

MAHARAJA HARI SINGH
(1885-1961)

35

H/360

Edited by
PROF. M.L. KAPUR
Formerly Head of the History Department
Jammu University
Jammu



HAR-ANAND PUBLICATIONS

Har-Anand Publications

364-A, Chirag Delhi, New Delhi-110017

Copyright © Hari-Tara Charitable Trust, Jammu, 1995

All rights reserved. No part of this publication may be reproduced in any form without the prior written permission of the author.



PRINTED IN INDIA

Published by Ashok Gosain for Har-Anand Publications. Typeset at S.S. Computers, Delhi and printed at Printline, New Delhi.

FOREWORD

The history of what were known under British rule as the "Indian States" has not received the attention that it deserves. In undivided India these States constituted as much as one-third of the territory of the sub-continent and about one-quarter of its population. In size they varied from huge States like Jammu & Kashmir and Hyderabad, down to tiny principalities of hardly a few square miles. All of them were ruled by princes—Hindu, Muslim and Sikh—and despite the inherent negativities of feudal society, there were a number of enlightened rulers who adopted progressive and far-sighted measures. It is surely time for historians of modern India to turn their attention more carefully to these States, as they represent an important facet in the overall story of the growth and development of modern India. While the process of integration during the traumatic partition period is reasonably well documented, the earlier history of individual and groups of States needs to be adequately covered. Also, the patriotic role played by the princes in facilitating the integration of their States with the newly born Republic has never received the recognition that it deserved.

The largest of the Indian States in area was Jammu & Kashmir with over 84,000 square miles of territory. It was unique not only in its size but in the fact that it covered several distinct ethnic and geographical regions, linguistic and religious groups stretching from the plains of the Punjab all the way up to the Central Asian Pla-

teau. This configuration was the result of the truly remarkable political and military endeavours by Maharaja Gulab Singh and his great generals, especially General Zorawar Singh and General Baj Singh, who fought battles in Central Asia at unprecedented heights over a century and a half ago. Indeed the founding and consolidation of the Jammu & Kashmir State took the frontiers of India all the way into Central Asia, and represents an amazing achievement both politically and militarily. In this the role of the Dogra forces, drawn from Jammu, Himachal and Punjab, represent an outstanding chapter in world military history.

This is not the occasion for me even briefly to touch upon the history of the State since its founding in 1846 upto independence in 1947, a period of just over a century. This period saw four Maharajas, each with a distinctive personality, who left their mark on the destiny of the State—the warrior—founder Maharaja Gulab Singh (1819-1857), his successor Maharaja Ranbir Singh (1857-1885) who was a great administrator, law giver, patron of learning and builder of temples; Maharaja Pratap Singh (1885-1925) who ruled for 40 years and was loved by all his people, and my father Maharaja Hari Singh (1925-1949) who ascended the throne in 1925, took major steps in social reform and modernization, and acceded to India in October 1947 in the wake of the tribal invasion launched from Pakistan. The subsequent tragic events connected with Jammu and Kashmir are still not concluded, but that is another story.

My father's birth centenary falls on September 23, 1995, and the Centenary Committee decided that it would be appropriate for a Memorial Volume to be published which would bring together a number of articles by scholars as well as people directly connected with him, so that his contribution to the modernisation of the State could be more adequately assessed. Unfortunately his positive role in many spheres has been obscured by the

climatic events of partition which reverberate down to this very day. For example, he was the first Prince to publicly support the cause of Indian independence at the first Round Table Conference in London in 1931, where he was the sole representative of the Indian Princes. The present volume seeks to begin a process of re-evaluation of his contribution. It has been edited by Professor M.L. Kapur, who was for many years Professor of History, in the Jammu University.

As Chairman of the Centenary Committee, I would like to commend Professor Kapur for the extensive efforts that have gone into the compilation of this volume, as well as thank the individual authors for their contributions. I am grateful to Mr. H.K. Kaul, Librarian, India International Centre, and Mr. Narendra Kumar, Chairman, Har-Anand Publications, without whose cooperation this book would not have been ready in time for the centenary celebrations, to Mr. Madhav Rao Scindia, Union Minister for Human Resource Development, for coming to Jammu specially to release this volume at the Jammu University, and to Mr. Y.R. Malhotra, Vice-Chancellor of the University, in the founding of which I was so closely involved.

This commemorative volume provides much useful material which will be of value not only to people directly connected with the State but in general to the interested public in India and abroad. As far as my own perceptions and reminiscences regarding my father are concerned, they are to be found extensively in my *Autobiography* which is widely available. For that reason, I decided not to do a separate article for this volume, but simply to write this foreword presenting it to the readers on the occasion of his birth centenary.

Dr. Karan Singh

PREFACE

The present volume is a humble tribute paid by the people of Jammu and Kashmir in memory of their late Maharaja whose hundredth birth celebration falls on September 23, 1995.

Maharaja Hari Singh had a multi-faceted personality. He was a man of strong views, yet very liberal. Social reforms were a passion with him. He was happiest when trying to serve his poor and down-trodden people, irrespective of their caste and creed. His welfare measures went a long way in ameliorating the condition of peasants who formed a majority of his subjects. He was ahead of many other Indian princes in certain reforms, especially for the benefit of Muslims. In the field of constitutional development also his state made much headway under his inspiring leadership. The political consciousness in Jammu and Kashmir and Ladakh owes much to the spread of education by him.

It is, however, a matter of regret that no research work in proper historical perspective has so far been produced on this great son of India. With a view to fill this void, a number of prominent citizens of the state met at Jammu on October 17, 1994 under the chairmanship of Dr. Karan Singh. After due deliberations, a Birth Centenary Commemoration Volume Committee, with the undersigned as its convenor, was formed. It was entrusted with the task of contacting eminent scholars working or having worked on the history and culture of Jammu and Kashmir, and requesting them to make their contributions to the proposed volume.

The result of the efforts of the Committee is now before you. We are conscious that the present work is deficient in some respects. While some of the achievements of the Maharaja find no place in it, others have been extensively recourted. Such shortcomings are, however, natural in a work of this kind, which is a collection of articles by different scholars. Whatever is, however, contained herein is mostly based on reliable sources and personal reminiscences.

Still another point needs to be emphasised here. A number of issues and events of Maharaja Hari Singh's period of rule are subjects of great controversy. Some of them have been discussed in this volume as well. We wish to make it very clear here that the views expressed or interpretations drawn by our valued contributors in their articles are entirely theirs, and it is for the readers either to agree or disagree with them and it is hoped that those interested in the modern history of Jammu and Kashmir would find it quite useful. Besides, the scholars and the committee members, namely, Prof. M.R. Puri, Mr. Om Saraf, Mr. D.C. Parshant, Prof. Ishwar Sharma, Dr. (Mrs.) Champa Sharma, Mr. B.R. Kundal, Mr. B.P. Sharma, Mr. G.A. Tak, Prof. S.N. Wakhlu, Capt. Dewan Singh, Prof. Ved Kumari Ghai, Prof. S.M. Khan, Mr. O.P. Thakur, Dr. Vidya Nath Gupta and Mr. G.D. Sharma, who have worked tirelessly to make the project a success, mention needs to be made of Mr. O.P. Gupta, Member Secretary, Maharaja Gulab Singh Trust, Jammu, for his untiring secretariat services. Thanks are, therefore, due to all of them.

Last but not the least, the Committee would wish to put on record its high appreciation for the leadership and continuous inspiration given to it by Dr. Karan Singh. But for him the work might not have seen the light of the day.

CONTENTS

1. From Maharaja Gulab Singh to Maharaja Hari Singh 13
—*Prof. M.L. Kapur*
2. Accession of Maharaja Hari Singh 43
—*Prof. M.L. Kapur*
3. Maharaja Hari Singh, Social Reformer Extraordinary 51
—*Prof. Somnath Wakhlu*
4. Maharaja Hari Singh as a Crusader Against Illiteracy 60
—*Prof. Ghulam Mohi-ud-Din Shah*
5. Maharaja Hari Singh and Administration of Justice in Jammu and Kashmir 65
—*Prof. Hari Om*
6. Constitutional Development Under Maharaja Hari Singh 78
—*Prof. Manzoor Fazili*
7. Maharaja Hari Singh's Contribution to World War II 87
—*Dr. S.C. Sharma*
8. Maharaja Hari Singh and the State Polity 98
—*Om Saraf*
9. The State of Press During Maharaja Hari Singh's Regime 105
—*O.P. Sharma*

- | | | |
|-----|---|-----|
| 10. | How Pakistan Occupied Gilgit—
A First Hand Account
— <i>Brig. Ghansar Singh</i> | 115 |
| 11. | The Accession of the Jammu and Kashmir
State and Maharaja Hari Singh
— <i>Dr. D.C. Sharma</i> | 132 |
| 12. | A Tribute to Maharaja Hari Singh
— <i>Brig. N.S. Rawat (Retd.)</i> | 148 |
| 13. | Maharaja Hari Singh as a Man
— <i>Col. Kanwal Singh (Retd.)</i> | 158 |
| 14. | Maharaja Hari Singh—A Benevolent Ruler
— <i>Master Ghulam Mohammad</i> | 162 |
| 15. | The Little I Know of Maharaja Hari Singh
— <i>Cmdr. A.S. Jamwal (Retd.)</i> | 165 |
| 16. | Anecdotes and Snippets
— <i>M. Amin Pandit</i> | 169 |
| 17. | Some Little-Known Facts of
Maharaja Hari Singh's Life
— <i>D.C. Prashant</i> | 174 |
| 18. | Maharaja Hari Singh in Dogri Folklore
— <i>Prof. Champa Sharma</i> | 182 |
| | <i>Documents</i> | 193 |
| | <i>List of Contributors</i> | 235 |

I

FROM
MAHARAJA GULAB SINGH
TO
MAHARAJA HARI SINGH

—*Prof. M.L. Kapur*

It was across a gulf of years that the Punjab came to have a government of its own under Maharaja Ranjit Singh (1792-1839). His kingdom included Multan, Peshawar, Kashmir and Jammu. The British rule in India also extended towards the Sutlej which then came to form the boundary between the territories of the two governments.

As long as the Maharaja lived, he tried to maintain good neighbourly relations with the British. But after his death in 1839, the two developed hostility towards each other.

To make matters worse not only did the Chiefs of the Lahore Darbar split up into a number of groups, some of them also played into the hands of the British.

The Dogra brothers of Jammu formed one of these groups. They included Gulab Singh, Dhian Singh and Suchet Singh. Starting their careers as ordinary soldiers under Maharaja Ranjit Singh¹, they gradually rose to the

highest positions in the State. In lieu of their signal services, all of them were made Rajas.² While Dhian Singh came to serve primarily as an administrator and rose to become the Chief Minister or Wazir, Gulab Singh played an eminent role in extending the boundaries of the Maharaja's kingdom, and his reward was the grant of the Raj of Jammu in 1822.³ Gulab Singh was further authorised to enlarge his boundaries, but he had to inform the Maharaja whenever this happened. Making good use of this authority, the former carried his arms upto Ladakh in 1834.⁴ Yet another privilege which he came to enjoy was the exemption from a regular attendance on the Maharaja.⁵ No wonder, the Dogra brothers became the foremost Chiefs of the Lahore Darbar.

After the death of their patron, however, the green-eyed monster impelled some of the Chiefs of the Punjab to dislodge the Dogra brothers from power and position. Intrigues and counter-intrigues were then set a foot, which took the lives of Chet Singh, Maharaja Sher Singh, Dhian Singh, Suchet Singh, Hira Singh, Kashmira Singh and Pishora Singh.⁶ The men in power at Lahore also despatched an army against Gulab Singh in March 1845. But the only result of this invasion was that the differences between the Lahore Darbar and Raja Gulab Singh were further widened, and Jammu was almost completely hedged off from the Punjab.⁷

Almost simultaneously another contender for power in the Punjab also entered the arena. The Khalsa Army began to defy all authority, and soon after all traces of an orderly government disappeared from the land.⁸

For his safety and protection, Raja Gulab Singh turned to the British.⁹ Overtures to the British by the successors of Ranjit Singh and their Chiefs had by now become almost a routine matter. But those of Gulab Singh were not responded favourably.¹⁰

Dalip Singh, a boy, became the Maharaja in 1844 and his mother Mani Jindaan, his Regent Sardar Jawahar

Singh, her brother, was made the Wazir. But he was put to death in 1845 by the Khalsa army.¹¹ The Rani and her supporters then decided to get rid of this ungovernable army by inciting it to wage a war against the British,¹² and the result was the First Anglo-Sikh War.

The Khalsa army wanted Raja Gulab Singh to lead them in the war, but he refused to do so. In the first instance, he was opposed to a war with the British. Secondly, as he and many of his near and dear ones had suffered at the hands of the Darbar as well as the Khalsa army, he was not too inclined to help them now.¹³ Thirdly, the Darbar was afraid of him because of his popularity with a number of chiefs of the army, and wished to keep him away from the battle-field. Hence, he was forbidden by the Rani to leave Jammu for Lahore without her prior permission.¹⁴

Ultimately, Raja Gulab Singh was summoned to Lahore where the Khalsa army had fought and lost three battles. These were two considerations before the British for determining the peace terms. First, they wanted to clip the wings of the Lahore Darbar so that it could not challenge their might again. Secondly, an arrangement had to be made by which the north-west frontier could be defended against the Afghans.¹⁵ Earlier, the Punjab had been acting as a useful buffer state between the Afghans and the British. But now it had turned against the British themselves, and could not be depended upon in the future.

The solution evolved was to grant severe terms to the Lahore Darbar. Some territory was also taken away from the Darbar vide the Treaty of Lahore of March 9, 1846 and out of it was created the modern State of Jammu and Kashmir under Gulab Singh, with the title of Maharaja, vide Treaty of Amritsar of March 16, 1846.

GULAB SINGH AS MAHARAJA

Maharaja Gulab Singh's territories occupied an exceedingly

important position in the political geography of undivided India. These were bounded by several hundred kilometres on the north by the Chinese and Russian Turkistan, and on the east by independent Tibet, while on the south and west of them lay the Punjab and the North-West Frontier Province of India respectively. The three great empires of Britain, Russia and China thus met on the Maharaja's borders.

The State itself was, however, composed of three distinct divisions, culturally and physio-graphically. These were the two provinces of Jammu and Kashmir and frontier areas of Ladakh and Gilgit.

The condition of the people of the state at the advent of the Dogra rule was deplorable.¹⁷ In Kashmir, for instance, almost everything was taxed heavily. After paying their dues to the government and gratifying the illegal demands of the corrupt, officials the cultivators were hardly left with a-third of their produce. Security of life and property had disappeared. The Sikh governors had been very lavish in granting jagirs to their supporters so that there were as many as 3,115 of these when Gulab Singh took over Kashmir.¹⁸

Making no distinction between the Hindus and the Muslims,¹⁹ Gulab Singh first of all ruthlessly suppressed all disorderly elements, and established peace and order in the country. Then efforts were made to rationalise the jagir system, regularise the forced labour and introduce rationing of rice. The shawl industry, the mainstay of the people of Kashmir was also reformed. Minimum wages for the shawl workers were fixed and the law which bound them to work for one and the same master throughout was abolished.²⁰

The Maharaja himself was not inaccessible to the people; he was always available to listen to their complaints patiently.²¹ As most of his time was spent in Kashmir, arrangements were made to deliver his official papers from Jammu to Srinagar and back via Banihal

and Verinag. The distance between Srinagar and Jammu was divided for this purpose into a number of convenient stages, and at every stage two runners were posted. Travelling during the day and night, these runners carried the official papers and covered the whole distance in 100 to 140 hours.²²

Despite these measures, the British authorities in India received some complaints against Gulab Singh's government which was termed as oppressive. Though some of the British officers had earlier paid short visits to Kashmir and submitted their reports,²³ in January, 1848 the British authorities contemplated sending one of their experienced officers to stay at Srinagar for three to four months in order to make detailed enquiries about the condition of its people.²⁴ But subsequently, on finding that the complaints were exaggerated and made mostly by the disgruntled elements, the proposed measure was dropped.

Nevertheless, in the beginning of 1852 the British made Gulab Singh agree to the posting at Srinagar of their representative for the purpose of looking after the European visitors to Kashmir. The representative, who subsequently came to be called the Officer-on-Special Duty, could not, however, stay there for more than six months during every summer season.

MAHARAJA RANBIR SINGH

Gulab Singh died at Srinagar in August 1857²⁵ and was succeeded by his only surviving son, Ranbir Singh. The new Maharaja was popular with his people but he was handicapped due to lack of honest and capable officials.²⁷ Despite this the state made some progress during his reign.

Reorganisation of the state administration was the first to engage his attention. Three separate departments dealing with the revenue, civil and military affairs were established.²⁹ To make justice cheaper and efficient, regular

Courts of Justice were set up, uniform laws were framed and a new State Panel Code, Shri Ranbir Dandh Bidhi, was issued.³⁰ The people could air their grievances and seek redress at the Maharaja's public Darbars as well.³¹

In order to encourage trade and industry, the system of taxation was overhauled and means of transport and communication were improved. Thus while tax on the shawl manufacturers was reduced, a number of imports were altogether abolished.³² About fifty thousand rupees was spent on repairing the pathways,³³ since there were no roads in the state at that time. Postal arrangements were made more efficient. It enabled runners to take letters from one and to the other in only 25 to 30 hours.³⁴ Postal services between Srinagar and Muree (Now in West Pakistan) were also introduced, and letters were delivered within 72 hours.³⁵ After Gilgit was finally subjugated in 1860, it was decided to connect it to Srinagar by a telegraph line. Telegraphic links were established between Srinagar and Jammu as well.³⁶

Many old bridges were repaired and some new ones were also built over the Jhelum in Srinagar, Beramulla and Anantnag.³⁷

For the benefit of the cultivators, an attempt was made to assess the land revenue at a fixed rate. New staples were introduced into the country and money was freely spent on sericulture, hops, vines and presses.³⁸

The cumulative effect of the above noted measures on the trade was that on the whole it increased. The shawl trade, however, received a set-back mainly due to a fall in their demand in Europe after the Franco-Prussian War of 1870-1.³⁹

For the physical and moral upliftment of the people a number of medical dispensaries and schools were opened. Expenditure on the latter amounted to about fifty thousand rupees.⁴⁰

Maharaja Gulab Singh had laid the foundation of the Dharmarth Fund. Maharaja Ranbir Singh put it on a per-

manent basis by the grant of a number of villages in the provinces of Jammu and Kashmir. A Dharmarth Code, describing the aims, objects, scope and the rules of its administration, was also compiled.⁴¹

The one measure for which Maharaja Ranbir Singh earned most the esteem of his people was his patronage of learning and scholarship. He established a department for the collection and publication of important Sanskrit works on the Hindu Law and Ritual, as well as for the translation of Sanskrit and Persian manuscripts into Hindi.⁴² His collection of Sanskrit manuscripts now housed in the Raghunath temple library is most prized in the whole of India.

Trigonometrical survey of the state, which had been commenced in the reign of Maharaja Gulab Singh was now brought to a completion, and a map of the valley and surrounding mountains was prepared.⁴³

The Maharaja sent several expeditions against the frontier tribes on the north-west. As a result of these, varying degree of control came to be established over Chilas, Ponial, Yasin, Darel, Hunza and Nagar by the end of 1870. Gilgit was finally reduced in 1860.⁴⁴

Trade between Central Asia and British India was carried on through the state territory. In 1863, the Maharaja reduced transit duties.⁴⁵ Two additional measures gave a further fillip to the trade. The first, the posting of a British Agent at Leh in 1867, regulated the flow of the trade.⁴⁶ The second, a commercial treaty concluded in 1870 between the Maharaja and the Government of India, which resulted the abolition of all the duties in return for a similar concession made by the Government of India on the trade between the state and British India.⁴⁷

The Government of India also endeavoured to strengthen its defence against any aggression from the side of Kashmir, the meeting place of the three greatest empires of the east. The Russian conquest of Tashkent, Khokand, Khojand and Samarkand during the late sixties

had indeed created an alarming situation for the British.⁴⁸ And on the side of Kashmir, Gilgit occupied a strategic position of great importance. "This particular gate of the (British) Empire" covered all the passes over the Hindu Kush..."⁴⁹

Therefore, in 1877 an agreement was reached with Maharaja Ranbir Singh for the establishment of a Political Agency at Gilgit.⁵⁰ Although due to certain unfavourable circumstances this Agency was withdrawn in 1881,⁵¹ it was re-established eight years later.⁵²

The road to Gilgit lay through Kashmir whose borders also touched the tribal territories wherein the important passes leading across the Hindu Kush were situated. Therefore, it became a matter of policy with the British Government to tighten their hold over Kashmir as well.⁵³ But the pace of progress in Kashmir was further quickened as a result of it. The Gilgit question itself was finally solved in 1935 when it was transferred to the Government of India on a sixty year lease basis.⁵⁴ The closing years of Ranbir Singh's reign were marked by the ravages of the great famine of 1877-9 in Kashmir where a number of valleys were deserted, and trade came to a stand-still. The Maharaja tried to alleviate the sufferings of the people, though his efforts were greatly thwarted by his unscrupulous officials. To prevent the rigour of famines in future, he took up the construction of a cart road from Srinagar to Rawalpindi (now in West Pakistan). The assessment of land revenue was also revised.⁵⁵

Ranbir Singh passed away on September 12, 1885 and was succeeded by his eldest son Pratap Singh.

MAHARAJA PRATAP SINGH

Before Pratap Singh's accession, the British Government was represented in Kashmir by an Officer-on-Special Duty who had only limited functions to perform. The Government of India had made many attempts at the

time of Ranbir Singh to raise the status of the Officer to that of a full-fledged Political Resident. The Maharaja had, however, successfully resisted these.⁵⁷ But now taking advantage of the fresh succession they were able to post a Political Resident in Kashmir.⁵⁸ And the result of this change soon followed.

Only about three and a half years after his accession, Pratap Singh's power were transferred under the orders of the Government of India, to a State Council.⁵⁹ It was presided over by the Maharaja's youngest brother, Raja Amar Singh, and thereafter by Pratap Singh himself.⁶⁰ However, in 1905 this Council was abolished and the Maharaja was partially restored.⁶¹ Sixteen years later, he came to enjoy his full powers.⁶² During the period from 1889-1905, the over-all control of the State Administration rested with the British Resident.⁶³

During the time of Pratap Singh, the first major step of improvement was taken in 1889 when the "Jhelum Valley Card Road," the most wonderful mountain road in the world,"⁶⁴ from Kohala to Baramulla was completed. It was extended to Srinagar in 1897.⁶⁵ In 1922, another great highway, the Banihal Cart Road, which connected Srinagar, the summer capital, with Jammu and the winter capital of the state was thrown open to the public. Besides these, many feeder roads in the state including those connecting Srinagar with Gilgit and Leh were also constructed.⁶⁶ The impact of these roads on the life of the people of Kashmir may be judged from the fact that before Pratap Singh, there was not a single wheeled conveyance, including even a hand-cart.⁶⁷ By the time his reign came to a close, motor cars became the principal means of conveyance.⁶⁸

Besides construction of roads, several efforts were made to link the Valley with the railway system but nothing substantial came out owing to the prohibitive costs. Even a project to build a seventy nine mile long mono-cable steel ropeway from Jammu to the village Doru (or

Shahabad) and then connecting it with Srinagar by a forty six mile long light railway could not be taken up.⁶⁹ But Jammu was linked to Sialkot in the Punjab in 1890.

In 1887, the State Government carried out the first land settlement. As a result, the rights of the agriculturists were clearly defined and the state's demand was fixed for ten years. "Begar" or forced labour in its more objectionable form was abolished.⁷⁰

By 1912 practically every tehsil and district was settled either for the first time or in revision.⁷¹ The share of the state was fixed at 30 per cent of the gross produce and the revenue was to be collected in cash.⁷²

The land settlement gave much needed security to the cultivators and became responsible for their increasing prosperity.⁷³ The revenue of the state also increased by more than 100 per cent.⁷⁴

A model agricultural farm was set up at Srinagar for the spread of knowledge about the scientific methods of cultivation.⁷⁵ Establishment of the Department of Agriculture and the introduction of Cooperative Societies were the other measures taken up to further improve the lot of the cultivators. By 1929, the number of Co-operative Credit Societies in Kashmir alone rose to about 1100 with a membership of 27,500.⁷⁶

Kashmir is rich in forests. But till the accession of Pratap Singh, practically nothing had been done to exploit these on scientific lines.⁷⁷ In 1891, the State established the Forest Department which soon began to give a very good account of itself. Its surplus revenue for the first year was about a quarter of million of rupees. The same rose to about two million for the year 1921-2 and to a record figure of about five million for the year 1929-30.⁷⁸

Efforts were made to popularise education. In pursuance of the suggestions made in the report of 1916, many changes were made in the system of education.⁷⁹ A number of new schools for both boys and girls were also opened. The imparting of education in the primary

schools was made free. Several measures were taken for the education of Muslims especially.⁸⁰ Grants were also budgetted for the training of unqualified teachers at the Training College and normal schools at Lahore.⁸¹ Later normal schools were established at various places within the State.⁸²

One degree college each at Jammu (Prince of Wales College, established in 1907,⁸⁴ and Srinagar (Sri Pratap College established in 1905)⁸⁵ and Amar Singh Technical Institute at the latter (1914) and Sri Pratap Technical School at the former (1924)⁸⁶ were maintained to meet the demands for higher education. By 1938, Sri Pratap College, with 1187 students on its rolls, achieved the distinction of being the second largest college affiliated to the Punjab University.⁸⁷

Modern hospitals for both males and females were also established at Srinagar and Jammu. In other towns and important villages, medical dispensaries under the charge of qualified doctors were opened. These establishments went a long way in improving the health of the people.⁸⁸ From a small amount of Rs. 43,430/- in 1891-2 the expenditure for the State Government on medical services rose to Rs. 5,01,482 in 1924-5.⁸⁹

Small-pox used to take a very heavy toll of life in the valley. Vaccination on an extensive scale was introduced in 1894 to prevent it.⁹⁰ Modern water works were also established at Jammu and Srinagar.⁹¹

The Church Missionary Society set up in Kashmir in the time of Maharaja Ranbir Singh, also contributed much to the promotion of public health and education. It opened its own schools and hospitals in the valley and ran them on modern lines.⁹² A great spill channel was constructed in 1904 to divert the flood waters of the Jhelum.⁹³ It was followed by the construction of a number of smaller channels and several irrigation canals in both the provinces of Jammu and Kashmir. The longest and most important of these was the Ranbir Canal in Jammu

with a total length of 251 miles including that of its distributories, it was fully completed in 1911 at the cost of Rs. 35,36,714.⁹⁴ This Canal also helped in propelling the turbines of the Jammu hydro-electric installation.⁹⁵ Besides, 250 tanks were constructed in the Kandi areas of Jammu with a view to removing the great distress of the residents of these arid tracks.⁹⁶ The power obtained from the hydro-electric works established at Mohara in 1907 was used not only for lighting and industrial purposes but also for dredging operations which were carried out in the Jhelum below Baramulla in order to remove silt and boulders.⁹⁷

Besides, agriculture, sericulture, viticulture and horticulture were given great encouragement, and these made much progress going onto become flourishing state industries. A silk factory set up at Srinagar attained the distinction of being "the largest of its kind in the world".⁹⁸

In order to feed it with the best quality of cocoons seeds were imported from Italy and France.⁹⁹

A beginning was made in local self-government by establishing municipalities at Jammu, Srinagar, Sopors and Baramulla. These organisations did a lot towards improving the local sanitary conditions.¹⁰⁰

For sometime past, the inhabitants of Srinagar had been facing great difficulty in obtaining fuel supply. From 1919 the State Forest Department undertook to supply firewood to the city people at fixed rates.¹⁰¹

Many oppressive taxes, including the Muslims Marriage Tax, were abolished. Certain State Monopolies such as the shawl industry were also done away with.¹⁰²

Telegraph facilities which had originated in the earlier reign, were now extended to all the important towns in the state. In 1894, the State Post Office was amalgamated with the Imperial Postal System.¹⁰³

However, the people of Kashmir had to pass through difficult times during the early years of Pratap Singh's reign. The cholera epidemics of 1888, 1892, 1896, 1902,

1906 and 1910 took a heavy toll of life. The great floods of 1893 and 1903, and the fires of 1892 and 1899 also caused considerable loss.¹⁰⁴ Still the population of Kashmir had been steadily increasing for sometime.¹⁰⁵ This fact combined with the general rise in prices and hoarding of food grains resorted to by the local traders during the First World War of 1914-18 led to an acute food shortage. As a result, in Srinagar the market price of 'Shali' (unhusked rice), the staple food of the people of Kashmir rose from Rs. 3 per "Khirwar" (192 lbs) in 1916 to Rs. 18 (some transactions took place at Rs. 24 also) in 1921. Various measures initiated by the state government to deal with the situation ended in failure. Ultimately, it was decided to collect a part of the land revenue in kind and to distribute the rice thus collected in a fixed quantity to the inhabitants of Srinagar at affordable rates.¹⁰⁷ Thus came into existence the Food Control Department of the State.

Pratap Singh left no issue of his own when he died on September 23, 1925.¹⁰⁸ But he was succeeded by his nephew Hari Singh, son of Raja Amar Singh.

MAHARAJA HARI SINGH

The drive for improvement first launched by Ranbir Singh and then systematically pursued under Pratap Singh was carried further by the reformatory spirit of the new ruler. In less than six years, laws were passed which overhauled almost every branch of the department.

Special stress was laid on the measures to protect the agriculturists. Thus under the Agriculturist's Relief Act, a debtor could bring his creditors to a Court of Law for the settlement of accounts. This freed the peasants from the rapacity of money lenders.¹⁰⁹ The Land Alienation Act forbade the transfer of agricultural land to the non-agriculturists.¹¹⁰ The agriculturists also acquired proprietary rights and exemption from the payment of such dues as Nazrana and Malikana.¹¹¹ If they wished improve-

ments on their lands, they could easily get loans from the government on easy instalment basis. The village communities who had no village commons were allowed to occupy the Khalsa land equal to their holdings.¹¹² The Kahcharai Act removed the inequalities in the incidence of Kahcharai tax. It also granted exemption to the owners of livestock in respect of particular animals of a given number and age. For the improvement of livestock, a large number of bulls of Sindhi and Dhani breeds were distributed among certain peasants in some selected places.¹¹³ The term of the land settlement was extended to forty years.¹¹⁴ Begar or forced labour was completely abolished.¹¹⁵

Primary education, which was already free, was made compulsory in 1930 for boys in all the municipal towns.¹¹⁶ The Scholarship Selection Board granted loans and scholarships to many students for higher and technical education in India and abroad.¹¹⁷

The number of hospitals and medical dispensaries were also increased and a separate maternity block opened at Srinagar. There were improvements in the water-supply, fire-protection and electric works.¹¹⁸

Female infanticide, child marriage, traffic in women, untouchability and other social evils were common among the people of the state. To control female infanticide, the Maharaja appointed two committees in 1926¹¹⁹ and 1929 which recommended education of the people and stringent action against those found guilty of the crime. The Maharaja accepted both the recommendations.¹²⁰ He also established the Dhandevi Memorial Fund for the marriage of Rajput girls, among whom this evil was most prevalent.¹²¹

Simultaneously, he took up the matter of child marriage and promulgated an ordinance in which the marriage of boys and girls under 18 and 14 years respectively was forbidden, and its violation was punishable by one year's imprisonment or fine up to rupees one thousand or both.¹²² Thus the Maharaja achieved the dis-

inction of being one of the earliest reformers in India to have passed a social legislation of this nature. The Sarda Act became law in India much later.¹²³

To suppress immoral traffic in women for penalties for practicing prostitution, or living upon the earnings of prostitutes or on the traffic in women and children were handed out. Persons soliciting in public places, encouraging or abetting seduction or prostitution of minor girls were also made subject to penalty.¹²⁴

Maharaja Hari Singh's crusade against untouchability is worth remembering. He threw open all public schools, colleges, and wells to the untouchables in 1931.¹²⁵ The next year, all the state temples were also thrown open to them.¹²⁶ Not content with that, in 1940 he proclaimed untouchability a cognizable offence.¹²⁷

The Maharaja was also responsible for two more important social reforms. One was the prevention of juvenile smoking and the other was the removal of legal disabilities on the marriages of Hindu widows.¹²⁸ Both of these were also revolutionary.

Impetus was also given to the development of trade and industry. Many vexatious taxes on trade were altogether abolished. Preference was given to local products which were purchased from the local firms.¹²⁹

A number of factories for the manufacture of match-boxes, tents, carpets, willow-works, tannery goods, santonin, etc. were established during this period.¹³⁰

Equally important was the change that took place in the political atmosphere of the state. There was some agitation in 1924 in the silk factory of Srinagar but it was not conducted in an organised manner.¹³² In other parts of India, however, the people had organised themselves into two major political parties, the Indian National Congress and the Muslim League. After Hari Singh's accession, political consciousness began to grow among the people of the state also.

The paucity of local officials greatly hampered the

progress of various reforms at the time of Ranbir Singh. The problem became more acute during Pratap Singh's reign when Urdu was made the court language, and English was used for administrative purposes. This necessitated the employment of a large number of outsiders in the State services.¹³³ Western education in due course of time started spreading within the state, and its institutions began to turn out a number of locally educated young men every year. But only a fraction of them got suitable employment owing to the dominance of the outsiders. This led to a wave of resentment against the latter.¹³⁴ The problem was solved when the government laid down that only hereditary state subjects could be employed in the state services, i.e., one who had been either born and residing in the state before 1846 or settled therein before 1885.¹³⁵

But as the Muslims of Kashmir had taken to western education very late, they still lagged behind other communities with regard to their representation in the state services.¹³⁶ Therefore, in 1929 some prominent members of their community approached the government to reserve certain number of posts for the Muslims. The government, however, refused.¹³⁷ Ultimately, there was lot of discontentment amongst them which led to communal riots at Srinagar in July 1931. Subsequently anti-Government agitations also took place at various places in Kashmir and Jammu.¹³⁸

Although the agitations were suppressed, the state government appointed a Commission to enquire into the grievances of the Muslims and other communities also. Chief recommendations of the Commission included a "fair and adequate representation in services to all the communities, grant of freedom of press and platform, return of the confiscated religious sites and establishment of a representative Assembly".¹³⁹ The government readily accepted these recommendations.¹⁴⁰ In his proclamation, Maharaja Hari Singh declared on July 9, 1931

that "while in the matter of services prior consideration is and always shall be given to public interest, and the obligation of maintaining the efficiency of the administration at the highest possible level can never be overlooked, the policy of his government would be to give adequate representation to all communities in the services without giving any preponderance to any community". Accordingly, new rules for recruitment to state services were framed.

As a result of this there was a gradual expansion in the representation of the Muslims in the Civil Services. This, in April, 1932 there were 3,052 Muslim officials, including 55 gazetted ranks, out of a total strength of 8,683. Their number rose to 5070, including 150 gazetted officials, out of 13,790 in April 1945, giving them about 40 per cent representation in the total strength of the State Civil Services.¹⁴¹

But this advancement failed to satisfy the majority community. Now they decided to continue their struggle for the achievement of their rights in a more organised manner. The result was the establishment of the All Jammu and Kashmir Muslim Conference in October 1932 under the Presidentship of Sheikh Mohammad Abdullah.¹⁴²

From 1846 to 1889 the administration of the state was carried on by Maharaja's personal rulers assisted by a number of advisors headed by a Chief Minister. In 1889, when Pratap Singh was deprived of his powers, an attempt was made to systematise the conduct of the administration. The Maharaja's powers were transferred to a State Council. Each council member held charge of a number of departments. With a short break from 1905 to 1922, this arrangement continued till 1934 when Hari Singh sanctioned the creation of a Legislative Assembly called the Jammu and Kashmir Praja Sabha.¹⁴³

The Praja Sabha which had only recommendatory powers, originally consisted of 75 members—12 government offi-

cial, 16 state councillors, 14 nominated and 33 elected members.¹⁴⁴ The last named category included 21 Muslims, 10 Hindus and 2 Sikhs.¹⁴⁵

In the first elections to the Praja Sabha, which was held in 1934 on a limited franchise covering 3 to 6 per cent of the population, the Muslim Conference bagged 14 seats out of 21 reserved for the Muslims.¹⁴⁶ In the next election of 1936, it was able to raise its strength to 19.¹⁴⁷ This established the claim of the Conference to be called the major political party in the State. In June, 1939, however, Sheikh Mohammad Abdullah broke away from the Muslim Conference and established a new party, the National Conference. The latter soon succeeded in securing a large following. It demanded that the Praja Sabha be given more powers, and that it be composed entirely of members elected by adult franchise based on a joint electorate, with some seats reserved for the minorities.¹⁴⁸

In deference to popular demand, the number of elected members to the Praja Sabha was raised from 33 to 40 in 1939.¹⁴⁹ Its powers were also enhanced to some extent. Its non-official members were more closely associated with the state administration and could work as under-secretaries. It was empowered to make laws for the state subjects, pass all legislation pertaining to the taxes as distinguished from fees and penalties, and to vote on the demands made by the government for budget appropriations with the exceptions of a few non-votable items.¹⁵⁰ A noteworthy step towards the establishment of a popular government was, however, taken in 1944. On October 2, that year, Maharaja Hari Singh sent the following message to the Praja Sabha:

“I have after careful consideration decided to call upon the Praja Sabha to nominate a panel of six (three to be Muslims) of its members, three from Jammu and three from Kashmir (including the Frontier District). The Assembly will determine its own procedure for nominating the panel, official members taken no part in the pro-

ceedings. Out of the panel so nominated I shall appoint two (one of whom will be a Muslim) as my Ministers. These Ministers will hold charge of portfolios to be determined by me. They will draw the usual salary of Ministers unless the Praja Sabha desires to vary it, in which case the Sabha may submit its recommendations to me through the usual channels. The Ministers so appointed by me, while if they still continue to be members of the Sabha, they will be eligible for re-appointment”.

This message was heartily welcomed by all sections of the Assembly¹⁵¹ and led to the appointment of Mirza Afzel Beg and Ganga Ram as the Ministers. The former belonged to the National Conference, while the latter was a Dogra politician.¹⁵²

Changes were introduced in the constitution of the municipal committees as well. The franchise qualifications were also brought in line with those prescribed for the Praja Sabha elections.¹⁵³

Till now the village panchayats were empowered only to decide petty cases. In 1937, when the Department of Rural Development was established, the panchayats were also associated with the implementation of various schemes of rural upliftment.¹⁵⁴

As regards the welfare measures undertaken by the state government in the post-1931 period, the pride of place is occupied by those which promoted health and education. Primary education and secondary education were made free throughout the state. Scholarships were granted to the deserving students. More schools were opened to accommodate increasing number of students and a new Intermediate College was also established. A drive against adult illiteracy was also launched with considerable success. Simple Urdu was made the medium of instruction in schools but students had the option of choosing either the Devnagri or the Persian scripts.¹⁵⁵

Not only did the number of hospitals and medical dispensaries increase, but qualified doctors and nurses also increased. The Maharaja Hari Singh Hospital, one of the major medical establishments of India, with 320 beds, was opened at Srinagar in 1945. The state also achieved the distinction of being one of the premier states of India to have set up a Tuberculosis Department. Earlier in 1943 the Maharaja Gulab Singh Hospital had been opened at Jammu.

Special staff members were also appointed to cope with epidemic diseases and the outbreak of plague in certain areas. An anti-plague scheme was launched with considerable success. When cholera broke out in Kashmir in 1935, no less than a million and a quarter inoculations were carried out—the largest number done anywhere at one time.¹⁵⁶

Since water plays an important role in contributing to the spread of some diseases, great efforts were made to augment the supply of pure drinking water. A special division was created in the P.W.D. for this purpose. A tube-well was bored at Jammu. Tanks and wells were also constructed. Large grants were provided for the improvement of water-supply in Srinagar also.¹⁵⁷

The Flood Control Department continued to supply rice at cheaper rates. Due to the scarcity created by the Second World War, other basic necessities, such as sugar and fuel, were also rationed. A separate department was created in order to fix the prices and regulate the distribution of the controlled articles. The Maharaja also created a fund for the alleviation of distress of the poor and donated a sum of Rs. two lakh to the fund.¹⁵⁸

The co-operative movement registered a significant progress. The number of cooperative credit societies in the state rose to about four thousand. Besides this a large number of societies for the consolidation of holdings, better living, education and marketing of agricultural produce were also set up. The Right of Prior Purchase

Act gave the right of pre-emption to the members of a village community in respect of agricultural land belonging to any member of the community.¹⁵⁹

The activities of the Agriculture Department, which were originally confined to the Kashmir Province only, were gradually extended to the Jammu Province as well. The Agriculture Department successfully introduced its cultivation in Kishtwar in the Jammu Province.¹⁶⁰

The telegraph, telephone, and wireless services were extended to all the important places in the state.¹⁶¹ The Jammu and Kashmir Bank was established in 1938 and it took over the government treasury both at Srinagar and Jammu. Later, its branches were established at some other towns in the state.¹⁶² These developments gave a great fillip to trade and commerce. Industrial production also increased. The government had earlier established a small silk factory at Jammu, but its main unit was located at Srinagar. The latter was now expanded to four times its original size.¹⁶³ Besides providing employment to a large number of workers in the factory, it brought extra income to thousands of rural families who reared cocoons.¹⁶⁴ The opening of industrial museums and sales emporiums at Srinagar in 1941 and later at Jammu further promoted the sale of the Kashmiri products.¹⁶⁵

Noted for its natural beauty throughout the world Kashmir has since long been fascinating the tourists. The number of tourists who visited Kashmir during 1931-2 was 8,604. It rose to 24,659 during 1936-7.¹⁶⁶ Realising the benefits accruing to the people as well as the state from tourism, the Government of Kashmir tried to develop it in a planned manner. Various schemes were launched to further the beauty of Srinagar and to develop Pahalgam and Gulmarg as ideal hill stations.¹⁶⁷

A nationalist at heart, the Maharaja went to attend the First Round Table Conference at London in 1930, and addressed it in the following words:

“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 India’s enjoyment of a position of honour and equality in the British Commonwealth”.¹⁶⁸

Maharaja Hari Singh helped the British during the Second World War with men and money. He also personally visited the Middle East in 1941 to boost the morale of his men fighting on the front. In 1944 he again went abroad, and met a section of his troops in Persia.¹⁶⁹ Internally, however, the War greatly hampered the socio-economic progress of the state.

In India, while the Indian National Congress under the leadership of Mahatma Gandhi and Jawahar Lal Nehru, struggled for a united free India, the Muslim League under Mohammad Ali Jinnah, worked for the partition of the country and creation of Pakistan on the basis of religion. This struggle had its repercussions in the state also. The National Conference of Kashmir believing in secularism, gradually came closer to the Indian National Congress. Jawahar Lal Nehru’s visit to Kashmir in 1940 aroused great enthusiasm among its people. Four years later, Mohammad Ali Jinnah also visited Kashmir. He tried to patch up the differences between the leaders of the National Conference which had again become active since 1941 under Ghulam Abbas. But he failed in his mission. Thereafter, the events moved swiftly both in India and Kashmir.

In March 1946, the British Government sent to India the Cabinet Mission which proposed a Federal Union of India. In May the same year, the National Conference launched, on the pattern of Quit India movement of 1942, a “Quit Kashmir” movement against Maharaja Hari Singh. The State Government arrested Sheikh Mohammad Abdullah. Thereupon, Jawahar Lal Nehru

came to Kashmir in support of the movement, but due to some national affairs he had to return soon.

By now the British had made up their mind to quit India. They announced this on June 3, 1947, which envisaged the partitioning of the country into two dominions of India and Pakistan.

Maharaja Hari Singh was, thus faced with another problem; he was required to decide whether he should join India or Pakistan or remain independent. But he could not come to any decision. To help him in the matter Lord Mountbatten, the last British Viceroy of India, flew to Srinagar on June 19, 1947. Still the Maharaja wavered. On August 12, however, he tried to enter into a "stand-still agreement" with both India and Pakistan. While the former hesitated, the latter accepted this arrangement two days later. In the meantime, the actual partition of India took place on the night of August 14-15, 1947.

Though it seemed that Maharaja Hari Singh had succeeded in gaining time to come to a final decision on the question of accession it soon proved illusory. On September 18, the state came under an economic blockade when Pakistan suspended supplies of all its essential commodities to the state. This was not all. From October 22 onward a large number of tribesmen, equipped with modern weapons, began invading Kashmir from the side of Abbottabad. This compelled the Maharaja to join the Indian Union on October, 26 with a request to render immediate military aid to help him. The next day a batch of the Indian forces was flown to Srinagar and by then invaders had already reached Baramulla. On November 7, the Indian forces fought a successful battle with the tribesmen. And by the end of March 1948, the latter were pushed back from a major portion of the state territory. Finding the tribesmen in a hopeless condition, Pakistan's regular army also marched into Kashmir to help them in May.

In the meantime, Sheikh Mohammad Abdullah had

been set free, and an Interim Government, with him as the Prime Minister, was set up and started functioning from March 5.

The drive against the invaders continued till January 1, 1949, when a ceasefire was declared at the intervention of the Security Council of the United Nations. This left Muzaffarabad, Gilgit, Mirpur and part of Poonch with the invaders under an over-all control of Pakistan.

While the Kashmir question lay before the world body, Maharaja Hari Singh went into exile and his son, Dr. Karan Singh, took over as Regent of the State on June 20, 1949. On the authority of the latter's proclamation of May 1951, elections to the State Constituent Assembly were held. The National Conference won all the 75 seats. In its very first session of October, 1951, the Assembly abolished the monarchy and with this the Dogra rule in the State came to an end.¹⁷⁰

Maharaja Hari Singh breathed his last at Bombay on April 26, 1961.

REFERENCES

1. Kirpa Ram, Dewan, *Gulab Nama*, English trans. Dr. S.S. Charak, 1977, p.55 *Catalogue of Khalsa Records, II*, 1927, p.50; Latif, S.M., *History of the Punjab*, 1964, p.440; Canningham, J.D. *History of the Sikhs*, 1966, p.161.
2. M/921, Patiala Archives; Panikar, K.M., *Gulab Singh*, 1930, p.32.
3. Ibid.
4. Datta, C.L., *Ladakh and Western Himalayan Politics*, 1973, pp.107-17; Canningham, J.D., op. cit; pp. 182, 332, 388; Kirpa Ram Dewan, op. cit, pp. 75-81.
5. M/921 Patiala Archives.
6. For details, see Kapur, M.L.; *The Founding of Jammu and Kashmir State under Maharaja Gulab Singh*, 1980, pp, 73-5, 113-6, 126-34, 160-2.
7. Ibid; pp. 163-97; Broadfoot to Currie, 11 Feb, 1845, For. Sec; 4 Apl. 1845, No. 129, National Archives; Hardinge to Ellenborough, 8 Mar. 1845-Hasrat, Bikramajit, Punjab papers, p. 84.
8. Kohli Sita Ram, *Sunset of Sikh Empire*, 1967, pp. 41-54.

9. For. Sec: 4 Apl, 1845, Nos. 115-117, 122, 126-27, National Archives; also Kapur, M.L., op cit; pp. 198-211, 224-5.
10. Ibid. Laka to Mills, 15 Jan. 1846, for Sec. 26 Dec. 1846, No. 319, National Archives.
11. Latif, S.M. op. cit., pp. 535-6; Grey, C, *European Adventures of Northern India*. Rep. 1970, pp. xxiii-xxv, Suri, Sohan Lal, *Undatut-Tawarikh*, Daftar IV, pp. 332-4.
12. Suri, Sohan lal, op. cit; Daftar IV, pp. 335-7; Smyth, G.C: *A History of the Reigning family of Lahore*, Rep, 1970, pp. 149-52; Hardinge to Broadfoot, 11 September, 1845; Hardinge to Ellenborough, 23 Oct., 1845, National Archives.
13. For Sec. 26 Dec. 1846, Nos. 184, 213, 215, 363.
14. Pearse Huge, *Soldier and Traveller*, rep. 1970, pp. 269-70.
15. Bal, S.S. *British Policy towards the Punjab*, 1971, pp. 63-4; See also Kapur, M.L.; op, cit; pp. 247-9.
16. Youngusband Francis, *Kashmir*, 1909, p. 173.
17. Panikar, K.M. op. cit; pp. 134-5; Francis Youngusband; op. cit; pp. 173-4.
18. Lord Birdwood *Two Naticns and Kashmir*, 1956, p. 27.
19. Sufi G.M.D., *Kashmir* Vol. II, 1949, pp. 781-2; also W.R. Lawrence, *The Valley of Kashmir*, 1895, pp. 201-02; K.M. Panikar, op. cit; pp. 134-9.
20. Fredrick Drew, *The Jammu and Kashmir Territories*, 1875, p. 44.
21. Raina J.L. , *Means of Communication in the Last Century in Kashmir*, pp. 5-6.
22. Forgn., Sec., Nos. 36-41, 28th Jan, 1848; also Forgn; Sec., Nos. 41-42, 28 Nov. 1847; Forgn; Sec.No. 48, 28 Jan 1848, National Archives.
23. Forgn. Sec; No. 44, 28 Jan. 1848, National Archives.
24. Forgn Sec., Nos. 66-70, 31 Mar. 1840; also Forgn. Sec; Nos. 36-41, 28 Jan, 1848, National Archives.
25. Forgn. Pol. Nos. 82-3, 14 Dec. 1852, National Archives.
26. Raina J.L., Op. cit., p.6.
27. Youngusband Francis, op.cit., pp. 174-76, G.M.D. Sufi, op.cit., p.797.
28. Bamzai P.N.K., *A History of Kashmir*, 1962, p.613.
29. Koul G.L., op. cit., p. 104-05.
30. Drew Fredrick, op. cit., p. 48-9.
31. *A Handbook of Jammu and Kashmir* 1947, p. 25; G.L. Koul, op. cit., p.107.
32. Youngusband Francis, op. cit., p.177.
33. Raina J.L., op. cit., p.6.
34. Ibid., pp.9-10.
35. Ibid., pp.14-15.
36. Lucullus P. *The Kashmere Raj*, 1867, p.97.

37. Lawrence W.R., op. cit., p. 202.
38. *A Handbook of J&K State 1947*, p.25; M.Ganju, *Textile Industries in Kashmir*, 1945, p.53.
39. Younghusband, Francis op.cit., p. 177.
40. *A Note on the Jammu and Kashmir State, 1928*, p.3; *A Handbook of the Jammu and Kashmir State, 1944*, p.
41. *A Note on the Jammu and Kashmir State, 1928*, pp.2-3; *A Handbook of the Jammu and Kashmir State, 1944*, p.
42. Sufi G.M.D., op.cit., pp.782-3.
43. Koul G.L., op.cit., p.94; also M.L.Kapur, *Kashmir Sold and Snatched*, 1968, p.36, P.N.K. Bamzai, op.cit., pp.620-1; G.J. Alder, *British India's Northern Frontier*, 1963, pp.102-03.
44. Kapur M.L., op.cit., pp.27-8, G.J. Alder, op.cit., p.24.
45. National Archives, Forgn; Pol. A, Nos. 6-9, Progs Mar, 1968; G.J. Alder, op.cit., p.28.
46. *A Handbook of J&K State, 1947*, pp.25-26, G.J. Alder, op.cit., p.42.
47. Kapur M.L., *Kashmir Sold and Snatched*, 1968, p.35; P.N.K. Bamzai, op.cit., p.618.
48. Knight E.F., *Where Three Empires Meet*, p.290.
49. Forgn., Sec. Nos. 39-40, progs. July 1877, National Archives.
50. Forgn., Sec. Nos. 382 & 388, progs. July 1881, National Archives.
51. Bamzai P.N.K., op.cit., p.627, G.L. Koul, op.cit., p.116.
52. Forgn., Sec. No. 86, progs; March 1883; also Nos. 34-608, (K.W.) progs. July 1877; No. 354, progs. May 1894, National Archives.
53. Das Gupta J.B., *Jammu and Kashmir*, 1968, p.58; G.L. Koul, op.cit. p.127.
54. Younghusband Francis, op.cit., pp.179-81.
55. Griffith M.V., *India's Princes*, 1894, p.10.
56. Forgn., Sec.Nos. 19-29, progs March 1875, National Archives.
57. Forgn., Sec. E, No. 354, progs. May 1894, National Archives.
58. Forgn., Sec. E, Nos.92 and 96, progs. April 1889; also Forgn., Sec. E, Nos. 221, 230, progs. July 1890, National Archives.
59. Bamzai P.N.K., op.cit., p.629.
60. Ibid, p.630.
61. Ibid, p.631.
62. National Archives, Forgn., Sec. E, No. 112, Encl.2, Progs. Dec. 1902; P.N.K. Bamzai, op.cit., p.631.
63. Parbury F., *The Emerald Set with Pearls*, 1909, p.43.
64. Neve Arthur, *The Tourist's Guide to Kashmir*, etc. 1908, p.x
65. Bamzai P.N.K., op.cit., p.637; G.L. Koul, op.cit., p.114.
66. Ganju M., *Textile Industries in Kashmir*, 1945, p.12-13.
67. Boys H.S., *Seven Hundred Miles in Kashmir*, 1886, p.38.
68. Chalmera M.H., *A Walki.g Tour through the Heart of the Himalayas and Middle Tibet*, 1929, p.18.

69. Forbes, Campbell & Co. Ltd., *Report and Estimates of the Kashmir Rail and Ropeway Projects*,
70. Lawrence W.R., op.cit., pp.424-53.
71. G.M.D. Sufi, op.cit., p.811.
72. Younghusband Francis, op.cit., p.182.
73. Ibid; also James Arbuthnot, *A Trip to Kashmir*, 1900, pp.20-23; E.F. Neve, *Beyond the Pir Panjal*, 1912, p.55.
74. Younghusband Francis, op.cit., p.182.
75. Somerset Playne, *The Bombay Presidency etc.*; 1920, p.694.
76. Chaudhri Tulsi Ram, *The Cooperative Movement in the Kashmir Province*, 1929, pp.3-4.
77. Stebbing E.P., *The Forests of India*, Vol.IV, 1962, pp.408-09.
78. Ibid., p.420.
79. Sharp H., *A Note on Education in the State of Jammu and Kashmir*, 1916, pp.1-3, 24, 32-33.
80. For details, see Kapur, M.L., *Social and Economic History of Jammu and Kashmir State*, 1992, pp.205-08.
81. Annual Report of the Education Department, J&K State, 1909-10, p.2.
82. Ibid., 1917-18, p.3; Ibid; 1919-20, p.5; Ibid; 1922-23, p.5; Annual Administration Report, J&K Government, 1917-18, pp.53, 64-65; Ibid., 1919-20, p.68.
83. Statement of Moral and Material Progress of India, 1907-08, p.135.
84. Imperial Gazetteer of India-J&K State, Vol.V, 1909, p.80.
85. Annual Administration Report, J&K Government, 1914-15, p.98.
86. Ibid; 1924-25, p.42.
87. Sufi G.M.D., op.cit., p.813.
88. Neve E.F., op.cit., p.272.
89. Annual Administration Report, J&K Government; 1891-92, pp.86-89, Ibid; 1911-12, pp.65, 67; Ibid; 1924-25, pp.55-56.
90. Neve E.F., op.cit., pp.274-75; Anand Koul, *Geography of J&K State*, 1913, p.46.
91. Annual Administration Report, J&K Government, 1889-90, p.120; E.F.Neve, op.cit., p.272; Marion Doughly, *A Tool Through the Kashmir Valley*, 1901, pp.243-44.
92. For details see, C.E. Tyndale, Biscoe's (1) *An Autobiography*, (2) *Fifty Years Against the Streams*, (3) *Character Building in Kashmir*; also Dr. A. Neve, *Thirty Years in Kashmir*; E.F. Neve, *A Crusader in Kashmir*; Ashley Carus-Wilson, Irne Petrie.
93. Koul Anand, op.cit., p.37.
94. Khan G.H., *Irrigation, Flood and Food Problems of the J&K State*, 1909, p.53.
95. Annual Report of the Public Works Department, J&K Govt., 1911-12, p.3; Annual Administration Report, J&K Govt., 1911-12, p.46.

96. Census Report of India-Kashmir, 1931, Part-I, p.28.
97. A note on Jammu and Kashmir State, 1928, p.4.
98. Koul Anand, op.cit., p.38.
99. Sinha Sachchadananda, *Kashmir, The Playground of Asia*, 1943, p.84; E.F. Neve, *Beyond Pir Panjal*, 1912, p.236.
100. Cotton C.W.E, *Handbook of Commercial Information in India*, 1919, p.307; R.C.Dutt, *The Economic History of India in the Victorian Age*, 1906, p.519.
101. Mitra Dr., *Municipal and Sanitary Improvement in Srinagar*, pp.3, 15-17; Anand Koul, op.cit., p.45; A Note on J&K State, 1928, p.4.
102. Conservator of Forests, J&K Govt. Note No.I of 1980, *The Srinagar Fuel Supply*, 1923.
103. Private Records of the Maharaja of J&K, File No.15 of 1920.
104. Clarke G., *The Post Office of India and its Story*, p.116; Mulk Raj Anand, *Story of the Indian Post Office*, 1954, p.91.
105. Koul Anand, op.cit., pp.39-40, 47, 72, 74; *The Purves Report of Hydraulic Problems in Kashmir*, pp.3-6; P.N. Bazaz, *The History of Struggle for Freedom in Kashmir*, 1956, p.131 G.M.D. Sufi, op.cit., p.810.
106. Parbury F., op.cit., p.46.
107. Bamzai P.N.K., *A History of Kashmir*, 1962, p.124.
108. Gen. B., Int.I of 1922, National Archives.
109. Koul G.L., op.cit., p.121.
110. J&K Govt., *Jammu and Kashmir State Today*, 1937, p.3; also G.E.C. Wakefield, *Recollections*, 1942, p.195; R.S. Thayyur, *Achievement of Indian Raj*, p.110, G.L. Koul, op.cit., p.126.
111. Thayyur R.S., op.cit., p.110; G.L. Koul, op.cit., p.126.
112. J&K Government, *Jammu and Kashmir State Today*, 1937, pp.2-3.
113. Thayyur R.S., op.cit., p.112; also *A Handbook of J&K State*, 1947, p.45.
114. Lakshman Singh Charak, *A Note on Dogra Hindu Rajput Community*, 1941, p.8; *A Handbook of J&K State*, 1947, pp.42-43.
115. Ibid; also *Jammu and Kashmir State Today*, 1937, p.2.
116. Thayyur R.S.; op.cit., p.112.
117. Lakshman Singh Charak, *A Note on Dogra Hindu Rajput Community*, 1941, p.8; also *J&K State Today*, 1937, p.10.
118. Lakshman Singh Charak, op.cit., p.8; also *A Handbook of J&K State*, 1947, p.32.
119. *J&K State Today*, 1937, pp.7-9; also *A Handbook of J&K State*, 1947, pp.46, 50-51.
120. J&K Government File No.468/P-26 of 1925.
121. J&K Government File No.1100 of 1929.

122. Annual Administration Report of J&K Government, 1938-39, p.35.
123. J&K Gazette, Vol. 40, June 21, 1928.
124. *Census Report of India, Kashmir, 1941, Vol.XXII, Part I, p.36.*
125. Khan, Mohd. Ishaq, *History of Srinagar, 1978, p.113; J&K Gazette, Dec.6, 1934.*
126. Annual Administration Report of J&K Government, 1938-39, p.35.
127. *Census Report of India, Kashmir, Part I, 1931, p.297, Koul, G.L., op.cit., p.102.*
128. Pathik, Jyoteshwar, *Cultural Heritage of the Dogras, 1980, p.136; for details on important social evils, see Sunita Gupta, Social Evils and Govt. Policy in J&K State, M.Phill Dissertation, 1989, Jammu University.*
129. J&K Govt. Today, 1937, p.9; G.L. Koul, op.cit., p.127.
130. *A Handbook of J&K State, 1947, p.34.*
131. *J&K State Today, 1937, pp.6-7, G.L. Koul, op.cit., pp.126-28.*
132. Lakshman Singh Charak, op.cit., p.8; *J&K State Today, 1927, p.12; G.L. Koul, op.cit., p.126.*
133. Bamzai P.N.K., op.cit., p.646.
134. Bazaz P.N., op.cit., p.133; G.L. Koul, op.cit., p.121; P.N.K. Bamzai, op.cit., p.645.
135. Bazaz P.N., op.cit., p.133; G.L. Koul, op.cit., p.121; P.N.K. Bamzai, op.cit., p.645.
136. Dass Gupta J.B., *Jammu and Kashmir, 1968, p.54; also B.N. Bazaz, op.cit., p.145-46; G.L. Koul, op.cit., pp.123-24.*
137. Dass Gupta J.B., op.cit., p.53; P.N. Bazaz, op.cit., p.146; P.N.K. Bamzai, op.cit., p.649.
138. Dass Gupta J.B., op.cit., p.55; P.N. Bazaz, op.cit., pp.148-49.
139. Dass Gupta J.B., op.cit., p.56; P.N. Bazaz, op.cit., pp.152-55, 157-59, P.N.K. Bamzai, op.cit., p.657-59.
140. Bazaz P.N., op.cit., pp.162-63.
141. Dass Gupta J.B., op.cit., p.57, All India States People's Conference, Kashmir, 1939, p.9; P.N. Bazaz, op.cit., p.162.
142. *A Handbook of J&K Government, 1947, pp.32-33.*
143. Dass Gupta, J.B. op.cit., p.59; P.N. Bazaz, op.cit., p.165.
144. J&K Govt., *A Note on the J&K Constitution Act Promulgated on 7th September, 1939, pp.79-80.*
145. All India State's People's Conference, Kashmir, 1939, p.15; *A Handbook of J&K State, 1947, p.35.*
146. Dass Gupta, J.B. op.cit., p.59.
147. Ibid., p. 60; also Josef Korbel, *Danger in Kashmir, 1954, p.19.*
148. Lord Bird Wood, *Two Nations and Kashmir, 1956, p.35.*
149. P.N. Bazaz, op.cit., pp.171, 178; Lord Bird Wood, op.cit., p.36.
150. G.L. Koul, op.cit., p.125; P.N.K. Bamzai, op.cit., p.664, *A Handbook of J&K State, 1947, p.35.*

151. *A Handbook of J&K State, 1947, pp.35-36.*
152. *Ibid., pp.36-40.*
153. *Bazaz P.N., op.cit., p.221-22; J.B. Dass Gupta, op.cit., p.68.*
154. *Koul G.L., op.cit., p.127; A Handbook of J&K State, 1947, p.48.*
155. *Koul G.L., op.cit., p.126; A Handbook of J&K State, 1947, pp.45-46.*
156. *A Handbook of J&K State, 1947, pp.49-50.*
157. *Ibid., pp.50-52.*
158. *Ibid., pp.54-55.*
159. *Ibid; pp.62-63.*
160. *Ibid; p.5.*
161. *Ibid; p.44.*
162. *Ibid; p.54.*
163. *Ibid; p.57.*
164. *Ibid; p.56.*
165. *Ibid; p.6.*
166. *Ibid; p.47.*
167. *Kak R.C., A Note on the Development of the Tourist Industry in Kashmir, p.17.*
168. *A Handbook of J&K State, 1947, p.48.*
169. *Ibid; p.58.*
170. *Ibid; p.61-63.*
171. *Bamzai P.N.K., op.cit., pp.725-29, 733-93; Teng, Bhatt and Kaul, Kashmir Constitutional History and Documents, 1977, pp.182-203, Misra K.K.: Kashmir and Ideas Foreign Policy, 1979, pp.40-90; Saxena, H.L., The Tragedy of Kashmir, 1975, pp.435-522.*

II

ACCESSION OF MAHARAJA HARI SINGH

—*Prof. M.L. Kapur*

His Highness Raj Rajeshwar Maharaja Adhiraj Maharaja Hari Singh Bahadur, Inder Mahinder, Separ-i-Saltanat-i-Inglishia, G.C.S. I, G.C.I.E, K.C.V.O, was born on September 23, 1895.¹ He was the son of Raja Amar Singh, the younger brother of Maharaja Pratap Singh, and the great-grandson of Maharaja Gulab Singh, the founder of the state of Jammu and Kashmir.

Hari Singh received his early education from a number of Indian and European teachers. In 1908, at the age of 13, he was sent to Mayo's College for Princes in Ajmer. After his father's death in 1909, his education and upbringing became the matter of interest of the British Government in India, which appointed Major H.K. Brar as his guardian. When Major Brar proceeded on leave Hari Singh's guardianship was entrusted to another British Officer, Captain Burge. In 1918, when he attained majority, this arrangement was terminated.²

After completing his studies at Ajmer, Hari Singh was sent to the Imperial Cadet Corps at Dehra Dun for military training.

In 1915, at the age of 20 Maharaja Pratap Singh made

him the Commander-in-Chief of the state forces. In this position, he took keen interest in the training of his men who were deputed for service abroad during the First World War of 1914-18. He also arranged re-inforcement to keep the state units up to the required strength. These units won laurels in several battles in France, Palestine and East Africa. For his services, Hari Singh was made a K.C.I.E, and decorated with the honorary rank of Captain in the British Army and soon afterwards it was raised to that of a Colonel.

In addition to holding the command of the state forces, Hari Singh became the Senior and Foreign Member of the State Council in 1921 and continued to work till the death of Maharaja Pratap Singh in 1925. He distinguished himself during this period by carrying out a number of reforms in the administration of the army. On the civil side, he endeared himself to the masses by championing the cause of the people in the state services and trying to end the chronic food shortage in the state through grain control.³

It is, however, sad to note that the relations between Maharaja Pratap Singh and Raja Amar Singh were marred by the lack of mutual confidence. As the Maharaja had no issue of his own, the question of succession after his death always remained one of the clash and conflict between the two. The British Government was, however, clear that if the Maharaja left no issue, his brother or his son, Hari Singh, would succeed him.⁴ After Amar Singh died in 1909, Pratap Singh gradually started recognising his nephew as his successor, and informed the Government of India accordingly.⁵

Hari Singh was thus expected to ascend to the throne of Jammu and Kashmir without any difficulty when Maharaja Pratap Singh died on September, 23, 1925, at Srinagar.⁶ But the protocol created a confusion for some time. On the demise of his uncle, he received a telegram of condolences from the Viceroy of India, in which he

was addressed as "Raja Hari Singh". This form of address naturally upset him. The British Political Assistant Resident in the state wrote to the Government of India that no time should be lost in removing the misunderstanding by sending another telegram to Hari Singh addressed as His Highness.⁷ But the Government of India expressed its inability to do so unless and until Hari Singh's succession was formally recognised.⁸

To the annoyance of Hari Singh another problem cropped up. In what form was the formal announcement of his succession to be made? There was a lot of discussion on this question in the political departments of the Government of India. Accordingly, in the case of Hari Singh, who was not the son of the late Maharaja and, therefore, not a natural heir in the direct line, before the exchange of "Kharitas" between him and the Viceroy of India was made, his succession needed both recognition and confirmation.⁹

But Hari Singh took strong exception to this procedure. His view was that as there was no rival claimant to the throne, his succession was undisputed, and, therefore, the question of confirmation of his succession did not arise at all. He also resented the distinction made between the natural heirs in the direct line and the heirs presumptive. The terms of the Treaty of Amritsar, by which the State of Jammu and Kashmir was created, were also invoked to demand special treatment in the matter.¹⁰

The Political Secretary to the Government of India examined Hari Singh's views, and found no substance in the arguments of Hari Singh. He noted "since the late Maharaja of Kashmir who was the eldest son of his predecessor, was himself recognised and confirmed, Hari Singh's objection does not appear reasonable."¹¹

The attitude of the Government of India further irked Hari Singh. In a bid to settle the matter amicably, the First Assistant to the Resident and S.J. Glancy, a mem-

ber of the State Council, dashed to Simla. In a meeting with the Foreign and Political Secretary there on October 4, they strongly urged the omission of the words "and confirmation from the proclamation and told him that this concession would have an excellent effect on the future relations between the Government of India and Kashmir".¹²

The Political Secretary conceded their arguments. He, in fact, observed that there was no real distinction in meaning between the two terms, recognition and confirmation. Nevertheless, he deemed it desirable to refer Hari Singh's case to the Secretary of State for India in India for the approval.¹³

Quick came the reply from London, agreeing to dispense with the term recognition in the Government proclamation with regard to Hari Singh's succession.

The initial dispute between Hari Singh and the Government of India did not, however, end with this. If the latter was reluctant to waive off the condition of confirmation of his succession, so was it in the case of some restrictions, imposed on the powers of late Maharaja.

The Government of India had been taking some measures to strengthen their defences on their north-western borders. Kashmir was then the meeting place of the three great empires of the east—the British, the Russians and the Chinese. Naturally, it occupied an important place in the British scheme of defence against the Russian advance. "The chief object of our relations with Kashmir" had noted the Foreign Secretary to the Government of India in 1879, "is presumably to secure the Maharaja's services as a political ally with reference to trans-frontier politics".¹⁵

It was primarily with a view to achieving this objective that the Government of India had contrived to appoint a Political Resident in Jammu and Kashmir State in 1885 at the time of Pratap Singh's accession.¹⁶

The Government of India also felt dissatisfied with the

administration of Maharaja Pratap Singh. Some reasonable letters, allegedly written by him, were also found. Consequently, he was deprived of all his powers on April 17, 1889, and a Council was established to run the administration of the state. The final authority rested with the Resident who could "veto any resolution passed by the Council or suspend action thereon pending further explanation".¹⁷

Later on Maharaja Pratap Singh, however, was gradually restored to his powers. In 1921 he was granted full powers, with a confidential undertaking to accept the advice of the Resident in State matters, and to inform him of any important change to be made in the existing rules and regulations and to the laws of the State; and, in regard to frontier matters.¹⁸

One official in the Political Department of the Government of India favoured the continuance of the restrictions on the ground of the "personality of the new ruler."¹⁹ Hari Singh was indeed known for his independent views and intense feelings of self respect. But the Political Secretary observed that the Government of India possessed enough powers under the Treaty of Amritsar and also by virtue of its position as the paramount power over all the Indian states, including Jammu and Kashmir, to take any action against any ruler, howsoever, great.²⁰ Yet he thought it a fit precaution, to secure a reaffirmation of the old confidential undertaking from the new Maharaja regarding the frontier affairs.²¹ But the Resident in the State and some the Political Department were of the view to delink this issue from that of recognition of succession, and to take it up at a later stage.²²

Finally, the Political and Foreign Department of the Government of India decided not to take any confidential undertaking from Hari Singh but to remind him through the State Resident of the long established practice of non-interference in the frontier areas by the state officials, and

that the State Government would take no action in Ladakh also without consulting the British Joint Commissioner there.²³ When the Resident broached this topic with Hari Singh, he learnt that the latter was well aware of the whole affair and accepted the position as it then existed.²⁴ And with this happily ended all the hurdles to the succession of Hari Singh as the new Maharaja of Jammu and Kashmir.

The period of 13 days of mourning on account of the death of late Maharaja ended on October 5. The Viceroy's "Kharita" of congratulations to Hari Singh was ultimately delivered on October 14. The British Resident in the State, announced on this occasion, on behalf of His Majesty's Government as well as that of British India, the formal recognition of Hari Singh's accession to the throne of Jammu and Kashmir, and handed over the Viceroy's "Kharita" to him.²⁵

Maharaja Hari Singh in his speech of acknowledgement said "From my very childhood it has been my ambition to try, and to my best, to serve the true interests of my state and the people. It has pleased providence to place me in the position I now occupy and the ambition of my childhood is all the greater".²⁶

Soon after this Darbar, Maharaja Hari Singh left Srinagar for Jammu for his formal coronation or Raj Tilak ceremony. It was spread over eleven days, i.e., from Feb 14 to 24, 1926 and performed in accordance with the rites prescribed in the ancient Hindu scriptures. On the final day, after he had ascended to the throne, a Darbar was held. All the chiefs, officers, and other prominent citizens of the state were present on this occasion.²⁷

Later, Maharaja Hari Singh invited a number of Indian and foreign dignitaries to celebrate his accession. The Viceroy of India too was invited. But he could not come as he was then preparing to leave India.²⁸

Among others, the notable Indian dignitaries who participated included Pandit Madan Mohan Malviya and

the Princes of Patiala, Alwar, Dholpur, Kapurthala, Bharatpur, Dharampur, Palanpur, Jhalwar, Panna and Porbander.²⁹

To the delight of his subjects, Maharaja Hari Singh proclaimed soon after his Raj Tilak ceremony that "my religion is justice" and announced a number of benefits to them³⁰ and to the State of Jammu and Kashmir.

REFERENCES

1. A Handbook of Jammu and Kashmir State, 1947, p. 45, Gwash Lal Koul, Kashmir Then and Now, 1967, p.99.
2. Bamzai P.N.K., *A History of Kashmir*, 1973, p. 705.
3. A Brief Note on J&K State 1927, pp.6-7; *A Note on J&K State*, 1928, p.6; *A Handbook of J & K State*, 1947, p. 45.
4. Note by H.R. Lynch Blose, 23 Sept, 1925, File No: 10-P/1925, National Archives.
5. Maharaja to Resident, Aug. 18, 1920, File No: 19-P/1924, National Archives.
6. First Assistant to Resident, Sept. 23, 1925, File No:19 (10) P-/1925, National Archives.
7. First Asstt. Resident to Government of India, Sept. 25, 1925, File No. 19-P 1925, National Archives.
8. Telegram to Resident, Sept. 26, 1925, File No: 19-P/1925, National Archives.
9. Note by H.R. Lynch Blose, Sept. 29, 1925, File No: 19-P/1925, National Archives.
10. Memorandum of Interview between Major Neal and B.J. Glancy, Oct. 4, 1925, File No: 19-P/1925, National Archives.
11. Note by H.R. Lynch Blose, Oct. 3, 1925, File No: 19-P/1925, National Archives.
12. Memorandum of Interview between Political Secy. and Major Neal and B.J. Glancy, Oct. 4, 1925, File No: 19-P/1925, National Archives.
13. Note by J.P. Thompson, Oct. 5, 1925, File No: 19-P/1925; Telegram to Secretary of State, Oct. 5, 1925, File No. 19(10)-P/1925, National Archives.
14. Telegram from Secy of State, Oct. 7, 1925, File No. 19(10)-P/1925, National Archives.
15. Handerson to Lyall, Nov. 8, 1879, Forgn. Sec. No.:86, prog. Mar. 1883, National Archives.
16. For details, See M.L. Kapur, *Kashmir Sold and Snatched*, 1968, pp. 99-118.

17. Forgn. Sec. E.No.: 112, Enclosure No: 2, Proge, Dec. 1902, National Archives.
18. Forgn Sec. No. 1-17, Mar. 1921: Note by J.P. Thompson, Sept. 26, 1925, File No. 19-P/1925, National Archives.
19. Note by H.R. Lynch Blose, Sept. 24, 1925, File No. 19-P/1925, National Archives.
20. Note by J.P. Thompson, Sept. 26, 1925, File No. 19-P/1925, National Archives.
21. Note by Denys Bray, Sept. 26, 1925, File No. 19-P/1925, National Archives.
22. Note by H.R. Lynch Blose, Sept. 29, 1925, File No. 19-P/1925, Telegram from First Asstt to Resident, Sept. 29, File No, 19(10) of 1925; Telegram from Resident Sept. 30, 1925; File No. 19(10) of 1925; Note by Denys Bray, Oct. 10, 1925, National Archives.
23. Note by J.P. Thompson, Oct. 5-6, 1925, File No. 19-P/1925, Pol. Department to Resident Oct. 7, 1925, File No. 19(10)-P of 1925r, National Archives.
24. Resident to Pol Deptt. Oct. 18, 1925, File No. P-19/1925, National Archives.
25. File No. 19(10)-P of 1925, National Archives.
26. Ibid.
27. A brief Note on Jammu and Kashmir State, 1927, pp. 19-20.
28. File No: 19/P/1925, National Archives.
29. Wood to Thompson, Mar.1, 1926, File No: 11(2)-P(Sec), 1925-26, National Archives.
30. A Brief Note on Jammu and Kashmir State, 1927, pp. 20-21.

III

MAHARAJA HARI SINGH, SOCIAL REFORMER EXTRAORDINARY

—*Professor Somnath Wakhlu*

The soldier of fortune from the Jammu hills was resplendent in the glittering crown of a Maharaja. He was Maharaja Gulab Singh who ruled over Jammu, Kashmir, Ladakh and Baltistan etc. He was the founder of the united and compact State of Jammu and Kashmir. His dynasty continued to rule over it for more than a century (1846-1952 A.D.).

Maharaja Gulab Singh's genius winged in two distinct realms of achievement; he was as great a statesman as a soldier. To these he owed his meteoric rise. His reign may be termed as an *Age of Conquests*. His conquests were the most fruitful events in among Indian history.

It was left to his son and successor Maharaja Ranbir Singh to construct an edifice on his strong foundation. Maharaja Ranbir Singh's rule was an *Age of Consolidation and Enlightenment*. Schools and colleges were opened. Maktabs and Pathshallas were revived. Libraries were established and the Dharmarth Trust was formed. He codified laws and promulgated the Ranbir Penal Code. Subsidies were granted to repair mosques and churches.

He was also a patron of literature and a great builder of temples.

Shree Pratap Singh (1885-1925) succeeded his father. His was an *Age of Modernization*. The two trunk roads, Jhelum Valley Road and Banihal Cart Road, were completed during his time. The Sialkot-Jammu Railway was thrown open to traffic in 1890. The land revenue settlement was done under the able supervision of Walter Lawrence. Many roads and canals were constructed and the Food Control Department was set up.

Maharaja Hari Singh ascended the throne on the death of his uncle Maharaja Pratap Singh on September 23, 1925. He rose as a luminous star on the firmament of reformation in Indian history. His reign was primarily an *Age of Reformation*.

In his first public speech in January 1926 he declared:

“If I am considered worth governing this State, then I will say that for me all communities, religions and races are equal. As a ruler I have no religion; all religions are mine and my religion is JUSTICE. It is possible that while dispensing justice I may commit mistakes. To err is human. One who says that he does not commit a mistake is not speaking truth. Only God is free from error. My duty is to look at every one with equality. I shall, as far as possible, work with justice.”

He realised that social justice was the most important and significant in human affairs. The Maharaja did his best in the field of social reform, and he naturally clashed with orthodox people. While he worked for progress, the orthodox were all for reaction. But he faced it and overcame the opposition.

Much earlier than Maharaja Hari Singh, Raja Ram Mohan Roy, and much later Mahatma Gandhi had tried to eradicate untouchability. But they had not been able, with all their efforts, to eradicate it completely.

Maharaja Hari Singh had studied in Ajmer and was nourished on western progressive and liberal ideas. He

had studied books on history, politics and social subjects, and had realized that our society condemned the Harijans to a life of filth and degradation. They lived in hovels, yet they continued to render valuable services to the society for a mere pittance. Even the small minority of Harijans, he said, should feel secure, happy and free, and with his characteristic zeal set the force of his great personality in support of Harijan upliftment.

The depressed classes in the state were subjected to great humiliation. Harijans were not allowed to draw water from a common well or tank and their children could not study at schools where upper class children received education. This discriminatory treatment was obnoxious and pernicious and the Maharaja could not allow such unjust treatment to be meted out to this section of his subjects.

He, therefore, ordered that no discrimination should be shown to the depressed classes in any of the government institutions, and threw open all public wells, tanks, temples and schools to them. The district officers had orders that they should supervise and see that these instructions were followed in letter and spirit, and punish those who violate them.

DOORS OF TEMPLES OPENED FOR HARIJANS

Maharaja Hari Singh made a formal proclamation on October 31, 1932 in which he declared that the Harijans would be allowed to enter and worship in all the temples. He also ordered that the proclamation should be published in the Gazette Extraordinary of the Government, and that the order should be communicated to the Minister for Religious Institutions, Head Pujaris of Raghunath Temple, Srinagar and Jammu, for information of the public. This proclamation was vociferously opposed by the priests. The Head Priest of the Raghunath Temple Jammu, resigned in protest. The Maharaja had great regard for the Head Pujari as he had been associated with

the Dogra House for many years, and made efforts to dissuade him from giving up his job. But the Pujari was adamant. The Maharaja accepted his resignation but did not withdraw the proclamation. This decision of Maharaja Hari Singh earned him the unprecedented credit of being the first ruler in India to have taken such a bold step for the emancipation of the Harijans.

HARIJAN UPLIFTMENT

Maharaja Hari Singh was intelligent enough to realize that these reforms had no value for men with an empty stomachs. So economic assistance was also granted to the depressed classes. Their children were granted special scholarships and preferential treatment was accorded to them in recruitment to various government services. Seats were reserved for their representatives in local bodies and the state legislature, called Praja Sabha, when it was established later on. If Maharaja Hari Singh had waged no struggle other than this against untouchability, even then he would have earned immortality.

CHILD MARRIAGES UNLAWFUL

Maharaja Hari Singh had heard many horrifying stories of child marriages in Hindu society particularly. It was considered a two-edged sword which caused many health hazards to the couple. If the girl became a child-widow then under the Hindu custom, she could not remarry. Thus great misery was caused as a result of this evil custom. Maharaja Hari Singh soon after his accession to the throne enacted a law in 1928, called the *Infant Marriages Prevention Regulation*, under which the age of marriage for girls was fixed at minimum of 14 years and for boys a minimum of 18 years. If anyone was found following the pernicious practice of marrying the child below these ages or sided or abetted such marriages, he was imprisoned for one year with or without a fine which could extend upto Rs.1,000.

At the same time, this law forbade incompatible marriages by providing that a man above 50, marrying a girl below 15 would make the man and his father-in-law, besides their accomplices, liable to be punished with imprisonment upto four years with or without a fine which could be extended to Rs.2,000. This salutary measure paved the way for ending the child and unequal marriages and thus it brought peace and happiness to the people of the state.

WIDOW REMARRIAGE

A Hindu woman, howsoever young, could not remarry when her husband died. In 1933 Maharaja Hari Singh passed a law whereby a widow had the right to remarry without any hurdles. The purpose of this law was explained by His Highness in these words:-

“In spite of the fact that a lot of change has come in the Hindu society and the majority of the Hindus feel that for the Hindu widows to remarry is right, still some people consider widow remarriage harmful for the Hindu society at large. Taking into consideration the fact that the world is becoming progressive and women in other parts of India also are advancing, it is in my opinion that there should be no restriction on Hindu widows marrying again. This widow remarriage would result in the benefit of the public”.

PROHIBITION OF POLYGAMY

Maharaja Hari Singh decried polygamy among Hindus.

Moreover, from ancient times there was a tradition among the Budhists of Ladakh that all the brothers of one family could marry one woman, and a married woman had a right to keep another husband with or without the consent of her husband or husbands. In 1941 a law was made whereby it was considered a crime for a woman to keep more than one husband.

PROSTITUTION SUPPRESSED

Another law was passed in 1934 which was called the *Suppression of Immoral Traffic in Women Regulation* by which the brothels were closed and public prostitution was considered immoral, a sin and grave offence. It was very difficult to execute this law. But the Maharaja was determined to do away with this curse. So he adopted measures whereby these unfortunate and outcast women could either be absorbed in respectable families or were given training in some kind of handicraft which would make them economically self-supporting.

THE DEMAND FOR "RUM" ILLEGAL

The Maharaja got a law passed in the Praja Sabha in 1940, whereby none could accept "Rum", a certain amount of cash, kind, land and cattle, which was taken from the side of bridegroom by the bride's side at the time of betrothal or marriage. To obtain "Rum" was now regarded as a legal offence and punishable under the law.

INFANTICIDE AMONG THE RAJPUTS

The custom of infanticide was long prevalent among the Rajputs. The moment a girl was born, she was strangled to death and buried inside the compound of the house. The original cause of this heinous crime was an economic one. The poor among Rajputs could not afford to pay the heavy dowry demanded by the parents of the boy. This practice was prevalent even during the time of Maharaja Hari Singh. So he proclaimed that for every daughter, born in a Rajput family, her parents would be granted an acre of state land and financial help at the time of her marriage. The Maharaja also established a regular fund, called the Dhandevi Memorial Fund, in memory of his deceased wife for this purpose. In this way the sinful practice was eradicated.

SMOKING AMONG CHILDREN

In 1929 Maharaja Hari Singh promulgated a law called the *Juvenile Smoking Regulation* whereby smoking among young children was forbidden, and any boy below 16 years of age could not sell tobacco.

REFORMS AMONG RAJPUT COMMUNITY

There were some caste distinction among the Rajputs. The Maharaja had done away with the distinction of high and low class system prevailing among them. He declared that the Rajputs, whether high or low, should sit together and interdine. There was a strange tradition among the Rajputs according to which if a Rajput tilled the land, he could not marry his son to the daughter of Suvaran Rajputs, though he could give away his daughter to them. In order to stop this practice, Maharaja Hari Singh held a function and himself ploughed the land in front of an assembled crowd at the Ranbir Mahal. He issued strict instructions "that there should be no distinction between one Rajput and another one so far as social status and social intercourse were concerned".

DISCRIMINATION AGAINST WOMEN

Maharaja Hari Singh was a staunch advocate of educational system and girls' education. He opened girls schools and allowed the girls to receive higher education in colleges¹⁰⁰. There was no bar in their entry in the government services. Many women were appointed on government jobs, mostly in the education and medical departments. A separate branch of the Education Department was also established for the advancement of the girls' education.

MEDICAL REFORMS

As Maharaja Hari Singh wished that more and more

people should receive free medical aid, he reformed the whole medical system. He had a central medical hospital building constructed in Jammu at the cost of Rs.8 lakh and another at Srinagar at the cost of Rs.35 lakh. A total of about one hundred hospitals and dispensaries were opened in the state. Five hospitals were opened for the T.B. patients. Many students were granted scholarships for getting medical training in foreign countries and were later given appointments in the state. Moreover, a scheme for the eradication of plague in Jammu and another for the eradication of cholera in Kashmir were formulated. As a result of these, both the diseases completely disappeared from the state.

RESPECT FOR ALL RELIGIONS

Maharaja Hari Singh avowed that all religions were equal before God. He was, therefore, tolerant towards all religions and there was complete freedom of religious practice in the state. He used to participate in the festivals and religious functions of all the religions, and respected their sentiments. At the time of Id festival, he used to visit the Id ground and congratulate the Muslims and remained there so long as they were engaged in the worship. His cosmopolitan and liberal outlook surpassed all in those times of narrow vision. It is since then the practice of participating in each other's religious festivals have been continuing which helps in the emotional integration.

Maharaja Hari Singh was indeed a pioneer in many respects. He was eager to make his state a welfare one. The true facts about him are being realized by the people only with the passage of time. As ill luck would have it the turn of events took him away to exile in Bombay where he died like the hero of a Greek Tragedy; his tragic flaw, if it was a flaw, being his love for self-respect and dignity.

SELECTED BIBLIOGRAPHY

1. K. Bamzai, P.N.K., *History of Kashmir*, Metropolitan Book Co. Ltd., New Delhi.
2. Bazaz, P.N., *Daughters of Vitasta*, Pamposh Publications, New Delhi.
3. Bazaz, P.N., *Inside Kashmir*, The Kashmir Pub. Co., Srinagar.
4. Bazaz, P.N., *The Struggle for Freedom in Kashmir*, Pamposh Publications, New Delhi.
5. Biscoe, Tydale, *An Autobiography*, Seelay, Service and Co., London.
6. Ferguson, J.P., *Kashmir, An Historical Introduction*, Centaul Press, London.
7. Grevis, Pearce, *This is Kashmir*, Cassell & Co., London.
8. Jammu & Kashmir Government, *Administration Report*, (i) from 15th October, 1937 to 16th October, 1938, (ii) from 17th October, 1938 to 16th October, 1939.
9. Kapur, M.L., Dr., *Studies in History and Culture of Kashmir*, Jammu.
10. Karan Singh, Dr., *Heir Apparent*, O.U.P., Delhi.
11. Karan Singh, Dr., *Sadar-i-Riyasat*, O.U.P., Delhi.
12. Kaul, G.L., *Kashmir (Through the Ages)*, Chronicle Pub. House, Srinagar.
13. Kilem, J.L., *A History of Kashmiri Pandits*, G.M. College, Srinagar.
14. Narsingh Dass Nargis, *Tarikh Dogra Desh (Jammu & Kashmir)*, Chand Press, Jammu. (Urdu book).
15. Panikkar, K.M., *Founding of Kashmir State*, Allen and Unwin, London.
16. Saxena, K.S., *Political History of Kashmir*, Upper India Publishing House, Lucknow.
17. Saxena, H.L., *The Tragedy of Kashmir*, Nationalist Publishers, New Delhi.
18. Sinha, Sachchidanand, *The Playground of Asia*, Ram Narain Lal, Allahabad.
19. Tikoo, P.N., *Story of Kashmir*, Life and Light Publishers, Jammu.
20. Torrens, *Travels—Ladakh Territory and Kashmir* Saunders Otley & Co., London.

IV

MAHARAJA HARI SINGH AS A CRUSADER AGAINST ILLITERACY

—*Prof. Ghulam Mohi-ud-Din Shah*

“Justice is my religion and merit alone will be considered the deciding factor for all types of employment., Caste, creed, religion, or sex will receive no consideration”.

This is what the thirty-year old young Raja Hari Singh declared soon after ascending the throne on September 23, 1925, upon the death of his issueless uncle, Maharaja Pratap Singh.

Raja Hari Singh had inherited his fine physique and good looks from his father, Raja Sir Amar Singh. The noted contemporary historian, Mufti Mohammad Shah “Saadat” has recorded the important event of Raja Hari Singh’s birth in the following words:

“In the months of year 1313 A.D., a fortunate son was born in the family of Sir Raja Amar Singh, Commander-in-Chief, Kashmir Army, which brought happiness to the Royal family.... and he was named Hari Singh.”

Soon after ascending the throne, Maharaja Hari Singh

launched an all-out crusade against illiteracy in the state. For this purpose, he promulgated the Compulsory Primary Education Act which made it obligatory all for children living in the state to receive free primary education in the numerous newly-established schools² where poor and deserving students were provided with textbooks, uniforms, and all other articles of stationery free of cost. In 1925, the number of such schools was only 706. It rose to 20,728 by 1945³.

The young Maharaja put his heart and soul in carrying out this noble mission in which he had already been preceded by a well-known European philanthropist-cum-educationist, Tyndale Biscoe, and a local Muslim priest, Mirwaiz Raool Shah Sahib, popularly known as Sir Syed-i-Kashmir. Both of these gentlemen had succeeded in doing some spade work in spreading modern education despite the heavy odds and stiff opposition offered by some reactionary Hindu priests and the Muslim Ulema. However, their activities in this behalf remained confined to the Valley alone.

Under the Compulsory Education Act, parents were prohibited from sending their under-age children to Karkhanas (small scale factories) to earn their livelihood by learning various arts and crafts. Those parents who dared defy this prohibition were served with notices and, subsequently, taken to task under the law. Even "Karkhanadars" (owners of such factories) who encouraged the parents to get their children admitted to their Karkhanas were not spared and challenged for abatement.

To ensure the success of the programme of Compulsory Education, the Maharaja created the post of Director of Education. Most of the Directors appointed were eminent educationists, hailing from outside the state. One such young and enthusiastic educationist was K.G. Saydain whom the Maharaja got from the Aligarh Muslim University and entrusted him with the management of the entire education department.

During Saydain's tenure (1938-45), the state made all-round progress in the field of education. The Maharaja fully supported him, and himself also took keen interest in prevailing upon the Muslim children to join the schools. Thirty-one special teachers were appointed to teach them Arabic and Muslim theology⁴. Saydain also came up with a novel scheme of adult education. It was happily welcomed and accepted by the Maharaja. For this purpose night schools were opened in every nook and corner of the state and extra funds were made available from the state exchequer.

College education was made very cheap and it was easily within the reach of all those who intended to receive it. To cope with the heavy rush of students, S.P. College of Srinagar was bifurcated into two colleges in 1942. One of them came to be known as Amarsingh degree college where education was imparted at the degree level. The other college continued to be called S.P. College where only intermediate classes were run. Amarsingh Degree College was housed in the Amarsingh Polytechnic Institute at Srinagar, and Dr. M.D. Taseer, a very eminent Muslim scholar of Lahore was appointed its principal.

As stated above, the Maharaja was particularly keen to see that poor Muslim children received education without any difficulty, financial or otherwise. Accordingly, he liberally sanctioned 500 scholarships each of Rs.5 per month for Muslims and other helpless children⁵. With a view to implementing this measure effectively, one post of Special Inspector of Muslim Education was created immediately.

In order to encourage college education among them, scholarships were provided to students of deserving merit. Besides, special Muslim Scholarships were also granted to the backward classes.

On assuming charge as Principal of the Amar Singh College, Dr. Taseer soon realized that the people of Kash-

mir were too poor to send their children outside the state to receive education at the post-graduate level. Hence, with the concurrence of the Maharaja, he lost no time in starting M.A. classes in English in Amarsingh College itself under his own able guidance. The first batch of students successfully did there M.A. (English) in 1944. It consisted of four students, and one of them was a poor Muslim boy coming from a far-flung area of Uri.

The Maharaja did a lot to encourage young graduates with good merit to receive university education also outside the state. For this purpose, he granted special scholarships in favour of all those who got a first division in their B.A./B.Sc. Examinations, and desired to pursue their post-graduate studies outside the State. Besides this, financial help in the form of educational loans was also made available to other aspiring students who had financial difficulties.

Despite limited means, the Maharaja opened two more colleges—one at Poonch and the other at Mirpur realizing that it was rather difficult for the students of these far-flung areas to come to Srinagar or Jammu to receive college education.

In 1927, a young Muslim graduate from Srinagar was deputed to America for higher training in engineering⁶. Two years later in 1929, two more Muslim students, one from Kashmir and another from Jammu were sent to England for higher education in law to obtain the degrees of Bar-at-Law⁷. These expenses were borne by the state. Besides, a number of other persons, also belonging to the Muslim community, were sent abroad for higher education. In short, no stone was left unturned by Maharaja Hari Singh to spread the light of modern scientific education throughout the State of Jammu and Kashmir. The historian and poet, Mufti Mohammad "Saadat", has beautifully versified the overall achievements of Kashmir in the field of education during the Maharaja's time in the following words⁸:-

“Who is deprived of the ornament of knowledge today? Look, both men and women are adorned with it.

Schools have been opened every where for girls. Look at the vast expansion of the radiance of knowledge.

Very few people were literate in the beginning. Look at the present abundant growth of schools which did not exist previously”.

REFERENCES

1. “Saadat”, Mufti Mohammad Shah, *Tarikh-i-Kashmir* (Urdu), p.621.
2. These schools came to be known as “Jabri Schools”.
3. Singh, Bhagwan, Lt.Col., *Political Conspiracies in Kashmir*, p.20.
4. *Akhbar-i-Kashmir*, Birthday Number (Amritsar), p.35.
5. *Ibid*; p.35.
6. Mohammad, Noor, *Tarikh-i-Kashmir Ki Rozana Diary* (Urdu), p.680.
7. *Ibid*; p.687.
8. “Saadat”, Mufti Mohammad Shah’s poem titled “Barkat-i-Sarkar-i-Wala Madar” in *Akhbar-i-Kashmir*, Birthday Number (Amritsar), p.38.

MAHARAJA HARI SINGH AND ADMINISTRATION OF JUSTICE IN JAMMU AND KASHMIR

—Prof. Hari Om

Maharaja Hari Singh, who succeeded Maharaja Pratap Singh on September 23, 1925, initiated a number of reforms of sweeping importance. He knew that an efficient and impartial judiciary is an important lever for achieving progress. So, keeping the judicial system of British India as a model, within three years he enacted the Jammu and Kashmir High Court Constitution of 1928, which was one of the most important events of his reign. As a matter of fact, the year 1928 was a turning point in the history of administration of justice in Jammu and Kashmir. In March that year, its first High Court was established. It consisted of a Chief Justice and two puisne judges appointed by the Maharaja.

The court superseded the *Adalat-Ul-Alia*, which had been functioning since 1877. The main idea for establishing the High Court of Judicature was to tone up the administration of justice. The ruler was the fountain head of justice as well as source of all legislative and executive authority.

For the purpose of enactment, then in force, the High Court was the highest court of appeal and revision, subject to control by the Maharaja. This was the first step towards separating the judiciary from the executive. But it was only in 1912, when the draft Criminal Procedure Code was introduced into the State, that the High Court was defined as the highest court of criminal appeal and revision, subject to the general powers of the Maharaja in matters of revision, reference and further appeal.¹

In 1921, the State Council was again revived. Henceforth, all appeals, both in civil and criminal cases, which lay with the Maharaja, were actually dealt with by the Law Member. In 1927, a new constitution was sanctioned by Maharaja Hari Singh, and the post of Law Member was replaced by that of the Judicial Minister. In the meantime, the work of the High Court had considerably increased², and the post of a temporary additional judge of the High Court was sanctioned³ in that year to clear off the arrears. He exercised powers conferred on him by the Judicial Minister.⁴

Before the establishment of the High Court, one and the same person was invested with both the powers of judge, High Court, and the executive duties of the Head of the Judicial Department.⁵ He had to perform the varied and incongruous functions of: (a) a high appellate court, (b) an officer in charge of criminal and civil administration of the State, (c) a legal advisor in criminal and civil cases, and (d) the chief legislative authority.⁶ The number of judicial cases lying with the Judicial Minister was too large to be disposed off at once. As a result, too much delay occurred⁷ and litigants had to suffer.⁸ Even very important and complicated cases received the consideration of a single judge. The appellate work of the High Court was too heavy for a single judge⁹, and he seldom went out on tours for the inspection of subordinate courts.¹⁰

Moreover, before 1928, the practice of the High Court moving from place to place with the *Durbar* was very inconvenient for the litigants. For, they had either to move accordingly to another province for the hearing of their unattended cases or to wait for several months before the High Court returned to their province. The latter caused considerable bitterness¹¹, and proved the truth of the proverb, "Justice delayed is justice denied". As a result, the question of establishing a proper High Court was taken up under active consideration.¹²

It was felt by Maharaja Hari Singh that unless the High Court was strengthened and relieved of its advisory duties no improvement in the administration of justice was possible.¹³ Hari Singh was, in fact, prepared to delegate to the High Court, with a few reservations and restrictions, all powers and functions similar to those exercised by High Courts in British India.¹⁴ Even in 1917, when the question of constituting the High Court bench was first taken up, Makbul Hussain, the then Judge, High Court, recommended the creation of a Chief Court with two judges.

He further held that the Council was to exercise a general power of control and supervision over the work of judges. Any judgement of the court could be varied, modified or set aside by the Maharaja only on the recommendation of all his ministers. The High Court was to see that criminal justice was being properly administered according to the law. The administrative powers of the High Court with regard to civil administration and the management of the business of the court were to be vested in the senior judge.¹⁵

However, a few years were to pass before a proper High Court was constituted. On October 29, 1921, the Maharaja appointed a committee comprising the Chief Minister, the Member for Commerce and Industry, the Revenue Member, and the Judge, High Court, to determine the composition, powers and functions of the High

Court. The members of the committee recommended a bench of three judges.¹⁶ Ultimately, the High Court was established on March 26, 1928. It had a Chief Justice and two puisne judges, one of whom was named the Judge, High Court, and the other, the Revenue Commissioner¹⁷, chosen for his knowledge of revenue law.¹⁸ He was the final revenue authority.¹⁹

The judges of the High Court, including the Chief Justice, were appointed by the Maharaja.²⁰ Prior to 1939, they had no fixed tenure and held office at the pleasure of the Maharaja.²¹ But, under the Jammu and Kashmir Constitution Act of 1939²², they could hold office till the age of 55 unless one was removed from office by the Maharaja on the grounds of misbehaviour or infirmity of mind or body.²³ But, when the Letters Patent were issued in 1943, the age of retirement of the High Court judges was raised to 65.²⁴ An order was again issued in 1945 allowing all other judges to hold office till the age of 60.²⁵ Their salary, pension, leave, etc. were determined by the Maharaja himself.²⁶ The judges of the High Court had to possess the qualifications²⁷ and experience of their counterparts in British India.²⁸

The High Court was also a court of record.²⁹ The Civil and Criminal powers of the High Court were considerably extended after 1928.³⁰ It heard an original suit when the value was not less than Rs.10,000.³¹ It could also take up any suit lying in any court within its jurisdiction.³²

The High Court was also a court of reference and revision, and could hear all cases referred to it by the District and Sessions Judges or by any other judge authorized to do so. It could transfer any criminal case from one court to another, and direct the preliminary investigation or trial of any criminal case by any competent court.³³ It could even set aside orders of acquittal and order a retrial.³⁴ But the High Court could not go behind the concurrent fact findings by the first two courts—courts of Sub-judge and District and Sessions Judge—when the findings in question

did not involve any error of law.³⁵

The Maharaja empowered the High Court to revise any case or alter the sentence passed by the court of original jurisdiction.

The High Court was the highest court of civil, criminal and revenue appeals. Before 1928, it did not exercise any original jurisdiction in matters concerning revenue.³⁶ Besides this, the High Court Regulation of 1921, modelled after the Letters Patent of the High Courts in British India³⁷, had considerably curtailed the powers of this court regarding appeals in revenue cases.³⁸ But later, it could hear appeals in revenue cases³⁹ as were specified by general or special orders of the Maharaja.⁴⁰ However, sentences of death or life imprisonment were submitted to the Maharaja for confirmation in accordance with the provisions of the Code of Criminal Procedure.⁴¹

The High Court, with the sanction of the Maharaja, made rules to regulate the working of the subordinate courts. It could make rules to provide for the inspection and supervision of its subordinate courts, take necessary steps for the promotion of efficiency of their judicial and ministerial staff, and maintain proper discipline among them.⁴² It had also the powers to prescribe the qualifications for advocates, vakils and attorneys-at-law,⁴³ and remove or suspend them from practice after giving reasons.⁴⁴

The powers of appointment of and the conferment of civil and criminal powers on magistrates were vested in the High Court in 1928. These powers were not enjoyed by High Courts in any other Indian State or even in British India. This made the entire magistracy, including the revenue magistrates, answerable to it. However, this procedure continued only upto 1946, when Maharaja Hari Singh withdrew these powers from the High Court⁴⁵ and conferred the same on the State Government. So, after 1946, it was the Government which invested the magistrates with criminal powers⁴⁶ and the High

Court lost all powers of punishment, such as reduction, suspension and dismissal of judicial officers. Still, it retained the power to enquire into cases of misconduct and submit its recommendations to the Maharaja.⁴⁷ It had the power to punish the guilty of contempt with fine, not exceeding Rs. 1,000, or with simple imprisonment, not exceeding six months, or with both.

The immediate fallout of Maharaja Hari Singh's order was that the High Court supervised the working of the subordinate judicial officers and regularly secured statements from the subordinate courts in that connection.⁴⁸ It also kept a close watch on the presiding officers of the courts, where the arrears of work were large or any serious irregularity was noticed. It also prepared monthly reviews of the work of the subordinate courts, suggesting measures for improvement.⁴⁹ The Chief Justice, who had precedence and rank before the other judges⁵⁰, personally examined all papers of delay in civil and criminal cases pending for over six and three months respectively.⁵¹ In cases, where the law was not sufficiently explicit, he could issue orders for the proper disposal of justice.⁵² In fact, Maharaja Hari Singh made the High Court to keep a close watch on the working of the subordinate judiciary and assist the latter when it was found that the accumulation of arrears was not wholly due to any inefficiency or negligence on the part of the presiding officers.⁵³

The jurisdiction of the High Court was exercised by a single judge or by a division bench consisting of two or more judges.⁵⁴ The Chief Justice was to decide which judge was to sit alone and which to constitute a bench.

Revenue appeals and revisions were first heard by the Revenue Commissioner. Appeals against his orders were heard by a bench consisting of two judges. Appeals from any original decree by a single judge were usually heard by a bench consisting of two other judges.⁵⁵ In case of difference of opinion among the judges comprising the

bench, the decision of the majority—and when there was no such majority, that of the senior judge, prevailed. Such cases were often referred to a full bench for decision.⁵⁶ When the judges were equally divided in their opinion, they stated the points of their difference. The case was then heard on those points by other judges and the majority decision was accepted.⁵⁷ Judgements were written by the judges themselves in English.⁵⁸ In case of division and full benches, judgements were usually delivered by the senior judge.⁵⁹

In 1938, an order was issued separating the office of the Judicial Minister from the High Court and defining the duties of the former. The Judicial Minister was to attend to all legislative work relating to the judiciary. In legal matters, his role was purely advisory. His primary concern in cases involving any government department was to safeguard the interest of the state. However, appointments, promotions, transfers, leaves, etc. of the officers of the Judicial Department were decided by him on the recommendations of the High Court. The latter controlled its own office establishment and those of the subordinate courts. But Additional District Magistrates and District Magistrates were under the direct control of the Judicial Minister. He had the power to extend the tenure of service of his subordinate officers.⁶⁰

Besides the establishment of the High Court, another progressive step taken by Maharaja Hari Singh was the setting up of a Judicial Advisory Board. It is important to note that the Regulation of 1934, known as "The Jammu and Kashmir Regulation I" enumerating the powers of the executive and legislature, was conspicuous by the absence of any provision about the judicature. It was in order to remove this drawback that Maharaja Hari Singh passed the Jammu and Kashmir Constitution Act of 1939. It was under this Act that the Board of Judicial Advisors⁶¹ was set up to advise the Maharaja on the disposal of appeals referred to him from the deci-

sions of the High Court, and on all such matters as the Maharaja "may choose to refer to such Board for advice".⁶²

The Maharaja appointed members of the Board and fixed their salaries and other conditions of service.⁶³ The Act of 1939 empowered the Maharaja to make rules for filing appeals, determining the place and period of the sessions of the Board, and hearing such appeals and other matters as were referred to it for advice.⁶⁴ He could also make rules for arriving at a decision when the members of the Board were evenly divided.⁶⁵ He also had the power to appoint any person as an ex-officio member of the Board to discharge the functions when it was not in session.⁶⁶ The Board could, with his approval, add to, alter, or amend the rules of procedure.⁶⁷

Members of this Board were generally recruited from among the retired judges of High Courts in British India.⁶⁸ In 1939, the personnel of this Board consisted of three eminent retired judges of the Allahabad High Court.⁶⁹

Regarding the question of jurisdiction to be exercised by the Board in civil matters, Maharaja Hari Singh referred it to the noted lawyer of the Allahabad High Court, Tej Bahadur Sapru. He wrote, "that the general opinion of the State is that in regard to civil matters the pecuniary limit of jurisdiction should be Rs.2,500. I confess, I do not sympathise with this view. As is well known, the pecuniary limit for appeals to Privy Council in England from British Indian High Courts is Rs.10,000 or upward. It need not be the same in Kashmir where the character of litigation is far less complicated than in British India. At the same time, it would be absurd to reduce it to such a low level as Rs.2,500. I think Rs.5,000, as suggested by the Prime Minister, is a fair compromise... Further, I believe that if the limit is so low as Rs.2,500, the number of appeals to the Board may be so large as to make it impossible for it to cope

with them".⁷⁰ Maharaja Hari Singh approved his suggestion and the people were given the right to appeal to the Board in civil cases against the decisions of the High Court in which the value of the suit was Rs.5,000.⁷¹

Maharaja Hari Singh also made provisions for appeals in criminal cases in which sentences of death or life imprisonment were passed or upheld by the High Court. However, Hari Singh circumscribed this right of appeal by the condition that the High Court must first certify that it was a fit case for appeal to the Maharaja.⁷² The procedure followed in criminal and civil cases was the same. When a petition was heard, only one counsel was heard on any side. At the hearing of an appeal or reference, two counsels could be heard on a side. The counsels were entitled to act before the Board in appeals and references. All summons, notices, or orders issued by the Board were in the name of the Maharaja, signed by the Registrar, and bore the seal of the Board. They were sent for service to the High Court, which in turn, served them like summons and orders. Every official in the State had to carry out such orders of the Maharaja.⁷³

The establishment of a court superior to the High Court in the state was a very judicious decision, particularly because no appeal was provided in the Constitution even from decisions of a single judge of the High Court (except in original cases as was provided in the Letters Patent of the Indian High Courts).⁷⁴ This Board discharged the functions in the state which were performed by the Privy Council in British India.⁷⁵ It must be noted that this was the only state in which such a high tribunal was established to hear appeals against the decisions of the High Court.⁷⁶ The Members of the Board always heard the cases with the utmost patience, and the public reposed full confidence in the Board.⁷⁷ In almost all the cases the Maharaja followed the advice of its members.⁷⁸

Still Maharaja Hari Singh was not happy with the de-

velopment of the judiciary. To enhance its prestige, he issued Letters Patent to the High Court on August 28, 1943, virtually freeing it from any executive control and placing it directly under him.⁷⁹ The Prime Minister was only a channel of communication between him and the High Court. The Letters Patent excluded an appeal to the Maharaja from the decree of a single judge of the High Court from which an appeal was provided to a full bench. It was only from the other judgements of the judges of the High Court that an appeal could lie to the Maharaja. The intention clearly was that no appeal should be direct to the Maharaja unless the remedy of appeal to a division bench was availed of. If the single judge granted leave and an appeal was referred to a division bench, then a further appeal could be heard by the Maharaja. If a single judge refused leave, his decree became final and the aggrieved party could apply to the High Court for leave of appeal. Such an appeal, on being refused, could be referred to the Maharaja for special leave.⁸⁰

It needs to be emphasized that Maharaja Hari Singh treated all persons alike. That he was a just ruler can be seen from the fact that he amended the state law in 1936 in order to remove that clause from the statute book under which capital punishment could not be awarded to Brahmans and Rajputs. In fact, in 1936, he declared in unequivocal terms that all were equal in the eyes of law and that punishment would be inflicted on all those found guilty.⁸¹

As far as the Maharaja was concerned, he remained the fountain head of all justice. The High Court Constitution of 1928, the Jammu and Kashmir Constitution Act of 1939, and the Letters Patent did not in any way affect the inherent powers of the Maharaja and his prerogative of pardon. He could also send for records of any case whether pending before or decided by the High Court or any court subordinate to it, and pass orders

thereon in accordance with the laws and usages of the realm and consonant with the dictates of justice, equality and good conscience.

REFERENCES

1. Wazir, Ganga Nath, *Report on the Administration of Jammu and Kashmir*, 1943 (State Archives, Jammu), pp.117-118.
2. Ibid.
3. *A Note on Jammu and Kashmir State*, 1928.
4. *Ranbir Weekly*, Jammu, Dec. 21, 1927.
5. From Bishan Dass to Maqbul Hussain, Offic. Judge High Court, dated 2.6.1917, JK Old English Records File No.283 of 1917.
6. Ibid.
7. Ibid.
8. Wazir, Ganga Nath, op.cit., p.118.
9. Note records by Revenue Member, dated June 8, 1917, JK Old English Records, File No.283 of 1917.
10. Council Proceedings, dated 8.9.1923, UK Old English Records File No.262/Jdl. 14 of 1921.
11. Ibid.
12. Wazir, Ganga Nath, op.cit., p.119.
13. Confidential note by Revenue Minister, JK Old English Records File No.293 of 1917.
14. Ibid.
15. Ibid.
16. Council Proceedings, dated 8.9.1923, JK Old English Records File No.262/Jdl. 14 of 1931.
17. Wazir, Ganga Nath, op.cit., p.118.
18. *Jammu and Kashmir Today*, 1937, p.23.
19. *25 Years of Progress*, August 1972, p.23.
20. Ibid., pp.8-9.
21. Ibid., p.1.
22. Jammu and Kashmir Constitution Act of 1996 (XIV of 1996).
23. Wazir, Ganga Nath, op.cit., p.119.
24. Copy of Letters Patent, p.1.
25. *The Jammu and Kashmir Constitution Act of 1939 as Amended by Acts X of 2000, XVI of 2001, XII of 2002, XIII of 2003 and XVII of 2008*, p.13.
26. Copy of Letters Patent, p.1.
27. *The Jammu and Kashmir Constitution Act of 1939*, p.17.
28. *Administration Report of Jammu and Kashmir*, 1996-97, p.37.
29. A Court of record is a court whose acts and proceedings are enrolled for perpetual memory and testimony.

30. Wazir, Ganga Nath, *op.cit.*, p.118.
31. *Jammu and Kashmir Constitution Act of 1939*, p.17; *Jammu and Kashmir High Court Constitution, 1928*.
32. Copy of Letters Patent, p.5.
33. *Ibid.*, p.7.
34. *The Jammu and Kashmir Law Reports, Vol.I, Part VI, S.1999*, (September-October 1942), pp.204-05.
35. *The Jammu and Kashmir Law Reports, Vol.II, Part V, S.2000* (August-September), p.134.
36. *J&K State Council Proceedings*, dated 8.10.1924, p.9.
37. *J&K State Council Proceedings*, dated 19.9.1922, p.61.
38. *J&K State Council Proceedings*, dated 8.9.1923, p.41.
39. *The Jammu and Kashmir Constitution Act of 1939*, p.17; *The Jammu and Kashmir High Court Constitution of 1928*, p.6.
40. *Ibid.*
41. *The Jammu and Kashmir High Court Constitution of 1928*, p.6.
42. *Ibid.*, p.6.
43. *The Legal Practitioner's Regulation, S.1977 (XXIII of 1977)*, p.3.
44. *The Jammu and Kashmir Constitution Act of 1939*, p.21.
45. *Souvenir, Legal Seminar, 1968, J&K State*, p.96.
46. Notification No.3/L/85, J&K High Court English Records File No.8-J-1947.
47. Wazir, Ganga Nath, *op.cit.*, p.461.
48. *Administration Report of the High Court of Judicature and Legislative Department for the Year 1995-96*, p.22.
49. Bhan, Khemlata, "Administrative set-up and organisation in Kashmir", Tagore Library, Lucknow University, Lucknow, p.349.
50. *Administration Report of the Jammu and Kashmir High Court of Judicature and Legislative Department for the year 1995-96*, p.22.
51. *The Jammu and Kashmir Constitution Act of 1939*, p.3.
52. *Administration Report of High Court of Judicature and Legislative Department for the year 1995-96*, p.22.
53. *Jammu and Kashmir High Court Constitution of 1928*, p.3; Copy of Letters Patent, 1943, p.8.
54. *Jammu and Kashmir High Court Constitution of 1928*, p.3.
55. *Ibid.*, p.3.
56. *Ibid.*, p.3.
57. Copy of Letters Patent, 1943, pp.8-9.
58. *Rules of the court relating to proceedings in the High Court of Judicature Jammu and Kashmir State, Vol.IV, Ranbir Govt. Press, 1935*, p.6.
59. *Ibid.*, p.6.
60. Order No.108-H of 1938, J&K High Court English Records File No.7-R/28 of 1928.
61. *Ranbir Weekly, Jammu, September 11, 1937*.

62. *The Jammu and Kashmir Constitution Act of 1939*, p.22.
63. *Ibid.*
64. *Ibid.*
65. *Papers relating to constitutional reforms, 1939*, p.96.
66. *The Jammu and Kashmir Constitution Act of 1939*, p.22.
67. *Papers relating to constitutional reforms, 1939*, p.96.
68. Sinha, Sachidananda, *The Playground of Asia*, Ram Narain Lal Publisher, Allahabad, 1943, p.32.
69. *Administration Report of Judicial Department, 1939-40*, p.1.
70. *Papers relating to Constitutional Reforms, 1939*, p.109.
71. *Ranbir Weekly*, Jammu, October 30, 1939.
72. *Papers relating to constitutional reforms, 1939*, p.104.
73. *Ibid.*, p.112.
74. *Administration Report of Judicial Department, s.1996-97*, p.i.
75. *Administration Report of Jammu and Kashmir, 1939-40*, p.154.
76. *Ranbir Weekly*, July 1, 1940.
77. Statement by Anwar Aftab, Member Public Service Commission and formerly District and Sessions Judge.
78. Statement of Ram Saroop Gupta, retired District and Sessions Judge.
79. Copy of Letters Patent, 1943, p.1.
80. For details see (a) *Jammu and Kashmir High Court Constitution of 1928*, *The Jammu and Kashmir Constitution Act of 1939*; *Copy of the Letters Patent, 1939*.
81. *The Jammu and Kashmir Constitution Act of 1939*.

VI

CONSTITUTIONAL DEVELOPMENT UNDER MAHARAJA HARI SINGH

—*Prof. Manzoor Fazili*

Machiavelli has aptly remarked that men willingly change their ruler, expecting to fare better. This expectation, according to him also induces them to take up arms against their ruler, but they only deceive themselves and learn from experience that they have made matters worse.¹ According to him, it is natural. This political dictum may be acceptable to us, but it is falsified by the Constitutional history of some European countries, particularly England and some American countries. England has a Constitutional history spreading over more than nine hundred years, and for most of its history it is governed by the principle of changing the governments Constitutionally. Machavelli himself admits the basic principle of democracy that no matter how powerful one's armies are, to enter a conquered territory, one needs the goodwill of its inhabitants. What is needed in modern age, including Maharaja Hari Singh's rule from 1925-1947, is the Constitutionalism by which a society shifts from one set of rulers to another, without any bloodshed or any form of violence. Maharaja Hari Singh, during his ten-

ure of kingship, under the influence of the British Constitutional system, which he had himself witnessed, introduced a system that was after to the Constitutional monarchy of England. He indicated it in his proclamation on September 2, 1939, in the following words:-

“In accordance with our directions the text of the existing Constitution in regulation I of 1991 has been thoroughly overhauled and advantage has been taken of this opportunity to bring the Text into line with that of the similar Constitutions of this type.”²

Truely his ideas of similar Constitutions meant the Constitution and monarchy of England. England, though known for its unwritten Constitution at that time, was now possibly weighing on his mind. As a king, he could not think of the American Constitution and the type of presidential rule that it had. It does not, however, reflect that he had the intention of becoming a rubber seal like the King of England at that time. He had to blend the two extremes of absolute powers and goodwill of his subjects, through the Constitutionalism that he had witnessed in England. It is with this intention of compromise that the Jammu and Kashmir Constitution Act (No. xiv of 1996) was promulgated with effect from September 7, 1939.

Before the partition of India, the State of Jammu and Kashmir was ruled and and governed by the Maharaja, and he was the last Dogra ruler who ascended the throne in September 1925. The Maharaja was the great-grandson of Maharaja Gulab Singh and son of the late General Raja Sir Amar Singh Jee. Born in September 1895, he received his education under a number of qualified European and Indian Teachers. In 1908, he joined the Mayo College at Ajmer. After completing his studies from the college, he received training in the imperial cadet corps, Dehradun. Later he was appointed as Commander-in-Chief of the state force in 1915. Before he had attained

the age of 20 (in 1922), he was appointed senior member of the then state council, and a number of reforms were initiated by him, in this capacity.³ Thus before his accession to the throne, the Maharaja was trained as a ruler in England. The training, education and his visits to England, developed in him strong sense of constitutionalism. To pursue his sense of constitutionalism, a constitutional reforms commission appointed by him, started its work in March 1932 and submitted its report the same year. The commission recommended the establishment of a Legislative Assembly as soon as possible, and made suggestions regarding its composition, powers and functions. In May, 1932, a Franchise Commission was appointed under the chairmanship of Sir Barjor Dalal. In February 1934, His Highness accepted its recommendations. The inauguration of Praja Sabha by His Highness Maharaja Hari Singh Jee on October 17, 1934 accomplished the task of the reforms commission. An Englishman, Sir Ire Elliot Bart, was appointed Franchise Officer in 1939.

These constitutional reforms, enacted under the *J&K Constitution Act of 1996 (xiv of 1996 i.e., September 7, 1939)* envisaged a thorough overhauling of the system of government on the lines of similar constitutions as visualized by the Maharaja.⁴ The proclamation by the Maharaja on September 2, 1939, said:

“In our proclamation dated February 11, 1939, we announced our decision as to the further steps to be taken to enable our subjects to make orderly progress in the directions of attaining the ideal of active cooperation between the executive and the legislature of the State in administering to the maximum happiness of our people.”⁵

The proclamation highlighted the very desire of the sovereign to establish a welfare state. The main object in the Constitutional reforms was not only to overhaul the whole system but also to bring that text into line

with that of similar Constitutions elsewhere. It was in this spirit that the Constitution devoted itself to demarcate the powers of legislative and executive branches of his government in Part I and II of the constitution. The proclamation hoped for full and purposeful cooperation from the subjects also so that contentment, happiness and advancement of his Highness's beloved subjects could be sought.⁶ The proclamation was in haste to declare that the Constitution be promulgated with effect from September 7, 1939.

The Constitution aimed at bringing happiness to the people of Jammu and Kashmir by converting the state into a welfare state. The criticism that the Constitution was prompted by the situations arising out of 1931 upsurge may not be conceded on the ground of mutual understanding between the Maharaja and the leadership of the State if struck at. Nevertheless the intentions of the Constitution could not be undermined. The preamble of the Constitution declared that it was expedient to consolidate and amend the law relating to the government of Jammu and Kashmir. The Act of 1996 or the Constitution of Jammu and Kashmir extended to the whole of the state. The territories of the state were to be governed in the name of His Highness except in so far as they were otherwise to be governed by the said Constitution. The Constitution, however, provided His Highness's inherent powers. It vested all the legislative, executive, and judicial powers to the King.⁷

The Part II of the Constitution dealt with the executive of the State. It vested the civil administration in the council of ministers. The council consisted Prime Minister and such other ministers of the STATE as His Highness appointed by a royal warrant. The Prime Minister and the other Ministers held office during the pleasure of His Highness. The Prime Minister was the President of the council. The other executive powers of the King included the appointment of an Advocate General. The

Council had the power to make rules not inconsistent with the Constitution Act for the following matters:-

- a) The term of office of the nominated members of the Praja Sabha and the manner of filling casual vacancies among them;
- b) The conditions under which and the manner in which persons may be nominated as members of the Praja Sabha;
- c) The qualifications of the elections, the delimitation of Constituencies, the method of election of members of Praja Sabha, and the matters related there to;
- d) The qualifications for the members of the Praja Sabha;
- e) The final decision of doubts and disputes as to the validity of an election;
- f) The prevention of corrupt practices at elections;
- g) The manner in which rules should be carried into effect;
- h) Regulating the course of business and the preservation of order in the Praja Sabha;
- i) Prohibiting or regulating the asking of questions on and the discussion of any subject specified in the rules'
- j) Fixing the dates and the procedure for the presentation of annual financial statement;
- k) Fixing the travel allowances of the members of Praja Sabha;
- l) The duties of Praja Sabha under-secretaries;
- m) The duties of the advocate general; and,
- n) Carrying out in general the provisions of the Act.⁸

The Constitution dealt with the legislature in its part III; and, it declared that the legislature of the state would consist of His Highness and a chamber named as Praja Sabha. The Praja Sabha consisted of the president and 75 members. Forty members were elected and the rest

were nominated by His Highness. Thirty members of the elected ones were to represent the communities and the general Constituencies shown in schedule two and seven of them were to represent the special Constituencies. Fourteen members were to represent the areas and communities shown in schedule IV, and not more than eight members were to be officials.⁹ The speciality of Section 14 of part III was that His Highness could nominate more than two persons having special knowledge or experience of the subject matter of bill presented to the Praja Sabha. Every Praja Sabha had three years tenure but could be dissolved by His Highness before the expiry of its term. The Assembly had to meet every year at least once. The communications to the Sabha could be made either in person or through the Prime Minister or any other minister or through the president or any other person presiding in his place. The Sabha could communicate to His Highness by a formal address submitted through the President. The Advocate General had the right to speak in a Praja Sabha, but had no right to vote. The Praja Sabha had to choose a Deputy President. The legislative Powers of the Praja Sabha extended to the making of laws for the whole state or any part thereof, and for the subjects of His Highness subjected to the provisions of the Constitution Act. However, it was not lawful for the Praja Sabha to make laws about His Highness or the royal family nor it could affect treaties, connections or agreements between the State of J&K and the Government of India or any foreign country the frontier policy, jagirs of Poonch and Chenani. Rights specially granted to III aqadars or jagirdars, state forces, Hazur Departments, Dharamarth Trust and such other matters specified by His Highness.¹⁰

The legislative procedure both particular and general was also provided Return of Bills, questions and resolutions and discussions relating to Bills was also included. The language used for the business of the house was

determined to be Urdu. The provisions in the case of failure by the Sabha to pass legislation and the restrictions on discussions were included in the Constitution. Under what circumstances were the ordinances to be revealed or altered were also provided. The Constitution included a detailed procedure for financial procedure. It discussed the annual financial statement and classification of expenditure charged on the revenues of the state. The Prime Minister of the state had the final powers regarding classification of expenditure. It also laid down a procedure with respect to the estimates. The council had the power to authorise supplementary expenditures and had certain special provision with regard to financial bills.¹¹

The special provision of the Act was the creation of state judicature, in part IV. It dealt with the Constitution, title of the High Court, tenure of the judges, qualifications of the judges and their salaries, oath of the office and the seal of the Court. It also provided for writs jurisdiction, place of sitting, special commissions and circuit, procedures in original and appellate jurisdiction and powers relating to rules for discussion in cases when judges differed and power to refer cases to full bench. The High Court had jurisdiction over superintendence and control of subordinate courts. The appointment of Registrar and Deputy Registrar and the powers to make rules regarding matters in section 67 were also provided for the court. The Court had also the power to punish for its contempt. The Act also provided for an Advisory Board of Judicial Advisors. The Board was meant to advise His Highness for the disposal of civil and criminal appeals as might have resided in the powers of the King under the law at the time.¹²

The Part V of the Constitution referred to certain miscellaneous provisions, with Part VI pertaining to the repeat and saving of laws and rules. The transitional provisions related to the continuance of their existing Praja Sabha

and the removal of obstacles in respect of any unforeseen difficulties which might have arisen in the Act and the rules under Electoral Regulation xiv of 1990, Regulation 1 of 1991 and Regulation 13 of 1995.¹³

This constitutional scheme under the Jammu and Kashmir Constitutional Act of 1996 (xiv of 1996) amended upto July 1946, visualized the type of constitutionalism of the British type of constitutional monarchy. Efficient Secret of the English Constitution, according to W. Bagehot is the close union of nearly complete fusion of the executive and the legislative powers. Though, as Bagehot puts it, the goodness of the British Constitution lies in the separation of the legislative and executive powers, but its merit lies in their singular approximation. The connecting link is the Cabinet.¹⁴ The Constitution Act of 1991 was based on the same principle, in which the President of the Council was the connecting link between the Praja Sabha and His Highness, who was the Chief Executive. The commentators of the Jammu and Kashmir Constitution of 1996 condemning it on grounds of inherent powers of His Highness are falsified that Walpole was obliged not only to manage parliament but to manage the palace as well. The Constitution promulgated by the Maharaja also visualized a council of ministers, which could be a legislative committee to manage the legislature as well as the King.

This Constitution remained in operation only from 1939 to 1946. The leadership did not cooperate and the Constitutionalism could not grow. During this period, the leadership of the state had started welding influence over the masses. The leadership and the people in tune with their natural tendency to change their ruler, expecting to fare better, did not treat the Constitutional developments to their satisfaction. The leadership also did not agree that further steps could be taken to enable the subjects of the Maharaja to enjoy more powers in sharing the governance of the state.

Alas, "ifs" and but's do not make history—history caused by seen, foreseen and offseen forces. Had the leadership cooperated with the Maharaja for Constitutional reforms and had not the partition divided the state of Jammu and Kashmir, the state would have a different land. We have been unfortunate by not giving to the state a Constitution system for a pretty long time though its genesis are traceable right from the period before and after the King Lalitaditya.

REFERENCES

1. *Machiavelli, The Prince*, Penguin Classics, tr by George Bull, Pub; 1977, p. 34.
2. Proclamation by Maharaja Hari Singh Jee, J&K Act of 1966, Ranbir Press, Jammu, 1946, p.1.
3. *A Handbook of J&K State* (2nd edition), Jammu 1945, the Ranbir Govt. Press, 1945, p. 31.
4. The J&K Constitution Act of 1966, Govt. of J&K, the Ranbir Govt. Press, 1946 proclamation, p.1.
5. Proclamation on 2nd September, 1939.
6. Ibid.
7. The J&K Constitution Act of 1966, section 4 and 5, p.2.
8. Ibid section 11(1), a 3-4.
9. Ibid, p.4.
10. Ibid section 23 and 24.
11. Ibid section 31-47.
12. Ibid section 48-71.
13. Ibid section 73-78.
14. Harry Eckstein and David E. Apter, *Comparative politics, the free press of Gence*, London, 1963, p. 191.

VII

MAHARAJA HARI SINGH'S CONTRIBUTION TO WORLD WAR II

—*Dr. S.C. Sharma*

On Sunday, September 3, 1939, at 8.30 P.M., the Viceroy Lord Linlithgow announced over the All India Radio that the Government of His Majesty "was engaged in war with Germany". This evoked a prompt response from Hari Singh, the Maharaja of Jammu and Kashmir, who placed his personal services at the disposal of His Majesty, the British Crown.¹

Simultaneously, he placed two units of the State Forces at the disposal of His Excellency, the Viceroy, and issued instructions to all officers and soldiers, who were on leave, to report to their respective units. The Infantry Battallions and Batteries were kept in readiness to move at short notice.²

At the same time, a recruitment drive was initiated. The Maharaja made an appeal to all the Dogras and Rajputs to enlist in the Army for the defence of the right and just cause for which the British Crown was fighting.³

In the same breath, he appealed to every Indian, "India must stand shoulder to shoulder with England in this

hour of emergency. The settlement of their political differences must wait for the return of peace."⁴

On September 18, 1939, the Jammu & Kashmir Praja Sabha (Legislative Assembly), while endorsing the Maharaja's appeal, resolved, "The Praja Sabha, representing all classes, communities and interests in the State, expresses its unflinching devotion to your Highness and support whole-heartedly and unreservedly Your Highness' determination to offer all the resources of the State, both in men and material, in the furtherance of the righteous cause, in which the armies of His Majesty, the King Emperor are engaged, namely the cause of prevalence of right over might, and of upholding the reign of law over brute force."⁵

The Amar Sabha of Jammu, through a telegram, offered their loyal and united services to His Highness in the conduct of the war.⁶ Some individuals too offered their services to their Maharaja for the righteous cause,⁷ whereas many pensioners offered their services without any extra emoluments.⁸

Similarly, the Wazir of Poonch, through his telegram, sought to convey the feelings of Poonch. "Poonch people eager for enlistment in Indian and State Armies. Kindly wire number of Hindus and Muslims recruits required from Poonch for emergency and other recruitments. Poonch can supply over ten thousand recruits."⁹

In consonance with its policy, the working Committee of the National Conference declared its support to the war efforts of the state government,¹⁰ but it also showed resentment over the special appeal made by the Maharaja to the Dogras and Rajputs in the state to support the Allied war efforts, ignoring the rest of the people of the state.¹¹ No doubt, the National Conference was justified in showing its resentment, as the appeal had been made only to the Dogras and Rajputs of the State. However, the appeal, though impolitic, was made by the Maharaja with all sincerity. Moreover, the Maharaja had

offered his services and all the resources of his State to His Majesty the King Emperor. Accordingly, the people of Kashmir too had every opportunity to contribute towards the war efforts of the State.

In the war efforts of the Maharaja, apart from the two units already placed at the disposal of the Government of India, six more units of the state forces were sent during the course of the war. Thus, a total of eight units¹² of the state forces participated in the war.¹³

The Maharaja, in a message to his state forces, conveyed to them, "you go attended by my good wishes. All the time you are away, you will be in my thought. I trust you to give a good account of yourself... such an account as will add glory to the State and bring honour to yourself... Good luck and God be ever with you."¹⁴

The first J&K Mountain Battery formed a part of the 5th Indian Division which was mobilised for service overseas. The Battery distinguished itself in the conquest of Eritra and particularly in the battle of Keran, the capture of Asmera as well as in the invasion of Syria, where it won a great battle honour on account of its gallant action in the attack of Jabal Mazar (Damascus).¹⁵

The Commander of the Division, with which the battery served, praised the standard of its efficiency under the skilled command of Lt. Col. Bhagwan Singh. Similarly, General Sir Claude Auchinleck, C-in-C of the Imperial Forces in the Middle East, conveyed his personal appreciation of the work of the battery to His Excellency Archibold Wavel, C-in-C of India (Later H.E., Lord Wavell, the Viceroy of India) who, while adding his own appreciation, conveyed it to His Highness the Maharaja of Jammu and Kashmir. It said, "Jammu and Kashmir Battery acquitted itself with great distinction in recent Damascus fighting. Divisional Commander commends highly its steadiness under the enemy's artillery fire and the accuracy of its own fire supporting British infantry."¹⁶

The Maharaja, on receiving the message of appreciation, felt elated and sent the following message to Lt. Col. Bhagwan Singh in appreciation of his heroic deeds: "Your Divisional Commander, also General Auchinleck and the C-in-C in India have expressed their appreciation of the work of yourself, your officers and men in Damascus; remarked that you all acquitted yourself with great distinction. I am most proud of you and greatly value the fine example you set for your brother officers and men of all other units in the field; well done. My best wishes for your further success in the future."¹⁷

In recognition of the services of Lt. Col. Bhagwan Singh, the Maharaja, on December 20, 1941, sanctioned a Hereditary Jagir of Rs. 3,600 per annum in his favour, which could be held by him and his male heirs in the direct line in perpetuity.¹⁸

On October 1, 1942, both of the Mountain Batteries, i.e. First and Second, serving outside the State and the Artillery Training Centre were incorporated as permanent Units with the Indian Army. During the transfer, however, every care was taken by the State Government to protect the service conditions and professional interests of the soldiers. Those who could not be retained in the Indian Army at the end of the War were to be eligible for concessions authorized for regular pre-War units of the Indian Army.¹⁹

The exigencies of the situation brought about by the War were fully realized by the Maharaja. Apart from sending his eight units to the different theatres of war, he extended his unqualified co-operation towards further recruitment of it.

On October 6, 1939, he summoned the records of recruitment made during the last great war.²⁰ After getting the information, he issued instructions to the Provincial Governors to take up all such measures as may be considered necessary to stimulate a recruiting campaign in the state.

In order to promote the recruitment drive, the message from His Majesty the King Emperor was read out by the Governor of Jammu Province on September 11, 1939 in the presence of government officials, both gazetted and non-gazetted.²¹ Copies of the message were sent to Muffasil Tehsildars also for wide publicity.²² Thus, the recruitment drive was launched to meet the heavy demand on the man-power of the state, both by the state forces and the Indian army. In order to maintain the state forces at their full strength, the number of recruits under training was greatly increased, and new infantry battalions were raised to replace the units on active service outside the state. The Artillery Training Centre too was expanded.²³

In order to ensure full strength of officers of the state units, on October 7, 1939, Hari Singh appointed Yuvraj Karan Singh, who at that time was hardly seven years old, as 2nd Lieutenant in the State Forces.²⁴ Forty specially selected Indian officers and non-commissioned officers were inducted to the state forces as 2nd Lieutenants.²⁵ However, these officers had to pass through a special training course before assuming their new assignments.²⁶ They were given options in emoluments at either civil or army rates, whichever were higher from time to time. Their lien was to be retained for all pensionary and promotional prospects in their parent departments.²⁷ However, this offer did not yield much response, because most of the civil officers were Kashmiri Pandits for whom a career in the army then had little attraction.²⁸

Similarly, great efforts were made to meet the evergrowing demand of recruits both for the state and Indian forces. The demand for the Dogras in general and for the Dogra Rajputs in particular had vastly increased. Accordingly, full recruiting facilities were provided to the Government of India.

The Wazir of Poonch appealed to all the officers that they should offer their services to the Government at such a time of emergency.²⁹ He declared that "there is increasing need for Havaldars and Naiks to mobilize the people to join the army and to assist the recruiting staff at the recruiting centres. So all those who are retired or on leave should report to the Recruiting Staff whenever they are on tour for the recruitment drive."³⁰

For the commendable success of the recruiting drive, the Government of India, with the approval of the Maharaja, awarded 14 Sanads to the citizens of the state. The Maharaja on September 4, 1942, also sanctioned awards of similar Sanads to those associated with the recruiting drives for the state forces.³¹

To encourage the recruitment, every one was assured the security of his home and hearth. The Maharaja issued a proclamation, "Let every man, who may hereafter enlist under His Highness' banner realize that when he goes to fight at the bidding of his master, he does so as the soldier of a sovereign who will not only look after him, while he is in the battle field, but also look after his family. And should he lose his life, his master will, in the absence of the bread winner, not leave his family uncared for."³² Through the same proclamation, the families of all those men serving outside the State were given a family allowance of Rs. 6 a month, in addition to their pay and ration allowance from the state exchequer.³³

In order to give the proclamation wide publicity, one lakh copies of it were printed in Urdu. Of those, 750 were distributed among the press correspondents, newspapers, institutions and persons on the governments mailing list, while 73,000 and 26,000 copies were distributed in the provinces of Jammu and Kashmir respectively.³⁴

In response to these efforts, more and more persons with higher physical standards came forward to join the army.³⁵ They included the Sikhs Gujjars and Jats as well.³⁶

In order to mobilize the public, a War Aid Committee was organized in July 1940 under the presidentship of Her Highness the Maharani Sahiba.³⁷ The Committee established its branches in every tehsil all over the state. The aim of these Committees was to collect funds in aid of the war and to disseminate correct information regarding the happenings on the front.³⁸

On the formation of the War Aid Committee the Maharaja sanctioned Rs. 1000 per mensem as his contribution.³⁹ The other members of the royal family also did likewise and thus vastly raised the funds of the Committee.⁴⁰

In addition to the collecting of funds the War Aid Committee also organized working-parties twice a week, where the participants had to prepare garments, scarfs, handkerchiefs, bandages, etc. for the use of soldiers deployed on the war front.⁴¹ In order to augment their production, the committee sought the co-operation of both the boys and girls' schools.⁴² The services of hospital staff and private medical practitioners were also secured for the production of some essential medical articles.⁴³ A number of government and private industries too occupied themselves in the manufacture of articles required by the supply department of the Government of India.

The War Aid Committee also established the "Trinket Fund".⁴⁴ Encouraged by the efforts of the Committee, in 1940 all the employees of the government and public bodies, like municipalities and Dharamnath Trust began contributing one per cent of their gross salary towards the War Aid Fund for the rest of war period.⁴⁵

The total contribution received by the Committee till the end of February 1945 was Rs. 9,87,315, which included Rs. 2,50,440 from the ruling family itself. Maharaja Hari Singh contributed the additional sum of Rs. 2,79,47⁴⁶ from his own privi purse.

To boost the morale of his forces, the Maharaja paid a personal visit to Egypt in 1941. He spent a full day

with his First Mountain Battery there and also took his meals in their company.⁴⁷

The Maharaja paid a visit to the Indian Club at Cairo also where he made a gift of \$125. A contribution of \$200 was made for the provision of amenities to his troops in the middle East as well.⁴⁸

Besides, the Maharaja offered to the Viceroy of India half a squadron of fighter air crafts (eight in number) at the cost of \$40,000. With an additional amount of \$10,000 towards the cost of two reserve air crafts with a view to keeping half of a full strength.⁴⁹ He also placed at the disposal of the Government of India his Lockheeds plane and, eight completely equipped ambulance cars at the state's Kashmir House at Delhi.⁵⁰

Keeping in view the resources of the state every effort was made to supply a variety of manufactured articles needed in the war. In February 1940 the Jammu and Kashmir state was accordingly placed at par with Punjab and the United Provinces in the matter of the supply of hand-spun and hand-woven blankets.⁵¹

Maharaja Hari Singh also gave due consideration to the British war saving movement in April, 1941. The Viceroy of India Lord Linlithgow, while introducing the scheme, said "It provides an opportunity for all person in India to contribute directly to the winning of the war, and at the same time enable them to put something by for the difficult days that must be expected even after victory has been won."⁵² This message of the Viceroy was given wide publicity by the State Government and a pamphlet entitled "Why you should save now" was circulated among all the government departments.⁵³

This scheme, however, could not attract the investors with the exception of those who purchased defence bonds worth Rs. 42,960.⁵⁴ Some government employees also invested in these bonds.⁵⁵

There might have been numerous private individuals who might have invested in the defence bonds and defence

saving certificates, but their records are not available. The Maharaja also geared his administration to encourage the people in contributing towards the St. John and Red Cross Funds and constituted a three-member⁵⁶ Central committee assisted by two provincial committees with a view to giving wide publicity to the aims of these funds.⁵⁷

The revenue officers, jagirdars, zaildars and lambardars were also asked to hold public meetings in their respective areas to persuade the people to make contributions towards them.⁵⁸ The government employees were expected to contribute a day's salary towards the Fund but those drawing a salary of less than Rs. 30 per month were to donate only half.⁵⁹

Theatrical performances were held at various places where funds were raised by selling tickets which were sent to different government offices for sale among the officials.

As a result of these efforts, by the middle of 1940 a sum of Rs. 1,36,500 was collected.⁶⁰ Though this amount was not substantial yet the spirit with which it was collected was highly appreciable. To conclude, we might say that keeping in view the resources of the state, the Maharaja's contribution in men, money and material during the war period was quite significant. Much of it was due to his personal interest and careful planning. Credit goes to his dedicated officials too.

REFERENCES

1. Chamber of Princes, *Indian Princes and the War*, New Delhi: Liddell's Printing Works, p.42, also Jammu and Kashmir Information, April, 1944, p.5; Administration Report Jammu & Kashmir State 1938-39, Ranbir Press, Jammu, 1940, p.72.
2. Jammu and Kashmir Information, April 1944, p.5; also Administration Report Jammu & Kashmir 1938-39, p.210.
3. The WAR, Maharaja of Jammu & Kashmir, Personal Appeal, September, 1939.
4. Ibid.
5. Praja Sabha Debates, Sept. 18, 1939.

6. Telegram No. E-549-No. 9786, dated 8-X-1938.
7. File No. 275-G-1-48 of 1938.
8. Ibid.
9. Telegram No. 1035 W. dated 21 June 1940, File No. 96 of 1940.
10. Sheikh Abdullah, *Flames of the Chinar*, translated by Khushwant Singh, Viking New Delhi, 1993, p.56.
11. Koul, Santosh, *Freedom Struggle in Jammu & Kashmir*, Anmol Publications, New Delhi, 1993, p. 61.
12.
 1. 1st JAK Mountain Battery
 2. 2nd JAK Mountain Battery
 3. 2nd JAK Rifles
 4. 4th JAK Infantry
 5. 7th JAK Infantry
 6. 9th JAK Infantry
 7. One Infantry Brigade Signal Section and
 8. The Artillery Training Centre.
13. Administration Report of the Jammu & Kashmir State, 1943-44, p.6.
Hence onwards A.R.;
Jammu & Kashmir Information, April 1944.
14. Jammu and Kashmir Information, April, 1944, pp.8-9.
15. Administration Report of the Army Department for the Fasli year 1997-1998, pp.4,8; also see A.R. 1940-41, p.60. For details see Maj. K. Brahma Singh (retd.), *History of Jammu and Kashmir Rifles (1820-1956)*, Lancer International, New Delhi, 1990, pp. 174-179.
16. Jammu & Kashmir Information, April 1944.
17. Ibid.; also A.R. 1940-41, p.60.
18. Order, 20th December 1941, File No. E-119-67 of 1941; also A.R. 1940-41, p.164.
19. A.R. 1943-44, p.6; also Jammu and Kashmir Information, 1944.
20. His Highness' letter to Prime Minister, dated 6th Oct. 1939, File No. E-354 of 1939.
21. File No. 25-Mily-8 of 1939.
22. Ibid.
23. Annual Administration Report of the Army Department, Fasli Year 1996-97, p.1; also A.R. 1939-40, p. 169.
24. A.R. 1938-39, p. 210.
25. Chief of the Military Staff, Jammu and Kashmir State Forces; System of Recruitment and Training of State officers, 12th April 1941, pp. 4-7; File No. E-237-B-618 of 1942; also Administrative Report of the Army Department Fasli Year 1996-97, p.1.
26. Ibid.
27. Ibid.; also letter of Minister-in Waiting to All Ministers dated 15.2. 1941, Emergency Commission in J & K State Forces, File No. E-252-B-434/41 of 1941.

28. A.R. 1939-1940, p. 169
29. File No. E-479-A 2257/4-BB of 1941.
30. Ibid.
31. Command No. 175, dated 4.9. 1942.
32. Proclamation in connection with WAR, File No. E-24-Mily-9 of 1939.
33. Ibid., also A.R. 1939-40, p. 169; Jammu and Kashmir Information, 1944.
34. File No. 24-Mily-9 of 1939.
35. A.R. 1939-1940, p.169.
36. A.R. 1940-1941, p. 164.
37. A.R. 1940-1941, p. 51.
38. Ibid.
39. Jammu and Kashmir Information, April 1944, p. 25.
41. A.R. 1939-1940, p.69; also Karan Singh, *Hier Apparent*, An Autobiography; Oxford University Press, Delhi, 1983, p. 35.
42. Jammu and Kashmir Information, April 1944, p. 25.
43. Ibid.
44. A.R. 1940-1941, p. 51.
45. A.R. 1939-1940, p. 69.
46. Jammu & Kashmir Information, May-June 1945, p. 12.
47. Annual Administration Report of the Army Department, Fasli Year 1997-98, p. 8; also A.R. 1940-1941, p.8; Jammu & Kashmir Information, 1944.
48. Ibid.
49. A.R. 1944-1945, pp. 6-7.
50. A.R. 1940-1941, p. 51.
51. File No, E-301-B-330 of 1940.
52. File No. C-300-B-335 of 1941.
53. File No. E-264-B-6/42/PB of 1942.
54. Ibid; also British War Savings Movement in Indian States, File No. C-300-B-335 of 1940.
55. Captain Wireford and Col. Harper Nelson invested Rs. 1000 and \$2000 respectively in Defence Bonds.
56. The members of the Central Committee were,
 - a) The Commander-in-Chief;
 - b) the Judge of High Court;
 - c) The Settlement Commissioner.
57. The members of the Provincial Committee were:
 - a) The Governor of the Province;
 - b) The General Officer Commanding;
 - c) The President of the Municipal Committee;
 - d) a few non-officials.
58. File No. E-307-B-583-1940.
59. Ibid.
60. Ibid.

VIII

MAHARAJA HARI SINGH AND THE STATE POLITY

—*Om Saraf*

Maharaja Hari Singh relished exercising the divine right of the King, but he desired to be accepted as a progressive ruler, too. He introduced a number of social reforms and also initiated the process of associating the people with the administration. Accordingly, a Praja Sabha (State Assembly) was set up as early as 1934, though on the basis of an extremely limited franchise and many "reserved subjects" for more as a consultative body rather than a legislature.

On September 7, 1939, i.e., within a week of the German invasion of Poland which triggered off the Second World War, he promulgated the Jammu and Kashmir Constitution Act which marked an important milestone in the constitutional development of Jammu and Kashmir. Of course, this fell short of the expectations of both the National Conference and the Muslim Conference, two rival political parties, which stood for the establishment of "full-fledged responsible government under the aegis of the Maharaja Bahadur". It was, however, this Constitution that remained in force till January 26, 1957 when the present Constitution which was adopted on November 17, 1956, came into force.

It appears that the Maharaja's total identification with the British during the Second World War against Germany and Italy had some impact on him. On July 12, 1943, he set up a Royal Commission under the presidentship of Sir Ganga Nath, the Chief Justice of the State High Court, who was also the President of the Praja Sabha.

The Commission which included two youthful National Conference leaders, namely M.A. Beg and G.M. Sadiq, as its members, was asked to ascertain whether the existing constitution had worked well and submit to the Maharaja a well considered report containing practical suggestions for the advancement of life of different communities in various directions. The inaugural meeting of the Commission was held on August 9, 1943. As, however, the National Conference members of the Commission were not satisfied with the working of the commission, they resigned and the Party resolved on February 27, 1944, to produce a draft of the future constitution of the state on their own and submit it to the Maharaja directly. It was this draft that came to be known as 'New Kashmir'.

The Maharaja had meanwhile left for England where he stayed for three months as one of India's two representatives in the Churchill's War Cabinet. He returned home in June, 1944 and was taken out in a procession in Srinagar when both political parties also accorded him a warm reception. Sheikh Abdullah personally presented the New Kashmir Plan to the Maharaja after garlanding him when the royal procession passed by the Mujahid Manzil.

Jinnah had been in Srinagar for about six weeks during which he made the futile bid to sell the two-nation theory to Sheikh Abdullah. Before leaving Srinagar, Jinnah, who was briefly treated as a state guest, desired to see the Maharaja who, however, declined to be avail-

able unless Jinnah postponed his departure from the state for a few days, to which Jinnah did not agree. He left Srinagar as scheduled.

The 'New Kashmir' had been, of course, duly adopted by the Working Committee of the National Conference. But it was only after submitting it to the Maharaja that it was passed at the plenary session of the party in Srinagar on September 29, 1944, with the huge enthusiastic gathering standing and thunderously applauding—along with a 'National declaration' reading, "We the people of Jammu and Kashmir, Ladakh frontier districts and Poonch and Chenani Illaqa, known as the people of Jammu and Kashmir in common parlance, pledge themselves to endorse and support this Constitution with a view.....

It is not clear if the Ganga Nath Commission of Enquiry had ever concluded its deliberations.¹ Even if it had chosen to make any report to the Maharaja, it was never made public. Meanwhile, the Second World War had entered the final phase. The British Government had after all resolved, it appeared, to share power with the popular national leaders in some form or the other. The Maharaja could not just shut his eyes against the significant developments taking place at home and abroad. Literally, within hours of the adoption of the "New Kashmir" he significantly chose Gandhi Jayanti in 1944 to launch his historic plan of dynasty "With a view to giving further effect to my policy of associating my subjects with the administration of the State". Accordingly, the Praja Sabha was called upon "to nominate a panel of six (three Muslims) of its members, three from Jammu and three from Kashmir (including the Frontier District)" and the official members taking no part in the proceedings. Out of the panel so nominated, I shall appoint two (one of whom will be a Muslim) as my Minister." This was clearly the boldest measure of political reform on

the part of the Maharaja and marked the highest point of credibility with the people. Both the National Conference and Muslim Conference hailed the royal command.

Describing it as "really a step forward," Beg on behalf of the National Conference went to the extent of asserting "His Highness Command has come at a time when nobody would deny that any constitutional reforms would easily have deferred them if he wished". Speaking on behalf of the Muslim Conference group in the Praja Sabha, Choudhary Hamid Ullah Khan was no less eloquent. "Our beloved Ruler by taking this definite progressive step, of which any Indian state may well feel proud, has given two representatives of this House an opportunity of participating in his administration, thereby graciously bestowing a great honour to all the other members of the House." The great excitement witnessed in and around the Praja Sabha hall (a medium size room which is still there in what is now called the old Secretariat, Srinagar) at the time of the nomination of the panel still comes to my mind vividly. This was on October 7, 1944.

With the appointment of Mirza Beg and Wazir Ganga Ram as the popular Ministers with effect from October 21, 1944, the Maharaja had ensured for himself a smooth sailing which, however, proved too short lived. For, the spectacle of the National Conference nominee sitting on the Treasury benches soon made the Muslim Conference somewhat jittery and in order to overcome the difficulty it started accusing the National Conference of selling out. Since the Muslim Conference had completely aligned itself with the Indian Muslim League it could play up the Hindu-Muslim differences as well.

Externally, the end of the World War was in sight and in Europe it ended on May 8, 1948. The Congress leaders arrested during Quit India movement were re-

leased. Even before the surrender by Japan on August 15, 1945, in the wake of the First Atom Bomb having been thrown on Hiroshima, exactly 50 years ago, on August 6, 1945, the Viceroy invited the Congress and the Muslim League leaders for talks at Shimla which nevertheless failed to make any headway.

The tide soon turned against the Maharaja. The British Government, the real power behind his throne and his dynasty, left nobody in doubt that it was determined to leave India which was being swept by a bitter communal wave that was to subsequently effect the solidarity of the State Army which was also the mainstay of the Ruling House. Considering the growing and insurmountable differences between Beg and the then Prime Minister, R.C. Kak, the National Conference nominee resigned as Minister. Four reasons were actually advanced for the parting of ways; first, that Beg had not been given the right to speak and vote in the Praja Sabha independently of the Government; secondly, he had not been given a separate secretariat of his own; thirdly, his proposal for delegation of powers under the Municipal Act had not been pursued; and fourthly, he had not been consulted on matters relating to law and order even when restrictions had been imposed under the Defence Rules at a number of places, including his own constituency.

To each of the four complaints by Beg, the Prime Minister replied thus: First, there was no question of a Minister being given the option to vote or speak independently of the decision of the government; secondly, Beg's position was exactly that of his colleagues 'with reference to Secretariat as a whole, while he had a P.A. of his choice, the other Ministers had not, thirdly, his proposal regarding delegation of powers had not been accepted by the Law Department and, it was being submitted to the Council of Ministers for the discussion of the objections raised by the Law Department, and

fourthly, "discretion to endorse emergency laws rested with the District Magistrates and it was necessary that they should be able to discharge their primary responsibility without being objected in each case and on each occasion to ask for instructions".

In March, 1946, the death-knell was sounded of the dynarchy the great experiment which the Maharaja had launched with high hopes but which evidently provided too feeble in answer to the requirements of the complex situation unfolding itself on the national stage. The National Conference was further offended when Prime Minister Kak filled the vacancy caused by Beg's resignation with the induction of Mian Ahmad Yar. The Mian was actually the leader of the National Conference group in the Praja Sabha. Normally, he and not Beg should have been originally nominated as the party representative in the Council of Ministers. But he was ignored as he was a non-Kashmiri speaking Muslim. A curious argument was advanced to satisfy him—that Beg had been chosen for the high post so that in his (Mians') presence Beg always felt that his leader was not the Prime Minister but the same old party leader sitting in the House before him.

No wonder, when Beg eventually resigned, Prime Minister Kak could easily get Mian Ahmed Yar sworn-in-as a Minister. Understandably, the National Conference took it as a insult added to injury. Thenceforward, there as no meeting ground between the Government and Sheikh Abdullah till after the tribal invasion when the Maharaja was forced by the circumstances to accede to the Independent Dominion of India and virtually handed over the State Administration to Sheikh Abdullah and his National Conference, leaving the Muslim Conference as a dominant force in the territory on the other side of the fence. In retrospect, it is possible to see that all of us in Jammu and Kashmir, from Maharaja Hari

Singh and Sheikh Abdullah downwards whether on this side of the line of control or the other, have proved no better than pawns on the chess-board of circumstances well beyond our control. We are clearly still not the masters of our destiny.

REFERENCE

1. This was actually done in 1943 (Editor).

IX

THE STATE OF PRESS DURING MAHARAJA HARI SINGH'S REGIME

—*O.P. Sharma*

The period between 1925 and 1949, when Maharaja Hari Singh was in the saddle of power in Jammu and Kashmir, was a crucial phase in the history of this northern-most state of India. It is during this period that developments of far-reaching significance in political, economic and social spheres took place. Some of the happenings had impact not only on the Jammu and Kashmir State but influenced the entire Indian sub-continent. A series of social reforms were ushered in, education started making headway, cultural advances were made, and socio-economic changes took place. There was a general awakening and advancement. Among other things, the growth of the press also started during this period. It is noteworthy that when the Maharaja ascended the throne in 1925, there was only one Urdu weekly, and in 1949 when he left the State after appointing Dr. Karan Singh as the Regent and installing a popular Government, there were 67 newspapers.

Although, much has been written about the Maharaja, his policies and personality, not much light has been

thrown on a very significant aspect of the growth of press and the introduction of broadcasting with radio stations at Jammu and Srinagar during his time. The historical records are available for a scientific documentation on this subject.

No doubt, we are a bit close to this period, from historical point of view, still a dispassionate and objective assessment of the Maharaja's role in the promotion of print media is possible. In fact, a scientific analysis of the measures taken for the growth of the press, as also its role in enlightening the people, is very much desirable. It is, therefore, essential to put the historical happenings of Maharaja Hari Singh's regime in their proper perspective and make an objective evaluation of this "Enlightened Rule".

EARLY PHASE

The press in Jammu and Kashmir has had a chequered history. This state's first publication is believed to have been a weekly in Dogri, *Vidya Vilas*, which appeared in 1867 from Jammu.

In the time of Maharaja Ranbir Singh (1857-85) the development of art and culture did receive attention, and some magazines in Urdu, Hindi and Dogri were brought out, but none of them are now available. Among these were *Mahajan Niti Patra*, the official organ of Mahajan Sabha and the *Dogra Gazette*. These publications in Hindi were started in the year 1911-12. The *Dogra Gazette* converted itself into an Urdu publication and some of its issues of 1916 have been located. There was lack of printing facilities in the state, absence of professionals and discouragement by the state administration. Despite these difficulties, the feeble attempts made to bring out newspapers received neither the patronage of the rulers or the public support.

In fact, the conditions were not congenial for the press to take root in Jammu and Kashmir as was the case in

other princely states in India. The laws relating to the press were very strict. In accordance with the Press and Publication Regulation Act of 1914, it was only the Maharaja-in-Council who could grant permission to start a paper. It required a huge security deposit of Rs. 500 to Rs. 2000 and provided for heavy punishment for any infringement. And the permission was not granted to any one till 1924. Behind the scene, there was the Government of British India, which did not like to have any awakening as well as unrest in this strategically located state.

Little wonder that Maharaja Pratap Singh's (1885-1925) hands were tied and even the installation of a printing press was viewed with suspicion.

BIRTH PANGS

Though the press and electronic media made steady progress in British India, the Jammu and Kashmir state had its first regular publication in *Ranbir* an Urdu weekly. The first issue of *Ranbir* hit the news-stands on June, 24, 1924, which is a red letter day in the history of journalism in Jammu and Kashmir.

The *Ranbir* had to carry on its relentless struggle, first to obtain permission for its publication and then to go through its teething troubles. The paper, however, had an instant public response.

The founder editor of *Ranbir* Mulk Raj Saraf, narrated an incident when Maharaja Hari Singh's Chief Secretary, G.E.C Wakefield, tried to pressurise him to write an article on a particular subject and even dictated the lines on which it had to be written. But Mulk Raj Saraf declined to oblige him as it was against all canons of independent journalism. After two years when Wakefield became Foreign and Political Minister, he saw to it that *Ranbir* was banned in 1930. The paper was banned because it had reported an un-precedented hartal and demonstration in Jammu. He took a copy of the *Ranbir* and

went to the palace and had discussion with the Maharaja. Immediately thereafter, the ban order was issued on May 9, 1930, which reads:-

“My attention has been drawn to the account in the special issue of the *Ranbir* dated May 7, 1930 of disgraceful demonstrations which lately took place in the city of Jammu in connection with the arrest in British India of Mr. Gandhi.....

“I have all long held the views that it is not for me, my Government or my people to interfere in the affairs of British India and it has been a cordial article of faith with me to observe scrupulously my treaty obligations with the British Government according to practice of civilised Government. One of these obligations is not to countenance or permit any political demonstration within my territory against the British Government.....

“I hereby direct that the permission accorded to the publication of *Ranbir* be immediately cancelled and its further publication stopped.

“In issuing this order I desire to make it quite clear that it is not my intention to curb in any way the legitimate expression of opinion or fair and just criticism of the policy and acts of myself and my Government. The policy regarding these matters will continue unchanged and I shall be quite willing to entertain applications whether in Jammu or in Srinagar or both from other journalists wishing to start another newspaper or newspapers within the State territory so long as their bonafides are not in question”.

THE DELIMA

This order duly signed by the Maharaja himself gives ample indications of the state's underlying treaty obligations with the British who had paramountcy over the J&K State, restricting political activity against the interests of British India. The Maharaja's compulsions were understandable. But it is pertinent to note that in this

very order the Maharaja stood for free expression of ideas and his keenness to open the doors for others to start newspapers in Jammu and Kashmir.

The *Ranbir* re-appeared on November 13, 1931, and it was still the only regular paper published in the State.

Jammu and Kashmir is strategically located as its boundaries touched Russia, China and Afghanistan. There was always apprehension of the communists' on-slaught on the British empire in India through the state. So, the British Government kept a vigilant eye on the events in this border state, and saw to it that the press did not create any ill-will against them.

In fact, British India suppressed the emergence of a free press not only in Jammu and Kashmir but also in other princely states of India.

OUTSIDE-PAPERS

In the absence of local newspapers in the state, those published from outside had a wide circulation in Jammu and Kashmir. Few of them were, however, edited and published by the state subjects. Prominent among them were *The Tribune*, *Milap*, *Partap*, etc. A few of the vernacular papers who tried to create social unrest among the state subjects were banned in the state.

But Maharaja Hari Singh also moved with the times, keeping in view the awakening among the people and the spread of education throughout the country as well as his state of Jammu and Kashmir, he brought forth the Press and Publication Act on April 25, 1932, to facilitate the publication of newspapers in his own territories. This enactment gave boost to more newspapers from both Srinagar and Jammu. Provisions for the security of the printing press and newspapers were also modified.

NEW IMPETUS

The first paper to appear after the Press Act of 1932,

was *Paswaan* by Munshi Miraj-ud-Din Ahmed from Jammu on July 1, 1932. Prem Nath Bazaz brought out *Vitasta*, an Urdu weekly from Srinagar on October 31, 1932, which was the first newspaper from the Valley. The same year the *Rehbar* was started by Ghulam Mohi-ud-Din. The *Hamdard*, in Urdu, began its publication in August, 1932 by Prem Nath Bazaz in collaboration with Sheikh Mohammed Abdullah. Later, Sheikh Mohammad Abdullah founded *Khidmat* in 1934.

A series of other newspapers, mostly devoted to social reforms, were also published and brought out in Urdu, Hindi and English. Gradually more printing presses also were set up in the State to meet the demand of publications.

The *Ranbir* switched over from a weekly to daily newspaper. *Chand*, an Urdu weekly, edited by Shri Narsingh Dass Nargis also later became daily and then again converted into weekly. Among the other important papers were *Rattan Magazine* of Om Saraf, *Pukar* a Hindi Weekly of Balraj Puri. *Amar* of Shiv Ram Gupta, Daya Krishen Girdish's *Dogra Gazette*, Mohinder Singh's *Wattan*, Vishwa Nath Kerni's *Sudershan* Gopal Dutt Mengi's *Desh Sewak*, *Lok Sandesh* of R.S. Mukht, D.C. Dewan's *Sher-e-Duggar*, *Sach* of Raja Mohd Akbar Khan from Mirpur (now in PoK) *Prabhat* of Dayanand Kapur, Shanta Bharti's *Bharti* Shakuntala Seth's *Usha* and *Deepak* of Bhagmal Sharma in the pre-1947 period.

From Kashmir Valley, the major publications were; Pandit Shamboo Nath Koul's *Vakil*, Khawja Ali Mohammad *Haqiqat*, Akali Kor Singh's *Sikh Samachar*, Sardar Gurpurab Singh's *Khalsa Gazette*, Munshi Mohammad Din Fouq's *Kashmir Jadid*, Mohammad Hassain Ghazi's *Tarjman*. Ghulam Mohammad Bandey's *Tauheed*, Peer Mubarak Shah's *Haqiqat*; Pt. Kashyap Bandu's *Desh* and Mr. M.A. Sabir's *Albarq*, besides *Vitasta*, *Martand Kesri*, *Desh*, *Kalid*, *Haqiqat*, *Tarjman*, *Tankeed Khalid*, *Islam*, *Kohin Chronicle* and about 20 others.

BROADCASTING

There were not many restrictions on the freedom of press as the Maharaja believed that healthy criticism of government policies served as feed-back to his administration and helped him setting in motion grievance redressal machinery.

It was during his time that broadcasting was also undertaken in Jammu and Kashmir. The state's first radio station was set up in Jammu on December 1, 1947 which was indeed the most important development in the field of public information. This station started operating from three rooms of the Government Ranbir High School with one kilowatt medium wave transmitters. It was inaugurated by Maharani Tara Devi. When a voice came on the air for the first time at 6.30 p.m. on that eventful day, it heralded a new era in broadcasting in the state. In 1949, this station was shifted to its present location on the Palace Road. A radio station at Srinagar started broadcasting in July 1948. It may, however, be recalled, that broadcasting formed a function of the Jammu and Kashmir Government till 1954 when it was taken over by the Government of India.

DISRUPTION

In 1947, when Pak raiders invaded the state, it went through a lot of disorder and dislocations which had the impact on the press among other things. About one-third of the state's area was occupied by Pakistan, and as a result the papers published from Mirpur were badly suffered.

As the Kashmir question was discussed and debated at the United Nations, the attention of the national as well as international media was focused on Jammu and Kashmir. A number of newspapers and periodicals emerged on the state scene. During 1949-50 there were 63 newspapers and periodicals. In 1940, there were 54

newspapers, comprising one Urdu daily while others were periodicals.

PUBLICITY DEPARTMENT

It is also noteworthy that it was Maharaja Hari Singh who first set up the Publicity Department in Jammu and Kashmir in 1931. The importance attached by him to this organisation is evident from the fact that it was kept under the direct supervision of the Chief Secretary, Judge of the High Court and Home Minister of the State.

After Independence, the Publicity Department was re-organised and later Jammu and Kashmir Information Bureau was set up at New Delhi in 1948 to disseminate news about the state and liaise with the national newspapers.

ASSESSMENT

The press scenario during the period presented a struggle for survival and public service. The newspapers and periodicals were beset with many problems. There were difficulties of good printing, lack of trained persons, low literacy and limited circulation with absence of fast means of communications. The advertisement revenue was not forthcoming and the papers had to depend upon the state government for this purpose. Consequently, the financial health of the newspapers and periodicals was depressing and many papers were short-lived during the period.

The Maharaja was at heart an enlightened ruler with a liberal outlook, conscious of the developments in the British India where the Press had assumed important role. He was for free expression of ideas but at the same time bound by treaty commitments to the British power which had paramountcy over the Kashmir kingdom. He was, accordingly, an interesting person of two streams: one of his loyalty to the British India and second of his concern for the welfare of his people of the state. It is noteworthy that four

of his Prime Ministers had over-riding consideration for law and order rather than adhering to the freedom of the press. At times they over-acted and took a strict view of the writings in newspapers. Yet by and large the press in Jammu and Kashmir was in certain respects more favourably positioned than in other parts of India. It might, therefore, be said that Maharaja Hari Singh who went out of the state in 1949, has left his indelible imprints on many spheres of life and the direction he set forth for the growth of the press and free expression in the State. It formed one of his most significant contributions.

BIBLIOGRAPHY

PRINTED BOOKS

1. Aggarwal, S.K., *Press at the Crossroads in India*, UDH, Delhi, 1988.
2. Anand, Adarsh Sein, *Development of Constitution of Jammu and Kashmir*, Light and Life Publishers, New Delhi, 1994.
3. Bamzai, Prithvi Nath Kaul, *History of Kashmir*, Metropolitan Book Company, New Delhi, 1962.
4. Basu, Durga Dass, *Laws of the Press*, Prentice Hall, New Delhi, 1986.
5. Bhat, Sonaullah, *Kashmir, 1947-77*, J&K Offset, New Delhi, 1978.
6. Chalapathi, M. Rau, *Press in India*, Allied Publishers, Bombay, 1968.
7. Chatterjee, R.K., *Mass Communication*, National Book Trust, New Delhi, 1973.
8. Hari Om, *A Study in the Spread of Education and Consciousness, (1857-1925)* Archives Publishers, New Delhi, 1980.
9. Jagmohan, *My Frozen Turbulence in Kashmir*, Allied Publishers, New Delhi, 1991.
10. Khan, G.M., *Freedom Movement in Kashmir*, Light and Life Publishers, New Delhi, 1980.
11. Mahajan, Mehr Chand, *Looking Back*, Asia Publishing House, Bombay, 1963.
12. Maheshwari, Anil, *Crescent over Kashmir (Politics Mullaism)*, Rupa and Company, New Delhi, 1993.
13. Maitra. M., *History of Indian Journalism*, National Book Agency, Calcutta, 1969.
14. Mehta D.R., *Mass Communication and Journalism in India*, Allied Publishers New Delhi, 1986.

15. Nargis, Narsingh Dass, *Tarikh-e-Jadid Dogra Desh*, Chand Publishing House, Jammu, 1967.
 16. Natrajan, S., *History of Press in India*, Asia Publishers, Bombay, 1962.
 17. Parthasarthy, Rangaswami, *Journalism in India: From the earliest times to the present day*, Sterling, New Delhi, 1989.
 18. Saraf, Mulk Raj, *Fifty Years as a Journalist*, Raj Mahal Publishers, Jammu, 1967.
 19. Singh, Bhagwan, *Political Conspiracies of Kashmir*, Light and Life Publishers, Delhi, 1973.
 20. Sharma B.L., *Kashmir Awakes*, Vikas Publications, New Delhi, 1971
 21. Singh Karan, *Heir Apparent, An Autobiography, 1931-67*, OUP, Delhi, 1981.
 22. Sufi, G.M.D., *Kashmir, Volume I and II Lahore 1957 and Srinagar, 1977*.
 23. Sen, S.P., *The Indian Press*, Institute of Historical Studies, Calcutta, 1967.
 24. Taseer, Abdul Rashid, *Naqoosh-Sahafat*, Mahafiz Publications, Srinagar, 1989.
 25. Teng, Mohan Krishen, *Kashmir Constitutional History and Documents*, New Delhi, 1978.
 26. Warren, K. Agee, *Mass Media in a Free Society*, Oxford and IBH, New Delhi, 1972.
- Annual Administration Reports (1930-1950)*, J&K Govt. Press
Commission Report (1954), Publication Division, New Delhi, 1954.
- Report of the Committee on Broadcasting and Information Media*,
 Ashok Kumar Chanda, PIB, New Delhi, 1966.

X

HOW PAKISTAN OCCUPIED GILGIT—A FIRST-HAND ACCOUNT

—*Late Brig. Ghansar Singh*

In 1947 Pandit Ram Chandra Kak was the Prime Minister of Jammu and Kashmir, Major General H.L. Scott was the Chief of the Staff and I was working as Brigadier General Staff of the Jammu and Kashmir forces. On or about July 19, 1947 I was appointed as the Governor of Gilgit by His Highness Maharaja Sir Hari Singh Bahadur much against the wishes of the Prime Minister. Before the issue of the order of my appointment, the Prime Minister called me in his office and told me about my appointment and also asked me to be ready to fly to Gilgit on July 21, 1947, so that I could take over there on August 1, 1947.

Gilgit at that time was ruled by the British as the Kashmir Government had given it over to them on lease for 60 years. On termination of the British Rule in India, Gilgit automatically had to revert to the state, and therefore the state government had to take over, its administration.

On July 20, 1947, I noted down a few points connected with administration and policy and went to the Prime

Minister to discuss there before my departure to Gilgit. As I had once before been to that part of the country, I was acquainted with most of the problems. I strongly objected to the retention of British Officers in Gilgit incharge of Scouts. The Prime Minister avoided me. The other day Major General H.L. Scott, the then Chief of the Staff told me in his office that the Prime Minister thought that I had got funky. I at once guessed that the Prime Minister disclosed my secret-talk to General Scott. The Prime Minister ought not to have told General Scott what I had told him in confidence against the retention of British Officers in Gilgit. However, I avoided him and told him that I knew Gilgit and also the state administration for the last 27 years. Things that I had to get decided personally on spot would be done and anything that was leftout would never be considered by any one once I had gone to that far flung part of the country. However, it was decided that General Scott would go with me to see to my requirements and report to the government for immediate action.

On July 21, 1947, we could not get a plane. On July 24, 1947, at 2 p.m., I got a message from Chaudri Niaz Ahmed, the then Chief Secretary that the Prime Minister wanted me to leave for Gilgit that evening by a K.M.T. lorry via Bandipur and to reach there in two days time. I was surprised to know as it was humanly impossible to cover 200 miles on pony and so I went to him. The Chief Secretary confirmed his orders and asked me to see the Prime Minister if I wanted any change. Accordingly, I met the Prime Minister who told me that if Raja Ram Singh reached Gilgit in two days time why couldn't I. I told him that I could not do so because I knew the country and did not have the facilities that were at the disposal of the aforesaid Raja Sahib. He was persistent and I came back and met General Scott and told him all about the talk I had with the Prime Minister. He was surprised to know that attitude of the Prime Minister.

Fortunately, the other day there was a meeting at the palace in which the Prime Minister and General Scott had to participate. General Scott raised the point of my going to Gilgit by road and the impossibility of reaching there by August 1, 1947—the date of taking over the Gilgit Agency. General Scott on his return told me that His Highness had directed the Prime Minister to arrange for a plane thus saving me from all unnecessary worries. The Prime Minister had to do all this against his wishes. Thus from the very beginning I got an impression that the Prime Minister was hostile to me.

Before my departure I found from the State Political Department that all officers of the British Government had opted to serve Pakistan. The state civil officials who had to replace them had not even been detailed. Therefore, I knew I was being sent to take over the whole of the Gilgit Administration single-handed. As a soldier, I could not refuse but would indicate intentions of the authorities who ordered me to proceed to Gilgit to take over charge of the Agency without any administrative set-up. The Prime Minister was fully aware of the fact that the Agency staff had opted for serving Pakistan.

On my own initiative I sent one telegram to Raja Noor Ali Khan, the then Revenue Assistant at Astore and one to Captain Durga Singh Company Commandar, 5th Kashmir Light Infantry to meet me at Gilgit in August, 1947.

I reached Gilgit on July 30, 1947 to take over as Governor of Gilgit and its Agency. Major General H.L. Scott, the then Chief of the Staff, Jammu and Kashmir Army, was sent along with me.

At that time one Lt. Colonel Bacon, a British officer was the Political Agent. He was assisted by three or four British officers in administration.

The general impression was that the British officers did not like the change but the Gilgit public, however, was highly pleased with the transfer of power and they welcomed the change but were surprised to find that

the Governor had gone there all alone without any administrative machinery.

The same evening Major Brown, the Commandant and JCOs of Gilgit Scouts came to pay their respects to Major General Scott and to me. During the course of talk, Sub. Major Babur Khan of Scouts and all the JCOs clearly stated that they wanted to serve Pakistan. They would serve the state only if their demands were accepted. Major General Scott noted down all these demands which were about a dozen in number and promised that he would obtain sanction and communicate the same to the Governor and they should not worry at all and serve the state.

Similarly, the other day the whole civil establishment in Gilgit came to see me and stated that they all had opted to serve Pakistan. They would serve the state on the condition that they were guaranteed a raise in pay. I promised to recommend individual deserving cases for sympathetic treatment by the Government but they stopped work in all the office. The fact was that all these decisions had already been taken by them long before my arrival there.

There were two other officers with me—Raja Noor Ali Khan, Revenue Assistant, and one Dr. Hans Raj Gupta. Actually Raja Noor Ali Khan did not belong to Gilgit administration.

Raja Noor Ali Khan, Revenue Assistant, took over the Treasury and the Doctor took over charge of the Hospital without the usual paraphernalia of office. Lt. Colonel Bacon hesitated to hand over in the absence of staff but I told him that I was responsible for agency offices and would be responsible to meet any shortage. On this assurance he agreed to handover.

Thus the whole charge of Gilgit and the Gilgit Agency was taken over. The office work had come to a standstill for want of establishment. After a few days some of the non-local clerks showed inclination for service and

gradually it was ascertained that the Scouts as well as the civil employees had taken this attitude of non-cooperation at the instigation of some of the British officers. To augment my difficulties they had completely exhausted or distributed all the controlled articles. There was not a yard of cloth, not even an ounce of sugar left for the whole area.

General Scott returned to Srinagar on August 2, 1947. He surveyed the whole situation and I gave him the following most urgent points for immediate orders of the Government:—

1. Demands put forth by Gilgit Scouts;
2. Demands put forth by the civil establishment regarding grades and pay;
3. Sanction to permit me to operate the then budget or alternatively to send me the state budget if sanctioned by the Government;
4. Acquisition and control of one wireless set installed in Gilgit by the British Government but now controlled, paid and maintained by Pakistan from Peshawar. Necessity of its acquisition was pointed out to General Scott as this was the only means of maintaining communication with Srinagar.
5. Dire need of more doctors; and,
6. Urgency of the appointment of an officer for Chilas outpost lying vacant, etc.

The General promised to personally see to all these points and decided immediately to return to Srinagar.

On August 3 or 4, 1947, a revolution broke out at Yasin. The Political Agent, Lt. Colonel Bacon, had imprisoned some of the leading men of Yasin who had revolted against the Raja.

The whole of Gilgit and the Gilgit Agency was watching this agitation with great interest as it was a test for me. The Mehtar of Chitral was supporting the cause of the local people against the Raja. The Mehtar was

interested in the installation of one of his relatives (Khushwaqts) as a Raja in place of the present one who came from Nagar. After a few days, the agitation grew stronger. The Mehtar started sending telegrams to His Highness the Maharaja Bahadur to intervene. I knew this was a legacy left by the British for me. I appreciated that the change of Raja on the pressure of Chitral would tell heavily on new administration, so I decided to support the old Raja and not to yield to the threats of the Mehtar. It would be interesting to mention here that the Raja of Punial helped me in quelling this agitation peacefully without resorting to any force.

At this time I was sitting like a dummy at Gilgit. I had neither powers to operate the budget nor those of a District Magistrate to operate criminal offences in the agency. I had no controlled articles such as cloth, sugar or kerosine oil in store for the public. Nothing was decided about any of the points given in writing to General H.L. Scott. Telegrams were sent incessantly to the Chief Secretary and the Prime Minister but no reply to my urgent requests, made through General Scott, was given to me.

Further, I noticed that there was no officer at the Chilas post, so I sent Captain Sayeed, now with the Scouts, to Chilas on tour. On his return he reported that one Captain Hamilton (late Scouts Officer) on his return to Peshawar had openly said to Chilas that the people need not worry as they would bring Pakistan for them within six months time.

During this period companies of 6th Kashmir Infantry started from Srinagar to relieve one company of 5th Jammu and Kashmir infantry at Bunji. The leading company was commanded by one Captain Hussan Khan. They shouted slogans of Pakistan from Bandipur. I got complaints from the local inhabitants of Gurez and Astore that the military party shouted Pakistani slogans as they approached villages and that they should be stopped

doing so. I sent these applications—one to Major General Scott and one to Brigadier Rajinder Singh emphasizing not to send the Battalion to Gilgit.

I got a message from Major General Scott that the complaints were corroborated by a responsible Kashmir Police Officer. This Officer had personally heard these slogans at Warwan near Koorgbal and that a proper enquiry should be held and persons involved arrested and sent back to Srinagar under escort.

Raja Noor Ali Khan, my Revenue Assistant, in the meantime went to Astore on tour and reported that the military detachment had actually shouted Pakistani slogans in Astore Area too.

Lt. Colonel Abdul Majid Khan commanding officer of the battalion in the meantime reached Bunji. I called him at once to Gilgit. I told him the whole story and gave him all the secret messages sent by Major General Scott directing him for immediate action and report. On return to Bunji after two days he informed me on phone that on enquiry it was found that there was no truth in the allegations and that only religious slogans were shouted by the company. No Pakistani slogans were shouted by any one in that company.

He sent enquiry papers which in original were forwarded by me to the Chief of the Staff.

SCOUTS

The services of two of the British Officers were retained by the State. Consequently, the Gilgit Scouts were commanded by Major W.A. Brown, assisted by Captain Mathesson, Captain Mohammad Sayeed and Lt. Haider of the Kashmir Army. One Babur Khan, uncle of the Mir of Nagar, was Subedar Major of the Scouts. The headquarters of the Scouts was at Gilgit.

6TH KASHMIR INFANTRY

The 6th Kashmir Infantry—was half composed of Sikhs

and the other half of Mohammedans—was commanded by Lt. Colonel Abdul Majid Khan and was stationed at Bunji—about 34 miles short of Gilgit.

After about one-and-a-half months, I received a letter from General Scott saying that he had been hooted by certain officers when he went to the Prime Minister to talk about Gilgit affairs. He stated that none were keen to settle Gilgit matters and as such I should not expect any decision or help from these quarters. On receipt of this information I was advised that I was doomed.

By this time I had a full picture of the Gilgit situation. I knew the attitude of the Scouts, the behaviour of the 6th Kashmir Infantry, the grouses of the civil local employees, and above all the attitude of certain Mirs. I wrote a letter to Pandit Ram Chandra Kak, the then Prime Minister, another to General Janak Singh who had then taken over as Prime Minister. I also wrote to Rai Bahadur Ram Lal Batra, the then Deputy Prime Minister. In these three letters, I drew a complete picture of the situation prevailing in Gilgit. I had definitely stated that, in case the State acceded to the Indian Union, the Gilgit province would go to Pakistan but no action was taken. I never received replies to my letters from any one of them.

A few days later, I heard at Gilgit that General H.L. Scott was relinquishing his duties as Chief of the Staff. I pointed out to General Janak Singh, the then Prime Minister about my claim to the post and got a dilatory reply. I heard that the Kangra intrigue was going on underneath against me. After a few days I got information from my friends that General Janak Singh with the help of his Kangra Party had succeeded in getting his son Kashmir Singh from the Indian Army as Military Advisor in place of General H.L. Scott.

My personal feeling is that this crowd got the right opportunity to deprive me of my well earned claim for the post of the Chief of the Staff of Jammu and Kashmir State

Forces. After serving the state most faithfully and loyally for more than 27 years no worse treatment could be meted out to any one in service as was accorded to me. General Janak Singh seems to have forgotten that it was the right of the senior-most officer (who incidently had served with him for a long time and had his full appreciation) to succeed the Chief of the Staff and not to bring in a youngster even if he happened to be his son.

It was a personal loss to me but at the same time I think it was no less a dis-service to the Jammu and Kashmir state army which needed its own leaders in these critical times. I personally feel General Kashmir Singh was put in a rather awkward position, as he was quite new to the situation and to the army. The state needed its own experienced officers who knew the country, the army and the people.

About ten days before the revolution I went to Bunji to find out as to what strength was available for use in case of emergency. Lt. Colonel Abdul Majid Khan told me that there was only one Mohammedan Coy of Captain Hussan Khan which was fit for operations whenever needed. The Sikh Coy consisted of raw recruits who would be fit after 3 to 5 months time when they fired their Musketry Course. So I had to depend on one Mohammedan Coy alone.

It was here at Bunji that one Telegraph Officer, a Kashmiri Pandit, secretly informed me that there was a rumour in Kashmir that one Major Sher Ali of 4th Jammu and Kashmir Infantry had joined hands with Pakistani troops and they had already taken Muzaffarabad and were at Baramulla then.

With full knowledge of the events and total lack of cooperation on the part of the Jammu and Kashmir authorities in Srinagar, I prepared myself to lay down my life along with my colleagues for the sake of the State which our forefathers had once given to subdue that part of the country.

I had a very good occasion to slip away from Bunji but as my other colleagues and non-muslim public could not be evacuated, decided to go back to Gilgit and to die on spot along with them. On reaching Gilgit I learnt that the State had acceded to the Indian Union and Pakistani troops had reached Pattan near Srinagar.

Further rumours about the Gilgit invasion by Swat and Chitral started. I contacted the Mirs and Governors except Raja Punial as there was no telephone communication. All promised and assured me of their loyalty. The Raja of Punial was summoned to Gilgit where he reached the same evening I was arrested. He was not allowed by the Commandant of the Scouts to see me.

There was conflicting news about the fall of Srinagar leading to disturbance among the Scouts. Major Brown, Lt. Gulam Haider and Subedar Major Babur Khan of the Scouts were holding secret meetings and were in touch with the Mohammedan Officers stationed at Bunji. The Hindu and Sikh shopkeepers came and requested me to call the state army detachment from Bunji.

I had a great problem. I had to weigh the two i.e., the Gilgit Scouts and the 6th Jammu and Kashmir Infantry. I knew that the attitude of the Mohammedans of 6th Jammu and Kashmir Infantry would be more destructive than that of the Gilgit Scouts. The Mohammedans of the 6th Infantry knew what had happened in the East and the West Punjab. They also knew what was happening at Poonch near their homes (a regular war). After weighing these pros and cons I decided that I should depend on the Gilgit Scouts as they had not seen disastrous actions of the East and the West Punjab. The second consideration was that it would be no credit to us if we met our deaths at the hands of our own Mohammedans. On the other hand it would bring credit to us if we were killed by the Gilgit people whom we had once subdued. With these impressions I did not want the Mohammedans of the 6th Infantry to be in Gilgit

before time. I informed my subordinates about the gravity of the situation, and advised them to shoot their women folk in case of emergency before they fell into the hands of the Scouts.

On October 30, 1947, in the afternoon, I called and talked on phone to Lt. Colonel Abdul Majid Khan at Bunji and ordered him to reach Gilgit immediately with as much force as he could muster.

On the night between October 31, and November 1, 1947, at 12 night, about 109 Gilgit Scouts led by Major Brown, Lt. Haider Khan and Sub-Major Babur Khan, surrounded my house.

Hearing the sound of their footsteps on my wooden planked verandah, I got up and saw about eight men on that side. I could never think that those were Scouts. I got my revolver and slipped to the other room, where my orderly was. I told him to take his rifle. My driver with his son also reached there. I had a revolver, my orderly had rifle, and my driver was with a D.B. Gun. I at once went to my office room and outside saw lot of men surrounding the Bungalow.

When I came back to my orderly's room, I saw the men pushing my bathroom door and trying to break it open. I thought, they would enter my house. One round was fired to frighten them away. They started firing in reply. We occupied 3 rooms, one for each. Both sides exchanged fire. After about one hour M.G. bursts started on my bungalow. Skylights were smashed and bullets were striking right and left. The M.G. fire was stopped after sometime but rifle fire continued till 4 a.m.

In the morning Pandit Mani Ram, Naib Tehsildar and a Police Inspector were sent to me. The Scouts were still surrounding my bungalow. Both these officers came to me and said that the Scouts wanted me to surrender within 15 minutes and in case of surrender all non-muslims and civil officials would be safely sent to Bunji as they wanted to establish Pakistani Raj in the Gilgit

Agency only. In case these terms were not accepted, all non-muslims would be shot dead. On this ultimatum I sent for Raja Noor Ali Khan and Mr. Sahdev Singh Tehsildar. They advised me to accept these terms and return to Bunji, Battalion Headquarters. To these terms I agreed.

After hearing the news of my arrest, people from the surrounding villages gathered. Together and protested against this action. It is said that some slabs of detonators were collected from the P.W.D. Stores and shown to the villagers saying that they were the hand grenades which had been distributed by the Governor to all the non-muslims of the Bazar for destruction of Muslim houses. Thus these ignorant people were duped for the time being, but after a few days they came to know about the real facts. They cursed themselves for what they had done, but were helpless in face of the army revolution.

The Mohammedan officers of the state intervened and disagreed to the first decision and compelled Scout Officers to ask for the surrender of Bunji Garrison of non-muslims. They started making arrangements to attack Bunji. Captain Matherson, the 2nd British Officer at Chilas Post was instructed from Gilgit by this Provisional Government to occupy Astore and to cut off the line of withdrawal of Bunji Garrison. Major Brown and Captain Hussan arranged an attack on the Sikh detachment from Gilgit side. The 6th Infantry had one post of non-muslims at Janglote. Mohammedans of 6th Infantry and Gilgit Scouts raided this post at midnight and shot all except one person.

The Sikh Company at Bunji hearing about the incident at Gilgit and the massacre of their out post at Janglot fled to find their way back to Astore. This line of withdrawal was already cut off by Captain Matherson with the help of Scouts from Chilas. Therefore, this Company could not find any way out. They hid in the hills for a fortnight but had nothing to eat so after starvation felt back to Bunji and were captured.

During this period of turmoil Major Brown, Captain Hussan, Captain Ihsan Ali, Captain Mohd Khan, Captain Sayeed, Lt. Haidar and Subedar Major Babur Khan were the leading figures of the Provisional Government.

In the Government, two influences began to work, Gilgit Scout Officers were in favour of Pakistan alone and did not want to slaughter any non-muslim and the Mohammedan officers of the state forces were totally against keeping any non-muslim alive. They wanted either to shoot them or to convert them. Lt. Haider Khan volunteered to shoot me. Thrice timings were fixed to shoot all non-muslims but somehow or other this was avoided by the local people. Life was most insecure. Days were passed amidst great worry and hardships. All civil officials with their families were threatened. Bazar people were harassed and in general pandemonium reigned.

Major Brown ruled Gilgit and Captain Hussan became the General at Bunji. He went to Astore, took over the Treasury and started shooting selected Hindus and Sikhs on minor pretexts.

Captain Mohd. Khan married a Kashmiri Pandit's girl. Thus at Astore and Bunji forced conversion was started by the troops. The maxim of the day was either all non-muslims should be slaughtered or forcibly converted to Islam.

From Gilgit, Major Brown sent frantic wireless messages to Peshawar authorities that Pakistan Government had been established at Gilgit and they must recognise it.

On November 3, 1947, the flag hoisting ceremony was performed at Gilgit in Scouts lines by Major Brown where all civil officers of the state except myself were called and made to salute the Pakistani flag.

It was on the day that Lt. Colonel Abdul Majid Khan and Sub Major Babur Khan visited to me with one typed telegram in which they had written "Charge of Gilgit handed over to Gilgit Government etc."

I refused to sign the telegram saying that I had not handed it over but that it was forcibly taken over. On my refusal I was plainly told that in case of my refusal all non-muslims would be shot dead. I offered myself to be shot as I told the Sub-Major that I was the culprit who had requested the state authorities not to join Pakistan and that the civilians had no hand in it. He said that there was not a question of one man, but of all non-muslims. If I wanted all to be slaughtered, I might not sign and those were the instructions of the Provincial Government. Thus I was forced to sign the telegram.

After a fortnight, one Sardar Mohammad Alam, a Pathan, came by air from Peshawar and took over as Political Agent in Gilgit. Air service started in right earnest. Civil and military officers of the Regular Pakistan army poured in and took over the administration. The military officers contacted Peshawar and Pakistan took over Gilgit and started administration properly. During this period Major Brown and Captain Hussan Khan fell out with each other. Each wanted to take greater credit for the revolution.

But as soon as the Pakistani officers reached there, they had to transfer both Major Brown and Captain Matherson to Peshawar to take over command of both the Scouts as well as of the Mohammedan troops of the state under the command of Captain Hussan Khan.

The Pakistan Air Force started work with great keenness. Monoplanes were used for conveying officers. Dakotas were used for dropping arms, ammunitions, clothings and ration from Peshawar.

MIRS AND RAJAS

A few words about the Mirs and the Rajas. they formed two groups—one group was under the influence of the Mir of Hunza comprising Hunza, Nagar and Governor of Yasin (uncle of Mir of Nagar) and the other

led by the Raja of Punial consisted of Punial, Koh Ghizar and Ashkoman. The Mir of Hunza and the Raja of Punial were not on good terms as each wanted upper hand.

The Raja of Punial was most faithful to the state and wanted to maintain the old traditional relations.

The Mirs of Hunza and Nagar were both in Srinagar as state guests at the time I went to Gilgit in July, 1947. I was informed at Gilgit that Captain Ihsan Ali used to bring Mr. Ibrahim of Poonch to the guest house at Srinagar at 12 midnight to hold secret meetings. On their arrival at Gilgit I entertained them properly. During their stay in Gilgit it was said that the Mir of Hunza showed Pakistani flags to some of his friends and then went away of Hunza. This news spread like fire in the town. The Mir of Hunza had an agent in Gilgit who informed him about this news. The Mir wrote a private letter to me and said that some of his ill-wishers had spread this rumour and I should not have a bad impression about him. I sent a formal reply to this letter of his.

Babur Khan a sub-major of Scouts had married the sister of the Mir of Hunza and was the uncle of the Mir of Nagar so he belonged to a group which was opposed to the Raja of Punial. The Raja of Punial was said to have been threatened by Babur Khan to go back as he would not be allowed to meet me on the night of my arrest. Thus I could not see or meet the Raja of Punial and talk to him in connection with this accession. My impression was that as sub-major Babur Khan was related to the Mir of Hunza, he could not take a leading part in the revolution without the consent of the Mir. A majority of the Scouts (ratio 3 to 1) was from Hunza and Nagar, and the Scouts from Punial and Koh Ghizar and Ashkoman had to submit and yield.

INVASION ON SKARDU—(III)

Skardu originally was under the jurisdiction of the Wazir Wazarat of Ladakh. It had nothing to do with

Gilgit, or the Gilgit Agency. Skardu is very a fertile valley with plenty of fruits.

The Raja of Skardu, was alone responsible for the local administration under the Wazir Wazarat of Ladakh. The state had provided a hospital and many dispensaries all over the rural area for the benefit of the public. Many schools were opened in that place. The military were garrisoned there at one time. There was an old fort manned by personnel living there which was linked to Srinagar by three routes.

On the fall of Skardu many atrocities were committed by Captain Ihsan Ali who shared the blame and the loot equally with his brother Wazir Walayat Ali Khan. Captain Ganga Singh was captured, roped and shot along with 30 other military men. When these atrocities and loot came to the notice of the Political Agent, Matah-ul-Malik was recalled to Gilgit and replaced by one Captain Burhn-ud-Din, another relative of the Mehtar of Chitral. Colonel Mohammad Aslam during his stay about six months, ill-treated most of the people of Astore. He was replaced by Col. Jilani from Peshawar who conducted the operation from Astore as his headquarters. After the complete capture of Skardu, the administration in the beginning was run by the Balti Scouts till it was taken over by the Pakistan Government.

PERSONAL

On my arrest, a Scout guard was posted at my house and I had to vacate it leaving behind my private arms and ammunition, kit and stores it.

A few days after the arrival of Khan Mohammad Alam Khan, a Political Agent, my kit was returned to me.

Major Brown personally opened and searched the boxes in my room. All my confidential records were taken away by him. The stuff in two of my boxes were also stolen away.

After few months, on enquiry from the P.A., I came to know that Major Brown had not handed over to the P.A. my service revolver, fishing rod and four thousand cartridges with the gun.

It is for our Government to arrange Pakistan Government about the return of my private arms and kit from Gilgit and to take proper action against Major Brown especially when he was in J&K State service.

I was released on January 15, 1948, at Sochetgarh which is on the Jammu-Sialkot border.

XI

THE ACCESSION OF THE J&K STATE AND MAHARAJA HARI SINGH

—*Dr. D.C. Sharma*

The state of Jammu and Kashmir came into existence under the Treaty of Amritsar in 1846. It was not a homogeneous state; rather, it consisted of three different regions known as Jammu, the Kashmir valley, and Gilgit and Ladakh. These three regions have distinct languages, culture customs, manners and even history. Its first ruler Maharaja Gulab Singh was semi-independent. He was succeeded by three successive rulers—Maharaja Ranbir Singh (1857-1885) Maharaja Pratap Singh (1885-1925) and Maharaja Hari Singh (1925-1948). these rulers provided the people of the state peace and stability, and carried out a number of reforms in the interest of the general public, especially of the cultivators.

The cultural links of these three regions of Jammu and Kashmir with India date back to ancient times. India has always regarded the area of Jammu, Kashmir and Ladakh as her northern extremity and likewise the Kashmiri rulers always approached the rulers of Delhi for help and settlement of their affairs in times of political uncertainty. The Kashmir Valley remained for centuries a centre of

Sanskrit learning and pilgrimage for Indians. The contribution of Kashmir to the Sanskrit language, literature and philosophy is indeed remarkable. As such, the state has an important place in the concept of the Indian nation.

With the advent of the British rule in India, Jammu and Kashmir was brought still closer to India by the opening of trade routes with central Asia and linking the state with the rest of India through rail and road links. The lease of Gilgit to British India in 1935 indicated that the state had gained more strategical importance because of the Russian advance in Central Asia in the late 19th century. Maharaja Hari Singh was an enlightened autocratic ruler who initiated a number of reforms in the State. In this task he was helped by a number of good persons. He himself was also a competent and hard working ruler, very well informed and conversant with the needs of his state and its people. He always took into his service persons of eminence who were known for efficiency in the social field. He also took a keen interest in a number of reforms for the welfare of people.¹

To democratize the state administration, a Praja Sabha was established in 1934 to the formation of which 6 per cent population of the State could take part in voting.² He even appointed two popular ministers to fulfill the aspirations of his people.³ Representation of Muslims in the state services was increased and special attention was paid to Muslim students for their education.⁴

Akbar the great Mughal Emperor of India had declared all the land of the Valley as Khalsa.⁵ All the Kashmiris were thus made tenants at will by him. Maharaja Hari Singh removed this stigma and made all the Kashmiri cultivators proprietors of the land.⁶ This was the greatest boon ever made to the Kashmiris. According to V. Shanker⁷ "Maharaja Hari Singh was an enlightened ruler, still there was a big streak of indecisiveness in his char-

acter. So far as the introduction of responsible government was concerned, he was tardy like other rulers”.

In 1946, Lord Mountbatten paid a visit to Kashmir⁸ and discussed the issue of the accession with the Maharaja. “Mountbatten professed not to take any side as to the Dominion to which the State should accede. All that he told the Maharaja was that before August 15, 1947, the date fixed for the transfer of power, the latter should make up his mind one way or another in the light of the relevant factors, in exposition of which according to Maharaja there was tilt towards Pakistan. Mountbatten went to the length of assuring the Maharaja that if he chooses to accede to Pakistan, India would not create any trouble for him.”⁹ This was a sort of encouragement to the Maharaja that he could decide even against joining India. Naturally the Maharaja was indecisive to make a hasty decision.

The Redcliff Award was still awaited, and the vital road and rail link, which were then the main supply lines to the state after the division of the Indian Sub-continent in 1946, were only through Pakistan. So Maharaja Hari Singh negotiated with the Government of Pakistan a Stand Still agreement with a view to maintaining the essential supplies to the State.¹⁰ He wanted to have the same type of agreement with India. But the Government of India did not approve this proposal, and instead he was asked to come to Delhi personally for discussions.¹¹ The main hurdle for the Maharaja in not joining India, as said above was that not a single road, rail link was available to him. At the same time he was not willing to join Pakistan because he understood that it would mean not only the loss of his dynastic rule but also that of the lives of lakhs of his Hindu and Sikh subjects. That is why he was in favour of maintaining a sort of independent status for his state, guaranteed by both Indian and Pakistan.¹² But this was not acceptable¹³ either to India or to Pakistan. Both wanted the state of Jammu and Kashmir to join their respective

dominions and to achieve this objective both of them began to pressurize the Maharaja.

Sardar Patel, the iron man of India, who achieved the integration of almost all the princely states with India, wanted an early accession of the state of Jammu and Kashmir as well. He got a person of his choice Mehar Chand Mahajan¹⁴, appointed as the Prime Minister of the state in place of Ram Chand Kak. It is alleged that it was he who was encouraging the Maharaja for an independent status of his state.¹⁵ So, in order to wean away the influence of Ram Chand Kak over the Maharaja, Sardar Patel wanted to remove him from the post of Prime Minister. The second step Sardar Patel took was to ask Mehar Chand Mahajan to send a special messenger to Guru Golwalker, the then R.S.S. Chief, with a request to press upon Maharaja Hari Singh to join the Indian dominion. Air travel was arranged for the Guruji from Delhi to Srinagar by the Home Ministry of India. In the opinion of Sardar Patel, Guru Golwalker was very close to the Maharaja and commanded respect in the ruling family.¹⁶ However, efforts of certain R.S.S. men from Jammu and Kashmir State and Punjab had already been made to persuade the Maharaja to accede to the Indian union. In 1947, Pt. Prem Nath Dogra was the district organiser of R.S.S. in Jammu. He met Maharaja Hari Singh and submitted to him a memorandum on behalf of the citizens of Jammu, requesting him to join the Indian union under the powers vested in him by the Indian Independent Act of 1964. *The Stand Still Agreement* with Pakistan by the Maharaja was not liked by the R.S.S. and pro-India lobby of the State.¹⁷ Badri Nath, the then R.S.S. organiser of the Punjab, who was very well connected with Maharaja Hari Singh, rushed to Srinagar by air, met the Maharaja and requested him to join the Indian Dominion, at the earliest, but in vain.¹⁸

Guru Golwalker also reached Srinagar on Oct. 17, 1947. He met Maharaja Hari Singh in his palace next day. In

the meeting which took place between the two, 16-year old Prince Karan Singh was also present. The fourth person who also attended this meeting was Mehar Chand Mahajan. Guru Ji apprised the Maharaja of the purpose of his visit. After some discussion, the Maharaja said, my state is totally dependent on Pakistan because all the communications of my state are with the Indian Sub-continent and through the cities of Sialkot and Rawalpindi which are both in Pakistan. For me the only aerodrome is of Lahore. What kind of relations I can have with Indians?¹⁹ Guru Ji then told the Maharaja, "You are a Hindu Raja. To accede to Pakistan means, your Hindu subjects will have to struggle for their existence. It is correct that at present there is no rail, road and air link with India but within a short time these will be available to your state. It is in your interest as well as the interest of your state that you should join the Indian Union."²⁰ Meanwhile Mehar Chand Mahajan also intervened in the talk and pleaded with the Maharaja to accede to India. At the end of the meeting the Maharaja presented the Guruji with a Pashmina shawl.²¹

No doubt, the advice of Guruji was not acted upon by the Maharaja immediately but certainly, it had changed his rigid thinking to remain independent or to join Pakistan. All this shows that the Government of India was very much interested in the accession of the state to India inspite of the fact that the Prime Minister of India Pandit Jawahar Lal Nehru was personally hostile to Maharaja Hari Singh who was naturally apprehensive of the attitude of the Indian National Congress.²²

It is alleged by one scholar that the Maharaja had paid an incognito visit to the Governor General of Pakistan and discussed with him the conditions under which the State could accede to Pakistan. It was then suggested that His Highness was much pleased by his visit although the Governor General's daily circular made no mention of it.

Whether this story is true or false we might safely conclude that the independent status which the Maharaja wanted for his state was not acceptable to India. Now let us examine how Pakistan was planning to grab the state by force or otherwise, and had actually started intriguing and putting pressure on the Maharaja by stopping the essential supplies to J&K State.

Only three weeks after the establishment of Pakistan, a big conspiracy was hatched. The objective of which was that the State of J&K being a muslim majority area should be grabbed by force if its Hindu ruler was not prepared to join Pakistan. Liak Ali, the then Prime Minister of Hyderabad State, had brought with him Rs. 5 crore for Pakistan to overcome her financial crisis.²³ Liaqat Ali Khan, the Prime Minister of Pakistan and Altaf Hussain, the Editor of *Dawn of Karachi*, were hand in glove with him. They hit upon a plan to persuade Jinnah to attack Kashmir. It was also decided by them that the formal decision to do so should be approved by Jinnah at Lahore instead of Karachi.²⁴ So, Liaqat Ali Khan and Jinnah went to Lahore and held a meeting about the proposed attack on Kashmir. Jinnah was at first reluctant to approve the plan. But he was finally won over by the crafty Liak Ali, backed by Liaqat Ali, by a subtle appeal to his insatiable vanity. He told Jinnah, "We have planned that Pakistani troops dressed as raiders will invade Kashmir and occupy Srinagar and that on such and such day you will drive in state through picturesque roads of Kashmir and enter in Maharaja's palace and occupy the throne. Jinnah was fond of pageantry. He had always dreamed of himself as an oriental potentate surrounded by courtiers paying humble homage to the All-Highest. Before the attractive picture painted by Liak Ali, self glorification substituted itself in the place of justice and law and"²⁵ Jinnah yielded and gave his sanction to invade Kashmir.

The pros and cons of this invasion were also discussed

and they relied mainly on the following psychological factors²⁶ which were expected to help them to achieve their cherished objectives of taking over the:

- a) India would not risk her newly acquired international reputation by sending an army to fight the raiders;
- b) Before any reaction in Delhi was discernible, Pakistan could and should occupy all of Kashmir;
- c) Mahatma Gandhi would oppose the war with Pakistan and was likely to favour the accession of Jammu and Kashmir State to Pakistan; and
- d) Lord Mountbatten and Sir Claude Auchinleck would passively help the Pakistan cause by putting obstruction in the way of India sending out her troops to meet the Pak aggression on Kashmir.

The decision was kept a top secret. The date of the invasion was set, and agents were despatched to the Front province to muster support of the tribals for the Pakistan Army. It is said that Jinnah personally supervised all the preparations for the invasion of Lahore.²⁷ He also sent his private secretary Khurshid Ahmad to Srinagar to make arrangements for his triumphant entry into the Kashmir.

The Pakistani rulers were hopeful that the raiders would seize Srinagar before the arrival of the Indian Forces "And all that remained was to plan for the Quid-e-Azam's entry into Kashmir's capital. As a matter of fact, the Quid-e-Azam's sartorial out-fit claimed their first attention. At one stage it was even whispered that the best tailor of Saville Row in London should be commissioned, regardless of cost to undertake this business which must beat hollow Caesar's historic entry into the eternal city.²⁸ They did not take any possible reversal of fortune into their calculations.

So long, of course, as Kashmir was unable to offer any resistance, it was easy for Pakistan.²⁹ Jinnah had risen in his own estimation while the raiders had almost reached Srinagar.

Maharaja Hari Singh realized the grim situation of his State. He then deputed his Prime Minister Mahajan to Delhi to negotiate the accession with Government of India. The Government of India sent V.P. Menon to Srinagar to assess the situation and to bring first hand information. After assessing the situation, he advised the Maharaja to shift to Jammu immediately in view of his personal security which was of vital importance to the Government of India.³⁰ As there was every apprehension that the Maharaja might be whisked away by the Pakistani raiders making it easier for the Government of Pakistan to get the instruments of accession signed by him under duress. And if that happened, the state of Jammu and Kashmir would be lost to India for ever.

V.P. Menon, after his return from Srinagar, reported the whole matter to the Government and pleaded that the state required military help immediately. The gravity of the situation in the wake of Pakistani invasion of the State and the consequent agony of Maharaja Hari Singh can well be imagined from the following instructions which he had given to his ADC while going to sleep: "If Menon came back, he was not to be disturbed as it would mean that Indian help was forthcoming and he could sleep in peace; if he failed to return everything was obviously lost and the ADC should shoot him dead in his sleep."³¹

A study of the original documents of accession reveals that the state's accession to India was delayed at least by two months, which created lot of distress for its people, the ruler and even for the Government of India. This delay was, however, caused not only from the side of the Maharaja but also by the personal whims of Pt. Jawahar Lal Nehru, the then Prime Minister of India. Lord

Mountbatten was also responsible for a delay of at least 24 hours which could have enabled Pakistan to seize Srinagar.^{31A}

The instrument of accession which V.P. Menon took personally from Maharaja Hari Singh was, however, accepted by the Government of India and the State was saved by the arrival of Indian forces who took up offensive against the Pakistani raiders. Pakistan was naturally upset at this.³² "Jinnah, just lost his temper. That was all. As of the reverses in Jungadh were not enough, the cup of disappointment was full to the brim in Kashmir. Jinnah started raving. He was seen by his own attendants raving all night and swearing at all and sundry including Jawahar Lal Nehru. He lost his appetite and started living entirely on whiskey. It was also given out that the great Quid-e-Azam was suffering from tongue cancer. The acuteness of this painful malady was aggravated by the knowledge that only God could stay the reverses of Pakistan in Kashmir. Nobody in the Islamic States thought of even offering a prayer to Allah".³³

The well-known considerations which had impelled V.P. Menon to argue with the Government of India for the acceptance of the accession of the State to the Indian Union included the support of Sheikh Abdullah, the request of the ruler, the cultural links which the state had with India and its strategical importance. To our mind, the decision of the Government of India with regard to the acceptance of the accession was heavily weighed by historical factors. According to V.P. Menon, "Personally when I recommended to the Government of India, the acceptance of the accession of Kashmir, I had in mind one consideration and one consideration alone, viz., that the invasion of Kashmir by the raiders was a great threat to the integrity of India. Ever since the time of Mahmud Ghaznavi, that is to say for nearly eight centuries, without a brief interval during the Mughal epoch, India had been subjected to periodical invasions

from the North West. Mahmud Ghaznavi had led not less than seventeen of these incursions in person. And within less than ten weeks of the establishment of Pakistan, its very first act was to let loose a tribal invasion through the North West. Srinagar today Delhi tomorrow. A nation that forgets its history or its geography does so at its peril."³⁴ These views of V.P. Menon are also substantiated by Sydney Smith, the reporter of *Daily Express* (London). According to him, "Every tribal leader agrees on war aims. They are to wipe out Hari Singh's minority rule in Kashmir to march on and exterminate Chief Sikh Patiala; to capture Amritsar and try in one day to reach New Delhi."³⁵

The subsequent events in India have fully supported the above views and India had to fight three wars with Pakistan and one with China since her independence. It is alleged that Maharaja Hari Singh who remained dilly-dallying³⁶ for months, negotiating with both India and Pakistan for Stand Still Agreements, the provisions of which is there in the Indian Independence Act of 1947, and undecided to join either of the Dominions even after he had concluded the Stand Still Agreement with Pakistan, gave abundant opportunity to Pakistan to conspire against the State of Jammu & Kashmir. It is true that the Indian Independence Act had empowered the Maharaja to join either of the Dominions, but we fail to understand as how he could take a decision in favour of the Indian Dominion with which his state had no road, rail and telecommunication links at the time of Partition. The whole of the Gurdaspur District of Punjab was notionally included in Pakistan and the Redcliff Award, which gave an easy corridor to the state with India, was still awaited. The treatment meted out to minorities especially the Hindus and Sikhs in Pakistan made the Maharaja reluctant to join Pakistan either even when the geographical factors favoured this course. Hence, he wavered in his decision. According to V.P. Menon, he was in Micawberish frame of mind, hoping for the best while continuing to do nothing."³⁷

In the wake of the military attack by Pakistan on the entire borders of the state, the Maharaja had no option but to approach the Government of India for military assistance. It was, however, denied on the ground that the accession of the state to India should precede military assistance.³⁸ And when the instrument of accession had been signed by Maharaja Hari Singh, he was asked to first release Sheikh Abdullah and make him the head of the first emergency government even though he had practically no political support in the Jammu region.³⁹ In this process, a lot of time was wasted and no military assistance could be sent to the Valley. Finally, through a separate letter to the Maharaja, the Government of India tagged a condition to ascertain the will of the people of the state for the final decision about its accession when there was no such provision in the Indian Independence Act of 1947. This condition was mooted by Lord Mountbatten when he went to Lahore by air to attend a meeting of the Defence Council and met Jinnah, the Governor General of Pakistan.⁴⁰ It is indeed very strange that the condition was tagged with the accession when Jinnah stood for the overriding validity of the ruler's personal decision over the will of the people⁴¹ and after the accession had already been accepted by the Government of India.

Even at this juncture, the Maharaja, a mere instrument of accession, could not have saved the Valley from going to Pakistan had not Sardar Patel taken a tough stand against the British generals who were then in command of the Indian forces. Both the British generals, Bucher, the Commander-in-Chief, and George Russel, the Army Commander, asserted in the meeting of the Defence Council that resources available to them were so meagre that military assistance to the State would not be possible. But Sardar Patel said, "Look here Generals, Kashmir must be defended at all costs and come what may, resources or no resources. You must do it and assistance will be rendered by

Government. This must, must and must be done. Do whatever you like arrangements for operation airlift would be ready by the next morning."⁴²

The Generals yielded, and the movement of army by air to defend the Valley started. It seems that the attitude of the British Generals was to delay the operation of the army only to help the Pakistani invaders capture the city of Srinagar. The Deputy Commissioner from Pakistan was already on his way to administrate the city of Srinagar. Some British officers stationed in Pakistan were also known to have directed the tribal invasion inspite of the clear-cut instructions of Lord Atle, the British Prime Minister, not to engage themselves in the Pakistani invasion of Kashmir. Major Brown even led the revolt of the Gilgit scouts against the Gilgit Governor, Brigadier Gansara Singh.⁴³ Lt. Col. Sher Jang Thapa resisted the Pakistani forces for months together at Skardu hoping to receive help from India. But he had to surrender when no reinforcements were despatched by the British Commander in Chief.⁴⁴ Yet the Indian operation in Kashmir would have totally cleared the state from the raiders had Lord Mountbatten not persuaded Pt. Nehru to agree to a cease fire.^{44A}

Even after the accession of the state to India, the Maharaja was not happy because of the military situation in the state. The Indian forces abandoned the city of Mirpur and its adjoining areas without any justification.⁴⁵ He was also coerced by the Government of India to give more and more powers to Sheikh Abdullah, ignoring his own dignity and status. The solemn promise made by the Government of India to the Maharaja to give him a Mysore Model Government⁴⁶ was broken on the behest of Sheikh Abdullah. The Maharaja was still a constitutional head of the state yet he was not consulted by Sheikh Abdullah in taking major decisions.⁴⁷ He was on the other hand accused of having distributed the arms received from the Government of India

to RSS workers. When he donated Rs.30,000 for the welfare of refugees at Jammu, his action was described as an interface in the State's administration.⁴⁸

The feeling of insecurity and uncertainty which then prevailed among the people of the state including the National Conference leaders and workers was another cause of worry for Maharaja Hari Singh. The National Conference leaders felt that they might be let down by the Government of India by accepting the decision of the Security Council regarding plebiscite.⁴⁹ In these circumstances the Maharaja told Sardar Patel that "his position in this matter is also precarious." He reminded the Sardar that he had acceded to the Indian Union with the hope that the Union would not let him down, the States accession to the Indian Union would be final, and that his position and that of dynasty would remain secure. But after the events that have followed the accession, he further said, "feeling comes to my mind that I should withdraw the accession that I have made to the Indian Union. The union only provisionally accepted the accession and if union cannot recover back the territory and is going eventually to agree to the decision of the Security Council which may result in handing us over to Pakistan, then there is no point in sticking to the accession of the state to the Indian Union. For the time being it may be possible to have better terms with Pakistan but that is immaterial because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the state."⁵⁰ When Pt. Nehru came to know of these views of the Maharaja he asked Sardar Patel to persuade him not to take to this course because "It will also lead to trouble for him and for us."⁵¹ Had the Maharaja actually withdrawn the accession of his state to India, there would have been a great constitutional crisis. Not only the Govt. of India had no *locus standi* in the U.N.O., the case of Kashmir in the U.N.O. also would have become redundant. So, keeping in view the long

term interests of the Indian Union, Sardar Patel persuaded, rather requested the Maharaja not to act upon his contemplated decision to which he agreed.⁵² Maharaja Hari Singh thus always cooperated with the Government of India but he was not given proper treatment and was rather humiliated. At last, he was forced to abdicate, in favour of his son, by the Government of India, on the behest of Sheikh Abdullah⁵³ in whom, Pt. Nehru had reposed a blind faith. Had Pt. Nehru not encouraged Sheikh Abdullah against Maharaja Hari Singh and agreed to the suggestion of Begum Abdullah for a permanent accession of the state instead of a provisional one,⁵⁴ there would have been no problem in Kashmir.

REFERENCES

1. Patel, Vallabhbhai, *Select Correspondence 1945-1950*, ed. by V. Shukla, Ahmedabad, Navjeevan Publishing House, 1976, p.204.
2. Gwasha Lal, *Kashmir: Past and Present*, op.cit., pp.51-52.
3. Singh Bhagwan, *Political Conspiracies of Kashmir, Jammu*, Light and Life Pub., 1973, p.19.
Raghvan, G.S., *The Warning of Kashmir, Jammu*, Jaykay Book House, 1993, p.65. (Reprint).
4. Ibid p.39.
5. *Ain-i-Akbadi*, Translated from the Original Persian by H. Blockman, Second revised ed. by D.C. Phillot, New Delhi, Oriental Books, Reprint Corporation, 1977, Vol.I, p.370.
6. *Census of India, Jammu and Kashmir*, 1941, Vol.XII, pp.15-16.
7. Patel, Vallabhbhai, *Select Correspondence*, op.cit., p.204.
8. Menon, V.P., *The Integration of Indian States*, New Delhi, 1961 (Reprint), p.304.
9. Patel, Vallabhbhai, *Select Correspondence*, op.cit., p.207.
"Mountbatten went so far as to tell the Maharaja that if he acceded to Pakistan, India would not take it amiss and that he had a firm assurance on this from Sardar Patel himself." Ibid. p.394. But according to Seshadhari, Lord Mountbatten persuaded Maharaja to join Pakistan. See *Kritiroop Singh Darshan*, pp.30-31.
10. Maharaja Hari Singh by concluding Stand-Still Agreement with Pakistan had not violated the Indian Act of Independence 1947 as there is a provision of such an agreement in the said Act which was passed by the British Parliament.

11. *Maharaja Hari Singh's letter dated 26th October, 1947 to Lord Mountbatten, Governor General of India*, quoted by S.R. Bakshi in *Sheikh Abdullah, Jammu*, Jay Kay Book House, 1995, pp.33-35.
12. Patel, Vallabhbhai, *Select Correspondence*, op.cit., J&K Govt. Press note, p.241. "Lord Mountbatten said that it would be improper to move Indian troops into what was at the movement in Independence Country." Menon, V.P., *The Integration of Indian States*, op.cit., p.399. "Besides he was toying with the notion of an independent Jammu and Kashmir." Ibid. p.395.
13. Teng, Krishan Lal, *Kashmir's Special Status*, op.cit., p.27.
14. Patel Vallabhbhai, *Sardar Patel's Correspondence*, ed. by Durga Dass, Ahmedabad, Navjeevan Pub., 1976, Vol.I, p.32. Sardar Patel's request to Mr. Kak and Maharaja Hari Singh to join India indicates that Govt. of India was against the Independent Status of the state, and wanted an early accession of it to India.
15. Teng, Krishan Mohan, *Kashmir's Special Status*, op.cit., p.27.
16. Batura, R.C., *RSS Role in the Accession of Kashmir to India*, Organiser, Vol.XLIV, No.47, 1993, p.9.
17. Sheshadri, H.B., *Kritirup Sangh Darshan*, New Delhi, Suruchi Parkshan, 1981, p.30-31.
Pandey, B.B., *Patel Keh Kehney par Shri Guruji Nehn Jammu Kashmir ka Vileya karwaya*, Tawi Dipka, Vol.V, No.6-7, 1988, p.122.
18. Ibid.
19. Ibid.
20. Ibid.
21. Ibid.
22. Patel, Vallabhbhai, *Select Correspondence*, op.cit., pp.225-26.
23. Ibid., p.151.
24. Ibid., p.151.
25. Ibid., p.153.
26. Ibid., pp.196-197.
27. Ibid., p.91.
28. Sharma, MSM, *Peeps into Pakistan*, op.cit., p.159.
29. Ibid., p.159.
30. Menon, V.P., *The Integration of Indian States*, op.cit., p.398. "The first thing to be done was to get the Maharaja and his family out of Srinagar."
31. Ibid., p.400.
- 31A. Bhagwan Singh, *The Political Conspiracies of Kashmir*, op.cit., p.56.
32. Sharma, MSM, op.cit., p.159.
33. Ibid.
34. Menon, V.P., *The Integration of Indian States*, op.cit., p.413.

35. Quoted from the Book entitled, *Kashmir, a Study in India-Pakistan Relations*, Bombay, Asia Pub. House, 1976.
36. Chakravarty, Nikhil, *U.S.A. Stand on Kashmir*, Hindustan Times, June 8, 1995.
37. Menon, V.P., *The Integration of Indian States*, op.cit., p.395.
38. Sharma, MSM, *Peeps into Pakistan*, op.cit., p.156.
39. The influence of Sheikh Abdullah in the Jammu and Ladakh regions was very much restricted. Even then he was made the Head of the emergency Government in the State.
40. Sardar Patel, Vallabhbhai, *Select Correspondence of Sardar Patel*, op.cit., pp. 212 & 250.
41. Ibid., pp. 212 & 250.
42. Ibid., p.211.
43. Menon, V.P., *The Integration of Indian States*, op.cit., p.404.
44. Puri, Rakshat, *Kashmir: A Stink of Conspiracy*, Hindustan Times, December 7, 1994.
- 44A. Chakravarty, Nikhil, *U.S.A. Stand on Kashmir*, Hindustan Times, June 8, 1995.
45. Patel, Vallabhbhai, *Sardar Patel's Correspondence*, op.cit., pp.159-164.
46. Patel Vallabhbhai, *Select Correspondence*, op.cit., pp.217-19, 273.
47. Ibid., pp.284-285.
48. Ibid., p.53.
49. Patel, Vallabhbhai, *Sardar Patel's Correspondence*, Vol.I, op.cit., pp.159-164.
50. Ibid.
51. Ibid.
52. Patel, Vallabhbhai, *Sardar Patel's Correspondence*, Vol.I., op.cit., pp.159-164, 166.
53. Mehar Chand Mahajan's letter to Sardar Patel, 24th Dec., 1947. "This humble subject (Sheikh Abdullah) who promised steadfast loyalty and wants to prosecute His Highness before the people's Tribunal and demands his abdication."
54. Patel, Vallabhbhai, *Select Correspondence*, op.cit., p.327. "Begum Abdullah had publicly committed herself to the proposition that Kashmir should permanently accede to India and that any other course would be ruinous to that State."

XII

A TRIBUTE TO MAHARAJA HARI SINGH

—*Brig. N.S. Rawat (Retd.)*

Since Maharaja Bahadur Hari Singhji is dead, some of the true facts of his life could now be told without fear of pandering to his ego, or of flattering him.

CONSTITUTIONAL RULER

(a) One of his first act's after ascending the gaddi in 1925 was to return all his personal Jagirs of Bhadarwah and Kishtwar that he inherited from his father Raja Amar Singhji back to the State. He pointed out that "Since I shall, as Maharaja, be receiving a Privy Purse of about 5 per cent of the State revenue, I should not, in fairness, covet or hold on to the Jagirs also". Very few rulers have behaved in that magnanimous manner. Nor did he, like some other rulers, squander part of the State revenue of Jagirs or Thikanas to his many near relatives or dependents or Biradri. He paid them out of his privy purse. He firmly believed that everyone must work for a living in some form or other. No more dishing out of 1400 Thalies (plates of food) daily from Royal Kitchen, as was the practice in the previous rulers' time.

(b) His second act was the immediate revision of the

terms and conditions of services and fixed the salaries, etc. based on the then prevalent living index, and the pay scales obtained in the Punjab. The state employees and their poor dependents were grateful to him for receiving at long last a living wage, service pension, gratuity, security of service and such other concessions for the first time.

(c) He strictly and religiously kept separate all his private expenses, including that of his entire household viz. Her Highness', the Dowager's Maharani Charakis and young Yuvaraj's. There was a strict order that no item of furniture, vehicle, animal or the services of a cook or a driver, even for a short period, was to be obtained from the State Departments for use in his household or the palace except with his written permission.

(d) He was most adamant in adhering to the laid down rules of administration and did not allow, permit or countenance unauthorized interference or meddling or pressure tactics. Not one of his own near relatives or that of his Ministers or closely surrounding officials or Nobles dare solicit or get any advantage or preference over others in the matter of advancement or entry into a service, grant of land, contract, scholarship or such favour. Everything had to be obtained by merit or seniority and duly recommended by the concerned authority. And to this constitutional principle, he adhered to the very last, viz. till he was asked to quit the State in 1949 on the insistent demand of Sheikh Abdullah, during Nehru's time.

(e) He detested nepotism, favoritism or corruption in any form, shape or kind. And in this he himself was a shining example. To quote only a few instances the classic case of the alleged illicit timber felling by the then influential SPEDDING DINGA SINGH (timber magnate)—who was fined six lakh rupees. The faked T.A. bill by one of the Game Wardens, at one time a great favourite and trusted ADC of his, who was dismissed

from the service and the weeding out in 1932 of over 10 per cent of his Army officers who were out of date, indifferent or inefficient. He did not tolerate inefficiency and indifference to one's duty or service. As such he showed no mercy irrespective of how high the defaulter or what pressure the interested parties or the Biradri (own clanmen jirga) brought on to bear on him.

(f) He decentralized power and authority, and expected this to be followed down the ladder too. There was no interference from him except through the Prime Minister or the Minister concerned. So far so, that one of the eminent Heads of the Forest Department, who had prior to retirement been one of the most successful and well-known Inspector General of Forests of India, did not, in his three years of reemployment, as the Chief Conservator of forests of Jammu and Kashmir, get one opportunity of meeting His Highness, except at formal parties. And this despite his great contribution to the forest work and devotion to duty was always highly appreciated. Sir Peter Clutterbuck said "I loved the work because it was after my own heart. The forests have a great future and potential. The only regret was that I never was able to see His Highness and discuss things with him personally." In Kashmir surely it could not be said "No leaf flutters except with august wish of the Ruler". He did not centralise all power or initiative in his own hands. He was a Constitutional Head in the real sense of the words, and not only for the purpose of preaching from platforms or for rendering a lip service to it. How could the present day Ministers safely emulate this trait of his.

FORESIGHT AND VISION

(a) He was highly intelligent, observant and had great ability and vision to gaze far into the future. Soon after coming to power, he abolished the "Money Lenders' Bill" inspite of tremendous opposition and protests from his

Hindu subjects. "You are throwing us to the mercy of our debtors of generations, viz. the Muslims", they cried.

(b) He ordered the adoption of Sharda Act and juvenile smoking was made a punishable offence in the State,

(c) He set the example of discarding 'Purdah' system in his household and of female infanticide among Rajputs—much against the deeply engrained custom and prejudice brought about by the forcible dragging into their harems by the Mughals of beautiful Rajput damsels.

(d) The Cooperative Banking System was started and to give an impetus all officers were made to subscribe to it.

(e) Emphasis was given to the industrial development of the state in all aspect. The development of silk factories in Jammu and Srinagar, the Karan Woollen Mills at Srinagar, the Match and the Walnut Factory at Baramulla, the Drug Research Institute, the Fruit Canning factory, the leather factory, the sapphire mines in Panga Paddar, annual exhibitions, the many irrigation canals, the roads, the boulevards, the excellent hospitals,—all bear testimony thereof.

(f) Selected young students, irrespective of caste and creed, were sent for training-cum-study tour of foreign countries. Services of the best selected officers or technicians were obtained on loan but for limited periods only.

(g) For attracting the tourists, many facilities were given. An extremely modern Club—Amar Singh Club—was started. Fruit gardens of cherries, apples, almonds, chestnuts and walnuts, beds of strawberries and saffron in which the valley of Kashmir abounds, were improved and modernized. The old monuments were resuscitated, renovated, and the Archaeological Department modernised.

(h) While appreciating this, it must be borne in mind that all this was done with the limited resources then available. The total revenue of the State did not exceed five and a half crore rupees. Yet the improvements or the progress made then were so marked, conspicuous and lasting that the architects thereof could rightly be proud of their achievements.

(i) It took the Indian Government seven years to know him and his greatness inspite of the day to day reports by the Intelligence Department and the shrewd confirmation of Abul Kalam Azad or Rafi Ahmed Kidwai. Sardar Patel, of course, kept his hands strictly off J&K because he was told not to consider it his 'baby' or enter the reserves of Nehru.

PROMPT AND EFFICIENT

(a) He was very prompt and quick in disposal of his work, and, naturally, he also expected others to be the same. He was like a veritable live-wire. He was untiring and with great detail and meticulously use to carry out his works. He made a habit of not signing any paper that had over-writings or erasermarks. This was to avoid giving any chance of subsequent alterations made by interested parties after he had put in his signatures. He had the patience and perseverance correct to a letter or draft many times. He would personally fold and put the letters into the addressed envelopes to make certain that letters were being sent to the correct addressees.

(b) He was a prompt paymaster. All papers or bills put up before him during the day received prompt command or payment orders that very night, excepting a few complicated or questionable ones.

MAN OF TASTE

(a) He had very fine, well developed and aesthetic tastes. His buildings Karan Mahan, Hari Niwas, his furniture, his shooting lodges, hunting grounds, fishing

jheels, duck jheels, the floral garden and the trout hatcheries all bear eloquent testimony of his tastes.

The Durbars and Military Reviews held under his personal supervision were a pride to witness. It can be said that the finest standard was maintained.

(b) There was no vulgar display of wealth or waste. Everything he did was neat and decent. About his great love for animals, one had only to see Nagbani Farm at Jammu. He was known as a true sportsman and gentleman.

(c) The law and order situation during his time was equally good. As has rightly been said "The most beautiful damsel decked with all the jewelry could travel the entire length and breadth of the State all alone by herself, and with no fear of molestation at all."

GRACE & DIGNITY

(a) He possessed grace, dignity and cultural refinement.

He showed fine behaviour in all the things he did.

(b) He made a lasting impression amongst the connoisseurs, the educated and the nobler class in England and France when he represented India as one of the two Indian members of Churchill's War Cabinet in 1944.

(c) He would have undoubtedly made an ideal representative of India anywhere its Ambassador where English or French is spoken, with grace and dignity in keeping with the highest office like that of a President or Vice President.

ACHIEVEMENTS

(a) He provided free drinking water, cheap electricity, facilities for education at a very low cost, and abundant supply of food stuffs at the lowest rates. There were no multi-stories or sky-scrapers, but there were no slums, no dirty insanitary hutments either. Living was cheap and there was a great deal of satisfaction amongst the vast majority of his people.

(b) It was for this reason that Hari Singhji could dare to state before the Ist Round Table Conference that Hindus and Muslims had a common tradition and culture. They could live together in perfect harmony and peace. Those who doubted it, could come and see it for themselves in his State of Jammu & Kashmir.

NATIONALIST

(a) Hari Singhji was an out and out nationalist. He never allowed any foreigners to purchase any property in Jammu and Kashmir. He took greatest care that none of his Ministers, Heads of the Department or Officers in key posts were Europeans, except in exceptional cases and that also was limited for a few years.

(b) He raised the glory of Indian classical music.

(c) It is said that the Government was persuaded to print special commemoration stamps on Republic Day of a person who even went to the extent of writing in *Bandematram* magazine. But so far not one Indian prince has been honoured—not even the late great Gaikwad, the builder of Baroda, the late Maharaja of Mysore, or of Jammu and Kashmir for their great contribution in the building up of present India by their devoted and dedicated services to their respective States.

DELAYED ACCESSION

(a) People often ask: "Why did Hari Singhji not accede to India earlier? Why did he vacillate so much? Had he only done it in time all the terrible bloodshed, brutal murders, looting, arson, rapes, forcible conversion which took place nearly all over the border of the State itself would have been avoided. It was all his fault. Was there no body to advise him or to guide him?"

(b) It was perhaps not known that the British in 1946 had to leave India and that the whole country would be divided into India and Pakistan. The new and dynamic Viceroy (and later Governor General) Lord

Mountbatten who was sent fully empowered by the British Government to settle the extremely complicated case of India, let it be known that the Princes who did not accede either to India or to Pakistan could, if they so wished, stay completely independent or separate. To safeguard the interests of such Princes in the matter of supply of most essential commodities and the maintenance of closest link with the Paramount power, the State of KALAT would be made such a supply base.

It was also not fully appreciated that Jammu and Kashmir State had accede to India before India could settle down completely and organize herself from the colossal and painful upheavals consequent to the sudden partition of the country. The Ruler exercised the greatest self-restraint, and turned a deaf ear to the persistent coaxing of Quaide-Azam to accede to Pakistan because of the majority of Muslim subjects in his state and the fact that the state happened to be then surrounded by Muslim areas or states nearly all around. Hari Singhji rendered a yeoman service by making the great decision of accession only on, and not before October 25, 1947 when the Standstill Agreement with India and Pak was violated by Pakistan. As the subsequent events show, Hari Singhji lost his own Rule, his everything, but he succeeded in saving for the Muslims states from going over to Pakistan. If, therefore, all this is weighed in its proper perspective, one will come to the conclusion that the Nation owes a great debt of gratitude to him for his superb foresight and sacrifice.

It would be neither correct nor fair to blame him, time and again, for all the ills in Jammu and Kashmir simply because Sheikh Abdullah kept on repeating it just to cover his own shortcomings. The British, inspite of their great experience and intimate knowledge of affairs in India for over two centuries, had not imagined that the Indian Princes would rise up in mass to the occasion and exhibit such a high sense of patriotism and

sacrifice for the new India by offering their kingdoms. In fact, their great sacrifices should rightly go down in the annals of history as something out of the common.

CONCLUSION

It is a great pity that such ripe administrative experience, such a charming and winsome personality and gracious behaviour was not utilized after 1949. Undue weightage and importance was given to Sheikh's demand of early 1949—"Keep this Maharaja out of the state for six months and I shall get Kashmir emotionally and wholly integrated for you within that period." In spite of his bragging, he not only did not do it in six years, but put the states advancement back by 12 years. Never had power corrupted a man more than it did the Sheikh. The poor village school master became completely swollen headed, and forgot himself and all the solemn undertakings made by him. Instead of integrating Kashmir, he started dreaming of converting it into an independent kingdom. And there were a few influential powers, who thought it politic to fan his wild dream of creating a Switzerland within India, some out of sheer jealousy that an Indian Prince could be so progressive, so advanced, and some for other political reasons.

Ask for a frank, honest, unbiased appraisal from knowledgeable people as to how Hari Singhji ruled. What did he do for the state during the short span of 25 years, and with only *Rs. 5 crores*, and compare it with the achievements of the subsequent 47 years, taking fully into consideration the colossal resources of over twenty times as much, and the result will be obvious! As some one has very aptly remarked: "India has since then bled itself white to keep Kashmir Valley green"

Hari Singhji was evidently one of the most constitutional and progressive rulers of his time. He devoted all his time and energy for the betterment, advancement and raising the standard of his people, his Raiyat, for

whom he had the greatest affection. He could not bear to hear from anyone that his people, his subjects, his state was looked down upon and be called backward, primitive or inferior. He had the burning zeal and enthusiasm of a crusader, a dedicated missionary to uplift and modernize his State. He firmly believed in the great potentiality or destiny of Jammu and Kashmir.

It can briefly be said that much of the achievements or advancements or progress in the state of Jammu and Kashmir was mainly due to Hari Singhji's remarkable ability and devoted work of about a quarter of a century. Maharaja Hari Singh Bahadur is dead, long live his successor Maharaja Dr. Karan Singh, his illustrious son'.

XIII

MAHARAJA HARI SINGH AS A MAN

—Col. Kanwal Singh (Retd.)

A MAN OF GREAT FORESIGHT AND VISION

After the death of his uncle Maharaja Pratap Singh in 1925, Prince Hari Singh ascended to the Gaddi. As Maharaja, he made a far reaching reforms in administrative, political, social and economic spheres. He knew how the rulers of many other Indian states were living their lives in luxury with pomp and show, quite detached from their people and subject to foreign and local intrigues.

Young Indian princes in those days were sent to Europe or to some princely institutions in India, such as Princes Schools/Colleges at Ajmer, Rajkot, Indore, etc., for their education, where the sons of aristocracy were educated. Maharaja Hari Singh—a man of great vision—could foresee that the feudal system was likely to give place to a democratic system. So he planned his son, Yuvraj Karan Singh's life style and education accordingly. He put him in the Doon School—a Public Institution—so that the young prince could grow up as a commoner, rubbing shoulders with the masses.

As a Staff Officer, I was closely associated with the

Yuvraj since 1939 where I joined the Maharaja's Household. I often escorted him to Dehra Dun and back. I have seen him grow from Yuvraj to Heir Apparent, to Sadar-i-Riyasat, to a Doctor, to Central Government Minister, and now a great English, Sanskrit, Dogri Scholar, a philosopher and a world figure.

Memories of Maharaja Hari Singh's foresight and vision and many other incidences, big or small, good or bad, during the course of my association with him and Dr. Karan Singh, are part of my prized 'reminiscences'.

A RULER WHO TREATED HIS SUBJECTS AS HIS OWN KITH AND KIN

Maharaja Hari Singh was very fond of shooting. He used to have big and small game huntings preserves (RAKHS) in Kashmir and Jammu Division. In Udhampur he had about five or six such Rakhs. He used to plan a 10-day visit to Udhampur and stayed in his private rest house from where daily regular huntings for big and small game used to be arranged.

One day when the Maharaja's party was returning to Udhampur from Mehra Nal Rakh (Krimchi area) after a successful big game hunting, two staff officers, ADCs (myself and one Capt. Prithi Singh) were sitting alone with the Maharaja in his personal shooting car when we came across a Baoli (Well) where some village girls were collecting water. Capt. Prithi Singh in a romantic mood, passed the remark, "Hai Sadqe Ho Jaun" (I love/adore you etc.). Hearing this Maharaja Hari Singh immediately ordered his driver to stop the car and shouted at Capt. Prithi Singh, "Don't you have a grown up sister at home? How would you feel if some one passed such remarks or misbehaved with her?" To teach him a lesson, he further ordered him to get down from the car and walk on foot to Udhampur—a distances of 8-9 miles.

Unlike many other rulers of Indian States, Maharaja

Hari Singh had a great respect and regard for women of the state and treated them accordingly.

MOST METHODOICAL AND METICULOUS PERSON

Maharaja Hari Singh was very methodical and meticulous person. His orders or instructions (written or verbal) to officers or functionaries of the State—Ministers, Heads of the Departments, and his Staff Officers/ADCs used to be very clear and concise, always typed out in a neat and meticulous fashion. He was a master of details and never left anything to chance. He would invariably issue orders/instructions on neatly typed out papers or chits.

A KIND OF POPULAR MAHARAJA

Maharajmata (Maharaja Hari Singh's mother) expired at Jammu when we were at Srinagar. News of the sad demise was received late in the evening. To perform her last rites, Maharaja had to leave for Jammu, post-haste. Two Staff Officers (myself and Lt. Col. Faqir Singh) and an attendant accompanied him. The small convoy consisted of only two vehicles—his personal car and a follow up one. He did not believe in having large convoys of pilot, escort cars etc.

We left Srinagar at 8.00 P.M. Those days B.C. Road (especially the portion between Qazigund and Batote) used to be closed for vehicular traffic at night. Only people travelling on foot or cattle (ponies, sheep, goats, etc.) were permitted to use the road during these hours.

As we reached Peerah (Ramban) area we came across long convoys of sheep, goats, ponies etc. driven by shepards, Gujjars/Bakerwals. It was indeed a problem to steer the car as the whole road was covered with hordes of animals. On the drivers constant blowing of the horn and Col. Faqir Singh's shouting at the herdsmen, one of the Bakerwals, shouted back, saying "who are you disturbing our animals at this odd time of the

night? Don't you know it is Maharaja Hari Singh's order that no vehicle will be used on the road at night? Why are you breaking his rules?" Maharaja Hari Singh immediately called one of the Bakerwals, shook hands with him, and said that their (Bakerwals) contention that he was breaking the rule was correct. He also then explained the circumstances under which he was forced to travel at night.

When the Bakerwals came to know that it was Maharaja Hari Singh himself, they were overwhelmed with joy. Shouts were heard "EH TO MAHRO PIARO RAJO HAI" (He is our beloved ruler). Whistles were blown, and message through persons on galloping ponies was passed down the road. The whole road from Ramban to Batote was cleared within minutes and the slogans of "MAHARAJA BHADUR KI JAI" were heard all the way.

XIV

MAHARAJA HARI SINGH— A BENEVOLENT RULER

—*Master Ghulam Mohammad*

I am a Golfer and was designated as Golf Professional at Kashmir Golf Club, M.A. Road, Srinagar. By virtue of this profession, I came in contact with His Highness Maharaja Hari Singh also. He was a very fine sportsman in general, but his favourite games were golf and polo.

Once, I was with Maharaja Hari Singh in the Golf Course when he was playing at the 9th hole which ran along the fencing side of M.A. Road. He caught the sight of a tongawalla driving his tonga on the main road. The horse engaged in the tonga was limping, and pulling it with difficulty. He called the tongawalla and asked him why his horse was limping and admonished him not to be cruel to his horse. After a little more conversation with him, he made him to agree to sell his sick horse, and himself offered to purchase it. The tongawalla agreed. The deal was struck at Rs. 600. The horse was then sent to the veterinary hospital for treatment. This speaks of the Maharaja's humane attitude even towards the animals.

At another occasion, after enjoying the a game at the

Gulmarg Golf Course, he was returning to Srinagar and I was also accompanying him. On the way His Highness saw an old man near village Magam. He wanted a lift and for this purpose he was waving out to all the vehicles passing by the side, but no one stopped. In the meantime, the car of His Highness passed, and the old man as usual waved. His Highness immediately ordered his driver to stop the car and asked him what he wanted. The old man told him that he wanted to go to Srinagar but no vehicle was stopping for him. The Maharaja asked him whether he had any fare to pay for the conveyance. The man replied that he had one rupee. His Highness then bid him to sit in his car. On enquiry, the man further told him that in Srinagar, he had to go to the locality of Amira Kadal.

After reaching the destination, His Highness Maharaja Hari Singh dropped the old man at the location pointed out by him. In the meanwhile a lot of people gathered there and started saluting His Highness. The old man was baffled and became nervous, but the Maharaja made him relax, and also gave him one hundred rupees. The man had by now realized who his benefactor was. He bowed before him to pay his respects and his graciousness. The gathering witnessing all that was happening were very much impressed and pleased with His Highness's gratitude. His Highness Maharaja Hari Singh was generous by nature and to help the poor was his habit.

The third incident which I must narrate was a sort of trick or joke which he played with his labourers engaged in a work at his palace ground. It was a practice with them to bring their lunch in a box. The Maharaja managed to hide the box of a labourer. At the time of lunch all the labourers got their boxes except the one whose box had been stolen. He had no clue of his lunch box's whereabouts despite his best efforts and was disappointed. One of the labourers then asked him to **share**

his lunch with him. His Highness was watching all this. After the lunch was over and the labourers again started working. The Maharaja Bahadur passed by their side. All the labourers stood up and paid their respects to him. He asked them as to why they were in a depressed mood. The labourers narrated the whole story of the missing lunch-box of one of their colleagues. The Maharaja consoled them and assured them that he would investigate the matter and whosoever was found to be guilty would be punished. Soon after he produced the lunch-box and handed over to the labourer. Along with the lunch-box, His Highness also gifted them Rs. 500 to be distributed among all of them. All the labourers then felt very happy. The His Highness period of rule is known as a Golden Period. His heart was always full of kindness for his subjects, especially for the poor and downtrodden.

XV

THE LITTLE I KNOW OF MAHARAJA HARI SINGH

—Comdr. A.S. Jamwal (Retd.)

When India was partitioned in 1947, the Rulers of Indian States were given the option either to join India or Pakistan, or remain Independent. Maharaja Hari Singh of Jammu and Kashmir took time to decide. In the meantime, tribal hordes from Pakistan made inroads into the state territory. By the afternoon of October 26, 1947 they had broken through the tenuous defences of the penny-packets of the state forces. Now nothing stood between them and Srinagar. The Maharaja and the Darbar were still at Srinagar. So were we, except my father, Late Brig. Ghansara Singh, who was at Gilgit.

Total confusion descended on the city which was plunged into darkness because the power house at Mohara had been captured a few days earlier. Now it was "everyone to himself and the devil takes the hindmost". Our family car, a redoubtable Cheverolet, was there, but no one to drive it. My experience of driving was all too meagre. Yet when the challenge came, my inner hidden powers rose to the occasion. Packing our family and the little we could carry along, we, alongwith some more car-borne families, drove out of Srinagar at

10 in the night for Jammu. Since in those days, night traffic over the old Banihal Road was not allowed, we were stopped at Qazigund. It took some convincing the authorities about the desperate situation in the valley before we were allowed to proceed further.

By about 0230 hrs on the morning of October 27, we were at Banihal hamlet. We were the first to arrive there and decided to wait for the other cars following us. At about 0430 hrs a group of four or five of them overtook us and entered the compound of the local Dak-bungalow. We could make out that it was Maharaja Hari Singh's party. A little after, some of our friends also arrived, and we resumed our onward journey. At about 0900 hrs, we arrived at a land slide which had blocked the road. A long line of vehicles then piled up. There, we could see the Maharaja standing on a higher position himself directing and advising the drivers of the vehicles negotiating that difficult bit. I received my due share of advice. But while passing by, I had a closer look at this august personage for the first time.

Thereafter, came a break of about two and a half years till I was posted to HMIS 'Dalhousie' (Now INS Agre) at Bombay as a commissioned officer in the Indian Navy in January 1950. Exactly a year earlier, my father had been repatriated to Jammu after his incarceration in Attock fort (Pakistan) for one and a half years as a POW. His loyalty to the Maharaja had remained undiminished. I was enjoined to keep calling on the Maharaja every now and then, who was now in exile at Bombay. The underlying idea was that the Maharaja should not feel deserted by his own folks in his days of adversity.

In keeping with the directions, I had received regarding court etiquette, on a certain January day of 1950, I got a 'deali' ready in Crawford market, and by a taxi proceeded to the Kashmir House on Napean Road. On being ushered into his august presence, I laid the Deali before him and touched his feet in obeisance. Very gra-

ciously he lifted me by the shoulders, and signalled me to sit nearby. The expected small talk followed; he made enquiries about my father and also about my new Commission in the Navy. After a while, it was time for taking leave, and he ordered a Staff car to drop me back. What I could notice was the high regard he had for my father.

One the next call, a couple of months later, he invited me to fully participate in Dr. Karan Singh's forthcoming wedding in March, and also be a 'Baraati'. Since I did not have a dress appropriate to the occasion, I was told I could come in the Naval uniform. That would also add colour and variety, in a group wearing heavy brocades and jewels. Accordingly, I ordered a special uniform set at the well known naval tailors, M/s F.X. Fernandes and Co., which would do proud to the occasion. Needless to say, I felt fully at home throughout the ceremonies.

A number of visits followed while I was at Bombay and whenever my duties at sea permitted. Never did I return without having a lunch or a dinner with him. His courtesy and table etiquette would at times embarrass me. On the occasion, after a dinner, he ordered his personal car out, made me sit by his side in the rear seat and drove down to drop me at the Lion Gate of Naval Dockyard where my ship INS Delhi was docked.

The last time I met him was in his new house at Koregan Park at Poona in September, 1953. Subsequently, my posting took me away from Bombay. Then came the evil day of April, 1961 when I was posted at Jabalpur, the morning news bulletin of AIR announced his passing away. Something like a brick fell over my heart and the following two hours went sulking on till sleep took me in its embrace.

A few days later, poignant accounts appeared in the Press about his ashes being taken from Bombay to Jammu and being sprinkled all over there from an aeroplane

as per his will. Here was the man who had loved his people and the state with all his heart. Despite all intrigues against him from any quarter, he maintained his dignity. A true patriot as he was, yet ironically it was an Indian government that sent him into exile during the last 14 years of his life. He was not allowed to visit the land of his birth. He could only do the next best thing—send his ashes there.

XVI

ANECDOTES AND SNIPPETS

—*M. Amin Pandit*

The writer of this piece had neither interface nor interchange with the late Maharaja Hari Singh, and his knowledge being, thus is based on second-hand source. This write-up has been captioned as anecdotes.

I was born in 1925, about the same time when Maharaja Hari Singh had ascended the throne. Three decades later, his dethronement took place, abolition of hereditary rule, his exile to Bombay on the persuasion of Sardar Patel, the iron-man of India with the tacit understanding from the two secular demagogues, Pandit Jawahar Lal Nehru and Sheikh Mohammad Abdulla. The light went out on April 26, 1961 in Bombay, putting a seal on the exit of the Dogra Raj in Jammu and Kashmir, a heterogeneous geographical entity so ably converted into one unit by Gulab Singh and his general Zorawar Singh.

While Maharaja Gulab Singh was mostly occupied with military campaigns and conquests, his son Ranbir Singh was keen to protect the Sanskrit, Arabic and Persian literature and the heritage of Kashmir or Kasheer. Likewise, while Pratap Singh was a devout Hindu and an ardent devotee of temples and saints. Maharaja Hari Singh was a man with modern outlook and a scientific

temper. He was the first to introduce Polo in Kashmir, although the game on horse-back was not unknown in Hunza, Gilgit and Leh.

In the nineteen-forties, when I had been admitted to the only Degree College, Sri Pratap College, and when I was about to enter the twentieth year of my life, it had become a hobby with me, like many thousand others to walk eastward from S.P. College in Sumandar Bagh to the Pologround (now the Tourist Reception Centre, but then served as the training ground for the Polo horses), and to watch Maharaja Hari Singh play polo games with other players from the English gentry of the princely faternity. This was my first encounter, so to say, with my ruler. Another regular annual feature was his public appearance at the Dussehra Festival at Chandmari, Batmaloo, when he would ignite the affigy of Rawana by shooting an arrow. This was the site where the late Maharaja had personally piloted the first ever civil aircraft for its maiden landing.

In early nineteen-thirties, when a Praja Sabha (which in fact was overloaded by Jagirdars and representatives from elitist groups)¹, was introduced, it had become an annual feature for the Maharaja to hold a Darbar with accompanying pomp and show, and the subservient Jagirdars, landlords, aristocrats, Mufits, and Civil servants of gazetted rank would be invited to pay obeisance.

One of our relatives, a first among the arts graduates, was a gazetted officer attached to Captain Wreford, then the Controller of Shali Store (now the Food and Supplies Department), who later rose to become the Civil Governor (now Divisional Commissioner) of Kashmir. I was present in his house and watched with wonder, when he was being made-up in an appropriate prescribed attire of a black, Achkan and a white Churidar Pyjama, with a sword-in-sheath to the under-arm. A fresh gold sovereign coin (sterling pound) was a condition prece-

dent, for the same had to be presented to the local sovereign as a mark of tribute, respect and faithfulness. For, it the Ruler of Jammu and Kashmir, was required by the terms of the Treaty of Amritsar, to pay to the British Emperor an annual tribute in the shape of horses and Pashmina goats of high breed, why should his own subjects lag in making similar obeisance? In contrast to my elderly relative serving under Maharaja's Civil service, I was an active participant in the Quit Kashmir Movement, being associated with the editorial staff of the Daily *Khidmat*, the official organ of the National Conference.

In 1944 and 1946, I had the occasion to watch as a commoner, the grand, elegant, royal *Parinda* river pagentry on Jhelum waters, given in honour of Lord Wavell and Lord Linlithgow, but these were slightly distant views. I had, however, the privilege of being present at the foundation-stone-laying and opening ceremony of Sir Maharaja Hari Singh Hospital (SMHS), the most modern institution at that period of time, for I had began my career as a Working journalist and was favoured with a Cordon Pass to attend both these functions in 1944 and 1946 respectively.

Destiny would have it that I should spend the last years of my life in Brain-Nishat, a next-door neighbourhood of Gupkar-Sonwar-Theed Chashmashai, which had been acquired by late Maharaja Hari Singh under a command order in mid-thirties (now partly occupied by the private estate of Dr. Karan Singh Ji, Oberoi Hotel, Raj Bhawan and Centaur Hotel Complex). It was also desired that I should be of assistance and help to the former residents and now evicted population of Theed either in connection with the protection and restoration of the Shrine of the Holy Saint, Syed Mir Azam Baba Sahib and whose ancestral maqbras (ceneteries) had been annexed to the golf ground proposed to be laid out for International Tourists.

Two more anecdotes were related to me by Ghulam Rasool Malik, Ex-Postmaster, Brain-Nishat, who was born near the sacred shrine and springs of Theed, as a contemporary of the Maharaja. These instances are good enough to show how great was Maharaja Hari Singh as a man and what good qualities he possessed.

One, while he was occupied with the construction of the Taaleh Manzir (now Karan Mahal) and the Palace (now Oberoi Hotel and Raj Bhawan), he would usually order demolition of the constructed pillars and columns to enable the masons and mazdoors to reconstruct and earn additional wages.

He once ordered his ADC to bring his lunch amidst the labourers so that he could enjoy having his meals with his subjects.

But what followed during the closing years of Maharaja Hari Singh's rule makes sad reading.

The attack on J&K by the armed Pathans of Indo-Afghan border in NWFP began on October, 22, 1947. Their forward march towards Srinagar, the Capital city, continued upto October 24. Maharaja's Prime Minister, Mehar Chand Mahajan, had flown to Delhi to seek armed assistance, failing which he had orders to fly direct to Karachi and meet Mohd Ali Jinnah there and to seek peace with him. But the Indian Government agreed to help on the strength of the Instrument of Accession.

While signing Instrument of Accession on October 26, 1947, at Jammu, 200 miles away from the seat of the Civil Government, the Maharaja had stipulated that he was seeking military aid from the Dominion of India as an emergency and on the specific condition that the

The author considers the accession of the State to India as "temporary and transitory,". This, it seems, he does in the light of Mountbatton's letter to the Maharaja dated 27-10-1947; otherwise neither the Instrument of Accession nor its acceptance by the Government of India make such a stipulation. (Editor).

territorial integrity of his State, i.e., Jammu, Kashmir, Ladakh Akasari Tibet, Gilgit, Hunza, Nagar, Chitral and other tributaries would be restored, and the state cleared of the invaders². Instead, thanks to the politicians in Delhi, London, Washington and Rawalpindi, we find the state torn almost in two equal parts.

No wonder, therefore, that (as per research of Pandit Baldev Prashad Sharma) he had wanted that India withdraw its complaint on Kashmir from the United Nations, thereby suggesting that the state and its ruler be left to its own fate. But that was not to be, and, even after five decades, India and Pakistan have not been able to settle their dispute over Kashmir.

REFERENCES

1. See also Prof. Manzoor Fazili, *Constitutional Development under Maharaja Hari Singh*, *Supra*.
2. See also Dr. D.C. Sharma, *The Accession of J&K State and Maharaja Hari Singh Infra*.

XVII

SOME LITTLE-KNOWN FACTS OF MAHARAJA'S LIFE

—*Shri D.C. Parshant*

The year 1995 marks the centenary of Maharaja Hari Singh's birthday, who has left novel memories for the people of Jammu and Kashmir while serving them as a ruler from 1926 to 1947.

Many aspects, however, big or small of his life, have been recorded in some books and journals, but there are still several accounts which have not been. The latter also form significant achievements of the Maharaja and are worth mentioning.

In the Bikrami year 1978, Jammu city was attacked by a virulent epidemic of plague which spread like a wild fire. The daily toll of deaths in the city, having a population of about 28,000 was thirty to fifty. The citizens, out of fear, started fleeing to the neighbouring safer places. In a month's time barring a few, the city was deserted by them. Even Maharaja Pratap Singh and his family had left their palaces, and shifted to Satwari which had turned into a tented town. Raja Hari Singh could not turn away from the pitiable condition of the people. He came to the city from Satwari, and as Commander-in-Chief ordered the army to take control of the city

where practically only cattle and dogs had been left. There were strict order's for the army not to allow any one to enter the plague-stricken town at night. One day, to take stock of the vigilance of the army he appeared in the town in the guise of a common man. He was apprehended by a soldier who took him to the army camp. With a view to testing his honesty the Raja offered him rupees five to secure his release. The soldier immediately flared up and said, "You want to give bribe to the Dogra army. You will get double the punishment". On reaching the camp where the company officer was sitting, he got up and saluted the Raja. The latter was surprised to see the Raja in disguise, and asked the Sepoy what the matter was. The Sepoy had seen his officer saluting the Raja whom he had arrested and brought the barrack. Consequently, he was trembling with fear. The Company officer said. "Oh duffer', he is our Commander-in-Chief Raja Sahib Hari Singh Ji". The Raja then enquired from him the name of the soldier and ordered that he should be immediately promoted to the rank of Havildar. Raja Hari Singh followed this practice subsequently also and visited a number of other cities which remained plague infected for about one year.

A year after this, the marriage of Maharaja Pratap Singh's adopted son, Jagdev Singh, took place. Jammu city got a face lift and the palaces and Mandi Mubarak including the green hall were profusely decorated. The Maharaja was a great exponent of theatres. A Parsee company, Suraj Vijay came from Bombay to stage plays in the Green Hall. One day, at night Maharaja Pratap Singh and Raja Hari Singh were present in the Hall amidst a big audience witnessing the play "Sati Savitri Satyavaan". A telephonic message came to the Maharaja that a lion had escaped in the zoo owing to the negligence of its Daroga. The Maharaja became nervous. He asked Hari Singh to take up a gun and immediately rush towards the Zoo near that Ajaibgarh building. The

Raja got up and rushed in a car. Just near the Ranbireshwar temple a Tonga with three persons sitting in it was passing through the road. The lion leaped out and killed the horse. The occupants of the Tonga had fainted. Just then reached the Raja at the site and shot the beast dead. Returning to Green Hall he told his uncle of the deed he had done. Maharaja Pratap Singh was so pleased that he removed a pearl necklace from his neck and gave it to his nephew as a reward.

In 1925 when the Darbar moved to Srinagar for the summer season, both, Maharaja Pratap Singh and Hari Singh, arrived there. All was well. But in October, Maharaja suddenly expired. Hari Singh then ascended the throne.

When he returned from Srinagar, he visited his palace in a buggy driven by four horses. He was accorded a rousing reception by the Jammu citizens. In the city, the preparations for his coronation started on official level and also by the public. The city acquired a bridal look as all the main bazars from Darbargarh to Raghunath temple turned pink. From Purani Mandi to the city chowk a new road was constructed in place of a Dhakki having stones and boulders.

Once at midnight in January, an accidental fire broke out in a house of a poor muslim in the Ullaka Mohalla locality. The people were sleeping. So one came to help the poor man who was in distress. But one man took the initiative of telephoning His Highness. The latter immediately changed his night dress and called his two ADCs and all rushed to the Julaka Mohalla on horses. It was dark night and the weather was extremely cold. When the Maharaja reached there, the blaze had engulfed the whole house. The report about the arrival of the Maharaja was soon flashed in the Mohalla. Most of the men then got up from their beds and came to put off the fire. They brought water in pots and buckets. The ruler watched the whole proceedings and realized that

the residents of the Mohalla had come to show only their faces. Anyhow, he expressed deep sympathy with the fire victim and gave Rs. 400 to him as relief. He then returned to his palace and soon after ordered the purchase of a fire engine for the city.

The Maharaja Hari Singh's coronation was a great event not only in the state but whole of northern India. Jammu city hummed with activity due to influx of guests. The ruler ordered that students of the local college and schools should be served with sweets and the poor people with rice. Sitting on a golden hounda on the decorated and ornamented royal elephant Jamna Dass and followed by the rulers of some other States, his procession passed through many place of the city. The Coronation celebration continued for seven days.

A Parsee Dramatic company from Calcutta staged plays. The guests and visitors were given free passes to witness the plays which ran for about fifteen days and became an abode of merry making and joy.

After his coronation, the Maharaja took some momentous decisions for the welfare of his people in general. The Shakukars bill gave some relief to those who were facing hardships at the hands of money lenders. He threw open all the temples to Harijans in the State. The ploughing of land was considered degrading work, but the Maharaja himself ploughed a piece of land to break the century old restrictions among the upper classes.

He passed the state subject law under which the services were reserved for the state subject and purchase of land for outsiders was restricted.

The Maharaja was very eager for the progress of education in the state, and for this purpose highly educated non-state subjects also were given employment in the Colleges.

The Muslims of Jammu approached the Maharaja for the grant of spacious land for an Idgah in Jammu. He immediately donated the land behind the Dak Bungalow. The

present Idgah is located there and is a gift of Maharaja Hari Singh to the Muslims. They made yet another request for a building for the Islamia High School which was then housed in a dilapidated building in the Darugirah lane. The Maharaja gave them the Gandu Chhowani building.

A Jammu Muslim translated the holy Quran in Hindi in the Devnagri script. He requested His Highness that he wished to present it personally to him. He was called to the palace. The holy book was placed on a Marble table on which was spread a silken scarf. The Maharaja touched the holy book with his forehead and an amount of Rs. 400 was given to the scholar for its publication, though the cost of its printing and paper could hardly be about Rs. 150.

In Jammu, a graduate of Prince of Wales College passed ICS competition. He was the first and last young man from Jammu to qualify in this examination. The Maharaja called him to his palace to honour him. He told him that he was proud.

There is another significant event in the life of Maharaja Hari Singh. In the year 1938, a minor clash occurred between the Police and the students of Pratap College, Srinagar. The Police raided the college hostel and gave a good beating to the students and teachers as well. Next morning, the students went on an indefinite strike. They sent a telegram to His Highness against the high-handedness of Police. The Maharaja called the representatives of the students and gave them a patient hearing. He set up a three-member Inquiry Committee, comprising the College Principal, IG Police and a Magistrate asking them to submit their report within one month. In the meantime, a final football match was scheduled to be played at the College grounds, and the Maharaja was to give away a trophy to the winning team. The Police came to the College to make security arrangements for His Highness, but the agitated students did not allow it to enter the college. The IG Police then informed the Maharaja about

the students resistance. The latter again invited the students delegation. The students informed him that they would themselves provide him the required security. The Maharaja told them that he was not particular about security, but the matter which made him unhappy was their indicipline. "If they exhibit a sense of discipline, I will ask the police not to enter the college premises." The students then gave a categorical assurance to him and the Maharaja came to the college to witness the match. He also gave away the trophy to the winning team. The students displayed an exemplary discipline. The Maharaja was so pleased that, while addressing them, said that if the people and students showed such a discipline and maintained peaceful conditions, he would never, need police.

The biggest gesture of the Maharaja was the grant of proprietorship to the Kashmiries who were till then only tenants of the land as under the Amritsar Treaty (1846) the land in Kashmir belonged to the rulers.

A Buddhist monk from Thailand had been living in Kashmir since 1940. He saw there was not a single Buddha temple or Buddha Vihara in the State.

He was staying near the Lal Mandi doing medical practice. When he spoke to me of the non-existence of any Buddha Vihara in Kashmir, I suggested that he approach Maharaja Hari Singh and request him to donate land for the building of a Buddha Vihara in Srinagar. The Bhikshu, however, sent a letter of request to His Highness to grant some land in Srinagar for the purpose. The Maharaja wrote him in reply that four kanals of land would be given to him for the Vihara near the Convent School.

The Bhikshu was very happy with this gesture of the ruler. This incidence, however, shows the Maharaja's generosity and equal treatment to all the religions.

Maharaja Hari Singh patronised the literary works by the learned scholars of the state. He honoured Dr.

Siddheshwar Verma, a Jammu scholar of international repute, for having conducted researches on the Bhaderwahi dialect. Dr. Verma wrote a research article on "Neuter gender in Bhaderwahi dialect". The Maharaja gave him a khillat, a big honour from the ruler.

Similarly, in 1933 Prof. Gauri Shankar translated *Bhagwad Geeta* in Dogri. It was a pioneer work for which he was honoured with a "Khillat".

Maharaja Hari Singh never tolerated corruption in his administration and whenever he received report about any corrupt officer in the administration, strict action was taken against him. Once, he had two ICS officers in his cabinet who were able administrators. He received report against one of them, who was involved in a forest scandal and terminated his services.

Two Revenue Commissioners also met the same fate. The charge against them were received from the Revenue Minister. They were ordered for their retirement.

A D.I.G. Police and a senior officer of PWD were suspended, while a Chief Engineer PWD was dismissed for corruption.

During Second World War, the Maharaja visited London from where he went to the battle field in the Middle East. For some days his whereabouts were not known in Jammu. When he returned safe, he received an unprecedented warm reception from the people both in Jammu and Srinagar. He was so pleased with the love and affection of his people that he announced the inclusion of two elected members in his cabinet. Even Sheikh Abdullah, who was known as an opponent of Hari Singh, paid him glowing tributes.

When Maharaja Hari Singh breathed his last at Bombay, the news spread like a fire in Jammu and Srinagar. The bazars in the cities were closed within minutes. The Sheikh expressed his shock on the Maharaja's death. Next day he read out a written condolence statement in which he paid glowing tributes to

Hari Singh. He said, "I had no personal differences or grudge against Hari Singh. Our differences were political. I have even, today, great regard for him who was a man of characters."

When Sheikh Abdullah assumed the charge of Chief Ministership in 1975, the Nagbani Hari Singh Educational Institute invited him on its annual Prize Distribution Day. When he entered the premises of the Institute, he saw a marble statue of the Maharaja. He stood silently for about three minutes, taking off his cap from his head and saluted the late Maharaja.

In his presidential speech he again paid glowing tributes to Hari Singh, describing him a man of character and dignity, and used the Urdu word "Khuddar" for him. "Even today I hold extreme regard for him."

Mirza Afzal Beg, the Revenue Minister also said at a public function "what we are doing today is a style of our functioning. We criticise Maharaja Hari Singh who functioned according to the administrative style of that period. It is possible that after some years, this style of ours may become a matter of criticism by our own successors."

XVIII

MAHARAJA HARI SINGH IN DOGRI FOLKLORE

—*Prof. Champa Sharma*

There has always been a kind of literature before written literature came into being and for convenience it can be termed as 'Folk Literature' or 'Oral Literature'. Delving below the simplistic term one finds that it has always served as a source of interesting insight into the lives of the people, and also exposed certain valuable and unrecorded events and episodes of events and traditions which have persisted from earlier into later periods and which in fragmentary though comparatively unchanged form have continued to exist outside the accepted pattern of contemporary knowledge.¹

The folk literature of Duggar, is no exception in this regard.

Maharaja Hari Singh (1895-1961) had inherited a fine physique, good looks, intelligence and the riches of his father, Raja Amar Singh who passed away in 1909.² After that the British, the Indian Government took keen interest in the upbringing and education of the prince. This education was supervised by English teachers. As a result, he turned out to be a prince of meticulous personality. Maharaja Pratap Singh appointed him as Commander-in-Chief

of the State Forces in 1915 after Prince Hari Singh had received training in the Imperial Cadet Corps, Dehra Dun. In 1922 Raja Hari Singh was appointed as a Senior Member of the State Council set up by Maharaja Pratap Singh.³ Consequently, he got an opportunity to come in contact with the people and understand their problems and difficulties. He worked with great zeal and enthusiasm to redress their problems and thus found a place in their hearts. He earned special popularity by introducing certain reforms. Basic facilities like the supply of drinking water to the people was a very happy occasion for the common man. This measure of the Maharaja has been recorded in a folk song whose text⁴ is given below and followed by English translation:

“Roaren Jammua Paren Bahwa,

Touha Suhami baggai O.

Hari Singha da likhea aya

Nalka Sohailaggai O.

Pani bhardian Suhanian

Saharai buhai aggai O”.

(The river Tawi is flowing between Jammu on this side and Bahu Fort on that side. An order of Maharaja Hari Singh has come out which speaks of the installation of water points door to door in the summer season. As such Rajput ladies are found getting water in front of our doors).

One of the Dogri folk songs has appreciated the construction of a bridge by Maharaja Hari Singh. Though there is no mention of the river on which the bridge was constructed—it could have been the bridge over the Tawi at Jammu or the Karan Bridge constructed at

Akhnoor on the river Chandrabhaga. Yet it seems that the folk poetry refers to the Karan Bridge. It has been mentioned that the bridge was so beautiful that some English Ladies came specially from London to see it:

"Hari Singh Raje pula banoaya,

Landana mema dikhana ayiya."

In 1933 Maharaja Hari Singh permitted the scheduled castes to go to the temples and perform puja. This event too has been remembered by the common folk as is evident from the following lines given below:⁵

"O Jammua mandara bane sarkari,

The mandaren jana deo ik bari,

O darshan pana deo ik bari.

Maharaja Hari Singh is well known for his progressive ideas, freedom and self-rule. Speaking on behalf of the princes in the Round Table⁶ Conference held in London, he convinced the British that he was not a prince to 'toe their line'.

This fact has been well summed up by an unlettered and unsophisticated society in these simple words⁷:

"Hari Singh Jeha nein maen

Jamanane O mureo thara-thara kamman O mureo.

Eh Dogre shera Jammu de

Jehre dushmanne de danda bhananao mureo".

(Persons like Hari Singh will not be again born by mothers. The British used to tremble at his very appearance, Dogras like the lions are terror for the enemies).

Apart from this aspect of Maharaja Hari Singh's life

a couplet of Dogri folk song refers to his third marriage with a girl from the neighbouring hill state of Chamba, who died⁸ childless. The text of the song goes like this:

“Leyi ai Nakkara Raja herai chaleyā

Gaddanen ghera paya, Hari Singha Rajeya.”

(When Raja Hari Singh was going (for marriage to the brides house) to Chamba with the beating of the special type of drums he was encircled by the girls of Gaddi clan of Chamba (perhaps for hearing a ‘Chhanda’ from the bride groom).

Historians have placed on record the contribution of Maharaja Hari Singh during the two World Wars. In the First World War he rendered full cooperation to the British Govt. He was responsible for the training and equipment of the units of the State Army which was sent to the front. These units won laurels in several battles in France, Palestine and East Africa. He also made a personal donation of Rs. 43 lakh to the War Fund.⁹

During the Second World War (1939-45) also the Maharaja played a great role. He recruited 55,000 young men in the British Army,¹⁰ and handed over eight battalions of the State Army to the Government of India. He personally visited the War Front and supervised the situation. To meet the war expenses he set up a War Aid Committee which raised an amount of Rs. 12 lakh. He also contributed from his Privy Purse an amount of Rs. 4 lakh to the Government of India and \$ 40,000 to the Viceroy as an aid to meet the expenses on war. The Maharaja not only extended financial support but also raised the morale of those fighting on the Fronts by his encouraging speeches. One of the Dogri folk songs has been found by the author highlighting the Maharaja’s role played in the wars:

“Bayi raja pahara de bich Jammu raja sardara

Rakho laja pahara di as aye tundai darbara

kahtta chithi ayi geyi Jammua sarhi

Raja janga di karo teari.

Raja janga di karo teari

Raja janga jittiai Jammu auna.

Raja jangai di.....

Kannai turi peyi ai Bahwe Wali,

Raja janga jittiai Jammu auna,

Raje jangai di kiti teari.

Kannai turi peyi ai paharen ahli,

Raja janga jittiai Jammu auna, Raja

Jangai di.....

Tundi thapi lainadi bhaina peari

Jehri behayi ditti naggar Chanaini,

Bhayia leeka nein laya

hariai sharto,

Raja janga jittiai Jammua auna, Raje jangai di.....

The above lines beseech Maharaja Hari Singh to come

out victorious from the battle field. The folk believed that Goddess Maha Kali of the Bahu Fort temple would bless Maharaja with victory as she would be with him on the War Front also.

The author has found out an interesting Dogri ballad which narrates the semi-historical events of the last fourteen years of Maharaja Hari Singh's settling down at Bombay. The ballad describes as to how did Maharaja Hari Singh, leaving the territory of Jammu and Bahu went to Bombay in spite of the repeated requests of his wife-Maharani Tara Devi not to leave his home place. But Maharaja Hari Singh Jamwal, the Chief among all the kings, a person with matchless wisdom, was heading towards his death day at Bombay. The ballad speaks that when the end came, Yuvraj Karan Singh had gone abroad and even Maharani Tara Devi too was not by his side. She was at Jammu and reached Bombay after hearing the sad news of her husband's passing away. History may tell another tale but the Dogri ballad imparts the information that Maharaja Hari Singh declared his grand daughter as the legal owner of all of his wealth and fortune over there.

The text of this long and rare Dogri folk narration with seven stanzas goes like this:

Maharaja Hari Singha Jamwala,

Saren rajen dea sardara,

Kannai akali dea beshumara,

Mouta dindi tugi ala, Raja

Chori J-a-mmua nein jayea.

† The ballad has been narrated by Haji Ghulam Mohd. S/o Moulavi Chirag-ud-Din R/o Village Dansal.

Jammua Taffi raje Ba-hawa taffea

kannai taffea Tawi da pani,

Thakai raja teri Rani,

Kusai khattani kusai khani.

Ikkai puttra ai sahari nashani.

Iyai Ehamaya Itthai rehyi jani.

Raja chhori J-ammua.....

Jammu taffi raje Bahawa taffea,

Bela mouti da gea nerai ayi,

Raje jhata-patta mandali poayi,

Sunne-Chandi manse Kapala Gayi,

Akharaik galla cheta ayi

Raja chhori Jammua.....

Jammu taffi raje Bahwa taffea,

Chara-Chapherai najara durayi,

Pyara puttra nein dikkheya jayi,

Akhara Rani nein najari ayi,

Ikkai pottri najari ayi.

Jayadada pottri de na sari layi,

Ik galla Raje ne ditti sanayi,
Mere puttrai gi dena sanayi,
Meri sahla (ashes) denya Jammua pajayi.
Bahwe hetha laio Ganga banayi
Mere phull deo Tawia rahayi,
Galla karade Raje gi kahli Ayi.
Raja chhori Jammua.....
Jammu taffea Bahwa taffea,
Raja surgai gi charatala layi,
Kathi hoyi Bombay di lukayi,
Chanana rukh unhe leya badhoayi
Chita raje di leyi banoayi,
Sanskara kita raje da jayi
Raja chhori Jammua.....
Jammua taffi raje Bahwa taffea
Pichho Rani bi pujadi ayi,
Rajkumar bi pujea ayi.
Jinhe leyi babhuta uthayi,
Phulla ditte Tawia bich payi

Ahni Jammua babhuta khalari,

Tugi rondi ai khalgata sari.

Sabhai mard ronde kannai nari,

Sarhe rajjai cha peyi ai juadi.

Sunni hoyi geyi riyasta sarhi

Raje chhori Jammua.....

It is a fact, as stated in the ballad, that Dr. Karan Singh was abroad when he received the sad news of his father's passing away. This too is not untrue that the ashes of Maharaja Hari Singh were brought to Jammu by a special arrangement as per his will. Some of the ashes were scattered over Jammu from an aircraft and a 'Kalash' of ashes was immersed in the river Tawi. Regarding Maharaja's giving his all wealth to his grand-daughter, there is a controversy. Dr. Karan Singh, however, has clarified this issue in his autobiography *Heir Apparent*.

Another eight-lined text of an incomplete Dogri ballad also exists. This too speaks of Maharaja Hari Singh's leaving Jammu town and Bahu Nagar forever inspite of the repeated requests of his wife Maharani Tara Devi and his settling down in Bombay. These lines also describe the last moments of Maharaja Hari Singh. Before he breathed his last, he explained everything to his grand-daughter as no other family member was with him over there. The text is given below:

Jammua taffi Bahwa taffea

taffea thanda tawia da pani,

Rani Raje gi thaka pandi,

Chhori jammua nein jaya.

Choudaha sala Bombay katte

Maihla Bombay ditte poaji.

Karan Singh geya 'Valaita',

Pottari najari Ayi,

Hari Singh Raja mattha je tekada,

Jai Jai Bahwe Wali.*

Kacchaje jehdai pottri baithi,

laja rakkhai Bahwe wali,

Ik paincha pajame da laya,

kala sira para geya ayi.

Saria galla pottri gi sunayia

te dayadada pottri de nama kara-yi.

Thus folk poets have immortalized their popular Maharaja and mentioned those aspects of this life which were dear to them. The contents of the will of Maharaja highlighted by the folk poetry is partly correct and partly fabricated. The four-page will written by the Maharaja years before his death specifies the details of the property to be distributed amongst his family members (Dr. Karan Singh, Smt. Yashorajaya Lakxmi,

* The text has been recorded by the author as narrated by Krishan Lal Thakkaria R/O Kunprala P.O. Ritti, District Udhampur.

Rajkumari Jyoti, Maharani Tara Devi) and others, including his personal attendants and societies for spending the amount on the propogation of education in general and agricultural education in particular.

BIBLIOGRAPHY

1. *Dogri Lok Geet*, parts 3,5,6: published by J&K Academy of Arts, Culture and languages, Jammu.
2. *Dogri Lok Sahitya Nibandhawali*: Published by Dogri Sanstha Jammu.
3. *Duggar Da Lok Jeewan*: By Dr. Champa Sharma, published by Dogri Sanstha, Jammu.
4. *Folk Lore*: by Shankar Sen.
5. *Heir Apparent*: By Dr. Karan Singh, Published by R. Dayal, Oxford University Press, New Delhi.
6. *History of Kashmir*: by P.N.K Bomzai, New Delhi.
7. *Tareekh Dogra Des*: by Narsingh Dass 'Nargis' Jammu.
8. *Tragedy of Kashmir*: by Dr. H.L. Saxena, published by Nationalist Publishers, New Delhi.
Oral data recorded from:
(a)Haji Ghulam Mohd S/O Maulavi Chirag-a-ud-Din R/o Village Dansal.
9. Krishan Dass Thakkaria R/O village, Ritti, District Udhampur.
10. Madan Lal Tangotra R/O Luxmi Nagar, Muthi Domana, Jammu.

DOCUMENT

1. WORK OF RAJA HARI SINGH AS A SENIOR MEMBER OF THE STATE COUNCIL (1921-25)

Army Reorganisation—The reorganisation of the army which begun in 1922 is still in progress. Its chief features are:—

1. The whole army administration and commands have been remodelled.
2. The 3rd Squadron of Cavalry has been raised and armed. The men for the 4th Squadron are being enlisted and a full Cavalry Regiment will be in existence within the next two years.
3. Mules of the best stamp have been provided for one Battery; and the Battery is fully armed and fit for service.
4. Two complete Infantry Units have been trained in modern mechanical weapons; half of these units being raised by recruitment. Personnel equivalent to one whole service battalion has thus been raised, trained and passed fit for service.
5. Two more units have been trained in the use of mechanical weapons. The battalions are complete with all technical equipment and are expected to be fit for service within two years.
6. An innovation that His Highness has introduced into the State Army is the employment in the State Officer rank of young men of good social standing and high academic qualifications.
7. Another very necessary measure of reform is the construction at an estimated cost of Rs. 23,00,000 of the new Cantonment in Srinagar (opened in October 1926) which has provided the troops with excellent quarters. The Cantonment when completed may legitimately claim to be a model of its kind by comparison with any other in India.

Grain Control in Kashmir—It is not known whether anywhere else in the world, in normal times, the rationing of a city of 1,50,000 souls has ever been attempted, but in Srinagar it has not only been attempted but carried out successfully for a considerable length of time. The circumstances which necessitated this unusual and rather drastic measure arose by reason of the Kashmir grain market being manipulated by a few unscrupulous speculators, who by advancing money to the cultivators and buying grain months before the harvest time, often succeeded in cornering vast quantities of grain which they retailed at exorbitant prices, and sometimes refused to sell at all. This state of affairs often brought the residents of the city to the verge of starvation and on more than one occasion resulted in serious discontent and almost rioting. As a remedy the State instituted in 1921 a State Store which was in great measure (and finally wholly) financed by the State and empowered to purchase paddy in the districts at fixed rates very favourable to agriculturists. Moreover, all landholders were required to pay a certain proportion of the land revenue payable to the state in kind. The grain so received was also placed at the disposal of the store. A very strict census of the city was taken, according to which ration-tickets were issued to each house-holder, who on the production of this ticket could get a fixed quantity of paddy at published rates from the Stores every month. Landholders living in the city could, if they so preferred, import their grain for their private use from their estates in the mufassil with the permission of the Store, but the quantity so imported could not exceed the quantity mentioned in their tickets. The ticket by such importation became invalid for securing a further supply of grain from the Store in the city. No other grain was allowed to be imported into the city.

The system of ration-tickets was essentially an emergency measure. The Shali Store has now been renamed "State Granaries." Except in very exceptional circumstances, the ration-ticket system is not resorted to, grain now being sold in any quantities desired by the customers in all parts of the city at fixed rates, though restrictions have not been removed on the importation of private grain by the local dealers, who, however, can purchase as much as they like from the granaries. The granaries now make the greater part of their purchases by what is known as *Khush Kharid*: a system by which cultivators or landholders can sell as much of their surplus crops to the state granaries voluntarily, at fixed rates which are nearly double the rates at which assessments for revenue are made.

The storage of such immense quantities of grain requires proportionately ample accommodation. This is now provided by a series of scientifically constructed, rat-proof and damp-proof godowns built in the course of the last few years.

Land Alienation Regulation—In view of the very serious danger to the agricultural classes as a result of their being rapidly dispossessed of their lands owing to heavy indebtedness, the operation of the *Land Alienation Regulation*, which was formerly in force in the three Tehsils of Mirpur, Bhimber and Ranbirsinghpura only, was given a general application.

Representatives' Conference—In order to ensure that the legitimate grievances and needs of the agriculturists, who form the vast majority of His Highness' subjects, may receive proper consideration, His Highness instituted the practice of annually inviting representatives from the various rural areas both in Jammu and in Kashmir to a conference where they can *personally* acquaint His Highness with their needs and aspirations. Such matters as the opening of general and technical schools in particular localities, construction of roads and bridges, establishment of dispensaries, post and telegraph offices, extension of pastures for grazing and other matters which, though of more or less purely local utility, are nevertheless important for the development of the country and the amelioration of the condition of the rural population, are discussed at these Representatives' Conferences.

General Administration

His Highness is assisted in the Government of the State by a Council composed of the following Ministers:—

1. The Foreign and Commerce Minister.
2. The Army and Revenue Minister.
3. The Home and Judicial Minister.
4. The Police and Public Works Minister.
5. The Finance Minister.
6. The Minister-in-Waiting.

The names of the ministers and the portfolios they hold charge of are as follows:—

- | | |
|---|--------------------------|
| 1. Sir Albion R. Banerji, Kt., C.S.I.,
C.I.E., Rajamantradhurina, | Foreign & Commerce. |
| 2. Major-General, Rai Bahadur
Janak Singh, Bahadur, B.A., | Army and Revenue. |
| 3. Khan Bahadur Maulvi Nazir Ahmed,
B.A., LL.B., | Home and Judicial. |
| 4. G.E.C. Wakefield, Esqr., O.B.E., | Police and Public Works. |
| 5. Lala Tulsi Ram, | Finance. |
| 6. P.K. Wattal, Esqr., M.A., F.R.E.S.,
F.S.S. (without portfolio). | |

The powers of Ministers are clearly defined. Matters—others than those pertaining to the army department and the departments under the control of the Military Secretary—which are beyond the powers of Ministers are submitted to His Highness through the

Minister-in-Waiting for commands. Matters pertaining to the Military Department are discussed in the Army Council and submitted to His Highness for commands direct by the Colonel-on-the-Staff. Similarly, the Military Secretary submits direct for His Highness' commands all papers pertaining to the departments under his control. Matters such as legislation, the consideration of the receipts and expenditure budgets of the state, etc., which require deliberation are referred to the Council. His Highness presides at the meetings of the Council.

The distribution of portfolios is as under:—

1. Foreign and Commerce.

Foreign Branch

- (1) Treaties, agreements, and relations with the British Government.
- (2) Titles and Salutes.
- (3) Affairs relating to members and relations of the ruling family.
- (4) Offences against the Ruler, his Government or the British Government.
- (5) Affairs relating to feudatory chiefs.
- (6) Frontier affairs.
- (7) Residency and residency correspondence.
- (8) State Representatives.

Commerce Branch

- (1) Mining and Mineral Survey.
- (2) Commerce and Industries.
- (3) Industrial Education.
- (4) Sericulture.

2. Army and Revenue.

Army Branch

- (1) Military

Revenue Branch

- (1) Jagirs and Muafis, (other than those of members and relatives of the ruling family and feudatory chiefs).
- (2) Forests.
- (3) Land Revenue.
- (4) Revenue Settlement.
- (5) Road Cess, Patwar and Chowkidari Funds.
- (6) State Property in British India.
- (7) Devasthans and Dharmarth Trust Fund.

3. Home and Judicial.

Home Branch

- (1) Education
- (2) Medical, Jail and Meteorological Departments.
- (3) Research, Libraries, Archaeology and Museums.

(4) Menageries.

Judicial Branch

- (1) Legislation.
- (2) Judicial Department.
- (3) Civil and Criminal appeals.

4. *Police and Public Works.*

- (1) Police.
- (2) Municipalities.
- (3) Roads and Buildings.
- (4) Irrigation.
- (5) Electrical Department.
- (6) Mechanical Department.
- (7) Telegraph and Telephones.

5. *Finance.*

- (1) Finance.
- (2) Treasuries.
- (3) Accounts.
- (4) Audit.
- (5) Stamps.
- (6) Stationery and Printing Presses.
- (7) Customs and Excise.
- (8) Kashmir Valley Food Control.
- (9) Co-operative Credit Societies, Civil Veterinary Department, Agriculture and Horticulture.

6. *Minister-in-Waiting.***No Portfolio.**7. *Military Secretary to His Highness.*

- (1) Ceremonials and Special Occasions.
- (2) Tours.
- (3) Grants at His Highness' disposal.
- (4) Khillats, Tambols and Vartans.
- (5) Toshakhanas.
- (6) Reception and Entertainment of Guests.
- (7) Baggikhana, Feelkhana, Riding Stables, Boats and Motor Cars.
- (8) Rakhs and Game Preservation.

REVENUE ADMINISTRATION—AGRICULTURE AND CO-OPERATION.

For purposes of revenue administration the State is divided into four provinces, the two major provinces of Jammu and Kashmir being in the executive charge of Governors and the two minor provinces of Ladakh and Gilgit in the charge of Wazirs Wazarat who, though only holding the rank of ordinary District Officers, directly report to and take orders from the Revenue Minister. The major

provinces are sub-divided into Wazarats or districts controlled by District Officers holding the title of Wazir Wazarat. Each district consists on an average of three tehsils. All the higher revenue officers from the Naib-Tehsildar upwards to the Governor exercise criminal powers in varying degrees, Governor being invested with powers of a District Magistrate and the Wazir with those of a Sub-Divisional Magistrate.

A Revenue Judiciary scheme is under His Highness' consideration and will, it is hoped, be soon brought into force. This scheme provides for the reduction of a number of districts as a consequence of which the new districts will have larger areas; and (2) the investment of the Wazirs Wazarat with full powers of Collector and District Magistrate. The new Wazirs Wazarat will be assisted in the disposal of criminal cases by Additional District Magistrates and on the revenue side by qualified Revenue Assistants.

Land Revenue and Tenancy Regulations—Two regulations known and *Land Revenue and Tenancy Regulations* were passed with a view to increase the efficiency of revenue administration in the State. The practice followed hitherto had been to act according to the provisions laid down in the Punjab Land Revenue and Tenancy Acts, modified by certain orders and circulars issued by the Jammu and Kashmir Government, to suit local conditions. The new regulations resulted in providing the Revenue Courts and Revenue Offices with a handy and authoritative manual for future guidance.

Tours—During His Highness' frequent and extensive tours in the districts it came to his notice that the peasants were being put to inconvenience by certain officers of the state who indented upon them for supplies which they often paid for at less than market rates. Also where there are no habitations and shopkeepers, the officers instead of making their own arrangements for the transport of the supplies from the nearest shops to their camps were in the habit of forcing the shopkeepers, who in many cases lived at a distance of 2 or 3 miles from the camps, to bring the supplies to the camps. Both these practices have been put a definite stop to. Similarly, the old practice of impressing peasants as porters for the carriage of luggage of touring officers and other visitors has been discontinued. His Highness has also commanded that the Ministers and Heads of departments should, as a matter of duty, tour in the districts, for not less than the minimum period prescribed in each case and particularly in the remoter parts which are inaccessible to motor cars, and submit their diaries for information. With a view to enabling the Revenue Minister, who is at present tied to his desk in hearing appeals, to proceed on tour and keep his departmental subordinates up to the mark, His Highness hopes shortly to relieve him of a considerable portion of his appellate work by entrusting it to a separate officer.

Agriculturists' Relief Regulation—During his tours His Highness was very forcibly struck with the need of improving the lot of his agricultural subjects whose simplicity, comparative illiteracy, improvident habits and bad social customs made them an easy prey of the usurious money-leaders from whose clutches they seldom escaped, once they fell into them. To improve land, produce high-yielding crops and purchase sound cattle, is impossible when the cultivator has no the wherewithal to keep his body and soul together, and when the harvest is sold even before it is reaped. The ordinary law on examination was found to be hopelessly inadequate to meet the situation. A special law known as the *Agriculturists' Relief Regulation* has therefore been enacted and passed by His Highness in Council and all Judicial and some of the Revenue Courts in both the provinces have been invested with powers to dispose of the cases arising out of this Regulation. In addition to this, two special officers have been appointed to check and scrutinise the disposal of such cases in the Revenue and Judicial Courts. Under this Regulation an agriculturist debtor can bring his creditor to Court for settlement of account. The Courts are empowered to go into the accounts of the last 5 years; to disallow rates of interest in excess of the prescribed maximum; to see that total interest allowed does not exceed 50 per cent of the principal and to fix installments on the basis of reasonable paying capacity of the debtor. The measure has proved highly popular with the agricultural classes, who form a very large majority of His Highness' subjects.

Co-operation and Consolidation of Holdings—A few details of the Co-operative movement have been given above. Recently, with a view to giving an impetus to the movement, His Highness has sanctioned two Registrars, one for Jammu and the other for Kashmir to work under the general control of the Director-General of Agriculture and Co-operation, referred to in the succeeding paragraph. But the particular feature of the Department's activities to which His Highness, before as well as after his accession, has given his unstinted support is the Consolidation of Scattered Holdings. The first attempt in this direction was made at Chak Muhammad Yar, a village containing only 400 acres of land in Tehsil Ranbirsinghpura, Jammu Province. The villagers readily consented to the consolidation operations as the advantages accruing therefrom were obvious, *e.g.*, there is facility and economy in irrigation; inspection of the fields at the time of assessment and harvesting of crops takes comparatively less time; boundary disputes and consequent litigation become rare, and it is more easy to keep watch over the harvest before and after stacking. As a result of this step, the value of land in such villages has increased and the proprietors are able to get better results with less outlay. The work of consolidation in both the prov-

inces is progressing rapidly. The number of villages, so far brought under these operations is 16, the total area of the land so treated is 2665 acres, parcelled out before consolidation into 5632 fields of .47 acres each on the average and now into 932 compact blocks, owned by 791 members. The blocks are usually so arranged that each one is an absolutely independent unit in respect of irrigation and approach. It is hoped to extend in due course this beneficent and economically useful piece of work to every village in the State.

To give a further stimulus to agricultural progress in the State, His Highness has amalgamated the two Departments of Agriculture and Co-operation, which are necessarily allied, and has placed the united organization under the charge of one officer, named the Director General of Agriculture and Co-operation. This officer has been instructed by His Highness to make special efforts to educate the peasants in the use of improved seed, as a preliminary measure.

Horticulture—In view of the great economic importance to the Kashmir Province of the fruit industry and the undoubted excellence and abundance of the fruit grown in Kashmir, the department of Horticulture and its activities exercise a great influence on the development of the resources of the Province. For this purpose, His Highness has created the post of an Assistant Director of Horticulture, who is specially charged with the duty of conservation and development of fruit culture. For administrative purposes, this officer will work under the Director of Agriculture.

Civil Veterinary Department—It was brought to His Highness' notice that the Zamindars were both too ignorant and too poor to improve their cattle by cross-breeding with suitable selected types. To suggest measures for the improvement of the breed of cattle in the state and to give expert advice on the subject of the overhauling of the State Veterinary Department, the Government invited Mr. Taylor, Principal of the Punjab Veterinary College, to Kashmir. It is hoped that his report will prove useful to the state. As the Civil Veterinary Department deals mostly with the needs of agriculturists, His Highness has recently placed this department also under the Director-General of Agriculture and Co-operation. A post of Superintendent, Civil Veterinary Department, has also been sanctioned and the Director-General has been asked to pay special attention to improving the breed and condition of agricultural livestock.

JUDICIAL ADMINISTRATION

The High Court is the highest Civil and Criminal Court of Appeal and Revision in the state, except in cases where further appeal or revision is permissible in the Court of His Highness. Appeals and Revisions against the High Court will be considerably

diminished when the proposed High Court Bench is constituted, as it is hoped it will be, in the immediate future. Under the High Court are the District and Sessions Chief Judges. In the cities of Srinagar and Jammu and in other important and populous towns there are courts of Subordinate Judges, while in all localities having a fairly large population courts are presided over by Munsiffs.

The judiciary of the state is in every way as efficient as that of British India, the qualifications for appointment to office the same as are in force there. In most cases law graduates of Indian Universities are appointed as Munsiffs but the state has its own Munsiffship and Pleadership examinations, success in which requires in a candidate as high a standard of knowledge of Civil and Criminal law as is essential for the B.L. examination of Indian universities. Similarly, a stringent system of examinations has been instituted in the case of Naib-Tehsildars, Tehsildars and Wazirs Wazarat, who cannot without passing the requisite examination be promoted to a higher grade or even confirmed in their own.

In certain parts of the Jammu Province, and to a less extent in Kashmir also, the nefarious practice of kidnaping ignorant and poor women for sale to private persons or houses of ill repute in the large towns of India had unfortunately assumed dangerous proportions. The penal law of the state was amended with a view to effectively check this evil traffic by (1) raising the punishment for kidnaping from 3 to 7 years and for enticing away a married woman from 2 to 5 years; (2) raising the age-limit for offences under sections 278 and 279 of the Ranbir Dand Bidhi (the State Penal Code) from 16 to 18 years and the age of consent in case of marital and other sexual relations referred to in sections 281 and 282 of the Ranbir Dand Bidhi from 12 to 13 and 14 years as in British India; and (3) amending clause (d) of Section 110 of the Criminal Procedure Code by providing for security being demanded from persons habitually committing kidnaping or abduction. Responsibility for the prevention and rendering of assistance in the detection of such offences has also been fixed upon Zaildars, Numberdars, and Chowkidars of villages.

The public suffered a great deal of inconvenience on account of the procedure hitherto in vogue which necessitated that the documents requiring registration should be submitted to His Highness for sanction. An amendment was made in the Regulation by which it was enacted that only those documents should after registration go up to His Highness for sanction and sign manual in which any party to the document was a non-hereditary state subject, the rest being considered complete and valid after due attestation by the Registering Officer concerned.

EDUCATION

As has been stated in the opening paras of this note, Kashmir is mostly a country of long distances, high, unproductive and intensely cold mountain ranges, and, except in certain parts, very scanty population, a considerable portion of which lives a life of primitive simplicity in more or less inaccessible regions. The clusters of closely situated villages which one sees so frequently in the valley of Kashmir, are very rare in the remoter regions where habitations are few and far between and where snow and the intense cold of winter put a practically insurmountable barrier in the way of children going to school at a distance of a mile or more from their houses. But notwithstanding all these physiographical difficulties the energetic and liberal policy of His Highness' Government has succeeded in the last two decades in raising the percentage of literacy among persons of school-going age from 5.23 to 19.8 in the case of males. There are at present in the state two first grade colleges containing up-to-date scientific laboratories (one of them has Geological Department which is the only one of its kind in the Punjab), 12 high schools, 41 middle schools, nearly 800 elementary schools and 4 training institutions for teachers. So far, therefore, as secondary and university education is concerned, the state occupies a very strong position as compared with even the most advanced Indian states. The steady progress of general education in the state may be estimated from the fact that in 1907, the annual grant for the purpose was Rs. 2,08,623, in 1917 it was Rs. 7,35,106, while in 1926-27 it is Rs. 11,58,561. His Highness' personal keenness for the spread of education among his people can be gauged from the fact that he took the very first opportunity of announcing on the occasion of his Raj Tilak, among other boons, the establishment of 120 new schools in one single year (1926-27).

Technical education is imparted in the institutes at Srinagar and Jammu, as well as in the technical schools in the principal towns of the State.

MEDICAL AID

In the old days there was no qualified medical aid available even in the city of Srinagar. Now there is hardly any town or village of importance in the state where there is not a well-fitted state dispensary under a qualified doctor, who examines patients and dispenses the requisite drugs free of charge. In the two capitals of Srinagar and Jammu there are central hospitals equipped with up-to-date operating theatres and modern appliances designed to afford relief to the physical ills of humanity. The State Hospital, Srinagar, possesses X-Ray apparatus and Ultra-violet Ray apparatus.

The state also maintains itinerant dispensaries and special staffs for epidemics and vaccination. The latter has proved an inestimable boon, the majority of the children in the state being now vaccinated by peripatetic vaccinators. The most effective remedy for preventing the spread of epidemic diseases like cholera is inoculation, which is resorted to wholesale whenever any such danger is apprehended. For tuberculosis which unfortunately is on the increase in Kashmir Province, special measures such as the establishment of nursing homes and the services of a specialist are necessary. Steps are being taken to establish the first and secure the second.

Besides the General Hospitals, the State aids a large Mission Hospital in Srinagar and maintains a Contagious Diseases Ward outside the city of Srinagar and Leper Asylums in Srinagar and Jammu. The Srinagar Asylum contains 114 patients. Stringent measures have been taken in this institution to separate the healthy children from their diseased parents.

A First class Zenana hospital under the management of a highly qualified lady doctor assisted by an adequate staff of nurses is maintained at Srinagar. Another hospital on the same lines, but of somewhat smaller dimensions, has been established in Jammu.

PUBLIC WORKS

Communications—By reason of the highly mountainous nature of the country, communications between Kashmir and the outside world on the one hand and between different localities within the state on the other, have always been difficult. Travelling in the old days in large caravans with sumptermules, pack ponies and elephants, as the Mughal Emperors did, had doubtless a picturesques of its own, but it entailed inconvenience and it took two or three weeks to complete the journey from the plains of the Punjab to Srinagar. Further, owing to the length, tedium and danger of the route it was impossible to rush up grain and commodities from the Punjab in time of disaster, such as famine or flood. Similarly, when there was plenty in the land, the surplus could not be exported with profit. The connection of Kashmir with the rail-heads at Rawalpindi and Havelian by the construction of the Jhelum Valley Cart Road has placed Srinagar within 12 hours (often only 9 hours) of the rail terminus and has thus given an extraordinary impetus to the trade and commerce of the country. It has, moreover, brought Kashmir within the reach of tourists of limited leisure and means.

The recent construction of the Banihal Cart Road (200 miles) has, besides shortening the distance between Lahore and Srinagar and connecting the two capitals of the State, opened out 150 miles of hitherto more or less inaccessible regions. The rapidly expanding network of roads available for wheeled traffic between the impor-

tant towns and trading centres in the districts is giving an impetus to the internal trade of the state which can hardly be overestimated.

Municipalities—There are in the state at present two fully organized Municipalities, *viz.*, Srinagar and Jammu. The Presidents are nominated but a certain proportion of the members of the Committees as elected. The income of the Municipalities is derived partly from octroi duties, licenses granted to carriages, boats, etc., which ply within their limits, and partly from grants-in-aid from the state revenues. Though a good deal remains to be done, much useful work has been accomplished by these organizations during the last quarter of a century, in respect of conservancy, sanitation, road-making in towns, etc. But by far the greatest and best appreciated of all the municipal reforms is the supply of pure drinking water and the consequent marked decrease in the incidence of infectious diseases, whose germs found a congenial home in the water of the rivers, canals and tanks, which till the construction of the new pipe system supplied the people with their drinking water. The old way of lighting the public thoroughfares by means of kerosine oil lamps whose flickering flame served only to make darkness visible was discarded and replaced by electrification, a circumstance which has greatly added to the security of life and property. Almost all parts of the towns have been made accessible to wheeled traffic. The licensing of meat and milk shops and aerated water factories and the frequent bacteriological analysis of infectable food-stuffs has resulted in the supply of comparatively wholesome eatables to the general public. When the members of the Srinagar Municipal Corporation presented an address to His Highness on the occasion of his birthday in September 1926, he was pleased to acknowledge their good wishes by the present to the Municipality of Rs. 25,000 from his Privy Purse and of a large garden for the purpose of being converted into Zenana and Mardana parks for public recreation.

To improve the sanitation and conservancy of the towns of Udhampur and Mirpur. His Highness has declared them notified areas and small committees have been appointed to look after their municipal affairs.

Irrigation—There are several large perennial rivers and streams in the State, of which the Chenab and the Jhelum are the largest, with the exception of the Indus which, flowing as it does, through high mountain regions is incapable of being harnessed for agricultural purposes, so far as this State is concerned. The whole of the low-lying arable land in the valley of Kashmir is irrigated but the plateaus, locally known as *Karewas*, are arid to a degree. The more noteworthy systems of irrigation in the Valley of Kashmir are (1) the Martand canal with a total length including distributaries of 371/2 miles and a commandable area of 5,119 acres, (2) the Lal Kul

with a length of 21 miles and a commandable area of 5,000 acres, and (3) the Zainagir canal project with a commandable area of 21,000 acres. Fifty six per cent. of the cultivated area of the Province of Kashmir is irrigated. The Province of Jammu is less fortunately situated in respect of natural irrigation, by reason of its fewer streams and its extremely hilly physiography. It is therefore in much greater need of artificial irrigation. The state has shown its appreciation of the position by the construction of a large number of canals of varying lengths, though it must be admitted that much still remains to be done in this connection both in Kashmir and Jammu. The principal canals in the latter province are: (1) the Pratap canal with a total length including distributaries of 30 miles and a commandable area of 15,000 acres, (2) the Ranbir canal, with a total length of 200 miles including distributaries and a commandable area of 1,35,450 acres. This is by far the longest canal in the state, (3) the Basantpur canal having a length of 21 miles and a commandable area of 7,427 acres, (4) the Upper Jhelum canal distributaries with a length of 14 miles and a commandable area of 13,843 acres, (5) the Ranbir canal distributor No. 9, total length 42 miles, commandable area 19,670 acres, and (6) the Ujh canal with a commandable area of over 20,000 acres.

In addition to the work of irrigation proper, the Department is responsible for the maintenance of the Spill channel and other measures for safeguarding the city of Srinagar against floods.

POLICE

The Police Administration of the State is in the hands of the Police Minister. The executive head of the force as well as the C.I.D. is the Inspector General of Police who is assisted by Provincial Superintendents in the discharge of his duties. The procedure, administration, equipment, the rules followed and the qualifications for appointment are in almost all respects identical with those in force in British India. A system of reorganization, the chief features of which are the improvement of the prospects of the staff, the separation of the clerical from the executive staff and the improvement of the Police Prosecuting staff is under consideration. The force is being gradually re-armed with M.H. bored out muskets. The total strength of the force as at present constituted is 2402.

FINANCE ACCOUNTS AND AUDIT

The revenue of the state has been steadily growing as a result of the expansion of communications, more efficient revenue administration, increased development of its natural resources, improvement in trade and introduction of scientific methods in the working of state departments. During the next financial year (1927-28) the total receipts of the state are expected to border on Rs. 2,50,000.

As a rule, the receipt budget of the state balances the expenditure budget. For the purpose of auditing, consolidating and compiling the accounts of such a large amount of expenditure as well as for the compilation of the Receipt Budget and giving financial advice to His Highness, the state maintains a machinery similar to that of British Indian Provinces. At the head of this branch of administration is the Finance Minister. His work is mainly that of administration, general supervision and giving expert advice in matters financial. The principal officer under him is the Accountant-General, whose functions are divisible into three broad divisions, *viz.*, (1) Finance including Ways and Means, (2) Accounts and (3) Audit. Under the first-named division come (a) the compilation of the anticipated receipts and proposed expenditure budgets before the commencement of the financial year; (b) supervision of the development of revenue and watching the need of expenditure during the course of the year in order to utilize savings as far as possible; compilation of a report on the same and presentation of it through the Minister-in-charge to His Highness at the close of each year; and (c) to keep in funds all state treasuries and banks entrusted with the receipt of State revenue and disbursement of moneys on behalf of the State. The second of the three functions of the Accountant-General consists of the compilation of the accounts of the receipts and expenditure of the various state departments and the preparation of a consolidated monthly account according to prescribed major and minor heads for presentation to His Highness by the second of the month following the one to which the account pertains. Audit, which is his third function, is an equally important one. Its efficiency is secured by the rigorous observance of the rule which makes it compulsory for all Heads of Departments and Ministers to obtain the views of the Audit Department on the questions involving expenditure before their submission to His Highness. No officer is empowered to over-rule the Accountant-General in an objection raised by him in audit and the matter, unless the objection is removed, has to be submitted to His Highness for orders. Recently, the Accountant-General has been entrusted by His Highness' orders with the audit of the receipts of the Customs and Excise Department. Audit of other revenue receipts by the Accountant-General is engaging attention.

The consideration and discussion of the budget usually takes place a month before the opening of the financial year to which the budget relates. Budget discussions are held in Council under the presidency of His Highness.

EMPLOYMENT OF HEREDITARY STATE SUBJECTS IN THE STATE

Of all the measures so far enacted for the improvement of the administration, perhaps the one which deserves special mention and to which great importance is attached in the state is the definition of the term "State Subject." The significance of this step will be appreciated only when it is known that since the re-organization of the State Administration in the early nineties of the last century, a very great majority of the appointments in the state service, particularly in the superior cadre, had been monopolized by outsiders who were imported by reason of the fact that in the early years of the re-organization sufficiently qualified local men were not available. With the passage of time and the establishment of high grade educational institutions in the state, the number of adequately qualified local men went on increasing rapidly, and there was a general complaint and uneasiness bordering on agitation that the claims of these men did not receive just consideration at the hands of the outsiders occupying positions of power and responsibility in the state. It was alleged, and the allegations were generally correct, that the authorities who dispensed patronage usually preferred outsiders to local men when a vacancy occurred in the service. To remedy this state of affairs, various orders were issued from time to time insisting upon the recognition of the superior claims of state subjects as regards appointments in state service, but with no appreciable results, owing to uncertainty in respect of the meaning and scope of the term "State Subject". At length in 1922, at the instance of His Highness (then Senior Member of His late Highness' Council), a Committee was appointed to make a recommendation regarding the definition of the term "State Subject", which was done subsequently in 1927.

2. INFANT MARRIAGE PREVENTION REGULATION, 1985 (1928 A.D.)

Notification, dated Srinagar, the 5th March, 1985/18th June, 1928 sanctioned by His Highness the Maharaja Bahadur under endorsement No. 2265, dated the 22nd May, 1928 and No. 304, dated 14th June, 1928 from the Secretary to the Cabinet.

No. 2-L/85. The following Regulation has been sanctioned by His Highness the Maharaja Bahadur and is hereby promulgated for general information:

REGULATION NO. 1 OF 1985

A Regulation to prevent infant marriages in the dominions of His Highness the Maharaja Bahadur of Jammu and Kashmir.

(I) *Preamble.* Whereas it is expedient to prevent Infant Marriages in the Dominions of His Highness the Maharaja Bahadur of Jammu and Kashmir; His Highness is pleased to enact as follows:

1. *Short title.* This Regulation may be called "The infant marriage prevention Regulation, 1985".

2. *Extent and Commencement.* It shall extend to the whole of the state of Jammu and Kashmir and shall be brought into force from first Bahadon 1985.

3. *Exemptions.* His Highness may, by notification in the Jammu and Kashmir Government Gazette, exempt any community or class of persons or any class of marriages from all or any of the provisions of this Regulation

(II) *Definitions.* For the purpose of this Regulation,

1. "Infant Girl" means a girl who had not completed fourteen years of age;

2. "Infant Boy" means a boy who has not completed eighteen years of age; and

3. "Infant Marriage" means the marriage of an infant girl or of an infant boy or between an infant girl and an infant boy.

(III) *Punishment for marrying an infant girl:* Any man who, having completed eighteen years of age marries an infant girl shall be punished with simple imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

(IV) *Punishment for causing Infant Marriages:* Any person who causes the marriage of an infant girl or of an infant boy, or who knowingly aids and abets within the meaning of the Ranbir Dand Bidhi such a marriage, shall be punished with simple imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

Exception: The bride and the bridegroom are not liable to punishment under this section.

(V) Any man who, having completed fifty years of age marries an infant girl shall be punished with imprisonment of either description for a term which may extend to four years or with fine which may extend to two thousand rupees, or with both.

(VI) Any person who causes the marriage of an infant girl with a man who has completed 57 years of age or who knowingly aids and abets within the meaning of the Ranbir Dand Bidhi such a marriage, shall be punished with imprisonment of either description for a term which may extend to four years or with fine which may extend to two thousand rupees or with both.

Exception; The bride is not liable to punishment under this section.

(VII) *Invalidity of marriages:* No marriage which takes place in

contravention of any provision of this Regulation and for which penalty is provided in this Regulation shall be valid and legal for the purpose of conferring any right of succession or inheritance on the issue of such marriage.

(VIII) *Court competent to try offences under the Regulation:* No court inferior to that of a Magistrate of the first class shall try any offence punishable under this Regulation.

Nazir Ahmed,
Home Minister (Legislative Branch)
J&K Government.

3. BAN ON TRAFFIC IN WOMEN

Amendments made in the Ranbir Dand Bidhi or state penal code by Maharaja Hari Singh vide his notification of 19.6.1925.

1. In section 269 of the said code for the words "three years" the words "seven years" shall be substituted.

2. To section 272 of the said code the following paragraph shall be added, namely:

"and whoever, by means of criminal intimidation as defined in this code or of abuses of authority or any other method of compulsions, induces any woman to go from any place with intent that she will be forced or seduced to illicit intercourse with another person shall be punishable as aforesaid."

3. After section 272 of the said code the following section shall be inserted, namely:

"272A, whoever by any means whatsoever induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be or knowing that it is likely that she will be forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to 10 years and shall also be liable to fine."

4. The amendments in the sections 278 and 279 of the said code were incorporated by Notification No. 13-L/83 of 30th Aug., 1926. In these sections for the words "minor under the age of sixteen years with intent that such minor shall be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose or knowing it to be likely that such minor will be" the words "person under the age of eighteen years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with person or for any unlawful and immoral purpose or knowing it to be likely that such person will at any age be" shall be substituted.

5. To section 278 of the said code the following explanation shall be added namely:

Explanation: Any prostitutes or any person keeping or managing a brothel, who buys or hires or otherwise obtains possession of a female under the age of eighteen years shall, until the contrary is proved, be presumed to have obtained possession of such female with the intent that she shall be used for the purpose of prostitution.

6. In section 374 of the said code for the words "two years" the words "five years" shall be substituted.

4. REMOVAL OF RESTRICTIONS OR DEPRESSED CLASSES

From the Resident in Kashmir, No. F.9-C/30, dated the 18th September, 1930.

His Highness the Maharaja has promulgated the following order, dated 30th July, an a petition from certain depressed classes praying redress from existing grievances:

"The petitioners are backward as a class in education and it is necessary to give them special facilities for education if they are to bring themselves up socially to the level of other classes of my people. To achieve this and, the amount provided for special scholarships for these classes has already been doubled this year.

"There is no bar under existing orders against the use of state taps, state wells and state tanks by members of the depressed classes. If in practice any such bar exists, District Officers should see that it is removed. Not only this, but special efforts should be made so as to secure the consent of the other castes to the use by the depressed classes of private wells and tanks also.

"There is also no bar against the employment of these classes in the civil services, but if there is any doubt about it, I have no objection to general instructions being issued to this effect".

5. CONSTITUTION OF THE GLANCY COMMISSION

Telegram from the Resident in Kashmir, No. F.12-C/31, dated the 12th November, 1931, (Received to Punjab Government).

Text of His Highness' announcement telegraphed to Associated Press by Darbar for publication in Indian and London Press. Begins:

ORDER

"My attention has of late been engaged in the consideration of certain complaints representing that religious liberty is restricted in

my State. Those representations have caused me deep pain and I assure my subjects that it has even been my wish and the policy of my Government that every community in state should be accorded complete liberty to practice without hinderance whatever religion it professes. It is my desire that any misapprehension on this point should be immediately removed and any failure on the part of subordinate officers in carrying out this policy should be brought to notice and corrected.

At my request the services of an impartial officer from outside the State have been placed at my disposal by the Government of India in order to enquire into any existing grievances and to make recommendations for their redress. The name of the other selected by me for the purpose is Mr. B.J. Glancy, C.I.E., who should need no introduction to the people of Kashmir because his invaluable services to the State and my people only a few years ago in the matter of the Grain Control Scheme are well known. The difficulties that formerly prevailed were happily removed to the benefit and relief of all concerned thanks to the measures which my Government were able to introduce on the advice of Mr. Glancy. It is therefore hoped and believed that Mr. Glancy will enjoy the confidence of my people and that all classes of my subjects will readily assist him in the task that lies before him.

Under my instructions Mr. Glancy has got into touch with the representatives of the various communities and has frankly discussed with them the entire situation with a view to procuring a peaceful atmosphere which is essential to the successful conduct of the enquiry.

Mr. Glancy will be assisted in his enquiry by four non-officials two Muslims and two non-Muslims nominated by the accredited representatives of the communities concerned who should therefore be regarded as fully representative of the respective interests. The first duty of the Commission thus constituted will be to enquire into any complaints which have already been presented for my consideration or which may be laid before the Commission in regard to my conditions or circumstances which may tend in any way to obstruct the free practice of any religion followed by any community in my state. This part of the enquiry will include the consideration of any claim for the restoration of any building or place now in possession of Government which may be regarded by any community as a building or place devoted to the practice of any religion and which has not already been dealt with by previous orders. My government has no intention of retaining any building or place known to have been devoted to the practice of any religion and steps will be taken for the restoration without delay of those about which there is no dispute. The Commission will also enquire into

any secular or civil disabilities from which any class of my subjects may represent that they are suffering in consequence of the religion they profess. The Commission will then proceed to investigate any complaints of a general nature unconnected with the practice or any particular form of religion.

On all these matters the Commission will conduct their enquiry as possible and submit their report together with their recommendations to my Government which will then deal with them promptly any sympathetically and issue such orders as may seem necessary.

It is my desire that the existing Regulations in force in the State with regard to such matters as the establishment of Societies and Associations and the free expression of opinion either in public meetings or in the press should be modified so as to bring state legislation so far as may be practicable in the interests of the peace and welfare of my subjects into conformity with the law prevailing in British India. The amendment of the State Regulations in this behalf will be taken in hand forthwith in consultation with Mr. Glancy.

As I have already announced it is my intention that measures should be devised for associating my subjects with the Government of the State, I desire that due opportunity should be given to the representatives of every community to make known their view on the conduct of State affairs and participate in and assist the State administration. When the enquiry into existing complaints and disabilities has been completed by the aforesaid Commission it is my intention to convene without delay a Conference over which Mr. Glancy will preside and at which the various sections of my subjects will be represented so that the most suitable means of introducing constitutional reforms may be fully discussed and recommendations put up accordingly for my consideration and orders.

On the following points orders have already been issued vide copies of my Government notifications attached hereto:

No. 1 Reinstatement of officials departmentally punished in connection with the recent disturbances.

No. 2 Extension of period allowed for appeal in favour of persons recently convicted of political offences.

No. 3 Immediate relief to persons suffering from destitution in the consequence of the disturbances which have occurred during the last four months.

No. 4. Appointment of an officer to enquire into the disturbances which occurred subsequent to the events covered by the first Srinagar Riots Enquiry Committee and the measures adopted for the suppression of these disturbances.

Signed Hari Singh, Maharaja, dated Srinagar eleventh November 1931.

Telegram from the Resident in Kashmir, to Polindia, and Repeated to Punjab No, F.12/C/31 dated the 13th November, 1931.

At mass meeting of Muslims held at Srinagar this afternoon following resolution was proposed by S.M. Abdullah seconded by four other leaders and passed unanimously. Begins:

That this meeting of Muslim of Kashmir welcomes His Highness' order dated 12th November, 1931, relating to the primary demands which has been announced in a spirit of sympathy and affection and which contains hopeful signs of acceptance of the demands in principle. It seems essential to express here that the Muslim subjects have always been and shall continue to remain loyal to the person and throne of His Highness the Maharaja Bahadur and they hope that the interest which His Highness has been taking in redressing their grievances will necessarily produce beneficial results and they beg to gratefully assure His Highness of their loyal co-operation.

This meeting further welcomes the speech of the Prime Minister touched in feelings of the love which he made on 12th November both before and after His Highness' order was read out and they beg to express their gratitude to him and hope that these sympathetic feelings shall provide facilities for solution of difficulties.

A similar announcements of gratitude was made at Jama Masjid after prayers by Mir Waiz Mohammad Yusuf another of signatories of Muslim representation of 19th October.

6. STATEMENT OF MAHARAJA HARI SINGH AT THE ROUND TABLE CONFERENCE, 1931 (EXTRACT)

"Allied by treaty with the British Crown and within our territories, independent rulers, we have come with a full sense of responsibilities to our State and all India. As the allies of British 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 cooperate to the best of our ability with all sections of the Conference is genuine, as also is our determination to base our cooperation upon the realities of the present situation.

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 goodwill and we must give and take. 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.

7. PROCLAMATION OF MAHARAJA HARI SINGH, JULY 9, 1931

TO MY BELOVED PEOPLE

From time immemorial all communities within the State have been living on terms of closest harmony and friendship with each other and I used to take the greatest pride in the fact that we were happily free from all communal strife. I am, therefore, greatly pained to see that quite recently owing to external influences a changed and regrettable attitude is observable in certain sections in the cities of Jammu and Srinagar. This is greatly to be deplored. Two unfortunate incidents which occurred recently in Jammu city and which could not by any stretch of imagination be associated with any action or policy of my Government and for which the responsibility rested solely on the persons involved have been seized upon and widely misrepresented inside and outside the State so as to convey to those who are not in a position to know the true facts that the policy of my Government is such that Islam is in danger. It is not my intention to deal with the details of these incidents in this message as they are being dealt with separately. So far I have preferred that my Government be judged by its actions alone. But numerous representations from my loyal subjects of all sects and creeds have reached me within the last few days to the effect that such agitation even though at present it finds no response generally is calculated to promote communal strife and might even lead to breaches of the public peace in some cases. It has accordingly been deemed necessary to make this formal announcement of the policy and intention of myself and my Government in regard to such propaganda and communal relations within the State generally.

As the beginning of my rule I announced to you, my people, that my religion is justice. That announcement has guided all my public acts and policies and I shall always adhere to it. I have not made, and will not permit, any discrimination against any class of my people on the grounds of religion. The humblest of my subjects has free and direct access to me and any grievances my people may have can be submitted by them personally to me. Subject to two fundamental conditions. viz.:

- i. that political activities are confined within the law of the land, and

- ii. that no outside intervention is sought in any shape or form.

I have no desire whatever to suppress the legitimate requests and voice of my people whether expressed in writing or in speech. It is my intention to give effect to these views, but I am unable to do so, so long as communal tension exists, for fear of aggravating it. Consequently, the first essential is that the leaders of the various communities should take immediate action to put a stop to all political activities tending to prevent the re-establishment of friendly relations between them. As soon as it is reported to me that any community has faithfully responded to my desire. I shall be prepared to receive and consider most sympathetically any representation that community may desire to submit to me.

Every person within the State is, and shall always be, free to practise his own religion, subject to the paramount necessity of maintaining public peace and public order. I particularly wish to refer in this connection to a malicious rumour now being spread that cow killing is shortly going to be permitted. This malicious rumour has no foundation whatever. And it has given me great pleasure to receive from Muslim subjects spontaneous condemnation of such an insinuation or any other insinuation likely to injure the religious susceptibilities of any other community. There is no question whatever of making any change in the matter.

In regard to recruitment for the State services prior consideration is and shall always be given to the public interest and the obligation of maintaining the efficiency of the administration at the highest possible level can never be overlooked. There is also no desire to follow a blind rule of percentages for the various communities irrespective of considerations of qualification and merit. Subject to these conditions the policy governing recruitment will be such that no class or community should gain undue predominance in any branch of the public service and that adequate representation is secured to duly qualified. Hereditary State Subjects from all classes and communities of my people. Instructions to this effect have been recently issued and I shall watch closely their practical execution by my officers.

I have dealt above in a brief manner with what I conceive to be points of major importance with regard to which some misunderstanding prevails in certain quarters. I trust such misunderstanding will be dispelled by this authoritative enunciation of my beliefs and intentions with regard to these points. It is my aim to carry on the administration in consonance with these views in your best interests. Whenever I have found that any of you have been led into wrong action, I have always tried to make you see the error of your ways and to win you over to the right path by reasoning and con-

ciliation. I am not a believer in false ideas of prestige, for I hold that just action is a sign of strength and not of weakness. But should, God forbid, all appeal to reason fail, I must discharge in effective manner the supreme responsibility which rests on me for the maintenance of law and order. 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. The immediate burden of maintaining law and order necessarily falls on the Magistracy and the Police whose duty it will be to see that the law is upheld at all costs, and where the law is defied, its authority will be restored. It is the duty of the Police to act impartially and with calm judgement in such emergencies and I wish to assure them that they will be supported by myself and my Government in the due discharge of their duty and will not be sacrificed to unjust clamour or intrigue.

In conclusion, I trust that the old policy of 'live and let live' which characterized your relations with each other in the past will be restored. It is easy to excite public feeling by misrepresentation, but it is difficult to restore harmony and friendship. Do not attribute false motives to those placed in authority over you or to one another. As regards people outside the State, whether Hindus of Mahomedans, ask them not to interfere in any way in matters concerning my State and my people, as I do not interfere in matters concerning British India and British Indians. The whole basis of political action is impaired if one political unit interferes in the domestic concerns of another. I do not wish to claim immunity from legitimate criticism of the acts and policies of my Government, which, I have no hesitation in saying, have always been designed to promote the moral and material progress of my people. It is my duty and my one aim in life to maintain the progressive character of my administration. But this end is defeated by unjustifiable outside intervention which has, within the last few weeks, done nothing but immense harm to the true interests of you all. I pray to God that you will receive the light of truth and wisdom and that you will live peacefully and happily with one another as before.

"Sd/- Hari Singh, G.C.I.E.,
K.C.V.O., A.D.C.

Maharaja of Jammu and Kashmir.

8. INAUGURAL ADDRESS OF THE MAHARAJA TO THE PRAJA SABHA, 1934.

We recently expressed our wish and pleasure that means be designed whereby our people may be more closely associated in our Councils; and in pursuance of our commands thus declared, those persons appointed by us to give practical shape to our wishes have

submitted their recommendations which have been accepted by us.

The assemblage here present this day is the outcome of their labours to give outward form to our behests. It is the first of its kind in recent times; but, of old, the duties which you will have to perform, were duties which were always shouldered, and loyally discharged, by the "Prajā" ever since the institution of monarchy came into being in this ancient land of India. To acquaint themselves with the needs of their people the kings of old have caused to be performed, and maintained, bodies from village Panchayats upto assemblies of this nature, composed of the representatives of the various interests in their kingdoms, our own records bear witness to this.

For our part we declare that Divine Providence having laid upon us the sacred duty to care equally for all those committed to our guardianship, we can recognize no difference between one person and another or between one class and another. They are all our beloved children, whatever their persuasion or creed, and we desire to protect, foster, guide, and advance them by every means in our power.

Out of the great love and affection we bear our beloved subjects, we have called you to do your part in working for the well being of this State. We have appointed your task and indicated the lines of the service you can render to yourselves and to your Ruler whose ordained duty it is to safeguard and promote your best interests. We desire you to enter upon the discharge of your responsibilities in such a way that your behaviour may be an example to others and your achievements at once a model for them to emulate and a monument to your earnestness and your loyalty to the State that you serve.

No one here today can fail to realize that both in theory and practice, the existence of a stable society and a peaceful community involves, and presupposes, a head, whose sway must be unjudgingly accepted, and whose behests must be loyally carried out, if the harmony and orderly progress of the community is to be achieved. In recent times, certain nations have departed from this, and the world has witnessed the sorry spectacle of chaos and anarchy. The fate of these nations should provide us with an object lesson. Those who have chosen precipitately to break from their ancient moorings have not yet found the haven of peace; they are still floundering in stormy waters. Peace and harmony are the essential conditions of progress and prosperity, and all can see that the world of the present day, after experiencing the storm and stress of unsettlement, is once again discovering the axiom that peaceful progress, even if slow, is in the long run the best indeed, the only way.

Beware of impassioned utterances so much in vogue today. They invariably formulate unbalanced and unpractical ideals that are as much divorced from decisive factors and stern realities as they are foreign to the genius of our race. Cultivate sobriety of thought and expression, shunning all that is disruptive, and devote all your energies to creative and constructive work which alone can help to ameliorate the lot, and conducive to the happiness of those whose spokesmen you have undertaken to be.

With these words of counsel and admonition by which we hope to plant the feet of our beloved subjects on the path of solid progress and achievement, we hereby declare this Praja Sabha (State Assembly) duly and well inaugurated and opened.

May the Dispenser of all Bounties in His infinite mercy and wisdom bless your labours, and may those labours, conducted in perfect harmony, redound to the credit of our subjects whose first chosen representatives you are, and to the glory of our unique heritage and of the body politic.

9. THE GILGIT LEASE DEED

"It is hereby agreed as follows:

1. The Viceroy and Governor-General of India may at any time after the ratification of this Agreement resume the civil and military administration of so much of the Wazarat of Gilgit Province (hereinafter referred to as the "said territory") of the State of Jammu and Kashmir as lies beyond the right bank of the river Indus, but notwithstanding anything in this Agreement, the said territory shall continue to be included within the dominions of His Highness the Maharaja of Jammu and Kashmir.

2. In recognition of the fact that the said territory continues to be included within the dominion of His Highness the Maharaja of Jammu and Kashmir, salutes and customary honours shall be paid in the said territory by the administration on the occasion of the Birthday of His Highness, on Baisakhi, Dussehra, Basant Panchami and on such other occasions as may be agreed upon by Highness and the Viceroy and Governor-General of India. The Flag of His Highness will be flown at the official headquarters of the Agency throughout the year.

3. In normal circumstances, no British or British Indian troops shall be despatched through that portion of Wazarat of Gilgit Province, which lies beyond the left bank of the river Indus.

4. All rights pertaining to mining are reserved to His Highness the Maharaja of Jammu and Kashmir. The grant of prospective licences and mining leases will not be made during the period of the Agreement mentioned below.

5. The Agreement shall remain in force for 60 years from the date of its ratification, and the lease will terminate at the end of that period."

This Agreement was duly ratified by the Viceroy at Delhi on April 3, 1935, and the transfer was effected on August 1, 1935.

10. CABINET MISSION'S MEMORANDUM ON STATES PRESENTED TO THE CHANCELLOR OF THE CHAMBER OF PRINCES ON MAY 12, 1946

During the interim period, which must elapse before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing, paramountcy will remain in operation. But the British Government could not and will not in any circumstances transfer paramountcy to an Indian Government.

It will strengthen the position of states during the formulative period if the various Governments which have not already done so take active steps to place themselves in close and constant touch with public opinion in their states by means of representative institutions.

When a new fully self-governing or independent Government or Governments come into being in British India, His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the states which flow from their relationship to the crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States.

His Majesty's Government reaffirmed their policy in this statement on June 3, 1947 on transfer of power to the people of India.

11. ADMINISTRATIVE AND CONSTITUTIONAL POSITION IN 1947

D.O.No.F.34(2)-C/46.

Srinagar,
24th March, 1947.

Constitutional and Administrative Reforms in Indian States—
Periodical information

My dear Griffin,

Will you please refer to Brownsdon's demi-official letter No.F.80-P/46, dated the 18th June, 1946?

I enclose a statement in the letter under reference in respect of Kashmir State together with a note prepared by the Kashmir Government regarding the progress made in instituting and/or developing representative institutions in the State.

Yours sincerely,
Sd/- Webb

L.C.L.GRIFFIN, Esquire, CSI, CIE,
Secretary to His Excellency the
Crown Representative,
Political Department,
New Delhi.

(a) Statement regarding essential rights in Kashmir State

- | | |
|--|---|
| <p>1. No person should be deprived of his liberty, nor should his dwelling or property be entered, sequestered or confiscated save in accordance with law.</p> <p>2. Every Person should have the right to habeas corpus. Such a right might be suspended as might be prescribed in case of war, rebellion or serious internal disorder.</p> <p>3. Every person should enjoy the right of free expression of opinion, the right of free association and combination, and the right to assembly peacefully without arms and without military formation for purposes not opposed to law or morality.</p> | <p>1. This right is enjoyed by all Kashmir State Subjects.</p> <p>2. This obtains in Kashmir.</p> <p>3. These rights are enjoyed by all Kashmir State subjects.</p> |
|--|---|

4. Every person should enjoy the freedom of conscience and the right freely to profess and practice his religion, subject to public order and morality.

5. All persons should be equal before the law, irrespective of religion, caste or creed.

6. There should be no *begar*.

7. The administration of justice must vest in an impartial and competent judiciary, independent of the Executive, and there must be suitable provision for the impartial adjudication for the disputes between individuals and the states.

8. The Rulers in their own states should clearly demarcate administrative budgets from civil lists and fix the latter at a reasonable percentage of the ordinary revenues.

9. The Incidence of taxation must be fair and equitable and a definite and substantial portion of the revenue must be allocated for the benefit of the people, particularly in the nation-building departments.

4. —do—

5. This principle is in force in the State.

6. There is a restricted form of *begar* in force in outlying areas, e.g., Ladakh, where labour or transport can be indented for by State officials on payment of adequate wages after due notice and where voluntary labour or transport is impossible to obtain.

7. The administration of justice vests in an impartial and competent judiciary, independent of the executive and there is suitable statutory provision for impartial adjudication of disputes between individuals and the State.

8. The Maharaja's Civil List is fixed at 5 per cent of the total revenue excluding (a) allowances to members of the ruling family and (b) annual compensation for jagir.

9. The incidence of taxation in the State is generally on the same lines as that in British India. During the current year (ending 12th April 1947) the expenditure on nation-building departments is Rs.158.31 lakhs, out of a total expenditure of Rs.459 lakh. The percentage works out to Rs. 34.42 lakhs.

**(B) NOTE REGARDING THE PROGRESS MADE IN
INSTITUTING AND/OR DEVELOPING REPRESENTATIVE
INSTITUTIONS IN KASHMIR STATE**

The Government of Jammu and Kashmir State is run under a Constitution Act known as the Jammu and Kashmir Constitution Act (No.XIV) of 1996. Subject to the inherent powers of His Highness, the civil administration of the State has been vested in a council of Ministers consisting of a Prime Minister and such other ministers as His Highness may appoint, and the legislative functions have been vested in a legislature known as the Praja Sabha. The Praja Sabha consists of 75 members of which 40 are elected. The Praja Sabha has powers to make laws for the whole state or any part thereof and for the subjects of His Highness wherever they may be and to vote on demands for budget grants as also on legislation pertaining to taxes.

Provision has also been made for the appointment of non-official members of the Praja Sabha as Under Secretaries to Ministers and for the election of the Deputy President from among the non-official members of the Praja Sabha. With a view to giving further effect to his policy of associating his subjects with the administration of the State in 1944 His Highness appointed two ministers out of a panel of six elected by the Praja Sabha from among its non-official members.

In the sphere of local self-government His Highness' Government has since long established municipalities in the main cities of Jammu and Srinagar and Town and Rotified Areas and Panchayats in rural areas. These bodies function under Acts passed by the Praja Sabha. In the Town Area Act provision has been made under which a Town area Committee may have an elected Chairman. The Municipal Act has recently been amended and the proportion of elected members has been fixed at the minimum at 4/5th of the total strength and, as in the case of Town Areas, a Committee can have an elected Chairman. The Committee have been made more autonomous.

**12. LORD MOUNTBATTEN'S ADDRESS TO PRINCES—
JULY 25, 1947**

There had been universal acceptance among the states of the Cabinet Mission's Memorandum of 12th May and when the political parties accepted the settlement of 3rd June, they fully realised and accepted that withdrawal of paramountcy would enable the states to regain complete sovereignty.

The Indian Independence Act releases the states from all their obligations to the Crown. The states will have complete freedom—technically and legally they become independent.

In the Cabinet Mission Plan of May 16, 1946, the proposal was that the States should surrender to the Central Government three subjects—Defence, External Affairs and Communications. These subjects have got to be handled for you, for your convenience and advantage, by a larger organization. This seems so obvious that I was at a loss to understand why some Rulers were reluctant to accept the position. One explanation probably was that some of you were apprehensive that the Central Government would attempt to impose a financial liability on the states or encroach in other ways on that sovereignty. If I am right in this assumption, at any rate so far as some princes are concerned, I think I can dispel their apprehensions and misgivings. The Draft Instrument of Accession which I have caused to be circulated as a basis for discussion to representatives of the States provides that the states accede to the appropriate Dominions on the three subjects only without and financial liability. Further, that Instrument contains a provision that in no other matter has the Central Government any authority to encroach on internal autonomy or the sovereignty of the States. This would in my view, be a tremendous achievement for the states.

I have no doubt that this is in the best interest of the states, and every wise Ruler and wise Government would desire to link up with the great Dominion of India on a basis which leaves you great internal autonomy and which at the same time gets rid of your worries and cares over External Affairs, Defence and communications.

The whole country is passing through a critical period. I am not asking any state to make any intolerable sacrifice of either its internal autonomy or independence. My scheme leaves you with all the practical independence that you can possibly use and makes you free of all these subjects which you cannot possibly manage on your own. You cannot run away from the Dominion Government which is your neighbour any more than you can run away from the subjects for whose welfare you are responsible.

13. STANDSTILL AGREEMENT WITH PAKISTAN

Identical telegrams were sent by the Prime Minister of Kashmir to Dominions of India and Pakistan on August 12, 1947. The text is as follows:

“Jammu and Kashmir Government would welcome Standstill Agreement with India (Pakistan) on all matters on which there exist at present moment with outgoing British India Government. It is suggested that existing agreements should continue pending settlement of details and formal execution of fresh agreement.”

REPLY FROM THE GOVERNMENT OF PAKISTAN SEAT ON AUGUST 15, 1947

“Your telegram of the 12th. The Government of Pakistan agree to have a Standstill Agreement with the Government of Jammu and Kashmir for the continuance of the existing arrangements pending settlement of details and formal execution of fresh agreements.”

THE REPLY FROM THE GOVERNMENT OF INDIA

“Government of India would be glad if you or some other Minister duly authorized in this behalf could fly to Delhi for negotiating Standstill Agreement between Kashmir Government and Indian Dominion. Early action desirable to maintain intact existing agreements and administrative arrangements.”

The representative of Kashmir did not visit Delhi and no Standstill Agreement was concluded between the state and the Dominion of India.

14. LETTER OF 26TH OCTOBER 1947, FROM MAHARAJA SIR HARI SINGH TO LORD MOUNTBATTEN, REQUESTING THE ACCESSION OF THE STATE OF INDIA

My Dear Lord Mountbatten,

I have to inform your Excellency that a grave emergency has arisen in my state and request the immediate assistance of your Government. As your Excellency is aware, the state of Jammu and Kashmir has not acceded to either the Dominion of India or Pakistan. Geographically my state is contiguous with both of them. Besides my state has common boundary with the Union of Soviet Socialist Republics and China. In their external relations the Dominions of India and Pakistan cannot ignore this fact. I wanted to take time to decide to which Dominion I should accede or whether it is not in the best interests of both the Dominions and of my state to stand independent, of course, with friendly and cordial relations with both. I accordingly approached the Dominions of India and Pakistan to enter into a Standstill Agreement with my state. The Pakistan Government accepted the arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the Standstill Agreement is operating the post and telegraph system inside the state. Though we have got a Standstill Agreement with the Pakistan Government, that Government permitted a steady and increasing strangulation of supplies like food, salt and petrol to my state.

Afridis, soldiers in plain clothes, and desperadoes with modern

weapons have been allowed to infiltrate into the state, at first in the Poonch area, then from Sialkot and finally in a mass in the area adjoining the Hazara District on the Ramkote side. The result has been that the limited number of troops at the disposal of the state had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and the looting of the Mahura power house, which supplies electric current to the whole of Srinagar and which has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the state are marching on with the aim of capturing Srinagar, the summer capital of my Government, as a first step to overrunning the whole state. The mass infiltration of tribesmen drawn from the distant areas of the North-West Frontier Province, coming regularly in motor trucks, using the Manshra-Muzaffarabad road and fully armed with up-to-date weapons, cannot possibly be done without the knowledge of the Provincial Government of the North-West Frontier Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or to stop them from coming into my state. In fact, both the radio and the press of Pakistan have reported these occurrences. The Pakistan radio even put out the story that provisional government has been set up in Kashmir. The people of my state both Muslims and non-Muslims, generally have taken no part at all.

With the conditions obtaining at present in my state and the great emergency of the situation as it exists, I have no option but ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my state acceding to the Dominion of India. I have accordingly decided to do so, and I attach the instrument of accession for acceptance by your Government. The other alternative is to leave my state and my people to freebooters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen as long as I became ruler of the state and I have life to defend my country.

I may also inform Your Excellency's Government that it was my intention at once to set up an interim government and to ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my state is to be saved, immediate assistance must be available at Srinagar. Mr. V.P. Menon is fully aware of the gravity of the situation and will explain it to you, if further explanation is needed.

In haste and with kindest regards,

Yours Sincerely,
(Signed) Hari Singh.

15. REPLY OF 27TH OCTOBER 1947, FROM LORD MOUNTBATTEN TO MAHARAJA SIR HARI SINGH

My Dear Maharaja Sahib,

Your Highness's letter dated 26th October, 1947 has been delivered to me by Mr. V.P. Menon. In the special circumstances mentioned by your Highness, my Government have decided to accept the accession of Kashmir state to the Dominion of India. In consistency with their policy that in the case of any state where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the state, it is my Government's wish that, as soon as law and order have been restored in Kashmir, and its soil cleared of the invader, the question of state's accession should be settled by a reference to the people.

Meanwhile in response to your Highness' appeal for military aid, action has been taken today to send troops of the Indian Army to Kashmir, to help your own forces to defend your territory and to protect the lives, property and honour of your people. My Government and I note with satisfaction that Your Highness has decided to invite Sheikh Abdullah to form an interim government to work with your Prime Minister.

(Signed) Mountbatten of Burma

16. ACCEPTANCE OF ACCESSION BY THE GOVERNOR GENERAL OF INDIA

I do hereby accept this Instrument of Accession.

Dated this twenty-seventh day of October, nineteen hundred and forty-seven.

Mountbatten of Burma
Governor General of India.

17. THE INSTRUMENT OF ACCESSION

Whereas the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as India, and the Government of India Act 1935, shall, with such omission, additions, adaptations and modifications as the Governor General may by order specify, be applicable to the Dominion of India.

And whereas the Government of India Act, 1935, as so adapted by the Governor General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof:

Now, therefore, I Shriman Inder Mahender Rajrajeshwar

Maharajadhiraj Shri Hari Singhji Jammu and Kashmir Naresh Tatha Tibbet adi Deshadhipathi, Ruler of Jammu and Kashmir State, in the exercise of my sovereignty in and over my said state do hereby execute this Instrument of Accession and

1. Thereby declare that I accede to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of Jammu and Kashmir (herein after referred to as "this state") such functions as may be vested in them by or under the Government of India, 1935, as in force in the Dominion of India, on the 15th Day of August 1947, (which Act as so in force is hereafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to provisions of the Act within this state so far as they are applicable therein by virtue of this my Instrument of accession.

3. I accept the matters specified in the schedule hereto as the matters with respect to which the Dominion Legislature may make laws for the state.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor General and the ruler of this State whereby any function in relation to the administration in this state of any law of the Dominion Legislature shall be exercised by the Ruler of this state, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or the Indian Independence Act 1947, unless such is accepted by me by Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this state authorizing the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purpose of a Dominion law which applies in this state deem it necessary to acquire any land, I will at their request acquire the land at their expense, or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit in any way to acceptance of any future Constitution of India or to fetter any discretion to enter into agreement with the Government of India under any such future Constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this state, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this state or the validity of any law at present in force in this state.

9. I hereby declare that I execute this Instrument on behalf of this state and that any reference in this Instrument to me or to the Ruler of the state is to be construed as including a reference to my heirs and successors.

Given under my hand this 26th day of October, nineteen hundred and forty seven.

Hari Singh
Maharajadhiraj of Jammu and Kashmir State.

18. MAHARAJA HARI SINGH'S LETTER TO SARDAR PATEL DATED JAN. 31, 1948

The Palace
Jammu-Tawi
31 January, 1948

My dear Sardar Patel,

Since your departure from Jammu I have been watching developments of events here and outside. News from New York has been very depressing. Several thoughts have been turning round my mind and I have decided to lay them before you for sympathetic consideration and friendly advice. I do not wish to take any step except with your agreement.

The military situation as you know has been quite depressing since the arrival of Indian troops. Except the first gains in the Kashmir Valley there has been a debit balance throughout so far as achievements are concerned. The Indian troops arrived in the Valley on 27 October. At that time we were in possession of about 3/4th of Poonch and the whole of Mirpur district. We had by then lost only small bits of Poonch and Muzaffarabad district. After the recapture of Baramulla and Uri there has been a standstill. Two months have passed and the Indian troops are still at Uri. They attempted a venture to the town of Poonch and though they reached it was at great cost and the road was eventually lost. In the Poonch jagir which was held by the State troops inch by inch we had to withdraw and eventually lost the whole of the Jagir except the town itself where about 40,000 people are besieged along with 4 battalions (3 State and 1 Indian). The situation is by no means satisfactory. I may mention that in the August disturbances with two battalions of the State troops we cleared the whole of the Poonch Jagir, peace was restored, the

whole of the revenue was realised and the Administration was functioning normally. It was only in the second week of October that trouble again began in Poonch and our troops resisted it till about the end of December. But as no help was given they had eventually to fall back on Poonch town. If the Indian troops had ventured forward along with the State troops in Poonch, there would have been no difficulty in clearing that area of the raiders. I feel that the Indian military advisers take an exaggerated view about the difficulty of fighting in Poonch. I know some of that area myself and as a soldier can say that it is not difficult to clear Poonch of the raiders in the course of a fortnight or so if a strong military venture (with modern weapons and equipment) is undertaken, but they would have to act mercilessly and not leniently.

In Mirpur district at the time when the Indian forces arrived we were still holding Mangla and our territory along the Jhelum Canal bank, but during the last two months we have lost Mangla, Alibeg Gurdwara and the town of Mirpur, the town of Bhimber and the villages of Deva and Battala, the town of Rajouri and the whole of the area adjoining Chhamb and Noshera. Jhangar, a key-place both for Mirpur and Kotli, was lost after a defeat. These defeats have been a heavy blow to us and have also undermined the prestige of the Indian forces. Not a single town has so far been recovered by the Indian troops. The people judge an army from results and not from propaganda carried on about it. On the Kathua-Sialkot border attacks have intensified. Every day there is one raid or another. A number of villages have been burnt, people have been looted, women abducted and there have been killings also. The result is that all the border villages have been vacated and we have about 70,000 to 80,000 refugees in the city of Jammu. Crops, houses and valuables have been lost. Most of the people are also now vacating Jammu and its suburbs and are going to East Punjab. The situation, therefore, is worsening every day.

The name of the Indian Army is getting into the mud inspite of its brilliant record. I was a member of the War Cabinet. I travelled in war zones during the Great War. The name of the Indian Army was at its highest pitch and it pains me to see that the name of that Army has become a topic of every tongue during these days and it is daily losing prestige. Some people think that it is not the fault of the Army but the fault of the policy that is being followed; others feel that it is the fault of the commanders who are quite new to the job. People who would have had to wait for 10 to 15 years have become generals and have been put in charge of operations. Opinions differ, but the fact is that the name of the Army is in the mud. Sardar Baldev Singh was here for a day. He has heard from our politicians, members of the public and from me and my Prime

Minister all that everyone had to say. He told me secretly that he had ordered certain actions to be taken. I told him that a mere order is nothing unless it is implemented. When you kindly spent two days with us here a number of decisions were taken and you gave instructions in certain matters. Since your departure nothing has been done and as I have said, we had more serious attacks. The effort on the part of Pakistan is gaining ground every day. Their morale owing to success is going up. They loot property, they take away cattle and women and when they go back to Pakistan they incite people and tell them how much loot and what benefits there are to raid our territory. On the other hand our morale is rapidly going down. So far as the people are concerned they are thoroughly demoralized and they start fleeing as soon as there is even a rumour of a raid. Even people living at distant places start fleeing when they see a fire five or six miles from their villages. So far as the Indian forces are concerned they do not leave their apportioned places to meet the raiders. There are no mobile columns to meet them. The work is left to a few Home Guards or to a platoon or so of very tired State forces. How can it be possible for them to engaged 500 or 1000 raiders? Last time, you ordered guerillas to come into the State and take over this work. As far as I know no guerillas have arrived so far. Some Home Guards have been raised, but they have to look after their homes and they live in those very localities. Moreover, they are mostly not trained and cannot be expected to meet trained people. The work has mainly to be done by the Army and supplemented by the Home Guards and by organized guerillas.

In the situation, therefore, my position as Ruler has become very anomalous and one of great perplexity. People in the State continue sending me telegrams and asking for help. Our civil administration is now in the hands of the National Conference and military operations in the hands of the Indian Union. I have no voice or power either on the civil or the military side. The State forces are under the Indian Army Commander. The result, therefore, is that I have just to watch the terrible situation in a helpless manner, to look on at the abduction of women, killing and loss of my people without power to give them any redress whatever. People continue to approach me every day and still think that it lies in my power to give them relief and redress. You will realize that my position is getting most awkward every day, so long as the military situation is adverse to us and refugees continue pouring into the city and daily raids from Pakistan keep on coming without any reply from us.

Apart from the military situation the reference to the UNO and the proceedings that are hanging fire there are causing great un-

certainty and perplexity not only to me but to every Hindu and Sikh in the State as well as to those who belong to the National Conference. The feeling is strongly gaining ground that the UN Security Council will take an adverse decision and that the State will eventually have to accede to Pakistan as a result of what the Security Council will decide. The Hindus and Sikhs have therefore started going away from the State as they anticipate that their fate as a result of the UNO decision will be the same as what happened in West Punjab and therefore it is much better to clear out of the State before that eventuality arises. The National Conference leaders also feel that they may eventually be let down by accepting the decision of the Security Council and that would be disastrous for them. My position in this matter is also precarious. You know I definitely acceded to the Indian Union with the idea that the Union will not let us down and the State would remain acceded to the Union and my position and that of my dynasty would remain secure. It was for this reason that I accepted the advice of the Indian Union in the matter of internal administration. If we have to go to Pakistan it was wholly unnecessary to accede to India or to mould the internal administration according to the desire of the Indian Union. I feel that the internal administration or the question of accession is wholly foreign to the jurisdiction of the Security Council. The Indian Union only referred a limited question to the Security Council, but the whole issue has been enlarged and not only the matter of aggression by one Dominion over the other is being considered by the Security Council but internal questions of the formation of Interim Government and the matter of accession have all been taken notice by them. It was a wrong step in going on the limited issue to the Security Council and then agreeing to the enlargement of the agenda before that Council. As soon as the Council enlarged the agenda the Indian Union should have withdrawn the reference and ended the matter.

In the situation described above a feeling comes to my mind as to the possible steps that I may take to make, so far as I am concerned, a clean breast of the situation. Sometimes I feel that I should withdraw the accession that I have made to the Indian Union. The Union only provisionally accepted the accession and if the Union cannot recover back our territory and is going eventually to agree to the decision of the Security Council which may result to handing us over to Pakistan then there is no point in striking to the accession of the State to the Indian Union. For the time being it may be possible to have better terms from Pakistan, but that is immaterial because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the State. There is an alternative possible for me and that is to withdraw the accession and that

may kill the reference to the UNO because the Indian Union will have no right to continue the proceedings before the Council if the accession is withdrawn. The result may be a return to the position the State held before the accession. The difficulty in that situation, however, will be that the Indian troops cannot be maintained in the State except as volunteers to help the State. I am prepared to take over command of my own forces along with the forces of the Indian Army as volunteers to help the State. I am prepared to lead the Army personally and to command, if the Indian Union agrees, also their troops. It would certainly hearten my people and the troops. I know my country much better than any of your generals will know it even during the next several months or years and I am prepared to take the venture boldly rather than merely keep on sitting here doing nothing. It is for you to consider whether the Indian Union will accept this in both the situations, whether after the withdrawal of the accession or even if the accession continues. I am tired of my present life and it is much better to die fighting than watch helplessly the heartbreaking misery of my people. So far as the internal political situation is concerned I have left the matter entirely to you personally. I am prepared to be a Constitutional Ruler of the State and when a new constitution is framed I am quite willing to give responsible government, but I am not prepared to go beyond the Mysore model because I am not satisfied that the leaders of the National Conference are for the time being very fit administrators or command the confidence of the Hindus and Sikhs and even of a large section of the Muslims. I must therefore keep certain reserved powers of which you are already aware and I must have a Dewan of my free choice as a member of the Cabinet and possibly as President. Another alternative that strikes me is that if I can do nothing I should leave the State (short of abdication) and reside outside so that people do not think that I can do anything for them. For their grievances they can hold the civil administration responsible or the Indian forces who are in charge of the defence of the State. The responsibility will then clearly be either of the Indian Union or of the Administration of Sheikh Abdullah. If there is any criticism those responsible can have it and the responsibility for the suffering of the people will not be mine. Of course, I well anticipate that the people started saying when I left Kashmir only on Mr. Menon's advice that I had run away from Srinagar they will say that I have left them in their hour of misery, but it is no use remaining in a position where one can do nothing merely to avoid criticism. Of course, if I go out of the State I will have to take the public into confidence and tell them the reasons why I am going out.

The third alternative in the situation that has arisen is that the

Indian Dominion discharges its duty on the military side effectively and makes an all-out effort to stop the raids from Pakistan and to drive out of the State not only the raiders but also all rebels. This can only be done if the Dominion really fights. It has avoided fighting so far. Two or three courageous battles will more or less end this situation, and if it is delayed there is bound to be a catastrophe. Pakistan is more organized against Kashmir than the Indian Dominion, and as soon as snow melts it will start attacking Kashmir on all sides and the province of Ladakh will also come into the hands of the enemy and the Valley and the whole border will be raided and even double the number of troops at present in Jammu and Kashmir will not be able to save the situation. What should have been done and achieved a month before can still be achieved during the next month, but if matters are delayed and if owing to the UNO reference and the attitude of compromise the situation remains at a standstill it would become terribly grave after the expiry of a month. Therefore, unless the Indian Union makes up its mind to fight fully and effectively, I may have to decide upon the two alternatives mentioned above.

I have mentioned all that I have been thinking about to you and this may be treated as a secret and private letter. The object of writing this is to place all my feelings, right or wrong, foolish or wise, before you so that you may be in full possession of the situation and may be able to advise me properly. I am sending this letter by hand of a special messenger and I hope you will kindly send me an early reply so that I may be well guided in this hour of crisis and distress.

With kindest regards and best wishes,

Yours Sincerely,
Sd. Hari Singh
(Sardar Patel's Correspondence,
Vol.I, 1976, pp.158-64)

LIST OF CONTRIBUTORS

1. Prof. Manzoor Fazili, Professor of Political Science, Kashmir University, Srinagar.
2. Master Ghulam Mohammed, Golf Professional, Srinagar.
3. Prof. Hari Om, Professor of History, Jammu University.
4. Cdr. A.S. Jamwal, retired from the Indian Navy, former G.M. Terai Development Corporation.
5. Prof. M.L. Kapur, former Professor & Head of the History Department, Jammu University.
6. Mohd. Amin Pandit, Freelance journalist, historian, UNESCO Fellow (1974), Srinagar.
7. Shri D.C. Prashant, former Member of Parliament (R.S.) and veteran journalist.
8. Late Brig. N.S. Rawat, former Military Secretary to Maharaja Hari Singh.
9. Shri Om Saraf, veteran journalist, socialist leader and Gandhian, Jammu.
10. Prof. Ghulam Mohiuddin Shah, an eminent educationist, Srinagar.
11. Dr. Champa Sharma, Head of Dogri Department, Jammu University.
12. Shri D.C. Sharma, retired Deputy Librarian, Jammu University.
13. Shri O.P. Sharma, Deputy Director Information, Jammu.
14. Shri S.C. Sharma, Reader in History, Jammu University.
15. Late Brig. Ghansar Singh, former Governor of Gilgit and Chief of Army Staff, J & K State Forces.
16. Col. Kanwal Singh, former Controller Household to Maharaja Hari Singh.
17. Prof. Som Nath Wakhlu, Librarian-cum-Curator, Amar Mahal Museum, Jammu.