

# **INDICTMENT OF PATIALA**

**BEING A REPORT OF THE PATIALA  
ENQUIRY COMMITTEE APPOINTED  
BY THE INDIAN STATES' PEOPLE'S  
CONFERENCE**

**PRICE RS. 10**

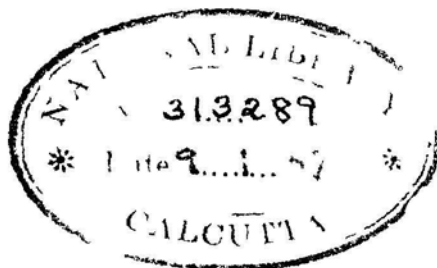
*Published by*

THE GENERAL SECRETARIES,  
THE INDIAN STATES' PEOPLE'S  
CONFERENCE, ASOKA BUILDING,  
PRINCESS STREET, BOMBAY 2.

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*Printed by*

AMRITLAL DALPATBHAI SHETH  
SAURASHTRA MUDKANALAYA  
RANPUR B. S. RY. KATHIAWAD



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## **THE PATIALA ENQUIRY COMMITTEE**

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- MR. AMRITLAL V. THAKKER**, Member, Servants of India Society, President, Bhil Seva Mandal, Ex-president, Kathiawar States' People's Conference, Ex-president, Bhavanagar State People's Conference.
- MR. LAXMIDAS RAVJEE TAIRSEE**, Member, Bombay Corporation, Ex-president, Cutch State People's Conference, Ex-president, Indian Merchants' Chamber and Bureau.
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- PROF. G. R. ABHYANKAR**, Professor of Constitutional Law, Poona Law College, General Secretary, Indian States' People's Conference, Ex-president, Deccan States' People's Conference, President, Miraj State People's Conference.



## FOREWORD

The Report of the Patiala Enquiry Committee appointed by the Indian States' People's Conference sees the light of the day at a time when India is passing through a severe crisis unprecedented in the history of nations. It is possible, therefore, that it may not receive the attention that is its due. The state of things as revealed by the Report is most deplorable. It will haunt the imagination of those who have once read it.

There is a wonderful awakening in the India of today. The Indian Nation is astir. The stirrings in British India have their repercussions on the public life in the States. The hearts of the people both in British India and the States are beating in unison, and the consciousness of a common nationality is evolving everyday. The voice of the people of British India has grown powerful, and makes itself heard even beyond the seas. The muffled voice of the people of the States is indistinct and low. It comes as if from the grave. Even that voice, alas, is smothered and stifled. The feeble voice is in a real danger of being drowned.

Is there a National Conscience in India? Is the Fight for National Freedom real and earnest? Are the efforts for national self-realisation sincere? If the answer to these questions is in the affirmative, there is not the shadow of a doubt that the revelations contained in the following pages will give a rude shock to the self-complacency of many a good soul working in the forefront of public life in India and will set many a heart ablaze with indignation at the thought of millions of their fellow-countrymen treated as worse than serfs and slaves under the system of one-man's rule now prevailing in the States.

If the wrongs of the people of Patiala do not awaken a responsive chord in the hearts of the whole Indian Nation, if the barbarities described in this Report escape unnoticed by the public in India, if the unforgettable is allowed to be forgotten without making its repetition impossible, then surely there must be something amiss

with our Nationalism, and there must arise doubts as regards the genuineness of our yearnings for Freedom.

Confident in the strength and vigour of the Indian Nationalism, confident in the rightness and purity of our fight for freedom, confident in the justice and righteousness of our cause, and confident in the strength of our case as illustrated by our prolonged and intense sufferings, we submit this Report, to the public, as a foretaste of what the system of autocracy means to its unhappy victims today, and hope that the fire that burns today in the hearts of a few devoted servants of the people of the States will gather strength and momentum everyday and will succeed, within a measurable distance of time, in destroying all that stands between the people and their self-realisation and in resurrecting their broken life.

We have strong hopes that 'the Indictment of Patiala' will be read and digested by Indians all over the Country, and that it will provide a powerful antidote to the false doctrines of the 'Divine Right of Kings', 'the loyalty of the subjects', 'the benefits of one-man's rule' and 'the identity of interests between the Princes and the People.' We expect that forces will be released by this vision of the personal rule as provided by the Chancellor of the Chamber of Princes which will incessantly work for the vindication and ultimate triumph of the doctrine of the Sovereignty of the People.

We are grateful to the members of the Committee for their labour of love, and also to the various organisations and individuals who have contributed to the success of its mission. We deeply appreciate the spirit of service and sacrifice exhibited by all of them, and we are full of admiration particularly for the thousands of the people of Patiala, who had the courage, in spite of prohibitions and persecutions, to come forward before the Committee to assist in its arduous task.

BOMBAY  
20-2-30

**Balwantray Mehta**  
**Manishanker Trivedi**  
General Secretaries

**PART I**  
**COMMITTEE'S REPORT**

## 1. PRELIMINARY

1. This Committee was constituted by the following resolution of the working committee of the Indian States' People's Conference passed in its meeting of the 11th August 1929 held in Bombay:

*"This meeting of the working committee of the Indian States' People's conference appoints an enquiry committee] of the following members, with power to co-opt, to go to the Punjab, to make all necessary and possible enquiries into the allegations made in the memorial presented to H. E. the Viceroy by some citizens of the Patiala state and report to this committee as early as possible, their opinion on the substance contained in the said memorial.*

1. C. Y. Chintamani Esqr, Chairman
2. L. R. Tairsee Esqr.
3. Sardar Sardul Singh Cavishe Esqr.
4. Prof. G. R. Abhyanker
5. Amritlal D. Seth Esqr.

Sardar Sardul Singh having expressed his inability to work on the Committee, Mr. A. V. Thakker was appointed in his place by the Working Committee in its subsequent meeting.

2. Of the members of the Committee, Mr. Chintamani, the chairman, and Mr. Tairsee, another member, could not go to the Punjab. Messrs. Thakker, Sheth and Abhyanker, therefore, conducted the enquiry, Mr. Thakker acting as Chairman.

3. It is pertinent to give here the genesis of this Committee. During the session of the Indian States' People's Conference held in Bombay in the month of May in 1929 under the president-

ship of Mr. Chintamani, the Gen. Secretary of the Conference received a copy of the Memorial submitted by ten gentlemen of Patiala to H. E. the Viceroy; the Gen. Secretary distributed copies of the same in the Conference. Allegations made in this Memorial were so astounding that everyone that read it was shocked and exclaimed : "No, no. These can't be true; if they were true, the Government won't stand them." But the fact remained that the Memorial had been submitted to H. E. the Viceroy and that the memorialists had undertaken to prove all the allegations if they were afforded an occasion and facilities to do the same. The Memorial still remains undisposed of by the Government of India. Thus the Memorial had become the principal topic of discussion during the conference days. Mr. Chintamani, the President of the Conference, during the course of an informal discussion said "Even if 5 p. c. of what is written here is true, the man deserves a sack from his gaddi." The Working Committee of the Conference therefore took up the matter seriously and appointed this Committee to enquire into the allegations made in the Memorial.

4. The Committee was fully aware of the difficulties that lay ahead. The Maharaja of Patiala is regarded as one of the leading Princes of India. He is also the Chancellor of the Chamber of Princes. Occupying the throne of Patiala for 20 years; he wields in his state all the autocratic powers which unlimited monarchy has given him. As Chancellor of the Chamber of Princes, he holds a position of responsibility under the British Government. Thus, while on the one hand the Maharaja of Patiala is really a very powerful Indian Ruler, on the other are his helpless subjects pitted against him with absolutely no political powers. They have to [fight single-handed against the misrule of this prince. Almost all the victims of the oppression of this ruler as also the witnesses of the oppression are the subjects of the state and are living in Patiala jurisdiction. Possessing vested interests in the State they are exposed to a very great risk both to their persons and to their

properties in deposing against the ruler while he remains installed on his gadi and the Committee is powerless to afford any protection to them. Under these limitations the Committee felt considerably handicapped in its work. But still it started on its mission and the Committee is glad to announce to the public that it has certainly been able to gather a good deal of material which when examined and analysed establishes a strong *prima facie* case against the Maharaja.

5. The number of allegations mentioned in the Memorial is very large. Naturally the Committee could not go into all of them because it had not adequate means at its disposal to do so. Some of the allegations are such that it was very difficult for the Committee to get into touch with the persons concerned. For example there is the allegation about the licentiousness and debased habits of the Maharaja the principal victims of which are the Pahadi Girls. The evidence to this charge cannot be obtained by merely going to the hills. Unless the relations of these aggrieved girls came before the Committee it was impossible to ascertain the exact details. The relations are panic-stricken and belong to the ignorant and illiterate hill-tribes. There is another allegation about persons rotting in Patiala jails. It was impossible to visit these people in the Patiala jurisdiction. If an official enquiry is held these inmates of the jails in Patiala can be summoned to give evidence. About the financial condition of the state and about its general administration the only authentic proofs are the administration-reports and the budgets of the State. This material is not available to the public. The Committee, therefore, had to be content with the investigations of only a few of the allegations in the Memorial and had to base its report on the material that came before it during the course of the investigations. For the purposes of this report the Committee has, therefore, prepared the following counts of indictment on which the Committee would proceed to report:

1. Lal Singh's murder.
2. The setting up and maintaining of a bomb factory in the Fort of Bahadur Garh in Patiala State.

3. Disappearance of Bichiter Kaur, her son and her daughter.
4. Keeping and not releasing the wife of Sardar Amar Singh.
5. Illegal arrest and confinement of Sardar Harchand Singh and confiscation of his property worth 20 lakhs.
6. Concoction of false cases.
7. Inhuman tortures, illegal arrests and confinements and high-handed confiscations of property.
8. Ruinous consequences of Maharaja's Shikars.
9. Tyranny of begar or forced labour and the system of exacting provisions.
10. Non-return of War Loan money.
11. Revenue and Irrigation grievances.
12. Misappropriation of funds raised for public purposes.

6. The Committee started its work from 16th of December 1929 at Lahore and finished its labours on the 30th of December at Lahore. It visited Buldhana, Ambala and Ludhiana for the purpose of taking evidence of witnesses residing near those places. In all it held twelve sittings. It orally examined 46 witnesses and took 35 oral statements. Hundreds of people attended the Committee's sittings at Buldhana, Ambala and Ludhiana, many of whom took part in the general discussion with the Committee about the state of administration in Patiala and gave great help in understanding the real situation prevailing. 12 written statements were tendered to the Committee by witnesses themselves, while 46 written statements that were taken by the Punjab Riyasati Mandal were handed over to the Committee by the Mandal. The Committee did not call in these witnesses before it, because witnesses stating similar things had already been examined by the Committee.

7. The proceedings of the Committee are given herein as appendix A. A list and substance of the exhibits are given as appendix B. In appendix C is given the Patiala Memorial which was the principal subject matter of enquiry. In appendix D is given the evidence in support of each count of the

allegations. In appendix E we give some of the full written statements received by the Committee. This has been necessary, because the arrangement of publication of evidence has been according to counts under which only relevant extracts—and not full statements—could be inserted. Publication of full statements was deemed necessary to give a complete idea of the whole situation. In appendix F we give the facsimilies of several important documents.

8. The Committee would now proceed to examine each of the counts.



## 2. EXAMINATION OF ALLEGATIONS

### Count one : murder of S. Lal Singh

#### Substance of the allegation

9. Sardar Lal Singh who was the cousin of the father-in-law of the Maharaja, married a beautiful wife named Dilip Kaur. The Maharaja saw the woman, fell in love with her and kept her in his palace. He tried his best to induce Sardar Lal Singh to divorce her. Lal Singh refused. The woman was staying in the palace all along and had two daughters by the Maharaja. Only once or twice she was allowed to go to her husband. The Maharaja then married her privately. Lal Singh then expressed his intention to approach the British Government. This upset the Maharaja. He asked Nanak Singh, his Superintendent of C. I. D. to dispose of Lal Singh and gave him money for the purpose. But as Nanak Singh could not accomplish the deed soon, services of one Gurdur Singh, a notorious exile from Patiala were secured for the purpose. It appears that it was arranged that the murder should take place when the Maharaja would be absent in England. The plot of murder was then hatched and after one unsuccessful attempt Sardar Lal Singh was murdered. When news of this murder reached the Maharaja in England, he distributed presents worth Rs.



1100 among his men. After allowing a little time to pass, the Maharaja married this Dilip Kaur publicly. The woman is now known as Her Highness the Maharani Dilip Kaur.

Evidence in support of this allegation

10. The following is the evidence in support of this count

1. Jay Singh's evidence, Ex. 38. [ See appendix D ]
2. Private note of Nanak Singh, the Chief of Patiala C. I. D. prepared before his arrest, Ex. 38A. [ See appendix D ]
3. Judgment in Nanak Singh's case in Patiala Court, Ex. 38B. [ See appendix D ]
4. Memorial of Nanak Singh to the Viceroy, Ex. 38C. [ See appendix D ]
5. Draft of divorce-deed in the hand-writing of Sir Daya Kishen Kaul, Ex. 38 D. [See Appendix F.]
6. Two letters of Sir Daya Kishen Kaul, Ex. 38 E & F. [See Appendix F.]
7. Two letters of Sardar Sunder Singh Majithia, Ex. 38G & H. [See Appendix F.]
- 8 Letters of Gurnam Singh, the father-in-law of the Maharaja, Ex. 38. [See Appendix F.]

Examination of the evidence

11. Let us now proceed to examine the evidence We are in possession of two important documents in this connection. They are Ex. 38A and 38B. The first is the statement made by Nanak Singh himself and the other is the judgment of the Patiala Court in Nanak Singh's case. So far as the details of the plan of the murder, the execution of the same, as also the part played by everyone except the Maharaja in this affair are concerned, both these documents agree in all details. That is, the statement made by Nanak Singh and the judgment of the Court, both agree as to following facts-(1) That Lal Singh's wife was in the palace, (2) that

Nanak Singh and Gamdur Singh, the murderer, both attempted to take a divorce deed from Lal Singh, (3) that Lal Singh refused to consent to the divorce, (4) that Gamdur Singh was an exile from Patiala, that all his property was confiscated, and that all his attempts to get back his property and his return to Patiala had proved in vain even though he had sought intervention of the British Government to that end, before he was called in to take part in the murder, (5) that all of a sudden his application to be allowed to return to Patiala and for the return of his property was sanctioned by the Maharaja within extraordinarily short space of time, i. e. four days, (6) that he got the honour of being immediately presented to the Maharaja on the eve of the Maharaja's departure for England, (7) that before the Maharaja left the Indian shore the Maharaja issued an unusual order to give a share to Gamdur Singh in the property of a relative of his, (8) that Lal Singh is then murdered by Gamdur Singh and others, (9) that Gamdur Singh did this for selfish ends.

12. To these facts accepted as proved in the judgment of the Patiala Court, the following further facts that are undisputed may be added: (1) That the Maharaja marries the murdered man's—Lal Singh's wife Dilip Kaur in public, that this woman is now the Maharani of Patiala; (2) That the murderer Gamdur Singh is subsequently released from the jail by the Maharaja, (4) that he is to-day the favourite of the Maharaja.

13. Taking the thread from the facts accepted by the Patiala Court, let us think for ourselves what were the selfish ends that the Court believes Gamdur Singh had in view? And what were the selfish ends that Nanak Singh had in view? The Court believes that both of them wanted the favour of the Maharaja. We however find that Gamdur Singh had secured it even before the murder. What could have led the Maharaja to sanction the return of the former's property suddenly before his departure to Europe? What must be the reason of the immediate and unusual meeting of the Maharaja and Gamdur Singh just at the time of the Maharaja's departure from Patiala? The Court says that Nanak Singh secured him

all that from the Maharaja. But how could Nanak Singh have done all that ? Nanak Singh must have represented something to the Maharaja. What could that something be, which was even greater than the pressure of the British Government ? What was the reason of the Maharaja's extraordinary concessions to Gamdur Singh immediately before the murder ? Release of Gamdur Singh after conviction of the murder and marriage of the Maharaja with Dilip Kaur make the story complete. There was a row about this murder of Lal Singh. The British police was also on the scene. A regular trial was therefore unavoidable. That was done, and shortly after this peculiar sort of trial was over, Gamdur Singh was released and was allowed to stay and enjoy his property and since then he has become the Maharaja's favourite in Patiala. If Gamdur Singh was a dangerous man, his dangerous character was further proved by his conviction of murder. He ought therefore to have been exiled again. But strangely enough reverse is the case. The inference is therefore irresistible.

14. One thing more; the judgment speaks of Nanak Singh's official police diary; and it says that the diary seeks to implicate such a great person as the Maharaja. This means that the diary produced in the Court did mention the Maharaja's complicity in the crime. But the Court has ignored this point altogether. And that is quite understandable.

15. The draft of a divorce deed by Sir Daya Kishen the then Prime Minister of Patiala, the Maharaja's attempt to get possession of documents then in the custody of Nanak Singh's relatives, the use of the state pistol—all these go to support the theory of the complicity of the Maharaja in this matter.

16. Lastly, the statement written by Nanak Singh seems to be very natural. Except in one detail of the Maharaja's complicity, it is accepted by the Court. Nanak Singh had written it before he was arrested and convicted. He had nothing to gain then by falsely implicating the Maharaja in his diary. The statement shows his own guilt as well. Under the circumstances

the statement deserves to be considered seriously. We are inclined to attach much weight to it.

17. We believe, if the investigation of this case is taken in hand by the authorities and if witnesses are immune from the consequences of their stating the truth, all the other actors of the drama can be easily traced and the hidden hand behind this heinous crime can be easily detected.

### Conclusion

18. Thus we have reasons to believe (1) that Sardar Lal Singh was murdered, (2) that he was murdered by Gamdur Singh, (3) that Gamdur Singh did so to secure the Maharaja's favour, (4) that he did it under instructions, received directly or indirectly from the Maharaja of Patiala. The evidence detailed above makes out a strong *prima facie* case about the complicity of the Maharaja in the murder of Lal Singh.

## **Count two: Setting up and maintaining of a bomb factory in the fort of Bahadur Garh in the Patiala State**

### Substance of the allegation

19. With a view to concoct evidence against the Maharaja of Nabha, the Maharaja of Patiala set up a regular bomb factory in the fort of Bahadur Garh in Patiala territory. Two Bengali youths were employed for the purpose. Dr. Baxis Singh was placed in charge of the said factory. Dr. Baxis Singh says that the factory gave an output of 1526 bombs. He further gives an account of how those bombs were disposed of by the order of the Maharaja.

### Evidence in support of the allegation

20. The following is the evidence in support of this count.

1. Dr. Baxis Singh's statement Ex. 36, [See Appendix D.]
2. Dr. Baxis Singh's affidavit, Ex. 36A. „ \*
3. Sardar Pratap Singh's statement, Ex. 35. „
4. Bhai Ram Singh's statement, Ex 42. „

Examination of the evidence

21. According to the statement of Dr. Baxis Singh, people directly concerned in the affair are (1) the Maharaja, (2) Sir Daya Kishen Kaul, (3) two Bengali youths bearing false names, (4) Dr. Baxis Singh, (5) Bijla Singh, and (6) Ram Singh.

22. Next to the Maharaja of Patiala, Sir Daya Kishen the then Prime Minister is certainly an important figure in this affair. He is no more in the service of Patiala state now and is in retirement at Lahore. Two Bengali youths have disappeared and none knows where they are and who they were. Bijla Singh is in Patiala state service even now. Ram Singh is not in Patiala, but he is only half inclined to speak out as is seen from the manner in which he has given his statement. As noted in the proceedings of this Committee, he has not appeared before the Committee, but has only sent his written statement. There too he is taking care to conceal his identity by the use of third person singular for himself in the whole of the statement. Such a statement can have no value whatever in ordinary circumstances. But the Committee is assured by Sirdar Sardul Singh B. Sc. the Secretary of the Punjab Riyasati Praja Mandal, that he knows Bhai Ram Singh personally and that it is the statement given by him. Further, the fact that there is the sword of Patiala hanging over him even now, is certainly to be taken into consideration. His statement is to be considered in the light of these circumstances.

23. Let us therefore see whether he is supported by any other evidence. The whole part played by Sirdar Pratap Singh in concocting evidence for starting criminal cases, is related in this statement of Ram Singh; and Pratap Singh's statement corroborates it in material particulars. The part played by Baxis Singh

as narrated in his statement also corroborates the same. All this goes to show that the statement of Ram Singh although not made before us directly is one which is worth consideration.

24. Then there is a statement of Sardar Pratap Singh. He comes a little late on the scene so far as this bomb factory is concerned. He only states that there was a talk of the bombs made in of Bahadur Garh in his presence between the Maharaja, Sir Daya Kishen Kaul and others. As a result of that talk bombs were supplied to him which he placed according to instructions. Thus, although not directly concerned with the factory, he is the witness who used the bombs made in the factory, which fact goes to support the allegation of the setting up and maintaining of the bomb factory at Bahadur Garh.

25. There is one statement of Sardar Sardul Singh B. Sc., who was the Secretary to the Shiromani Gurudwara Prabandhak Committee. S. Sardul Singh says that the Committee received the diary from Baxis Singh with a messenger. The Committee was then in a serious predicament. The Committee sent over to the police the diary and the messenger who brought it. This statement of Sardul Singh corroborates that part of the statement of Dr. Baxis Singh. This shows that the story of the bomb factory is not invented by Baxis Singh. He recorded it in his diary which he wrote from day to day, and which he despatched to the S. G. P. C. when he was still engaged in the factory.

26. Then comes the most important statement of Dr. Baxis Singh. He is as a matter of fact the Hamlet of this drama of the bomb factory at Bahadur Garh. His is really an extremely interesting and extraordinary story. It reads more like a novel than a reality. He was a hero who rescued a Sikh lady from the so-called police custody, taking his inspiration for this adventure from the pages of Sikh history. His reputation attracts the notice of the Maharaja of Patiala and of his Prime Minister, who appear to be in search of people with such daring spirit and he is requested to be in charge of the bomb factory. Although unwilling, he submits and is

promised two villages, kothia, a motor and a large amount of money. But he does it only as a matter of compulsion, and with a double purpose of serving his community by exposing the Maharaja of Patiala. He keeps diaries wherein he enters every day occurrences and takes the most novel course of introducing in each bomb a note giving the history of the bomb. He then escapes, and gets entrapped in Nabha. When out, he hastens to relate his story in public and unburdens his heart before the Chief of the C. I. D. in the Punjab. That gentleman tests his statement and is convinced of its truth and as a consequence affords the fullest protection to this man. After that he has been in hiding for several years passing his life in the jungles. Twice he is fired at; but he escapes unhurt. He told the whole of his history publicly before the Punjab States' Peoples' Conference during the last week of December 1929.

27. In his statement the following facts are noteworthy for the purpose of assessing the value of its contents :

1. He says he sent one copy of his diary to S. G. C. P. This fact is corroborated by S. Sardul Singh.
2. He says he sent his diary to the Government of the Punjab as also to the Government of India.
3. He says he gave his statements to various C. I. D. Officials and finally to their Chief who tested all his statements and made a note in his favour in his records. This could be verified from the Government records.
4. In spite of his public statements, the British Government have not taken any action against him. This shows what he says about the sympathy of C. I. D. Chief shown to him must be true.
5. Although the Patiala State has asked the Govt. of the Punjab to surrender him to Patiala, the Govt. of the Punjab have refused to surrender him. This goes to prove that the Govt. have some faith in the statements of Dr. Bakshis Singh.

28. One more reason for believing the story of the witness is this : that if a witness wishes to exaggerate or tell lies, naturally he would point to sources or material which can never be tested or he would point out to no material whatsoever. But when he refers to material which is easily available he takes the greatest risk of being branded as a liar and a perjurer. This gentleman has taken all this risk. Considering all the circumstances we are inclined to believe in the statement of this man.

### Conclusion

29. For all the reasons stated above, we come to the conclusion that there is a good *prima facie* case that the Maharaja of Patiala did set up and maintain for some time a bomb factory in his fort of Bahadur Garh in his territories.

## **Count three : Disappearance of Bichiter Kaur, her daughter and her son.**

### Substance of the allegation

30. Bichiter Kaur was the wife of Dr. Baxis Singh. When Baxis Singh left Patiala he left behind his wife, daughter and son. All of them have disappeared to-day. Baxis Singh says that his wife was murdered by the orders and in the presence of the Maharaja and that his daughter was murdered by Bijla Singh's wife. His son was last seen being handed over to the Maharaja in his Moti Bagh Palace; but all efforts of her father to trace him are gone in vain.

### Evidence in support of the allegations

31. The following is the evidence in support of this count.

1. Sardar Pratap Singh's statement, Ex. 35.
2. Dr. Baxis Singh's statement, Ex. 36 and 36 A.
3. Bhai Ram Singh's statement, Ex. 42.



Examination of the evidence

32. According to Dr. Baxis Singh, persons directly concerned in this affair are, (1) Bijla Singh. (2) Ram Singh. (3) Pratap Singh. (4) the Maharaja. (5) Sir Daya Kishen and (6) Jeewanlal.

33. Bijla Singh is still in the service of the State. Sir Daya Kishen and Jeewanlal have left Patiala; even then their evidence is not available. The Committee has discussed in details what weight to be attached to Ram Singh's statement. It has also discussed the evidence of Pratap Singh and Baxis Singh above.

34. One fact is undisputed. It is this. That Bichiter Kaur and her son and her daughter have disappeared. Whether they are murdered, or have died a natural death or are alive somewhere is all a mystery.

35. Just at the moment when Baxis Singh was about to bolt from Patiala, he says, he entrusted his wife and children to the British C. I. D. Whether this is a fact, can only be testified by the C. I. D. officer Rai Saheb Bhagwandas concerned. Naturally we could not have his evidence. But when we are believing all the other portions of Dr. Baxis Singh based on his own personal knowledge, this part of the statement too deserves to be considered. We take it that Bichiter Kaur and her children have disappeared when they were in the jurisdiction of Patiala.

36. Then about their fate. So far as the son of the doctor is concerned, Pratap Singh, whose evidence is very natural and appears to be true, says that he was present when the boy was handed over to the Maharaja in the Moti Bagh Palace. Pratap Singh had seen the boy before with the Maharaja's man, and he saw the boy last in Maharaja's possession. That is the last that is heard of the boy.

37. About Bichiter Kaur, stories differ. Ram Singh confesses the different varieties of violence practised upon her, but says that her death took place after a long illness, of course, due to violence. But Bakshis Singh narrates another story. His

authority for this is Meher Singh. According to Bakshis Singh, Meher Singh was directly concerned in the murder. This Meher Singh has given his statement to the Punjab Riyasati Mandal. But he has not appeared before this Committee. Bakshis Singh narrates that Meher Singh told him that Bichiter Kaur was shot dead by the orders and in the presence of the Maharaja. But at the same time Bakshis Singh says that Meher Singh would not confess this murder before any one because that would make him liable for murder. Bakshis Singh further believes that if at all, Meher Singh came before the Committee, he would say the same thing as Ram Singh has said. But Meher Singh has not come before the Committee. Nor has Ram Singh done so.

38. Under the circumstances, there remains only the evidence of Baxis Singh who has no direct knowledge of the murder or death of his wife and daughter:

#### Conclusion

39. We therefore come to the following conclusion,

- (1) That Bichiter Kaur who was last seen in the jurisdiction of the Patiala State being not traced now, the Patiala Darbar is accountable for the disappearance of Bichiter Kaur and her daughter.
11. That the son of Dr. Bakshis Singh being last seen in the possession of the Maharaja himself, he is personally liable for the disappearance of the boy.

**Count four : The Maharaja keeps and does not release the wife of Sardar Amar Singh**

#### Substance of the allegations

40. The Maharaja took fancy for the wife of one Sardar Amar Singh, when she was at her father's house in Patiala. The

woman is therefore kept in the Palace for the last 18 years where she has given birth to a son and a daughter. Her parents are given honorarium. Her husband Sardar Amar Singh has been continuously harassed with prosecutions all of which have failed till now. Even to-day one prosecution has been started against him and he has been thrown into jail. He is not released yet.

41. Sardar Amar Singh applied to the Punjab Government and the Government of India, which have replied to him advising to withdraw all his claims on his wife and accept Rs. 20,000/ from the Maharaja. This offer is not accepted by Amar Singh.

Evidence in support of the allegation

42. The following is the evidence in support of this count.

- (1) Statement of Suhawa Singh, the younger brother of Amar Singh, Ex. 39.
- (2) Copies of correspondence with the Government Ex. 39 A, Ex. 39 B, & Ex. 39 C.

Examination of the evidence

43. This charge stands on altogether a different footing. The correspondence that passed between the Political Officers of the Government of India on the one hand and Sardar Amar Singh on the other, distinctly proves the same to the hilt.

44. The letter of the Political Agent admits that the woman is the wife of Amar Singh. The letter further admits that she is with the Maharaja. The letter moreover seems to encourage and connive at the whole affair by recommending to the husband the offer of Rs. 20,000/ made by the Maharaja. So the whole charge is completely proved by this correspondence.

45. In Sikh Law divorce is not allowed. One married woman cannot marry another man under any circumstances. Even if Sardar Amar Singh withdraws his claim, that would absolve the Maharaja only from the civil liability and not from the criminal liability of adultery or enticing or taking away a married woman if the Maharaja is a private citizen.

Conclusion

46. we consider that this case is completely proved and the Maharaja deserves the same conviction which any other citizen of Patiala would have suffered under the Criminal Law in force in the State.

**Count five : Illegal arrest and confinement of Sardar Harchand Singh without any trial and confiscation of his properties worth about twenty lakhs.**

Substance of the allegation

47. Sardar Harchand Singh was one of the biggest and the most respected Jagirdars in the Patiala State. For a long time he was an A. D. C. to the Maharaja. His wife frequently got invitations from the Palace along with other aristocrats and officers of the State. Harchand Singh did not like to accept these invitations. Just after Sirdar Kharak Singh's tour in Patiala, Harchand Singh was arrested and is now in Patiala Jail. All his properties worth about 20 lakhs have been confiscated by the State. His wife and children were driven out penniless in the street. His wife Sardarani was not allowed to take even her shoes; her person was searched by a mohameden officer and they could travel by the railway only when the station master gave them a loan of Rs. 10/-. Sons of the Sardar were likewise confined in their Patiala residence in company with their servants for some time. They were then released. All this has happened without any trial and without any legal proceedings taken against him. No written order of any kind has been passed by the State.

Evidence in support of the allegations

48. Following is the evidence in support of this count :

- (1) Evidence of Sardarani Rajihdar Kaur, Ex. Ex. 29 A, Ex. 29 B.
- (2) Evidence of Sardar Vajir Singh, Ex. 30 and Ex. 30 A.

Examination of the evidence

49. Sardar Harchand Singh is in jail in Patiala. His wife and children are outside Patiala. They appeared before the Committee. The Committee took their statements and examined them thoroughly. The Committee has found that their statements are true and they deserve to be relied upon completely.

50. No more proof is necessary to prove the allegations. Everything that is necessary and possible to be adduced has been adduced before the Committee.

Conclusion

51. The Committee is therefore of opinion that the whole charge is proved in toto. The State of Patiala and the Maharaja of Patiala are responsible for this high-handed and outrageous *Zulum* practised on Sardar Harchand Singh and his innocent family.

**Count six : concoction of false cases**Substance of the allegation

52. Patiala Police concocts false cases against individuals who are the objects of the Maharaja's wrath. The following is the list of cases that have been brought to the notice of the Committee:

1. The case concocted by the Patiala Police against Santa Singh and others for keeping bomb materials, wapons, etc.
2. The case concocted by the Patiala Police against Bakshis Singh for keeping bomb materials, weapons, etc.
3. The case concocted by the Patiala Police against Sardar Dewan Singh for keeping cocaine, etc.
4. The case concocted against Sardar Amar Singh and his brother for different offences.

Evidence in support of the allegation

53. The following is the evidence in support of this count:

- (1) Evidence of Pratap Singh, Ex. 33.
- (2) Evidence of Bakshis Singh, Ex. 36.
- (3) Evidence of Suhava Singh, Ex. 39.
- (4) Evidence of Ram Singh, Ex. 42.
- (5) Evidence of Diwan Singh, Ex. 42 B.

Examination of the evidence

54. Evidence of the first four Exhibits has been already discussed under former heads and the Committee has accepted their statements as reliable.

55. The statement of Sardar Diwan Singh the editor of the 'Riyasat' in this connection makes a very instructive reading. There has been a series of concoctions against him and in all of them Sardar Diwan Singh has been honourably acquitted once by the Court of Law and then by the Executive of the Government of India. In one case when, according to Sardar Diwan Singh, Patiala got cocaine placed in his house, the case went up to the Law Courts. Then the Court did find that the cocaine was placed by the hirelings of Patiala, and some police officers concerned were dealt with by the Government. One of these officers Mr. Jiwanlal was then taken up in the Patiala Service and made the Chief of C. I. D. That shows the mentality of the Patiala Darbar and has an important bearing on the question dealt with under the count.

56. The evidence of Pratap Singh in this connection is very illuminating. He is the man who on instructions from the Maharaja placed bombs etc. into the house of Santa Sing. It is he who gave false evidence in the Court. It is he who suffered sham confinement. For all that he has received his reward from the Maharaja, of course not to his satisfaction. He has made a voluntary and full confession before this Committee and has rendered himself liable to legal penalties for all that he has said before us

of a self-incriminating nature. We are therefore inclined to believe in his statement of concoctions of false cases by the Patiala State through him.

57. One further fact that goes to strengthen our belief in the allegations under this count is that although the Patiala State Judiciary issued warrant against Dr. Bakshis Singh, the authorities in British India have refused to hand him over to Patiala; evidently they must have refused to believe in the truth of the cases sent by Patiala against him.

58. Sardar Amar Singh, whose wife is detained by the Maharaja, is in Patiala Police custody even to-day under some trumpety charge. Evidence of his brother shows that both he and Amar Singh were once arrested and imprisoned; but there being no material to put up a case even before the Patiala Court, they were released.

### Conclusion

59. Thus we find that it has been a common practice in Patiala to bolster up false cases against persons who are in disfavour of the Maharaja. We find that the cases particularly mentioned above have been proved to be false by the judicial courts and as deliberately instituted to harass the individuals concerned.

### **Count Seven: Inhuman tortures, illegal arrests and imprisonments, and high-handed confiscations of property.**

#### substance of the allegations

60. The Maharaja of Patiala arrested one Sardar Seva Singh Thikri wala, a prominent Akali leader. Sardar Kharak Singh, the well-known leader of the Sikh Community took it into his head to go to the Patiala State to ascertain facts in this

connection. His programme was advertised. So a number of people attempted to go to meet him or to treat him where he encamped. Persons found to be so co-operating with Sardar Kharak Singh were arrested, confined and tortured by the Patiala Police. Statements received in this connection make a staggering reading of the inhuman tortures, indiscriminate arrests and imprisonments without any trial, and illegal confiscations of property, and disclosed the utter absence of rule of law in Patiala.

Evidence in support of the allegations

61. Following is the evidence in support of this count :

Exhibits 6, 6A, 85, 86, 87, 88, 89, 90, 91, 2, 3, 4, 7, 54 and 55.

Examination of the evidence

62. There can be only three kinds of witnesses in such cases: (1) victims themselves, (2) eye witnesses, (3) persons through whom these oppressive acts were committed.

63. Of the first there are so many. We have ourselves examined about a dozen of these witnesses. We cross-examined them too, and then there were written statements of not less than a hundred in number. We selected only specimen statements for our file; because we did not wish to make our file needlessly cumbersome. All these victims are the subjects of Patiala. Most of them are still residing in that territory. They have got their lands and families there. This fact coupled with the fact that they are giving minute details of the tortures, make their statements very reliable.

64. Then comes the class of eye-witnesses, who are all evidently the subjects residing in Patiala. There were many who came before the Committee to say that the allegations made were absolutely true. Particular at Buldhana, where Bishvedar Ridha Singh, the principal victim, appeared before the Committee not less than fifty persons were present in the hall of the Committee. These people themselves were not the sufferers, but they were the eye-witnesses to what had befallen Ridha Singh,



They were unanimous in narrating in the most pathetic and touching manner that even the Devil would not do what Patiala Police did to Ridha Singh.

65. There remain the Patiala servants of whom at least some are reported to be appearing sympathetic. But that evidence is naturally not available, and can only come forward when the British Government makes a public enquiry and the witnesses have got an immunity.

### Conclusion

66. On the strength of evidence produced before us we find that there is a strong *prima facie* case to hold that the Patiala Police is guilty of illegal arrests, imprisonments and tortures of Sardar Ridha Singh and others; that further the Patiala State authorities are guilty of illegal confiscations of the properties of Sardar Ridha Singh and others.

## **Count Eight : Ruinous consequences of the Maharaja's Shikar**

### Substance of the allegation

67. The State of Patiala abounds in Bids and Forests. It also consists of hills near Simla. Simla itself belongs to Patiala, although the same is now given to the Government. But the Maharaja had no lake in the State. This has been specially made by erecting a big bund in the river Chunal. This dam is 1/2 miles wide and two miles long. Special canals have been constructed to join other canals with this dam, so that when the Maharaja wants to shoot, superfluous water can be taken away to other canals and *vice versa*. During the winter the Maharaja goes for a shoot in this lake. Weeds grown in water are to be cut off. So the poor agriculturists of the surrounding villages are impressed to do this work in cold winter and are required to stand in water for the purpose.

This dam is full of serpents and such other dangerous reptiles. So the people are exposed to the consequences of cold and the risk of snake-bite in the water. The fields near this dam are not allowed to be cultivated although the assessment for the same is recovered by the State. Roads nearby are not allowed to be used by the people. All provisions required by the Maharaja and his camp, namely ghee, milk, eggs etc. are to be supplied by the people without proper cost. The same is the case with summer-hunts in Pinjore etc.

68. Moreover the Shikar-laws are causing ruin to the agriculturists. All wild animals are protected by law. They cause serious damage to the crops. The agriculturists have to witness the destruction of their own crops with utter helplessness.

Evidence in support of the allegation

68. Following is the evidence in support of this count.

Exhibits 8, 10, 2, 4, 2, 17, 46 and 56 to 64.

Examination of the evidence

69. This Committee is concerned with the consequences of the Shikar by the Maharaja. These Shikars involve a huge waste of time and energy of the Maharaja which ought to be spent by him in the work of the State. Further they entail enormous loss to the poor people. One can very easily imagine what must have been the cost of such a big lake like Bhupinder Sagar which is specially built for the Maharaja's shoot. One canal is specially constructed to facilitate the shooting in the lake. Agricultural fields near this lake and forests specially reserved for the hunts, could be very profitably utilised for cultivation. That is another loss to the State caused by this expensive luxury of the Maharaja. But the worst feature of this luxury is the great harassment to which the people are subjected to minister to the comforts of the Maharaja in this Shikar. Let us see what all that means to the people.

70. When the Maharaja is shooting in the lake, weeds grown in water naturally come in his way. So the people from the surr-

ounding villages are compulsorily summoned to cut these weeds which they have to do in the intense cold of the Punjab, and that too, while standing in water. Further the water contains serpents and other reptiles which mean danger to the life of the people who are compelled to work there. Thus people are exposed to grave risk to their health and life in this forced labour. It is a good news that people were not compelled to do this work last year and are not called for the work this year also.

71. All necessary provisions for the camp of the Maharaja have to be supplied by the people without adequate consideration. This is another serious grievance. It may be that the State might be giving some paltry return in money for these provisions, but the fact remains that people are compelled to provide these articles at the cost of even their family necessities when the Maharaja and the Tikka Saheb are camping for the shikar. Just at the time when the Committee was recording evidence in Ludhiana, a direct victim belonging to Lunda Tahsil informed the Committee that at the very moment the Tikka Saheb was camping near his village and the whole village was compelled to send all their stock of milk, ghee etc to the camp, so much so that they could not keep any surplus even for their children.

72. When the Maharaja is going to the hills for the hunt he requires bullock carts to carry his camp equipage as also to bring it back. Villagers are compelled to supply all the necessary carts with a very inadequate remuneration for the same.

73. People are further collected together in great numbers for the purpose of beating the forests. For this purpose they must leave their homes and cultivation and must come to the camp to facilitate the hunt by the Maharaja.

74. All the evidence in support of these allegations was further tested by the cross-examination of witnesses by the Committee, and the Committee sees no reason to disbelieve the statements made before them.

Conclusion

75. The Committee has therefore come to the conclusion:

- (1) That the Maharaja's shikar costs enormous expenditure to the State.
- (2) That the people are put to all sorts of harassment to their persons and suffer hardships in their cultivation in various ways during the shikars by the Maharaja and the Tikka Saheb or the guests of the Maharaja.
- (3) That the Begar meaning forced labour and the system of exacting provision with very inadequate payments is in full vogue during these shikars.

### Count nine : Tyranny of Begar

Substance of the allegation

76. Begar is rampant in the State. It is enforced by the State as under:

- (1) During the hunts arranged for the Maharaja and the Tikka Saheb or for the guests.
- (2) During the time when army moves for [manoeuvres.
- (3) During the visits of Revenue and Police officials including even the smallest of them like Patwaris.

77. Begar can be classified as under:

#### Begar of men

- (1) To construct even the banks of the canals or to repair them, irrespective of the fact that these particular canals are not at all intended for irrigation purposes.
- (2) To dig the canals. A canal five miles long, twenty feet broad and ten feet deep was so dug for Shikar purposes only.
- (3) To cultivate State Gardens.

- (4) To construct and repair roads, at the time of the Shikar.
- (5) To build urgent works like amphi-theatre for wrestling matches.
- (6) To serve as village-guards during the night, known as Thikri Pahera.
- (7) To beat the forest and do similar work for the Maharaja during his Shikar.

#### Begar of cattle

- (1) Of goats and calves required as bait for hunting the animals.
- (2) Camels required for camps.
- (3) Bullocks with carts for camps.

#### Exaction of provisions without proper price

- (1) Rations for the army.
- (2) Fuel, Grass, Milk, Ghee.
- (3) Eggs and fowls.

Just at the time when the Committee was taking evidence at Ludhiana, the Tikka Sahab was camping nearby and we were informed that for four days all milk and butter of the whole village was taken away forcibly.

#### Evidence in support of the allegations

78. Following is the evidence in support of this count

Exhibits 7, 8, 9, 14, 22, 27. [ see appendix D. ]

Exhibits 2, 3, 4, 5, 18B, 46, 56, 57, 58, 59, and 61 to 84.

[ see appendix B. & D. ]

#### Examination of the evidence

79. All the statements received have been very minutely examined by the Committee. With regard to the allegations under this count the Committee had the particular advantage of meeting the agriculturists from various districts; and they were anxious to

be cross-examined with a view to disclose the real truth of the whole affair; and the Committee is satisfied that the statements produced in support of the allegations under this count are substantially true. Although in the written statements it is not mentioned that payments were received by the people for forced labour etc. the Committee did find during their examination, that some payments, of course quite negligible, were made in some cases. For the digging of a canal in Bhupender Sagar, for the cutting of the weeds in water, for bullock-carts taken in hills as also for the building of the amphitheatre for wrestling matches, some wages were paid. But they were so poor that in some cases they were not even accepted by the people. For example in the case of building the amphitheatre, it was an ordinary work of the P. W. D. which ought to have been carried out in the usual way by that department; but the authorities compelled the agriculturists from a distance of even 20 to 30 miles to go to Patiala to build the theatre. A single journey railway-fare from one such village is nine annas. So the poor villager has to pay one rupee and two annas for going and returning once and has also to pay for his food during the day; and still he was paid annas 3 only as his wages. No wonder therefore that in many cases people did not accept the payment; and one does not know what happened to the amount so refused. It is said that the people were made to sign the receipts of the money although they did not care to receive the same. It is possible that the petty servants may have appropriated the money thus remaining unpaid. That is the history of payments for the forced labour.

80. But the question of payments is not one that really matters. The crucial point is the compulsion which is regularly resorted to, by the State for works that are of an ordinary nature and can be carried out in the ordinary way by the P. W. D. of the State.

81. The case of compulsion to supply milk, ghee and such other provisions has a peculiarity all its own. It is pointed out under the count of Shikar how the compulsion interferes with the daily

necessities of the children of each family. But it is not the camp alone that harasses the villagers. Movements of the State Army also cause the same hardships. The movement of the Army at the time of the tour of Sardar Kharag Singh, as also the annual manoeuvres of the Army in different parts of Patiala territory, have the same story to tell. Shikar and the Army-movements are particularly mentioned because on such occasions the entire stocks of provisions from the villages are requisitioned, while the visits of Officers etc. are not mentioned because they do not require such wholesale stocks. Otherwise they too require all the varieties of provisions these Ahikar-camps and the Army require.

82. One special feature of this Begar is the compulsory night-service as a village-guard, to be rendered by every house-holder in the village. The system is that every house has got its turn when one of its members should go to do the service; thus even if he is the only earning member of his family, he is paid nothing; and if he fails to go, he is punished. This is known as Thikri Pahera and is in force throughout the State. It means that the elementary duty of protection also is not only not done by the State but is imposed forcibly on the people themselves. Almost all the witnesses that appeared before the Committee complained against this system and there is no reason to disbelieve them.

### Conclusion

83. The Committee is therefore of opinion .

- (1) That forced labour and exacting of provisions mentioned in the opening para of this count, are prevalent in the Patiala State.
- (2) That in some cases payments are made to the people, but they are negligible.
- (3) That the whole system causes great hardship to the people.

### **Count ten : Non-return of the war Loan**

#### Substance of the allegations

84. During the time of the Great War Patiala State took some War Loan in the name of the State. People of the State

were asked to contribute towards this War Loan. Some people then received some of their money back, but the remainder is not still forthcoming, while some people have not received back anything till now. It appears that this is the case in spite of the fact that the State has been refunded the Loan in its name, from the Government.

### Evidence in support of the allegation

85. Following is the evidence in support of this count :

- (1) Ex. 40. [This is printed in full in Appendix D.]
- (2) Exs. 2, 3, 4, 5, 18B, 20B, 15, 17, and 56 to 84 (See appendix B & D.

### Examination of the evidence

86. One great point in connection with this count is that the people contributed to the War Loan Fund, because they were under the impression that as the British Government was a party to this Loan, they were sure to recover their amount. Although money was given directly to the State, it was the credit of the British Government that was pre-eminently in view and it was this credit which inspired such an assurance in their minds. This is the reason why in all the statements mentioned above, the witnesses have laid considerable stress on this grievance. Although the disillusionment has come a little late, it has come and people are convinced that whosoever be the other party and whomsoever's credit may be at stake, there is little hope of recovering their money back if the State is the intermediary.

87. A peculiar feature of the whole affair is that the people do not know in what kind of War Loan their money was invested. Most of them have not got even the receipts of the money contributed by them. They do not also know why some of the money is returned and why the remainder is not so returned, as also why some people are paid while others are not paid at all. They are quite unaware of what is the actual state of affairs, that is, whether the money is received in the State Treasury or not; or whe-



ther the money is lying somewhere in the transit in other departments of the State. All this confusion is due to one defect, which is that the whole amount was contributed in the name of the Patiala State. If the amount had stood in the name of each individual in the books of the Government, there would have been no room for all these vagaries and the credit of the British Government would not have been shaken in the minds of the people. Anyhow the statements of the witnesses in this connection are thoroughly reliable.

### Conclusion

88. We believe that some of the War Loan money although recovered by the State from the British Government is not refunded to the people and if this would prove to be true to that extent, it would amount to misappropriation of the War Loan money by the State. The matter deserves to be thoroughly enquired into by the British Government.

## **Count eleven: Increment in Revenue Assessments, impositions of new taxes and other Revenue grievancies**

### Substance of the allegations

89. It is found that the land revenue assessment of some villages has been raised from Rs. 700 to 1175 and so on without any formal or informal enquiry simply by the order of the Darbar. New taxes, such as 3 as. per Bigha, which is called 'Khush Haisyat' tax—that is 'cheerful tax'—are being imposed and collected without any ceremony. Water-tax is being recovered even though agriculturists dug and built wells at their own expense, the State contributing absolutely nothing.

90. A number of villages have been given over to the Maharaja's favourites who invariably have abandoned the cash system of levying assessment and have resorted to a system of levy in kind-recovering

a share of produce involving innumerable hardships to the Ryots. Agriculturists of some villages are treated as possessing no proprietary rights in the land which means that these agriculturists are looked down as degraded by their caste people, and in consequence they do not get girls in marriage. This is proved by the fact that out of every four adults only one is married in these villages.

91. Nazal Act which takes away the right of inheritance of the legitimate heirs removed to more than 5 degrees, is another hardship of the people of Patiala.

92. Bribery is the order of the day.

#### Evidence in support of the allegations

93. Following is the evidence in support of this count:

Exs. 21, 25, 26, 48, 50, 16, 58, 63. [See Appendix D.]

Exs. 56 to 84. [See Appendix B.]

#### Examination of the evidence

94. The Committee has not gone minutely into the Revenue Administration of the State. It does not therefore propose to deal exhaustively with the subject. It only refers to some of the complaints against the department as found in some of the statements tendered before the Committee.

95. It was stated to the Committee by some of the witnesses that the Tehsildar went to their village and declared an increment of 33% in the assessment. This method of the Revenue Department is stated to be very common. All the witnesses that have appeared before us agree on this point.

96. Still more curious are ways of the department as seen in the levy by it of the water-tax, even though no water is supplied to the cultivators. A cultivator constructs a well from his own funds, the State rendering no help whatsoever, but when the cultivator begins to use the water of the well, the State comes forward and charges the water-tax.

97. All the statements referred to above in connection with this count are short summaries. Witnesses have come before the Committee and the Committee is considerably impressed by them.

98. The Committee therefore believes that there are *prima facie* grounds to hold that:

- (1) The Land Revenue Assessment is increased according to the whims of the Revenue Department.
- (2) That different kinds of taxes are levied with no justification and with no ceremonies whatsoever.
- (3) That the Maharaja gives away villages to his favourites who adopt methods of harassment to the Ryots of these villages for the purpose of extorting more money from them.
- (4) That non-recognition of proprietary rights in some villages has caused great hardship to them.
- (5) That the Nazal Act is bitterly resented by the people.

### Count twelve : Misappropriation of funds raised for public purposes

#### Substance of the allegation

99. The Maharaja is habituated to raise from the people various funds for public purposes; but as a matter of fact such works of public utility are rarely carried out and the money collected is spent by the Maharaja for his private use. The following are some of the funds brought to the notice of the Committee :

- (1) PARTITION OF PROPERTY FUND : This is raised in many villages saying that the state would take steps to effect partition of the property. Partition was never made and the money is not returned.
- (2) X RAY FUND : This was raised from most of the villages of the state, stating that the new instrument is nece-

ssary for the Hospital in the interests of the people.  
People do not know what has become of that Fund.

- (3) CONFERENCE FUND : Villagers were told that a Conference or Congress was to be held in Patiala for their benefit. People do not know what that Conference was and whether it was held or not.
- (4) CANAL BRIDGE : Most of the villages have got canals and it is a great hardship to them to cross these canals to go to the other side. It was represented to them that the fund was needed to construct bridges on these canals. Bridges have never been built and the money is not at all returned.
- (5) SCHOOLS : Fund for schools was raised. Neither the school nor the money which left their pockets was visible.
- (6) LOCAL CESS : This cess is collected by the State from the villages for education, dispensary and roads. But the fact is that in a Tehsil of 400 villages there are hardly half a dozen schools. As for dispensaries, they are rarely to be found even in Tehsil towns, not to speak of villages which have got none. Metalled roads there are none for the use of the villagers.

Evidence in support of the allegation

101. The following is the evidence in support of this count:  
Ex. 2, 4, 5, 12, 16, 20A, 20B, 67, 68. [ See Appendix D. ]  
Ex. 15, 17, 18, 56 to 66 and 69 to 49. [ See Appendix B. ]

Examination of the evidence

102. We find this to be quite a novel feature in Patiala, rarely found in other States, namely the raising and collecting of such funds. It is certainly a very ingenious way of adding to the revenues of the State; no doubt it shows the utter bankruptcy of constructive genius and gross immorality and dishonesty.

103. We have found from a volume of evidence that a fund known as X Ray Fund was raised and collected from the Patiala

territory. We really wonder why a special fund is necessary for this purpose. It is an apparatus of the hospital. If the State thinks it to be necessary the State has got to provide the money from the State treasury, or some charitably inclined gentleman may donate that sum. But why and how a special fund was raised for this purpose passes our comprehension. It can only be explained this way—that the money was to be taken from the people under some pretext. This one was thought convenient and it was adopted. The same is the reason for the rest of the funds.

104. The Local fund cess is an imitation of British India. Unfortunately it is an imitation only for the purpose of collection and not for expenditure. We can understand that the State cannot open schools in all villages from this fund; but only six primary schools in a Tehsil of 400 villages is certainly scandalous. With no dispensaries, no roads and with such a meagre number of primary schools from a fund which charges two annas per Bhiga, it is very easy to say that not only no extra money is spent by the State from its general resources as is done in the British India, but even this money which is specially raised for the purpose does not seem to be fully utilised for its legitimate purpose. It is certainly discreditable as the facts are found to be true. We accept all the evidence tendered in this connection and it makes out a *prima facie* case.

### Conclusion

105. We therefore find that the Maharaja raises money by way of public funds and does not render any account of them for the purposes they were meant for. This is a sheer breach of faith.

## 3. OPINION

106. We are asked by the Working Committee to state our opinion on the substance contained in the Memorial presented to H. E. the Viceroy by ten citizens of the Patiala State. With this purpose in view we have examined in the foregoing chapter the material

that came to us. We are conscious of the fact that all this material was gathered behind the back of the ruler of Patiala and it does not bear that value which a cross-examination by the opposite party would give to it. But that is one way of looking at it. There is another as well. The tour of the Committee was widely advertised in the Press. The Committee was quite prepared to give quarters to the other party if they meant to present their side of the question. But while Patiala State could spare their police to surround the Committee-room everywhere and attempt the stopping of evidence that was forthcoming, they made no attempt to respond to the public invitation given to all by the Committee to help in the Committee's work. After that the Committee had to fall back upon the only alternative which was to go on *ex parte*. None of the members of the Committee has any interests, friends or relations in the Patiala State. None of them even knew any citizen or the ruler of Patiala. Theirs has been a perfectly disinterested task. They tried their level best to ascertain the truth as far as possible and to convince themselves about the reliability of the witnesses. All that could be done under the circumstances, was done by them to fill up the gap of the absence of the other party.

107. At the worst our enquiry can be said to resemble a police investigation. In the case of offences alleged against ordinary people, the police hold an investigation behind the back of the accused, and when there is sufficient material for a *prima facie* case, they send up the case for enquiry before a magistrate; and then the magistrate has to hold a regular enquiry. That is just our position. We have had in our possession a complaint against the Maharaja of Patiala. We held an investigation behind the back of the Maharaja; and as a result we proceed to state our opinion as to the substance in the allegations, that is, whether there exists *prima facie* grounds in support of the Memorial.

108. We have in the second chapter exhaustively dealt with all that came in our possession in this connection, and we have stated our conclusions on each of the count framed by us. Certainly our conclusions do not cover all the allegations mentioned in the

Memorial. They cover only a few of them. But the point is, that not even one of the allegations mentioned in the Memorial has been found by us to be either wrong or malicious. Naturally we could cover only a small field, but whatever came to us in that small field has all gone to support the allegations in the Memorial. As a matter of fact, in some of the matters the material was even sufficient for a final verdict. Thus judging from what we had an occasion to examine, we have no hesitation in stating that the allegations made in the Memorial are not made lightly or irresponsibly, but have the backing of very solid and in many cases startling and shocking facts.

109. We therefore find it as our deliberate opinion that the Memorial submitted to H. E. the Viceroy by the citizens of Patiala has a great substance in it and is one which must be taken up very seriously by all, be they individuals or a system, if they have a soul to swear by.

Amritlal V. Thakker  
G. R. Abhyankar  
Amritlal D. Sheth

I am sorry I could not accompany the Committee of Enquiry, due to an act of social *force majeure*—a Committee which was appointed at my suggestion, if not initiation. I am glad to sign the Report, and can say that on evidence a case of “J’Accuse” has been made out by the Committee, and I think that the Indian States’ People’s Conference has justified its ‘*raison d’être*’ and may well consider the Report a feather in its cap—not that in holding the enquiry, it has done anything but its duty to the People of Indian States on whose behalf it speaks. I suggest that the Report be dedicated to the Sovereign British State whose duty *vis à vis* the Report is now clear. Will the Government of India take up the matter and hold a judicial enquiry? The enquiry, if held, would demonstrate in deed more eloquent than words, that the Sovereign

State cannot be passive spectators of what is going on in the Indian States, as what is true of Patiala is true, more or less, of many, an Indian State. The very fact that the Sovereign Power, if proper materials are placed before it, will hold an enquiry will to a great extent put the rulers of Indian States to thinking and this cannot but be beneficial in its effects.

But the question is : will the British Sovereign Power do so? If it does not, it will be "non-co-operating" with the people of Indian States, and the implications and dangers of non-co-operation are too well-known to be impressed on the British Raj.

The Maharaja of Patiala is reputed to be a sportsman. Will he be 'Sport' enough to ask for an impartial judicial enquiry and thus seek to free his state and person from the allegations so openly made by his subjects and established by the Committee of Enquiry.

I trust neither the Government of India nor the Patiala State will treat the Report as 'non-est' and in that trust and hope I sign the same.

**Lakhmidas Rowjee Tairree**

*The Patiala Enquiry Committee Report was submitted to the working Committee of the Conference which unanimously adopted the same in its meeting of the 5th February, 1930, specially convened for the purpose.*



[ A NOTE : With regard to the Count Six about the concoction of false cases, Statement of Sardar Diwan Singh (Ex. 42 B) could not, through inadvertence, be printed in Appendix G, as announced under that count in the Evidence Section. (See page 125. Appendix D, Evidence Section.) So, the statement referred to above is printed here. ]

**Statement of Sardar Diwan Singh Maftoon**  
**Editor "Riyasat", Delhi, Ex 42 B.**

The ill-fated pamphlet "Khun-i-Shahadat Ka' ek Qatra" ("A drop of the blood of martyrdom") captivated the attention of the Maharaja of Patiala for the first time in 1917, and since then the evil eye of the Maharaja is on me. He not only got the pamphlet confiscated by the Government of Sir M. O'Dwyer, but secured my arrest also as an author of the offensive pamphlet. I was produced before Mr. Tollinton the then Deputy Commissioner of Lahore, who, inspite of my bold stand to take my trial in order to expose the atrocious activities of the Maharaja, ordered my release on the ground that I was very young. I was in those days acting as the sub-editor of "Hindustan" of Lahore and the Pamphlet in question was written as a protest against the tyranny of the Maharaja with respect to the religious and social reformer Bhai Teja Singh of Bhasor.

There were other papers also which had been writing against the actions of the ruler of Patiala. The entire country was in those days labouring in the throes of the Great War and the Maharaja of Patiala had been successful in gaining the favours of the British Government by a show of extreme loyalty and concern in that struggle. My arrest therefore under the Defence of India act was not a difficult job for the mighty ruler, but the result proved abortive.

In 1922 I started a daily by name "Panth" at Lahore and in that I explained in detail the mal-administration of the ruler

and further exposed the mystery of the murder of Sardar Lal Singh. In order to punish me, the Maharaja got some hired mercenaries who succeeded in planting cocaine at my place: I was arrested and put on my trial. The trying Magistrate found me absolutely innocent and acquitted me. In his order the Magistrate held that cocaine had been planted at my house by hired persons and that Patiala had his hand in the affair. As a result of this acquittal, several police officers at Lahore got into trouble which led to the dismissal of one and the resignation of another.

In 1923 when the administration of Nabha State was taken up by the Government of India, the Maharaja of Patiala got me arrested by the Administrator on charge of Sedition. I was kept in the lock up for four months without any trial, but before I could be extradited and handed over to Patiala, I was released by orders of the Viceroy, Lord Reading. I thus escaped from the cruel clutches of Patiala.

The same year another attempt was made against me in shape of a Criminal Case. It was alleged that in 1914 I had taken a sum of Rs. 200/- from a Baniya by name Jotram at Mansa (Patiala State) with the object of giving that money to some other person, that the money had not been repaid by me to Jotram and that I had thus committed criminal breach of trust. The State submitted the papers to the agent to the Governor-General Punjab States, with a view to obtain extradition warrants against me. The Agent thought the whole story a clumsy concoction and refused the warrants. This rebuff and disappointment should have been sufficient for an ordinary prudent man to stop all his nefarious activities against me, but the Maharaja was indefatigable in his attacks, and the heads of the hydra sprouted again, when one fine morning in 1927 my house at Darya Gunj, Delhi was suddenly besieged by Patiala Police and the whole place was ransacked under the name of "Search". I was arrested and the charge against me was the same old interesting incident

of criminal breach of trust with respect to the sum of Rs. 200/- of Jotram Baniya of Mansa. This incident led to a lengthy discussion in the Assembly and a series of questions in the House of Commons and the outcome of all this was that the Government of India acknowledged my innocence in the matter and refused handing me over to the State.

Being baulked of his prey a fourth time, the Maharaja in 1928 and prior to this also, made unwarrantable attempts through hired and desperate persons to put my life in jeopardy. But as I became aware of such activities, I informed the Government of India, Local Government and Police, with the result that Local Government gave me a licence for keeping a revolver for self-protection. In spite of the fact that I have never cared for the mean and ugly attempts of the Maharaja, I still maintain that my life is not free from danger at the hands of a relentless and unscrupulous enemy.

During the course of the last year also, the Maharaja made several attempts to move the Government to prosecute me, but the Government always refused to take any such action against myself.

**PART II**  
**EVIDENCE**

**APPENDIX A**  
**PROCEEDINGS**

# PROCEEDINGS

## Budhladha : 18th December 1929

1. The Committee held its sitting to-day at about 10 A. M. in the Mandi of Budhladha when Messrs. Amritlal Thakkar and Amritlal Sheth, members of the Committee, were present. Mr. Thakkar was in the chair.

2. Sardar Jaswantsingh Danewalia working president of the Punjab Riyasati Praja Mandal, Shriyut Labhram Kalia secretary of the Mandal and Sardar Taja Singh member of the executive committee of the Mandal were present to help the Committee in its work.

3. The gentlemen of the Praja Mandal intimated to the Committee that although the Committee had come to inquire into the allegations made by the Patiala state people against the present Maharaja, there was a great desire on the part of other states as well to place their grievances before the Committee. Praja Mandal, therefore, wished the Committee to hear the people of other states as well. On these representations of the Praja Mandal, the Committee decided to take the statements of the people of other states as well. But as the Committee is not authorized by the parent body to enlarge its scope of work, these statements would be taken only for the matter of information of the Indian States' People's Conference and all this material would be handed over to the Hon. General Secretary of the Conference at the end of the Committee's labours.

4. Just at the commencement of the business it was found that the witnesses that came forward to give evidence before the Committee were numbering more than a thousand. It was impossible to deal with them all, So it was decided as under :

- (1) Written statements of the witnesses present which are already tendered should be first examined.
- (2) All important points from the written statements so examined should be noted and the written statements that cover up these points should be taken up.
- (3) Witnesses who have made these statements should then be called in. Their statements be read out to them and get them confirmed.
- (4) These witnesses and other people of the same village and tehsil should be collected together and a sort of cross-examination of the particular witness in company with the rest should be held.
- (5) Witnesses who have not given their written statements but who have something new and important to communicate should then be examined in company with witnesses of their villages and tehsils.
- (6) As regards Patiala witnesses examination should relate only to principal important heads mentioned in the now famous Patiala Memorial to the Viceroy signed by ten gentlemen and should not go into minor or individual grievances.

5. After this procedure was decided upon, the question arose as to whether the inquiry should be public or private. It was pointed out to the Committee that a number of police officials and constables from Patiala State had arrived and they were asking people not to give evidence. The Committee was informed that Patiala state had taken very strict measures to see that the people did not at all go to the Committee and that people had taken great risk in approaching the Committee. There was a belief that if the police were allowed to be present during the Committee's proceedings, there was a certainty of harsh repressive measures being taken against the witnesses that may come forward to give evidence. The gentlemen of the Punjab Riyasati Praja Mandal, therefore, requested the Committee that the state

police officials or constables should not be allowed to be present while the Committee was recording the evidence.

6. On these representations of the Praja Mandal the Committee resolved as under :

"While the Committee does feel that the inquiry should better be public which every one can attend with absolute freedom, the committee does not want to shut its eyes to the fact that there is a very great probability—which may even be termed certainty—that the witnesses may be harassed by the Patiala state officials in many illegal ways in consequence of their having appeared before the Committee; and in the circumstances when the Committee has no power to afford any protection to such witnesses, the Committee resolves that none except the members and officers of the Praja Mandal and the witnesses that express their desire to give evidence be allowed admission without the permission of the chairman of the Committee, which will certainly be accorded to all bonafide spectators. The Committee notes that in spite of the fact that a very wide publicity is given to the holding of the inquiry here and at other places and although a number of Patiala police officials have arrived here, none of them have approached the Committee or otherwise expressed their desire to be present at the time of recording evidence of witnesses. The Committee would be quite willing to allow them to be present if they intend to present the other side of the picture, but would not allow them for merely 'policing' the proceedings."

7. Shriyut Labhram acted as an interpreter during the Committee's work to-day.

8. The Memorial submitted by Patiala citizens to the Viceroy was then taken on file. Sardar Bhagwan Singh of Langoval, one of the signatories produced it. Ex. 1.

9. Following statements were recorded:

One statement signed by ..... and five others out of whom five were present, was taken up.



Original statement in Urdu is marked Ex. 2.

English translation is marked Ex. 2A.

Another statement signed by.....and three others out of whom.....was present was taken up.

Original statement in Urdu is marked Ex. 3.

English Translation is marked Ex. 3A.

One more statement signed by..... and eight others out of whom five were present was also taken up.

Original statement in Urdu is marked Ex. 4.

English Translation is marked Ex. 4A.

All the statements were then taken up together and read out to witnesses who confirmed them.

Oral examination of witnesses in company of the villagers is marked Ex. 5.

Statement of.....in Urdu is marked Ex. 6.

English translation Ex. 6A.

Oral examination Ex. 6B.

Oral examination of witness..... Ex. 7

" " " ..... Ex. 8

" " " ..... Ex. 9.

" " " ..... Ex. 10

" " " ..... Ex 11.

" " " ..... Ex. 12.

10. All important statements having been taken and nothing more remaining to be done here, the Committee closed its proceedings at 7 P. M. and left for Ambala the same night.



### **Ambala : 19th December 1929**

1. The Committee held its sitting in the Kothi of Lala Dunichand. Messrs. Thakkar and Sheth were present. Mr. Thakkar was in the chair. Sardar Teja Singh acted as an interpreter for this day's session.

2. The Committee began its work at 3 P. M. and closed the sitting at 7 P. M. The procedure adopted at Budhladha was followed and the following statements were recorded :

Statement of	.....	Ex. 13.
„	.....	„ 14.
„	.....	„ 15.
„	.....	„ 16.

3. During the course of the proceedings the Committee was informed that round about the Kothi where the evidence was being recorded Patiala police officials and constables were seen in large numbers and the witnesses complained about this. The Committee therefore went out to see things for itself. Some men looking like police were shown as Patiala police men. To their face they were pointed out as such and still they kept quiet and did not protest that they were not police men. The Committee thought that there appeared to be a good deal of truth in the complaint made to them.

4. Sardar Kapursing of Ambala and one Mahomedan gentleman who introduced himself as the vice president of the local Congress Committee were present during the greater part of the Committee's work. They were allowed admission by the chairman.

5. The Committee left for Ludhiana the same night.



#### **Ludhiana : 30th December 1929**

1. The Committee was ready for its work here at 9 A. M.. It went at the office of one vakil Raghbir Singh whose office room he had kindly lent for the purpose, as intimated to the Committee by the officers of the Punjab Riyasti Praja Mandal. But when the Committee reached there the vakil was found unwilling to allow the use of his room. He would neither come out and talk to the Committee nor was he willing to let the members of the Committee see him in his room, even though the Committee intimated its desire to see him to understand the situation directly from him. The Committee was informed by the

gentlemen who had arranged for this room that a great pressure was brought upon him by the Patiala officers then in Ludhiana and he was therefore unable to allow the Committee to work in his office room. The Committee had therefore to leave his place.

2. The arrangement for holding the sitting of the Committee was then made in the Sikh Gurudwara. There too it was soon found that certain sikhs, said to belong of the Patiala state, expressed their determination to remain present during the session of the Committee without its permission in case it was held in that Gurudwara. It was therefore thought inadvisable to hold the Committee's sitting there. Under these circumstances that place too was given up.

3. Workers of the Punjab Riyasati Praja Mandal ultimately secured a place on the first floor of the building situated in the middle of the bazar where the Committee went and began its work at 1 P. M.. Messrs. Thakkar & Sheth were present, Mr. Thakkar presiding. Sardar Teja Singh acted as an interpreter.

4. The following statements were recorded:

Statement of .....	and others	original Ex. 17.
"	"	English Ex. 17A.
"	"	oral exam. Ex. 17B.
"	and others	original Ex. 18.
"	"	English Ex. 18A.
"	"	oral exam Ex. 18B.
"	"	original Ex. 19.
"	"	oral exam Ex. 19A.
"	and others	original Ex. 20.
"	"	English Ex. 20A.
"	"	oral exam. Ex. 20B.
"	oral examination	Ex. 21.
"	"	Ex. 22.
"	"	Ex. 23.
"	"	Ex. 24.
"	"	Ex. 25.
"	"	Ex. 26.
"	"	Ex. 27.
"	"	Ex. 28.