youngmen's Association sent its volunteers to the conference, who returned fully imbued with the violent communalistic ideas expressed at the conference. The only Muslim who dared to stand up to explain the true facts was hooted down. Then followed, one after another, in quick succession, the Muslim Vernacular papers the *Inqilab*, the *Kashmiri Musalman*, the *Kashmiri Mazloom* and the *Hatta Haya* and the *Sunrise* organ of the Ahammadiya Community—all publishing virulent articles against the Hindu Dogra Raj and inciting the Muslims to stand up and fight for their rights, which it was repeated were being trampled upon. The paper besides circulating false news and making personal attacks on His Highness and his Hindu ministers raised the very dangerous cry of 'Islam in danger' in order to kindle the religious fanaticism of our Muslim countrymen. The *Daur-i-Jadid* of Lahore, dated the 1st July 1931, announced that a few leaders from the Punjab who were not very well known and could go about undetected, would be sent for purposes of political propaganda to His Highness' territory. It is significant that steps were taken to ensure the circulation of the more objectionable papers by despatching them in parcels to the address of an obscure Muslim gentleman at Sangin Darwaza, Srinagar. The papers were then hawked about by the volunteer cops.

9 The restriction placed by the State Regulation on the freedom of Press and Platform affected only the Hindu subjects of His Highness and non-communal and nationalistic organisations. In the first place, for fear of embarrassing His Highness' Government which was already an eye-sore to Muslim agitators of the Punjab, Hindus would not think of breaking the laws of the land. In the second place, the mildest criticism of the Government by a Hindu would bring down upon him condign punishment. The suppression of the Youngmen's Club, Srinagar, the Dogra Sabha, Jammu and Kashmir and the Weekly Ranbir, the only paper in the State, the severe action taken against those who were supposed to have had anything to do, directly or indirectly with the hartal and the procession of the 6th of May 1930 (the day following the arrest of Mahatma Gandhi)—all these and other doings of the Government prove beyond reasonable doubt that no movement promoted by non-communal Hindus or designed to foster a spirit of nationalism, however loyal, would be allowed to rear its head. The Weekly Ranbir was indeed loyal to a fault. It was suppressed merely for publishing an account of the happenings at Jammu on the 6th of May 1930. The Dogra Sabha had consistently eschewed all hot politics. Its tone was moderation itself, and it counted extremely cautious men, Hindus and Muslims, (popularly

known as toadies) among its leaders. *Yet it had to be disbanded because a certain somebody in the State would not endure the least shadow or semblance of nationalism within the State.* The Police Minister whose equanimity, as we shall see later, was not at all disturbed by the violent anti-Hindu and anti-Government activities of the Muslim hot-gospellers for months together, was so upset by the happenings of the 6th of May that he abused the President of the Jammu Municipality for not having been able to stop the *hartal* with the result that the latter had to resign. *To reward him for keeping his school open on the hartal day, the Muslim headmaster, of the Islamia High School Jammu, a third class M A was appointed to the post of Lecturer in English, P W. College, Jammu in preference to a first class first M. A* Hindu, though the school-boys, from the mere fact of their belonging to an Islamia School, would not have participated in the demonstrations. A Hindu Principal of a College was punished for not having done what no other principal in any college in India was able to do *i. e.* make the students abstain from joining the *hartal*. From the past record of a highly capable Hindu professor of a college who had months before presided over an academic debate on the subject, "Should students take part in politics?" cause was found for his dismissal. But the work of the Hindu Head-master who did what no other head of a large educational institution consisting mainly of Hindu boys could do on the occasion that is, shutting his boys in the school building, was not considered even worthy of mention. Parenthetically, it may be stated that no action whatsoever has been taken against the Muslim school that observed *hartal* before and after the recent riots. The Dogra Sabha was the one Association that provided a common platform for all the communities of His Highness' subjects. It has had several Muslim presidents. The Sabha had a broad non-communal outlook on social and political problems of the State. If it ever swerved from that ideal, it was only to gain the good-will of the Muslim community as such. The incarceration of Sardar Budh Singh is another instance-in point. A Sub-Divisional Magistrate and Wazir-i-Wazarat, this man of saintly character resigned his comfortable post to serve his countrymen irrespective of caste and creed. He always used his influence in building communal unity and trying to raise the poor and the depressed. Yet he was thought to be a dangerous character and was "buried alive" in the Bahu Fort, Jammu. Papers like the *Milap* and the *Pratap* were black-listed, notwithstanding their loyalty towards His Highness whose cause they always espoused. All this has been mentioned to show how strong the attitude of the Government could be against anything that it considered undesirable.

10 On the other hand, our Muslim countrymen were allowed openly to preach disaffection and provoke communal hatred against the Hindus. Some Muslim officers charged with gross mismanagement

on the basis of unchallengeable documentary proof, were screened. The case of the Director General of Cooperation and Agriculture is in point.

Mr G. A. Ashai was only retired on pension, although very serious charges were made against him. Whether under cover of the houses of God or outside, by means of unlawful meetings and processions, our Muslim countrymen were allowed to preach open sedition and class-hatred at Jammu and Srinagar. The Jammu Muslim Youngmen's Association grew stronger every day and seditious meetings were held very frequently. The authorities seemd to have forgotten the very existence of the standing regulations for seditious meetings which would not have allowed the holding of a single meeting. The agitation intensified during His Highness' absence in Europe. It was this young Muslim party that was mainly responsible for the agitation against His Highness on his return.

11. About this time one Faqir Abubakat Mohammad Shah Fazil Sejad Nishim of Jalalpur, President of "Hizbi-Ullah", (Military of God), visited Jammu and Kashmir and distributed pamphlets and organized Muslim youngmen. In Srinagar the effect was electric. A secret organisation was formed which was named "Khudai Faujdar" or "B. H. P. D." Club. Members were enrolled on the strict understanding that they would be ever ready "to do and die". They had their own uniforms and badges, it is they who established mohalla branches all over the city and carried on propaganda in every mohalla keeping alive the bitterness and communal animosity roused by the speeches of Messrs Ghulam Nabi, a second year student, Mohammad Amin, Bar-at-Law, Maulvi Abdulla Wakil, Maulana Sahiq of Aligarh, Maulvi Zia-ud-din and others.

12. A few more facts that have an indirect bearing on the present discussion may as well be mentioned here. Last year, a well known Muslim communist, a Mr Subhan visited Kashmir. He came in direct touch with Maulvi Abdulla Wakil and some Muslim youngmen. Though a communist and not a communalist, his teaching could not but be interpreted by his hearers to mean a plea for a general uprising. For some time past Maulvi Abdulla Wakil who is the head of the Ahmadiyahs in Kashmir had been trying to unite Muslims of all sections in order to gain influence over large audiences so necessary for successful dissemination of his ideas. But he had failed. The death of the late Mir-Waiz, however, provided him with an opportunity to join hands with leaders of the volunteer organisation. The new Mir Waiz, Mir Usuf Shah was easily won over.

13. Batches of volunteers were sent out into the countryside to fan the flame and keep their co-religionists in the villages and the



towns informed of their actions in the city of Srinagar. Some malcontents, notably Mr. G. A. Ashai, M. A., who was prematurely retired from service on very serious charges of bribery and misconduct, and Mr. S. M. Abdulla, M. Sc., a teacher in the Government High school, seized this opportunity for winning glory and name by openly identifying themselves with the movement which was fast spreading, based as it was on religious fanaticism. Is it not a matter of great surprise that the Government which had exhibited such reactionary attitude in the case of institutions and persons referred to in para 9 above, should have allowed this anti-Hindu, anti-His Highness and anti-Government propaganda to walk the land unchecked and uninterfered? It should be borne in mind that the Government took drastic action in connection with the happenings of the 6th May 1930 before even the sun had set the same day. While in this case, the orgies of the fateful 13th July had to be perpetrated to compel the attention of the authorities and even then unlawful meetings continue to be held, in mosques. Even the curfew gun was not fired for 3 or 4 days after His Highness' Orders in this connection had been passed.

14 For months, the Government was openly challenged and threatened with due consequences if it did not accede to their "demands" which had been formulated under several heads. It may safely be asserted that not one of these demands will stand unbiased examination, and though the Muslim Press bolstered up certain grievances yet not a single article could argue the existence of any legitimate grievance or justify unconstitutional and violent methods of agitation. Inflammatory speeches were delivered and the credulous and illiterate masses were incited to violence against the "enemies" of their religion. False alarms were raised that Islam was in danger and Hindu Raj was held responsible for the "poverty and helplessness" of Muslims. The Jammu incidents which are described below were most unscrupulously exploited at these meetings for the purpose of rousing religious fanaticism. The authorities knew that all this was going on, but for reasons best known to them, they did not show any concern. They turned a deaf ear even to the timely warnings given by moderate Muslim leaders at a meeting called by the District Magistrate, in connection with the growing unrest, to say nothing of the warnings given by the Hindu Sabhas at Jammu and Srinagar and the Hindu Press of the Punjab.

15 A few words about the Jammu incidents. The facts of one of the cases have been fully set out in the Government communique on the subject. It is, however, obvious that an unholy attempt was made to induce a communal strife at what, at worst, was the act of an individual though the innocence of the Hindu head-constable is in so many words proved from the report of the Committee of Enquiry

composed of Mr. G. E. C. Wakefield, the Police Minister and two Muslim gentlemen enjoying the confidence of their community. The Muslim constable had made false complaints of the Hindu constable having kicked his scripture: the former confessed himself of having done so. The other incident was the subject of a complaint against a Sub-inspector of Police before a criminal court for the alleged offence of disturbing a religious assembly of the Muslims though the same Sub-Inspector, himself a Hindu, had previously stopped an Aiyā-Samaj procession which had been organized with the permission of the authorities the offence of the Sub-Inspector was to remind the Imam of the law of the State and to request him not "to deliver a lecture" in the garb of a sermon.

16 The Muslim agitation in Srinagar started as an anti-government agitation. In its initial stages stress was laid on the 'unhappy conditions of Muslims as well as on their demands of "Hakuk" Posters against the State were issued from time to time. In the meanwhile the different sections of Ahamdiyas, Khanqahis and the Nasrat-ul-Islam party were organized for agitation. The meeting at Khanqah-aula was attended by the two Mir-Waizes and joint action was urged. In the same meeting seven representatives were chosen to represent their grievances to His Highness. In the event of his non-compliance with their demands, the brethren in faith were asked to risk their all and be prepared for a revolution. In this very meeting one Abdul Qadir, a cook of a European visitor, delivered a highly inflammatory speech asking the people to end Hindu Raj and be prepared to use lathies, stones, axes and other weapons if need arose. Most of these meetings were, it is stated, attended by Muslim public servants. In fact three of the chief leaders were a Government School teacher, a Government stipendiary and a Government college student. No action was taken against any one of them till they had had ample time to disseminate poison by their utterances. The Government servants' conduct Rules were not enforced. Even for the sake of decency the Government did not at all issue so much as a formal warning against such disloyal activities. For had not some Government servants been hauled up for the activities of their relatives, and had not some college students of the P. W. College, Jammu (of course Hindus) been rusticated only last year in connection with the innocent demonstration of the 6th of May 1931, which could not have left any undesirable effect behind, and were not many students of the S. P. College Srinagar (of course Hindus again) heavily fined for their protests against the screening of the so called Sanitation Film which they considered to be defamatory to their community. It may be stated parenthetically that Hindu officials do not venture to take part even in activities of social reform. There is reason to believe that some responsible Muslim

officials not only sympathised with such organisations, but also took part in secret meetings. Some Muslim C I D. men who went to report easily learnt to participate. This marked the beginning of the very serious turn the Muslim agitation took subsequently

17. Though it had begun as an anti-government movement, it could not for long remain purely so. Offer had been made to certain young men of the Kashmiri Pandit section of the Hindu community to join whole-heartedly in the movement. But they had refused to join. Our Muslim brethren did not choose to understand that it would be impossible for the Hindus to join a revolutionary movement fed on Muslim fanaticism. Two weeks before the outbreak, a Kashmiri Pandit girl about nine years old was kidnapped, raped and then strangled to death. This gruesome murder struck horror in the whole Hindu community. To show their deep sympathy with the victim, a group of Hindu young men wanted to take out a funeral procession from the Government Hospital where the dead body had undergone post-mortem examination. On their way through a Bazar at Amirakadal they were asked to retrace their steps and take a longer route. The young men protested for they had not been instructed to take the other route at the start. Thereupon the unarmed mourning procession was mercilessly charged with lathies by the Police under the order of the Magistrates present, and even those carrying the bier, were not spared: the bier itself was knocked down and the brother of the murdered girl was also beaten. The Police and the Magistracy *did at last* vindicate the majesty of Law, which had been so wantonly flouted by the Muslim agitators. The guardians of law and order could be moved to attack and repel only when Hindus had to be suppressed, even though they were peaceful. Soon after followed another incident: a Muslim was caught, while attempting to break the idol in the Shankaracharya temple. The Sanatan Dharma Sabha, Fatehkadal, Srinagar and the Hindu Sahayak Sabha, Srinagar moved resolutions requesting the Government to bring the offenders to book and prayed for the rule of law and order.

18. On this appeal of Kashmir Hindus for the maintenance of Law and Order, the Muslim leaders openly excited their followers against the Hindus who were threatened in very violent and insulting language. "Let the Pandits remember the days when they were tied in sacks and thrown into the river. Let them know that they live in the jaws of death." Threats of this kind were freely given in open meetings held in mosques in the city and at Hazrat Bal and attended by thousands of illiterate Muslims. But the Government did not intervene to stop this infringement of the law. The District Magistrate's order prohibiting political speeches at the Juma Masjid was defied, but he allowed organisers of the meetings held there to

go scot-free. Hindus did not and do not advocate a rule by ordinances, but they have certainly a cause to lament the inhuman indifference of the authorities who did not set the ordinary law in motion to protect law-abiding citizens.

19. On the contrary, the Government yielded every day to the agitators. To placate them Order No. 6 'securing in the lower paid services also a due proportion of the various communities' was issued by the Government in June last. It raised false hopes in them, and encouraged by the indifference or connivance of the police and the magistracy, they began to press forward other 'demands'. Even the Ministers of the State showed signs of weakness. It is reported that the Political Minister granted long interviews to the leading conspirators. No doubt inspired by his example—he was the highest of the high in the State—other responsible officers gave these hot-headed young men an importance to which they had no title. Motor cars were placed at their disposal, and it was the easiest thing in the world for them to tell their ignorant admirers they had overawed His Highness. These men who had no status in their community and were not taken seriously by any body became heroes when this *imprimature* of official recognition came to them. The pusillanimity of the authorities naturally stiffened the agitators. Soon leaders, subsequently arrested as conspirators (alas too late) arrived from Jammu. They were received very warmly by hundreds of Muslims forming themselves, into a procession. It was said by Muslims themselves, and has not been contradicted so far, that His Highness invited the two Mir-Waizes to dinner and conferred with them about the situation. If the report is true, His Highness' action is to be construed as one of royal graciousness, in keeping with the best traditions of oriental rule. But the story was exploited by the agitators to serve their own nefarious purpose. To remove certain 'misunderstandings' His Highness was pleased to deliver a Message to his beloved subjects. The Proclamation secured adequate representation for Muslims in public services consistently with the requirements of efficiency and freedom of speech subject to the law of the land, and promised a scrutiny in all legitimate grievances that might be presented to him. His Highness showed the baselessness of the cry of 'Islam in danger' and reaffirmed the policy of religious liberty for all sections of the people. Far from appreciating this gracious message which apparently gave them all that they could reasonably demand, the Muslims were dissatisfied and looked sullen. Their leaders misconstrued the message. Some of them went to the length of saying that His Highness had himself stated that *Islam was in danger*. They arranged a general uprising at the earliest opportunity which offered itself in the shape of the

tial of Abdul Kadir, who was charged under Sections 124 A and 153 A.

20. On the 11th July, 1931, at Mukhdum Sahib's fair at Hari-parbat, inflammatory speeches were again delivered which had their full effect. All Muslims were convinced that 'something ominous' would take place on the 13th. Next day on the 12th July, a meeting at Gavkadal was addressed by several of these fomenters of mischief. Besides inciting the people, these 'leaders' asked them to muster strong at the Hari-parbat Jail on the following day. This was generally known to every body. On the morning of the 13th many Hindus felt apprehensive and gave expression to their fears in whispers. Even the authorities were warned of the likely developments but their supineness was not disturbed.

21. From a survey of these events it is clear that this mischief has been set a foot by the Muslim communalists of the Punjab, and the agitation deliberately given a religious garb to serve a purpose. These shrewd Muslim leaders knew well enough that an agitation for their political rights as such would fall on deaf ears and thought it might attract some of their Hindu compatriots, it would not assume dangerous proportions and really the masses. Very cleverly, therefore, these good people engineered a religious agitation, and the cry of 'Islam in danger' did rally round the Muslim masses. What if a handful of the Hindus were sacrificed at the altar of fanaticism? Would that also not serve a purpose?

22. The one inference that can safely be drawn from even a cursory reading of the events of the last two or three years is that while the police, the C I D and the Magistracy would suppress all Hindu and non-communal movements, they would connive at all Muslim and anti-Hindu agitation, however, virulent. If all the forces of law were directed against the Hindus, one may be permitted to ask why were they not directed against the Muslims? Either the Police and the C I.D. turned suddenly inefficient when the Muslims were concerned, or they became demoralized on account of the connivance of the Minister-in-charge of the Police Department.

23. We need not go into the details of the incidents of the fateful 13th July, 1931. The rising was a pre-arranged rebellion against the Government established by law, and not a riot (in the common acceptance of the term) provoked on the spur of the moment by a clash between Hindus and Muslims. After the mob had been dispersed by the action of the police, sections of it proceeded in various directions. Our Muslim countrymen had been persistently taught to believe that the Government and the Hindus were synonymous terms and that a blow at the latter was a blow aimed at the former. The infuriated mob looted almost all the Hindu shops between the

4th and 7th bridges, as stated in the Government communique. A little earlier in the day 'volunteers' had been seen hurrying about and telling Muslims to observe complete hartal and inciting them to plunder and sack. Amid curses on the Hindus in general, war-cries like 'Maharaja Burbad' and 'Harising is dead' were being echoed and re-echoed throughout. It is significant that the loot took place at almost the same time at such distant parts of the city as the Maharajagunj, Chhattabal and Vicharnag. This fact shows that the outbreak was pre-arranged and that it was not the firing that gave the provocation.

24. We have been able to collect so far the following figures of Hindus who sustained injuries and loss of life or property in the recent disturbances\* —

1.	290	Persons assaulted
2.	167	Persons wounded
3.	Two	Persons killed assaults.
4.	One	Person killed by drowning
5.	54	Shops looted
6.	11	Houses looted (containing 13 families)

These figures are by no means complete as all Hindu sufferers are not willing to come forward to record their suffering. The actual statements of most of the known sufferers are in our possession.

25. There are many cases of Hindus being forced to recite 'Kalma' and their sacred threads being torn and their tufts clipped to symbolise their forcible conversion to Islam. It is not unreasonable to presume that there occurred other cases that have not been reported to us. Hindu and Muslim shops are located side by side the former were closed on account of the panic and the latter on account of the hartal. But there is not a single instance of any Muslim shop having suffered even by mistake. This also shows that good care had been taken before hand to mark out the Hindu shops for loot. On several shops warnings were written in charcoal to show that they belonged to Muslims. 12 families (inhabiting 10 houses) were looted at Vicharnag. On the evening of the 12th July Messrs. Yahiya Shah and G. A. Ashai lectured to the mob at Soviroo and on the 13th July it is alleged that volunteers came down to Vicharnag in a motor car (Was it the same that is said to have been stolen from a European?) and gave orders for the loot which began at 2.30 P. M. The behaviour of the mob was more inhuman at Vicharnag than elsewhere whatever could not be removed was burnt or destroyed. Men worth lacs were denuded of everything. 'Untold atrocities' and 'indescribable outrages on women' were committed there, as stated in the Government *Communique* †. The loot here was intensive, apparently owing to the fact that Mr. S. M. Abdullah, known among the

\* Vide appendices I and II

† Vide appendix VI

masses as 'Keng' (a corrupt form of king) lives at Sovera in the vicinity of Vicharnag. The greatest sufferer here is Pandit Kailash Bat who happens to be the creditor of this Mr. Abdullah's brothers to the amount of several thousands. It has been stated to us that Mr. Abdulla is the grandson of Satar Sheikh who is said to have been the ring-leader of the Shiah Loot, 60 years back. The loss at Vicharnag and the city in money, jewellery and merchandise only, as computed so far on the basis of incomplete information is not less than five lakhs, while the loss caused by the burning and destruction of Bahis and other documents is incalculable.

26 Great as this loss has been, we suspect that it might have been very much greater, if the entire programme of which this is said to be only a small part had had time to mature. The fact cannot be concealed that in the entire countryside agencies have been at work fomenting disaffection and outbreaks of violence. The forcible conversion of a Hindu Forest-guard in the Pir Panjal range should not be taken as an isolated incident. The cutting of telephone and telegraph wires by the insurgent mob at the Jail and more than 50 miles away on the Bahhal Cart Road, the burning of the Sangam bridge 25 miles away from Sunagar, all point to a general and a widespread rebellion skillfully organized to paralyse and ultimately displace the Government.

27 Another fact is remarkable. Respectable Muslim citizens like Khan Sahib Mirza Ghulam Mustafa and Jagirdars like Messers. Noor Shah and Salam Shah whose good offices with the rioters could have saved the Hindus, shut themselves up in their own houses and not a single Muslim leader was going about to save or console the Hindus. All thanks, therefore, to the Shiah community and the few other Muslim ladies and gentlemen, educated or illiterate, who gave shelter to some Hindus and protected them from the attacks of the rebels.

28 It is necessary to emphasize that so far as the Hindus are concerned, it was a wholly unprovoked attempt on them. Considered from this view-point, this attack has been a unique instance of its kind. Not even a show of provocation was ever offered by any Hindu or a section of the Hindus to their Muslim countrymen at any time before, during or after the disturbances. All the casualties suffered by them have been the result of their skirmishes with either the Police or the Military, while all the casualties, injuries and loss of property suffered by the Hindus have been suffered at the hands of the mob. His Highness appointed a Commission of Enquiry on the day following the outbreak, and before the disturbances were actually over. The hurry was uncalled for, lawlessness can only be dissected and not vivisected. It may not be out of place to point out

in this connection that the Government showed bankruptcy of statesmanship and gave a severe blow to their prestige in nominating the very Muslim rebels as members of the Commission, and these good men had the audacity to refuse to cooperate in the enquiry. Were they afraid of truth being out? Then again His Highness' original order has been mistranslated, and the *Aulan* which has been issued by the Enquiry Commission states that 'Bahami Kashmakash,' which can only mean 'Inter-communal struggle is to be investigated. We submit that this unprovoked, one-sided orgy of loot and assaults can never be called an inter-communal struggle. Facts are what they are, and even our Muslim countrymen cannot say what the Hindus have done anything deserve the treatment to which they were subjected

29. A serious charge of culpable indifference to the welfare of law abiding citizens can reasonably be brought forth against the Police Minister, the District Magistrate and the Police Department in general. Just before the riots, a change in the portfolios was announced and Mr Wakefield the Minister-in-charge, Police and Foreign and Political Departments was made the Army Minister also, so that in him were centralised all the Forces of Law and Order. The Police purposely refrained from discharging their duties at the scene of loot, and though their aid was requisitioned at Maharaj Gunj while the loot was on, not a single policeman came to the rescue of the Hindus. The first shop looted in Maharaj Gunj was that of a Hindu doctor. It is situated in the first story of the same building in which the Police chowki is stationed. We have evidence in our possession that frantic telephone appeals were made from Maharaj Gunj to Mr Wakefield at the commencement of the loot, but they were of no avail. It was not till a personal appeal was made to the Maharaja that he sent his own Body-Guard Cavalry for rescue with Colonel Nawab Khusru Jung at their head, who reached earlier than the Military.

30. Mr Wakefield went round certain affected parts of the city with Mr. Said-ud-din Shawl, who had been only a few years ago ex-terminated from Kashmir on account of his disloyal activities. Allegations are made that the minister's remarks were most insulting towards the Hindus, and that he encouraged the Muslims to submit written complaints against the Military pickets stationed at various stations. It is inexplicable that the Police Minister should have come as far as Now-shera and not visited Vicharnag which is only a furlong away, although such havoc have been wrought there. The District Magistrate paid a visit to Vicharnag only 8 days after the loot. Allegations have also been made against the Assistant Superintendent of Police at Maharaj Gunj, who is said to have refused to entertain complaints. On the



evening of the 13th and the morning of the 14th, a few searches were made and some looted property was recovered. But subsequently all searches were suspended and even though persons came forward to identify the places where looted property was stored and concealed, no heed was paid to them by the Police Officials. It was alleged that searches were stopped under verbal instructions from the Police Minister.

31 A more serious charge of indifference and inefficiency can also be brought against the authorities. The venue of the trial of Abdul Kadir was changed from the Session's court to the jail premises to avoid the unlawful Muslim demonstrations. Could the authorities not be expected to foresee the rioting? Can it be believed that they did not care to keep themselves informed what was happening in the city? When the mob was repelled at the jail, it became restive, and should not the authorities have known that while on their way back, the infuriated but determined mob would reinforce the mob in the city and complete the work of devastation? No precaution had been taken to cope with the situation which proves the inefficiency and negligence of the authorities. Further they cannot be credited with so much as a superficial acquaintance with the map of Srinagar. The military went down only the right bank of the city at first and left unprotected the most affected part Dalal Kadal, Tashwan, Pathar Masjid, Nawa Bazar and Jamalata till very late in the evening. Even a fortnight after the occurrence, many parts of the city remained a closed area for the Hindus.

32 The so-called continued *hartal* is another proof of the subterranean organisation behind the present widespread rebellion. The Mohalla leaders began their secret activities just as soon as it became difficult for them to preach publicly, after the Military had been posted at important centres. False news were spread that a hundred good Muslims had been killed by the Hindus, and that, Muslim shops had been looted. "Damb" (a show of helplessness) is notorious and our Muslim countrymen practised it most scientifically. Women were sent to appeal to Mr Wakefield against the Hindus and attempts were made to represent that the victims had been the assailants. The actual victims of Muslim orgies ate out their hearts in secret. Hindus may be poor, they may be helpless but the little culture they have, would let them rather die than organize their ladies to beat their breasts and gnash their teeth on the roadside to attract attention. We challenge any Muslim to prove that a single Muslim house or shop was looted, yet all sorts of rumours were set afloat. It was said that the "Lath" (the Viceroy) would personally come to intervene on their behalf, if they closed their shops for thirteen days. The attitude of the Police Minister lent colour to

these rumours in the eyes of the Muslim masses. Even the European community at present in Srinagar swallowed false news with their luncheon and tea served by their Muslim *Khansamans*. The Resident had to issue a short notice to deny these false rumours.

33 The Government on the very third day of the outbreaks arranged food supply to the city and thus saved the people from intolerable hardship. All bakers, vegetable sellers, grocers and many others had their shops part-opened. All other shops should have been opened, had the "volunteers," working secretly not promised impossible concessions to the people, if they would continue the *hartal*. The sale of all the articles of everyday necessity therefore had also to begin only behind the part opened shops. Though the Mir-Waiz of the Nasrat-ul-Islam party went round asking the shop keepers to open their shops yet they would not mind his advice, because just after him the "volunteers" would go about telling them "the true facts" secretly. Whether it was done with the consent or the connivance of the Mir-Waiz is more than we can tell.

34. Children's processions shouting anti-Government slogans paraded the streets. Led by Government Muslim teachresses, Women's processions were organised to go round different wards of the city, singing songs against this "Zulum" of the Hindus and crying "asi gachi asun *Shah* sultan" (we want a king who is a Sultan—A Muslim King) and "Begonah mara gai asi Musalman, adi ladikh kilas tai adi jalkhan" "asi gachhi asun panun sultan" i.e. "We Mohammadans have been killed for nothing, some have been imprisoned in the Fort and others in the Jail, we must have our *own* Sultan." No measures were taken to dissuade or disperse them. The teacheresses still continue in the Government Service. Though section 144 had been promulgated, the Muslim assembled in thousands to hear "Waz" and carry on their propaganda in the mosques.

35 Now follows the most disgraceful episode in the annals of the Government. The Government began parleying with the very men who are directly or indirectly, openly or covertly, responsible for the incendiarism and arson. The Hindus would not take exception to any conference with Muslims of established reputation, but the Government entered into parleys with the very conspirators. The rebels threatened a continuation of the *hartal* until their imprisoned leaders including those who had actually joined the loot were released, and until their demands were conceded *in toto* without reference to the minorities. Full advantage was taken of the reports of these talks, and the masses naturally believed that the Government was surrendering.

36. The position of the Hindus is briefly told. A reference to

the resolutions of the Sanatan Dharam Sabha, Srinagar passed 15 days previous to the rebellion, will convince any fair-minded man that the Hindus are friendly to the Muslims, loyal towards their ruler and modest in the matter of their demands. The resolutions (what a contrast with the resolutions and the speeches of Muslim Association) run as follows:—

“Resolved that the Government of Kashmir intends to receive a deputation of the representatives of our Muslim brethren to submit their communal view point with regard to their alleged rights, claims and grievances; the Sri Sanatan Dharam Sabha, the only representative body of Kashmiri Hindus draws the attention of the Government that no opinion be expressed with regard to the Muslim claims so long as the Hindus of Kashmir do not submit their case for the consideration of the Government, which they would be doing at an early date ”

“Resolved that the Sri Sanatan Dharam Sabha in all humility maintains that the historical importance of the Kashmir Hindus and their past services coupled with their unique educational advancement in the State entitle them to a special protection as the most cultured minority in the State, although the Kashmiri Pandits will be prepared to forgo all their privileges of a minority if the body politic of the State is kept free from the canker of communalism ”

“Resolved that the Sri Sanatan Dharam Sabha while admitting the right of every citizen to make proper representation for the removal of his just grievance, looks with grave concern upon the wanton and open defiance of law in the shape of unlawful meetings and unauthorised processions that have become a regular feature of our normal life for sometime past and maintains that such activities on the part of the organisers of such meetings and processions are a great menace to the public peace and prays that effective steps be taken at an early date for the suppression of all such undesirable activities. In this connection, the attention of the Government is drawn to the violent nature of the speech delivered at the Juma Masjid on 26th June 1931 and pointedly directed towards Kashmiri Pandits ” *The attention of the Government, however, was drawn in vain*

37 The helpless Hindu is much maligned by the uninformed and the malicious criticism appearing in the Press. Even such a paper as the *Statesman* of Calcutta lends support to the view that the Hindu official acts as a screen between the ruler and the ruled though it admits that Kashmiri Brahmins have distinguished themselves in British India and could not but have done so in their own homeland. As a matter of fact the state has out-heroded Herod in its pro-Muslim policy. It has given the Muslims greater facilities than are allowed to them in British India. Their Hindu countrymen have never been hostile to their aspirations. Indeed the Hindu witnesses at the State subjects' definition committee advocated the cause of the Muslims, notwithstanding the fact that Mr. Ashie one of the Muslim witnesses most absurdly pleaded that until such time as Mulki Muslims got educated, Punjab Muslims should be imported in

preference to the Mulki Hindus. Though almost all the measures of His Highness' reign were chiefly aimed at Muslims' betterment and some of them caused the economic ruin of important sections of the Hindus, they acquiesced out of their loyalty to their ruler. Would any Muslim ever think of reciting Hindu prayers? Yet Hindu teachers of the Compulsory Primary Schools may every day be seen joining in the Muslim boys' prayer in praise of their Prophet. Is that the intolerance Kashmir Hindus have shown? Never once have the Hindus directly or indirectly wounded their countrymen's religious susceptibilities. The women's welfare trust which is the result of the efforts of Kashmiri Pandits who have started a new work of girls' schools for Hindus and Mohammedans, although no Mohammedan contributes to the funds of the Trust. The only offence that the Hindus can have given in their demand, inevitable in the existing circumstances, that law should not be flouted and political parleying and bargaining with extremist Muslims should not be resorted to behind the back of law-abiding and loyal Hindu and Muslim citizens.

38. The Hindus, to put it mildly, are in an unenviable position. Naturally they do not want to embarrass His Highness who is already worried over the Muslim intransigence. But let it be unequivocally said that the Hindu rule is fast proving a mill round their neck. His Highness feels that he cannot be accused of being anti-Hindu, and he can evidently bear any reproach but that of being a Hindu. To quote his own noble words, his religion is justice but in all humility we venture to submit that justice is not being administered to Hindus. They have had to pay a heavy price for their inevitable loyalty - their only fault otherwise being that they are non-Muslims. His Highness is 'not a believer in false ideas of prestige'. Is that why a long rope was given by the authorities to the agitators, which naturally culminated in the rebellious out-break.

39. The Kashmir problem has no parallel elsewhere in India. As leading British statesmen have declared, the sole justification for British rule in India is the protection of minorities. But in Kashmir under a Hindu Maharaja, the Hindu minority is left to its fate. Certainly the Hindus too deserve to live under a Hindu-ruler. In the year of grace 1931, even a Muslim ruler cannot afford to be lost to all sense of responsibility towards his Hindu subjects. As early as the 17th century, the Mogul Emperor Jehangir had a whole host of 'Mullas' killed in Mullah-Khab, Srinagar, after a contemplated case of a forcible marriage of a Pandit girl to the Muslim Governor with the consent of those Mullas had been reported to him. Our Muslim countrymen should remember these plain facts. They should know that under no dispensation, British or Muslim, can the Hindus be harassed and victimised. The Government of India does intervene

in Indian States but not at the bidding of religious majorities, who fancy that they can or should exterminate the minorities.

40 The idea is abroad that the Muslims are the exploited and the Hindus the exploiters. It is a vicious lie. Almost all the factories are owned by the Muslims and anything but humane conditions of labour prevail there. But for a few Hindus all the big Zamindars, Muafi dars and Jagudars are Muslims. The present cry is not a cry for socialism, by which Hindus have little to lose. A large portion of the internal trade, the export and the import trade, handi-crafts and skilled labour, and most of the contracts are in the hands of the Muslims. Hindus no doubt do form the literary or the intellectual class here, but to adopt the words of Lt. Col. Suhrawardy, the Vice-Chancellor of the Calcutta University, 'Hindus have not acquired that literary merit by looting their Muslim countrymen.' There are historical reasons for the Hindus' intellectual and literary superiority here as elsewhere in India. The general economic level throughout the whole of India is low, but so far as the rural conditions go, Kashmir can very favourably compare with any other Indian State or Province. If, to find spare-time labour in winter months, the Kashmiri coolie moves down to the plains, the Indian labourer sails across the seas as an indentured labourer. Owing to the vigilance of the Government, the present world economic crises had not adversely affected the rural prosperity here. The prices of agricultural produce have not fallen as they have fallen almost everywhere else involving the peasants in untold sufferings. The problem of unemployment affects the educated Hindu Youngmen and not the Muslim youngmen. *As against scores of unemployed Hindu graduates not a dozen Muslims, possessing any University qualification are unemployed* \* It is Hindus that need economic protection. Of course it is quite a different thing that Messers Ashai and Abdulla should have their personal grievances against the authorities, or should like to see the Punjab Muslims being imported over the heads of better qualified Mulki Hindus.

41. As regards the measures to be adopted to prevent a recrudescence of such outbreaks, we submit that all concessions to clamour should be withheld, the offenders should be punished, the majesty of law should be vindicated, and "Goondas" should not be allowed, to thrive. It is all very easy for the so-called leaders to apologise in order to save their skins, and to say that they never intended the loot and the arson, which was the work of the "Goonda" element present in every community. *Who provoked, encouraged or even let the "Goondas" and the "Badmashes"?* But it needs Himalayan courage to confess one's guilt. All those persons who

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\* Appendix IV

are responsible for committing or instigating the various acts of outrage, should be immediately dealt with according to law. The District Magistrate should be relieved of his charge, and the Police Officers and the Police Minister against whom a prima-facie case exists, should be adequately dealt with. Effective measures should be taken for recovering the looted property without delay. The law breakers have already been given ample time to dispose of their booty. The Hindus are being threatened and told that the Military pickets would not be continued for ever. We urge that the Military be maintained at all important centres at the cost of the community whose aggression has made the stationing of the pickets necessary. The people who have suffered for no fault of their should be adequately compensated for their loss. Punitive tax should be levied on those whose complicity with the rebellion is proved. No political meetings or demonstrations should be allowed under religious garb. Imams should be held personally responsible for seeing that only religion, pure and unadulterated is preached in mosques. This will prove a protection not only to the law-abiding Hindus but also to those Muslims who are being coerced into disloyalty.

42 The plight of the Hindus in the countryside is perilous and full of anxiety. Licenses for fire-arms should be granted to all Hindus whose houses are so situated that they can apprehend danger to their life and property. We earnestly appeal that adequate provision be made for the protection of Hindus, both of the city and the Muffasils, during the winter season, when Kashmir is cut off from the rest of India. In the absence of adequate protection from the Police and the Military, short work can be made of the Hindus after the move of the offices to Jammu. At present, the Hindus are unnerved and unfortunately they find it hard to believe that the Government has even yet decided to assert themselves against Muslim intransigence. For the same reason Kashmiri Pandits hesitate to come forward even to give evidence for the same reason.

In conclusion it may be stated that besides demanding compensation for the sufferers the restoration of normal conditions and hauling up of delinquents for justice and effective protection of life and property in future, the Hindus ask only for one thing, and that is, *a fair field and no favour* which means, not only a just and impartial but also an *efficient* and resolute Government.

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## APPENDIX 1

List of persons, beaten, wounded or dead in recent disturbances prepared up to the 24th July 1931.

S No	Name and address.	Kind of Injury	R e m a r k s
<b>ZAINDAR MOHALLA</b>			
1	Pt Sham Lal Jawansher son of Pt. Zindh Ram Jawansher	beaten	Age 32 years, beaten at Tankipora by mob at 4. 30 P M on Monday
2	Pt. Aftab Joo Jan	do	Postal Clerk at Tankipora Lost his turban
3	Pt Permanand Saraf son of Pt Ragho Joo Saraf.	do	By a mob at Ali Kadal, lost his bi-cycle, and property worth Rs 280
4	Pt. Thakar Joo Attar	do	At Daddi Kadal, lost property worth Rs 25/- shop attacked
5	Pt Radha Kishen Kachroo son of Pt. Shridhar Joo	do	By a mob His bi-cycle broken to pieces
6	Pt Aftab Ram Kaw	wounded	Beaten severely while coming from Vicharnag to Srinagar Sacred thread cut to pieces, made to recite Kalma and pocket money taken away Clothes and turban torn
7	Pt Aftab Ram Karnail	beaten & wounded	Age 43, pelted with stones at Tankipora and wounded in the left thigh
8	Pt Nand Lal Bhut son of Pt Thakur Joo	wounded in the ear	
9	Pt. Jagan Nath Razdan son of Pt Mahanand Razdan	do	By an excited mob Bi-cycle taken away
10	Pt Vishan Joo Kokroo son of Pt Narain Joo Kokroo	drowned at Ali Kadal	Dead 40 years old Has no male member to support two widows in the family Immediate relief necessary
11	Pt. Mahdev Bayu	beaten & wounded	Lost property worth Rs 41
12	Pt Radha Krishen Misri son of Pt. Amar Chand	do	By a mob at Gow-Kadal Turban and shoe lost
<b>KANYA KADAL</b>			
13	Pt Govind Joo Gagroo.	Beaten & wounded	Near Zenana Hospital, Ramawari Watch and bi-cycle broken
14	Pt Lachman Joo Bazaz.	Beaten at Navid Kadal	Lost property worth Rs 12
<b>PURSHYAR.</b>			
15	Pt. Dina Nath Zadooson of Pt. Amar Chand Zadoo.	wounded	In the leg.
16	Pt. Nanak Chand son of Pt Prakash Koul.	do	In the foot, beaten at Shihl Tang.
17	Pt Janki Nath Raina son of Pt Gopi Nath Raina.	do	In the thigh and knees near Gow-Kadal on Monday
18	Pt. Dina Nath Seru son of Pt Ram Chand.	do	In the leg Robbed of property worth Rs. 5.
19	Pt. Dina Nath Jala son of Pt. Kalash Ram	do	Stoned at Kana Kadal
20	Pt Prem Nath Langroo son of Pt. Shanker Joo	do	In the arm Got his cycle broken near C M High School
21	Pt Badri Nath Bhut son of Pt. Balbadar Bhut	"do" and beaten	At Nallabal near Vicharnag Robbed of property worth Rs 5

S No.	Name and address	Kind of injury.	Remarks
22	Pt Ram Job Bala son of Pt Vasa Kak Bala.	beaten	Near Tashawan Property worth Rs 1 taken at Kanya Kadal.
. DRABIYAR			
23	Pt Sham Lal Kotwal.	severe wound, in the head beaten near Tashwan.	At present in Hospital.
24	Pt Arjan Nath Warnkoo	do	While going to Hari Prabat.
25	Madho Ram Nanwahi (Dallasan-yar)	injured all over the body	
26	Pt Niranjnan Nath Aima son of Pt. Govind Koul	wounded in the eyes	At Nawabazar
27	Pt. Jag Bayu son of Krishen Bayu (Parphali Mohalla)	wounded & severely beaten	By three Muslims and one Muslim lady.
28	Pt Birbal Koul son of Pt Gash Kaul (Mulikyar.)	do	Age 50. Window panes of his house broken and many family members stoned
29	Pt Bishamber Nath Wali	wounded in the elbow	Near lower Badiyar on Monday.
30	Pt Kantha Ram son of Pt. Jai Ram.	wounded in the head	Watch and clothes taken away
31	Pt Shivji Aeh son of Pt Hari Ram	wounded in the nose	Attacked near Gow-Kadal
32	Pt. Amar Nath Khar.	beaten	At Gow-Kadal.
33	Pt Ragho Nath Khar	do	At Gow Kadal.
34	Pt Vid Lal Ganjoo son of Vishna Joo	do	By Muslim shopkeepers at Tashawan
35	Pt Kanth Ram, Chandapora village	do	At Gow Kadal.
GANESHGHAT.			
36	Pt Gwash Lal Koul B A	wounded in the abdomen, thigh and eyes.	Aged 29. Clothes torn. Watch, cigarette case, fountain pen, private diary, purse shoe and stick taken away
37	Pt Brij Nath son of Pt. Mahanand Bayu	wounded	In the left arm near Nawabazar.
SATHOO			
38	Pt. Arjan Nath B A son of Pt Vas Koul	wounded and beaten	
SHALIYAR.			
39	Pt Bishamber Nath Razdan Forest Ranger, son of Pt. Nil Kanth.	wounded badly.	In eyes, thigh, hands and back at Gow Kadal.
SHISHYAR			
40	Pt Bitamber Waza	wounded	At Chinkral Mohalla.
41	Pt Mahishwar Nath Dhar	beaten	
42	Pt Kanth Joo Dhar	do	



S No.	Name and address	Kind of injury	Remarks
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## MALAPORE

43	P Govind Ram, servant of Zutshi	beaten	At Nawabazar
44	P. Shauger Joo Gazi.	wounded and beaten in right eye	

## BANDMOHALLA

45	Pt Sarwand Nath Kalposh son of Pt Sona Joo	Wounded in the head by a stone	At Radapora Umbrella and turban taken away
46	Pt Ram Joo Dhar son of Pt Narain Dhar	Beaten	
47	Pt Sham Bayu son of Pt Mahadev Bayu	do	Near Marbal
48	Pt Nand Lal son of Pt Sahaj Ram	do	Camera taken near Bou Kadal

## NARPERISTHAN

49	Pt Sat Lal Kak son of Pt Shiv Ji Kak.	Beaten and wounded	At Fateh Kadal
50	Pt Vasa Kak son of Pt Shivjee	wounded in the nose	

## FATEH KADAL

51	Pt Balkishen son of Pt Haldar Joo	Beaten	At Fateh Kadal
52	Pt Mahdev Koul son of Pt Shanker Koul	do	
53	Pt Nil Kanth Madan	do	Stoned near Narperisthan
54	Pt Jia Lal Kilam, B. A. L L B Municipal Commissioner		

## GANKHAN

55	Pt Sham Lal.	Beaten	At Kalashpora
56	Pt Nil Kanth,	do	
57	Pt Shri Kanth Atar	do	At Maharajgunj
58	Pt Prakash Ram of Bhagats	do	
59	Pt Labha Ram son of Pt Raja Ram	do	In a shop near Maharaj Gunj
60	Pt Ram Chand Mawa son of Pt Dev Ram	do	
61	Pt Kanth Ram Mawa son of Pt Govind Ram Mawa	do	At Navid Kadal
62	Pt Vid Ram Halwai	do	
63	Pt Dina Nath Attar	do	In his own shop
64	Pt Tota Ram son of Pt Rish Ram	do	
65	Pt Anand Ram son of Pt Ram Chand	do	At Navid Kadal
66	Pt. Resha Ram son of Pt Nanak Chand.	do	

No	Name and address	Kind of Injury	Remarks
67	Pt Ramashwar son of Pt Sri Ram	Beaten	At Kanyar
68	Pt Sansarchand son of Pt Zanardan	do	do
69	Pt Sham Lal son of Pt Sudhershnan	do	do
70	Pt Gopi Nath son of Pt Rishi Ram	do	Near P J L Kilam's house

## BORIKADAL

71 | Pt Sodershan son of Pt Narain Das | Beaten | At his owu shop

## KAZIYAR MOHALLA

72	Pt. Sham Lal son of Pt Ram Chand	beaten	At Gankhan Watch, clothes and Rs 3 cash robbed
73	Pt Nand Lal son of Pt Nanak Chand	do	At Zanakadal, clothes taken away.
74	Pt Dina Nath son of Pt Nanak Chand	do	do
75	Pt Prem Nath son of Pt Govind Ram	do	Clothes taken away

## SARAF KADAL

76	Pt Govind Ram son of Pt Shanker Lal	Beaten	At Saraf Kadal
77	Pt Anand Ram son of Pt Kesho Ram	do	At Rajwari Kadal.
78	Pt Jia Lal Sopori, Assistant Engineer, Palaces	do	Beaten and stoned at Maharaj gunj
79	Pt Kashi Nath son of Amar Chand.	beaten	At his own shop
80	Pt Radha Kishen Bayu son of Pt Mansa Ram	wounded	At Hariparbat
81	Lala Durga Das Mehra	do	At Maharaj gunj
82	Lala Chotta Mal Agent, of Lala Moti Ram	do	do
83	Lala Durga Das Agent Lala Dwarka Dass	do	do
84	Lala Bal Mokand	do	do
85	Lala Fateh Chand	do	do
86	Ch Ram Lal	do	do
87	L Shiv Dass Mehra	do	do
88	L Faqir Chand	do	do
89	L Isher Dass	do	do
90	L Amir Chand Bhagat	do	do
91	L Karam Chand Bhagat	do	do
92	L Kishen Chand Bhagat.	do	do
93	L Madan Chand	do	do
94	L Hakim Chand	do	do
95	L Dum Chand.	do	do
96	L Tara Chand	do	do
97	L Mansa Ram	do	do
98	L Narayan Dass Panda	do	do
99	L Lal Chand	do	do
100	L Sohan Lal son of L. Bal Mokand	do	do
101	L Hakum Chand son of L. Hans Raj	do	do
102	L Sant Ram Chopra.	wounded	do
103	P Kashi Nath Garyana	do	do
104	L Chiman Lal	do	do
105	P Sona Joo Shopkeeper	do	do
106	P Shri Dhar Joo.	do	do
107	P Dina Nath care of Dr Dev Koul	do	do
108	P Shamboo Nath	do	do

S. No	Name and Address	Kind of injury	Remarks
BATAYAR			
109	P Sri Kanth of P Vish Nath	beaten	
110	Dr Jia Lal, S A S	wounded	Left arm broken, turban taken away
111	P Pitamber Pir	do	
112	P Sarwanad Koul son of P Balbal-dar Koul	do	
113	P Terloki Nath Koul son of Sham Lal Koul	do	In the leg
114	P Krishna Joo Munshi	wounded and dead	Assaulted near Khaja Noor Dins Pandit's House
115	P Salig Ram Tokra	Beaten	Cycle taken away
BODAGAIR			
116	P Anand Ram Khushu	wounded	In the head
117	P Shiv Koul Jaikhami	Beaten	
118	P Tika Lal Jaikhami	do	Turban taken away
119	P Ganesh Dass Jaikhami	do	do
120	P Vidh Lal Jaikhami	do	do
121	P Prem Nath Jaikhami	do	
122	P Sham Lal Dhar	do	
123	P Ragho Nath Koul	do	
124	P Sarwand Bhut	do	Severely at Nawakadal Clothes torn, attacked by thirty young Mushms
125	P Shat Lal Dhar	do	At Hari Parbat
126	P Anand Bhut son of Mehtab Bhut	wounded	On the head near the Islamia High School
127	Lakshman Rawal son of P Gopla Rawal	do	In the head at Vicharnag
SEHAYAR, SHALAYAR AND GURGADI MOHALLA			
128	P Ragho Nath Bayu	wounded	In the right arm
129	P Ganesh Dass son of Pt Ram Koul	do	In both legs
130	P Mahdev Ram, Shopkeeper	do	
131	P Kirpa Ram	do	In the forehead and back,
132	P Sarwand son of P Sawa Bayu	do	In the shoulder
133	P Jai Lal son of P Anand Joo	do	
134	P Govind Ram	do	Severely
135	P Balak Ram Petition Writer	wounded	Died Attacked near Ashai Kucha
136	P Aftab Koul	beaten	
137	P Gopi Nath Koul	do	
138	P Tara Chand son of Sona Koul	do	
139	P Dina Nath Koul	do	
140	P Terloki Nath	do	
141	P Jagan Koul son of P Smer Chand	do	
142	P Durga Koul son of P Prakash Koul	do	
143	P Jai Lal Rama son of P Darshan Pandit Rama	do	
144	P Sarwanand son of P Lachman Koul	do	
145	P Sri Kanth son of P Amar Chand	do	
146	P Nil Kanth Jamadar	do	
147	P Kashi Nath Koul B A	do	

S No	Name and Address	Kind of Injury	Remarks.
PUTLIPORA BALA			
148	Govind Ram Raina son of Nanak Chand Peon D J Z Hospital.	wounded	Rs 351 and turban taken away
149	P Kailash Ram	do	Arm broken
150	P Sham Lal Bazaz son of P Madho Bazaz.	beaten	At Nalbandpora.
151	Daya Ram Attar	do	Shop looted
SAFA KADAL AND ITS VICINITY			
152	P Sham Sunder Lal Dhar		Stoned
153			
154	Two Punjabi Ladies	beaten	At Nalbandpora
155	P Anand Ram	do	Near Dalmohalla
156	P Samsar Chand	do	Near Abal Mohalla
157	P Shambhu Nath Koul	do	Robbed of Rs 20 at Rajwari Kadal.
158	P Ragho Nath Zatu	do	Cycle taken away at Newa Bazar
159	P Tara Chand Bove	do	At Alkadal
160	P Tara Chand Bagati	wounded	At Bulballanker.
161	P Prem Nath Munshi	do	At Vicharnag
162	P Jagar Nath Boni	do	Coat and watch taken away at Newabazar, cycle plundered
163	P. Shiv Ji Koul Bamzi	do	At Fateh Kadal, turban taken away
164	P Madsudhan Bove	do	At Safakadal, cycle and turban taken away.
165	P Kanth Ram	do	At Nawa Bazar
166	P Prashad Ram Nagri.	Beaten	Do Rs 56 stolen
167	P Zanardan Razdan	do	At Nawa Bazar
168	P Anand Bhut	wounded	At Rajouwari Kadal Kaperchatri stolen
169	P Balak Ram	do	At Nawa Bazar
170	P Bishamber Nath	do	At Tilwondori Turban taken away
171	P Arjan Nath Bakshi	do	At Shahi-Hamdan His books stolen
172	P Jia Lal Kak	do	At Nawa Bazar
173	P Prithwi Nath Pahalwan	do	At Shahimdan, Books stolen
174	Ragho Nath Chhotu.	do	At Khankah Maula
175	P Raghu Nath Dhar	do	At Nawa Bazar
176	P Lachman Koul	do	At Vicharnag, turban stolen.
177	P Radha Kishen Kadash	do	At Tashwan.
178	P Prithvi Nath Bakshi	do	At Khankah Maula Watch and cap stolen
179	P Pitamber Boni	do	At Maharaj Gunj Turban lost
180	P Dwarka Nath Pahalwan	do	At Nawa Bazar. Watch and turban stolen
181	P Kashi Nath Zatu.	do	do
182	P Haldar Koul	do	At Maharaj Gunj.
183	P Prashad Razdan	do	At Ali Kadal.
184	Mani Ram.	wounded	At Bori Kadal, coat and Rs 5 stolen.

S. No	Name and address.	Kind of injury	Remarks.
185	Anand Ram Khoshu.	wounded	At Tashwan, Rs 15 stolen
186	Ragho Ram	do	At Tashwan Rs 50 stolen
187	P Nand Lal	do	At Nawa Bazar, cycle stolen
188	P Prem Nath.	do	At Gani Atmans, book stolen
189	Desha Nath Chattu	do	At Nawa Bazar, turban taken away
190	Kashi Nath	do	At Khankhi Maula
191	Nath Joo Chattu.	do	do
192	P Bhagwan Dass.	do	do
RAINAWARI			
193	Tota Koul Jaloh (Shah Department)	wounded	At Dalal Kadal
194	Sardar Sanmukh Singh	do	
195	Natha Bhut	do	
196	Vishna Koul	do	
197	Kanth Ram Zandu	do	
198	Lala Saraf	do	
199	Natha Joo Dhar.	do	
200	Sunder Dass	do	
201	Nand Lal	do	
202	Kanta Joo Nakashi	do	
203	Sat Lal	do	
204	Shivji Koul	do	
205	Natha Ram Sulman	do	
206	Vid Lal Kishu	do	
207	Shambu Nath Bayu.	do	
208	Shridhar Koul	do	
209	Balji Saraf	do	
210	Radha Kishen	do	
211	Haldar Maju	do	
212	Resha Ram Attar	do	
213	Tota Ram	wounded	
214	Anand Ram	do	
215	Nand Lal Tongno	do	
216	Sri Kanth Jaloh	do	
217	Sarwanand Bagh	do	
218	Mahdev Ram	do	
219	Shridhar Handu	do	
220	Kantha Joo Fotadar	do	
221	Gobind Bhnt	do	
222	Vidh Lal Bayu	do	

S No.	Name and Address	Kind of injury.	Remarks
223	Shridhar Tikoo (Fire Brigade)	wounded	Severely, precarious condition, lying in State Hospital
224	Bishamber Nath Soma	do	
225	Balak Ram	do	
226	Prakash Ram	do	
227	Sardar Naryan Singh	do	
228	Krishen Das Attar	do	
229	Dina Nath Kisu	do	
230	P Nand Lak Koul	do	
231	Hari Koul	do	
232	Kantha Bayu	do	
233	Damodhar Fotadar	do	
234	Sarwand Koul	do	
235	Radha Krishen	do	
236	Madri Joo	do	
237	Lal Chand	do	
238	Damodhar Rama	do	
239	Sham Lal Pandit	do	
240	Dina Nath Pandit	do	
241	Jia Lal	do	
242	Ram Chand	do	
243	Shiv Ji Mattu	do	
244	Sham Lal Muju	do	
245	Mahanand Dhar	do	
246	Makund Hakim	do	
247	Ram Chand Kichlu	beaten	
248	Sansar Chand Kak	do	
VICHARNAG			
249	P. Madsudan Khar	beaten	
250	P Lambodhar Khar	do	
251	P. Permand Attar	do	

No	Name and Address	Kind of injury	Remarks
252	P Shiv Ji Khar	wounded	
253	Shrimati Omruti Devi	do	On the shoulder, breast and left arm, aged 60 years
254	P. Narayan Joo Khar,	do	
255	P. Sarwand Khar	do	
256	P. Sona Joo Attar	do	Was twice thrown down from the second story of his house
257	P Nil Kanth Pir	do	
258	P Damodar Pir	do	
259	P. Kailas Bhut	do	
260	P Dev Ram	do	
261	P Gopi Nath Khar	do	Severely, fainted many times
GOOND ALLAMAR			
262	P Nil Kanth Raina	wounded	Turban taken away at Nawabar
BULBALLANKER			
263	Madsudan. Bhut son of Gobind Bhut	wounded	At Tashwan in the whole body
264	Vishna Koul	do	At Chhatabal
265	Sona Koul	do	Severely at Guzarbal
266	Ganesh Dass son of Nil Joo Tiku	do	In Maharaj Gunj in legs and hand
267	Bala Kak son of Lasa Kak	beaten	Severely Rs 5 and kapaichadri taken away
268	Prithvi Nath son of Anand Bhut	wounded	
KHANKUHI SOKTA			
269	Jialal son of Sham Lal	beaten	
270	P. Shiv Matus son of Ram Chand	do	
271	Amar Nath Dhar son of Raghunath	injured	In the teeth
272	Hari Ram Dhar son of Balkak	wounded	
273	Bhagwan Dass	beaten	
274	Bhagwan Dass son of Amar Chand	wounded	
275	Lachman Dhar son of Hari Ram Dhar	do	Blood came out through the mouth and nose
276	Jagan Nath Dhar son of Hari Ram Dhar.	do	
KHAN QAHIMAULA			
277	Badri Nath son of Kanth Joo	beaten	
COLLEGE STUDENTS			
278	P. Sri Kanth Koul son of a Prakash Koul.	Beaten	Age 23 years, pelted with stones, books snatched near the house of M Abdullah at 3 p m on 13th July.
279	P Shyamlal Dar son of P. Sarup Chand Dar.	do	Pelted with stones, near M. Abdullah's house at 3, p.m on 13th July, Age 22 years
280	P Brijlal Munshi son of Sona Joo Munshi	do	Age 22 years, turban and shirt torn
281	P. Daya Kishen Kachroo son of Raghonath Kachroo	wounded	Age 18 years, pelted with stones wounded in left cheek near Diwan Begh on 15th July.

S No	Name and Address	Kind of injury	Remarks.
282	P Jagan Nath Raina c/o P Nandlal Shar.	Beaten	Age 19 years, assaulted with shoes and lathis, turban taken away on 13th July at 5; p m.
283	P Harish Chandra Shali son of P. Vasudeo Shali	do	Age 18 years turban taken away at 5, p m on 13th July
284	P Arjan Nathson of Ram Chand	Beaten severely	Age 19 years, at 4, p m on 13th July.
285	P Prem Nath Shah son of P. Ishwar Joo Shah.	Beaten	At 3, p m. on 13th July age 19 years.
286	P Janki Nath Dar son of Tikalal Dar	wounded	Age 18 years, wounded in foot Rs. 2 taken.
287	P Ram Nath Koul Vieharnag	Beaten and pelted	
288	P Balkishen Baghati son of Srikanth Baghati.	wounded	In the elbow, books snatched at Nava-Bazar on 13th July at 4 p m
289	P Ramji Kaul son of P Shridhar Koul.	do	On the forehead fountainpen snatched 13th July at 3 p.m. Age 18 years
290	P Jagan Nath Dar	Beaten	Books and watch snatched on 13th July at 3, p m at Khanqah
291	P Jagan Nath Baliya son of P. Kailash Ram Baliya	do	Pelted at Aga Haman on 13th July at 3, p m Age 18 years



**APPENDIX II.***List of the shops and Houses looted along with amount of loss*

S. No	Name.	Amount
1.	Sona Koul, Ram Chand, Janki Nath.	9,351 0 0
2.	Chuni Lal Chaman Lal	.... 25,000 0 0
3.	Shiv Dass Mehra	. 8,000 0 0
4.	Nanak Chand Jagan Nath	.... 10,000 0 0
5.	Di Deva Koul	3,500 0 0
6.	Sona Koul Shridhar Koul	.. 4,871 12 0
7.	Ishwar Joo Nand Lal	9218 0 0
8.	Kanth Ram Shridhar Pandit	4,500 0 0
9.	Natha Ram Kanth Ram	} .. 19,000 0 0
10.	Kanth Ram Kailash Ram	
11.	Tulsi Dass Kesho Ram	40,000 0 0
12.	Kashi Nath s/o Shankar Dass	1,328 0 0
<b>B ALI KADAL</b>		
13.	Shiv Koul Prakash Koul	3,749 0 0
14.	Vishna Joo Shridhar Joo Pattu	2,820 0 0
15.	Vidh Lal Bhagvan Dass	. 3,200 0 0
16.	Prakash Ram Attai	1,436 9 6
17.	Sri Kanth Attai	. 3,028 8 0
18.	L Dewan Chand	20,955 0 0
19.	Radha Krishen Pattu	2,000 0 0
20.	Shridhar Joo Razdan	6 000 0 0
21.	Shiv Ram Kallas	... 6,000 0 0
22.	Damodhar Patimoo	1,799 10 0
23.	Mukand Ram Yadlu	7,475 0 0
24.	Tika Lal Banzai	. 1,050 0 0
25.	Nand Lal Thotha.	.... 1,500 0 0
26.	Tara Chand Govind Ram (Manari Ferosh).	1,500 0 0
<b>C. BOHRI KADAL.</b>		
27.	Sansar Chand Attai	1,400 0 0
28.	Durga Dass Mehra	.... 17,000 0 0
29.	Lassa Joo Chrongu	3,059 0 0
30.	Gulab Ram Attar	.... 2,505 0 0
31.	Sudharshan Halvai	... 312 0 0
32.	Kanth Ram Attar	.... / 2,015 0 0
33.	Damodhar Dina Nath	. 1,500 0 0
<b>D. BODHGER.</b>		
34.	Hari Ram Koul	.... 949 14 0
35.	Zanardhan Hanvai	... 390 0 0
<b>E. SERA YAR.</b>		
36.	Kailash Ram Madho Ram	.... 2,533 0 0
37.	Maheshwar Nath Ragho Ram	5,097 10 0

S No	Name	Amount.
<b>F. MALARATTU.</b>		
38	Shub Ram Sarvand Attar	4,363 0 0
39	Sudharshan Balbadar Attar	3,000 0 0
<b>G ZAINA KADAL.</b>		
40	Raja Ram Kailash Ram	338 0 0
<b>H. SARAF KADAL.</b>		
41	Govind Ram Thotha	50 0 0
<b>I JAMAL ATTA</b>		
42	Krishan Dass Attar	4,535 0 0
<b>J VAZAPORA</b>		
43	Sudhaishan Koul s/o Total Koul	500 0 0
<b>K KHOJA BAZAR</b>		
44	Thakur Dass	
<b>L CHHATABAL</b>		
45	Daya Ram Kaw	2,183 0 0
46	Madho Ram Bazaz	4,417 15 0
<b>M SAFA KADAL</b>		
47	Shridhar Joo Shivji Bayu	28,202 0 0
<b>N NAUSHERA (VICHARNAG)</b>		
48	Deva Ram Chaudri	10,117 12 0
49	Madhusudan Khar No 1	7,341 0 0
50	Ditto No 2	900 0 0
51	Shyam Lal Koul	1,704 10 0
52	Shridhar Pandit Kokru	3,250 13 0
53	Prem Nath Attar No 1	4,000 0 0
54	Ditto No 2	

**LIST OF FAMILIES LOOTED.**

AT

**VICHARNAG**

1	Narayan Joo Khar	6,019 0 0
2	Shivji Khar	857 0 0
3	Govind Joo Khar (Sarvanand)	2,840 0 0
4	Madhusudan Khar (Dina Nath)	8,000 0 0
5	Nila Kanth Peer	38,187 0 0
6.	Anand Bayu	25 0 0
7	Kailash Bat	1,23,250 0 0
8	Sri Kanth Attar	5,875 0 0
9	Sona Ram Attar	12,000 0 0
10	Permanand Attar	5,730 0 0
11	Madho Ram Khar	102 0 0
12	Sona Koul Peer	175 0 0
13	Natha Joo Peer	700 0 0

## APPENDIX III.

### EXCESSES COMMITTED AT VICHARNAG.

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No account of the doings of the Muslim mob on the 13th of July would be complete without particulars of the outrages committed on Pandit women at Vicharnag. But in a matter of this kind it is very difficult to get the actual sufferers themselves relate all the excesses committed on them. Kashmiri Pandits are singularly jealous of the sanctity of their homes and the honour of their women. The families concerned are all respectable and the matter was of such delicacy that our Special Committee did not try to probe and the sufferers were not communicative. The following facts, however, are incontestable, though for reasons stated the names and descriptions of the sufferers are not given -

1. Women of three families were stripped naked. They were told that they had concealed ornaments in their private parts
2. Sticks were pushed towards the private parts of some of the women
3. The faces and breasts of four women and one unmarried girl were badly bitten
4. In one house two young ladies had remained concealed. Regular search was made for them till at last they were found in the kitchen, the Muslim servant of the family having helped in the search. The ladies were stripped naked and pulled down the steps into the compound by the legs
5. Where women were not stripped naked, the miscreants thrust their probing hands inside the "Pheian" in order to make sure that nothing was concealed within
6. Indecent assaults were made on almost all the women, whose houses were looted
7. Where there were few males, outrages are reported to have been severer than where the males were better represented.
8. If women were not actually raped the reason is that their men-folk allowed their property to be looted and burnt and destroyed rather than endure their women being raped
9. Seeing themselves outnumbered by their armed assailants, the people seemed to have prepared themselves for losing their all, if they could only save their women from the last excesses of Goondatism. Iron safes, cash and account books had to be surrendered as a cost for the women's

being spared the last excesses. Almost all the men wounded at Vicharnag received injuries, in defending or trying to defend their women from the mob

- 10 Some women were actually without clothes for days after the pillage and to cover their shame had to borrow things from their less unfortunate neighbours, who had escaped the attentions of the mob

When our first relief party reached Vicharnag with such amount as we could collect at short notice, the havoc and the devastation wrought by the hooligans was all too visible. One Kailash Buth who had been owner of cash and property worth over a Lakh at 3 P M on the 13th July, was penniless only two hours after. His house was emptied of everything. Our special Committee found him gathering grains of rice scattered on the steps by the plunderers. Another house of a substantial man was similarly denuded of every thing only an old shoe without its fellow was left. Earthen-pots broken, books torn, windows Almirahs and Trunks smashed, walls and floors scratched, kitchens excavated this is what confronted our relief party on all sides. Half-burnt "Razais", broken charkhas, profaned scriptures, smashed iron safes were seen in some compounds. Vandalism had been the order of the day and gardens were deplete of vegetables, which were either removed or destroyed. An invalid was almost done to death and succeeded in saving his life only by surrendering Rs. 38,000/- in cash and jewellery. Another man who tried to reason with the mob and appealed to their compassion was thrown down twice from the window of the second story of his house and severely injured. All those who made the least attempt at resistance were assaulted with butchers' knives. Stones were freely used and axes were displayed to over-awe the resisters. It may be noted here that some of the sufferers had already been rendered powerless by the assaults of the mob on their shops at Naushera Bazar, the looting of which formed the prelude to the later tragedy. Some idea of the injuries and the devastation perpetrated will be given by some of the Photos which were taken by the Relief Party and will be submitted when this statement is being actually read out before the Commission.

To spare the feelings of the sufferers who, only a few days ago, were as substantial men as any belonging to our community, we refrain from stating what relief we rendered to individual families in cash and kind. But, till the 17th or 18th some of them were actually starving and naked and scores of people had not so much as a "Chatai" left to pass the night on. It was with no small difficulty that our Special Committee could make the sufferers accept offers of relief. It was a tragedy to watch these people with voices choked with anguish

and eyes wet with tears stretching their trembling hands, after repeated insistence on the one side and protests of resignation to fate on the other, to accept our meagre help in order to allow their crying little children to live

The sufferers roundly complained of the callousness of the authorities towards them. We were told as follows.-

- 1 No Minister or responsible officer of the Government paid a visit to Vicharnag to enquire into the atrocities perpetrated on them
  - 2 Those who took active part in the looting could be easily indentified as they belong to the neighbouring villages and some of them owed large sums of money to the traders whom they looted
  - 3 The Police party at Vicharnag was composed mostly of Muslims and they declined to help in tracing the looted property, most of which could have been recovered at the time by careful search.
  - 4 Three Muslim Policemen one after another refused when ordered by their officer to accompany the wounded to the Government Hospital The fourth who subsequently accompanied them misbehaved himself
  - 5 One Maulvi Yahya, said to be brother of the Mir-Waiz, appeared on the scene after the occurrence and told the Muslims not to mind the Police or the Military, as he had been personally told by Mr Wakefield that they had no power to make any searches or arrests This frustrated what little hope of justice there still had remained The officer-in-charge of Police who tried to interrupt the Maulvi was abused. This encouraged the rioters beyond measure, so much so, that the sufferers were threatened with being finished on the with-drawal of the Military
  - 6 Five days after the occurrence, the Police Minister visited Naushera where the Muslims, apparently after previous notice, had organised two long ranks of women and boys along the two sides of the road, who shed crocodile tears to give an entirely wrong colouring to what had happened and to make it appear that it was the butcher that had been killed by the sheep and the biter that had been bitten by his victim. He did not, for reasons best known to him, pay a visit to Vicharnag, which is only a furlong from Naushera
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## APPENDIX IV.

**An illustrative list of cases in which Muslims have been given preference over Hindus in Gazetted and higher executive services during recent years.**

S No	Name	Department	Remarks
1	Mr Abdul Karim	Medical	Was granted S A S Scholarship without competition
2	M Rehmat Ullah	do	Was granted A S Scholarship without competition
3	M Ali Mohmad	do	Was granted S A S scholarship without competition
4	M Fazal Ahmad	do	Was granted A. S scholarship without competition
5	M Mohmad Ashraf	do	do
6	Sh Ghulam Mohmad	Cooperative	Was selected for Cooperative training without competition
7	Mr Hassan Shah	do	do
8	Mr Ghulam Jilani	do	do
9	M Maqbul Ahmad	do	Specially promoted to Assistant Registrar's post
10	M Abdul Kadir	Judicial	Appointed Munsiff over the heads of over a dozen senior Hindu candidates
11	M Abdul Hakim	do	Specially sent for L L R without competition
12	M Muzaffar-ud-din	do	do
13	M Mubarik Khan	do	Specially sent for Bar-at-law without competition
14	M <sup>r</sup> Abdul Rashid	Education	Was appointed lecturer in English in P W College, Jammu in preference to first class Hindu M A
15	M Kamal Din	Municipality	A ward officer Was appointed Secretary Municipal Committee over senior Hindu candidates
16	M Noor Illah	Revenue	Specially promoted as Revenue Assistant
17	M Abdul Rashid	Judicial	Specially promoted Registrar High Court.
18	M Noor Shah	Revenue	Specially promoted as Revenue Assistant
19	M Lal Khan	Education	Was a teacher Specially promoted as Assistant Inspector for Mohammadan Education
20	M Faiz Alam	do	Was awarded post-graduate scholarship without competition
21	S M Abdulla Khan	Accounts	Was appointed Assistant Accounts officer only because he is a Mohammadan otherwise he is unqualified for the post
22	M Ghulam Rashid	Education	Was awarded a post-graduate scholarship without competition
23	M Abdul Rahim	do	do

S No	NAME	Department	Remarks
24	M. Ghulam Abbas Khan	Judicial	Was awarded L L B scholarship without competition
25	M. Ghulam Ahmad	Education and accounts	Was awarded a post-graduate scholarship, failed in M. A Was appointed specially to the post of Superintendent, A G's office (150-250) p. m as against Hindu graduates who are given Rs 42 p. m was selected without competition for higher audits and accounts training
26	M Abdul Rashid	Judicial	Was granted L L B Scholarship without competition
27	M Qazi Feroze Din		An ordinary clerk, selected for Secretary training superseding many senior men, was appointed to the post of Assistant Secretary and there-after as Secretary C S R and S S Board after two months nominal training
28	M A Ghani Fazli	Judicial	Specially awarded L L B scholarship without competition
29	Professor Mohmad Ibram	Education	Lecturer, P W College, Jammu was appointed Inspector of Schools as a special case
30	M. G R Khan		Selected specially for Civil Engineering training without competition
31	Mir Hassan Shah	Revenue	Unqualified but especially promoted to Wazir-i-Wazarat's grade on condition of passing examination which he never did and yet was promoted to Rs 1000 p m grade
32	M. Akram Khan	do	Unqualified and especially promoted to Wazir-i-Wazarat
33	M Ahad Shah	do	Unqualified and specially promoted to Tehsildar's grade.
34	M Tasaduq Hussain	do	do
35	M Sarwar Khan	do	do
36	Ch Faiz Ullah	do	Specially appointed Tehsildar over the head of a senior candidate.
37	M Iftikhar Ahmad	Customs	An ordinary clerk was appointed Deputy Inspector of Customs, without qualification
38	Khalifa Abdur Rahim	Political	An ordinary typist and started service on Rs 30 p m was appointed Personal Assistant to Mr Wakefield on Rs 400 p m over the heads of Hindu M A's and B A's senior to him in the same office
39	Sh. Abdul Hamid	Forest	Without any qualification, appointed D F O over the heads of qualified Hindus
40	R Sarwar Khan	do	do

S No.	Name	Department.	Remarks.
41	M Khande Khan	Municipality	Work agent on Rs 20 per month in Jammu, appointed Builder on Rs 50 in A. S. Technical school and discharged by Mr Andrews for incompetence Reimported through Peshawar and appointed Secretary Municipality To make room for No. 15, appointed supervisor Municipality (Engineering Branch) on Rs 250 per month. He is a non-matric.

*Note* —A glaring example of the preference given to the Muslims is the notorious fact of four Muslim L. L. Bs. fresh from the College, being appointed Munsiffs last year in preference to a score of Hindu candidates of long standing. Many Muslim candidates were specially selected, for Forest and Veterinary training. But as the examinations are in the hands of outside bodies the candidates could not succeed and Hindus had to be taken perforce.

This list which deals with Gazetted and higher executive appointments only is illustrative but not exhaustive, even for such posts. In the lower ranks Muslims are being recruited indiscriminately and given preference over well trained and capable Hindus. Muslims who have passed the Matriculation examination only and have not been in service before, are being appointed Head-Assistants in preference to Hindu M. As, and Hindu Clerks of 30 years standing.

In the Education Department the policy of giving preference to Muslims has gone so far that teaching has become inefficient. The Muslim demand for Muslim teachers must affect the standard of teaching. Arabic teachers are appointed to provide for Muslims who can be shown to have knowledge of the Quran even though they may be otherwise illiterate. 32 Mohammadans possessing little or no qualifications were appointed only this year as Arabic teachers in connection with compulsory education, with the object of attracting Muslim students to these schools by giving them religious instructions, though no such provision has been made for Hindu boys.

It can be shown from incontestable facts and figures that the proportion of Hindus to the Muslims in the total population is inverted in the case of educated population. If Muslims are 75 p. c. of population they do not contain more than 25 p. c. of the educated population. For every one unemployed Muslim B. A. or M. A. there



are 30 unemployed Hindu B. As. and M As., while for every one Muslim below the rank of a B A., who is unemployed there are over 50 such unemployed Hindus. More educated Kashmiri Hindus have left this State and are serving in different Indian States and Provinces than the whole number of Muslim Educated men who are unemployed. In fact inspite of special scholarships and all sorts of facilities, they do not take to education, because their own professions are more paying than petty clerkships. The Government has had several times to go a-begging to fill up vacancies where it was desired to appoint Muslims.

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## APPENDIX IV (a)

### Facilities provided by the Government for MUSLIM EDUCATION

1 Rs 23,028 are annually awarded as special or closed scholarships to Muslims besides poverty and merit scholarships for which also they can and do compete

2. Included in the above amount is a sum of Rs 6000, awarded as closed scholarships to Muslim Students of the two colleges in the state. This sum is greater than the sum awarded as open merit scholarships and does not include five scholarships at Rs 15 p m. reserved for Frontier students in S P College Srinagar. For higher education, therefore, more money is spent on muslim students who form less than one-fifth of the total student population in the colleges than on non-muslims

3. In the province of Kashmir there are 484 muslim teachers as against 671 teachers of all other communities, besides 84 Maulvis employed in Makhtabs. The number of Muslim teachers is so large not because the teachers are necessarily qualified for their posts but because Muslim Education is being encouraged

4 Grant-in-aid to Muslim educational institutions for boys amounts to Rs 33,000 as against Rs 4,678 given to Hindu institutions. This sum does not include Rs 26,517 given to Muslim educational institutions as Building Grant.

**APPENDIX V**  
**ABSTRACT OF**  
**THE LISTS OF UNEMPLOYED KASHMIRI PANDIT**  
**GRADUATES AND UNDER-GRADUATES**  
**1931.**

1.	(a)	M. A., L. L. B.	2	
	(b)	M A , M. O. L.	1	
	(c)	M. Sc.	2	
	(d)	M A.	6	11
2	(a)	B A , L. L. B.	1	
	(b)	B A., B T.	1	
	(c)	B. Sc.	9	
	(d)	B A	56	67
3	(a)	F Sc	7	
	(b)	F A	85	92
4.		Matriculates	608	608
			Total	778

*Note - This list does not include those Kashmiri Pandits who are in private service, temporary or permanent, or who are pursuing their studies merely because they cannot get any employment.*

**APPENDIX V [a]**

**For Muslims of Kashmir**

1. Upto the end of 1930, the total number of Muslim under-graduates from S.P. College is 90 out of whom 39 have passed degree examinations. Of all these hardly 3 are unemployed.

2. The total number of Muslims employed in Government services in Kashmir is greater than all the Muslims possessing any University qualifications, a fact which indicates that Muslim Government servants include, besides University qualified men, a large number possessing little or no qualifications.

3. Muslim graduates and undergraduates have from the very outset been recruited in, or trained for, Gazetted Government services or higher ranks while the Kashmir Hindu graduates were given no such start and had to struggle hard to gain the little share in higher services that they possess at present which is certainly not proportionate to their educational qualifications.

## APPENDIX VI

### *The Kashmir Government Press Communique dated 28th July 1931 on the Srinagar Muslim Riot.*

Several conflicting reports have appeared in the Press regarding the serious rioting which took place at Srinagar on the 13th July. Soon after the occurrence His Highness' Government appointed a Commission of Enquiry consisting of Sir Baijor Dalal the Chief Justice as Chairman and two Judges of the High Court, one a Hindu and the other a Mohammadan two Hindu non-officials and two Mohammadan non-officials from among the leaders nominated by the community as members to investigate the causes of the disturbances His Highness' Government expecting a speedy report was advised to defer publishing a communique till the Commission was in a position to make a statement of facts on the basis of the evidence presented before it. The Mohammadan non-official members however resigned their seats and the Commission's work has been delayed. Under the circumstances His Highness' Government consider it necessary to no longer delay the publication of such facts as have been reported by the Executive Officers and ascertained from various sources. At midday on 13th July, a crowd of about five thousand people assembled outside the Jail, stormed the Jail gate with the object of rescuing a prisoner who was being tried under Section 124A and 153A for sedition and for making an inflammatory speech intended to create hatred between two communities. They rushed the outer gate and overpowered the guard. Repeated attempts were made to rush the inner gate. The Police arrested four persons but this infuriated the mob who started pelting the Police force with stones and brick-bats and set free four prisoners who were being escorted to the Jail. The quarters of the Jail guard were set on fire and the telephone lines were cut. It was feared that all the prisoners in the Jail would escape. Attempts were made by some of the prisoners to snatch rifles from the armed Police a few of whom had been seriously wounded by the mob. A lathi charge was made but it proved ineffective. Thereupon a warning was given to the crowd by the District Magistrate and the Deputy Inspector General of Police who had been summoned by telephone before the wires were cut that fire would be opened if the unlawful assembly did not disperse but the mob continued the onslaught. The Police was then ordered to fire. They fired first in the air but with no effect and then at close range at the mob. More arrests were made thereafter. The rioters then receded and waited at a distance in two sections one on Hari Parbat and the other in a lane. Another collection of Mohammadans went in the meantime to Vicharnag which is situated at about two miles from the Jail and about five miles from Srinagar. A third proceeded towards the city. The Vicharnag

party perpetrated untold atrocities on the people by violence, pillage, arson and brutal assaults and indelible outrages on women. They are said to have looted all they could remove and burnt and destroyed the rest. About the same time looting started near Buhrikadal. Most of the Hindu shops between Buhrikadal and Safakadal including the important market of Maharajganj were looted and the occupants wounded. Some of the Panjabi shopkeepers put up a fight in defending their shops, but were overpowered by force of numbers. The property lost is stated to have been worth lakhs. Hindu passers by were assaulted and robbed some dying from the effects of injuries and others narrowly escaping death. Lathes, knives, and stones formed the weapons of offence. Military forces were sent to the city at once and dispersed the crowd at Maharajganj. The pillage was stopped but stray assaults with sticks, stones, and brick-bats on Hindu passers by continued. At places the mob assaulted the Military pickets who had to fire in self defence. As a result of the Police firing at the Jail six men were killed on the spot and some fifty were wounded. Out of the latter four died. In two skirmishes with the Military two rioters were killed and three wounded the latter having probably all succumbed to injuries. Military patrols were established and the situation taken in hand. Altogether 336 rioters were arrested. Of these 217 have been released for want of sufficient evidence or no bail. Conditions in the city are improving but reports are being received which go to show that agitators have been busy in the Mufassil. Most of the Mohammadan shopkeepers of the city and some towns outside are still observing hartal. Cases of forcible conversion of Hindus accompanied by cruelty have come to notice from the Mufassils. Several speakers are reported to have created commotion by their violent speeches. Some scuffles between Hindus and Mohammadans took place on the day following the riot and complaints have been received that some Mohammadan shops were looted although such of them as were enquired into by a High European Officer turned out to be unfounded. The latest event is the burning of the wooden bridge over the river at Sangam which appears to be the outcome of a well planned affair. Suitable measures are being adopted by His Highness' Government to prevent further outrages. Reliable Hindu and Mohammadan officers have been deputed to make enquiries into the offences committed and their work is being supervised by higher authorities. It is hoped that peaceful conditions will be restored soon. A warning has been issued to all peaceful citizens to dissociate themselves from those who have disturbed or are disturbing the public peace.

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SRINAGAR RIOT ENQUIRY COMMITTEE REPORT, 1938.

1931  
Y: 481 (Y73Q2-7) . 24/10/38  
PRELIMINARY. 12

MAY IT PLEASE YOUR HIGHNESS,

On 14th July 1931 the day following the disturbances in the city of Srinagar Your Highness was pleased to appoint a Commission consisting of the Chief Justice of Your Highness' High Court as Chairman and two Judges of that Court and a non-official Mohammadan gentleman and a non-official Hindu gentleman as Commissioners. Five days later on the 19th of July Your Highness directed the addition of two more non-official members one a Mohammadan and another a Hindu. The next day the non-official Mohammadan Member Khawja Saad-ud-Din Shawi appointed on 14th July tendered his resignation and was replaced by another Mohammadan non-official Member Khawja Ghulam Ahmad Ashal. On the 27th of July when it was found that the non-official Commissioners appointed by Your Highness excused themselves from accepting their nomination on the Commission and that Mohammadan public opinion did not desire that a representative Commission of officials and non-officials belonging to both communities should function, Your Highness was of opinion that it would not be fair to have a Commission of officials helped only by non-official members of one community, so Your Highness directed that the Commission appointed on 14th July be dissolved and that an official enquiry be held by the Chief Justice and the other two Judges of Your Highness' High Court.

Such an enquiry has now been made. It started on the 27th of July and the recording of evidence ended on the 11th of September. 112 witnesses have been examined by the Committee. The method of procedure was to request every witness who was summoned to bring a written statement. Several witnesses did not desire to give evidence in public so part of the evidence was taken in public and part in camera. The written statement relating to public evidence was read out in public and then the witness was examined orally by the Commissioners and the written statement was made an exhibit on the record. Similarly with regard to evidence in camera, the written statement was first read out in camera and the witness was subsequently examined on the basis of that statement. In that case also the written statement was made an exhibit on the record. A very few witnesses did not submit any written statements either previously or at the time of their appearance before the Committee. These witnesses were orally examined either in public or in camera, according to their desire, on what was believed to be within their knowledge and within the scope of our enquiry. Certain written statements of persons, who were not considered important enough to be examined orally, have also been placed on the record.

Our position was somewhat of a peculiar and difficult nature. It may be said that there are three parties to the enquiry: the Government the Mohamadans and the Hindus. No party at the commencement of our proceedings had any case ready to present before us. None of these parties was represented at the bar of the trial. We were, therefore, left to our own endeavours and good sense to arrive at the truth. We examined all the Ministers of State to understand the position of the Government. The Hindus were astute enough to formulate their case through certain representatives notably Pt. Prem Nath Bazaz (W. 38, P. ) and Pt. Jia Lal Koul (W. 80, P. ).

*Preliminary—Contd.*

The Mohammadans pretended to boycott the Committee and to keep aloof. Even so late as the 9th of September a person calling himself Mufti Jalal-ud-Din (W. 103, P: ) who was wrongly described on his application of no date (Exhibit 128) as Secretary of Muslim representatives, stated that the Muslim Community had decided to stand aloof, meaning from the Commission, and had not adduced any evidence so far. This young man of about 25 when questioned by the Commission, replied that he represented no one but himself but the Commission had no doubt that he was put up by the so-called Muslim representatives. He suggested the names of a large number of Mohammadan witnesses. On 9th September he was told that he may bring non-official witnesses with written statements on the 10th or 11th while the Committee summoned the official witnesses suggested by him and they were examined on the 10th and 11th. The young man Mufti Jalal-ud-Din never turned up during those days with the non-official witnesses. His statement that the Muslim Community had not adduced any evidence was incorrect. Several Muslims such as Pirzada Ghulam Rasool (W. 87, P. ) Head Master, Islamia High School, Srinagar, came forward to represent the case of Mohammadans. This particular witness put in a very lengthy written statement and the Commissioners spent much time in examining him in detail. Certain Mohammadan witnesses both official and non-official to quote among officials Kh. Salam Shah (W. 76, P ) and among non-officials General Samander Khan, (W 90, P: ) were examined by the Committee with particular care as they appeared to the Committee to represent different shades of opinion of the Mohammadan public. The Committee has noted one particular characteristic among Mohammadan witnesses that they desired to give their evidence in camera. This desire was not existent among Hindu representatives, who in a way preferred to give evidence in public. Obviously the Mohammadan opinion is not uniform and settled and therefore the exponents of every shade of opinion were afraid of their opinion not being acceptable to those Mohammadans, who held different shades of opinion. On the very last day, 11th of September, a young Mohammadan gentleman Ghulam Qadir who regularly attended the sittings in the portion set apart for correspondents of papers, gave in the office five written statements. This was done almost at the same time when the Commission openly closed the oral enquiry. When the Commissioners separated, the Chairman discovered that these five written statements had been put into office slightly before the Commission closed the enquiry. He however discovered that these statements were put in by Ghulam Qadir and not by witnesses themselves and only two of them Abdulla Joo Kapra and Mohammad Maqbool were present. At the request of the Chairman, the Commission in spite of the order of closure examined Abdulla Joo Kapra and Mohammad Maqbool and a third witness, a young College student, Mirza Noor Din who also came up with a written statement. Thus every facility was given to Mohammadan witnesses. The Commission is fully satisfied that every grade of Mohammadan point of view has been disclosed to them.

Immediately on the appointment of the first Commission on 14th July, notifications were distributed broadcast in the city of Srinagar and affixed at various places of vantage requesting witnesses who had anything relevant to depose to come forward and have their say before the Commission. This information was also announced by beat of drum throughout the city. The Commission was further on the lookout to summon witnesses who may be suggested during the examination of any other witness. All witnesses who were requested to appear

*Preliminary—Concl'd.*

before the Commission honoured the summons except Mr Mohammad Abdulla M Sc., Mr. Saad-ud-Din Shawl, and Ghulam Ahmed Ashai. Mr. Abdulla M. Sc, did not send a reply. Mr Shawl made a return that he was ill; possibly the vernacular proverb came true that the physician prescribed what the patient desired. Mr Ashai had the courage to reply that he would not appear. Your Highness had granted the Chairman sufficient authority to enforce the presence of these witnesses before the Commission but it was not considered desirable to assert that authority.

We may recapitulate Your Highness' commands as to the scope of the enquiry and the recommendations Your Highness had desired us to submit. They were declared at the time of the appointment of the first Commission on the 14th July last and the Committee was directed to enquire into and report on the matters mentioned in the order of the 14th July 1931 and to make recommendations on the points mentioned in that order. According to that order we were directed to enquire and report upon—

- (i) the circumstances which led to the recent disturbances at the Jail, Maharajgunj and other localities in the city of Srinagar
- (ii) the sufficiency or otherwise of the action taken to anticipate and deal with the above disturbances

The recommendations we were directed to make related to—

- (i) the restoring of communal peace and harmony as quickly as possible;
- and
- (ii) prevention of such deplorable occurrences in future.

In the nature of things our first duty will be to determine what the facts were of the disturbances according to our conception without going into personal details of individual cases. Throughout the enquiry we have been careful as we shall be careful during the report to avoid the discussion of any individual liability. It will be for the Law Courts to determine the liability of individuals with reference to the disturbances and as Judges of the High Court we are particularly desirous that we may form no opinion as to individual liability so that in our capacity as Judges we may not be precluded from hearing appeals when they are filed in Your Highness' High Court on conviction or acquittal of individuals. On the main facts as to whether there was a riot at the Jail and loot at other places or not we cannot avoid the recording of our findings. These however will be findings in the abstract without assigning any individual criminal liability.

### FACTS.

The protruding fact which was a preliminary to the sad disturbances was of the occurrence at the Jail which, therefore, will have to be examined in great detail. A large number of Magistrates and Police officers had got themselves shut in there but the principal testimony is that of the Governor of Kashmir Raizada Trilok Chand (W. 1, P: ) and Sh. Aziz Dan, Deputy Inspector-General of Police (W. 3, P: ). Their evidence is given in great detail and we hold it to be true in the main. On 21st of June 1931 one Abdul Qadeer who had come to Srinagar in the service of a European visitor as cook made a speech at a Mohammadan meeting held in Khanqah Mualla in Srinagar. This speech was considered by the responsible executive officers of Government to be seditious. So he was arrested on the 25th of June and under the sanction of Your Highness a complaint was made against him in the Court of the Sessions Judge on the 4th July. Under special Notifications of Your Highness, offences under Sections 124 A and 153 of the Indian Penal Code were made triable directly by the Court of Sessions and that is why the complaint was made in that Court and not before a Magistrate. During four hearings in the Court of Sessions on the 6th, 7th, 8th and 9th it was found that the trial had greatly excited the Mohammadan public opinion and crowds of Mohammadans obstructed traffic on the way while the prisoner was brought to Court and taken back every time to the judicial lock-up. Large crowds assembled in the Court and Court compound also. The District Magistrate was apprehensive of a breach of the peace, which would be particularly undesirable in a quarter mostly frequented by visitors from abroad in the height of the Kashmir season. On 11th July the District Magistrate, therefore, suggested that the trial should be held in Jail and permission was granted on 11th of July, the Chief Justice making it a condition that the District Magistrate will be responsible to make all necessary arrangements both for the trial and to keep order. This was particularly insisted upon by the Chief Justice because in his letter to the District and Sessions Judge, the District Magistrate had asked the Sessions Judge to arrange for the conduct of the hearing of the case within the walls of the Central Jail. The Chief Justice instructed the Sessions Judge to reply that the Court may be held in Jail but that the District Magistrate will be responsible for everything else. If any body believed that any arrangement could be kept a secret in Srinagar, he will be making a great mistake and it is obvious that within a few minutes it was well-known that the trial will be held at the Jail. We have definite evidence that on the night of the 12th there was a Mohammadan meeting at Gaukadal (See W. 48, P: ) and the Police report as regards this meeting, to incite Mohammadans to go in large numbers to the Jail. The usual exciting declarations were made there of danger to religion. Both the District Magistrate and the Deputy Inspector-General of Police have admitted that on the 12th of July they had received warnings of probable alarming happenings next day. We shall deal later with the part played by Pandit Sudarshan Koul, Assistant Superintendent of Police of Srinagar (W 6, P ) Suffice it to say here that he brought that night alarming news of the likelihood of an attack on the Jail by a large mass of Mohammadans next day. Both the District Magistrate and the Deputy Inspector-General have deposed that they did not take alarm because this information was not verified. Executive and Police officers have to take action on rumours of alarm if they have to be effective officers and not wait like judicial officers on verification before recording a conviction. It is amazing to us that the District



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 Facts - Contd
 

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Magistrate did not ascertain even the strength of the Police at the Jail on that night and that the District Magistrate had never visited the Jail before. All the extra preparation made was an order by the Deputy Inspector-General of Police for the despatch of 44 Policemen with 5 Head Constables and 2 Sub-Inspectors and one Inspector to proceed to the Jail and this force did not start for the Jail till as late as 12-30 P M. Out of this force 22 Policemen were armed and the rest had clubs. The Deputy Inspector-General says that he gave the order by telephone to the Line Officer at 9 A M but it is obvious to us that immediate performance was not directed and the force was timed to arrive at the Jail at the time of the trial and not previously. If it had been at the Jail previously it would have succeeded in creating an impression on the crowd. Pandit Kishen Lal Kichalu (W 10, P ) was the Sessions Judge who went to the Jail to hold the trial.

The Police force arrived at the Jail a little after 1 P M after the Superintendent of Police Mr Thappa (W 4, P ) arrived there. Aheady at 12-30 P M the Jail officials were alarmed and phoned to the Police office whereupon the Superintendent of Police went to the Jail. When the Sessions Judge arrived at the Jail there was only the Jail force there. The Jail guard may not be insufficient in number but it was entirely inadequate through want of offensive impliments to prevent or put down a disturbance. 100 Policemen formed the guard at the Jail, ten of whom were Head Constables. As a rule 19 men are on duty at one time. Nominally they are supplied with rifles but to quote the statement of the Deputy Inspector-General "There are 25 rifles supplied. These rifles are muzzle loaders, very old, they cannot fire". In the opinion of the Jailor Lala Karam Chand (W 11, P ) these rifles "are worse than *lathis*". All the available force excepting three in the Hospital was brought out by the Jailor but this force did not even possess *Dandas* and had only small clubs. When the Sessions Judge arrived for the trial at about 1 P M, a crowd of four or five thousand Mohammadans had collected at the Jail and transparently the Jail force was entirely inadequate to over-awe such a crowd. Moreover, though the District Magistrate was not aware of the disposition of the Police force at the Jail, it may be taken for certain that those who were at the back of the crowd and collected it knew well the excessive inefficiency of the Jail Police. An accurate idea of the locality is essential in determining the true facts of the case. Exhibit (8) is a plan of the Jail. The Jail has a compound with high walls and the high walls in front of the Jail are so high that one cannot shoot over it at any crowd standing on the road. There is a wooden gate at the Jail to enter the compound. On the other side of the Jail to the south of the compound there is a walled grove, which also has a door more or less opposite though not exactly opposite to the wooden gate of the Jail. This is to be clearly borne in mind to understand that Constables shooting from the Jail compound could only shoot at men on the road in front of the wooden gate and not anywhere else, on the road to the south nor could men inside the grove be shot at from the Jail compound. At the south west corner of the Jail there are Police Lines for the use of the Jail Police. There is an iron gate to the Jail building. This gate is about 50 yards from the wooden gate and a path leads directly from the wooden gate to the iron gate. When the Sessions Judge arrived there was a large mob of Mohammadans blocking the road south of the Jail compound and it was with difficulty that a passage was made for his

*Facts—Contd*

car to pass through. As the car entered by the wooden gate the mob which was collected there entered the compound of the Jail disregarding the directions of the Police to remain outside. This situation was so alarming that the Sessions Judge requested the Jailor to inform the District Magistrate and the Deputy Inspector General of Police. It was then that a phone message of alarm was sent to the Police Office and the Superintendent of Police arrived first at the Jail, in answer to the summons. There can be no doubt that riot was committed by the mob as soon as it entered the compound of the Jail. The Sessions Judge has stated that it was related by the Jailor that the crowd wanted to enter the Jail building and to have a look at the face of the accused. There was not the permission given to the crowd to enter the Jail compound, much less to enter the Jail and to have a look at the prisoner. The mob outside the Jail was an unlawful assembly because under Section 141 I P C. unlawful assembly is described as an assembly of five or more persons with the common object of the persons composing that assembly to over-awe by criminal force or show of criminal force any public servant in the exercise of the lawful power of such public servant, to commit any criminal trespass by such means, to enforce any right or supposed right or by such means to compel any person to do what he is not legally bound to do. To take the most indulgent view, the crowd desired to attend the trial and to have a look at the accused. That was a desire to over-awe the Jailor in the discharge of his lawful duty to keep the crowd out, by force to enforce a right which they supposed to exist in themselves to be present at the trial and to compel the Sessions Judge to put up with their presence when he was not legally bound to do so. When force is used by an unlawful assembly or by any member thereof in prosecution of the common object of that assembly, every member of that assembly is guilty of the offence of rioting. The entry of a large number of Mohammadans inside the Jail compound along with the Sessions Judge's car was clearly the use of force by the great many members of the unlawful assembly. So all the members of that assembly were guilty of rioting at the time. According to this view rioting had already been committed when the District Magistrate and the Deputy Inspector-General arrived on the scene at about 1-15 P. M. It may be remembered that at the same time arrived the extra Police force. The total Police force then at the time consisted of 22 armed Policemen and 119 other Policemen 22 with *dandas* and rest with small clubs, 5 Head Constables, one Sub-Inspector and two Inspectors. It will be admitted that the force with its known inefficiency was entirely inadequate to over-awe a crowd which had at the time grown according to the Deputy Inspector-General's estimate to the number of about seven thousands.

It appears that the crowd which entered with the Sessions Judge had gone right up to the iron gate. There is convincing evidence of this but it is not very clear what force the crowd used to the iron gate; whether the crowd shook the gate holding it by the bars or whether it only pushed at the gate. There is a divergence of evidence here. When the crowd came up to the Jail gate naturally the Jailor and others wanted to examine the capacity of the gate and discovered that one socket of the inside bolts was missing. It is in evidence that this socket had been missing previously. A hasty conclusion was drawn by the Jailor and Deputy Jailor that the socket had come off during the attack on

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*Facts—Contd.*

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the iron gate by the crowd. Nothing much need be made of this incident. It is certain that some repair was made to the gate to make it as strong as possible to resist an attack.

When the District Magistrate arrived he was told by the Jailor that the iron gate had been attacked by the crowd and through misinformation of the Jailor he was further told that a socket from the inside bolts had come off, at the time

When the District Magistrate arrived every Civil Court Magistrate of Srinagar was locked up at the Jail. For no reason whatsoever the District Magistrate took the Additional District Magistrate along with him. He says that he did so for consultation. It is not apparent to us in what way the Additional District Magistrate was helpful in a consultative capacity. The District Magistrate knew that at least one Magistrate Mr. Bhim Sain was at the Jail. Mr. Satya Lal was at the Jail in his capacity as a prospective witness. It was a great mistake to crowd all these Magistrates at the Jail and deprive them of use elsewhere. When on that day at about 4 P. M. the Chief Justice desired the services of a Magistrate to depute to a particular locality he had to look out for a Revenue Court Magistrate. The Committee has noted with regret that out of all these Magistrates collected at the Jail not one went forward to the crowd to try to reason with it and pacify it. The District Magistrate as the highest Magistrate present took charge of the situation and the others were of no use whatsoever. One Magistrate Mr. Bhagat Ram expressed his opinion with respect to a certain act which we shall consider later that it was done to enforce the dignity of the law, and the Chairman put to him the question whether he thought that the dignity of the law was maintained by four Magistrates remaining inside a room of the well protected Jail building and not one of them going out. He entered a very feeble defence that other Magistrates were under the orders of the District Magistrate, who did not order them to go out. The District Magistrate himself explained that he had the experience of a meeting at Hazratbal that the Mohammadans paid no attention to what he said, and, therefore, he made no attempt to reason with the crowd. Even so, we are of opinion that on his arrival it was his duty to question the mob, to find out what its object was and try to reason with it. The crowd ought at least to have been told by the District Magistrate that it was a criminal gathering and took great risks of a clash with authority. This omission on the part of the District Magistrate has met with our disapprobation. The District Magistrate did not show a bold front personally. He went inside the Jail building upstairs to a room next to the one where the Sessions Judge was sitting and vainly waiting for the time when the trial of Abdul Qadeer may commence.

As we have already explained, the District Magistrate was fully justified in considering the crowd which had entered into the compound to have committed the offence of rioting. He directed two C. I. D. Officers Abdul Karim and Habibullah (W. 17 and W. 18 P: and ) to arrest the persons who had entered the compound. We quite agree with the District Magistrate's opinion that these two officers wrongly denied having identified a single one of that crowd. They were C. I. D. officers and entirely unfit for the duty of their office, if they were really as ignorant as they pretended

*Facts—Contd.*

to be. The Governor thereupon ordered that the rioters may be arrested. There can be no question that such an order would be justified, whether of the arrest of persons who had actually entered the compound or of persons who were outside. According to law all those present outside the Jail and those who joined the crowd afterwards were equally rioters to the same degree as those who forcibly entered into the Jail compound. As to the wisdom of such an order we have doubts. The District Magistrate has justified it on the ground of his desire to exhibit to the populace the strength of the guardians of law and order as fault had been found by higher authorities on deficiency of courage exhibited by Magistrates on similar occasions previously. We believe that this is an after-thought on the part of the District Magistrate. Our opinion is that the District Magistrate had not acquainted himself with the very small amount of effective force at his back. On 12th July, he was even ignorant of the state of the Police force at the Jail. He must have seen a large number of Constables and thought that they were all effective not knowing that only 22 of them were armed with rifles and only 22 more had *Dandās* which can really be of use as weapons of offence or defence.

As soon as some members of the crowd were arrested and five of them brought in there happened what should have been predicted. The crowd grew restive and proceeded to throw stones. After this the action of the District Magistrate upto and including the firing has been very carefully examined by us after consulting all the available evidence produced before us, and we have come to the conclusion that the firing was justified. The situation ending in firing has been very well summarised by an Inspector of Police Pandit Maheshar Nath ( W. 16, P: ). It is the most dramatic description of the state of mind of the officers at the time. He said: "The mob was in an excited state, slogans were being shouted, the telephone lines were furiously shaken and it was feared that they will be cut off as they were subsequently cut off. Stones were thrown by the mob on the Constables, some Constables were wounded, on the western side of the enclosure there was a cry that there was a fire." To this, may be added the fact that a noise was made inside the Jail that the prisoners were restive and were trying to break open the Jail. The Governor further says that he was informed by the Deputy Inspector-General of Police that the butt end of one rifle of an armed Policeman had been broken by a stone. The Deputy Inspector-General of Police was standing outside the iron gate. The District Magistrate requested him to inform the mob that they had constituted an illegal assembly. The noise at this time must have been so tremendous that possibly few people heard the voice of the Deputy Inspector-General of Police. That is the reason why very few officers have deposed to such a proclamation being made. Under the law it is not essential that an assembly should be commanded to disperse. Section 128 of the Criminal Procedure Code lays down when civil force may be used to disperse an unlawful assembly. It enacts, "If upon being so commanded, any such assembly does not disperse or if, without being so commanded, it conducts itself in such a manner as to show a determination not to disperse, any Magistrate may proceed to disperse such assembly by force." There cannot be the slightest doubt that the assembly of Mohammadans had no desire whatsoever to disperse. They kept on throwing stones and so the order to fire given by the District Magistrate was one that could not have been delayed. The

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*Facts—Contd.*

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entire evidence of Mohammadans by way of defence that the crowd was a peaceful crowd with its mind bent upon offering prayers is completely falsified by the testimony of Mr Wakefield who arrived at the scene at 3 P. M. ( W: 56, P. ) and of Brigadier Sutherland ( W 70, P. ) who arrived at about the same time. They saw a large quantity of stones lying in the compound between the iron gate and the wooden gate. The expression used by Mr Wakefield is that ' the place was strewn with stones which had been thrown by the mob'. After the firing certain rioters were arrested and Mr. Wakefield spoke to them and asked them what they had been doing. One man came forward and said that they merely had been praying and that the police had opened fire on them. Mr Wakefield thereupon asked him whether stone throwing had anything to do with praying because he had found the whole space in front of the Jail littered with stones thrown by the mob. To this enquiry none of the arrested Mohammadans gave an answer. Brigadier Sutherland has said that the quantity of stones scattered about inside the compound was such that he drew the inference that they must have been thrown by a large number of people. Both the witnesses also saw a large number of kit boxes of Police men lying about in front of the Police Lines. It is certain that there was no manipulation of the situation because when these witnesses arrived the rioters had just left and the District Magistrate was still inside the Jail and only preparing to come out. We have examined with care the situation as it existed before the firing. Gopi Nath Constable was one of those who was bringing to the Jail some under-trial prisoners ( W 28, P: ) He received injuries on the head from which he bled profusely and he has deposed that he was unconscious when he was taken to the Jail Hospital. Another Constable Gurdit Singh of the escort was also injured and taken to the Jail Hospital. There is abundant evidence to prove that an attempt was made to fire the Jail Police Lines and we have the evidence of Mr Wakefield and Col. Sutherland as to the contents of the Police Lines being thrown out.

We are further satisfied that the firing was not prolonged beyond what was necessary. According to the Governor he gave orders, which resulted in firing 11 times. The firing line was drawn up to the right of the road from the wooden gate to the iron gate. The Deputy Inspector-General has explained that these Constables turned a little to the right to fire at the crowd at the wooden gate. Ten men fired at first in the air twice. Subsequently two more rounds were fired. The mob did not disperse and continued to throw stones even with greater violence. Two more rounds were therefore fired. The stone throwing thereupon stopped for a couple of minutes but was resumed with greater violence. So the District Magistrate ordered three more rounds to be fired. In spite of this the stone throwing did not stop and continued with greater intensity whereupon he ordered three more rounds to be fired. The details agree exactly with the statement of the Deputy Inspector-General. He also deposed that a rush of the crowd stopped for a minute or two, after the 5th round was fired; there was another rush of the crowd at the gate which appeared to be larger and entered inside the compound four or five paces and continued to throw stones. He then describes the firing of six more rounds. The last three rounds being necessary when the crowd did not stop its rush on the fire of the 6th, 7th and 8th rounds. So far as can be ascertained 10 men were killed by the firing at the

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Jail All the dead bodies were removed to the Jumma Masjid and no dead bodies were left at the spot. Dr. Vosper, Superintendent, Mission Hospital, Srinagar examined all these bodies on the 14th of July at the Jumma Masjid. He examined 11 bodies out of which one was said to have been shot at night on a city road. It is most significant that all these men had received shot wounds right in front or in the chest. So it was an advancing crowd which had been shot at and not a retreating crowd (Ex 129).

We shall next examine the conflict of evidence and indicate why we do not believe the evidence in support of the theory that the crowd was engaged in prayers and was shot at without any cause. We have recorded how the Mohamadan Deputy Inspector-General who gave his evidence in an exceedingly satisfactory manner without hesitation and circumlocution, has completely supported the testimony of the District Magistrate. Other official Mohamadan witnesses with the honourable exception of Khawaja Saif-ud-din, Sub-Inspector (W 30, P ) have not been free from communal bias. As there was to be a trial, some Mohamadan counsel were present, principal among them was Maulvi Abdulla (W 14 P ) whose evidence we shall have to examine in detail. The others were Pir Qamar Din, Maulvi Abdulla, Mr. Ghulam Mohammad, and Lala Nanak Chand. Pir Qamar Din (W. 13, P. ) appeared to us to be a man in his dotage and made a wild statement unworthy of consideration. We first come to the testimony of Maulvi Mohammad Abdulla (W 14, P ) a man of influence at the Bar and also among his co-religionists. To start with he alleges that when he reached the Jail at 11 A. M. he saw a crowd of only a hundred men. This appears to us to be an under estimate. According to him they had gone there to attend proceedings. Proceedings were to be held in Camera in Jail so the crowd had no right to be there. He admits that when the Sessions Judge, arrived at 1 P. M. about two hundred or three hundred men entered the courtyard of the Jail with his car. Under instructions from the Sessions Judge he admonished the crowd and told them that they will not be able to attend the proceedings, that their presence was unlawful and that they had better go away. On hearing this the entire crowd went out of the compound. He noticed one man falling down and two or three stragglers remaining around him. It is admitted that the crowd did go out and the District Magistrate has stated that on his arrival there was only the man lying on the ground and a few men round about him within the compound of the Jail. The difference in statement between him and the official witnesses is that according to him no stones were thrown after the four or five men were arrested under the orders of the District Magistrate but that the stones were thrown after the firing started. Possibly this witness being upstairs in the room where the Sessions Judge intended to hold trial did not see stones being thrown earlier. Any way it is admitted by this witness that, in spite of the firing, stones were thrown so the crowd must have been a turbulent one. This witness went so far as to say that the Deputy Inspector-General of Police told a lie when he said that he had shouted to the crowd that it was unlawful and must disperse. We see no reason why this Mohamadan Officer should tell a lie in this matter, particularly when it was not necessary to give any such warning to a crowd bent on mischief before force is used. As we have noticed above few people were likely to hear the shout of the Mohamadan Police Officer owing to the noise that must

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have been made by the crowd at the time. The witness says that he even went out before some men were arrested and the crowd promised to go away after saying prayers and a man of the name of Khaliq Shora called out *Azan*. According to this witness the men were preparing to say prayers after the *Azan* was called and some men were going towards a tank to wash (*Wazu*) and that at this time the arrests were made. This witness, however, admits that so far as the Governor was concerned the Governor was mis-informed that the man who was crying *Azan* was exciting the crowd. We asked the witness whether he contradicted the Superintendent of Police who gave false information to the Governor and the witness admitted that he did not as he was not friendly with Mr. Thappa and was afraid of being arrested himself if he made any observation. When it was suggested to the witness that when his sentiments were unfriendly towards the Governor and Mr Thappa he may be making statements regarding the shooting so as to implicate them in a criminal offence He replied that though they were unfriendly towards him his feelings towards them were not unfriendly. The reply did not strike us as convincing. This witness did not observe the wounded Constable being brought in but admitted that during the firing he did hear that a Constable had been wounded. The witness could not explain why the Governor should order firing on an inoffensive crowd engaged in preparing to say prayers. Even if all that this witness says be accepted as true, the firing would be justified. There is only one little difference. The witness says the stones were thrown after the firing while we are satisfied that stones were thrown immediately the arrests were made. The Governor was legally right in making arrests and if the crowd behaved in a disorderly manner afterwards the Governor was entitled to order firing under the circumstances of the case as described above.

Sh Ghulam Mohammad ( W 20, P ) another defence pleader does not carry the case of the Mohammadans' defence any further than does Maulvi Mohammad Abdulla. His powers of observation must be very weak. He talks of continuous firing by the Police as if they had automatic repeating rifles when really after firing every round the Policemen must have reloaded their rifles. The other statement of his that the crowd was in the garden when the firing was opened must also be due to want of observation or want of memory because as we have explained already the crowd in the garden could not be shot at from where the firing line of Policemen stood in the compound. Lala Nanak Chand ( W 84, P ) defence Counsel has given a version conforming to the testimony of the Governor. He has definitely stated that the Constables who fired did not go out of the compound and that the firing ceased when the mob left the bit of road which lies between the wooden gate and the garden wall. As we have already stated a Mohammadan Police Officer, Kh Saif Din, Sub-Inspector, ( W 30, P ) has borne out the details of the occurrence as given by the Governor. He also definitely speaks of an attack on the iron gate and attempt of the crowd to break it (See his written statement Ex 44). He actually received two stones on his chest and fell down stunned for a time.

It is not necessary to detail the statements of other witnesses relating to the riots at the Jail. For instance, a Mohammadan witness Habib Makaya ( W 55, P ) appears to have come prepared to tell lies and very wisely for himself desired that his evidence

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should be recorded in camera. It is a good axiom to guide one in decisions that witnesses may lie but circumstances never do. In the present case there are the circumstances of the Jail compound being littered with stones, and of the rioters who were killed being struck in front.

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### LOOT.

There can be no doubt as to loot having taken place in Maharajgunj Bazar, in Vicharnag and in other quarters of Hindu shops and houses by the Mohammadans. There is entirely independent and reliable evidence on the subject and we are not to determine the amount of damage done to individuals. Col. Nawab Khusiu Jang was the first official who arrived at Maharajgunj after the loot (W. 83, P. ) with contingent of Palace Guards and was satisfied from the appearance of the locality at the time that Hindu shops had been looted a short time before he reached the place. Mr. Wakefield and Brigadier Sutherland drew the same conclusion from what they saw on arrival between 4 and 5 P. M. Mr. Eric Biscoe (W. 95, P. ) actually saw looting going on beyond Maharajgunj in a small alley leading towards Alikadal. He is Principal of the C. M. H. School and he was escorting a party of boys to their homes by reason of the disturbances. He noticed the whole street filled with debris and actually Mohammadans looting shops which he believed to be Hindu shops. A Police party arrived at the time, and he and his boys cleared the road of the debris which was blocking the way. The debris consisted of broken glass, bags of grain, and various sorts of goods, mostly groceries. We ourselves visited Vicharnag though long after the occurrence. A view of the house of Pandit Kailash Butt (W. 63, P. ) convinced us that everything in his house was ransacked, his property stolen, and his Account-books torn. A large iron safe was carried out and broken there and was lying on the road when we went, in a broken condition.

The question for our consideration is whether the loot was an independent act of Mohammadans in a conspiracy or whether the loot was carried out by the mob returning from the Jail infuriated by the firing and the deaths of Mohammadans resulting therefrom. As regards Maharajgunj there is specific evidence of Hindu witnesses that the loot started after the dead bodies were brought from the Jail and passed through Maharajgunj. Budhi Prakash (W. 66, P. ) has given a vivid description of the procession of the Mohammadans coming from the Jail. He saw three or four *charpoy*s being carried through Maharajgunj with dead or wounded men and a banner of blood, carried in front. A stick with a cloth soaked in blood and tied at one end formed the banner of blood. The Mohammadans were excited at the sight of this banner and they bowed to it and tried to kiss the cloth. This raised the mass of Mohammadans to vindictive excitement. They may have thought of vengeance against the Government but as to their minds the Hindus represented the Government, their wrath was turned towards Hindus and their shops were looted. A leading trader of Maharajgunj, Bhagat Karam Chand (W. 57, P. ) has borne testimony that the loot started after the dead bodies were brought on *charpoy*s from the Jail. Lala Balmakund Kapoor (W. 37, P. ) has also stated that the loot started after the news arrived of the firing at the Jail. He belonged to Garh Bazar. He and his brothers by showing a bold front were able to save their shop from loot. His opinion was that the crowd was just then acquiring an appetite for loot, and had not become confirmed looters. When we visited Maharajgunj many days after the 13th of July, the appearance of the shop of Karam Chand Arora (W. 58, P. ) convinced us that he had suffered much loss. He appears to have suffered the largest damage among the Hindus who were looted in this Bazar. As regards the

*Loot—Contd*

loot at Vicharnag Pandit Shri Kanth Khar (W. 65, P: ) gave reasons for his opinion that the loot there was independent of the occurrence at the Jail. He said that all the looters came from the direction of Sovia, a suburb of Srinagar and did not come from the direction of the Jail. The loot there also started at or after 2-30 P. M. and it is probable that news of the firing and deaths of the Mohammadans at the Jail had already arrived at the Vicharnag quarter to excite the Mohammadans. It is quite true that only the Mohammadans present at the Jail did not commit the loot at various quarters in the city. They must have been joined by other gangs induced to take part in the loot by reason of the news received of the Jail occurrence. It may, however, be safely concluded that excited mob of rioters at the Jail, in their progress to the city, themselves looted and induced other Mohammadans to loot. Unfortunately no one in authority had imagination enough to visualize what would happen when the excited mob of the Jail passed through the city. The Governor was concerned only with his own difficulties of the time and we think that the Inspector-General of Police is blessed neither with imagination nor intelligence. This officer played a very sorry part on the 13th of July. This executive Head of the police and principally responsible for order in the city was no-where in evidence prominently on that memorable day. He himself admitted before us (W. 2, P: ) that though theoretically he was executive Head of the Police all powers were centred in the Police Minister. He had alarming news on the morning at 8 A. M. of the probable doings at the Jail. He accepted the word of the Deputy Inspector-General that usual Police arrangements would be made but made no enquiry as to what the arrangements would be nor did he take any action himself. He rushed to his usual shelter of refuge Mr Wakefield. He arrived at the house of Mr Wakefield at 10-30 A. M. and, in spite of the alarming news of probable occurrence, which he had received in the morning, he remained at that house idly waiting for the Police Minister until 12-30 P. M. Then he went to his office at Shergarhi again in hope of finding the support of the Police Minister, who was expected there at 1 P. M. to a meeting of Ministers. The Deputy Inspector-General informed him of the alarming telephone message received from the Jail but he was satisfied with an assurance of the Deputy Inspector-General that there was no necessity for any further action.

About 2-15 or 2-30 P. M. he received a phone message from the Jail from the Deputy Inspector-General of Police of an attack by the mob on the Jail, that there was little ammunition remaining with the Police, that the Jail was surrounded and that there was danger of the mob entering the Jail unless help arrived. The telephone communication was cut off at this juncture. He informed Colonel Rehmat Ullah Khan, General Staff Officer, to get cavalry and regiment ready. Colonel Rehmat Ullah Khan was in the same building where the Police office is situated. He again tried to phone to the Police Minister but without success. Then he drove to the Police lines and sent some police from there. About 2-50 P. M. he received a message that Maharajgunj was being looted and that the mob was proceeding towards Shergarhi (Your Highness' Palaces). He took 10 armed men to Kani Kaddal where he received definite information of the looting of Maharajgunj. Instead of rushing to Maharajgunj where he knew no officials were present, he goes to Jail for which place he had heard that cavalry and regiment had started. Of what use he would have been in addition to cavalry and regiment is not apparent and he failed to realise that his presence at

*Loot—Contd.*

Maharajgunj at the time when that place was devoid of all authority was essential. Though the Police Minister Mr Wakefield denied such an estimate of his Inspector-General of Police when the question was put to him by the Chairman, there can be little doubt that the Police Minister sized up the capacity of the Inspector-General of Police by ordering him to go to the Jail to arrange for the conveyance of the military to Maharajgunj. It is the height of topsy turvydom when the executive Head of the Police at the time of great disorder in the city should be only fit to have his services utilized in collecting lorries and despatching military to the scenes of terror and sorrow. Even when he ultimately reached Maharajgunj at 4.45 P M he was of little use either as a help or in making observations as to what had happened. In answer to a question by the Commission he admitted that he did not enter a single shop in Maharajgunj to find out whether any loot had been committed there or not.

After the Mohammadans had looted Hindu shops and houses it is alleged that the Hindus took revenge by looting Mohammadan shops and houses. This is a matter for Law Courts to decide. We have not entered into any enquiry into the matter whether Mohammadan shops and houses were looted subsequently by Hindus or not. The Mohammadans have complained to the proper authorities and they may prove their cases in Court of Law. We consider this matter to be outside the scope of our enquiry, which relates to the original disturbances and the means adopted to anticipate or deal with them. The Hindus turning round on the Mohammadans and taking revenge, if the Mohammadan allegation be true, is quite a different phase and can only be dealt with by Law Courts. If we held an enquiry into the Mohammadan allegations, we would be inquiring into individual cases, and not making an enquiry in the abstract about any particular rising or communal action. We are, however, concerned with one matter, the allegation made by Mohammadans that the military were concerned in helping the Hindus. We are satisfied that this allegation is fabricated merely to bring discredit on the military, who saved the situation and prevented the Mohammadans from committing further deprivations. In our opinion these allegations are made with a view to escape the employment of the military if there should be any subsequent similar occasion. We were not in a position to cross-examine the witnesses but some of the witnesses have given themselves away completely in details and proved themselves to be liars. It appears that the unruly populace is particularly afraid of the cavalry so attempt is particularly made to throw discredit on them. One Dr. Noor Din Khan of the City Dispensary at Srinagar (W 108, P ) deposed that his house was attacked by Hindus with the help of cavalry men. This was on 13th of July. In giving the details he definitely stated that the cavalry carried guns and in fact pulled the triggers of unloaded guns to frighten the Mohammadans. Maulvi Noor Din Qari (W. 109, P ) deposed that a cavalry man arrested him without cause. He even said that the whole picture was before his mind's eye that the cavalry man carried a gun with a bayonet fixed to it. He also deposed to an occurrence of the 13th of July. It is certified by Brigadier Sutherland (Ex 131) that the cavalry did not carry any rifle during the occupation of the city. The story, therefore, of these two Mohammadan witnesses showing the misdeeds of cavalry men carrying rifles and bayonets attached to those rifles are pure inventions. What Maulvi Noor-ud-Din Qari was looking at in the witness box was not a picture of what had actually happened but of a figment of his imagination.

There were several firings by the military on necessity arising.

*Loot—Contd.*

The result of only one firing that of Nava Bazar is, however, known. Subedar Attar Singh (W. 22, P: ) Nayak Onkar Singh (W 23, P: ), Sepoy Abhey Singh (W. 26, P: ) and Sepoy Glodu (W. 27, P: ) have described the incident how they were attacked by a crowd from both sides at a narrow bridge across the *nala*, how the rifle of one sepoy was caught by some of the crowd and how they were compelled to fire. One Mohammadan was killed and two were wounded. The City Magistrate who met the wounded persons made no inquiry from the wounded persons as to what had happened. There is the testimony of one Mrs. Thakur Das (W. 103, P: ) that the sepoys fired without any cause. She put in a written statement (Ex. 120). She has stated, that a military man opened fire on a man who had taken to his heels and was running away and also, at a water-carrier who was merely going across the bridge. It was fortunate, however, that soon after the occurrence Brigadier Sutherland questioned her and she stated to him that the crowd had thrown stones at the troops and that was the reason why the firing had been made. Brigadier Sutherland made this statement on oath (P: ). The woman denied having made such a statement and there can be no question, as to, to whose word preference should be given. It appears from a letter of Colonel Hugo, Head of the Medical Department (Ex: 130), that this woman was employed in the Medical Department and was given a temporary post for which she had no qualifications. When she was reverted on the ground of incapacity she resigned and possibly she has borne a grudge against the Government. It may also be that she may be hoping to improve her practice as a midwife in a Mohammadan neighbourhood by making a statement to bring discredit on the military as is the desire of the general Mohammadan public to do. We are satisfied that Mrs. Thakur Das has not told the truth. Brigadier Sutherland, an officer of long experience not only in the army but, in similar situations of Military Troops in occupation of civil areas, stated his conviction that the discipline of the troops in the city was exemplary (P ) and we believe that the Chairman was not too previous in adding his comment that the Commission also had come to that view after hearing the evidence.

There was another unhappy incident of the fingers of a Gujar boy being blown off within the Military lines. The boy at first alleged that he was shot at by a sepoy, that he put up his hands and that was how his fingers were blown off. He subsequently said that a ghost had done it and finally that he was hitting something with a stone when it exploded. These three different statements he made to Brigadier Sutherland. The last statement appears to be true. A dump of old detonators had been blown up in the neighbourhood where the boy was injured and it is probable that a detonator remained alive and exploded on its being accidentally hit by the boy. The allegation was not made against any Military man in occupation of the city, still we have considered the matter because of the excitement which it caused among Mohammadans at the time. The boy and his father were summoned but did not appear and we were informed that no note was kept of the nature of the boy's injuries at the Hospital, where the boy's hands were bandaged.

After this decision of facts we shall proceed to essay the task which Your Highness has set us.

### CIRCUMSTANCES LEADING TO RECENT DISTURBANCES.

We consider the principal cause of the recent disturbances to be tolerance given to unlawful Mohammadan agitation in Jammu during the absence of Your Highness in Europe. A Mohammadan witness General Samander Khan was also of that opinion and blamed Government for weakness in not taking prompt measures to suppress the agitation (P. ) He and two other Mohammadan witnesses Mirza Ghulam Mustafa and Col Ghulam Ali Shah have definitely stated that unless preachings exciting communal hatred in mosques and temples are stopped with an iron hand the present communal tension will not end, to use the words of the Muza, till eternity. The history of grievances of Mohaminadans relates back to 1924 and has been traced in great detail by the Hon'ble Finance Minister, Mr. Wattal (W. 81, P. ) in his statement before the Commission. The first expression of the dissatisfaction of the Mohammadans was given in a memorial presented to the Viceroy Lord Reading when he came to Srinagar in 1924. The main complaint in that memorial was about the small number of Mohammadans employed in State services and the demand was that the employment should be proportionate to the population about 95 per cent. A committee of three members consisting of a European, a Hindu and a Mohammadan examined the memorial and reported that there was no substance therein. Some of the memorialists were punished by Your Highness' predecessor and nothing tangible was done in pursuance of the memorial. In 1926 the Kashmir Moslim Conference with Head Quarters at Lahore had taken up the cause of the Mohammadans of Kashmir and approached Your Highness in the early part of 1926 to submit a memorial but this request was disallowed as it was made by outside Mohammadans regarding the grievances of Your Highness' own subjects who had every opportunity to represent their grievances to Your Highness direct at any time. In January 1927 the definition of a Hereditary State Subject was formulated and under the terms of that definition Kashmir Mohammadans domiciled in the Punjab were debarred from entering State service or from holding immovable property as also from the right to sell or transfer immovable property held by them to non-State subjects. The Moslims of the State believed that as they had not attained a high standard of education, the number of Mohammadans in the State services would be still further reduced when the entry of outside Mohammadans was precluded. The policy of confining appointments in public service to hereditary State subjects was not left to adjust itself but Your Highness appointed for the purpose of educating your subjects the Scholarships Selection Board about the middle of 1927. The idea of proper representation of different communities in the public services was not kept in mind at the time but the aim was to train hereditary State subjects to replace outsiders as the occasion arose. The complaint of the Mohammadans was that there was no Mohammadan on the Board which was composed of a Hindu, a European, and a Brahmo who was a retired member of the Indian Civil Service of a certain distinction. When merit was the only test it naturally happened that out of 12 scholarships granted during the year 1927 only one was allotted to a Mohammadan. This award was bitterly resented by the Mohammadan Associations both in Jammu and Srinagar and several representations were addressed to Your Highness on the subject. In 1928 when Your Highness proceeded to England in connection with the work relating

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to Indian State Committee, a Cabinet was formed to conduct the administration in Your Highness' absence. No Mohammadan was selected as a member of the Cabinet. In April 1929 one of Your Highness' Ministers, Sir Albion Banerji retired from State service in a somewhat unpleasant mood and gave an interview to the Associated Press at Lahore. It considerably increased Mohammadan agitation. The expression used by him of the Mohammadans of the State "as dumb driven cattle" has been repeated though without support of any evidence, ever since by Mohammadan agitators. It may be said in passing that Sir Albion Banerji had at no time during the two years that he was actually in office here as the Senior Member of Council, either officially or informally, drawn the attention of the Government to what he called the deplorable condition of the Mohammadan subjects of Your Highness either politically or economically. The Mohammadan agitation of this year 1929 led Your Highness' Government to reconsider the policy with regard to recruitment to the State service, and the Scholarship Selection Board has since then worked on an understanding that in the award of scholarships Mohammadans should receive half share. Recently Your Highness merged the Scholarship Selection Board into a Civil Service Recruitment Board of which there is at present a Mohammadan Member. Mr Wattal has narrated the history of a memorial given to him for presentation to Your Highness in the summer of 1929. General Samander Khan (W. 90 P: ) and Sheikh Abdul Aziz (since deceased) gave the memorial to Mr Wattal who was the Minister-in-Waiting. There is divergence of details in the statements of Mr Wattal and General Samander Khan on the subject but there is agreement between them on the point that Mr. Wattal conveyed to General Samander Khan Your Highness' assurance that Your Highness was sincerely anxious to take as many Mohammadans as possible in the public service consistently with efficiency. They agreed that no percentage need be declared and it would be better to arrive at a private understanding. The understanding was that the Recruitment Board will make appointments as far as possible of 50 per cent Mohammadans to the State service. It was in pursuance of this memorial that Mr Wattal prepared a scheme for the appointment of a Recruitment Board which was accepted by Your Highness. The scheme was submitted to the Scholarship Selection Board for report but the report was not received by Your Highness till August 1930 when Your Highness was preparing to leave for England to attend the Round Table Conference. The scheme was sanctioned then and one of the objects of the appointment of the Civil Service Recruitment Board was declared by Your Highness to be adequate representation of different communities in the Civil Service. The scheme was devised by reason of the memorial presented by the Mohammadans in 1929, but unfortunately it created great agitation among them as soon as it was announced. The Mohammadans objected to the rule of appointment at the ages of 21 and 23 and also to the three channels of appointment, promotion, nomination and competitive examination. Mr Wattal has stated that he was disappointed when the Mohammadan gentlemen with whom he had discussed the scheme in all its details, took no steps whatever to acquaint their community of the inner meaning and purpose of the scheme. They failed to assure the Mohammadan public of the intention behind the scheme, that an attempt would be made to give 50 per cent. appointments to the Mohammadans. In spite of this action taken as a consequence of the memorial of 1929, it was generally asserted by Mohammadan agitators that the memorial of 1929 was kept back from

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*Circumstances leading to Recent Disturbances—Contd*


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Your Highness and no action was taken thereon. The Commission considers it unfortunate that there was only the secret understanding and Your Highness' sympathy and favour towards Mohammadans were not publicly declared. We are afraid that the days are gone by when an individual or set of individuals could permanently influence public opinion. The leaders of today will not be the leaders of to-morrow and an understanding with one set of leaders may not be accepted by another set.

During Your Highness' absence the younger leaders of the Mohammadan community presented a memorial on 11th September 1930 and a reply was given by the Cabinet on 28th January 1931. This reply was considered unsatisfactory by the Mohammadans, and the Mohammadan agitation increased still further.

We are of opinion that the Cabinet took no effective steps to put down this agitation. Mr Wakefield has stated in his confidential written statement (Exhibit 70) that His Highness' Government met a persistent policy of vilification by Mohammadans with an attitude of philosophic calm and a policy of Laissez faire combined with an endeavour to do the right thing by the Muslim community. In these days of publicity and propaganda it is not enough to do the right thing but also to proclaim it and to put down those who mislead public opinion with a strong hand. The Youngmen's Mohammadan Association of Jammu continued a vigorous agitation of vilifying the Government and exciting against it the hatred of the Mohammadans but the Association was not put down. The meeting of the All India Kashmiri Muslim Conference held on 26th December 1930 was particularly virulent, and all its dogmas were adopted by the Youngmen's Muslim Association of Jammu. The paper "*Inqalab*" and after it was proscribed "*the Kashmiri Musalman*" kept up agitation against Your Highness' Government and both had a long run before they were proscribed. General Janak Singh another Minister (W 73, P ) was of opinion that administration and State policy were two different matters and what may be right for an administrator to do may not be suitable for action by a politician. Mr Wattal's opinion was that the Kashmir Government was always nervous of going contrary to Indian public opinion in dealing sternly with the Mohammadans as it felt it was in the position of a step mother whose action towards a step-child would be criticised by the public with far greater severity than that of a mother towards her child. Sardar Thakur Kaitai Singh (W 91, P ) was the only member of the Cabinet who was its Secretary, who firmly stated that the policy of delay in dealing with Mohammadan agitation was wrong. Mr Wakefield and General Janak Singh pointed to the fact that the Youngmen's Mohammadan Association has not yet been dissolved. We do not think that to be a sound defence of the Association not having been suppressed at the very beginning in the commencement of this year. To quote the well-known lines of Sa'di

*"Darkhte ki aknun girftast pai, Ba nerue mardī bar ayad ze jai*

*Wagar hamchunan ruzgari hili, Bagardoonash as beh bar nagsali"*

It was a great misfortune that certain incidents happened which were purely accidental and yet considerably fanned the flame of agitation and secured for it the support of the ignorant Mohammadan masses. On 29th April occurred what is known as the

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*Khutba* incident at Shalmar Bagh in Jammu where during *Id* prayers Babu Khem Chand, Sub-Inspector of Police, who was on duty there warned the officiating Maulvi who was reading the *Khutba* that he will not allow a lecture to be delivered there. This act of the Inspector was foolish but the incident was greatly exaggerated and a religious turn was given to it. Certain Moham-madans prosecuted the Sub-Inspector of Police under Section 297 I. P. C. for disturbing a religious assembly. The Additional District Magistrate Pandit Thakur Das in his judgment exposed the untruthfulness of several of the details of the incidents alleged by Moham-madan witnesses. This judgment however did not put an end to this misrepresentation and the easy cry of religion in danger was raised. Unfortunately this incident was followed by the incident known as that of Tauhin Koran on 4th July 1931. Mr Wakefield was deputed by Your Highness to go to Jammu and hold an enquiry. In that enquiry it was definitely proved that there had been no Tauhin General Samander Khan ( W, 90, P: ) admitted as much. A Head Constable had in anger thrown away the bedding of a Constable which had in it a copy of the Panjsura Sharif. The Head Constable had no intention of injuring the religious feelings of the Moham-madan Constable. In spite of this enquiry, it was asserted by Moham-madan agitators that Mr. Wakefield admitted at the conclusion of the enquiry that Tauhin had been committed and some of them even charged Mr. Wakefield to his face that he had given expression to that opinion in Jammu and changed it on arrival in Srinagar. There is considerable difficulty in dealing with these so called leaders because they are ready enough to change their attitude and speech according to circumstances. Your Highness in Council decided that as a result of the enquiry the Moham-madan Constable who made the false allegation and tried to stir up communal strife should be dismissed and the Head Constable who lost his temper and acted in a manner unbefitting a Police officer should be compulsorily retired on pension. Two Mir Waizes were summoned to the Council and informed of this decision; they expressed their entire satisfaction at the result and promised to acquaint the Moham-madans of these glad tidings. Apparently the Moham-madans outside were not appeased by these tidings and one of the Mir Waizes immediately turned round and alleged that the Council had promised to dismiss both the Head Constable and Constable and had gone back on the decision after the Mir Waizes left the Council. The Chairman happened to be present at the meeting and told one witness Pirezada Ghulam Rasool ( W 87, P: ) what he thought of the conduct of this particular Mir Waiz (P: ). This matter of the alleged Tauhin Koran was used as a slogan to excite the Moham-madan masses who without any scrutiny believed that the Government had of set purpose insulted the Moham-madan religion. At the critical moment Srinagar was not lacking in unfortunate incidents. On 29th June surprisingly coincident with Mr. Wakefield's return from Jammu after the Tauhin enquiry, some leaves of a holy Koran were alleged by a Moham-madan to have been found in a public latrine in the city here. Without any inquiry the Moham-madans raised the cry of insult to Moham-madan religion by Hindus. Nine days later on 29th June, the dead body of a poor raped little Pandit girl was found in a drain. The Hindus were as hasty as Moham-madans were in the case of the holy Koran leaves in attributing the crime to a Moham-madan. As usual the Police was found wanting and the perpetrator of the horrible crime ( we shall not say brutal as it would be a calumny of a brute) was never



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traced. These incidents raised social hatred to even a greater height than was reached under communal preachings in mosques and temples.

It is true that the agitation in Jammu was given a religious bias on and after the 29th of April 1931 and the Cabinet was on that account in a difficulty in dealing both with this agitation and the Youngmen's Mohammadan Association. We are of opinion, however, that there had been ample evidence prior to the 29th April 1931 to take severe action with respect to this Association, either by suppressing it or putting it on terms. The Cabinet Secretary in his letter No. 392, dated 30th October 1930 wrote to the Political Minister and enclosed a copy of an extract from the proceedings of the special meetings of the Youngmen's Mohammadan Association, Jammu, held on 29th September 1930. The Secretary requested the Minister to intimate for the information of the Cabinet whether under the terms of its constitution this Association was justified in holding such meetings and discussing such matters. Both the Deputy Inspector-General of Police, Jammu, in his letter No. 259/C of 19th December 1930 and the District Magistrate of Jammu in his letter No. 1402 of 27th December 1930 informed the Inspector-General of Police that the Association was not justified in giving expression to such views. The Inspector-General of Police in his secret letter No. 835, dated 16th February 1931 advocated to the Political and Police Minister that steps may very kindly be taken to dissolve the Association as early as possible as already recommended in his previous letter of 10th January 1931. There was sufficient material, therefore, even prior to the 29th of April 1931 to suppress this Association which laid the foundations of all subsequent agitation both in Jammu and in Srinagar.

The mishandling of the Jammu deputation when it arrived in Srinagar may be considered to be another cause for the explosion of the 13th of July. Mr. Wakefield while at Jammu promised audience by Your Highness to a deputation of Jammu Mohammadans. Such a deputation arrived in Srinagar and was kept hanging here without a date being fixed for audience of Your Highness. This was a step fraught with great danger because opportunity was given for the agitation, which had been permitted to mature in Jammu, to take root in Srinagar also. There is a strange conflict of evidence as regards selection of representatives in Srinagar. The Governor that is District Magistrate stated that he was directed by Mr. Wakefield to give the local Mohammadans of Srinagar an opportunity to select their representatives. He thereupon got 10 local leading Mohammadans together and asked them to advise the people not to make violent speeches and to assure them that Government will enquire into their complaints (P ). Mr. Wakefield definitely stated (P ) that he never told the Governor to see that the Mohammadans of Srinagar selected their representatives. One can understand what steam would be engendered by the coming together of the Mohammadan agitators of Jammu and Kashmir and how it would lead to an explosion without scope for its escape. The Governor definitely stated that the delay in giving audience to these representatives created a bad impression on the Mohammadans and gave the agitators an opportunity to seduce the masses into the belief that the Government was not prepared to listen to their grievances. It appears that after Mr. Wakefield had collected this combustible material in Srinagar, the Hindus started an agitation that their grievances also should be heard, and on his

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advice the Government decided that representation should not be accepted from either community until that particular community stopped political activities. Mr. Wakefield had the impression (Page. ) that this decision was taken by the entire Council without any recommendation of his while Mr. Wattal's impression is that it was on Mr. Wakefield's recommendation that such an attitude was adopted by Government. However it may be, the decision was an unfortunate one and had the representatives been heard and the Jammu representatives sent away on their business, possibly the agitators of Srinagar alone would not have been able to excite the masses to the pitch to which the combined efforts of the agitators of both places succeeded in doing. It was for this reason because the Mohammadans were in a sullen mood that Your Highness' gracious message to Your beloved people delivered on 9th July 1931 by the Governor at the Exhibition grounds failed to produce the effect which it would otherwise have done. When such a great show was made to select representatives of both the Provinces in order to give them an opportunity of laying their grievances at Your Highness' feet and subsequently the opportunity was denied the Mohammadans were in the nature of things in a suspicious mood and ready to cavil at what on the face of it appeared to be a gracious message. The belief was engendered by previous action of the Government that what was promised would not reach fruition and the Mohammadans were in a mood to suspect that the message which promised in the word would be broken in the deed.

There has been evidence before us that after Your Highness' departure for England in September 1930, the Members of the Cabinet appointed to represent Your Highness did not pull as one team. Some of them seemed to be suspicious of one another. The Members of the Cabinet were General Janak Singh, Mr. Wakefield, Mr. Wattal and Thakur Kartar Singh Ji who was also Secretary of the Cabinet. Definite allegation has been made before us by Mr. Wakefield that Thakur Kartar Singh Ji had employed one Gwash Lal, (W 33, P ) to write against him. He also suspected that this Gwash Lal, was in touch with Mr. Wattal whom he went to receive at Bombay on his return from Europe. After Your Highness' return from Europe when Mr. Wakefield went to Mr. Wattal's house he noticed Gwash Lal hiding behind a bush which raised the suspicion in his mind that Gwash Lal's visit to Mr. Wattal was one to be kept secret from him. Mr. Wattal denied Gwash Lal's reception of him at Bombay and Thakur Kartar Singh Ji has denied having instigated this man to write against Mr. Wakefield. Thakur Kartar Singh Ji believed that Mr. Wakefield had employed one Hissam-ud-Din who strangely enough turned up before the Chairman and offered to give evidence a few minutes after the Commission had closed recording of evidence. Thakur Kartar Singh Ji believed that Hissam-ud-Din was employed by Mr. Wakefield to spy on Hindu Ministers. The Commission is not concerned with the truth or otherwise of these allegations. Gwash Lal volunteered to make a statement at the proper time and he was examined by the Commission in detail. He made a reference to certain letters written by Hissam-ud-Din for perusal by Mr. Wakefield. Thakur Kartar Singh Ji stated that he got possession of these letters and the Hon'ble Prime Minister sent them to us for perusal. There was however no proof available as to who wrote them whether they were genuine or not and whether they were ever perused by Mr. Wakefield.

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There appeared before us two witnesses Samad Sheikh (W. 83, P. ) and Abdul Aziz (W 89, P. ) who gave evidence in camera, which would lead to the inference that Mr Wakefield supported Mohammadan agitation. We also received a statement of a pleader of Anantnag recorded by the Munsiff Magistrate of that place. We did not think it necessary to call that witness and record his statement because he had heard only second-hand through Maulvi Abdul Wakil that the Mohammadan agitation had the support of Mr Wakefield. On the evidence before us it is not possible to come to any determination as to the truth of the allegations because every witness has spoken separately of separate incidents and there is no test as to the truth of the statement of any particular witness by comparison with evidence of other witnesses as regards the same incident. We have however mentioned all these suspicions to indicate that the Members of the Cabinet in Your Highness' absence during end of last year and commencement of this year were not a happy family on relations of trust and confidence with each other. We particularly asked General Janak Singh (W 78, P. ) against whom no aspersions were cast, whether in his opinion the Ministers were working in harmony during the absence of Your Highness in Europe and he replied that the resolutions of the Cabinet were unanimous and so to outside appearance there was harmony between the Ministers but he did observe that Mr Wakefield and Thakur Kartar Singh Ji had suspicions of each other. According to this witness difference had arisen between Mr Wakefield and Thakur Kartar Singh Ji even before Your Highness left for Europe while the latter was State Secretary and Mr Wakefield believed that a certain proposal of his for the promotion or appointment of a particular Mohammadan Municipal employee had been turned down by Your Highness under the influence of Thakur Kartar Singh Ji. When the Members of the Cabinet or at least two of them had no confidence in each other the administration naturally suffered. For part of the time while Mr Wattal was away from India only three Ministers represented Your Highness' authority in Your Highness' State, discordance between two out of three was then a more serious misfortune than discordance between two out of four.

Your Highness' laborious and regular daily work of administration obviated the necessity of another administrative Head of the State but with Your Highness' departure that unity of thought and action was removed and succeeded by discordance and want of harmony which was most unfortunate.

To sum up, we consider the circumstances which led to the recent disturbances, to be Your Highness' forced absence from the State on State business in September 1930, want of harmony in the Cabinet, tolerance of Mohammadan agitation through Jammu Association and papers printed outside the State, the help given to the local agitation by outside Mohammadans, the tragic and accidental happenings of the Khutba, Tauhin Koran and Srinagar incidents which gave the agitators an opportunity of influencing the mass mind and the mis handling of the Jammu deputation which was brought here from Jammu.

So far we have dealt with immediate circumstances leading up to the disturbances of the 13th of July. We must probe the matter further and enquire what the just grievances of the Mohammadans are. There can be no doubt as Mr. Wakefield has said

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in his written Statement ( Exhibit 70, P: 336 ) that the campaign of vilification of the Government was stage-managed principally by a handful of discontented persons who were disgruntled because they had not succeeded in obtaining highly paid appointments in the State which in their own estimation they were fit to occupy or had lost such posts on account of their sheer inefficiency or worthless character or because for one personal reason or another they felt aggrieved against Your Highness' Government. The agitators put forward a long string of what they called "Mutalibat" (demands) but there was a remarkable exposure of the hollowness of most of these demands before the Commission.

One Ghulam Kadir Kapra ( W. 96, P ) of Sri Ranbir Gunj Bazar, a well-to-do trader, came forward to give evidence with respect to the grievances of the Mohammadans. He started his written statement with the words " although the Muslim public have expressed their unwillingness to co-operate with the Commission, I as a liberal minded subject beg to speak of the following facts" He deposed to preachers like Mr. Mohammad Abdulla giving very laudable lectures in the desire that the Mutalibat of the Mohammadans may be granted. The question put to him in oral examination was that he would be kind enough to enlighten the Commission what the Mutalibat were. All that he could suggest was 1) freedom of religion (2) proportionate representation in the services that is in proportion to the population. When he was asked what in his opinion were the obstructions placed in the way of his following the dictates of his religion, he answered (1) that it was enacted that if a Hindu turned a Mohammadan his property would go to collaterals and not remain with him and (2) that certain mosques were not open to prayers and were treated as ruins and kept in charge of the Archæological Department. He definitely added that he did not know of any other obstruction. It is clear therefore that when a well-to-do business man like him has no knowledge of other demands the other demands put forward by the agitators are merely engineered in order to lend further support to the claim for a larger number of offices in the State. It is most significant that this well-to-do trader did not allege that there was any interference made in the saying of prayers in mosques or that the Hindus were guilty of dishonouring the holy Koran. It did not strike him at all to mention the Khutba and Tauhin Koran incidents, which have been made so much of to inflame the minds of the Mohammadan masses. We have collected them from various sources and shall examine the Mutalibat (demands) of the present day leaders of the Mohammadan one by one, we shall then determine what substance there is in them.

Before we proceed to such an examination we consider it fitting that we should give a list of the beneficent measures passed by Your Highness' predecessors and by your Highness for the amelioration of the condition of the agriculturists, who are Mohammadans in the main, though we realise that such a parade of Your Highness' wise acts of State may not be pleasing to Your Highness.—

1. There are no Civil Court vacations in the State but in the interest of Zamindars it has been ordered that during harvesting seasons from 15th Jeth to 15th Har in the Province of Jammu and from 10th, Katik

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to 10th Maghar in the Province of Kashmir, the institution of civil suits shall be suspended with the benefit of one month in the period of limitation.

By virtue of orders issued on the 23rd of Katik 1962 S the Zamindars have been protected from arrest in execution of civil court decrees during periods of agricultural operations when their personal services are essential in their fields

In the execution of decrees passed by civil courts the Zamindars have been treated with consideration which is not afforded to agriculturists any where in British India and possibly not in any other Indian State. Not only the residential house and houses used for agricultural purposes with the materials thereof and the land immediately appurtenant thereto that has been exempted from attachment and sale in execution of a decree, as in British India, but also *Araziat Maqbuza Assamian Mouruzi wa Malikan* houses of Kamins, and such portion of the house sought to be attached as may be required for the residence of the widow of the judgment debtor, *gharat* and *sandug shah*.

In British India after the passing of a decree a civil court is precluded from ordering payment of the amount decreed by instalments, in this State however it has been enacted that payment of the decretal amount may be postponed and instalments fixed even without the consent of the decree holder for reasons to be recorded by the Court. This is the general law of the land in contradistinction to the special legislation to which reference will be made hereafter.

The last two benefits were indulgences granted by Your Highness.

2. In all abnormal times when the country or any large portion thereof is visited by flood or famine or other calamity, steps are taken not only to suspend or remit land revenue and give Taqavi advances but the execution of decrees passed against the Zamindars is also suspended for a certain period of time. Your Highness has only a few days ago directed that no execution of any existing decree shall take place for a whole year against the agriculturists residing in the areas which suffered from the recent floods.
3. The Silk industry by which is meant the rearing of cocoons has been introduced in the State with the object of ameliorating the condition of the agriculturist classes. Early in spring in the Province of Jammu when Zamindars are not occupied in agricultural operation and later in the Province of Kashmir seeds are distributed to the Zamindars free of cost and the cocoons reared by them are purchased by the State. The value of these transactions amounts to lacs of rupees. It will be noticed that the payment is a gift

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*Circumstances leading to Recent Disturbances—Contd.*


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to the Zamindars who have not to spend a single pie to earn this addition to their income. They can have leaves of the mulberry trees free of cost and the cutting and destruction of these trees are prohibited and the trees are specially preserved by the State to support this industry. The number of agriculturists who take advantage of this State industry in the two Provinces is very large.

4. The Regulation saving land from alienation has been enacted in order to preserve the ownership and the cultivation of land with present agriculturists who are in occupation of land.

Under orders of Your Highness the work of consolidation of agricultural holdings has begun and is progressing

5. Your Highness' Regulation of 1983 S for the relief of agriculturists has saved thousands of Mohammadan agriculturists from the meshes of Hindu money lenders. Except in very small areas, this blessing has not been conferred on the agriculturists of Punjab and United Provinces.
6. It has been Your Highness' constant endeavour to wipe out agricultural indebtedness by every legitimate and practical manner possible. With this view large sums have been spent by the State on the Co-operative Credit movement.
7. It would be safe to declare that during the short period of Your Highness' rule *Begar* in every form has ceased to exist in the State. No forced labour is permitted and even in those extremely rare cases of foreign missions or expeditions where special arrangements have to be made, full payment at prescribed rates which are always liberal, are made to the Zamindars not only for the time he works as a labourer but also for the period spent in going from his house and returning thereto. This stern attitude of Your Highness to favour the poorest of Your Highness' subjects raised a certain amount of criticism from visiting *shukaris* and on a certain public occasion Your Highness openly declared that Your Highness saw no reason why visitors to the country after big game should not "foot the bill".
8. In the very first public Durbar held on the 25th of February 1926 to celebrate the completion of the religious rites consequent on Your Highness' accession to the *gadi* 11 separate boons were announced. Out of these six were general while five were for the benefit exclusively of the Zamindars. All royal conifer trees growing on agricultural land were made over to the land holders without any charge for use though not for sale. Dead and fallen timber could from that date be removed by the villagers throughout the year instead of only during a quarter portion thereof as was the previous practice. All *Khalsa* land belonging to the State were made over to the village to which it

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appertained as *Shamlat Deh* ( common village land ). Timber required in villages for Primary School buildings was to be granted by the State Forest Department free of cost. The land in *Bhayachara* villages does not from that date revert to the State as *Galwand* but forms part of the *Shamlat Deh*. The villagers of other villages were given preferential rights of purchase of land.

- 9 Under Your Highness' orders the period during which assessment of land revenue was to continue has been doubled. The next settlement is not to take place before the expiry of full 40 years.
- 10 Nothing could more clearly and convincingly show the regard of the Ruler of the State for the improvement and the welfare of the Zamindars as the enactment of the law relating to Wad-transactions as contained in the revised Kashmir Gram Regulation of 1978 S. We may quote Section 8 of the Regulation " No condition in any contract to repay in kind a loan of money now existing or hereafter advanced between the Waddar and his debtors shall be enforceable " The investigation and settlement of Wad-debts was left to a Bench consisting of one judicial and one revenue officer whose decision was final except in the case of a difference of opinion when a reference was made to the Wazir Wazarat. No court fee or stamp duty was leviable during proceedings before the Bench or the Wazir Wazarat.
- 11 The establishment of the Kashmir Valley Food Control Department is another expression of the great regard which Your Highness and Your Highness' predecessors have had for the welfare of Your Highness' subjects. The object of this organization is to stabilize the price of food grains particularly of Shali. From the very inception of the Department it has been the policy of Your Highness' Government not to utilize this institution to make profits but to use such profits as the Department may make for the furtherance of the scheme itself and the benefit of the consumer and the producer in many diverse ways.

There can be no manner of a doubt that ever since the institution of the Department the tremendous fluctuations in the sale price of Shali, due mostly to reckless dealing of gram dealers who purchased large quantities and then hoarded up the same thus fictitiously and to their own personal advantage raising the prices of the commodities, have been put a stop to to the great advantage of both the producer and the consumer, the former because he gets a fixed and reasonable price of which he is certain and the latter because middlemen's profits have been reduced to an insignificant figure in practice.

It is worthy of note that the payment of advances to the Zamindars for the Shali to be purchased are made at a time which is made to coincide with the time of

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payment of land-revenue thus enabling them to pay the same without recourse to money lenders. Even in cases of failure of delivery of *Khush Kharid Shali* for which advances have been made such advances are recovered without interest or penalty,

The memorial which was presented by certain Moham-madans to His Excellency the Viceroy in 1924, contained the following demands of a general nature, we shall give our comments on each :-

1. Proprietary rights should be given to the peasants of Kashmir. It appears these peasants enjoy occupancy rights which are not transferable and we are of opinion that, in the present state of education and advancement of the cultivators, any grant of full proprietary rights would be most harmful to them and in a short time the land would be transferred to Hindu money lenders in the execution of decrees and the Moham-madan occupancy tenants would be reduced to the position of labourers. City dwellers who make such a request have no conception of the harm, we may say, the excessive harm, which the grant of such a request would cause to the Moham-madan agriculturists.
2. There are certain observations made as regards the private department of the Ruling family. Here also the only contention of the memorialists was that more posts may be given to Moham-madans in the private department. It is well known that Moham-madans occupy high positions in Your Highness' private department and no such complaint can now be brought against that department.
3. This relates to a desire that a larger number of Moham-madans should be employed in State service. We shall consider this point separately. The grievance of paucity of employment is a legitimate one. We shall, however, show later on how far Your Highness has attempted to reduce this disproportion of employment. In the memorial this question is broken up into various heads, such as, demand for employment of a Moham-madan Governor of Kashmir, stopping of future recruitment of Hindus in all grades of service, the increase of the Muslim element in the constitution of the Council and the importation of outside Moham-madans if local Moham-madans in sufficient quantity of the requisite merit are not obtainable.
4. Observations are made in the memorial as regards Sericulture and Shali departments. In our opinion these two departments do an enormous amount of benefit to the agriculturists and this was admitted by the memorialists themselves before the Committee appointed in 1924 to inquire into the grievances contained in the memorial. We have absolutely no doubt that the abolition of these two departments would cause great sorrow to agriculturists as a whole. We have explained above



*Circumstances leading to Recent Disturbances—Contd.*

the benefits of these two departments and in reality the complaint reduces itself to the usual one, that is, that a sufficient number of Mohammadans are not employed in these two departments.

5. Steps should be taken to improve the condition of Mohammadan education in the State. The appointment of an educational expert was suggested. It appears that such an expert was appointed but no one appears to be aware of the nature of the report submitted by him. We have made our recommendation in the proper place as to how the Moslim education in the State may be advanced. It appears to us that Your Highness has taken every possible step for its advancement. Possibly the machinery does not function satisfactorily. It is the business of the individual Minister in-charge of the department to see that the machinery is not clogged and is properly oiled. The question thus is one of personal effort of the Minister in-charge. Your Highness has on Your Highness' part exhibited the genuineness of your desire for the advancement of Moslim education by appointing Mohammadans to the post of the Minister of Education.
6. It was prayed in the memorial that system of *Begar* should be absolutely abolished in the State. We have already indicated how your Highness has succeeded in accomplishing this feat in the face of opposition and criticism.
7. It was suggested that a Legislative Assembly should be constituted in the State. In its proper place we have recommended the constitution of a Board and explained how such a body will serve the useful purpose of ventilating the grievances of Your Highness' Mohammadan and Hindu subjects.
8. The prayer of the memorialists that the work of the Co-operative Department should be extended, has been fully granted by Your Highness already.
9. It was desired in the memorial that forest and other contracts should be given to Mohammadans. It is up to Mohammadans to bring forward any individual cases of injustice, partiality or communal feeling. In the absence of such instances no pronouncement can be made on such a request. Contracts to the detriment of the State at expensive rates cannot be given merely because the offers come from Mohammadans.
10. It was represented that all ruins of Moslim mosques in the possession of the Archaeological Department of the Government should be released. We have little doubt that the State will be willing to do so if Mohammadans come forward with a guarantee that the mosques so released would be kept up. There is also the difficulty that claims are made to particular ruins of mosques by several sections of Mohammadans and unless there is agreement between themselves and a joint application is made on behalf of all sections of the Mohammadans it would create trouble and ill-feeling to

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make over certain ruined mosques to a particular section of the Mohammadans when claim is made thereto by more than one section. We suggest that an enquiry may be made in the matter and as many ruins of mosques as possible may be made over to the Mohammadan public provided there is unanimity as to the person to whom any particular mosque should be made over and a guarantee that the building would be kept in proper repairs.

and Before the Commission the witness Abdul Majid (W. 69 P: ) gave the following list of Muslim demands—

1. Freedom of the Muslim Press and platform. The rules as to the freedom of Press are not different for Muslims and Hindus. There is definite statute law on the subject (Jammu and Kashmir State Press and Publication Regulation 1971). No details are given as to how this regulation is to be improved. The activities of the Press and of speakers are regulated in every civilised country and if the witness means freedom from any regulation, his real desire is not for freedom but for license, which no Government with any desire to rule can grant.
2. Restriction on the entry of Muslim leaders in the State to be removed. That is a very large order, when there is satisfactory evidence that Muslims outside the State help unlawful agitation in the State. No specific case of restriction is stated for our examination and it would be the height of folly to remove restriction on the entry of certain Muslim leaders of pronounced anti-Hindu and anti-Government opinion.
3. An Assembly may be constituted. We have considered this question in its proper place.
4. The Mohammadans may be granted at least 75 per cent of posts in the Government service. In its proper place we have shown how Your Highness has taken steps to increase Mohammadan representation in the services and also given our views on the fixing of a percentage.
5. The land revenue be reduced. The witness was unable to give details or comparison of burden per acre with that in British territory. We have no reason to believe that the present assessment is excessive.
6. Proprietary rights be granted to the Zamindars. We have shown already that this suggestion is detrimental to the interests of Mohammadan agriculturists.
7. Concessions similar to those that have been granted to Hindu Gaddis may be granted to Mohammadan Bakarwals. We have no material to arrive at any opinion. It was stated by the witness that the Gaddis are not treated as a criminal tribe and the tax levied on them is smaller than that levied on Bakarwals who are considered a criminal tribe. We have no statistics to satisfy us that Gaddis are as determined criminals as Bakarwals. If there is

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- difference of tax there may be reason for it. The matter however is one which may be enquired into by the department concerned.
8. Complete religious freedom. We are fully satisfied that Mohammadans enjoy complete religious freedom in the State and there is no manner of obstacle to the performance of their religious rites so long as they are observed without a danger of the breach of the peace.
  9. Entry of the Mohammadan boys in the Rajput Training School. This matter has been dealt with in its proper place and we have explained why admission to the School is restricted to Hindu Rajputs and have recommended the starting of a Nobles' School for every other community as early as conveniently may be.
  10. Mohammadans may be recruited in the Cavalry and Body-Guard. Recruitment to the Body Guard must of necessity always be at the entire pleasure of the Ruler and we have not been informed of the restriction to the recruitment in the Cavalry.
  11. Solution of the question of labour. This is a very large question which has grown in difficulty not through any acts of the Government but by unrestricted breeding among labourers. When there is no restriction in population according to the Malthusian theory and a civilised Government of the present day considerably reduces the death roll under calamities, it must cause hardship in time when twice or three times the population has to obtain sustenance from the same area of land. Much of the difficulty in British India is also due to the enormous increase of the population with parallel prevention of destruction through calamities of nature.

We grant that this question of providing work particularly during the severity of winter to the ever-growing number of agricultural labourers of the Province of Kashmir is a very serious one. It can be tackled by peaceful means and reliable and practical suggestions and not by shouting from house-tops about a difficulty which exists in every Government in the world. We consider it excessively unwise of leaders to point with disapprobation to the migration of labour to neighbouring British Indian territories in search of labour during winter months. Where there is relief to over-grown population or an increase in the earnings, such migration under proper control and help is to be encouraged rather than stigmatised as fault of the Government. A reference to it in the interview given by Sir Albion Banerji at Lahore has considerably surprised us coming as it did from a man of his large experience in different parts of India.

The instance of a village carpenter applying for a passport to go to the Fiji Islands for livelihood has been quoted as an example of the extreme destitution of village

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*Circumstances leading to Recent Disturbances—Contd.*


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labourers. We would take this example as one of an enterprising man to better himself and would wish that more labourers followed his example. The distribution of labour from more congested areas to areas where there is a demand and no supply, is one of the principal functions of the Labour Bureau at Geneva which considers this question as a world question and not confined to any particular country. The Chairman remembers that when he was District Judge at Azamgarh an eastern District in the United Provinces, the regular migration of labourers from that District to Mauritius and other places brought such a considerable amount of wealth by money orders to the District to the tune of several lakhs of rupees a year that the value of land in that District was much increased through such migration. The labour class of that District had an enterprising nature and the example of some being followed by others, the general level of living in that District was raised in consequence of labour finding scope outside the narrow limits of that District. Sir Albion Banerji then went on to say, "In the villages there is no continuity of occupation which drives the people to seek livelihood elsewhere especially in winter." The severity of the winter cannot be provided against by Government being an act of nature and migration at such a time would be a natural necessity. There can be no continuity of occupation of agriculture in such circumstances and if agriculture is to be carried on, as necessarily it must be, there will be a break in such occupation according to the seasons. Of course any suggestions to provide a different kind of work for agriculturists and agricultural labourers during the winter should be helpfully considered by the Government.

No Regular list of demands has been given by any other witness, M. Mohammad Abdulla (W. 14, P: ), Ghulam Kadir Kapra (W. 96, P: ) and Peerzada Ghulam Rasool (W. 87, P: ) have all dwelt on inadequate representation of the Mohammadans in the services. As we have noted in another place the evidence of Peerzada Ghulam Rasool may be studied by the Education Department and where possible the obstacles pointed out by him in the way of Mohammadan education should be removed. Another witness Mohammad Mukhtar (W. 68, P: , ) has made a valuable contribution (Exhibit 111) on this question of Mohammadan education and we recommend it to the notice of the Minister in-charge of education. Dr. Abdul Wahid spoke vaguely of Mohammadan demands but made no specific suggestions except the one that ruined places for religious worship of Mohammadans should be released by Government. Ghulam Kadir Kapra (W. 96, P: ) made it a grievance that if a Hindu turns a Mohammadan he will not be able to inherit any family property and what he possesses will go to his collaterals. Such is the Hindu Law founded on ancient *Shastras* and there is no State enactment on the subject. As the Hindu Law is based on the joint family system, if a member of the family renounces the Hindu religion he goes out of the family as if he died on that day. It is true that the British Indian Government under the influence of Christian Missionaries as far back as 1850 removed all caste disabilities by the Caste Disabilities Removal Act No. XXI of 1850. A foreign Government at the height

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*Circumstances leading to Recent Disturbances—Contd*


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of its power can pass such an act with impunity but the process is not so easy for an indigenous Government. Such an act, it is true, removes disabilities with respect to all communities but as the witness himself stated the Mohammadan religion is a great proselytising religion and there are many cases of conversion to that religion while the case of a Mohammadan becoming Hindu is not known. The Commission pointed out to the witness that under the Mohammadan Law also the Mohammadan who relinquishes his religion was debarred from inheritance (Mulla's Principles of Mohammadan Law, 8th Edition, P. 82 Section 47 (i) and Tyebji Page 834, Section 606 (4) 2nd edition)

Mr. Mohammad Abdulla (W. 14, P. ) complained that the Hindus misrepresented the Mohammadans and attempted to excite the anger of the Ruler by making out that the Mohammadans desired that the prohibition to the killing of cows should be removed. We do not think that the charge of misrepresentation against Hindus is correct. The Mohammadans who carry on agitation outside the State have complained against the stoppage of cow-killing as is apparent from the 3rd issue of the *Kashmiri Musalman* (P. of the Exhibit Mr. Wakefield's written statement). It is however very pleasing to the Commission to note that one of the leaders of Mohammadan opinion in Srinagar has specifically stated before them that, "The Mohammadans did not desire cow-killing and they are assured that cow-killing is not a part of the tenet of their religion (P. )."

A memorial of certain Mohammadans presented to the Cabinet on 11th September was confined to recruitment of services and was not of a general nature.

The main desire of the Mohammadans is to have a larger representation in the State services. We shall examine the question of percentage when we come to consider our recommendations for the restoration of communal peace. For the present it is sufficient to say that the Mohammadans have a legitimate grievance and they allege that the Hindus have a preponderating voice in the Government of the State. This is what Mr. Wakefield meant when he said that in dealing with Mohammadan agitation there was always this difficulty that there was a substantial substratum of truth in this complaint regarding insufficiency of appointments in the State service. As explained by the Chairman to the witness Thakur Kartar Singh the question of employment in the State service is larger than merely want of employment for the unemployed. The Chairman explained that in British India, educated Indians desired larger employment in the State services, not only to provide bread and butter to educated Indians, but in order to have a preponderating voice in the Government of their own country. It was put to the witness whether from that point of view he did not think that the grievance of the want of employment of the Moslems in sufficient numbers in State civil services was a very serious one. The witness did not agree with that view because in his opinion the grievance was put forward only by the educated Mohammadans of the city and it was not a grievance of the villagers or of the Mohammadan public in general. However that may be, after all the intelligence of a community guide the masses, and if the grievance is real it is to be recognised. The difficulty, however, is not over employment of Mohammadans but over finding a sufficient number of Mohammadans for Government posts. The impression that Mohammadans have been excluded from public services because they are Mohammadans is quite

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*Circumstances leading to Recent Disturbances.—Contd.*

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wrong and the allegation incorrect. Their exclusion from the higher service is due to their backwardness in education. A statement prepared by the Accountant-General shows that the number of Mohammadan officers drawing salary under Rs 50, is 7288 against 11136 Hindus. This does not include 2601 menials. It may be mentioned that the difficulty of finding State subject Mohammadans for employment is felt not only by Government but also by every other institution in the State who has no connection with the Government. We have two such instances on the record (1) of the Postal Department which is under the control of the British Government and (2) of a Missionary School. Mr Hira Singh, Post Master of the Srinagar General Post Office, was examined as a witness in another matter (W. 77, ). He was asked as to the number of employees under him and his reply was that out of 36 clerks under him only four or five were Mohammadans and the rest were Kashmiri Pandits and out of 30 Post-men there was only one Mohammadan and the rest were Kashmiri Pandits. He was further asked who made the appointments and it appeared that they were not made by persons who were State subjects and in the case of clerks they were made mostly by Europeans. Mr. Eric Biscoe (W. 99, P: ) is Principal of a very flourishing Missionary High School in Srinagar. His whole teaching staff of the High School and Primary Schools consisted of eighty teachers of whom only two were non-Kashmiris. There is only one Mohammadan Master in his institution, who is not an Arabic teacher. In all there are only five or six Mohammadan teachers and all the rest are Kashmir Pandits. One witness Pandit Prem Nath Bazaz who represented (W. 38, P ) the Hindu case before the Commission went so far as to say that the Mohammadans themselves find difficulty in filling up vacancies in Mohammadan private schools by Mohammadans (P. ). He asserted that the Islamia School at Anantnag had on its staff the Head Master and some of the other teachers who were Hindus and so also the teachers of their other schools were Hindus. The matter was put to various Mohammadan witnesses who did not deny this allegation specifically. One of the Mohammadan witnesses Mirza Ghulam Mustafa (W 72, P. ) said that the employment of Hindus in private Mohammadan institutions was due to the desire of Mohammadans for Government service which afforded greater comfort and more secure tenure. If the explanation is correct this is a slur on Mohammadan patriotism.

If we go eight years back, there is another illuminating example of the paucity of Mohammadans suitable for employment in the State service. A reference should be made to the written statement of Captain Wreford in-charge of the Shali Department (Exhibit 134). The Department was started in 1979 S eight years ago and the Committee appointed to start the Department included six Mohammadans and the President of the Committee was a European. Though the Committee was so constituted with a preponderating Mohammadan voice, out of the clerks appointed at the time 149 were Hindus and 32 Mohammadans.

There is not in Srinagar a very large number of educated Mohammadans who may be employed in Government service, Peerzada Ghulam Rasool who put forward the extremist Mohammadan point of view (W. 87, P: ) placed the number of such educated Mohammadans at a little over 100. It has been definitely proved

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*Circumstances leading to Recent Disturbances—Concl'd*

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by Pandit Prem Nath Bazaz, a Hindu representative ( Witness 8, P and ) that the number of unemployed Pandits is five times as large

By a reference to the paucity of State Mohammadans for employment in State service we do not desire to imply that the grievance is a nebulous one. The grievance does exist as there must naturally be a desire on the part of the Mohammadans for a sufficient voice in the Government of the country of which they are subjects. We rather desire to emphasize that the grievance becomes more acute when the Mohammadans themselves find that they have no ability to satisfy their natural desire for a voice in the Government of the State. Our suggestion as to how this difficulty is to be overcome will be given later when we come to the question of communal peace. We have mentioned this matter in this part of our report to indicate that this dissatisfaction is a perpetual source of embitterment of the Mohammadan intelligentsia and an incentive to them to excite the masses by illusive religious grievances in order to force the Government to accept their claim for a much larger share in the State service than they enjoy at present. In that sense the paucity of Mohammadans in State service may be taken as one of the circumstances leading to the present disturbances.

### ACTION TO ANTICIPATE AND DEAL WITH THE DISTURBANCES.

We now come to the second part of the enquiry whether the action taken to anticipate and deal with the above disturbances was sufficient or not. The main disturbance was at the Jail and possibly if that had been anticipated and provided against, there would not have been the subsequent occurrences of loot in the city and Vicharnag. We had therefore to enquire how far the authorities responsible for the preservation of law and order had acted with intelligence and foresight. We are of opinion that both were absent in the officers of the State whose immediate duty it was to prevent such an occurrence. After reading the statement of the Governor and the Deputy Inspector-General of Police no doubt is left in our mind that they had sufficient warning. The Assistant Superintendent of Police Pandit Sudarshan Kaul (W 6, P ) played an important and somewhat mysterious part during the night of the 12th and the morning of the 13th of July. At page he has stated what his information was on the night of the 12th of July. He was on duty at Kothibagh road at 9-30 P M when an informer told him that there was house to house propaganda in the city to induce the Mohammadans to collect next day at the Jail. He was also told that there would be a strike and shops would be closed and that there was an intention to collect at the Jail in order to attend the trial but that there would be non-violence. He went at once to the house of the Deputy Inspector-General of Police who took him in his car to the house of the Governor to whom this information was conveyed. He suggested that armed reserved Police force should be sent to the Jail next day but the Governor directed him to verify this information from an independent source and let him know next morning. Previous to the time when we recorded his statement, both the Governor and the Deputy Inspector-General had specifically stated that the information brought to them by Pandit Sudharshan Kaul was that there would be violence at the Jail. The question, therefore, was put to this witness whether he specifically told the Deputy Inspector-General and the Governor that there was a probability of an attack of violence on the Jail. He gave an answer, amazing by comparison to his preliminary statement, that he did give such an information. He reconciled the two statements by saying that in his own private opinion he was convinced that a crowd rushing to the Jail could not remain non-violent when it was going to force its passage into the Jail. So he told the Deputy Inspector-General of Police and the Governor that violence would be used. Then follows great divergence between the statement of this witness and the statements of the Governor and the Deputy Inspector-General of Police. The Deputy Inspector-General and the Governor deposed that next morning this witness changed front and told them that non-violence would be used at the Jail. Pt. Sudarshan Kaul denies this. His statement is that instead of saying that there would be no violence he even added to the information given by him to the Deputy Inspector-General that the Mohammadans had been falsely told (presumably by the agitators) that Abdul Qadeer will be sentenced that very day. This witness emphatically asserted that there was no change in his mind from what he thought on the night of the 12th of July to what he thought on the morning of the 13th of July. The Governor stated (Page ) that he was informed by the Police officers on the night of 12th of July that the Jail Guard would be sufficient to cope with the situation. Pt. Sudarshan



*Action to anticipate and deal with the Disturbances—Contd*

Kaul specifically denied giving any such assurance. He added, 'On the other hand I was certain and expressed the opinion that extra Police would be necessary to cope with the situation' (Page ). The Deputy Inspector-General stated (Page ) that at about 8 A M the Assistant Superintendent phoned to him that there was no verification of the apprehended intention of the Moham-madans to attack the Jail. When this statement was put to Pt Sudarshan Kaul he replied that at 8 A M his phone was out of order and he did not convey any such information to the Deputy Inspector-General over the phone. Even in details there is a flat contradiction between the statements of the Deputy Inspector-General and Assistant Superintendent Police. The Deputy Inspector-General stated that he went to the house of the Inspector-General of Police where the Assistant Superintendent Police also came but the Assistant Superintendent Police definitely stated that on the morning of the 13th he did not go to the house of the Inspector-General of Police at all. He added that on that day he saw the Inspector-General of Police for the first time at 1 P M. in the Police office in the company of the Deputy Inspector-General. The Inspector-General of Police is a simple gentleman and not particularly clever. When he was first examined he stated that the Assistant Superintendent of Police did accompany the Deputy Inspector-General to his house (Page ) but subsequently he had doubts in this matter and said that very likely he phoned to the Assistant Superintendent Police (Page ). Thus there is a large mass of contradiction and it is difficult to make out who is telling the truth.

It is possible that the Assistant Superintendent Police had alarming information but for some crooked purpose possibly with the wicked desire that things may come to a head and there may be a riot, he hoodwinked the Governor and the Deputy Inspector-General or the Governor and the Deputy Inspector-General now recognizing their responsibility have tried to make out that the Assistant Superintendent Police withdrew the alarming information on the morning of the 13th of July, which he had given on the night of the 12th of July. This Assistant Superintendent of Police Pt. Sudarshan Kaul is concerned in another matter also that of stopping searches by the Police for some days after the 15th of July. In that matter also he and the Inspector-General of Police have flatly contradicted each other. On 16th July the Assistant Superintendent Police issued an order to the Police Sub-Inspector (Exhibit 38) to stop searches and he deposed before us (Page ) that the Inspector-General of Police gave him such an oral order. The Inspector-General gave a flat denial to having given any such verbal order to Pt. Sudarshan Kaul (Page ). Whatever doubts we may have as to the efficiency and capacity of Col Gandharb Singh, Inspector-General of Police, we would have no hesitation in preferring his word to that of Pt. Sudarshan Kaul. Pt. Sudarshan Kaul must have acted under some superior authority. It is obvious to us that he is concealing the name of that authority and wrongly putting the blame on the the Inspector-General of Police. When he has told a lie in this matter it is possible that he hood-winked the Deputy Inspector-General and the Governor on the morning of the 13th of July. An officer of this character should not be kept in service. We are not sure that he is not mainly responsible for the unpreparedness of the executive officers in face of the riot.

We are of opinion that the Governor and the Deputy Inspector-

*Action to anticipate and deal with the Disturbances—Contd.*

General exhibited considerable lack of intelligence and executive capacity in permitting themselves to be so misled. They both knew well the then temper of the Mohammadan masses and how day after day they were being excited in the name of religion. We have evidence that on the night of the 12th of July there was a meeting of Mohammadans at Gaukadal where exciting speeches were delivered. As already noted by us there is not only the testimony of Pandit Madho Ram ( W. 47, P; ) but there is also a Police report on the subject which, if the Deputy Inspector-General was a capable officer, he ought to have known about on the morning of the 13th of July. We shall not be doing injustice to these officers, the Governor and the Deputy Inspector-General in saying that they took no action such as efficient officers in their position would have done. The Deputy Inspector-General arranged for extra Police to go to the Jail but we are certain that he did not give urgent orders and the extra Police did not leave the lines till 12-30 P. M. If there had been a large force of the armed Police at the Jail, the crowd would have been over-awed and not made a rush into the Jail compound, on the arrival of the Sessions Judge. This was the beginning of the riot and could have been provided against by foresight. The District Magistrate did nothing whatsoever and awaited events. Possibly he had a contempt for the courage of Kashmiris such as has been expressed by Mr Wakefield in his written statement (Exhibit 70, P ) Mr Wakefield's words are, "I think everybody is agreed that nobody anticipated that a Kashmiri mob would behave in the way it did and consequently no disturbances were anticipated." Whatever the reason may be, in our opinion the Governor was exceedingly negligent in making no preparations to meet what he ought to have known would be an alarming situation at the Jail.

We may be permitted to say that Your Highness was the only person in the State who acted with promptness and foresight on the day of the riot. As soon as the message of danger was conveyed to Your Highness from the Jail by the Governor you ordered the Palace Guards to Ram Nivas and that contingent was the first to arrive at Maharajgunj under the command of Colonel Nawab Khusru Jung. Your Highness also directed Brigadier Sutherland to phone to the Bodyguard Lancers from Karanbagh to get ready and directed him personally to go to Badami Bagh Barracks to order 80 men to be ready and Your Highness arranged for the lorries to be sent for them. These lancers and Military men in lorries arrived at the Jail at 3 P. M. which we consider to be smart work but unfortunately Your Highness had no previous warning of probable misadventure at the Jail and action was perforce taken by Your Highness after the rioting had commenced. But for the prompt despatch of troops by Your Highness to Maharajgunj we believe that the devastation in the city would have been terrible.

On the 13th of July a matter of particular misfortune was that the Police and Political Minister who was also the Army Minister and on whom his subordinates depended to a far larger extent than they should have was not available on the phone and had business at the Residency. It was by accident that at about 2-30 P. M. he looked in at his office at Taley Manzil and learnt that he had been repeatedly phoned for and a great riot had occurred at the Jail. When he reached Taley Manzil the telephonic connection with the Jail had been interrupted. He thereupon motored to the Jail after finding out on the phone that the bodyguard cavalry had left for the Jail. If Mr. Wakefield had been available early on that day, his very presence at the Jail would have had a very quieting influence on the mob. This misfortune of Mr. Wakefield's being

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*Action to anticipate and deal with the Disturbances.—Contd.*

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otherwise engaged is equal to the misfortune of the Mohammadan agitation being helped by the religious incidents of the *Khutba* and the *Tauhin Koran*. It is not seldom that in the events, small or large of life, a great deal depends upon accidental causes and incidents.

There is not one act of bravery to the credit of the Police during the disturbances. There is a Police Station and an Out-post within the circle in the city in which the loot was principally committed, that is, Maharajgunj Bazar and Ali Kadal. The Sub-Inspector of Maharajgunj Kh. Saif-ud Din (W 30,) had gone to the Jail to make certain arrests. The Head Constable and Constables of that Police Station shut themselves up in the Police Station, and it was only when Brigadier Sutherland reached their Police Station with his troops that they came out of their safe confinement (P ). These Policemen had no shame to own to Brigadier Sutherland that they had been forced to shut themselves in during the riots as the crowd was too much for them to control and they were not properly armed. The Constables at the Police Out-post in the Maharajgunj Bazar above a chemist's shop had the same instinct of self-preservation and shut themselves up in the guard room. The evidence of Bh. Karam Chand is definite on the subject. He actually saw the Constables locking themselves in inside the room. One of them Bakhtawar Khan (W. 101, P. ) stated before us that he went as far as the Post Office from his Police Station. We do not believe him. He has been given the lie by Mohammad Subhan, Sub-Post-Master (W 102, P. ) who stated that no Constable was visible near his Post Office during the disturbances. Every witness official and non-official has declared that Policemen were conspicuous by their absence until the military arrived. A more scandalous exhibition of pusillanimity by the guardians of law and order can with difficulty be imagined. The Chairman an outsider had long previously noticed the want of discipline and of power of observation among the Police of Srinagar. They are not able to recognize the cars of officers, those who have not observation enough to recognize superior officers of the State will be equally wanting in observation in detecting bad characters. The Chairman's experience outside the State had been different. There is not a District in the United Provinces where he has not served in a Judicial capacity, and everywhere even in such large cities as Allahabad, Agra, and Lucknow, within a week of his arrival the Police on duty recognized him. The want of discipline was so irritating that within the compound of his own Court when the Chief Justice's car passed, Constables in-charge of prisoners rolled about on the ground and did not stand to attention. The Chief Justice had to write to the Inspector-General of Police and warn him that no Policeman would be admitted into the compound of courts under the Chief Justice, if better discipline was not observed. The Chairman, therefore, is not surprised at the exceedingly miserable show which the Police put up during the disturbances. It is a matter of great doubt to the Chairman whether the Police could recognize the Magistrates of their circle by sight, a most essential necessity in time of trouble.

We are of opinion that all the Head Constables and Constables who were present at Maharajgunj Police Station and Police Out-post on the 13th of July at the time of the riot should be dismissed as they disgraced Your Highness' uniform.

*Action to anticipate and deal with the Disturbances—Contd.*

Even after the riot and loot the Police continued in the same state of inefficiency and muddle. We have already referred to Pt. Sudarshan Koul (W. 6, P. ) stopping house searches by the Police on the 16th of July, only three days after the loot. There is his order in writing (Ex. 39, P. ). We are satisfied that this witness told a lie when he said that the Inspector-General of Police gave him such a verbal order. At the same time he must have acted under orders. The Inspector-General of Police (P. ) believed that Mr. Wakefield had given such an order (P. ). His statement on that page may be quoted. In answer to the question whether he stopped searches anywhere he replied "No. In fact on 19th or 20th July I went to Vicharnag where it was represented to me that one Mohammad Yahiya had given utterance to a complaint that Government had ordered that searches be stopped, that he had been so informed by the Minister and yet searches were going on. I gave clear orders that searches must continue and that Police must search..... On 21st or 22nd of July I went to Mr. Wakefield and enquired whether he had given any order to stop searches for people were spreading the rumour that such was the order. Mr. Wakefield appeared to be in a temper at the time and he said to me sharply that he had given such an order. The next day I went to Mr. Wakefield and said to him, 'Sir, why did you give an order like this for the stay of searches and he replied that what he meant was that searches should not be made by the Military.' " This statement was read over to Mr. Wakefield (P. ) who said that it was quite false for the Inspector-General of Police to say that on his enquiry whether the witness had stopped searches this witness replied that he had given such an order. He said that he had stopped searches by the Military and not by the Police. The Inspector-General of Police then made an amazing statement that the order of the Assistant Superintendent Police to stop searches by the Police (Ex. 39) was never brought to his notice. He came to know of the existence of such an order 12 or 14 days after it was passed. Obviously the Inspector-General of Police did not behave as an executive Head of the Police but merely as an underling of the Police Minister.

There is another unfortunate incident of the burning of the Sangam bridge on the main Srinagar-Jammu Road during the night preceding the 25th of July. The authorities had sufficient warning through anonymous petitions that there was danger of this bridge being burnt. Nearly 9 days previously on 16th of July the Governor was warned of this danger. The Governor and the Inspector-General of Police have described how they went to the 'house' which was the same as the office of Mr. Wakefield and suggested to him that that bridge and the Khanabal bridge may be watched by the Military (P. and P. ). Mr. Wakefield however has denied that any such information was given to him. Mr. Wakefield agreed that on the 20th of July the Governor, the Inspector-General of Police and the Deputy Inspector-General waited on him but denied that they definitely told him on that date that they had received anonymous petitions to the effect that there was likelihood of Sangam and Khanabal bridges being set fire to (P. ). He also stated that no definite request was made for Military guard for those bridges. He first said that he did not remember that anything definite about the Sangam bridge was told to him and then said more affirmatively that he was certain that no definite request for Military guard for the bridges on the Jammu-Khanabal road was made to him. Whatever may be the truth, it is obvious that there was great

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*Action to anticipate and deal with the Disturbances.—Concl'd.*

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negligence on the part of responsible executive authorities and that if prompt steps had been taken the burning of the bridge would have been averted.

Brigadier Sutherland has also given the opinion that the burning of Sangam bridge could have been prevented if the executive officers of Anantnag had any sense. (P: ). The Assistant Superintendent Police, Anantnag, L. Anand Sarup (W. 34. P. ) had warning of the danger of arson as early as 21st July (P: ) and yet he had not the intelligence to pass on the warning to the Military picket at Anantnag. The patrol had been there since the 19th of July. Brigadier Sutherland said that Subedar Saab Singh in-charge of the patrol would have arranged for the watch and ward of the Sangam bridge, if the Civil authorities of Anantnag had asked him to do so. According to this witness, the Military patrol at Anantnag knew that they were sent to help the Civil authorities and carry out their orders and that if intelligent action had been taken by the Anantnag Civil authorities the bridge would not have been burnt. We have already pointed out that Your Highness' Military forces acted with great promptitude in reaching the scenes of deprecation and in restoring peace and order there. We must record however, with regret that Your Highness' Civil executive authorities did not exhibit either efficiency or foresight in dealing with the disturbances or subsequently.

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### PROCURATION OF COMMUNAL PEACE.

The most important desideratum is that preachings to excite communal hatred in the garb of religious discourses should be stopped with a strong hand. We have taken great pains to ascertain if public opinion will support such preventive and punitive action of Government in regard to objectionable speeches in mosques and temples.

We had assurances of responsible Mohammadan witnesses that if the Government is strong in putting down these wicked addresses in places of religion, the sympathy of the masses will be ultimately with the Government. It is not difficult to imagine that there will be temporary sullenness or even worse in the beginning but if firm action is taken in a suitable manner public opinion is sure to adjust itself in course of time. Mirza Ghulam Mustafa ( W. 72, P: ) a retired Wazir Wazarat and at present Vice President of the Municipality here has gone so far as to state that unless these discourses are stopped there is no probability of amity among the communities till the day of judgment ( *ta qayamat* ). Along with the stoppage of these harmful speeches there should be strict scrutiny of vernacular papers which enter the State, and prompt action taken to proscribe offending journals both Hindu and Mohammadan. Thakur Agha Syed Hussain ( W. 92, P: ) has rightly pointed out that these scurrilous writings are not of negligible effect but that at the present day even illiterate villagers get to know the contents thereof by listening to them, when read out in village squares. To quote the recent eloquent words of a great orator Sir Ramaswami Ayer "Who could deny that every day, in obscure villages, journals were read and commented upon and re-read, so that the back numbers of the journals were in fact live issues." No mercy or consideration should be shown to these classes of mischief makers and justice should be dealt out impartially to both Mohammadan and Hindu transgressors.

In this connection it is essential that Police Constables and all other reporting officers who take down speeches should be versed in shorthand so that no doubts may be raised in the minds of Courts at the time of prosecution as to the exact words used by a speaker. Care may also be taken that Mohammadan officers may be deputed to mosques and Hindu officers to temples and Dharamsabhas as suggested by Agha Syed Hussain ( P: ). The interpretation of what constituted criminal speeches should be left to Courts of Law. Mr. Abdulla Vakil ( W. 14. P: ) put forward the claim that every kind of discourse was included in a religious discourse according to the tenets of the Holy Koran ( P: ) and that full permission should be given to literary Mohammadans to instruct masses of Mohammadans. Such a claim cannot be countenanced and, in face of the positive statements of M. Ghulam Mustafa, Colonel Ghulam Ali Shah and General Samunder Khan, no Mohammadan can assert that sedition and race hatred are not inculcated in the masses of Mohammadans through discourses held in mosques.

There should be more publicity given to the acts of Government. Acts done with the laudable object of appeasing the public mind either of Mohammadans or Hindus should be made known to the public and not kept secret. We have one amazing instance of the late Home and Judicial Minister Thakur Agha Sayed Hussain

*Procuration of Communal Peace.—Contd.*

(W 92, P: ) being entirely ignorant until he came to give evidence in this Court on 4th September that a reply had been given by the Cabinet on 28th January 1931 to a representation made by Mohammadans to the Cabinet in the previous year. He had heard Mohammadans complaining that the representation had not met with any response and yet he, a responsible Minister of Government, had not the knowledge to contradict this complaint. Similarly the action taken on the memorial of 1929 was beneficial to the memorialists but was kept a secret even from other Ministers and was known only to the Minister-in-Waiting of the time. However commendable it may be in private life to do good by stealth and blush to find it fame, such an attitude is not conducive to the appeasement of public feelings at the present day. There should be a vernacular Propaganda Department of the Government and every kind of news which it thinks desirable that masses should know ought to be conveyed to them by that Department. To give an example Colonel Ghulam Ali Shah (W 88, P ) was according to his evidence himself satisfied that the impression created on his mind by the enquiry held by Mr Wakefield was that no Tauhm of Koran had actually taken place but complained that the result of the enquiry was not conveyed to the public.

The education of Mohammadans is a matter over which Mohammadans are most sensitive. The Education Minister must personally interest himself in this matter and we may suggest the advisability of his having a consultative Committee of Mohammadans to bring prominently to his notice all defects in the Department which Mohammadans may consider injurious to their educational progress. We were pained to hear from a Mohammadan Ex-Minister of Education Thakur Agha Syed Hussain that during his time of office, in Normal Schools which were provided by Government for the training of teachers Mohammadans were, to use his words, conspicuous by their absence and yet he made a somewhat startling statement that it was not in his power to interfere or modify rules in order to bring Mohammadan boys to these schools. He merely gave general advice to the Director of Education and to the Inspectors of Schools. Such an incident causes an exceedingly bad impression on the Mohammadan mind as giving them reason to believe that Hindu officers were bent on keeping them back in education. Even such a well balanced Mohammadan gentleman as Colonel Ghulam Ali Shah expressed his suspicion that Hindus entertained a dislike of the Mohammadans getting educated and thereby becoming fit to obtain a share in Government services (P: ) Your Highness can do no greater favour than what you have done of appointing Mohammadan Ministers in-charge of Education, it is up to him to discover paucity of Mohammadan boys in schools where it exists, to find out reasons thereof and use his best endeavours to remedy the defect. He must keep himself in constant touch with local Mohammadan educationists and parents who have their sons to educate and find out by personal meetings the difficulties which may be lying in the way of the advancement of Mohammadan education. Pirzada Ghulam Rasool, Head Master of the Islamia High School (W. 87, P: ) is undoubtedly a most suspicious and extreme Mohammadan who is fully convinced that the Hindus can do no good. When the Chairman just to test his mentality brought him round to a grudging admission of gratitude to Your Highness for the appointment of as many as four Mohammadan as Munsiffs a year ago in

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supersession of previously selected Hindu candidates to satisfy Mohammadan demands, he could not resist adding at the end that those Mohammadans were still *subprotem*. Even so, his whole statement both written and oral under the test of examination should be studied. There are many small points he has mentioned as grounds of irritation and complaint against the Education Department by Mohammadans which may easily be removed if properly tackled by the Minister in-charge of Education. For instance, he mentioned large decrease in the attendance of Mohammadan boys in compulsory schools under the charge of a Hindu attendance officer and a large increase where the attendance officer was a Mohammadan. A statement received from the Director of Education (Ex: 132) would indicate that this complaint is correct and if the Minister of Education personally interested himself in the progress of Mohammadan education, redress would soon be found.

The question of employment of Mohammadans in the public services in larger number will have to be faced by the Government. Hindus who are Your Highness' hereditary subjects are highly educated and insist on appointments being given according to merit. According to a Hindu representative Pandit Jia Lal Koul (W. 80, P. ) appointments in public services should be made independent of any communal considerations. We are not prepared to agree with that view. In lower paid appointments a high degree of education is not essential. Merit should be considered as merit necessary for the particular post and not in the abstract. If in a particular office the number of Mohammadan employees is small and the post is such as could be satisfactorily filled by a person who has only passed the Matriculation examination, a Mohammadan with that qualification should be preferred even where a Hindu graduate offered himself for the post. Of course certain Mohammadan witnesses like Abdul Majid (W. 69, P: ) and Pirzada Ghulam Rasool (W. 87, P: ) have gone to the extreme length that even outside Mohammadans may be imported and Mohammadan representation in the services raised to the proportion of their percentage of population in the Kashmir Province; but the saner Mohammadan opinion represented by Colonel Ghulam Ali Shah (W 88, P. ), General Samunder Khan (W. 90, P: ) and Thakur Agha Syed Hussain (W. 92, P. ) was in favour of reserving State appointments to State subjects and were opposed to the idea of importing Mohammadans from outside to equalise representation of communities in the services. They all, however, put forward the claim that when for high and technical appointments outsiders are introduced, selection should be made by communities and if once a Hindu is appointed to a high post the next selection should be that of a Mohammadan. In our opinion there is no substance in the claim of extreme Mohammadans to obtain a share in public services to the extent of the proportion of their population in the Kashmir Province. Even Moulvi Abdulla Wakil admitted the untenability of such a claim. It must be remembered that an overwhelmingly large proportion of the Mohammadan population is supported by agriculture and those are not men who would educate their children to seek services in Government employment. A comparison should really be made between the proportional population of the two communities engaged in service, literary profession, industries and commerce who alone have the inclination and ability to educate their sons. In 1921 in the Kashmir Province out of a total population of a little over 14 lacs overt 10½ lacs were supported by agriculture. In



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Jammu Province excluding the Jagirs of Chinam and Poonch there is a very slight disproportion in the population of the Mohammadans and the Hindus, the Mohammadans being 7 lacs and odd and Hindus 6 lacs and odd. If Sikhs, Jains and Buddhists be added to Hindus this disproportion will be still smaller. It is true that in the Kashmir Province this disproportion is enormous; as has been explained above most of the excess Mohammadan population is engaged in agriculture. It should also be remembered that the Pandits as a class live only by literary pursuits and have no other vocation in life such as is followed by Mohammadans in trade, industry and commerce. Counting of heads cannot therefore be a proper method of approach in arriving at a settlement of the proportion of Mohammadan employment in State service which should be aimed at by the Government.

Your Highness has personally seen during the short time since Your Highness came to the *Gadi* that more scope is given to Mohammadan aspirations. Mirza Ghulam Mustafa, Colonel Ghulam Ali Shah, General Samunder Khan and Thakur Agha Sayed Hussain have acknowledged in befitting terms the gracious favour done by Your Highness to Mohammadans. Even Mr Abdulla Wakil who may be taken to represent the somewhat extremist Mohammadan view stated that, the Mohammadans had full trust in Your Highness and the laws which Your Highness had enacted for the betterment of your people. He complained that a section of the Hindus had over-powering representation in the Government and that that section oppressed the Mohammadans. He was reasonable enough to admit that the Mohammadans cannot claim proportion in State service equal to the proportion of population in the Kashmir Province. It is the opinion of the Commissioners that definite instructions may be issued to the Civil Service Recruiting Board to aim at employment of a particular specified proportion of Mohammadan State subjects of whatever class so far as they are available.

The question of the employment of outside Mohammadans is not one about which there is agreement between the extremist and moderate views of Mohammadans. Mr Abdulla Wakil, Dr. Abdul Wahid (W. 47; P. ), Mr. Abdul Majid (W. 69; P. ), Peerzada Ghulam Rasool (W. 87; P. ) advocated the importation of outside Mohammadans, to give Mohammadans a large preponderance in the State service while Mirza Ghulam Mustafa, Col. Ghulam Ali Shah, General Samunder Khan and Thakur Agha Syed Hussain were opposed to such importation and said that the Mohammadan community was prepared to wait till Mohammadans of the State acquired sufficient education to be fit for employment in the State service in ever-increasing proportion. We are in favour of reserving appointments for State subjects but are not prepared to recommend that the present policy of reserving them for hereditary State subjects should be continued. Under Your Highness' orders scholarships may be given to State subjects of any class and are not reserved for hereditary State subjects. So the reservation of appointments to hereditary State subjects is likely to create much disaffection when scholars educated at State expense are denied a claim to service in the State. Again in our opinion, it is dangerous to have a class of domiciled subjects who feel compelled to look upon the Government as a foreign institution, from which they are excluded, and cannot be counted upon for help in time of need.

One great necessity to procure communal accord is the appointment of a permanent Board consisting of an equal number of

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Hindu and Mohammadan members. The Hindu representatives who gave evidence before the Commission, have eschewed mention of any Board or consultative legislative assembly through fear of the representation on such a body being fixed in proportion to population. All the responsible classes of Mohammadan spokesmen before the Commission have advocated the appointment of a Board of arbitration or conciliation. Thakur Aga Syed Hussain was of opinion that at present communal bitterness was so great that the constitution of the Board may be delayed until a calmer atmosphere had supervened. We are of opinion that such a Board should be established as early as conveniently may be. Our recommendation in this particular line of obtaining reconciliation between the communities has recently been anticipated by Your Highness and a Conciliation Board of Mohammadans and Hindus under the presidency of the Governor has been constituted in Srinagar. Our recommendation is that the Board may have larger functions and may be attended even by Ministers to explain matters. In our opinion after listening to evidence particularly of Mr. Abdul Majid (W 69, P: ) and Peerzada Ghulam Rasool (W 87, P: ) we are apprehensive that much of the dissatisfaction of the Mohammadans is due to misunderstanding of various events which if explained to the representatives of the two communities at the proper time, would prevent misuse being made by agitators of such incidents. We may quote instance of Pirzada Ghulam Rasool who stated that Mr. Sharp's report of 1925-26 was favourable to the Mohammadans and therefore suppressed. He has not seen the report and what is more surprising it was never seen by the Ex-Minister of Education Thakur Aga Syed Hussain. If the Board asked a question on the subject the matter could easily be explained by the Government and misrepresentation and suspicion would be averted. There is a large number of matters regarding education that this witness has adverted to, such as Orphan and depressed classes scholarships never being given to Mohammadans; an Arabic school not being started like the Sanskrit Pathshala; medical student Ghulam Mohi-ud-din being wrongly rejected; allegation that certain actions favourable to Mohammadans were taken in British India and not here, advertisement for only Mohammadan applicants for posts being subsequently withdrawn and so on. If these points are mentioned in the Board as they would inevitably be, the attention of the Government would be drawn to causes leading to disaffection and either the causes would be removed or the statements raising suspicion categorically denied and demolished with reference to facts. To take one example, we have heard from the Director of Education that not only Orphan scholarships are granted to Mohammadan students but that a special grant of Rs. 480 is made for this purpose to Akbar Islamiya High School at Jammu (Ex- 133). If such a complaint had been made by a member of the suggested Board, it would have at once been corrected by a statement of true facts and the possibility of misrepresentation would have ceased. This Board need only be established in Srinagar and Jammu. It is certain that matters causing dissatisfaction in the districts would also be brought to the members of the Board in these two cities. The Board should be a general consultative Board with a right given to the members to ask questions and explanations from the Government. The Official present in the Board may be empowered to submit the question to the proper Minister, obtain an answer from him and communicate it to the questioner or if the Minister considered a particular matter to be of sufficient importance he could himself attend a meeting of the Board, give an explanation personally

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and also answer supplementary questions on the spot

The events of disturbances like those discussed above naturally leave behind a great deal of unpleasantness and bitterness and their memory can be obliterated only by time. We make this observation so that executive officers may not be disheartened by any disappointment or failure in their attempts to restore peace and harmony and must continue their efforts till this desirable end is achieved. As we have intimated above, the immediate object of the creation of the Boards doubtless will be to restore communal peace but that will not be the sole object. The Boards should not be so large as to become unwieldy and difficult to function. At the same time they should not be so small as to exclude the representation of important communal interests. The Board at Srinagar may consist of 12 members, 6 Mohammadans and 6 Hindus, and at Jammu of 10 Members, half Mohammadans and half Hindus. The selection should be made with great care and caution so that the so-called Young Muslim and Young Hindu parties may also find representation. No limit should be placed upon the matters the members can discuss and bring to the notice of the President who should not be an officer of a lower grade than the Governor of the city. It should be left to the good sense of the Board guided by the tact and advice of the President to direct their energy into useful channels and to make such suggestions as shall be in the true interest of their country and the Ruler. After mature consideration we are of opinion that the members should be given an allowance or honorarium on the analogy of British India though of course on a smaller scale having regard to local conditions. We recognized the danger that such a course might give the impression that these representative gentlemen were being bought by the State and therefore questioned several witnesses on the subject. All the witnesses on being questioned agreed that there was no real danger of such a misunderstanding. As an instance it was pointed out by one witness that assessors were paid diet money and so were jurors in trials before Courts of Sessions and High Court but it has never been seriously suggested that the assessors or the jurors were on that account won over by the Crown. Likewise members of Council in India are paid sums considered to be sufficient to meet their out-of-pocket expenses but it is never argued that on that account their freedom of opinion and action is in any way curtailed or influenced.

Above everything the Commission hope that such a Board will change the present most unfortunate mental attitude of the two communities. This attitude as exposed before us by witnesses is most alarming in so far as it discloses an entire absence of trust by one community in the other. In our opinion this mental attitude is even more dangerous than criminal acts as the acts can be suppressed while an attitude of the mind is difficult to reach.

The impression must be avoided that the Government is favouring any particular class of Your Highness' subjects. Mr Abdulla Vakil and Mr Asadulla (W. 15, P. ) referred to this matter guardedly and did not disclose which community they referred to. Khawaja Salam Shah (W. 76, P. ) definitely stated that Hindu Rajputs were particularly favoured in promotions. He did not mention instances but desired us to compare Civil Lists to discover how Hindu Rajputs had jumped from posts of Rs. 200 to those of Rs 1,500. Sardar Thakur Kartar Singh Ji (W. 91, P. and ), a leading Hindu Rajput, denied this allegation

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Whatever the truth may be, a suspicion does exist and may be a cause of disaffection. Where we are all subjects of an Indian Ruler, cause should never be given for the stigma, sought to be placed on foreign rule that it desired to divide and rule.

The establishment of a School for Hindu Rajput boys has further roused the suspicion of other communities. When it was explained to witnesses by the Chairman that the school was founded and supported by "*Dan*" (religious gift) money left by His late Highness for the purpose, Khawaja Salam Shah pointed out (P: ) that *Dan* is given only to Brahmans and further that, if Hindu Rajputs benefited why should Mohammadan Rajputs, who took pride in calling themselves Rajputs, be deprived of the benefit of joining the school. Mr. Abdul Majid had raised the same objection previously (P: ) as to the exclusive use of this school by Hindu Rajputs, Sardar Thakur Kartar Singh Ji one of the trustees of the School, however, explained that it was the personal wish of His late Highness that this *Dan* money should be used for the benefit of Hindu Rajputs (P: ). In order No 3 of 29th June 1929 of Your Highness, it has been declared at the very commencement that the school was established in deference to His late Highness' desire to ameliorate the condition of his own community, Thus, though there is no basis for the grievance, it is very keenly felt and whenever funds permit a school for sons of nobles other than Hindu Rajputs should be started by the State Here also the ever present desire for employment comes in Sardar Thakur Kartar Singh Ji has explained that there is no guarantee given to the students of the school that they will be provided for in State service, but when they are instructed under State supervision, it is but natural for the public to think that they will have a certain claim and that their education under such excellent auspices must give them an advantage in competition with others for Military employment.

## FUTURE PREVENTION.

This part of our report it will not be possible to keep distinct from the preceding part because measures for prevention in future of deplorable occurrences like the riots of 13th July would in most cases be similar to those for the restoration of communal peace and harmony. The two parts may be considered as divisions of the same subject. We shall give our recommendations serially of suggested action by Government which in our opinion would reduce the possibility of a repetition of similar occurrences in future —

- 1 In the fore front we place our recommendation with all its implications of overhauling the personnel and method of the Police Department. We are afraid that the appointment of an Officer of another Department after short training in the State and outside is bound to prove a failure. To be a sound Police Officer at the head of the Police, the Officer must either come up from the bottom step of the ladder and acquire all the experience in the State or should have acquired experience of Police methods outside the State by actual charge of the Police. It is a vain hope to expect, for instance, a military officer after training of a couple of years to become a capable executive Head of the Police, possibly even more vain than to expect such an Officer after visiting Courts in this State and outside the State for the same period of time to preside over the Judicial administration of the State as Chief Justice. As early as possible an executive Head of the Police with sound experience of British Indian methods should be appointed Inspector-General of Police and a Commission of two or three capable Police Officers of the State with the new Inspector-General as President should be appointed to suggest ways and methods of improving the Police Officers as to discipline, power of observation and bravery on occasions of stress and trial. We are firmly of opinion that, without regard to any communal agitation, if it is thought that one particular community of Your Highness' subjects is more likely to be amenable to discipline, to maintain smartness and to exhibit courage, the force should be recruited from that community. The Police force should be so efficient that it may not be considered only the first line of defence to preserve peace and order with ready availability of the Military but it should be such as to afford real security for peace and order necessitating the employment of Military as a mere support in extreme cases. So far as we could make out after an examination of the incidents of the riots, the Police entirely stepped aside after the firing at the Jail and threw the whole burden of restoring peace and order on the Military.

After the exhibition of P. Gurdial Rampal, Superintendent C. I. D ( W. 5, P. ) in the witness box and the severe strictures made on him by the Chairman, we have no confidence in officers of that Department. The Inspector Abdul Karim ( W. 17, P. ) and Sub-Inspector Habibullah ( W. 18, P. ) of that Department did not impress us as officers efficient for their duties. In our opinion the

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whole Department requires remodelling.

We shall repeat here the necessity of training Police Officers in shorthand, if it is desired that those officers should attend public meetings and meetings in mosques and temples for the purpose of checking sedition and incitement of masses.

While on this subject we would like to emphasise our disapproval of any Minister of State, in-charge of the Police aggrandizing power in such a way as to make executive Police officers merely puppets to dance to the pulling of strings by him. Though Mr. Wakefield, Minister in-charge of the Police at the time of the disturbances emphatically denied this insinuation against him made by the Chairman that he had made puppets of Governors and Police officers and emasculated their authority (P: ) we have no doubt that he kept authority so much centralised in his own hands that these officers were rendered useless for independent action. The duty of a Minister is to consider large questions of policy and not to keep within his control day to day routine and executive action by the Police in emergency. We would not like repeated the spectacle of a Head of a Department like the Police waiting at the house of the Minister in-charge for two hours during his absence on a critical day.

In the present state of affairs it appears to us hopeless to expect any serious riot or other disturbances to be quelled in time without the aid of the Military. This is a serious matter because in our opinion Military aid should be sought on very seldom occasions. This can only be done if the Police force at the disposal of the District Magistrate is adequate and properly armed and trained. We suggest that the reserve force in Srinagar at least should consist exclusively of Hindu and Muslim Rajputs till such time as the local inhabitants can be safely trusted with the discharge of these unpleasant but imperative duties. We have formed a very low estimate of the bravery and discipline of the Kashmir Police.

The Intelligence Agency of the Government is neither efficient nor competent. This again is a matter that requires careful investigation and consideration. The District Magistrates should not be ignored as they seem to have been done in the past and all important news regarding their charges should be communicated to them forthwith.

2. The area of the charge of the Governors of Kashmir and Jammu should be considerably reduced. They are supposed to be effective executive officers but they are really in the position of Commissioners of Divisions in British India, where the holders of the posts act merely as a post office and do not perform any executive duties. No officer, however capable can be expected to use his

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executive authority of a Collector and District Magistrate in such vast areas. It may often happen that in the routine of his duties the District Magistrate may be absent from Srinagar or Jammu at a very critical time. We had an example of the Jammu District Magistrate being absent on duty from Jammu at the critical time of excitement over the *Touhin* case and had no information of what was happening in Jammu until after a Minister had arrived on the scene from Srinagar. It was explained to us by that officer that in his absence the Additional District Magistrate was in-charge. But the Additional District Magistrate who is overburdened with case work cannot possibly be expected to have personal knowledge of the city or of the people residing there or the movements going on within his charge. We are of opinion that the charge of the Governor of Kashmir should be reduced in area to that of the Wazir Wazarat of Srinagar, and that his designation be changed to Governor of Srinagar and in the same way the charge of the Governor of Jammu should be reduced within the limits of the Wazir Wazarat of that District. The Wazir Wazarat in the other districts may be given the powers of Governors to deal directly with the High Court and the Revenue Minister. The evidence before us has assured us that the spirit of unrest has not yet permeated in the districts so we think that a Wazir Wazarat will be able to control the situation in his District and do a certain amount of criminal work as well. This will of course not be an ideal arrangement but will have to be accepted so long as financial stringency continues. When funds are available, we would advocate the appointment of a residential Magistrate in every Wazarat to take the burden of the case work off the hands of the Wazir Wazarat and to a certain extent of the Tehsildar. The judicial work done by these touring officers is of an indifferent character and unduly prolonged by reason of their constant absence from head-quarters. A residential Magistrate at Wazarat head-quarters should take the place of the Additional District Magistrate of Srinagar and Jammu and thus every District would be made a self-contained entity and the criminal work will be done with considerable promptitude and intelligence to the satisfaction of the litigants.

Our observations in the case of the Inspector-General, Police hold also in the case of Governors and Wazir Wazarats and we would desire that there should be no undue interference of any Minister in the executive duties of these officers. In our opinion the posts of Governors of Srinagar and Jammu are of great responsibility. We would recommend stern selection to be made always to fill these important positions and they should not be given by right of seniority. A capable Governor at either place with full knowledge of his charge and the confidence of the people and of an intrepid character to undertake responsibility would be

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the principal barrier to unfortunate occurrences like the disturbances of the 13th of July.

3. Sardar Thakur Kartar Singh Ji openly said in public examination that much of the disaffection against Your Highness' Government was engendered by persons in employment in the State (W. 98, P. at page ). A responsible officer of his standing cannot have made such a statement at random. We are of opinion that such officials should be severely dealt with and got rid of and their places filled by men of the same community. Sardar Thakur Kartar Singh Ji has suggested (Exhibit 106, P. ) that all disloyal servants whatever their position may be, should be immediately replaced and their subordinates who took part in this movement should be drastically dealt with. To avoid misunderstanding he would further suggest that if it became necessary to remove a Moslim or Hindu officer on this ground he should so far as possible be replaced by a suitable loyal Moslim or Hindu officer.
4. In connection with the above recommendation we think that a careful watch should be kept over persons of known tendency to foment communal strife. Their movements and their activities should be forthwith reported through the local authorities to the District Magistrate and this should be an important duty among those prescribed for village officers such as Patwaris, Zaildars, Lumberdars, Safaid Poshes and Chowkidars.
5. The most noteworthy fact that has manifested itself during the enquiry has been the entire absence of any internal security scheme of the city or of a Province or of any part thereof. In case of riots or other disturbances it appears that no body seems to know what part he has to play in subduing the same. This is a lamentable state of affairs. There should be a permanent Committee of the District Magistrate, the Inspector-General of Police, and a competent Military authority first to work out a complete scheme of protection for the city and the Province and then to make periodic addition or amendments as new circumstances arise. The scheme may be kept secret and only portions of it disclosed to persons connected therewith. It is not for us to work out details which may be left to the good sense and experience of the officers mentioned above by us.
6. The practice of Pardanishini should be discarded by all officers of the State. The Executive officers of the Government should at all reasonable times be approachable by Your Highness' subjects. They should always patiently and sympathetically listen to what the applicant has to say. We grant that all or even a major part of any request made cannot be acceded to. A patient hearing, however, goes a very long way to assuage the feelings of the person who considers himself injured. We may



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say that any litigant whatever his position may be has free access to the Chambers of the Chief Justice and to the Courts of all the Judges. A certain amount of time is lost thereby in listening to irrelevant statements by litigants but we have no doubt that a general sense of satisfaction at the ability to receive justice is spread among the people.

Again whenever any measure or policy of the Government has been or is likely to be misunderstood, officers of the Government should take particular care to explain the same to persons concerned and to remove the misunderstanding. To illustrate our object in making this recommendation we might say, that if the Mohammdan Magistrate present in the congregation at the *Id* Prayers at Jammu had at once interfered as in our opinion he doubtlessly ought and given proper direction to the Sub-Inspector regarding the reading of the Khutba one of the incidents which gave an unfortunate colour to Mohammdan agitation would have lost its sting. Again if the Superintendent of Police at Jammu had at once inquired into the matter of the alleged Touhini Quian and firmly given his opinion, the evil arising from that incident would have been nipped in the bud.

7. We are in agreement that posts in the public services should be reserved for State subjects but we think that the entire question should be re-examined and possibly it will be found that there is no apparent necessity to distinguish between hereditary State subjects and State subjects of two other classes. It may also be found that restriction on the transfer of property may be relaxed without detriment to the interests of the subjects of Your Highness.

We desire to bring to 'Your Highness' notice and place on the record our thanks for the help we have received from our Secretary Pandit Ram Nath Sharma and the Staff of the Commission and the hard work they have put in for over two months. We wish particularly to express our gratitude for the work done by the four stenographers. Not only they were quick at shorthand, and accurate in typing but we are assured that no portion of the evidence taken in camera leaked out through them. It was due to the Secretary's quickness of grasp, ready accessibility to all and minute supervision of details that the work of the Commission has run so smoothly.

We have done: It only remains to add a prayer that Your Highness' subjects of different communities may give up "the study of revenge, immortal hate" which Milton in *Paradise Lost* attributes to Satan and that our efforts may lead the different communities under Your Highness' rule to appreciate better Your Highness' ever-present desire and constant endeavour for their good and also the aspirations and view points of one another.

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With humble duty, we beg to subscribe ourselves Your Highness' most obedient and most humble servants,

(Sd.) BARJOR DALAL,  
*Chairman;*

Dated 24<sup>th</sup> September, 1981. }  
" 8<sup>th</sup> Assuj, 1988. }

(Sd.) B. R. SAHNI,  
(Sd.) ABDUL QAYOOM,  
*Commissioners;*

RIOT ENQUIRY COMMITTEE.

Report on an Inquiry into Disturbances in Kashmir in September 1931

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**Report on an inquiry into disturbances in Kashmir in  
September 1931 conducted by Mr. L. Middleton,  
I. C. S., in November and December 1931.**

**PRELIMINARY.**

**1. Terms of Reference.**

I arrived in Srinagar on the evening of the 13th of November 1931, in accordance with instructions received from the Punjab Government two days previously, and on the 14th of November 1931, I was handed the terms of reference in accordance with which I have now held an inquiry.

On the 13th of July 1931 disturbances had occurred in Srinagar at the jail and elsewhere necessitating the use of force in their suppression; a Commission had been appointed to enquire into the causes of these disturbances and the measures taken to suppress them, that Commission had held an inquiry and had reported the result on the 24th of September 1931. That report not only covers the disturbances in Srinagar on the 13th but also another which led to the destruction of a bridge over the Jhelum river on the main road South of Srinagar leading to Anantnag and to Jammu on the 25th of July. Meanwhile further disturbances occurred in various places in Kashmir in September 1931 and a Committee was appointed by order of His Highness the Maharaja Bahadur dated the 12th of October 1931 to enquire into "the causes of these and whether the firing was justified". This Committee was dissolved by His Highness' order dated the 10th of November on account of unavoidable delay which rendered it unlikely that it would complete its duties before the President would have to move down to Jammu in his capacity as Chief Justice of the High Court; in the same order it was noted that steps were being taken to obtain the services of an officer "to enquire and report on the causes of any disturbances which occurred subsequent to the events covered by the First Srinagar Riot Enquiry Committee and the measures adopted for the suppression thereof". His Highness' order dated the 12th of November 1931 appointed me for this purpose and repeated the terms of reference as given above. After my arrival I was informed that the disturbances subsequent to July had all occurred in September and were limited to 3 places:—(1) Srinagar, (2) Anantnag (Islamabad) and (3) Shopian. The inquiry itself has shown this information to be correct and this report covers the following events:—

- (a) Minor disturbances in Srinagar on the 21st of September.
- (b) A disturbance at the Jama Masjid on the 22nd of September.
- (c) Disturbances in other parts of Srinagar on the same date.
- (d) Conditions and events in Srinagar on the 23rd and 24th of September.
- (e) Srinagar under Military control from the 25th of September to the 5th of October.
- (f) A disturbance in Anantnag on the 23rd of September.
- (g) A disturbance in Shopian on the 25th of September.
- (h) Shopian under Military control from the 26th of September to the 5th of October.

## 2. Course and Procedure at the Enquiry.

On the 15th of November a proclamation over my signature was widely distributed in the three centres where disturbances had taken place. This proclamation explained the nature of the inquiry and called upon the public to offer evidence at it. There was no basis on which to estimate the number of witnesses who would come forward and in the first instance three weeks were fixed for collection of evidence, the week beginning on the 16th of November for that connected with Srinagar, the week beginning on 23rd of November for that of Shopian and the following week for that of Anantnag. Some statements which had been recorded before, or sent to, the Resident by visitors to Kashmir soon after the disturbances, were handed over to me soon after my arrival. Those which had been sworn I accepted in evidence and I took steps to have the others sworn before Magistrates and thereafter admitted them. I also published an English Notice on the lines of my original proclamation and distributed it widely in Srinagar and inserted similar notices in English papers in the Punjab. I regret to say that these notices did not lead to many witnesses coming forward other than those who had left statements with the Resident.

The whole inquiry was conducted in public. Witnesses were invited to put in written statements before appearing in Court, these statements were read out upon their appearance and they were required to confirm them and to submit to an examination by me. There being no recognised "parties" to the inquiry it was deemed impossible to allow examination and cross-examination by members of the legal profession or others, but the State appointed Lala Shiva Dass (a retired Sessions Judge) as Legal Remembrancer to call witnesses for the State and to watch the proceedings. After a short time it became evident that the majority of witnesses recognised a certain group of persons as representatives of their interests and throughout the proceedings this group was represented in Court by nominees who watched the proceedings on their behalf. In the first few days of the inquiry the evidence was recorded both in Urdu and English but it soon became apparent that an atmosphere of distrust was created by the existence of an Urdu record. The majority of witnesses did not know Urdu and hence the record fulfilled no useful purpose and, after a few days, I dispensed with it and retained only the English record. Statements of Kashmiri witnesses were interpreted in Urdu by Lala Shiva Dass or by the nominee of the representatives as the case might be and were then dictated in English by me, both Lala Shiva Dass and the nominee thereby having an opportunity to check the interpretation of the other and check the English record as it was prepared. Although written statements were put in by the great majority of witnesses and were necessary in order to enable me to question the witness as to his knowledge, yet in a few cases witnesses, for various reasons, were allowed to appear without putting in a preliminary written statement. In the cases of witnesses whose attendance could not be obtained without unreasonable delay or expense written statements sworn before Magistrates at their places of residence were admitted to record after being read out in Court.

At the conclusion of the first week of the inquiry it had become evident that the public would come forward in great number to give evidence; many witnesses who had been present at certain events but had observed nothing beyond the facts admitted by all parties were putting in written statements whilst others were doing so merely to represent some petty grievances of an individual nature, both of little importance in connection with the inquiry. In these circumstances by order dated the 22nd of November, after consultation with the representatives of the public, I nominated—(1) S. M. Abdullah, (2) M. Bashir Ahmad, (3) Kh. Saad-ud-Din Shawl, (4) M. Abdullah, Vakil, to inspect written statements before presentation to me and to indicate those which, in their opinion, were of sufficient importance to merit examination of the persons submitting them. This committee was not empowered to withhold any state-

ment or to inspect statements of witnesses who did not acknowledge its representative character. This arrangement has worked satisfactorily. The committee have handed all such written statements to me and I have examined all the witnesses indicated by it. After inspection of the remaining statements I have placed those which I consider irrelevant or unnecessary on a separate file and have not admitted them in evidence. I have also examined oral witnesses who presented themselves and did not acknowledge the representative character of the committee but those witnesses have been very few in number.

The Srinagar inquiry had not been completed at the end of the first week but witnesses had been warned to come in from Shopian and I therefore took up the Shopian inquiry at the beginning of the 2nd week. I also postponed the Anantnag inquiry until all the volunteer witnesses of Shopian had been examined. Their evidence was completed on the 3rd of December after which the Anantnag inquiry was taken up and volunteer evidence in it was completed by the 14th of December; that of Srinagar was then re-opened and volunteer evidence in it concluded by the 16th of December. Thereafter I called various persons who had not come forward voluntarily and also recalled several witnesses for further examination; ultimately the evidence was completed on 24th December.

The record of the inquiry is divided into three sections dealing with Srinagar, Anantnag and Shopian and in each case includes four parts, namely :—

- PART 1           ... English translation of the written statement of each witness followed by his oral statement. My inspection notes are also placed in this part.
- PART 2           ... Exhibits.
- PART 3           ... Original written statements in languages other than English.
- PART 4           ... Written statements of persons who were not called as witnesses.

The contents of part 4 are not admitted in evidence but a summary of their nature appears in Appendix No. 4 to this report.

Altogether 384 witnesses have been examined; 138 in the Srinagar section, 125 in the Anantnag section and 121 in the Shopian section.

### 3. General causes of unrest in Kashmir.

The report of the First Riots Committee has dealt with the underlying causes of dissatisfaction amongst Musalmans in Kashmir as well as with the proximate causes of the disturbances in July. It has also commented upon certain features of the administration in the State which it considered to have contributed towards the unrest. Commissions have been appointed under the Presidency of Mr. B. J. Glancy, C. I. E., I. C. S., to enquire into the grievances of Musalmans and others and also to suggest modifications in the State administration. Certain representatives of the Musalmans have formulated what they describe as the "demands" of the Kashmir Muslims in a memorial submitted to His Highness on the 19th of October 1931; it may be presumed that these demands were formulated after due reflection and cover all the grievances which are felt by the Musalmans in Kashmir. It is unnecessary for me to cover the same ground as has been dealt with by the Committee's report of the 24th of September. Any general discussion of the grievances real or alleged of the Musalmans would encroach upon matters referred to Mr. Glancy's Commission, and a

judicial inquiry of the nature conducted by me cannot, and does not, throw any light upon administrative problems in the State. I conclude that the terms of reference to me only cover the proximate or immediate causes of the particular disturbances concerned.

#### 4. Direct causes of September Disturbances.

Various persons who had been influencing Musalman opinion, including S. M. Abdullah, were arrested immediately after the disturbances of the 13th of July. On the 14th of July the Srinagar Riots Enquiry Committee was appointed. Two Hindu and two Mohammedan non-officials were given the opportunity of serving on it, with three Judges of the High Court, but they did not accept the opportunity and ultimately the Committee carried out its duties without their assistance, commencing on the 27th of July.

On the 28th a Kashmir Government Press Communique was published giving an account of the riots of the 13th.

S. M. Abdullah was released about the end of July on giving an undertaking not to deliver speeches likely to cause communal friction. On his release he again gave a series of speeches, though he denies the official allegation that they were of an objectionable nature. Mohammedan opinion was not placated by the appointment of the Committee and, through the intervention of Muslim sympathisers outside the State, the 14th of August was set apart under the name of "Kashmir Day" for the purpose of expressing sympathy with those injured on the 13th of July, and of organising Muslim public opinion.

In Srinagar a Notification under section 144 Cr. P. C. was issued to supplement the standing provisions of Notification No. L-2, of the 19th July 1924, which prohibits meetings and processions in public places throughout Kashmir without the previous permission of the District Magistrate. Military pickets were also posted in the City as a precautionary measure. No disturbances occurred on this day though hartal was observed and mass meetings were held in Srinagar and in other towns and villages at which speeches were delivered dealing with the events of the 13th of July and the grievances of Musalmans.

On the 15th of August representatives of the Musalmans were granted an interview by His Highness and presented a memorial, a printed copy of which is in evidence as Exhibit No. 24. The memorial is a long one and puts forward the allegations of the Mohammedans relative to the events of the 13th of July and to the circumstances leading up to them; it contains allegations that false evidence was being fabricated and that influence was being brought to suppress true evidence being given before the Committee, and it refers to the Press Communique of the 28th of July, as a premature verdict likely to influence the conclusions of the Committee.

The evidence of Ghulam Ahmad Ashai (128), Kh. Saad-ud-Din Shawl (129), Mirwaiz Ahmadullah Hamdani (131), Moulvi Abdullah, Vakil (132), Mufti Jalal-ud-Din (133), Sheikh Mohammad Abdullah (134), Mirwaiz Mohammad Yusuf (135) and Munshi Shahab-ud-Din (137) before me indicates that the Muslim representatives still adopt the same attitude that they did at the time of this memorial; Mirwaiz Mohammad Yusuf refers to a previous incident in Jammu which was investigated officially and declares that the official conclusions were incorrect, basing his own view on newspaper reports which he accepts in preference thereto. Sheikh Mohammad Abdullah and M. Jalal-ud-Din state that the proceedings of the Committee were boycotted by a large section of the Mohammedan public. These facts are beyond the scope of the present report except for the purpose of indicating the attitude of the Mohammedan leaders during August. They rejected the opportunity



of joining the Committee and some had refrained from giving evidence before the Committee, and yet, without suggesting any reasonable alternative, they chose to regard the appointment of the Committee as an added grievance. In these circumstances it can well be imagined that public dissatisfaction and unrest was steadily increasing throughout August. On the 26th of August 1931, ten representatives of the Moham-medans met the Prime Minister and an undertaking was reached which was recorded in Urdu and was signed by all concerned. This undertaking is popularly known as the "Temporary Truce", an Urdu copy has been put in by Kh. Saad-ud-Din Shawl, and a printed official English translation by the Governor; the latter is reproduced as Appendix No. 5 to this report. Mohammedan witnesses have challenged the correctness of the translation but I can find no error of any significance. The signatories to this Truce were asked to notify its terms to the public for which purpose a meeting was held in the Jama Masjid on the 28th of August; they now state that the public was disappointed because the terms did not deal with the underlying grievances of the Musalmans but only with matters arising out of the agitation and its causes; that this should be the case is not surprising.

After the signing of the Truce there was a temporary lull in agitation but from the 13th of September onwards Sh. Mohammed Abdullah started delivering further speeches which were considered by the authorities to be inflammatory and seditious. From Sh. Mohammed Abdullah himself and from his colleagues, we learn that the speeches delivered in September were to the effect that the people should keep the peace although the terms of the Truce had been broken by Government; from a mass of evidence we find that the illiterate public was firmly convinced that the Government had in fact gone back on its undertakings of the 26th of August.

The representatives have alleged before me that in September they were preparing a complete list of the alleged breaches of the Truce by Government and that they were negotiating with the Governor concerning these alleged breaches; they, however, had not presented that list to the Governor before Abdullah was arrested on the 21st of September and fresh disturbances broke out.

The terms of the Truce show "*inter alia*" that the leaders were to endeavour to preserve a calm atmosphere pending the decision on demands which had not at that time been formulated. It is admitted that no demands were presented until the 19th of October and hence speeches of an inflammatory nature before that date can only be regarded as a direct breach of the conditions.

On the other hand Government undertook to suspend pending legal action undertaken for suppression of agitation and also to reconsider the cases of officials who had been punished for their connection with it. It is obvious that both of these terms, which it is said that Government failed to observe, demand some time for being put into effect. The representatives appear to think that Government should have reinstated all officials immediately and without further consideration of their cases.

The mere fact that negotiations with the Governor were still pending shows that the Government had not broken its terms though possibly action in accordance with them may have been unduly delayed. In my opinion the representatives should have handed in the list of alleged breaches and given Government a reasonable time in which to pass orders on each before they were justified in alleging that Government had failed to fulfill its promises.

Speeches accusing the Government of perfidy cannot but have an inflammatory effect even if accompanied by an exhortation to keep the peace.

Only two specific cases of alleged breach have been brought to my notice in evidence. The first is that a Mohammedan police official who had been conducting the investigation into the destruction of the Sangam Bridge was replaced by a Hindu official whom the Muslims regard as being inimical to their interests and that thereafter some Mohammedans were arrested in connection therewith. I am quite unable to see that such action on the part of the Government is in any way a breach of the Truce, for Government had never undertaken to drop investigations into specific crimes. The allegations if based on fact would certainly tend to embitter Muslim opinion but could not be cited as a breach of the Truce.

The 2nd instance is that when some representatives went to Anantnag to announce the terms of the Truce they found that one Ghulam Mohammad of that place had been sentenced to imprisonment by the local Munsiff that very morning, for having failed to furnish security under section 107 Cr. P. C. The Governor happened to be present on this occasion and, after telephonic communication with the Prime Minister, it was arranged that security should be given and Ghulam Mohammad released.

As Ghulam Mohammad had been sentenced before the announcement of the Truce by the representatives at Anantnag there could be no question of suspending his trial under Clause I, of the Government concessions. A Judicial officer having passed a final order has no power to review it, it can only be set aside by higher judicial authority or by direct executive action and in neither case could this be done upon the spot. The solution which was arrived at appears to me to have been the most suitable temporary solution, it involved no hardship to Ghulam Mohammad and enabled him to be at liberty until further action could be taken. It is true that there are allegations that the trial was rushed through and not properly conducted but if these are based on fact they form a grievance against the particular Munsiff concerned but not against the Government and one which can be remedied by legal action.

Presumably the two alleged breaches cited are those which impress the representatives most; that they are without solid foundation indicates that the others may also be of an imaginary nature; whether this be so or not, it is evident that a campaign of speeches accusing the Government of perfidy was in itself a breach of the Truce and left the Government no alternative but to take measures for its suppression. Hence by September 21st the position was that the public had not been placated by the measures taken for enquiring into the original grievances and had been further enraged by premature announcements that Government had broken its agreement with their representatives; and on the other hand, Government was faced with a fresh form of agitation which it was bound to suppress.

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## SRINAGAR SECTION.

## 5. Arrest of S. M. Abdullah and events on 21st September 1931.

On the 19th of September the Mohammedan representatives met at the house of Saad-ud-Din Shawl and from there went to the Governor to discuss alleged breaches of the Temporary Truce. The discussion was not completed and on the 21st of September some of the representatives again went to see the Governor whilst others, including S. M. Abdullah and M. Jalal-ud-Din went into the city to make certain collections of money. S. M. Abdullah and M. Jalal-ud-Din were arrested by the Deputy Inspector General of Police about 11 or 11-30 A. M. Other representatives heard of this whilst still with the Governor but did not question him about it.

Immediately Abdullah's arrest became known in the city the Musalmans closed their shops; a crowd assembled round Abdullah's house where two Magistrates (3 and 125) were present to conduct a search; this search was prevented by the crowd until the arrival of Mirwaiz Mohammad Yusuf about 4 o'clock who told the crowd to disperse and himself remained present during the search. From two Mohammedan witnesses (94 and 130) it appears that the Mirwaiz told the crowd to go to the Jama Masjid and that they went in a procession under the leadership of Abdul Samad (130) and that after arriving in the Jama Masjid they were told by the representatives, inside that building, to come again at 8 or 10 o'clock next morning. Ghulam Ahmad Ashai and Mirwaiz Mohammad Yusuf and Khawaja Saad-ud-Din met at the house of the Mirwaiz and the latter states that on his way through the city he had told the people to keep quiet and to come to the Jama Masjid next morning. These representatives now set out to see the Governor to ascertain the facts regarding Abdullah's arrest. They state that outside the Jama Masjid they found a very large number of Musalmans whom they persuaded to go home telling them that they were about to visit the Governor and would notify the result to the public at the Jama Masjid at 10 A. M. next day. According to this group of witnesses the crowd of people outside the Jama Masjid had collected of their own accord but I have already given reasons for believing that the people had collected under the express directions of the Mirwaiz himself. In the afternoon of this day a procession of women was stopped by the Police in the Maisuma Bazar and on this occasion the Deputy Inspector General of Police (3), the Superintendent of Police (4), the City Magistrate (6) were all present. The women became abusive and were joined by men some of whom commenced throwing stones. Four men were arrested and ultimately the Fire Brigade was requisitioned and dispersed the women by playing water upon them. After the crowd had been dispersed some Cavalry were directed to patrol the Bazar to prevent further disturbances. Five women (113-117) allege being injured in the Maisuma Bazar. Some of them mention the use of the Fire Brigade whilst others allege that they were lanced by Cavalry. None admit being in a procession and none can give any reason for the alleged attack upon them; each states that she was alone at the time when she was attacked. Only one of these women has been seen or treated by any medical man, this one being Mussammat Rahmi (117) who alleged being speared on the head. She alleged that she was seen inside her house by Colonel Hugo (25) on the next day. Colonel Hugo has given a complete list of women seen by him and Mussammat Rahmi would appear to be the one whom he names Mussammat Rahnis, in which case his evidence shows that she had a very slight wound on her head probably caused by a fall.

Malik Mohammed Aslam Khan (76), a Barrister from the Punjab, alleges seeing the women being dispersed. He does not mention the presence of the Fire Brigade but alleges that the Cavalry charged the women who bared their breasts inviting death. He states that one

woman was knocked down three times and rose up each time although wounded. This same story is repeated second-hand by Ghulam Ahmad Ashai, but witness No. 76 is the only person who came forward to give direct evidence about it. The woman herself has not appeared as a witness and no such woman has been seen by any of the Doctors who were called as witnesses although after making inquiries I summoned every Doctor whom I believed to have treated any injured person. After a comparison of the evidence regarding the dispersal of this procession I can find no reason to disbelieve the account given by the officials that it was stopped by the Police and ultimately dispersed by the Fire Brigade without the use of unnecessary force.

At much the same time a crowd of children appears to have been dispersed near Gao Kadal by the Police. Conflicting accounts of these two incidents are given by Mohammedan witnesses. A small boy (112) alleged that he was chased by Cavalry close to the Maisuma Bazar and received three lance thrusts on the head that he was then taken in an unconscious condition to the Jama Masjid where he was seen by the Mirwaiz and later was treated by Doctor Abdul Wahid (80). This boy's evidence is supported by that of another boy (62) who places the scene of occurrence at Gao Kadal. The Mirwaiz has not mentioned seeing the wounded boy at the Jama Masjid and Doctor Abdul Wahid has put in a complete list of patients treated by him, which does not include the small boy. He was however seen by Colonel Hugo next day and had one slight contused wound on the head, probably caused by a lathi. His own account is evidently grossly exaggerated.

Thus on the 21st of September, after the arrest of S. M. Abdullah, a hartal was observed. Two processions, one of women and one of children, were dispersed and a third procession managed to go from Abdullah's house to the Jama Masjid. People were directed to attend the Jama Masjid next morning and the city was in a state of excitement. In addition from a Police official we learn that it was reported that a procession had been arranged to leave the Jama Masjid and go round the city on the following morning. There is no evidence to show that the Police reports were correct on this point but it is supported to some extent by the evidence of a pleader of Lyallpur (75) who tells us that he went to the Jama Masjid on the 22nd understanding that there was to be a meeting and hearing a rumour that there might possibly be a procession.

#### **6. Events at the Jama Masjid on the 22nd of September.**

*(See Plan No. 1 in Appendix 1).*

The authorities anticipated that a demonstration would be made at the Jama Masjid and that a procession would be taken out from it during the course of the morning of the 22nd. Police and a Military force consisting of two sections of Cavalry and two platoons of Infantry were sent to the spot early in the morning and assembled on the Gandarbal Road which overlooks the outer courtyard of the mosque upon its eastern side. Between 7 and 9 A. M. the following officials amongst others reached the spot:—

The Governor (1).

The Inspector General of Police (2).

The Deputy Inspector General of Police (3).

The Assistant Superintendent of Police (5).

Brigadier Onkar Singh (10).

Khan Bahadur Abdul Majid Khan, Director of Agriculture and Co-operation (138).

As each arrived they went to the Nauhatta Police Post which lies up a lane east of the Jama Masjid, from the top storey of this Post small portions of the Gandarbal Road and of the Eastern side of the outer compound are visible but the position is one from which it is impossible to observe what may be happening round about the mosque. The Governor was in charge of the situation. The Brigadier was in command of the troops and the Inspector General in command of the police. From the evidence of all these officials it is clear that no plans were discussed as to what measures should be taken if the expected procession issued from the mosque and that the troops and the police were left standing on the Gandarbal Road without being posted to any strategic points and without any official being with them competent to pass orders in case of emergency. The Governor's explanation of this extraordinary procedure is that a procession was not expected to leave the mosque until noon and that he had ascertained that no leaders were present at the mosque who might be expected to organise a procession. The public were assembling at the mosque throughout this period. At 9 o'clock a messenger came to the Police Post shouting that a procession had started. The officials ran down and saw a procession passing along the eastern side of the mosque from South to North and concluded that it had issued from the Southern door of the mosque. Members of the procession were shouting political slogans and were waving their turbans in the air but they were not armed with any weapons. The Governor directed a force of police to go down into the compound by the North-East entrance and to stop the procession from in front. The balance of evidence shows that at that time the only door of the mosque which was open was the main door on the South side. The procession was thus between an outer wall of the mosque on one side and the wall below the Gandarbal Road on the other, on which road the Military forces were drawn up. Being met by the police they could only retire or break through. Some of them broke past the police and gained the Northern side of the mosque. The police were now engaged in pushing back the remainder towards the South and became involved in difficulties. Considerable numbers of the crowd assembled in the Eastern porch of the mosque and it is said that they threw stones from a heap which was lying close to it. At this juncture the Governor directed a section of cavalry to disperse the mob. The only entrance to the compound practicable for cavalry is that on the South-East. A section entered at this point and rode along the Eastern face of the mosque and then back again; this helped to disperse the people and the police were able to make their way southwards towards the South-East corner of the mosque. Here it is said that they were met by further members of the procession coming along the southern side of the mosque who threw stones at them and forced them to retire to the South-East gate of the compound. Khan Bahadur Abdul Majid Khan advanced towards this latter crowd, which he himself described as a crowd of youths, and endeavoured to persuade them to go back into the mosque without success. Other officials were behind him and several were hit with stones including the Governor. At this point the Governor directed that the cavalry should ride down the Southern side of the mosque to disperse the crowd. Two sections did so. Both reached the South-West corner of the compound and one returned whilst the other is said to have been hemmed in by the people and to have been stoned by those people and also by other people on the high ground to the South. At that time the outer Southern wall of the compound had not been built and a steep bank ran up from the compound to the foot of the houses which are situated on the South. Seeing that one section

of the cavalry was in difficulties the Brigadier detailed two platoons of infantry to proceed along the top of this high bank to dislodge the persons who were standing on it. These platoons were thus on a narrow ledge of high ground with houses on their left and a sloping back down to the compound on their right. They were cut off and were stoned from the houses. Subedar Attar Singh (18) who was in command of one of the platoons threatened to open fire but without effect and, seeing his men in danger, detailed two men to fire one round each; this enabled both platoons to leave their dangerous position. They went down the slope into the compound in order to regain the main body through the South-East gate-way.

But the rear-most platoon under Captain Babarwahan Singh (17) was cut off by the crowd when passing between two buildings which stand in the compound not far from the South-East gate-way. Stones were again thrown at his men and he was forced to open fire. On this occasion two men fired two rounds each. Thereafter the platoon was able to join the main body. The crowd remained in the compound and still threw stones towards the police at the entrance in the South-East. After an interval Yahaya Khan, a relative of the Mirwaiz, arrived and at the request of the Governor he argued with the crowd who thereupon ceased their activities and retired into the mosque. As a result of the cavalry charges and the firing three men were killed and several were wounded and these were taken inside the mosque. Some time after this a party of Musalman leaders, including the Mirwaiz, arrived and went into the mosque.

The above account is gathered from the evidence given by a large number of official witnesses; there are many discrepancies in their various stories but they appear to be discrepancies arising through lack of observation; on the whole the story is consistent and each testifies as to that part of the events which he himself saw.

A very large number of Musalman witnesses have given their account of these events; the majority of them are very confused and indefinite as to what happened; but all insist that no stones were thrown upon the troops or officials. Many lurid accounts are given as to the exact manner in which the three persons were killed but these are very contradictory and many of them are obvious fabrications. A large number of these witnesses allege that there was no procession at all and that the cavalry charged the people who were moving about in groups, but another large section allege that a procession had just arrived at the mosque from the city and had entered the South-East gate of the compound and was going along the Eastren side when it was charged from the rear by the cavalry. Several witnesses allege that they were in this procession which had come from Khankah-i-Maula and, in particular, Abdus Samad (130) alleges that he had led that procession through the city from that place.

Official witnesses were closely examined as to their reasons for believing that the procession was coming out from the mosque and their replies were not consistent or satisfactory. Khan Bahadur Abdul Majid Khan definitely states that the procession came from the city. On their arrival from the Police Post these witnesses could only see the Eastern face of the mosque along which the procession was going from South to North, it is doubtful whether they could really see that the hinder part of the procession was coming round the South-East corner of the mosque and not from the South-East gate-way of the compound. In this connection the evidence of a Sub-Inspector C. I. D. (9) is most important. The written statement put in by him was a copy of a report made by him on the 30th September, but, when he appeared before me on the 16th of November, he produced a second written statement saying that the former was incorrect. His replies under examination as

to why his report of the 30th September should be incorrect were most unsatisfactory and I am convinced that he retracted his former statement merely so that his story should fit in with that given by the high officials of the State. His earlier written statement contains the allegation that some two thousand persons came in a procession from the side of Maharajganj whilst his latter statement alleges that the procession issued from the South door of the mosque. It appears that he was standing on the Gandarbal Road and that it was he who ran to the Police Post to warn the authorities. After consideration of the mass of conflicting evidence on the point I am of the opinion that the procession which was stopped inside the compound was one which had just entered the compound by the South-East gate and not one which had just left the mosque by the Southern door. I, however, see no reason to doubt that the authorities who had been out of sight in the Police Post were under the genuine impression that it was a procession which had come out from the mosque.

The majority of Musalman witnesses have alleged that there were regular cavalry charges in which lances were used and that there was a great deal of uncontrolled firing. The official version is that the cavalry were used to disperse the crowd but were not directed to attack them with their lances and also that only six rounds were fired and these in self-defence. The results as revealed by medical evidence support the official version and entirely refute the allegation that charges with levelled lances were made or that there was much firing. Moreover all the military officers who gave orders for firing and all sepoy who actually fired have been examined by me and there is also a great deal of evidence regarding the subsequent inspection of ammunition. At that inspection six empty cases were given up, one cartridge was accidentally discharged whilst unloading and in addition five cartridges together with a clip, in which they were held, were missing. A suspicion might arise that those five cartridges had been fired and the empty cases thrown away but, in view of the remarkably small number of injuries caused by rifle fire, I see no reason to doubt the evidence that a clip of live cartridges was dropped by a sepoy when loading.

In regard to the stone throwing by the crowd, a majority of official witnesses allege that it commenced directly the police barred the way of the procession but all agree that the stone-throwing was heaviest later on when the crowd had been driven from the Eastern side and were assembled on the Southern side of the mosque. Khan Bahadur Abdul Majid Khan (138) indicates that stones were not thrown during the dispersal of the procession on the East side of the mosque but that they were thrown, after an interval, by a crowd of youths from the Southern side of the mosque towards the police and troops on the South-East. The fact that several soldiers and policemen were wounded and several officials including the Governor were hit by the stones is satisfactorily proved. Brigadier Sutherland and Colonel Hugo who reached there after the disturbance was over, noticed a large number of stones scattered in the compound and subsequently the former saw them being cleared away by people who came out of the mosque to do so. The evidence leaves no doubt in my mind that stones were freely thrown at officials, police and military along the Southern side of the mosque.

It has already been seen that the Mohammedan representatives had told the Musalmans to collect at the mosque but that they were not present during the disturbance. Those who have appeared as witnesses have stated that they met about 9-30 to discuss the appointment of a successor to S. M. Abdullah and other matters connected with the circumstances which had arisen. It was whilst they were having this meeting that they heard the sound of firing and sent Yahaya Khan to enquire what had happened. Later they came in a body to the mosque; but according to the evidence of official and other witnesses

they must have delayed long after the firing before they came. There is little discrepancy as to the course of events after their arrival. Three corpses had been brought into the mosque from the compound and there were also six wounded persons. The crowd remained inside the mosque in an angry state and speeches appear to have been made. The leaders wished to take the corpses for burial in a procession but this was not allowed by the authorities. During the course of the afternoon various Europeans and Mohammedan officials went inside the mosque including Dr. Mackenzie of the C. M. S. Hospital, Colonel Hugo, Director of Medical Services, Mr. Avery, Col. Nawab Khusru Jung, Minister-in-Waiting, Kh. Salam Shah, Assistant Governor, and from their evidence it is clear that the temper of the crowd gradually subsided. Brigadier Sutherland came post-haste from Gulmarg but reached the Jama Masjid after the disturbance was over. He remained there on duty till the evening and heard the sound of applause showing that speeches were being delivered inside the building. During the course of the afternoon two dead bodies were brought to the mosque from Maisuma; one being brought by Colonel Hugo from the State Hospital and the other being brought by Musalmans. A woman, who was said to be dead, was also brought from Maisuma but when examined by Colonel Hugo was found to be suffering from a wound on the foot only, and was then sent back. This incident would appear to show that an attempt was made to exaggerate the number of persons killed.

From numerous Mohammedan witnesses and more particularly from Ghulam Ahmed Ashai we hear that during the course of the afternoon a Pandit was found inside the mosque dressed as a Musalman and was turned out. A few witnesses have alleged that he had been throwing stones, the implication being that he was a Government "agent provocateur". There is no credible evidence to support this allegation and I attach little significance to this event; possibly he was a C. I. D. employee observing the events inside the mosque.

No agreement had been reached regarding the disposal of the dead bodies by nightfall; the crowd then left arranging to re-assemble next morning; the troops were withdrawn and the night passed quietly.

#### 7. Events elsewhere in Srinagar on the 22nd of September.

*(See Plan No. 2 in Appendix 1).*

Mr. Thappa, Superintendent of Police (4), and Pandit Bhim Sain, Magistrate (6), were on duty together patrolling the city on the 22nd. The former saw a procession of boys about 8-30 A. M., at Shadid-Ganj which he dispersed with the help of Police without using force.

About 9 o'clock both these officials met a large crowd of men and women making their way towards Amira Kadal from the Maisuma Bazar. These had been held up by some policemen and had commenced throwing stones; they had assaulted two constables and a Municipal Commissioner (54) had been hit on the head by a stone; they were dispersed with some difficulty by the police. Thereafter the same women collected in a by-lane and had to be dispersed a second time.

After this these two officials dispersed a procession of women which they found making its way from Habba Kadal towards the Jama Masjid.

Later in the morning they found a large crowd of men and women approaching Gao Kadal and ascertained that these had assembled at Basantbagh and had assaulted a cavalry patrol which was passing by. The women are said to have beaten tins in order to frighten the horses and to have pelted the sowars with stones. One of the women, Mussammat Faizi, had suffered an injury to her foot and was being carried



on a charpoy when these two officials met the crowd. The crowd was dispersed by the police but according to the Superintendent of Police the injured woman was taken by some of her friends in a "shikara" to the Jama Masjid.

In regard to the clash between women and cavalry at Basantbagh five Mohammedan witnesses (15, 59, 72, 122, 123) have stated that a few women were drying rice which they had spread out at the side of the road in Basantbagh when the cavalry passed by and rode through them before they had time to get away, with the result that four women were injured. On the other hand a school boy (62) has stated that at 8 A. M., at Basantbagh he saw two processions one of children and another of women, and it is far more likely that women sustained injuries whilst in a procession than when peacefully drying rice. The injuries were quite slight except in the case of Mussammat Faizi, who is the woman who was seen by the two officials being carried on a charpoy; on reaching the Jama Masjid she was examined by Colonel Hugo, who found that she only had one wound which was on her foot. He told her relatives to take her home and gave them a "chit" to insure their safe passage.

Pt. Prem Nath, Superintendent of Police (12), was at Maharajganj when he saw a large crowd accompanying this woman's charpoy. He was shown Colonel Hugo's note and he told the relatives that they could take the woman to Hospital but he dispersed the remainder of the crowd with the help of a police force. Thereafter he heard that the crowd had reformed and was going to Gao Kadal to which place he went with L. Bodh Raj, a Magistrate (8), in a Police lorry. Meanwhile the crowd having reformed crossed Gao Kadal and entered Maisuma Bazar. Mr Thappa (4) and Pandit Bhim Sain (6) were in Maisuma Bazar, saw the huge crowd approaching and sent some police and a cavalry patrol to disperse it. The cavalry appear to have ridden through the crowd towards the Gao Kadal but their horses were frightened by the noise and one sowar was unhorsed. The police also managed to get through the crowd but were pelted with stones and constable Makhhan Singh was knocked down. Whilst this was happening two police lorries arrived at the Gao Kadal end of the Maisuma Bazar; the first contained Pt. Nand Lal Mattoo, a Magistrate (13), and a Sub-Inspector of Police (14), accompanied by constables. Seeing the cavalry emerge from the crowd apparently in flight and seeing the crowd pelting the police who were running towards them, they stopped the lorry and appear from their evidence to have hesitated without knowing what to do; but at this moment a second lorry with some more police under Superintendent Prem Nath (12), and Bodh Raj, Magistrate (8), came to the same spot. Superintendent Prem Nath describes the cavalry and the police who were running away as being panic-stricken. L. Bodh Raj immediately ordered his party to advance and it was followed by that of Pt. Bhim Sain. As they advanced they saw the fallen constable being pelted with stones in the middle of the road. They could not approach his body as the crowd also threw stones towards them. L. Bodh Raj, then directed Pt. Prem Nath, to order the police to fire. The Superintendent's party fired eleven shots whilst the other party under Pt. Nand Lal Mattoo, are said to have fired two shots. The crowd dispersed into the by-lanes and the stone-throwing stopped. Mr. Thappa and Pt. Bhim Sain, were now able to join the two parties which had opened fire. The fallen sowar and constable were picked up and were sent to the State Hospital together with a man, Samdu, who was found sitting at a shop with a gunshot wound in his abdomen. They were also accompanied by policemen who had suffered minor injuries. It was then heard that a dead man was inside the mosque adjoining Maisuma Bazar. The people would not let the officials go in and a guard was placed in front of the mosque but, sometime later, it became known that the body had been removed

through the back of the mosque and had been sent to the Jama Masjid, by Mohammedans. At this point, Colonel Hugo came from the Jama Masjid, where he had heard of the firing, with the intention of taking any dead persons there might be to that place, so that there might be only one focus of potential trouble. He was not allowed to go inside the Maisuma mosque and he is under the impression that the body had been removed before he arrived. He examined and treated two boys who had been wounded in the bazar and then saw Mussammat Rahmi and Ghulam Mahi-ud-Din in their houses both of whom, we now know, had been injured on the previous day. No more injured could be found at Maisuma and he went to Basantbagh where he was admitted into various houses and saw four injured women. He also saw Mussammat Faizi, whom he had already treated at the Jama Masjid. Her relatives informed him that the chit which he had given to them had been torn up by a Magistrate, an allegation which has been repeated by witnesses at the inquiry. He next went to the State Hospital and found that Samdu had died after arrival there and removed the corpse in a lorry, handing it over to the Musalmans at the Jama Masjid. The evidence of the witnesses noted above is corroborated by that of a Jamadar (22) in charge of the cavalry patrol and that of the sowar (21) who was knocked off his horse. The two boys Ismail (39) and Nabir Dar (111), who were wounded as the result of the firing have appeared as witnesses but add nothing of importance. A Mohammedan witness (50) who saw the incident from some distance alleges that, after most of the firing was over, he saw one constable fire towards the mosque. He says that he helped to disperse the remnants of the crowd and asked them not to throw stones. It was he who first discovered the wounded man Samdu. After this he and another man went into the mosque and found a dead man lying in the lavatory which has a small window over-looking the bazar. When he had come out of the mosque a guard was placed in front of it but he subsequently arranged for the removal of the body through the back window. Another witness (60), appears to have accompanied him into the mosque and to have assisted in the removal of the body. I see no reason to doubt the statements of either of these witnesses, but it is otherwise with the statement of a school boy (62), who alleges that he saw one Faqir Ali come to Maisuma on a bicycle which he left at a shop and then go into the mosque and that after the main firing was over he saw the shop-keeper point out Faqir Ali who was then at the lavatory window to a constable who immediately fired at him. This boy witness has told a most detailed story alleging seeing almost everything that happened in Srinagar throughout 21st and 22nd of September. On several points he is contradicted by more credible witnesses and I am convinced that his story is a mere fabrication. He also tells us that he put a lock on the door of the mosque to prevent the officials entering, but a woman appears as witness (120), who also alleges having placed a lock on the door and her statement is one which appears to me to be far more likely to be true. That the man in the mosque was Faqir Ali is satisfactorily established by the widow (72), who identified his body after it had been taken to the Jama Masjid. Other witnesses who have mentioned the affray in Maisuma Bazar have either given confused accounts or have added nothing worthy of mention.

Another incident of this date is that a Sikh policeman, Maya Singh, was badly wounded in Panda Mohalla. News of this reached the authorities who were at the Jama Masjid and some police were sent who brought him there in an unconscious state together with some blood-stained rice pestles and stones with which it was believed he had been beaten. He was seen at the Jama Masjid by Brigadier Sutherland, by the Inspector General of Police, and by two other police officers. No satisfactory account of how he met his injuries has been produced before me. One Mohammedan witness (34) gives a palpably false story that he saw a party of policemen attacking some women and children in Panda

Mohalla and that one was hit by the lathis of his companions by mistake.

A further incident mentioned by Sub-Inspector Pandit Jia Lal (9), and Assistant Superintendent of Police (5), is that the house of the former was set on fire about midday. The evidence on the point is not such as to preclude the possibility of the fire being accidental.

### 8. Medical Evidence and Inspection Notes.

(See Plans 1 and 2 in Appendix 1).

With the assistance of the Director of Medical Services I endeavoured to obtain a complete list of medical practitioners, official and non-official, who had treated persons injured in Srinagar during the disturbances and I examined all as witnesses; they include Colonel Hugo, Director of Medical Services (25), Doctor Mackenzie, C. M. S. Hospital (68), Doctor Bhalla in charge of the State Hospital (51), Doctor Lachman Koul, Rainawari Dispensary (79), Doctor Abdul Wahid, private practitioner (80) and two Compounders at Doctor Abdul Wahid's Dispensary (87 and 88). The Principal of the Rainawari C. M. S. Zenana Hospital informed me by correspondence that eleven men had been given first aid at that institution but that no record of their cases had been made and that they were all sent on to the C. M. S. Hospital for further treatment; she was not called as a witness and it may be presumed that the eleven cases are included amongst those mentioned in Doctor Mackenzie's evidence.

The total list of those killed and wounded on the 21st and 22nd of September in Srinagar, who were examined and treated by these witnesses, is as follows:—

*At Masuma on the 21st.*—One woman bruised probably by a fall; one boy wounded on the head probably by a lathi; both were examined by Colonel Hugo on the 22nd in their houses.

*At Basantbagh on the 22nd.*—Four women bruised one being rendered unconscious; all four examined by Colonel Hugo at their houses on the 22nd; in addition Mussammât Faizi was wounded at this place and was first seen at the Jama Masjid by Colonel Hugo and then at her house on the same day by him; she was taken to the C. M. S. Hospital on the 23rd where she remained as an in-patient till the 2nd of December. She had an incised wound on her foot of a peculiar nature; both Colonel Hugo and Doctor Mackenzie consider that it was most probably caused by a piece of jagged tin or broken bottle; the latter thinks it might be the result of a lance-thrust, as alleged by the woman herself, but the former does not consider that this is possible.

*Wounded at Amira Kadal on the 22nd.*—A Hindu Municipal Commissioner who was hit by a stone on the face; he was examined at the State Hospital on the day of occurrence; the injury was slight.

*Wounded at Fateh Kadal on the 22nd.*—One Head-constable and two constables; these were all treated at the State Hospital and were suffering from contusions which were not of a serious nature.

*Wounded at the Jama Masjid on the 22nd.*—Two men killed by rifle fire and one by a lance; six wounded; also five constables wounded, one severely.

Dr. Mackenzie and Colonel Hugo both came to the Jama Masjid after the firing was over and went inside to attend to the wounded. The former arrived first and treated the wounded of whom there were six. These six people alleged that their wounds had been sustained as

follows :—

One by being trampled under a horse's hoofs; one by being hit with the butt of a rifle; one as the result of firing and three by being lanced. Dr. Mackenzie is of the opinion that one of the men who alleged being hit by a lance and the man who alleged being fired upon were both wounded by splinters of stones, probably the result of ricochet. In the other four cases he considers that the wounds corroborated the alleged cause. Dr. Hugo examined the three dead bodies. Two had been killed by direct rifle fire and the third by a wound in the left shoulder which was probably caused by a lance though it might possibly have been the result of a ricochet. Four constables who had suffered contusions probably caused by stones were examined at the State Hospital. The fifth had a large number of head wounds and was taken to the Rainawari Dispensary in such a serious condition that he was retained as an in-patient for five weeks.

*Wounded at Maisuma and Goa Kadal on the 22nd.*—Two men killed by gun-shot; two boys injured by buck-shot; three Head-constables and ten constables injured, one severely.

Samdu, a very old man, was found lying at a shop in Maisuma after the firing with a gun-shot wound in the abdomen. He was taken to the State Hospital and died shortly after admission. His body was afterwards taken from the Hospital to the Jama Masjid by Colonel Hugo. The wound appears to have been caused by buck-shot at fairly close range.

Faqir Ali's corpse was found in the mosque at Maisuma Bazar. It was conveyed by the Musalmans to the Jama Masjid where it was examined by Colonel Hugo. The cause of death was a wound in the forehead probably caused by buck-shot at close range.

The boy, Nabir Dar, was found at Maisuma by Colonel Hugo and afterwards treated both in the State Hospital and by Doctor Abdul Wahid. He had a buck-shot wound above the left eye. The boy, Ismail, was also found at Maisuma by Colonel Hugo and was afterwards treated both by Doctor Abdul Wahid and at the C. M. S. Hospital. He had five buck-shot wounds scattered over the face and chest. Both these boys have recovered and have appeared as witnesses.

The three Head-constables and ten constables were all treated at the State Hospital. In the majority of cases their wounds were slight but a constable, Makhani Singh, who is said to have been knocked down and stoned, had three cuts on his head and face in addition to other injuries.

*Wounded at Panda Mohalla on the 22nd.*—Two Hindu non-officials slightly injured; one constable severely injured; all these were treated at the State Hospital.

The two Hindus had slight contusions. The constable, Maya Singh, was brought in with numerous wounds on the head and was admitted as an in-patient in an unconscious condition and was treated for one month. This is the man who was brought to the Jama Masjid from Panda Mohalla; there is no satisfactory evidence as to what had occurred in that place.

*Wounded at Shahid Gunj on the 22nd.*—One Mohammedan suffering from the blows of sticks was treated at the State Hospital. There is no evidence before me as to how the injuries were sustained.

*Inspection Notes.*—I made inspections in Srinagar on various dates and recorded notes which are on the record. At my first inspection of the Jama Masjid I was shown various alleged bullet marks on the mosque which appeared to be of a most doubtful origin; not trusting to my own judgment, I carried out an experiment at the local rifle range where a dressed stone of similar nature to that used in the building of the Jama Masjid was set up by Mr. Avery who has carried out the restoration of the building. Shots were fired at this stone in my presence from various distances covering all possible distances from which shots could have hit the Jama Masjid; the ammunition and rifle used were certified by Colonel Sutherland to be of precisely the same pattern as those in the possession of the infantry on the 22nd of September. In all cases the mark made by the bullet was of a very distinctive character. I again visited the Jama Masjid and I was satisfied that the only marks on it and the surrounding buildings which could have been the result of rifle fire were as follows:—

One low down on the South face of the mosque, between the centre and the South-West corner.

One high up towards the Western end of the South face of the mosque.

One high up on a house over-looking the mosque compound from the South.

The first two could have been caused by bullets fired from the high ground on the South which, according to the official story, was the first position from which there was any firing. The third could have been fired from the narrow passage between the two buildings in the mosque compound which was the second position of firing indicated by the official evidence. I may note that there is a mass of evidence which satisfies me that one of the men killed by rifle fire was close to a water-tap on the high ground South of the mosque; this water-tap is in a straight line between the mouth of the passage from which firing is said to have taken place and the third mark mentioned above.

I inspected the Maisuma Bazar on the 22nd of November. The mosque adjoins the bazar; the lavatory in which Faqir Ali's body is said to have been found is a small square closet with a window overlooking the bazar; the opening of the window is covered with wire netting of  $\frac{3}{4}$ " mesh. The interior of the closet is of wood work; there were no marks of shot upon this. The window is nine feet above the level of the bazar and is surrounded by a wooden frame work; there were no marks of pellets on this frame work and the wire netting was intact. At a subsequent visit I noticed that a hole had been made in the wire netting, whether intentionally or by accident I cannot say. From Colonel Hugo's evidence, Faqir Ali must have been shot with buck-shot at very close range. In this case it seems impossible for the shot to have passed through the wire netting without tearing it; on the other hand buck-shot at any considerable range would have scattered and, if directed at the lavatory window, would probably have marked both the wooden surrounding of the window and the wooden interior of the closet.

There were marks of buck-shot on some wooden shop fronts in the bazar and there were similar very definite marks on a wooden paling in a side lane fifty three yards from the bazar itself; I found lead in some of the marks on this paling. There were also some marks of less definite character in another lane thirty yards from the bazar. I am satisfied that at least one shot must have been fired down a side lane at the time of the firing in Maisuma Bazar.

### 9. Conclusions regarding events of the 21st and 22nd September 1931.

In view of the fact that he was repeatedly informing the Moham-  
 medan public that the Government had broken the terms of the Truce,  
 I consider that the arrest of Mohammad Abdullah on the 21st of Sep-  
 tember was forced upon the authorities and was a necessary measure.  
 His arrest led to an immediate hartal and processions of women and  
 children paraded the streets probably with the intention of spreading  
 the hartal and increasing the public excitement. They were dispersed  
 without much difficulty, the most determined crowd being dispersed  
 by the Fire Brigade. I am unable to find that any unnecessary force  
 was used and no serious injuries appear to have been caused to the  
 people participating. On the 22nd a huge crowd collected at the  
 Jama Masjid and this was the result of instructions issued  
 by Mirwaiz Mohammad Yusuf, Saad-ud-Din Shawl and other leaders.  
 It is doubtful whether the people had been told to collect at  
 8 o'clock or 10 o'clock, but none of the leaders went to the  
 Jama Masjid at the time when they all knew that a crowd  
 must be collecting there. I consider that this was an irres-  
 ponsible omission on their part; they had taken steps to assemble  
 an excited mob but they neglected their elementary duty towards the  
 people, who regarded them as leaders, of being present to control  
 and advise them. The authorities had full knowledge of the intended  
 meeting and anticipated that a procession would be taken from the  
 Jama Masjid to the city. Such a procession would have involved the  
 gravest danger to the public peace and it was the duty of the authorities  
 to prevent it at any cost. It however, is most regrettable that all  
 the high officials of the State who went to the spot left the imme-  
 diate vicinity of the Jama Masjid and thus remained in ignorance  
 of the progress of events. I also consider that the civil and military  
 authorities on the spot should have taken the elementary precaution  
 of guarding the approaches and exits of the outer compound instead  
 of allowing the people to assemble without hindrance. When these  
 officials were summoned from the Police Post on an alarm being  
 raised, they saw a procession inside the outer compound; I believe  
 that procession had just arrived from outside but that the officials  
 were under a genuine belief that it was about to come out and parade  
 the city. Even so, I consider that they should have guarded the  
 exits of the compound and should not have used force until an  
 attempt was made to come out. In this connection I note that the  
 Governor himself has told me that he considered it his duty to stop  
 the procession whether it were going in, coming out or merely  
 going round the mosque but I am unable to agree; once the people  
 had been allowed to collect the only additional danger to be  
 prevented was that of a mass procession through the city. The first use of  
 force included an attempt to stop the head of the procession by the use  
 of police and thereafter to disperse it by a section of cavalry which  
 proceeded up and down the East side of the compound. During this  
 phase I am satisfied that nobody was seriously hurt. Eventually this  
 particular crowd was dispersed, the cavalry retired to the Gandarbal Road  
 and the police to the South-East corner of the compound. After this I am  
 satisfied that a crowd of persons on the Southern side of the mosque attack-  
 ed the police and the troops with stones, and at this stage, Khan Bahadur  
 Abdul Majid Khan endeavoured to persuade the people to stop stone-  
 throwing but without success. The subsequent cavalry charge along  
 the Southern face of the mosque was fully justified; but I do not believe  
 that a regular charge with levelled lances was made as has been alleged  
 by Mohammedan witnesses. One man appears to have been killed by a  
 lance during this charge not far from the Southern porch-way of the  
 mosque. Two men, and possibly three, were also wounded by lances and  
 that is all. I find it impossible to believe that two sections of cavalry  
 could charge a massed crowd, using their lances, without causing infinitely  
 more damage than this; I conclude that the cavalry used their lances

mainly as sticks to disperse the people and not as spears with intention to kill them. The North-West corner of the compound is overlooked by high ground on two sides and I see no reason to doubt the official statement that some cavalry were cut off in this corner. Two platoons were then sent along the raised ground on the South to dislodge the people upon it; it does not appear to have been realised that these platoons were taking up a most dangerous position. I am satisfied that these platoons had had no previous orders to fire and I consider that no blame attaches to the Subedar who directed the firing of two shots when the platoons were in difficulties; similarly, I consider that the Captain who directed the firing of four shots, when cut off in a narrow passage between two buildings in the course of retiring, was forced to open fire to save his men from imminent danger. I am satisfied with the evidence that only six shots were fired in all; two men were killed by direct fire; one man or perhaps two appear to have been wounded indirectly by the firing. The marks on the surrounding buildings which appear to have resulted from rifle fire are very few and are so situated as to corroborate the official evidence as to the position of the troops when firing. To sum up, the people assembled at the mosque for secular purpose; they knew that processions and meetings were not allowed and they had had ample warning from the events of the previous day that the authorities intended to prevent processions. They deliberately defied the authorities by joining a mass meeting, more especially those who came to that meeting in an organised procession under the leadership of Abdul Samad. The first employment of force by the authorities appears to me to have followed upon a misapprehension resulting from the fact that those authorities did not stay on the spot to watch events, but luckily it does not appear to have caused any serious injuries; it however enraged the already excited people with the result that they made a deliberate attack upon the police. In regard to all subsequent events no blame can attach to the authorities, the use of force was essential and I am unable to find that more than the minimum necessary was used.

As regards events elsewhere in the city, it is evident that the people were excited and were organising processions in various places deliberately courting resistance. It appears to me that women were injured in Basantbagh when trying to resist a cavalry patrol and the nature of injuries they suffered indicates that no real violence was used against them. Unfortunately Mussammat Faizi was seriously injured in the foot and some ill-disposed persons appear to have formed the plan of pretending that she had been killed. She was taken to the Jama Masjid where it was announced that she had been killed by the troops. On the trick being exposed she was taken back to her home. Both going and coming back she was followed by excited crowds which were dispersed without serious results but, after passing Gao Kadal and whilst proceeding along Maisuma, the crowd had become so large that an attempt to disperse it failed and some cavalry and police were put to flight each leaving one of their number exposed to the fury of the mob. It was at this point that two lorries of armed police arrived and that an advance was made to rescue the injured constables. The cavalry and police who had already been engaged were evidently dis-organised; it is most unlikely that Lala Bodh Raj could have persuaded the police under him to charge the crowd and rescue the constable without the use of fire-arms. It is not a question of what could be done with a determined body of well disciplined men but only of what could be done with the actual forces present. I consider that Lala Bodh Raj was not only justified but compelled to open fire in order to save Makhan Singh and the un-horsed sowar. I believe that the firing at this point was not so well controlled as has been indicated by the official evidence, certainly one shot and probably two were fired down side lanes whilst the immediate object was only to disperse the crowd in the actual bazar.

I do not believe that Faqir Ali was shot whilst looking out of the mosque window. The credible evidence on this point is that he was

found dead inside the mosque; the direct evidence that he was shot through the window does not impress me as the evidence of credible witnesses; and finally, the facts observed at my inspections of the window and the closet convince me that no shot had been fired through the former.

#### 10. Events on the 23rd and 24th of December.

A very large crowd assembled at the Jama Masjid again on the morning of the 23rd. Troops were on the spot under the control of Brigadier Sutherland who posted them so as to command the entrances of the compound. Throughout the day the leaders were insisting on taking out a mass procession for the funeral of the dead. Permission was repeatedly refused but at about 3-30 or 4 P. M. Nawab Khusru Jung came with an order from the Prime Minister that the procession should be allowed. The proposed route was inspected by Brigadier Sutherland and the Governor who came to the conclusion that any attempt to guard it with troops would merely increase the danger of disturbances and that it was impossible to do so effectively. Accordingly the procession was allowed to go without official control. Its numbers have been variously estimated from thirty to fifty thousand and Colonel Hugo noted that it took fifty minutes for the procession to pass one particular spot.

The decision to allow this procession was one attended with incalculable risk but whatever opinions may be held with regard to that decision, it was justified by the result. The procession was orderly both in going to and returning from the burial ground, and upon its return to the Jama Masjid it dispersed quietly and the people went to their homes. Nothing else of note occurred on this day.

That night the police were ordered to arrest Kh. Ghulam Ahmad Ashai, M. Ghulam Mohammad and Kh. Saad-ud-Din Shawl; the first two could not be found; a Superintendent of Police (12), accompanied by a Sub-Inspector and thirty constables arrived at Saad-ud-Din's house at 3-30 A. M. on the 24th; they did not succeed in making any entrance and before day-light a large crowd had assembled round the house which by 9 A. M. was estimated to number ten thousand. The members of this crowd were armed with weapons of various sorts; in these circumstances the arresting party was withdrawn.

Throughout the day large bodies of armed Musalmans moved about the streets of Srinagar. Reports regarding these were sent in from all the Police Stations and Police Posts and these reports have been placed on the record as exhibits. The Deputy Inspector General of Police has stated that on this day it was impossible for any policemen except Mohammedans to go out into the streets; throughout the city the police remained inside their quarters and police control was for the time being entirely suspended.

The important fact of armed parties entering Srinagar from outside is supported by the evidence of two English ladies who have stated that in the afternoon they saw crowds of Musalmans armed with knives and sticks. A compact crowd of sixty such men with others in front and behind was met by a lady who was going to a picnic at Nasimbagh about 3-30 or 4 P. M. Another crowd of over a thousand was seen by the other lady at 3 P. M. close to the Khanyar mosque. In each case the members of the crowd were quite orderly and made way for the witness to pass.

Various representatives collected at Saad-ud-Din's house during the morning. About midday some Musalman officials of the State went to the house and, after discussion, at 4 o'clock five or six representatives



went from the house and were granted an interview by His Highness. They returned at 6 P. M. and thereafter the major portion of the crowd dispersed. A large number of Musalman witnesses have stated that this crowd assembled because they had heard that Saad-ud-Din was to be arrested; from amongst them one man only has said that he went to the spot because of a rumour that the Khanyar mosque was to be demolished, which rumour he admits he found to be false on arrival. On the other hand the representatives have stated that the crowd came because of this rumour and have added that it was when the Mohammedan officials came to Saad-ud-Din's house to convey His Highness' commands that the crowd moved from the Khanyar Ziarat to that house. This latter evidence is opposed to the official evidence which shows that, from the first, the crowd had assembled round Saad-ud-Din's house to prevent his arrest and this view is supported by the major portion of the evidence before me.

It is clear that throughout the 24th September Srinagar was in the hands of armed crowds of Musalmans some of whom had collected from outside the city; police control was entirely withdrawn and the authorities were powerless to deal with the situation. I have not heard any evidence of violent disturbances in the city on this day; this fact emphasises a point which has been clearly brought out throughout the inquiry, namely, that the agitation was directed against the State authorities and, although it was entirely Mohammedan, it was not communal in the sense of being directed against any other community.

**11. Promulgation of Ordinance No. L-19 ; and Military control in Srinagar from the 25th of September to the 5th of October.**

The situation in the city being entirely out of control, Ordinance No. L-19 of 1988, was drawn up on the evening of the 24th of September and put into force the following morning. Under this ordinance, Brigadier Sutherland was ordered to take command of the Municipal Area of Srinagar and it was further ordered that the army should perform a route march through the city on the 25th taking with them His Highness' Standard. A copy of the ordinance forms an exhibit on the record; it is an emergency measure granting special powers for the control of agitation and disturbance and in the first instance it was applied to Srinagar Municipal limits alone. It defines numerous offences and grants various exceptional powers, including the power to make rules for prescribed purposes. In all cases offences against its provisions, or against the rules made under it, were to be tried summarily and were punishable with imprisonment or with flogging or both. The majority of punishments, which were actually inflicted, were for offences against the rules published under the ordinance by Brigadier Sutherland. It is therefore unnecessary for me to refer to the offences detailed in the ordinance itself. The rules were published as occasion arose in a series of "Ailans" which may be summarised as follows:—

1. All shops to be opened before 9 A. M. on the 26th of September.
2. All arms to be deposited, and possession of arms after 9 P. M. on the 26th of September to be punishable.
3. Gatherings of five or more persons in any thoroughfare or public place to be an offence, subject to numerous exceptions.
4. All slogans excepting those of a loyal nature prohibited.
5. Presence on a thoroughfare between 10 P. M. and 5 A. M. prohibited except in the case of Europeans.

6. Throwing stones etc. on the public or on Government servants prohibited.
7. Permission necessary for entry into or exit from Srinagar, except in the case of Europeans.
9. Draws attention to the offence of making false reports, already prohibited by the ordinance itself.
10. Removal of "Ailans" from the place where posted made an offence.

It will be noticed that there is no "Ailan" No. 8. One was drawn up but was never published or put into force; it was to the effect that the public should salute all military officers when passing in the streets. Brigadier Sutherland has stated that it was suggested by some State military officers but that, after consideration, he considered that it was unnecessary and undesirable.

The following note is compiled from Brigadier Sutherland's daily diary and gives a short history of the military occupation in the city :—

*25th September.*—All available troops took part in a route march through the city, starting at 8 A. M. and returning to Barracks at 11-30. All military officers were then assembled and the provisions of the ordinance were explained to them. Municipal Commissioners and others were appointed as Special Constables. Ailans Nos. 1 to 7 were issued at 5 P. M. Saad-ud-Din Shawl was arrested at his house by a military party during the night; it was intended to arrest Ghulam Ahmad Ashai and Ghulam Mohammad but they were not found at their houses.

*26th September.*—Seven Military posts were established in the city at 10 A. M. and remained in existence throughout the period of occupation. 'Ailan' No. 9 was published. On this and all subsequent days during the occupation Brigadier Sutherland made one or more tours of inspection through the city. During the afternoon and evening he received numerous complaints from Europeans concerning ill-treatment of the public by troops; at 8 P. M. all Sector Commanders were called and warned that no such ill-treatment was to be permitted and that the public were not to be harassed. Ghulam Ahmad Ashai and Ghulam Mohammad gave themselves up and were placed under arrest.

*27th September.*—Some leading men of the city were appointed to work for conciliation and peace. In the evening Sector Commanders were again assembled and warned in view of further complaints of ill-treatment by the troops.

*28th September.*—Further oral complaints were received by Brigadier Sutherland whilst making two tours of inspection and were investigated by him on 'the spot. "Ailan" No. 10 was issued.

*29th September.*—A Committee of three military officers was appointed to enquire into alleged cases of mis-behaviour by

*30th September.*—Brigadier Sutherland made special enquiries into complaints against the behaviour of the police.

*NOTE.*—Throughout the period of occupation such complaints were investigated by police officers and the results were reported to Brigadier Sutherland, some police officers have given evidence that no such complaints were received by them, an allegation which I find is difficult to believe.

*1st October.*—Steps were taken to contradict newspaper reports that “public” floggings were taking place.

*2nd October.*—This was Friday. Imams were allowed to preach in all the mosques but were warned to avoid topics likely to excite the public. One man made an inflammatory speech and was arrested.

*5th October.*—This was His Highness’ Birthday, and a Durbar was held in the afternoon at which the cessation of military control was announced; all troops were simultaneously withdrawn from the city. A general amnesty for political prisoners was declared and all under-trial prisoners not accused of offences of violence were released.

## 12. Alleged misbehaviour of the Troops and Police.

Brigadier Sutherland and all staff officers were at the head of the troops during the route march on the 25th; he noticed many on-lookers saluting him and told them that they should salute His Highness’ Standard and not himself. A non-official in the crowd volunteered to inform the public accordingly and, for a long distance, Brigadier Sutherland noticed that this man pointed out the Standard to the public telling them that it was His Highness’ emblem and should be saluted.

Several Mohammedan witnesses have stated that soldiers taking part in the route march ordered them to shout the words “Maharaja ki Jai”; two of these witnesses have added that they were also ordered to shout out slogans abusive of Islam and that when they refused they were beaten by soldiers who left the ranks for the purpose. Brigadier Sutherland was naturally unable to observe incidents alleged to have taken place near the rear of the column but he has stated that all Unit Commanders were marching with their units and, in his opinion, it is quite impossible that any soldier could have broken out of the ranks to harass the on-lookers. I find it incredible that there should have been indiscipline of this nature during this military demonstration and I am not prepared to believe the evidence of these two men.

An English lady, who saw the troops near Drugjan, has stated that one soldier broke out of the ranks and chased some women and children throwing his lathi towards them which he afterwards picked up before rejoining the ranks. As none of the soldiers were carrying lathis on this occasion, her impressions are obviously incorrect and the man whom she saw must have been either a policeman or some other person not from the ranks.

Numerous witnesses have alleged that, throughout the period of occupation, they were made to shout “Maharaja ki Jai” whenever a patrol passed by. Several of them have added that for the first three or four days they were made to stand up and to salute patrols but that afterwards they were not required to do so. An English resident has stated that he once saw several lorries of prisoners from Shopian arriving in Srinagar, and that the prisoners were being made to raise their hands and shout “Maharaja ki Jai” at intervals of a few seconds, any hesitation leading to the soldiers who accompanied them prodding them with

lathis. From other evidence I have learnt that the prisoners from Shopian were brought in under mixed guards of soldiers and police supplied from Srinagar and it was only the police who carried lathis on this occasion; I have therefore mentioned this incident in the Srinagar section of the report rather than in that of Shopian.

Six witnesses allege that they were not only made to say "Maharaja ki Jai" but were also forced to shout out remarks in praise of the Hindu religion and in abuse of that of Islam.

Some fifteen witnesses allege being beaten by soldiers on patrol, most of them adding that they had first been made to shout out "Jai" and that they were beaten in spite of doing so. Three of them are corroborated by the fact that they were afterwards treated at the Mission Hospital, though a typical exaggeration is that one of these stated that his arm had been broken whilst the hospital records show that he was suffering from an injured finger with a split nail. A few cases of thefts by police and soldiers have been mentioned by witnesses but a commoner allegation is that the police extracted bribes under the threat of prosecuting persons under the ordinance and Ailans. Ghulam Ahmad Ashai mentions seeing a shopkeeper being beaten by a soldier who afterwards took away a roll of cloth from his shop; he also states that, whilst he was himself in havalat after arrest, he saw many persons brought into the Police Station who were released after paying bribes.

The wife of a military officer residing in Srinagar was in the European shopping centre outside the city on the 26th when she saw a policeman arrive in a tonga closely followed by a lorry full of infantry; the policeman got down from his tonga and ran into a shop, the troops followed him and started beating all the shopkeepers in sight. Upon this witness' intervention the troops returned to their lorry and drove away; this lady neither saw nor heard anything to account for the attack which she considers was entirely unprovoked.

Six witnesses give an account of a similar incident which took place in the same neighbourhood about 6-30 the same evening. A cavalry patrol was passing an establishment known as "Estelle" owned by Mrs. Bayley (89); they were directing the public to shout out "Maharaja ki Jai". They suddenly dismounted and some went to the upper storey of Estelle's shop and dragged some Mohammedan employees down the stairs to the road. Miss Harrison Tophan (83), a visitor, saw these men being dragged out by four sowars and thereafter being brutally kicked; she ran up and stood between the sowars and their victim; meanwhile Colonel and Mrs. Johnson (84 and 85) were passing in a tonga and saw another man on the ground being kicked. Mrs. Johnson jumped down and intervened being closely followed by her husband; their arrival distracted attention from the first man and Miss Tophan, considering them to be in danger, went at once to report to Brigadier Sutherland. The Prime Minister was driving along the road, and, seeing the disturbance, stopped his car; he was informed of the facts by Colonel and Mrs. Johnson and advised them to report to Brigadier Sutherland sending them in a car with a Superintendent of Police for the purpose. They were followed by the two men who had been attacked, in a tonga. Brigadier Sutherland after hearing the accounts, placed two sowars under arrest and thereafter warned all Sector Commanders, as noted in the previous paragraph. He only remembers one of the Darzis being present on that occasion though, from other evidence it is certain that both were present; he notes that when he told this man that he could go, the man ran down the steps of his house clearly showing that he was not seriously hurt. The two men who were attacked (90 and 91) have told me that they thought the sowars were arresting them and that they were to be flogged. They state that after leaving Brigadier Sutherland's

house they returned to the shop, and that Mrs. Bayley had arrived there during their absence. They both accompanied her to Brigadier Sutherland's house and from there they went with her to the Residency; it is clear from their own evidence that Brigadier Sutherland was correct in thinking that they had not been seriously injured. Mrs. Bayley's written evidence is mainly a repetition of what she heard from the eye witnesses, from whom she gained the impression that her men would have been killed if they had not been rescued. She also gives evidence of damage done at her shop and puts in photographs showing that division-walls made of rush matting had been broken through and torn down.

Two points clearly emerge from the evidence of this group of witnesses:—

- (a) that the military officer, in command of the cavalry patrol, had permitted his troops to behave as described ;
- (b) that the Superintendent of Police who accompanied Colonel and Mrs. Johnson to the house of Brigadier Sutherland stated that the troops were forcing Musalmans to say "Maharaja ki Jai" and were justified in beating them if they refused.

Brigadier Sutherland has submitted a list of the complaints received by him with the action taken thereon. His inquiry into the case reported by Colonel and Mrs. Johnson led him to believe that one of the Darzis had shouted "Khai" instead of "Jai" the former word meaning "destruction". The sowars concerned, belonging to the Palace Guard, were arrested and subsequently punished by the Commandant.

Several complaints were received from European visitors regarding the mis-behaviour of the troops at the Military post at the Dal Gate; this post was manned by men whose training had not been completed. It was found that the officer in command of the post had taken up quarters which did not afford a view of those on duty and also that a detachment on guard had forced people to bow down and shout "Maharaja ki Jai" and had enforced their direction by beatings. Those at fault were put under arrest and were subsequently punished.

Altogether eleven complaints were received against troops and six against the police; in the majority of cases the alleged offenders could not be identified by the complainants. The complaints included three complaints of theft by the troops in one of which the stolen property (three electric torches) was recovered and the sepoys at fault were sentenced to rigorous imprisonment. Punishments were awarded in all cases that were brought home to the offenders; and, as already noted, instructions were repeatedly issued to Sector Commanders to prevent recurrence of such mis-behaviour.

### 13. Summary Trials and Sentences.

Only three Magistrates were appointed to exercise summary powers under the ordinance; two of them have appeared before me, the third not being in Srinagar, his successor in office appeared. These three brought the records of all cases which were tried summarily and complete lists were placed on the record as exhibits.

The following table has been compiled from these lists and shows all facts necessary to this report:—

Offences with which charged.	SENTENCES.				TOTAL.
	Flogging.	Imprisonments.			
		One week or less.	Two weeks.	One month or more.	
Uttering objectionable slogans ..	13	1	1	1 ..	15
Spreading false rumours ..	44	2	4	....	50
Bringing Government into hatred or contempt ..	16	1	1	1	19
Waging war against Government ..	1	....	....	....	1
Keeping shops closed ..	1	....	..	....	1
Urging others to close shops ..	18	1	2	1	22
Being on thorough-fare during prohibited hours .	1	1	....	....	2
Carrying arms ..	5	....	1	....	6
Inciting to leave Government service ..	1	..	1	....	2
Total .	100	6	10	2	118
Sentences of imprisonment till rising of the Court	..	..	....	....	7
Acquittals ..	....	..	..	....	28
Total number of cases ..	....	....	....	....	153

<i>Detail of sentences of flogging.</i>	<i>Places where flogging was inflicted.</i>
3 sentences of 30 stripes.	Srinagar Jail .. 5
12 " " 25 "	Maharajganj Thana .. 36
53 " " 20 "	Exhibition Ground .. 59
17 " " 15 "	Total .. 100
1 " " 11 "	
9 " " 10 "	
1 " " 6 "	
3 " " 5 "	
1 " " 3 "	
100	

The Magistrates have informed me that in all cases they attended with a medical officer at the time of execution of sentences of flogging. These were at first carried out at the three centres mentioned in the table, but, later on, all three Magistrates sat at the Exhibition Ground and all sentences of flogging were executed at that place. Twelve of the men who were flogged have appeared as witnesses; a few have mentioned the charge on which they were convicted though they

naturally say that it was a false charge; the majority have stated that they did not understand the proceedings and have no knowledge of the offence with which they were charged; some of these have alleged that the proceedings were in Urdu which they do not understand. All the Magistrates stated that if any parts of the proceedings were not in Kashmiri they were interpreted to the accused and all the Magistrates themselves understand Kashmiri.

Two witnesses have alleged that they saw floggings being carried out at Maharajganj Thana whilst three witnesses have made a similar allegation about the floggings in the Exhibition Ground. So far as the jail and the Maharajganj Thana are concerned the nature of the buildings is such that no floggings could have been visible to any body outside. At the Exhibition Ground however Brigadier Sutherland's attention was drawn to the fact that the place where the floggings were first carried out was visible from a portion of the main road, whereupon he arranged that in future floggings should take place inside an enclosure which was not visible except from two gate-ways over which guards were placed to keep away any would-be on-lookers.

#### 14. Medical Evidence.

One Mohammedan was admitted as an in-patient at the State Hospital on the 27th of September and remained under treatment for six days; nothing is known as to where he received his injury which is described merely as a scar on the shin-bone. At the Mission Hospital thirteen men suffering from alleged ill-treatment by the troops were treated between the 26th of September and the 2nd of October. One had an incised wound alleged to have been caused by the bayonet of a sentry, he also had various contusions on the face; the case is described as serious, six stitches were put in and the man remained as an in-patient for six days. There were also two cases of injury alleged to have been caused by rifle butts which are described as moderately severe but which did not necessitate treatment as in-patients. The remaining ten cases were all injuries probably caused by lathis, two are described as moderately severe whilst the remaining eight were not of such serious nature. Three cases of contusions on the face were treated by the compounder (87) of a private practitioner, he kept no regular records and is unable to give the dates on which they were treated and does not describe the injuries in detail.

The cases mentioned above appear to be the only cases of injuries caused by the troops or police during the occupation which were treated by recognised practitioners.

Thirty-nine persons who had been flogged were treated at the Mission Hospital and ten such cases were treated by two compounders (87 and 88) working under Dr. Abdul Wahid (80). Dr. Mackenzie, whilst giving evidence about the thirty-nine cases treated by him, has said that the bruises were extensive and in some cases the skin was slightly broken. The patients complained of pain and difficulty in walking but in all cases the injuries were such as would have recovered in the ordinary course of nature; the injuries appeared to have been caused by a cane, which agrees with the official evidence and is the usual procedure in the case of floggings throughout India. The two compounders have not given any detailed account of the ten cases treated by them but it appears that in one case only the wounds were bleeding.

#### 15. Conclusions regarding the period 25th September to 5th October.

Rumours of alleged excesses during the military occupation were so rife amongst European residents in Srinagar that, although I had issued public notices asking all eye-witnesses to attend the inquiry, I felt

that my duty was not completed merely by taking the evidence of those who came forward in response. I made several attempts to trace the more serious rumours to their source and in all cases I found that they were not based on personal knowledge and that no credible evidence was forthcoming in support of them. For instance there was an apparently well-supported rumour that two men had died as the result of being flogged; personal knowledge of this fact had been consistently alleged to my informants who were convinced of the truth thereof; but after I had enlisted their co-operation, these informants were unable to induce the persons alleging knowledge to come forward as witnesses and were ultimately convinced that the story was not based on fact. I have mentioned this matter, although irrelevant, because the actual evidence produced is not in any way commensurate with the rumours which had been accepted as true by large numbers of the educated public and it appears to me necessary to mention this before stating that I am satisfied that there has not been any general suppression of evidence and that the Musalman public has endeavoured to place all facts before me at the inquiry.

I am satisfied that throughout the period of occupation some subordinate officials, in which term I include soldiers, were insisting on the public shouting out expressions of loyalty and that during the earlier period they were insisting on the public standing up and saluting. I am satisfied that the higher authorities in general, and Brigadier Sutherland in particular, were at first ignorant of these two matters and that steps were taken to stop the nuisance when it came to their knowledge, though I do not think that those measures were universally successful.

It was quite natural that Brigadier Sutherland during the route march should indicate that salutes from the public should be given to His Highness' Standard and not to himself. It was also natural that expressions of loyalty should be shouted on that occasion and should have been encouraged by any officials who were present. It is however unfortunately only too obvious that these matters were taken as an indication by less responsible subordinates that the universal shouting of loyal slogans should be enforced.

As regards the allegation that the public were made to stand up and salute whenever patrols passed by, we know that State Officers suggested to Colonel Sutherland that an 'Ailan' should be issued to this effect; he wisely suppressed that Ailan before it was issued, but, as the suggestion had come from State military officers, it is not unreasonable to suppose that they had already enforced the practice and were unwilling to discontinue it.

Minor complaints regarding interference with traffic or billeting of soldiers in private houses have been made, but these are inconveniences which were unavoidable and must be accepted by the public at all times when special measures have to be taken to enforce order.

I do not believe the allegation that Mohammedans were forced to shout out slogans abusive of their religion; the variety of such slogans mentioned in evidence does more credit to the inventive genius of the witnesses than to their veracity; it is possible that in one or two cases an ill-disposed subordinate may have attempted bullying of this nature but it is impossible to believe that it could have happened in any but isolated cases.

Very few allegations of theft by troops or police have been made before me; as already mentioned some were made to Brigadier Sutherland and in one case at least guilt was brought home to three sepoys.

Allegations of bribery against the police are also not numerous,



most of those made are to the effect that bribes were taken under the threat of prosecution. The summary trials which were conducted were necessarily based mainly on information supplied by the police or the troops; it was unlikely that non-official Mohammedans would come forward to give evidence against each other and I feel quite certain that non-official Hindus would fear to do so during the continuance of the excitement and ill-feeling which followed the disturbances; in these circumstances there was a rich field for dishonest minor officials to exploit and it would be surprising if no bribery had occurred. The cases mentioned in evidence are allegations and are not proved but I have no doubt that they are based upon fact.

Similarly I have no doubt that in many cases persons were beaten for making objectionable remarks and possibly for failure to stand up and shout loyal slogans. The evidence of such beatings in the European shopping centre on the 26th of September is convincing but in this connection I must point out that either the witnesses were under a misapprehension of the lengths to which the troops were prepared to go, or that the assault on the Darzis was one of an isolated and exceptional nature. It is natural to conclude that if such events took place in a neighbourhood frequented by Europeans they would be much more common inside the actual city, yet if Colonel Johnson and the other witnesses are correct in believing that, but for the courageous intervention of Miss Tophan and Mrs. Johnson, serious injuries and perhaps death would have resulted, the incident cannot be regarded as typical. Throughout the period no case of serious injury was reported to Brigadier Sutherland, the cases treated by medical men and noted in the preceding paragraph included no cases of really serious injury or of broken limbs, and I am convinced that if any such cases had occurred they would have been eagerly brought to my notice. I can only conclude that although beatings by the troops had taken place none were of such magnitude as to cause really serious hurt.

In regard to the floggings it is clear that they were only inflicted after judicial inquiry and that they were carried out in the presence of Magistrates and Doctors; there is no reason to suppose that they were unduly severe. The list of the charges in cases where a sentence of flogging was passed given in paragraph (13) shows that, provided the evidence supported those charges, punishment was deserved and was necessary to prevent further disturbances. As regards the charge of uttering objectionable slogans it will be noticed that it was made an offence to utter any slogans except of a loyal nature; there are many slogans which are not of loyal nature but which cannot be described as objectionable; the Magistrates have assured me that no person was convicted under this charge unless the slogan was definitely seditious and that in most cases it was connected with some other offence.

There was certainly no public flogging in the sense that flogging was administered in public as a deterrent measure to impress the public; but, unfortunately for two days the floggings carried out at the Exhibition Ground were visible from the road-way. The Exhibition Ground includes several enclosures and, although Brigadier Sutherland had the triangle moved into one of these enclosures directly he was informed of the fact, yet, I consider that whoever was responsible for the original erection of the triangle was much to blame.

Inconvenience and hardship are necessary consequences of special measures for enforcing order such as military occupation and such occupation can scarcely be enforced without unnecessary hardship resulting from the behaviour of subordinates. That unnecessary hardships and considerable ill-treatment took place in Srinagar, is not surprising but the amount has been grossly exaggerated and it is clear that the officer in command of the city took precautions to render it as small as possible.

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## ANANTNAG SECTION.

## 16. Causes of Disturbances.

The Assistant Superintendent of Police (3) states that the Musalmans of Anantnag had been in touch with the Srinagar leaders since the beginning of the agitation and this is supported by the statement of Ghulam Mohammad Nanwai (84) who says that there was a general hartal in Anantnag after the Srinagar disturbance of the 13th of July adding that he assisted the authorities by persuading the people to open their shops.

From the Tahsildar and Naib-Tahsildar (1 and 21) we learn that some telegraph wires were cut in the neighbourhood of Anantnag and that, in consequence of this and of the destruction of the Sangam bridge, a military post was established in Anantnag towards the end of July.

Proceedings under section 107 C. P. C. were instituted against Ghulam Mohammad Nanwai and two others which terminated in a sentence of one year's rigorous imprisonment for failure to furnish security as has already been mentioned in paragraph 4. The Musalmans appear to have regarded these matters as the results of a plot on the part of officials to misrepresent their attitude; four witnesses (including three who appeared to be local leaders) have alleged that the officials and some leading Hindus used to hold secret meetings in order to plot accusations against the Musalmans; they have been unable to give any plausible reasons for thinking that this was so; they referred to the fact that Hindu officials used to frequent the telegraph office, that some of them met each other at the State Hospital and that some of the soldiers had meals in the houses of Hindus. It is alleged that several incidents which in the ordinary course would have little significance and would have passed without serious notice, were the result of an organised plot; for instance, some yellow ochre was found one morning sprinkled in a mosque, a small fire occurred and a Mohammedan flag was placed at the scene of it, stones were thrown at a platform close to the Nagbal temple which is used by the Mohammedans as a place for prayer and one night an alarm of "thief" was raised by Hindus in the town. In connection with this last incident one witness has said that he saw a group of officials and Hindus talking together and overheard them plot that this alarm should be raised, the inference being that it was a plan to make Mohammedans come out of their houses at night so that they might be accused of rioting. There is no credible evidence to connect these alleged isolated incidents with each other, but their mention indicates the atmosphere of suspicion and distrust which animated the Musalman public.

On August the 29th Mirwaiz Mohammad Yusuf and other leaders from Srinagar appointed a local committee of twenty-seven persons one of whom was Haji Abdul Ali Dev (93). This man has stated that he used to give lectures in Anantnag calling attention to the incidents mentioned above, to the unfairness of the proceedings against Ghulam Mohammad Nanwai and to a rumour that the telegraph wires had been cut by some Pandits in order to implicate Musalmans; he alleges that these lectures were to the effect that in spite of the unfair way in which they were being treated the Muslims should preserve a peaceful and loyal attitude. We have already seen that the leaders in Srinagar early in September adopted the plan of delivering lectures of an inflammatory nature allied with exhortations to keep peace; in Anantnag the same policy seems to have been pursued in a far more blatant manner; the natural result was that the Mohammedans as a body became intensely suspicious of every

official act and imagined that there were sinister plots behind incidents of a trivial nature.

**17. Official accounts of events on the 23rd of September.**

*(See Plan No. 3 in Appendix 1).*

News of the arrest of S. M. Abdullah and of the disturbances in Srinagar on the 22nd of September became widely known in Anantnag on the evening of that date. Various versions appear to have been current; on the morning of the 23rd hartal was observed by the Musalmans and, in mentioning the reason for this hartal, six witnesses have mentioned the arrest of Abdullah, nine have mentioned the alleged arrest of the two Mirwaiz of Srinagar, whilst six have mentioned the loss of life which had occurred in Srinagar on the previous day.

The only Magistrates in Anantnag were the Tahsildar (1) and the Munsiff (2) both of whom have told me that neither was senior to the other and that in event of disturbances they considered it necessary to consult each other before giving any orders.

Apart from the hartal no disturbing signs were seen in the town before 6 P. M. on the 23rd; the Tahsildar and some of the troops visited various out-lying villages during the course of the day and in the afternoon some troops went to Bijbehara in a lorry.

About 6-15 P. M. the Sub-Inspector at the Police Station was informed that a large crowd was collecting at the Idgah on the out-skirts of the town. He sent messages to the Assistant Superintendent of Police who was at his house and the two Magistrates who were at the telephone office where the Tahsildar was reporting on his visits to the Governor; he himself, accompanied by the Court Sub-Inspector, two Havaldars and nine constables of whom six were armed with muskets, proceeded to the spot through the main bazar. On their way they met Ghulam Mohammad Nanwai and warned him that no procession should be taken out. On reaching the Hanfia High School which lies between the main road and the Idgah they found a large number of Musalmans assembled; the two Magistrates arrived in a tonga and they state that they urged people not to join the crowd but that these people took no notice; it appears that they merely stood on the road between the tonga stand and the Hanfia High School and did not approach the Idgah itself. Both Magistrates now returned to the telephone office to inform the Governor and to get his instructions.

The Assistant Superintendent of Police arrived after the Magistrates had departed. By this time the crowd had grown in size and was estimated to number over two thousand; he tried to persuade people to go away and whilst he was on the road near the school the lorry of troops from Bijbehara passed by; it appears that he stopped this lorry and spoke to the men in it but allowed them to return to the post as they were not under his direct orders. He sent constables to call the Magistrates and the troops to the spot and these returned saying that the Subedar in command of the troops was telephoning for orders from Head-quarters and that the Magistrates had promised to come at once. The police now approached the Idgah but as they were doing so they saw the crowd leaving it in procession by an alternative route; they attempted to stop this procession near the High School but did not use force; the Sub-Inspector (4) and the Zaildar (6) who were Mohammedans were sent amongst the crowd to tell them to disperse but without result.

The procession pushed on along the bazar towards the Jama Masjid; the Assistant Superintendent states that he and the police

force accompanied it as far as that place and then took a short cut to Nagbal in order to obtain the assistance of the Magistrates and the troops; in this allegation he is contradicted by the Court Sub-Inspector and a constable who state that the police went by a side lane from the tonga stand.

Arriving at Nagbal he found the two Magistrates just coming out of the telephone office and the troops drawn up ready for duty. These troops were commanded by Subedar Dharam Singh (11) and included two Jamadars, one Havaldar and two Lance Naiks each in command of a section of seven men. It was now about 8 o'clock and was nearly dark; the two Magistrates explain their prolonged delay by the fact that they had first rung up the Governor who was not in his house, had then rung up the Prime Minister and had obtained instructions from him, and finally had rung up the Governor a second time and obtained his instructions also; they state that the gist of the instructions was that the procession should not be allowed and that if necessary force should be used to stop it but that no firing should take place. The Governor (122) corroborates that he was rung up by these two officials after hearing that they had already rung him up earlier when he was not at home; he states that the instructions he gave were that the procession should be stopped if possible but that if this was impossible an undertaking should be taken from the leaders that no seditious slogans would be uttered.

The Subedar has also stated that he rang up Brigadier Onkar Singh (123) to tell him that military assistance was being demanded; both he and the Brigadier have said that there was no necessity to take permission from Head-quarters but that telephone conversations usually took place on such occasions, the Brigadier has added that he saw no harm in this practice although it was unnecessary.

The whole party proceeded towards the main bazar, found that the procession had already passed by, returned and then made for the Chini Bazar *via* the lane past the Tahsildar's house. Arriving at this house they were informed that the procession had already gone through the Chini Bazar; they held a short consultation, came back to the lane by the telephone office and went up it to Malaknag arriving there shortly after 8 o'clock. All the civil officials state that when they reached the Malaknag end of this lane the procession was passing along the main road from their right to their left and that the major portion had already passed by, but that on seeing them those in front turned round so that people in both portions of the procession faced towards the mouth of the lane; on the other hand all the military witnesses have said that there was no procession going from right to left, and that the party had just reached the mouth of the lane when a procession came round the corner of Malaknag mosque on their left towards them. In connection with this discrepancy it may be noted that according to the Assistant Superintendent of Police four policemen had been detailed to follow the procession from the start and that these joined his party at Malaknag, which they would have been unable to do unless the procession had already passed the mouth of the lane.

The civil officials were in front followed by the police with the troops in the rear, the officials advanced into the main road and called upon the processionists to disperse but they were pressed back whereupon the police attempted to disperse the crowd with their batons; the six constables armed with muskets did not take part in this attempt which was therefore carried out only by the Assistant, the two Sub-Inspectors, the two Havaldars and four constables. The crowd pressed this small body of police back and started throwing stones; they and the officials were forced to retire behind the troops. At this point, according to the military witnesses, the Tahsildar told the Subedar to disperse the crowd

as best he could; no one alleges that the Tahsildar gave any order to fire though all the civil officials state that when firing occurred it was inevitable and both the Magistrates say that if they had been in a position to do so they would have given the order.

The troops fixed bayonets; one section advanced into the main road and turned to the left so that Malaknag mosque was on their right and Sona Pakhri tank on their left; the second section remained in the lane on the West side of Sona Pakhri tank. Stones were thrown at the first section and two of the sepoy in it were involved in a struggle with the crowd and were injured.

The Subedar states that he now looked round to obtain orders to fire from the Magistrates but could not see either of them; on his own responsibility he gave orders for two men to fire two rounds each; this only led to further stone throwing and he then ordered the whole of the first section to fire; two men had been injured and one was in such a place that he could not fire, hence under this order only four men fired, each firing two rounds. This had no effect and the second section was now ordered to fire; they did so from their position West of Sona Pakhri over the top of the wall which surrounds it. In the first instance they fired two rounds and later on they had to fire two more rounds after which the crowd dispersed.

The whole party now returned to Nagbal first making a halt in the lane to take stock of the wounded; several officers, eight policemen and eight soldiers are said to have been wounded, one soldier was unconscious and two constables semi-unconscious. The Munsiff and some others have stated that during this halt they saw people come out to pick up the dead and wounded from the bazar.

On return to head-quarters the facts were telephoned to Srinagar, the wounded soldiers and policemen were treated by the Assistant Surgeon and the Tahsildar tells us that a party returned to the spot to deal with the dead and wounded members of the procession, but found that they had all been carried away.

The arms and ammunition of both the police and the troops were inspected, it was found that no ammunition had been used by the police and that 46 rounds had been fired by the troops; according to the orders given on the spot, 40 rounds were fired and the Subedar has said that six more rounds were fired by the first section without orders whilst struggling with the crowd. It will be noticed that out of the firing for which orders were given 12 shots were fired from the road between Malaknag mosque and Sona Pakhri tank in an Easterly direction whilst 28 shots were fired over the top of Sona Pakhri tank in an Easterly or South-Easterly direction.

#### 18. Muslims' account of events on 23rd September.

Several witnesses state that many Muslims collected at the Jama Masjid in the afternoon, one of them mentioning that they met in order to offer prayers for those killed in Srinagar the previous day. These people decided to go to the Idgah and did so in a procession of which no information appears to have reached the officials. Evening prayers were said at the Idgah and many more people joined at that place, after which the whole body went in procession from the Idgah along the main bazar past Malaknag to the porch of the Shah Sahib Ziarat, many people joining the procession whilst on its way.

The majority of Muslim witnesses state that they saw no police either on their way from the Jama Masjid to the Idgah or from the

Idgah to Shah Sahib Ziarat but there are the following exceptions :—

Four witnesses saw the police near the tonga-stand when they were going from the Jama Masjid to the Idgah; three witnesses saw the police and troops near Hanfia High School after leaving the Idgah; one witness saw only police at that place and one witness saw only troops at that place. A shopkeeper, whose shop is close to the tonga-stand, saw the arrival and departure of the two Magistrates and thereafter the arrival of the Assistant Superintendent of Police; he also states that both troops and police were present near the tonga-stand and alleges that when the procession left the Idgah he overheard the Assistant Superintendent of Police give orders to four constables to go to Hazratbal direct and to turn the procession back from that spot. Another witness whose shop lies between Nagbal and the Idgah saw the Tahsildar and the Munsiff going towards the Idgah in a tonga and afterwards returning. Ghulam Mohammad Nanwai admits seeing the Sub-Inspector's party on its way to the Idgah and being told that he should not join in any procession. He also admits joining in the procession saying that when he saw it passing his house he concluded that it must have been allowed to set out. Three witnesses allege overhearing the Tahsildar speak to a school master who was accompanied by some school boys telling him that he should not allow the school boys to be out as it might involve danger to them; two of them say that this school master was a Mohammedan.

Nobody from the procession admits that the police accompanied it from the Idgah to the Jama Masjid; a witness whose house is in a lane to the right of the road taken by the procession alleges that the Assistant Superintendent of Police and his party came down that lane reaching the bazar in front of the procession, turned up the bazar away from the procession and then turned left towards Nagbal; they made no attempt to stop the procession; his statement receives support from Ghulam Mohammad Nanwai who says that he saw one constable cross the route of the procession ahead of it at this place.

All state that the procession arrived at the porch of Shah Sahib Ziarat without interference and that at this place the head of the procession halted to say prayers; there were many boys in front of the procession and these halted beyond the porch of the Ziarat, the rear of the procession was somewhere near the corner by the Malaknag mosque. The majority of witnesses say that the procession was mourning for those killed in Srinagar and that the members were saying Nafal prayers and shouting out the Takbir, but many other Muslim witnesses admit that cries of 'Abdulla Zindabad' were being raised. Some twenty-two witnesses, who allege that they were in the front of the procession, state that whilst they were saying prayers at the porch of Shah Sahib five constables came from the South and told them to turn back; all have said that these were in uniform; six have named Ganesh Dass, four have named Mohammad Yusuf and two have named Mohammad Baba as being among these five constables.

Those at the head of the procession shouted to the others to turn back whereupon everyone turned round intending to retrace their steps and go to the Jama Masjid which they had proposed to do from the beginning. Thirty-two witnesses allege they were in the rear of the procession and fourteen more allege being in buildings from which they could see the portion of road adjoining Sona Pakhri tank. There is a great deal of discrepancy as to whether those in the rear of the procession were still between the Sona Pakhri tank and the North side of

Malaknag mosque or had come round the corner and were on the East side of the mosque between it and the shop of Ghulam Nabi Misgar.

All stated that directly those at the rear of the procession turned round they saw the Tahsildar and his party drawn up behind them. The majority say that the Tahsildar was standing close to the wall South of Sona Pakhri tank and that the troops were drawn up in a line on his right extending across the main road, other officials being behind the troops and the police behind these officials in the main road, a group of Hindus including the Assistant Surgeon, the Munsiff and the Zaildar being in the lane on the West side of Sona Pakhri. Immediately the crowd had turned round the Tahsildar called upon them to stop; they told him that they wished to go to the Jama Masjid and asked to be allowed to go there quietly. He immediately ordered the troops to fire but they hesitated; he then snatched a rifle from a sepoy and fired it killing Maqbool Shah who was then within a few feet of him; thus encouraged, the troops opened intensive fire upon the crowd who were not able to escape quickly as those behind, not knowing what was happening, were pressing them from behind.

Five witnesses who were in the Malaknag mosque, which is on an upper storey, allege that after the main out-burst of firing some shots were fired into a window on the North side of the mosque; one of them killed Habib Dar Kalandar who was standing close to it.

A few witnesses allege that they lay down in the Shah Sahib Bazar and that after the main burst of firing they saw two or three soldiers come round the corner and fire Southwards up that bazar; one said that quite a large body of soldiers chased fugitives up that bazar as far as the shop of Ghulam Nabi Tak.

After this the troops went away but four witnesses have added that after their departure they heard three shots being fired in the direction of Baghwari *s. e.* about half way down the lane between Malaknag and the telephone office. Three witnesses allege coming up the lane from the telephone office in the rear of the Tahsildar's party. On hearing the firing one hid in the patwar-khana and two in a garden on the right of the lane. Ghulam Mohammad Tota (29) and Mohammad Maqbool (85) allege being in their houses (which are shown on the plan) whilst another witness was in a house close to that of Ghani Shah (shown on plan); this group of six witnesses allege that as the troops were returning down the Baghwari lane they fired three shots at a man on the hillside who pleaded for mercy; some of them saw what happened and some only heard. Afterwards some of them picked up that man's dead body finding it to be that of Razak Ahangir. One of these witnesses alleges hearing the troops saying that they should damage their rifles and bayonets and another alleges that he heard sounds as of rifles and bayonets being beaten against boulders.

After the departure of the troops many men came out from their hiding places and collected the dead bodies placing them in Shah Sahib's mosque; during the course of the night most of these were removed by their relations to their houses or to the Rishi Sahib Ziarat adjoining the Jama Masjid.

Not a single non-official Mohammedan witness admits that any stones were thrown or that any attack was made on the Tahsildar's party.

Four witnesses allege seeing the Tahsildar's party halted near the Tahsildar's house (on the occasion of the unsuccessful attempt to stop the procession in the Chini Bazar); one of these states that the Assistant Superintendent of Police was speaking angrily to the

Magistrates telling them that they had lost their opportunity at the Idgah. Another witness has said that some days after the occurrence he had conversations with a Police Head-constable and the Sub-Inspector in which he was told that the plan had been to shoot down the crowd at the Idgah in which case at least five hundred might have been killed.

#### 19. Medical Evidence and Inspection Notes.

The bodies of those killed on the evening of the 23rd September were collected in the Rishi Sahib Ziarat next day and the wounded were sent to the State Hospital which was in charge of Doctor Sham Sundar (10) who had also examined those members of the Tahsildar's party who had been injured the previous night. Doctor Ghulam Ali (124), an Assistant Surgeon in State service was called from Srinagar and arrived about noon on the 8th returning the same night; he examined the dead in the Ziarat and also several of the wounded. Wounded persons also went to the C. M. S. Zenana Hospital and were treated there. The Principal, Doctor Gomery (120) and her colleague, Miss Newnham (121), had been away from Anantnag and returned on the evening of the 26th; commencing on the 27th of September they treated many persons who had been injured both as in and out-patients.

The examination of the dead was not of a very detailed nature and we gather from Dr. Sham Sundar that the examination and treatment of wounded in the State Hospital was not very prolonged, for he tells us that all the wounded (except one) came there on the 24th of September, that only about half the number attended the next day and that after four days only one man continued his visits. For this reason in cases where the same man was treated both at the State Hospital and subsequently at the Zenana Hospital, I have relied on Dr. Gomery's evidence in cases of discrepancy as to details.

The evidence of the witnesses mentioned above shows the following facts:—

The persons injured from amongst the Tahsildar's party on the night of the 23rd were the Tahsildar, the Munsiff, the two Sub-Inspectors, one Head-constable, eight constables and eight sepöys. All the injuries were in the nature of contusions and abrasions and in three cases only were they sufficiently serious to render treatment as in-patients necessary. These three cases were (1) a constable suffering from concussion of the spine, discharged on the 27th of September, (2) a constable suffering from abdominal sprains, discharged on 27th of September, (3) a sepoy suffering from concussion, discharged on 19th of October.

Seventeen bodies of persons believed to have been killed on the 23rd of September were collected in the Rishi Sahib Ziarat on the 24th; in addition four more persons died as the result of injuries. Of these four, one appears to have died at home on the 25th, two were examined and treated in the State Hospital on the 24th but were then removed by their relations and died at home on the 25th and 26th, whilst the fourth died in Hospital on the 27th some twenty-four hours after amputation of a leg. The seventeen in the Ziarat were examined by Dr. Ghulam Ali, the four who died subsequently were seen by Dr. Sham Sundar.

Excluding the four injured persons who died of their wounds there were 18 wounded persons treated at the State Hospital and 22 treated at the Zenana Hospital; by comparison of names and injuries it appears probable that 13 of these persons went to the Zenana Hospital after having been first examined at the State Hospital, thus we have medical evidence in respect of 27 persons who were wounded.



All 21 dead and all 27 wounded were Musalman males and the injuries of all 48 were of a nature to suggest that they were caused by rifle bullets, either by direct hits or by ricochets; there was no wound which suggests the use of buck-shot such as would have been the case had the police fired their muskets. Amongst the exhibits on record are many fragments of nickel and lead removed from the spot or from the wounds of those injured; all appear to be fragments of service ammunition. Comparing the statements prepared by the various medical witnesses the dead and wounded may be classified by ages as follows:—

Age.		Dead.	Wounded.
10 years and under	...	1	1
11 to 15 years	...	0	8
16 to 20 "	...	5	6
21 to 30 "	...	10	9
31 to 40 "	...	1	2
41 years and over	...	4	1
Total	...	21	27

The notes recorded regarding the wounds are not sufficiently clear to enable me to distinguish entrance and exit wounds and between direct hits and ricochet hits with any degree of certainty, but I can safely say that on the 48 dead and wounded persons there were not less than 62 wounds; in many cases two wounds of entrance and exit may have been caused on one person by the same bullet and, owing to the dense nature of the crowd, several different persons may in many cases have been wounded by one bullet.

I inspected the scene of the firing on the 6th of December and again, after hearing further evidence, on the 14th of December. Plan No. 3 in Appendix No. 1 is prepared from plans on my inspection notes which are on the record.

The route of the procession, after passing the Jama Masjid, was South-East along Chin Bazar, East along Malaknag Bazar, and then South, along the Shah Sahib Bazar. The Malaknag mosque is a rectangular building but its Eastern and Southern faces have a wooden platform in front of them above which is a verandah roof supported by wooden pillars and below which there is a sunken passage leading to the bath rooms and to the sulphur spring below the mosque from which it derives its name. This wooden platform is of irregular shape so that the inside of the bazar turning is not a right angle but is slanting. The mosque is in the upper storey the floor of which is level with the roof of the verandah, the Northern face is lighted by four windows at floor level leading on to a narrow continuous balcony.

Lanes run along the South and West sides, the latter continues in a direction parallel to Shah Sahib Bazar and leads to Shah Sahib mosque there turning East and leading to the Shah Sahib's Ziarat and porch which are on the main Shah Sahib Bazar. A lane leads from the Thana to Malaknag; on the right it is bounded by walled gardens and on the left it adjoins an unenclosed graveyard; behind the graveyard rises a steep hill which extends behind the shops on the East of the Shah Sahib Bazar. The lane from the Thana is known as Baghwari lane and the last part of

it runs between houses and is narrow. The mouth of it directly faces the North side of Malaknag mosque of which the 2nd window from the West is immediately opposite. At its mouth the lane is bounded on the West by a high house and on its East by a small square tank known as Sona Pakhri which is surrounded by a stone wall about five feet high.

The outside of the right angle turning between Malaknag and Shah Sahib Bazar is occupied by shops and enclosures on the East and by Sona Pakhri on the North but there is a vacant plot East of Sona Pakhri. The hill approaches close to this corner but at this part it has vertical cliffs with no path up them. There are houses above these cliffs but they can only be approached by lanes leading from the Shah Sahib Bazar to the South or from the graveyard to the North.

The buildings at the Northern end of the East side of Shah Sahib Bazar show evident traces of firing. 17 alleged bullet marks were pointed out to me on the shops and buildings marked Nos. 12 and 13 in the plan, two of these were evidently made by bullets which had already passed through wooden shutters leaving holes in them, two or three of the marks appeared to me to be of doubtful origin but the majority had very obviously been caused by bullets. Out of these marks two on the North side of the upper storey of a house could not have been fired from Malaknag Bazar but could have been fired from the Baghwari lane over the top of the walls of Sona Pakhri tank; the others could have been fired from the Malaknag Bazar between Malaknag and Sona Pakhri. Another bullet mark was shown to me in the wooden porch of Shah Sahib; this shot had been fired from North to South, it could not have been fired either from Malaknag Bazar or from Baghwari lane; it might have been fired from the open space East of Sona Pakhri which is 55 yards distant or from any intervening point in the Shah Sahib Bazar.

I was also shown a tonga standing in the Shah Sahib Bazar on which two bullet marks were alleged. I was not satisfied that they were marks of bullets nor can there be any certainty that the tonga had occupied the same position on the night of the occurrence.

The window in the upper storey of Malaknag mosque, immediately opposite the mouth of Baghwari lane, had marks of two bullets which had pierced the wooden frame-work above it and on the left of it. Above the window is a glass fan-light, the glass was broken and it is alleged that it was broken by a bullet. The wooden ceiling of the mosque, in a direct line from this window, was damaged in three places and the damage appeared to be such as would have been caused by bullets.

I must note that the alleged bullet marks on the Shah Sahib porch and on the upper storey of Malaknag mosque were not shown to Brigadier Sutherland (125) when he visited the spot on 24th September, but his visit was a very hurried one and the people did not collect to point out such marks to him. The Munsiff has also stated that he visited the spot with the Prime Minister some time in November and that on that occasion the mark on the Shah Sahib porch was pointed out, but those on the Malaknag mosque were not mentioned. Nevertheless my observations lead me to believe that these marks are genuine.

The following presumptions arise from the position of the various bullet marks of the authenticity of which I am satisfied :—

- (a) A considerable number of shots were fired across the corner between the two bazars. These were fired in a South-Easterly direction. They may have been fired from the portion of Malaknag Bazar between the mosque and Sona Pakhri tank or from the mouth of Baghwari lane which is just behind that position.

- (b) The two shots on the Northern face of a house indicate that there was some firing over the walls of Sona Pakhri tank.
- (c) The shot on the outer porch of Shah Sahib indicates that one shot was fired by a person who had come beyond the corner of the two bazars.
- (d) The shots around and through the window of the mosque indicate that some firing took place from Baghwari lane and the concentration of those shots indicate that deliberate aim was taken at the window.

The Shah Sahib Bazar has a stony roadway, but, at the time of my visits, there were no loose stones lying about it. Stones could be kicked out of the roadway if considerable force were used. There was, however, a number of stones in the vacant space East of Sona Pakhri tank and if this spot were occupied by a crowd its members had ample material for the alleged stone throwing.

The only spot on the hillside from which stones could be thrown on to the Malaknag Bazar is not capable of direct approach and if people approached it by the only feasible routes it would have taken them several minutes to get there.

#### 20. Allegations regarding events subsequent to 23rd September.

The Wazir and the Inspector General of Police reached Anantnag about 3 A. M., on the 24th. It was found that the public were unwilling to have the wounded treated by the Doctors at the State Hospital and also that they were not prepared to allow these Hindu officials to examine the dead in the Rishi Sahib Ziarat where all the bodies had been collected. The Wazir therefore sent for Doctor Ghulam Ali from Srinagar who arrived about noon on the 24th and stayed for some nine hours. Brigadier Sutherland arrived during the course of the morning and was shown the place where the clash had occurred. A few Musalmans who were sitting at the shop of Aziz Nanwai showed him the bullet marks on that and the adjoining shops; he was not shown the marks on the Shah Sahib porch or on the Malaknag mosque but his visit was a hurried one and no large number of Musalmans had collected to represent their version of the events, hence the omission does not lead to the presumption that those marks have been fabricated since. The people wished to take the bodies in procession and bury them near Malaknag but this was not allowed as it was considered that a funeral procession might lead to further disturbance. The Wazir told the local leaders that no procession would be allowed and he also informed them of Ordinance L-19, which was being issued in Srinagar, in order to persuade them that they should not insist on a funeral procession. On the 25th the bodies were buried close to the Rishi Sahib Ziarat a procession thus being avoided, funeral prayers and ceremonies were allowed but some Musalman witnesses have alleged that there was not room to enable all those who wished to join in the ceremonies.

Gani But one of the wounded persons who subsequently died had been treated by Doctor Ghulam Ali. His brother Qadir But (44), supported by another witness (89), alleges that this doctor advised that he should be taken to Srinagar for treatment and that this was not allowed by the Wazir who told them that the road was closed; no support is given to this allegation by the evidence of Doctor Ghulam Ali.

The Wazir found that all was quiet in the town and that the inhabitants were not showing an intractable spirit. The Tahsildar and Munsiff inform us that there were no further disturbances after the 23rd

but that there were two isolated cases of assault leading to grievous hurt which resulted in trials and conviction of two Mohammedan accused.

Several witnesses have alleged that, after the disturbance, orders were passed to the effect that (a) all shops should be opened under penalty of confiscation, (b) all Musalmans should stand up and salute whenever any State official passed by and have added that on these occasions they were made to say "Hindu Dharm ki Jai". Ghulam Mohammad Nanwai states that his shop was opened forcibly. Three witnesses allege that they were made to say sentences insulting to Islam by either the Tahsildar, Munsiff or Assistant Superintendent of Police. Not one of the many witnesses questioned by me alleges that any punishment was ever inflicted for non-compliance with these alleged orders.

Two witnesses allege that for some time after the disturbances no Musalman was allowed to visit the mosques in the evenings either for Sham Nimaz or Khuftan Nimaz; this allegation, if it had been true, would surely have been repeated by large numbers of witnesses.

Three witnesses alleged that they paid bribes to Hassan Shah, a local pleader, who told them that he could save them from action against them contemplated by the authorities. Hassan Shah himself appeared as a witness and stated that his son had given evidence in the proceedings against Ghulam Mohammad and that on the day of the disturbance he was so frightened that he sent his relations away from his house and himself took refuge in the police station. The Tahsildar says that after the disturbances were over he learnt that the mob intended to murder Hassan Shah and then destroy the Khanabal Bridge; this appears to be a wild and unsubstantiated rumour. These various points show that some of the Musalmans bore a grudge against Hassan Shah and their allegations of bribery are probably prompted by this grudge.

There are two further complaints that some of the soldiers when patrolling in lorries laughed at the mourning Musalmans and made remarks derogatory to Islam.

## 21. Conclusions.

I find that the Muslims of Anantnag were affected by the general unrest emanating from Srinagar, that they were led to believe by their local leaders that the proceedings against Ghulam Mohammad were based on fabricated evidence and that a spirit of intense suspicion had been created amongst them by suggestions that various isolated and somewhat trivial events had happened in consequence of an official plot against them as a body.

I also find that the officials appear to have been in a nervous state arising out of the general tension and that when news of the Srinagar disturbances penetrated to Anantnag they feared that it would lead to a riot.

Mohammedans met at the Jama Masjid to discuss the news from Srinagar and decided to hold a procession starting from the Idgah to mark their sympathy with those who had suffered and with the persons whom they believed to have been arrested. I can find no credible evidence that those joining in the procession intended to break out into riot but I am convinced that the procession was of a secular and political nature rather than of a religious one, and that it constituted a danger to the public peace. I am also satisfied from the evidence of a Hindu pleader (8) that during the course of the procession a few stones were thrown at the houses or shops of one or two Hindus.

The procession was illegal under the standing provisions of the Ordinance of 1924 but no proclamation under section 144 C. P. C. had

been made and there could be no justification for using force to disperse the procession without warning. I am satisfied that the Magistrates went to the High School and warned some of the crowd against joining the procession. The alleged conversation between the Tahsildar and a school master has been brought into evidence with a view to showing that the Tahsildar intended to resort to force and wished to safeguard a few school boys but it appears to me far more probable that this evidence is based on an attempt by the Tahsildar to persuade those who were present to disperse.

I am also satisfied that the police assembled near the High School and that the Assistant Superintendent of Police made some efforts to persuade the crowd to disperse. I am convinced that no troops were taken to the Idgah and that the witnesses who allege their presence either mistook the six armed policemen for soldiers or else saw the soldiers who passed that place in a lorry on return from Bijbehara.

I am satisfied that the police party did not accompany the procession from the Idgah up to the Jama Masjid but left it near the tonga-stand and proceeded to Nagbal through by-ways. I base my conclusion not only on the evidence of a few Musalman witnesses but on the discrepancies in the statements of the police themselves.

I consider, that the attempts to persuade the crowd to disperse before or when the procession started were of a very half-hearted nature and that a very large number of people in the procession did not know that orders had been given forbidding it, and further, that many people joined the procession during its march and could know nothing about the prohibition.

I consider that the two Magistrates were very much to blame for going away together from the vicinity of the Idgah to consult the Governor over the telephone and that they were even more to blame for not returning to the spot with the troops directly they got an urgent message from the Assistant Superintendent of Police. It seems to me that instructions from the Governor were totally unnecessary and that these two officials shirked the responsibility attaching to their position. The fact that they remained at the telephone after getting instructions from the Prime Minister in order to get them repeated by the Governor shows that they were unfit for the posts which they held. Similar censure appears to me to apply to Subedar Dharam Singh who disregarded urgent messages in order to seek unnecessary orders from Brigadier Onkar Singh.

The orders given by the Governor as stated by him and as stated by the Tahsildar and the Munsiff do not agree; it appears to me impossible that any of these three officers could forget the orders given on such an important occasion and that some evidence has been deliberately withheld.

The allegation of a few witnesses that there was a plot to shoot down the crowd at the Idgah seems to me to be pure nonsense. Its origin can be traced from the fact that the Assistant Superintendent of Police was overheard to remark to the Magistrates that they had missed their opportunity; that remark appears to me to be an entirely innocent and natural remark. The Magistrates should have been on the spot where the crowd were assembled in an open place before night-fall and that was the obvious place at which they should have made a determined effort to disperse the crowd. It was entirely due to their inefficiency and avoidance of responsibility that the ultimate clash took place after dark in a narrow and confined space, leading to very serious results.

I believe that the crowd halted on arrival at the Shah Sahib Ziarat and then turned back because it was getting late and they wished to go to the Jama Masjid. A Mohammedan Naib-Tahsildar (21) and Qanungo (54), who were in the house of the former overlooking the Shah Sahib Bazar, say that this was so and that they saw no policemen directing the crowd to go back. The allegation of some witnesses that five uniformed policemen turned them back does not appear to me to be credible. Names of three of those policemen have been mentioned and all three were summoned by me; I find cogent evidence to believe that two of them were then on special duty in mufti and all three have given accounts of their movements which preclude the truth of the allegation about them.

I consider the allegation of one witness that the Assistant Superintendent of Police sent some constables from the High School to turn back the procession from Hazratbal as mere fabrication; he could not then have known to what place the procession would go; it is impossible to believe that the officials evolved a plan to catch the procession in a trap by heading them back and laying an ambush for them round a corner; all the evidence shows that the officials were working without co-operation or plan and that their acts were the result of a fortuitous chain of circumstances.

I also regard the allegation that the Tahsildar seized a rifle and fired it as a deliberate falsehood although so many people have joined in it; the Tahsildar himself says that he has never fired a gun but, whether this is so or not, it is most unlikely that a civil official without military training could take a service rifle and go through the necessary actions of opening the cut-off and withdrawing the bolt in order to fire it; moreover the idea that any sepoy would allow a civil official to snatch a rifle from him is repugnant to common sense.

The Naib-Tahsildar and Qanungo have alleged that firing broke out almost directly the procession reached the corner on its return journey. The sepoys who were in the first section have all stated that on reaching Malaknag they turned left out of Baghwari lane and were immediately met by a crowd coming round the corner. The Mohammedan witnesses who were near the corner have contradicted each other as to whether the hind-most men of the procession were on the East or the North side of Malaknag mosque. The majority of those who alleged that they were on the North side have stultified themselves by saying that when they turned round they saw the troops drawn up within two yards of them although they had been ignorant of their arrival. This absurdity is still further marked by the statement of three witnesses who say that they saw the troops arrive and yet never called the attention of their companions to this fact. I am satisfied that the whole procession had passed the corner of Malaknag mosque when the Tahsildar's party arrived and I disbelieve the civil official witnesses who stated that it was still passing the mouth of Baghwari lane in an Easterly direction. I further believe that directly the Tahsildar's party arrived the procession came back round the corner and met it.

I am satisfied that the Tahsildar and police attempted to stop the procession at this point but I doubt very much whether their proceedings were as precise and prolonged as their evidence suggests. The police were far too few in numbers to make any impression by a baton charge.

I note that between the time when the procession was first stopped and firing commenced there was time for two boys (110 and 111) to push through the crowd from one end of the procession to the other. Both were wounded after doing so.

I see no reason to doubt the allegation that stones were thrown upon the Tahsildar's party. The injuries to the members of that party,

although slight in all except three cases, were undoubtedly genuine and must have been caused by a determined attack with stones. Two damaged rifles, two bent bayonets and one chipped bayonet were produced before me by sepoy witnesses, and I do not credit the allegation that these were intentionally damaged in order to fabricate false evidence.

In these circumstances I do not consider that the Subedar was to blame in ordering his men to fire; the whole affair had been grossly mismanaged but at this stage it was impossible for him to adopt any other course. After careful consideration I do not consider it impossible that the damage to life, person and property indicated in paragraph 25 could not be caused by 46 bullets fired at close quarters amongst a dense crowd. I therefore see no reason to doubt the official statement regarding the number of rounds which were fired.

On the other hand I consider that one man at least must have fired from a point beyond the alleged position of the first section and that one bullet at least went South up the Shah Sahib Bazar and reached Shah Sahib porch.

I am also of opinion that shots must have been fired from a point in Baghwari lane towards the window of Malaknag mosque, and, from the concentration of these shots, I cannot believe that these were random shots fired during a hand to hand struggle but consider that there must have been deliberate aim. It is possible that stones may have been thrown from that window but on this point it is natural that both groups of witnesses should be silent and hence there is no evidence with regard to it.

I am not satisfied with the evidence that Razak Ahangir was shot on the hillside after the whole disturbance was over. I consider that this is probably another falsehood inserted to exaggerate the allegations against the authorities.

To sum up I find that both Magistrates were very much to blame for failing to attempt to stop the procession with all the force at their disposal before it left the open space near the Idgah and before it had become dark. I find, that owing to these lapses on their part, the procession was ultimately met in a narrow road after dark and that, by an unfortunate series of chances, the procession was held up as it came round a corner with the result that those in front could not get away quickly, those behind not realising what was happening.

I find that the Subedar was justified in ordering his men to fire but I find that their account of the controlled firing is inaccurate and that there must have been some desultory firing up Shah Sahib Bazar and towards Malaknag mosque after the majority of the crowd had dispersed.

The events subsequent to the 23rd pale into insignificance in contrast with the tragedy of that evening. In respect of them I find that the authorities did not enforce any unnecessary repressive measures. It would have been unwise for them to have allowed a procession to pass through the bazars with the dead bodies and the decision that they should be buried close to Rishi Sahib was a wise one. I have no doubt that the Musalmans were ordered to open their shops and to discontinue the hartal; this too I consider to have been a necessary step. I totally disbelieve the allegation that they were made to stand up and say 'Hindu Dharam ki Jai' whenever officers passed. All witnesses have said that they obeyed this order in a docile manner which I am totally unable to believe. It is very possible that they were sometimes told to stand up and it is also possible that they may have been told to say 'Maharaja ki Jai' as was done in Srinagar. The mere facts that military occupation was not extended under Ordinance 19-L to Anantnag and that the military

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post was withdrawn in less than a month after the disturbance, indicate that no undue severity was shown after the occurrence. In fact all the evidence before me points rather to the conclusion that the 'Musalmans' had no further spirit left for any demonstration against the officials and that the officials were appalled by the results of the clash and were anxious to avoid anything which would irritate Musalman feeling.

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## SHOPIAN SECTION.

## 22. Causes of Disturbances.

Both from the Munsiff (1), who was the principal civil official in the town, and the Sub-Inspector of Police (2), we learn that there were no signs of agitation amongst the Musalmans of Shopian until 'Kashmir Day' (the 14th of August), when the Musalmans observed a hartal. A week previous to this, however, the local Hindus had made a written representation to the Munsiff that their lives were in danger and he had forwarded this to the Governor at Srinagar; it is impossible to say whether this representation was based on reasonable apprehensions or not.

Apprehending trouble, the Munsiff requisitioned military aid from Srinagar and troops arrived on the morning of the 14th August. That day was a Friday and on it a large congregation met in the Jama Masjid where they were addressed by Moulvi Abdur Rashid (57). Notes of the address, which is said to have been inflammatory, were made by the Sub-Inspector who was present at the outer porch of the mosque; the crowd, on leaving the mosque, was dispersed by the police without the use of force. No call was made upon the troops who returned to their head-quarters at Srinagar.

Thereafter inflammatory speeches are said to have been made at the Jama Masjid every Friday and it appears that the Sub-Inspector always attended at the porch from which place he was able to gather the general nature of the speeches made. About a week after the "temporary truce" a Mirwaiz from Srinagar visited Shopian and gave an address at the Jama Masjid in the course of which he declared that Government was not carrying out the promises made by it and urged the Mohammedans to boycott the State Courts and to settle their disputes amongst themselves, for which and other purposes he nominated local persons to form a Committee.

These allegations have not been specifically met by the Mohammedan witnesses who appeared, but the general trend of their evidence is that no inflammatory speeches were made, that the local Hindus and State officials were anxious to provoke the Mohammedans to riot with a view to crushing them on its outbreak and that all lectures delivered at the Jama Masjid took the form of exhortations to keep peace and to endure troubles without resistance. Two Mohammedan witnesses (57 and 73), admit being on the Committee of twelve, whilst a third (117), admits its existence; but all three allege that the functions of the Committee were never explained and that it never met or took any action.

Witness No. 117, in his written statement makes a series of allegations in regard to the alleged conspiracy amongst officials and Hindus to stir up and excite Mohammedans. Most of these are of a vague nature and the witness alleges clandestine meetings and yet professes knowledge of what took place in them. His evidence appears to rest on no solid basis but to be mere speculation; in particular he mentions that at a Hindu fair held in Buttapura close to Shopian the Hindus attempted to excite the Mohammedans to violence and that an arrest of one Abdul Rahman by the police was made with the same intention. I can find no grounds for the witness' belief. There were no troops present at that time and it appears incredible that the Hindus would desire to cause a riot amongst the Musalmans who form the major part of the local population. This witness has also alleged that a week after Kashmir Day the Hindus held an 'Anti-Kashmir Day' and that the Munsiff presided at it. Enquiries show that a petition was sent to

the High Court regarding this incident; the Munsiff's explanation was called for and he admitted attending, but not presiding at the meeting which he described as loyal but not political. He was informed that he should avoid attending such meetings in future as such attendance was open to misconstruction.

Secret meetings of the Hindus are also alleged by witness No. 71, but here again the witness has not given any explanation of his alleged knowledge of the subjects discussed at meetings which he himself alleges to have been secret.

The local Moulvi, Abdur Rashid (57), admits that speeches were delivered at the Jama Masjid on Kashmir Day the 14th of August and on subsequent Fridays but alleges that they were of a peaceful nature; on this point he is contradicted by witness No. 73, who says that there was no meeting on Kashmir Day. In view of the Sub-Inspector's allegation the contradiction is significant.

Witness No. 43, is a tailor and lives with his brother in a house adjoining that of the Munsiff. He alleges overhearing many conversations between official and non-official Hindus a few days prior to the disturbances. According to him these people were conspiring together to cause an outbreak amongst the Mohammedans and he suggests that the arrest of a faqr, to which reference will be made subsequently, with the subsequent proceedings connected therewith, were the result of a plot. From his written statement he would appear to have been present at many different places and occasions on two successive days when matters of the most secret nature were discussed by the Hindus. Under examination he attempted to explain his fortuitous presence at these meetings in a way which confirmed the impression given by the nature of his allegations. In my opinion his evidence consists of real or supposed suspicions supported by falsehood. There is no other evidence on this point worthy of mention.

It appears to me that, as in other places, the Mohammedans were deeply suspicious of officials and all Hindus during the months of August and September, but they have been totally unable to give any convincing reasons for their suspicions. I can find no reason to suspect that either the officials or the Hindus were anxious to provoke the Mohammedans and I regard it as most unlikely that they would dare to do so. I find no reason to disbelieve the Sub-Inspector's evidence regarding a regular series of inflammatory speeches having been delivered at the Jama Masjid on and after the 14th of August.

I now turn to more definite evidence which concerns events of the 23rd and 24th September.

The Munsiff's account may be summarised as follows :—

On the 23rd September the Musalmans of the town were disturbed by the news of the arrest of Mohammad Abdulla, and they observed hartal. On information received whilst patrolling the town the Munsiff sent a police official to produce a Faqr who had been shouting seditious remarks in the bazars. He was not found immediately but was produced at the Munsiff's house at 8 p. m. He was then arrested under section 109 C. P. C., as he could not give a satisfactory account of himself. On the following morning the Munsiff was informed by some Hindus that there was fear of a Mohammedan outbreak and he sent a message to Srinagar asking for military assistance. Later in the day a large crowd of Musalmans attended at the Munsiff's Court and a verbal complaint

was made by Moulvi Abdur Rashid that the faqir had been beaten and insulted at the police station after his arrest.

The faqir was then called to the Court and his statement was recorded. He alleged that at the thana he had been given one slap and that he was abused; the abuse included reference to his mother and sister but there was no abuse directed against his religion.

Abdur Rashid who made the verbal complaint refused to sign a certificate that this statement had been made in his presence and insisted that the faqir had said that the Prophet had been abused. This not being so the verbal complaint was dismissed.

It will be noticed that the Munsiff relied entirely upon the statement of the faqir himself and did not record other evidence of what was alleged to have happened at the police station. Nor, indeed, in face of faqir's own statement, was there any necessity to do so.

Before me, two groups of witnesses have appeared, the first stating that they were present at the police station after the arrest of the faqir and the second stating that they were present at the Munsiff's Court when the complaint regarding abuse was presented. The first group includes witnesses Nos. 34, 36, 45, 50, 52, 60, 71 and 73. They all allege that after his arrest the faqir was brutally ill-treated at the thana by some eight policemen and three Hindu residents of the town. They also allege that he was spat upon and otherwise insulted and that there was direct abuse on the Prophet and the Prophet's daughter and of the Mohammedan religion. They all of them stated that thirty or forty Musalmans had collected and were watching these events but did not intervene. To account for this large number of Musalmans, they have stated that the crowd collected and followed the faqir after he was first apprehended, various persons joining the crowd at various places.

From witnesses 57 and 73, we learn that this incident was followed by a meeting in the Kralla Masjid where it was decided to petition the Munsiff next day.

In regard to the events at the Munsiff's Court on the 24th of September evidence is given by witnesses Nos. 34, 36, 38, 45, 50, 52, 57, 71, 73 and 117. So far as Nos. 34, 36 and 52 are concerned the evidence inserted in their written statement was not repeated orally and it would appear that it was only a repetition of things which they had heard and not seen. Witnesses 38 and 71 appear to have been outside the Court-room when the proceedings were taking place and therefore they could not see or hear what happened. The former of these does allege that he was inside but his allegation is contradicted by the evidence of others who were certainly inside. Witness No. 117 also alleges that he was inside the Court, but is not supported in this by other witnesses. He alleges that he himself read the record prepared by the Munsiff at the time it was handed to Abdur Rashid. That record was already before me and he was confronted with it, he then made so many conflicting statements that I am unable to believe his evidence regarding it.

We are thus left with only four witnesses who appear to have been inside the Court, when the proceedings took place. Samad Dand (45), alleges that he filed a written complaint before the Munsiff and before me he produced an alleged copy of this complaint together with two applications respecting the proceedings which he alleged he had presented to the Munsiff who had not accepted them. The Munsiff denies the authenticity of these documents and there is nothing inherent in the

exhibits to show that they really are what they purport to be. The other three witnesses are Abdur Rashid (57) and Rahman Turey (73), who according to the Munsiff were the prime movers in the oral complaint, and also Gani Zargar (50); Samad Dand and these three allege that in the course of his statement the Faqir said, "There was abuse of my father who is also your father" which they understood to be a reference to the Prophet of Islam. According to Samad Dand, Rahman Turey and Abdur Rashid the record was handed to the last named who read it silently to himself and then returned it to the Munsiff refusing to sign his name. But according to Gani Zargar, Abdur Rashid read it out loud so that everybody could hear. The last witness is obviously not adhering to the truth. Hence eliminating the evidence of witnesses which is *prima facie* incredible or distorted we are left with the statements of Samad Dand, Rahman Turey and Abdur Rashid against that of the Munsiff. I have noted the peculiarly vile treatment which is alleged to have been given to the faqir at the police station on the 23rd; I have also noted the variety of direct insults levelled against the Mohammedan religion which are alleged on that occasion. In view of these allegations, I cannot believe that the Mohammedans on the 24th raised no objection to that part of the faqir's statement which said that he had received one slap and objected regarding the omission of only one insult couched in ambiguous language. The persons present must have heard what was alleged to have happened on the 23rd while Samad Dand and Rahman Turey allege that they were present at that time; it is impossible that they would have contented themselves with the remonstrance which they now allege.

In regard to the actual event at the police station, it seems unlikely that a crowd of 30 or 40 Mohammedans would not intervene when a party of 11 or 12 people were behaving as is alleged. With regard to the subsequent proceedings in Court, in which the allegations have been so modified, I am of opinion that the Munsiff's story is far more credible than that put forward by the Mohammedan witnesses. It is also supported by the original record, obtained for my inspection, from the successor of this Munsiff at Shopian.

Be that as it may be, there can be no doubt, from the evidence of all concerned, that, a large crowd of Muslims went away from the Munsiff's Court firmly persuaded that the faqir had mentioned abuse of the Prophet and that the Munsiff had omitted this portion of the faqir's statement.

### 23. Official account of events of 25th September.

The troops requisitioned by the Munsiff on the previous day arrived about 1-30 p. m. on the 24th of September; they included 2 Non-Commissioned Officers and 12 sepoys under the command of a Subedar (11). A Thakardwara adjoining the Munsiff's Court was placed at their disposal as head-quarters.

In the afternoon a very large number of Mohammedans assembled at the Jama Masjid and in accordance with his usual practice the Sub-Inspector (2) went to the porchway to over-hear the proceedings. He was accompanied, on this occasion, by three constables, Tara Chand (4), Gopi Nath (6) and Man Singh.

Moulvi Abdur Rashid addressed the congregation referring to the arrest of the faqir and the alleged failure of the Munsiff to do justice, he also told the congregation that six Mohammedans had been murdered at Srinagar and fifty more had been killed in Anantnag. The crowd were very excited by this lecture which was followed by one on similar lines, delivered by Khalil Bande, who called the attention of the crowd to the fact that there were some police outside the porchway and suggested that they should take the law into their own hands, that they should kill the

Sub-Inspector, demolish the police station and the Munsiff's Court, and thereby establish Mohammedan rule.

Upon this the excited crowd made for the main Eastern door of the mosque, outside which the Sub-Inspector was standing. A well disposed Mohammedan, however, delayed them by closing the door and the Sub-Inspector ran for his life towards the thana, despatching constables Gopi Nath and Tara Chand to inform the Munsiff.

He was chased by the mob who threw stones at him as he ran but he managed to reach the thana which was surrounded by the mob who pelted it with stones and also made an attack upon the lock-up, in which the faqir was confined, tearing down the wooden planks which enclosed a portion of its verandah. The Sub-Inspector, together with the police who were at the thana, went to the upper storey thereof and got ready four muskets which were the only weapons available.

[NOTE —It is satisfactorily proved that the armament of the police included only four muskets which could be fired, and one old gun with bayonet which was not capable of being fired and which was then with constable Gobind Ram (5) who was on sentry duty at the Havalat.]

Whilst the attack on the thana was proceeding constable Tara Chand (4) arrived in an injured condition and some shots were fired from the windows into the air, presumably to distract the attention of the crowd and to give him an opportunity of entering the thana. Tara Chand announced that Madho Koul, Naib-Court, had been caught by the crowd and was being beaten and some of the police inside the thana saw a man being beaten not very far away. Upon this fire was directed upon the mob, which thereupon dispersed. Soon afterwards the Sub-Inspector heard some shots being fired elsewhere and after a short interval the Munsiff arrived at the thana.

This account, given by the Sub-Inspector, is supported by the evidence of the Sub-Assistant Surgeon who, from his dispensary, saw a mob rushing towards the thana, which they attacked with stones, and who afterwards heard the sound of firing coming from the thana. This witness had not seen the Sub-Inspector running to the thana, but my inspection of the spot showed me that there are several routes from the Jama Masjid to the thana and that the shortest is shielded by buildings from an observer at the dispensary. It is, of course, probable that if a large mob went to the thana, it would scatter and go by various routes. Further corroboration is given by constables Tara Chand (4) and Gopi Nath (6) who were present with the Sub-Inspector at the porch of the mosque and thereafter went to inform the Munsiff; and by constable Gobind Ram (5), on duty at the lock-up, constable Shankar Butt (7) and Thakar Koul, Head-constable (9), who were in the thana itself.

I now turn to the Munsiff's evidence. He was at his Court and about 3-45 P. M. he heard a great uproar and a constable arrived saying that an out-break had occurred. He, accompanied by his Naib-Court, Madho Koul, and by Subedar Narda Singh (11), in charge of a detachment including one N. C. O. and 9 sepoy, then traversed the town along a bazar which leads to the Jama Masjid.

About 100 yards before the Masjid is reached this bazar comes to an end and there is some open ground with a cemetery on the right and houses to the left; a more or less open road leads between the cemetery and the houses to the South-East corner of the Jama Masjid.

At the point where the bazar ends, the Munsiff's party was met by a large mob coming from the direction of the Masjid. The Munsiff ordered them to disperse and the military, who had fixed bayonets, tried

to disperse them by the use of bayonet and butt: The mob, however, did not disperse and started throwing stones, whereupon the Munsiff directed the Subedar to fire. On firing being opened the mob immediately dispersed and the Munsiff proceeded towards the Masjid and was directing another mob to disperse, when he heard firing from the neighbourhood of the thana. He started towards the thana, accompanied by the soldiers, and whilst crossing the graveyard was again stopped by a hostile crowd who pelted the party with stones and snatched the rifle of one of the sepoys. Here again the party was forced to fire upon the crowd which then dispersed.

The Munsiff now noticed that a crowd was again collecting near the mosque and went back to disperse it in which he had no difficulty. He also sent off constable Gopi Nath (6) to enquire what had happened at the police station.

This constable started towards the thana and passing through the garden of Habib Joo, which is a semi-enclosed space planted with willow trees, saw the body of Madho Koul lying on the ground; he immediately returned and called to the Munsiff who came to the spot with the military. Madho Koul had been seriously injured and was quite insensible.

By this time the crowd appears to have dispersed entirely. The Munsiff's party proceeded to the thana and Madho Koul was carried there on a charpoy. The Doctor was summoned but Madho Koul expired within a few minutes of his arrival.

By the time the Munsiff arrived at the thana the crowd had left it and the Sub-Inspector was in the Court-yard with his staff several of whom had received slight injuries. These persons were also attended to by the Doctor.

All being now quiet the Munsiff sent the detachment of troops to the neighbouring Hindu village of Battapora to ascertain whether the inhabitants were safe. No trouble had occurred in that village and the troops returned. The Munsiff then made some further patrols in the city accompanied by the troops and, on account of his foot having been injured by a stone, he went on horseback. All was quiet and nothing further occurred on this day.

The account given by the Munsiff is corroborated and amplified by the evidence of the police and soldiers who accompanied him. It has already been noted that constables Tara Chand (4) and Gopi Nath (6) went from the Jama Masjid to inform the Munsiff of the out-break. They both accompanied him and his party to the end of the bazar where the first firing took place. Madho Koul, Naib-Court, also accompanied him from the Court to this spot.

Tara Chand states that, after the first firing, the Munsiff told him and Madho Koul to go to the thana and direct the Sub-Inspector to come and make some arrests. The Munsiff does not remember giving them any such order and did not notice when or where Madho Koul left his party.

According to Tara Chand, whilst he and Madho Koul were crossing the open ground in front of the thana, they were both attacked and while he himself managed to escape Madho Koul was over-powered. Head-constable Thakar Koul, who was in the thana, alleges that he saw a police employee knocked down in front of and at some distance from the thana and thereafter dragged away by members of the crowd towards the Jama Masjid. From this evidence it would appear that Madho Koul received his injuries close to the thana and was then dragged back as far as the garden of Habib Joo, which lies between it and the Masjid, and,

if this be believed, the presumption is that the people dragging him left him there because they were disturbed when the Munsiff's party fired in the graveyard which is close to the garden of Habib Joo.

The Subedar, the N. C. O. and several sepoys who were with the Munsiff have appeared as witnesses. Their evidence supports his in essential matters and it also gives us reliable information as to the amount of firing. On the first occasion the order was given that two men should fire three rounds each, on the second occasion three men were ordered to fire three rounds each. Hence the total number of rounds discharged was fifteen and this number tallied with the results of an inspection of ammunition made on return to Head-quarters. The evidence of these military witnesses, who were subjected to searching examination, satisfies me that the number of rounds alleged is correct.

News of these events was sent to Srinagar and on the 26th of September the Wazir Wazarat, Pandit Sri Ram (8), accompanied by Khan Bahadur Abdul Majid Khan, Director General of Agriculture and Co-operation (121), arrived in Shopian at about 3 p. m. and Sardar Amar Singh, Deputy Inspector General of Police (10), also visited the place about the same time. They found three or four hundred people collected at the Jama Masjid and found one dead body and seven injured persons inside that building. They were immediately told by those present that the Munsiff and the Sub-Inspector had fired upon the congregation whilst in the mosque at prayers on the previous day. The Wazir states that the allegation was that one shot had been fired inside the mosque by a policeman under the orders of the Munsiff.

The first step taken by these officers was to call the Doctor and the Wazir tells us that the messenger returned saying that the Doctor was afraid to come without escort. A second messenger, however produced him and the injured were then taken to hospital and treated. From the Doctor himself we hear that he had wished to treat the wounded previously but he had not been allowed to do so by the Musalmans; the Wazir also notes that at first the people were unwilling to allow the Doctor to treat the wounded.

The dead body, found in the Jama Masjid, was buried whilst these officers were present and the Wazir has stated that twenty to twenty-five people attended the funeral and that nobody was prevented from doing so and also that the usual bathing of the corpse was carried out.

Some marks, inside the mosque, were pointed out by the people and these were carefully examined by the Deputy Inspector General of Police who formed the opinion that they had not been caused by firing.

The officers also examined the thana and found it in a damaged condition; window lattices had been broken, the brick-work chipped and a very large number of stones were lying about the rooms and staircase inside. Stones had been removed from the wall of an adjoining cattle-pound, and some planks, enclosing the verandah of the Havalat, had been torn down. Madho Kouf's body was still at the thana and it was sent off in a lorry for "post mortem" inspection in Srinagar.

The Wazir and Khan Bahadur Abdul Majid Khan left Shopian the same evening but the Deputy Inspector General of Police remained for several days assisting in the investigation of the whole matter. He checked the stock of ammunition at the thana and tells us that the cartridges, used, were of two sorts, one charged with buck-shot and the other with single bullets. It was found that eight of the former and seven of the latter were missing from stock, which agrees with the statements of the police as to the number of shots which were fired from the upper storey of the thana.

From the official evidence, it is not possible to determine whether the one Mohammedan who was killed met his death outside the thana or on one of the occasions when the Munsiff's party was forced to fire, nor is it possible to determine on which occasions the wounded men, who were found in the Masjid on the next day, had been injured.

#### 24. Muslims account of events on 25th September.

The Muslims' account of the events is not a variation of that given by the officials but is a totally different story. Twenty-two witnesses stated that Moulay Abdur Rashid gave a lecture on peace after the conclusion of the Friday prayers in the Jama Masjid whilst only one Mohammedan witness states that he made any mention of the faqir. Forty-one witnesses say that Khalil Bande then gave an account of the alleged insults to the faqir whilst a few witnesses add that he told them that he had only just come back from Srinagar himself where he had heard of the martyrdom of Musalmans. According to many of the accounts given by these witnesses his lecture regarding the faqir was a most bitter and inflammatory one. He concluded his lecture by saying that as no justice could be obtained in Shopian they should represent their grievances to His Highness.

At this point a large number of the congregation got up to leave the mosque by the Eastern door, two witnesses say that they did so because they were excited but twenty-eight witnesses allege that the congregation got up with the intention of marching straight to Srinagar to petition His Highness. As it was then 3 P. M. or later and as Shopian is thirty-four miles from Srinagar the allegation has not the appearance of truth.

Thirty-nine witnesses state that as the crowd was leaving by the Eastern door they were faced by the police who were drawn up outside armed with muskets; they immediately opened fire on the crowd some of whom ran away whilst others came back into the mosque in confusion. Four witnesses who did not attempt to go out of the mosque state that they heard firing directly people began to leave.

Five witnesses allege having seen the armed police when they first came to the mosque whilst two allege that there were some troops with these police; four other witnesses allege that the Munsiff was standing with these police at the time when they fired. On the other hand two witnesses who were outside the mosque have come forward, one of whom states that the Munsiff came from the town after this firing whilst the other alleges that he was standing opposite the small door on the West of the mosque.

It is alleged by thirty-six witnesses that when the people came back through the Eastern door, after having been fired upon by the police, the Munsiff, accompanied by troops, entered the mosque by the Southern door, abused them and ordered the troops to fire which they did inside the mosque.

The people now rushed out from the doors on the East, North and West, the major portion going through the Eastern door; by this time the armed police had disappeared, as they were chasing people who had got out on the first occasion, but thirteen witnesses state that Madho Koul, Naib Court, was standing in front of the Eastern door armed with a lathi with which he beat the people as they came out. These thirteen witnesses and also three others state that the panic-stricken crowd knocked him down in their flight and that he was trodden under foot.

Not a single Mohammedan witnesses admits that there was any attack upon or disturbance at the police station.



This is the story of the Musalmans as put forward by the majority; there are a few additional details alleged by some witnesses, for instance:—One man alleges that Madho Koul was also present beating people with his lathi as they went into the mosque before the commencement of prayers, another alleges that Madho Koul came to the spot with the Munsiff whilst a third says that he was amongst the armed police; one witness alleges that a short time after this occurrence the Munsiff returned to the mosque and pulled down the curtain which hung over the Eastern door; another witness alleges that this curtain was pulled down by the police because it showed the marks of bullets; three witnesses allege that after the mosque was empty the Munsiff came to it on horse-back and rode round the inside of it defiling it and calling down curses on Musalmans; from amongst these three, Moulvi Abdur Rashid alleges that the Munsiff rode up the stairs at the Eastern door-way on his horse and that the horse stumbled causing the Munsiff to hurt his foot against the wall.

#### 25. Medical Evidence and Inspection Notes.

Pandit Bishambar Nath (3), who was Sub-Assistant Surgeon in Shopian at the time of the disturbance, examined Madho Koul at the thana soon after that man was brought in and recorded a note detailing twenty-nine injuries, several of which were multiple; Madho Koul died soon after his arrival and his body was subsequently taken to Srinagar where a post-mortem examination was carried out by Doctor Gwash Lal (86) who noted seven wounds on the skull associated with three fractures, five on the face, four on the neck, nine on the arms and trunk but none at all on the legs; the right arm was also fractured. The wounds included linear incised wounds as well as a large number of irregular contusions.

Pandit Bishambar Nath had been transferred before he appeared as witness and brought no records with him; he was given several days in which to collect his records from Shopian but ultimately failed to put in a complete copy of the registers; he however put in copies of various isolated reports and of a part of his registers from which the following information is gleaned:—

The Munsiff was treated on 25th September and subsequently for an injury to the ankle-joint apparently caused by a stone. The Sub-Inspector (2) and constables Gobind Ram (5), Shaban But (7) and Tara Chand (4) were examined on 30th September; all were suffering from minor contusions, abrasions and lacerations, but Tara Chand appears to have been badly battered and his wounds included one of an incised nature.

The body of Quda Tak who had been killed on the 25th was buried under the orders of the Wazir the next evening, it was not examined by the doctor and no one has been able to describe the wounds upon it, but there is no doubt that death had been caused by either rifle or musket fire.

Seven wounded persons were removed from the Jama Masjid to the dispensary on the 26th and received their first medical treatment there; four were suffering from gunshot wounds, in which term Pandit Bishambar Nath includes wounds caused either by rifle or musket, one had an incised wound and the other two are described as having various scratches. One of the men wounded by 'gunshot' and the man with an incised wound have appeared as witnesses and both state they were wounded when running out of the Eastern door of the mosque, the latter ascribing his wound to a bayonet.

It appears that when the police were conducting an inquiry they produced various men before the doctor and obtained certificates from him regarding injuries on their bodies; he has supplied notes regarding four such men three suffering from lacerations and one from a small punctured wound.

The records of the State Hospital in Srinagar show that two men wounded at Shopian were treated there on the 30th September; one had seven injuries caused by some sharp weapon and was admitted as an in-patient, the other only had trivial injuries.

No other cases of injury have been traced through medical witnesses, the casualties thus include :—

One police official killed, apparently by sharp weapons and stones.

The Munsiff, Sub-Inspector and three constables injured by stones, lathis or, in one case, by a sharp weapon.

One Mohammedan killed, presumably by rifle or musket fire.

Four wounded by rifle or musket fire.

Three with punctured wounds possibly caused by bayonets.

Six slightly injured.

The case of Mohammad Dar requires special notice; he was examined at the dispensary on the 26th September suffering from two bullet wounds in the left knee; his son (23) tells us that he was taken from the dispensary to his village the same day and this is supported by register entries; thereafter he appears to have been arrested about the 2nd October and sent to Srinagar but was released on the 5th and was again brought to his village; his relations took him to the C. M. S. Hospital in Srinagar on the 9th and he remained there until the 24th October. Dr. Mackenzie of that hospital states that his wound was in a septic condition when admitted and that, his case becoming hopeless, his relations were allowed to remove him on the 24th. His son adds that after taking him home on the 24th his relations were ordered to take him to the Shopian dispensary where he died twenty four hours after admission. From Pandit Bishamber Nath we learn that he was actually taken to the Shopian dispensary, but that the witness was on leave at the time and that a compounder was in charge. This evidence reflects most discreditably on the police who appear to have neglected to procure medical treatment for the man after his arrest, though possibly the wounds became septic either between 26th September and the 2nd October, or between the 5th and 9th October when he was in his village.

One witness (73) has stated that another man, Khazir Rangrez, was wounded on 25th September and died some considerable time afterwards without having had any medical treatment; there is nothing inherently improbable in this allegation, it is certain that many persons absconded after the 25th to avoid arrest and, if these included wounded men, they must also have avoided revealing themselves by applying for medical treatment. In such circumstances death from a neglected wound is not unlikely. The fact however remains that only one witness out of all who appeared had mentioned this man.

Again one witness (63) has alleged that a man Mohammad Hakim was found lying dead on the road after the disturbance of the 25th, but I am unable to credit this allegation as, had it been true, it would certainly have been mentioned by a large number of witnesses.

Dr. Bishambar Nath's conduct after the disturbances was such as to call for notice in this report. It has already been noted that he failed to treat the Muslim wounded on the 25th September and had to be summoned twice by the Wazir before making his appearance on the 26th. His own explanation is that the Muslims would not let him treat their wounded; but one villager alleges that he was asked to treat them on the 25th and refused, whilst another witness states that he was taken to task for this on the 26th by Khan Bahadur Abdul Majid Khan. From his own evidence it appears that the wounded in his dispensary were placed under arrest and that he used to allow the police to remove them for purposes of investigation without remonstrance and he has even admitted that if the police failed to bring back one of his patients he considered it as being "their business" and not his own; on the other hand he states that he considered that none of his patients were in a serious condition and also that in three cases he gave certificates to the police that wounded persons were fit for removal to Srinagar. I am not satisfied that the wounded received careful treatment at his hands and regard it as unfortunate that he was in charge of the dispensary when the disturbance occurred.

I inspected the Jama Masjid and thana at Shopian on the 29th November; at the former I was shown several marks alleged to have been the result of firing by the troops, those included (a) a group of small holes on the Western wall just behind the place where the 'Membar' (lectern) usually stands, (b) two large holes on the inner face of one of the pillars of the Western verandah, (c) one hole on the outer face of the same pillar.

The group of small holes (a) appeared to be marks left by nails which may have been used to hang up a curtain behind the lectern, they were too small for buck-shot and were not in a pattern such as is made by pellets from a shot gun. All were deep and there was no lead in any of them. The two holes (b) appeared to be marks left by pegs, they were in such a position that if caused by firearms those firing must have been firing Eastwards with their backs to the Western wall; (c) The hole on the outer face of the same pillar also appeared to be one left by a peg.

The nature of the holes convinced me that in no case could they be the result of gun or rifle fire; and in addition none of the marks were in a position to fit in with the Musalmans' evidence that there had been rifle firing from the inside of the Southern door and musket firing from the outside of the Eastern door.

The main thana building is of brick, with windows in the upper storey, there were many abrasions on the brickwork on the South and West faces especially near the windows, there were also a few towards the Western end of the North face. Window shutters on the West and on the Western end of the South face were new at the time of my inspection, but the Wazir, Khan Bahadur Abdul Majid Khan and other witnesses have described the shutters as being in a broken state on 26th September. The planking on the Southern face of the Havalat verandah was said to have been repaired before my visit of inspection.

The abrasions on the brick walls were mainly far out of reach and suggested the inference that they were the result of stone throwing. The position of these abrasions suggested that there had been much stone throwing from the road South of the thana and the open space to the West, it further suggested that the only stones thrown at the Northern face had been thrown from the cattle-pound and not from the courtyard of the thana itself.

Put briefly, the general appearance of the thana suggested that there had been an attack upon it from the road and the open ground on the West but that there had been no attack from the courtyard.

**26. Conclusions regarding events of 25th September.**

Two stories which have no resemblance to each other are before me; that put forward by the local Mohammedans is contradicted both by the number of resulting casualties and by the condition of the Jama Masjid. If their story had been true there would inevitably have been a very large number of men wounded by the police fire outside the Eastern gate of the mosque and also by the firing of the troops within the mosque; yet only one man was killed and four wounded by firearms. Moreover if their story were true there would have been marks of rifle bullets inside the mosque; no such marks are there. I am quite convinced that the story is false and that there was no firing in the mosque or towards its Eastern door-way.

The condition of the thana even now, and far more so that described by the witnesses who inspected it on the 26th September, indicates that a determined attack was made on it, though not a single local Mohammedan witness admits that this was so. Moulvi Abdur Rahman has stated that he was told that the police were busy damaging the thana building throughout the night of 25th September in order to fabricate evidence; his informant has not appeared and the statement is not one that I can accept as probable. Had the police been fabricating evidence of this nature they would not have neglected to cause damage on the Northern face of the thana which abuts on the courtyard.

I am satisfied that there was an attack on the thana and that there was no firing in the Jama Masjid and hence the whole story put forward by the local Musalmans is a concocted falsehood.

Having come to this conclusion in which I feel that there is no room for any doubt, there is little evidence against which to check that put forward by the officials, any contradiction of their story can only be looked for in the circumstantial evidence or in discrepancies between the statements of witnesses who support it.

The circumstantial evidence afforded by the facts observed at my own inspection of the Jama Masjid and the thana, supported by that of witnesses who inspected them on the 26th September, support the official story in all respects except one. The exception is that, in describing the attack on the thana, the police witnesses allege that a large crowd entered the courtyard and attacked from that side also; the marks of damage on the thana negative this allegation. The alleged fact that constable Govind Ram (5) never deserted his sentry duty over the Havalat and was able to protect himself with his bayonet is only intelligible if the crowd really failed to effect an entry into the courtyard; the verandah in which he was on duty is open towards the courtyard and the end of it which abuts on the road is protected by rough planking, it is said that this planking was partly pulled down by the mob, and, if this were so, the injuries sustained by Govind Ram would easily have been inflicted whilst he was guarding that end. On the other hand, if the mob had gained access to the courtyard, there can be little doubt that Govind Ram would have been overpowered and that the faqir would have been released from the lock-up. Thus both the circumstantial evidence and the probabilities of the case negative the allegation that the crowd entered the courtyard and attacked the thana from the North side as well as from the South and West.

There are very few discrepancies in the statements of those who support the official version and I have been able to find none of any material significance. Some of the sepoy witnesses give slightly conflicting accounts of whether they advanced or not between the two occasions on which they were ordered to fire, but the two places are close together and after careful comparison of the various statements I do not regard this matter as indicating any fabrication of evidence.

With the one exception noted above I accept the official account of the events on 25th September as correct. There was a determined attack on the thana following a chase in which the Sub-Inspector had to run for his life, and there was simultaneously an advance of an excited crowd towards the bazars of the town. In these circumstances I consider that the firing at the thana by the police and also that by the troops under the orders of the Munsiff was not only justified but essentially necessary.

The results of that firing upon the persons of the rioters were so small as to indicate that no unnecessary firing took place and that all firing was under control.

I consider that the Munsiff discharged the responsibilities of his unpleasant position with credit and that his control of the situation was efficient and involved no unnecessary resort to force; the fact that, after the disturbance had been quelled, he despatched the troops to Batapora in case there had been trouble there, thus depriving himself of their protection, indicates that he was guided by a sense of duty to which he subordinated considerations of his own safety.

So far as the police defence of the thana is concerned, I find that the necessity of firing was forced upon them; their allegation that in the first instance they fired in the air and only fired at the mob after hearing from constable Tara Chand (4) of Madho Koul's plight, receives support from the few injuries that were caused by firearms.

I am precluded from discussing the details concerning Madho Koul's death by the fact that a prosecution is proceeding against certain persons who are alleged to have caused it; that he met his death on the 25th September in Shopian cannot be denied whilst the nature of his injuries indicate a death from violence; nothing more is material to this inquiry or need be mentioned in this report. There is evidence before me that he was attacked outside the thana, it is given by witnesses who have not been cross-examined on behalf of those accused and I can express no opinion on their veracity; but, if this allegation be true, it appears to me that some blame attaches to the police force for not attempting a sortie in order to rescue him; an action which would have involved the use of further force and probably resulted in larger casualties but which would certainly have been justified.

**27. Promulgation of Ordinance L-19 : and military control in Shopian from 26th September to 5th October.**

Captain Chhattar Singh (119) arrived in Shopian about midday on the 26th September and, on the evening of the same day, he received copies of Ordinance L-19 and of Ailan Nos. 1-6 which had been extended to Shopian and to all places within three miles of it by the authorities at Srinagar. He explained the provisions thereof to the people on the following morning.

In addition to Subedar Narda Singh's force of sixteen he had brought seventeen N. C. O's. and men with him so that, including himself, the total military force numbered thirty-four. The force encamped in open ground between the thana and dispensary, a camp flag was put up outside the quarter-guard tent, which according to Brigadier Sutherland (120) is in accordance with usual military custom.

The ordinance remained in force till 5th October and on that day Captain Chhattar Singh left with a part of the force, the remainder leaving with Subedar Narda Singh a few days later.

During this period of military control the police were busy in investigating the case of the riot and of the alleged murder of Madho Koul. A few local men were appointed as special constables and so were Moulvi Abdullah Wakil (84) and his son (85) who were sent from Srinagar in that capacity; these two come from a village near Shopian but generally live at Srinagar, they appear to have been regarded as agitators and were directed by the authorities to go to Shopian, they were appointed as special constables by Brigadier Sutherland to ensure that they would be under supervision.

Many local Mohammedans have alleged excesses by the police and troops during the occupation and have stated that large numbers of male Mohammedans fled from the place in consequence; fifteen of these witnesses allege that they themselves went into hiding. It is apparent that large identification parades were held by the police and that many men did leave the place though probable that they did so to avoid arrest and prosecution. It is also apparent that large numbers of people were called into Shopian from surrounding villages to be questioned or on suspicion of having been concerned in the riot.

The local shopkeepers were ordered to open their shops under Ailan No. 1, and there is evidence which leads me to believe that shouting "Maharaja ki Jai" was often compelled as it was in Srinagar.

Innumerable accusations are made against the conduct of officials, police and troops and these are allied with accusations against a few local Hindus, against two local Mohammedans who were acting as special constables and against a few zaildars and lambardars who assisted the police in their investigation and in the enforcement of the regulations. Much of the evidence in support of these accusations was palpably false and a great deal of it fell to the ground as the result of a short examination; it is impossible in this report to give detailed reasons for rejecting much of this evidence, but, lest I should be thought to be treating it with scant consideration, I mention the case of one witness, which illustrates the mentality of many who appeared before me, to indicate the utterly worthless character of a large volume of evidence.

This man had been in Srinagar at the time of the disturbance and arrived in Shopian on the evening of the 27th, he alleged finding his two children lying unconscious in his house, according to him they had been rendered unconscious by the sound of firing on the 25th though in the house two hundred yards away at the time; they had remained in this state for forty-eight hours but recovered directly he gave them some water to drink. He added that his wife had gone to visit her parents on the 27th leaving them at home in this state. This same witness had a long list of atrocities which he had subsequently seen committed by police and military, with such a preface to that list no one would accept his evidence in support thereof.

The various allegations made by the local inhabitants are given briefly below :—

Fifteen witnesses allege that the Wazir abused the villagers who gathered round him at the Jama Masjid on the 26th and said that if he had been present they would all have been shot, and these put various threats into his mouth such as that of turning the mosque into a temple, or into a Magistrate's Court or into a stable. Ten witnesses state that the Wazir would not allow the relations of Quda Tak to attend his funeral, that no ceremonies or bathing were allowed and that the earth over the grave was trampled down by soldiers.

The Wazir had been accompanied by Khan Bahadur Abdul Majid Khan and, presumably to lend greater verisimilitude to the story, these witnesses allege that the latter was not with him on these two occasions.

The Wazir denies these allegations and states that none was prevented from attending the funeral and that the relatives were allowed to bathe the body and perform other necessary ceremonies. He is supported by Khan Bahadur Abdul Majid Khan who states that he was with the Wazir on both occasions, but adds that the Wazir told the people that those who had done Madho Koul to death deserved no sympathy, whilst the Wazir's own report made on 26th September shows that he considered that the police should have made efforts to rescue Madho Koul irrespective of "damage to the life and persons of the rioters".

My conclusion is that the Wazir probably spoke severely to the villagers and that the funeral was carried out promptly to avoid a focus for further trouble; but that the allegations now made by the villagers are gross exaggerations. The remarks about the Jama Masjid are obviously fabricated as their character varies from witness to witness and as other witnesses have ascribed the remarks to the Munsiff, the police or the troops instead of to the Wazir.

A common allegation is that the police first forced shopkeepers to open their shops, then arrested them or took them to the thana for investigation and then looted their shops in their absence. Others allege that their shops were looted whilst they themselves were absconding. In all forty-one witnesses allege looting or theft by police or sepoy, in many cases the allegations are such that it would have been impossible to carry away the loot. Eighteen witnesses allege being forced to pay bribes to the police or soldiers, either to avoid implication in the riot case or to secure release from detention at the thana.

Most of these allegations are shaken by the fact that the witnesses allege that the looting was carried out by a few soldiers accompanied by a few police, whereas Captain Chhattar Singh has stated that no soldiers were sent out with police except on two occasions when a large body of men was required for particular arrests. They are further shaken by the fact that nearly all the witnesses allege the presence of a certain Mohammedan special constable, who appears to be a particular object of hatred amongst them. This one man is alleged to have been present at more occasions of theft, bribery, loot or assault than is physically possible.

Seventeen witnesses state that all males of over ten years of age were called in from neighbouring villages and that on these occasions the local lambardars and zaidars ill-treated them, whilst, after arrival, they were ill-treated by the police. The allegation is evidently based on the fact that large numbers of persons were called to the thana to be present at identification parades, but the exaggerations are patent. Fourteen more witnesses allege ill-treatment at the thana, such as being kept in the thana for hours without food and water, being beaten and being forced to prostrate themselves before the flag set up at the military camp.

So far as the flag is concerned, Captain Chhattar Singh states that it was an ordinary camp flag set up at the quarter-guard and that no such events could have occurred without his knowledge; this witness curiously is not included in the allegations made against other officials and several of the witnesses have volunteered that he was a just man and was not responsible for any of the alleged ill-treatment. He certainly impressed me as a straightforward witness and I see no reason to doubt his statements that (a) there could have been no organised prostration before the flag without his knowledge, (b) sepoy were not allowed out of the camp except on duty and then always in a party under an N. C. O., (c) no soldiers were detailed to accompany the police except on two specific occasions; these

statements if believed, negative the majority of the complaints made by Mohammedan villagers.

Thirty women witnesses were examined by me at Shopian; before I visited the place for the purpose I was given a list of fifteen such witnesses, but only eight of these appeared and twenty-two appeared who had not been named. So far as serious allegations by these women are concerned the substitution is very significant as it is impossible that it should not have been known which women had serious allegations to bring forward. Apart from allegations mentioned elsewhere in this paragraph, nine of these women alleged having been raped and nine alleged molestations of less serious nature; seven of those alleging rape had not been named beforehand, not one of the nine alleged being pregnant as a result of rape, several followed up this serious allegation by an allegation of petty theft and appeared to regard the two matters as of equal moment. In only two cases did the witness appear to be seriously upset or shamed by the allegation she made; at the time I felt convinced that, apart from these two, the women were reciting false stories; whilst even in one of these two cases the circumstances related were such as to preclude the truth of the statement. In one case only was there any corroboration of the story by other evidence, and in that solitary case the corroboration was given by the girl's father who had been arrested and who was a man who gave a most highly coloured version of all the events both of the 25th and during the occupation.

It is impossible to come to any reasoned conclusion on such isolated allegations but my impression is that in all cases but one the story of rape was an impudent fabrication, whilst in the one case there is no cogent evidence to support the suspicions aroused.

So far I have dealt with what I may term the mass allegations of the villagers, I am convinced that the majority are false and that all are exaggerated. Where such a mass of allegations is made it is hard to believe that there is no substratum of fact on which they have been reared, but the attitude of these villagers was such that it was clear that many scarcely expected their stories to be believed, they trusted to the principle that if enough mud is thrown some is sure to stick. Remembering that these villagers have told a completely false story of events on 25th September and that the trial of some of their co-villagers was pending at the time of this inquiry, the whole of their evidence regarding events during the military occupation adds nothing to the "*a priori*" expectation that, after a riot and period of danger, a period of firm control and of investigation by police is likely to be accompanied by severity and by some dishonest and overbearing acts on the part of subordinates. I have no doubt that the police investigation entailed much hardship to many persons but I am not satisfied of the truth of any of the allegations regarding serious cases of loot and of actual offences against humanity and decency.

Apart from mass allegations there are a few specific matters that require mention. A man, apparently suffering from paralysis, was brought before me in Court and alleged having been beaten and injured by a *zaildar* when being brought with other villagers to an identification parade, I sent him to the C. M. S. Hospital for treatment and diagnosis, Dr. Mackenzie was unable to form an opinion whether his state was due to some previous illness or some old injury, and it is quite possible that it had no connection with any assault.

One witness alleges that four soldiers came to arrest him and he escaped by a window and heard them questioning his wife; after their departure he found her lying dead. The evacuation from Shopian had been such that he could get no men to assist him in burying her, he was therefore helped by three women who also appeared as witnesses. These



women naturally do not know the cause of the woman's death though they mention the presence of bruises on her body. The allegation is made against soldiers and not against police, as soldiers were not engaged in making arrests the story appears to be false; probably the woman was buried as stated but the cause of her death is not established.

One woman produced a baby with a large sore on its face and alleged she dropped it on a brazier when slapped by soldiers who were searching her house for absconding men. The baby appeared to be suffering from sores very prevalent in Kashmir and I attach no weight to the story.

Another alleged a premature birth resulting from molestation from soldiers and the Mohammedan special constable against whom so many allegations have been made. The child was admitted to be healthy and normal and there is no corroboration.

In these two cases also the allegation is made against a few soldiers, whilst according to their commandant they were never allowed to leave camp except on duty in detachments under an N. C. O.

The only evidence of ill-treatment apart from the exaggerated and fanciful stories of the villagers is given by M. Abdullah Vakil (84) and his son (85) who are persons of education; the latter gave a long list of ill-deeds in his written statement but a short examination showed that they were based on hearsay or were ludicrously exaggerated, thus in his written statement he alleged many miscarriages in the jungle amongst women driven from their homes by the police, under examination he admitted having based this allegation on the fact that one man came to him for medicine and mentioned one such case though even here his informant had not told him that the woman was driven into the jungle by the police; again in his written statement he mentioned that fruit gardens were devastated, and under examination admitted that all he knew was that soldiers had plucked apples and walnuts to eat them on the spot. This youngster's evidence is of no greater value than that of the villagers.

The father however is a man of more mature judgment; his evidence is not above suspicion for, when first examined, he spoke of reports which he had made as special constable when detailed to enquire into the death of Madho Koul and gave an account of their contents very different from what they were proved to contain when obtained by me at a later date, moreover he is a man suffering from a grievance in relation to Shopian which will appear later. Even so I attach more weight to his evidence than to that already discussed; in it he mentions that instead of trying to arrest persons against whom there were valid suspicions the police collected large numbers and ill-treated them; that police insulted the wife of Khalil Bande (the man who spoke in the mosque and who is said to be still away from the village); that on one occasion he saw men being beaten in the thana in an organised fashion; that he heard of one rape allegation though he had no personal knowledge of its truth; that he saw one woman in custody of some constables who told him they wished her to reveal the whereabouts for her husband whilst she alleged that they had intentions against her chastity; that he saw people forced to say "Maharaja ki Jar" in the streets and thereafter being beaten. I consider that in all probability these allegations are based on fact but also that they have been represented in the worst light possible.

This witness, M. Abdullah Vakil, was himself convicted by the local Munsiff and sentenced to six months' imprisonment; the charges against him were that he had urged Hindus not to give evidence against Musalman offenders and had spread a false rumour of the release of S. M. Abdullah. The trial was a summary one under the ordinance and

I have inspected the record; I am not sitting in appeal, but I must note that in my opinion the Munsiff made ill-advised use of his summary powers in this instance; from the reports submitted by the witness it appeared that he had been assisting the investigation to a considerable extent, and the arrest and conviction was such as to increase bitterness: whatever the merits of the charges, the prosecution was unnecessary for, in his position as special constable, M. Abdulla Vakil's activities could have been controlled officially.

The witness comments bitterly on the conditions in the room where he was placed after conviction previous to removal to Srinagar next day; he and several others mention ill-treatment in lorries on the road to Srinagar, an allegation which receives full support from the evidence of an English witness already mentioned in paragraph 12.

Three men were flogged at Shopian under the ordinance, and all have appeared as witnesses; I have examined the records of the summary trials and see no reason to regard the conduct of them or the sentences as improper.

To sum up, the evidence regarding alleged mis-behaviour of troops and police is so wild and improbable, as given by witnesses of such irresponsible character, and in many cases is so palpably false that no weight can be attached to it.

It is "*prima facie*" probable that some ill-treatment did take place, but the local witnesses have so distorted the facts that they have rendered it impossible for me to obtain any cogent proof of such ill-treatment. I am however satisfied that the police investigation was conducted in an unintelligent manner, recourse was had to rounding up as many people as possible to attend identification parades and the persons forced to attend were certainly inconvenienced more than was necessary. Bribes were probably taken during this period, but there is no cogent proof in support of any of the particular instances alleged. The more serious allegations are all exaggerated, and I consider that the charges of wholesale looting are false. Of the many serious allegations concerning the treatment of women, not more than one appears to me to have any possibility of truth, and that one is certainly not proved to my satisfaction.

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## GENERAL.

**28. Summary of Conclusions.**

I have not inquired into the underlying grievances of the Muslims of Kashmir as they are being considered by another Commission which is now sitting and have already been discussed in the report of the First Srinagar Riot Committee which was appointed as the result of disturbances in Srinagar on the 13th of July.

The Muslims failed to avail themselves of an opportunity to be represented on the Committee and some refrained from giving evidence which they could have placed before it. On the contrary the leaders made adverse representations regarding the inquiry at an audience with His Highness and put forward views which must also have been expressed in public and which were calculated to increase Muslim unrest.

Outside sympathisers added to the agitation in Kashmir by organising celebrations known as "Kashmir Day" which took place on August 14th and were followed by the appointment of committees of Muslims throughout Kashmir to act under the Srinagar leaders.

On August 26th an agreement was arrived at between the Srinagar leaders and the Prime Minister but within a short time a wide-spread campaign was organised to point out to the people that the terms of this agreement had not been observed by the authorities. Although this campaign was started early in September, it is a fact that the leaders were still negotiating with the authorities uptill the 21st September and had not supplied a list of the actions which they wished Government to take up till that time. 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 had been presented and an opportunity given for Government action thereon. This campaign was one which could be tolerated by no Government; even though it may have been accompanied by admonitions to keep the peace, it was one calculated to bring Government into disrepute. The authorities were therefore forced to take action and on September 21st they arrested S. M. Abdullah who had been one of the most active leaders of this campaign. Outside Srinagar, irresponsible local leaders were accusing local officials and Hindus of conspiracies to rouse Mohammedans into violent action, an accusation based on most unwarranted suspicions and which is negatived by the obvious fact that any outbreaks amongst Mohammedans would have been accompanied by serious danger to the very small minorities who were alleged to be working to cause them.

In Anantnag Mohammedan feeling had further been embittered by security proceedings against a local leader in which, although the ultimate result was in the nature of a compromise, the leaders alleged a direct breach of the truce terms.

In Shopian on the 23rd September a faqir had been arrested and accusations were made that the police had ill-treated him and insulted his religion; reference to the Munsiff on the next day led to the popular belief, fostered by local leaders, that that official had refused to record evidence correctly.

The arrest of Abdullah followed by a search of his house led to the collection of crowds who were directed by the leaders to assemble next day at the Jāma Masjid. A few processions of women and children had to be dispersed by the police on this day which was done without any serious trouble.

On the 22nd a very large gathering collected at the Jama Masjid, but the leaders met in committee elsewhere and failed to be present at the time appointed. High officials of the State including the Governor, the Inspector General of Police and the Brigadier in command of Srinagar troops came to the spot but failed to post the troops who were already there and made no plans for action in case a procession were taken out from the Masjid through the city as anticipated. Such a procession would certainly have been accompanied by great danger to the peace and safety of the city and it was essential that it should be prevented at all costs. All the leading officials on the spot collected in a police post where they could not observe the course of events; an alarm was raised and hurrying to the spot they saw a procession inside the outer compound of the mosque, which they believed to be about to traverse the city. In this there are substantial reasons for believing that they were mistaken and that the procession had really just arrived from the city. They did not wait for the procession to attempt to leave the courtyard but took immediate steps to disperse it although it is impossible to understand the necessity for doing so as long as the people remained inside the courtyard where they had been allowed to collect. The attempt at dispersal was ill-planned, an insufficient police force was sent to disperse the crowd from in front and thereafter the cavalry were sent from behind; the crowd had no exits by which to disperse and no attempt seems to have been made to drive them in any particular direction. This badly planned attempt to disperse the crowd aroused opposition and in the absence of any leaders, who are much to blame for not being present to control the crowd which they had themselves directed to assemble, an attack was made on the police force which was withdrawn to the South-East corner of the courtyard; after this the use of further force was inevitable and cavalry had to be despatched to clear the Southern part of the courtyard. Some cavalry became involved in difficulties and then infantry were sent to assist them; they were sent along a narrow ledge overlooked by houses and were cut off. Firing was ordered by the platoon commanders and was necessitated by the dangerous position in which they were placed; six rounds were fired in all and two men were killed as the result. It was not till after this that any of the Mohammedan leaders arrived at the spot and hostilities ceased with the arrival of the first of these. Had the leaders been present from the start 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. During the day throughout Srinagar, attempts were being made to form processions most of which were dispersed without any serious results but in one case a woman was injured in the foot, probably as the 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 and in Maisuma bazar an attempt to disperse the crowd by cavalry and police failed and a policeman and a sowar were knocked down and attacked; their companions made no attempt to rescue them and appear to have been thoroughly demoralised. A Magistrate arrived with armed police and directed firing in order to rescue the wounded constable; taking in view the forces at his disposal his action was fully justified but circumstantial evidence suggests that possibly some of the police indulged in promiscuous firing. Two men were killed as a result of this clash, the body of one was subsequently found inside a mosque and it has been alleged that he was shot when looking out from a window of that building, I do not believe this and think that his body had been dragged there after he had been shot in the bazar.

Next day Musalmans collected in the mosque to take out a mass funeral procession which was not allowed until the afternoon; when permission was given, the procession took place without any untoward incident although it was in such a neighbourhood that military or police control was impossible. This fact indicates that the Muslims

were not out of control when accompanied by their leaders.

That night an attempt was made to arrest another Musalman leader which was prevented by the collection of an armed crowd; throughout the 24th armed crowds of Mohammedans were moving about Srinagar city, amongst them large bodies who had come in from outside the city. The police failed to cope with the situation and all were withdrawn from the streets of the city, the result being that all official control of the situation had ceased. In these circumstances emergency measures were essential and military control was enforced from the morning of the 25th.

News of the arrest of Abdulla and of the clashes between Muslims and the State forces spread rapidly throughout the country. At Anantnag the Muslims observed hartal throughout the 23rd and in the late afternoon organised a mass procession; crowds collected at the Idgah on the outskirts of the town with a view to taking a procession through the bazars to express their sympathy with those who had suffered in Srinagar; such a procession naturally involved danger.

There were two Magistrates in the town and they had a small military force at their disposal as well as the local police.

These two visited the neighbourhood of the Idgah and made some very half-hearted attempts to persuade the people to disperse; they left a very small police force to watch events whilst they returned to the neighbourhood of the military camp in order to telephone for instructions from the Governor at Srinagar.

The police at the spot made no real effort to disperse the crowd; they sent urgent messages to the Magistrates to come with the troops which were disregarded.

As a result the procession started after dusk and the opportunity of dispersing the people in the open during day-light was missed. Ultimately the police had to go back and fetch the Magistrates and the troops and the whole party set out to disperse the procession which was met in a narrow road on its return journey at a point where it had just come round a corner.

An order to disperse had no effect and an attempt was made to disperse the head of the procession by a very meagre police force; the people were in such a position that it was difficult for them to get away and they were pushed on by those behind with the result that a fracas ensued and the Magistrates' party became involved in danger. The troops were forced to open fire and eventually the crowd fled but the casualties caused were very large.

I consider that the crowd had not received sufficient warning that a procession was prohibited, that the Magistrates failed in their duty to disperse the crowd whilst it was yet day-light and they were in comparatively open surroundings, that an attempt to stop the crowd at the place where the clash occurred was foolish in that it was impossible for the crowd to disperse quickly but that, once the attempt had been made, the Magistrates' party was placed in such a position that firing could not be avoided and that no blame attaches to the Subedar for directing his troops to open fire. From circumstantial evidence it appears that the firing was not limited to dispersing the crowd but continued after the crowd had begun to disperse and that some of it was directed up a bazar and towards an upper window of a mosque without valid necessity.

Events both at Srinagar and Anantnag were described at a mass meeting in the Jama Masjid at Shopian on Friday the 25th, at which most inflammatory references were made to the incidents

connected with the faqir who had been arrested on the 23rd; police were outside the door of the mosque taking notes of the speeches; a sudden attack was made upon them and they were chased to the police-station where a large crowd assembled, and started throwing stones at windows. Meanwhile another crowd left the mosque and started towards the bazars; they were met by the local Munsiff and a body of troops but refused to disperse at his bidding and he was forced to order the troops to fire. Thereafter two police officials left to get assistance from the police station and subsequently the Munsiff heard firing from that direction; on his way towards that place he and his party were again confronted by a crowd who would not disperse and made an attack which again necessitated firing; meanwhile the messengers who had gone to the police station were attacked but one managed to get in. The police fired from the windows of building and ultimately the attack upon it ceased. As a result of the firing at all three places it appears that one man was killed and four wounded, one of the latter dying subsequently.

The disturbance took the nature of a direct attack by the Mohamedans during which one police official met his death and there can be no excuse for their conduct. The measures taken to suppress the riot were fully justified and the situation was well handled by the local Munsiff. Military control was extended to Shopian on the following day.

My final comments on the various occasions on which resort was made to firing by State police or military forces in Kashmir during September are:—

- (1) That at the Jama Masjid in Srinagar was precipitated by mismanagement on the part of those in control of the situation, though the circumstances were such that it is probable that resort to force would have become necessary in any case.
- (2) That in Maisuma bazar was necessary and completely justified, though possibly a few shots were fired indiscriminately after the immediate necessity was over.
- (3) That in Anantnag was rendered necessary by the position which arose from gross mis-handling of the situation and it appears to have been continued after the necessity had ceased and to have been excessive.
- (4) That in Shopian was necessary and completely justified and was restricted to the minimum necessary.

The periods of military control both in Srinagar and Shopian have been represented as periods of vindictive oppression and brutal retaliation against Muslims. In Srinagar the police and military made a practice of forcing people to shout "Maharaja ki Jai", whenever they passed through the streets; and there is no doubt that refusal to participate led to beatings many of which were not of a trivial nature. On the matter being brought to the notice of Brigadier Sutherland, who was in charge of the city, he took steps to stop the practice but those steps do not appear to have been completely successful. Many allegations are made that other slogans insulting to Islam were enforced I do not believe that this was so.

The people of the city had been in an intensely excited state and the city had been in possession of armed Muslims on the 24th; firm measures were essential to avoid recrudescence of agitation and all excitement had to be stamped out. Summary powers were exercised

by three Magistrates under a special ordinance and in a hundred cases sentences of flogging were enforced. The records of the summary trials have been before me; in the main the sentences were necessary to suppress the spreading of false rumours or shouting of inflammatory slogans likely to lead to an outbreak. Evidence in these cases was naturally given mainly by the police or troops who were patrolling the city; if in some cases such witnesses abused their position by giving false evidence or by taking bribes to refrain from instituting cases it is only what might be expected. I see no reason to believe that such cases were of frequent occurrence or that the Magistrates failed in their duty in weighing the evidence before them.

I have nothing but condemnation to record regarding the facts that people were forced to stand up and shout on occasions when the police and troops passed by and that in many cases they were beaten if they delayed in doing so. Of the truth of other allegations of severity and ill-treatment I am not satisfied.

The allegations of similar nature made in Shopian were far worse but were so false and exaggerated as effectually to prevent the truth coming to light; but it is clear that the police in investigating the riot collected villagers from the country-side in unnecessary numbers and harassed them in attempts to obtain information as to those implicated. The most serious comments that I have had to make in connection with the conduct of affairs in Shopian after the riot are in connection with the inefficiency of the medical treatment given to wounded at the local dispensary.

In Anantnag there was no military occupation after the disturbance. Mohammedans were ordered to open their shops and they have alleged that they were made to utter slogans directed against their religion. I do not believe this allegation and it does not appear that officials in Anantnag had resort to any oppressive action after the most unfortunate clash on the 23rd September.

JAMMU:  
*January 1932.*

}

L. MIDDLETON.

APPENDIX No. 1

PLANS.

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Page I. Index.

Page II. Key to Plans 1 and 2.

Page III. { Plan No. 1. Jama Masjid, Srinagar.  
          { Plan No. 2. Maisuma Bazar, Srinagar.

Page IV. Key to Plan No. 3.

Page V. Plan No. 3. Environs of Malaknag, Anantnag.

Page VI. Plan No. 4. Jama Masjid and Thana, Shopian.

**NOTE**—These plans have been prepared from rough sketches prepared by me at the time of inspections; they are not to scale, and are not based on measurements

(Sd.) L. MIDDLETON.



## KEY TO PLAN No. 1.

1. Main entrance to outer compound
- 2 }  
3 }  
4 } Other entrances to outer compound.  
5 }  
6 }
- 7 Main door and porchway.
- 8 }  
9 } Other doors.  
10 }
- 11 Ghusal Khana
- 12 Watar Masjid.
13. Stand pipe
- A Nauhatta Police Chauki.
- B Position of Police.
- C Position of troops on Gandarbal road.
- D Place from which first firing took place
- E Place from which second firing took place.

## XXX Buildings

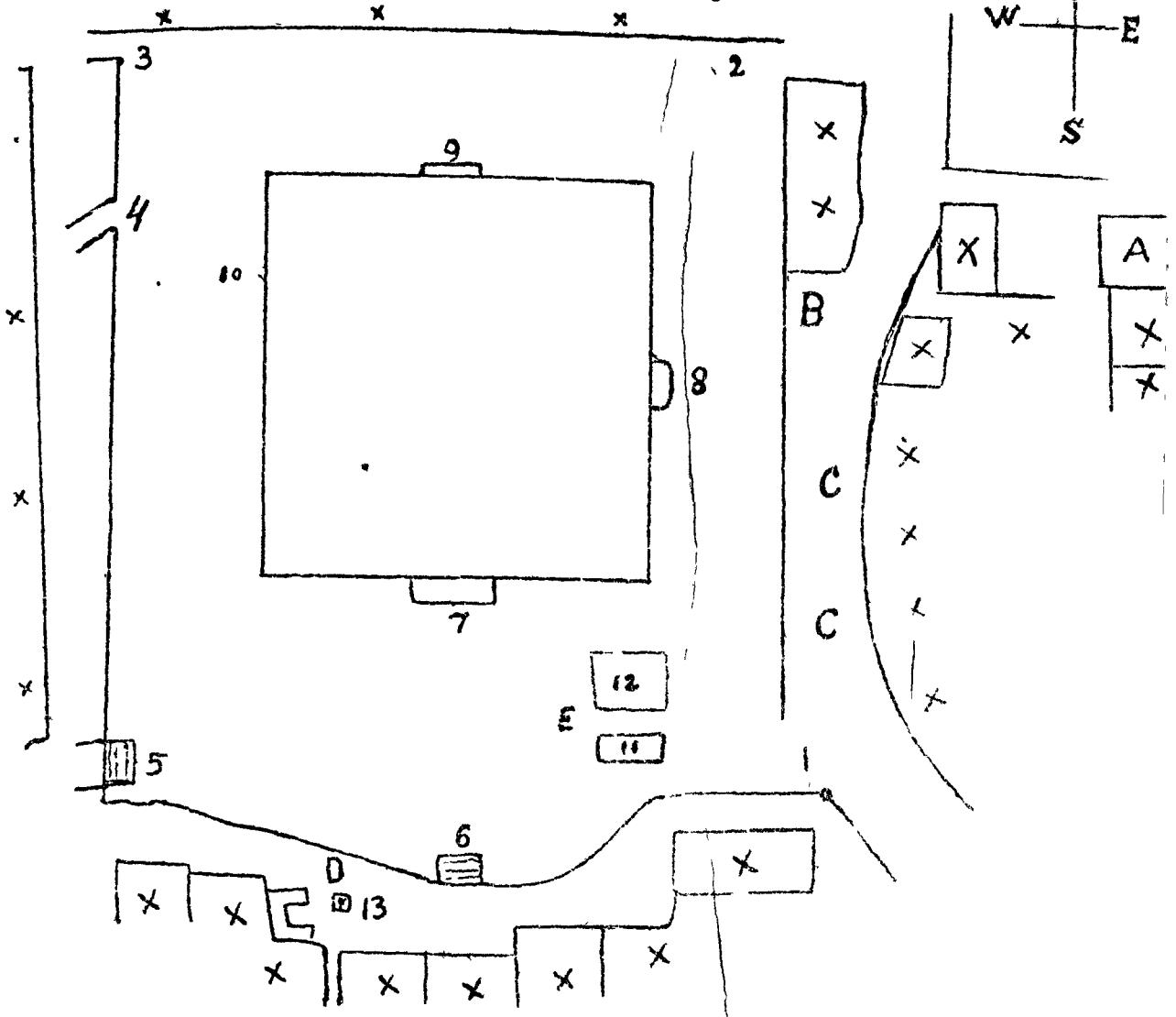
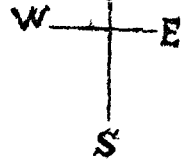
*Description* —The mosque is a square building surrounding an inner courtyard, the outer walls are plain and high, pierced only by the four doors shown in the plan. The outer compound is from 5 to 8 feet below the level of the surrounding ground on all sides; it is surrounded by a stone wall, the top of which is level with the surrounding ground.

On 22nd September 1931, the Southern wall of the compound was incomplete and a steep slope of earth led up from the compound to the buildings South of it

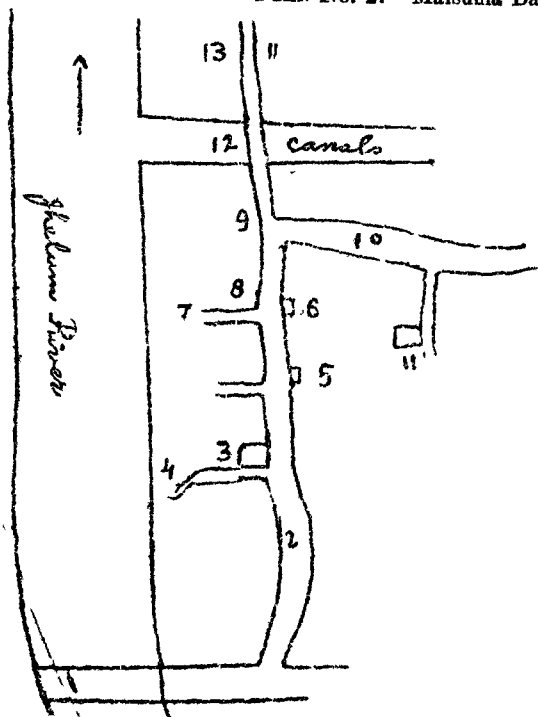
## KEY TO PLAN No. 2

1. Amira Kadal (bridge over Jhelum).
- 2 Maisuma Bazar (place where Sikh constable wounded).
- 3 Maisuma Mosque
4. Alleged shot marks
- 5 Shop where Ismail Nad is alleged to have been wounded.
6. Shop where Samdhu is alleged to have been wounded
- 7 }  
8 } Alleged shot marks.
- 9 Alleged position of Police Lorries.
10. Alleged position of wounded Sowar
- 11 Fire Brigade Station
- 12 Gao Kadal (bridge over canal).
- 13 Basant Bagh.

PLAN No. 1. Jama Masjid, Srinagar.



PLAN No. 2. Maisuma Bazar, Srinagar

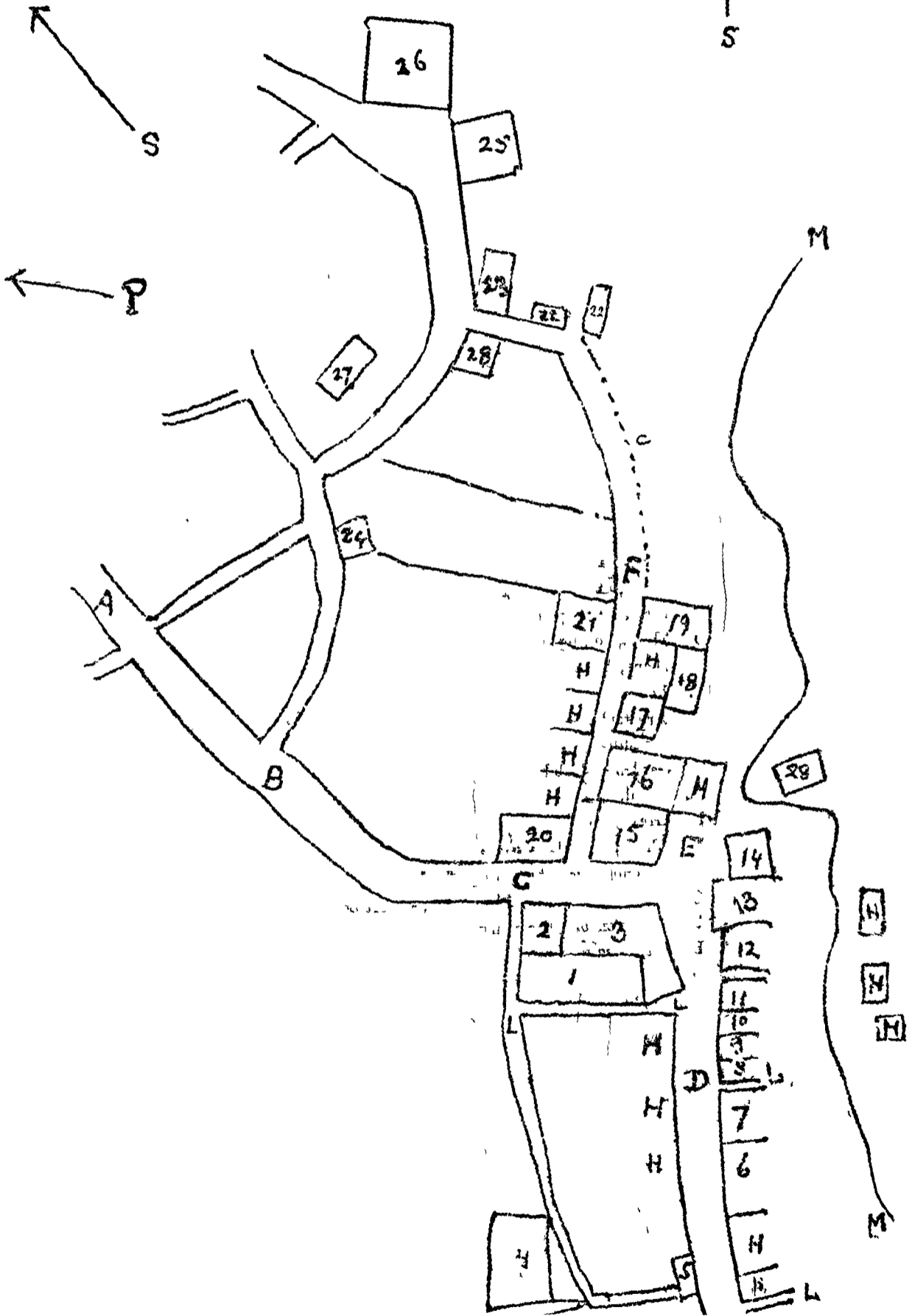
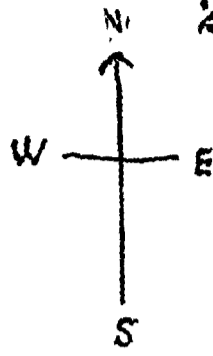


## KEY TO PLAN NO. 3

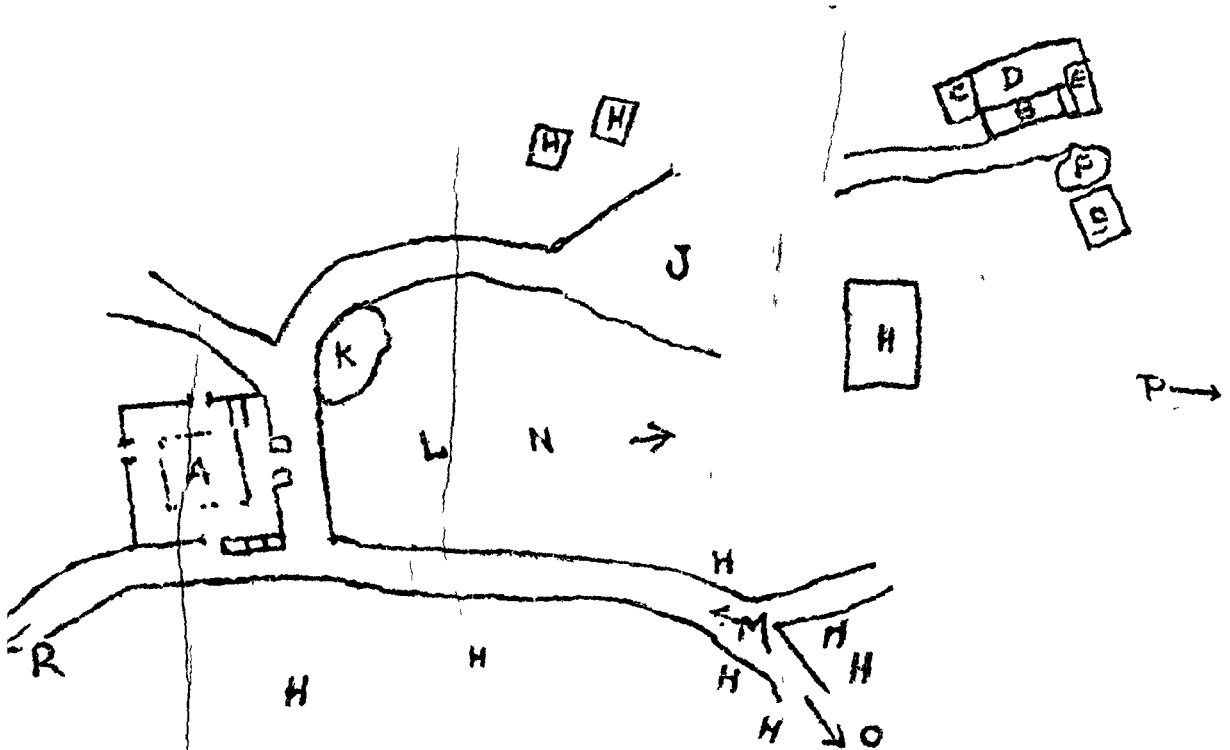
1. Malak Nag Mosque ; mosque in upper storey.
2. Wooden platform, with Malaknag spring and Ghusal Khanas below.
3. Verandah roof above platform.
4. Shah Sahib Mosque.
5. Outer porch of Shah Sahib Ziarat.
6. House of Naib-Tahsildar, with shops below (W. 21).
7. Enclosed vacant site.
8. Shop of Ghulam Nabi Dar. }
9. Shop of Abdullah. } Girls' school over these shops.
10. Shop of Madho, Darzi. }
11. Empty shop. }
12. Shop of Ghulam Nabi, Mis-gar (W 96).
13. Shop of Aziz, Nanwai.
14. Enclosed courtyards.
15. Sona Pakhri, tank enclosed by 5' wall
16. House of Maqbul Shah (W. 85).
17. House of Ganu Wani
18. House of Ghulam Mohammed Tota (W. 29).
19. Enclosed vacant site.
20. House of Ama Ganai (W. 23).
21. House of Ganesha.
22. Patwar Khanas
23. Telegraph and Telephone Office.
24. Tahsildar's house.
25. House occupied by the troops.
26. Nagbal tank.
27. State Hospital.
28. Hospital Quarters.
29. House of Mussammat Azizi (W. 113).
- A. Reshi Sahib Bazar.
- B. Chini Bazar.
- C. Malaknag Bazar.
- D. Shah Sahib Bazar.
- E. Vacant space.
- F. Baghwari Lane.
- H. Buildings.
- L. Lanes.
- M. M. Foot of High Hill.
- O. Direction of Hazrat Bal.
- P. Direction of Juma Masjid and Reshi Sahib.
- S. Direction of Id Gah and Hanfia High School.

PLAN No. 3. Environs of Malaknag, Amnntug.

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PLAN No. 4. Jama Masjid and Thana, Shopian.



- A Jama Masjid
- B Thana, main building.
- C Thana, cattle pound
- D Thana, court-yard
- E Thana, Hawalat.
- F Pond
- G Dry tank.
- H. Buildings.
- J. Garden of Habib Joo.
- K Pond.
- L Graveyard.
- M. First place where troops fired.
- N. Second place where troops fired.
- O. Direction of town with Munsiff's court beyond.
- P. Direction of Dispensary.
- R Direction of Munsiff's House.

## APPENDIX No. 2.

**Terms of understanding between the Muslim subjects of Jammu and Kashmir,  
and the Government arrived at on 26th August 1931.**

*Undertakings on behalf of Muslim subjects.*

1. The agitation which has been carried on so far will be completely stopped i. e., no speech shall be delivered or action taken in mosques, other religious places or in public meetings which might be likely to create feelings of hatred against the Government or any class of His Highness' subjects.

2. It will be announced in public gatherings in Jama Masjid as well as in other mosques and shrines that the Muslim subjects of the Kashmir State are not affected in their affairs by outside agitation and that they remain steadfast in their loyalty and devotion to their Ruler His Highness the Maharaja Bahadur, from whom they entertain full hopes of the consideration of their legitimate demands.

3. An appeal will be made to the sympathisers of the community that pending decision as regards demands which they may present, no such action be taken as might injuriously affect the calm atmosphere needed for a favourable consideration thereof.

4. The understanding now arrived at will not involve any abrogation of the ordinary law in force for the time being.

5. In connection with this settlement the Prime Minister has displayed great magnanimity in dealing with our requests and we express our gratitude to him for his kindness and sympathy. We hope that he will likewise sympathetically consider our demands (when presented).

NOTE.—In spite of the reply to our representation presented to His Highness on 15th August 1931 not being satisfactory, we humbly bow to it with all the respect due to it and declare our readiness loyally to abide by the aforesaid terms of the provisional settlement.

- |       |                                  |
|-------|----------------------------------|
| (Sd.) | 1. Mohammad Usuf, Mir Waiz.      |
| „     | 2. Ahmedullah, Mir Waiz Hamdani. |
| „     | 3. Sayed Hasan Shah Jalali.      |
| „     | 4. Saad-ud-Din Shawi.            |
| „     | 5. S. M Abdulla.                 |
| „     | 6. Ghulam Ahmad Ashai.           |
| „     | 7. Yakub Ah.                     |
| „     | 8. Shahab-ud-Din.                |
| „     | 9. Ghulam Abass.                 |
| „     | 10. Gauhar Rahman.               |

*Concessions on behalf of Government.*

1. On the announcement regarding complete cessation of agitation having been made in cities and towns the Officers of Government will suspend all such measures as they have taken during the last two months under the law in force for the time being for the suppression of this agitation.

2. The High Court will be moved for the release on bail of persons accused of rioting at the Central Jail and who have been committed to court and for the suspension of their trial pending the report of the Enquiry Committee.

3. The cases of those officials who have been dismissed, suspended or degraded in connection with this agitation will be reconsidered and if they are able to furnish assurances that they will take no part in agitation, they will be reinstated.

DATED :  
26th August 1931.

(Sd.) HARIKISHEN KAUL,  
PRIME MINISTER.

## APPENDIX No. 3.

**List of witnesses whose evidence was consulted with regard to each paragraph of this report; inserted for convenience of reference.**

[S., A., Sh. denote witnesses whose evidence was recorded in the Srinagar, Anantnag and Shopian Sections of the record respectively.]

Pa graph.	Witnesses.
4	... S. 1, 128, 129, 131, 132, 133, 134, 135, 137, 138.
5	... S. 3, 4, 6, 8, 9, 41, 53, 60, 67, 76, 94, 112, 113, 114, 115, 116, 117, 128, 129, 130, 133, 134, 135.
6	... S. 1, 2, 3, 5, 7, 9, 10, 11, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 40, 42, 43, 44, 45, 47, 48, 52, 53, 58, 61, 62, 64, 65, 66, 67, 71, 74, 75, 81, 94, 95, 97, 98, 99, 102, 105, 106, 107, 110, 111, 128, 129, 130, 132, 135, 138.
7	... S. 1, 2, 3, 4, 5, 6, 8, 12, 13, 14, 21, 22, 25, 34, 39, 50, 55, 59, 60, 62, 72, 75, 86, 92, 111, 119, 120, 122, 123, 136.
8	... S. 25, 51, 68, 80, 82.
10	... S. 1, 2, 3, 4, 10, 12, 25, 26, 27, 28, 35, 53, 74, 86, 94, 126, 127, 128, 129, 130, 132, 135.
11	... S. 27.
12	... S. 27, 31, 35, 36, 37, 38, 40, 42, 46, 49, 53, 56, 57, 61, 63, 65, 66, 67, 73, 75, 77, 78, 83, 84, 85, 87, 89, 90, 91, 94, 95, 97, 98, 101, 102, 104, 118, 121, 128, 136, 137.
13	... S. 6, 27, 35, 42, 56, 67, 69, 70, 86, 87, 93, 96, 97, 100, 103, 107, 108, 109, 124, 125, 131.
14	... S. 51, 68, 80, 82, 87, 88.
16	... S. 128, 129, 131. A. 1, 3, 21, 27, 47, 84, 87, 93, 122.
17	... A. 1, 2, 3, 4, 5, 11, 12, 13, 14, 15, 16, 17, 18, 19, 57, 59, 73, 79, 84, 86, 89, 109, 122, 123.
18	... A. 6, 18, 19, 20, 22 to 31, 35 to 43, 44 to 53, 55 to 59, 61 to 73, 75 to 86, 88, 89, 90, 93 to 102, 104 to 113, 116 to 119.
19	... A. 10, 44, 48, 50, 76, 110, 111, 116, 117, 120, 121, 124.
20	... A. 7, 9, 18, 19, 23, 30, 36, 39, 41, 42, 44, 45, 47, 51, 52, 57, 58, 59, 60, 64, 77, 83, 84, 86, 87, 89, 90, 101, 106, 125.
21	... A. 10, 21, 32, 33, 34, 54, 91, 92 in addition to those consulted in paragraphs 16 to 20.
22	... Sh. 1, 2, 4, 9, 34, 36, 38, 43, 45, 50, 52, 57, 60, 71, 73, 117, 118.
23	... Sh. 1 to 18, 121.
24	... Sh. 21, 24 to 40, 43, 45, 47, 49, 51 to 54, 56, 57, 59 to 62, 64, 67 to 74, 78, 79, 81, 82, 117, 121.
25	... Sh. 3, 57, 75, 86 and S. 31, 38, 51, 61, 68, 82.
27	... Sh. 19 to 26, 28, 29, 31 to 34, 36 to 42, 44 to 46, 48, 49, 51 to 58, 60 to 117, 119, 120.

## APPENDIX No. 4.

Note regarding written statements handed in by persons who were not examined as witnesses.

[All such statements were read by me but were not read out in Court and were not admitted in evidence.]

*Srinagar Section.*

126 statements were handed in by the Kashmiri Muslim Representatives who noted that they were unimportant and that they did not desire that the persons tendering them should be examined. I agreed as regards 125 statements but called on the writer of the remaining statement and examined him. The 125 statements were concerned with accounts and allegations noted below :—

Serial No.	Nature or statement of allegation.	Number of statements on this point.	Reason for not requiring the writer to attend for examination.
1	Account of events on 21st September 1931	3	Did not throw fresh light on these events.
2	Account of events at Maisuma Bazar on 22nd September 1931 ..	3	Do.
3	Mention of man being shot at Maisuma mosque on 22nd September 1931 ..	2	Do.
4	Account of events at Basant Bagh on 22nd September 1931 ..	2	Do.
5	Account of events at Jama Masjid on 22nd September 1931 ..	22	Do.
6	Alleged trivial assaults by soldiers and police ..	30	Either trivial or not capable of proof.
7	Alleged serious assaults by soldiers or police ..	12	Do.
8	Alleged bribes to soldiers or police under Rs. 10 ..	19	Do.
9	Alleged bribes to soldiers or police over Rs. 10 ..	5	Do.
10	Alleged thefts by soldiers or police under Rs. 25 ..	18	Do.
11	Alleged thefts by soldiers or police over Rs. 25 ..	8	Do.
12	Being forced to say Mahara ja ki Ja ..	29	Do.
13	Being forced to say slogans derogatory to Islam ..	19	Do.
14	Allegation of illegal detention by police ..	6	Do.
15	Mention of seeing flogging from road-way	2	Do.
16	Refusal of medical aid without payments	3	Do.
17	General vague impersonal complaints ..	3	Do.
18	Alleged flogging without cause shown ..	9	Magisterial records inspected.
19	Alleged imprisonment without cause shown	1	Do.
20	Alleged fine without cause shown ..	1	Do.
	Total ..	197	



*Anantnag Section.*

12 statements by persons who left Srinagar without being examined. None contained any points not already in evidence.

*Shopian Section.*

8 statements by persons cited as State witnesses but given up on the allegation that they had been overawed and would not come forward.

2 entirely irrelevant applications.

17 statements of persons who could not be examined for lack of time. These contain no points not already in evidence, they concern :—

Arrest of Fakir	... 2 statements.
Events in the Jama Masjid	... 10 „
Alleged ill-treatment by police	... 6 „
Alleged thefts and bribes by police and soldiers	... 10 „
Totally irrelevant	... 1 statement.

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Total ... 29 statements.

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APPENDIX No. 5.

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**Census Statistics.**

*Male population in 1921.*

	South Kashmir.	Srinagar.	Anantnag.	Shopian.
Hindu ...	27,680	16,528	777	34
Sikh ...	1,778	361	26	1
Musalman ...	3,42,841	59,579	4,500	1,188
Others ...	160	136	.....	.....
Total ...	3,72,459	76,604	5,303	1,223
Percentage of Musal- mans ...	93	78	81	97

**REPORT**  
OF THE  
**KASHMIR CONSTITUTIONAL REFORMS CONFERENCE.**

In his orders dated the 12th of November 1931, His Highness was pleased to declare that, as had already been announced, it was his intention that measures should be devised for associating his subjects with the Government of the State. It was ordered that, as soon as the Commission appointed to inquire into complaints and disabilities had finished its work, a conference, at which the various interests concerned would be represented, would meet to discuss the introduction of constitutional reforms in accordance with His Highness' intention.

The Commission appointed for the investigation of complaints and disabilities finished its sittings in the second week of March 1932, and the Constitutional Conference began its work immediately thereafter.

Under the orders of His Highness' Government the Conference consisted of the following members :—

(a) OFFICIALS

1. R. B. Pandit Anant Ram, Director of Land Records.
2. M. Mohammad Ibrahim, Inspector of Schools

(b) NON-OFFICIALS.

1. Col. Sansar Singh—Hindu Jagirdars.
2. Pt. Prem Nath Bazaz—Kashmiri Pandit Community.
3. L. Thakur Das—Jammu City Hindus.
4. Sardar Ladha Singh—Sikh Community.
5. Shambu Nath—Buddhist Community
6. Lala Charanjit Lal—Khatri Hindus.
7. Raja Feroz Khan of Dopatta—Muslim Jagirdars.
8. Kh. Ghulam Ahmad Ashai—Srinagar City Muslims.
9. Ch. Ghulam Abbas—Jammu City Muslims.
10. Zaildar Safdar Ali of Kausa—Kashmir Rural.
11. Zaildar Ch. Ramzan of Jarian—Jammu Rural.
12. Hakim Mohammad Ali—Shia Community.

CHAIRMAN.

Mr. B. J. Glancy.

Objections were raised in certain quarters in regard to the composition of the Conference and these objections were referred to His Highness' Government for such orders as might be necessary. The main objections raised related to the following points :—

- (a) The fact that different communities were not represented in proportion to their population, and
- (b) the method whereby members had been selected.

It was explained by His Highness' Government that, in regard to the first of these two points, it was necessary that all important

interests should be represented and that there was no intention of arriving at a decision according to the majority of votes recorded; a sufficient number of Muslim members had been included to represent the views of the community concerned; if on the other hand representation were regulated in accordance with population there would have to be some 75 Muslim members to justify the inclusion of one Sikh or one Buddhist, and thus the number of members would become unduly large without any useful purpose being served thereby.

In regard to the second point mentioned above it was explained that the method of selection had been as follows:—

1. In the case of those members who had been chosen in accordance with the expressed wishes of their respective communities to serve on the Grievances Commission, namely Pandit Prem Nath, Bazaz, Mr. Ashai and Mr. Ghulam Abbas, these members were invited, on the conclusion of the Commission, to continue serving on the Constitutional Conference, as there was no reason to suppose that they had ceased to enjoy the confidence of their constituents.
2. In other cases, where there was in existence a recognized body or association capable of making a selection on behalf of the community concerned, as for instance in the case of the Anjuman Imamia, which represented the Shias of Kashmir, or the Yuvak Sabha which represented the Hindus of Jammu, such bodies had made their own selection accordingly.
3. In such cases as those of Jagirdars and rural representatives, where no machinery existed for selection by those whose interests were concerned, the members of the Conference had been nominated by His Highness' Government.

There were in all 14 meetings of the Conference, beginning on the 14th of March 1932 and ending on the 7th of April 1932. These meetings were attended regularly by all members with the following exceptions:—

Ch. Ramzan Zaildar resigned his seat on the 18th of March; his place was taken thereafter by Col. Haider Ali, C. I. E.

Mr. Ashai took his place at the Conference on the 29th of March and was present at the remaining seven meetings. It is understood that prior to the date on which he joined he was in doubt as to whether he was justified in attending.

Mr. Abbas remained absent throughout the proceedings.

The discussions were conducted in Urdu, the Court language of the State, so that all members present might be able to follow the proceedings without difficulty.

The proceedings of every meeting held have been carefully recorded and have been forwarded to His Highness' Government for information. The views expressed at each and every meeting by the various members present have been set down with as great a degree of accuracy as possible, and opportunity has been given to members to suggest any corrections or modifications; due attention has been given to any suggestions so received. Written statements prepared by different members have also been forwarded to His Highness' Government.

The most important issues which the Conference has examined are as follows :—

- (a) Is it desirable that there should be a Legislative Assembly?
- (b) If so,
  - (i) what should be the functions of such an Assembly,
  - (ii) what should be the franchise basis, and
  - (iii) how should the Assembly be composed.

As regards the first of these questions it will be seen from the proceedings that there has been some difference of opinion. In regard to the functions of the proposed Assembly something closely approaching unanimity has been achieved. So far as the other main issues are concerned, there has been a very considerable divergence of views, especially with regard to the composition of the Assembly. This divergence is hardly surprising, considering the conflicting interests which different members have represented. There appeared unfortunately to be no hope whatsoever of attaining any semblance of a unanimous finding on these points, and it was therefore agreed that there was no prospect of submitting a joint report. The Chairman accordingly forwards his own recommendations, referring, as may be necessary, to the opinions put forward on behalf of various interests: the proceedings recorded will show that the recommendations made follow in general the joint views expressed, where there has been a consensus of opinion where opinions have differed endeavours have been made to bear in mind the legitimate interests of all communities concerned.

The full purport of the draft recommendations has been read out in Urdu at a meeting held on the 7th of April so as to provide an opportunity for the suggestion of modifications or amendments; any such suggestion received has been given due attention, and each member has been informed by letter of the final recommendations which are being made in regard to the composition of the Assembly after further consideration of the views put forward.

#### **Establishment of a Legislative Assembly.**

Certain members have, it will be seen from the proceedings, expressed considerable misgivings as to the wisdom of such an innovation at the present time, in view of the disturbed conditions which have unhappily been prevailing. The general feeling is, however, in favour of such an experiment being tried.

It appears highly desirable that the subjects of the State should be given a voice in the administration and in view of the announcement already made by His Highness in this behalf there would seem to be no room for doubt as to the action which should be taken in this respect.

It is recommended that a Legislative Assembly should be established as soon as may be practicable.

#### **Powers and Functions of the Assembly.**

The proceedings will show that a virtually unanimous opinion has been expressed at the Conference in favour of the functions of the

Assembly being defined as follows :—

LEGISLATION.

Subject to the final assent of His Highness the Maharaja Bahadur the Assembly should have power to make laws.

GOVERNMENT BILLS.

All Government bills except such bills, if any, as relate exclusively to reserved subjects [namely (1) the person or privileges of His Highness or members of the Ruling Family, (2) foreign relations, (3) the discipline and control of the State Forces] should be referred to the Assembly and should not become law until ratified thereby, provided that

- (a) His Highness should in case of emergency retain full power to make and promulgate ordinances for the good government of the State and any such ordinances should be operative for a period of six months unless repealed by His Highness at an earlier date.
- (b) His Highness should, where he considers it necessary in the interests of good government, have power to certify any bill which the Assembly may decline to pass.

PRIVATE BILLS.

The introduction of any private bill should be allowed and the bill, if passed, should, subject to His Highness' final assent, become law provided that :—

- (a) no such bill shall relate to reserved subjects as already defined ;
- (b) unless the previous approval of His Highness' Government has been obtained, no bill shall involve the imposition of new taxation or the enhancement or reduction of existing taxation ;
- (c) no bill shall affect the religious rites, usages, endowments or personal law of any community other than that to which the proposer belongs ; a bill affecting the usages etc. of that community only which the proposer represents may be introduced if not less than two thirds of the elected members of that community are in favour thereof, and if the previous permission of His Highness for the introduction of such a bill has been obtained ;
- (d) no bill shall involve the imposition of disabilities on any class or community as such ;
- (e) no bill shall affect the rights specifically granted to Jagirdars, Pattadars, etc. in their Sanads or Pattas ;
- (f) unless the previous sanction of His Highness' Government has been obtained no bill shall be introduced which it is intended to apply to any Illaqa or Jagir to which the State laws are not ordinarily applicable.

His Highness shall have the power of referring back any bill to the Assembly for further consideration or amendment.

The above proposals, representing, as already remarked, the practically unanimous opinion of the Conference, are recommended for adoption.

Various other suggestions have been put forward ; it has been suggested for instance that no bill should be introduced (a) which affects the privileges of Rajputs as such or (b) which affects any class of non-State subjects residing in the Jammu and Kashmir State

There does not appear to be any sufficiently strong reason for adopting these suggestions. In regard to the rights of non-State subjects for the purposes of the Assembly, opinion is expressed below.

#### **Questions and Resolutions.**

Questions and resolutions should be permitted without restriction provided that:—

- (1) they do not relate to reserved subjects as already defined ;
- (2) they do not affect the religious rites, usages, endowments or personal law of any community other than that to which the member asking the question or moving the resolution belongs ; such questions or resolutions may, however, be allowed with the special permission of the President of the Assembly, who should, where he considers it necessary, refer the matter for the orders of His Highness ;
- (3) they do not relate to the merits of cases under enquiry by a court of law.

Supplementary questions should be allowed

#### **Period of Notice.**

In the case of questions, thirty days' notice should ordinarily be given, so as to afford due opportunity for the supply of the information required. The President should have the power to reduce this period where it may be necessary.

In the case of private bills, a similar period of thirty days' notice should be given, and the member wishing to introduce a bill should forward a copy thereof together with a statement of the objects and reasons.

In regard to resolutions fifteen days' notice should be given.

In the case of any bills, resolutions or questions for which previous sanction is necessary, an additional period of fifteen days' notice over and above the minimum period ordinarily prescribed should be required.

#### **Budget.**

The President should appoint certain days prior to the announcement of the State financial year (at present the first of Katik or mid-October) for the discussion of the State Budget in the Assembly.

A week before the first date so appointed, a copy of the budget and a brief explanatory statement thereof in Urdu should be forwarded to each member of the Assembly. Members should on the dates appointed be given full opportunity to ask questions and make suggestions relating to any part of the budget with the exception of reserved subjects.

No kind of new taxation should be imposed without reference to the Assembly; the grant of monopolies etc. which amount in themselves to the imposition of new taxation should be treated in the same manner.

#### **Freedom of speech in the Assembly.**

Speeches delivered in the Assembly should be privileged and should not be actionable. It should be the function of the President to intervene in the case of exceptionable remarks.

In regard to the above points, namely questions and resolutions, period of notice, budget procedure and freedom of speech, the proposals recorded above represent the general consensus of opinion expressed at the Conference, and their adoption is recommended accordingly.

#### **Standing Committee.**

It has been suggested that simultaneously with the creation of the Assembly, a non-official Standing Committee should be appointed and that the policy of Government in regard to finance, public health, etc. should be explained to the members of such Committee and their opinions on these points should be ascertained.

This is a development which might well take place after a suitable period has elapsed. It appears advisable, however, that it should be deferred until the Assembly has actually been created and some experience of its working has been gained.

#### **Franchise.**

It is generally agreed that the number of voters on the electoral roll should amount approximately to ten per cent. of the total population, a ratio which has frequently been adopted as the working rule in British India. In order to achieve this object the appointment of a Franchise Committee or some organization corresponding thereto will be necessary. Information is unfortunately lacking as to the number of people likely to be entitled to vote if different kinds of qualifications are adopted; the proposals put forward are therefore merely tentative and suggested as a temporary expedient.

As a working basis for the time being, various qualifications have been suggested. It will be observed from the proceedings that opinions have differed to a marked extent in this respect. For instance, the views given in respect to land revenue qualifications have varied between Rs. 10 payment and Rs. 50 payment per annum; in respect to immovable property between Rs. 500 and Rs. 2,000 in value, and in regard to educational qualifications between Middle pass and Graduate standard.

It is recommended that in the four following cases, the standards now prescribed for the right of voting at Municipal elections may be adopted as franchise qualifications in regard to the Assembly :—

1. Payment of land revenue not less than Rs. 20 per annum.
2. Possession of immovable property not less than Rs. 1,000 in value.
3. Membership of a learned profession, such as the Medical or Legal profession, etc.
4. The receipt of a Government pension of not less than Rs. 25 per month.

In addition to the above it is recommended that any of the following additional qualifications should also be regarded as sufficient :—

1. Payment of Municipal taxes not less than Rs. 20 per annum.
2. Title holders, Zaildars, Lumberdars and Safed Posbes.
3. Jagirdars and Pattadars enjoying an assignment of not less than Rs. 50 per annum.
4. Educational standard Matriculate or corresponding Vernacular standard.

The qualifications suggested above would appear to be sufficient for the present. It does not appear advisable to provide for further qualifications in the way of annual income, payment of house-rent or payment of customs, as there will be difficulties in the way of satisfactorily verifying such qualifications.

The same qualifications for membership of the Assembly as those recommended for franchise might be adopted.

#### Disqualifications.

It is recommended that the following should be regarded as disqualified for purposes of franchise :—

1. Females.
2. Persons below the age of 21
3. Persons certified as insane.
4. Undischarged bankrupts or insolvents.
5. Persons convicted by a criminal court of an offence punishable with imprisonment for a term exceeding six months, provided that if a period of five years has elapsed since the termination of the sentence, the disqualification shall cease to operate.
6. Persons who are at the time of the election under orders by a competent court to provide security for good behaviour.
7. Persons, other than State subjects, who have not been domiciled in the State for a consecutive period of five years immediately preceding the time of the election.

With regard to the latter disqualification, it has been represented on the one hand that only State subjects as now defined should have the right to vote and that on the other hand that one year's residence in the State should be sufficient to qualify for franchise and that the present definition of "State subjects" should be discarded for all purposes. It is not within the scope of the Conference to consider the appropriateness of the existing definition of "State subject" for general purposes. As regards qualification for the franchise, however, though there is every reason for upholding the prior claims of State subjects in general, the present definition appears to be unduly rigid; domicile in the State for a thousand years cannot according to this definition qualify a man to become a hereditary State subject. It would seem both unfair and inexpedient to deny the right of franchise to a man who has so far identified himself with local interests as to make his domicile in the State over a consecutive period of five years. As one member of the Conference has aptly expressed it, man can beget sons, he cannot beget his ancestors.



Some Members have given their opinions in favour of an experiment in the direction of female suffrage. But the general consensus of opinion is against this departure. In view of the backward condition of female education it appears advisable to defer for the present any proposal of this nature.

In regard to disqualifications for elected membership of the Assembly, it is recommended that the same standards as those proposed above in the case of franchise should be adopted with the following additions or modifications :—

1. Persons below the age of 25, (instead of 21 as in the case of franchise).
2. Persons not on the electoral roll.
3. Persons unable to read, write and understand the Court language, namely Urdu.
4. Persons actually in the service of Government.
5. Dismissed Government servants, provided that the disqualification in this respect may be removed by the specific orders of Government.
6. Persons, other than first class State subjects as now defined who have not been domiciled in the State for a consecutive period of fifteen years, immediately preceding the time of the election.

In the case of this latter disqualification, the remarks already made in connection with the question of State subjects should suffice.

It will be observed from the proceedings that there has been a fair approach to unanimity in regard to the question of disqualifications.

#### **Composition of the Assembly.**

##### **(a) ELECTED MEMBERS.**

In the absence of detailed information in regard to the number of persons likely to be qualified to vote on the basis suggested above, a rough guide can be afforded by the population statistics as recorded in the Census which has recently taken place. Once again it may be pointed out that the proposals put forward are only tentative and may be found to require considerable modification when statistics have been collected showing the approximate voting strength of various classes and communities.

The total population of the State is recorded as roughly 36½ lakhs. Excluding the Poonch and Chenani Jagirs and certain distinct Frontier Illaqs such as Hunza and Nagar, which are in certain respects withdrawn from the scope of the ordinary State machinery, the population comes to approximately 32 lakhs. If Ladakh and Gilgit proper are also excluded there would be a further reduction of about 2½ lakhs. The general feeling of the Conference is that Ladakh and Gilgit proper should not be excluded for the purposes of the Assembly. It is true that these tracts are comparatively backward, also that they are put off at certain times of the year; they form, however, an integral part of the State for ordinary purposes and except in the winter months communications are open.

It is clearly undesirable that the Assembly should be composed of so large a number of members as to become unwieldy. A working basis in regard to the number of elected members would seem to be provided by

the allotment of one such member to every lakh of the population. On this basis there would be 32 elected members in all.

#### Joint or separate electorates.

One important question that arises is whether electorates should be separate or joint. It will be observed that there has been a general consensus of opinion at the Conference in favour of separate electorates. Some members have pointed out that, although the establishment of separate electorates has some times been regarded as responsible for increasing communal tension in British India, the acute communal feeling which unhappily prevails in the State at the present time can certainly not be ascribed to this cause; it has been maintained that in the case of the Srinagar Municipality the introduction of joint electorates has enhanced the feeling of antagonism and distrust between the different communities. It would appear that in the existing state of tension, the institution of joint electorates must be regarded as a dangerous experiment. It is obviously advisable at the present time to avoid as far as possible all superfluous elements of danger. Separate electorates are accordingly recommended.

There has been a consensus of opinion on the point that there should be no plural voting. The place at which a voter should record his vote should depend upon the locality in which he normally resides at the time of the election.

In regard to the allocation of elected seats in the Assembly among the various communities widely different views have been put forward. It has been claimed on the one hand that at least 25 seats out of 32 should be allotted to Muslims, who number 75 per cent. out of the population of that part of the State with which it is proposed that the Assembly should be concerned. On the other hand it has been represented that there should be two elected Hindu members to every one Muslim. And special claims have been put forward on behalf of particular classes or communities, such as Sikhs and Rajputs and also on behalf of the depressed classes.

The two main communities are Muslims and Hindus. The population of these two communities stated in round numbers is as follows for the various portions of the State which it is proposed to take into consideration :—

#### JAMMU PROVINCE.

	Muslims.	Hindus.
Jammu Wazarat excluding Jammu city	1,37,000	1,93,000
Jammu city	... 12,000	24,000
Kathua Wazarat	... 40,000	1,21,000
Reasi "	... 1,55,000	79,000
Udhampur "	... 1,17,000	1,56,000
Mirpur "	... 2,78,000	57,000
<b>Total for Jammu Province</b>	<b>... 7,39,000</b>	<b>6,30,000</b>

## KASHMIR PROVINCE.

	Muslims.	Hindus.
Southern Kashmir excluding Srinagar City ...	5,75,000	20,000
Srinagar City ...	1,39,000	34,000
Northern Kashmir ...	5,43,000	11,000
Muzaffarabad ...	2,22,000	4,000
Total for Kashmir Province ...	14,79,000	69,000

## FRONTIER.

Ladakh ...	1,53,000	300
Gilgit proper ...	31,000	1,000
Total Frontier ...	1,84,000	1,300
GRAND TOTAL ...	24,02,000	7,00,300

Buddhists who are almost entirely confined to the frontier districts of Ladakh amount to 39,000. Sikhs whose numbers are more or less equally divided between the provinces of Jammu and Kashmir, also come to 39,000.

If population is strictly followed, Muslims, whose ratio works out at 75 per cent should get 24 out of 32 elected seats, and Hindus, who come to 22 per cent. should be given 7, Buddhists and Sikhs would hardly qualify for one seat between them.

The principle of "weightage" has, however, to be taken into account in order to safeguard the interests of minor communities. This principle has been fully recognised in British India. In the United Provinces for instance Muslims, who number only a little more than 14 per cent. of the population, have been given not less than 29 per cent. of elected seats in the Legislative Council. In Bombay non-Muslims, whose numbers amount to nearly 79 per cent. of the population, have been reduced in the matter of elected seats to a bare majority. Responsible Mohammedan opinion has been expressed in favour of the principle of "weightage" being applied to the State Assembly provided that Muslims are allowed to retain an actual majority in the matter of elected seats.

A fair solution would appear to be provided by allowing to Hindus sufficient "weightage" to bring their number of elected seats in the Assembly up to 33½ per cent. Muslims would in this case be awarded a fraction over 60 per cent. while Sikhs and Buddhists would each be given just over 3 per cent.

It has been claimed that not less than 4 seats should be allowed to Sikhs, or, failing that, two, one for Jammu and one for Kashmir. It is true that, as has already been remarked, the Sikh population is scattered over the two Provinces. It is also true that the behaviour of the Sikhs has been exemplary during the recent disturbances and that they are fully deserving of consideration, but, as far as the State is concerned, they are relatively a very small community and it is difficult to allot them more than one elected seat without unduly affecting the interests of others. It is suggested that their aspirations might be met by the practice of including among the nominated members one Sikh member coming from that province to which the elected Sikh member does not belong. This should be

sufficient to provide for the reasonable requirements of the community; as the Sikh representative at the Conference has explained, the Sikhs are not striving for power in the State, they only desire that their voice should be heard. The only other alternative that seems possible is to increase by one the total number of elected members, but this would of course disturb the general ratio.

In the case of the Buddhists one elected seat should suffice. As mentioned above, the Buddhist community is practically confined to one portion of the State and it is doubtful what their actual voting strength will prove to be.

Some difficulty is to be found in deciding how effect is to be given to the "weightage" proposed for Hindus. It is true that the great bulk of the Hindu population belongs to the Jammu Province, but there are obvious objections in the way of allotting them a larger number of seats in that Province than can be given to Muslims, who even in Jammu are more numerous than Hindus. The most satisfactory solution appears to lie in giving the "weightage" its main effect in the Kashmir Province; although the Hindus in Kashmir are relatively small in numbers, they are a highly advanced community and it is to be expected that their voting strength will prove to be considerably higher than their population would suggest.

It is not proposed that any elected seats should be reserved for the depressed classes. In the census the depressed classes are recorded as Hindus, and there appears to be no sufficient reason for according them different treatment from that received by them in the Punjab, where no special reservation obtains.

It is recommended that the total number of elected seats should be 33 and that they should be distributed as follows:—

<i>A. Jammu Province.</i>	Muslims.	Hindus	Buddhists.	Sikhs.
Jammu City	...	1	1	...
Jammu Wazarat	...	1	2	...
Kathua "	...	1	1	...
Udhampur "	...	1	1	...
Reasi "	...	1	1	...
Mirpur "	...	2	1	...
Total Jammu Province	...	7	7	...
<i>B. Kashmir Province.</i>				
Srinagar City	...	3	2	...
Southern Wazarat	...	3	1	...
Northern "	...	3	1	...
Muzaffarabad	...	2	nil	...
Total Kashmir Province	...	11	4	...
<i>C. Frontier.</i>				
Gilgit proper	...	1	...	...
Ladakh	...	1	...	1
Total State	...	20	11	1

#### **Nominated Members.**

Here again there has been a great difference of opinion, the proposals put forward by various members for the proportion of nominated to elected seats vary between 25 per cent. and 150 per cent.

It would seem a fair solution that the total number of nominated members should be equal to two thirds of the number of elected members, namely 22, and that in addition to these His Highness the Maharaja Bahadur should, if he sees fit to do so, appoint his Ministers, not exceeding 5 in number, as *ex-officio* members. The total membership of the Assembly would thus be limited to 60 (33+22+5). In regard to the nominated members, not less than one third should be non-officials; apart from this His Highness should have entire discretion in the matter of nomination. There has been a general consensus of opinion, however, expressed at the Conference that nomination should be so regulated as to provide as far as possible for the representation of interests which are not specially catered for in the elected membership, such for instance as Jagirdars and commercial interests.

If the above recommendations are adopted, there would be a clear elected majority and there would be a proportion of not less than two non-official members to one official member.

#### **President of the Assembly.**

It is recommended that the Assembly should be presided over by the Prime Minister or such other Minister as His Highness may be pleased to appoint for the purpose.

#### **Number and Place of Meetings.**

Apart from any special meetings which it may be found necessary to call, it is recommended that there should be two regular meetings of the Assembly a year, one at Srinagar in the month of Assuj (September-October) when the budget proposals amongst other matters can be discussed, and one at Jammu in the month of Phagan (February-March) or such other time as may be convenient.

#### **Life of the Assembly.**

The life of the Assembly should, it is recommended, be fixed at three years in the first instance.

Rules relating to the number necessary to form a quorum and other matters of comparatively minor importance can be provided for suitably in the bye-laws.

It is recommended that the Assembly should have no power to propose an alteration in the enactment creating the Assembly, unless the previous approval of His Highness is obtained through the President.

#### **District Boards.**

Apart from the question of creating a Legislative Assembly the subject of District Boards and Municipalities has also been raised at the Constitutional Conference.

At present there are no District Boards in the State. There has been a general consensus of opinion expressed at the Conference in favour of a beginning being made in this matter in the following way.

Wazirs or District Officers should once every year call a meeting of all the Zaildars in their Districts. The Tahsildars and the Road Cess Overseer should also be present. The Wazir should make known the amount of funds available from the Road Cess Fund for expenditure in the Wazarat, he should ascertain from those present the requirements of the various Zails and he should then proceed to make allotments after taking into consideration the views expressed. Zaildars should at the same time be given an opportunity to put forward their views in regard to other matters such as Schools, Medical Relief, Sanitation, etc.

In the case of districts in which distances are great and communications indifferent, such as for instance the Udampur Wazarat which includes Kishtwar, Bhadrawah and Ramban, it may be difficult to summon Zaildars to District head-quarters without causing them undue inconvenience; in such cases the Wazir should make a point of consulting Zaildars at convenient places when he proceeds on tour.

It has been agreed at the Conference that it is inadvisable to hold more than one such meeting a year at the head-quarters of a Wazarat, as it is believed that, if the number of such meetings is multiplied, many Zaildars will be unwilling to attend. It has been pointed out that under present conditions Zaildars are put to much inconvenience in visiting District head-quarters because there is no suitable building in which they can be accommodated; this is a matter which should receive the attention of the State authorities.

#### Municipalities.

The following views in regard to Municipalities have been expressed and deserve consideration.

#### ELECTORAL ROLL.

It is considered that the electoral rolls should be revised in such a way as to make the numbers recorded thereon equivalent to about ten per cent. of the total population of each Municipality. At present the number of voters appears to be considerably less than this in the case of Srinagar city.

#### SEPARATE ELECTORATES.

In view of the opinions expressed in regard to the undesirable effects of joint electorates in the matter of communal tension it is suggested that the question of substituting separate electorates should receive attention.

#### NUMBER OF ELECTED MEMBERS.

It is recommended that the proportion of elected members who now form 50 per cent. of the total, should be slightly increased so as to provide for an elected majority. An increase in the total number of Municipal members does not appear to be desirable in the interests of efficiency.

#### EXTENSION OF POWERS.

It is understood that the Municipal Committee of Srinagar has already put forward proposals to the Minister-in-charge for an increase of powers, and that the matter is under the consideration of His Highness' Government; an early decision appears to be desirable.

NON-OFFICIAL PRESIDENT.

The proposal that Municipalities should be presided over by a non-official is far from meeting with universal approval. No recommendation in this direction appears at present to be justified.

DELAY IN AWARDING COMPENSATION.

It is represented that Municipal Committees at present allow great delay to occur in paying compensation for property acquired etc. Endeavours should be made to expedite the disposal of such cases.

(Sd.) B. J. GLANCY,

PRESIDENT,

*Constitutional Reforms Conference.*

*Jammu.*

*April 1932.*

Report on Disturbances at Jammu and its Environments  
during the first week of November 1931.

*Conducted by Mr. L. Middleton, I.C.S.*

1932  
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**Report on an inquiry into Disturbances at Jammu  
and its Environments during the first week  
of November 1931 conducted by  
Mr. L. Middleton, I. C. S.**

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PRELIMINARY.

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**1. Terms of Reference and Procedure Adopted.**

By order of His Highness the Maharaja Bahadur dated the 24th of November 1931, I was directed to inquire into "direct causes of disturbances which occurred at Jammu and its environments during the first week of November and the measures adopted for suppression thereof".

Notices dated the 4th of December 1931 were posted and distributed in Jammu repeating the terms of reference and calling upon all persons who wished to give evidence to submit abstracts thereof by the 8th of January 1932; it was noted therein that there was no objection to such abstracts being sent to me through agents or associations. A second notice dated the 23rd of December 1931 informed the public that the inquiry would commence on the 11th of January 1932. Similar notices were also issued in some of the leading Punjab newspapers.

Evidence was recorded in Jammu from the 11th of January until the 19th of February; the proceedings were held in public throughout and any association which wished to do so was permitted to send a representative to watch the proceedings and to assist in the production of witnesses; Lala Shiv Das, Legal Remembrancer, was nominated to fulfil these functions on behalf of the State whilst Messrs Aziz Ahmed and M. A. Kanwar appeared on behalf of the Young Men's Muslim Association of Jammu, through which the majority of Mohammedan witnesses submitted their written statements. A large number of Hindu witnesses submitted their written statements through the Hindu Yuyak Sabha of Jammu but this body did not send any representative to watch the proceedings.

Very few abstracts of evidence had been sent in before the 8th of January and further opportunities had to be given for this purpose. Every witness was required to put in such an abstract and this was read out in Court in his presence and he was required to confirm it before being examined by me.

316 witnesses have been examined who may be classified as follows:—

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| (a) Officials and employees of the State 60, of whom 45 were called on behalf of the State, 13 were called at the request of the Mohammedan public and 2 at the request of the Hindu public. |         |
| (b) Mohammedan public  | ... 183 |
| (c) Hindu public   | ... 72  |
| (d) Others   | ... 1   |

All officials whom the public desired to be examined were produced before me, with the exception of thirteen Mohammedan members of the State forces who were on duty in disturbed areas at the time of the inquiry; these thirteen had been on duty in Jammu on the night of 2nd November. I was only able to find three other Muslim soldiers who had been on duty that night and who were available, and these three were examined. It appears that a large number of Mohammedans had recorded statements at the office of the Young Men's Muslim Association before this inquiry commenced and copies of their statements were placed before me, but the Association was not successful in producing all these persons and hence forty such statements have not been verified by any witness. These statements, together with those of four Hindus who failed to appear before me have been placed on the record but have not been admitted as evidence. The record has been divided into four parts as follows:—

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| PART 1 | ... Written and oral statements of persons examined as witnesses (in English). |
| PART 2 | ... Exhibits.  |
| PART 3 | ... Original written statements if in languages other than English.            |
| PART 4 | ... Written statements of persons who failed to appear as witnesses.           |

## 2. General Summary of Events

The evidence produced before me is so fragmentary, disconnected and contradictory that it has been difficult to construct any consecutive narrative from it. Discussion of this evidence must necessarily be concerned mainly with particular incidents and features and, to render such discussion intelligible, a short summary of events is necessary as an introduction. In this summary I shall rely mainly on undisputed points, reserving matters regarding which there is a conflict of evidence for fuller treatment in subsequent paragraphs.

Mohammedan unrest in Jammu and Kashmir appears to have been simmering for a considerable time and during the last twelve months a lead has been given to it by articles in many of the Mohammedan newspapers of the Punjab. Towards the end of April 1931 a Sub-Inspector of Police interfered during the celebration of the Id-ul-Bakar in Jammu and tried to stop the recitation of the Khutba; about six weeks later a head-constable at the Central Jail remonstrated with a constable who had not folded up his bedding and was reading the Quran at a time when he should have left his quarters; the head-constable threw the bedding on to the constable's box and a copy of the Punj-Surah, which had been on it, fell to the ground; it was stated publicly that the Quran Sharif itself had been maliciously thrown on the ground. These two incidents led to further agitation within the State and also in the press in the Punjab. Both are isolated incidents having no general significance and the main point affecting Muslims as a whole has been set at rest within the State by a revisional judgment of the Chief Justice dated the 30th October 1931 in which he has held that the judgment of a lower Court in regard to the Khutba incident was incorrect when stating that the Khutba, even when properly preached, does not form part of religious observances.

The arrest of a man from outside the State for a seditious speech in Srinagar and his trial at the jail led to a clash between some of the Musalman public and the State forces at that place on the 13th of July; an event which has since formed the subject of an inquiry by Sir Barjor Dalal, Chief Justice and two other Judges of the High

Court of the State. From this point the agitation increased and in Jammu it was carried on through the Young Men's Muslim Association.

The All India Kashmir Committee organised demonstrations on the 14th of August, since known as Kashmir Day, both inside and outside the State and thus added further publicity to the agitation and encouraged the local malcontents; a procession was taken out in Jammu on this day in defiance of orders and some twenty-seven arrests were made.

On the 26th of August an agreement popularly known as the "Temporary Truce" was reached between the Prime Minister and certain Muslim representatives under which action against agitators was suspended and several were released from jail.

The Ahrar party in the Punjab took up the cause of the Kashmir Muslims and organised demonstrations which took the form of sending large parties of Mohammedans from various parts of the Punjab into the State territories with the ostensible objects of showing sympathy with their co-religionists in the State and of calling attention to their alleged disabilities. Many such jathas entered the State, mainly between Sialkot and Jammu, and during the month of September over 2,500 members of jathas were arrested within the State boundaries in the course of a few days.

In September various disturbances occurred in Kashmir which have formed the subject of an inquiry recently conducted by me. On the 5th of October, His Highness' birthday, a general amnesty was declared and political prisoners and agitators who were in confinement were released.

However on the 29th of October a fresh rush of Ahrar jathas started and over 2,000 had been arrested in the vicinity of Suchetgarh, the frontier post between Sialkot and Jammu, by the 2nd of November. Several of these jathas managed to get through to Jammu and their arrival and arrest in that place added to popular excitement and probably convinced the local Muslims of outside assistance in support of their activities which had now reached the form of open demonstrations against the State Government.

During the last few months the Young Men's Muslim Association had been organising Corps of volunteers who assisted at demonstrations against the Government and whose presence in the city alarmed the Hindu population who retaliated by raising a Hindu Volunteer Defence Force; previous to this the Hindu Yuvak Sabha had already come into prominence by its endeavours to insure that the Muslim "Demands" should not be allowed to affect Hindu religious rights and interests, and that body had a small volunteer force of its own long before the Hindu Defence Force was raised.

On the 31st of October a procession organised by the Young Men's Muslim Association paraded the streets of Jammu. It was organised to represent a Hindu funeral procession and a copy of the report of the Dalal Committee was carried on a bier and was ultimately burnt in the courtyard behind the Young Men's Muslim Association's office in the Urdu Bazar, a place which is popularly known both amongst Mohammedans and Hindus as "the Ghazi Camp".

On the 1st of November a procession organised by the Young Men's Muslim Association and led by a so-called "dictator", Allah Rakha, who had already been arrested on the 14th of August and subsequently released, left the office of the Muslim Association to traverse the city. It included some 25 or 30 volunteers who carried copies of proscribed newspapers and announced that this was a sign of the fact

that they were performing "Civil disobedience" and transgressing the State Laws; these volunteers were arrested after the procession had been through many of the main bazars in the city.

These two processions led to great excitement causing fears that there would be a clash and the 2nd of November found the city in a very disturbed state; the excitement was increased about noon when news was received that an Ahrar jatha which had entered the State boundaries had been involved in a fracas with the Rajput villagers of Top, a village some five miles from Jammu. Parties of Mohammedans and Hindus declared their intention of going to Top to assist the jatha and the Rajputs respectively, whilst some Muslim volunteers actually left the city in pursuance of some such object. The Deputy Inspector-General of Police taking with him the City Magistrate and Assistant Superintendent of Police, went to Top to make inquiries and whilst they were away the Mohammedan volunteers returned and a large Muslim crowd assembled near the Young Men's Muslim Association's office.

A rumour went round the Hindu quarters of the city that the Muslims had vowed that, unless the Rajputs of Top were handed over to them, they would sack the city in the evening; this obtained general credence and the Hindus started closing their shops after 4 o'clock and many of them collected in the City Chauk and its vicinity.

The Young Men's Muslim Association's office is in the Urdu Bazar which runs North-West from the Residency Chauk to the Ghas Mandi Chauk and is a Mohammedan quarter; the Kanak Mandi runs West from the Ghas Mandi Chauk to the City Chauk and is a Hindu Bazar, its continuation Westwards is a short bazar on which stands the City Police Station; from the City Chauk, Raghunath Bazar runs South to the Raghunath Temples whilst the Hospital Bazar runs Northwards past the State Hospital to Purani Mandi.

Between 5 and 5-30 p. m. the Muslims were gathered in the Urdu Bazar and Residency Chauk and in the courtyard behind the Young Men's Muslim Association's office which abuts on the Residency Road, the Hindus were in the City Chauk and its neighbourhood whilst the intervening space of Ghas Mandi and Kanak Mandi appears to have been partially deserted. A clash between Hindus and Mohammedans now occurred in the Ghas Mandi Chauk; the precise nature of its origin is a subject of conflicting evidence which will be discussed later, but it appears that there was no prolonged or severe fighting and that in a very short time such Hindus as had participated in it fled, along with those who had been loitering in the Kanak Mandi, to the City Chauk. The Mohammedans now advanced along Kanak Mandi but started to loot shops at its Eastern end, many climbed on to the roofs on the Southern side of the bazar and commenced throwing stones, a few advanced beyond the main mob and approached the Hindus in the City Chauk, one of them was struck by stones thrown from a roof on the North side and the others fell back on the main mob. At this stage some isolated Mohammedans who appeared in the vicinity of the City Chauk appear to have been assaulted by members of the Hindu crowd. Some State troops now arrived from the Ajaibghar Lines and passed by the Police Station and through the City Chauk whereupon the Mohammedan mob fled; the troops occupied Ghas Mandi without serious opposition and halted there; re-inforcements were sent from Satwari Cantonment; later other troops arrived from Batote, all were assembled either at the Ghas Mandi or in the neighbourhood of the Police Station and City Chauk. Civil and Military officials now drew up a scheme for establishing Military posts and pickets in the city but there was great delay and, whereas the actual outbreak had ceased by 6 p. m., the cavalry does not appear to have been posted till about 8-30 p. m. and the infantry until close on 11 p. m. During

the evening and night Mohammedan shops in various quarters were plundered during the absence of their owners whilst numerous solitary way-farers were attacked and injured in various parts of the city. The city remained under military patrol on the 3rd on which day an incident occurred at the Ghazi camp which involved firing by the troops. On the 4th of November the Rifle Brigade arrived from Jullundur and it furnished patrols in the city that night; it was however not till 4 P. M. on the 5th that the Rifle Brigade took over entire military control of the city and that the State troops were withdrawn.

It is alleged by Mohammedan witnesses that the city was unsafe for Mohammedans throughout the 3rd and that many assaults occurred, several of which are ascribed to the troops, a few untoward incidents are also alleged to have occurred on the 4th and 5th after which there was complete quiet in the city.

A couple of disturbances connected with the movements of jathas outside Jammu during the first week of November are covered by the terms of reference and will receive brief mention but, apart from the clash at Top, such events are not connected with the main subject of the inquiry.

### 3. Main Contentions regarding the Nature of the Agitation.

Muslim witnesses have laid stress on the allegation that the agitation amongst the Muslims inside the State has been directed entirely against the Government and not against the Hindu community or against the Ruling House.

Many assert that the authorities have attacked their religion, but as they have relied on the two incidents mentioned in paragraph 2, in which the actions of two individuals in the police force were concerned and as those actions were by no stretch of imagination dictated by State policy, the assertion does not ring true. Some have alleged their struggle has been one towards obtaining service in the State and for a share in the administration. They have indicated that this object has been resented by the Hindus who have introduced a communal tinge to the unrest. They have called my attention to two posters which are said to have been published in Jammu and which purport to have been issued on behalf of the Rajput Amar Sabha and of the Hindu Yuvak Sabha. Both these posters referred to activities of the Mohammedans inside the State and to the assistance offered to them from beyond its boundaries; both call upon the communities to whom they are addressed to resist the Mohammedan agitation and consolidate their own position.

In support of the view that Hindus have made a communal matter of the unrest several witnesses have given an account of an alleged Hindu meeting in the temple of Diwan Jowala Sahai at which they say they heard speeches directed against the Musalmans and saw a prominent Hindu lawyer kiss a sword dedicating it to the destruction of the Mohammedans. This evidence is, in my opinion, fabricated; the witnesses' allegation that they were freely admitted to such a meeting is incredible and involves the assumption that a considerable number of Mohammedans entered the meeting casually and were mistaken for Hindus by those present; moreover there is evidence that this alleged incident had been the subject of rumour and had actually been mentioned in newspapers at a date prior to that at which the alleged eye-witnesses said that it took place.

Several Mohammedans have stated that the authorities themselves incited the Hindus against the Musalmans in order to conceal the fact that the agitation was against the administration.

The Mohammedan witnesses who have mentioned the point have all disclaimed any connection with the propaganda of the Ahrars and with the jatha movement but the majority have admitted receiving advice from the All India Kashmir Committee. They have described the methods of the agitation within the State as being peaceful.

Some Hindus have put forward the view that the Mohammedans directed their action against the Ruling Chief and not against the administration with the ultimate object of establishing a Muslim State. Many have stated that prior to the disturbances of November the seditious slogans uttered by Mohammedan crowds and processions were directed against the person and family of His Highness and have quoted a poem said to have been recited at Mohammedan meetings regarding "cutting off the green branches of the rose tree" which contains a play upon the names of the founder and the present ruler of the State.

They describe the Muslim methods as the reverse of peaceful and have dwelt upon the alleged fact that Musalman volunteers invariably carried arms and that unarmed persons were not allowed entrance to the Ghazi camp.

The Hindus characterised Government treatment of the agitation as weak and alleged that every action of leniency by the Government, in particular the Temporary Truce and the General Amnesty, was followed by increased agitation and by more flagrant disregard of authority. Some of the Hindu witnesses express as much dissatisfaction with the administration of the State as do the Musalmans and suggest that the limitation of the field of recruitment for Government posts by the definition of "State Subjects" who are eligible has resulted in the appointment of many unqualified officials in high posts whose actions have caused dissatisfaction amongst all classes in the State.

#### 4. The "Volunteers".

It appears that the Mohammedans observed a hartal after the acquittal on the 24th June of the Sub-Inspector concerned in the Khutba incident, and it is from this date that Hindu witnesses have alleged that the Mohammedan volunteers came into prominence. There is a mass of evidence that frequent meetings of Musalmans took place in the neighbourhood of Talab Khatikan and many Hindu witnesses have given graphic accounts of incendiary speeches which were delivered at that place. Much of this evidence is discounted by the obvious fact that Hindus could not have been admitted freely to meetings such as described, but even so there can be no doubt that meetings were regularly held and that they were in connection with the Musalman agitation propaganda. A mass of evidence shows that these meetings and also others at the Young Men's Muslim Association's office were attended by volunteers and that they used to march down in semi-military formation from the Mohammedan mohallas and return late in the evening. The evidence regarding the weapons carried by these volunteers is no doubt grossly exaggerated but from amongst the exaggerations certain points emerge regarding the truth of which there can be no doubt, for instance it is satisfactorily established that some time after 'Kashmir Day' volunteers adopted distinctive uniforms according to their mohallas. It is also established that they marched in formation headed by "Captains" and that they possessed colours or banners which they frequently carried with them.

A box of papers was seized from the Ghazi camp on the 3rd of November, its contents have been examined and a list thereof forms Exhibit No. 30. They include papers regarding transfers, appointments, equipment, uniforms, income and expenditure connected with volunteers, lists and registers of various corps and these papers refer to many of the volunteers under the titles of "Captain", "Colonel", "Camp Officer"

and "Army Minister". Amongst other lists are those of 26 volunteers in the Urdu Bazar corps, 26 in the Lakhdata corps and of three corps numbering 25, 22, and 11 in Ustad Gaus Mohammed Mohalla. There are also letters and orders calling various corps to Talab Khatikan on the 22nd October; to the Ghazi camp at 3-30 p. m. on the 31st October and to the same place at 2 p. m. on the 2nd November.

Evidence regarding the Hindu volunteers is far less definite, their existence as organized bands for some months is alleged by Musalmans but is denied by Hindu witnesses, it is however admitted by the latter that the Hindu Yuvak Sabha has for long employed a few unarmed volunteers for social purposes whilst there are also several admissions that a Hindu Defence Force was raised by Master Gauri Kant towards the end of October. The numbers of the latter have been variously estimated in these admissions up to a maximum of 300. It is however urged by those who admit the existence of this force that it was only raised at the very end of October and had not been organized by the time that the outbreak occurred. The Deputy Inspector-General of Police has stated that the existence of both Hindu and Mohammedan volunteers was well known and that the numbers of both had been largely increased and military drill had been introduced amongst both after the amnesty of the 5th October.

I am satisfied that both communities did raise volunteers corps, but from the evidence as a whole I gather that the Hindu Defence Force was of comparatively recent formation.

#### 5. The Ahrar Jathas.

It was in the beginning of September that the activities of the Ahrars in connection with Kashmir assumed significant proportions. Maulana Mazhar Ali, a member of that party from Lahore, arrived in Sialkot on the 3rd of September and after an interview with the Governor of Jammu was allowed to visit Kashmir in order to see the conditions in that province for himself. He returned after a fortnight and led a jatha from Sialkot and many other jathas entered the State territory within a few days, some 2,500 men being arrested. Maulana Mazhar Ali was permitted to make a second visit to Kashmir and about the time of the general amnesty the imprisoned members of the jathas were released.

The movement however did not end here and on 29th of September the Maulana was again in Sialkot proposing to organize jathas; he was interviewed at the frontier post of Suchetgarh by the Governor and other State officials that night but no agreement resulted. Returning from this interview the Governor contracted fever which confined him to his house for several days. The second batch of jathas began entering the State on the 30th of October, some 300 men being arrested on that day. Over 1,300 more were arrested at Suchetgarh on the 31st and on this day some one hundred men were arrested who had avoided the guarded entrance at Suchetgarh and attempted to approach Jammu by other routes. Many more were arrested at Suchetgarh on the 1st of November and on that day three separate parties managed to reach the outskirts of Jammu town. The inrush continued on the 2nd of November and about 4 A. M. one jatha managed to make an entry into Jammu and collected in the Ghazi camp where they were arrested with some difficulty. Between 9 and 10 A. M. two jathas entered Jammu city and collected near the Denis Gate; these were given tea by members of the Young Men's Muslim Association and, owing to the threatening attitude adopted, the police refrained from arresting them until they had finished the tea with the result that they remained in the city for two hours. Further jathas were arrested in the State on the 3rd and 4th of November and thereafter this form of agitation was repressed by an Ordinance under which the Punjab Government arrested jathas before their arrival at the State boundary.

It is difficult to understand what purpose beyond that of publicity could be attained by this jatha movement but it is obvious that the entry of such large numbers into the State must embarrass the State Government and withdraw large numbers of its officials, police and troops, from their normal duties. It is also obvious that this invasion by Mohammedans from outside the State, who had been informed that their co-religionists in Kashmir had been oppressed and that Islam was in danger at the hands of the State authorities, involved great danger of breaches of the peace within the State border.

Many of the villages near the Sialkot border are inhabited by Musalmans, several of these appear to have given assistance to the jathas and in some cases to have resisted at the time of their arrest. On the other hand the presence of Musalman jathas marching through or close to Hindu villages could not but lead to friction. Several villagers have appeared as witnesses and given evidence of clashes between jathas and villagers or between State troops and jathas supported by villagers. From Mohammedans we learn that there was trouble between Musalman villagers and State cavalry in connection with jatha arrests both at Kotli and at Malik Pur, whilst from a group of Sikh villagers of Khaula we hear that in that place a jatha assaulted the Lambardar and two others and gave them a severe beating, those three men were taken to the dispensary at Ranbir Singhpura, two of them suffering from incised wounds. My own inspection of a wound on the person of the Lambardar satisfies me that he had been attacked as stated by him with a weapon of the nature of a sword. I must, however, note that in the majority of cases the jathas were not armed.

After arrest these jathas were confined at a temporary jail at Satwari. The evidence of the Sub-Assistant Surgeon in charge of the hospital at that jail shows that on three occasions members of jathas were brought in in a wounded condition. On the 2nd of November forty-three wounded men were brought in, one suffering from a broken arm and the others from simple injuries of a minor nature; these were the men injured at Top to whom reference will be made later. On the 5th of November thirty-four men were brought in suffering from various injuries; I have not been able to ascertain at what place these men had been injured but it appears probable that they were members of the jatha arrested at Kotli.

On the 6th of November four men were brought in who had been injured by rifle fire whilst in the custody of some State cavalry; this incident took place after the British troops had arrived in Jammu and led to a court-martial the record of which has been before me; although it is covered by the terms of reference to me it has already been the subject of an authoritative inquiry and those at fault have been adequately punished and I do not propose to discuss it in this report.

#### 6. The Mock Funeral on 31st October.

A copy of the report of the first Srinagar Riots Committee was carried through the streets of Jammu on the 31st of October by a band of Mohammedans organized by the Young Men's Muslim Association. Mohammedan witnesses have observed discreet reticence regarding this event and descriptions of it are given mainly by non-official Hindus.

The report was carried on a bier surrounded by a group of people representing mourners at a Hindu funeral procession and all the adjuncts of such a procession were present; this mock funeral party was accompanied by large numbers of Musalman volunteers in uniform and these according to Hindu accounts were carrying arms of various descriptions including swords, spears and axes. The procession after passing through the main streets went along the Urdu Bazar and the Hindus feared that it was going to the cremation ground on the banks of the Tawi which



lies East of that bazar; this fear was not realised as the procession turned into the Ghazi camp at the end of the bazar and in that place it is believed that the copy of the report was burnt.

I have no doubt that the witnesses, who have estimated the number in the procession at anything up to 6,000 and who have stated that all who took part in it were armed, have been guilty of exaggeration but the order found amongst the papers in the Ghazi camp directing the volunteers to attend on the 31st of October fully supports the allegation that this mock funeral was accompanied by volunteers and there can be no doubt that it must have been followed by a large crowd of sight-seers.

Both the Governor and the Deputy Inspector-General of Police have stated that they had ample warning of the intention to take out this procession and that they both wished to disperse it, they have however alleged that the police force in the city was insufficient to cope with the situation and that a telephonic suggestion that troops should be employed was negatived by the authorities in Srinagar. As a result the procession went on its way without hindrance and, although it is said that a few policemen accompanied it, it must have appeared as though the authorities disregarded the open challenge given by it.

I have already noted in my Kashmir Report that the Musalmans have adopted an illogical and hostile attitude in connection with the inquiry although it was conducted by the highest judicial authorities in the State and although an opportunity had been given to Musalmans to join in the Committee of Inquiry. This procession can only be regarded as direct and open defiance of the Government and as a studied display of contempt.

The present Secretary of the Young Men's Muslim Association admits having accompanied this procession and admits that it was arranged to imitate a Hindu funeral. On being asked the reason of this latter feature he replied that it was because the Chief Justice was a Hindu; this reply illustrates the ill-informed and prejudiced character of a man whose opinions are no doubt accepted without question by those who have less opportunity for gaining accurate information. The Committee of Inquiry was in fact composed of the Chief Justice who is a Parsee with two High Court Judges one of whom is a Musalman and the other a Hindu. The insult offered by the procession therefore appears to have been levelled deliberately not only against the Government but against the Hindu community and goes far to discount the protestations of Musalman witnesses that their agitation has never been of a communal nature.

#### **7. The Civil Disobedience Procession of 1st November.**

On the 1st of November the Mohammedans announced their intention of inaugurating a civil disobedience campaign and Allah Rakha who was then known as "dictator" led a procession through the city in the evening. This procession was headed by twenty-seven Mohammedans wearing white clothes and these were photographed near the Dak Bungalow before the procession started. They were then joined at the Young Men's Muslim Association camp by several corps of volunteers wearing red or other coloured uniform and from this place the procession passed through Ghas Mandi, Lakhdatta, Bhabrian and other main bazars of the city until met by the Deputy Inspector General of Police and the City Magistrate in the Ustad Mohalla where Allah Rakha and the twenty-seven demonstrators were arrested.

Most detailed evidence regarding this procession is again given by non-official Hindus but there is also some evidence given by officials and Musalmans.

The procession left the camp at about 5 P. M. and was arrested about 7 P. M.; when it started it appears to have been followed by large numbers of Mohammedan volunteers, those numbers being variously estimated at from one hundred to five hundred or more, and a large number of sight-seers naturally collected during its progress through the city. The white-robed demonstrators were carrying newspapers the entrance of which into the State had been proscribed; frequent halts were made at which Allah Rakha delivered short speeches. He announced repeatedly that the newspapers were being carried as a sign that the State regulations were being broken and that civil disobedience had commenced; it is also stated by numerous witnesses that he kept on repeating that the power of the Dogra Government had been broken, that its funeral had been celebrated and that, if it had any power remaining in it, it should demonstrate that power by arresting him and his companions.

One Hindu witness who accompanied the procession for a considerable distance has stated that the volunteers left it on reaching their own mohallas and it is clear from the evidence of the Deputy Inspector-General and the City Magistrate that when Allah Rakha and his party were arrested only a small number of volunteers were still with them although there was a large crowd of sight-seers.

The Hindus who saw the procession near the beginning of its route have described the volunteers as being armed and this allegation is borne out by the City Magistrate who saw the procession leave the camp at which time, according to him, several corps were armed with sticks whilst one corps was armed with axes; more sensational accounts are given by some other witnesses who mention three corps armed entirely with swords, spears and sticks respectively. No resistance was made at the time of arrest and the show of force does not appear to have been connected with an intention of resisting the authorities.

The Governor states that early information was received regarding the intention to take out this procession but that the Mohammedan leaders were called and spoke to the Secretary to the Prime Minister in Kashmir over the telephone for some two hours and ultimately promised not to take it out and that hence, when the procession did start, it came as a surprise; he has added that directly he was informed by the Deputy Inspector-General that the procession had started he directed him to arrest the leaders with the help of the City Magistrate. On the other hand the Deputy Inspector-General has alleged that after the procession had started he repeatedly telephoned to the Governor for permission to arrest the leaders and also visited him before he could obtain permission to do so. No useful object can be obtained by discussion of this discrepancy but the fact that the demonstrators were photographed before the procession started shows that there was ample time for the authorities to arrange to stop it at the outset. It was however permitted to go through the main streets and to cause excitement for two hours before it was dispersed; a possible explanation is that the authorities hesitated to intervene so long as the procession was accompanied by armed volunteers.

After the arrest it was announced that Gauhar Rahman had been nominated as "dictator" in succession to Allah Rakha and that he would lead another civil disobedience procession on the following day.

#### 8. The Governor's Control.

Chaudri Chattar Singh was the Governor in Jammu at the time of the disturbances; he had taken over charge on the 3rd July and his first duty was to negotiate with the leading Rajputs to prevent a meeting which had been called by them to discuss the Musalman agitation; the meeting

was cancelled and although a few Rajputs collected, there was no agitation.

After the Srinagar disturbance of the 13th July a force of cavalry and infantry was posted in the Ajaibghar Lines in the city at the suggestion of the Governor and this force remained there until after the disturbances of November.

The Governor promulgated orders under Section 144 Cr. P. C. on the 14th of August and himself was present when the procession of that day was dispersed and 27 ring-leaders arrested. The prosecutions pending against them were however dropped as a result of the temporary truce of the 26th August.

A conciliation board of Hindus and Mohammedans previously appointed by Mr. Wakefield was doing no work and the Governor has stated that he attempted to form another committee of the same nature. Both he and some Hindu witnesses who were asked to sit on this committee state that the proposal to form it broke down because Gauhar Rahman insisted that any Musalman sitting on it should be paid Rs. 10 a day. On the other hand Mr. Mohammed Amin has stated that he himself formed a committee for the purpose of restoring peace of which he was the president but it never worked because the Governor when asked for his approval failed to give any definite reply.

In company with the Wazir and the Deputy Inspector-General of Police the Governor interviewed Maulana Mazhar Ali at Suchetgarh on the evening of the 29th of October to try and persuade him not to launch the second jatha campaign. The campaign however started and the Wazir was posted at Suchetgarh in connection with it; the Governor thus being deprived of his senior local civil officer in Jammu.

On the 1st of November the Governor, anticipating possibility of trouble in the city, obtained the Prime Minister's sanction to expedite the arrival of troops from Srinagar who were marching from that place and had arrived at Batote. Lorries were sent for them on the 1st and they arrived in Jammu on the evening of the 2nd.

The Governor himself was in bed with fever on the 1st, 2nd and 3rd of November and was not able to leave his house, various residents of Jammu called upon him on the 1st and 2nd of November to report their fears which had been aroused by the processions of the 31st and of the 1st; I have received evidence of two such deputations on the 1st and three upon the 2nd; the Governor however can only recollect one on the 1st and two on the 2nd. Witnesses from these deputations have stated that they urged the necessity of issuing orders under Section 144 Cr. P. C. and have stated that the Governor put them off without definite orders whilst, in one case, witnesses have suggested that the notes written upon their application had been tampered with before it was produced at this inquiry. I see no reason to think that that was so, but there was certainly one note upon it which must have been written after the deputation had left because it refers to action taken subsequently during the day.

At 11 A. M. on the 2nd the D. I. G. Police interviewed the Governor regarding the disturbed state of the city and the expectation that the second civil disobedience demonstration would take place on that day. He suggested that military should be posted in the city but himself states that the suggestion was attended with difficulty because the Musalmans had planned to attack troops if posted in their mohallas, the visit apparently resulted in no plans being made.

At 2 P. M. the Governor was informed of the clash at Top over the telephone and of consequent excitement in the town. He telephoned to the City Magistrate and to a clerk of his office, Kh. Taj Din, to go to

assist the D. I. G. Police in pacifying the Muslims. He also called Lala Anant Ram, Munsiff, and sent him to the Police Station to pacify the Hindus, that place being in the centre of the main Hindu area of the town.

Lala Anant Ram returned after half an hour stating that the D. I. G. had left for Top with the City Magistrate and the Assistant Superintendent of Police and that the Mohammedans in the city were in a very excited state. According to the Governor and the Revenue Assistant, Rao Rattan Singh, who was with him at the time, a telephone message was now sent to the Ajaibghar to warn the troops at that place to be ready for action when called upon.

Lala Anant Ram was again sent to the Police Station to watch events and to call out troops if necessary. It was at this time that a deputation of the local Bar Association, including Hindu, Sikh and Mohammedan members, came to the Governor to ask that steps should be taken to protect the city.

Thereafter Lala Anant Ram accompanied by the City Inspector returned to make a further report and whilst he was present the Deputy Inspector-General arrived with the City Magistrate and the Assistant Superintendent of Police after return from Top. It was now about 4-30 P. M., the City Magistrate and the City Inspector were sent to the Urdu Bazar to explain what had happened at Top to the assembled Muslims. A telephone message was sent to the Ajaibghar Lines ordering the troops at that place to proceed to the City Police Station and Lala Anant Ram and the Assistant Superintendent of Police were sent to that place to take charge of the situation, leaving about 4-45.

Meanwhile the Deputy Inspector-General of Police had a telephone conversation with the Secretary to the Prime Minister in Srinagar and thereafter he asked the Governor's Assistant to draft an order under Section 144 Cr. P. C. for the Governor's signature. He also telephoned to the Ajaibghar Lines to know if the troops had left and was told that they were on the point of departure.

Other persons who were present included Umra Khan and Mistri Yakub Ali, the former of whom had been to Top and had been directed to join the Deputy Inspector-General on return, and also the City Inspector who had returned to deliver a message from the City Magistrate.

A telephone message was now received from the Police Station saying that a riot had commenced and the Governor's first action was to despatch Umra Khan and Yakub Ali to the spot asking them to use their influence with the Musalmans. The Deputy Inspector-General delayed his departure for some fifteen minutes longer and then left for the scene of disturbance.

The draft order under Section 144 Cr. P. C. was now placed before the Governor but he refused to sign it saying that it was now too late.

It has been noted that according to the Governor a message was sent from his house to the Ajaibghar Lines about 3-30 P. M. warning the troops to be ready and that another was sent soon after 4-30 P. M. ordering the troops to proceed to the City Police Station. Colonel Baikuntha Singh was in command of those troops but he also had duties in Satwari Cantonment and was admittedly in Satwari at the time of the first alleged message. The Governor has stated that the officer who spoke to him at that time was Captain Mohan Lal. The officers with the Ajaibghar troops have all denied the receipt of any message; Captain Mohan Lal was not on duty at the Ajaibghar but was on garrison duty at the Mandi Mobarak in a different quarter of the city. It appears that

officers on garrison duty usually have their meals at the Ajaibghar Lines or at their quarters which are close to the Ajaibghar Lines but Captain Mohan Lal states that on 2nd of November he never came to those Lines and that he never received a message from the Governor. As regards the second message, those who were at the Governor's house are uncertain of the identity of the officer who replied though they think it was Lt. Hassan Mohammed who had come to the telephone but he denies getting any such message; he was at the Ajaibghar Lines the whole day and during the day had answered telephone calls from Satwari. Colonel Baikuntha Singh states that he reached the Ajaibghar from Satwari at 3-45 and that at 4-30 he himself rang up the Governor owing to the disturbed state of the city and was told to keep his troops in readiness. Just before 5-45 P. M. he ordered his troops to proceed to the Police Station and states that he did this on account of a verbal message delivered by one Chetru Ram, photographer, and that at the same time a telephone call came from the Police Station.

The Governor's allegations are supported by all those who were with him at the time of the alleged messages whilst there is not a single military witness who admits their receipt. It is impossible from the evidence before me to determine the truth, it is clear that one of the two groups of witnesses has agreed to suppress it.

Non-official witnesses who went with the various deputations to the Governor urge that he was fully warned of the dangerous state of the city and took no action; he has given his reasons for not promulgating orders under Section 144 Cr. P. C. which are that he did not apply it before the riot because (a) the military present in Jammu was not adequate to enforce such orders effectively and (b) the Musalmans had already begun civil disobedience a day before the riot and that promulgation of orders under Section 144 would have given a wider field to their civil disobedience programme and (c) that after the riot broke out Section 144 was not justified because it was then time for action and not for prevention.

After considering all the evidence bearing on the Governor's conduct, which is too lengthy to be mentioned in detail, I come to the following conclusions:—

The Governor was averse from acting on his own responsibility and, following the example set by the temporary truce and the general amnesty on previous occasions, relied upon negotiations rather than upon firmness. His illness prevented him from inspecting matters on the spot; possibly he regarded the opinions of the various deputations which he received as being based upon unsubstantial grounds. He was handicapped by the absence of the Wazir to whom, in his illness, he might have handed over control, he was also handicapped during an important period by the absence of the Deputy Inspector-General, the City Magistrate and the Assistant Superintendent of Police.

Making allowance for all these disadvantages of his position it is still evident that he failed to take any decisive action or to make any real attempt to prevent the disturbance and it can only be gathered that he was so suffering from fever as to be deprived of all initiative and executive ability.

#### **9. Movements of the Deputy Inspector-General of Police on the 2nd November.**

The Deputy Inspector-General, Chaudri Ram Chand, had been through a prolonged period of acute anxiety and physical fatigue when faced with the problems which arose on the 2nd November.

The prisoners in the temporary jail at Satwari were over-crowded and are said to have been disorderly on the 1st of November and on that day members of the civil disobedience procession had been arrested. It was decided to send those persons and also a considerable number of men from the temporary jail at Satwari to Udhampur jail to relieve the situation; arrangements in connection with this transfer kept Chaudhri Ram Chand busy all night and he returned to his house about 3 A. M.

He had scarcely reached his house when he heard a disturbance in the Young Men's Muslim Association camp close by. He went there and found that a jatha had managed to reach it and that there was a quarrel proceeding with two Sowars who had entered the camp; he personally supervised the arrangements for the arrest of this jatha. Thereafter between 9 and 11 A. M. he had to deal with two jathas in the city who were being entertained by members of the Muslim Association.

After this he visited the Governor about 11 A. M. to discuss the situation with special reference to the threatened second civil disobedience procession which Gauhar Rahman, the second "dictator", proposed to lead in the afternoon. After return to his house he received intimation from various people of the clash at Top and was told that both Mohammedans and Hindus were leaving the city for that place. He telephoned to the Governor who sent the City Magistrate to assist in quieting the city. He telephoned for some cavalry to be sent from the Ajaibghar Lines to Top and, after a considerable interval, himself went to the Association office near which the Musalmans had collected. He assured those present that he himself was going to Top to make inquiries and that they need have no apprehension. He then left accompanied by the City Magistrate Chaudri Niaz Ahmed, and the Assistant Superintendent of Police, Thakur Atma Singh, he states that he took these two officials with him because one was a Musalman and the other a Rajput and they would be able to influence the two parties at Top. The reason is sound but insufficient, for his action resulted in withdrawing the one Musalman Magistrate and the only remaining senior police officer from Jammu city; during his absence the most senior police official being the City Inspector.

After hurried investigation at Top he returned with his two companions and went to the Central Jail in order to interview Maulana Mazhar Ali; his reason for doing so is not apparent. He himself states that he wished to persuade Mazhar Ali to accompany him to the Satwari Jail to quieten prisoners there who were in a rebellious mood but there does not appear to have been any serious trouble at that time in the Satwari Jail and in any case his first duty was in the city which he knew to be in a disturbed state.

After wasting over half-an-hour at the jail he went to the Governor's house and he appears to have wasted much time there in aimless conversation and in telephonic communication with Srinagar. He, however, did take steps towards promulgation of orders under Section 144 and apparently this was not with the consent of the Governor, it may be gathered that he was having difficulty in persuading the Governor to take up any firm line of action.

Evidence conclusively proves that, after the news of the outbreak reached the Governor's house, Umra Khan and Mistri Yakub Ali were sent off from that place whilst the Deputy Inspector General remained there; it is also conclusively proved that these persons had time to motor as far as the Police Station, where they were turned back by a hostile demonstration, and to return a short distance before they met him after his delayed departure; these facts show that he must have stayed at the Governor's house at least fifteen minutes after hearing of the out-

break. The Assistant Superintendent of Police had been sent to the Police Station just before the riot commenced whilst the Inspector was still present at the Governor's house; Chaudri Ram Chand thus knew that there could be no police officer of higher rank than Sub-Inspector at the scene of the disturbance and his delay in setting out is inexcusable. He arrived after the disturbance was over; the troops had arrived before him and the Musalmans had fled.

#### 10. The Ahrar Jatha at Top.

Two head-constables were in charge of special guards at the canal bridge on the 2nd of November, one saw a large jatha approaching the canal bank accompanied by a few sowars and he sent his guard to watch it whilst he telephoned to the Sub-Inspector in charge of the Police Lines for assistance. The Lines Officer had standing orders to send police from the lines whenever news of jathas was received from places other than Suchetgarh; he had already arrested one jatha near the canal that morning and was back in the lines when he received this message, the time of which he noted as 12-30. He informed the D. I. G. by telephone and left for the spot with Sub-Inspector Mohammed Yusaf from the City Police Station; they were accompanied by five head-constables and sixteen constables from the lines and by one head-constable and six constables from the police station and the party went in three lorries.

From many witnesses we learn that exaggerated accounts became known in the city and it was believed that several men had been killed at Top. A Mohammedan volunteer who was then in the Ghazi camp states that on receipt of this news two corps of volunteers were sent to the spot. Hindus and Mohammedans collected in different parts of the city and determined to go to Top to assist the Rajputs and the members of the jatha respectively.

Mufti Mohammad Ishaq, an officer of the Muslim Association, tells us that he went with Gauhar Rahman and Abdul Qadar to inform the D. I. G. and then proceeded to the spot in a tonga accompanied by a fourth Mohammedan leader, Abdul Haq. Umra Khan, a Pathan contractor of Jammu, also heard the news and informed the D. I. G. who told him to go and persuade the Mohammedans to return.

The D. I. G. telephoned for 20 cavalry to be sent to the canal; he also informed the Governor of the situation by telephone and sent Thakar Atma Singh, A. S. P., to the Ghazi camp to watch events at that place. The Governor telephoned to the City Magistrate to go and control the situation at the Ghazi camp.

Several witnesses have stated that Gauhar Rahman and his party whilst on their way to Top turned back a Mohammedan crowd which had started down the Residency Road to go to that place. Umra Khan also states that he persuaded some Musalmans to go back and after doing so he went back to the house of the D. I. G. to inform that officer who himself confirms the statement.

After this the D. I. G. himself motored to the Ghazi camp and told the Mohammedans who were assembled there that he was going to Top to make enquiries and that there was no cause for excitement, he then left accompanied by the City Magistrate and the Assistant Superintendent, followed in a lorry by the Lines Officer, who had returned from Top in search of lorries, Sub-Inspector Thakar Bachan Singh, Umra Khan and others.

The Lines Officer and Sub-Inspector who had gone to the canal bank in lorries found a jatha of 169 persons assembled there in charge of four sowars and the special canal police guard, 43 members of the jatha were suffering from injuries. Fifty-six men including most of the injured

were accommodated in the lorries and sent to the temporary jail at Satwari in charge of Sub-Inspector Mohammad Yusaf and three head-constables. After handing over the prisoners at the jail they returned, the Sub-Inspector and one head-constable were in the last lorry and on their return they found the volunteers, whose departure from the Ghazi camp has already been noted, assembled at the canal bridge; these two police officers state that the volunteers stopped them and were very abusive and that they were only rescued from an attack by the two sons of Umra Khan and Akbar Khan who was with them.

On reaching the position of the jatha they found that the Lines Officer who had been left in charge was no longer present. The Lines Officer tells us that he had gone to a neighbouring house to telephone to the D. I. G. to ask for more lorries and had been told to come back to the city and arrange for additional lorries himself. On his way to the city he had met volunteers and other Musalmans proceeding towards Top and on his arrival in the city he had met the D. I. G. near the Ghazi camp.

The volunteer who was amongst those collected at the canal bridge gives the following sequence of events at that place;—Immediately after their arrival the volunteers stopped a Sub-Inspector and a head-constable who were going towards Top in a lorry; they questioned these police officials but did not attack them; after this Gauhar Rahman and others came in a tonga and after telling the volunteers to wait at the bridge went on towards Top; Umra Khan now passed by in his car and told them to go back, shortly afterwards he returned going towards the city. Thereafter the D. I. G. with the City Magistrate and A. S. P. came from the city, ordered the volunteers to return, and proceeded towards Top; they were shortly followed by a detachment of cavalry. Gauhar Rahman and his companions now came back in the tonga and told the volunteers to go back to the camp to prepare for the civil disobedience procession.

The statements of this volunteer are corroborated by the evidence of the Sub-Inspector who saw the Mohammedan leaders talking to the members of the jatha on the canal bank and by the D. I. G. and his companions who saw them returning along the canal bank after they had themselves motored over the canal bridge. Thakar Atma Singh mentions that Ghulam Pahlwan, a volunteer captain, was with the leaders in the tonga; it is probable that Ghulam Pahlwan had been leading the volunteers, for a Mohammedan witness has given evidence that he saw a party of Hindus abusing Ghulam Pahlwan when marching back to the camp with a batch of volunteers near the Denis Gate. Further corroboration is afforded by a canal clerk who saw the volunteers at the canal bridge and states that whilst he was present Gauhar Rahman came past in tonga and was followed shortly afterwards by Umra Khan in a motor car; this witness adds that, under the advice of Gauhar Rahman and Umra Khan, some of the volunteers returned to the city whilst others remained at the spot.

I have noted that the Lines Officer received information of the Top jatha at 12-30 and passed it on to the D. I. G.; the Governor has said that D. I. G. informed him about it at 2 o'clock and the D. I. G. himself says that he got his first information at 2 p. m.

After the D. I. G. had been informed by the Lines Officer and before he himself went to the Ghazi camp there had been time for the following sequence of events;—Lorries had gone to the canal bank, had taken prisoners to Satwari jail, and had returned before Gauhar Rahman passed the canal bridge; after that Umra Khan had passed the canal bridge and had returned in his motor car and had been to see the D. I. G. at his house. The City Magistrate tells us that the D. I. G's



party passed the jatha and went on to Top, arriving at 3 P. M., and returned to the jatha after making enquiries by 3-30 P. M.

Consideration of this course of events shows that the D. I. G. must be incorrect in saying that he first heard about the jatha at 2 P. M., it is clear that much time must have elapsed between the first message from the Lines Officer and the arrival of the D. I. G. at the spot. It appears to me probable that the first news did arrive at 12-30 and that the D. I. G. did not leave the Ghazi camp for the spot until about 2-30; whether he was wise in deciding to go to Top himself, he was at fault in leaving no police officer above the rank of Inspector in the city and it is also obvious that he was remiss in not taking more prompt action and in relying at first solely on non-officials to persuade the Mohammedans to return.

The fact that Mohammedans did leave the city in order to go to Top has been clearly shown though it would appear that some leaders stopped two corps of volunteers at the canal bridge and sent back other parties of the Musalman public before they had left the city; I see no reason to believe that any prominent members of the Muslim Association were instrumental in urging the Muslims to go to Top.

At the time there certainly was a rumour that Hindus had also gone towards Top but it would appear that only a small body set out and that it returned without going any distance; the City Magistrate has stated that, soon after he first heard of the trouble, he met Sardar Bhagwan Singh who told him that he had dissuaded a band of Hindus who were starting for Top; a Mohammedan constable has also said that he saw a mob of Hindus leave the City Chauk in order to go to Top but that they returned within a very short space of time. Apart from this evidence it is clear that no Hindus could have got as far as the canal bridge without coming into conflict with the Musalman volunteers at that place.

No direct evidence has been given before me regarding the actual clash at Top; those who enquired at the spot state that the Rajputs declared that the jatha had tried to force its way through the village whilst the members of the jatha said that they were attacked when close to the village but that they had not attempted to go through the "abadi." It was impossible for me to call members of the jatha as witnesses and it would have been useless to hear the Rajput version alone; in connection with this inquiry the clash itself is not of so much importance as its effects in causing excitement in Jammu and in leading to the withdrawal of officials, police and troops from the city. The Sub-Assistant Surgeon in charge of medical arrangements at the Satwari jail has noted that one man had a simple fracture of the ulna whilst 42 more were suffering from simple injuries; it is clear that there was a fight in which large numbers were concerned though it does not appear that very great violence took place in the course of it.

After return from Top the Deputy Inspector-General and his companions motored to the Central jail to interview Mazhar Ali and they have stated that when they went the Mohammedan leaders were still at the canal bridge with the volunteers and were persuaded by them to return after hearing the result of their enquiries.

The City Magistrate has stated that about half an hour was spent at the Central jail whilst it is satisfactorily established that his party reached the Governor's house about 4-30 P. M. The Mohammedan leaders and the volunteers had time to return to the Ghazi camp some time before the riot occurred. The remaining members of the jatha who numbered 113 were removed in lorries to the Satwari jail after the departure of the D. I. G.; amongst those who accompanied them were Sub-Inspector Bachan Singh and Umra Khan; the latter returned to the city

and reached the Governor's house very shortly after the D. I. G. had arrived there; the former had had time to make an entry in the Roznamcha at the police station before the riot broke out.

There can be no doubt that a long interval occurred between the departure of the D. I. G. from the canal and the outbreak of the riot, and, considering that he had gone to Top to pacify Muslim excitement, it is astonishing that he did not himself go to observe the situation immediately on his return.

**11. Distribution of the Police and Troops at the time of the Disturbance.**

( See Plan Nos. 1 and 2 )

By the 2nd of November the police force in Jammu city had been much reduced by the posting of parties in connection with the jatha movement; thus one Sub-Inspector, four head-constables and forty-three constables were at Suchetgarh, two head-constables and sixteen constables were on guard over the canal, in addition a considerable force was guarding the temporary jail at Satwari. The reduced force in the city had however been made up to some extent by the employment of additional police.

The force in the city was divided between the city police station and four police posts all under the control of the City Inspector, whilst there was also a force in the lines under the Lines Officer.

The D. I. G. has put in a statement of the police force in the city at the actual time of the outbreak, as follows:—

**REGULAR POLICE.**

- (a) One Inspector, one Sub-Inspector, two head-constables and sixteen constables in the Residency Chalk,
- (b) Three constables in uniform and two plain clothes constables on patrol between Raghunath Chalk and Urdu Bazar,
- (c) Fourteen constables in reserve at Pirmitha police post,
- (d) Six constables on point duty,

**ADDITIONAL POLICE.**

- (e) One head-constable and four constables on patrol in Talab Khatikan,
- (f) Four constables on patrol between Raghunath Chalk and Urdu Bazar,
- (g) Eleven constables on point and patrol duty elsewhere in the city,
- (h) One Sub-Inspector, two head-constables and thirty constables in the lines,
- (i) One head-constable and eight constables in Ghas Mandi.

This statement does not mention the force at the police station but the City Inspector has stated that, when he left the station with party (a) at 1-30 p. m., the only police left in it were:—

- (i) One Sub-Inspector and one constable,

One investigating head-constable,  
Two plain clothes constables,  
A hawalat guard of one head-constable and four constables  
and  
Office staff of one head-constable and three Muharrir  
constables.

Evidence has been produced regarding the movements of some but not of all these police who are said to have been in the city and this evidence is summarised below :—

(a) This party went to the Residency Chauk at 1-30 p. m. but when the D. I. G. left for Top he visited that Chauk and told the Sub-Inspector (Thakar Bachan Singh) to follow with the Lines Officer in a lorry. This Sub-Inspector on return after the jatha had been taken to Satwari did not join the party again.

After the departure of the D. I. G., the City Inspector considered that the position was dangerous and went to the lines to ask for reinforcements, he says that he was told by a Moharrir that all available men had gone to Top. He returned, met Lala Anant Ram, Munsiff, and went with him to the Governor's house where he remained until the return of the D. I. G., he was then sent again to the spot with the City Magistrate but was sent back to the Governor's house with a message and was still there when the riot broke out. On his way he met Sub-Inspector Fateh Hussain Shah and sent him to the Residency Chauk; Fateh Hussain Shah however admits that he stopped, chatting with some Mohammedan gentleman, in Ghas Mandi and was walking along the Urdu Bazar when the riot broke out; being alone, he ran off to the house of the D. I. G. in order to report by telephone. One of the head-constables (Sewa Singh) went to the lines either with the Inspector or later and never returned to the party; just before the riot one constable was sent to the police station with a message. Thus at the time of the outbreak the party consisted of one head-constable (Bhai Singh) and fifteen constables.

(b) & (c) Head-constable Piran Ditta was in charge of the Pirmitha police post; he and two constables were on duty in plain clothes, three others were on point duty and fourteen were in reserve at the post; those fourteen were never called out until after the riot was over. There is no evidence as to the where-abouts of the two plain clothes constables. Piran Ditta says that he was near the Residency Chauk when the trouble occurred and that he joined Sub-Inspector Fateh Hussain Shah and went with him to the house of the D. I. G.; the latter however denies this and says he met Piran Ditta after coming out of that house; in any case neither of them came back to the spot until after the arrival of the troops.

(d) & (g) These parties need not be considered as their duties were not near the scene of the riot.

(e) & (f) These two patrols happened to reach opposite sides of the Ghas Mandi at the time the riot broke out, they were working independently and both parties appear to have been over-powered. One constable from party (f) states that he was sent by the head-constable of party (e) to report the riot at the police station where he was ordered by Thakar Atma Singh to go and call the troops; another

constable of party (f) describes how his companions were separated from him and he had to hide in a shop where several Hindus had taken refuge.

- (h) The D. I. Gs.' list would appear to be incorrect and evidence is confusing regarding the force in the lines; the Lines Officer has said that he took a party of five head-constables and thirty constables when he arrested the first jatha at the canal bank and that he took five head-constables and sixteen constables when he went to arrest the Top jatha. He has also said that after the riot was over he sent out a party of two head-constables and forty-eight constables which then left twelve head-constables and twenty-five constables in the lines. According to the City Inspector, however, there were no men available at the lines when he visited them after the departure of the D. I. G., he however met a temporary Sub-Inspector (Kartar Dev) near the lines and told him to stay there until required. The Lines Officer and his party appear to have returned to the lines before the actual riot but no message reached them until after it was over:
- (i) This party appears to have been entered in the list by a mistake for it is really a repetition of the two parties (e) and (f).
- (j) The Sub-Inspector Fatch Hussain Shah has already been mentioned under head (a); investigating head-constable Mohammad Din was at the station when the riot broke out and was sent off at once by Thakar Atma Singh with instructions to take all available men from the thana. He says that some constables started with him but that none of them went further than the door of the station. One of the plain clothes constables states that he was walking about in Kanak Mandi whilst the riot was proceeding but he merely acted as a spectator and did not attempt to interfere. The whereabouts of the other plain clothes constable are not known. Presumably the hawalat guard remained at its post inside the station. From amongst the office staff all three Moharrirs have appeared as witnesses but all they did was to watch the events from the roof of a shop close to the door of the station; all three are Mohammedans.

The military forces were divided between the two provinces of Jammu and Kashmir. One regiment was on the march from Kashmir to Jammu and was actually moving from Batote to Jammu in lorries on the 2nd of November. The troops at Jammu were mainly in Satwari Cantonment, three miles from the city, but the major portion of one regiment was on duty at the Satwari jail whilst three platoons of another were at Suchetgarh and a further platoon was at Mirpur which was in a disturbed state. In Jammu city a mobile column of 40 cavalry and 100 infantry was at the Ajaibghar Lines for the protection of the city and 60 infantry were on garrison duty at the Mandi Mubarak.

From the Brigadier commanding the station and from the Brigade Major we learn that the D. I. G. telephoned at 2-20 p. m. to ask that 20 cavalry should be sent to Top; the Brigade Major telephoned to the Ajaibghar Lines directing 20 sowars to go to Top and a few minutes later he gave orders in Satwari Cantonment for 20 cavalry to go to the Ajaibghar Lines to take their place. He states that at 4-15 p. m. he received a report that the cavalry had returned from Top to the Ajaibghar Lines after accompanying lorries to the Satwari jail; the reported time fits in with evidence already discussed which

indicates that the lorries must have left the canal bank before 4 p. m. Risaldar Baj Singh was in command of the 20 sowars sent from Satwari to the Ajaibghar Lines and he says that he left Satwari at 4-30 and reached the Ajaibghar Lines at 6 p. m. The delay in his departure and the length of time which he took to cover a distance of about four miles are not satisfactorily explained; he arrived long after the return of the cavalry whom he had been sent to replace but fortunately he arrived just as the troops were leaving the Ajaibghar Lines and joined with them thus increasing the number of cavalry in that force to 60.

## 12. The Disturbance in Kanak Mandi.

(See Plan No. 2)

After the departure of the D. I. G. a large crowd of Mohammedans remained at the Ghazi camp and in the Residency Road outside. Their attitude was such that the Inspector and the Munsiff were both impressed with the idea that troops should be called to control the situation. During the absence of the Mohammedan leaders a rumour became current amongst the Hindus that the Musalmans had decided that unless the Rajputs of Top were handed over to them they would sack the city at 5-30 in the evening; it was also stated amongst the Hindus that the Mohammedans had closed the Urdu Bazar and would not let any Hindus pass through it.

The Hindus appear to have collected in considerable numbers in the Rughnath Bazar and in the City Chauk. There are numerous allegations that both Hindus and Mohammedans armed themselves and went through various parts of the city in bands urging the people to close their shops and to collect at centres.

Evidence has been given that a tonga was requisitioned to bring some spears and swords from Moti Bazar to a Hindu shop in Rughnath Bazar, and that various arms were sharpened in the Rughnath Bazar during the afternoon; there is similar evidence that Musalmans were seen in large numbers buying bamboos in Bhabrian Bazar and fitting spears heads to them.

Ten Mohammedan witnesses state that a party of Hindu volunteers marched through Ustad Mohalla between 4 and 5 p. m. whilst other parties of Hindus are mentioned as traversing Daunthli, Pir Mitha, Bhabrian and Purani Mandi, at various times between 3-30 and 5 p. m. A Hindu Vakil admits seeing a procession of some 25 volunteers march from the Hospital towards Rughnath Chauk and mentions that they were carrying iron shod-sticks and included three men who carried swords.

Numerous Hindu witnesses from Julahka Mohalla have mentioned that a corps of about 40 Mohammedan volunteers carrying various arms and led by a captain carrying a sword marched from that place towards Urdu Bazar at about 4-30 p. m. and this same band was seen by other witnesses in Bhabrian Bazar and in other places on the route.

Respectable Hindu and Sikh witnesses have mentioned an actual statement by a Mohammedan that sacking of the city had been determined upon.

A group of prominent Hindus, after the failure of various deputations who had sought assistance from the Governor, decided that the situation was so dangerous that it was necessary to get all Hindus to close their shops. Members of this group went to various bazars for this purpose, a fact which has been relied upon by Mohammedan witnesses as illustrating that Hindus were preparing for an offensive.

A large number of Hindus who have shops near the Railway Station have stated that about 3-30 p. m. some 40 or 50 Pathans who were employed on stone work near that place suddenly ran towards the city saying that they were going to take part in a fight; a few of these witnesses have alleged that Umra Khan, who was the contractor employing those Pathans, came to call them but the evidence on this point is so contradictory that it can only be regarded as fabrication.

Many Hindus who were in the Rughnath Bazar or in the Kanak Mandi state that some lorries filled with armed Pathan labourers passed through those bazars and went to the Ghazi camp during the afternoon. The witnesses disagree as to the number of lorries which they variously give as 2, 3 or 4; they also disagree regarding the exact time at which these lorries passed by. Thakar Bachan Singh who had come to the Ghas Mandi after leaving Satwari jail saw three lorries and sent a telephonic report which was recorded in the police station and the time of this report (Exhibit No. 35), is given as 5-15 p. m.

Mohammedan volunteers who were in the Ghazi camp state that upon the return of Gauhar Rahman a discussion took place as to whether a civil disobedience procession should be taken out or not. Other volunteers state that they had been told to guard their own mohallas during the afternoon and one has said that he was in command of a small detachment at the Ghas Mandi end of Urdu Bazar; it is probable that the presence of this detachment led to the allegation current among Hindus that the Urdu Bazar had been closed to them.

After the return of the D. I. G., the City Magistrate and the City Inspector were sent to the Ghazi camp; here the City Magistrate interviewed Mistri Yaqub Ali who told him that the Muslims would not now go to Top and would not take out a civil disobedience procession; the City Magistrate sent the Inspector back to the Governor to convey this news and added that possibility of danger still existed.

The City Magistrate himself went to his house which is not far from Residency Chauk. He had only been there a few minutes when he heard a bugle-call from the Urdu Bazar and a general uproar; he ran out and found the Mohammedans surging up the Urdu Bazar, he called upon the party of police in Residency Chauk to assist him and says that they did not move. He himself ran up the Urdu Bazar and succeeded in getting in front of the mob before it reached Ghas Mandi Chauk.

He asked one of those in front of the mob what had happened and was told that Hindus had threatened some Mohammedans at Ghas Mandi and had displayed their swords; however on reaching Ghas Mandi Chauk he found it deserted and saw that the Kanak Mandi was practically empty though there was a large crowd of Hindus assembled at its far end near the City Chauk.

His efforts to stop the advance of the Musalmans were not successful but, on advancing into Kanak Mandi, many of the mob started breaking open shops and a halt was made; during this halt a party of five including Ghulam Pahlwan and another man (armed with swords) and also Anwar Khan (who was not armed) went past the City Magistrate towards the City Chauk.

Meanwhile many volunteers and others had climbed on to the roofs of the shops on the South side of Kanak Mandi. When the party of five came near the Yuvak Sabha office some stones were thrown from the neighbouring roofs and one hit Anwar Khan who fell down, the other four of the party then returned to the main mob; the City Magistrate in describing this incident states that most of his attention was directed towards the main mob and that he was therefore not in a position to follow the events at the other end of Kanak Mandi closely. According

to him the Musalman on the Southern roofs now began to shower stones down into the bazar whilst others threw down sacks of grain or set light to empty sacks upon the roofs; owing to the heavy stone-throwing he himself drew back into Alaf Shah Lane No. 1, emerging from it when the cavalry arrived.

Directly the uproar was heard at the police station, Thakar Atma Singh sent out Sub-Inspector Bachan Singh and shortly afterwards told head-constable Mohammed Din to go to the spot with such constables as were available. Thakar Bachan Singh, however, alleges that he had been at the Ghas Mandi and not at the police station just before the outbreak and in this he is supported by several Hindu shop-keepers who say that he told them to shut their shops and run away just before the onslaught occurred. He gives a similar description to that of the City Magistrate but adds that as the Mohammedans arrived in Ghas Mandi a detachment of Hindu volunteers, led by Lal Singh armed with a sword, came from the Yuvak Sabha office whereupon a regular storm of stone throwing started. He managed to get on to a roof on the Southern side and was attacked by Musalman who threw stones at him; he alleges that one man fired a gun at him; he now drew his revolver and fired three shots towards his assailants who retreated along the roofs towards the East, at this point the situation was relieved by the arrival of cavalry. His allegation that he was on the Southern roof and fired his revolver whilst there, is supported by several Hindu onlookers.

Mohammed Din states that he came from the police station and that several constables started with him but that these had deserted him before he had pushed his way through the crowd of Hindus in the City Chauk. He got through this crowd just as Anwar Khan was hurt by stones and he dragged that man's unconscious body to the mouth of Alaf Shah Lane No. 2. The Hindus round about him urged him to go and argue with the Musalman mob, he advanced in that direction and joined the City Magistrate; the mob said that they would not disperse unless Anwar Khan's body was brought back to them. He attempted to go and bring it but in the meantime the cavalry arrived.

These three are the only official witnesses who have any detailed account to give of the riot; Thakar Atma Singh and the Munsiff say that they went from the police station as far as the City Chauk but they are unable to add information to that already noted, constables from the two parties who were in Ghas Mandi merely state that a Mohammedan crowd rushed from the Urdu Bazar and overwhelmed them.

The accounts given by Hindu and Mohammedan non-officials vary mostly in one particular, namely the opening stage of the riot. It will be remembered that the City Magistrate on reaching Ghas Mandi found that it was empty and that there was no Hindu mob except at the far end of the Kauak Mandi. Musalman volunteers, shop-keepers and others have alleged that whilst 10 or 15 Mohammedan volunteers were standing at the end of Urdu Bazar a huge crowd of Hindus came from the City Chauk led by a detachment of Hindu volunteers under Lal Singh and took up a position in Ghas Mandi. Here they abused the Musalman and advancing a short distance down the Urdu Bazar started smashing the vessels in a couple of milk-sellers' shops; seeing this the Muslim volunteers blew their whistles and numbers of volunteers came running from Ghazi camp shouting "Ali, Ali," upon which the Hindus without waiting for a conflict ran helter-skelter back to the City Chauk. The majority of these witnesses indicate that no actual conflict occurred in the Ghas Mandi Chauk but two or three vary the account by alleging that there was a slight hand-to-hand scuffle at the head of Urdu Bazar. A few Mohammedan witnesses who were in the Ghazi camp have stated that lectures and discussions were going on there when a message came saying that Hindus had attacked some Mohammedans in Ghas Mandi whereupon

Anwar Khan and others ran out; shortly afterwards a second message arrived saying that Anwar Khan had been killed and upon this all who were present went out accompanied by Gauhar Rahman. This account is shaken by other evidence showing that Gauhar Rahman was already in Kanak Mandi before Anwar Khan and his companions advanced past the City Magistrate.

The Hindus account, however, is quite different; according to it, Ghas Mandi and Kanak Mandi had been deserted by Hindus and the majority of shops were closed; a few shops were still open, a few men were still in front of their shops whilst a few more were strolling about; all of a sudden a Mohammedan mob rushed into Ghas Mandi from Urdu Bazar and began looting the shops and attacking any Hindus whom they could reach, no resistance was made and the few Hindus in the neighbourhood ran away towards the City Chauk.

Amongst the more respectable of the Hindu witnesses there is one who admits seeing Lal Singh leading a few volunteers in the middle of Kanak Mandi previous to the riot, another saw him go up Kanak Mandi from the City Chauk just before the outbreak, and there are others who admit seeing him near the Yuyak Sabha office at the time when Ghulam Pahlwan's party advanced; from amongst the latter several have stated that Lal Singh was abusing his companions for having run away.

The evidence on both sides bears such evident traces of distortion and there is so little established fact on which to base an opinion that I am unable to record a definite finding as to whether any Hindus had assembled at Ghas Mandi Chauk with a view to hostilities with the Musalmans; it is however quite clear that the allegation of a huge mass movement of the Hindus into Ghas Mandi is pure fabrication; the accounts of the less partial witnesses and the actual results in the way of injuries show that there was no serious fighting in the Ghas Mandi; I think it probable that Lal Singh and some Hindu volunteers were at the Ghas Mandi end of Kanak Mandi and that there were also a fair number of Hindus at that place who either came to see the anticipated civil disobedience procession or did not anticipate an attack. A minor scuffle may have occurred between the two sets of volunteers before the large Musalman mob advanced but it is quite certain that when that mob did advance it was not opposed and that it arrived in the Ghas Mandi to find that place and the Kanak Mandi practically deserted.

As regards subsequent events the difference between the various accounts only concerns details. The Hindus allege that the stone-throwing by Musalmans and an attack along the Southern roofs took place concurrently with the advance of the mob down the bazar; the Musalmans have alleged that this stone-throwing only commenced after Anwar Khan had been injured. Unfortunately the City Magistrate, who should be the most reliable witness, supported the first version when he dictated a first report regarding the accounts in the early hours of the following morning and later supported the second version when appearing before a bench trying the riot cases; before me he has again supported the latter version and I cannot accept his evidence on this point without hesitation.

The Mohammedans have not attempted to deny that shops in Ghas Mandi and Kanak Mandi were broken open and looted and that sacks of grain were thrown down from the roofs; some of them endeavoured to fix the blame upon a Pathan element in the mob, thereby corroborating the evidence already mentioned that Pathans had been procured to assist the Mohammedans, a fact which appears to indicate premeditation.



An allegation by Hindus that many fireworks were thrown by Mohammedans from the Southern roofs of Kanak Mandi receives some support from the evidence of two Mohammedan witnesses, who admit letting off fireworks though they say that they did this in Darugaran lane to frighten away Hindus who were bent on attacking people in that vicinity.

Several Hindus who took refuge on the roofs on the South were driven from there by the Muslims and, according to their evidence, the latter advanced as far as the ahata of Dewan Badri Nath where a bomb was thrown. That bomb is now in the police station and is merely a small tin containing gun-powder and having a fuse; it did not explode.

The most surprising feature of the riot is that although there were large crowds both of Musalmans and of Hindus and although both crowds included many armed people yet there was no actual hand-to-hand conflict between the two. This is even more surprising in view of the fact that there were no State police or troops present at the spot in a position to intervene.

Isolated assaults, however, did take place during the short period of riot before the arrival of the troops and the City Magistrate noticed one Hindu knocked to the ground before he took refuge in Alaf Shah lane.

Some Sikhs, who were walking along the Urdu Bazar when the attack took place, took shelter in the verandah of Badri Nath's shop in Ghas Mandi where they were joined by five or six Hindus. They left this place as the mob advanced and one of them, looking back, saw the rioters attacking a few Hindus who had remained at the place, this incident was also seen by several witnesses who had hidden in shops across the way and who saw one of the Hindus, Dewan Chand, beaten to the ground.

Another Hindu, Shib Saran, was running away from his own shop when he was overtaken and knocked to the ground unconscious; a third man, Sadhu Ram, was seen by those gathered in the City Chauk running wounded to that place; Sardar Bhagwan Singh, a pleader states that he was in front of the Hindu crowd trying to make them go back at the time when Anwar Khan's party arrived, he was struck with a lathi by one of that party and was then hit on the back with a sword by Ghulam Pahlwan.

Several Hindu witnesses have appeared who were hit by stones whilst in the Kanak Mandi or on the roofs of buildings adjacent to it and there is considerable evidence that Lal Singh had been wounded before he was seen rallying his volunteers close to the Peoples' Bank.

The three Moharrirs on the roof of a shop near the police station and the plain clothes constable in the City Chauk, all of whom are Musalmans but did not attempt to intervene, have given detailed evidence regarding isolated attacks in the vicinity of the City Chauk. These have stated that, after Anwar Khan was left in Alaf Shah lane by head-constable Mohammed Din, some Hindus advanced and struck his body with various weapons; thereafter one Masum Ali appeared in the South-East corner of the City Chauk and was set upon and beaten to the ground; a man, Pir Bakhsh, was chased down the Hospital Road into the City Chauk where he was attacked but managed to get away after having been felled to the ground, he was seen later crawling down Alaf Shah lane by Ghulam Haidar who has appeared as a witness. He was there set upon by a party of Hindus who afterwards chased Ghulam Haidar (whose story is partially supported by another witness who saw him being pursued and threw stones at his assailants).

A witness, Faiz Mohammad, had been standing in the City Chauk and had seen the attacks upon Anwar Khan, Masum Ali and Pir Bakhsh,

he was then himself the victim of an attack but managed to seize the lathi of his assailant and run away down Kanak Mandi; several witnesses have said that he was chased by the cavalry which shows that the attack upon him was the last assault before the arrival of the troops.

After the troops reached Ghas Mandi a tonga is alleged to have driven down Kanak Mandi and to have been stoned by Hindus, it was stopped in Urdu Bazar where its driver, Beldar, was taken out in an unconscious condition; only two witnesses mention this incident and I am not satisfied that it took place.

These are the only actual assaults which are definitely stated in evidence to have occurred whilst the riot was proceeding; many others, which will be mentioned in subsequent paragraphs, took place soon afterwards; there is a distinct probability that several of these have been represented as isolated events by those who were injured in order to conceal the fact that they were themselves present at the time that the riot took place.

Directly the riot commenced a telephone message was sent from the police station to the Ajaibghar Lines, various verbal messages were also sent from the police station and by private persons. Colonel Baikuntha Singh has said that he was near his quarters when one of these messengers arrived and that he was told of the telephone message at the same time. He directed Lt. Hassan Mohammed to bring all the available troops to the police station and went there in advance himself.

The evidence regarding the despatch of the troops and of the order in which they marched is most confused. The majority of non-military witnesses have stated that a small detachment of cavalry first reached the spot and after passing the City Chauk had to retire on account of being stoned from the roofs, that it was then joined by a second party of cavalry and then advanced up to the Ghas Mandi. Military witnesses who were actually in the force have given conflicting accounts; according to some the infantry marched in front of the cavalry, according to others the cavalry were in front, whilst still others have indicated that the cavalry and the infantry were not together. These military witnesses have also contradicted each other as to whether halts were made at the police station or at the City Chauk or in the middle of Kanak Kandi; some have described such halts, others have alleged that the troops marched without any halt from the Ajaibghar Lines to the Ghas Mandi. These contradictions are very puzzling; it is not important to know whether there were any halts or to know which part of the force was in front but it is very important to note that the witnesses are unable to agree in these matters about which they should have personal knowledge.

The discrepancies raise a considerable doubt in my mind as to whether the story put forward by the military witnesses has been partially fabricated; it is difficult to understand any reason for fabrication unless in fact the troops were not ready to move when called upon and arrived in straggling parties; after hearing all the evidence I am left with a suspicion that the troops were not ready to march immediately and that two parties of cavalry may have been sent off separately before the infantry started.

Be that as it may be, all witnesses agree that the Musalman mob in Kanak Mandi ran away directly the cavalry were seen approaching and that the only resistance to the troops took the form of some stone-throwing from the roofs on the South of the bazar.

The troops finally halted in Ghas Mandi; it is alleged that in their march up the Kanak Mandi they were accompanied by a Hindu crowd.

who beat any Musalmans whom they could capture. This allegation must be exaggerated; on the one hand other evidence shows that there were no Mohammedans left to be captured and on the other hand not a single Musalman has come forward alleging injuries at the hands of the Hindus at this particular stage in the events; it is however evident that Hindus did follow the troops because a demonstration was made by them in the Ghas Mandi against the City Magistrate whom they accused of having led the rioters.

It will be remembered that Umra Khan and Mistri Yakub Ali were at the Governor's house when the news of the riot arrived and that they were sent by the Governor to assist in its suppression; they left his house in Umra Khan's car accompanied by his son Aslam Khan and his servant. They state that on reaching the Shalamar Chauk and turning towards the City Chauk they had to stop the car on account of a large crowd in front of the police station and that the Hindus there attempted to attack them. For a short time they were in danger of their lives but Sardar Bhagwan Singh came to their assistance and helped to keep off the Hindus who were also frightened by the fact that Umra Khan showed a revolver.

Umra Khan states that a shot was fired at the car by some unknown person, Mistri Yakub Ali alleges that Sub-Inspector Bachan Singh was standing at a shop opposite the police station and fired three shots at him, the same story is told by a Mohammedan constable who was a passive spectator of events from the roof of a shop near the station entrance.

I have already noted other evidence tending to show that Sub-Inspector Bachan Singh was at this time on the roofs on the South side of Kanak Mandi; my confidence in Umra Khan's veracity is shaken by the fact that he has concealed his first visit to Top and also by the fact that he has alleged that his second son Salim Khan was in the car with him, the second allegation is falsified by the evidence of his own friends and, as I understand that Salim Khan is an accused in one of the riot cases, I presume it is an attempt to establish an alibi. Both Umra Khan and Mistri Yakub Ali have stated that the troops were actually passing by on their way from the Ajaibghar when this incident occurred. The story is still further complicated by the evidence of a Sikh witness who states that the infantry halted at the police station whilst Umra Khan's car was there and that three rounds were accidentally fired whilst they were loading their rifles; it appears to me that this is probably a fabrication introduced to rebut another fabrication.

The allegation of firing by Bachan Singh does not command my belief; such an action on his part could have no motive but sheer malice and would have exposed him to great risk of immediate arrest; moreover I have no reason to disbelieve those who support his own statement that he was elsewhere at the time.

Umra Khan and his friends returned to the Governor's house and met the D. I. G. on his way from it, a fact which clearly established that he had delayed a considerable time before coming to the spot.

He drove to the Ghas Mandi and there joined the assembled troops and police. Some more stones were thrown at the forces in Ghas Mandi from the direction of Urdu Bazar houses after his arrival; under the instructions of the City Magistrate, Thakar Bachan Singh fired three shots from the roadway whilst a few infantry were sent on to the roofs and fired a few rounds.

Though the official witnesses have stated that these shots were fired in the air, two Mohammedans have come forward and allege that they were on the roof of a house in Darugaran, close to Ghas Mandi,

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Though the official witnesses have stated that these shots were fired in the air, two Mohammedans have come forward and allege that they were on the roof of a house in Darugaran, close to Ghas Mandi,

and shouted to prevent the approach of some Hindus whereupon the troops fired upon them; one of these two witnesses was actually hit.

After this all was quiet in Urdu Bazar and Kanak Mandi and the riot was definitely over.

Medical evidence regarding those wounded during the actual rioting shows that:—

1. Dewan Chand was admitted to hospital in an unconscious state on the 2nd November, suffering from three head wounds, and died on 8th November.
2. Shib Saran was treated on 3rd November suffering from nine injuries mostly caused by blunt weapons.
3. Sadhu Ram had one wound on the head.
4. S. Bhagwan Singh was treated for one incised wound and one contused wound.
- ✓ 5. Anwar Khan was admitted on 2nd November in a dying condition and died that night; there were ten wounds on his body indicating that he had been mercilessly beaten with both blunt and sharp weapons.
- ✓ 6. Maisum Ali was admitted on 2nd November and died the next day; he had sustained eight contused head wounds as well as a fractured rib.
7. Pir Bakhsh was admitted on the 2nd November with five incised wounds on the head and face, and died the same evening.
8. Faiz Mohammed was treated on 6th November for seven wounds caused by both blunt and sharp weapons, including a fractured rib.
9. Mohammed Din was examined on 7th November suffering from two gun shot wounds in the arm.

Other persons who have alleged being injured during the actual rioting do not appear to have gone to any hospital.

The fact that shops were looted in the Ghas Mandi and Kanak Mandi by Mohammedans before the arrival of the cavalry is fully established; evidence has been given regarding nine such shops by people who saw the looting in progress; there were also attempts to set fire to two shops which were unsuccessful though in one case a considerable quantity of shop-goods were burnt; apart from the actual looting there was much loss caused by grain being thrown down from the roofs of shops and flour mills on the South side of the bazar.

### 13. Distribution of the Police and Troops after the Disturbance.

Head-constable Piran Dita came back to the Urdu Bazar from the house of the D. I. G. after troops had arrived in Ghas Mandi and found it deserted. He sent a constable to fetch his reserve from the Pir Mitha police post and then divided his party into three sections to patrol the Hanuman Gali, the Lakhdara Bazar and the Pir Mitha Mohalla. Head-constable Bhai Singh, when the riot broke out, left his party near the Residency Chauk and went to the lines for assistance. The Lines Officer sent Sub-Inspector Kartar Dev with two parties each under a head-constable, one being of 35 constables armed with batons and the other of 13 constables armed with rifles. The Lines Officer has

added that 12 head-constables and 25 constables were then left in the lines and were never called out. The party under Kartar Dev went to the Residency Chauk and did not get any orders until 7 o'clock when it was divided into parties and sent to patrol the bazars; these parties appear to have been withdrawn to the lines by 10-30 P. M.

There is very little evidence regarding the movements of police immediately after the riot but it would appear that the majority were collected in Ghas Mandi and City Chauk for a short time after which detachments were sent hither and thither as reports of disturbance or looting came in; no officer appears to have directed the movements of the police force systematically and very little use was made of the police in the form of organised patrol work.

The Brigade Major at Satwari was rung up at 6-30 P. M. by the D. I. G. for reinforcements and despatched the following troops:—

62 sowars; 92 men from the Training School; 32 men from the 6th Kashmir Pioneers; 62 men from Battery No. 3 and 15 men of the Kashmir Light Infantry.

He notes that the last relief set out from Satwari at 7-18 P. M. and, from the officers in command of the various units, we learn that most of them arrived in the neighbourhood of the police station about 8 P. M. and found the Ajaibghar Lines force still in Ghas Mandi; members of that force have stated that they were not moved for several hours from the position in Ghas Mandi which they took up on their first arrival.

Major Mulkha Singh was in command of the 5th Kashmir Light Infantry marching from Srinagar to Jammu; he got orders at Batote to proceed to Jammu immediately and found 20 lorries waiting for him. The first batch of lorries under the command of Lt. Onkar Singh reached the Ajaibghar between 7-30 and 8 P. M.; Lt. Onkar Singh telephoned to Satwari for orders and was told to report to Colonel Baikuntha Singh; he marched with his force to Mandi Mubarak but failed to find the Colonel and went on to the residence of the Governor; on the way he met the 2nd batch of lorries under Major Mulkha Singh and the latter marched his men straight from the Ajaibghar to the Governor's house. Both officers state that the D. I. G. was with the Governor and that repeated messages were sent to Colonel Baikuntha Singh to come and post the troops to which he always replied that he would come after he had finished the plans for distribution of the forces. Eventually Major Mulkha Singh was told to take this regiment to the police station and he reported to the Colonel at that place after 10 P. M.

We have already seen that Munsiff Anant Ram and Thakur Atma Singh had been detailed by the Governor to arrange for the distribution of troops before the riot broke out; Pandit Maharaj Kishan, Additional District Magistrate, also joined them at the police station and they all helped Colonel Baikuntha Singh to draw up a plan for the distribution of patrols and posts throughout the city.

Military witnesses from the various detachments have been practically unanimous in declaring that the cavalry were allotted patrols about 9-30 P. M. and that the infantry received no orders until after 11 P. M. It appears that in the meantime the whole force was kept standing about at Ghas Mandi, in the City Chauk and opposite the police station, but that during this period small parties were sent hither and thither as reports came in of alleged looting or disturbance.

The delay in posting the troops is inexplicable; a mobile column had been at the Ajaibghar Lines since the 13th of July for the protection

of the city and yet it would appear that the commandant of that force had not studied the geography of the city and had no idea as to how troops could be best posted in the case of trouble.

From all accounts it appears probable that the officers engaged in drawing up the distribution were confused and excited and were constantly interrupted by reports of trouble from various quarters. Their ignorance was such that after the cavalry had been posted at about 9-30, Colonel Baikuntha Singh and Pandit Maharaj Kishan had to walk round the city themselves before they could draw up a scheme for the posting of the infantry.

Colonel Baikuntha Singh has put in a statement showing the distribution which was eventually made; according to that list 185 infantry were distributed amongst 12 posts, whilst 55 cavalry were distributed in 6 patrols. So far as I can gather the total number of troops available was as follows:—

	Cavalry.	Infantry.
From Ajaibghar lines	... 60	100
„ Satwari	... 62	201
„ Batote	... ..	125
Total	... 122	426

It is clear that Colonel Baikuntha Singh's list includes only men actually on duty and that more than half those available must either have been kept for reliefs or else sent back to Satwari; this being so it is all the more surprising that with such a large body available for immediate use the whole city was not patrolled during the period which was spent in drawing up a regular scheme.

#### 14. Assaults on 2nd November after the Disturbance.

(See Plan No. 1)

Much evidence has been given regarding alleged assaults in various parts of the city on the evening of the 2nd November. The evidence, regarding each particular assault is generally very slight; in many cases the names of assailants have been mentioned. I shall give a very short summary of the incidents brought to my notice but I refrain from mentioning the names of alleged assailants or in recording findings regarding isolated events in order to avoid encroaching on the functions of the State Courts which are trying individual cases. The present inquiry does not include detailed investigation of such cases and they are mentioned for the sole purpose of indicating the conditions which prevailed in the city after the riot.

*Bhagat Ram.*—A report was received in the police station that a man had been killed in the Malhotrian Lane soon after the riot; his body had already been taken to the house of a relation before the police arrived and there is no evidence before me as to how he met his death. His post-mortem examination shows that the death was caused by a stab associated with other injuries.

*Mohammed Beg and Jowaya* —Head-constable Mohammed Din was sent with constables to take two bodies to the hospital, news of which had been received at the police station at night. The two bodies were found on the Shalamar Road below and to the West of the Rughnath temples. The time is variously stated as 10 P. M. and 4 A. M. The mother of Mohammed Beg and a neighbour have stated that these two



men left their houses close to the Rughnath temples between 7 and 8 p. m. Ahmad Din, a resident of Gumat, has alleged seeing a mob of Hindus chase two Musalmans down the Gumat Bazar and kill them in that place; his evidence with that of his neighbours would suggest that this took place between 8 and 9 p. m. Another witness, Ali Mohammed, gives a similar account but places the time as between 7 and 8 p. m., he further states that three or four cavalry were present at the time and did not interfere. The alleged place of attack is some distance from the place where the bodies were found which latter place is outside the inhabited portion of the city. A lorry driver has given evidence that he saw some troops obliterating blood marks in the late evening close to the spot where the bodies were found later; there could be no object in removing such marks when the bodies were lying close by and this addition to the story seems to be a fabrication. Post-mortem examination showed that in both cases death resulted from head injuries caused both by sharp and blunt weapons.

*Attack on College students.*—News of the riot reached the Prince of Wales' College where students were playing games and Professor Abdul Rashid was placed in charge of a party of students to see them to their houses. The party included five Mohammedans and about 30 Hindu students; they met a Hindu crowd in the Rughnath Bazar. The Professor and the Mohammedan students allege that they were attacked and only managed to escape because one of the students produced a revolver. The Professor mentioned the name of one Hindu student who protected him from a blow; this boy was called as a witness and said that there was no actual attack but merely a threatening advance which was stopped by the intervention of himself and his companions, he, however, admitted that all Hindu students left the Professor and the Muslim students in the Chauk and went home a different way. It would appear that there was some minor attack which illustrates the state of tension which then existed.

*Ghulam Nabi*, a motor mechanic, alleges being attacked whilst passing through the Rughnath Chauk on foot about 5-45 p. m.; he managed to escape but his pagri had been cut by some sharp weapon.

*Hakim Rahmat Ullah*—A party of Mohammedans who arrived at Jammu by train about 10 p. m. on the 2nd have described an assault in the Rughnath Chauk. They had left the station in a tonga—three of them on the front seat whilst Hakim Rahmat Ullah with his wife and child were on the back seat; they say they were stopped soon after crossing the Tawi bridge by a small mob and that, being alarmed, they returned towards the station; here they were re-assured by a party of police and again came towards the city; again they were stopped on the main road by a mob of armed Hindus and they were forced to go to the Rughnath Chauk though they wished to take the road to the Denis Gate. They were accompanied by two Hindus armed with guns up to the Rughnath Chauk where a large mob of Hindus attacked them, dragging the Hakim and his wife and child from the tonga. The tonga pony now bolted up the Residency Road the driver having got out at the time of the attack. The three passengers asked for assistance from some troops in the Residency Chauk and also from a party of police outside the house of the D. I. G. but this was refused. They found the City Magistrate carrying out some searches in Mohalla Jewan Shah and, hearing their story, he sent Sub-Inspector Bachan Singh to the Rughnath Chauk to rescue the missing passengers. Hakim Rahmat Ullah has described how he was pulled from the tonga with his wife and child and how they were rescued by the intervention of Mr. Puri, the proprietor of a local cinema. He has also mentioned the arrival of Sub-Inspector Bachan Singh with some police who carried his injured wife and child to the hospital. According to the Mohammedan witnesses the attack was very determined, the whole Chauk was crowded and there were some troops standing close by who rendered no help; according to the Hakim the attack was still

going on when Mr. Puri intervened. I called Mr. Puri as a witness and he stated that he was on his way home when he found the Hakim in the Chauk with his wounded wife and child; at that time there was nobody else in the Chauk and the whole bazar was deserted, the nearest troops were in the neighbourhood of the City Chauk. Sub-Inspector Bachan Singh arrived very soon after Mr. Puri and we know that he had come from Jewan Shah Mohalla after the other passengers had reached that place; it is clear that the Hakim must have been in the Chauk for at least 15 minutes after being dragged from the tonga and I find it impossible to believe the Hakim's allegation that the attack continued until Mr. Puri's arrival. The attack certainly took place but the evidence regarding it is full of exaggeration and of theatrical embroideries. The Hakim's wife was treated as an in-patient at the hospital and his son as an out-patient, the wife had five incised wounds, four on the leg and one on the hand; the son had three bruises on the leg.

*Hakim Din and Ghulam Mohammed.*—These two men state that they were taking pack-ponies to the lime kilns near the Tawi in the evening when they were attacked by Hindus in Alaf Shah Mohalla. Hakim Din was felled from his pony by a blow from a hockey stick whilst Ghulam Mohammed was hit by a stone and both were rendered unconscious. A third witness, who was working as a mason in a house nearby, has given a similar account. Head-constable Mohammed Din found the unconscious bodies of these two men lying close to that of Pir Bakhsh in Alaf Shah Lane almost immediately after the riot and they were conveyed to hospital. Ghulam Mohammed (Gama) was suffering from two contused wounds on the head whilst Hakim Din also had a contusion on the head. The place and time at which these two men were found suggest the possibility that they may perhaps have been wounded in the rioting itself, inventing a false story to avoid the possibility of implication in it.

*Mohammed Yunis.*—This young man says that he saw the riot taking place in Ghas Mandi and went straight to the post-office to send a telegram to a newspaper of which he is a correspondent; whilst passing through the Purani Mandi he was attacked by a group of Hindus, some of whom were armed with swords, and was left in the gutter whence he was carried by a Mohammedan to a neighbouring house. No less than eight Mohammedan witnesses have alleged seeing this attack and two of them have said that immediately afterwards they saw a second unknown man also attacked and knocked down senseless. One of these two witnesses adds that he himself was attacked but managed to make his escape. Mohammed Yunis was kept for the night in the house of Ahmad Ali and then taken to hospital. He was suffering from one incised wound on the head and another on the arm and was kept as an in-patient for 24 hours.

*Mohammed Bakhsh* also states that he was pulled off a mule in the Purani Mandi in the evening. He was examined at a dispensary on the 7th of November and had two incised wounds on the head in addition to a fractured ulna.

*Ida Khan and Faqira* state that they were together and passing through the Purani Mandi about 6-30 when they were attacked by 7 or 8 Hindus. The former was knocked down but the latter managed to escape and was stoned from a neighbouring temple as he passed near it. Faqira says that a Rajput from amongst the Hindus fired a gun but this is not supported by Ida Khan. Ida Khan was examined at the hospital on the 5th where his name was recorded as "Saida Khan"; he had two contused wounds on the head and two other wounds on his hands.

*Abdul Latif* has stated that he was in the Purani Mandi at 8 P. M. when he saw some Hindus attack a man on horseback (this may have been Mohammed Bakhsh mentioned above). He himself ran away

but was caught by some soldiers who handed him over to the Hindus who beat him. He was afterwards treated by a barber, Nabi Bakhsh, who has appeared as witness and has stated that Abdul Latif had two head-wounds but no fractures. Abdul Latif's allegation about soldiers is probably an invention because we have already seen that no infantry were posted until long after 8 p. m.

*Unknown Mohammedans.*—One witness has stated that he met a wounded Mohammedan about 5-45 p. m. near Purani Mandi and took him to the house of a Dhobi. Neither the Mohammedan who was wounded nor the Dhobi has come forward and no details are known as to where the alleged assault took place. Similarly another witness mentions giving shelter on the night of the 2nd to a man from Akhnur who had been wounded in the head and said that he had been assaulted in the Purani Mandi; the man left next day without revealing his name.

*Savn Ghulam Mohammed* alleges he was beaten and robbed by Hindus close to the State hospital immediately after the riot. There is no other evidence to support his statement.

*Ata Mohammed* alleges that stones were thrown at him about 4-30 p. m. near the State hospital to which place he had been going to get some medicine. If his evidence is correct this assault took place before the riot. He has added that he was taken to the police station next day as a suspect because there was blood upon his clothes.

*Qadir Bakhsh alias Channu* stated that he was attacked by five Hindu volunteers about 5-30 p. m., when going from Dhakki Sarajan to his home in Mastgarh. He was seen by one witness struggling along in a wounded condition in Mastgarh where he was met by his brother; later three witnesses saw him being carried to his house by his brother. He was admitted to hospital on the 3rd of November and discharged cured after six weeks treatment; he had four wounds on his body, two of them being incised wounds and one a stab wound.

*Piran Ditta* escorted a Hindu from Mohalla Gujran after the riot and says that he was stoned on his return. Another Mohammedan witness saw him being stoned and gave him shelter in his house.

*Din Mohammed* who lives near Denis Gate, states that he was dragged from his house during the night by his Hindu neighbours who are his old enemies and that they beat him with lathis. His son supports his statement. He was examined at a dispensary on the 7th of November suffering from three bruises and one incised wound not of a serious nature.

*Abdul Aziz, Postman*, alleges that whilst taking mails in a tonga he was attacked both in Kanak Mandi and in Rughnath Bazar but that his tonga was not stopped; he has also alleged that, later in the evening, he was on foot near the Denis Gate and saw a Mohammedan being attacked and was himself chased.

*Attacks on tonga drivers.*—A constable has described an attack on a Mohammedan tonga driver opposite the police station at 8 p. m. The attack was stopped by Thakur Atma Singh, A. S. P., and no damage was done. Another witness has alleged seeing a wounded tonga driver being driven along the road between the Residency and the Tehsil late in the evening.

*Ghulam Mohammed*—One witness has appeared who states that he saw his uncle Ghulam Mohammed being beaten by some soldiers in the Residency Chauk about 10 p. m.

**15. Looting on 2nd November after the Disturbance.**

There is no doubt that a great deal of looting took place during the evening and the night following the riot and that this looting was mainly carried on by Hindus from Mohammedans' shops and houses situated in Hindu quarters of the city. Some Hindu witnesses have alleged that Mohammedans removed their own goods from their shops in order to bring false charges of looting but I am convinced that this allegation is not generally true.

Most of the shops which were looted had been closed by their owners before the riot broke out and they were too frightened to return to their shops in Hindu quarters until the city was in a more settled state, the majority not doing so until after the arrival of the British troops; in such cases it is impossible for the owners to know who looted their shops or at what time they were looted.

There is a general belief expressed by these Mohammedan shopkeepers that the looting was carried out after the troops had been posted and that the troops and the police not only connived at the looting but actually assisted in it.

In some cases witnesses have come forward to say that they saw the looting in progress and I shall mention their evidence below; but, in the majority of cases, the circumstances in which looting took place are quite unknown and it is reasonable to believe that it took place in the evening before the troops had been posted. It is known from official witnesses that several reports of looting were brought to the police station during the period that plans for the posting of the troops were under discussion and that small parties were sent hither and thither as such reports came in; we have already seen that some hours elapsed between the riot and the establishment of regular posts and patrols, during those hours there was ample time for the looting to take place and I have no doubt that it was during that period that the majority of it occurred.

I give a list of the cases which have been mentioned in evidence as having occurred on the evening of the 2nd or at an unknown time.

(1) KANAK MANDI.

*Mussamat Hakam Bibi* left her house on the 2nd and found that it had been looted when she returned some days later.

(2) DABGARAN.

*Mussamat Jan Bibi* and her sister were abused by Hindus immediately after the riot and they left their house and stayed with a friend. Their stock of fuel was burnt in their absence and some other property disappeared, *Mussamat Jan Bibi* alleges seeing some soldiers sitting by a fire in the neighbourhood during the night and suggests that they were the offenders.

*Mussamat Jano* was also abused by some Hindus, another witness alleges throwing some fire-works to frighten those Hindus, she left her house on the evening of the 2nd and it was looted in her absence. A third witness corroborates that she did leave her house that night.

RAGHUNATH BAZAR.

This is mainly a Hindu bazar and shops of the following Musalmans were looted during the night following the riot:—

Eeroz, tailor; Din Mohammed, tailor; Ata Mohammed, tailor; Mohammed Shafi, patoi; Shamas Din, patoi; Ibrahim,

blacksmith; Mohammed Din, trunk merchant; Ghulam, dyer; Allah Ditta, baker; Ahmad Din, baker; Mohammed Din, potter, and Sain, grocer.

In the case of these shops several witnesses allege seeing the loot taking place. A Hindu lawyer has said that an attempt to loot the shop of Mohammed Din, trunk maker, was made immediately after the riot and was stopped by some leading Hindus; this was after the Ajaibghar force had gone to Ghas Mandi and before any other troops had arrived. This evidence suggests that some of the Hindus in Rughnath Bazar turned their thoughts towards loot immediately after the riot; on the other hand a witness employed by Din Mohammed, tailor, says that he shut himself up inside that man's shop at the time of the riot and that he did not leave it till 9-30 P. M. up to which time it had not been looted.

Mohammed Din, patoi, and his son Sain, grocer, both allege coming to the bazar at night and watching their shops being looted, both allege that cavalry and police were present in the bazar but, whilst Mohammed Din states that this occurred at 10 P. M., his son says it was at 2-30 A. M. It is not likely that Mohammedans would have ventured into the bazar whilst a Hindu mob was engaged in looting.

Two witnesses Hakim Din and Allah Ditta state that they were in a *chobara* over the Bodh Raj Sarai in this bazar throughout the night and that about 10-30 P. M. they saw general looting in progress; they state that both military and police were present and were encouraging the looters

#### (4) PURANI MANDI.

Mohammed Azim, vegetable hawker, alleged that he kept some goods in a house of Ghulam Haidar in Purani Mandi and had a stall outside. He ran away at the time of the disturbance leaving his stall in the street. His goods both from the stall and from the house were looted in his absence; Ghulam Haidar supports this evidence.

Miraj Din, a fuel contractor, states that his shop was looted in his absence and that he afterwards discovered that his Chaukidar had been beaten on the evening of the 2nd and had therefore not been on duty.

#### (5) DHAUNTLI BAZAR.

The shops of Ghulam Mohammed, patoi; Feroz Din, tailor, and Abdul Ghani, silk merchant, were looted during their owners' absence between the afternoon of the 2nd and the morning of the 4th. There is also evidence that the shop of a general merchant was looted in this bazar though he has not himself appeared as a witness.

#### (6) PIRMITHA BAZAR.

The shop of Ghulam Ghaus, tailor, was looted in his absence and he states that twelve sewing machines were stolen amongst other property.

#### (7) BHABRIAN BAZAR.

The following shops were all closed by their owners on the afternoon of the 2nd and were found looted on their return;—Mohammed Din, silk merchant; Niaz-ud-Din, tailor; Ghulam Mohammed, tailor; Imam Din, tailor; Abdul Hamid, tailor; Hassan Din, tailor; and Buta, dyer. Mohammed Din heard that his shop had been looted by 8 or 9 P. M. on the 2nd.

(8) LAKHDATTA BAZAR.

Cloth shops of Badri Nath and Hira Lal were looted immediately after the riot was over; these are the only instances which have come to my notice of Hindus' shops being looted except during the actual riot.

(9) MANDI MOBARAK.

Three adjacent shops, one a sewing machine shop, one an ammunition shop and one a book-binder's shop, have been mentioned by various witnesses as being looted before dawn on the 3rd but the owners have not appeared before me.

(10) PACCA DANGA.

The shops of three boot sellers, Mohammed Jan, Maula Bakhsh and Allah Bakhsh, and the shop of Ghulam Mohammed, cap merchant, were looted during the evening of the 2nd.

(11) SARAJAN KI DHAKKI.

Another boot shop, belonging to the same Maula Bakhsh, was also looted in Sarajan ki Dhakki.

Musalman shops in Pacca Danga and Sarajan ki Dhakki had been closed about 4 P. M. and their owners were at home in Julahka Mohalla when, about 9 P. M., they received information through a constable that shops in Pacca Danga were being looted. They reported this to Sheikh Mohammed Amin, Municipal Commissioner, and Sheikh Abdul Hamid, Wakil, who are residents of the same mohalla and accompanied those gentlemen to the house of a police official in the mohalla whence they telephoned to the D. I. G. at the police station. It is said that they sent three telephone messages between 10 and 11-30; in reply to the first they were told that the D. I. G. would send a man to make enquiries in Pacca Danga; in reply to the second they were told that the man had not returned and also that they need have no fears regarding shops in Sarajan ki Dhakki as a cavalry patrol had already been sent to that bazar; in reply to the third message the D. I. G. informed them that Pandit Maharaj Kishan had just returned from a tour round the city and had told him that there had been no looting in Pacca Danga but that Musalmans had themselves removed goods from their shops; to this Sheikh Abdul Hamid says that he retorted that the information must be incorrect as the shop-keepers had been with him in Julahka Mohalla all the evening.

The D. I. G. acknowledges that their account of these telephone conversations is substantially correct; Pandit Maharaj Kishan states that when going round the city with Colonel Baikuntha Singh after the posting of the cavalry he saw that some shops in Pacca Danga were opened and was told by some Hindus that the Mohammedan shopkeepers had been removing their goods; when examined on this point Pandit Maharaj Kishan states that at the time he considered that this statement by the Hindus was a mere excuse and that he did not repeat it to the D. I. G. as an established fact; the D. I. G. however says that he does not remember whether Pandit Maharaj Kishan told him whether he had seen or merely heard of the alleged action of the Musalmans; apparently he accepted it as a statement of fact and repeated it to the complainants.

Head-constable Ala-ud-Din was on patrol with a party of police when he saw a boot shop being looted in Pacca Danga. He says that he seized a man who however was rescued by the crowd of Hindus, against whom his party was helpless; he then sent a telephonic report to the Lines Officer. Again, some time after 9-30, he was told by constable Ghulam-Qadar that a boot shop had been looted in Sarajan ki Dhakki and, going

there, he found two or three men in the shop; those men ran away and one dropped a sword which he picked up and took to the police station; he states that there were some cavalry not far from the spot and that the man ran away down a lane between him and the cavalry; his explanation as to why he did not shout to the cavalry has led him into various statements which throw considerable doubt on his allegation regarding their presence.

The Lines Officer has put in a copy of the roznamcha report, which he made on receipt of Ala-ud-Din's telephone message, which gives the time as 7-30 P. M.; he also states that he telephoned the report to the D. I. G. who was then at the Governor's house.

Mohammed Khan, a constable who was with a patrol from one of the police posts, states that the patrol went through Pacca Danga at 8 P. M. at which time the loot was going on. This witness, however, did not stand the test of examination and gave equivocal statements to explain how he saw events which must have occupied a considerable time. He contradicted himself first saying that he stayed behind after the patrol had gone to report and afterwards saying that he came back to the spot after coming off duty.

Another Mohammedan constable has said that a report regarding the looting in Pacca Danga was brought to the station at 11-15 but that Pandit Maharaj Kishan, who was then present, rebuked the constable who brought it and afterwards telephoned to the D. I. G. that there had been no looting in that place.

Three Mohammedan witnesses allege being in a stable near Pacca Danga about 7 P. M., all three say that they saw people running away with boots. One also says that they saw the shops being looted and that cavalry passed by as the boots were being carried away; these additional allegations are not supported by his companions.

A witness whose house is near Dhakki Sarajan also states that he saw looting in that place and that afterwards cavalry passed up the bazar whilst the boots were being carried away; another states that he was actually in Dhakki Sarajan whilst the looting was going on and that a detachment of cavalry was standing between him and the looters; others have stated that they heard the noise of the looting and also heard the sound of cavalry passing by, one has said that these two sounds were simultaneous and another has said that the cavalry passed by an hour after the looting.

Badri Nath, a telephone employee, had to leave his house below the Purani Mandi to go to his duty in Mandi Mabarak at 9 P. M., he was provided with an escort of two Mohammedan constables. One of the constables has appeared and stated that on their way they saw Hindus looting the Pacca Danga shops in the presence of 50 police, 100 cavalry and 100 infantry; and thereafter saw looting going on in Mandi Mabarak Bazar. Badri Nath has said that no looting was going on but that the shops had already been looted; 4 or 5 sowars and 6 or 7 constables were in the bazar and a police guard had been placed over the looted shops.

All military witnesses who went through Pacca Danga and Sarajan ki Dhakki in the evening state that the shops had been looted before they first took up their posts.

All these accounts are so discrepant that I doubt whether any of the witnesses saw any looting in progress. It is, however, clearly established that a report of the matter had been made about 7-30 and that no action was taken upon it. It is difficult to believe the D. I. G.'s explanation that he sent a C. I. D. official to enquire at that time who did not return till after Pandit Maharaj Kishan had informed him at 11 P. M.

that there had been no looting.

The existence of the report shows conclusively that the looting in Pacca Danga took place before the troops were posted and I think it probable that this was so in Dhakki Sarajan also. I can quite understand that the results of the telephone conversations must have been most distressing to the inhabitants of Julahka Mohalla and that it led them to believe that the failure to take action was deliberate and that cavalry were in Dhakki Sarajan before the shop in that place was looted.

I note that, according to the statement supplied to me, Dhakki Sarajan was included in the area of an infantry patrol and not in that of a cavalry patrol; if any cavalry were sent to Dhakki Sarajan it must have been before the troops were finally posted and it could only have been a flying visit

Some of the property looted in Kanak Mandi at the time of the riot was recovered the same night from some Mohammedan houses in Mohalla Jewan Shah; much of the property looted from Rughnath Bazar has since been recovered from the Rughnath Tank which was partially drained and then searched; some Mohammedan constables produced a sack of boots some days after the riot which they stated were being thrown into the Tawi river by a Hindu, they added that the Hindus attacked them when they recovered this sack and were encouraged in this attack by some soldiers nearby. It would appear that the looting by the Hindus was mainly retaliatory and that the looters threw away the loot after obtaining it.

#### 16. Other events on the 2nd of November.

A general Musalman complaint is that after the riot no attempt was made to disperse Hindu crowds in the streets although no Mohammedans were permitted to move about. A Hindu pleader has corroborated this allegation of the Muslims to some extent when stating that a large number of Hindus remained in the City Chauk until late at night.

Two Mohammedan constables have alleged that Pandit Maharaj Kishan arranged with Colonel Baikuntha Singh that Hindu volunteers should be allowed to patrol the city in addition to the troops; an allegation which is denied by the Magistrate mentioned. One Hindu witness has admitted that Hindu volunteers were moving about his mohalla (Kachhi Chhaoni) all night and that they ran away whenever the troops were heard approaching; his admission is that those volunteers were acting in defiance of authority and it goes far to disprove the allegation made by the Mohammedan constables. On the other hand Sheikh Abdul Hamid has stated that, after collecting all the Muslim volunteers of the Julahka Mohalla and directing them to guard it, he telephoned to the D. I. G., who approved of his arrangements. Later on when a clash occurred between some of those volunteers and a party of troops, the same witness again rang up the D. I. G., and was told that in the circumstances he had better send them to their homes. The D. I. G. was questioned and his recollection is different; he states that just before midnight he was rung up from Julahka Mohalla and asked to allow joint patrols of Hindu and Musalman volunteers to guard that place and was informed that the troops had objected to their presence; he rang up the officer commanding those troops and asked him to allow the volunteers to remain.

Lt. Narayan Das was in charge of an infantry patrol in the Bhabrian Bazar when he heard the sound of firing and cries that looting was going on from the direction of Julahka Mohalla. He went to the spot with four sepoy and saw some men armed with swords at the corner of a lane; a shot was fired by those men which hit the ground in front of him and he ordered his men to fire two rounds, whereupon the rioters ran away.



Imam Din has stated that he was with a band of volunteers in Julakha Mohalla going along a lane when his party was fired upon from a corner. Sheikh Abdul Hamid heard the sounds of firing when at the telephone talking to the D. I. G. He went towards the sound and met some volunteers who told him that they had been fired upon by a mob of Hindus and Sikhs and had also seen some soldiers in uniform. He was talking to these volunteers when he saw some soldiers aiming towards him; he told the officer in command that he had got permission from the D. I. G. to use volunteers on patrol; the officer abused him and he withdrew.

These three accounts appear to refer to the same incident and the volunteer's statement does not support the story which was told to Abdul Hamid on the spot. I consider that Lt. Narayan Das' version is the most probable and I consider that, if any permission had been given for the employment of volunteers, it was a very foolish order and one which rendered misunderstandings likely.

Pandit Maharaj Kishan has described being called from the thana on several occasions to investigate reports regarding minor disturbances before the troops were finally posted. About 9 P. M. he was called to the Ustad Mohalla and took a few sepoy's with him; he did not find any rioting taking place but came across a party of Musalmans some of whom were armed; he took the arms from them and they were carried back to the police station by a constable. Eight Musalmans from Ustad Mohalla have come forward as witnesses and admit that sticks and other arms were taken from Musalmans in that mohalla by Pandit Maharaj Kishan; several of them have added that, whilst these arms were being collected, a band of armed Hindu volunteers marched past the spot and was not interfered with by the Magistrate. One of them has stated that the leader of the Hindu volunteers asked the troops to attack the Mohammedans who were present and that he was threatened by those troops and took refuge in a mosque. Pandit Maharaj Kishan has stated that he would have dispersed and disarmed any body of people whether Muslim or Hindu and has denied the allegation that any Hindu volunteers passed by on this occasion. I think it probable that some Hindu volunteers may have been seen shortly before or after the Magistrate had been to the spot and that the Mohammedans gathered the idea that their presence was tolerated but I am unable to believe the accounts as put forward.

On another occasion a message was received at the thana that a riot was taking place in Julakha Mohalla and that the house of a Municipal Commissioner, Thakar Panjab Singh, was being attacked. The same Magistrate visited the spot with a small detachment of troops, found that the rioters, if any, had already dispersed and left a few soldiers on guard at the house. The mohalla contains both Hindu and Musalman quarters and many witnesses have given evidence regarding this incident. The Hindu version is that bands of Mohammedan rioters marched through the mohalla shouting and concentrated near the houses of Thakar Panjab Singh and Wazir Sunder Singh, that a few shots were fired by members of these crowds and that shortly afterwards some troops arrived but only after the mob had moved off. The Mohammedan version is that many Hindus were collected at Panjab Singh's house from which after dark some shots were fired; alarmed by the firing all the Mohammedans started shouting from their roof-tops and succeeded in stopping Panjab Singh's hostile demonstrations. These Mohammedans mention the presence of soldiers on the roof of Panjab Singh's house but their statements vary as to whether the shots were fired before or after the arrival of those soldiers.

A few minor incidents connected with this event are mentioned alike by both Hindus and Mohammedans and there is no doubt that some disturbance took place; I have visited the spot and find that Thakar Panjab Singh's house is next to a mosque and in a Musalman quarter of

the mohalla. I find it difficult to believe that the inhabitants of that house would have attempted to overawe their Mohammedan neighbours and I have no doubt that they considered themselves to be in danger when they sent a messenger for assistance. How far the fears of either party were justified is not apparent but the incident has given rise to a Mohammedan grievance to the effect that troops were used for the protection of Hindus' houses and not for those of Mohammedans.

A Hindu witness of the same mohalla, Rattan Chand, states that his house was fired upon during the night and that some troops arrived shortly afterwards; so far as I can gather he is referring to the same incident and it is possible that a bullet struck his house as he alleges.

Other isolated witnesses have alleged firing at one or two places *i. e.*, in Gujran Mohalla, in Talab Khatikan and in Gorkhand Mohalla. In all cases the firing is alleged to have taken place from the houses of Hindus though in the case of Gorkhand Mohalla it is alleged that there were some soldiers in the house at the time. These are isolated allegations and I have no means of testing their truth but in no case was any injury done to any person by the alleged firing.

#### 17. Disturbance at the Young Men's Muslim Association Camp on the 3rd of November.

About noon on the 3rd of November a report was received in the thana that stones were being thrown upon a cavalry patrol in Urdu Bazar; Pandit Maharaj Kishan and Colonel Baikuntha Singh immediately went to the spot; they had some orderlies with them and were joined by some sepoy's at the Ghas Mandi. On going down the Urdu Bazar they noticed brickbats lying in the roadway and saw some men running over the roofs. There was a cavalry patrol in the Residency Chauk and they signalled to it to cut off the fugitives from behind but the cavalry started firing and a little time was wasted in reaching them to order them to cease fire and, in this interval, most of the fugitives escaped. A couple of men were noticed in a small tower on the roof of a shop in Urdu Bazar a little West-wards of the Association's office. The Magistrate and the Colonel went to the foot of the stairs leading up to this tower and were then fired upon from across the way; they sent a sepoy on to the roof and followed him; on reaching the roof they saw this sepoy lying down and he explained that a man was aiming at him from a roof on the opposite side of the bazar; they themselves saw this man sneaking away with a gun in his hand; thereafter they questioned the two men in the tower who denied all knowledge of the events. Returning to the bazar they signalled to the cavalry to go round to the back of the office and themselves followed; after passing the Residency Chauk and reaching the Southern gateway of the Ghazi camp, which they did immediately behind the cavalry, they saw that a tent in that camp had been set on fire and was nearly burnt out. At this spot Risaldar Chain Singh handed a box containing papers to Pandit Maharaj Kishan saying that he had found it on a table in the Ghazi camp. When they questioned the sowars regarding their unauthorised firing they were told that some shots had been fired on the sowars from a window of a house adjoining the Ghazi camp.

Risaldar Chain Singh had been on duty that morning with a cavalry patrol in the Rughnath Chauk; his evidence is that on receiving a message that stones were being thrown in the Urdu Bazar he left a guard at Rughnath Bazar and went with a small detachment to the Urdu Bazar *via* Residency Road. Close to a house on the Residency Road before reaching the Ghazi camp stones were thrown at his party and from there he went into the Ghazi camp and saw people running over the roofs of the houses between it and the Urdu Bazar. He noticed a tin box lying on a table in the camp compound and picked it up. Stones

were now thrown at his party and a shot was fired from a window; in reply he had two rounds fired at the window. He now proceeded with his party towards the Urdu Bazar but met Pandit Maharaj Kishan and Colonel Baikuntha Singh close to the Residency Chauk; he handed over the box and the whole party then went to the gateway of Ghazi camp and then saw that a tent was on fire.

It will be noticed that Risaldar Chain Singh was not in command of the sowars in the Residency Chauk and that he had not been up to that chauk at the time when his party was fired upon; I can only presume that the cavalry in Residency Chauk started firing because they heard the noise of the shots in the Ghazi camp.

The evidence of these witnesses does not explain how the tent in the Ghazi camp was set on fire but it is possible that persons from the Association office saw Risaldar Chain Singh remove the box of papers (which forms Exhibit No. 5 and the important contents of which have already been mentioned in paragraph 4) and, wishing to prevent the seizure of further incriminating documents, thought the quickest way to do so before the troops came back would be to burn the tent in which they were.

Four Mohammedan witnesses have stated that they heard the firing on this occasion and saw troops firing at the Association office; the office itself faces Urdu Bazar whilst the Ghazi camp behind it adjoins the Residency Road; three of the witnesses allege that the firing was at the office whilst the fourth alleges that it was from Residency Road. Two of the witnesses state that smoke came from the Ghazi camp immediately after the firing. The evidence of these four witnesses is very vague and throws no light upon the matter, one of them has alleged that he was beaten by the soldiers who came from Ghas Mandi and that he shut himself up in his shop opposite the office after he had been beaten; he has admitted that he did not see the firing take place but only heard the shots after he had gone inside his shop (His name is Hassan Din and he was examined at a dispensary on the 8th of November suffering from two large bruises).

Mohammed Din, a water-carrier employed at the Ghazi camp, has alleged that he was inside it when some cavalry made an attack upon the door of the office opening into Urdu Bazar; he went to that door and a shot was fired at him through a crack in it which rendered him unconscious (He too was examined at a dispensary on the 6th of November and found to have a compound fracture of the right radius and also two gunshot wounds).

Hafiz Mohammed, a man from Mirpur, had been in the Ghazi camp that morning writing down complaints of Mohammedans in connection with the riot. He had left the camp to get food leaving a suit-case and also leaving his coat hanging upon a tree, he alleges that there were five notes of Rs. 100 each in the pockets of that coat. On hearing a disturbance he returned to the camp and saw Mohammed Din holding the Eastern door and went to his assistance; after Mohammed Din had been shot he heard the cavalry leave the door and gathered that they were coming round to the Southern gate of the compound. He then got on to a neighbouring roof and from this he saw the cavalry enter the compound and set fire to a canvas shelter, thereafter he hid himself in a courtyard from which he could not watch events. After the disturbance was over he returned to find that a second tent had been burnt and that his coat and suit-case were missing.

Several witnesses have alleged that a wounded man from an Ahrar jatha had been put up in a tent in the Ghazi camp and it is insinuated that this man was burnt to death when a tent was burnt; no witness has had the fortitude to allege that any remains of his body were found

though one alleges finding charred legs of the charpoi on which he had been lying. Complete destruction of a body in this way is, I think, impossible.

The story told by Mohammed Din and Hafiz Mohammed is not one which I find it possible to believe, they have totally failed to explain why an attack should have been made on the camp whilst the account of the firing given by the other Mohammedan witnesses describes a pointless outbreak of firing at a building which was practically deserted. Hafiz Mohammed had admittedly been taking down the statements of Mohammedans that morning and continued to do so on the following day; there can be no doubt that the Ghazi camp was not deserted at noonday on the 3rd but was the centre to which the frightened Musalmans of the city resorted. Numerous witnesses have told me that, whilst they were afraid to go to the police station on the day following the riot, they did go to the Ghazi camp to make their complaints against Hindus and against the authorities. Hafiz Mohammed's story is in every way too fanciful to obtain belief; I see no reason to reject the account of the incident given by the Magistrate and the Colonel though it appears to me that there is some mystery as to how the tent was set on fire and as to why Risaldar Chain Singh took possession of the box of papers (Exhibit No. 5).

#### 18. Assaults on and after 3rd November.

The following assaults are mentioned in evidence as having taken place on the 3rd of November.

*Purani Mundi.*—Ghulam Haidar alleges being beaten by two Jewars at 6 A. M. and is supported in his statement by one other witness. Both the witnesses allege that two policemen were in Purani Mandi at the time.

Nizam Din was beaten at 10 A. M. by a party of Hindus and was afterwards taken to the house of Taj Din in Talab Khatikan. It is stated that no troops or police were present.

Chiragh Din was attacked about 10 A. M. between Purani Mandi and Fattu-Chaugan. Mohammed Said who was with him ran home and told his brother, Dost Mohammed, who carried him home. All three allege that they were again attacked on their way home by two doorkeepers in front of the house of an official who was then in Srinagar. Chiragh Din is said to have been under the treatment of Nabi Bakhsh, barber, for one month.

Sheikh Khalil-ur-Rahman alleges being beaten by a soldier about 4 P. M. His description of the attack shows that it was a trivial one.

*Close to Hospital.*—Two witnesses allege seeing a man beaten and left unconscious by a mob of Hindus at this place on the morning of the 3rd. There are some reasons for supposing that this man was Mohammed Ashraf Khan who was treated at the hospital seven days later suffering from two contusions.

*City Chauk.*—Jalal-ud-Din, a baker, alleges being beaten, stoned and robbed in the City Chauk at 10 A. M. and adds that a Sub-Inspector of Police and a detachment of cavalry were present. The assault was seen by two other witnesses and the man was treated for two days as an inpatient suffering from four contusions.

*Rughnath Temple.*—Imdad Ali, a tonga driver, alleges being attacked at 3 P. M. in front of this temple but was not injured.

*Kanak Mandi.*—Two witnesses have mentioned seeing a tonga being attacked during the morning in Kanak Mandi.

*Residency Chawk.*—One witness alleges being hit with a rifle butt by a soldier in this place during the morning of the 3rd. Another alleges that at 2 P. M. he was passing in a lorry with two companions and was stopped by some soldiers who made them take the lorry back after having beaten them. No reason for this alleged assault is given by the witness.

*Pirmitha Bazar.*—Two men allege that they were passing through Pirmitha Bazar when they were stopped and beaten by a cavalry patrol and a third witness supports the allegation. It is admitted that one of the two men was carrying a sword.

*Bhabrian Bazar.*—Nawab was seen by one witness being attacked by some Hindu volunteers in this place about 9 A. M. He was afterwards seen lying unconscious by a pleader who has stated that a Sub-Inspector, who was passing with a party of police, refused to stop. He was treated as an in-patient at the hospital for over a month suffering from a severe incised wound on the back of the neck

*Moti Gate.*—Three school-boys have alleged that about 10 A. M. some Hindus came past in a lorry, which stopped close to three Mohammedans; these three were attacked by them but managed to get away. The three witnesses allege that one assailant carried a sword and that another had a gun which he fired, but they have contradicted each other so much that their evidence can safely be rejected as false

Two other minor attacks upon isolated Mohammedans have been alleged as taking place on the 3rd of November, but the evidence is vague in regard to the places at which they took place

Only one assault upon a Hindu is alleged to have occurred on this date. This man, Ghullu, was treated as an in-patient for a short time and had sustained five contused wounds on the head. There is no evidence to show where he was attacked but he was seen by several witnesses being taken to hospital about 9 A. M.

Only two assaults are mentioned as having taken place on the 4th of November. Ch. Ghulam Hardar is said to have been attacked near Dhaunthli about 7-30 A. M. by a large number of Hindus; he did not go to hospital until the 10th of November when he was found to have several wounds upon the head and face and a broken bone in his right hand.

A Gujar alleges a minor attack inside the house of a Hindu where he had gone to sell milk.

Upon the 5th November it is said that state infantry beat one Mohammed Ramzan in Ghas Mandi about 11-30 A. M.; he was taken to hospital the next day suffering from two contused wounds. This assault was watched by Fazal Din from a roof nearby who alleges that a soldier fired at him without doing any damage. British troops had arrived the previous day but these witnesses allege that only State troops were present at the time.

#### 19. Looting on and after 3rd November.

The only cases of looting subsequent to the night following the 2nd of November are the following:—

*Dabgaran.*—Karim Bakhsh states that he left his house on the evening of the 3rd and found that it had been looted when he returned some days later.

*Lakhdatta Bazar.*—Roshan Din also left his house on the 3rd and when he returned eight days later he found that all the windows had been broken but that nothing inside the house had been disturbed.

Ghulam Hasan, tailor, states that he started removing his goods from his shop on the 4th and that after removing some he was stopped by an infantry patrol. He then closed his shop and it was looted afterwards in his absence. His statement lends colour to the allegation of three Hindu witnesses that Musalman shop-keepers of Lakhdatta removed their own goods and subsequently alleged that their shops had been looted.

*Rughnath Chauk.*—Mussammat Roshan Bibi states that she left her house on the 5th of November and that it was afterwards looted in her absence; this is the only allegation of looting after the British troops had assumed full military control in the city.

The Secretary of the Young Men's Muslim Association has put in a list of 59 cases of looting, theft or damage which are said to have been reported to that Association. Out of these, 30 cases have already been mentioned in paragraphs 4, 15 and 19. The additional 29 cases which are alleged but regarding which no evidence has been produced include the looting of 28 shops, 7 in the Rughnath Bazar and the others scattered throughout the city. It also includes the alleged looting of two houses, one theft of currency notes, three cases of damage to tongas or lorries, the damage sustained at the Ghazi camp when a tent was burnt there on the 3rd of November and four miscellaneous cases of a petty nature.

#### 20. Allegations regarding untraced deaths.

There is a rumour widely current amongst the Musalmans of Jammu that, whilst the city was in a disturbed state, atrocities took place in the neighbourhood of the Rughnath temple.

Some days after the riot the Governor went to inspect the tank situated near that temple which had been partially drained and in which men were searching for looted property. Whilst he was there some Musalman representatives produced a deaf and dumb man before him and alleged that this man had seen certain atrocities after the riot. The Governor has stated that the signs and gestures made by this man were quite unintelligible and the City Inspector, who was present, has given evidence that the method by which the man's knowledge was elicited was that Gaur Rahman told a story which he accompanied by making signs and that the dumb man nodded as though agreeing. The Inspector has further stated that he himself made signs to the man who again nodded his head; the impression left upon him was that the signs made had no significance. The dumb man was now taken before the City Magistrate who recorded what may be called his "statement". This is to the effect that two men had been thrown down and had then been killed with a sword by a bearded doctor; the victims were shown to be Musalmans by signs indicating that they had no "Bodi"; the assailant was shown to be a doctor by placing one hand upon the other wrist as though feeling a pulse. The City Magistrate has stated that he did not consider that any weight could be attached to this so-called "statement" and mentioned that no bearded doctor lived in the neighbourhood pointed out by the dumb man. On the other hand Sheikh Abdul Hamid, Sheikh Mohammed Amin and Mufti Mohammed Ishaq were present when the statement was recorded and according to them the gestures were convincing. Nobody has been able to produce this dumb man before me and it would be childish to attach great importance to the alleged interpretation of the gestures which he is said to have made.

One witness Nawab Din has stated that at 4-45 p. m. on the 2nd two Kashmiris came near the temple carrying loads and were then chased by Hindus down to the tank where the head of one was cut off and the other was felled to the ground. The witness says that he told nobody of what he had seen until he made a statement in the Muslim Association office fifteen days later.

Another witness, Abdul Aziz of Gumat, says that he saw two Kashmiris sitting close to the tank at 2 p. m. on the 3rd of November and that they were dragged from there to the door of the temple where they were hacked to pieces after which their bodies were soaked in kerosine oil and burnt on the spot. This witness went to Lahore a few days later and on return after a month he reported the alleged event at the police station; a copy of his report forms an exhibit; it was recorded by the Inspector and it contained an allegation that the witness had told officials what he had seen at the time when the dumb witness was produced; the Inspector noted at the foot of the report that this allegation was false and that the man had not appeared on that occasion. None of the officials to whom he alleges that he spoke have supported his allegation but the City Magistrate states that at one time he was shown some blood marks near the Rughnath temple which he considered might have been caused when Mohammed Beg and Jowaya were killed, and that he was also shown the ashes of a fire from which small fragments were pointed out to him as being of bone; he examined those fragments and states that they were in fact charred pieces of wood and the fire was probably one made by a military post when on duty at night.

A Mohammedan volunteer has appeared and given evidence that he saw smoke and noticed an unpleasant smell near the temple on the morning of the 3rd.

Mirza Abdul Karim and Munshi Khan have alleged being on the roof of a motor workshop in the Residency Road on the 3rd of November and seeing a series of arrests made by sowars of the cavalry post at the Residency Chauk. According to the former, two Gujars were arrested by these men and then taken to the Rughnath Chauk where they were handed over to some Hindus who dragged them into the temple. Later on a third man was treated similarly and later again a fourth man was arrested and handed over to the Hindus who killed him in front of the temple and then took his body inside. The second witness has varied the story by saying that only one man was arrested on the first occasion and only three were arrested in all; at first he said that they were all three taken into the temple when they were handed over but subsequently stated that one was killed outside; he, however, could not remember whether it was the first, second or third man who was killed. Mirza Abdul Karim says that he reported the matter to the police fifteen days later whilst Munshi Khan never did so; both these men had recorded statements at the Muslim Association office before the present inquiry commenced, Munshi Khan told a long story about comparatively trivial matters and made no mention of these lurid incidents until, apparently, he was questioned about them; he then said that he had not done so because he understood that Mirza Abdul Karim had already given a statement. I have been on the roof from which these witnesses allege they saw these events and from it a view can be obtained of the temple door at the Rughnath Chauk; it is however impossible for me to believe that if these two men had seen such terrible events they would not now remember how many men were handed over or which of those men was killed within their view.

One Taj Din has alleged that he was in a shop in Rughnath Bazar at 9 a. m. on the 3rd of November when he saw three men knocked down by soldiers with the butt ends of rifles and then handed over to Hindus. One of these men then managed to escape but the other two were killed on the spot by the Hindus and dragged into the temple. He does not appear to have reported the matter to the police.

A small boy has been produced to state that he saw two men being dragged from the Residency Chauk towards the temple by dismounted sowars and a tonga driver has said that he saw three Gujars being dragged towards the temple on the 4th of November.

Mazhar Husain, a constable, has stated that on the afternoon of the 3rd he was asked to arrest two men at the Residency Chauk by the cavalry at that place who said they had been throwing stones; he refused to do so and then saw the men being taken towards the temple, he followed stealthily and saw them being handed over to the Hindus but he then intervened whereupon the sowars re-arrested the two men and took them to the police station. It appears that this constable bears a grudge against the sowars because they reported him for refusing to arrest the two alleged stone-throwers.

These alleged atrocities concern victims who were not known to any of the witnesses and it is not alleged that any resident of Jammu has been missing since the disturbances.

A Kashmiri, Maqbul Khan, has alleged that his brother Abdulla, who had come to Jammu with him had disappeared on the 2nd and that he had heard he had been killed in the Purani Mandi along with another Kashmiri and the bodies had been taken away in a lorry. His informant has not been produced but two witnesses have alleged seeing a body being placed in a sack in Purani Mandi on the night of the 2nd. Maqbul Khan reported at the police station more than month after the alleged event and, before me, he has stated that he wrote to his uncle Nawab Lon in Kashmir and received a reply that Abdulla had never returned. Enquiries, made through the Governor of Kashmir, have revealed that Abdulla and Maqbul Khan were the sons of Habib Khan of Mantpura village and that the former was twice married and was living with his second wife Mussammat Mukhti, daughter of Khaliq Naiku, in Akran village when he developed consumption. He was then taken to the C. M. S. Hospital in Srinagar by his brother Maqbul Khan and he died there one and a half years ago; his wife Mussammat Mukhti is still living in Akran and has married Satar Naiku since the death of Abdulla.

I have given the evidence in support of the allegations mentioned in this paragraph at considerable length because they are of a most serious nature, but it will be seen that the evidence in support of them is of the slightest. It is significant that these allegations all deal with atrocities against unknown persons and that they are not supported by the discovery of any bodies or other circumstantial evidence and I am convinced that all these allegations are malicious falsehoods and that there is no truth underlying them.

#### ✓ 21. Medical Evidence.

Wounded persons were treated at the State hospital and at a temporary dispensary opened for the convenience of Musalman patients in Talab Khatikan. Full lists of all the injured persons treated or examined have been proved and the following figures are compiled from them :—

Particulars.	HINDUS.		MOHAMMEDANS.	
	Killed.	Wounded.	Killed.	Wounded.
Total examined by medical witnesses ...	2	27	5	38
Already mentioned in paragraphs 12, 14, 17 or 18	2	4	5	21
Balance, not previously mentioned in this report ..	.....	23	.....	17.



Classification of the nature of the injuries of those not previously mentioned in this report:—

		Hindus.	Mohammedans.
Severe	...	1	2
Numerous but slight	...	2	2
Slight but including incised wounds	...	3	3
Slight	...	2	1
Trivial	...	15	9
Total	...	23	17

The Secretary of the Muslim Association handed in a list of injured Mohammedans which had been prepared at his office, it includes 5 killed and 54 injured. It thus includes 16 men who did not go to any hospital but some of them have already been mentioned as victims of assaults in previous paragraphs.

It may be presumed that there were also a few Hindus injured who neither went to hospital nor appeared as witnesses.

It is to be regretted that so few of the injured Hindus have appeared as witnesses as it is, therefore, impossible to find out when and where they received their injuries but, so far as I can gather from the entries in the lists supplied by medical witnesses, the majority of them were injured at the time of the riot itself and not during the subsequent days.

## 22. Miscellaneous matter.

A battalion of British troops arrived in Jammu on the 4th of November and supplied patrols in the city that night; in the early morning of the 5th November the funerals of the seven persons who had been killed took place without any disturbance under the control of a Civil Service Officer from the Punjab who had been placed on duty in Jammu in connection with the British troops; the State troops remained on duty in the city after the first arrival of the British troops but were finally withdrawn on the afternoon of the 5th. All sections of the public appear to have been greatly relieved at the arrival of the British troops and large numbers of Mohammedan witnesses have stated that it was only after those troops had taken over military control in the city that they were able to move about in the city except inside purely Musalman Mohallas.

Conditions in the city had already improved considerably before the British troops arrived as is clear from the fact that the number of assaults and cases of looting decreased from the 2nd to the 3rd and from the 3rd to the 4th; after the arrival of those troops quiet prevailed though it is said that considerable anxiety was still occasioned by the presence of the large number of prisoners in the temporary jail at Satwari until the position was relieved by the transfer of prisoners to the Punjab. No further events occurred which need mention in this report.

A few miscellaneous matters for which appropriate places could not be found in preceding paragraphs may be mentioned here.

The main objects which I had in view when calling upon prospective witnesses to put in written statements before the inquiry commenced

... were—

- (a) that I should know the nature of the evidence of various sections so as to be in a position to examine the witnesses with regard to general allegations;
- (b) to enable me to confine the oral examination of each witness to relevant facts within his knowledge and prevent rambling statements on irrelevant matters; and
- (c) to prevent possibility of gradual introduction of evidence of doubtful value at late stages in the inquiry.

Unfortunately so few witnesses put in written statements early that I was forced to extend the time for doing so repeatedly, the only alternative being to abandon the inquiry in an incomplete state; thus the objects of the order were somewhat prejudiced. The necessity of written statements as a check against witnesses adding to their alleged knowledge at the last moment was illustrated by the fact that in several cases witnesses gave evidence which they had not mentioned in their written statements. In more than one case I was told by a representative of the Muslim Association that the written statement before me was only an abstract of a fuller statement recorded at the office of that Association and that the original would be found to contain the additional evidence; in a few cases where the additional evidence was the most important of all I was unable to regard the explanation as convincing.

The fact that the Muslim Association has recorded statements of Musalmans and had conducted an informal inquiry before I was directed to make the present inquiry proved both an advantage and a disadvantage; it was an advantage in that it enabled me to obtain statements which had been recorded soon after the events described therein; it was a disadvantage because it appeared in some cases that no check had been made to test the credibility of the witness, and also in that it tended to crystallise the allegations made and add to the possibility that dishonest witnesses without personal knowledge might come forward to support allegations which had obtained general currency. In one case it was apparent from the form of the written statement that a witness had omitted all mention of some very serious allegations until reminded either by the recorder or by some by-stander.

One Sikh witness has alleged that he was bribed by the Muslim Association to give a false statement and he produced an unsigned statement purporting to show that he had joined with other persons in the loot at Pacca Danga, and also a document promising him Musalman protection if he should be prejudiced by giving evidence in the courts. His own allegation is that the unsigned statement was composed by an officer of the Association and that he was offered a bribe to sign it; the explanation offered by Mr. M. A. Kanwar was that the unsigned statement was a genuine one from which the witness had resiled and that the document of indemnity had been given to the witness in good faith. I do not attach much importance to this incident in the proceedings of the inquiry.

It is very obvious that the investigation by the police of the cases of looting and assault must be attended with much difficulty; the majority of the looting of shops was carried out in the absence of the owners or any members of their community and therefore the discovery of the offenders is extremely difficult; the majority of assaults were made upon isolated individuals and there is little possibility of corroborative evidence being forthcoming to support the statements of the victims. Throughout this inquiry I have noticed a general tendency amongst Musalman witnesses to drag in the names of prominent Hindus, such as Municipal Commissioners, wealthy traders and lawyers, as participating in assaults

and looting; in the majority of cases such allegations have appeared to me to be fictitious, this general tendency must necessarily hamper the police in their investigations.

In connection with the allegations of atrocities at the Rughnath temple some leading Mohammedans asked that that place should be searched. Arrangements were made for it to be visited by some of the highest officials in the State, amongst them Mr Lawther, the Inspector-General of Police, who had come to the State from British India after the riot, the leaders however declined to accompany these officers saying that as some days had elapsed they could not be responsible that any incriminating facts would be discovered. It is of course obvious that a delayed inspection was not so satisfactory as an immediate inspection but even so the attitude displayed was the reverse of helpful.

It has been noted that the Rughnath tank was partially drained and searched and that looted articles were recovered from it; many Muslim witnesses complained that it was not completely drained; my inspection of the tank, a corner of which had been broken through in the draining operations, led me to believe that the water had been sufficiently drained off to enable a proper search to be made. A complaint is also made that a tank near Mandi Mubarak was not drained; in the case of that tank the only possibility was that it might contain loot from the shops in that neighbourhood, the fact that looting had taken place could not be denied whilst recoveries from the tank could not have led to the identification of those guilty. It does not appear to me that the circumstances were such as to render the draining of that tank necessary.

At one time the Muslims actually decided to boycott the police investigations, and, though happily they reconsidered that decision, there are still traces that whilst accusing the police of apathy they are not affording them genuine help in their difficult task; for instance Hakim Rahmat Ullah, who was attacked in a tonga, has accused the police of making no investigation; he has stated that he did not know the names of his assailants but could recognise them and has seen them since and yet he has not taken the trouble to ascertain their names or to indicate their identity to the police, he said that it was the duty of the police to come to him and take him in front of his assailants whereupon he would identify them.

Two workers on behalf of the All India Kashmir Committee, who assisted the Muslim Association in connection with the riot cases pending in Jammu and with this inquiry, have asserted that a police official informed them that no police diaries were prepared on the 2nd or 3rd of November and those now in existence were fabricated subsequently. The police official concerned has not only denied his alleged statement but has mentioned specific entries being made in the diaries on those days; many extracts from the diaries have been before me in evidence and I can only say that if they were fabricated subsequently the police did not exercise much ingenuity in fabricating them so as to represent their actions in a favourable light.

### 23. General Conclusions.

From the first the agitation in the State was solely amongst Mohammedans and was based on alleged grievances under which they suffered. My inquiry does not cover an investigation into those grievances but all State subjects now have an opportunity of ventilating their grievances and aspirations before a Committee which is sitting to hear them. For the purposes of this inquiry I assume that the Musalmans have substantial grievances justifying agitation if carried on peacefully, without contravention of law and without prejudice to others.

It appears to me that the Musalman allegation regarding the non-communal nature of their agitation was substantially correct in the earlier stages thereof. In Jammu, however, it led to communal distrust and tension during the summer; the desire to obtain more official posts necessarily implied diminution in the number of posts available for other communities and the demand for severe punishment of individuals concerned in the alleged insults to religion was also a feature introducing a communal element. The posters issued by Rajput and Hindu Associations show that members of those communities regarded the Muslim agitation as partly communal and in themselves increased communal feeling. Finally the nature of the mock funeral carried out under the auspices of the Muslim Association on the 29th of October clearly demonstrated that Mohammedans were then bent on adding to communal tension rather than the reverse. In my opinion it is idle for either of the two communities to allege that the acute communal tension which arose in Jammu was entirely due to the fault of the other community.

The alleged peaceful nature of the agitation is belied by the form which it assumed; the creation of corps of uniformed and drilled volunteers who openly paraded the streets of Jammu is inconsistent with the Musalman protestations that they only followed peaceful methods. It is true that the Hindus attempted to organise similar volunteers but evidence shows that this was done after those of the Musalmans had come into existence and after the Hindus, rightly or wrongly, had begun to consider that the Government was not taking adequate measures to suppress manifestations of force.

Whether they had any connection with them or not, the Musalmans in Jammu were undoubtedly encouraged by the in-rush of Ahrar jathas to believe that the authorities were impotent and therefore to introduce a phase in the agitation which formed a direct challenge to authority. Not only did the jatha movement encourage the local Musalmans but it withdrew many officials and many of the police force from their normal duties; it made enormous demands on the energies and resources of the authorities at Jammu and finally it led to the clash at Top which was the immediate cause of the riot. A review of the position created by the jatha campaign shows that disorganisation within the State and disturbance was the inevitable result; the authorities in British India ultimately took action to stop this trouble at its source; had it been possible to take that action a few days earlier subsequent events in Jammu might have taken a very different course.

Another cause for disturbance may be found in the absence of any public press within the State, Mohammedan newspapers in the Punjab had been proscribed and it was difficult for the Musalman public to gain information other than that disseminated by agitators; I am not suggesting that the proscription was unnecessary, for my attention has been called during the course of the inquiry to several extracts from Punjab newspapers which could only tend to create disorder within the State, but the absence of any means for providing accurate news to the public was certainly contributory to the disturbance.

With the inauguration of the processions on the 29th of October and 1st of November, the agitation took on the form of direct demonstrations against the Government accompanied by open show of force. In my opinion the local authorities had been lamentably weak in not suppressing the two volunteer movements and the weakness became further accentuated by the failure to disperse the mock funeral procession and by the delay in arresting the leaders of the civil disobedience procession until after their object had been attained by a prolonged demonstration.

The local authorities have indicated that their previous action towards suppression of agitation had been nullified by the temporary

truce and the general amnesty; the implication is that they were not consulted before those acts of clemency were decided upon; if indeed this was the case it suggests that over centralization and distrust of local officials has had the result of lessening their sense of personal responsibility. The Governor has also indicated that he was in constant communication with Kashmir in the days immediately preceding the riot; I cannot say how far his inaction was due to instructions from Srinagar but an efficient and responsible official could surely have represented the urgent need for action in a manner which would have enabled him to have a free hand.

On the morning of the 2nd November the whole city was in an excited state, the Mohammedans were in a defiant spirit owing to the lack of firmness displayed during the past few days and the Hindus were apprehensive that this spirit of defiance would result in uncontrolled disturbances; when the news of the incident at Top became known the probability of disturbances was apparent to all and the position was clearly brought home to the Governor by officials and non-officials of all communities. His failure to take any action even at this final stage, beyond asking officials and non-officials to try and pacify the feeling in the city, cannot be condemned too strongly.

In my opinion the Deputy Inspector-General of Police was guilty of an error of judgment when he took the City Magistrate and the Assistant Superintendent of Police to Top and left the city police under the charge of an Inspector but that error of judgment is of small account in comparison with his failure to go to the centre of disturbance immediately on return from Top and his failure to organise such police as were available for action near that centre. The behaviour of other police officials needs little comment, they apprehended danger and considered that the position demanded military control; they all left their posts on various excuses and when the riot occurred, apart from Sub-Inspector Bachan Singh, there was no officer of higher rank than head-constable anywhere in the neighbourhood.

I do not believe that the more responsible leaders of the Musalmans desired any clash of the nature which took place and I am satisfied that attempts were made by some of them to induce excited Mohammedans to refrain from going to Top; it is however easy to raise a lawless spirit and difficult to subdue it. The leading Mohammedans and to a lesser extent the leading Hindus had created potential elements of disorder and when disorder broke out they were both powerless to restrain it.

The position in the disturbed centres just before the riot broke out was entirely without official control. A very large crowd of Mohammedans including armed volunteers was in the Ghazi camp and the Residency Road adjacent thereto and there was an equally large mob of Hindus in the neighbourhood of the City Chauk and Raghunath Bazar; a small party of Musalman volunteers was at the head of Urdu Bazar close to Ghas Mandi and there was a band of Hindu volunteers in Kanak Mandi. The shops in Ghas Mandi and Kanak Mandi were mostly shut; the latter bazar was practically deserted but some Hindus had collected in Ghas Mandi wondering whether the Mohammedans were going to take out a second civil disobedience procession, and it appears probable that the small band of Hindu volunteers moved up to that place. I think it probable that some abuse was interchanged between the two parties of volunteers and possible that a slight scuffle occurred but I am convinced that the story, that a huge Hindu mob marched up the Kanak Mandi, is a fabrication.

The Musalman volunteers in Ghas Mandi blew their whistles and some man blew a bugle in the neighbourhood of the Ghazi camp, the Mohammedans from that place rushed in a body up the Urdu Bazar and poured into Ghas Mandi; it is quite certain that the Hindus in that place ran away directly these Mohammedans were seen and that Ghas Mandi

was practically deserted when the Musalmans reached it. The City Magistrate had been in his house when the bugle was blown but managed to get in front of the mob just before it reached Ghas Mandi, he was unable to check it and it flooded into that place.

It is a matter of thankfulness for all residents in Jammu that a section of the Musalman mob was unable to withstand the temptation of looting; it was the check caused by that looting which, in all probability, saved the city from a riot of far more serious nature. The cessation of the advance caused by this looting appears to have allowed some of the excitement to evaporate and the majority of the mob hesitated to attack.

A party of five Mohammedans, however, advanced towards the Hindus in the City Chauk, two at least were armed with swords and I am unable to accept the suggestion that they were advancing in order to have an amicable discussion with the Hindus; it appears far more likely that they intending to lead an attack but were deserted by their followers. To the Hindus it must certainly have appeared that these men were a vanguard of an attack and it is not surprising that stones were thrown upon them.

Much credit is due to the City Magistrate for his efforts in trying to restrain the Musalman mob at this juncture and it was partly due to those efforts that a hand-to-hand fight was averted.

There is no doubt that the Mohammedan mob overtook a few isolated Hindus at the Ghas Mandi and that a few isolated Mohammedans who happened to enter the City Chauk during the continuance of the riot were assaulted by members of the Hindu crowd.

Very few minutes can have elapsed after the party of five Musalmans had been routed before the arrival of the cavalry and, directly they were seen approaching, the Mohammedans fled back to the Urdu Bazar; consequently the casualties actually caused during the riot were confined to the isolated persons who were attacked in Ghas Mandi and in City Chauk and to persons who were injured by stones which had been thrown on all sides.

The two most striking points in connection with the actual riot are;—(a) its comparatively trivial and insignificant nature in relation to the attention which it has attracted and (b) the fortuitous way in which a riot on a large scale failed to materialise in spite of the presence of large hostile crowds and a complete absence of controlling forces.

I regret that I have been unable to ascertain the truth regarding the alleged messages from the Governor to the troops and the failure to comply with them. Whatever the truth may be it is clear that there was a total lack of co-ordination which resulted in the arrival of the troops being delayed until after the first attack had taken place. I consider that Thakur Atma Singh and Lala Anant Ram, who were sent to the police station to give orders to the troops, were remiss in not taking prompt action to obtain their presence when they found that they had not arrived in obedience to the Governor's direction; the police station is only a few hundred yards from the Ajaibghar lines and there was no crowd between the two to prevent either of these officials himself going to fetch the troops.

Whatever be the truth as regards the nature of the message which ultimately led to the arrival of the troops, it is clear that the officer in command of them received no instructions from any Magistrate as to what he should do upon his arrival; he saw the Mohammedans running away in the Kanak Mandi, he saw that shops had been looted in that place and he saw indications that two of them had been set on fire; he adopted the natural course of marching down the Kanak Mandi without

waiting to disperse the Hindu crowd in the City Chauk. A section of that crowd followed the troops and made a demonstration against the the City Magistrate on arrival in Ghas Mandi but I do not believe the allegation that the troops were accompanied by a band of Hindus who were beating Mohammedans for the obvious reason that no Mohammedan was injured at this time.

It is clear that a few rounds were fired after the troops had been in Ghas Mandi for some minutes and after the D. I. G. had arrived. I see no reason to doubt the official version that this was done because stones were thrown at the troops from roofs nearby. The assertion of a man, who was hit during this firing, that some Hindus attacked the house on which he was standing and that he was fired at merely because he shouted is incredible.

The time at which the riot broke out may be fixed fairly closely at 5-30 P. M.; Head-constable Bhai Singh reached the lines to ask for assistance at 5-45 P. M. and apparently came direct from the Residency Chauk when he saw the mob running up the Urdu Bazar. The Ajaibghar troops must have reached the Ghas Mandi by about 6-15 P. M. and the telephone message for reinforcements was received at Satwari at 6-30 P. M. The reinforcements arrived at the police station about 8 P. M. The cavalry were allotted posts at 9-30 P. M.; the infantry from Batote, after waiting at the Governor's house, reached the police station after 10 P. M., and the infantry were allotted posts about 11 P. M.

It is established that the Ajaibghar force remained at the Ghas Mandi from the time it first arrived until the military posts were finally allotted and that the troops from Satwari remained at the police station and in City Chauk from arrival until the allotment of posts.

It is thus clear that it took the Magistrates and the officer commanding the troops over three hours to decide where to send six cavalry patrols after which they found it necessary to go round the city themselves and spend another hour and a half before being able to post the infantry. During this period they were being interrupted by reports of disturbances in various parts of the city and their work was often interrupted whilst one or other went off with a small party of troops to the scene of alleged disturbance. Even so the delay was extraordinary and no satisfactory explanation has been forthcoming.

From 6-15 until 9-30 P. M., the only places where there were any troops except for small parties sent on particular errands, were the Ghas Mandi, the City Chauk and opposite the police station. During this prolonged period some police were sent on patrol but their numbers were insufficient and the patrols were not organised systematically. I am convinced that it was during this period that the majority of assaults upon isolated Musalmans and the majority of looting of Mohammedan shops took place.

There is a wide-spread belief amongst Mohammedans that their shops were looted after the troops had been posted and that the troops and police connived in this looting or even assisted in it; in the majority of cases, however, none has alleged personal knowledge of such facts and it is only regarding the looting in Pacca Danga, Sarajan ki Dhakki and Rughnath Bazar that there is any detailed evidence in connection with such allegations.

The looting in Pacca Danga is proved to have taken place before 7-30 by the existence of the roznamcha report taken down by the Lines' Officer on receipt of a telephone message from Head-constable Alla-ud-Din. That report was passed on to the D. I. G. immediately and he says that he sent a C. I. D. officer to confirm it; yet, when telephoning to the inhabitants of Julahka Mohalla about 10'0 P. M., he displayed no

previous knowledge of the matter and said he would send a man to enquire; in a second message he said that the man had not come back and that as cavalry had been sent to Sarajan ki Dhakki there was no danger in that quarter; in a third message sent after 11 P. M., he informed those inhabitants that Pandit Maharaj Kishan had told him that there had been no looting in Pacca Danga but that the Musalmans had removed their own goods.

The Pacca Danga looting, certainly, and that in Sarajan ki Dhakki, probably, had taken place long before any troops had been posted in that portion of the city but the D. I. G.'s telephone messages were of a nature to arouse suspicion that no steps were being taken to stop looting and that looting did occur in the presence of troops. I consider it probable that these telephone conversations first started the belief that troops and police connived in looting.

Four witnesses have come forward saying that they actually saw the looting in Rughnath Bazar taking place and allege that cavalry and police were present at the time encouraging the looters. They gave various times in the evening as the time of this occurrence and two of them state they actually ventured into the bazar which was crowded with disorderly Hindus, I am unable to find, on the unsupported evidence of these four men that troops or police were actually present when the looting took place.

As regards looting in places other than Pacca Danga, Sarajan ki Dhakki and Rughnath Bazar, no witnesses have come forward alleging knowledge of anything except the bare fact that looting occurred.

Isolated assaults and looting are frequent features during the disturbed state following a riot; whilst the looting of a shop must occupy a considerable period of time, assaults can occur quickly and can continue even in well patrolled areas. After full consideration of all the evidence before me I consider that there is no valid reason to believe that the assaults and the looting, which occurred after the riot, took place in the presence of or in the near vicinity of troops. I, however, do consider that the authorities grossly neglected their obvious duty by delaying so long before posting the troops and that this delay was mainly responsible for the events of the night.

There was practically no looting after the night of the 2nd of November. The only allegations before me are that there were thefts in two houses and that one shop was looted some time after the 4th of November; this clearly shows that once the troops had entered upon their duties looting was effectively checked. Assaults however continued though with far less frequency, for the next 48 hours.

It does not appear to me that the allegations against the troops have been substantiated by the evidence before me; the few cases in which the troops themselves are alleged to have assaulted witnesses are mostly of a nature indicating that the witnesses themselves may have been at fault.

It is obvious that considerable numbers of Hindus were roaming about various portions of the city up to late hours on the night of the 2nd assaulting Musalmans whom they chanced to meet, though most of the damage was done before the troops were posted it is yet apparent that no completely effective stop was put on the activities of these Hindus and that Musalmans are correct in alleging that the streets of Jammu were unsafe for them except in their own mohallas for some days. In view of the incompetence displayed by the local authorities and by the police before, during and immediately after the riot, I do not consider that this failure to suppress the rowdy Hindu element indicates that any person in authority or any member of the State forces was actually conniving in



the activities; for that incompetence was such that it would be unreasonable to expect the same officials to control the subsequent situation effectively.

I need not recapitulate my conclusions regarding the rumours and allegations mentioned in paragraph 20 which were supported by no evidence of any real weight.

My main conclusions may be summed up as follows:—

The Musalman agitation took the form of open defiance of the authorities towards the end of October and there can be little doubt that the city Muslims had been emboldened by the Ahrar jatha campaign to adopt this reckless course.

Both Musalmans and Hindus had created bands of drilled and partially armed volunteers whose presence constituted a further menace to the public peace.

The authorities had been much harassed and a great strain had been put upon the police by the Ahrar activities, the local Governor was ill, and earlier action against agitators had been largely nullified by acts of clemency on the part of the Government; firmness was required to control the situation but none was displayed and necessary precautions were neglected.

The clash at Top augmented the state of tension and, after some hours of suspense during which the populace became more and more excited and in which the city was left practically unguarded, a small quarrel or scuffle between parties of volunteers led to a mass advance by Musalmans into the Hindu trading centre of Kanak Mandi.

Lack of co-ordination between the civil officials and the troops delayed the arrival of the latter until several people had been injured by both the Musalman and the Hindu mobs although no hand-to-hand struggle had occurred between them. The arrival of the troops led to the immediate dispersal of the Mohammedans but no action was taken to disperse the Hindus and many of them formed into bands who attacked solitary Musalmans and looted Mohammedan shops during the period of several hours in which the troops were left standing without orders.

Troops were ultimately posted throughout the city but the disorderly Hindus had started upon their retaliatory course of spoliation and violence and it was not entirely stamped out for a couple of days.

The whole disturbance was of such a nature that the presence of a small body of troops, or a body of police under good leadership, would probably have prevented it; in order to escape blame for the late arrival of the troops the true facts regarding messages alleged to have been sent to them have been suppressed by one out of two groups of official witnesses.

A very noticeable reason for the complete break down of the administration in Jammu city at this time of crisis is the anxiety of all officials, high and low, to avoid responsibility; whenever faced with a position demanding decisive action such officials went off to get orders from higher authorities; this failing was so universal as to suggest that officials had not been trained to accept responsibility in the ordinary course of their duties and that their initiative had been suppressed by distrust on the part of their superior officers. A side light on this feature

is thrown by the evidence of the Governor to the effect that negotiations with the Mohammedan leaders for the abandonment of the civil disobedience demonstration on 1st November was carried out by a Secretary to the Prime Minister, a mere clerical official and not with the representatives of the Government in Jammu.

One clear task which confronts the administration is to create a body of responsible officials, which can only be done by insisting that they exercise all the powers entrusted to them without constant reference to their superiors and, concurrently, ensuring that the work of all officials is regularly supervised by those above them.

The Police force in particular is obviously in a demoralized state and needs thorough re-organization; an officer from British India has been appointed as Inspector-General since the riot and it is to be hoped that, in the interests of speedy re-organisation, he and his immediate subordinates will be given full, if not exceptional, powers with respect to appointments, dismissals and disciplinary action.

The policy of negotiation with and clemency towards avowed agitators has proved a failure and it would appear that a firm hand with such persons is required, though it should be allied with sympathetic enquiries into the grievances of the people and an honest effort to remedy such as are found to be genuine.

DATED JAMMU :  
*The 29th February, 1932.* }

L. MIDDLETON.

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I. Census Statistics.	
II. Key to Plan No 1. Jammu City	
III. Plan No 1 Jammu City.	
IV { Plan No. 2. Kanak Mandi and Environs. Key to Plan No. 2.	

Census Statistics (1931), Jammu City.

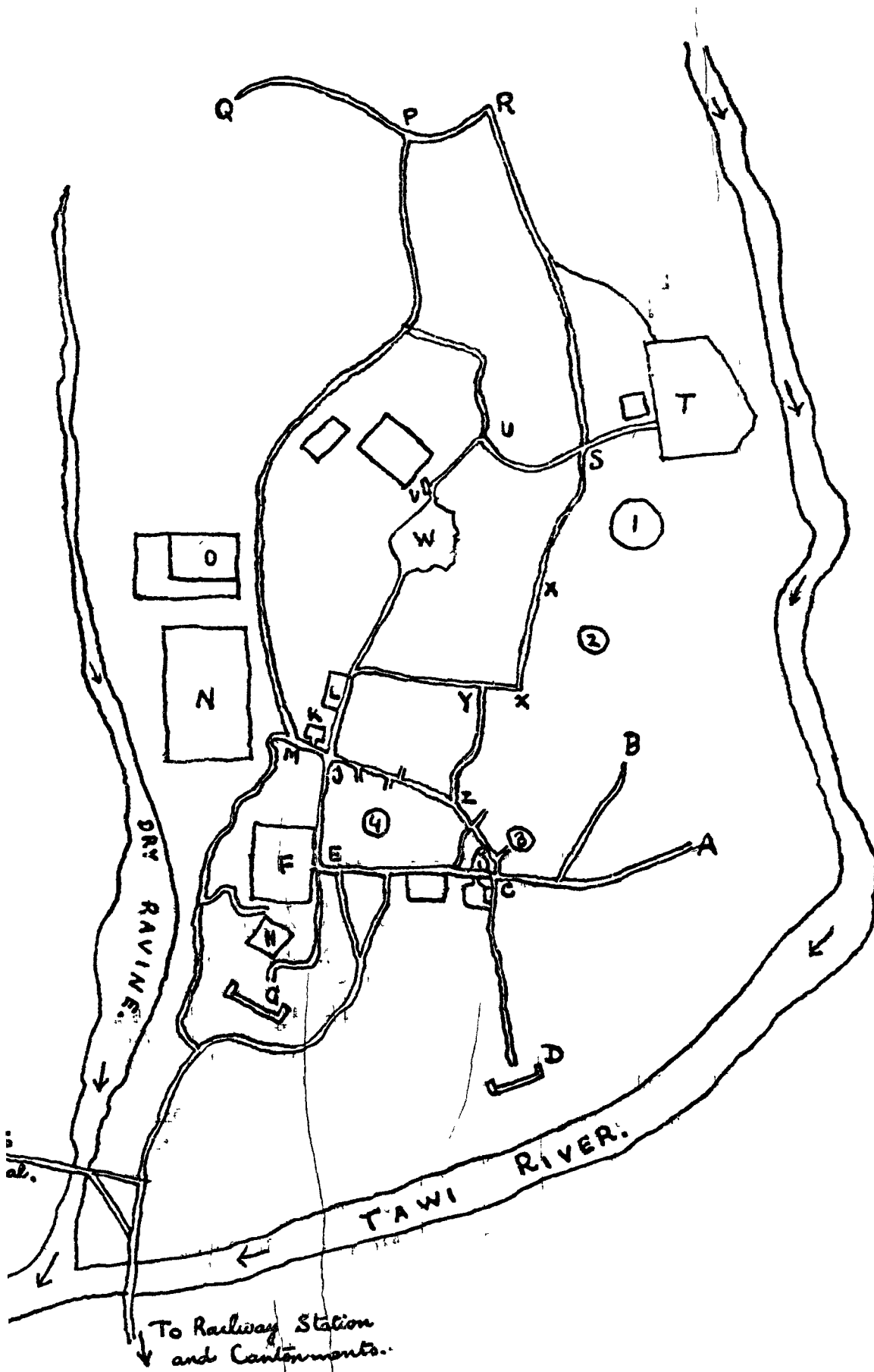
*Population by Religions.*

Religion.	Population.	Percentage of Total
Hindu	24,102	62.4
Sikh	1,296	3.4
Jain	563	1.5
Buddhist	9	0.0
Muslim	12,036	31.2
Christian	602	1.5
Others	5	0.0
Total	38,613	100.0

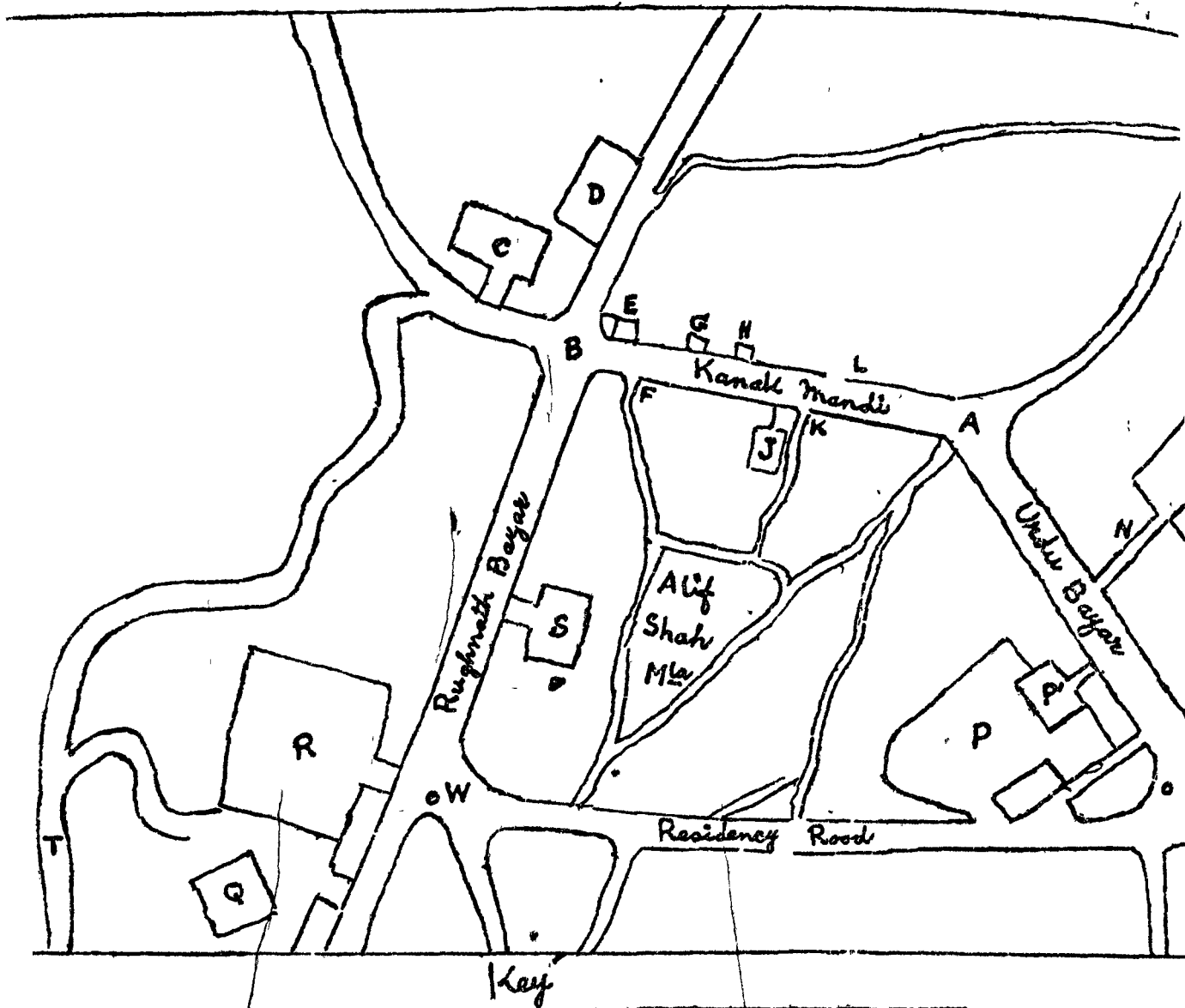
Key to Plan No. 1.—Jammu City.

- A. The old Residency.  
 B. The Wazarat  
 C. Residency Chauk.  
 D. Jogi Gate  
 E. Rughnath Chauk.  
 F. Rughnath Temples.  
 G. Gumat Gate  
 H. Rughnath Tank.  
 J. City Chauk.  
 K. City Police Station.  
 L. State Hospital.  
 M. Shalmar Chauk.  
 N. Shalmar Gardens.  
 O. The Ajajibghar.  
 T. Mandi Mubarik.  
 V. Moti Gate.  
 W. Purani Mandi.  
 Z. Ghas Mandi Chauk.
- A. C E. Residency Road.  
 E. G. Gumat Bazar  
 E J. Rughnath Bazar.  
 J. Z. Kanak mandi.  
 Z. C. Urdu Bazar  
 Z Y. Lakhdata Bazar  
 Y L. Gali Malhotrian.  
 X, X'. Piri Mitha Bazar.  
 X S. Bhabrian Bazar.  
 S T. Mandi Bazar.  
 S. U. Dhakki Sarajan and Pakka Danga.  
 S R. Dhaunthli Bazar.  
 U. V. Moti Bazar.  
 W. J. Hospital Road.  
 M P. Main Road  
 P. Q. Jail Road.
- ① Julahka Mohalla.  
 ② Mastgarh Mohalla.  
 ③ Talab Khatikan.  
 ④ Alaf Shah Mohalla.

Plan No. 1 Jammu City.



Plan No. 2. Kanak Mandi and Environs.



Distance from Ghas Mandi Chauk in yards.

	Intermediate.	Total.	
A Ghas Mandi ...	0	0	A. Ghas Mandi Chauk.
L Post Office Lane ..	86	86	B. City Chauk.
K. Alif Shah Lane No. 1	5	91	C. Police Station.
J. Badri Nath's Ahata..	19	110	D. State Hospital.
H. Yuvak Sabha Office	34	144	E. Punjab Kashmir Bank and Punjab National Bank.
G. People's Bank ...	21	165	F. Alif Shah Lane No. 2.
F. Alif Shah Lane No. 2	34	199	G. People's Bank.
B. City Chauk ...	28	227	H. Yuvak Sabha Office.
			J. Diwan Badri Nath's Ahata.
			K. Alif Shah Lane No 1.
			L. Post Office Lane.
			M. Residency Chauk.
			N Taj Hotel Lane.

O. Talab Katikan

P. Young Men's Muslim Association Camp.

P Mosque

Q Rughnath Tank.

R. Rughnath Temples.

S. Sarai, Bodh Raj.

T. Place where bodies of Jowaya and Mohammed Beg were recovered.

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*Report of the Commission appointed under the  
orders of H. H. the Maharaja Bahadur  
dated the 12th Nov. 1931 to enquire  
into Grievances and Complaints.*

1932.

## CHAPTER I.

### INTRODUCTORY.

The Commission was appointed under the orders of His Highness the Maharaja Bahadur dated the 12th of November 1931. It consisted of four non-official members presided over by a European Officer whose services were lent to the Jammu and Kashmir State by the Government of India at His Highness' request. The four non-official members were made up of one Muslim and one Hindu from the Kashmir Province, and one Muslim and one Hindu from the Jammu Province, each nominated by their respective communities. The function of the Commission was to enquire into and report on the various complaints of a religious or a general nature already submitted to His Highness' Government and also such complaints as might be directly laid before the Commission.

The Commission began its sittings before the end of November, as soon as the Members from the Jammu Province arrived at Srinagar. Notices were circulated throughout the State announcing that the Commission was ready to examine any complaints that fell within its terms of reference, and dates were specified for different parts of the State territory by which all complaints should normally be presented. Unfortunately it was found impossible to adhere to these dates because the representatives of many important communities were unable to prepare their statements by the time appointed. Dissensions unhappily broke out among the representative bodies concerned and their attention was thus diverted from the work in hand. The Commission did all that lay in its power to restore unity in the ranks of these bodies and to encourage co-operation, but these efforts met with only partial success. The consequence of the delay that was thus occasioned has been that information in certain cases is still awaited from the representatives of different communities and also from various authorities from whom enquiries had to be made. The Commission has, however, been able to arrive at conclusions in regard to all the principal points that have been brought to its notice, and it is clearly undesirable to defer any longer the presentation of its report.

In the month of December the Hindu community of Jammu decided to re-call their member from the Commission, the reason assigned being that the Commission found itself unable to exclude from the scope of its enquiry questions relating to the Hindu Law of Inheritance. It is not altogether easy to understand the causes underlying this decision on the part of the Jammu Hindus, as they were fully aware at the time when they nominated their member that a complaint relating to this matter had already been submitted to the State authorities and that the Commission was consequently bound to proceed with its examination; the Hindu member from Jammu moreover took up his appointment without any special conditions attaching to his nomination being intimated to the Commission. The Jammu Hindu community declined, however, in spite of all arguments, either to let their member return or to appoint another in his place: the Commission accordingly, with the approval of His Highness' Government, continued its sittings with three non-official members only (two Muslims and one Hindu) instead of four as originally constituted. In the middle of January 1932 the Commission left Srinagar and moved down to Jammu.

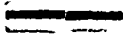
All complaints of any material importance are dealt with seriatim below. Individual grievances which do not affect the general interests of any community or class of His Highness' subjects have been referred to the State department concerned, as not falling within the terms of reference prescribed. The Commission has also refrained from incorporating in its report questions relating to the existing State Regulations in



the matter of meetings and processions, newspapers and publications, and the formation of Anjumans, Sabhas and other Associations. In accordance with His Highness' announcement referred to above, these questions were to be taken up separately apart from the Commission: under instructions from His Highness' Government, however, the points concerned have been informally discussed in the Commission and recommendations have already been submitted. Representations submitted to His Highness' Government by the Sikh community have not been examined by the Commission, because the Sikhs decided to present their complaints direct to the Prime Minister instead of to the Commission, and it is obviously desirable that all grievances relating to the community in question should be dealt with by one and the same authority.

Notes dissenting from the main body of the Report are appended. The names of the Members by whom these various notes have been compiled and the subjects to which they relate are as follows:—

A. Messrs Ghulam Abbas & Ashai.	{ (1) Inheritance Law. (2) Rajput Training School. (3) Licensing of Arms.
B. Pt. Prem Nath Bazaz. ...	Idgah Ground.
C. Ch. Ghulam Abbas ...	{ (1) Recruitment in Civil Services. (2) Military Service. (3) Public Services Commission. (4) Malikana (Owners' dues). (5) Land Revenue.



## CHAPTER II.

## RELIGIOUS GRIEVANCES.

## 1. Restoration of Religious buildings etc.

His Highness has already issued clear orders to the effect that religious buildings and places found to be in the possession of the State should be restored to the community establishing their claim thereto and that action should be taken accordingly without delay in all cases where the claim is not contested by a third party. In pursuance of these orders the following buildings situated in Kashmir have been made over to the Muslim community by the State authorities either on their own motion or on the recommendation of the Commission:—

1. Pathar Masjid	...	} Srinagar.
2. Khanqah Sokhta	...	
3. Khanqah Bulbulshah	...	
4. Khanqah Darashikoh	...	
5. Malshahi Bagh Mosque	...	Ganderbal

The Madin Sahib shrine at Srinagar should also be handed over by the State as soon as the representatives of the Suni and Shia communities can decide on the authority to whom the building should be entrusted.

Similarly the ground known as the Idgah at Srinagar should be made over to the Muslim community as soon as possible. For a very considerable time the general public have enjoyed the right of using the land in question for purposes of recreation and pasturage on days when the Idgah is not required for the offering of prayers, and it is understood that responsible Muslim opinion is not opposed to the continuance of this easement.

The building known as Badshah's Dome has been inspected by the Commission and found to be in a dilapidated and highly dangerous condition rendering it totally unfit for the use of the public; it should remain as it is at present, in the charge of the State authorities. No interference should be made with the right of the Muslim community to enjoy full access to and free use of the graveyard in the neighbourhood of the building; the department concerned has already been addressed as regards this point.

In the Jammu Province definite information has been received about the following buildings which should now be restored to the Muslim community:—

1. Khanqah Sufi Shah	...	Jammu City.
2. Bahu Mosque	...	Bahu.

It has also been ascertained that there can be no objection to the Khanqah at Shahdara being placed under purely Muslim management; action should be taken accordingly.

The most important buildings claimed by the Muslim community have been dealt with above. There are a considerable number of minor cases such as plots of land used or alleged to have been used as mosques, temple-precincts, graveyards, burning-grounds etc. about which full information is not yet forthcoming; this is due chiefly to delay in the sub-

mission of the claim or a failure to specify clearly the locality concerned. In all such cases, as soon as details are available, no time should be lost in carrying His Highness' orders into effect: correspondence relating to these cases is being forwarded to the Governors of Jammu and Kashmir for favour of necessary action. Where it can be shown that any sacred building or place has been transferred to a third party by the State authorities and should now be restored, the community to whom restoration is made should not be called upon to bear the cost of compensating the present owner or possessor.

The Kashmiri Pandits and the Buddhists have laid claim to a large number of buildings which, it is contended, were at one time temples and have now become Muslim places of worship. It is clearly impracticable to uphold claims of this nature. In countries such as Kashmir, where in the past mass-conversion has occurred, it is only natural that a number of sacred buildings devoted to the observances of one particular faith should have been converted to the use of another religion: where such conversion has taken place and worship is still conducted, restoration to the community representing the original users is obviously out of the question. Nor is it within the bounds of practical politics to hand over the whole of the Shankarchariya (Takht-i-Suleman) and Hari Parbat Hills to the Pandit community: these areas have been extensively built over for a very considerable number of years, free access to such Hindu temples as exist on the hills in question is available, and it is impossible to recommend the demolition of all houses, grave yards etc. which are at present situated in these localities.

There has been for many years past a dispute between the Muslim and Hindu communities in regard to the Shah-Hamdan Mosque at Srinagar and the Maha Kali Shrine which is adjacent thereto. The main Hindu claims are firstly that they should be allowed to erect a covering over the Maha Kali Shrine to protect worshippers from rain and snow, and secondly that the Muslim bathing ghat should be moved a few yards down the river instead of remaining in front of the shrine as at present. Some eight years ago a settlement of the main dispute relating to these places of worship was arrived at and subscribed to by both parties. The Commission has not been able to obtain a clear statement of the settlement effected. The settlement should be carefully examined by the Kashmir executive authorities with particular reference to the claims mentioned above: unless it can be shown that there are strong reasons to the contrary, the provisions laid down in the settlement should be upheld.

The Kashmiri Pandits also complain that they are denied access to certain Ziarats which are now Muslim shrines but have until recently been used as places of common worship by both communities. This is a matter which must be left to the good sense of the communities concerned. In the state of tension and distrust which unhappily prevails at present it is wiser to defer any attempt to restore former conditions in this respect. It is to be hoped that in the course of time the relations of the two communities will be such as to permit the revival of the practice which till recently obtained.

The Pandit and Buddhist communities alike deplore the abolition of the State Archæological Department. It is understood that the question of reviving this department is now engaging the attention of the State authorities and that in the meantime requests for urgent repairs to any national monument of importance will receive consideration. In the present condition of financial stringency it is not practicable to recommend any more satisfactory arrangement in this matter.

Various communities—Buddhists, Frontier Muslims and Ladakhi Christians—have complained that land has not been granted to them by the State authorities for the construction of viharas, mosques, grave-

yards, churches etc. It is not clear that in all such cases any definite request has been preferred to the proper authorities in this matter. Those concerned are free to make applications in this behalf, and, if suitable plots are available, and there is no sufficient reason to the contrary, such applications will no doubt be given the consideration which they deserve.

## **2. Liberty to recite " Azan " (call to prayer).**

The Muslim representatives have complained that objections have been raised in various places to the calling of Azan. This complaint is confined almost entirely to the Jammu Province. It is not contended that even in Jammu there is any official interference in this matter, but it is said that in certain villages where Hindus are predominant private individuals take exception to the recitation of Azan and do what they can to prevent it. Enquiries have been made from the local authorities regarding these allegations, but information is still incomplete. Any interference of this kind is at variance with the orders of His Highness' Government and should be effectively suppressed.

## **3 Liberty to change religion.**

Apart altogether from the law relating to inheritance, which is dealt with below, it has been represented by the Muslims that converts or intending converts to Islam are subjected to various difficulties and inconveniences by local officials. Evidence has been adduced to show that in certain cases the police have been engaged in unnecessary enquiries leading to the harassment of those desiring to change their religion. From enquiries made it appears that activities of this kind on the part of the police or other officials are entirely unauthorised. Such activities should be strictly discouraged in accordance with the announcement already issued by His Highness the Maharaja Bahadur.

## **4. Abolition of secular disabilities imposed on apostates by the State law of inheritance.**

This is a question which has given rise of late to considerable controversy, and must therefore be discussed at some length. In the Kashmir Province conversions have been of comparatively rare occurrence, in Jammu they have been more frequent. The amount of property involved is of relatively small extent, though precise information is lacking. The question at issue has only recently come into prominence; the reason for the stress which has of late been laid on it need not be discussed.

At the present time the State procedure relating to this matter is based on the Muslim and Hindu laws, as the case may be. Under the Hindu law an apostate is debarred from all claim to a share in ancestral property. The strict Muslim code, the law of the Shara, is more severe. An apostate is not only debarred from inheritance, he is liable to the death penalty for his offence. It is needless to say that in the Jammu and Kashmir State the death penalty is not prescribed: in this respect the State procedure does not differ from the practice generally prevailing both in Islamic and non-Islamic States at the present day. So far as actual inheritance is concerned, however, the Shara law is followed in Jammu and Kashmir.

The Hindu law and the Islamic law thus run on broadly parallel lines in regard to the consequences which apostasy entails. They are not, however, identical in all respects. Under the Islamic law a Muslim cannot inherit or claim any share in ancestral property prior to the death of the person from whom he expects to inherit. A Hindu on the other hand becomes, according to the Shastras, a partner in the family property from the moment of his birth and he can, if he wishes to do so, claim at any time the partition of his share. He can, so to speak, anticipate

his heritage. But the fact of his doing so does not necessarily free him from the penalty of forfeiting all ancestral property including that which is actually in his possession, if he elects to abandon his religion. Again there is a difference as regards the effect of apostasy on the marriage-tie. The law of the Shastras does not recognise divorce: consequently an apostate from Hinduism is not thereby absolved from the obligation of maintaining his wife; in the case of a female apostate she is not free to marry again if her Hindu husband is still living, in the case of a male apostate owing to the practice of polygamy the difficulty does not arise. Under the Islamic law a Muslim can at any time divorce his wife on payment of that portion of the dower which may still be due, and apostasy involves the dissolution of the marriage-tie. Also there are certain differences in regard to the right of guardianship over children born prior to apostasy: but in actual practice the disparity in this respect is not of great importance, because under the Guardians and Wards Act the interest of the children forms the primary consideration.

Broadly speaking, it may be said that such divergence as exists between the Hindu and Islamic law in regard to the consequences of apostasy is due to certain fundamental differences in the main principles of the respective systems.

It is now claimed by the Muslim representatives of Jammu and Kashmir that their community suffers from a religious grievance owing to the fact that the State has not introduced legislation on the lines of the British Indian "Caste Disabilities Removal Act" of 1850. This enactment, as its name implies, has the effect of relieving an apostate of secular disabilities such as those which the Hindu and Islamic codes involve. The law in question was brought into force more than eighty years ago, in the time of the East India Company. Various theories have been advanced as to the influences which caused this enactment to be passed. It is not necessary to discuss these theories, but it may be said that it is at least open to doubt whether, if no such legislation now existed in British India, an Act of this nature could find its way on to the Statute Book today.

If an enactment similar to the Caste Disabilities Removal Act is to be introduced into the Jammu and Kashmir State, it follows from what has already been said that His Highness' Government must abandon as regards the effects of apostasy not only the Hindu law but the Islamic law in so far as its procedure is now based upon these codes.

It appears to be doubtful whether this point has been fully realized by the Muslim Representatives of Kashmir or whether they are entirely conversant with the Islamic law. In that portion of their statement which relates to the point at issue they have referred to the difficulties experienced by a convert to Islam, they mention specifically the disabilities imposed by the Hindu Shastras, but they omit all mention of the Shara law. They observe that "the law in force in the State by which a convert to Islam forfeits his right of inheritance and is even deprived of his self-acquired\* property, of claim of guardianship over his children is outrageously offensive to all sense of religious liberty and should no longer be tolerated". In the immediately succeeding paragraph, which relates to a different point, the statement presented on behalf of the Kashmiri Muslims remarks that "the existing law relating to the inheritance of agricultural land needs amendment. It constitutes an intrusion into the provisions of the Islamic law according to which women also inherit property. - The law on this subject should be that which is

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\*It is not correct that the State law involves forfeiture of self-acquired property on conversion. Where it is considered that any decision of the State courts has erred in this matter, the aggrieved party should seek his relief in the ordinary way prescribed.

prescribed by the Shara, and necessary amendments should be made as soon as possible. .... In fairness the enforcement of the Islamic law in matters of inheritance is absolutely essential. The law of primogeniture also offends against the provisions of the Shara and should be abrogated”.

From the above it may be inferred that the representatives of the Kashmiri Muslims, if they did indeed recognise the implications of their claim, were not free from misgivings as to the consequences involved.

The Muslim Representatives of Jammu have on the other hand explained their position with a degree of frankness which is surprising. In their statement they have quoted the opinion of a Muslim gentleman of British India whom they recently consulted, and they have signed with their names this opinion presumably in token of their concurrence. The following extract may be quoted :—

“Both of them” (the Hindu and Muslim laws) penalise the conversion of a man of their religion to a different one. Under both these laws not only property but even life is forfeited to the State on the adoption of a different religion. These rules of the Hindu and Muslim jurisprudence seriously conflict with the advanced views of the modern man and the sooner they be ignored the better. A close study of the sources upon which the two systems have been built up discloses that they are at variance even with the spirit of the primary conception for regulating human conduct”.

It is unnecessary to comment on these observations except to say that those responsible for them are not of course entitled to speak for Hinduism and that, in so far as they relate to Islam, it will hardly be denied that there are few Muslims either in the Jammu and Kashmir State or elsewhere who would be ready to subscribe to such sentiments. From the evidence tendered by certain exponents of the Islamic law who were called by the Commission at the instance of the Muslims of Kashmir, it is clear that to the orthodox Muslim such contentions are unsound and utterly to be condemned.

Enquiries have been made by the Commission as to the practice followed in this matter by Muhammadan Governments and administrations in India or the neighbourhood of India. So far as the Commission has been able to ascertain, there is no Muhammadan country bordering on or near to India in which an apostate from Islam is allowed to inherit. As regards the Muslim States of India itself it appears from the information available that with one solitary exception, none of them have seen fit to enact legislation on the lines of the British Indian Law of 1850. It is reasonable to suppose that, at least as regards that portion of the Islamic law which is designed for the protection of Islam itself, Muhammadan Governments and administrations are no less competent than non-Muslim authorities to judge whether in the interests of their religion any amendment in the Shara law is a matter for desire.

It must be remembered that the question at issue before the Commission is not whether the law in British India or elsewhere is in theory the most ideal. The function of the Commission is to decide whether a definite grievance exists, and, if so, to make recommendations for its redress. The issue may therefore be stated as follows—Have the Muslims of Jammu and Kashmir any legitimate grievance in the fact that the State law relating to the consequences of apostasy is based upon the religious laws of Hinduism and Islam? To this question it would appear that there can be but one answer. The answer is in the negative.

**5. Amendment of State law of inheritance relating to land tenures and Jagirs.**

It has been represented that the State laws should be so modified as to allow daughters etc., to inherit a share in agricultural land, also that the principle of primogeniture as regards succession to Jagirs should be discarded. This representation does not appear to be supported by the wishes of the classes whose interests are mainly concerned, nor does it seem that these classes would stand to benefit from the changes proposed. If in the matter of agricultural land the procedure whereby only male descendants are allowed to inherit is modified as suggested, it is obvious that untoward consequences will follow: it will be impossible for instance to safeguard the important principle that agricultural land should remain in the possession of the agricultural classes. In regard to Jagirs, if the rule of primogeniture is abandoned, the estates concerned must inevitably decline until they are ultimately ruined altogether: this has been amply illustrated by the unhappy condition of certain Rajput Jagirs where in the time of His late Highness the ordinary rule of succession was discontinued.

In both these matters the Jammu and Kashmir procedure is in accordance with the ordinary practice prevailing in India, whether in British India or in Indian States. No change appears to be indicated.

**6. Prevention of insults to religion.**

Various occurrences have taken place from time to time in which the religious feelings of one community have been offended by the behaviour of another. It is not the function of the Commission to discuss these various incidents nor would any such discussion tend to promote that spirit of good will and harmony which it is essential in the interests of all classes to establish. It is not one community only that has been to blame, but, at least until recently, instances of such occurrences have been comparatively rare.

It cannot be too strongly emphasised that offences of this kind should be dealt with as sternly as possible. Complaints that any State servant is to blame in this matter should be strictly investigated, and, if they are found to be true, the severest action should be taken. All communities should be afforded complete and equal protection in this respect, and the importance of this principle should be duly impressed on all officials concerned. Similarly, private individuals who can be shown to have committed such offences should be treated with the utmost rigour of the law.

Apart from any action which the State authorities can take in this direction, the leaders of all communities should make it their business to impress on their followers that provocative acts of the nature indicated are in every sense deplorable. Activities calculated to injure the feelings of another community are bound to encourage reprisals, and a man who has no respect for the sentiments of others need have no reason for surprise if his own susceptibilities are disregarded.

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## CHAPTER III.

### EDUCATION.

Of all complaints presented to the Commission, the most wide-spread and insistent are to the effect that certain communities, especially the Muslim community, are not given a fair chance in the matter of education and are not enlisted in sufficient numbers in the State service. As representation in the State services must depend to a very large extent on educational facilities, it is proposed to deal first with the question of education.

Some sixteen years ago Mr. Sharp, the Educational Commissioner with the Government of India, visited Jammu and Kashmir on the invitation of the State authorities to give advice with regard to improvements required in the Education Department. It is a frequent cause of complaint that his recommendations have not been given due publicity and have been to a great extent ignored. His main proposals are included in the points dealt with below.

#### 1. Primary Schools.

Mr. Sharp expressed his opinion that from the educational point of view an increase in the number of Primary Schools formed the "principal requirement in the State". In this opinion the Commission entirely concurs: any educational developments that may be made in other directions should not be allowed to obscure the fact that an expansion in the matter of Primary Schools must be regarded as the main necessity.

In Mr. Sharp's time there were only 311 Primary Schools, including 36 aided schools, in the State. His advice was that the number of schools should be increased by 1,100 so as to provide primary education in villages with a population of 500 or over; he suggested that this programme should be carried out within a period of ten years.

The existing number of Primary Schools is now reported to be only 842, including 35 aided schools. The State programme provides for the opening of twenty new Primary Schools each year. It is obvious that this programme is far from sufficient if effect is to be given to Mr. Sharp's recommendations; if the programme continues without modification, it means that some 28 years more will elapse before the State Education Department attains to a standard which should have been reached in 1926. Since Mr. Sharp's time moreover the number of villages with a population of not less than 500 has considerably risen and is now reported to be 1,990 exclusive of 39 towns.

It is of great importance that the expansion of primary education should be accelerated. A definite programme showing the places in which new schools are to be established in the next few years should be prepared together with a map illustrating the present state of development and the progress to be made.

It is also very desirable that more attention should be paid to the provision of suitable buildings for Primary Schools. In this respect also Mr. Sharp's suggestions have not been carried out. At the present time Primary Schools are almost entirely situated in hired buildings and the annual expenditure on the rent of these buildings appears to be not less than Rs. 40,000. It is suggested that, instead of hiring buildings in future, villages where Primary Schools exist might be given a lump sum grant, say Rs. 40, together with a free supply of timber and permission to construct a school on shamlat (village common) land. In this way recurring charges would be saved and in a few years' time the schools would be provided with considerably better accommodation than they now possess. A clear, defined programme might be drawn up accordingly. A simple model plan might be prepared, and the villagers concerned might be



made responsible for the construction of schools and the periodical execution of repairs.

As regards the equipment for Primary Schools the present arrangement appears to be satisfactory.

No change seems to be necessary as regards the medium of instruction in Primary Schools which is now Urdu as contemplated by Mr. Sharp. It seems desirable, however, that boys should be instructed in Shikasta writing in accordance with Mr. Sharp's recommendations; instructions in reading Patwaris' papers would also prove of considerable value to village boys.

Another point on which Mr. Sharp laid stress in the matter of primary education is an increase in the number of Mullas, known also as Arabic teachers; the function of Mullas is to instruct Muslim boys in elementary religious principles. In Mr. Sharp's time the State employed eighty Mullas in 300 schools: he recommended that the number of Mullas in the existing 300 schools should be increased by one hundred, also that there should be Mullas in two thirds of the new schools which he advocated; that is to say that the total number of Mullas should be not less than 800. He distinctly emphasised the point that Mullas were mainly useful in the centre in which they resided and commanded influence, in other words that they should not be liable to unnecessary transfers; the same principle should apply as far as practicable, to all Primary School teachers in general.

Since the time of Mr. Sharp the number of Arabic teachers has increased by 17 only and now stands, according to statistics provided by the Education Department, at a total of 97. It is now recommended accordingly:—

- (a) that the number of Mullas employed by the educational authorities should be increased as rapidly as possible on the lines suggested by Mr. Sharp; and
- (b) that transfers of Mullas should be avoided as far as practicable; these transfers are said to have been of frequent occurrence and to have had the effect of driving Mullas out of service.

It appears to the Commission to be a matter of great importance that the education imparted in village schools should as far as possible be such as to equip the pupils for the practice of that profession which they are normally expected to pursue. Lambardars, Zaildars and State officials should make it their business to encourage the spread of primary education to the best of their ability.

## 2. Middle Schools.

In Mr Sharp's time the number of Middle Schools is reported to have been 37. There are now 59 Middle Schools including six private institutions in the State; 32 of these schools are situated in Jammu and 27 in Kashmir.

It appears that in the main Mr. Sharp's recommendations with regard to Middle Schools have been carried into effect. Adequate accommodation is understood to be provided for State Middle Schools throughout Jammu and Kashmir, mostly in hired buildings. Overcrowding has been avoided by the provision of additional staff where this is necessary. The emoluments of teachers have been increased by the grant of allowances, the revision of their actual pay having been deferred on account of financial stringency.

## 3. High Schools.

In Mr. Sharp's report it is recorded that the grants-in-aid to the three aided High Schools were as follows:—

(a) C. M. S. High School, Srinagar	... Rs. 4,600
(b) Islamia High School, Srinagar	... „ 3,000
(c) R. C. High School, Baramulla	... „ 4,380
Total	... „ 11,980

Mr. Sharp suggested that these grants might be increased by a total of Rs. 10,000; he pointed out that liberal treatment in this respect was required in Jammu and Kashmir because the absence of fees in State Schools prevented the charging of adequate fees in private institutions.

At the present time the grants-in-aid for the schools concerned are given as follows:—

(a) C. M. S. High School, Srinagar	... Rs. 15,415
(b) Islamia High School, Srinagar	... „ 9,869
(c) R. C. High School, Baramulla	... „ 8,066
Total	... „ 33,350

It is thus apparent that in this particular Mr. Sharp's recommendations have been more than fulfilled. Whereas he suggested grants-in-aid amounting to Rs. 22,000 for the three High Schools concerned, the grants now allotted exceed a sum of Rs. 33,000. The State grant-in-aid rules have been remodelled on the general lines of the Punjab rules, though in some respects they are more liberal. The total amount of grants-in-aid now allotted in accordance with the rules is reported to be as follows:—

Muslim Schools	... Rs. 52,976
Hindu Schools	... „ 25,175
Missionary Schools	... „ 44,083
Total	... „ 1,22,234

The corresponding figures of Mr. Sharp's time are not given in his report.

The Muslims of Jammu have represented that they are in urgent need of a site for the construction of the Islamia High School. The site which they prefer is that of the Gandoo di Chawan. In this matter their request appears to deserve favourable consideration. As regards assistance in the matter of building, this will be regulated by the grant-in-aid rules.

In State High Schools the number of Muslim students now stands at 3,663 as compared with 5,683 non-Muslims: the proportion of Muslim students has markedly increased since the time of Mr. Sharp, and care should be taken to see that Muslims receive all practicable encouragement in this matter.

A regular programme for the construction of Middle Schools and High Schools should be drawn up in accordance with Mr. Sharp's

suggestions: the needs of all important localities should be duly considered.

#### 4. Colleges.

As regards Colleges satisfactory progress has been achieved. Accommodation is on the whole sufficient for present requirements.

A complaint has been made that in the Sri Pratap College, Srinagar, Muslims are not given a fair chance of admission to the Science classes which are restricted on account of the limited amount of accommodation available; the number of Muslim science students in this College is 18 out of a total of 145. It appears, however, that in the Jammu College, where no such restriction is necessary, the proportion of Muslims availing themselves of instruction in science is even lower, namely 14 out of a total of 132. The Principal of the Srinagar College should be careful to see that Muslims are given a fair chance in this matter. Similarly the Muhammadan Inspector of Schools should interest himself in the science classes at schools where any restriction on the number of admissions has been enforced; the appointment of a Muhammadan Inspector is discussed under heading (11) below.

#### 5. Scholarships.

In the matter of scholarships specially reserved for Muhammadans it appears that in Mr. Sharp's time the amount provided by the State was Rs. 3,200, exclusive of Rs. 254 for girls. Mr. Sharp suggested that the amount should be increased by an additional annual grant of Rs. 2,000.

The figures supplied by the Education Department show as follows the budget provision and the actual expenditure on Muhammadan scholarships for the past five years :—

Year.	Budget.	Actual Expenditure.
1927-28.	2,100.	1,103.
1928-29.	4,200.	4,072.
1929-30.	7,200.	6,486.
1930-31.	19,400.	16,321.
1931-32.	23,320.	(not yet known).

From this it will be seen that Mr. Sharp's recommendation in this respect, though it does not appear to have received due consideration for several years, has now been amply carried out. The assistance given to Muhammadans in this matter now stands at more than four times what Mr. Sharp recommended. The present allotment seems to be fully sufficient, but there is one point to which attention should be drawn, namely the disparity which exists between the individual awards prescribed for :—

- (a) Special Muhammadan scholarships; and
- (b) Merit and other scholarships.

At present a special Muhammadan scholarship is considerably more valuable than other kinds of scholarships. The reason for this has not been ascertained, but it is claimed, and with good reason, that the effect has been to divert to special Muhammadan scholarships the attention of such Muslims as might successfully compete for scholarships of other kinds. It appears desirable that the scale prescribed for special Muhammadan scholarships and merit scholarships should be the same:

special Muhammadan scholarships would in that case be reserved for such Muslims as are unable to attain success in the matter of scholarships open to general competition. It is also recommended that a higher proportion of the special Muhammadan scholarships grant should be allotted to High Schools and Colleges rather than to Middle Schools, in order to encourage higher education among Muslims; the distribution should be governed each year by the requirements of the individual institutions concerned.

In the matter of free student-ships a due proportion should be allotted to all communities, care being taken to see that the rules prescribed are fairly carried out in practice.

Also a fair share should be allotted to all communities in the matter of orphanage scholarships etc. From the latest figures available as supplied by the Education Department it appears that out of 190 students provided with orphanage scholarships 148 were Hindus and only 42 were Muslims. It is also suggested that scholarships now known by the name of "Cow Protection Scholarships" might be merged in orphanage scholarships, as the object of such scholarships appears to have no concern with the protection of cows. It would appear from the correspondence supplied by the educational authorities that the original intention of "Cow Protection Scholarships" was to provide relief for orphans and poor students irrespective of the community to which they belong, but it seems that the practical benefit has almost entirely been reserved for one community alone.

It may be mentioned that, apart from special Muhammadan scholarships, the present grant for which, as stated above, amounts to Rs. 23,320, the only other scholarship allotments specifically reserved for particular communities are as follows :—

Rajputs	...	Rs. 4,850.
Sikhs	...	" 2,880.
Depressed classes	...	" 8,000.

It is understood that State scholarships are tenable not only in State schools, but also in aided schools.

#### 6. Normal Schools and Teachers' Training.

In the time of Mr. Sharp there was one Normal School at Srinagar and no other such school throughout the State. There are now Normal Schools at Srinagar and at Jammu; and training classes intended specially for the training of Mullas exist at Udhampur, Muzafferabad, Anantnag, Gilgit, Leh and Skardu. Stipends are provided for one hundred students and are of the value of Rs. 10 each. This provision for training appears to be satisfactory, but it is suggested that, as far as primary teachers are concerned, the qualification might be middle pass instead of matriculate. Mr. Sharp apparently considered that even a middle pass need not invariably be insisted on; he remarked that the products of vernacular middle schools often make the best primary school teachers. He also observed that as far as possible the teachers in village schools should be villagers belonging to the main community concerned.

In Mr. Sharp's time the number of teachers sent for training outside the State was 18. The number has now been reduced to 10, but in view of the fact that the extension of primary schools is considerably more important than that of secondary schools, no further development in this respect appears to be indicated in the immediate future.

The question of assisting aided schools in the training of their teachers deserves consideration.

#### 7. Medical Attention.

The arrangements made in this particular seem to be adequate. There are at present two special dispensaries, each under an Assistant Surgeon, one in Jammu and one in Srinagar, specially reserved for students. Medical Officers in charge of dispensaries at selected mufasil centres are given an allowance of Rs. 8. per 100 boys for the examination of students.

#### 8. Technical.

There was only one technical institution in the time of Mr. Sharp and that was situated at Srinagar. There are now technical institutions at Srinagar, Jammu, Anantnag, Baramulla, Mirpur, Kishtwar, Samba and Bhadarwah. Frequent complaints have been made regarding the inefficiency of the technical institute at Srinagar; it is said to be deteriorating so far from progressing, and the main reason assigned for this is the lack of proper qualification on the part of the Superintendent.

The following recommendations put forward by Mr. Sharp in the matter of technical training require consideration :—

- (a) training should be given to the sons of craftsmen, for instance in wood carving etc.
- (b) special scholarships should be given to Muhammadan students; and
- (c) simple instruction in the 3 Rs. should be provided for the sons of craftsmen where they are illiterate.

These three recommendations do not appear to have been fully carried out.

It has been represented by the Kashmiri Pandits that special treatment should be afforded to them in the matter of technical training on the ground that, as the proportion of clerical appointments falling to their community decreases, they must have recourse to other outlets for employment. The Pandits like all other communities, should be given a fair chance in this matter and might receive special encouragement if they manifest an increased tendency to take advantage of technical education: but there seems no reason to suppose that they will not be in a position to compete successfully with other students. Under Mr. Andrews, the late Superintendent, the most distinguished students at the technical institute are reported to have been Pandits.

#### 9. Girls Schools.

In the time of Mr. Sharp the number of girls schools in the State stood at sixteen. He recommended that sixteen more should be added.

The number of educational institutions for girls in the State is now reported to be as follows :—

High Schools	...	2
Middle Schools	...	14
Primary Schools	...	128
Total	...	144

Mr. Sharp recommended that a grant of Rs. 1,000 might be provided for scholarships for girls. The present allotment stand at Rs. 5,600 including widows' scholarships.

As regards the training of female teachers Mr. Sharp's recommendations have also been more than fulfilled. The provision is now shown at Rs. 4,414 as compared with Rs. 1,500 proposed by Mr. Sharp. Now that female education has been made compulsory in certain centres it will be necessary to increase the allotment still further.

In the matter of widows' scholarships and all other scholarships all communities should be given a fair chance of competing. In localities where the overwhelming bulk of the population belongs to one community it seems desirable that the majority of teacheresses should belong to that community, due regard being paid as far as practicable to the interests of other classes. In schools frequented by Muslim girls religious instruction is desirable; also where any other community may desire the same facilities similar arrangements should be made. Such arrangements in regard to "pardah" as may be necessary to satisfy the feelings of Muslim parents should be provided.

As regards the medium of instruction in girls schools it seems desirable that in the case of State schools the medium should ordinarily be Urdu, as Urdu is the court language. Where denominational schools are justified and a separate school is started, or where separate classes can be conveniently arranged for Hindu girls, the medium might be Hindi if the local Hindu population so desires.

#### 10. Proportion of Muslim teachers and staff.

It does not appear from Mr. Sharp's report what the exact proportion of Muslim teachers etc. was at the time of his visit to the State. From figures now supplied by the Education Department it is understood that the proportion is at present as follows:—

	Muslims.	Total.
Teachers ...	718	2,201
Head Masters of State Middle Schools ...	3	49
Head Masters of State High Schools	1	15
Professors in Colleges ...	4	33
Demonstrators ...	1	8
Inspecting Staff ...	3	14
Gazetted Officers. ...	4	27

It will thus be seen that the number of Muslim employees is regrettably low; efforts should be made to rectify this state of affairs. Mr. Sharp recommended that the number of Muslim Head Masters in distinctively Muslim villages should be increased and that in order to bring this about a sufficient number of stipends should be provided for Muslims in the Normal School and in training classes. It appears that during the last five years the number of Muslim stipendiaries nominated for the training classes has been only 73 as compared with 132 non-Muslims. In order to carry out Mr. Sharp's recommendation it seems desirable that a list should be prepared of distinctively Muslim towns and villages and that the educational authorities should endeavour to regulate their training

stipends so that in the course of the next ten years a sufficient number of Muslim teachers may be trained. So far as may be necessary, the number of stipends might be increased to provide for a sufficient number of non-Muslim trained teachers where such are required. The number of Muslim teachers and Professors in High Schools and Colleges also requires to be enhanced. It seems desirable in the interests of efficiency that the senior Professors of English at both the Colleges should be graduates of an English University.

At present in the Education Minister's secretariat, which consists of twelve officials from the Secretary downwards, the list supplied shows that not a single Muslim is employed. This represents a distinctly undesirable condition of affairs and Mr. Sharp's recommendation in this matter has not been carried out. Similarly in the offices of Inspectors of Education the number of Muslims is inadequate. Steps should be taken to put this right. It is only fair to point out, however, that for the last seven years the Education Department has been in the charge of a Muslim Minister.

#### **11. Special Muhammadan Inspector.**

Mr. Sharp's report indicates that at the time of his visit there was a special Inspector for Muhammadan education. There is at the present time an official known as Assistant Inspector for Muhammadan Education, but it appears that for the last eleven or twelve years this official has been deflected from his proper work and has been deputed to discharge the general duties of an ordinary Assistant Inspector in one particular division. The appointment of a special Muhammadan Inspector is a matter of very considerable importance and this post should be revived as soon as possible; the incumbent should not be subordinate to any provincial Inspector. It should be the duty of this officer to attend generally to the progress of Muhammadan education in all grades and to see that the policy laid down by the State authorities is duly carried out.

The general programme outlined by Mr. Sharp in regard to Inspectors should also be brought into effect.

#### **12. Revision of Pay.**

Professors and Provincial Inspectors and the lowest grades of primary teachers appear to have received a substantial increase in pay in accordance with Mr. Sharp's recommendations. In the case of other employees of the Education Department there has been no increase in pay proper but dearness and temporary allowances have been granted; in the matter of pay the Education Department seems to have been more unfortunate than other Departments of the State. It seems desirable that the question of revising pay should be taken up as soon as practicable.

#### **13. Oriental Learning.**

It is represented that in recent years the funds provided for the propagation of oriental learning have been confined to the promotion of Sanskrit alone. This change is to be deprecated.

In the matter of Arabic and Sanskrit teachers it seems expedient that the pay should be equalised as far as practicable, provided that the qualifications are the same.

#### **14. Periodicals in Colleges.**

A request has been preferred that the number of Muslim periodicals in Colleges should be increased. It appears to the Commission that papers and periodicals supplied to Colleges should as far as possible be non-denominational.

**15. Frontier.**

A proposal has been made that the Middle Schools in the frontier districts of Gilgit and Ladakh should be converted into High Schools. It is impossible unfortunately to carry this proposal into effect because it is impracticable to arrange with the University authorities outside the State for the holding of the prescribed examinations in frontier districts.

Special frontier scholarships are now granted, the provision in the current year being shown as Rs. 1,820 apart from scholarships tenable in Middle schools. This provision might well be increased as funds permit, since in certain frontier districts education is very backward.

The provision of technical schools in Gilgit and Ladakh is also worthy of consideration when the finances of the State allow of these developments.

A complaint is made by the Buddhist community that sufficient instruction is not given in Bodhi, the common language of Ladakh. It appears that the Bodhi language is now taught in Primary classes and is optional in Middle classes. There is, however, a justifiable complaint in the fact that Bodhi text books are not provided. This defect should be remedied as soon as possible; it is understood that text books have actually been prepared in the State and merely require printing in the Bodhi language.

**16. Depressed classes.**

There is at present a grant of Rs. 8,000 provided for students of depressed classes. All such students can now read both in Government and Aided schools. The propagation of education amongst the depressed classes should receive due attention.

Amongst the points referred to above, particular attention may be drawn to the following, especially in order to assist Muslims in the matter of education:—

- (a) Increase in the number of Primary Schools.
- (b) Increase in the number of Muslim teachers including Mullas.
- (c) Equalisation of Muslim and other scholarships in value.
- (d) Appointment of a special Muhammadan Inspector.

From what has been said it must not be supposed that the State authorities have done nothing to push forward Muslim education—they have, for instance, given liberal assistance to Muslim institutions in the form of grants-in-aid, and a generous allotment is now provided for Muslim students in the form of scholarships. Those who criticise imperfections would do well to acknowledge benefits received. Since the time of Mr. Sharp the annual expenditure on education in the Jammu and Kashmir State has risen from Rs. 6,94,940 to Rs. 18,26,489.

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## CHAPTER IV.

## EMPLOYMENT IN STATE SERVICES.

There is no denying the fact that in the matter of state employment Muslims, who form the great majority of the population, are inadequately represented. The same applies to certain minor communities.

As regards the existing proportion of Muslim representation in the services some of the most striking instances may be quoted:—

	Department:	Non-Muslims.	Muslims.
<i>Executive.</i>	Public Works ...	183	54
	Electric and Mechanical ...	47	3
	Telegraph and Telephones ...	73	7
	Customs (Assistant Mahaldars and upwards) ...	195	14
	Revenue (Wazirs and Tehsildars)	67	22
	Revenue (Girdawars and Patwaris) Mirpur ...	131	31
	Revenue (Girdawars and Patwaris) Reasi ...	85	9
<i>Clerical.</i>	Finance ...	368	29
	Public Works ...	194	3
	Judicial ...	162	21
<i>Menials.</i>	Public Works ...	120	23
	Customs ...	314	108
	Forest ...	784	278
	Stationery and Printing ...	66	5

The figures given above have been obtained from the departments concerned and are believed to be up-to-date. Unfortunately complete information is not forthcoming as regards all Departments and Districts.

The explanation usually given for the state of affairs which is indicated by the above statistics is the difficulty of procuring qualified Muhammadans. That this difficulty has to a large extent prevailed cannot be contested, but the following arguments which the Muslim community has put forward are worthy of attention. It is pointed out:—

- (1) that in spite of imperfections in the matter of educational facilities a large number of qualified Muslims is as a matter of fact available. A list has been supplied to the Commission showing the number of unemployed Muslim graduates and matriculates in the Kashmir Province as 12 and 133 respectively.

- (2) that instances can be pointed out—for example in the Public Works Minister's office and the Government Press—in which non-qualified non-Muslims have in the last few years been taken into employment.
- (3) that, whatever difficulties may be experienced in obtaining qualified candidates, there is no reason why the existing disparity should continue in the matter of menials. This does not hold good in all departments; for example in the Food Control Department there are 47 Muslim menials as against 12 non-Muslims.

These are weighty arguments and must not be ignored. It is contended by the Muslims that certain high officials have deliberately discouraged their employment and have endeavoured to keep the Muslim community in ignorance of any vacancies that may occur in State service, so that these vacancies may be surreptitiously filled by jobbery and nepotism.

Apart from the question of educational facilities which has been discussed in the preceding chapter, it appears to the Commission that in order to give a fair chance of State employment to all candidates of whatever community the following points require careful attention :—

- (a) Minimum qualifications should not be pitched unnecessarily high.
- (b) All vacancies should be effectively advertised, and similar action should be taken as regards all scholarships intended to provide equipment for Government services.
- (c) Effective measures should be taken to provide a system of appointment and a machinery for supervising that system in such a way as to prevent the due interests of any community from being neglected.

As regards the first of these three points, namely minimum qualifications, it is not suggested that there should be different standards for different communities; such an arrangement could only result in retarding the development of that community which had the misfortune to be so favoured. In course of time pure competition may come to regulate all appointments. But in the present state of affairs the standard should not be more exacting than efficiency demands, and those who possess qualifications in excess of that standard should not be held to deserve appointment as a matter of right.

It is suggested that the educational qualifications required for various appointments in the main branches of the State service might be as follows. The suggestions now put forward do not differ widely from the standards at present laid down.

*Clerical posts in Secretariat offices and throughout —*

Moharrirs and vernacular clerks	...	Middle pass.
Other clerks	...	Matriculates.
Assistant Secretaries and upwards	...	Graduates.

*Revenue —*

Patwaris	...	Literate
Girdawars	...	Middle pass.
Naib-Tehsildars	...	Matriculates
Tehsildars and upwards	...	Graduates.

*Customs —*

Assistant Mahaldars & Mahaldars	...	Middle pass.
Assistant Inspectors	...	Matriculates.
Deputy Inspectors and upwards	...	Graduates.

*Forest —*

Forest Guards	...	No specific qualification.
Foresters	...	Middle pass.
Rangers	...	Matriculates.
Assistant Conservators & upwards	...	Graduates.

*Judicial —*

Munsiffs and upwards	...	Law Graduates.
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*Jails —*

Warders	...	No specific qualification.
Press employees	...	Middle pass.

*Police —*

Constables	...	No specific qualification.
Head Constables	...	Middle pass.
Sub-Inspectors and Inspectors	...	Matriculates.
Assistant Superintendents & upwards	...	Graduates.

*Education —*

Primary School teachers	...	Middle pass.
Assistant Inspectors, Inspectors, Head Masters of High Schools, Professors and Demonstrators.	...	Graduates and such special teaching qualifications as may be required.
Other educational appointments	...	As may be prescribed by the Head of the Depart- ment or higher authority.

*Medical —*

Compounders and Vaccinators	...	Middle pass.
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*Sericulture —*

Junior Assistants	...	Matriculates.
Senior Assistants and upwards	...	Graduates.

*Co-operative —*

Sub-Inspectors and Inspectors	...	Matriculates.
Assistant Registrars and upwards	...	Graduates.

*Game and Rakhs —*

Watchers	...	No specific qualification.
Deputy Jamadars and Jamadars	...	Middle pass.

Technical qualifications in any branch of the State service will have to depend on the requirements of the department concerned.

The age limit might well be left at thirty years as it is at present, subject to such modifications as may in special cases be necessary, for instance where rules have been laid down in regard to age by institutions outside the State to which candidates may be sent for training.

The system of employing unpaid apprentices has, it is understood, been discontinued under existing orders. It seems undesirable to revive this system, as the appointment of such apprentices, apart from the doubtful value of their work, tends to obstruct fair competition.

As regards the second point referred to above, namely proper advertisement of appointments and scholarships, it is essential that steps should be taken for providing as wide publication as possible.

In the matter of appointments it does not appear sufficient to publish announcements in the State Gazette alone, as only a limited number of candidates, especially in the case of those desiring to obtain menial or low paid appointments, are likely to have this publication brought to their notice.

It is suggested that prominent places to which both officials and the public have ready access should be definitely appointed for the display of notice boards giving full information in regard to existing vacancies.

In the case of local appointments, that is to say the posts of officials who are not liable to frequent transfers beyond the limits of the Wazarat (District) concerned, for instance Forest Guards, Game Department Watchers, Patwaris, etc., notices should be displayed both at the headquarters of the Tehsil and the Wazarat. This arrangement would also meet the case of local appointments in the Frontier districts of Gilgit and Ladakh.

In the case of other appointments, where the duties of an officer are normally confined to one Province alone, notices should be displayed at the head-quarters of the Province. A suitable place for the exhibition of such notices would seem to be the Shergarhi building at Srinagar and the Mandi Mubarik at Jammu. Where the sphere of the appointment extends beyond one Province, notices should be posted up both at Jammu and Srinagar.

The notice board should be protected by a glass frame or, if it is under cover, at least by a wire frame.

Unless there are any special reasons to the contrary, and in such cases with the specific approval of higher authorities, such notices should be displayed for a period of not less than twenty days, that is to say a period of at least twenty days should elapse between the first posting of the notice and the date by which applications are to be presented.

All notices posted should clearly set down the title of the appointment, the emoluments attaching thereto, the minimum qualifications necessary, the age limit if any, and the date by which applications should be presented together with the address to which they should be sent. In the case of appointments for which a knowledge of English is not required the notices posted should be written in Urdu, the Court language. Applications personally presented should be acknowledged by the issue of a receipt.

These arrangements should, it is suggested, apply to all appointments.

including those of menials. Higher officials should make it their business to see from time to time that the orders in this respect are properly carried out. It seems inadvisable to propose that the number of places where notices are to be displayed should be multiplied beyond those suggested, because this would make supervision difficult and might tend to defeat the purpose in view. Candidates for employment and the public in general will take very little time in realising where notices are to be found as soon as such a procedure has been definitely introduced.

In addition to publication on the lines suggested above, vacancies, other than those of menials, should be published in the next issue of the weekly State Gazette. This will enable public bodies, such as Managers of aided High Schools etc., to keep themselves regularly in touch with the employment-market by subscribing to the Gazette if they desire to do so. Any other practical method of giving additional publicity to vacancies for State appointments should also be encouraged. If it is found necessary to advertise appointments in the Press, such advertisement should not be confined to periodicals representing the interests of one community alone.

Scholarships intended to equip the holders for employment in State service should be advertised in the State Gazette and notices should also be sent to Government High Schools and Colleges and to any public bodies controlling State aided secondary schools.

In regard to the third point, namely the system of appointments, it must be admitted that the arrangements recently introduced whereby all appointments other than those of menials rest with a Selection Board consisting of three Ministers have been far from successful and require amendment. Up to the present it appears that no Civil Service Examination has been held in the manner prescribed, nor indeed does it seem that such an examination should be necessary in future, if the qualifications required for various appointments are definitely laid down. The members of the Board have been too busy to give their attention to these new duties which have been imposed on them, and the result has been great delay in filling up appointments, general complaints and departmental confusion. The number of vacancies referred to the Board since its formation in the autumn of 1930, that is in the course of a year and a half, is reported to be 156, while the number of such vacancies actually filled up by Board is given as 33. There is no hope that a part-time Selection Board, constituted as it is at present, will be successful in controlling all State appointments from the lowest grade of Ministerial offices etc. upwards; such a Board must not only fail to function properly but will tend to destroy the authority and effectiveness of departmental heads, apart from distracting the attention of Ministers from their proper activities and thus throwing further difficulties in the way of higher supervision and the prevention of mal-practices. It is also clearly impracticable for the State to create a whole-time Selection Board so constituted as to command the confidence of the public.

The only practical solution, therefore, seems to lie in the delegation of powers to Heads of Departments, provided that adequate arrangements are made for preventing the abuse of the powers conferred.

It is suggested therefore that all heads of departments, except those from whom the power may be specifically withheld, should be authorized to make appointments in the case of officers serving under them up to a pay-limit of Rs. 100; specially selected heads of departments might be given the power of appointing all non-gazetted officers subordinate to their control.

It should be clearly impressed on all departmental heads that

the minimum qualification prescribed constitutes, as indicated above, the standard to be desired, and that due regard must in all cases be paid to the legitimate interests of every community, provided that qualified candidates are forthcoming.

All appointing officers should, it is recommended, submit to their immediate superiors regular half-yearly returns showing:—

- (a) all new appointments made, together with a list of qualified candidates and a statement certifying that the rules as regards advertisement etc., have been duly carried out; and
- (b) a statement indicating the numbers of each community in the department at the close of the period to which the return relates.

In the case of any departments where due consideration to the claims of any particular community does not appear to have been given the power of appointment might be withheld from the heads of departments and vested in the Ministers till further orders: departments in the case of which such action would seem, from the figures already quoted, to be indicated are the Public Works, Customs and Press departments. Similarly, if in future it should appear to the higher authorities that any head of a department fails to carry out the State policy in this respect, a withdrawal of powers would seem to be clearly indicated. This should have the effect of leading all departmental heads to realise that no unfair discrimination can be allowed.

The system thus suggested should enable each Minister including the Prime Minister, to whom it is recommended that the periodical returns should be shown, to take a personal interest in the matter of State appointments. Any further elaboration is likely to defeat its own ends. It is suggested, however, that there should be a yearly publication showing for each and every department the number of State servants belonging to the various communities. This should be brought to His Highness' notice and should be made a public document.

In the case of all gazetted appointments and posts carrying a higher pay than Rs. 100 where special powers have not been delegated, selection should, it is suggested, rest with the State Council to whom the matter should be referred by the Minister-in-charge together with his recommendations and full information regarding the composition of the department concerned.

#### Scholarships.

It is suggested that selection in the matter of scholarships for training should be made by the State Council on the recommendation of the Minister-in-Charge after consultation with the head of the department. Due regard should be paid to the legitimate claims of all communities, provided that suitable candidates are forthcoming.

#### Direct appointments.

The present rule is understood to be that appointments should be filled up by promotion, nomination, and competition in the Civil Service Examination, one third of the vacancies occurring being filled by each of these methods. It seems doubtful whether it will be practicable to maintain so rigid a rule in actual practice. Ultimately, when each community has been given a fair opportunity of representation in the State Services, it would seem desirable that appointments should as far as possible be filled by promotion. For the present, especially in those departments where the claims of any particular community do not appear

to have met with due attention, it will be necessary to fill up vacancies to a considerable extent from non-departmental sources. It does not seem advisable, however, that more than fifty per cent. of new appointments in any department should normally be awarded by selection or nomination from outside. This applies to non-gazetted grades; promotion from non-gazetted to gazetted rank should not be claimable as a matter of expectation unless the candidate possesses the minimum qualifications required for the gazetted appointment.

#### **Local appointments.**

In the interests of general efficiency, apart altogether from the communal question, it seems expedient that local appointments, such as those of Forest Guards, Patwaris, Game Law Watchers, etc., should be filled up as far as possible from the local inhabitants of the district concerned, due regard being paid to the interests of the principal communities, provided that suitable candidates are forthcoming therefrom. An unfortunate tendency is noticeable, for instance in the case of certain Forest Ranges, to employ an undue number of city-dwellers as Forest Guards. It is recommended that this practice should be definitely discouraged. It is reasonable to expect that officers who belong to the local area concerned should not only prove more effective but should also be less prone to live free of charge on the villages situated in their circles.

#### **Outside appointments.**

The policy of His Highness' Government in the matter of reserving State appointments for State subjects should be adhered to as far as possible and steps might well be taken to increase the number of State subjects in certain departments such as the Public Works Department where the proportion is relatively low: the prior claims of State subjects should also be borne in mind whenever in the case of any department it is necessary to effect retrenchments. Where for any special reasons it is found unavoidable to appoint non-State subjects the just claims of all communities should be carefully borne in mind.

The object of the above proposals, as already indicated, is to afford to every community a fair chance of representation. If these proposals are carried into effect, and if the various communities concerned take due advantage of the facilities placed at their disposal, it is believed that the present position will before long be rectified. It is obviously impossible to revolutionize the State machinery all at once, nor is it practicable to lay down any definite proportion or percentage for the representation of each community in State service. It has been claimed that Muslims, because their ratio in the matter of population is 78 per cent, should be given a corresponding reservation in Government appointments. It rests with the Muslims to work up the numbers of their representatives in State service by availing themselves of the opportunities to be provided. But it must be remembered that a vast number of Muslims find their hereditary occupation in agriculture, and it is reasonable to suppose that the great majority of agriculturists will continue to prefer that occupation to any other. While no community should be allowed to acquire a strangle-hold on State employment, it must be recognised that at present certain communities are far in advance of others in the matter of education. Although, as already remarked, there is a considerable number of unemployed graduates and matriculates among the Muslims, the number of unemployed Kashmiri Pandits is considerably larger. According to lists supplied there are 107 graduates and 931 matriculates out of employment belonging to this community alone. Kashmiri Pandits complain that out of 763 gazetted appointments (135 Muslims and 628 non-Muslims)

in the State their community holds only 74 including 17 Pandit officers imported from British India or elsewhere. Though this representation compares favourably with the case of Kashmir Muslims whose number of gazetted appointments is reported to be only ten, it is certainly not a high proportion. It is claimed that, although no scholarships have been specifically reserved for Kashmiri Pandits, over fifty per cent of their numbers are literate, a far higher percentage than that obtaining in any other community, that ministerial work is their hereditary occupation and that they have no other means of subsistence readily available. There is certainly force in this contention. The reply given by His Highness a few months ago to a deputation of Kashmiri Pandits may pertinently be quoted, "I am certain you will be the first to recognise that with the steady growth of education in other communities the position of advantage which your community enjoyed in the past in regard to State service cannot continue: it will, however, be necessary to consider what other openings can legitimately be provided for those who can not be absorbed in State departments and this question will receive the sympathetic attention of my Government." This policy should be carefully borne in mind by the State authorities and should be carried out to the best of their ability in the matter of industrial development and in other fields.

All communities, other than Kashmiri Pandits, now especially fortunate in regard to State employment, must also be prepared to reconcile themselves to the fact that, as the field of competition for Government posts expands, an increasing proportion of their numbers will have to seek an outlet in private enterprise.

#### **Military Services.**

Claims have been received from almost every community and from every part of the State for representation or increased representation in the military services. The present time of disturbed conditions is plainly inappropriate for any proposal in favour of a change in the class-composition of the State forces. The question should be carefully examined as soon as circumstances permit.

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## CHAPTER V.

## LAND REVENUE ETC.

(1) **Malikana (Owners' Dues) and Proprietary Rights.**

In the Kashmir Province the State is the owner of the land, but Malikana is merged in the land revenue, that is to say, no recovery is made on this account over and above the land revenue proper.

In parts of the Jammu Province the case is different. In some localities the State is the owner, in others the land is owned by private proprietors. Malikana has in some Tehsils been recovered by the State since long ago. Where a private individual possesses proprietary rights Malikana is payable to the individual owner concerned. The dues payable vary according to the class of tenant in possession of the land and may amount in the case of the lowest class as defined in the Tenancy Regulation to a maximum of eight annas per rupee of land revenue. In the Mirpur Tehsil an innovation has recently been introduced. In that Tehsil almost all the land is owned by the State, but prior to the current Settlement which was announced in the preceding Samvat year Malikana due to the State was, as in the case of Kashmir, merged in the land revenue. The recent Settlement operations have resulted in the Malikana demand being separated, that is to say superimposed over and above the land revenue proper in those portions of the Tehsil in which the State is the proprietor. The effect as regards the Tehsil as a whole has been the imposition of an additional demand (Rs. 26,252) roughly amounting to ten per cent over and above the land revenue proper (Rs. 264,305). It is true that this has only placed the State, where it retains proprietary rights, in the same position as private proprietors where these rights are in their possession. But, though the change may be justified in theory, in practice it has given rise to not unnatural dissatisfaction. It has appeared as an entirely new imposition to those affected by the demand, and like all new demands it has proved extremely unpopular. It seems clearly desirable that the State Malikana assessed on the Mirpur Tehsil should be remitted. If, however, this action is confined to Mirpur alone it will infallibly give rise to heart-burning and discontent in those parts of the Jammu Province to which a similar benefit is not extended. The total Malikana demand now payable to the State in the Jammu Province amounts to a sum of Rs. 46,735. The solution appears to lie in the abolition of State Malikana altogether. A light Nazrana might suitably be charged in recognition of the benefit conferred. And in those villages in which disorders have unhappily broken out during the last few months it is only reasonable that the action suggested should be deferred until those responsible exhibit a proper spirit of repentance. It is to be earnestly hoped that this will be brought about at the earliest possible moment, and it is recommended that in individual cases where it can be shown that the land holder concerned has actually assisted the State authorities or has come to the relief of those in danger by protecting their lives and property not only might State Malikana be cancelled but the payment of Nazrana might be foregone.

The proposal put forward in respect to Malikana will entail a considerable sacrifice on the part of the State, but the gain in the increased contentment of agriculturists in the Jammu Province should at least be commensurate with the loss of revenue involved.

The question of granting proprietary rights is a different proposition. The claim put forward in this behalf has sometimes taken the form of a representation that such rights should be restored. No question of restoration can arise unless the claimants can establish the fact that proprietary rights were originally in their possession. In Kashmir proper no such evidence appears to have been forthcoming at the time of the first regular Settlement forty years ago. Nor is it surprising that

this should have been the case. It is clear enough that under successive dynasties of Pathans, Moghuls, Sikhs and the first Dogra Rulers the cultivator in Kashmir was little more than a mere agricultural machine, possessing neither proprietary rights nor in theory any description whatever of even occupancy rights: it appears, however, that some form of hereditary right, though never admitted by the State authorities, was maintained and recognised by the people themselves, and in certain cases sales of land, though illegal and therefore unenforceable, actually took place. It was in the time of His late Highness Maharaja Pratap Singh and on the recommendation of Sir Walter Lawrence, whose name to this day is rightly revered by the people in whose cause he laboured, that the cultivator was redeemed from his serfdom and assured of the rights which he now enjoys.

In the Jammu Province the case is not identical. In many localities, as already indicated, the ownership of the land rests with private proprietors: broadly speaking, the origin of this is traceable to the early days of the present Ruling Dynasty when there existed independent or semi-independent chieftains whose domains were subsequently amalgamated in the State as constituted today. Where the State is itself the proprietor this appears in some cases to have been the condition as far back as authentic history extends, in other cases it seems that soon after the present Ruling Dynasty rose to power the right of private ownership was confiscated from the former overlords in consequence of rebellion. It is unlikely that any land holders who are not now in possession of proprietary rights could succeed in establishing their claim thereto at the present day.

It must also be made clear that the benefits to be derived from the bestowal of proprietary rights have not always been correctly appreciated. It is a not uncommon belief that a concession of this nature is to be desired because it would entail security of tenure. But this advantage has already been attained. Assamidars, Malguzars, occupancy tenants, by whatever title they may be known in various districts, have their rights in the land recorded and assured. The main practical difference involved by the grant of proprietary rights would consist in the power to alienate the land. Whether this would in fact amount to an advantage is open to argument. Sir Walter Lawrence, whose views on this subject were different from those of his predecessor Mr. Wingate, deliberately refrained from any proposal in this direction in the interests of the Assamidars themselves; he considered that their improvident habits would lead them to dispose of their holdings without any thought of the deplorable result. It must be frankly admitted that this danger has still to be encountered. Even if a Land Alienation Act is brought into force in Kashmir in order to prevent agricultural land from passing into the hands of non-agriculturists, there may still be a tendency for small land holders to dispose of their holdings to rich people of their own community with the result that considerable numbers may cease to maintain the advantage which they have now secured. From evidence which has been tendered to the Commission by agriculturists themselves, it is apparent that opinion is by no means unanimous as to the wisdom of granting proprietary rights at the present day. Nevertheless it may be said that agriculturists in the State in general, particularly in the Kashmir Province, have progressed considerably since the time of the first regular Settlement: certainly they are far better off materially than they were forty years ago, they should have less temptation to part with their land and it is believed that in the majority of cases they are sufficiently intelligent to realise the consequences of alienation. It is claimed that the grant of proprietary rights would have the effect of instilling a greater sense of self-reliance and self-respect among the agricultural classes, attaching them by a closer bond of affection to the land on which they labour, and leading them to appraise more highly the value of the benefits which they enjoy. That there is considerable force in this line of argument it appears impossible to deny.

From what has been said it will be recognised that the bestowal of proprietary rights, where these rights are now vested in the State, would be in the nature of a pure concession. In the opinion of the Commission, if His Highness is pleased to approve of this policy, the advantages to be expected therefrom are sufficient to outweigh any objections that can be raised, provided that suitable steps are taken to prevent the concession from abuse. If proprietary rights are bestowed it appears essential to safeguard the interests of agriculturists by the introduction of a Land Alienation Enactment in those parts of the State where such legislation is not at present in force; a Pre-emption Act is also desirable and it is suggested that, at least as a temporary measure, an agriculturist should only be allowed to alienate his land whether by sale or mortgage to a member of that particular agricultural class to which he belongs himself. Moreover, as it is still uncertain what the effects of the innovation contemplated may prove to be, it is suggested that no land holder who does not at present possess proprietary rights should be permitted to alienate more than 25 per cent. of his holding within the next ten years; after the lapse of that period the situation might be carefully reviewed, and it could then be decided in the light of the experience gained whether the process of alienation has been such as to make it advisable for these restrictions to be continued or for any other safeguards to be imposed.

In the case of Srinagar city and certain towns in the Kashmir Province it appears that the grant of proprietary rights would not involve a change of any great practical importance. Land holders in Srinagar already possess what is known as "Haq-i-marafaq" (right of easement) which does not differ materially from proprietary rights, since it carries with it the power to alienate.

## (2) Kahcharai or grazing tax.

This is a form of tax levied practically throughout the State wherever there is any semblance of reasonable grazing facilities. In the matter of "fixed kahcharai", that is to say the grazing tax payable by villagers, a scale of charges is prescribed for buffaloes, goats and other kinds of animals, certain exemptions are permitted, and it is the practice to deduct a fairly high percentage from the remaining number of animals assessable. The assessment is distributed rateably among the owners of animals liable to taxation. Where the total number of animals decreases to a considerable extent the village can claim a rebate, though it appears that there are sometimes practical difficulties in the way of establishing such a claim.

So far as concerns those portions of the State territories which are situated in mountainous tracts or the neighbourhood thereof, where, apart from satisfactory grazing in the village itself, there are to be found within ready access valuable grazing grounds ("Bahaks", "Illaqas" or "Dhars" as they are variously called) on which the villagers can depend for the maintenance of their flocks during a considerable portion of the year, a levy of this nature can no doubt be justified. The flocks and herds maintained bring in a handsome profit to the villagers, and it is natural enough that the State should tap this source of income for purposes of revenue. Taxation more or less on the same lines is to be found in British India.

But a levy which presses lightly in certain portions of the State may prove in other districts a heavy imposition. This is unquestionably the case in territories bordering on the plains where pasturage is admittedly meagre. It is true that villages markedly deficient in this respect are exempted and that in others the rates are considerably reduced: for instance, in the case of those villages of the Mirpur Tehsil which are not totally exempt from Kahcharai the reduction varies from fifty per cent. to sixty two and a half per cent. of the full rates prescribed. Even so Kahcharai is not unnaturally unpopular and calculated to give rise to discontent. In Mirpur Tehsil where, owing to a heavy increase in the

number of animals, the amount recoverable has recently risen from Rs. 3,801 to Rs. 7,763, an increase of 104 per cent., dissatisfaction is not surprising; it is contended by the villagers that grazing facilities have actually deteriorated, and that the herds on which the tax is levied depend largely on fodder supplied by the owners from the produce of their own fields on which land revenue is separately assessed.

It is difficult to draw a hard and fast line between those parts of the State where Kahcharai taxation can be considered equitable and those parts where this is not the case. Nor is it easy to propound any ready-made system or formula which would effectively remove the grievance that exists in this respect. It has been suggested that Kahcharai might be retained in those villages which possess a satisfactory grazing area equal in extent to the cultivated land: the difficulty, if this expedient were adopted, would lie in discriminating between areas which could fairly be classed as satisfactory pasturage and areas which could not. Alternatively it has been suggested that no Kahcharai should be assessed on villages, but that owners should be made to pay at "Bahaks" or "Dhars" when they send their animals to graze in these places; this arrangement would, however, be open to abuse in actual practice because of the extreme difficulty of exercising supervision over demands and collections in remote and widely scattered grazing grounds.

The best solution seems to lie in the grant of early relief to those portions of the State which are clearly most in need thereof, that is to say those Tehsils which border on the plains and possess indifferent resources in the way of grazing. This principle is already recognized to some extent not only in the exemption of individual villages and the general reduction of rates but in the total abolition of fixed Kahcharai in Tehsil Ranbirsinghpura. It is now recommended that in the following seven Tehsils, namely, Jammu, Samba, Akhnur, Kathua, Jasmergarh, Mirpur and Bhimber, the Kahcharai demand should be suspended and that an officer should as soon as practicable be placed on special duty to report (a) whether there is any portion of the above Tehsils in which a permanent remission is not justified, and (b) what reductions in Kahcharai assessments appear to be indicated in other parts of the State in which it is claimed that grazing facilities are inadequate. The loss involved to State revenues by the total remission of Kahcharai in the seven Tehsils mentioned would amount to Rs. 46,188.

In the case of villagers paying fixed Kahcharai in the Kashmir Province it is understood that they are not liable to any further payment on taking their flocks and herds to "Illaqas" within the provincial boundary, provided that they produce a certificate of payment from their village headman. In the Jammu Province, however, the rules provide that an additional fee is sometimes leviable in "Dhars" even when the animals concerned have been taken into account in the fixed Kahcharai assessment. It appears to the Commission that in this matter the Jammu Province should be put on the same footing as Kashmir, also that the provincial boundary should be clearly defined, if the practice is maintained of making an additional charge when flocks are taken beyond the limits of a Province.

A complaint has been received from butchers to the effect that when goats and sheep are brought within municipal limits for purposes of slaughter not only octroi but Kahcharai is recovered unless written proof, which is frequently difficult to procure, is produced to show that the Kahcharai demand in respect of such animals has already been satisfied. It is recommended that Kahcharai collections in such cases should be discontinued.

In regard to flocks maintained by Bakarwals, a class of nomad herdsmen, the State authorities have already announced a concession which is fully sufficient, and the Commission has no further recommenda-

tions to put forward in this behalf, except that, in the absence of any clear reason to the contrary, no discrimination in favour of any particular class of herdsmen should be made.

### (3) Land Revenue Proper.

It has been represented that the assessment of land revenue in the Jammu and Kashmir State is of an arbitrary nature. This is far from being the case. For the last forty years, since the time of Sir Walter Lawrence up to the last re-assessment which has been announced in any Tehsil of the State, there has been a regular and properly organised Settlement Department controlled until a very few years ago by a series of highly qualified Settlement Commissioners whose services were borrowed from the Punjab Government. The Settlement operations have been very carefully conducted and they have been based on the system until recently in vogue in the Punjab. It is true that when the Punjab Government modified their system a few years ago by the introduction of the Punjab Revenue (Amendment) Act of 1928 no corresponding legislation was enacted in the State. The Act in question provides *inter alia* that in future assessments, where the land revenue is assessed as a fixed annual charge, the amount thereof shall not in the case of any assessment circle exceed one fourth of the estimated money value of the nett assets of such assessment circle. When circumstances permit His Highness' Government might well consider the advisability of following the principles of this enactment.

The State records show that in the time of His late Highness, when the Residency exercised considerable control over the administration of Jammu and Kashmir, assessments proposed were referred to the Government of India and received their approval. The Settlement records dealing with the assessment and reassessment of various Tehsils are public documents. They detail the calculations and statistics on the basis of which land revenue has been assessed. Until very recently there has been no expression of any general dissatisfaction so far as land revenue is concerned. Such dissatisfaction as has recently been voiced appears to be due to the following causes—depression occasioned by the fall in the price of grain, comparison with the rates obtaining in adjoining districts of British India, and the general unrest which has lately prevailed.

With the last of these causes it is unnecessary to deal at present. It is to be hoped that the measures already taken and those to be taken by His Highness' Government will succeed in restoring peace and contentment.

As regards the fall in the price of grain, it does not appear that the market rates assumed by the Settlement Department for purposes of assessment were at the time when they were adopted unduly high. Certainly in the case of the Kashmir valley the reverse is the case. In Kashmir by far the most important crop is rice. At the time when the last Settlement operations were in progress the market price of rice had risen very notably; the high rates obtaining were, however, discounted, because it was uncertain whether these rates would prevail over a long period, and also because cultivators, being largely at the mercy of Waddars or professional grain-dealers, were not in a position to reap the benefit themselves. Accordingly the assumed price was taken at fourteen or fifteen annas a maund. Since that time not only has the high level of prices been maintained, but the State system of grain control has, by eliminating the middle man, placed the cultivator in direct contact with the market, so that he can take full advantage of his opportunities. The cultivator in the principal tracts where rice is grown can now obtain nearly double, in some cases actually or more than double, the rate assumed as the market price of rice at the time of the last Settlement. Other food grains have not remained unaffected. There has for instance been a very marked rise in the price of maize which stands second to rice in the matter of im-

portance. In this respect it is interesting to contrast the condition of the Kashmir cultivator with that of agriculturists generally in India and elsewhere. The producer in the Kashmir valley has no difficulty in marketing his grain, he obtains a far better value than he did ten years ago and the rise in his standard of living is conspicuous. There is no reason for supposing that these conditions, so far as Kashmir is concerned, have not come to stay, and there is no room for doubt that, if the Kashmir valley were equitably re-assessed at the present time, the assessment would show a material increase.

In parts of the Jammu Province and also in Muzafferabad there is no denying the fact that the cultivator has been adversely affected by the fall in the price of grain. It does not appear, however, that prices recently assumed for purposes of assessment have been extravagant. In the case of the three Tehsils, namely, Akhnur, Mirpur and Bhimber which have lately been reassessed, the price assumed for wheat, the principal crop, varies from forty to fortyfour annas a maund; this does not compare unfavourably with the bazar rate quoted today for the various centres concerned. It is to be hoped that the present state of agricultural depression is only a temporary condition. In the meantime the remedy appears to lie in the grant of remissions where these are necessary. In the current financial year His Highness' Government have sanctioned a remission of 25 per cent. in the areas badly affected.

As regards the second cause for dissatisfaction referred to above, namely the disparity between the rates prevailing in the State and those sanctioned for adjoining districts of British India, there is no escaping the fact that a divergence, and in some cases a very considerable divergence, does actually exist. The British India rates are generally lower and often markedly lower than the rates obtaining in the bordering Tehsils of the State. These differences have, however, been frequently exaggerated, and it must be remembered that in some cases a long time has elapsed since the adjoining districts of British India were re-assessed: for instance the last Settlement of the Jhelum District took place as long ago as the year 1899. It is impracticable to propose that the assessment rates of every Tehsil should be levelled up with those of its immediate neighbours: if this process were introduced throughout the length and breadth of India the economic result would be indeed remarkable. It is fair that the assessment of any individual District or Tehsil should be judged on its own merits. Full particulars, as already observed, are available as regards every re-assessment that has taken place in Jammu and Kashmir. If it can be shown that the premises or the conclusions are defective, a revision is no doubt called for. Up to the present this has not been shown, and there is certainly no general desire for a series of new Settlement operations to be undertaken.

It is from the Mirpur Tehsil that the most frequent complaints about land revenue assessment have been received, and a few figures in regard to this Tehsil may be quoted. Before the re-assessment which was announced about eighteen months ago the land revenue demand stood at Rs. 2,53,897. The new demand amounts to Rs. 2,64,305. This represents an increase of only a little over four per cent. The increment is thus very small and the new demand represents only 85.3 per cent of the State share given by the half net assets estimate which is Rs. 3,09,683. It may also be pointed out that not only was the new announcement as regards land revenue received gladly and without any material protest but for two harvests following the announcement, at a time when prices were even lower than they are at present, the full revenue demand was collected without difficulty plus Kahcharai amounting to Rs. 7,763 plus State Malikana amounting to Rs. 26,252 plus an amount of roughly Rs. 86,000 due on account of arrears of Nautor (land recently broken up for cultivation).

It is recommended that such of the Nautor out-standings, roughly Rs. 24,000, as have yet to be paid should now be definitely written off;

they have already been suspended. As regards a general reduction in land revenue assessment no recommendation would seem to be justified. The assessments appear to be fair on their merits, and it is considered that zemindars will be afforded sufficient relief if the recommendations already made in respect of Malikana and Kahcharai are carried into effect, and if such remissions are granted as may be required by a depression in prices or other causes. The rules relating to Remissions and Suspensions should be carefully carried out in practice.

It is represented that in certain holdings land has been incorrectly measured or wrongly classified or that the Bachh (distribution) in certain villages is unfair. It has been impossible for the Commission to make a personal inspection of villages and Tehsils. The State authorities report that each Settlement or re-Settlement has been announced to those concerned in strict accordance with the rules laid down in the Settlement Code and that all objections raised have received attention. If it can now be shown that in any cases full opportunity for raising objections was not afforded at the proper time, the State Revenue authorities should as regards such cases investigate any complaints that may be made.

A complaint has been received from certain frontier Districts, where a proportion of revenue is payable in kind, that the rate of commutation is unfavourable to cultivators. At present in certain cases these rates are revised every few years, but in others they are fixed for the term of Settlement. When prices are unfavourable it is doubtful whether a revision of the rates will prove of benefit to the zemindars; if, however, a more frequent revision is generally desired in any particular tract it is recommended that the rate of commutation should be recalculated accordingly.

#### (4) Skardu and Kargil.

It has been represented that in Skardu and Kargil where grain for seed is advanced by the State to cultivators an excessive rate of interest in kind is recovered when repayment is made. It is recommended that the rates should not be allowed to exceed the maximum rate of interest permissible under the Agriculturists' Relief Regulation.

It is also claimed that in Skardu and Kargil a limit of ten Kanals is imposed in the matter of Nautor. It is recommended that, where the rights of others are not adversely affected, this limit should be removed.

#### (5) Assessment on trees and restrictions on cutting and removal.

Several complaints have been received in regard to trees, the assessment imposed thereon and the difficulties from which zemindars suffer in this connection.

Walnut trees in the possession of zemindars in Kashmir and elsewhere are assessed to a trifling demand. The assessment does not appear to be unduly heavy. It is recommended, however, that no restrictions should be imposed on the cutting of such trees and that, where they cease to exist, the assessment should be remitted.

Restrictions are imposed on the cutting of mulberry and chinar (plane) trees. As regards mulberry trees no alteration in the present rules is recommended, these trees bring in a very considerable income to zemindars owing to the operations of the Sericulture Department and it is inadvisable in the public interests that damage to such trees should in any way be encouraged. The existing rules provide for permission being given for the removal of branches etc. where this is necessary; at the time when seed is distributed by the Department it seems desirable that preference should, as far as practicable, be given to land holders on whose holdings mulberry-trees are situated, so that they may have a prior right to the use of the leaves of these trees, if they wish to take advantage

thereof. In regard to chinar trees which bring in no revenue to zemindars and are frequently a source of inconvenience, it is recommended that authority to sanction the removal of branches etc. where necessity arises should be delegated to Tehsildars.

Complaints have also been made that in certain cases cultivation has been hampered by the shade of trees and that this has not been taken into account in fixing the assessment. The loss involved appears to have been considerably exaggerated. Where any material harm results from such trees this should ordinarily have been considered in distributing the assessment over the village concerned. Those who regard themselves as aggrieved in this matter should apply to the State Revenue Department, if they can show that no chance was given to them of raising objection at the proper time.

It is not correct, as has been represented, that isolated trees, other than walnut trees, belonging to zemindars are separately assessed to revenue. Orchards are assessed in the ordinary way and to this there is no legitimate objection.

It has also been represented that zemindars are prohibited from lopping the branches of willow trees etc. which they have planted on Shamlat (village common) land, on roads or on the banks of canals. As regards lopping of trees on roads or canal banks this should only be allowed in so far as it does not militate against public interest. So far as trees growing on Shamlat land are concerned it is understood that no objection is raised by the State authorities. Villagers who have planted trees on land which remains waste land and is not included in Shamlat should be allowed to remove such trees if they so desire.

#### (6) Chaks and Jagirs.

Many complaints have been made regarding the grant of chaks (allotments of waste land), to non-agriculturists and others. Such grants have been discontinued now for several years. It seems distinctly inadvisable that the practice should be revived. It is hardly practicable, however, to suggest that chaks which have been granted in the past should now be resumed on the ground that their existence is not in accordance with the present policy. If it can be shown that in any cases chakdars or other grantees have encroached on neighbouring land, the aggrieved party should seek his remedy according to the procedure prescribed. But those legally in possession of waste lands already allotted to them cannot be dispossessed at this time without involving a breach of faith.

Widespread representations have been received from zemindars concerning Jagirdars, especially in the matter of Jagirs which have recently been granted. There is a genuine feeling on the part of zemindars inhabiting villages lately converted into Jagir areas that their rights will suffer materially in consequence. One of the main concessions announced at the time of His Highness' accession was that which related to Shamlat (village common) land. His Highness was pleased to order, and the order was greatly appreciated, that uncultivated land belonging to the State in the neighbourhood of villages should be placed at the disposal of the villagers concerned as common land and that they should have the right of breaking up this land for cultivation. It appears that effect has in some cases been given to this concession and that in others action has been deferred; every effort should, it is recommended, be made to carry out the orders issued as speedily as possible. Zemindars have been greatly exercised in their minds lest in villages recently included in Jagirs the benefit of the concession granted to them at the time of His Highness' accession should entirely disappear. This matter has now to a certain extent been rectified by the issue of orders that the right of zemindars in such cases to the use of Shamlat land equal to a hundred per cent. of the



cultivated area is to be secured. But representations have been made that in some localities chakdars or other grantees have interfered with the concession intended for the benefit of villagers: no such interference should be allowed to continue. A feeling of considerable nervousness still prevails, especially in regard to new Jagir areas. It is strongly recommended that every care should be taken to see that the existing rights of zemindars are not made to suffer in any way whatsoever from the grant of Jagirs. Villagers should be allowed the same facilities in the matter of taking wood from demarcated or undemarcated forests as they enjoyed before and in every respect their interests should be safeguarded from encroachment. The zemindars also dislike the system of paying revenue to the agents of the Jagirdars instead of direct to the Treasury as they did before, they are afraid that undue exactions may result; it does not appear that the interests of Jagirdars would suffer if payment of land revenue were made to the Treasury in such cases, and it is suggested that this system might be introduced and the Jagirdars be given the amount due to them directly by the State authorities. Exception is also taken to the decision that Jagirdars are to be consulted in the matter of appointment of village headmen; it is suggested that this right of Jagirdars should be closely scrutinized by the Revenue authorities and that the question of withdrawing this right on the death of the present grantees might be considered. It may also be remarked that, whereas the main object of granting additional Jagirs to existing Jagirdars is to be found in an entirely justifiable desire to replace through the award of adequate compensation recoveries in kind by cash recoveries in their former estates, it is not unlikely that where in their new estates they succeed in bringing waste land under cultivation they will again proceed to effect recoveries in kind; the practice of recovering rents in kind (Ghalabatai) is liable to lead to abuses, and should, it is suggested, be discouraged as far as practicable.

In future cases where it is thought fit to reward deserving individuals by the grant of Jagirs it is suggested that such grants should take the form of purely cash assignments, as it appears inevitable that other forms of Jagirs or grants will give rise to suspicion and distrust on the part of those already residing in the areas concerned. In cases relating to the recent grant of Jagir areas, where the orders have not as yet been actually carried out, the wisdom of adopting this policy seems to deserve very serious consideration.

Representations have been received from Jagirdars themselves to the effect that their rights have recently been impaired. In the case of those Jagirdars who formerly collected revenue in kind they were lately awarded an additional Jagir equivalent in value to a hundred per cent. of their original grants by way of compensation for the loss involved by the introduction of cash recoveries. It has been represented by Jagirdars that this compensation was strikingly insufficient. The Commission has no recommendation to make in favour of Jagirdars in this respect. They appear to have been treated with great liberality. It is evident from the Revenue records that in certain Jagirs in the Jammu Province there was a distinct tendency for cultivators to desert Jagir lands owing to the exactions from which they suffered. In this way the existing income of Jagirdars was obviously imperilled; the action which His Highness' Government have seen fit to take is plainly in the interests of Jagirdars as well as of their tenants, and those concerned should feel grateful accordingly.

The Jagirdars have suggested that an additional Jagir area should be granted if the revenue of the villages newly assigned to them declines. This constitutes a further argument in favour of purely cash assignments rather than territorial Jagirs.

The Jagirdars represent that Honorary Magistrates should be appointed from their ranks. To this it appears that there can be no objection, provided that only suitable selections are made.

The Commission has no recommendation to make in favour of the creation of a Nobles' School, as there are many other educational developments more urgently needed at the present time. Nor can any recommendation be made in support of a proposal that existing Jagirs should be consolidated in one place, as this does not seem to be a practicable proposition. Several applications have been received for the restoration of individual Jagirs which are said to have been resumed, or for the expansion of Jagirs which are alleged to have contracted; these matters do not fall within the Commission's terms of reference, and applications should be made to the proper authorities. The question of Jagirdars' rights in the matter of forests and mines should presumably depend on the conditions of their individual pattas or grants.

It is understood that in the case of Jagirdars of the Muzafferabad District action has been taken with a view to prescribing a uniform rate of Nazrana at twenty per cent.

Representations have also been received from Guzarakhars, the holders of maintenance grants dependant on Jagirdars. The purport of these representations is to the effect that Guzarakhars should be brought on to the same footing as Jagirdars themselves. The Commission has no recommendation to make in this behalf. The rules laid down by the State for the maintenance of Guzarakhars appear to be as liberal as the parent Jagirs can be expected to carry out.

#### **(7) Ejection of agriculturists from agricultural land.**

Complaints have been made that in certain cases agriculturists have been compelled to give up their land when it was required for State purposes and have not been provided with land elsewhere. Detailed particulars in regard to these complaints have been called for but they have not yet been received. In principle, however, the representation made in this behalf is worthy of every consideration. It is recommended that, wherever it may be necessary in State interests to acquire agricultural land, those dispossessed may be allotted land elsewhere so that they may continue to earn their living in the manner to which they are accustomed. Exceptions to any rule in this respect may of course be justified in cases in which only a small proportion of a holding is acquired and there is no suitable land available in the vicinity.

In the interests of agriculturists it appears desirable that the State Land Alienation Regulation should be amended by the inclusion of a clause corresponding to section 16 of the Punjab Land Alienation Act which provides that no land belonging to a member of an agricultural tribe shall be sold in execution of any decree or order of any civil or revenue court, subject to the right of Government to recover arrears of land revenue etc. The definition of "land" as contained in section 2 of the Punjab Act might also be followed.

#### **(8) Agriculturists' Relief Regulation and Co-operative Credit.**

This Regulation was brought into force some five years ago with the intention of freeing agriculturists from the clutches of money-lenders and protecting them from usurious rates of interest. On the whole it can not be doubted that the effects of this Regulation have been beneficial so far as concerns the interests of those for whose advantage it was introduced. Various opinions have been expressed as regards the working of the State Courts in the matter of instalments fixed for payment in pursuance of the Regulation; by some it is contended that the instalments fixed are so high as to preclude the possibility of any practicable

able relief, others represent that they have been in many cases ridiculously low and grossly unfair to the creditors. The amount of instalments in such cases should of course be governed by the capacity of the debtor to discharge his debts. Petty traders who make a living by supplying agriculturists with ordinary every day commodities have complained that they should be exempted from the operation of the Regulation because they are in no sense money-lenders; as the law stands, however, they fall within its purview, and it is not easy to make any recommendation on their behalf because of the difficulty of discriminating in actual practice between trade of this nature and the business of money-lending.

The main objection that can justifiably be raised against the Agriculturists' Relief Regulation lies in the complaint that it has led money-lenders to increase the nominal amount for which they make agriculturists execute an agreement when an advance is made; it is said that, whereas a money-lender would formerly advance a loan of a hundred rupees and take an acknowledgment for an amount not greatly in excess of that sum, he now compensates himself for the restrictions imposed on the rate of interest by making the other party sign an acknowledgment for two hundred rupees or even more. There is no doubt whatever that this abuse is of frequent occurrence. It appears impossible to suggest any remedy until the existing system of agricultural credit can be replaced by some satisfactory substitute. The only practicable solution appears to lie in the development of the Co-operative Credit machinery. Some progress has already been made in this direction. According to the latest information available there are now fourteen Co-operative Credit Banks in the State and as many as 2,438 Agricultural Societies of which the working capital is reported to be Rs. 49,43,234. The Co-operative Credit movement deserves the encouragement of His Highness' Government; very careful supervision is of course essential and the tendency to expand the movement beyond the limits of effective inspection must be avoided. Some progress has also been made in the matter of consolidation of holdings; these efforts have not met in all cases with universal approval, but further extension of the experiment is indicated, provided that it is conducted and supervised with all reasonable care.

#### (9) Food Control Organisation, Kashmir Valley.

This is an arrangement introduced a few years ago in the Kashmir Valley and intended to benefit both the producer and the city consumer. So far as the consumer is concerned it has resulted in a very marked decrease in the cost of food, and few, if any, complaints are forthcoming. The producer, as already indicated elsewhere, now receives a far higher rate than he ever dreamed of obtaining before, because he is placed in direct touch with the market and stands to gain accordingly.

In accordance with the terms of land revenue settlement the State retains the right of recovering one third of its revenue in kind at the rates assumed for purposes of settlement; this system is known as "Mujawaza"; if it were now carried out in practice the producer would no doubt have legitimate cause for complaint. The present grain control arrangements are sometimes described as a revival of the Mujawaza system or confused therewith, but there are no grounds for this line of attack, because, as remarked above, the producer receives payment not at settlement rates but at a fair market rate which is in the neighbourhood of a hundred per cent. above settlement prices. Advances are made free of interest, a practice which is naturally much appreciated by zemindars, because in villages where these arrangements are in force it has effectively relieved them from the depredations of money-lenders and added very considerably to their prosperity. A complaint has been made that in certain cases something in the nature of interest is actually charged; this only occurs, however, where a producer for reasons other than those beyond his own control fails to deliver the produce which he has contracted to supply, and in such cases a charge is obviously justified.

Certain allowances are now paid to Revenue officials for assisting in the scheme of grain control. It has been represented that these allowances, which have lately been decreased, should be discontinued altogether. These allowances do no harm to the interests of anyone and are necessary in order to secure effective co-operation. It is not true, as has been represented, that the profits accruing from the grain control organization are merged in State revenues; they are kept entirely separate from State funds and are ear-marked for the furtherance of the grain control scheme itself.

Complaints have been made of occasional irregularities in the matter of over-weighment. It is too much to expect that in a widespread organisation such as the grain control scheme irregularities of this kind are never to be found; it is certainly the case, however, that the department under its present management is far more effectively supervised than most other departments in the State, and it is believed that genuine complaints of this nature are comparatively rare. There is good reason to suppose that both producers and consumers would have serious occasion for regret if the grain control system were discontinued. This has been amply illustrated of late by the clamour of protest which arose from the public when the rumour went abroad that the organisation was to be abolished.

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CHAPTER VI.

MISCELLANEOUS.

1. Bribery and Corruption.

A large volume of complaints has been received to the effect that practically every department in the State—Police, Forests, Revenue and the rest—is riddled with corruption. It is represented that subordinate officials, such as Forest Guards and Game Watchers, live free on the villagers from whom they levy exactions in the form of a systematic toll. Bitter complaints have been made against the Police in particular who are said to be entirely ineffective and interested solely in the illicit gratifications which they can secure: there is certainly much truth in these allegations, but it is to be hoped that the Police Department will be rapidly reformed now that it has come under the control of an experienced Inspector General. The Public Works Department has also come in for a large number of attacks in the matter of bribery.

Unfortunately there is every reason to believe that complaints of this nature are to a very great extent well founded. It is true, however, that the people themselves are in many cases largely to blame; illicit gratification is offered as a rule in the distinct expectation of benefits to follow. At the same time there is no doubt that the worst offenders are State officials themselves, and His Highness' Government should use every endeavour to reduce the corruption that prevails.

No very helpful suggestions for putting an end to bribery have been received from the public, nor is it altogether easy to devise an effective remedy.

It is recommended that one measure which should be adopted is an increase of supervision and touring by higher officials. It can hardly be denied that at present the State machinery is greatly over-centralised. Superior officers are largely occupied in work which should be left to their subordinates with the result that they have little time available for inspection and supervision. Lower officials are vested with very little authority and they suffer from a correspondingly meagre sense of responsibility. There is a general tendency for officers to regard their tenure as insecure and consequently to look to the rapid acquisition of wealth, by whatever means this can be secured, as the only policy to be commended. It has also been represented that unnecessarily frequent changes in the administration and management of departments have produced the effect of increasing irresponsibility and corruption. Many departments appear to have been transferred again and again from the charge of one Minister to another in recent years. Instability in this respect is certainly to be deprecated.

Subordinate officials should have the consequences of corruption clearly and strikingly brought home to them wherever proof can be found; and, as already suggested in the chapter relating to services, it may be expected that exactions on the part of such officers as Game Watchers, Forest Guards, Patwaris, etc., would materially decrease if the policy of employing local inhabitants for these appointments were adopted.

While it has been represented that all classes suffer from the exactions of officials in general, there is a wide-spread complaint that certain interested parties have made it their business to prevent the subjects of the State from enjoying the privilege of ready access to His Highness. It is firmly believed that many wrongs would be put right if grievances could on suitable occasions be brought to the personal notice of the Ruler. Any action on the part of higher officials or others tending to discourage this belief is most strongly to be condemned.

## 2. Kar-i-Sarkar (Labour requisitioned for State purposes).

Begar (forced labour) has been clearly prohibited under His Highness' orders so far as the forced requisition of labour without proper payment is concerned. Wherever it is necessary to indent on villagers for transport or the improvement of roads etc. wages commensurate with the value of the labour required are, according to the existing orders, in all cases to be paid. Females are exempted from such services, and certain exceptions are made in favour of particular classes such as Pirsadas, Syeds, Brahmans, Thakur Rajputs, Sikhs, etc: in the case of a village being called upon to supply labour for purposes of Kar-i Sarkar it seems only fair that the burden should be distributed among all agricultural classes of the village concerned. Complaints have been received that in many cases officials fail to comply with His Highness' orders in this respect, that they employ villagers to carry their baggage free of charge over long distances and indent on villagers for other services without remuneration. This practice, wherever it can be found to exist, should be very sternly discouraged. It is essential that the orders issued should be strictly observed, and superior officers should make it their business to see that their subordinates do not offend in this matter.

From the Frontier Districts comes a complaint about what is known as the "Res system", that is to say the system whereby certain villagers are required by rotation to supply coolie labour and transport animals on the Leh Treaty Road and in other places. It is impracticable unfortunately to replace this system by contractors in all the localities concerned, because in remote places, many of which are cut off in the winter season, no contractors would be forthcoming. Where it is possible the contract-system should be introduced, and elsewhere every effort should be made to see that the villagers concerned are duly rewarded for their labours. All officials should be warned that they must make full payment for transport and for all goods supplied. There should be no exemption of any kind in the matter of free grass or fuel. Unfortunately the register which is maintained at various stages for recording facilities received or payments made is not of much practical benefit, because "Res" Lambardars are in most cases illiterate. The Wazir of Ladakh should interest himself when he proceeds from Leh to Skardu and *vice versa* in questioning "Res" Lambardars and finding out what complaints, if any, they may have to make.

## 3. Forests.

Villagers have alleged in the course of their complaints that, although they are entitled under the rules to a free supply of timber for building and other purposes, they are prevented by Forest officials from enjoying these facilities if monetary inducement is not paid. The Chief Conservator of Forests has been good enough to supply the Commission with his suggestions for introducing improvements in this matter. These suggestions are reproduced below.

In each zail there should be a yearly distribution of timber to villagers under the personal supervision of the Divisional Forest Officer. The Zaildar and the local Lambardars should be present and should be made responsible for indicating the needs of applicants. The Divisional Forest Officer should pass orders as to the number of trees to be allowed and he should be given the power to exceed the ordinary maximum, both as regards the number of trees and the frequency of allotments, in exceptional cases. The Ranger should mark the trees accordingly within a period of one month.

The Divisional Forest Officer should also be given discretion to dispose of poles, inferior trees and fallen timber throughout the year without previous reference to the Audit Department. Subject to check by the Divisional Forest Officer this power might also be given to lease-holders. No harm would result to the Forest Department from this procedure as

it would have the effect of clearing the forest of rubbish which it is undesirable to retain.

In the opinion of the Commission these suggestions would prove distinctly helpful in the interests of villagers and others, and might well be adopted. Superior Forest Officers should make it their business to see that the system is fairly carried out.

The Forest rules relating to the removal of dead and fallen timber from forests and the grant of wood for the manufacture of agricultural implements should receive as wide publicity as possible, and subordinate Forest officers should be warned to give them full effect. The rules themselves appear to be sufficiently liberal. They provide that dead and fallen trees and timber other than deodar can be freely removed throughout the year except in the case of coupes which are actually under working.

In the matter of Forest contracts it is suggested that preference should, as far as possible, be given to State subjects. Where the State interests permit of this action being taken, unduly large contracts should be avoided, so as to give State subjects a better chance of competing.

#### 4. Rakhs and Game Preserves.

A widespread source of complaint relates to the damage done by wild animals straying from Game Preserves into the fields of agriculturists. It is represented that any attempt at safeguarding fields from such devastation leads to illicit demands and threats of prosecution on the part of the Watcher concerned. The mischief done by wild animals in certain parts of the State is reported to be very considerable. It appears to be financially impracticable to fence effectively every preserve in the State as has sometimes been suggested. But all reasonable opportunities should be given to villagers to protect themselves against the mischief of which they complain. Applications for gun licenses on payment of whatever fees may be prescribed should receive prompt and favourable attention; unless there is any sufficient reason to the contrary no obstruction of any kind should be placed in the way of land-holders destroying animals which are actually found within their fields damaging the crops.

Representations have been made that Game Preserves, Rakhs and Forests have been unnecessarily expanded in certain portions of the State so as to interfere with cultivation. Full particulars are not forthcoming, but it is recommended that applications of agriculturists for the extension of cultivation on the borders of existing Rakhs and Forests should be given favourable consideration where this action can be taken without undue loss to the interests concerned.

From Kishtwar there is a complaint that villagers have suffered materially because of the closure of Rakh Gumri, which has prevented them from collecting wild buck-wheat according to their former usage. It is understood that steps are being taken by the department concerned for the removal of this restriction.

#### 5. Customs.

Various complaints have been made by traders and others against the Customs Department.

In the case of villagers and other persons living close to the border of the State the Customs barrier is naturally a constant source of trouble. It is obviously impossible to remove these difficulties altogether; arrangements for the collection of customs are never popular in any country of the world. But every possible endeavour should be made by means of frequent unadvertised inspections to see that undue harassment is not occasioned.

There is a complaint from agriculturists that sugar-cane is unfairly classed as "fruit" for purposes of customs duty; this complaint appears to be legitimate, and a more appropriate classification would seem to be "agricultural produce", in which case no duty would be payable under present arrangements.

The export tax imposed on hides is also a cause of considerable dissatisfaction: it is understood that this taxation has been imposed largely in order to protect the interests of the tannery at Jammu; it appears to be doubtful whether the results to be expected will prove sufficient to justify the means adopted, and the question requires examination as soon as the tannery has worked long enough to enable the position to be gauged.

When the finances of the State permit, the question of reducing the import duty on medicines and drugs might also be considered.

A complaint has been received from the Frontier Districts that a new imposition has recently been imposed in the form of a two per cent tariff on goods which come to this part of the State although they have paid State customs duty elsewhere. It appears from information received that this duty has been discontinued; if this is not the case, it seems advisable that it should now be discarded, as a duty on goods passing from one part of the State to another is difficult to justify.

Traders have represented that they are in certain respects subjected by the Customs authorities to unnecessary inconvenience. It is complained that a change has recently been introduced in the system whereby exemption from import duty can be claimed when goods which have been sent out from the State on approval are received back from the consignee. At present it is laid down that all such goods should be shown to the Customs authorities before being exported, if a rebate is to be successfully claimed. This is said to give rise to delay in many cases unless the officials concerned are stimulated to activity by irregular means. Authenticated instances are certainly not wanting of material damage being done to goods by the Customs department in this connection; shawls, for instance, are sometimes stamped with the Customs seal in order to make them readily identifiable, in such a way as to decrease very considerably the chances of sale. Not many years ago it appears that the procedure in vogue did not necessitate the exhibition of goods to the Customs authorities prior to their export for purposes of claiming a rebate on re-importation: it was apparently considered sufficient if the goods were shown to the Customs department on their return together with such evidence as might be required in the way of traders' ledgers and correspondence with the customer etc. The changes that have taken place in this matter seem to have occurred without the full knowledge of the higher Customs authorities, and in the opinion of the Commission there appears to be no reason why the former procedure should not be revived, at all events in the case of respectable traders for whom the Trades Association is prepared to vouch. In the case of goods obviously made in Kashmir, the process of examination on re-import should be simplified as far as possible. Where a number of consignments are returned simultaneously from the same consignor, one application for exemption from import duty should, it is considered, suffice.

It is also represented that, in the case of samples arriving from outside the State, claims for a refund on return to the consignor do not receive prompt attention and are difficult to establish. The rules in this matter should be strictly enforced.

A very frequent source of complaint arises from the latitude which the Customs authorities allow themselves in the time which they take to present their claims to those engaged in trade. From information kindly



supplied by the Inspector General it appears that no claim on the part of the Customs Department is enforceable after a period of three months has elapsed. There is no doubt, however, that such claims are in many cases presented after a period of five years or more has gone by. The rule in this respect should be brought to the notice of the Customs officials and any failure to take action within the time prescribed should be duly penalised; if the period prescribed has elapsed, the presentation of claims should be avoided.

The Trades Association has represented that the schedule of values adopted by the Customs Department from time to time is not always fair or accurate. It seems desirable that the schedule should be posted in a conspicuous place in the main Customs office and that a copy should be supplied to the Trades Association whose representations regarding any modification in accordance with market values should be duly considered.

There are at present certain privileged traders who are allowed to bring their goods into Kashmir without paying customs duty at the Domel barrier, recovery in their case being effected in Srinagar. There appears to be no reason why, in the interests both of trade and the collecting agency, the list should not be extended in favour of others for whom the Trades Association is prepared to give a guarantee.

#### 6. Dharat.

Dharat is a primitive form of octroi which is levied in certain townships in the State, the right of collection being given to the highest bidder. The proceeds are expended on sanitary improvements and for other similar purposes. The ultimate incidence falls on the consumer in the ordinary way. It does not seem practicable to suggest any more appropriate form of taxation in such cases until a township expands so far as to admit of the establishment of a regular Municipality. It is desirable, however, that local feelings should be consulted as far as possible by the official in charge of the township in the matter of expenditure.

#### 7. Visitors' Bureau.

Certain objections have been raised to the continuance of the "Visitors' Bureau" at Srinagar, which provides a more or less summary means for settling petty disputes between traders and visitors. It appears, however, that more complaints are received from traders than from visitors by this organisation, which seems on the whole to be helpful in the interests of petty trade; if it is properly managed, it should serve to increase the confidence of visitors coming to Kashmir for a short period and in this way to promote business. Care is obviously necessary in the selection of the officer in charge, and the minimum inconvenience should be occasioned.

#### 8. Public Works Department.

Representations have been made that the Public Works authorities have not been as active as they should have been in the matter of constructing and maintaining roads and providing facilities for irrigation and the supply of drinking water.

As regards roads it is certainly the case that in many parts of the State communications are indifferent. It appears desirable that a definite programme should be drawn up by the Public Works authorities providing for the construction of new roads in order of comparative urgency in the various districts where they are required. The preparation of a satisfactory map showing roads (a) now existing, (b) under construction and (c) under contemplation would seem advisable.

Much has been done by the Public Works Department in the matter of irrigation. The most recent work of any magnitude which has been completed is the Zainagir canal in the Handwara Tehsil of Kashmir; this provides for the irrigation of 14,200 acres, the first two crops being free of abiana (water rate). Requests have been made that further works should be taken in hand, but no specific suggestions have been received. Various schemes have, it is understood, been prepared by the Public Works Department and such as are justified by the prospects anticipated should be taken in hand, as funds permit. In the Kandhi (sub-montane) tracts of the Jammu Province the Public Works Department has been extensively engaged of late in providing an improved water supply in the matter of tanks and wells. An allotment of Rs. 4,14,914 has been sanctioned for this purpose in the course of the last eight years. The annual grant amounts to Rs. 50,000. Up to date 432 tanks have been completed; others are in course of construction and further estimates are being prepared. The experiment of constructing tube wells has also been tried.

The provision of a satisfactory water supply for Charar Sharif in Kashmir appears to be desirable. It is understood that a scheme has been prepared, and it is recommended that, when finances permit, an allotment for this purpose should be made.

Complaints are forthcoming from the Jammu Province of the damage caused by erosion to villages situated on the banks of the Chenab. This matter is understood to be receiving the serious attention of the State authorities, and the question of building protective works and possibly diverting the river is under consideration. The views of the Punjab Government in this matter will have to be definitely ascertained.

There is also a complaint that serious damage has been caused in the Ranbirsinghpura Tehsil by the leakage of water from the canal. It is understood that this is also receiving, as indeed it should receive, the attention of the authorities.

A representation from Gilgit complains that various bridges have broken down and require replacement. The local Public Works officials should be called on to report on this matter as soon as possible.

Many complaints have been made that the methods employed by the Public Works Department in the matter of giving out contracts are open to serious exception. It has been alleged that communal bias is exhibited by the officials in charge and that all classes of contractors are not given fair play. From various contract-lists which have been supplied to the Commission there appears to be no reason for supposing that the communal question is in any way connected with the awards of contracts that have been made. At the same time the reasons given for deciding in favour of individual contractors seem to be capricious in the extreme. The causes assigned for ignoring more favourable tenders than those accepted are in many cases surprising. There are sufficient grounds for supposing that officials take for certain reasons a much keener personal interest in some contractors than they do in others.

It is suggested that it would be to the advantage both of the State and the public that a more rigid procedure should be introduced in this matter. It would seem advisable that notices calling for tenders should be clearly posted in prescribed centres giving the time and the place at which tenders are to be received, also that tenders should be opened and read out at the time and place appointed in the presence of contractors or those whom they depute for the purpose. Also it would appear to be a salutary measure that the name and rates of the successful tenderer should be posted up in a prominent place appointed for the purpose and also particulars as to the next three most favourable tenders received. The reasons for passing over the most favourable tender in the case of

an approved contractor should be satisfactorily explained. Superior officers should take a constant interest in this matter as also in the lists of approved contractors, and the practice of giving out contracts without calling for tenders should be discouraged as far as possible. The principle of giving contracts, where practicable, to State subjects does not appear to have been strictly followed and should not be overlooked.

### 9. Municipalities.

Numerous complaints relating to municipal management have been presented to the Commission. Srinagar, with which the greater portion of these complaints is concerned, has according to the Census recently conducted a population of 1,73,573 souls. It is a very ancient city and has expanded to its present dimensions without any semblance of an organised plan. Large portions of the city are deplorably dirty: the streets, in so far as they can be described as streets, are tortuous, constricted and ill-paved. These conditions react to the detriment of all classes and communities. It has been represented, and with some justification, that an unduly large expenditure has been incurred on establishment and on improving the outlying area sometimes described as the "Civil Lines" rather than on catering for the crying needs of the city proper. The purification of Srinagar city is a problem of immense difficulty. In the last few years His Highness' Government have given this problem their attention, and considerable sums have been allotted for this purpose. The improvement of sanitary arrangements should be steadily taken in hand, and, as funds permit, the provision of satisfactory thoroughfares should be gradually effected.

Jammu is admittedly in a better condition than Srinagar, and many recent improvements have been introduced. But Jammu is a small affair in comparison with the principal city of Kashmir and is relatively of modern growth. One of the main specific complaints relating to Jammu Municipality is the absence of a suitable approach to the Muslim cemetery; this matter should receive consideration.

Questions concerned with the constitution of Municipalities do not fall within the purview of the Commission's enquiries.

### 10. Hospitals.

It has been represented that the provision of medical facilities in the State stands in need of expansion and improvement. Material progress has, however, been achieved in recent years in the matter of increasing the number of dispensaries. Apart from travelling dispensaries, the number of these institutions is now reported to be as follows:—

Jammu Province	... 45
Kashmir Province	... 40
Frontier Districts	... 17
Total number of dispensaries	... 102

A definite programme has been prepared for the establishment of further dispensaries in the various districts of the State. The intention is that five new dispensaries should be opened in each province every year, new buildings for two or three dispensaries are to be constructed annually, provided that sufficient funds are available, the remaining dispensaries being accommodated in hired buildings. This programme, if it is carried out, appears to the Commission to be sufficient to satisfy reasonable requirements in the present condition of the State's finances. It is suggested, however, that the attachment of a trained "dai" (midwife) to each dispensary would prove of great benefit to the people.

Complaints have been received that in certain cases local medical officers do not pay proper attention to the requirements of their patients and that medicines supplied are not always what they purport to be. Such complaints are in many cases difficult to substantiate, but they appear to contain a considerable measure of truth. Here again the remedy appears to lie in increased supervision; also the question of restricting the private practice of medical officers, at least in those cases in which there is a reasonable suspicion that they neglect their official duties, seems to deserve the attention of the authorities.

#### 11. Promotion of Industries.

It is claimed that the State should be more active than it is at present in encouraging the establishment of new industries and enterprises so as to provide more employment for its subjects. No original suggestions of a practical nature have been received in this matter. It appears to the Commission that the most promising fields for development in this direction are to be found in the fruit industry and the manufacture of textiles, such as Pattu, Pashmina and Carpets. Both these matters have received attention from His Highness' Government. As regards textiles, the State has obtained expert advice from Professor Barker of Leeds University who recently visited Kashmir at the invitation of the Government; his report is very shortly expected.

In regard to the fruit industry, this enterprise has in late years received a severe set-back from the ravages of a disease known as "San José Scale", many orchards have been destroyed and many others are in a decadent and dangerous condition, infection has been rapidly spreading. Here again the State authorities have called in the services of an expert, and some steps have been taken to combat the disease. Much greater activity in this direction appears to be indicated, and every effort should be made to enlist the co-operation of private growers and to deter them from maintaining infected trees, as the fruit industry should be capable of much profitable expansion.

At present the main industry controlled by the State is Sericulture. This enterprise provides employment for a large number of operatives and brings in a very considerable income to agriculturists to whom seed is supplied for the rearing of silk-worms both in Kashmir and Jammu. Apart from the manufacture of raw silk, arrangements have recently been made for the establishment of a silk-weaving factory at Srinagar, which should prove of assistance to some small extent in solving the problem of unemployment. In recent years the silk industry in the Kashmir Province has unhappily been declining, the market has admittedly been depressed, but it would seem that with more active and enterprising management the State Sericulture Department should have great opportunities of expanding its business in India under existing tariff arrangements.

All possible encouragement should be given to local manufacturers, and His Highness' Government should, it is recommended, avoid as far as possible placing orders outside the State or with non-State subjects for articles that can be manufactured locally. In the placing of contracts for supplies required by the State the procedure indicated in the case of Public Works contracts might, it is suggested, be followed as far as practicable.

#### 12. State Subject Certificates.

Much unnecessary inconvenience appears to be caused to the public in general by the present rules relating to the issue of "State Subject Certificates" which it is necessary to procure in order to obtain State service and for certain other purposes. Zemindars complain that when they require such a certificate they have to travel to the head-quarters

of the district, which in many cases involves a long and tedious journey and often entails a considerable outlay irregularly incurred in securing the good services of minor ministerial officials and others. It is suggested that in rural areas Tehsildars should be empowered to grant "State Subject Certificates," and that in the case of an agriculturist a properly certified copy of a relevant revenue record should be held sufficient to establish his claim in this respect. As regards urban areas the practice of obtaining certificates from the Wazir or District Officer might remain as it is; there is an obvious danger to the interests of State subjects in relaxing the procedure to a greater extent than is necessary.

### 13. Dharmarth.

The Dharmarth Department is a Trust created very many years ago for the fulfilment of certain specific purposes of a religious and charitable nature. It has been suggested that Dharmarth funds should now be devoted in a large measure to purposes other than those contemplated in the Charter of the Trust. This is obviously inadmissible. At the same time, so far as the rules permit, all classes should be allowed to benefit from the charitable activities of the department: it appears from the records that the benefit has so far not been confined entirely to Hindus, as certain "Muqarraris" (cash grants) have been allotted to Muslim recipients. The financial condition of the Dharmarth department appears to be very flourishing, and expenditure on such worthy objects as improved water supplies in various localities would seem to provide an appropriate outlet for surplus funds. The establishment of "Gaushalas" at important centres for the care of maimed or unwanted cattle is also to be commended.

It appears that in former times the Dharmarth department used to collect nearly all its rent in kind in the villages assigned to it. This practice has happily been considerably curtailed in recent years; it seems eminently desirable in the interests of the agricultural classes that, where this action has not already been taken, cash recoveries should replace recoveries in kind.

The Kashmiri Pandits have complained that, whereas His Highness' Government have passed orders that on the death of Swami Saraswati Gir the charge of the Chhari (religious standard) carried on the occasion of the pilgrimage to Swami Amar Nath Ji should be entrusted to Swami Shiv Ratnanand Gir, these orders have not as yet been carried out. It is recommended that the orders issued in this respect should be duly enforced.

### 14. Suthrashahi.

"Suthrashahi" is the name given to a levy which appears to have been at one time officially imposed on the occasion of marriages. It is said that this system is not altogether extinct, but there is certainly no official authorisation for such practices, and complaints put forward in this respect are shadowy and unsubstantiated. It would seem possible that in recent times private individuals have occasionally endeavoured to make exactions in this matter on the pretence that they have been authorised to do so by His Highness' Government. Any activities of this description should be brought to the notice of the State authorities and should be effectively suppressed.

### 15. Slaughter of goats and sheep and sale of meat on prohibited days.

There have been loud complaints, especially on the part of Muslims, that on the days of certain Hindu fasts such as Ikadashi the slaughter of animals or the sale of meat or its exhibition for sale is now prohibited. The number of such days amounts to something like sixty in the course of the year. Specified exceptions have been made in the case of meat

intended for Europeans, sick persons, and carnivorous animals. In view of these exceptions it appears impossible to justify the continuance of any general prohibition of this nature in future. It should suffice to protect the feelings of the Hindu community if the State authorities reserve to themselves the power to forbid slaughter and the sale or exhibition of meat in the close vicinity of temples or sacred places. It may be remarked that the orders in force do not seem to operate in any way fairly or effectively at the present time; there are in Srinagar City some thirtyfour butchers' shops which are specially licensed to carry on their business on prohibited days in order ostensibly to cater for those that are exempted, but in practice their activities are well known to extend far beyond legitimized limits, and the allotment of such licenses appears to be largely a matter of favour or caprice.

Incidentally it is suggested that on the occasion of the Id-ul-Zuha and on other occasions when the slaughter of goats or sheep is resorted to by Muslims as a matter of religious observance no fees for such slaughter should be recovered.

#### 16. Pipal trees.

A minor complaint has been received to the effect that all communities are forbidden to lop or cut down pipal trees, merely because they are held sacred by Hindus. The orders on the subject show, however, that restrictions in this matter are confined to such trees as grow in public places where their shade is of benefit to travellers and others. The cutting of pipal trees situated on private property does not appear to be prohibited and in such cases restrictions are clearly undesirable.

#### 17. Chowkidari tax.

It has been represented that the tax imposed for the maintenance of chowkidars or village watchmen has of late been unnecessarily increased. The orders on the subject show that the actual rise has been from eight annas to twelve annas, and in the case of towns fourteen annas per "Chula" (hearth). This enhancement has been introduced in order to meet increased expenditure on salaries and uniforms and does not appear to be excessive.

#### 18. Restrictions in regard to tanks etc.

It is said that in various localities certain communities are not allowed to make use of public tanks, bathing-places and drinking-places, which have been arrogated to their own use by particular classes. Enquiries have been made by the Commission as regards this point, but full information is not yet forthcoming. Local officials should be enjoined to see that in the matter of public tanks etc., that is to say those in the case of which no person or class of persons can establish an exclusive right for religious or other purposes, invidious distinctions are not allowed to continue.

#### 19. Traffic in women.

This nefarious enterprise, known as "Bardafaroshi", has been for many years the subject of grave concern in various parts of the Jammu Province where an organised business in abducting women and girls and removing them beyond the limits of the State has been conducted. His Highness' Government have been doing what they can in the matter of legislation, executive action and propaganda to discourage and prevent these deplorable activities. It has been represented that the propaganda campaign should be extended by the multiplication of pamphlets and lectures. Any further measures which the State can adopt in this direction will receive the support of all communities concerned.

## 20. Regulation for the Prevention of Infant Marriages.

Legislation on this subject has only recently been introduced by His Highness' Government. The Regulation is undoubtedly salutary in its main principles and has met with the approval of the public in general. It has been represented, however, that in certain parts of the State villagers and others have been subjected to practical difficulties, as it is by no means easy to adduce positive proof of the age of children, and false cases are said to have been frequently brought against innocent parents largely on the basis of anonymous petitions.

The Commission recommends that, in order to remove these practical difficulties, the following procedure might be adopted:—

- (a) It might be assumed, until and unless the contrary is proved, that a certificate of age obtained from the Dambardar in rural areas or from the Mohalla Officer in the case of Municipal areas is correct.
- (b) No proceedings of any kind should be instituted unless there is a prima facie reason for supposing that such a certificate, where it is forthcoming, is incorrect, and no attention whatever should be paid to anonymous petitions.

The recommendation as regards anonymous petitions applies not only to the case in point but to all other matters and occasions. At present far too great attention is paid in certain quarters to such petitions, and unnecessary trouble arises in consequence.

## 21. Social reforms in Ladakh.

It has been represented that steps should be taken to restrict the consumption of "chhang", a mildly intoxicating liquor prepared from "grim", a kind of barley. It is more than doubtful whether any official action in this direction would meet with anything approaching general approval; it is on record that a move in this direction was made by the authorities some years ago and proved a lamentable failure. Those addicted to the consumption of "chhang" claim, and with some reason, that in the rigorous climate of Ladakh the use of a mild stimulant is not a luxury but a matter of sheer necessity. The Commission has no recommendation to make in this behalf.

It has also been suggested that both polyandry and polygamy, which are now prevalent in Ladakh, should be prohibited by law. There appears, however, to be no general feeling in favour of this proposal, and it seems to the Commission that any legislation of the nature suggested would be premature and ill-advised. Official interference in this direction must be deferred until there is reason to believe that it would receive the sanction of local opinion in general.

## 22. Petty Traders.

Hawkers who ply their trade in Srinagar have complained of the difficulties to which they are subjected in the matter of octroi. It is represented that when they take their goods beyond Municipal limits their wares are examined at the octroi barrier both when they go out and when they come back again, that much time is wasted in this way and that the process of expediting examination is distinctly expensive. It appears impracticable to suggest that this system should be altogether discontinued, because there is certainly a danger that hawkers might evade octroi by including in their wares on their return journey goods surreptitiously brought from outside the city. Examinations might, however, be limited as far as possible to a reasonable number of test-cases.

Hawkers also complain that the fees which they pay for licenses have lately been increased out of all due proportion. Not only has the license fee risen from Rs. 2/8/ to Rs. 30, but this enhanced fee only enables a hawker to sell one particular kind of article, and he is required to pay an additional fee of Rs. 30 for each other kind of article in which he wishes to deal. It appears reasonable that, at all events at the existing time of trade depression, a general license fee of thirty rupees for hawkers should suffice. Also it would seem reasonable that licenses should be taken out by the firm employing a hawker or itinerant agent and not necessarily in the name of the actual hawker himself. The hawker employed by the firm might carry with him a certificate of authorization from his employer.

### 23. Hanjis.

Hanjis who make their living by hiring out house-boats at Srinagar complain that they have to pay greatly increased fees in the matter of boat-tax and also ghat (mooring-site) tax, also that the boat-tax is now calculated according to the length of the boat and not according to classification. The incidence of the taxes concerned is transferred to those who hire boats and there appears to be no sufficient reason for reduction. The system of classifying boats according to length seems to give less scope for arbitrary methods than the alternative procedure. It is suggested, however, that action in the following respects might reasonably be taken: (1) where boats remain unlet throughout the year they might be exempted from taxation, (2) boats used exclusively for Hanjis' residences might also be exempted, (3) free mooring-sites within Municipal limits might be allotted for unoccupied house-boats, (4) there might be one collecting agency for both boat-tax and mooring-site tax instead of two, (the Municipality and the Hydraulic Department), (5) no charge should be made by the Electric department where a boat is not actually fitted with electric light, (6) facilities in such matters as the right to vote at municipal elections might be given to Hanjis who pay taxes to the Municipality, (7) the rule prescribing a maximum rent for house-boats might be cancelled as unnecessary.

Hanjis interested in house-boats have protested against petty inconveniences placed in the way of visitors to Kashmir as being calculated to affect their trade. They instance in particular the tax recently imposed on camping-sites outside municipal limits. In the opinion of the Commission the discontinuance of this form of taxation might well be considered. The proceeds are understood to be comparatively small, and, considering the amount of money left in the country by visitors and the extent to which many classes depend for a livelihood thereon, the advent of visitors appears to be a matter for encouragement.

### 24. Lorry-owners and Taxi-Owners.

Lorry-owners and taxi-owners complain of the extent to which road-toll has been increased in recent years. The incidence in such cases is passed on to the passenger or hirer; the road-toll, though heavy, does not yet appear to have had the effect of decreasing the volume of traffic. It brings in a very considerable amount of revenue, and in the present state of finances it is hardly practicable to suggest a reduction.

There is one point, however, relating to road-toll in which an amendment of the existing procedure appears to be desirable. Local inhabitants of districts such as Muzafferabad in which road-toll barriers are situated complain that, although they are entitled to exemption from toll, they are required to obtain for this purpose a certificate from a Revenue Officer, which frequently entails a long journey and considerable trouble. It is suggested that village headmen might be authorised to grant certificates in such cases: if the privilege is found in particular cases to be abused, it should be withdrawn and the offender penalised.



Lorry-owners also complain of municipal taxes. These do not, however, seem to be excessive and they bring in an appreciable income to the Municipality. The regulations regarding Police inspections of hired vehicles have also provided a source of complaint. The rules laid down for ordinary periodical inspections do not appear to require amendment, but it is suggested that an additional inspection need not be insisted upon if the vehicle concerned suffers from only a minor defect which is not such as to prejudice the safety or convenience of the public; a warning that such defects should be put right by the time of the next regular inspection should be sufficient.

Transport owners have protested bitterly against the system recently introduced of charging fees for entrance into the Shalamar and Nishat gardens. They represent that these charges have had the effect of deterring the public from visiting the gardens, and that their trade has suffered in consequence. There is no doubt that this innovation is extremely unpopular not only with those engaged in hiring boats and vehicles but with the public in general. The Nishat and Shalamar gardens were until recently a favourite resort of the citizens of Srinagar, both rich and poor alike : they have now become practically deserted. The charges levied have brought in a very insignificant return, and it does not appear desirable that the public should in any way be debarred from availing themselves of a healthy relaxation which they have hitherto enjoyed.

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CHAPTER VII.

CONCLUSION.

The Commission tenders its apologies for the length to which this report has run. In view of the vast number of representations put forward, many of which are of an important nature, it has not been found possible to confine the report within narrower limits. It may be remarked that the representations received have exhibited a general tendency to suggest on the one hand that the expenditure incurred by the State should be very considerably increased and on the other hand that almost every form of revenue should be materially diminished. It is no doubt possible for the State to effect retrenchments in certain departments so as to provide for more liberal allotments in other directions. But it must be realised that, for reasons beyond the control of His Highness' Government, the income accruing to the State has already been greatly reduced and is unfortunately bound in the nature of events to suffer still further reduction: to quote one instance, the Forest department, hitherto the foremost revenue-producing department in the State, is likely, owing to a severe depression in the timber trade, to experience a set back which will reduce its receipts to not more than half of what they were before. In framing its recommendations both in regard to revenue and expenditure, the Commission has endeavoured to bear in mind the financial stringency which unhappily prevails and the extent to which the State Exchequer can reasonably be expected to sustain the effect of the reforms and changes recommended.

Owing to the diversity of subjects which have come under consideration it is hardly practicable to attempt anything in the nature of an exhaustive summary of all conclusions reached and all proposals put forward. But, among the more important recommendations which the Commission has made, particular attention may be invited to the following:—

1. Every possible care should be taken to carry out in every way the declared policy of His Highness' Government, that complete religious liberty should be enjoyed by every class and community.

In the matter of religious buildings of which restoration has been claimed action has already been taken in all important cases which have been brought to the notice of the Commission; in all other cases the orders contained in His Highness' announcement on the subject should be strictly enforced as soon as detailed information is available.

In regard to the law of inheritance on conversion separate opinions have been recorded.

2. Educational development should be strenuously taken in hand in the manner suggested, especially in regard to the expansion of primary schools. An increase in the number of Muslim teachers is also recommended, and the appointment of a special officer for supervising and promoting Muslim education is a matter of importance.
3. All vacancies in the State services should be properly advertised and all practical steps should be taken on the lines indicated in the report to see that all communities receive their fair share of Government appointments. In the case of local appointments it is recommended that the inhabitants of the district concerned should be recruited as far as may be possible.

4. Malikana (owners' dues) payable to the State should be remitted.

The Commission also considers that the time is ripe for the grant of proprietary rights in respect to all lands of which the ownership is retained by the State and the right of occupancy is enjoyed by private persons. Such a concession, subject to the safeguards detailed in the report, would, it is suggested, improve the general position of the agricultural classes; the grant of proprietary rights would be greatly appreciated and would make for increased contentment and stability.

5. Kahcharai (grazing tax) should be forthwith suspended in certain specified areas, and action should be taken to see that the demand does not press too heavily in other portions of the State.
6. Nautor arrears (revenue outstandings on account of land newly brought under cultivation) which have already been suspended in the Mirpur Tehsil should be written off.
7. All possible care should be taken to see that the existing rights of agriculturists are not in any way impaired by privileges conferred on other classes. The benefit of concessions granted to agriculturists at the time of the Raj Tilak ceremony (His Highness' accession) should be fully secured to them.
8. Strenuous endeavours should be made to put an end to all unauthorised exactions. Decentralisation of powers is desirable in many directions in order that Ministers and heads of departments may have time to supervise more effectively the officers under their control.
9. His Highness' orders in respect to Kar-i-Sarkar (labour requisitioned for State purposes) should be strictly enforced, and payment should be made at proper rates for all services rendered.
10. Steps should be taken on the lines indicated to ensure that villagers and others receive the full benefit of Forest concessions conferred upon them, especially in regard to fuel and timber for building purposes.
11. The promotion of industries should receive the earnest attention of the State authorities. The most promising fields for development appear to be offered by the Fruit industry and the manufacture of textiles, both of which have lately engaged the consideration of His Highness' Government. Industrial developments are at the present time of the utmost importance, as it is highly desirable to provide an outlet for unemployment.

Detailed complaints and documents relating to individual departments will be forwarded to the Prime Minister for favour of distribution to the Ministers in charge of the departments concerned. A statement containing the names of qualified candidates for employment will be submitted to the same authority. All these papers will no doubt be given careful consideration.

The Commission desires to express its grateful acknowledgment to all Ministers and officers by whom information has been kindly supplied, and also to place on record its high appreciation of the services rendered by the Secretary, Lala Charanjit Lal, and the remainder of the staff who have been called on at times to work long beyond the regular hours of business and have discharged their duties loyally and efficiently throughout.

J A M M U, }  
22nd March, 1932. }

(Sd) B J GLANCY  
,, P. N. BAZAZ.  
,, G. A. ASHAI.  
,, GHULAM ABBAS.

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NOTES OF DISSENT.

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- A. Messrs. G. A. Ashai and  
Ghulam Abbas ... (1) Inheritance Law.  
(2) Rajput Training School.  
(3) Licensing of Arms.
- B. Pandit Prem Nath ... Idgah Ground.
- C. Ch. Ghulam Abbas ... Preliminary statement.  
(1) Recruitment in Civil Services.  
(2) Military Service.  
(3) Public Service Commission.  
(4) Malikana (Owners' dues).  
(5) Land Revenue.

JOINT NOTE OF DISSSENT BY MESSRS G. A. ASHAI & GHULAM ABBAS.

**1. Abolition of secular disabilities imposed on converts to Islam by the State Law of inheritance.**

Even admitting that under the Hindu and Muslim Laws an apostate or an out-cast is debarred from all claims to a share in ancestral property, we are unable to agree with the finding of the report that the issue involved is as follows :—‘Have the Muslims any legitimate grievance in the fact that the State Law relating to the consequences of apostasy is based upon the religious laws of Hinduism and Islam?’ A Muslim can have no grievance if he is treated according to the religion which he professes. But we do not think that the issue has been rightly stated. The real issue is as follows :—

“Should a Government force the Muslims to act against their will upon a particular religious law of theirs to the exclusion of the other dictates of their religion ?”

If the laws of the State were based upon the principles of Islam, no Muslim could possibly object to them as a Muslim. If a thief's hand were amputated, if an adulterer were stoned, if war were waged upon those who did not pay zikat, if eighty lashes were administered to a person who was guilty of bringing a false accusation against some one, if the Islamic Laws regarding inheritance were fully acted upon, an orthodox Muslim at least could have no objection to the forfeiture of ancestral property on conversion. But to force him to act upon Islam in one particular respect and to force him to go against Islam in other respects is certainly not fair. Even in the case of inheritance a Muslim in the State is not free to act upon the provisions of Shara.

Again, according to Islamic Law when a person is entitled to or is in possession of a property through inheritance he cannot be deprived of it on conversion. Therefore a convert from Hinduism to Islam should not be deprived of his property when he has got possession of his inherited property or a claim to it. But the present interpretation and application of the State Law is not this. Therefore it is not true to say that Muslims have no legitimate grievances in being treated according to their own religious law.

One might say that the State of Jammu and Kashmir is a Hindu State and as such it should not allow things not sanctioned by the Hindu religion. We may point out that Muslims would have no grievance at all if the Hindu Law were enforced in the State in the matter of conversion. An apostate in Hinduism may forfeit all claim to a share in the ancestral property. But it must be remembered that the Hindu Law makes two concessions in this connection :—

1. “It is a principle of Hindu Law that an estate once vested cannot be divested by any subsequent event, so, while unchastity of the wife is a disqualification for inheritance, a widow in whom the estate has once been vested on the death of her husband, cannot be divested by reason of her subsequent unchastity. On the same ground, the subsequent conversion of the heir will not divest his estate, even though it might be an effective impediment in the way of his taking it. (The Hindu Code Sir H. S. Gour 1929 para. 2596 page 1272.)

Mitakshara, the highest authority of all sects of Hinduism, puts this law in the following words:—

“They (the disqualified persons) are debarred of the share, if their disqualification arose before the division of the property, but one already separated from his co-heirs is not deprived of his allotment. (Chapter II Section 10).

2. Where a son or other heir is excluded from inheritance by reason of disability he is entitled to maintain himself and his family out of the property which he would have inherited, but for his disability.

The right of the disqualified heir and his family for maintenance is not only expressly provided by the following text, but is one which the courts would have enforced as a matter of justice, even if there had been no text, in favour of it:—

“Manu:—201. Eunuchs and out casts, persons born blind or deaf, madmen, idiots, the dumb and such as have lost the use of a limb are excluded from share in the heritage.”

“202. But it is just, that the heir who knows his duty should give all of them food and raiment for life without stint according to the best of his power; he who gives them nothing skims assuredly to a region of punishment.”

The text only provides for the maintenance of the excluded heir. But his family, which has the right of maintenance against him, has equally the same right against his estate from the enjoyment of which he is excluded by reason of his personal disqualifications. It cannot affect their primary right of maintenance. (The Hindu Code by Sir H. S. Gour 1929, Section 91 page 555.)

If the Hindu Law of disinheritance on conversion is enforced in the State, it is necessary that the persons on whom this law operates should have the benefit of the above mentioned two concessions. It may also be pointed out in this connection that all outcasts from Hinduism as well as those otherwise disqualified from inheritance will have to be treated in the same manner. Impotent persons, the blind, the deaf and the dumb as well as madmen and idiots are all disqualified from inheritance according to Manu (99-201). According to Mitakshara any one guilty of a heinous sin is also an outcast. Drinking of intoxicants and going across the seas are heinous acts according to Hinduism. All such persons should, therefore, be deprived of their inheritance. This shows that in the State in the matter of inheritance neither the Hindu Law nor the Islamic Law is followed.

We are unable to agree with the remark that ‘it is at least open to doubt whether an act of this nature could find its way on to the Statute Book today’. As admitted in the report several Indian States (including one Muslim State) have enforced in their territories enactments on the lines the ‘Caste Disabilities Removal Act of 1850’ which obtains in British India. Moreover, the principle, underlying the Law in British India has been formally and unanimously accepted at a recent meeting of the Consultative Committee of the Round Table Conference held at Delhi on the 25th February 1932 under the Presidentship of His Excellency the Viceroy. “The Committee agreed that change of faith should not of itself render any person liable to loss of any civic right or entail any penalty.” (Civil and Military Gazette dated 27th February 1932).

It has been pointed out in the Report that the demand for the amendment of the Islamic Law about apostasy is not consistent with the demand for the enforcement of the Islamic Law about inheritance. But there is no inconsistency between the two. The question of inheritance pertains to individuals professing the same faith, while the law about apostasy affects those who profess an alien religion, and this law can be enforced only when the Government is based on the principles of any particular religion. The report also contains such inconsistencies, *e. g.*, while much has been made of the personal law of Islam in the case of conversion, the report vindicates the law of the State about early marriages. Similarly, it recognises the right of primogeniture in the case of Jagirdars.

It should also be noted that, though it is true that the Hindu Joint Family system differs very much from the Muslim law of inheritance, yet this difference exists only in the life-time of the person from whom property descends to the heirs and it disappears after his death with the result that a Hindu becomes the owner of his property after inheritance just like a Muslim. Hence to deprive such a person of his share of inheritance of which he has obtained possession on the death of his progenitor is neither consistent with the letter of the law nor with the principle of inheritance.

We are strongly of the opinion that the Caste Disabilities Removal Act of 1850 is the only solution of this difficulty. In a country where the religious laws of a particular community cannot be enforced on account of the fact that its population is a mixture of people holding diverse and heterogeneous beliefs, it does not stand to reason to permit the laws of those religions to operate to deprive any person of any property to which but for the operation of such laws the person would have been entitled. The Hindus of the State cannot reasonably object to it because the millions of their brethren in British India are thoroughly satisfied with the Act.

#### **Licensing of arms.**

In the Kashmir Province and the Frontier Districts no body can possess arms without a license. There is no such restriction in the Jammu Province excepting the recent temporary order covering the Jammu City and its surrounding villages in a radius of five miles. In fairness there should be no such discrimination against the Province of Kashmir and the Frontier Districts. There is now no traffic in arms in those parts.

#### **Rajput Training School.**

The present Rajput Training School at Jammu, reserved as it is for a single community, has proved a source of constant heart-burning to the other communities owing to discrimination against them. It is therefore, suggested that His Highness' Government would be pleased either to throw open the present school to all communities, or, in the alternative, start another Training School for all of His Highness' subjects of martial classes.

(Sd.) G. A. ASHAI.

(Sd.) GHULAM ABBAS.



## NOTE OF DISSENT BY PANDIT PREM NATH BAZAZ.

## Idgah Ground.

I regret I cannot agree with my colleagues in their recommendation regarding the Idgah. The Commission has had no hesitation in dismissing the claim of the Hindus for Hari Parbat and the Shankaracharya. The Hindus have advanced reasons for the exclusive possession of these two places being "restored" to them. On the other hand it has not been proved that the Muslims had at any time any better title over the Idgah than they possess at present. The recommendation is for "making over" the Idgah to the Muslims, which does not mean "restoration" of a thing already belonging to the community. No grounds were put forward by Muslims in support of their claim, and none have been advanced by my colleagues for their recommendation.

The Idgah has never been an exclusively Muslim resort. It has been used only on three or four days annually for congregational prayers and they had no exclusive right even of enjoyment, not to speak of possession, during the 360 odd days of the year. The area in question is an open ground over half a mile long, a quarter mile broad and is the junction of Srinagar-Leh Road known as the Treaty Road, the Alam Sahib-Vanganpura Roads the Nawa Kadal-Vanganpura, Rathapura Roads and Rishivihar-Gandarpura Roads, all of which cross one another at various places within the ground. There is again a Buddhist monument almost in the heart of the ground.

The ground again is the pasturage of the whole of Srinagar below the 4th bridge and everyday thousands of cattle graze there. It is the recreation ground of the large portion of Srinagar and for this purpose both Hindus and Muslims have been planting new chinars in the ground in recent years. Some prominent Hindu families on that side have been performing the Tonsure ceremony of their boys in this ground from ancient times.

The ground has been used by the Government schools, the Mission and the Islamia schools as play-ground as there is no other open ground in the city proper. Every day hundreds of boys can be seen playing football, cricket etc.

There are many private gardens on the outskirts of Idgah which can be approached only through this ground. A Serai for Baltis stands on one side of the ground and their transport ponies, hundreds in number, use it for grazing in summer months. If the Muslims' claim relates to the mosque that stands on the northern extreme end of the ground this may be allowed, and a reasonable compound allotted for enclosure but the compound on the east cannot extend beyond the line of the Leh Road.

I must say in fairness to my colleagues that their recommendation for the "making over" presupposes that the citizens of Srinagar, including Hindus, will continue to enjoy their rights over the place. But my objection is to the "making over" with all that it must connote. The rights of way, pasturage, recreation and other rights possessed by the citizens of Srinagar are in the nature of rights over a village common. The Muslims' rights over the Idgah are neither less nor more than the right that the Hindu inhabitants of a village may have over the village common to celebrate their special festivals twice or thrice a year over the village common. No individual or class of individuals can claim any exclusive right over the ground.

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Lastly it should be remembered that this is not a matter between the Government and the Muslims only. All classes and communities of Srinagar have a right to dispute any settlement proposed with regard to the land, irrespective of what the position of the Government in the matter may be.

(Sd.) PREM NATH BAZAZ.

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## NOTE OF DISSENT BY CH. GHULAM ABBAS.

I want to make it clear that, although the report does not go far enough to meet all the grievances of the Muslims of Jammu and Kashmir, covered by the terms of reference prescribed for this commission, and detailed in the memorial submitted to His Highness the Maharaja Bahadur on the 19th of October 1931 by the Muslim Representatives including myself, I have put my signature to this report because I think that most of the recommendations which it makes can, if properly acted upon in the correct spirit, go a long way in relieving the urgent requirements of the Muslims. In some places the difference is so slight that I think I would be serving the interests of my community by signing it better than by not doing so.

While deeply appreciating the numerous good points of the report I am constrained to write a note of dissent on certain points because I feel that unless I do so I will be failing in my duty to the Muslims, whose cause I have to represent.

**Recruitments in Civil Services.**

Fair representation to the Muslim community should mean granting them the same proportion in the services as they hold in population. The recommendations made in the report should be so worked that the Muslims may secure such representation in the course of next ten years time. From the statistics supplied by the education department it appears that sufficient number of suitable candidates will be available from among the Muslims for State employment during this period. The proportion of agriculturists and non-agriculturists will be found to be almost the same among Muslim and non-Muslim communities. Further to accelerate the Muslim representation in services, it is suggested that:—

- (a) All non-Muslims who have attained the age of fifty or put in a service of twentyfive years at least should be retired.
- (b) All non-Muslim temporary incumbents may be discharged.

NOTE—The vacancies available under (a) and (b) should be filled up with qualified Muslims

- (c) All present Muslims employees should be spared from retrenchment as Muslims representation in services is already meagre

It may be pointed out that in the Punjab, where the population of Muslims is only 56 per cent. the Muslim representation in the services has recently been accepted by the Government to be at least 50 per cent. (*vide* 'Daily Inqilab' 19th March 1932 about Chief Secretary's statement in Council on 17th March 1932). In the Punjab also the bulk of the Muslim population belongs to the agriculturist class, but that does not deprive the Muslims of joining Government service in about the same proportion as they hold in the total population. In fact the agriculturist communities are accorded preferential treatment in recruitment. The principle of reserving a certain proportion in services has received definite recognition in British Indian administrations. Recently the Bombay Government appointed a special officer to accelerate the recruitment of certain backward classes and fixed a definite percentage of menial appointments for the benefit of a community.

**Promotion in Services.**

I am opposed to the idea of filling up vacancies in services by promotion to the extent of 50 per cent. Appointments by promotion

should be stopped in departments in which the paucity of Muslims is glaring and where their claims have been so far ignored. Excepting these departments appointments by promotion should not in any case, be permitted to exceed the ratio at present allowed *viz.* one third. The remaining vacancies should be filled from non-departmental sources. The State employees seem to be perfectly satisfied with this proportion of promotion and the Commission has received no complaint against this proportion being upheld. It is moreover understood that the principle of granting only one third of higher appointments to the departmental men is applicable in certain Indian Government Departments as well.

#### **Military Service.**

Till the question of classification is re-examined as recommended in the report there is no reason why the recruitment of combatant classes of Muslims should be restricted against past practice. I urge strongly that :—

- (1) recruitment in Cavalries should be thrown open to Muslims as before and existing vacancies filled up with them;
- (2) in the proposed new Regiments the Muslims classification should at least be half.

This claim is supported by the record of conspicuous and meritorious services rendered by the community during the Great War and previously, in contra-distinction of any other class of His Highness' subjects.

#### **Public Services Commission.**

I strongly protest against the recommendation that the heads of departments should, as before, be invested with the power of making appointments in the various departments of His Highness' Government. In the original Muslim representation dated 29th October 1931 which was submitted to His Highness by the Muslims' accredited representatives at Srinagar, it was requested that a Public Services Commission should be formed in the State to safeguard the interests of the Muslim community in the matter of proper representation in services. Past experience has bitterly taught the Muslim community that no reliance can be placed in individual officers of the State to get their legitimate share in the services. The existing paucity of Muslims in the State service is due to conditions obtaining prior to the establishment of the Civil Service Recruitment Board when the departmental heads exercised almost the same powers of appointment as are proposed now to be re-vested in them. Instead of meeting this legitimate demand, it is proposed to abolish even the existing Board, which, it was hoped, might remove communal inequalities in services. It will mean falling back upon the old order of things under which the Muslims' claim in service was persistently ignored. If the finances of the State do not allow the establishment of a Public Services Commission for the present, it is recommended that the existing Recruitment Board should be retained until such time as a Public Service Commission is properly established. The other recommendations made in the report in this connection are agreed to and the Board should observe them all.

It is understood that apart from the British Indian Government, where whole-time Public Services Commission is functioning, even advanced Indian States like Mysore, Baroda, Cochin etc. have created such machineries.

#### **Malikana.**

The remission of Malikana in those parts of the State in which disorders have unhappily broken out should not be deferred or made

conditional. The restoration or conferment of proprietary rights to zemindars would automatically carry with it the remission of Malikana. I urge the grant of proprietary rights and remission of malikana immediately. It would at the same time have salutary effect on the situation.

#### Land Revenue.

I must confess that I entertain misgivings as to whether zemindars in the Jammu Province will be afforded sufficient relief by the measures proposed in regard to Malikana and Kahcharai and by the strict application of the rules of suspension and remission, assuming that they are carefully carried out. The zemindars of Jammu find it difficult to earn a livelihood from the land they cultivate and many of them are compelled to seek service abroad. Their holdings have been greatly reduced by the process of partition, and indebtedness is a very serious problem. In the Mirpur Tehsil the average holding has decreased since the time of the last settlement from 3·2 to 1·3 acres in the case of owners and 2·4 to 1·5 in the case of tenants, while unsecured debts, according to the statement of those concerned, now stand at Rs. 7 per acre for owners and Rs. 26 for tenants. Communications are indifferent and the cultivator experiences much difficulty in marketing his grain.

Though it is true that the Settlement department has until recently been in the charge of competent officers from British India and that the assessment has been based on the half net assets system until lately prevailing in the Punjab, the demand has certainly not erred on the side of leniency. In the Punjab it has long been the practice to limit the demand to 1/6 of the gross produce. In the Jammu Province it approximates to 1/4. Moreover it has not been possible for the Settlement Commissioner, however good his intentions may have been, to supervise each and every settlement in all its details. The result has been that inaccuracies have crept in to the detriment of zemindars. The Hasiyatdehi has in some cases been pitched unduly high and there is reason to believe that former exactions such as marriage-tax, though now abolished, and the mustajari system of farming out the revenue have led the officials in charge of assessment operations to over-estimate the paying capacity of the cultivators. When new settlements are undertaken great care should be paid to the remeasurement and reclassification of soils, and if circumstances permit an officer should now be placed on special duty to enquire into these matters.

The principles underlying the Punjab Revenue (amendment) Act of 1928 are sound and salutary. This should be left alone for the present, but the principles involved should receive the consideration of the State authorities as soon as practicable and the land revenue should be reduced accordingly.

(Sd.) GHULAM ABBAS.

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## ORDERS ON THE RECOMMENDATIONS CONTAINED IN THE GLANCY COMMISSION'S REPORT.

1932

The Commission presided over by Mr. Glancy, which was appointed under the order, dated 11th November 1931, by His Highness the Maharaja Bahadur have now presented their report.

His Highness has been pleased to command that his thanks should be conveyed to Mr. Glancy and the Members of the Commission for the painstaking care and thoroughness with which they have conducted their labours. The report is an impartial, exhaustive, logical and lucid exposition of all the matters considered by the Commission under their terms of reference.

His Highness has been graciously pleased to accept the recommendations contained in the main report and to order that steps shall be taken to implement them at the earliest possible moment. The orders below are issued with this end in view :—

### ORDERS.

#### I. RELIGIOUS.

##### Restoration of sacred buildings etc.

His Highness the Maharaja Bahadur is pleased to command that the recommendations of the Commission in respect to the restoration of sacred buildings etc., should be strictly carried out. The Governors of Jammu and Kashmir will be responsible for seeing that the necessary action is taken.

The Madin Sahib Shrine at Srinagar should be handed over as soon as the representatives of the Muslim community notify their wishes, duly endorsed by the Anjuman Islamia on behalf of the Shia community as to the authority to be given charge thereof.

Similarly the area known as the "Idgah ground" at Srinagar should be made over to the Muslim representatives as soon as they provide a written undertaking that the rights enjoyed by the public in regard to grazing, recreation etc. will be duly respected.

The Khanqa Sufi Shah at Jammu and the Bahu Mosque should be restored as soon as practicable to the Muslim community.

The Khanqa at Shahdana in the Jammu Province should be entrusted to purely Muslim management.

All other mosques, temple-precincts etc., should be treated in accordance with the declared policy of His Highness' Government as soon as detailed information in respect to them is available.

Where it can be shown that any sacred building etc. has been wrongly transferred by the State to a third party, the property in question should be handed over to the rightful claimant, and such claimant should not be called upon to pay compensation to the party now in possession. If any compensation is decreed by the Civil Court, the State will arrange for the payment thereof.

The Governor of Kashmir should submit a report as to the settlement effected between the Hindu and Muslim communities in respect to the Shah Hamdan Mosque and the Maha Kali Shrine, and should show whether there is any sufficient reason for modifying the settlement in question.

Applications for the allotment of waste land for the construction of Viharas, Mosques, Churches etc. should receive favourable consideration in all cases in which this is practicable.

#### **Interference with religious observances etc.**

Any complaint of interference with the calling of "Azan" should be carefully investigated, and, where the offence is established, it should be effectively suppressed and the offender punished.

Any attempt on the part of the Police or any other officials or non-officials to harass those who have changed, or intend to change, their religion should be sternly discouraged, and those responsible should be dealt with severely.

#### **Insults to Religion.**

All officers concerned should make it their duty to see that the severest notice is taken of any provocative action of this nature, irrespective of the community to which the delinquent belongs.

The High Court of Judicature should enjoin on all Subordinate Courts the necessity of awarding, in all cases where proof is established, a punishment sufficient to bring home to offenders the gravity of their offence.

His Highness the Maharaja Bahadur most earnestly trusts that the leaders of all communities will, as suggested by the Commission, do their utmost to impress on their followers the necessity of respecting the feelings of others in this matter.

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## **II. EDUCATION.**

The Department concerned should submit proposal for the fulfilment of the Commission's recommendations in all respects.

In particular the Department should devote its attention to the expansion of Primary Education. A definite programme should be prepared and kept up to date; it should be accompanied by a map illustrating the progress already effected and the development contemplated in the course of the next three years. A programme for the construction of School buildings should also be drawn up, and the Department should report whether there is any objection to the immediate adoption of the Commission's proposal that lumpsum grants should be allotted to villagers for the building of schools.

Steps should be taken to increase the number of Mullahs or Arabic teachers and the unnecessary transfer of Mullahs, as in the case of all village teachers, should be avoided.

Instruction in Shikasta writing and in the reading of Patwari's papers should form part of the curriculum of Primary Schools. The Department should see that the education imparted in village schools is such as to equip the pupils for their normal occupation. Revenue officials should take an interest in the Primary Schools situated within their charges, and should encourage Zaildars and Numberdars to do the same.

The Department should also draw up a programme in regard to Middle and High Schools and further expansion in this direction should take place when funds permit.

The Governor of Jammu should report whether there is any objection to the allotment of the Gandoo di Chawani site for the construction of the Islamia High School. Should any such objection exist an alternative site should be suggested.

Care should be taken to see that admission to Science classes in Schools and Colleges is impartially regulated so as to cater for the legitimate interests of all communities.

Special Mohammedan Scholarships should be equated in value with merit scholarships and effect should be given to the Commission's proposals in the matter of free studentships, orphanage scholarships etc.

The training of teachers should receive attention as recommended, and the question of assisting aided schools in this matter should be given consideration. For teachers in Primary Schools a "Middle pass" should be regarded as a sufficient qualification.

In the matter of Technical education, action should be taken on the lines indicated in the Commission's report. The question whether a change of management is desirable in regard to the Srinagar Technical Institute should be examined without delay.

The recommendations put forward as regards teacheresses in Girls' Schools, the medium of instruction and arrangements for Purdah should be carried out.

The proportion of Muslims employed as teachers, Inspectors and clerks in the Education Department Secretariat should be increased as soon as possible. A Special Inspector for the promotion of Mohammedan Education should be appointed and should work independently of Provincial Inspectors.

The Commission's proposals in respect to the revision of pay when funds permit, oriental learning, the supply of periodicals and frontier education are approved. The allotment of increased funds for frontier scholarships should be provided as soon as practicable and Bodhi textbooks should be supplied, where they are required, in Ladakh.

### III. SERVICES.

The proposal of the Commission in regard to the minimum qualifications to be required for various classes of appointments are approved, and action will be taken accordingly.

As regards the publication of vacancies, the procedure recommended by the Commission should be strictly followed and Ministers and Heads of Departments should make it their business to see that there is no deviation therefrom. In the case of Srinagar and Jammu, notices should be posted up at the Shergarhi Building and at the Mandi Mubarak respectively: notices for posting in these places should be sent by Departments concerned to the Governor of Kashmir or Jammu as the case may be. Wazirs and Tehsildars will be in charge of notice-boards at Wazarat and Tehsil head-quarters respectively.

His Highness is also pleased to approve of the Commission's proposals in respect to powers of appointment. Ministers should send in their recommendations without delay as to the Heads of Departments in whose case the power of appointment should extend to all non-gazetted officers



and those in whose case such authority should be limited to posts carrying a salary not exceeding Rs. 100 per month. In the case of the Public Works, Customs and Press Departments, the Departmental Heads should be called on to explain the present unsatisfactory state of affairs and to show cause why the power of appointment should not be withheld and vested in the Minister concerned.

The submission of six monthly returns should continue regularly on the lines indicated by the Commission and a yearly statement giving the composition of all State Departments should be published as recommended.

The procedure in regard to direct appointments should be regulated in accordance with the suggestions put forward by the Commission.

In the matter of local appointments the recommendations made meet with the full approval of His Highness and should henceforward be adopted. It is clearly in the interests both of good government and of the subjects of the State that local inhabitants should be selected, as far as possible, for such posts as those of Patwaris, Forest Guards, Game Law Watchers etc. Ministers should see that the policy recommended in this matter is fully carried out, and Heads of Departments should be warned that any failure to observe the prescribed procedure relating to appointments in this or any other respect will result in the withdrawal of the powers delegated.

#### IV. LAND REVENUE, ETC.

His Highness the Maharaja Bahadur is pleased to approve the recommendation that the recovery of State Malikana should be discontinued throughout the State territories, subject to the conditions which the Commission has proposed. In the matter of Nazrana, the Revenue Minister should put forward his proposals as to the amount to be charged; the charge recommended should be moderate in all cases. In regard to those tracts in which disturbances have recently occurred a report should be submitted as soon as possible showing the extent to which normal conditions have supervened: information as to the amount of Land Revenue Arrears outstanding in the case of each of the tracts affected should also be supplied. As soon as it can be shown that in any individual tract of country in which the peace has recently been disturbed a proper spirit of repentance is apparent, the concession in respect to State Malikana should be forthwith extended thereto. His Highness fully shares the hope expressed by the Commission that the moment when disturbed areas can be treated in the same manner as the rest of the State will not long be deferred. In the case of all persons who can be shown to have assisted the State authorities or afforded protection to the lives or property of those in danger, State Malikana, where it is now payable, should be abolished and such persons should be exempted from all Nazrana charges.

His Highness is also graciously pleased to concur in the recommendation that Proprietary Rights should be conferred in respect to all lands of which the ownership is now held by the State and occupancy rights are enjoyed by private persons. The Revenue Minister should in the first instance examine the safeguards suggested by the Commission for the protection of the agricultural classes, and should submit his report accordingly.

In regard to Grazing tax, His Highness approves the proposal that the fixed Kabcharai demand should be forthwith suspended in the seven Tehsils, namely Jammu, Samba, Akhnur, Kathua, Jasmengarh, Mirpur and Bhuber which have been specially mentioned by the Commission in this behalf. The Revenue Minister should propose the name of an

officer to be placed on special duty in this connection and to recommend (i) in what parts, if any, of the above Tehsils the fixed Kahcharai demand should not be permanently abolished, and (ii) what relief is required in other parts of the State in which the Kahcharai demand may be found to press too heavily at present.

Charges imposed in addition to the fixed Kahcharai demand in the case of "Dhars" in the Jammu Province, when such additional charges are not levied in the Kashmir Province should be discontinued. Action should be taken to define the inter-provincial boundary for the purposes of Kahcharai collections. And no Kahcharai payments should be demanded from butchers and other persons when they bring goats and sheep within municipal limits for purposes of slaughter. The Revenue Minister should report whether there is any sufficient reason for discriminating between different classes of herdsmen in the matter of Kahcharai charges.

Nautor outstandings in the Mirpur Tehsil now under suspension should be written off.

The rules relating to suspensions and remissions of Revenue should be strictly and carefully followed on all occasions throughout the State.

Any complaints in regard to classification of soil, measurement of land, Bachh distribution etc. should be thoroughly investigated in all cases in which it can be shown that those concerned were not afforded due opportunity of raising objections at the proper time.

The recommendations made by the Commission on complaints received from Frontier districts regarding the periodical revision of commutation rates, the amount of interest to be charged on grain-advances and the limitation of Nautor are approved and should be carried into effect.

In the matter of trees, no restriction should be imposed on the cutting of walnut trees growing on land held by agriculturists and the assessment imposed on any such tree should be cancelled when it is removed. In regard to mulberry trees preference should as far as possible be given to land-holders on whose land such trees are standing, when seed is distributed by the Sericulture Department. Power to authorise the cutting of Chenar trees, where necessity arises should be given to Tehsildars. Other minor recommendations made by the Commission in regard to trees are also approved.

So far as it relates to Chaks and Jagirs, His Highness is in entire accord with the Commission that neither in the matter of the due fulfilment of the Raj Tilak bonds, nor in any way whatsoever should the interests of Zamindars suffer from the assignment of land to other persons. The Revenue Minister should report whether there is any objection to the Commission's proposals being fully carried out in this respect.

In all cases in which it may be found necessary to acquire agricultural land for State purposes, those dispossessed should, where practicable, be allotted similar land elsewhere. The amendments suggested in order to bring the State legislation into conformity in certain respects with the Punjab Land Alienation Act should be examined by the Revenue Minister and his recommendations should be submitted.

The development of the Co-operative Credit System and further progress in the matter of Consolidation of Holdings should receive the special attention of the Minister-in-Charge.

V. MISCELLANEOUS.

**Corruption.**

Every endeavour should be made to put an end to irregular exactions. It is to be hoped that the due delegation of authority will afford more leisure to Ministers and Heads of Departments to supervise the work of their subordinates. Inspections and supervision should be as careful and constant as possible. All officers should be warned that corrupt practices are not to be tolerated and exemplary punishment should be awarded to any who can be proved to have offended in this respect.

**Kar-i-Sarkar.**

All officers must make it their duty to see that payment is made in full for services rendered. As circumstances permit the "Ras" system on the Frontier should be replaced by the appointment of contractors. The provision of free supplies should in no case be allowed, and higher officials when they go on tour should investigate any complaints that may be forthcoming.

**Forests.**

The recommendations made for controlling the distribution of timber to villagers should be carried into effect. All Forest Officers should interest themselves in seeing that Zamindars and others receive the full benefit of the concessions to which they are entitled.

**Rakhs.**

Agriculturists should be afforded every facility for protecting their crops from the depredations of wild animals. The Minister-in-Charge should report without delay what steps should be taken to secure such protection. Applications for arms licenses in this behalf should receive prompt and favourable consideration, where there is no reason to the contrary. Requests for permission to extend cultivation on the borders of Rakhs should be given due consideration.

**Customs.**

The Minister-in-Charge should report without delay whether there is any objection to the recommendations of the Commission being fully carried out. It should be impressed on the Department that all claims for the payment of customs duty must be promptly presented; and failure to comply with this order should be dealt with severely.

**Dharat.**

Local officers should be instructed to consult the inhabitants of all townships in which Dharat is levied in regard to the purpose to which the funds realized should be devoted.

**Public Works.**

A regular programme for the improvement of communications, as funds permit, should be drawn up, and a map, as suggested by the Commission should be prepared.

The Minister-in-Charge should submit a report regarding the provision of a proper water-supply for Chrar Sharif, the protection of villages on the bank of the Chenab from erosion, the prevention of water-logging in the Ranbirsinghpura Tehsil and the repairs of bridges in the Gilgit Wazarat.

Action in regard to contracts should be taken on the lines indicated by the Commission; the Minister-in-Charge should submit his recommendations as to the places at which tender-calls and the award of contracts should be advertised and the orders issued should be notified in the State Gazette.

**Municipalities.**

Improvements to Srinagar city in the matter of drainage and the widening of streets should continue to receive attention and funds should be allotted for this purpose as circumstances may permit.

The provision of a proper approach road to the Muslim Cemetery at Jammu should be duly considered.

**Medical.**

The Medical Department should give their consideration to the Commission's recommendation that Dais should be attached to dispensaries and proposals should be submitted accordingly.

**Industries.**

The Minister-in-Charge should devote his earnest attention to the development of the Textile Industry and the encouragement of fruit growing. Active steps should be taken to combat the disease known as "San Jose Scale" which has for many years been ravaging the orchards of Kashmir.

A report should also be submitted regarding the Sericulture Department and the question as to whether a change of management is desirable in Kashmir should be examined without loss of time.

In the placing of contracts for supplies every possible encouragement should be given to local manufacturers.

**State Subject Certificates.**

The simplifications of procedure suggested by the Commission are approved and action should be taken to give effect thereto.

**Dharmarth.**

A financial statement showing the condition of Dharmarth funds should be presented without delay. Any surplus funds should be devoted, as recommended by the Commission, to the furtherance of beneficial objects compatible with the objects of the Trust, and particular attention should be paid to the establishment of Gawshalas and improved water-supplies.

The practice of recovering Dharmarth dues in kind should be replaced as soon as practicable by cash recoveries in all cases.

The orders already issued in regard to the change of the Chari connected with the pilgrimage to Amarnathji should be duly carried out.

**Suthrashahi.**

Any complaints of such irregular exactions should be thoroughly investigated and the practice, if it is still found to survive, should be effectively suppressed.

**Prohibition of slaughter on certain days.**

The recommendations of the Commission are approved and should be carried into effect. The Governors of Provinces should put up their

proposals in regard to any places in which the sale of meat etc. is repugnant to religious feelings, and orders respecting such places should be duly notified.

Butchers' shops will be closed entirely only on the following four days:—

- (a) Ram Navmi.
- (b) Janam Ashtami.
- (c) His Highness the Maharaja Bahadur's Birthday.
- (d) Birthday of the Heir Apparent.

The existing exemptions in this respect in favour of certain classes will be cancelled.

No fees should be charged for the slaughter of goats etc. on the occasion of the Id-ul-Zuha or any other occasions on which such slaughter may be required for the purpose of religious observance.

#### **Use of tanks etc.**

No invidious distinction shall be permitted by the State in the case of tanks, bathing places or drinking places which are of a public nature, that is to say, tanks etc. in respect to which no exclusive or prescriptive right can be established.

#### **Prevention of Infant Marriages.**

The recommendations put forward by the Commission with a view to the prevention of harassment and abuse should be adopted, and instructions should be issued accordingly to all officers concerned.

#### **Hanjis, Hawkers and Transport-owners.**

The Commission's proposals in this matter commend themselves to His Highness and the Minister-in-Charge should report whether there is any objection to their being carried out in full. In particular information should be supplied as to the combined agency for the collection of both Ghat-tax and boat-tax, the acceptance of Lumberdars' certificates for the exemption of local inhabitants from the payment of road-toll and the discontinuance of camping site tax and the levying of charges for entrance into the Nishat and Shalamar Gardens.

#### **Press Regulation.**

The enactment of a revised Press Regulation with a view to bringing the State procedure as far as practicable into conformity with British Indian legislation in this respect has been engaging the attention of His Highness' Government and orders are being issued.

By command of His Highness the Maharaja Bahadur.

JAMMU {  
10th April 1932. }

(Sd.) E. J. D. COLVIN,

PRIME MINISTER.

**A BRIEF REPORT**  
OF THE  
**ADMINISTRATION OF JAMMU AND KASHMIR**  
FOR THE  
YEAR 1930 (SAMVAT 1986-87 BIKRAMI).

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GENERAL.

The year was free from the devastating floods of the previous two years. But there were disturbing out-breaks of nature in other forms. A hailstorm visited the northern part of Kashmir in June and destroyed the fruit crop. A windstorm visited the Jammu province in September, greatly damaging the crops. Prices for grains decreased abnormally in Jammu towards the close of the year. But owing to the Grain Control scheme, the Zamindars of Kashmir did not suffer from this difficulty of low prices to any appreciable extent. It is remarkable that the scheme which generally operates to the advantage of the consumers afforded real protection to the producers of the valley in this year of economic depression and general fall of prices of agricultural produce.

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On the whole, the health of the people was good during the year. Plague appeared in a village in the Ranbirsinghpura Tehsil towards the close of the year. In all there were 12 seizures and 5 deaths. Timely measures were taken to prevent the spread of the disease. There were out-breaks of Cholera in Mirpur and Kashmir in the month of August and September, but its progress at both the places was arrested by free inoculations and other timely remedies.

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An unprecedentedly heavy swarm of Locusts visited the Jammu Province in March 1930. The number of villages affected was over 450. Immediate steps were taken to control the pest, and a special grant of Rs. 75,000 was made for the purpose. To encourage the Zamindars a remuneration of annas eight per seer of locusts eggs was announced. Special staff was engaged for the purpose under the Revenue Department. The operation involved 82,000 workers. As a result over 37,000 maunds of these eggs (which means over 15,000 million potential locusts) were collected and destroyed. About 3,600 maunds of hoppers were also destroyed.

The remuneration acted as a great stimulus. In some cases a single village, earned over Rs. 1,500. In every affected village, men,

women and children were mobilised under the leadership of Revenue officials. While the villagers were thus saved from a calamity which threatened the destruction of their crops, their active co-operation in the work which was so vital to their well being, provided a source of income besides benefitting them individually and collectively in a more substantial way. The people were grateful to the Government for being paid for helping themselves.

Not only the men, but all the cattle of the villages took part in the campaign. "Sohagas" or wooden planks driven by bullocks proved useful. The broom was resorted to for killing the hoppers after several scientific methods had failed. Over the hilly slopes the most effective method proved to be the spreading of dry grass or *Sarkanda* near the place where the hoppers abounded, and setting it on fire when the hoppers swarmed on it. In even places advance parties of attacking villagers were deputed to dig trenches, to which the hoppers were driven from behind, and which were filled up with earth and pressed to bury the hoppers. The Imperial Entomologist for Locusts, Imperial Council of Agriculture, visited the Jammu Province, where he demonstrated the use of Sodium Fluosilicate in killing locusts. Leaflets in vernacular describing the methods of controlling the locusts were widely distributed.

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His Highness' movements during the year included visits to Dehli and Simla in January and July respectively, in connection with the meetings of the Chamber of Princes, to Ajmer in March in connection with the Jubilee Celebrations of the Mayo College, to Bikaner in April in connection with the wedding of His Highness the Maharaja of Bikaner's daughter, and finally to England in August in connection with the Round Table Conference. Among His Highness' public utterances during the period mention may be made of the speeches, delivered by him at the Princes' Chamber, and at the inaugural meeting of the Chamber of Princes. The annual meeting of the Chamber of Princes at Delhi mainly dealt with the Butler Committee Report. Regarding this report, His Highness observed that he would be lacking in candour if he said that its findings satisfied the hopes which the rulers of Indian States had cherished. "They had imagined a committee different alike in composition and functions from that which ultimately materialised. It was expected that round a nucleus of English statesmen of reputation, there would be grouped representatives of the Government of India, of British India and of Indian States together with financial, constitutional and political experts. Two things were uppermost in their minds: firstly, they had become painfully conscious that what was called political practice, whittled away rights which they believe to have been safe-guarded by treaties; secondly, they found their position was one of considerable uncertainty not merely in regard to their future relations with a self-governing British India, but also in regard to their present relations with the Government of

India. They were anxious to find out precisely where they stood, where their rights began and those of the Paramount Power ended, so that they might take stock of the part they were called upon to play in Greater India which they saw shaping before their eyes, but the Committee from the very nature of its personnel and restricted lines of reference could not conduct an examination satisfactorily. The Committee by its own admission was not a judicial tribunal. This was conclusive evidence that the States could not receive at its hands that kind of award which was their principal reason for asking for an inquiry at all".

His Highness' speech at the inaugural meeting of the Round Table Conference was remarkable for its high moral tone, its deep earnestness and its direct human appeal. It conveyed a message of friendship and unity through political federation between the two halves of India. His Highness expressed gratitude to His Majesty for the cordial welcome to the delegates and prayed to Providence to grant them wisdom and will to realise the hopes expressed in the inspiring words of the King Emperor. He drew attention to the unprecedented nature of the Conference, and continued " Allied by treaty with the British Crown and within our territories independent rulers, we have come with a full sense of responsibility to our States and all India. As the allies of Britain we stand solidly by the British connection. As Indians and loyal to the land of our birth, we stand as solidly as the rest of our countrymen for our land's enjoyment of a position of honour and equality in the British Commonwealth. Our desire to co-operate to the best of our ability with all sections of the Conference is genuine, as also is our determination to base our co-operation upon the realities of the present situation".

His Highness concluded :—

"Neither England nor India can afford to see this Conference end in failure. We must resolve to succeed. Difficulties shall not be insuperable. We must exercise patience, tact and forbearance and be inspired by mutual understanding and good-will; and we must give and take. If we succeed, England no less than India gains. If we fail, India no less than England loses. The task is gigantic. In case of no people would such an aim as ours be easy to accomplish. In case of India, complexity of factors is unique, but by the grace of God and with good-will and sympathy on both sides difficulties shall be surmounted, and with the words of the King Emperor still ringing in our ears we, Princes affirm, that the Conference shall not fail through any fault of ours".

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In August 1930, His Highness sanctioned an important scheme for delegation of powers to the Ministers and the Chief Engineer, Public Works Department, in consonance with the progressive character of the



Government. The scheme was designed to promote expeditious disposal of papers in different departments of the administration. While Ministers are enabled thereby to settle ordinary matters without avoidable loss of time, they are put in a position to devote greater attention to important problems relating to their portfolios. Under the new scheme, it will not be necessary to submit comparatively unimportant matters to His Highness, who will be left free to direct the larger interests of administration.

The scheme of delegation covers many powers and includes among other things within specified limits, the purchase of stores, lease of State gardens and rakhs, writes-off of Government property, construction of Government buildings, grant of gratuities, pensions and allowances, opening of dispensaries and schools, extension of probationary periods of Gazetted officials, sale of minor forest products and countersignature of deeds. The scheme provides adequate safeguards for protecting the financial interests of the State.

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Some minor changes were made in the administration during the year, but these do not call for any particular remarks. Before his departure for England on August 25th, His Highness constituted a Cabinet of the following officers to conduct the administration of the State during his absence:—

1. Rai Bahadur Major-General Janak Singh Ji, Bahadur, B A., C. I. E., Army and Public Works Minister
2. G. E. C. Wakefield Esquire, C. I. E., O. B. E., Foreign and Political Minister.
3. P. K. Wattal Esquire, M. A., F. R. E. S., F. S. S., Finance and Development Minister.
4. Thakur Kartar Singh Ji, State Secretary to His Highness.

Mr. P. K. Wattal was called by His Highness to England, in connection with the Round Table Conference in the middle of October and for the remaining period of the year, the administration was conducted by the other three Cabinet Ministers. During this period, the charge of the Finance and Development Portfolio remained with Thakur Kartar Singh Ji, Cabinet Minister.

The private Domains' Assimilation Committee, which had been appointed to deal with the various details arising from the amalgamation of His Highness' Private Domains with the State completed its labours during the year. The work of amalgamation was completed, and necessary adjustments were made in Departments sharing the jurisdiction of the newly added areas. The post of Officer on Special Duty who was entrusted with the work of the Assimilation Committee and the Census Operations was brought under reduction, and the Settle-

ment Commissioner of the State was given Census work in addition to his own duties.

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While sanctioning the proposals of the Delegation Committee referred to above, His Highness was pleased to lay down that in sanctioning contracts in the various departments of the administration, Ministers and Heads of Departments should see that preference is given to *bonafide* State subjects provided that :—

- (i) their financial standing is good ;
- (ii) in case where technical skill is required, they possess the requisite training or are prepared to employ men satisfying this requirement ;
- (iii) the difference between the bid of the State Subject satisfying conditions (i) and (ii) above and the maximum bid received from non-State Subjects satisfying the same two conditions is not more than 5 per cent.

It may be recalled that in this State, the Hereditary State Subjects enjoy preferential treatment in recruitment to public offices and in all avenues of advancement. This further protection granted to the children of the soil extends the operation of this policy of the State in new channels. Batches of State Scholars, all Hereditary State Subjects have been deputed for training during the last four years after selection by the Scholarships Selection Board. 58 of such stipendiaries were under training in different lines in British India and abroad, out of whom 14 completed their courses successfully during the year,—2 in Sericulture in Italy, 2 in Medicine in England, 1 in Civil Engineering and 1 in Horticulture and Entomology in U. S. A., and 4 in Medicine, 2 in Accountancy and 1 each in Mining, Engineering, and Dying and Printing in India.

The new scholarships sanctioned during the year include 3 for Overseers' training in the Government Engineering School, Rasul, 1 for Civil Engineering at Roorkee, 2 for Civil Engineering in England, and 2 for Accountancy and 1 for Midwifery in India. It was also decided to train a suitable hereditary State Subject for the post of Superintendent, Technical Institute, Srinagar. In addition to this, certain officers have been deputed for training to qualify themselves for the posts of Director-General of Agriculture and Co-operation, Inspector of Customs and Excise and the Provincial Registrars of Co-operative Societies.

In addition to the annual grant of 1 lakh for scholarships (with permission to accumulate unspent balances of preceding years), His Highness was pleased to sanction a provision of Rs. 10,000 for grant of vocational and Industrial scholarships, with a view to afford to

the State Subjects chances of useful employment and openings for careers, after their training in various industries and arts and crafts.

The total provision for the year 1930-31 (1987-88) including the unspent balance, was Rs. 1,35,000.

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With a view to regulating appointments in the various departments of the State on a just and equitable basis, the scope and functions of the Scholarships Selection Board were enlarged with effect from the year 1987-88 (October 1930) to that of a staff selection board, and it was constituted as the *Civil Service Recruiting and Scholarships Selection Board* with the following members :—

1. Rai Bahadur, Major-General Janak Singh Ji, Bahadur, B. A., C. I. E.
2. Mr. G. E. C. Wakefield, C. I. E., O. B. E.
3. Mr. P. K. Wattal, M. A., F. R. E. S., F. S. S.
4. Thakur Kartar Singh Ji.

A regular office, under a whole-time Secretary is attached to the Board.

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Consistently with the progressive character of the administration, the salaries of Executive Officers in some departments and of the subordinate ministerial officials in all departments in general were revised on a time-scale basis during the year. Opportunity was taken simultaneously to retrench various posts which were no longer required in modern circumstances. The temporary and dearness allowances were amalgamated with salaries to count for leave and pension in future. The pay of Mahaldars in the Customs and Excise Department, Primary School Teachers in the Education Department, Compounders in the Medical Department, and Constables in the Police Department was raised. Uniform rates of pay at higher rates were fixed for all menial services, and the benefit of the ordinary leave and pension rules was extended to them. The temporary increase granted to civil pensioners drawing pensions upto Rs. 45 per mensem was extended by 2 years more.

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A Commission consisting of two officials and two leading non-officials was appointed to make recommendations with regard to those who were to be retrenched in accordance with the new scale sanctioned

in the Budget. Thakur Kartar Singh Ji, one of the two official members, was the Chairman. In making their recommendations, the commission was to observe the following:—

- “1. Persons who are 55 years of age and above should be retrenched first.
2. Persons between 53 and 55 of age should come next in the order of retrenchment.
3. Persons between 50 and 53 years should come after persons in clause 2.
4. Hereditary State-Subjects should receive preference for retention in service over non-State Subjects ”

The Commission submitted its report on the 1st April 1930, and His Highness the Maharaja accepted the main recommendations. The retrenchment was so effected as to cause the minimum of dissatisfaction. In all 61 Non-Hereditary State Subjects between the ages of 50 and 55 and 89 Hereditary State Subjects between the ages of 53 and 55 including Girdarwars and Patwaris, were discharged. The rest of those originally retrenched were absorbed in different departments of the State, newly created posts or existing permanent vacancies.

For those who were brought under reduction before completing the age of 55 years or service of 30 years, His Highness was pleased to sanction the grant of full pension or gratuity as the case might be, to which they would have ordinarily been entitled on completing the age of 55 years and in the case of menials the age of 60 years.

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The Annual Conferences of the rural Representatives of the two Provinces which are held at Jammu and Srinagar every year are proving to be a very useful institution. At these conferences, the representatives place their views regarding different reforms and measures before the administration. This enables the Government to remain in contact with the Zamindars through a body of representatives who share in the joys and sorrows of common village life. The human touch that counts in the states is provided by the informal procedure, which encourages the representatives to contribute freely to the discussions. His Highness takes a keen interest in the work of the conference and the representatives are invariably presented to him. The representations made during the year cover a wide range of subjects, and show the intelligent interest of these spokesmen of the people in all that makes for progress. Gratitude was expressed by them for the steps taken by Government in fighting the locust pest during the last spring. In addition to matters of common interest to the State as a whole, they dealt with questions of peculiar interest to the

particular localities to which they belonged. In general, they prayed for better sanitary conditions, for larger medical facilities, for more schools for boys and girls, for improved means of communication, for extension of irrigation etc. They were also keen on the establishment of *Panchayats*, the revision of *Kahcharai* rules and the adoption of new methods of assessment.

His Highness' Government has before it a liberal programme for the opening of new dispensaries and schools in the muffasils. Steps were taken during the year to select a qualified State Subject for training in India with a view to the establishment of *Panchayats* in the villages. Relief was granted where necessary as a result of these representations, and a few matters were referred to the departments concerned for suitable action. Every endeavour was made to meet the demands put forward by the representatives.

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The relations of the several classes of Jagirdars with the Government on the one hand and their tenants on the other required readjustment under the altered condition of things. In May 1929 His Highness had appointed a committee to investigate and report on the classification of Jagirs, the conversion of payments in kind into payments in cash, the desirability of recovering arrears from Zamindars due to Jagirdars and Muafidars as arrears of Land Revenue, the adoption of primogeniture and the remission of dues like *Kahcharai* in Jagirs and Muafis, the maintenance of *Guzarakhars*, the protection of Jagirdars in case of financial extravagance and the amelioration of their condition in general.

The committee submitted its report during the year and its main recommendations were sanctioned by His Highness. Briefly stated these recommendations are :—

1. That existing Jagirdars should be divided into three classes, persons enjoying Jagirs of Rs 3,000 per annum and over should be called Jagirdars, while those with Jagirs of less than Rs. 3,000 per annum should be called *Pattadars*. Religious grants irrespective of the value should be treated as *Muafis*.
2. That Jagirdars who have no proprietary rights should in future receive payments in cash. They will be compensated in the shape of land yielding revenue equal to their former Jagir, so that by this conversion of payments from kind to cash, they will be in a position to receive double the amount of their Jagir revenue. As regards Jagirdars who are also proprietors of the land, the Government is debarred from ruling out *Ghalla Batai*.

That Jagirdars who are proprietors of land and take *Ghalla Batai* should not be given facilities for recovering *Ghalla Batai* through the agency of the Revenue Department. Such Jagirdars should seek the aid of the Revenue Courts, when necessary.

That *Kahcharai* dues within the *Jagir* area should be collected by the Lambardars and paid to Jagirdars. Jagirdars should be allowed to enjoy Forest rights and treated as Assamidars in respect of waste lands. Further, Jagirdars should not be required to obtain licenses under the Game Laws, they should be treated as Hereditary State Subjects *ipso-facto* and not required to produce the Hereditary State subject's certificate. They should be consulted in the appointment of Lambardars in their *Jagir* villages.

That the law of primogeniture should be extended to those *Jagirs* which are not governed by it at present.

That the charge of *Guzarakhars* on *Jagirs* and *Muafis* with an annual income of Rs. 3,000 or above, should not exceed 25 per cent. of the income.

That the Jagirdars may be exempted from personal appearance in Civil Courts, but in every other respect they should continue to be subject to the law of the land.

The recommendations of the Committee gave general satisfaction. The Zamindars who were protesting against payments in kind have been placed on the same footing as Zamindars in *Khalsa* villages where the system of land assesment is the same as is in force in the Punjab. The Jagirdars have been protected from financial loss by compensation in the shape of extra *Jagirs* and have also been given certain easements and privileges for which they had been praying for a long time.

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Since 1928 the question of introducing a Life Insurance Scheme had been under the consideration of the authorities in the State. His Highness' Government sanctioned during the year the scheme submitted by the Finance and Development Minister. As in the case of the Post Office Scheme, admittance to the benefits of the scheme will be optional. The maximum amount of Insurance on a single Life has been fixed at Rs. 30,000. The rates of premium will be much lower than those of the Indian Life Offices. Due provision will be made for the careful selection of lives and for safeguarding the interests of the policy-holders in general. It has been decided to entrust the work connected with accounting and payments to the Accountant-General under the general control of the Finance Minister.

Detailed rules in connection with the working of the scheme have also since been sanctioned and the scheme, it is hoped, will be soon given practical effect.

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A Scheme for the establishment of a Semi-State Bank on up-to-date banking lines was discussed with experts and the main outlines were settled during the year. The idea was approved by the Cabinet and the preliminaries decided.

The Bank will undertake Banking business in all its branches. Its authorised capital will be fifty lakhs divided into 1 lakh shares of Rs. 50 each; and the subscribed capital will be twenty-five lakhs, His Highness' Government subscribing half of the capital. Central and Local Committees have already been formed in the province of Jammu to carry on educative propaganda and enlist shareholders. Similar Committees are being formed in Kashmir. It will be the State Subjects who will form the shareholders and Directors. The Directors of whom the majority will be non-officials, will elect their own Chairman.

It is hoped that a large number of shareholders would be enrolled in the Bank, which will be a self-governing institution, the interference of the Government being confined only to the protection of its financial interests and to the due exercise of their powers and functions by the supervisory Board, which would be appointed to advise the Board of Directors in all important matters. The public departments will be required to deposit their balances with the Bank. It has been decided that in the event of an emergency arising, the general depositors and creditors shall have priority on the assets of the Bank over the Government in regard to its claims.

It is needless to say that the institution of the Bank will be a land-mark in the economic development of the State.

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His Highness donated from Private Funds, Government of India Promissory Notes of the full value of Rs. 2½ lakhs bearing interest at 3½ per cent. for relief to such Rajput families as find it difficult to marry their daughters on account of straitened circumstances. The interest of the Fund which was called "The Dhandevi Memorial Rajput Fund" is to be utilized for the purpose of relief. While making this grant, His Highness expressed the hope that there should be no extravagant expenditure in connection with marriages celebrated under the auspices of this fund or other marriages, and that wasteful customs that have sprung

up should be discarded. The administration of the fund was put under the Board of Trustees of the Shri Pratap Memorial Rajput School.

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His Highness decided that the bulk of the money allotted for the obsequies of His late Highness be utilised on some object of public utility which would be a fitting memorial to His late Highness, instead of being wasted on indiscriminate charity. A sum of Rs 6 lakhs was accordingly allotted for the foundation of a school for Rajput boys. Out of this amount 3 lakhs was set apart for the erection of buildings and 3 lakhs was invested for the running expenses of the school. A Board of Trustees of the following members was appointed :—

1. Mr. G. E. C Wakefield, C. I. E., O. B. E., Foreign and Political Minister, President.
2. Thakur Kartar Singh Ji, State Secretary, and
3. Colonel Sansar Singh Ji.

Cut of 100 applicants, 50 boys were chosen. The average age of the boys was 10 years. Lieutenant Kala Singh, who was Head Instructor at the Jullundhar Military School, was appointed Principal.

The main object of the school, where no day scholars are allowed, is the building up of character. Within a few weeks of their admission the mentality and the physique of the boys showed a remarkable development

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Owing to the paucity of female children among the Rajputs, His Highness directed the posting of special police force in Rajput villages for purposes of vigilance at the cost of the people concerned. The Revenue Minister was directed to set in motion the District and village official agency in this connection. His Highness further ordered that the father of every new-born Rajput female child should be granted an acre of land, subject to resumption if the child dies before completing three years of age.

The Publicity Department of His Highness' Government was directed to prepare pamphlets in Hindi, Urdu and Dogri to explain to the villagers the object of these measures and to warn them against the consequences of the evil suspected. These pamphlets have been prepared and it is hoped they will issue shortly.

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His Highness was pleased to sanction a liberal amount for the erection of a compound wall round the *Idgah* building at Jammu as well as the construction of sheds, platform, road, etc., on the ground



which comprises an area of about 8,464 square yards, and had been granted as a free gift to the Muslim community for use as *Idgah* in the previous year, when he had participated in the *Id* celebrations by his presence.

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A petition was submitted to His Highness early during the year on behalf of the so-called depressed classes in the State, praying for removal of certain alleged disabilities. On this, His Highness ordered that if in practice any bar existed anywhere in the State against these classes using public taps, wells, tanks, etc., it should be removed forthwith. His Highness also directed that special efforts should be made where necessary to influence the other castes to allow these classes the use of private tanks, wells, etc.

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**Military.**—The Chief Command of the State Forces was held by His Highness the Maharaja. The strength of the Forces is 6,837 combatants and 1,165 non-combatants. The composition is as follows:—

<i>Unit.</i>	<i>Composition.</i>
Body Guard Cavalry	... Dogra Rajputs.
1st Jammu and Kashmir Mountain Battery.	{ 1 Section Hindu Dogra, 1 " Mohammedan "
2nd Jammu and Kashmir Mountain Battery.	{ 1 " Hindu " 1 " Mohammedan "
3rd Jammu and Kashmir Mountain Battery.	{ 1 " Hindu "
1st Kashmir Infantry	... Hindu Dogras.
2nd Kashmir Rifles	... { 2 Companies Gurkhas. 2 " Mohammedan Dogras.
3rd Kashmir Rifles	... { 2 " Gurkhas. 2 " Hindu Dogras
4th Kashmir Pioneers	... { 2 " Hindu Dogras. 2 " Mohammedan "
5th Kashmir Light Infantry	... Hindu Dogras.
6th Kashmir Pioneers	... { 2 Companies Hindu Dogras. 2 " Mohammedan "

Efforts continued to be made for the training of the Army. A fairly good representation was secured at the Indian Army Schools. Local Courses were held at the Jammu and Kashmir Army Training School. The Indian State Forces Senior Officer's Course 1930 was held for the first time in the State at Baramulla, under the supervision of Lt.-Colonel K. C. S. Erskine, M. C., Military Advisor, Punjab State

Forces and Captain. F. D. S. Field, Assistant Military Advisor, Rajputana State Forces, Jaipur, and was attended by 9 officers of the State Forces and 12 officers from other Indian State Forces. During the summer, two companies of the 5th Kashmir Light Infantry were employed in Karnah Illaqa and one company in Kishtwar for protection against Kuth smuggling. The Infantry was of great help in capturing some Kuth smugglers who were challaned for trial in the law courts.

A provision of Rs. 2,98,000 was made in the last Budget of the Public Works Department for buildings for the reorganised Forces at Jammu, Srinagar and Gilgit cantonments in connection with the programme already sanctioned. A further sum of Rs. 20,000 was also allotted for new Military works.

**Legislation.**—His Highness the Maharaja Bahadur was pleased to sanction the postponement of execution of decrees against flood-stricken debtors for a period of one year with the condition that this period will not count for purposes of limitation.

Since the time of His late Highness the Maharaja, the Residency Courts had been exercising criminal and civil jurisdiction over certain categories of persons. But this practice was found to be incompatible with the high standard of the judicial administration of the State. This anomaly was pointed out to Colonel G. D. Ogilvie C. I. E., the British Resident in Kashmir, who very kindly took up the matter with the Government of India. His Highness' Government have great pleasure in recording the fact that as a result of his strong advocacy of the point of view of the State, the Government of India reversed their previous ruling. Full criminal jurisdiction over all Indian Visitors and full civil jurisdiction over all persons in the State irrespective of their nationality, is now exercised by the Courts of His Highness' Government.

Reciprocity regarding surrender of criminals under Section 498 of the Indian Penal Code was established with the Chamba State.

The Primary Education Regulation No. III of Sambat 1936 was applied to Jammu, Srinagar, Sopore, Mirpur and Udhampur Towns.

**Judicial**—The Munsiff's Court at Kathua was converted into a Sub-Judge's Court.

A Sub-Judge's Court for *Bhadarwah* was created in connection with the assimilation of the Private Domains.

**Finance.**—The general economic depression was not without its effect on the finances of the State, though the results were even then, on the whole, satisfactory.

The revenue estimates for the Samvat year 1937-38 (16th October 1930 to 15th October 1931) were adopted at Rs. 276½ Lakhs against an estimated expenditure of 308 Lakhs. The excess of Rs. 31 Lakhs in

expenditure was to be met from the surplus cash balance and by the partial withdrawal of Temporary Deposits.

The total actual revenue was Rs. 245 Lakhs against an expenditure of 276 Lakhs. The closing cash balance stood at 50 Lakhs. The total investments in Government securities rose from 80.5 Lakhs to 94.95 Lakhs and the temporary deposits with Banks stood at 48 Lakhs compared to 62.60 Lakhs in the preceding year.

The large expenditure in the year was due to the necessity of finding funds for certain extraordinary and unforeseen requirements coupled with increased provision for beneficent departments.

The grant for Education was raised from 14½ Lakhs to 17 Lakhs which means an increase of 13 per cent.

Provision was made for the requirements of Free Compulsary Primary Education in all the Municipal towns and Notified areas and for the new schools of various grades that were added during the year. The grant for the Medical Department was raised by 15 per cent and provided for the requirements of existing hospitals and dispensaries, the opening of 10 new dispensaries, the establishment of anti-rabic centres at Jammu and Srinagar and a Tuberculosis Sanatorium at Tangmarg, the institution of special examination of Tuberculosis patients at Jammu and Domel and the reorganisation of the Vaccination Department.

The items of extraordinary expenditure sanctioned for Samvat 1987-88 are:—

1. His Highness' Visit to Europe	.. 1½ Lakhs
2. Protection works and restoration of flood damages	5¼ ..
3. Construction of the Tawi Bridge	.. 3¼ ..
4. Srinagar drainage scheme	.. 2½ ..

The General Abstract of the Budget for Samvat 1987-88 which is appended at the end of this note will show that the permanent investments of the State stand at Rs. 1 Crore and that all its capital programmes and projects have been financed from its own resources.

It was decided to reorganise the Accounting system of the Electrical, Telegraph and Telephone Departments on commercial lines. Financial control over the expenditure and receipts of the Sericulture Department was strengthened. The Audit of revenue as distinguished from the audit of expenditure, introduced in the previous year in the Customs Department was considerably strengthened. The system was also extended to the Forest Department, where the whole method of accounting was revised. Steps were also taken to start the audit of Land Revenue receipts. A special scheme was sanctioned for the audit of stamp revenue by systematic local inspections by a selected officer.

The control of Government Treasuries was transferred to the Finance Department and it was decided to transfer part of preaudit and accounting work to the Provincial Treasury offices.

**Customs and Excise** The Excise Regulations were amended with a view to empower the Department to deal properly with cases arising from the smoking of *madakh* or preparation of opium in any other form. Provision was made to prohibit (1) the smoking of *madakh* or preparations of opium in any other form in public or private dens, (2) the maintenance of such dens, and (3) the import, export, transport, manufacture and possession of prepared opium except under a proper license and for specially defined lawful purposes. But any person may manufacture for his own use and not for sale from opium lawfully in his possession not more than half a tola at one time of prepared opium and may possess and transport the same but no person holding a license under the Excise Regulation shall manufacture or possess prepared opium in any quantity on the premises covered by the license

Particulars regarding prosecutions and convictions for offences relating to opium and hemp drugs during the year are shown in the following table:—

Total No. of Prosecutions		Total No. of convictions		Nature of offence leading to conviction.	Penalties imposed	Quantity of drugs seized				
Opium.	Hemp drugs	Opium	Hemp drugs			Opium.	Hemp drugs			
3	4	.....	2			Srs	Tolas	Srs	Ch	Tolas.
				Illicit possession and sale of opium and hemp drugs	One has been fined Rs 5 & the other Rs 3	7	12½	9	8	2½

There were no prosecutions in respect of other dangerous drugs.

The area under cultivation for raw opium was 339 acres, the quantity of opium produced was 15 maunds 20 seers and 10 chhataks, and the quantity of opium consumed in the State was 21 maunds and 1 seer. The sale price of opium per seer in the retail shops was Rs 140 in Kashmir and Rs. 100 in the Jammu Province.

The following statement shows the consumption of the various sorts of hemp drugs in the State during the year:—

Ganja	Charas			Bhang	REMARKS
	Mds	Srs	Ch		
.....	3	36	12	No account of Bhang is kept hence figures of its consumption are not available	34 maunds 38 seers of Yarkaudi Charas were imported from Leh and stocked in the Srinagar ware-house for issue to the State licensees

The quantities of each drug imported, re-exported and consumed are given in the sub-joined table:—

Drugs.	IMPORTED.				RE-EXPORTED.			
	Quantity continued.				Quantity consumed.			
	lbs.	Oz.	Drs.	Grs.	lbs.	Oz.	Drs.	Grs.
Morphia (in solid form)	2	7	4	0	9	4		36
Morphia (in liquid form)	4	11	10	31	9	6		42
Morphia (in tablet form)	61½	tubes.			197	tubes.		
Heroin (in solid form)	2	25			1	4		42
Heroin (in liquid form)			6					
Cocaine (in solid form)	6	5	3	14½	2	0	3	35½
Cocaine (in tubes)		55	tubes.					
Medicinal (in solid form) opium	57	10	5	23	28	11	0	36
Medicinal (in liquid form) opium	140	2	5	54	95	9	1	49

The permits for import and licenses for use, possession and sale were issued for the requirements of Hospitals, Chemists and Medical practitioners only.

Slight changes were made in the Customs Tariff. The import duty on *Gota Kinari* and *Katun* was decreased from 15 per cent. *advalorem* to 7½ per cent. *advalorem* and the duty on *Silma Satara* from 30 per cent. *advalorem* to 15 per cent. *advalorem*.

Exemption from Road-toll was allowed in the case of animals brought to Horse and Cattle Shows in various parts of the State. Grains and Oil seeds imported temporarily into Srinagar or Jammu for husking or grinding or extraction of oil, were exempted from Octroi duty. Customs duty was substituted for Octroi in the case of goods which are imported from Central Asia and are not exported to British territory in bond, but are sold or retained for consumption within the State.

The most important event in the Department during the year was the extension of the Customs Regulation to the Frontier Districts of Ladakh and Gilgit, which had hitherto been immune from it. But it may be noted that the goods transmitted in bond through the State territories by the Treaty Road from Central Asia to British India of which the bulk may not be broken within the State, were to remain exempt from duty as heretofore, and the imports from Tibet were to continue to be assessed at a special rate of duty for each article *viz* 2 per cent. *Advalorem*.

The Wazirs of Gilgit and Ladakh were invested with the powers exercised by Inspectors of Customs and Excise.

**Industrial Development. (1) TECHNICAL EDUCATION.**—Arrangements were in progress at the close of the year, for opening a Technical

School at Bhadarwah, thus raising the number of Technical Schools in the State to 9. His Highness was pleased to sanction a provision of Rs. 10,000 to begin with, for grant of short term stipends for industrial and vocational training to deserving State Subjects

**2. Industrial Laboratory.**—The analytical work of the Laboratory included the analyses of Ores, Coal, Water and Soil. A small quantity of Otto-de-Rose was distilled on a semi-commercial scale. Over 400 full bottles of writing ink manufactured by the Laboratory were supplied to the Stationery Depot. The bleaching and dyeing of Kashmir silks was also undertaken. Experiments in the distillation of oil from Valerian, the preparation of Casein, the refining of honey and the manufacture of Boot Polish were attended with fair success. Manufacture of Resin from Podophyllum Emodi and of tinctures of Belladonna was also experimented on.

**3 Industries** —Weaving Demonstrations were held with a view to developing the handloom industry. The demonstration parties were organised on better lines and they were required to halt at different stations for longer periods to ensure lasting results. Honey was refined on semi-commercial lines.

The Jammu Tannery was leased out to a private firm. The Lasjan Match Factory continued to do good work. Sir Daya Kishan Kaul and Sons, who were given special concessions for starting a Santonin Factory imported the necessary machinery and other equipment; and it is expected that the factory will start work in 1931. The firm of Messrs. Sukhdial Amirchand, was granted concessions including a loan of Rs 3 lakhs spread over several years for starting a Silk Weaving Factory. The proprietors of the firm are State Subjects. They have experience of handling silk, and a youngman of their family has been sent to Europe for training in Silk Industry. Another local firm was granted permission for opening a factory for making fruit boxes of which there is a great demand in Kashmir on account of the large export trade in Fruit.

The general trade depression of the year had its repercussions in the State. The Carpet Industry was severely hit. But towards the middle of the year the demand for woollens and silk fabric showed some increase, and a number of looms were added by Cottage workers.

**4 Civil Supplies.**—The Civil Supplies section of the Industries Department was organised during the year. Arrangements were made for the supply of locally made articles to the Stationery Depots, Hospitals and other Government Departments. Many articles of Stationery, Hospital clothes, tents, leather goods, chucks, ropes, *nawar*, serge etc., were manufactured successfully and supplied to various departments. *Durries*, bed-sheets and towels were supplied to the Rajput Boarding School. Standardisation of office furniture was undertaken. Central Stores for tent, were also organised at Jammu and Srinagar.

5. **Printing Presses and Stationery Depots.**—Standardisation of departmental forms was continued. Efforts were made to avoid accumulation of arrears and to meet departmental requirements without delay. A reduction was brought about in the issue of Stationery articles by a system of proper scrutiny. Additions were made to the fixtures and fittings of the Depots. The supply of Tent equipage to touring officers and uniforms to peons was entrusted to the Depots.

6. **The State Exhibition.**—The State Exhibition was opened by His Highness before his departure for Europe. In declaring the Exhibition open His Highness made the following speech:—

“ Mr. President and Members of the Exhibition Committee, Ladies and Gentlemen.”

I am glad to be able to open this our second State Exhibition. Duty calls me away from the State very soon to attend the Round Table Conference in London, and if we had this year adhered to the original intention of holding the Exhibition later, I should not have had the pleasure of being with you all this afternoon. I have listened with great interest to the details which have been just read out, and I am glad to know that in spite of the depression in trade, which is being unfortunately felt not only in the whole of India but throughout the world, every stall available has been occupied. This shows that the experience of last year was a happy one for all the traders who took part.

I find from records of last year's Exhibition that, in spite of the fact that it was the first Exhibition of its kind in the State, and that it had to be organised hurriedly under very adverse circumstances, the sales were good and many people visited the Exhibition. In opening last year's Exhibition, I laid stress on the fact that it should not be looked upon merely as a show, but as a business enterprise, calculated to substantially assist the economic advancement of my subjects. My Government have spent much thought and money in erecting the buildings and making all the arrangements, and the intention is to continue to make improvements annually. This year, as you have just heard, Rs. 40,000 have been spent and last year the total expenditure amounted to nearly Rs. 1,12,000. I repeat these figures so that our traders should realise that we mean business in doing all we possibly can to help them. I would ask them to give of their best in return by improving the quality of their manufactures and by raising their business standards, so that the manufacturers of the State should receive even greater appreciation than is at present given to them.

I look upon the State departmental exhibits as of great importance also, as they keep the departments up to the mark and create and maintain a very desirable spirit of emulation. Mr. Wattal who is in charge this year, has rightly given credit to the officers who inaugurated this Exhibition last year. He has also thanked all the departments of Government for their ready and whole-hearted

assistance, and I am glad to see this spirit of co-operation, and am confident that, as in the past so in the future, it will always be evident. Mr. Wattal has modestly said nothing about his own efforts. I thank him personally and the members of the committee for all that they have done. I now declare the Exhibition open."

The Exhibition remained open for 21 days. In spite of adverse local conditions, the number of stalls occupied by the local traders was larger than in the previous year. Among others, the exhibits of the Mineralogical, Agriculture, Forest, Research and Archaeological Departments attracted much attention. As in the previous year, the stalls were arranged in two quadrangles and in the spacious ground between these two quadrangles, were Refreshment Rooms, and Cinema and Theatre halls and a large pavilion for the State Band in the centre. The loud speakers, provided amusement to the public, who were drawn to the grounds in large numbers for sight-seeing. The illuminations heightened the spectacular effect of the show.

Silk fabric, woollen pieces, embroidery and silverware showed a marked improvement over the previous year's exhibits. The Exhibition proved a great attraction to the local people as well as the visitors. The income from the sale of admission tickets and other sources including amusements, amounted to Rs. 32,000. The exhibitors sold goods worth over Rs. 60,000.

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**Forest Department. 1. GENERAL—**By the amalgamation of the Private Domains with the State, 444 square miles were added to the area under the Forest Department of His Highness' Government. The amalgamation also necessitated some minor changes in the constitution of Forest Divisions. At the close of 1930 the area under the control of the Forest Department was :—

Nature of Forests.	Area in sq. miles.
(a) Demarcated forests ..	9,465
(b) Partially demarcated forests ...	34
(c) Undemarcated forests	160
<b>Total ...</b>	<b>9,659</b>

Satisfactory progress was made in both the Jammu and Kashmir Circles in regard to the erection of new and repairs to the old boundary pillars.



A new Working Plan Division was opened for Bhadarwah.

The Audit of the Forests Department was transferred to the Accountant-General from October. The revenue of the department was over 75½ lakhs against an expenditure of Rs. 22½ lakhs.

2 FOREST OFFENCES.—The number of Forest offences dealt with was 3,485 against 3,471 during the previous year. The total amount of compensation realised was over Rs. 21,000.

3. ROADS AND BUILDINGS.—The length of new forest roads constructed was 131 miles with 17 bridges. Nearly 34 new buildings were completed. Other works included installations of and repairs to 75 miles of telephone lines and repairs to fencings in depots and construction of wells.

4 SILVICULTURE.—The year was reported to be an exceptionally good seed year for Deodar and Kail. Thinnings were carried out extensively under the new plans. Other cultural operations tending towards the improvement of growth, were attended to.

Sale of forest produce.—Nearly 3,63,500 cft of timber and 15,73,450 cft. of firewood were extracted departmentally. The quantity of timber and firewood sold to purchasers on royalty for the year as compared to the previous year was as under :—

Year.	Timber cft.	Firewood cft.	Total
1929	1,67,64,632	1,51,031	1,69,15,663
1930	2,43,74,547	3,51,401	2,46,89,948

Forest Products.—Extraction of Kuth, birch bark, crude resin and other minor forest products was done under departmental agency. Over 2,000 maunds of Kuth were sold. The amount realised from sale was over Rs. 5,77,000, 41,970 maunds of crude resin were extracted for sale to Jallo Resin Factory. 26 maunds and 26 seers of Kaimal gum was for the first time extracted under departmental agency in the Reasi Division.

Kuth Smuggling —During the year under report there was considerable abatement in Kuth raids both in Keran and Kishtwar Divisions. The Military force remained on duty throughout the working seasons in both the Divisions.

Walnut Wood Seasoning Factory.—In 1928 His Highness ordered an investigation into the Walnut Wood Industry. Enquiries revealed that the quality of the furniture and carved articles made from Kashmir Walnut was susceptible of great improvement. His Highness' Government gave their earnest consideration to the maintenance of the quality of the finished product and the prevention

of warping and cracking of the articles on removal to warmer climate. After examining the matter in all its aspects in consultation with dealers in walnut wood, the Government sanctioned the installation of an up-to-date seasoning kiln where private users can have their walnut timber seasoned before bringing it into use. The scheme provided for the erection of a fan, a reversible circulation kiln with three chambers and an annual capacity of 20,000 cft. The estimated capital cost on equipment and buildings is Rs. 27,000. It was hoped that the scheme would lead not only to a large expansion of the Walnut Wood Industry, but also in the furniture industry for which several other kinds of suitable wood are available in the State

**The Baramulla Steam Factory.**—A new settlement for the supply of half-wroughts to the Rifle Factory at Ishapore was made with the Ordnance Department of the Government of India. A new set of specifications was drawn up for the unsteamed half-wroughts in stock and also for 11,000 sets to be converted during S. 1987. 500 sets which contained 250 sets of zamindari walnut wood were sent to Ishapore for testing purposes.

**Training of Forest Officers.**—Five candidates were sent during the year under report for training in the Rangers' Class at Dehra Dun. The Kashmir Forest Training Class at Chatternar remained open from April.

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**Mineral Department.**—During the first half of the year the drilling operations started in 1929 for surveying the Kalakot coal-field were continued. Veins and streaks of asphalt or bitumen were discovered at Kakra, Rajouri Tehsil. Iron deposits were found to occur as lenticles at the Khadli Haematite locality. The preliminary survey of the Sindh Valley showed it to be highly mineralised, yielding evidences of copper ore, manganese, iron pyrites, scaly graphite and asbestos. Gypsum was supplied to the Agricultural Department, which reported an increase of 30 per cent. in the yield per acre by its use as manure. Supplies of the mineral were also made to the Public Works Department for testing its use for the improvement of accoustical conditions in churches, theatres and public auditoriums.

Publicity was given to the revised rules for grant of prospecting licenses and mining leases. The special feature of the rules is that exploring licenses have been dispensed with and unoccupied land may now be freely searched. The rules have been made more liberal than before to suit the peculiar local conditions of the State with its mountains, its rugged surface and the absence of railway for purposes of internal traffic.

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**Sericulture and Mulberry culture.**—**REORGANISATION.** The department was reorganised with a view to placing the industry on a commercial basis and cutting down all unnecessary expenditure both in production and management. The policy of steady expansion of the department was maintained and provision made for a production of 2,25,000 pounds

of silk in Kashmir and 25,000 pounds in Jammu. But in order to provide against uneconomical duplication of work, a more judicious and scientific distribution of the managing and supervisory staff in the various branches of the industry was effected. The Mulberry Culture section of the industry was strengthened and placed in charge of a Deputy Director. Expenditure on fuel at the Silk Factory at Srinagar was cut down. It was decided to substitute new boilers for the old egg-ended boilers. A trained Commercial Accountant was appointed under the Director of Sericulture, Srinagar in order to introduce up-to-date methods of accounting. The salaries in different grades of the Gazetted staff of the whole department were standardised.

Efforts were made to effect economy in operations like Reeling, Sorting and Cleaning of Wastes. It was decided to introduce up-to-date instruments for stifling of cocoons in place of sun-drying which tends to spoil the quality of silk, to incubate the seed in the factory as far as possible and to distribute young worms to the rearers. It was also decided to introduce machinery for the purpose of turning the reels in Jammu.

**Price of cocoons.**—A remarkable feature of the new scheme related to the price of cocoons. The rate was raised from Rs. 16-4-0 to Rs. 18-12-0 per green maund for rearers who give more than 30 seers of cocoons per ounce of seed. This must prove an incentive to better work, besides helping the rearers to improve their income.

**The silk market.**—The year was very unfavourable for the sale of raw silk and silk products on account of the serious situation of the silk market throughout the world.

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**Education.**—I. **PRIMARY EDUCATION FOR BOYS.**—The most important educational measure of the year was the primary education Regulation. To begin with, Primary Education for boys was made compulsory in the municipal towns of Srinagar, Jammu and Sopore and in the notified area towns of Mirpur and Udhampur. It was also decided to extend the Regulation to the town of Baramulla with effect from Baisakh Samvat 1988 (April 1931). Rules for the guidance of parents or guardians of boys aged between 6 and 11 years for whom the Regulation was meant, were promulgated. The whole expenditure on Primary Education was undertaken by Government itself. School Attendance Committees consisting of official and non-official members of each town and local area were constituted to push forward the scheme. The Regulation makes primary education free and compulsory for practically all physically fit males of school-going age in the areas to which it applies, and as a necessary corollary prohibits employment of child labour during school hours in these places by any person, who is not a parent or guardian. In Sopore and Srinagar, the number of students admitted to the Compulsory Schools was nearly 6,000, and in the Province of Jammu over 1100. This disparity in numbers is explained by the fact that the population of Srinagar is nearly five times that of the

city of Jammu. Most of the boys effected by the regulation for compulsory attendance in Kashmir were Mohammedans. To make the new schools specially attractive to the Mohammedans, provision was also made in the Budget for the employment of 31 Arabic teachers.

In addition to the Compulsory Primary Schools, 20 new Primary Schools were opened in the Muffasils in both the Provinces. Suitable provision was made for decent accommodation of the boys in poor and backward localities, where the practice hitherto had been to require the inhabitants to supply free houses as an indication of their preparedness for the education of their children.

2. SECONDARY AND HIGHER EDUCATION FOR BOYS.—New High Schools were opened at Akhnur in the Jammu Province and at Rainawari in Srinagar. 10 Primary Schools in Jammu and 7 in Kashmir were raised to the status of Lower Middle Schools.

NUMBER OF SCHOLARS.—The number of educational Institutions for boys rose from 959 to 1,036 and that of scholars from 56,009 to 63,630.

3. TRAINING OF TEACHERS.—The J. V Course was extended from one to two years to improve the efficiency of teachers. Efforts were made to recruit the right kind of men in the teaching staff in the Muffasils.

4. AIDED SCHOOLS.—The number of aided schools rose from 50 to 57. Their working was, on the whole satisfactory.

5. BACKWARD COMMUNITIES.—The Special grant for encouragement of Mohammedan scholars and scholars of the backward communities was doubled during the year. 160 special scholarships for Sikh students of the Primary, Middle and High Schools of the State were also sanctioned.

6. TEACHERS' CONFERENCES.—Teachers' Conferences were inaugurated in Kashmir. Such Conferences were held in Ladakh and Skardu also. An Educational Conference was held as in the previous year on the Birthday of His Highness.

7. SCOUTS JAMBOREE.—A successful Jamboree was held at Srinagar in connection with the celebration of His Highness' Birthday. 1800 Scouts gathered together from all parts of the State including far-off Gilgit. A Provincial Scout Rally was held at Jammu towards the end of the year.

8. College Education.—The University Examination results of the

two Colleges were as follows:—

(i) THE PRINCE OF WALES COLLEGE, JAMMU.

Examination	Sent up.	Passed.
B. Sc. ...	14	10
B. A. ...	45	31
Intermediate ...	88	60

(ii). THE SRI PRATAP COLLEGE, SRINAGAR

Examination.	Sent up.	Passed.
M A ...	1	1
B. A. ...	71	20
Intermediate ...	183	32

College students in both the Provinces continued to take great interest in games and other social and literary activities.

The Prize Distribution Ceremony of the Prince of Wales College was performed on the 12th April by His Highness the Maharaja Bahadur who made the following speech:—

"Mr. Suri, Staff and Students of the Prince of Wales College and gentlemen.

I am very pleased to be able to be with you today, and I have listened with great interest to the report which has just been read. It is very satisfactory to note the increase in numbers and the excellent results which have been obtained in the various examinations at which students of this institution have appeared. Those good results reflect great credit upon the teaching staff. I am also very glad to see that so much attention is devoted to the important matter of games. I am glad to notice that both the Rajtilak Tournament Cups for Hockey and Football were won by the College, and I hope that College Teams will strive to win outside the State also. I am very pleased to note the attention paid to Scouting and I trust that this very important organisation will be considerably extended and fostered".

His Highness continued:—

"Upon the Professors I would enjoin the necessity of rightly moulding the character of their pupils. Upon the students I would enjoin the necessity of making the best use of their time, acquiring habits of discipline and self restraint and of constructive thought, which are all indispensable if success is to be achieved in the strenuous battle of life. I need hardly assure you of my deep interest in this institution and my anxiety to see it develop and expand on right lines to the great benefit of my State and my people".

9. FEMALE EDUCATION.—Female Education remained under the charge of the Chief Inspectress of Girls Schools. The following table shows the number of Girls Schools during the year :—

High Schools (Government)	... 2
Middle Schools (Government)	... 9
Middle Schools (Aided)	... 6
Primary Schools (Government)	... 97
Primary Schools (Aided)	... 14
Patshalas and Maktbas	... 8
	—
Total	...113

The total number of girls students rose from 6,256 in the previous year to 8,350, which means an increase of over 34 per cent. Provision was made for the grant of 30 scholarships to Hereditary State Subject Girls Students,—10 Scholarships of Rs. 10 per mensem each for the two Government High Schools for Girls, 10 Scholarships of Rs. 20 per mensem each for the two State Colleges and 10 Scholarships of Rs. 40 per mensem each for those wishing to study in Colleges in British India. Other steps were also taken for the encouragement of female education. The curriculum was widened so as to include Kindergarten teaching and needle-work, Hygiene, and Domestic science for which due provision was made. Funds were provided for free conveyance of girls to the High Schools. As in the case of Boys' Primary Schools, suitable house-rents were sanctioned for Girls' Primary Schools in the Muffasils.

The chief difficulty in the spread of female education in the State is the paucity of female teachers. Non-State Subjects have to be recruited in the present circumstances, but they are not always available and the long distances separating Kashmir from the rest of India add to the difficulty. Junior Vernacular Classes are attached to both the High Schools for the teaching of Hereditary State Subjects as pupil teachresses. Provision was made in the Budget for the training of 4 Hereditary State Subject ladies in the Senior Vernacular Classes at Lahore. In order to give training locally to Primary School teachresses, a beginning was made by deputing three teachresses to the Normal Classes of the Girls' High Schools from each Province. A further step in this direction was taken by the starting of a Teachress Class at Srinagar, in which attendance for all teachresses in the city was made compulsory once every month.

**Medical Department. 1. NEW DISPENSARIES.**—His Highness sanctioned a scheme for the opening of 5 new dispensaries in each Province every year till the medical needs of the people were adequately satisfied. Six new dispensaries were accordingly opened in the Kashmir Province in different Tehsils. The Dispensary at Mohora intended for the Electrical Department, was transferred to the Medical Department. In the province of Jammu also, 6 new dispensaries were opened in the interior

In addition, one dispensary for Venereal diseases was started for the North-western hilly tracts of the Province. The dispensary at Bhadarwah was transferred to the Medical Department on the amalgamation of the Private Domains with the State. Two new dispensaries were opened at Ishkoman and Yasin in the Frontier *Ilaga* under the Gilgit Agency. A new male and female ward was built at Singhal.

2. GENERAL.—The dispensaries at Gulmarg and Pahalgam which attract a large number of visitors from outside during the summer season were converted into Hospitals. Three State stipendiaries returned after receiving higher Medical Training in England, and steps were being taken at the end of the year for suitably utilising their services. The sub-joined table shows the work performed in the Hospitals and Dispensaries in the two Provinces and in Gilgit during 1930 as compared with 1929 :—

Year.	Out-door patients.	In-door patients.	OPERATIONS.	
			Major.	Minor.
		1. Kashmir.		
1929 ...	5,65,459	3,841	2,574	36,851
1930 ...	5,82,560	3,473	2,578	37,350
		2. Jammu.		
1929 ...	4,94,708	2,501	683	19,006
1930 ...	4,60,464	2,492	832	17,916

The total number of out-door patients treated at the special Canal Dispensary at Jammu was 7,758.

### 3. Gilgit.

Year.	Out-door patients.	In-door patients.	OPERATIONS.	
			Major.	Minor.
1929 ...	79,895	1,042	164	1,320
1930 ...	83,822	946	160	1,312

3. Vaccination.—The total number of Vaccinations performed during the year in Kashmir was 60,621 primary vaccinations and 6,151 re-vaccinations against 71,687 vaccinations of the previous year.

In Jammu, the number of primary vaccinations and re-vaccina-

tions performed was 50,756 and 13,512 respectively, against 42,020 and 7,320 respectively of the previous year.

In Gilgit, the number of vaccinations and re-vaccinations performed was 4,500.

4. **Births and deaths.**—The number of births and deaths registered during the year was 40,534 and 29,341 against 46,997 and 36,410 respectively of the previous year in Kashmir and 39,469 births and 26,439 deaths against 38,990 and 24,309 respectively of the previous year in the Province of Jammu. These figures are exclusive of the births and deaths registered in the Jammu town.

5. **Epidemic diseases.**—During September 1930 Cholera broke out in the valley in epidemic form. Prompt and energetic measures including anti-cholera inoculations arrested the progress of the disease. Cholera vaccine costing over Rs. 14,000 was purchased. The number of inoculations performed was 67,776. Cholera appeared in Mirpur in August 1930, but timely measures soon eradicated it. Plague appeared in epidemic form in village Kutmaria in the Ranbirsinghpura Tehsil. 12 cases and 5 deaths were reported. Precautionary measures were being taken at the end of the year.

6. **T. B. Dispensary Kashmir.**—A sum of Rs. 20,000 was sanctioned in the Budget for hutments at Tangmarg in connection with the establishment of a sanatorium for the treatment of patients suffering from the T. B. of lungs. These hutments were ready for occupation and other arrangements were in progress. The number of patients attending the T. B. dispensary for out-door and in-door treatment was 5,704 and 84 respectively. 113 operations were performed. A new method was introduced of tracing patients in the city through the T. B. Inspectors.

7. **Female Hospitals.**—The Diamond Jubilee Zenana Hospital, Srinagar, is designed for the special needs of women.

The statement given below shows the work performed during the year as compared with the previous year :—

Year.	Out-door patients.	In-door patients.	OPERATIONS.	
			Major.	Minor.
1929 ..	22,159	1,25	233	327
1930 ..	23,196	1,310	262	352

Maternity cases conducted at the patients' houses numbered 115, while those conducted at the Hospital numbered 282.

The King Edward Memorial Zenana Hospital, Jammu was removed to better premises. The statement given below shows the



amount of work performed at this Hospital during the year as compared with the previous year:—

Year.	Out-door patients.	In-door patients.	OPERATIONS.	
			Major.	Minor.
1929 ...	11,245	347	143	537
1930 ...	13,234	365	50	341

The work done in the Female Hospital, Gilgit is shown below:—

Year.	Out-door patients.	In-door patients.	OPERATIONS.	
			Major.	Minor.
1929 ...	2,200	28	1	21
1930 ...	4,230	31	.....	42

8. **Leper Asylums.**—In the Leper Asylum at Srinagar, the year began with 104 patients. The new admissions were 98. The total number of untainted children in the Home was 24. The daily average of patients in the Leper Asylum, Jammu was 29.29 against 24.3 of the previous year.

9. **Bacteriological Laboratory, Srinagar.**—The work done by the Laboratory is shown below:—

Nature of work.	Number of examinations.
Water analysis ...	21
Milk ,, ...	124
Widels reaction ...	6
Urine examination ...	14
Faeces ,, ...	4
Sputum ,, ...	2
Culture urine ...	1

10. **The Chemical Laboratory, Jammu.**—The Laboratory was extended during the year and removed to a better building. Vaccine was prepared in the Laboratory for the use of hospitals and dispensaries.

11. **Dental Dispensaries.**—The Government maintains two special dispensaries for the treatment of dental diseases in charge of Medical Officers of High European qualifications—one each at Srinagar and Jammu. In Kashmir *Pyorrhoea alviolaris* is very common, but people generally neglect their teeth or get them treated by “quacks”. The total number of patients who attended the dispensary at Srinagar was 1900, but inspite of the smaller population at Jammu, 2,333 patients attended the Dental Dispensaries there.

12. **Public Health.**—A sum of Rs. 10,000 was sanctioned for improvement of sanitation in the Mufassil areas of the Jammu and Kashmir Provinces. The amount was spent in executing urgent Mufassil Sanitary works. Sites in camping grounds for the accomodation of visitors suffering from the T. B. of lungs were demarcated. A system of examination of visitors suffering from the disease was established, and provision was made for the establishment of 2 Inspection Posts for the purpose.—one at Domel and the other at Tawi Bridge in charge of Assistant Surgeons.

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### THE JAIL DEPARTMENT.

#### (a) Kashmir

(1) **The Central Jail**—The outer wall of the Jail Compound at Srinagar was built upto the standard height of 18 feet. The general health of the prisoners was good. There were no epidemic diseases inside the Jail. The total daily average of prisoners was 588 52

(2) **The Lunatic Asylum**—There were 25 Lunatics in the Asylum at the close of 1929. Admissions during the year were 18. Of the total number, 7 were released on recovery, 4 were discharged otherwise, 8 were relieved and 3 died.

(3) **Juvenile offenders**—The number of juvenile offenders admitted to the jails was 16 against 23 of the previous year. They were given some elementary education and training in handicrafts. Proposals concerning the provision of separate accommodation for child offenders were under consideration.

(4) **Disposal of prisoners.**—The sub-joined table gives the number of prisoners, undertrials and lunatics in the Province during the year:—

Particulars.	Number at the beginning of the year		Number admitted during the year		Total.		Dealt with during the year.		Remaining at the end of the year	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females.
Convicts	630	5	922	10	1,552	15	1,054	12	498	3
Civil Prisoners	1	...	12	..	13	....	11	..	2	....
Undertrials	60	...	758	8	818	8	713	8	106	....
Lunatics	24	1	15	39	4	20	2	19	2	....
Total	715	6	1,707	21	2,422	27	1,798	22	624	3

The income from the Jail Manufactory and the Printing Press during the year was Rs. 27,645-0-10 against Rs. 26,876-7-3 of the previous year.

(b) *Jammu.*

(1) **The Central Jail.**—Additions were made in the Central Jail buildings. The daily average of all classes of prisoners was 456.20. The general health of the prisoners was good.

(2) **The Lunatic Asylum.**—There was 13 lunatics in the Asylum at the end of 1929, and 13 admissions were made during the year. Of the total number, 19 were discharged and 7 remained in the Asylum at the close of the year.

(3) **Juvenile offenders.**—Six juvenile offenders were admitted during the year. They were kept as far as possible separate from the ordinary prisoners.

(4) **Number of prisoners.**—The number of Muffasil Jails increased from 5 to 6 during the year, on account of the transfer of the Jail at Bhadarwah to the Medical Department. The statement given below shows the number of prisoners admitted to the Muffasil Jails in the Jammu Province:—

Particulars	Number at the beginning of the year.		Number admitted during the year.		Total.		Dealt with during the year		Remaining at the end of the year.	
	Males.	Females	Males.	Females	Males.	Females	Males	Females	Males.	Females.
Convicts ..	35	3	392	15	427	18	....	....	....	....
Civil Prisoners..	35	2	385	34	420	36	...	....	....	...
Undertrials ..	2	....	65	....	67	...	....	....	....	....
Lunatics ..	...	....	....	....	....	...	....	...	...	....
<b>Total ..</b>	<b>72</b>	<b>5</b>	<b>842</b>	<b>49</b>	<b>914</b>	<b>54</b>	...	...	....	....

**Settlement.**—The settlement of the Karnah Tehsil in Kashmir and the Akhnur Tehsil in Jammu was completed and the charge handed over to the Revenue Department. While sanctioning the assessment proposals of the first revised settlement in the Bhimber Tehsil of the Mirpur District, His Highness was pleased to order that the term of settlement for the next revision should be raised from 20 to 30 years. Similar orders were also given in the case of the Uri Tehsil of the Muzaffarabad District. The assessment report of the Mirpur Tehsil was also submitted for Government orders. New assessments were enforced in the Uri, Muzaffarabad, Mirpur and Bhimber Tehsils. The expenditure on the Settlement Department was reduced from 3½ lakhs to 1 lakh.

**The Kashmir Valley Food Control.**—The temporary exemption of lorries from payment of Road-toll sanctioned as a special relief measure on account of the floods of the previous year, was withdrawn this year.

The system of advancing *Khush Kharid* (voluntary sale) loans to zamindars against delivery of Shali, was extended. Arrangements were made for the post-auditing of accounts of the Food Control Department in the Accountant General's Office.

**Revenue Administration.**—With the amalgamation of the Private Domains with the State, the Revenue Administration of His Highness' Government was extended to areas formerly outside its jurisdiction. This involved certain internal changes in the Revenue divisions of the State. Three Revenue Assistants were appointed in the Jammu Province and attached to the Districts of Jammu, Mirpur and Riasi. One Revenue Assistant at Srinagar, and one Land Records Tahsildar at Ladakh and one at Gilgit were appointed.

The Census Operations were started during the year and the organisation for completing the work in time was set up.

**State Property in British India**—The only noteworthy event regarding the Government Property in British India was its exemption from income-tax, which resulted in the saving of a recurring expenditure of Rs. 5,000 a year.

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**Veterinary Department.**—An out break of Rinderpest in the Handwara Tehsil in Kashmir, was checked by inoculations. But in Jammu the disease occurred in epizootic form in almost all the districts of the Province and resulted in over 1100 deaths. A special staff was employed to help in the work of inoculation for eradicating the disease. The disease known as Haemorrhagic Septicæmia appeared in a malignant form in the districts of Jammu, Mirpur and Kathua, and 150 deaths were reported. But timely inoculations were made and the disease was checked. The number of inoculations made in the province of Jammu exceeded 11,000. The Veterinary staff in Kashmir visited over 300 villages and treated 1765 animals for contagious and non-contagious disease and castrated 1708 animals. The number of animals that was brought up for treatment at the various dispensaries of the Province was 8611, out of which 68 were in-door patients. In addition to this 2732 animals were supplied with medicines. At the Inspection Posts of Domel, Baramulla and Bandipura, 44587 in-coming and out-going animals were inspected under the Glanders and Farcy Act. In the Jammu Province 26712 animals were treated at the head-quarters and in mufasils of the various districts and 3971 animals were castrated.

**Horse and Cattle Shows.**—In Kashmir Cattle Shows were held at Baramulla, Anantnag, Srinagar and Muzaffarabad and in Jammu at Jhiri, Udhampur, Riasi and Kathua. Out of Rs. 6,500 sanctioned for the Shows, over Rs. 2,300 was given away in prizes in Kashmir and Rs. 2,140 in Jammu.

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**Co-operative Department.**—The number of Co-operative Societies increased from 2,716 to 2,916, the working capital from Rs. 78,93,608 to Rs. 89,42,782 and the membership from 57,100 to 63,364.

The Agricultural Credit Societies increased from 2,349 to 2,438, their working capital from 44,42,289 to 49,43,234 and the membership from 44,165 to 45,602.

Out of 210 non-agricultural Societies in the Province of Kashmir, 179 were in Srinagar covering 42 different crafts with a membership of 3897 and working capital of Rs. 2,14,154. Out of 84 such societies in the Province of Jammu, 44 were located in the city of Jammu. Of these 16 were of employees, 13 of petty traders and shopkeepers, 3 of artisans and 12 of the depressed classes. The Societies of the depressed classes have proved highly beneficial to these people in rescuing them from the clutches of usurious money-lenders. The number of Compulsory Educational Societies was 30 against 23 of the previous year, with a membership of 1413.

Consolidation of holdings was completed in 20 villages, 9 of the Jammu Province and 11 of Kashmir. The area consolidated covers 5910 fields which were made into 1127 blocks. Arrangements in the Experimental Training Society at Nandpura and the Model Village of Rakh Kajgund were upset owing to the successive floods of the 2 previous years.

Conferences were held at important centres, and lectures given to Zamindars on various subjects including Agriculture and Veterinary Science.

**Central Banks** —There were during the year 13 Central Banks and 1 Union. Their working capital rose from Rs. 30,82,010 to Rs. 34,42,110.

**Agriculture and Horticulture.—ACCLIMATISED SEEDS.**—Agricultural and Horticultural Exhibits, Implements, Entomological collections and apparatus were exhibited on the occasion of the Cattle fairs at Baramulla and Khanabal and the Co-operative Conference in Srinagar. The agricultural stalls were conspicuous in the exhibition of the year. Some of the exhibits were obtained from the zamindar members of the Co-operative Societies. Demonstrations of various improved seeds and implements, together with practical lessons on entomological work were arranged by the Agricultural Department. A lump sum of Rs. 11,000 was sanctioned for entomological operations.

New nurseries were started at Rambagh, Mirzaraza, Parigam and Tehsil Bagh in Kashmir and at Gol Samunder Bagh in the Jammu Province. The plantation of fruit seedlings in the *Sundri* and *Nihalpura* Nurseries was extended to meet the increasing demand.

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**Sri Pratap Singh Museum.**—Ten silver articles valued at Rs. 1,188 and an old manuscript of the famous classic *Kulyat-i-Maulvi Rum* were added to the exhibits. 105 specimens of minerals were presented by the Geological Survey Department of India, and 3 coins of gold and 1 coin each of silver and

copper were presented by the Government Museum, Madras. The total number of visitors during the year was about 1,18,000.

**The Public Libraries.**—The Sri Ranbir Library, Jammu was over-hauled and the books arranged and classified according to the Devy System. 198 new books were added to the Library. The number of books issued during the year was 1900. In the Sri Pratap Singh Library, Srinagar 391 books were added. The number of books issued during the year was 9,750.

**Research.**—The Research Department completed the publication of two important books, *Mraghendra Tantra and Langhakshi Grihya Sutras*.—The publication of *Ramavitra Jyotir Maha Nibhadha*, a comprehensive work on Indian Astrology was commenced.

**Archaeology.**—Repairs were made to the pebble walls at Harwan. The terraces of Parimahal and the foot-path leading to it were cleared. The original parapet round the temple on the Shankarcharya hill was restored. The compound of the Badshah Mausoleum was fenced, and the earth and debris removed from the compound. A wire fencing was set up round the mausoleum at a considerable cost. A wire fencing was also erected round the Mughal Garden at Bijbihara. Excavations were started at Nara Nag Wangath in Kashmir and some details of architecture were revealed, and a few old coins, images and idols were found.

**Meteorology.**—The Department maintains 1 Central Observatory at Srinagar and the Sub-observatories at Skardu, Dras, Kargil, Gulmarg, Muzaffarabad and Jammu. January and February were generally speaking very cold. The Spring was cloudy, the Summer was rainy and the autumn was normal. The total snow-fall in Srinagar was 11 feet 4  $\frac{1}{4}$  inches. The highest temperature recorded by the maximum thermometer at the Srinagar Central Observatory was 99.2 on the 10th July 1930, while the lowest temperature registered by the minimum thermometer was 11.2 on the 6th February 1930.

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**Public Works Department.—I. ROADS, BUILDINGS AND IRRIGATION DIVISIONS.**—From the beginning of the Fasli year Samvat 1987-88 the Kashmir Northern Division was abolished and the work that was being done by it, was distributed among the other divisions of the Kashmir Province. The Divisions in both the provinces stood as follows :—

*The Jammu Province.*

- (a) The Jammu Irrigation Division.
- (b) The Jammu Division.
- (c) The Banihal Road Division.

*The Kashmir Province.*

- (a) The Kashmir Division.
- (b) The Kashmir Hydraulic Survey Division.
- (c) The Jhelum Valley Road Division.

The Budget grant for the year Samvat 1986-87, (1929-30) was Rs. 46,46,452. For the year Samvat 1987-88 (1930-31), the grant was Rs. 44,53,926.

*Works.*

1. **The Ujh Canal—(A) JAMMU.**—The works include the extension of the Ujh Canal, for which expenditure amounting to Rs. 5,74,504 was incurred upto the end of Samvat 1985-86. The full amount of Rs. 70,000 sanctioned for the work in Samvat 1986-87 was utilised, the balance required for completion of the project being Rs. 94,814.

2. **Water Supply to the Kandi Tract.**—The work of water supply to the *Kandi* tract was continued. Till 1930 an expenditure of Rs. 4,40,000 was incurred on enlarging and improving the existing tanks. With the continued expenditure of Rs. 50,000 per annum, which His Highness' Government is sanctioning every year, and after the completion of the projects of some canals in the *Illaqa* which are under investigation, it is hoped that the trouble about water supply experienced by the inhabitants of these parts will be mitigated gradually.

3. **Tawi Protection Works.**—The action of water on the right abutment of the Tawi bridge had been causing anxiety. In accordance with the measures suggested by Mr. Harris, Consulting Engineer to the Government of India, a sum of one Lakh was spent on protection works.

4. **The Jammu-Samba Road.**—The metalling of the road was continued. A sum of Rs. 10,000 each for Samvat 1986-87 and Samvat 1987-88 was sanctioned for the purpose.

5. **Bridge over Bahlol Nalla.**—The Jammu Suchetgarh road passes the *Bahlol Nalla* which became impassable during the rains. A sum of Rs. 29,595 sanctioned for the construction of a wooden pile bridge over the *Nalla* was fully utilised, with the result that two fully loaded lorries can now safely pass over the *Nalla* and a perfect line of communication between Jammu and the Punjab by road has been set up.

(b) *Kashmir.*

6. **Sanatorium at Batote.**—An ideal site at Batote on the Banihal Cart Road was selected for the construction of hutments for Physical

patients. A sum of Rs. 10,000 was provided in the Samvat 1986-87 budget and a sum of Rs. 7,322 in the Samvat 1987-88 budget.

7. **Chenari Bridge.**—A small wooden bridge used to cross the *Nalla* at a weak spot near Chenari. It was washed away in the previous year. An iron girder bridge constructed in its place was thrown open to traffic during the year under report.

8. **Military Barracks at Badami Bagh near Srinagar.**—Out of Rs. 25 lakhs estimated for the construction of Military barracks, a sum of Rs. 12,68,635 had been spent upto the end of Samvat 1985-86. A sum of Rs. 1,40,000 was sanctioned in Samvat 1986-87 and a sum of Rs. 1,07,500 in Samvat 1987-88.

9. **The Sri Amar Nath Ji Road.**—The road from Pahalgam onwards to the Sacred Cave which attracts thousands of pilgrims both from within the State and outside, is entirely hilly, and a height of about 13,000 feet above the sea level through glaciers and torrents has to be passed in reaching the shrine. Very serious accidents took place during Sambat 1984-85, and although every possible endeavour was made by the authorities to help the pilgrims, some deaths were reported. An estimate amounting to Rs. 76,850 was sanctioned for the reconstruction of the road. An expenditure of Rs. 45,000 was sanctioned upto the end of Samvat 1985-86. A further sum of Rs. 8,000 was spent during Samvat 1985-86, and a provision of Rs. 10,000 made in the Budget for Samvat 1987-88. Sheds for pilgrims and shops have been provided.

10. **Sanatorium at Tangmarg**—In spite of the natural advantages of the Kashmir Valley, tuberculosis is unfortunately making great headway in Srinagar. For the benefit of people suffering from this disease His Highness' Government started the construction of a Sanatorium at Tangmarg. An expenditure of Rs. 20,000 was incurred on the hutments in Samvat 1986-87 and a sum of Rs. 4,312 was provided in the budget for Samvat 1987-88.

11. **Flood Protection Works.**—The Valley of Kashmir is liable to the visitation of floods, as the river Jhelum passes right through it. After the great flood of Samvat 1984-85, His Highness' Government decided to obtain the expert advice of Mr D. G. Harris, Consulting Engineer to the Government of India. Mr. Harris arrived at Srinagar in August 1929 and began his investigations. Just after his arrival, another flood came almost as great in magnitude as the flood of the previous year. After detailed investigations, he submitted his report recommending that the existing bunds in Srinagar on the right side of the river Jhelum should be raised by 2 feet in their entire length and provided with a concrete lining. The work was started late in 1929 and completed during the early months of 1930. A sum of Rs. 3 lakhs provided in the previous year's budget for raising the bund from Sunawar onward, was utilised. The Budget of Samvat 1987-88 provides a further sum of over Rs. 3,51,000 for the purpose. The bunds on the *Sunti Kuhl*, *Kut Kuhl* and *Sunri*



*Kull*, three feeders of the Jhelum in Srinagar, were also strengthened. The work of providing steel regulating gates of the modern type at Munshi Bag and Gow Kadal was in progress at the end of the year.

The main scheme recommended by Mr. Harris was the opening of a new cut to draw water from the Valley in times of flood, above Srinagar. Detailed surveys were completed during the year. The whole project is expected to cost between 20 and 25 lakhs of rupees.

12. **The Zainagir Canal.**—The main canal was ready by the end of 1930 and water has actually been run in the first 13 miles and irrigation started. The revised estimate for the work amounted to Rs. 11,00,000 out of which over Rs. 8,23,000 had been expended by the end of Samvat 1936-87. The main work that now remains to be done is that of distributaries. The Budget of Samvat 1937-88 provides a sum of one lakh for the purpose.

13. **Restoration of Domel and Kishenganga Bridges.**—During the floods of the previous year, the bridges over the Jhelum between Muzaffarabad and Domel and those over the Kishenganga between Muzaffarabad and Garhi Habib Ullah were entirely washed away. Immediate steps were taken to restore communication and temporary hanging bridges were provided on both the Kishenganga and the Jhelum for pedestrian traffic. Quotations for replacing the bridges on a lasting basis were invited from several leading firms in British India, and the work was entrusted to Messrs Richardson and Cruddas, on payment of Rs. 1,14,300. The materials for the *Kishenganga* bridge were fabricated by the firm. It is hoped that both these girder bridges will be opened to traffic by May 1931.

14. **The Gilgit Division.**—The former direct route to Chilas branched off at mile 16 on the Razdani Pass traversing along the top of the range at a level of 13000 feet, where there was no protection against rain, snow and hail storms, which are very frequent in this region. It was, therefore, decided to adopt a better route. The new route branches off at Kanzelwan, mile 29 of the main Gilgit-Bandipur Road, and is a great improvement from the military and strategic point of view.

15. **Other works.**—(a) **THE TAWI BRIDGE, JAMMU**—The State Cabinet accepted during the year, the design and quotations of Messrs Braithwaite and Co. Ltd. Bombay for the construction of the new girder bridge over the river Tawi at Jammu. As desired by His Highness, the bridge will be so designed as to have an 18 feet central roadway between the main girders for vehicular traffic and an 8 feet roadway on either side for pedestrians and pack animal traffic on cantilevers on either side outside the main girders. The amount demanded for the work which includes dismantling of the existing bridge and stocking it is 3 lakhs and forty-four thousand rupees. It is expected that the construction will be completed within 9 months.

- (b) **The Roads in Srinagar and Jammu**—The work of improvement of roads and water-supply within the municipal limits of Srinagar and Jammu was transferred to the Sanitary Engineer.
- (c) **Minor works.**—In addition to the above, numerous other works of public utility were undertaken during the year.

## II. ELECTRICAL DEPARTMENT.

1. **Kashmir Hydro-electric Installation.**—The total capital expenditure upto the end of Assuj Samvat 1987 (15th October 1930) excluding the cost of materials, amounted to Rs. 54,83,486. The total number of installations upto the end of Assuj 1987 as compared with the previous year is shown below:—

		S. 1985-86.	S. 1986-87.
(1) For Industrial concerns	...	107	119
(2) For Lighting	...	18,000	18,540

The transmission line from the Mohora Generating Station to Srinagar with all its branches, was maintained in good repair. Against the total estimated amount of Rs. 6,15,860, a sum of Rs. 50,000 was allotted for the renewal of the wooden flume. Special repairs were carried out on the pipe line above the Power House. The supply centres at Baramulla, Pattan, Gulmarg and Srinagar worked properly on the whole, but owing to the unprecedented snowfall on the 31st January 1930, most of the overhead lines suffered. The State Exhibition building and grounds at Srinagar were wired up and supplied with power for lighting, illumination etc.

The total revenue of the year was Rs. 4,46,750, and the running charges including the cost of establishment, amounted to Rs. 1,53,180.

2. **Jammu Hydro-Electric Installation.**—The total capital expenditure upto the end of Samvat 1986-87 excluding the cost of materials, amounted to Rs. 8,93,898. The Power House Plant equipment on the whole functioned well, but shortage of water in the Ranbir Canal from October 1930, caused some dislocation. The number of units generated during the year was 27,32,290 against 25,17,923 of the previous year. The total number of installations for industrial purposes at the end of Samvat 1986-87 was 24 and that of installations for lighting purposes 3700.

## III. MECHANICAL DEPARTMENT.

The Dredging Section of the Mechanical Department was abolished early during the year, and arrangements were made for the disposal of the materials. The Rollers on the Jhelum Valley Road and the Banihal Cart Road were inspected and tested. The Boilers of the Srinagar Fire Brigade, the Jammu Water Works and the Silk Factories at Jammu and Srinagar were also tested, as usual.

## IV. TELEGRAPH AND TELEPHONE DEPARTMENTS.

The Government maintains a Telegraph system of its own for internal communication. The construction of Telegraph lines from Muzaffarabad to Keran and from Doda to Kishtwar, was completed during the year. New Telegraph Offices were opened at Doda, Bhadharwah and Kishtwar. The Third Position Switchboard at the Srinagar Exchange was completed. Repairs were carried out to the Telegraph line from Gol to Karris, which had been washed away by the bursting of the Shyok Dam. Materials were purchased for an under-ground cable from the Central Battery Exchange to Maharajgang in Srinagar. Generally speaking all Telegraph lines were improved.

\* \* \* \* \*

**Municipalities.**—The number of the municipalities including notified areas in the State is 6 *viz* Srinagar, Jammu, Udhampur, Mirpore, Sopore and Baramulla. The expenditure Budget of the Srinagar municipality for the current year was estimated at 6 lakhs and that of the Jammu Municipality at a lakh and a half. The city of Srinagar is divided into 8 wards, each of which was turned during the year into a small unit of municipal administration with a Ward Officer, a Constructional Overseer, a Sanitary Inspector, a Tax Inspector and the necessary Conservancy establishment. The technical supervision of all the wards remained in the hands of 3 expert officers *viz* (1) The Health Officer, (2) The Revenue Officer and (3) the Municipal Engineer.

A scheme was devised to ensure cleanliness of private dwellings. The object is to make construction of latrines compulsory in all private houses, and to have them cleaned through the agency of municipal sweepers. Fees will be charged according to a sliding scale from all persons having their latrines cleaned by this agency. It was decided to launch the scheme in one of the wards of the city as an experimental measure.

During the summer of the last year when Cholera appeared in Srinagar, nearly 15000 inoculations were given, and 83 houses in which Cholera cases had occurred, were disinfected.

In pursuance of the flood protection scheme which is estimated to cost over 20 lakhs of rupees, the height of the Bunds along the banks of the *Vitasta* and of the main canals was raised. This raising of the lands will yield thousands of acres of land suitable for house-building sites.

1. **New housing scheme**—A new housing scheme for the construction of a model town in Srinagar was under consideration. The scheme provides for the different amenities of modern town life including a sewer. The town will contain a main road 40 wide, consisting of side walks 8' wide on either side and a carriage way 24' wide. The streets separating the blocks will be 24' wide and the alley-ways separating the houses 12' wide. Adequate provision has been made at

convenient places for Boys' and Girls' schools, athletic fields, social centres, parks, postal and Telephone arrangements, drinking fountains, Baths and shelters, bazars and business centres, public latrines and Urinals, Slaughter houses and Cemeteries.

**2. City Roads.**—In the existing town of Srinagar two arterial lines of communication 30 feet wide were under construction, one on each side of the river. The Residency Road, the Hotel Road, the Gupkar Road, and the portion of the Anantnag Road within the Municipal limits of Srinagar were improved and widened.

**The Lake Boulevard.**—The charms of the Dal have been described by many writers of many lands. The hills above the blue waters, the boat-life within and the vast panorama of natural scenery around, the well-kept Mughal gardens with their fountains and terraces, impart an unrivalled glory to the whole background. His Highness the Maharaja was recently pleased to order the construction of an open dustless electrically lit promenade along the margin of the lake. The road when completed will combine the romance of natural beauty with the splendour of art. The work was taken in hand in last autumn and 3 miles have been completed. The road will comprise a carriage-way 24 feet wide, bordered on one side by a ride 12 feet wide and on the other by a foot-path of the same width, and sheltered by an avenue of Chenar trees on either side. On the lake side, there will be a masonry wall 3 feet higher than the highest water level.

**General.**—The 4 small municipalities of Udhampur, Mirpore, Sopore and Baramulla continued to do good work.

**Social Uplift.**—As in the previous year, a Cleanliness Week and a Baby week were celebrated at Srinagar in connection with His Highness' birthday. Visual instructions for inculcating healthy habits were given by the Scouts and the students. Prizes were given to the healthiest Babies during the Baby week.

Other methods followed for educating the public were (1) Lectures on hygiene and prevention of disease, illustrated by magic lantern slides, (2) exhibition of Educational films, and (3) propaganda among women.

Mention may be made here of the Women's Welfare Associations of which the Minister-in-charge of the Municipalities is the Chairman. The Associations which are under the control of General Committees receive grants-in-aid from Their Highnesses and from the Municipalities. The Kashmir Association was inaugurated in 1927, and the Jammu Association in 1928. His Highness was pleased to present these associations two gardens one in Srinagar and one in Jammu together with donations amounting to Rs. 30,000. Donations have also been given by His Highness grand-mother, mother and aunt. Each Association is divided into four sections, *viz* Educational, Health, Industrial and Recreation.

**Srinagar Drainage.**—An important drainage scheme has been under execution in Srinagar. The project deals with the whole of the city lying on the left bank of the river. It is proposed to replace the present day latrines by water-flushed cement concrete latrines connected with the sewers. Branch sewers connected to the lanes and the roads and to the mains will be provided. Provisions have been made for the drainage of house sullage, paving of lanes and for the metalling of vehicular traffic roads. Urinals are provided at suitable sites. The sullage from the left bank area will be made to gravitate to a single point where it will be collected and pumped across the river to connect up with the system on the right bank area. The actual construction of the under-ground drainage of Srinagar was undertaken in October 1930, when a sum of rupees 2½ lakhs was allotted by the Government for the laying out of the main out-fall Sewer No. 1. The sewer is about 2½ miles in length and varies in size from 20" 30" to 38" 57".

As vast quantities of Sanitary fitting will be required in connection with the drainage scheme, the Government have established a Sanitary Fittings Workshop for manufacturing such articles.

**Water supply.**—1. **SRINAGAR.**—A new scheme of water-supply for Srinagar on modern scientific lines was sanctioned during the year. Elaborate arrangements are planned for conveying the water. The construction of two filters, each 22'-6" long by 16' wide having a net filtering area of 360 Sqr. per filter, was in progress. An under-ground "wash water" tank is provided. All the water will be chlorinated in the chlorinatum chamber by special chlorinators.

The machinery will be installed soon. It is hoped that the purity of water supply in Srinagar will reach the standard of the highest purity in India.

2. **JAMMU.**—The pumping station and the filtering plant were completely remodelled in accordance with the latest European designs. The settling tanks were re-designed and fitted with automatic appliances to enable them to work continuously. An additional tank was constructed to complete the arrangements.

The new water works will, it is hoped, not only supply the citizens of Jammu with water, the degree of purity of which will be equal to that of any European town, but will also be completely independent of the city electric supply.

**Rural Water supply.**—Successful experiments in sinking tube-wells have been performed in different places during recent years. Tube-wells have been sunk at Udhampur, Satwari and Baramula. Great difficulty was encountered in boring operations at Udhampur. It was decided to instal a Pumping plant there in the near future.

**Fire protection.**—The Fire Brigades at Srinagar and Jammu, which are equipped on modern lines continued to do good work.

**Police.**—A new scheme for the re-organisation of the Police was sanctioned. According to this scheme, the Police strength of the State consist of:—

1. Inspector General of Police	...	1
2. Deputy Inspector-Generals of Police	...	2
3. District Superintendents of Police	...	7
4. Assistant Superintendents of Police	...	6
5. Inspectors.	...	17
6. Sub-Inspectors	...	107
7. Head Constables	..	442
8. Constable	...	2513

There were 4 punitive police posts in the State. The nomadic Bakarwals were declared as Criminal Tribes. There are no other criminal tribes in the State.

Reforms were introduced in the organisation of the Police Department. The clerical staff was separated from the executive force. The prosecution staff was strengthened by the appointment of an Inspector in each Province and a Sub-Inspector in each District. The strength of the C I. D. was raised, and C. I. D, officials were deputed to British India for training. The mounted constabulary was re-organised. The Police Training School imparted training on the lines of the Police Training School at Phillaur. The salaries of all ranks of the Police were raised.

**Traffic control.**—The total length of motorable roads in the State is 700 miles. Owing to the remarkable increase of Motor traffic in the State during the last decade, vigilance in the control of traffic became necessary. The Government maintains a department of Traffic Control which functions as a branch of the Police Department. Officers possessing special technical qualifications are provided with fast cars and motor-cycles for patrolling the roads and ensuring that traffic rules are not infringed and vehicles are not over-loaded. Great vigilance is exercised in controlling the traffic. Taxi-Cars and lorries are regularly examined. Only men who have passed the Driving Test are allowed to ply. The Divisional Engineers are invested with magisterial powers to try offences against the traffic rules. In the cities and towns, special police is employed for regulation of traffic on the main thoroughfares.

**Frontier Districts.**—There is nothing note-worthy to report about Gilgit. The annual political *Jalsa* was held from the 25th March to 1st April 1931. The Mirs of Hunza and Nagar, the Governors of Yasin, Koh Ghizr, Ashkoman, Punial and the Rajas of Gilgit and Astore with their suits and notables attended the *Jalsa*.

One more middle school was opened in the Kargil Tehsil during the year under report.

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APPENDIX A.  
**GENERAL ABSTRACT**  
OF THE  
BUDGET FOR THE YEAR  
**1930-31.**

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## RECEIPTS.

Head.	Receipts.	Actuals.			Budget 1986-87.	Revised 1986-87.	Budget 1987-88.	
		1st 6 months 1984.	1984-85.	1985-86.				
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Opening Balance {	Cash ..	77,89,492	83,39,036	97,77,874	82,59,000	89,68,000	62,91,000
		Investment	75,59,300	75,59,300	80,59,300	80,59,000	81,55,000	94,95,000
		Temporary Deposits	....	....	....	48,00,000	48,00,000	62,60,000
I	{	Land Revenue ..	21,75,875	53,72,318	52,06,412	54,75,000	54,19,000	54,78,000
		Cesses ..	....	....	....	....	....	(a) 6,62,000
II		Customs ..	22,30,199	50,08,464	47,22,606	53,49,000	58,66,000	57,66,000
III		Grazing Fees ..	3,00,107	7,84,015	6,54,795	6,96,000	7,31,000	7,19,000
IV		Excise ..	1,92,859	3,88,970	3,81,731	3,92,000	3,91,000	3,91,000
V		Property in British India ..	2,60,931	81,068	87,900	82,000	1,25,000	82,000
VI		Stamps ..	2,71,529	5,27,367	5,49,926	6,65,000	6,15,000	5,94,000
VII		Courts of Law ..	47,176	86,940	94,542	1,06,000	85,000	98,000
VIII		Jails ..	31,418	62,415	55,082	43,000	59,000	57,000
IX		Telegraph and Tele- phone ..	40,094	67,974	73,114	72,000	74,000	75,000
X		Scientific Depart- ments ..	42,942	1,03,474	71,857	1,74,000	1,71,000	1,91,000
XI		Minor Departments	2,14,863	3,64,255	2,93,863	2,92,000	2,93,000	2,42,000
XII		Sericulture ..	15,35,473	29,60,178	27,03,166	30,00,000	15,00,000	32,50,000
XIII		Interest ..	2,19,270	4,45,305	5,38,705	5,10,000	6,35,000	5,94,000
XIV		Forests ..	28,30,144	77,55,978	79,44,726	88,80,000	74,03,000	77,18,000
XV		Miscellaneous ..	1,65,860	5,29,887	3,72,546	3,08,000	3,26,000	3,25,000
XVI		Military ..	93,671	1,92,708	1,52,964	2,13,000	1,60,000	2,56,000
XVII		Public Works ..	4,49,290	11,91,600	12,07,182	11,77,000	11,28,000	11,75,000
		Total Budget ..	1,11,01,701	2,59,22,916	2,51,10,617	2,74,34,000	2,49,81,000	2,76,73,000
		Net Result ( Debt of Debt and { Heads Remittance { Invest- Heads. { ment.	8,24,478	....	96,000	....	....	....
			....	5,00,000	....	....	13,40,000	....
		Temporary Deposits	....	....	....	....	14,60,000	....
		GRAND TOTAL ..	2,72,74,971	4,23,21,252	4,30,43,791	4,85,52,000	4,97,04,000	4,97,19,000

(a) By transfer from Debt Heads due to amalgamation of Road Cess, Patwar, Chowkidari and Revenue Record Funds with General Revenue.



## EXPENDITURE.

Grant	Expenditure.	Actuals.			Budget 1986-87.	Revised 1986-87	Budget 1987-88.
		First 6 months 1984	1984-85.	1985-86			
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	Land Revenue ..	4,48,591	9,08,206	9,30,156	9,19,000	8,00,000	7,02,000
	Cesses ..	.....	.....	..	.....	..	(a) 8,85,000
2	Customs and Excise ..	1,39,345	2,56,008	2,65,834	3,99,000	3,00,000	4,04,000
3	Forest ..	13,41,663	28,70,472	23,60,377	28,86,000	21,26,000	24,00,000
4	Telegraph and Telephone ..	56,831	1,53,959	1,40,279	2,20,000	1,80,000	1,55,000
5	Privy Purse and Allowances ..	17,67,747	26,74,651	12,00,000	26,41,000	24,20,000	26,62,000
6	Military Secretary's Department			21,44,939	21,82,000	17,00,000	20,88,000
7	Administration and Public Departments ..	4,49,773	9,19,969	9,23,720	9,30,000	9,05,000	9,44,000
8	Courts of Law ..	2,04,587	4,61,269	4,87,279	4,60,000	4,58,000	4,73,000
9	Jails ..	86,102	1,69,360	1,75,682	2,02,000	2,00,000	2,02,000
10	Police ..	3,87,765	8,79,587	9,20,375	12,29,000	10,00,000	12,58,000
11	Education ..	5,53,198	12,23,690	13,45,453	17,14,000	15,00,000	19,49,000
12	Medical ..	3,33,280	7,75,951	8,04,182	10,27,000	8,50,000	11,81,000
13	Political ..	65,636	7,14,908	1,84,016	1,96,000	1,89,000	1,75,000
14	Scientific Departments ..	1,08,498	2,44,479	3,03,922	4,10,000	3,70,000	4,26,000
15	Industrial Departments ..	18,125	57,252	58,182	48,000	45,000	81,000
16	Minor Departments ..	1,45,062	3,10,733	2,93,285	4,17,000	3,00,000	4,46,000
17	Sericulture ..	11,90,652	16,88,086	16,82,123	19,07,000	14,50,000	21,12,000
18	Pensions and Gratuities ..	3,36,013	5,35,075	5,86,003	7,26,000	6,50,000	7,74,000
19	Stationery and Printing ..	1,34,780	3,00,706	3,11,148	3,30,000	3,00,000	3,64,000
20	Miscellaneous ..	79,837	3,36,940	3,88,809	5,60,000	5,05,000	4,83,000
21	Refunds ..	88,712	1,93,461	2,09,397	2,26,000	2,00,000	2,34,000
22	Military ..	16,09,590	40,79,831	41,33,823	45,16,000	41,00,000	42,59,000
23	Public Works ..	18,30,848	45,18,456	46,51,207	77,32,000	67,74,000	61,52,000
	Total Budget ..	1,13,76,635	2,42,73,049	2,44,99,691	3,18,77,000	2,73,22,000	3,08,09,000
	Deduct net result of probable variations in Revenue and savings in Expenditure	.....	...	.....	.....	..	.....
	Net Result of Debt { Debt Heads and Remittance Heads	...	2,11,029	14,21,237	1,86,000	3,36,000	19,73,000
	Investment	.....	..	.....	...	..	.....
	Closing Balance .. { Cash ..	83,39,036	97,77,874	89,67,563	60,30,000	62,91,000	60,37,000
	Investment Temporary Deposits..	75,59,300	80,59,300	81,55,300	80,59,000	94,95,000	1,00,00,000
		.....	.....	.....	24,00,000	62,60,000	9,00,000
	GRAND TOTAL ..	2,72,74,971	4,23,21,252	4,30,43,791	4,85,52,000	4,97,04,000	4,97,19,000

(a) By transfer from Debt Heads due to amalgamation of Road Cess, Patwar, Chowkidari and Revenue Record Funds with General Revenues.

A Brief Note on the Administration of the  
Jammu and Kashmir State for the  
Year 1931.

19

POLITICAL,

The year 1931 was remarkable for two events of outstanding importance. The first was the birth of the heir-apparent to His Highness. This happy event took place at Cannes where Their Highnesses were staying after the termination of the first Round Table Conference in London. The news was received with great rejoicing throughout the State. To ensure that the people at large derived substantial benefit from the celebrations held in honour of the birth of the heir-apparent, His Highness was pleased to institute 500 scholarships of Rs 5 each for indigent boys in Primary Schools, and he was further pleased to order that

- (1) the term of Land Revenue Settlement should be raised from thirty to forty years, and
- (2) arrears of Land Revenue up to Sambat 1931 should be remitted

The second event of importance was unfortunately not a happy one. On 13th July a serious Muslim riot broke out in Srinagar and it was followed by wide-spread disturbances throughout the State. The overt agitation which in its earlier stages was local, soon spread across the border into the Punjab and numerous *Jathas* organized by the Ahl-i-Akbar Party marched into the State territory from the Punjab in contravention of the law. On crossing the State boundary the *Jathas* were arrested. At one time the total number of Ahrars in the State Jails in connection with the Kashmir agitation was 7000. The number in the Punjab Jails was very much larger. The genesis of the trouble is briefly indicated in the following paragraphs —

For several years past certain newspapers in the Punjab have been conducting a hostile propaganda against the administration of the State. The agitation was fomented by the All-India Kashmir Muslim Conference which held a session at Lahore in December 1930, when a number of men belonging to the Youngmen's Muslim Association, Jammu, attended. A great deal of acrimonious criticism was passed against His Highness' Government at the Conference by persons who ought to have known better and the attempt of a Muslim subject of the State to explain the truth about the course of events in the State was frustrated. After this, the Youngmen's Muslim Association of Jammu launched a campaign of agitation against the State Government. The warning administered to the Association by the State Cabinet which was functioning in the absence of His Highness in Europe did not produce any effect. The '*Inqilab*', a Muslim newspaper published at Lahore which had made itself conspicuous by publishing grossly exaggerated and inaccurate accounts of the alleged hardships of Muslims in the State, was

proscribed in the State, but it was followed in quick succession by the issue of a series of newspapers which carried on the policy of the 'Inqilab' in an increasingly unrestrained manner. A detailed account of the agitation will be found in the reports of the Dalal Committee and the Middleton Enquiry.

Meanwhile two incidents occurred at Jammu which were cleverly used by the agitators to stiffen agitation against the State. The first was when a Sub-Inspector of Police who happened to be a Hindu asked the Maulavi who officiated at the Id prayers not to proceed with the *Khutba* which appeared to him to have taken a political trend. Immediately the Mohammedans present protested that the Police had interfered with the performance of their religious rites. The Inspector General of Police suspended the Sub-Inspector pending departmental enquiry, but the local leaders brought a criminal case against him in the Court, where, however, he was acquitted.

The second incident related to the alleged dishonouring of the Quran by a Hindu Constable at the Central Jail in Jammu. This case was investigated by Mr Wakefield, then Foreign and Political Minister, assisted by the representatives of all important Muslim bodies in Jammu. The finding of the enquiry was that no deliberate insult had been committed. Nevertheless Mohammedans of extreme views all over the State as well as certain of their co-religionists in the Punjab fanned the public opinion against the State Administration and fomented the agitation. Matters came to a head when one Abdul Qadeer, a resident of the North-West Frontier Province, who had come to Kashmir in the capacity of a cook to a British Officer, delivered a seditious speech for which he was prosecuted. This invested him with the halo of martyrdom and the crowds which came to watch the proceedings in the Court grew so enormous that the trial was ordered to be held in the Jail. On the day of the trial a large crowd of Musalmans collected round the Jail and their attitude grew so menacing and violent that the assemblage had to be declared unlawful by the Magistrate present and ordered to disperse. Instead of complying with the order the mob cut down telephone wires, set fire to a wing of the Jail building, released some of the prisoners who were being escorted to the Jail, and rushed the gate of the Jail, in consequence of which the Police had to open fire. As a result of the firing 10 insurgents were killed. The mob having been repulsed from the Jail, a section of it marched to Maharaj Gunj, where they looted the Hindu shops. Another mob sacked Hindu houses at Vichainag. This occurred on the 13th of July. Though, thanks to the presence of the Military pickets which were posted at strategic points in the city, organised violence came to an end the same day, stray assaults continued to be made on individuals in various parts of the city during the next few days. On the 24th of July, the bridge at Sangam, thirty miles away from Srinagar, was set on fire and completely gutted.

As numerous complaints were received from both communities regarding the happenings on the 13th July and thereafter, His Highness' Government instituted a Committee of Enquiry consisting of Sir Barjor Dalal and two High Court Judges to investigate the causes and the

incidents of the disturbance. The Committee had perforce to be purely official as the Muslim non-officials nominated as members refused to co-operate.

The disturbances of July and of the subsequent months have been made the subject of three enquiries, the first by the Dalal Committee and the remaining two by Mr. Middleton whose services were obtained from the Government of India for the purpose.

The campaign of agitation falls into four periods *viz.* (1) July as mentioned above, (2) September when serious organized rioting broke out in various important towns of the Kashmir Valley, (3) November, when rioting broke out in Jammu and British troops had to be called in, and (4) the Civil Disobedience movement culminating in open armed rebellion about the end of January in Muzpur, Rajouri and Bhimber in the Jammu Province. The intervening periods were by no means quiet though actually no serious violence took place. These periods of lull were utilized by the agitators in spreading their activities into the districts and establishing agencies all over the country to foment anti-Government feeling among the people at large. The situation within the State was bad enough, but it was aggravated by the efforts made by interested parties outside the State to make Kashmir a pawn in the game of inter-communal politics which at the moment had reached a critical stage owing to the holding of the Round Table Conference in London. Thus, in spite of the fact that His Highness' Government came to an understanding with the local leaders who consented to stop the agitation on receiving certain assurances, the Ahrar party in the Punjab, foiled in the attempt to keep alive the agitation in the State, started sending *Jathas* through the Punjab into the State territories in order to embarrass the Government. In this they had the powerful aid of Muslim newspapers. So intense was the feeling of fanaticism aroused by the wild stories of oppression under which the Musalmans in the State were supposed to be labouring that thousands of Mohammedans in British India, more particularly the Punjab, came forward to offer themselves for arrest. Eventually the Government of India issued an Ordinance under which the District authorities in the Punjab were empowered to arrest *Jathas* of Mohammedans proceeding to Kashmir. At the same time the Government of India despatched troops to Jammu to help in the restoration of order. This was in the beginning of November. The British Troops remained in Jammu up to the 21st of December.

When those responsible for leading the agitation found that the British Government co-operated with the State in the suppression of lawlessness, they launched a campaign of Civil Disobedience in the shape of non-payment of land revenue. There is no doubt that there was a certain amount of distress in several districts of the State in consequence of which His Highness' Government had already authorised the remission of 12½ to 25% of revenue according to the circumstances of each district. Nevertheless, at the instance of Gauhar Rahman, a leading agitator of Jammu, non-payment of taxes was resorted to by the residents of the Muzpur Tehsil. It is significant that though attempts were also made in the Valley of Kashmir to start a similar campaign they did not bear fruit, the

reason being that the peasantry of the districts bordering the Punjab was more susceptible to external influence than the people in the interior. As was apprehended, the so-called non-violent campaign soon became violent and assaults were made on the Military and the Police as well as on private persons, and damage was done to the property of non-Muslims from the 7th of January onwards to the end of the month, practically the whole area comprising the Tahsils of Mirpur, Kotli, Bhimber and Rajouri and the *Ilaga* of Poonch was under mob rule. Owing to the difficulty of communications and of the scarcity of transport facilities it took some time before military assistance could reach the affected areas from Jammu. Meanwhile the insurgents, who belonged to war-like communities and many of whom were armed, harried the entire area, burning the houses of non-Muslims, destroying their places of worship and making forced conversions, etc. The important town of Kotli which is the head-quarters of a Tahsil, was subjected to a siege by thousands of insurgents who in addition to a number of ordinary firearms and other weapons had brought with them an old gun. Fortunately the town held out through the efforts of the small military detachment consisting of 67 soldiers only and a few Policemen who repulsed the crowd on two occasions with heavy loss. Similarly the town of Rajouri was invested by a mob of several thousand peasants who retired only after the Military had opened fire and inflicted casualties on them. The villages of Alibeg and Sukhchampur and the Bazar of Sei were burnt down. As the field of operations was large and as it was necessary to relieve the State troops to enable them to deal with the situation in the interior, the Government of India lent the assistance of British and Indian troops to the State for the maintenance of peace in Mirpur Tehsil. This enabled the State to withdraw its own troops from that Tehsil and to send them to Poonch, Rajouri, Bhimber, etc. By the beginning of February the disturbance was brought under control, though sporadic attempts to create trouble were made at isolated spots. Eventually His Highness' Government deputed Mr Jardine, Finance Minister, to devise measures for the re-habilitation of the non-Muslim population in the disturbed area and for the maintenance of peace in the future. At the recommendation of Mr Jardine, a Special Officer was appointed and a grant of one lakh and a half of rupees was sanctioned to assist the fugitive non-Muslims of the Mirpur and Reasi Wazarats in re-settling in their old homes. Endeavours were made to ensure that Mohamedans responsible for inflicting loss on their Hindu neighbours should compensate them and that as far as possible cases be settled out of court. The result was a considerable reduction in Police investigation and the consequent Judicial work. As the disturbances in Mirpur etc occurred in January 1932, a fuller account of them and of the measures taken by the Government in connection with them will be given in the next year's report.

Besides the Middleton and Dalal Committees, His Highness' Government appointed a Commission of Enquiry into the grievances which the various classes of people in the State alleged they were suffering under and which the Muslim population had made the occasion of the agitation. The Commission comprised both officials and non-officials and was presided over by Mr. B. J. Glancy, C. I. E., whose

services were borrowed for the purpose from the Foreign and Political Department of the Government of India. It examined a large number of witnesses belonging to nearly all Communities and on the basis of the evidence tendered by them made its recommendations, which His Highness' Government were pleased to accept *in toto*. Subsequently Mr Glancy presided over the Constitutional Reforms Commission which was appointed in pursuance of His Highness' declaration that he would take steps to ensure, so far as possible, the association, in future, of his subjects with the administration of the State. As the labours of both these Commissions were completed and their reports published in the early part of 1932, no reference need be made here to the detailed proposals submitted by them to the Government in regard to their respective terms of reference.

#### GENERAL ADMINISTRATION.

*Personnel* --The most important changes in the administrative machinery of the Government during the year were --

The appointment of Raja Han Kishen Kaul, C S I, C I E, as Prime Minister, the retirement of Messrs Wakefield and Khan Bahadur Agha Sayed Hussain from the posts of Political Minister and Home Minister, respectively, and the reversion of Mr Wattal, Finance Minister, to the British Indian Service. Col Nawab Khusru Jung was appointed Home Minister *vice* Agha Sayed Hussain but was subsequently transferred to the post of Minister-in-Waiting, and Muza Sir Zafar Ali, formerly of the Lahore High Court, was appointed Home and Public Works Minister. The portfolio of the Finance Minister remained vacant after the reversion of Mr Wattal and the work of the Finance and Development Minister was divided between the Revenue Minister and the Home Minister.

The most important changes among the departmental officers were --

- (1) the retirement of Colonel Gandharb Singh, I G P, and appointment of Mr B C A Lawther of the Indian Police in his place;
- (2) retirement of Raizada Trilok Chand from the post of the Governor, Kashmir, and the appointment of Thakur Kartar Singh Ji as Governor,
- (3) the appointment of Raja Mohammad Afzal Khan of the Punjab Provincial Service as Governor of Jammu;
- (4) the reversion of Khan Abdul Majid Khan to the Punjab Service and the consequent reorganization of the Co-operative and Agriculture Department into two separate departments.

*Retrenchment* -- As a measure of economy the following measures were given effect to. --

- (1) Abolition of the Archæological Department and the closure of the Srinagar Museum;
- (2) the amalgamation of the Sanitary Engineering Department with the Public Works Department;

- (3) the amalgamation of the Visitors' Bureau with the Department of Kashmir Valley Food Control;
- (4) the amalgamation of the Department of Devasthan and Dharmath with the Department of Land Records.

*Recruitment in Services*—Complaints had been received from time to time about the inequality of representation of the various communities in the services. To remedy this defect His Highness' Government entrusted the duty of recruiting officers and subordinates, excluding menials, in all departments to a Board designated the Civil Service Recruiting and Scholarship Selection Board. Two stipendiaries, one Hindu and one Mohammadan, were sent to England and America, respectively, for training in engineering. Out of the scholars who had been deputed previously, five returned after completing their studies in Higher Medicine, Horticulture and Entomology, Sanitary Engineering, Printing, and Law, respectively. Although under the rules stipends are granted to hereditary State subjects only, an exception was made in the case of a lady who was deputed for training as a Sub-Assistant Surgeon. This was done because a suitable local candidate was not available.

*Floods*—The Kashmir Valley witnessed another of those heavy floods which unfortunately have been of such frequent occurrence in recent years. As before, the Government had to assist the agriculturists and other sufferers in the flood-stricken areas. A sum of Rs. 80,500 was granted as relief and *Taccavi* advance. A further sum of Rs. 3,52,328 was sanctioned for flood protection works in Kashmir, which consisted mainly in strengthening bunds on the river bank and the construction of a new lock-gate at the junction of the river with the Tsunti Kul Nallah.

The frequency of floods in Kashmir and the tightness of money owing to general trade depression told heavily on the resources of the zamindars. In order to allay the distress, His Highness' Government sanctioned, as stated above, remission of  $12\frac{1}{2}$  to 25 per cent of revenue in cases of districts most affected by economic depression. Special measures were taken to keep an adequate supply of grain available in Srinagar during the floods. For this and for issuing grain during the period of disturbances when the Mohammadan shop-keepers observed a prolonged *hartal*, credit is due to the Kashmir Valley Food Control Department. In addition to the grant of relief to the sufferers from floods in Kashmir, His Highness' Government sanctioned remission of one to three years' tribute in the case of certain Chilas tribes whose crops and cattle had been washed away by the floods.

#### CO-OPERATIVE CREDIT MOVEMENT.

It has always been the aim of His Highness' Government to ameliorate the condition of agricultural classes. One of the major steps taken in this direction is the encouragement given to the formation of co-operative societies, the number of which has remarkably increased during the last few years. In 1931 owing to the generally disturbed conditions, there was only a slight increase—the total number of societies being 3,085 as against 2,916 of the preceding year, but the membership which rose from 63,364 to 67,607 and the working capital which rose from Rs. 89,74,286, to Rs. 97,99,595 showed a substantial increase. The percentage of the owned capital rose from 39.98 to 41.91.

The consolidation of holdings is slowly progressing. During the year under report, holdings were consolidated in four villages in Jammu and ten villages in Kashmir. The total area under consolidation was

34,826 kanals comprising 8,723 fields which were consolidated into\* 1127 blocks.

*Livestock*—The annual Horse and Cattle Shows were held at Kathua, Bimber, Udhampur, and Reasi in the Jammu Province. Endeavours are being made to improve the live-stock in the districts and to make veterinary aid available at all important centres. During the year two new veterinary dispensaries were opened, one at Uri and the other at Handwara. In the Kashmir Province nearly 22,000 animals were medically treated and in the Jammu Province, nearly 29,000. Over 3300 animals were inoculated against rinderpest and other epidemic diseases.

*Rural Water Supply*—His Highness' Government sanctioned a sum of Rs 50,000, for improving the water supply of the arid sub-montane (*Kandi*) areas of Jammu. Amongst the irrigation works carried out the following deserve notice —

1. The Zanagir Canal which had been started some years ago, was completed, the total expenditure involved being Rs 9,44,346,
2. Extension of the Ujh Canal in Jammu
3. Protective works on the Ranbir Canal which were completed at a cost of Rs 1,30,000

#### DEVELOPMENT AND COMMERCIAL DEPARTMENTS

*Forests*—The general trade depression affected the forest income adversely, the year's shrinkage being about 4 lakhs of rupees. A subsidiary cause of the fall in revenue was the floods which washed away a considerable quantity of forest produce. The total area under the administration of the Forest Department was over ten thousand square miles. During the year much progress was made in connection with the preparation of working plans for the Nowshera, Bhumbar, Dalori, Bhadrawah and Rajouri forest ranges. The working plan of the Reasi high-level forests was completed. The working plan of the Gurez forests was ready for being sent to the press and the plans of the Jhelum Valley and Sindh Division were printed. The Department constructed 217 miles of forest roads, 30 bridges, and 21 buildings at a total cost of Rs. 2,11,656. Progress was made in silviculture and special steps were taken towards the regeneration of Deodar in the Udil range of Ramban Division, where the Pohu bush which retards the growth of Deodar was burnt down. In selected areas, seeds of various broad-leaved species were sown. Kuth plantation operations were carried out in an area of about 97 acres. The total quantity of timber extracted by departmental agency was 3,60,518 cft against 3,63,490 cft and the total quantity of firewood extracted by the same agency was 11,56,758 cft against 15,73,419 cft of the preceding year. The total quantity of timber and firewood sold to purchasers on payment of royalty was 2,49,68,430 cft against 2,64,39,948 cft of the preceding year. 11,000 Rifle butts were supplied to the Ishapur Rifle Factory, and over 2,000 maunds of Kuth were supplied to Messrs Sasoon and others at a cost of Rs 5,76,720. Amongst the other minor products the principal are —

- (1) Resin, of which 23,000 maunds were extracted,
- (2) Artemisia which is used in the manufacture of santonin and the right for collection of which, on payment of royalty, has been granted to Raja Sri Daya Kishen Kaul



Owing to the fall in the revenue of the Forest Department two Forest Divisions were brought under reduction.

*Sericulture.*—The Department which felt the rigour of general economic depression most was that of Sericulture. In place of two-thirds of the total production which used to be exported to Europe not a single pound of raw silk could be exported this year owing to the heavy reduction in prices. Though the Indian market was not unfavourable and a certain quantity of silk was sold in India, the stock at the Factory went on accumulating until at the end of the year it had reached proportions not attained ever before. In the matter of production and the proportion of outturn, the Jammu Factory showed all round improvement and the Government sanctioned the working of another filature for which apparatus was locally manufactured and installed. In Kashmir also various measures were adopted for the improvement of seed and its distribution in suitable localities. In order to provide a further inducement to the rearers, the price of cocoons per green maund was raised to Rs. 18-12-0 from Rs. 16-8-0 and, in addition, the cost of carriage to the factory was in many cases defrayed by the Government. As regards Mulberry Culture, without which Sericulture is not possible, much progress was made both in Kashmir and Jammu, the total number of trees and seedlings transplanted amounting to as many as 1,15,600 in Kashmir. In Jammu, a new Mulberry Nursery was established at Nowshera.

*Technical Education and Industrial Development*—As regards provision of facilities for the spread of Technical Education and for the development of local industries the previous rate of progress was maintained. One new technical school was opened—the total number of such schools in the State thus rising to nine. Classes for calico printing were instituted at the Weaving and Dyeing School at Samba, which locality has always been famous for cotton printing, and a class for teaching Dyeing was added to the Srinagar Technical Institute. The total expenditure on Technical Education during the year was Rs 1,00,620. Among the steps undertaken towards the development of the industrial resources of the State the most important was the survey of wool production and sheep breeding by Professor A P Barker of the Leeds University, who was specially invited by His Highness to investigate the conditions of sheep-breeding in the State. From the reports available, his enquiries are likely to yield most interesting results but a detailed report has not yet been received from him.

The most noteworthy among the industrial concerns started this year were —

- (1) A Silk Weaving Factory;
- (2) A Textile Factory and;
- 3) A Santonn Factory.

Though industries suffered generally on account of the prevailing economic crisis, manufacture and export of woollens increased, owing to the demand for Swadeshi cloth in India. In the supply of cheap woollens to the Indian market, Kashmir can, if the industry is properly organised, practically secure a monopoly, as the cost of production of such fabrics is very low owing to the fact that in this country the manufacture of pattoo is a cottage industry, which the agriculturists take up in winter when they are free from other work, and they rear sheep themselves and utilize the wool on their own looms.

*Mineral Survey*—The Mineral Survey Department carried out surveys in the Sindh Valley in Kashmir and Reasi in Jammu. In the former locality asbestos deposits, copper ore, and iron pyrites were discovered and in the latter new deposits of coal were located at Kalakot.

*Electric Supply*—Practically every factory which is not run solely by manual labour is supplied with power by the State Electrical Department, which, in addition, supplies the cities and various towns with electric current for lighting. The number of industrial installations in Kashmir increased, from 119 to 155 during the year and that of lighting installations from 15,540 to 18,840.

The Telegraph and Telephones Department which in Kashmir functions as a branch of the Electrical Department, also showed progress. A new telegraph line was constructed by which the somewhat inaccessible frontier region of Karnah, the home of Kuth and the scene of transfrontier tribesmen's depredations, was connected with Srinagar. Three new Telegraph Offices were opened on this line viz. those of Muzaffarabad, Titwal and Keran. A considerable amount of extra work fell to the share of the Telephone branch in consequence of the political disturbances, which necessitated the extension of telephone communications to Police Stations and troop camps in and around the towns of Srinagar and Jammu.

*Customs and Excise*—The total value of the Import and Export Trade of the State during 1930-31 is reported to have been Rs. 4,55,18,900 as against Rs. 5,19,48,400 of the preceding year, showing a decrease of nearly Rs. 64,00,000 or over 12½%. This decrease is due firstly to the disturbed conditions prevailing in the State, secondly to the floods and thirdly to the general dislocation of commerce owing to economic depression throughout the world. As a rule, the tariff in the State follows the British Indian Customs tariff, though in certain cases special rates of duty are prescribed. During the year under review the following reductions in duty were sanctioned on the import of.—

- (1) Indian boots and shoes from 20 per cent *ad valorem* to 7½ per cent,
- (2) Unmanufactured Indian leather from 12½ per cent to 7½ per cent,
- (3) Oil seeds from 5 per cent to 2½ per cent,
- (4) Silver thread and wire from 10 per cent to 5 per cent
- (5) Cinematographic films (other than educational films) imported temporarily as Railway and Postal Parcels and exported within one month, from 30 per cent, to 15 per cent

On the other hand, duty on vegetable oils was raised from 10 per cent to 15 per cent *ad valorem*.

Among the measures for the improvement of local and inter-provincial trade and traffic, the notable are (1) the abolition of the short traffic toll; (2) the removal of restrictions on the export of rice and paddy from Kashmir and of "grains" from Jammu and (3) grant of a license to Messrs Madan and Sons of Srinagar for the manufacture of "Foreign" liquors at half the rate of excise duty charged in the case of imported "Foreign" liquors.

No important change was made in the Jammu and Kashmir Excise Regulation during the year. Particulars regarding prosecutions

and penalties for offences relating to opium and hemp drugs during the year are shown in the following table :—

Total number of prosecutions.		Total number of convictions.		Nature of offence leading to conviction.	Penalties imposed.	Quantity of drugs seized.			
Opium.	Hemp drugs.	Opium.	Hemp drugs.			Opium.	Drugs		
						S.	S	Ch.	T.
1	3	1	3	Possession of illicit charas and opium.	The opium case was under trial; in the Hemp drugs cases the accused were fined by the court	7	3	7	4

There were no prosecutions in respect of other dangerous drugs.

The area under poppy cultivation was 285 acres. The quantity of opium produced was 17 maunds 1 seer and 12 chattaks, and the quantity of opium consumed in the State was 18 maunds 32 seers and 3 chattaks. The sale price of excise opium per seer in shops was Rs. 120/- in the Kashmir Province and Rs. 100/- in the Jammu Province.

27 Maunds 19 seers and 1 chattak of Charas were consumed during the year. No account of the consumption of Bhang is maintained.

The quantities of each drug imported, re-exported and consumed are given in the following table.—

Drugs.	Imported.				Re-exported	Consumed.			
	lbs.	oz.	dr.	gr.		...	lbs.	oz.	dr.
1. Morphia and its preparations.	12	14	3	4	...	16		5	55
	524 Tubes and 166 tablets					154 Tubes and 154 tablets			
2. Heroine ...	0	0	3	46½	...	0	0	1	14½
3. Medicinal opium and its preparations	150	10	6	9	...	95	12	2	55
	12 gross and 100 tablets and 104 tubes					3 gross and 6 tablets			
Cocaine ..	1	7	2	0	...	0	7	5	53
	and 24 tubes								

Permits for import and licenses for use, possession and sale were issued to Hospitals, chemists and medical practitioners.

The smoking of madakh or of opium in any other form, in public or in private dens, and the keeping of such dens is prohibited. The

manufacture, possession and sale of prepared opium is prohibited except in case of a person manufacturing for his own use, and not for sale, from opium lawfully in his possession, not more than half a tola of prepared opium at one time. But no person holding a license under the Excise Regulation can manufacture or possess prepared opium in any quantity on the premises covered by the license.\*

### SOCIAL SERVICES.

*Education.*—The number of Government and aided educational institutions rose to 1135 from 1058 of the preceding year and of scholars from 64,839 to 70,609. Though secondary education is provided with all necessary facilities for improvement, special attention was devoted to the expansion of elementary education, e g, 20 new Primary Schools, 10 Lower Middle Schools and 25 *Maktabs and Pathshalas* were opened during the year. In order to afford the student population in Srinagar and Jammu speedy and efficient medical aid, special dispensaries were opened for examination and treatment of students in these towns. To ensure that school-masters conversant with local conditions and having sympathy with their pupils were posted to village schools, orders were issued that teachers belonging to the agriculturist class should be given preference for employment in rural areas.

The number of girl students rose from 9,167 in 1930 to 10,773 and the number of educational institutions for girls from 113 to 137. Much difficulty is felt, particularly in Kashmir, in accelerating the progress of female education owing to inavailability of qualified school mistresses. Endeavours are being made to remove this defect by annually deputing a fixed number of school mistresses for training at Lahore, and by grant of liberal scholarships to girl students desirous of obtaining higher education in the colleges in the State or outside the State.

*Medical Aid*—Twelve new Government dispensaries were opened this year which brought the number to 94, and an Aural and Ophthalmic Branch was added to the State Hospital at Srinagar under the direction of a highly qualified surgeon who had specialised in eye, ear, nose and throat diseases in England.

In recent years the growth of tuberculosis in Kashmir has become alarming. To check the spread of this fell disease and to deal exclusively with patients suffering from it, a special hospital and a dispensary were established at Srinagar, and a Sanatorium was opened at Tangmarg. In addition, Tuberculosis Inspecting Posts were established at Domel and Jammu to prevent the entry of tuberculous patients into the State. The number of outdoor patients treated at the Tuberculosis Dispensary at Srinagar was 7,373.

The number of out-patients treated in the hospitals at the headquarters towns of Srinagar and Jammu was—

Srinagar	... Males	12,61,965	against	11,23,616	of 1930,
Jammu	... Males	8,300	against	6,880	of 1930,
Srinagar	... Females	80,553	against	64,912	of 1930,
Jammu	... Females	2,169	against	1,706	of 1930,

which shows all round progress.

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\*The information regarding traffic in opium and other dangerous drugs is incorporated in this note in compliance with the provisions of the "Instructions issued by the Government of India for submission of annual reports regarding the traffic in opium and other dangerous drugs in the Indian States".

An important measure for the promotion of women's welfare was the licensing of midwives. Hitherto the practice of midwifery was more or less a hereditary occupation and untrained accoucheuses who followed clumsy and insanitary though time-honoured methods in the pursuit of their craft, were responsible for much human suffering and loss of life. The system of licensing which was instituted this year made it necessary for every woman who wanted to practise as a midwife to pass a professional test first. This naturally raised the level of efficiency with the resultant saving in suffering and loss of life. Similarly much infant mortality is being averted by resorting to wholesome vaccination. This year 59,133 vaccination operations were performed in Kashmir and 66,499 in Jammu.

*Sanitary Engineering and City Improvement.*—An intensive campaign of city improvement was launched and the following works were executed during the year:—

- (1) The first section of the Boulevard along the bank of the Dal Lake, having a length of 3 miles was completed at a cost of Rs. 3,36,000. This road when completed will be one of the beauty spots of India.
- (2) The Gupkar and other roads in Srinagar were widened and tarred,
- (3) The main road to the Daibargah at Jammu was similarly widened and tarred,
- (4) Special measures were carried out for the improvement of water supply in the cities of Jammu and Srinagar.

NOTE—A detailed illustrated account of city improvement and Municipal administration has been published by the Political office in a special brochure.

#### LAW AND ORDER

*Army*—This year for the first time since the early nineties of the last century when they operated on the Gilgit frontier, the State troops were called upon to assist in the maintenance of law and order within the State. The occasion was provided by the series of disturbances which commenced with the outbreak of rioting on 13th July, and culminated in the widespread organised rebellion of Mirpur, Koth, Rajouri and Bhumbar. The story of these unfortunate disturbances and the incidents connected therewith is told (except in regard to Mirpur disturbances) in the reports of Sir Barjor Dalal and Mr Middleton, but it has to be stated here that even under the utmost stress of circumstances, the State troops of all communities did their duty loyally and without fear or favour. The first Kashmir Light Infantry operated in Srinagar and its environs during the July riots and again in the September riots. The second Kashmir Light Infantry and the officers and men of the Training School and detachments from the Body Guard Cavalry were, in addition to the first Kashmir Light Infantry, employed in quelling the disturbances in September. During November the State troops operated in Jammu and on the Kashmir-Punjab border to prevent the ingress of Ahrar *Jathas* from the Punjab.

A re-organization scheme of the State Army, proposed by His Highness' Government, was approved of by the Government of India. Under the scheme, the first line troops of the Kashmir Army will consist of one regiment of Cavalry, three batteries of Mountain Artillery, seven battalions of Infantry, one Training Battalion and one Training School.

His Highness' Government further sanctioned the revision of military furlough and leave rules, on the basis of Army Instructions (India) No 34 of 16th February 1926. They also sanctioned a liberal scale of pensions in favour of non-commissioned officers and sepoy.

*Police*—The Police Department had to bear the brunt of the widespread disturbances, and as it was the first time in its history when it had to face such a situation, it cannot be said that it came out of the ordeal with uniform success. To improve its efficiency, it was found necessary to import fresh blood into the Force. Accordingly the services of a new Inspector-General and an additional Deputy Inspector General of Police were obtained from the Punjab Government. The force is being reorganized and inefficient elements gradually weeded out.

*Legislation and Judiciary*—Like the Military and the Police the Judicial Department had, due to the disturbances, to face a great deal of extra work which heavily taxed its capacity. The Chief Justice and the Puisne Judges of the High Court of Judicature were occupied for nearly two months in conducting the enquiry regarding the July riots. The system of investigation of cases, which necessitated the employment of a magistrate with each investigating officer entailed heavy work on the magistracy. For the trial of cases in connection with rioting, special tribunals consisting each of a Hindu Judge and a Mohammedan Judge had to be created at Srinagar and Jammu. This was done to ensure that both communities should be satisfied that impartial justice would be meted out. For the achievement of the same object, cases relating to sedition were made triable by a Sessions Judge without the aid of assessors or jury.

The activities of the Legislative Department were similarly devoted principally to devising measures for coping with the orgy of lawlessness that had broken out in the State. The most important measure enacted was Emergency Notification No 19-L which was based on the well known Burma Ordinance and which was in force in Srinagar city for ten days only.

#### WORKS OF PUBLIC UTILITY

Among these works the most noteworthy is the renovation of the Tawi Bridge. The old bridge was narrow and hardly afforded room for two cars to pass each other. The new bridge which cost Rs 3,44,000 has a carriage way of 18 feet with walks of 8 feet on either side.

- (2) The construction of the Domel and Kishenganga bridges which had been washed away by the floods was commenced, and it is expected that both of these will be completed before next autumn.
- (3) The Bamhal Cart Road which, owing to the existence of certain weak bridges was passable only for one ton motor vehicles was made passable for 1½ ton vehicles.
- (4) Improvements were effected to various roads and buildings, and military works costing Rs 1,70,683 were executed.

#### FINANCE

The revenues of the State, about 40 per cent. of which are contributed by sale of products of the Forest and Sericulture Departments,

were seriously hit by the world wide economic depression that prevailed throughout the year. When the budget for Sambat 1987-88 was framed, the outlook was not so serious and liberal allotments were made for the expansion of beneficent Departments and for various important projects. The budget provided for an expenditure of Rs 3,08,09,000 against an estimated revenue of Rs 2,76,73,000. The deficit was to be met by the utilization of surplus deposits. As the year advanced, the financial prospect grew more and more gloomy. The Sericulture Department was able to sell silk worth Rs. 92,5,000 only against the estimated sale of Rs 32,50,000. The sales of the Forest Department also, showed a drop of over Rs 8,00,000 against the estimated revenue. The position was to some extent retrieved by effecting savings in the working of the various State Departments, and the actual deficiency was only Rs. 32,91,000 against Rs 31,36,000 already anticipated. The names of the retrenched officials who had not completed 25 years of service were placed on a "Waiting List", and it was decided to pay them at the rate of one half of their former salaries till they could be provided for elsewhere or finally retired. The annual time-scale increments of all Government employees serving on incremental rates of pay were stopped. The concession of free house and house rent allowed to various officers was withdrawn. A general cut of 10 per cent was ordered in the fluctuating grants of all Departments. The temporary increase in civil pensions made a few years ago on account of "Dearness" was discontinued. The scheduled rates sanctioned for works in the Public Works Department were cut down by 10 per cent. Lastly, a 10 per cent cut in the emoluments of all Government employees drawing salaries above Rs 25 per mensem was brought into force from 1st Magh 1988 (February 1932).

The financial position of the State during 1931 is summarised in the following statement which gives the revised estimate of revenue and expenditure —

#### OPENING BALANCE

	Rs.
Cash	63,49,000
Investments	94,95,000
Temporary Deposits	62,40,000
Revenue	2,53,08,000
Expenditure	2,85,99,000

#### CLOSING BALANCE

	Rs
Cash	66,50,000
Investments	99,95,000
Temporary Deposits	17,70,000