

Branch.

File No.

NOTES.

111-L-56-2-P-~~1~~

1948 (Jany) to

67.149

H. Ms. .

Investigations into the assassination of Mahatma Gandhi and other things about assassination.

[illegible]

Original
27-11
26

I am attaching herewith the editorial comments of a leading Congress daily of Poona 'The Loka Shakti'. A few weeks back Mr. Joshi, the Editor, had sent me certain cuttings from some of the Maharashtra press drawing attention to the dangerous sort of incitement that they were making and asking that Government should take some action about it. I had some correspondence with him about it. He has sent the attached cutting.

In this particular article he has drawn pointed attention to the comments in some important Marathi papers which, in his opinion, amount practically, not only to glorification of the deed done by Godse but to an incitement for further such actions. It is possible to get the relevant extracts from the Marathi press if the Prime Minister so desires. But there is no doubt that the tone of a certain section of the Marathi press has been such that it is bound to increase, at least in the minds of some people, the ideas and sentiments of the same type as those which led Godse to perform his nefarious deed.

I do not know whether from the legal point of view articles praising and glorifying Godse can be considered as incitement to murder. I personally think that they can be and should be considered as incitement to murder. I also feel that it is necessary to take some action against this sort of open glorification of assassins and putting a hallow of martyrdom around their brows. It is for the Prime Minister or the Deputy Prime Minister to consider how it can be done but there is no doubt that these comments have created indignation and a wrathful reaction all over Maharashtra and Government's inaction is bound to have a bad effect.

B. N. Wankar
26.11.49

P.M.

Copy to:
Deputy Prime Minister.



PERSONAL & CONFIDENTIAL.

New Delhi,
24th Novr. 1949.

My dear *Sardar Sahib*

In the issue of Kesri from Poona dated the 15th November 1949 the main article is on Godse and Apte. The title of the article is "National Victims of the Sentence of Hanging". The whole article glorifies murder. My attention was drawn to it by certain criticisms about the same in one of the Marathi papers. I read it twice over and passed it on to Bala Saheb Kher. He also agrees with me that it does glorify murder. I am sure the Govt. of Bombay will look into this. Meanwhile, I suggest that why we should not take some action at least in the matter of discontinuance of patronage about advertisement to papers who write on these lines. I am writing this to you to consider and pass this letter on to Hon'ble Shree Divakar with such remarks as you think fit. I had some discussion with him yesterday and simply asked him to read the article and tell me what he feels about it.

Yours sincerely,

N.V. Gadgil
(N.V.GADGIL)

Hon'ble Sardar Vallabhbhai Patel,
Deputy Prime Minister, India,
1, Aurangzeb Road,
New Delhi.



GOVERNMENT HOUSE
NEW DELHI

19.11.49

My dear Van. Nihari,

You stand condemned
by Mr Jagad Mohan Bagchi

105
12.11.49

Yours sincerely

C. Raghunathachari

Ex to a r from Jagadindri
Jagadindri B. 15-11-19
C. Rajapopulandri.

Sanskriti-Sadan

~~POWERS-HALL~~
~~10, SHYAMACHARAN-DESI, CALCUTTA~~

A 1183-66/49
12/11/49
71, Shyamapukur
Street,
Calcutta 4.
16. XI. 49

Very Res. Secy to

1st E.

18/11

Your Excellency,

I don't know if this letter will actually fall into your hands. Yet I must do what I can to draw your attention to something which I regard, in all conscience, as a moral lapse on the part of your government. The matter relates to the execution of Nathuram Godse and Narayan Apte.

I have nothing to say against their execution. In fact I have scarcely liked the tendency in some quarters to plead for mercy in their behalf in the name of Gandhiji. And when the government had finally made up their mind to execute them, it was quite right that their relatives were not permitted to be present at the time of execution. It was right, too, to cremate them inside the jail. In fact everything, in my humble judgment, was right except one thing.

66/11/11

(2)

[... It was a small thing though, but a thing of deep import. I have it from the papers that 'the relatives of Godse and Apte were not permitted to be present at the time of the cremation,' and yet 'the cremation was performed in accordance with Hindu Sanatani rites...']

It is this that I must condemn, if it means, as it seems to do, that the cremation was performed not by those who, according to the Sastras or age-old custom, were the right persons to do so, but by the jail authorities themselves. A man does not war with the dead. I wonder how your government could be so blind as to deny two dead men a fundamental right like this. Even a condemned person has his ~~own~~ rights which nobody should deny him. Could you deny them food and rest so long as they were not executed? Could you perform vivisection on them for 'the advancement of knowledge?' Could you, with the purest of motives, inject them with a new drug of 'doubtful value'?

for the purpose of watching its effects on the human body? Could you execute them in a manner different from the recognised one? Could you execute them a day sooner than was fixed for the execution?

I wonder why you and your government failed to see so obvious a point. No mere child is on the throne of India today, no mere careerists at the helm of affairs. You are all seasoned men, men of self-sacrifice and renunciation, inspired, in varying degrees though, by the ideals of Gandhiji, his closest associates and disciples. One might not expect you to go all the way with Gandhiji; clearly that would be expecting too much. But surely it is not too much to expect that you saw so obvious

(4)

a moral point, and refrained from making an exhibition of your 'firmness and strength' by allowing the relatives of the condemned men to perform the last rites according to custom, or, if you will, according to the Sastras.

Personally I should like to see that the death penalty was abolished from India, Gandhiji's land. It punishes not only the evil-doer, but also his innocent kinsfolk. All punishments do, more or less. But that is an ideal, for which I don't hold brief now. But for a government to suffer from a moral lapse is intolerable, and more so when it is manned by people of high moral attainments, people who are so sincerely eager to uphold the principles of Gandhiji.

By denying Godse and Apte the right to be cremated by their own relatives, you have shown a moral weakness that scarcely has any parallel anywhere except in Facit lands. Your firmness betrays your deep-seated weakness, which does not bode well for the country's future.

You have created a bad precedent.

Let me hope you don't repeat the mistake.

I have, etc.,
Jagadindru Bagechi



GOVERNMENT HOUSE
NEW DELHI

13. 11. 49. 6

My dear V.K. Krishna

It is strange how people
can talk like this.

As long as we keep the
Army, the Police and
the Prisons and the
magistrates going
we are killing

Gandhi "over & over
again. And those who
talk this way would
see what they mean
if we withdrew them.

RECEIVED
MAY 1950



1/11/50

C. Rajagopalachari

NATIONAL ARCHIVES OF INDIA

DN. 2470 EFA
13. 11. 49

Government of India Overseas Communications Service.

C.K.P. 12609x200

NEW DELHI

N.B.:—All enquiries regarding this Telegram should be made to the Government Telegraph Deptt. accompanied by this Form.

THE FIRST LINE OF THIS TELEGRAM CONTAINS
THE FOLLOWING PARTICULARS IN THE ORDER NAMED
Prefix Letters and Number of Message, Office of Origin
Number of Words, Date, Time filed, and Official Instruction—if any.

REC'D. AT BOMBAY DELHI. DR 66

13 NOV 49

NER348 W620 ZURICH 45 12 27 A 7

DLT - H HIGHNESS THE GENERAL GOVERNOR
FOR INDIA NEW DELHI

WITH THE MURDERER INDIA KILL SANDHI ONCE
AGAIN - THE SPIRIT WITHOUT USING ANY FORCE -
THE PEACE IN ALL THE WORLD AND HIMSELF STOP
LET US WORK FOR PEACE - IN DEEDS AND
ACTIONS - WALTER KOETHIGER ZURICH #1

INWARD
OCT
NBR

INITIALS

TIME
REC'D

47 13

SECRET.

No.1476-P.M.

My dear Kher,

You mentioned to me the other day that certain newspapers in Maharashtra were glorifying Godse. My attention has been drawn to this by others also. A cutting from the "Loke Shakti" of Poona dated 22nd November, 1949, has also been sent to me in this connection. The "Loke Shakti" in an editorial article condemns that section of the Maharashtra Press which is praising Godse and his deed.

It is for you to consider what legal action is possible. Undoubtedly, such action should be taken against these papers if there is any ground for it in law. It is scandalous that any newspaper or individual should praise murder, and more especially the assassination of Mahatmaji.

Yours sincerely,

Sd/- Jawaharlal Nehru.

The Hon'ble
Shri B.G. Kher,
Premier of Bombay,
Camp: New Delhi.

Copy to: (1) The Hon'ble Sardar Vallabhbhai Patel.
(2) The Hon'ble Dr B.V. Keskar.



9
Secret

GOVERNMENT HOUSE
NEW DELHI

6th November 1949

Hyderabad - 11/11/49

Manilal Gandhi supplies an
important omission by cable from Durban.

*For Ministry
C. Rajagopalachari*

The Honourable
Sardar Vallabhbhai Patel,
Deputy Prime Minister.

(Copy)

6 NOV 1949

BNW 418 DUBBAN 22 5 1725 =

GOVERNOR GENERAL NEW DELHI

REFERENCE MY CABLE APPEALING FOR GODSES
DISCHARGE DESIRE INCLUDE NARAYAN APTE WHOSE
NAME WAS INADVERTENTLY LEFT OUT = MANILAL GANDHI.

No. 7187 BDM/49.
Camp: Pilani,
7th Novr. 1949.

Thank you for your letter
of the 1st November 1949.

I have read the enclosures
and am returning them herewith.

Yours sincerely,

His Excellency Shri
C. Rajagopalachari,
Governor-General of India,
Government House,
New Delhi.

R.



12
GOVERNMENT HOUSE

NEW DELHI

1 Nov 49

My dear Mr. K. K. K. K.

I got the enclosed
after you left me.

Yours truly

(Rajendra Prasad)



PERSONAL

GOVERNMENT HOUSE

NEW DELHI

24th October 1949

VH
24-10

I suggest the enclosed may be
added to the draft already sent.

The Honourable
Sardar Vallabhbhai Patel,
Minister i/c Home Affairs,
New Delhi.

100
[To be added to the draft already sent.]

It is suggested in some quarters that as Gandhiji favoured the abolition of capital punishment we ought to extend clemency to those who murdered him. We have not abolished the death penalty and those on whom the responsibility of government is placed cannot make a distinction and treat more favourably those who have chosen to kill the best among us while ordering the execution of the death penalty in so many other cases.



1260044
GOVERNMENT HOUSE
NEW DELHI

24th October 1949

My dear Vallabhbhai

I am sending you the enclosed
draft in pursuance of our talk this
morning.

Yours truly
C. Rajagopalachari

The Honourable
Sardar Vallabhbhai Patel,
Minister i/c Home Affairs,
New Delhi.

16

DRAFT

The question of clemency in this case (Godse) and in that of Apte was considered by me and the Governor-General after the judgment of the High Court had been delivered and before the petitions for leave to appeal to the Privy Council were filed. Now that the Privy Council have disposed of the cases finally and petitions for clemency having been received purporting to be signed by the near relatives of the two condemned prisoners, ^{and from Apte} it is necessary once again to consider if we may extend any clemency in these cases. On the merits all the courts have gone into the evidence very fully and carefully and there is nothing more to be said on the subject. The murder is certainly the most disgraceful and treasonable crime that has been committed in recent times. The whole world was shocked by it. The two prisoners have not during the trial or subsequently expressed the least sign of regret or repentance although by age and education they were quite fitted to realise the enormity of their crime. There can therefore be no question but ^{that} the law must take its course in both these cases.

A Some sort of
repentance has
come from Apte
but it seems a belated
and unconvincing
attempt to
atone for his crime. There
is no desire or offer to
make a clean breast of
the case. How many men
any genuine attempt to
detach himself from the
past, men should have been
a full and frank confession
he would not be prepared to
attach any value to such
repentance.

Telo No. 7982

C/o Gampatrai 17
→ 51 Panchkuin
Road
New Delhi

To

The Private Secy.

Hon. Sardar Patel

Sir,

I am the brother of Mr.
N.D. Afte who is now sentence
to death in the Gandhi Murder
Trial desires to seek an
interview with your ~~honour~~
honourable Sardargi

I shall be grateful if
you will kindly let me know
the time & when I can see
him.

Yours faithfully

N.D. Afte

Date 24/10/47

Informing Mr. Gampatrai
on phone
24/10/47

GODSE'S PARENTS TO FILE APPEAL FOR MERCY

(From Our Own Correspondent)

NEW DELHI, Oct. 15.—The parents of Nathu Ram Vinayak Godse are shortly arriving here to file an appeal for mercy before the Governor-General of India for their son. Godse, it is further learnt, has intimated Mr. Ganpat Rai not to file any mercy petition on his behalf.

His parents have, however, disregarded the wishes of their son and have decided to approach the head of the State for saving the life of their son.

It is also learnt that Mahatma Gandhi's eldest son, Mr. Ram Dass Gandhi, and his chief disciple, Acharya Vinoba Bhave, have also requested the Governor-General to commute the death sentence by granting mercy to the misguided youth.

19
New Delhi,
27th September 1949.

Thank you for your letter of
the 24th September 1949.

The President of the Assam Pro-
vincial Congress Committee also
happens to be a member of the Working
Committee. That completes our 'dis-
comfiture'. Sometimes, I begin to
wonder why so many of us display
signs of a complete lack of sense of
proportion. When persons so highly
placed can indulge in such nonsense,
we can well imagine why our things
are in a mess.

Yours sincerely,

His Excellency Sri C. Rajagopalachari,
Governor-General of India,
Government House,
New Delhi.

R.



GOVERNMENT HOUSE,
NEW DELHI.

24th September 1949.

Personal

My dear Vallabhbhai

Here is a learned letter from the President, Assam Provincial Congress Committee which concerns your Ministry!

Jamnalalji's son-in-law Sri Srikan Narayan Agarwal and his wife, Madalsa, saw me yesterday on their return from America. I had received a letter from him from America wherein he had written in the same strain as the President of the Assam Provincial Congress Committee and that universal opinion among those whom he met in America was in favour of respecting Papul's teachings by clemency to his murderer, — who murdered him for those very doctrines. I spoke to Srikan Narayan and Madalsa when I saw them here yesterday. I could see that the girl was quite convinced that their proposal was wrong. The husband also agreed but perhaps without conviction!

The Hon'ble
Sardar Vallabhbhai Patel
1, Aurangzeb Road,
New Delhi.

Sri Debeswar Parmah.

President A. P. C. C.

Member, Congress Working Committee.

DH: 85-65/44

23.9.49

[JORHAT,
ASSAM.

20th Sept. '49.]

Sraddheya Sri Rajagopalachariji,

[I seek this opportunity of begging you to exercise your Prerogative of Mercy and to save the murderers of Bapuji from the gallows, because I feel it from the bottom of my heart, as also perhaps millions of persons not only in India but all over the world, that if Bapuji ^{had} ~~would have~~ survived the attack he would undoubtedly request the authorities to excuse and release the ~~assailant~~ ^{assailants}. Let us please recall the conduct of Bapuji after the Arabs ~~assailed~~ him murderously when he arranged to take out the certificate of registration on the 10th of February, 1908, in South Africa.]

" The words had scarcely left his lips when he was struck on the head from behind, and fell to the ground fainting, uttering the name of God. The attackers repeatedly struck and kicked him, and when he recovered consciousness he found Doke, his Baptist minister friend, anxiously bending over him. In great pain he accepted Doke's invitation to be looked after by him

Sri Debeswar Parmah.

President A. P. C. C.

&

Member, Congress Working Committee.

JORHAT,
ASSAM.

and his wife at their home. Before removal there, he asked for the release of his attackers." "Gandhi could not rest until he had telegraphed to the Attorney-General requesting not to proceed against those who had, in their ignorance assaulted him. He made it clear that should they be charged, he would not bear witness against them. ~~They~~ 'Those who have committed the act did not know what they were doing. They thought that I was doing what was wrong. They have had their redress in the only manner they know.'".

(pp 65,66 Mahatma Gandhi by Polak,
Brailsford and Pethick-Lawrence.)

I need hardly add any argument in support of my request. I have a feeling that what I am writing is already in your mind, as one so long and closely associated with Babuji could not have missed this aspect of the most tragic incident. I profoundly feel that we as a nation will prove unworthy followers of Mahatma Gandhi if we take the life of Godse and Apte in ~~xxxx~~ retaliation under the fetish of a section of the Penal Code, because such action would be contrary to the life-long preachings and practice of the

Sri Debeswar Parmah.

President A. P. C. C.

Member, Congress Working Committee.

JORHAT,
ASSAM.

of the Father of the Nation.

I am not unaware of the pending appeal, but one does not expect the verdict to be altered by the higher Tribunal.

With best wishes and regards,

I am, Sincerely Yours,

Debeswar Parmah



24
GOVERNMENT HOUSE
NEW DELHI

23.7.49

No. 5237-9/49.

My dear Vallabhbhai

Here is a letter
for you to read!

Yours sincerely

(Rajmohanlal)

LE GRAND HOTEL DU LOUVRE

PLACE DU THÉÂTRE FRANÇAIS
PARIS

5581-G

23. 7. 49

July 16, 1949

Respected Rajaji,

Madama and I have been able to complete most parts of our world tour successfully. You will be glad to know that everywhere we found an enormous field of interest for India and very deep respect and admiration for Bapuji. But, at the same time, people are yet ignorant about India and the teachings of Bapuji. The greatest need is to make available a different kind of literature about Bapuji and our India. Our translators could do this cultural work very well. But, except a few, our translators have not yet been able to build up your libraries.

I am writing this letter to you with a special purpose. Whenever we have gone, — in China, Japan, U.S.A., Britain and Europe, many men and women who love and admire India have asked us as to whether 'Gandhiji's assassin' is going to be hanged. They shudder to imagine that the Lord of India would send to the gallows Mahatma Gandhi's murderer.

LE GRAND HOTEL DU LOUVRE

PLACE DU THÉÂTRE FRANÇAIS
PARIS

in as a matter of routine. Not that they have any sympathy for Gokhale; they hate him, and pity his devilish soul. But they sincerely feel that hanging Bapuji's assassin will be adding insult to injury; it will be a rude shock to all those who look to Gandhi's message of Non-violence as the saviour of the world. They strongly feel that hanging Gokhale will be an insult to Bapuji's pious memory and against his message of love for which he lived and died. I don't know what could be done at the moment here but I thought it my duty to convey to you the sincerest feelings of thousands of people outside India about the execution of Bapuji's assassin. They would be happy if Gokhale's death sentence is commuted into transportation for life.

From Paris, I am going to Switzerland to attend the World Educational Conference where I represent India. From Switzerland we visit Germany, Czechoslovakia, Austria, Italy, Spain, Turkey, Syria, Iraq & Palestine, reaching India about the middle of September.

With kindest & my deep regards

Yours sincerely
Shri Ram Narayan
TELEGRAMMES
LOUVRHOTEL PARIS
H. C. SEINE 27.182

P7

No. 27/49-PA
Government of India,
DEPARTMENT OF PARLIAMENTARY AFFAIRS.

-0:0-

Council House,
New Delhi, 16th July, 1949.

24
Dear Friend,

During the last session of the Constituent Assembly (Legislative) some Honourable Members gave notice of questions based on certain remarks regarding the Police made by the learned Special Judge in his judgment in the Gandhi Murder case. As an appeal against this judgment was filed in the High Court of the East Punjab and the whole matter had become sub judice, these questions were for the time being not admitted by the Honourable the Speaker.

The High Court of the East Punjab has now delivered its judgement in the case and has held that the observation of the learned Special Judge in regard to the action of the Police was not warranted by the facts on record. As it will be some months before the next session of the Legislature is again summoned and there will, therefore, be no opportunity in the intervening period to make a statement on the floor of the House, I am to bring to your notice the relevant observations of the East Punjab High Court, a copy of which is enclosed with this letter.

Yours sincerely,

Satyajit Narayan Sinha

To

All the Members of the Constituent Assembly of
India (Legislative).

Copy of an extract from the judgment of Hon'ble Mr. Justice Bhandari dated the 21st June, 1949 in the Gandhi Murder Case.

"Towards the conclusion of his judgment the learned Special Judge has made certain observations which appear to indicate that if the police had been more vigilant in the discharge of their duties the tragedy which overtook Mahatma Gandhi on the 30th January may well have been averted. Mr. Daphtary contends that these observations are not warranted by the evidence on the record.

It is fundamental legal principle that no one is to be condemned unless he has had an opportunity of being heard. Not a single question was put to any of the police officers with the object of ascertaining whether it was possible for them to save the life of Mahatma Gandhi and if so why the appropriate measures were not taken in this behalf. Had the question been put and had an unsatisfactory answer been returned the learned Special Judge would have been fully justified in making the observations that he made. That question was not put. The result therefore is that we are travelling in the realm of conjecture, because there is no proper evidence on the file on the basis of which it is possible to say with any degree of confidence whether the police were or were not negligent in the discharge of their duties.

Even on merits it seems to me that the remarks are not justified. It is common ground that the very first occasion on which the authorities came to know about this particular conspiracy was at about 4 o'clock on the afternoon of the 20th January when Dr. Jain met Mr. Kher and Mr. Morarji Desai by appointment at the Civil Secretariat at Bombay. He told them that Madanlal who was responsible for the explosion of the 20th January was a refugee from the Punjab whom Dr. Jain had endeavoured to help; that before leaving for Delhi Madanlal had discussions with him; that

Madanlal had told him that he (Madanlal) and his friends had decided to take the life of a great leader whose name he later stated to be Mahatma Gandhi; that Dr. Jain had tried to dissuade Madanlal from his wild talk and wild plan; that Madanlal had introduced to Dr. Jain a person by the name of Karkare with whom Madanlal was working in Ahmednagar and who was on friendly terms with him; that Madanlal had spoken about this exploits at Ahmednagar; that Madanlal had told him that Karkare had taken Madanlal to Savarkar; that Savarkar had a long talk with him for about two hours and that Savarkar had praised him for what he had done, had patted him on his back and had asked him to carry on; that Madanlal had said that there was a dump of arms, ammunition and explosive at Ahmednagar and that Madanlal and his companions were to proceed to Delhi to carry out the objects of the conspiracy. Mr. Desai asked Dr. Jain as to why he did not tell him all about it immediately after he had come to know of it. Jain replied that refugees were in the habit of talking wildly and he believed that he had dissuaded Madanlal from doing what he had intended to do.

On receipt of this information Mr. Desai acted with commendable promptitude. He sent immediately for Mr. Nagarvala, Officer in charge of the Intelligence Branch.

Mr. Nagarvala was unable to come at once as he was busy at the time, and Mr. Desai accordingly asked him to see Mr. Desai at the railway station as he was leaving Bombay for Ahmedabad the same night. Mr. Nagarvala came to the railway station at about 8-15 p.m. and Mr. Desai told him what Dr. Jain had said and asked him to take action in the matter. He asked Mr. Nagarvala to arrest Karkare, to keep a close watch on Savarkar's house and his movements and to find out the names of the persons who were involved in the plot.

Mr. Desai reached Ahmedabad on the morning of the 22nd January and repeated to Sardar Vallabhbhai Patel the story that had been narrated to him by Dr. Jain.

Mr. Nagarvala complied with the instructions without loss of time. He organised an unobtrusive watch over the house of Savarkar from 5-30 p.m. that evening. He made arrangements for locating and arresting Karkare. He made enquiries from the Ahmednagar police with the object of ascertaining whether Karkare whose detention had been ordered under the Public Security Measures Act 10 or 15 days before had been arrested. He contacted various informants of his to locate and apprehend Karkare and his associates. He also issued similar instructions to the various officials under him as he was giving topmost priority to this particular enquiry.

In the meantime enquiries were being made from Madanlal by the police at Delhi. He was interrogated by the police immediately after his arrest on the 20th, but the enquiries do not appear to have revealed any useful information except in regard to Karkare. On being questioned under section 342 of the Code of Criminal Procedure Badge stated as follows:

"The police asked me names of the co-workers of Badge who were putting up in the Marina Hotel. I told them that I did not know their names. I told them that Badge had told me that the co-workers were staying in a corner room on the first floor of the Marina Hotel".

The police rushed to the Marina Hotel with the object of apprehending the conspirators. When they reached there they found that the birds had flown. Enquiries were made as to the persons who were occupying the corner room on the first floor but the only information that the

management of the hotel could supply to the police was that two persons who had stayed under the names of M. Deshpande and S. Deshpande had settled their bills and had left the hotel immediately after the explosion in such haste they did not even care to take their clothes with them. The police then visited the room in the Hindu Mahasabha Bhawan which was said to have been occupied by Badge, Shankar, Madanlal and Gopal. This room was empty and deserted for Badge and Shankar had quitted the place almost immediately after the explosion. And what about Karkare and Gopal. Enquiry was made at the Sharif Hotel but no information could be obtained as to the whereabouts of Mr. B.M. Bhas who had stayed there from the 17th to the 19th January and who had left the Hotel a day before the explosion. So far as can be judged even Madanlal did not know where his confederates had gone. Gopal was in Delhi but he too made himself scarce after the explosion. He did not dare go back to the Hindu Mahasabha Office where he was staying the previous night, for he did not know that Madanlal would not denounce him to the authorities. Both Karkare and Gopal are said to have spent the night of the 20th in the Frontier Hindu Hotel under the assumed names of G.M. Joshi and Rajugopalam. On the 21st January the position was that although the police were aware of the existence of a conspiracy to assassinate Mahatma Gandhi, the only conspirators who were known to them were Badge, Karkare and Madanlal. A deputy Superintendent and an Inspector of Police left Delhi by air and reached Bombay on the 22nd. They desired the arrest of Karkare and his conspirators in connection with the bomb explosion. They stayed in Bombay till the 23rd and after their departure Mr. Negarvala continued the search for Karkare and his associates, if any. Karkare was not known to the Bombay City Police. On certain information received by him,

he issued instructions for the arrest of Badge on or about the 24th January. Mr. Rana, D.I.G. C.I.D. whose headquarters are in Poona came to Bombay on the 27th January and reported developments to him. On the same day Mr. Nagarvala had a telephonic conversation with the Director of Intelligence Bureau, Delhi, to whom also the developments had been reported. Unfortunately Badge could not be traced till the 31st, a day after the tragedy had been enacted at Birla House. The fatal shots were not fired either by Badge or by Karkare or by Madanlal and even if they had been arrested immediately after the explosion the tragedy could not be averted. The evidence on record does not show that the names of the other conspirators were known. If their names were not known the police could not very well put them under arrest.

The movements of Karkare, Badge and Shankar during the crucial period commencing with the 20th and ending with the 30th January are not known. Karkare is said to have gone to the Frontier Hindu Hotel on the 20th January, to have spent the night of the 20th January in that Hotel and to have left that hotel on the 21st. He was seen at the house of Mr. G.M. Joshi at Thana on the 25th and at the railway station at Delhi on the 29th. He was not known to the Bombay Police. He did not visit his regular haunts or if he did, his haunts were not known to the Bombay Police. Badge and Shankar could certainly have been arrested if they had gone back to Poona for they were well known to the Police. Orders for the arrest of Badge were issued on or about the 24th and Mr. Rana came to see Mr. Nagarvala at Bombay on the 27th in connection with the arrest. It is impossible to believe that if he had been anywhere near his house he would not have been arrested. He was arrested on the 31st when he was returning from a certain temple where

he was presumably concealing himself. Shankar was arrested near Bhuleswar on the 6th February. He too was arrested at a place where he was not expected to be.

The only person who could have been arrested if the police wanted to arrest him was Gopal younger brother of Nathuram. This prisoner was at the Frontier Hindu Hotel on the 20th January, in the Elphinstone Annexe Hotel for a short time on or about the 24th and in Thana on the 25th January. Neither the Elphinstone Hotel Bombay nor the house of Mr. G.M.Joshi at Thanavare places which he was known to visit but in any case the police could not know that he was concerned in the crime. On the following day, i.e. on the 26th January he went and rejoined his appointment. He could obviously have been arrested on that day if the police had been aware that he was a member of this conspiracy but the police were not aware of this fact and he continued to be at large for a few days more. As soon as it was known that Mahatma Gandhi was the victim of a murderous assault furious mobs attacked the houses of persons who were said to be concerned in the crime. The house of Mr. Savarkar was attacked and was strewn with broken glasses and other missiles. The life of Gopal who was known to be a brother of the assassin was in imminent danger and police protection had to be given to prevent him from being lynched. He was rushed off to his native village where prejudice against him was probably not as strong as in the neighbourhood of Poona. He was arrested near Uksan on the 5th February, his name having probably been supplied by Badge who was arrested on the 31 st January or by Medanlal who was brought from Delhi to Bomba on or about the 4th February.

And what about the movements of Nathuram and Apte? Nathuram and Apte left Delhi for Kanpur by train on the night of the 20th and stayed in a retiring room at the railway station at Kanpur on the 21st. They did not supply their

names to the Booking clerk. They left Kanpur on the 22nd and reached Bombay on the 23rd. They went to the Arya Pathik Ashram at about 9 p.m. and Apte asked for a room with two beds in the name of D. Narayan. No room with two beds was available but they were allotted two beds in a room containing eight beds. They left their luggage in that room and returned to the Ashram at 1 o'clock in the night. The accommodation provided for them was not suitable and Nathuram and Apte shifted to the Elphinstone Annexe Hotel on the 24th. They stayed there under the assumed names of N. Vinayakrao and a friend. At about 6.30 a.m. on the 27th January, they left for Delhi by air under the assumed names of D. Narayanrao and N. Vinayakrao. They left Delhi the same afternoon, reached Gwalior at night, spent the 28th January in Gwalior and returned to Delhi on the morning of the 29th. Nathuram and Apte stayed in a retiring room of the railway station at Delhi on the 29th and for a part of the 30th which had been booked by Nathuram in the name of N. Vinayakrao. On the 30th January Nathuram went to the prayer meeting armed with a pistol and fired at Mahatma Gandhi. It was impossible for any police officer, however capable and efficient he might have been, to have prevented Nathuram from committing the crime on which he had set his heart. He was going about from place to place under assumed names, not staying in any one place for more than a day or two and it was impossible for any police officer to catch hold of him particularly if he was not known or suspected to be a co-conspirator. Apte was going about with Nathuram all the time. He too travelled about under assumed names. Even if the police were aware on the night of the 20th that Nathuram and Apte were concerned in the conspiracy it is extremely doubtful if they could have stopped them from achieving their end.

The police did all that was reasonably possible to do. Immediately after the explosion the police appeared to have sent a number of persons to various railway stations in order to prevent the suspects from escaping by train. Badge states that as soon as the tonga carrying him and his servant Shankar reached the railway station New Delhi and as soon as he had purchased 2 third class tickets from Delhi to Poona he found a great commotion on the platform. The police were moving about. Sensing danger to himself he came out of the platform, got into a tonga and set off for the railway station at Delhi. He slipped through their fingers because the police do not appear to have known till that hour that he was concerned in the crime. Nor did they know anything about Nathuram or Apte. If the statement of Madanlal is correct that he did not know the names of the conspirators and did not supply them to the police it is idle to contend that the police could have prevented the tragedy notwithstanding the reticence of Madanlal. Nathuram had made up his mind and was prepared to risk his life in order to take that of Mahatma Gandhi. He took the risk of entering the premises of the Birla House armed with a pistol and he actually fired the fatal shots when he was surrounded by a large multitude of people. He did not care to run away. He had come to the Birla House with a particular object and he was determined to achieve it. He was prepared to take all risks and to abide by the inevitable consequences. Was it possible for the police to stop a person whom they did not know or a person who was going about from place to place under false names or a person who was determined to commit this particular crime regardless of consequences to himself? The police were aware that something was afoot but they did not know when or where or by whom the blow was to be struck. They were groping in the dark and could

not find their way. We know what has happened and may be able to say that this precious life could be saved this way or that way, but it is always easy to be wise after the event.

The evidence on record satisfies me (a) that no opportunity was afforded to the police to explain the circumstances which prevented them from apprehending Nathurem before the 30th January and thereby saving the life of Mahatma Gandhi; (b) that Madanlal failed to supply the names of the conspirators to the police; (c) that even if those names were supplied it was extremely difficult, if not impossible, for the police to arrest Nathurem who was going about from place to place under assumed names and who was determined to assassinate Mahatma Gandhi even at the risk of losing his own life.

Copy of an extract from the judgment of Hon'ble Mr. Justice Achhru Ram dated the 21st June 1949 in the Gandhi Murder case.

Before concluding I want to advert to some remarks made by the learned Special Judge as to the slackness shown in the investigation during the period between the 20th and the 30th January 1948 but for which, in the view of the learned judge, the tragedy could have been prevented. I must say that I have not been able to discover any justification at all for these remarks which in my judgment were wholly uncalled for.

1 Aurangzeb Road,
New Delhi, 20.7.49.

My dear Shakhdar,

Thank you for your letter regarding extracts of judgments in Godse Trial to be circulated to Members of the Constituent Assembly. I have consulted H.M. He would like the full extract from Bhandari's judgment and the relevant extract of Justice Achhru Ram's judgment to be circulated to Members.

Yours sincerely,

(V.SHANKAR)

Sri. S.L. Shakhdar,
Department of Parliamentary
Affairs,
Council House, NEW DELHI.

V.

No.27/49-PA,
DEPARTMENT OF PARLIAMENTARY AFFAIRS,
New Delhi, the 16th July, 1949.

Dear Mr. Shankar,

As directed by the Hon'ble Minister of State for Parliamentary Affairs, I enclose herewith a copy of the extract from the judgment of the East Punjab High Court regarding the action of the Police in the Gandhi Murder case, which is proposed to be circulated to the Hon'ble Members of the Assembly together with a copy of a letter from H.M. to them. I shall be grateful if you will kindly let me know if this is in order so that it may be issued.

Yours sincerely,

S.L. Shakti

(S.L.Shakdher)

V. Shankar Esqr., I.C.S.,
Private Secretary to the Hon'ble Dy. Prime Minister,
Ministry of Home Affairs,
Government of India,
NEW DELHI.

Government of India,
DEPARTMENT OF PARLIAMENTARY AFFAIRS.
-o : o-

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Council House,
New Delhi, the 16th July, 1949.

Dear Friend,

During the last session of the Constituent Assembly (Legislative) some Honourable Members gave notice of questions based on certain remarks regarding the Police made by the learned Special Judge in his judgment in the Gandhi Murder case. As an appeal against this judgment was filed in the High Court of the East Punjab and the whole matter had become sub judice, these questions were for the time being not admitted by the Honourable the Speaker.

The High Court of the East Punjab has now delivered its judgment in the case and has held that the observation of the learned Special Judge in regard to the action of the Police was not warranted by the facts on record. As it will be some months before the next session of the Legislature is again summoned and there will, therefore, be no opportunity in the intervening period to make a statement on the floor of the House, I am to bring to your notice the relevant observations of the East Punjab High Court, a copy of which is enclosed with this letter,

Yours sincerely,

To

All the Members of the Constituent Assembly of
India (Legislative).

Copy of an extract from the judgment of Hon'ble 40
Mr. Justice Bhandari dated the 21st June, 1949 in the
Gandhi Murder Case.

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X X X X X

It is fundamental legal principle that no one is to be condemned unless he has had an opportunity of being heard. Not a single question was put to any of the police officers with the object of ascertaining whether it was possible for them to save the life of Mahatma Gandhi and if so why the appropriate measures were not taken in this behalf. Had that question been put and had an unsatisfactory answer been returned the learned Special Judge would have been fully justified in making the observations that he made. That question was not put. The result therefore is that we are travelling in the realm of conjecture, because there is no proper evidence on the file on the basis of which it is possible to say with any degree of confidence whether the police were or were not negligent in the discharge of their duties.

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On receipt of the information from Dr. Jain that Madan Lal who told him that he (Madan Lal) and his friends had decided to take the life of Mahatama Gandhi, Mr. Morarji Desai acted with commendable promptitude. He sent immediately for Mr. Nagarwala, Officer in charge of the Intelligence Branch. Mr. Nagarwala was unable to come at once as he was busy at the time, and Mr. Desai accordingly asked him to see Mr. Desai at the railway station as he was leaving Bombay for Ahmedabad the same

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night. Mr. Nagarwala came to the railway station at about 8-15 p.m. and Mr. Desai told him what Dr. Jain had said and asked him to take action in the matter. He asked Mr. Nagarwala to arrest Karkare, to keep a close watch on Savarkar's house and his movements and to find out the names of the persons who were involved in the plot.

Mr. Desai reached Ahmedabad on the morning of the 22nd January and repeated to Sardar Vallabhbhai Patel the story that had been narrated to him by Dr. Jain.

Mr. Nagarwala complied with the instruction without loss of time. He organised an unobtrusive watch over the house of Savarkar from 5-30 p.m. that evening. He made arrangements for locating and arresting Karkare. He made enquiries from the Ahmednagar police with the object of ascertaining whether Karkare whose detention had been ordered under the Public Security Measures Act 10 or 15 days before had been arrested. He contacted various informants of his to locate and apprehend Karkare and his associates. He also issued similar instructions to the various officials under him as he was giving topmost priority to this particular enquiry.

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On 21st January the position was that although the police were aware of the existence of a conspiracy to assassinate Mahatma Gandhi, the only conspirators who were known to them were Badge, Karkare and Madanlal. A deputy Superintendent and an Inspector of Police left Delhi by air and reached Bombay on the 22nd. They desired the arrest of Karkare and his conspirators in connection with the bomb explosion. They stayed in Bombay till the 23rd and after their departure Mr. Nagarwala continued the search for Karkare and his associates, if any. Karkare was not known to the Bombay City Police. On certain information received by him, he issued instruction for the arrest of Badge on or about the 24

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January. Mr. Rana, D.I.G. C.I.D. whose headquarters are in Poona came to Bombay on the 27th January and reported developments to him. On the same day Mr. Nagarvala had a telephonic conversation with the Director of Intelligence Bureau, Delhi, to whom also the developments had been reported. Unfortunately Badge could not be traced till the 31st, a day after the tragedy had been enacted at Birla House. The fatal shots were not fired either by Badge or by Karkare or by Madanlal and even if they had been arrested immediately after the ~~explosion~~^{explosion} the tragedy could not be averted. The evidence on record does not show that the names of the other conspirators were known. If their names were not known the police could not very well put them under arrest.

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Orders for the arrest of Badge were issued on or about the 24th and Mr. Rana came to see Mr. Nagarvala at Bombay on the 27th in connection with the arrest. It is impossible to believe that if he had been anywhere near his house he would not have been arrested. He was arrested on the 31st when he was returning from a certain temple where he was presumably concealing himself. Shankar was arrested near Bhuleshwar on the 6th February, He took was arrested at a place where he was not expected to be.

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And what about the movements of Nathuram and Apte?

Nathuram and Apte left Delhi for Kanpur by train on the night of the 20th and stayed in a retiring room at the railway station at Kanpur on the 21st. They did not supply their names to the Booking Clerk. They left Kanpur on the 22nd and reached Bombay on the 23rd. They went to the Arya Pathik Ashram at about 9 p.m. and Apte asked for a room with two beds in the name of D. Narayan. No room with two beds was available but they were allotted two beds in a room containing eight beds. They left their luggage in that room and returned to the Ashram at 1 o'clock in the night. The accommodation provided for them was not suitable and Nathuram and Apte shifted to the Elphinstone Annexe Hotel on the 24th. They stayed ^{there} ~~there~~ under the assumed names of N. Vinayakrao and a friend. At about 6-30 a.m. on the 27th January, they left ^{for} ~~Delhi~~ by Air under the assumed names of D. Narayanrao and N. Vinayakrao. They left Delhi the same afternoon, reached Gwalior at night, spent the 28th January in Gwalior and returned to Delhi on the morning of the 29th. Nathuram and Apte stayed in a retiring room of the railway station at Delhi on the 29th and for a part of the 30th which had been booked by Nathuram in the name of N. Vinayakrao. On the 30th January, Nathuram went to the prayer meeting armed with a pistol and fired at Mahatma Gandhi. It was impossible for any police officer, however capable and efficient he might have been, to have prevented Nathuram from committing the crime on which he had set his heart. He was going about from place to place under assumed names, not staying in any one place for more than a day or two and it was impossible for any police officer to ~~catch~~ catch hold of him particularly if he was not known or suspected to be a co-conspirator. Apte was going about with Nathuram all the times. He too travelled about under assumed names. Even if the police were aware on the night of the 20th that Nathuram and Apte were concerned in the conspiracy it is extremely doubtful if they could have stopped them from achieving their end.

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Nathuram had made up his mind and was prepared to risk his life in order to take that of Mahatma Gandhi. He took the risk of entering the premises of the Birla House armed with a pistol and he actually fired the fatal shots when he was surrounded by a large multitude of people. He did not care to run away. He had come to the Birla House with a particular object and he was determined to achieve it. He was prepared to take all risks and to abide by the inevitable consequences. Was it possible for the police to stop a person whom they did not know, or a person who was going about from place to place under false names or a person who was determined to commit ~~this~~ this particular crime regardless of consequences to himself? The police were aware that something was afoot, but they did not know when or where or by whom the blow was to be struck. They were groping in the dark and could not find their way. We know what has happened and may be able to say that this precious life could be saved this way or that way, but it is always easy to be wise after the event.

The evidence on record satisfies me (a) that no opportunity was afforded to the police to explain the circumstances which prevented them from apprehending Nathuram before the 30th January and thereby saving the life of Mahatma Gandhi; (b) that Madanlal failed to supply the names of the conspirators to the police, (c) that even if those names were supplied it was extremely difficult if not impossible, for the police to arrest Nathuram who was going about from place to place under assumed names and who was determined to assassinate Mahatma Gandhi even at the risk of losing his own life.

Copy of an extract from the judgment of Hon'ble Mr. Justice Achhru Ram dated the 21st June 1949 in the Gandhi Murder Case.

"Before concluding I want to advert to some remarks made by the learned Special Judge as to the slackness shown in the investigation during the period between the 20th and the 30th January 1948 but for which, in the view of the learned judge, the tragedy could have been prevented. I must say that I have not been able to discover any justification at all for these remarks which in my judgment were wholly uncalled for".



SECRET

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GOVERNMENT HOUSE,
NEW DELHI

3rd July 1949

from Mr. Ramdas

Enclosed copy of letter from Ramdas to
the Prime Minister may be seen by you, as it is
a satisfactory termination of the matter.

*as may
C. Rajagopalachari*

The Honourable
Sardar Vallabhbhai Patel,
Deputy Prime Minister,
"Doon Court", DEHRA DUN.

(Copy)

Khalasi Lines,
Nagpur, 26/29- 6- 49 47

My dear Jawaharlalji,

I thank you for your letter of the 13th instant. Shri Kishorilalbhai who returned today to Wardha from Delhi gave me the gist of his talk with Vallabh Bhai about the proposed visit to Godse. And also why the judiciary should be allowed to deal with Godse as it thinks best.

As it has never been my intention to do anything that all the three of you may not like, I have decided to leave Godse's case in the hands of Destiny. As it is Destiny that impelled me to write both my letters to Godse.

Kindly forgive me for the embarrassment I must have caused to all of you. With kindest regards,

Yours

Sd/- Ramdas



SECRET

GOVERNMENT HOUSE,
NEW DELHI.

NO. 23-CC/49

1st July 1949

Hydrazine

The latest demand that the principle of non-killing should be given effect to in favour of the murderers of Bapu is from Mavalankar. Once again I much regret we did not proceed with the trial of the principal offender without waiting for the investigation and trial of those involved in the conspiracy, when we found that the principal offender was determined not to assist us in disclosing his compatriots. People were then natural and no one was inclined to recommend the abolition of capital punishment with immediate application to Bapu's murderers in order that we may glorify Bapu. People have no imagination and do not see the consequences of their advice based on ill-considered notions of devotion and loyalty.

I have not replied to Mavalankar except to say that I do not wish to correspond on the subject but will see him if he should come to Delhi in the near future.

James

(Rajendra)

The Honourable
Sardar Vallabhbhai Patel,
Deputy Prime Minister,
"Doon Court", DEHRA DUN.

it is not now possible
C.R.

*P.S. Rajendra: he left
when I arrived in Delhi.
I don't think I should
send any letter by post
to him dealing with
the subject. I had intended
to give my views in person but*

Extract from G.V.

Mavalankar's letter dated 29th
27th June 67 to F. ~~Shi~~ H.E.

C. Rajagopalachari

PERSONAL.

DY. NO. 422-GG.

29/6/49.

No.B.1633/49.

Behramji Gamadia Hill,
"Green Cottage",
Carmichael Road, Bombay 26,

The 27th June, 1949.

Dear Rajaji,

I trust you will excuse me the liberty I am taking in penning this letter. I am writing this to unburden myself and satisfy my conscience. It may be treated as a communication from a youngster to an elder.

Though I know your views and the limitations of your position, I do not feel reconciled to the idea that, howsoever much we may abhor him, the murderer of Bapu should be killed on the gallows. Mine is not merely a sentimental reaction, though I admit that sentiment has a good deal to do with it.

I feel that capital punishment must be done away with. The State has been hanging so many people, and yet the incidence of crimes is not getting less. If we want to progress towards a non-violent society, as visualised by Gandhiji, we must not proceed with the idea of punishing, but we must gradually so arrange our affairs that the criminals would be treated more and more as objects of reform, as we may do with the mentally deranged. Capital punishment has been tried so long. Let us now try the other method.

The capital punishment does imply the old barbaric idea of "An eye for an eye and a tooth for a tooth". The execution of the idea is, no doubt, more humane, but the essence continues to be the same. We shall not be able to progress to our ideal of non-violent society unless we discard the idea of retaliatory punishment.

Coupled with this basis is the accident that Bapu had been the objective of the murder. Supposing Bapu was only wounded and had outlived the attempt? Would he not have insisted that the assailant should not be met with any form of punishment in a spirit of retaliation. Why should the same consideration not apply merely because it happens that we have Bapu, no longer with us, in our midst to influence our decisions? I feel, our approach to the question of punishment should not be a direct negation of Gandhian ideology, as would appear to be the case, if the murderer were to be put to death.

Further, I believe, commutation of the sentence from death to transportation for life is in substance a greater punishment even if we are inclined to think that the murderer should be punished, according to our views. Death is really a lesser punishment, as the prisoner is saved the stay of 20 or 25 years in jail. It appears bigger only because of our fear of death. I know, when I urge this point, I may be said to argue contradictory to what I have stated above. My pleading is alternative.

Politically, I think, commutation will be a sign of strength of Government and not of weakness. What can one man in jail do to the Government? He will not have his liberties for any propaganda against Government, nor any effective means of organizing any opposition to the Government.

On the contrary, the chances are that the very commutation might lead him and others who think like him, to consider more dispassionately, the kind of ideology they have. It would be admitted that though the actual shot was fired by Godse, he cannot be taken to be a lone lunatic, but he represents an idea which many people hold. Is it not possible that, the act of commutation will influence such section of the community, as thought and think on the same lines, as Godse, in respect of our dealings with our political opponents? If we, in power, consider hanging as a legitimate means, because of the judicial machinery and the act of violence, are we not indirectly endorsing the idea of use of violence with respect to our political opponents?

Even assuming that commutation will not influence such people; in my humble opinion, we do not stand to lose anything. The responsibility of setting an example in the establishment of a non-violent society lies on us because we happen to be in power and claim to be the followers of Gandhiji, and believe in a non-violent social order.

I have jotted down the prominent points for your consideration, and I conclude this with an earnest request to consider them as sympathetically as you possibly can.

I am leaving this today for Ahmedabad. I expect to be in Delhi for a day or two for Shri Gandhi Samarak Nidhi, and then again from 1st to 3rd September for the Speakers' Conference. I presume, the legislative session will come off in November, when I shall have to stay there for a longer time.

Kindly remember me to members of your family. Mrs. Mavalankar is now feeling well, and is free from her trouble.

With kind regards,

Yours sincerely,

Sd/- G. V. Mavalankar.

To

His Excellency
Shri C. Rajagopalachari,
Governor General of India,
Government House,
New Delhi.

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Camp: Dun Court,
Dehra Dun,
2nd July 1949.

My dear Satyanarayan Babu,

I am sending herewith (copies of
extracts of judgment delivered in the
Godse Trial on the subject of the alleged
acts of omission and commission of the
Police during investigation. H.M. would
like these extracts to be circulated with
reference to the discussions in the Party
meeting on the original comments of the
trying Court.

Yours sincerely,

(V.SHANKAR).

The Hon. Shri Satyanarayan Sinha,
Minister of State for Parliamentary
Affairs,
Government of India,
Council House, NEW DELHI.



"The Retreat",
Simla, June 26, 1949.

My dear

Vallabhbhai

I am sending herewith an extract from the judgement of Hon'ble Justice Bhandari. This relates to the observations made by the Special Judge who tried the case and in which he stated that the tragedy could have been prevented. I am also enclosing an extract from the judgement of Justice Achru Ram. Justice Bhandari has dealt with this aspect thoroughly and not only in a negative way as has apparently been done by Justice Achru Ram. This is all to the good in view of the criticism that was levelled against the Government of India and in particular against you by the Socialists maliciously and by some of our friends foolishly.

I am returning to Delhi on the 30th.

With kindest regards,

Yours sincerely,

N.V. Gadgil
(N.V. Gadgil).

Hon'ble Sardar Vallabhbhai Patel,
Deputy Prime Minister, India,
New Delhi.

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Copy of ^{an} extract from the judgment of Hon'ble
Mr. Justice Bhandari dated the 21st June 1949 in
the Gandhi Murder Case.

"Towards the conclusion of his judgment the
learned Special Judge has made certain observations
which appear to indicate that if the police had been
more vigilant in the discharge of their duties the
tragedy which overtook Mahatma Gandhi on the 30th
January may well have been averted. Mr. Daphtary
contends that these observations are not warranted
by the evidence on the record.

It is fundamental legal principle that no one
is to be condemned unless he has had an opportunity
of being heard. Not a single question was put to
any of the police officers with the object of
ascertaining whether it was possible for them to
save the life of Mahatma Gandhi and if so why the
appropriate measures were not taken in this behalf.
Had that question been put and had an unsatisfactory
answer been returned the learned Special Judge
would have been fully justified in making the
observations that he made. That question was not
put. The result therefore is that we are travelling
in the realm of conjecture, because there is no
proper evidence on the file on the basis of which

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it is possible to say with any degree of confidence whether the police were or were not negligent in the discharge of their duties.

Even on merits it seems to me that the remarks are not justified. It is common ground that the very first occasion on which the authorities came to know about this particular conspiracy was at about 4 o'clock on the afternoon of the 20th January when Dr. Jain met Mr. Kher and Mr. Morarji Desai by appointment at the Civil Secretariat at Bombay. He told them that Madanlal who was responsible for the explosion of the 20th January was a refugee from the Punjab whom Dr. Jain had endeavoured to help; that before leaving for Delhi Madanlal had discussions with him; that Madanlal had told him that he (Madanlal) and his friends had decided to take the life of a great leader whose name he later stated to be Mahatma Gandhi; that Dr. Jain had tried to dissuade Madanlal from his wild talk and wild plan; that Madanlal had introduced to Dr. Jain a person by the name of Karkare with whom Madanlal was working in Ahmednagar and who was on friendly terms with him; that Madanlal had spoken about his exploits at Ahmednagar; that Madan Lal had told him that Karkare had taken Madanlal to Savarkar; that Savarkar had a long

talk with him for about two hours and that Savarkar had praised him for what he had done, had patted him on his back and had asked him to carry on; that Madanlal had said that there was a dump of arms, ammunition and explosives at Ahmednagar and that Madanlal and his companions were to proceed to Delhi to carry out the objects of the conspiracy. Mr. Desai asked Dr. Jain as to why he did not tell him all about it immediately after he had come to know of it. Jain replied that refugees were in the habit of talking wildly and he believed that he had dissuaded Madanlal from doing what he had intended to do.

On receipt of this information Mr. Desai acted with commendable promptitude. He sent immediately for Mr. Nagarvala, Officer in charge of the Intelligence Branch. Mr. Nagarvala was unable to come at once as he was busy at the time, and Mr. Desai accordingly asked him to see Mr. Desai at the railway station as he was leaving Bombay for Ahmedabad the same night. Mr. Nagarvala came to the railway station at about 8-15 p.m. and Mr. Desai told him what Dr. Jain had said and asked him to take action in the matter. He asked Mr. Nagarvala to agree

arrest Karkare, to keep a close watch on Savarkar's house and his movements and to find out the names of the persons who were involved in the plot. Mr. Desai reached Ahmedabad on the morning of the 22nd January and repeated to Sardar Vallabhbhai Patel the story that had been narrated to him by Dr. Jain.

Mr. Nagarvala complied with the instructions without loss of time. He organised an unobtrusive watch over the house of Savarkar from 5-30 p.m. that evening. He made arrangements for locating and arresting Karkare. He made enquiries from the Ahmednagar police with the object of ascertaining whether Karkare whose detention had been ordered under the Public Security Measures Act 10 or 15 days before had been arrested. He contacted various informants of his to locate and apprehend Karkare and his associates. He also issued similar instructions to the various officials under him as he was giving topmost priority to this particular enquiry.

In the meantime enquiries were being made from Madanlal by the police at Delhi. He was

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interrogated by the police immediately after his arrest on the 20th, but the enquiries do not appear to have revealed any useful information except in regard to Karkare. On being questioned under section 342 of the Code of Criminal Procedure Badge stated as follows:

" The police asked me names of the co-workers of Badge who were putting up in the Marina Hotel. I told them that I did not know their names. I told them that Badge had had told me that the co-workers were staying in a corner room on the first floor of the Marina Hotel."

The police rushed to the Marina Hotel with the object of apprehending the conspirators. When they reached there they found that the birds had flown. Enquiries were made as to the persons who were occupying the corner room on the first floor but the only information that the management of the hotel could supply to the police was that two persons who had stayed under the names of M. Deshpande and S. Deshpande had settled their bills and had left the hotel immediately after the explosion in such haste they did not even care to take their clothes with them. The police then visited the room in the Hindu Mahasabha Bhawan which was said to have been

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occupied by Badge, Shankar, Madanlal and Gopal.

This room was empty and deserted for Badge and

Shankar had quitted the place almost immediately

after the explosion. And what about Karkare and

Gopal ? Enquiry was made at the Sharif Hotel

but no information could be obtained as to the

whereabouts of Mr. B.M.Bias who had stayed there

from the 17th to the 19th January and who had left

the Hotel a day before the explosion. So far as

can be judged even Madanlal did not know where

his confederates had gone. Gopal was in Delhi

but he too made himself scarce after the explosion.

He did not dare go back to the Hindu Mahasabha

Office where he was staying the previous night,

for he did not know that Madanlal would not denounce

him to the authorities. Both Karkare and Gopal

are said to have spent the night of the 20th in

the Frontier Hindu Hotel under the assumed names

of G.M.Joshi and Rajugopalam. On the 21st January

the position was that although the police were

aware of the existence of a conspiracy to

assassinate Mahatma Gandhi, the only conspirators

who were known to them were Badge, Karkare and

Madanlal. A deputy Superintendent and an Inspector

of Police left Delhi by air and reached Bombay on the 22nd. They desired the arrest of Karkare and his conspirators in connection with the bomb explosion. They stayed in Bombay till the 23rd and after their departure Mr. Nagarvala continued the search for Karkare and his associates, if any. Karkare was not known to the Bombay City Police. On certain information received by him he issued instructions for the arrest of Badge on or about the 24th January. Mr. Rana D.I.G. C.I.D. whose headquarters are in Poona came to Bombay on the 27th January and reported developments to him. On the same day Mr. Nagarvala had a telephonic conversation with the Director of Intelligence Bureau, Delhi, to whom also the developments had been reported. Unfortunately Badge could not be traced till the 31st, a day after the tragedy had been enacted at Birla House. The fatal shots were not fired either by Badge or by Karkare or by Madanlal and even if they had been arrested immediately after the explosion the tragedy would not be averted. The evidence on record does not show that the names of the other conspirators were known. If their names were not known the police could not very well put them under arrest.

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The movements of Karkare, Badge and Shankar during the crucial period commencing with the 20th and ending with the 30th January are not known. Karkare is said to have gone to the Frontier Hindu Hotel on the 20th January, to have spent the night of the 20th January in that hotel and to have left that hotel on the 21st. He was seen at the house of Mr. G.M.Joshi at Thana on the 25th and at the railway station at Delhi on the 29th. He was not known to the Bombay Police. He did not visit his regular haunts or if he did, his haunts were not known to the Bombay Police. Badge and Shankar could certainly have been arrested if they had gone back to Poona for they were well known to the police. Orders for the arrest of Badge were issued on or about the 24th and Mr. Rana came to see Mr. Nagarvala at Bombay on the 27th in connection with the arrest. It is impossible to believe that if he had been anywhere near his house he would not have been arrested. He was arrested on the 31st when he was returning from a certain temple where he was presumably concealing himself. Shankar was arrested near Bhuleshwar on the 6th February. He too was arrested at a

place where he was not expected to be.

The only person who could have been arrested if the police wanted to arrest him was Gopal younger brother of Mathuram. This prisoner was at the Frontier Hindu Hotel on the 20th January, in the Elphinstone Annexe Hotel for a short time on or about the 24th and in Thana on the 25th January. Neither the Elphinstone Hotel Bombay nor the house of Mr. G.M.Joshi at Thana are places which he was known to visit but in any case the police could not know that he was concerned in the crime. On the following day, i.e., on the 26th January he went and rejoined his appointment. He could obviously have been arrested on that day if the police had been aware that he was a member of this conspiracy but the police were not aware of this fact and he continued to be at large for a few days more. As soon as it was known that Mahatma Gandhi was the victim of a murderous assault furious mobs attacked the houses of persons who were said to be concerned in the crime. The house of Mr. Savarkar was attacked and was strewn with broken glasses and other missiles. The life of Gopal who was known to be a brother of the assassin

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was in imminent danger and police protection had to be given to prevent him from being lynched. He was rushed off to his native village where prejudice against him was probably not as strong as in the neighbourhood of Poona. He was arrested near Uksan on the 5th February, his name having probably been supplied by Badge who was arrested on the 31st January or by Madanlal who was brought from Delhi to Bombay on or about the 4th February.

And what about the movements of Nathuram and Apte? Nathuram and Apte left Delhi for Kanpur by train on the night of the 20th and stayed in a retiring room at the railway station at Kanpur on the 21st. They did not supply their names to the Booking Clerk. They left Kanpur on the 22nd and reached Bombay on the 23rd. They went to the Arya Pathik Ashram at about 9 p.m. and Apte asked for a room with two beds in the name of D. Narayan. No room with two beds was available but they were allotted two beds in a room containing eight beds. They left their luggage in that room and returned to the Ashram at 1 o'clock in the night. The accommodation provided for them was not suitable and Nathuram and Apte shifted to the Elphinstone Annexe

Hotel on the 24th. They stayed there under the assumed names of N.Vinayakrao and a friend. At about 6.30 a.m. on the 27th January, they left Delhi by air under the assumed names of D.Narayanrao and N. Vinayakrao.

They left Delhi the same afternoon, reached Gwalior at night, spent the 28th January in Gwalior and returned to Delhi on the morning of the 29th.

Nathuram and Apte stayed in a retiring room of the railway station at Delhi on the 29th and for a part of the 30th which had been booked by Nathuram in the name of N.Vinayakrao. On the 30th January, Nathuram went to the prayer meeting armed with a pistol and fired at Mahatma Gandhi. It was impossible for any police officer, however capable and efficient he might have been, to have prevented Nathuram from committing the crime on which he had set his heart. He was going about from place to place under assumed names, not staying in any one place for more than a day or two and it was impossible for any police officer to catch hold of him particularly if he was not known or suspected to be a co-conspirator. Apte was going about with Nathuram all the time. He too travelled about under assumed names. Even if the police were aware on

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the night of the 20th that Nathuram and Apte were concerned in the conspiracy it is extremely doubtful if they could have stopped them from achieving their end.

The police did all that was reasonably possible to do. Immediately after the explosion the police appear to have sent a number of persons to various railway stations in order to prevent the suspects from escaping by train. Badge states that as soon as the tonga carrying him and his servant Shankar reached the railway station New Delhi and as soon as he had purchased 2 third class tickets from Delhi to Poona he found a great commotion on the platform. The police were moving about. Sensing danger to himself he came out of the platform, got into a tonga and set off for the railway station at Delhi. He slipped through their fingers because the police do not appear to have known till that hour that he was concerned in the crime. Nor did they know anything about Nathuram or Apte. If the statement of Madanlal is correct that he did not know the names of the conspirators and did not supply them to the police it is idle to contend that the police could have prevented the tragedy notwithstanding the

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reticence of Madanlal, Nathuram had made up his mind and was prepared to risk his life in order to take that of Mahatma Gandhi. He took the risk of entering the premises of the Birla House armed with a pistol and he actually fired the fatal shots when he was surrounded by a large multitude of people. He did not care to run away. He had come to the Birla House with a particular object and he was determined to achieve it. He was prepared to take all risks and to abide by the inevitable consequences. Was it possible for the police to stop a person whom they did not know, or a person who was going about from place to place under false names or a person who was determined to commit this particular crime regardless of consequences to himself? The police were aware that something was afoot, but they did not know when or where or by whom the blow was to be struck. They were groping in the dark and could not find their way. We know what has happened and may be able to say that this precious life could be saved this way or that way, but it is always easy to be wise after the event.

The evidence on record satisfies me (a) that no opportunity was afforded to the police to explain the

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circumstances which prevented them from apprehending
Nathuram before the 30th January and thereby saving
the life of Mahatma Gandhi; (b) that Madanlal failed
to supply the names of the conspirators to the police;
(c) that even if those names were supplied it was
extremely difficult, if not impossible, for the
police to arrest Nathuram who was going about from
place to place under assumed names and who was
determined to assassinate Mahatma Gandhi even at
the risk of losing his own life.]

copy of ^{an} extract from the judgment of Hon'ble Mr. Justice Achhru Ram dated the 21st June 1949 in the Gandhi Murder Case.

"Before concluding I want to advert to some remarks made by the learned Special Judge as to the slackness shown in the investigation during the period between the 20th and the 30th January 1948 but for which, in the view of the learned Judge, the tragedy could have been prevented. I must say that I have not been able to discover any justification at all for these remarks which in my judgment were wholly uncalled for."

TOP SECRET & PERSONAL.

Camp: Dehra Dun,
22nd June 1949.

Thank you for your letter of
the 19th June 1949.

I agree to almost everything
that you say. I feel that, much to
the injury of the nation, sentiment
still seems to rule our people on
most of the questions. Reason and
practical considerations often
recede into the background. If,
God forbid, a tragedy overtakes
India, it will be attributable to
this, rather than any other one
single cause.

Yours sincerely,

His Excellency Sri C. Rajagopalachari,
Governor-General of India,
Government House,
New Delhi.

R.



GOVERNMENT HOUSE

NEW DELHI

Personal
Most Secret

19. 6. 49

My dear Vallabhbhai

I hope you have improved in health.

I note that Kishorlalbhai has gone there. It seems Ramdas is excited & is not able to restrain his anxiety to talk to condemned prisoners and convert them to the cause of non-violence and repentance! What Bapu himself was not able to do, and to which he was sacrificed like a lamb led to the altar! I am surprised.

Not only are some of our friends desirous of saving Godse

for future generations but there is
a regular campaign I can see
among certain hypocritical
organs of the press - some of
which the Senate sent me advice to
in time for this purpose.

It seems as if the benefit of
such reforms must go to him
who has done the ~~worst~~ the worst
act of modern times, as
murders within himself. Before
we have the benefit of it to ~~others~~
others. The war is over
the intervention of likely people for
this very purpose in a subtle
manner, I have no doubt. Has
unrepentant ~~att~~ of blustering pose-

in case we are
to kill them
the same by his
victim to all
best letter
NATIONAL ARCHIVES OF INDIA

Indian News Chronicle

SUNDAY, JUNE 19, 1949

ABOLITION OF THE DEATH PENALTY

69 A

Should Free India abolish capital punishment? Speaking on the demand made by some members in the Constituent Assembly for the conferment of an unrestricted right of appeal to the Supreme Court in all cases of death sentences a few days ago, the Law Minister, Dr. Ambedkar, said: "I would much rather support the abolition of the 'death sentence.'" The Law Minister's suggestion deserves more attention than he himself seemed to have given it. In a country where Government spokesmen never tire of claiming that its political life is being moulded in the ideological framework of non-violence it seems somewhat ironical to see the death penalty being upheld as a kind of deterrent against criminal acts which may be due either to the inflammable passion of the moment or to calculated retaliation for some deeply felt social wrong. Apart from considerations of the ethics of non-violence and of a more rational attitude towards crime, even practical considerations do not justify the retention of the death penalty for any crime, however, heinous. For,

SECRET

Camp: Dehra Dun,
16th June 1949.

I have now received the correspondence which has passed between Ramdas and Godse as also a copy of his letter to you. I adhere to my previous view that he should not see Godse. As it is, there is every likelihood of an attempt being made to treat him as a martyr. The discussion which Ramdas proposes to have would invest the last days of Godse with a certain amount of glory. To me, it appears somewhat quixotic that any attempt should be made to convince a man who has done such a dastardly crime and takes pride in it. Ramdas is not equal to him at all.

Yours Sincerely,

Sd/ Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru,
Prime Minister of India,
New Delhi.

R.

Camp: Boon Court,
Dehra Dun,
15-6-1949.

My dear Jawaharlal,

Thank you for your letter
No.747-PH dated the 13th June 1949.

2. I have not yet received
Ramas Gandhi's letter. I have, how-
ever, received Rajaji's reply. I
entirely agree with him that he
should not visit Godea and that he
had better leave matters in the hands
of those whose business it is to deal
with them.

Yours sincerely,

The Honourable
Pandit Jawaharlal Nehru,
Prime Minister of India,
New Delhi.

PRIME MINISTER.
INDIA.



No. 747-P.M.
New Delhi,
June 13, 1949.

Sardar Vallabhbhai,

You must have received Ramdas
Gandhi's letter with its enclosures.
I enclose a copy of my reply to him.

Yours
Ramdas

The Hon'ble
Sardar Vallabhbhai Patel,
1 Aurangzeb Road,
New Delhi.

No: 74-LP2 73
New Delhi,
June 13, 1949.

My dear Ramdas,

I have just received your letter. I confess that you have put me in a difficulty. My own inclination is to advise you not to visit Nathuram Godse. I do not think this visit at this stage can serve any useful purpose. But in this matter I should like to be guided by what Shri Rajagopalachari and Sardar Patel may advise. I am therefore writing to them on this subject. You have sent the copies of letters to them. *ready*.

Yours sincerely,

Sd/- Jawaharlal Nehru.

Shri Ramdas W. Gandhi,
Khalasi Lines,
Nagpur.

Khalasi Lines,
Nagpur. C.P.

D/- 13th June 1949.

My dear Jawaharlalji,

As stated in my letter addressed to you, dated 11th June 1949, I now enclose herewith copy of a letter dated 13th June 1949, addressed by me to Godse, in reply to his letter dated 3rd June 1949 and received by me on the 9th June 1949.

You will notice that in place of Balkrishna Bhawe, in my letter dated 13th inst., to Godse, I have mentioned the name of Shri Kishorlal Mashruwala. I feel that this change of name was necessary as Kishorlalbhai is definitely in a better position to bring about a desired change in the outlook and wrong policy that has been pursued by Godse.

You know that Kishorlalbhai, physically is in no condition to stand a strain of long journey. As such I feel that our meeting with Godse should take place in Delhi in the Red Fort. I exactly do not know, but I feel that no difficulty should be experienced by all concerned in bringing Godse from Simla to Delhi and lodge him in Red Fort.

I am now awaiting to hear from you as soon as it may be possible for you to inform me whether the proposed meeting with Godse will be arranged.

With kindest regards,

Yours sincerely,

Encls:- Letter.

To,
Pandit Jawaharlal Nehru,
NEW DELHI.

(R. M. Gandhi.)

214519

75
Khalasi Lines,
Nagpur.

D/- The 13th June 1949.

Dear Shri Nathuram Godse,

I have your letter dated the 3rd June 1949.

I am glad to see that you are always open to conviction, and your desire to have a heart to heart talk with me and a close associate of my father on the question whether ways and means adopted by you have in any way served or are likely to ~~xxx~~ ever prove fruitful in the future in maintaining the integrity of our Dear Motherland or the centuries old Hindu religion, which like all other present day religions, is free of distinction of any kind, is encouraging.

Accordingly, without any commitment on the part of the Govt. of the Indian Dominion, myself or those who accompany me, to have a talk with you, I am requesting Pandit Jawaharlal Nehru today to allow Shri Vinobha Bhawe, Shri Kishorilal Mashruwala and myself to have a heart to heart talk with you on the above subject, as it is your heart's desire to do so.

Please note, however, if it is destined that the proposed talk should take place, it will be only some day after the 25th June 1949, as it is not possible for me to leave Nagpur for Delhi and thence to the place wherever you are lodged, before 25th June 1949.

~~if need be~~
I feel, you had not stipulated the condition, namely, "Condition of the talks must be that we must stick to the truth alone", as I think, it was not only unnecessary in my case, but also in the case of any close associate of my father.

In the meanwhile, I would suggest your devoting all time that is available to you to self-introspection and with full confidence in "Him" and pray that "He" bestows on you "His Divine Grace", as it is such grace alone that I feel will help you to see your mistake and realise that it was after all Gandhiji, who knew best the interest of our Motherland and the Hindu religion in particular, could be protected from insult or injury. If you do this, I am sure, at the end of the proposed meeting between you and us, you will be able to sing with us the unquoted shlok in the 18th chapter of Bhagwatgita, a piece of poetry full of meaning and charm.

नष्टो मोक्षः स्मृतिलोकोऽयं, त्वत्प्रसादान्मया च्युत
स्थितोऽस्मि गत रुद्रेः करिष्ये वचनं त्वयि ॥७३॥

Yours sincerely,

R. Gandhi

(R.M.Gandhi.)

Khalasi Lines,
Nagpur.

D/- the 11th June 1949.

My dear Jawaharlalji,

I do not know what your reaction or feelings will be on reading the enclosed.

One is the letter addressed by me to Shri Nathuram Godse. And the other is his reply to me. As Godse wishes to see me, I think, I must pay him a visit, not minding what outcome of my talk with Godse may be. After having addressed a letter to Godse, I do not see how I can refuse to see him now. I do not propose to see Godse all by myself. But I want to be accompanied by Shri Vinoba Bhave and his brother, Balkrishna Bhave. As it is you, who can arrange this interview with Godse, kindly let me know by telegram what you propose to do in the matter. Personally, I see no reason why you should have any objection to Godse wanting to see me along with Shri Vinoba Bhave and his brother.

I may inform you that it will not be possible for me to leave Nagpur for Delhi before 25th June 1949 and thence to the place where Godse may be lodged.

I am sending a copy of this letter as also the two enclosures to Vallabhbhai and Rajaji.

In a day or so, I hope to draft out my letter to Godse in reply to his letter dated the 3rd June 1949, a copy of which I shall forward to you, as also Vallabhbhai and Rajaji.

I know, you will forgive me for adding to the already heavy burden that you are called upon to shoulder, although this additional burden may only be in weight equivalent to that of a grass blade.

Yours sincerely,

R.M. Gandhi

Encls:- 2 copies.

(R.M. Gandhi.)

77
Simala, 3rd June 49.

Dear Brother, Shri Ramdas M. Gandhi,

Received your most kind letter yesterday of 17th May 1949.

As a human being I have no words to express my feelings for the wounds that you and your relatives must have received by the tragic end of your revered father, by my hands. But at the same time I state that there is the other side also to look at.

I am not in a position to write all my thoughts on paper - nor am I in a position to see you personally. But certainly you are in a position to see me in jail before my execution.

You say that you have heard, that I am a man of 'Reason' and 'Logic'. True! But you will be surprised to note that I am a man of powerful sentiments also and "Devotion to my Motherland is the topmost one of the same".

You say that "Once my mind is free from misunderstanding then no doubt that I shall repent and realise my blunder". Brother! I say that I am an open-minded man, always a subject for correction. But what is the way to remove my misunderstandings if any and to make me repent.

Certainly neither the gallows nor any big show of mercy and to commute my punishment. The only way is to see me and make me realise. Uptil now, I have come across nothing which will make me repent.

I have received several letters from some prominent "Christian Missions", and according to their faith and the teaching of the 'Holy Bible', they have tried to give me some message. Their stand is quite intelligible. But yours is the first letter that I have received which resembles to some extent to the well-known, or more known teachings of your revered father. Really this is surprising! I have received many letters full of abuses. I do not consider they were written by any disciple of your father.

Any way, I must humbly request you to see me and if possible, with some prominent disciple of your revered father, particularly who is not interested in any power politics, and to bring to my notice my most fatal mistake.

Otherwise, I shall always feel that this show of mercy is nothing but an eye-wash.

If you actually see me and have a talk with me, either sentimentally or on reason, who knows you may be able to change me and make me repent or I may change you and make you realise my stand.

The condition of the talks must be that we must stick to the "Truth alone".

Again, I express my utmost regrets as a human being for your sufferings due to the death of your revered father by my hands.

Yours sincerely,

Sd/- Nathuram V. Godse.

N.B. If you prefer, then please send a copy of this to H.E. The Governor General of the Dominion of India.

75
Khalasi Lines,
Nagpur C.P.

D/- 17th May 1949.

Dear Shri Nathuram Godse,

The writer of this is the son of one you seem to take great pride in having assassinated.

I am sure, you will one day realise that you have only put an end to my father's perishable body and nothing ~~more~~ more. Because, not only in my case, but in the case of millions all over the world, the spirit of my father still rules over their hearts. This stands proved by the homage that has been paid to my father by nations and peoples all over the world.

You know that today everyone all over the world is thirsting and pinning for peace. But you must have stood aghast to find that amongst the biggest war-lords of the present age to say and believe that it is not the Atomic energy that is going to bring peace to the world, but it is mutual understanding and respect for one by the other. Better understood by the millions of this country by the simple and significant words "Satya" and "Ahinsa".

I hope, the above facts will help ~~xx~~ in the dissolution of the mist of ~~xxx~~ misunderstanding your mind and vision seems to be shrouded with. Once you rid your mind of this misunderstanding, I have no doubt, you will repent and realise that what you have done is a deed never again to be repeated, but shunned for all times, be it in the interests of one's own religion or political creed or anything else. You are reported to have stated very recently that you are a man of reason and logic. I therefore urge you to ponder over my above heart-pouring and if you can do so, you will see that you have not in the least served the cause so very dear to you ~~for~~ having done what you have done.

Yours Truly,

R. G.
(Ramdas M. Gandhi.)

P.S. I may inform you that on 1-5-49, I have addressed a letter to the Governor General of India, giving him my reasons why you should not be made to suffer the penalty awarded by the Special Tribunal appointed to look into the charge framed against you.

True Copy.

From: Sri S.Krishnamurti



SECRET

GOVERNMENT HOUSE,
NEW DELHI.

14th June 1949

Dear Mr. Shankar,

This is what His Excellency has written to Shri Ramdas Gandhi. Kindly place it before the Honourable Deputy Prime Minister.

Thanking you, sincerely

S. Krishnamurti

Shri V. Shankar, I.C.S.,
Private Secretary to the Hon'ble
Deputy Prime Minister,
Dun Court, DEHRA DUN.

(Copy)

GOVERNMENT HOUSE
NEW DELHI.

14th June 1949.

I would advise you to leave the case of Godse in the hands of Government. My emphatic advice to you is not to intervene in the case. I agree with Jawaharlalji that you should not visit the prisoner.

Sd. C. Rajagopalachari

Shri Ramdas Gandhi,
Khalasi Lines,
NAGPUR.

SECRET.

Camp: Birla House,
Mussoorie, 6.5.1948.

My dear Syama Prasad,

Thank you for your letter of the 4th May delivered to me by Banerji. I am glad to know that your daughter is steadily improving and hope that the improvement will be maintained.

2. As regards Savarkar, the Advocate-General of Bombay, who is in charge of the case, and other legal advisers and investigating officers met me at a conference in Delhi before I came here. I told them, quite clearly, that the question of inclusion of Savarkar must be approached purely from a legal and judicial standpoint and political considerations should not be imported into the matter. My instructions were quite definite and beyond doubt and I am sure they will be acted upon. I have also told them that, if they come to the view that Savarkar should be included, the papers should be placed before me before action is taken. This is, of course, in so far as the question of guilt is concerned from the point of view of law and justice. Morally, it is possible that one's conviction may be the other way about.

3. I quite agree with you that the Hindu Mahasabha, as an organisation, was not concerned in the conspiracy that led to Gandhi's murder; but at the same time, we cannot shut our eyes to the fact that an appreciable number of the members of the Mahasabha gloated over the tragedy and distributed sweets. On this matter, reliable reports have come to us from all parts of the country. Further, militant communalism, which was preached until only a few months ago by many spokesmen of the Mahasabha, including men like Mahant Digvijaya Nath, Prof. Ram Singh and Deshpande, could not but be regarded as a danger to public security. The same would apply to the A.S.S., with the additional danger inherent in an organisation run in secret on military or semi-military lines. Nevertheless, we have already decided upon a policy of gradual releases and more than fifty per cent. of those originally detained have already been released in accordance with that policy. It could perhaps be safely said now that a large majority of those ~~xxxxxx~~ continue to be detained, consists of men whose release would be a danger to public security or would lead to a resuscitation of the activities which we have banned. In the remaining three months, however, it may be possible, if the situation in the country remains satisfactory, to space out their releases. I should add that we have already received rather disquieting reports of the revival of those activities in some form or the other. In any case, as you probably know, none of the detained persons can be kept for a period longer than six months. I shall, however, see what further steps we can take to improve the present atmosphere in the country.

4. As regards Mahant Digvijaya Nath, Prof. Ram Singh and Deshpande, they made very nasty speeches on the 27th January for which they are being put on trial. Their release at this particular juncture, when the Hindu Mahasabha at Delhi has passed a resolution contrary to the

advice of the Working Committee of the Mahasabha--and reports are being received of revival of communal activities--would be fraught with considerable risk. As far as I am aware, the order of detention has nothing to do with Godse's trial. I should add that Deshpande, before his Delhi speech, indulged in very poisonous outburst in Patna. There is no indication that any of them are wiser by experience.

5. AS regards convening a meeting of the Working Committee and the All-India Committee of the Hindu Mahasabha, I would advise you to hold it at a place other than Delhi. Already your Local Committee has challenged the Central Body. The atmosphere in Delhi has now somewhat deteriorated. I am very sorry, however, that it will not be possible for me to advise Provincial Governments to release any of the detenus in order to attend the deliberations of your Committees.

6. I am feeling much better and I am sure if you could come here a change will do you some good. We could then discuss these and other important matters when we meet.

With kindest regards,

Yours sincerely,

The Hon. Dr. Bhanu Prasad Mookerji,
Minister for Industry & Supply,
Government of India,
4 King Edward Road, New Delhi.

R.



NEW DELHI.
4th May 1948.

My dear Sardarji,

I was very glad to know from Dr. Roy that you were feeling better. I hope the change will bring about rapid improvement. It is terribly hot at Delhi. I went to see my daughter at Kasauli during the week end. She is steadily improving.

I wrote to you (and also spoke to Shankar) about the detention of persons connected with the Mahasabha. Those who are suspected of complicity in the outrage on Gandhiji will no doubt be put up for trial. I understand Savarkar's name is being mentioned in this connection. I do not know what evidence has been found against him. I have not the least doubt that you will satisfy yourself that nothing is done which may give rise to the suggestion later on that he was being prosecuted on account of his political convictions. I hope the records will be placed before you before any decision is taken. His sacrifice and suffering in the past have been considerable and unless there is some positive proof against him, he should not, at this age, be subjected to a charge of conspiracy to commit murder. I leave the matter to your decision.

I am anxious to have a meeting of the All-India Working Committee and the All-India Committee of the Hindu Mahasabha convened some time in May, so that our future policy and programme may be discussed and decided upon. You have always appreciated my own delicate position in the matter. I hope by now sufficient evidence has been placed before Government to show that the Mahasabha as an organization has had nothing to do with the murder. I have always felt that it is only a handful of persons in Poona who might have been members of the conspiracy. But there is a large section of people amongst the Mahasabhaits

including many in Poona who have always been against the activities of this small group. It will be a blunder not to isolate this group from the rest which is the vast majority. If members outside the group are continued to be kept in detention for indefinite period, unnecessary complications will arise.

In Delhi, several persons are now being detained including Asutosh Lahiri, Mahant Digvijaya Nath, Professor Ram Singh and Deshpande. The last three are also being tried for some speeches which were made at a public meeting in Delhi shortly before Gandhiji's assassination. They were also previously detained under the Public Security Act. Later on this had lapsed and was not renewed. They were simply treated as under-trial prisoners whose applications for bail were refused by the local Magistrate. The High Court has, however, granted bail to all of them. As soon as they were let out on bail, they were re-arrested under the Public Security Act and put back in prison. This obviously is a most unfortunate situation. The order under Public Security Act was not continued against them and this should not have been renewed merely to nullify the directions of the High Court. I am told it may be undesirable to allow them to remain in Delhi so long as Godse's trial continues. If that is so, they may be asked to remain away from Delhi. I do not know what will happen with regard to their case which perhaps will be postponed automatically.

I hope you will be good enough to allow facilities to all members of the Working Committee and the All-India Committee of the Hindu Mahasabha to attend the meetings unless they are implicated in the murder trial.

The future of the R.S.S. workers has also to be settled. In view of the great complications which may arise in connection with Hyderabad and Kashmir, it is desirable that we should be able to create an atmosphere of confidence and security



-3-

amongst all sections of the people provided we are satisfied that by a general order of release we are not jeopardising the course of law and order. I have suggested that all cases of persons who are detained without trial should be placed before a High Court Judge who should go through the evidence, give a chance to the persons concerned to make their statements and then advise Government as to whether there is sufficient justification to continue their detention. This will satisfy public opinion that no one is being detained without fullest possible enquiry and justification.

I understand your Secretary is going to Mussoorie tomorrow. I am giving this letter to him, and I hope you will give him such directions as you think fit to meet the points that I have raised in the letter.

There are several important matters which are coming before Cabinet. Your absence is very keenly felt. I see no reason why a meeting of the Cabinet may not be held at Mussoorie once or twice a month to have the benefit of your advice and guidance. This is subject to doctors allowing such a course of action to be taken.

With regard to one matter, viz. appointment of a Cabinet Co-ordination Committee, I shall make the suggestion at to-day's meeting. I am told you have already communicated your desire to the Prime Minister that this matter may be postponed until you have further considered the details.

With best wishes,

Yours sincerely,

Syama Prasad Mukherjee

The Hon'ble Sardar Vallabhbhai Patel
Mussoorie.



5, Barakhamba Road,
New Delhi,
The 20th April 1948

My dear Sardarji,

I returned to Delhi yesterday after attending the meeting of the Inter-Dominion Conference. I tried to meet you yesterday afternoon but this, I was told, could not be arranged as you were busy otherwise. I have to go on tour again today. According to a programme fixed about a month ago, I have to visit Calcutta, Jamsedpur, Madras, Bangalore, returning to Delhi on 27th.

The Inter-Dominion Conference was on the whole successful. It is obvious, however, that paper resolutions are of no effect but everything will depend on the manner in which the decisions are implemented. Things are not moving satisfactorily at all in Bengal. Unless the East Bengal Government succeeds in creating a better atmosphere, exodus will not cease. If our attempt to have a peaceful settlement fails, there is no other alternative but to insist upon exchange of population. We cannot obviously take back millions of Hindus from Pakistan and also encourage a large number of Muslims from Pakistan to return to India. However, this matter may be considered later on after we see how the agreements reached in Calcutta are implemented.

I wanted to speak to you about the detention of a large number of Hindu Sabha leaders and workers. Obviously, those who may be implicated in any way in the conspiracy will be put up for trial. I have nothing to say about them but others should not be kept detained indefinitely. Either they should be released or some specific charge should be brought against them and they should be asked to answer it. I know a large number of people have been released recently but quite a good number are still detained and I am being constantly approached on their behalf. There are some persons against whom cases have been instituted but there is a long delay in continuing the proceedings. You may ask your Secretary to look into the matter.

With regard to R.S.S. also the matter should be reviewed. Obviously it was not our intention to keep people detained merely because they belonged to the R.S.S. Perhaps it may be desirable to refer all cases of detention to a

High Court Judge so that none may have a feeling of legitimate grievance. Perhaps some directives may be issued to the province also so that one common policy may be pursued throughout India.

I do not know what you are doing about Hyderabad. People generally are becoming very anxious and restive about the future relationship between India and Hyderabad. The time has come when we should tell Hyderabad definitely that within a particular date plebiscite must be taken and the people of Hyderabad must decide for themselves whether they are going to join Indian Union or not. Meanwhile, there must be an interim government. The present policy of drift may lead the whole country to very serious consequences. No doubt you are thinking about all these matters but I felt I should give you an idea of the present reactions in the public mind.

I hope and pray that you will soon recover your health completely.

With best wishes,

Yours sincerely,

Syama Prasad Mukherjee

The Hon'ble Sardar Vallabhbhai Patel,
Minister for Home Affairs,
New Delhi.

P.S. Bhopatkar has written to me suggesting that a meeting of the Working Committee and the All India Committee of the Hindu Mahasabha should be held at an early date to consider the future of the Hindu Mahasabha. A good number of members of both these bodies are now being detained. I shall feel particularly grateful if you will kindly consider the question of their release, unless there are any specific cases pending against them and they have been refused bail. Some of them are being detained by the Provincial Governments also.

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SECRET.

NEW DELHI, 27.2.1948.

My dear Jawaharlal

Thank you for your letter No. P.M. 481 dated the 26th February 1948 which I received just now.

I have kept myself almost in daily touch with the progress of the investigation regarding Bapu's assassination case. I devote a large part of my evening to discussing with Sanjevi the day's progress and giving instructions to him on any points that arise. All the main accused have given long and detailed statements of their activities. In one case, the statement extends to ninety typed pages. From their statements, it is quite clear that no part of the conspiracy took place in Delhi. The centres of activity were Poona, Bombay, Ahmednagar and Gwalior. Delhi was, of course, the terminating point of their activity, but by no means its centre; nor do they seem to have spent more than a day or two at a time, and that too only twice between the 19th and 30th Jany. It also clearly emerges from these statements that the R.S.S. was not involved in it at all. It was a fanatical wing of the Hindu Mahasabha directly under Savarkar that has the conspiracy and saw it through. It also appears that the conspiracy was limited to some ten men, of whom all except two have been got hold of. Every bit of these statements is being carefully checked up and verified and scrutinised, and where necessary, followed up. Sanjevi devotes a considerable time every day to it. Senior officers of Bombay and C.P. are in charge of the investigation. Delhi Police hardly comes in the picture.

Of course, it is impossible for us at this stage to publicise any of these things or to say anything publicly about what is being done to unearth the conspiracy. Every item of information that is being communicated to us through sources, known and unknown, real, anonymous or pseudonymous, is being investigated. More than 90 per cent of these have been found to be just imagination. Most of these have been directed to the activities of R.S.S. men in various centres. We have followed this up, and except vague allegations that sweets were distributed or joy was expressed, hardly anything of substance has been found in them. After having dealt with these matters at first hand and discussed these matters in detail with Sanjevi and other officers who are in charge of this investigation, including the Public Prosecutor of Bombay, Mr. Pettigrah, who has been advising the investigators on legal points, I have come to the conclusion that the conspiracy of Bapu's assassination was not so wide as is generally assumed, but was restricted to a handful of men who have been his enemies for a very considerable time -- the antipathy can be traced right to the time when Bapu went for his talks with Jinnah when Godse went on a fast and some others of the conspirators

went to Wardha to prevent him from going. Of course, his assassination was welcomed by those of the R.S.S. and the Mahasabha who were strongly opposed to his way of thinking and to his policy. But beyond this, I do not think it is possible, on the evidence which has come before us, to implicate any other members of the R.S.S. or the Hindu Mahasabha. The R.S.S. have undoubtedly other sins and crimes to answer for, but not for this one. If you have any time, I would be glad to send to you Sanjevi and Rana, D.I.G., C.I.D., Bombay, who are here. They could explain to you the whole case as it has emerged from the investigation. They say they will take another ten days or a fortnight, at the end of which the case will be ripe for being placed in the hands of the Public Prosecutor. As soon as the Public Prosecutor is ready, we hope to appoint a Special Judge to try the case in Delhi.

As regards the R.S.S. in Delhi, I am not aware of any prominent men or active workers whom we have left out. We hear all sorts of reports from somebody or the other regarding a certain person being an active member or not. In some cases, on such reports, arrests were made, and we soon found representations coming from Congressmen themselves testifying to their Congress sympathies and anti-R.S.S. views. We had to release them. In other cases, on arrests of R.S.S. people being made on similar information, both we and the Provincial Govts. are being accused of rounding up innocent people. In the case of a secret organisation like the R.S.S. which has no records of membership, no register, etc., securing of authentic information whether a particular individual is an active worker or not is rendered a very difficult task. Nevertheless, I am assured that practically all the important workers of R.S.S. in Delhi have been rounded up. Indeed, some knowledgeable people tell me that we have rounded up more than necessary. I have already asked Provincial Governments, including Delhi, to let us know what has been the result of these ~~mass~~ arrests, how many have been arrested, how many have been released, what has been revealed in searches, etc. As soon as these reports come in, we shall have to consider our next step. If there are any key-men who are still at large, I should like to know their names, so that we can follow them up.

I quite realise that Police and the local authorities who are in Delhi or elsewhere have an appreciable number of R.S.S. sympathisers. Here again, however, the difficulty is to locate the men. Whenever I have received the least information about the name and particulars of any R.S.S. men in Government service, I have communicated

them to Sanjevi or Mehra. In some cases, Government servants in Delhi have already been arrested for R.S.S. activities. Delhi's quota of R.S.S. arrests compares favourably with that of any other place or province. I doubt, therefore, whether the accusation can be substantiated that Delhi Police or local authorities have been inactive on account of R.S.S. sympathies. However, I shall again have a discussion with Mehra on the particular problems which you have mentioned and see what further action could be taken.

Yours sincerely,

The Hon. Pandit Jawaharlal Nehru,
Prime Minister of India,
17 York Road, NEW DELHI.

V.

SECRET

PRIME MINISTER.

INDIA. _____

P. (7-48)

New Delhi,

26 February 1948.

My dear Vallabhbhai,

You are so terribly busy, and I am pretty well occupied, that I hesitate to add to your work. I feel however that I must tell you what I have had in my mind for some days.

While the investigation about Bapu's assassination by Godse is proceeding here and Bombay and elsewhere, there appears to be certain lack of real effort in tracing the larger conspiracy. More and more I have come to the conclusion that Bapu's murder was not an isolated business but a part of a much wider campaign organised chiefly by the R.S.S. A large number of R.S.S. men have been arrested, probably many of them more or less innocent. But a considerable number of their key men are still above or underground or even sometimes flourishing in the open. Many of these people are in our offices and in the police. It is hardly possible to keep anything secret from their group. I was told the other day by a responsible police officer that no search could be conducted in secret because previously intimation always reached the parties concerned.

The Delhi police has apparently a goodly number of sympathisers with the R.S.S. It may not be easy to deal with all of them. But I think something more than has been done can be undertaken. I have little doubt that the R.S.S. organisation is still fairly active in many ways and will hit back when it can. To be complacent about it might lead to fresh disaster. I am told that they have taken to a number of apparently innocent activities and are utilising them to keep their organisation in proper trim.

I do not know what exactly to suggest to you. But I have a feeling of uneasiness about the situation in Delhi specially. I think the Police and the local authorities have to be kept up to the mark. They have a habit of slackening off after the spurt. What is more dangerous is that a number of them appear to sympathise with the R.S.S. Hence an impression is created that nothing very effective is being done. Effectiveness does not mean mass arrests but the singling out of people who count, and whose potentiality for mischief is great.

The Hon'ble Sardar Vallabhbhai Patel.

PRIME MINISTER,
INDIA.

File

21/2/48
New Delhi,
20 February 1948.

Sardar Vallabhbhai

Thank you for your letter of the 20th
February, sending me a number of case diaries
of Police officers. I am returning these
diaries.

Encl:

The Hon'ble
Sardar Vallabhbhai Patel,
1 Aurangzeb Road,
New Delhi.

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Translation of Case Diary dated 21.1.48.

Police Station:- Tughlak Road, New Delhi.

F.I.R.No. 40 dated 20-1-1948.

Date & Place of occurrence:- Birla House, afternoon on 20-1-1948.

U/S 4/5 of the Explosive Act.

Crown Vs:- Madan Lal Accused.

Prepared by:- Jaswant Singh, D.S.P New Delhi.

Written at:- Bombay.

21.1.1948
12 noon

1. Sir, Reference previous case diaries of this case, I submit, that Supdt: Police New Delhi ordered, that I and Inspector Mr. Bal Kishan C.I.D., should reach Bombay today for the investigation of this case by Air. He has arranged for the seats by Air for Bombay. He further said that in Bombay you should see Mr. Nagarwala the Deputy Commissioner of Police i.e. Special Branch C.I.D. Bombay, and give him the full facts of this case, who will help you, and in Poona, there is one Mr. Gurtu, Assistant to D.I.G/C.I.D., Mr. Nagarwala will give you necessary help, in case Mr. Nagarwala thinks necessary for you to go to Poona, he will depute a special Police Officer with you.

-do- 4 p.m.

We left Delhi for Bombay by Air.

-do- 10.30 p.m.

At this time we reached Bombay City. It is raining. We stayed in Universal National Restaurant, and will see Mr. Nagarwala tomorrow morning. Case Diary prepared.

21-1-1948. Sd/. Jaswant Singh,
D.S.P.

Attested: true translation of C.D. dated
21-1-1948.

Jaswant Singh,
D.S.P.

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Translation of Case Diary dated 22.1.1948.

Case F.I.R.No. 40 dated 20-1-1948.

U/S 4/5 Explosive Act.

Cr. Vs. Madan Lal accused,

Prepared by: D.S.P. Jaswant Singh of New Delhi.

Written at: Bombay.

22-1-1948.

-do- 9 a.m.

1. Reference Case Diary of yesterday, I with Inspector M. Bal Kishan left for the house of Mr. Nagarwala, by a taxi.

2. Reached at the house of Mr. Nagarwala. Mr. Nagarwala met us, and the full story of this case was explained to him. Mr. Nagarwala after hearing the full story of this case said that he had information about this case, and he had a talk with the higher authorities about this case by telephone. He had already deputed his special-men everywhere, and for the suspects, about whom he got the information and had also deputed his men to locate them, and he had deputed his men on the Railway Station. He further stated that you should see him in his office, and we would have further talks there, and he told me that he wanted that no one should know about your arrival in Bombay, and you should not stay in the city. He also said that if the party who is responsible for the case will come to know of your arrival then the whole plan will be smashed, and no arrest will be possible. Further he ordered me to remove your uniform and see him again in Nafti in his office.

At this time I with Inspector C.I.D. Delhi, reached C.I.D. Office, Bombay, in a taxi, and appeared before Mr. Nagarwala to whom I again gave the facts of the case, and also showed to him a written

brief of the Statement of Madan Lal accused, with the written footnotes by S.P. New Delhi. It was produced before Mr. Nagarwala, who read it, and kept its extract with him, he returned the original brief, which is attached herewith.

I again explained the full facts of KARKRA, before Mr. Nagarwala, and also I told Mr. Nagarwala, that Madan Lal accused had stated that one of the accused was the Editor of the Agirni or Hindu Rashtrya Newspaper, he was of sallow complexion aged 33/34, 5/6" long and it is not known to him that whether he is of Bombay or Poona. Besides these two, I had stated the description of three Maharatas and one Raja Sahib. Their description was explained by me to Mr. Nagarwala. About Editor "Hindu Rashtarya" or "Agirni" and Karkra, special request was made that they have been named by their co-accused, therefore, they should be arrested first so that we may be able to get the clue of the others from them.

22-1-1948 11/30 P.M. Mr. Nagarwala stated that his information is that there are more persons in this party. This party is of about 25 persons, all are responsible for this conspiracy. Special arrangements for the arrest of Karkra have been made in Bombay and in Poona, Ahmednagar. About the other suspects, they have located 3 or 4 at present, but our scheme is to first locate all, and then their arrest will be carried out. If at present we will arrest 3 or 4 from them, by doing this we will not succeed in the arrest of others.

About Ahmednagar, he said that he will accompany us, when he will get the information, but you should not go there now. He then sent for Mr. KARGAONKAR Inspector C.I.D., Bombay, who came inside his office. He

ordered his Inspector to arrange for ^{our} lodging at a place, where nobody can know about our arrival. He also instructed us, not to give our Delhi address in Hotel's register and in our presence, he contacted one Police Officer on 'phone at Ahmednagar and also got New Delhi Immediate trunk call booked, for D.I.G., C.I.D. Poona. He also said that he would first consult the H.M., Bombay, and then he will take further action against the accused.

22-1-1948, 2 P.M. At this time we reached at the House of Inspector Mr. Kargaonkar, CID., Bombay, with our kits, and stayed in one room in the said Inspector's flat.

22-1-1948, 4 p.m. At this time we reached the CID Office, Bombay, and Inspector, CID., Bombay, said that your presence here is not required; so we returned to his house and reached his house.

22-1-48, 7 P.M. At this time, Mr. Kargaonkar, Inspector of Police, CID., Bombay, with Deputy Inspector and Sub-Inspector came back to his house and he said that they have located few suspects, and have deputed their Police for the other suspects, who are not located as yet. He is definite that they will succeed in tracing all the suspects.

For Karkra and the Editor of "Agarni" or "Hindu Rashtarya" newspaper, he said that one Inspector, Police, from Ahmednagar is coming tomorrow and will come to know about those two and then will arrange for their arrests.

22-1-1948, 8 P.M. We slept at Inspector CID's Bombay house. Case Diary prepared and kept.

Sd. Jaswant Singh
 D.S.P.

Attested: true translation of C.D. dated 22-1-48.

Jaswant Singh, D. S.P.

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Translation of Case Diary dated 23-1-48.

F.I.R. No.: 40 d/ 20-1-1948.

U/S 4/5 Explosive Act,
P.S. Tughlak Road.

Writer: D.S.P. Jaswant Singh.

Written: at Bombay.

23-1-48,
10:14 A.M.

Sir,

Reference Case Diary dated 22-1-48, I submit that at this time I with Malik Bal Kishan Inspector, Delhi, and Mr. Kargaonkar, Inspr. CID., Bombay, reached the CID Office, Bombay, and met Mr. Nagarwala who gave lists of passengers who left Bombay for Delhi from 13-1-1948 to 20-1-1948 and said that he is going for an urgent work, he is coming back within no time and will give further instructions.

23-1-48
11 A.M.

I have gone through these statements and nothing fruitful came to my notice at present.

23-1-48,
12 A.M.

Mr. Kargaonkar, Inspr. CID., Bombay, informed us that Inspr. of Police from Ahmednagar has arrived and he has been sent back again by the D.C. Mr. Nagarwala with special instruction. Karkra is not there. Inspector Police Ahmednagar has been ordered to search the Editor required in this case, CID., Bombay, has also received similar orders about the search of Editor of "Agarni" or Hindu Rashtarya Newspaper.

At this time, I enquired about the previous history of Karkra from Inspector of Police, Bombay, and requested him to give me some idea of his information about the culprits of this case.

On this, Inspector CID., Bombay, said that Karkra's full name is V.R. Karkra who is a Proprietor of the Deccan Guest House, Ahmednagar. He is a prominent worker of the Hindu Mahasabha and a social worker. He used to go to refugees in Chambor Camp. His connections are with the

P.T.O.

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big leaders of the H.M.S. The following are his Co-accused and associates:

1. Mr. BADGE of Poona, a worker of the H.M.S.
2. Autar Singh, Punjabi Sikh of Amritsar (now Proprietor, Sher-Punjab Hotel, Bombay). He is the man who supplies arms and arranges for the collection of arms. He is under arrest and was in jail before this occurrence.
3. Mr. TALWAR of Karachi now in Bombay.
4. Mr. Balraj Mehta of Lahore (now Shivaaji Park, Bombay).

All the above persons are workers of the H.M.S. and they often work with KARKRA in such matters, and Inspector hesitated to give further details.

23-1-48
12.30 p.m.

At this time, D.C. Bombay arrived in the office, and he said that he is doing his best for the arrest of these suspects, and further remarked that you are not required here at present; when required, he will call you, and he ordered, that you should go back to Delhi. At this stage, again a request was made, that according to our accused statement, KARKRA and the Editor of "Agarni" or "Hindu Rashtarya" are named in his statement, if they are arrested they should be sent to Delhi, who agreed with. Further the D.C. Bombay instructed us, that at your arrival in Delhi you should inform the Bombay Police about the further development from the statement of Madan Lal accused.

At this time a brief note on this case with the name and description of the accused wanted in this case was handed over to the Inspector, CID., Bombay. A request was made again that he should inform us about the arrest of Karkra and the Editor of "Agarni" and he will arrange to send them to Delhi.

23-1-48
3 P.M.

We left Bombay by train.

Sd. Jaswant Singh
D.S.P.

Note: 24-1-1948: Arrived at Delhi. Case Diary

P.T.O.

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prepared and kept 24.1.1948.

Sd. Jaswant Singh,
D.S.P.

Attested: true translation of C.D. dated
23-1-1948.

Jaswant Singh.
D.S.P.

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New Delhi.
The 10th February, 1948.

I am sending herewith a copy of the translation of case diaries of officers of the Delhi Police who were asked to go to Bombay immediately after the bomb explosion in Birla House on the 20th January and effect the arrests of persons who had been implicated by Madan Lal, the culprit. You will notice that they had definite instructions to arrest the persons named by him, that they approached the Bombay Police with that request more than once but the Bombay Police felt that all the conspirators should be located and then their arrest should be effected. You will also notice that the Bombay Police did attempt to round up these persons but the latter somehow eluded the attempts of the Bombay Police to locate them. On the 25th January when the two officers deputed for the purpose finally returned to Delhi and made their report to Sanjevi, the latter sent for Rana, D.I.G. of Police, C.I.D. Bombay, who was at Delhi at the time in connection with the Conference of Provincial C.I.D. Chiefs, gave him a copy of Madan Lal's statement and informed him of the attempts which had been made by the Delhi Police to arrest the conspirators and the reasons for the same. On the 26th Mr. Rana left for Bombay.

2. I myself would not like to create any inter-provincial dispute on this issue, but I thought I should let you know the facts in view of the oft-repeated allegation that efforts had not been made to trace the conspirators named by Madan Lal, particularly Godse who was described by him instead of being named. I thought I would let you know the history of the attempts made by the Delhi Police to round them up. The attitude of the Bombay Police officers is understandable. There was certainly a grave risk of the other conspirators going underground if only some were arrested even though they could be located. Being wise after the event we might call it at worst an error of judgement, but I feel that even the best of us were liable to fall in that error.

3. I should be glad if you would kindly return to me the enclosure.

Yours sincerely,

The Hon'ble Pandit Jawaharlal Nehru,
Prime Minister of India,
New Delhi.

SECRET

No. DIB D.O. 61/48.

**Intelligence Bureau.
(HOME DEPARTMENT.)
GOVERNMENT OF INDIA.**

~~XXX~~ the 18th February, 1948
New Delhi,

My dear Shankar,

I enclose, for H.M.'s information, copies of case diaries dated 21.1.48, 22.1.48 and 23.1.48, written by Mr. Jaswant Singh, Dy. S.P., Delhi, who was sent by air with Insp. Balakrishnan of the Delhi C.I.D. on 21.1.48 to Bombay for enquiries in regard to the statement made by Madan Lal on the night of 20.1.48. The case diaries were written by Mr. Jaswant Singh in Urdu and the translations put up herewith are also his.

2. Mr. Jaswant Singh saw me on the morning of 25.1.48 and reported to me what he had said in these case diaries. I then sent for Mr. Rana, D.I.G., C.I.D., Poona, who was camping at Delhi at the time in connection with the Conference of D.I.G., C.I.D. in the Intelligence Bureau, gave him a copy of Madan Lal's detailed statement and told him what all Mr. Jaswant Singh had reported to me and stated in his case diaries. Mr. Rana left the next day for Bombay.

Yours sincerely,

T. G. Sanjevi
(T.G. Sanjevi)

V. Shankar, Esqr., I.C.S.,
Private Secretary to the Hon'ble Member,
Home & I.B., New Delhi.

Encs: 3

SECRET.

Office of the Inspector-
General of Police,
Delhi Province.

No: IGP.D.O.31/48. New Delhi,
4th February 1948.

My dear Shanker,

Reference your secret &
personal D.O. dated 4th February 1948.
2. I enclose a note sent to me
by Mehra with my covering note.

Yours sincerely,


(T.G. Sanjevi)

W. Shanker, Esq., I.C.S.,
Private Secretary to the
Hon'ble Minister for
Home Affairs,
New Delhi.

Office of the Inspector-General of Police,
Delhi Province.

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I enclose a note in regard to the protection arrangements made at Birla House after the explosion of the bomb at the prayer meeting on 20.1.48. The note is submitted by the Deputy Inspector-General of Police, Delhi.

2. On the evening when the offence was committed the following staff was on duty:-

- (i) 1 Assistant Sub-Inspector, 2 Head Constables and 16 Constables - Uniformed Police.
- (ii) 1 Sub-Inspector, 4 Head Constables and 2 Constables in plain-clothes, all armed with revolvers.
- (iii) 3 plain-clothes men on the path leading from Birla House to the place where prayer meeting was held.
- (iv) A small detachment of troops for moving patrols all round the compound.

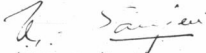
3. The 1 Assistant Sub-Inspector, 2 Head Constables and 16 Constables were employed at the entrance to Birla House and at various important points near the main building and at the place where the prayer meeting was held. The 1 Sub-Inspector, 4 Head Constables and 2 Constables in plain-clothes and armed with revolvers, were deputed for personal protection and were posted mixed with the crowd at the prayer meeting. Their duty was to watch suspicious characters and act promptly to prevent an offence. The 3 plain-clothes men on the path to the prayer meeting were employed for the purpose of spotting possible offenders. The uniformed police at the gate had instructions to stop all persons about whom there was any doubt. The police felt that they should search every person going into the compound for attending the prayer meeting and at other times. Both the Deputy Inspector-General of Police and the

Superintendent of Police personally took this matter up, but they were prevented from doing anything. It was a question of any such action on the part of the police would not be tolerated. Therefore, short of searching persons everything possible was done. The attack was sudden and from a posture which was intended to prevent interference from the police and the people around him.

4. The police officers on duty were fully instructed in the description of the men who were with Madan Lal when the bomb exploded, and they were told to keep a sharp look-out for those men. The descriptions given by Madan Lal were most meagre and did not give any correct idea of the identity of the accused. The C.I.D. and the uniformed police were combing the city for these men.

5. The bomb exploded on the 20th evening. Late that night, Madan Lal made a statement, implicating six others, of whom he knew the name of only one. In regard to two, he gave a vague description of their appearance. On the 21st afternoon, a Deputy Superintendent of Police and an Inspector were flown to Bombay with a copy of the statement made by Madan Lal. They contacted Mr. Nagervale, the Deputy Commissioner of Police, Special Branch, C.I.D., Bombay, and put him in full possession of all facts known to them so far. [These two officers were not allowed to make any enquiries and they allege that they were not even permitted to move out freely. I now gather that Mr. Nagervale did this, as he feared that the presence of police officers from Delhi would be a set-back to his efforts in tracing the absconding men.] Two days after that, the two officers returned to Delhi and brought no information of any kind.] On the 25th, I gave the Deputy Inspector-General of Police, C.I.D., Bombay, a

copy of a detailed statement made by Madan Lal. He went to Bombay on the 27th evening. On arrival as arranged, he and Mr. Nagervela contacted me on the trunk-telephone. Mr. Nagervela promised to send me a letter by air the next morning, with a copy to the Deputy Inspector-General of Police, C.I.D., Poona. I received no letter till the 1st morning, when an officer from Bombay brought a copy of a letter said to have been sent on the 30th. I enclose a copy of it for information. It contained no information about the assassin.


(T.G. Sanjevi)
Inspector-General.

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Since Mahatama Gandhi's arrival in Delhi during the second week of September, 1947, a guard of 1 Head Constable and 4 Foot Constables had been posted at the Birla House. The main duties of the guard were to see that huge mobs did not gather inside or in the vicinity of Birla House so as to be a source of annoyance to Gandhiji, and to deal with occasional people who objected to recitations from the Quran Sharif in Gandhiji's prayer meetings.

The bomb outrage at the Birla House occurred on 20.1.48, and the Police guard of 1 H.C. and 4 F.Cs was immediately increased to 1 A.S.I. - 2 H.Cs and 16 F.Cs. In addition to this, a plain-clothes staff of 1 S.I. - 4 H.Cs and 2 F.Cs (all armed with revolvers) was also detailed for duty. The Police on duty had full instructions to watch people as they went in and to interrogate suspicious-looking persons. The uniformed Police and the plain-clothes section were also to patrol the grounds of the Birla House and the immediate vicinity so as to ensure that no suspicious persons were lurking about the place.

Immediately after the bomb outrage, Mr. Bhatia Supdt. Police, New Delhi, interviewed Mr. Brij Kishan Chandiwalla, one of Gandhiji's secretaries, and also other members of the staff. Mr. Bhatia stated that a more strict supervision over the visitors to the prayer meetings was required and suggested that the Police on duty should search suspicious looking persons. This suggestion was not agreed to by Gandhiji's staff with the remarks that Bapu would never tolerate such a state of affairs. This remark was repeated to the D.I.G. on the 21st January when he had a similar conversation with Mr. Brij Kishan. The D.I.G. also saw Gandhiji and suggested a stricter screening of visitors to the prayer meetings. Gandhiji would not hear of this and said that his life was in the hands of God and that if he had to die no precautions could save him. These facts were reported to the Inspector-General of Police and it was agreed that short of searching persons

(next sheet)

Special patrol
by troops have also
been. The patrolling all
the rounds of the compound
by the all the 24
hours.

going in the prayer meeting all possible steps should be taken by the Police on duty to ensure Gandhiji's safety. Instructions on these lines were given to the Police Officers on duty.

In addition to these precautions it was decided that the Supdt. of Police, New Delhi, would personally attend the prayer meeting as far as possible. The D.I.G. himself started attending the prayer meeting till he fell ill on the 24th January. The Supdt. of Police, N. Delhi attended the prayer meeting daily, but could not do so on the fateful day, as he had an important appointment in connection with the threatening ^{ed} strike of some workers of the Central P.W.D.

In accordance with Gandhiji's custom he would walk to the prayer meeting at about 5 P.M. everyday. Near the meeting place people would form a human corridor ^{through} from which Gandhiji would pass while people would touch his feet and pay their homage in other forms. It was stated that the assassin, Godsey, also bent down as if to touch Gandhiji's feet and then immediately fired three shots at him with his automatic pistol. Plain clothes policemen and policemen in uniform were present on the spot but the dastardly act was done within a couple of seconds and before anybody could foresee what he was doing. The man was immediately arrested by the members of the public and the police and his weapon was taken into possession. It could be thus seen that all precautions, possible under the circumstances, were taken by the local police but from the very nature of things, the great tragedy was unavertable.

As mentioned above the bomb outrage occurred on 20.1.48. The accused Madan Lal was immediately arrested and interrogated by the Police. He made a statement in which he mentioned that the following persons were in the conspiracy to kill Gandhiji :-

- 1) Karkare.
- 2) Maharaj.
- 3) A Marhatta of the description - Sallow complexion height 5'-6" - aged 33/34, generally keeps muffler round his face and neck.

- 4) Another Marhatta of the description - Sallow complexion Strong built, long face, keeps long English fashioned hair,; Prominent eyes - height 5'-5½", age 22 years. Speaks Marhatti.
- 5) Servant of No. 4.
- 6) Another Marhatta.

Particulars of these people were conveyed to all Police Officers, and special staffs were detailed to trace persons of such description and to arrest them. Intimation about the green car in which the accused had gone to the back of the Birla House had also been given to the Jumna Bridge and other traffic points. As it now appears from Godsey's statement, the car in question was a Taxi which had taken the accused upto Connaught Circus only. As ^{also} it would appear from Godsey's statement, ^{that} Apte and Godsey left Delhi the same night by Howrah Express at 10 P.M. i.e. even before Madan Lal had agreed to make a confession. Karkare and others probably also left at about the same time because the Police raided the Marina Hotel and the Hindu Mahasabha Bhawan in search of these persons immediately after Madan Lal had given particulars of his fellow-conspirators but found that the accused had already left. According to Godsey's statement also, he received a message in Bombay a couple of days after arriving there that Karkare had reached Bombay Province safely.

As soon as it appeared from Madan Lal's statement that the plot to kill Gandhiji had been hatched in Bombay Province, it was decided in consultation with the Inspector-General of Police, that a Dy. Supdt. Police and an Inspector should be flown to Bombay and take immediate steps there to trace the people named by Madan Lal. S. Jaswant Singh, D.S.P. and Inspector Balkrishan left Delhi on the 21st. Jany. by air for Bombay, and they approached Mr. Nagarwala, Dy. Commissioner of Special Branch. According to S. Jaswant Singh, Mr. Nagarwala told them not to take action on their own but leave the matter entirely in the hands of the Bombay Special Branch. Descriptions of the accused and other material gained from Madan Lal's statement were given to

Mr. Nagarwala. A copy of Madan Lal's statement was also given to Mr. Rana, D.I.G./C.I.D. Bombay Province on the 25th January when he flew back to Bombay from Delhi.

It is not known what steps were taken by the Bombay Special Branch to trace the people mentioned by Madan Lal but it would appear from Godsey's statement that he and Apte remained in Bombay from the 23rd till 28th January. According to Godsey, he returned to Delhi by air on 28.1.48 and stayed most of his time in the Waiting Room at the Delhi Main Railway Station. His bedding and handbag were recovered from the First Class Waiting Room of the Railway Station.

No 335/ENR 31.1.48


D.G.P. / Police Dept.
1 - 2 - 1948.

Cfr TOP SECRET.

D.O.No. 663/A 189

Office of the
Dy. Commissioner of Police,
Special Branch, C.I.D.,
Bombay, 30th January 1948.

My dear Mr. *Sanyal*,

I am herewith submitting a brief report about the enquiries in Bombay in connection with the attempt on the life of Mahatmajji on 21.1.48 at Delhi. This is submitted as per our conversation on the telephone.

2. Madanlal's statement appeared in the press to the effect that he had come from Bombay. After that, investigations were taken in hand forthwith. In the course of preliminary investigations, names of one BALRAJ MEHTA, one KARKARE, one TALWAR, one BADGE, one AVTARSINGH, one CHAVAN and one SOMNATH KAPOOR transpired. Out of these, Avtarsingh is under arrest. Chavan is also under arrest. They are both detained under the Bombay Public Security Measures Act. Balraj Mehta has been identified and a trail has been organised after him. Somnath was seen in Bombay, but it has not yet been possible to organise a 24-hour trail. This being attended to. Karkare and Badge are the two Maharashtrian companions of the abovementioned Balraj and Somnath who are both Punjabis. Badge was seen in Ahmednagar three days ago. However, it is now learnt that he has left Ahmednagar. I have made arrangements to bring two informants from Ahmednagar to Bombay who know both Karkare and Badge so as to have them identified and arrested. Karkare's rendezvous in Bombay is known to us and if he comes to Bombay it may be possible to arrest him. Talwar has not yet been identified. However, he is known to our contact and enquiries in that respect are continued.

3. From

3. From the investigations made so far it is learnt that there is a gang of 21 Punjabis and Maharashtrians with about 20 workers under each member of the gang. The present object of the formation of this gang is to oust out Muslims and all those who are in favour of Muslims from the Indian Union. To achieve this object of the gang, they have collected weapons of all sorts including bombs. It is also learnt that an ex-Col. Mohan Singh of I.N.A. has organised the whole gang and he has support of the Akali Dal leader Master Tara Singh. I submit that this information still remains to be corroborated and proved, but the source from which I have received this information may be regarded as impeachable and likely to be true. Somnath Kapoor and Balraj Mehta were active underground workers in 1942. It is also learnt that a Sikh refugee was sent by this gang to the speaker of the U.P. Assembly for further consultations as to their plan of campaign. It appears that the opinion amongst the members of the gang is that it will be easy to win over the Delhi Police (I mean no disrespect to anybody in particular and I am writing with all my due respect and regard to Delhi Police, but I am just expressing what the feeling in the local members of the gang is.) and to kidnap Gandhiji. The Sikh sent to U.P. Speaker was in this connection. This man is expected to return in a day or two.

4. I again repeat that this is the only information we have collected so far and we are working on it to see how far it is true. We have not arrested anybody and we have had no means of verifying what our contact tells us. This must await till we reach a stage when we arrest some people and they are available for us to question them.

5. The gang is alleged to possess amongst other

arms and ammunition, 500 guns and 2 lakhs rounds of ammunition. Our contact here is being watched by the workers of the gang and it is with great difficulty that we are able to contact him. However, so far we have made a fair progress though we would like to have made better progress than we have made so far. The general policy I propose to follow - and Mr. Rana D.I.G. C.I.D. Poona agrees with me - is that we should first arrest Karkare and Badge. Their arrests are not likely to rouse any suspicion amongst the members of the gang as Karkare's name has transpired in the statement of Madanlal, and Badge is always with Karkare and they are known to the police to be good friends. Mr. Rana also agrees with me that the arrest of others should await till all the information collected by the Delhi Police, by the Poona Provincial C.I.D. and by the Bombay City Police is pooled together and a joint and simultaneous action in all parts of the country should be taken. The H.M.H.D. of the Bombay Government and Mr. Rana have entrusted the investigations of the case to me as far as it concerns this Province. Needless to say, I and my officers are trying our best and I have every hope of producing some concrete results.

6. I am sending a copy of this D.O. to Mr. Rana for his information.

Yours sincerely,

Sd/ J.D.Nagarvala.

(J.D.Nagarvala)

T.G.Sanjevi, Esq., I.P.,
Director, Intelligence Bureau,
Ministry of Home Affairs,
Government of India,
NEW DELHI.

Copy forwarded with compliments to U.H.Rana, Esq.,
D.I.G., C.I.D., Poona, for information.

Sd/ J.D. Nagarvala
Dy. Commissioner of Police,
S.B. C.I.D. Bombay.

Assassin Makes Statement To Police

Organised Plot To Kill Congress Leaders

(By Our Staff Correspondent)

DELHI, Sunday.—Narayan Vinayak Godse, the assassin of Mahatma Gandhi, is alleged to have involved a prominent leader of the Hindu Mahasabha in the conspiracy to murder Gandhiji, when he was interrogated at length by a senior officer of the Criminal Investigation Department in Delhi.

On the strength of the investigations made so far, the authorities, it is believed, have reached the conclusion that the recent abortive attempt on the life of Gandhiji, the arrest of a man with hand-grenades at Amritsar at a meeting addressed by Pandit Nehru and Gandhiji's assassination are parts of a deep-laid conspiracy on the part of an organised gang to murder prominent Congress leaders.

The members of the gang are reported to be operating in Bombay, East Punjab, Delhi and West Bengal. They are believed to be in possession of arms and ammunitions.

The persons recently arrested at Amritsar and those arrested on suspicion in Bombay and Poona will be brought here. The services of two high C.I.D. officials have been secured for interrogation and investigation.

Two police officers from Delhi have already left for Poona with a copy of the statement made by Godse where a number of arrests and searches are expected to be made.

Instructions have already been sent to the Heads of the police administration in Poona, Bombay, East Punjab and West Bengal to pursue their own inquiries and to depute expert officials to carry on the investigation and to keep a strict surveillance on the activities of suspected persons.

It is believed that although the local police have obtained a remand of 14 days, the investigation is not likely to be completed within this period, and a further remand of Godse to judicial lock up will be applied for after February 14. Similarly, the period of remand of Madanlal, who was arrested in connection with the bomb explosion in Birla House, will be extended. The remand will expire on February 3.

Meanwhile, Delhi police are making frantic efforts to arrest some of the associates of Godse and Madanlal, who are believed to be here.

It is revealed that Madanlal had also provided the police with a clue to this plot, on the strength of which a high police official of Delhi told Mahatma Gandhi that in view of an organised conspiracy to take his life, the police should be permitted to search the persons attending his prayer meetings. Gandhiji did not agree to the proposal.

A strong contingent of police in plain clothes had, however, been posted in and around Birla House to keep a strict watch on persons attending the prayers.

According to his statement, Godse arrived here on January 28 by train and travelled in a second class compartment in response to a letter alleged to have been written from "somewhere in Delhi." The letter is reported to be anonymous.

Hindustan Times.

~~31.12~~
31.12 Jan.

THE ASSASSIN

(By Our Special Correspondent)

Gandhiji's alleged assassin sat in a dark unlighted room at the Tughlak Road police station. When I saw him he was wearing a white shirt, a blue pullover, grey trousers and a khaki jacket.

Blood was pouring from his forehead and had practically covered the whole left side of his face. This I was told was due to the blows which the spectators had heaped upon him. The police told me that contrary to the original report the assassin had not tried to shoot himself but some near by spectators who saw him shooting at Gandhiji had pounced upon him and mauled him.

The alleged assassin was handcuffed. He got up from his seat when I saw him. He gave his name as Nathu Ram and said that he came from Poona. He gave his age as 25, but he looked considerably older.

"Not At All Sorry"

When asked whether he had anything to say, he smiled blandly and replied: "For the present I only want to say that I am not at all sorry for what I have done. The rest I will explain in court."

The police disallowed any further questioning of the prisoner, but I understand that currency notes of the value of about Rs. 400 were found in his possession.

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Kind friends belonging to all Sections of the people and from all over India and abroad have been sending the messages of sympathy and condolence on the irreparable loss which the nation has suffered on account of Gandhiji's death. It is impossible for me to acknowledge these messages individually. I would, therefore, request them to accept this message in grateful acknowledgment of thier kindness. Gandhiji belonged to the nation, indeed to all man-kind; individual sense of loss is, therefore, submerged in international mourning. Sorrow shared is sorrow soothed.