

CHANDRA SHEKHAR AZAD

-PRAKASH ARULAPPA

Chandra Shekhar Azad ; ಚಂದ್ರಶೇಖರ ಆಜಾದ್; (July 1906 – 27 February 1931), popularly known as **Azad** ("The Liberated"), was one of the most important Indian revolutionaries who reorganised the Hindustan Republican Association under the new name of Hindustan Socialist Republican Association (HSRA) after the death of its founder Pandit Ram Prasad Bismil and three other prominent party leaders, Thakur Roshan Singh, Rajendra Nath Lahiri and Ashfaqulla Khan. He is considered to be the mentor of Bhagat Singh and chief strategist of the HSRA.

Biography

Early life

Chandra Shekhar Azad was born on 23 July 1906 in Saryuparin Brahmins family of Pandit Sitaram Tiwari and Jagrani Devi in the Badarka[1] village of Unnao district in Uttar Pradesh. He spent his childhood in the village Bhabhra when his father was serving in the erstwhile estate of Alirajpur.

He learned archery from the tribal Bhils of erstwhile Jhabua district which helped him later on during the arms struggle against the Britishers.

His mother Jagrani Devi wanted to make her son a great Sanskrit scholar and so she persuaded his father to send him to Kashi Vidyapeeth, Benaras for studying Sanskrit. In December 1921, when Mohandas K. Gandhi launched the Non-Cooperation Movement, Chandra Shekhar, then a 15 year old student, joined the movement. As a result, he was arrested and presented before a magistrate. When the magistrate asked his name, he immediately replied "Azad", meaning The Liberated. When he was asked to tell his father's name, he answered- "Swatantra" meaning Freedom. Then, the magistrate asked- "Where do you live?" He answered- "Jailkhana" meaning prison. He was sentenced to imprisonment for fifteen days with hard punishments. Over the punishment he again commented- "Sir! I replied so because I was sure you would send me to prison". This reply of Chandrashekhar elicited a round of laughter from the jury. The magistrate, who had totally lost his temper by now, asked the policemen to flog him fifteen times. With each stroke of the whip, he shouted loudly- "Bharat Mata Ki Jai !" (en.Hail Mother India!). From that day onward, Chandrashekhar Sitaram Tiwari assumed the title 'Azad' and came to be known as Chandrashekhar 'Azad'.

Revolutionary life

After suspension of the non-cooperation movement in 1922 by Gandhi, Azad became more aggressive on his stance. He committed himself to achieve complete independence by any means. Azad also believed that India's future lay in socialism. He met a young revolutionary Pranvesh Chatterji who introduced him to Ram Prasad Bismil who had formed the Hindustan Republican Association (HRA), a revolutionary organisation. Azad was impressed with the aim of HRA, i.e., an independent India with equal rights and opportunity to everyone without discrimination of caste, creed, religion or social status. On introduction, Bismil was impressed by Azad, when Azad reportedly put his hand over the lighting lamp and did not remove it till his skin burnt. He then became an active member of the HRA and started to collect funds for HRA. Most of the fund collection was through robberies of government property. He also wanted to build a new India based on socialist principles. Azad and his compatriots also planned and executed several acts of violence against the British. Most of his revolutionary activities were planned and executed from Shahjahanpur which was also the hometown of Ram Prasad. He was involved in the famous Kakori Train Robbery of 1925, in the attempt to blow up the Viceroy's train in 1926, and at last the shooting of J.P. Saunders at Lahore in 1928 to avenge the killing of Lala Lajpat Rai.

Formation of Hindustan Socialist Republican Association

Appalled by the brutal violence, Azad felt that violence was acceptable in such a struggle, especially in view of the Jallianwala Bagh Massacre of 1919, when a British Army unit killed hundreds of unarmed civilians and wounded thousands in Amritsar. The Jallianwala Bagh Massacre deeply influenced young Azad and his contemporaries.

Activities in Jhansi

Chandra Shekhar Azad made Jhansi his organisation's hub for a considerable duration. He chose the forest of Orchha situated at about fifteen kilometers from Jhansi for shooting practice. He was an expert marksman and used to train other members of his group in Orchha. Near the forest he built a hut aside a Hanuman Temple on the banks of the Satar River. He lived there under the alias of Pandit Harishankar Brahmachari for a long period, and started teaching kids of the nearby village Dhimarpura. In this way he managed to establish good rapport with the local residents. The village Dhimarpura was renamed as Azadpura by the Madhya Pradesh government.

While living in Jhansi, he also learnt to drive a car at Bundelkhand Motor Garage in Sadar Bazar of the cantonment area. Sadashivrao Malkapurkar, Vishwanath Vaishampayan and Bhagwan Das Mahaur came in close contact with him and became an integral part of his revolutionary group. The then congress leaders from Jhansi Pandit Raghunath Vinayak Dhulekar and Pandit Sitaram Bhaskar Bhagwat were also close to Azad. He also stayed for sometime in the house of Master Rudra Narayan Singh situated at Nai Basti and Pandit Sitaram Bhaskar Bhagwat's house in Nagra.

With Bhagat Singh

The HRA was formed by Ram Prasad Bismil, Yogesh Chandra Chatterji, Sachindra Nath Sanyal and Shachindra Nath Bakshi in 1924 just after two year of the Non co-operation movement. In the aftermath of the Kakori train robbery in 1925, the British clamped down on revolutionary activities. Prasad, Ashfaqulla Khan, Thakur Roshan Singh and Rajendra Nath Lahiri were sentenced to death for their participation. Chandra Shekhar Azad, Keshab Chakravathy and Murari Sharma evaded capture. Chandra Shekhar Azad later reorganized the HRA with the help of revolutionaries like Sheo Verma and Mahaveer Singh. Azad was also a close associate of Bhagwati Charan Vohra who along with Bhagat Singh, Sukhdev, and Rajguru, helped him to transform the HRA into the HSRA in 1928 so as to achieve their primary aim of an independent India based on socialist principles

Death

In the last week of Feb, 1931 Azad went to Sitapur Jail and met Ganesh Shankar Vidyarthi. He hoped that Vidyarthi would involve in the case of Bhagat Singh and others as he had previously done in the Kakori conspiracy case. Vidyarthi suggested him to go to Allahabad and meet Pandit Jawahar Lal Nehru. If he could be convinced, Nehru would be able to persuade Gandhi to talk to the Viceroy Lord Irwin and reach an agreement with the British Government in the forthcoming Gandhi-Irwin Pact. Chandra Shekhar Azad met Pandit Nehru on 6 February 1931. Pandit Nehru did not agree with him on some points, but was moved by Chandra Shekhar's fervent patriotism and gave him Rs. 1200, which Chandra Shekhar needed for his work.

It was February 27, 1931, Azad went to the Alfred Park on his bicycle. He sat under a tree of Jamun (in Hindi) after propping his bicycle on the tree. He was discussing some confidential matters with a fellow party member, Sukhdev Raj when Deputy Superintendent of Police Bisheshwar Singh along with S.S.P. (C.I.D.) John Nott-Bower arrived there. Nott-Bower, pointed his finger towards Azad, to tell Bisheshwar Singh that this corpulent man was the person about whom he was informed just now by some reliable sources. Seeing a policeman pointing out his finger towards him, Azad immediately dragged out his Colt pistol from pocket and fired at Nott-Bower, hitting him in the right wrist. Seeing his senior officer soaked in blood, Bisheshwar Singh abused Azad. Azad immediately shot Bisheshwar Singh in his mouth, breaking his jaw. Within a few minutes, the police surrounded Alfred Park. During the initial encounter, Azad suffered a severe bullet wound in his right thigh, making it difficult for him to escape. But even then he made it possible for Sukhdev Raj to escape by providing him a cover fire. After Sukhdev Raj escaped, Azad managed to keep the police at bay for a long time.

Finally, with only one bullet left in his pistol and being completely surrounded and outnumbered, Chandra Shekhar Azad shot himself, keeping his pledge to never be captured alive. However, the British reported that he was killed in the police encounter by a troop lead by John Reginald Hornby Nott-Bower who was awarded with the King's Police Medal (KPM Award) in 1949. According to the reliable sources, a C.I.D. Inspector Ram Vadan Singh reported to Chowdhury Vishal Singh, the Officer-In-Charge of Colonelganj Police Station Allahabad that his S.S.P. along with one Dy.S.P. had been seriously injured from an attack by some Indian revolutionary. The police officers who came after the death of Azad did not approach his dead body for about half an hour. Only after a gun filled with buckshot was fired into his thigh, and no movement was noticed in the body, did the police touch his dead body. The file related to Azad is preserved in C.I.D. Headquarters, 1,

Gokhale Marg, Lucknow. The Colt pistol of Chandra Shekhar Azad shown on the left hand side is displayed at the Azad Museum Allahabad.

He once claimed that as his name was "Azad", he would never be taken alive by police. Allegedly, he was aware of the informer who betrayed him to the police.

There were two wounds on the lower part of his right leg, one of which fractured the tibia. Another bullet was extracted from the right thigh. The fatal wound appeared to be on the right side of the head and another in the chest. The body was sent to **Rasulabad Ghat** for cremation which was performed under strict police guard. Thus a blazing meteor illumined that dark firmament of political subjection with its own brilliance during the short duration of its course moving towards total extinction in the limitless womb of eternity having a name that would adorn the pages of history. On February 28, 1931, from the post-mortem Report it was known that four bullets and a fragment of the fifth had been extracted from the body.

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BHAGAT SINGH

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Bhagat Singh (28 September 1907– 23 March 1931)) was an Indian nationalist considered to be one of the most influential revolutionaries of the Indian independence movement. He is often referred to as Shaheed Bhagat Singh, the word *Shaheed* meaning "martyr" in a number of Indian languages.

Born into a Jat Sikh family which had earlier been involved in revolutionary activities against the British Raj, as a teenager Singh studied European revolutionary movements and was attracted to anarchist and marxist ideologies. He became involved in numerous revolutionary organisations, and quickly rose through the ranks of the Hindustan Republican Association (HRA) to become one of its main leaders, eventually changing its name to the Hindustan Socialist Republican Association (HSRA) in 1928.

Seeking revenge for the death of Lala Lajpat Rai at the hands of the police, Singh was involved in the assassination of British police officer John Saunders. He eluded efforts by the police to capture him. Together with Batukeshwar Dutt, he undertook a successful effort to throw two bombs and leaflets inside the Central Legislative Assembly while shouting slogans of Inquilab Zindabad. Subsequently they volunteered to surrender and be arrested. Held on this charge, he gained widespread national support when he underwent a 116 day fast in jail, demanding equal rights for British and Indian political prisoners. During this time, sufficient evidence was brought against him for a conviction in the Saunders case, after trial by a Special Tribunal and appeal at the Privy Council in England. He was convicted and subsequently hanged for his participation in the murder, aged 23. His legacy prompted youth in India to begin fighting for Indian independence and he continues to be a youth idol in modern India, as well as the inspiration for several films. He is commemorated with a large bronze statue in the Parliament of India, as well as a range of other memorials.

Early life

Bhagat Singh was born to Kishan Singh Sandhu and Vidyavati Kaur at Chak No. 105, Banga village, Jaranwala Tehsil in the Lyallpur district of the Punjab Province of British India. He belonged to a patriotic Jat Sikh family, some of whose members had participated in Indian Independence movements, and others had served in Maharaja Ranjit Singh's army. His ancestors hailed from the village of Khatkar Kalan near the town of Banga in Nawanshahr district (now renamed Shaheed Bhagat Singh Nagar) of Punjab. Singh's given name of "Bhagat" means 'devotee' and he was nicknamed "Bhaganwala" ('the lucky one') by his grandmother, since the news of the release of his uncle Ajit Singh from Mandalay jail and that of his father from Lahore jail both coincided with his birth. His grandfather, Arjun Singh, was a follower of Swami Dayananda Saraswati's Hindu reformist movement, Arya Samaj, which had a considerable influence on the young Bhagat. His father, and uncles Ajit Singh and Swaran Singh, were members of the Ghadar Party, led by Kartar Singh Sarabha and Har Dayal. Ajit Singh was forced to flee to Persia due to pending court cases against him, while Swaran Singh died at home in 1910 following his release from Borstal Jail in Lahore.

Unlike many Sikhs of his age, Singh did not attend the Khalsa High School in Lahore, because his grandfather did not approve of the school officials' loyalty to the British authorities. Instead, his grandfather, enrolled him in the Dayanand Anglo Vedic High School, an Arya Samaji institution. Singh was influenced by a number of incidents during his childhood which instilled in him a deep sense of patriotism to eventually take up the struggle for India's independence. In 1919, at the age of 12, Bhagat Singh visited the site of the Jallianwala Bagh massacre, where non-violent people gathered at a public meeting were fired upon without warning, killing hundreds. Bhagat Singh participated ardently in Mahatma Gandhi's Non-Cooperation Movement in 1920, and openly defied the British by following Gandhi's wishes of burning his government school books and any imported British clothing he could find. At the age of 14, he welcomed in his village, protestors against the Gurudwara Nankana Sahib firing of 20 February 1921 which killed a large number of unarmed protesters. Disillusioned with Gandhi's philosophy of non-violence, after Gandhi called off the non-cooperation movement, following the violent murders of policemen by villagers, which were a reaction to the police's killing of three villagers by firing at Chauri Chaura in the United Provinces in 1922, he joined the Young Revolutionary Movement. Henceforth, he began advocating the violent overthrow of the British in India.

A rare historical photograph of students and staff of National College, Lahore, which was started by Lala Lajpat Rai. Bhagat Singh can be seen standing fourth from the right.

In 1923, Singh joined the National College in Lahore, where he not only excelled in academics but also in extra-curricular activities. He was a participant of the dramatics society in the college. By this time, he was fluent in Hindi, English, Urdu, Punjabi and Sanskrit languages. In 1923, Singh won an essay competition set by the Punjab Hindi Sahitya Sammelan. In his essay on *Punjab's Language and Script*, he quoted Punjabi literature and showed a deep understanding of the problems of afflicting Punjab. He joined the Indian nationalist youth organisation *Naujawan Bharat Sabha* (Hindi: "Youth Society of India") along with his fellow revolutionaries, and became popular in the organisation. He also joined the Hindustan Republican Association, which had prominent leaders, such as Ram Prasad Bismil, Chandrashekhar Azad and Ashfaqulla Khan. The name of the organisation was changed to Hindustan Socialist Republican Association at Singh's insistence. A year later, to avoid getting married by his family, Singh ran away from his house to Cawnpore. In a letter he left behind, he stated:

"My life has been dedicated to the noblest cause, that of the freedom of the country. Therefore, there is no rest or worldly desire that can lure me now..."

It is also believed that he went to Cawnpore to attempt to free the Kakori train robbery convicts from jail, but returned to Lahore for unknown reasons. On the day of Dussehra in October 1926, a bomb exploded in Lahore. Singh was arrested for his alleged involvement in this Dussehra bomb case on 29 May 1927, but was released for exhibiting good behaviour against a steep fine of Rs. 60,000, about five weeks after his arrest. He wrote for and edited Urdu and Punjabi newspapers, published from Amritsar. In September 1928, the Kirti Kisan Party (Hindi: "Workers and Peasants Party") organised an all-India meeting of revolutionaries in Delhi by Singh as its secretary. He later rose to become this association's leader.

Later revolutionary activities

Lala Lajpat Rai's death and murder of Saunders

The British government created a Commission under Sir John Simon to report on the then current political situation in India in 1928. The Indian political parties boycotted the Commission, because it did not include a single Indian in its membership, and the Commission was met with country-wide protests. When the Commission visited Lahore on 30 October 1928, Lala Lajpat Rai led a non-violent protest against the commission in a silent march, but the police responded with violence. The superintendent of police, James A. Scott, ordered the police to lathi charge the protesters and personally assaulted Rai, who was grievously injured. When Rai died on November 17, 1928, it was widely assumed that Scott's blows had hastened his demise. However, when the matter was raised in the British Parliament, the British Government denied any role in Rai's death. Although some sources mention that Singh witnessed the event, while others dispute this, he vowed to take revenge, and joined other revolutionaries, Shivaram Rajguru, Sukhdev Thapar, Jai Gopal and Chandrashekhar Azad, in a plot to kill Scott. Jai Gopal was supposed to identify the chief and signal for Singh to shoot. However, in a case of mistaken identity, Gopal signalled Singh on the appearance of John P. Saunders, an Assistant Superintendent of Police. He was shot by Rajguru and Singh while leaving the District Police Headquarters in Lahore at about 4:15 p.m. on 17 December 1928. Head Constable Chanan Singh was also killed when he came to Saunders' aid.

Dramatic escape

After killing Saunders, the group escaped through the D.A.V. College entrance, across the road. Chanan Singh, a Head Constable who was chasing them, was fatally injured by Chandrashekhar Azad's covering fire. They then fled on bicycles to pre-arranged places of safety. The police launched a massive search operation to catch the culprits and blocked all exits and entrances from the city; the CID kept a watch on all young men leaving Lahore. They hid for the next two days. On 19 December 1928, Sukhdev called on Durga Devi Vohra, their friend Bhagwati Charan Vohra's wife, for help, which she agreed to do. They decided to catch the train departing from Lahore for Howrah (*en route* to Bathinda) early the next morning. To avoid recognition, Singh shaved off his beard and cut his hair short.

They left the house early the next morning. Dressed in a Western attire, Singh carried Vohra's sleeping child on his shoulder. Singh and Vohra passed off as a young couple with a child, while Rajguru carried their luggage as their servant. At the station, Singh, managed to conceal his identity, and bought three tickets to Cawnpore — two first class tickets for Vohra and himself, and a third class one for Rajguru. Both men had loaded revolvers with them to deal with any unanticipated incident. They avoided raising the suspicions of the police and boarded the train. Breaking journey at Cawnpore, they boarded a train for Lucknow since the CID at Howrah

railway station usually scrutinised passengers on the direct train from Lahore. At Lucknow, Rajguru left separately for Benares while Singh, Vohra and the infant went to Howrah, with all except Singh returning to Lahore a few days later.

1929 Assembly bomb throwing incident

To combat the rise of the revolutionaries like Singh in the country, the British government decided to implement the Defence of India Act 1915, which gave the police a free hand. Influenced by Auguste Vaillant, a French anarchist, who bombed the French Chamber of Deputies on 9 December 1893, Singh put forth a proposal to the HSRA to explode a bomb inside the Central Legislative Assembly, which was agreed to. Initially, it was decided that Batukeshwar Dutt and Sukhdev would carry out the bombing, while Singh would go to the USSR. However, in a subsequent meeting called by Singh, it was decided that Dutt and Singh would carry out the bombing. On 8 April 1929, Singh and Dutt threw two bombs inside the assembly from the Visitor's Gallery that filled the Hall with smoke shouting slogans of "Inquilab Zindabad!" (Hindi-Urdu: "Long Live the Revolution!") and showered leaflets stating "*it takes a loud noise to make the deaf hear*". The leaflet also claimed that the act was done to oppose the Trade Disputes and the Public Safety Bill being presented in the Central Assembly and the death of Rai. There were a few who sustained minor injuries in the explosion but there were no deaths; Singh and Dutt claimed that this was deliberate on their part, a claim substantiated both by British forensics investigators who found that the bombs were not powerful enough to cause injury, and by the fact that the bombs were thrown away from people. Singh and Dutt were arrested, as planned.

The Tribune reported the incident as:

When Mr Patel got up to give his ruling on the Public Safety Bill, two bombs fell from a gallery near the seat of Sir George Schuster. The whole House dispersed at once in panic. Sir George Schuster and Sir B. Dalal were slightly injured while some other members also received minor injuries. Two men have been arrested with pistols and revolvers. Ten minutes later the Assembly reassembled. The Chamber presented awful scene as it was choked with bomb smoke. Mr Patel adjourned the House till Thursday next. A red pamphlet "Hindustan Socialist Republican Army" signed by Bal Raj, Hony. Chief, was also thrown along with the bombs. The police immediately locked the Council House and prevented the movement of the visitors' crowd. J. Simon was in the President's Gallery when the bomb fell. Sir G. Schuster, Sir B. Dalal, Mr Raghavendra Rao and Mr Shanker Rao were among those injured. The names of the arrested persons are Mr Butukeswara Datta from Bengal, domiciled in Cawnpore, and Mr Bhagat Singh from the Punjab.

Assembly bomb case trial

Singh and Dutt were charged with attempt to murder, and the trial magistrates by British Judge P.B. Pool and prosecuted by Rai Bahadur Suryanarayan began on 7 May 1929. Doubts have been raised about the accuracy of testimony offered at the trial. One key discrepancy related to the automatic pistol that Singh had been carrying prior to his arrest. One witness told the court that Singh had been firing the pistol two or three times before it jammed, and some policemen stated that Singh was pointing the gun when they arrived. Sergeant Terry, who had confronted and arrested Singh, testified that the gun was pointed downward when he took it from Singh and that Singh "was playing with it." According to the *India Law Journal*, however, even this was incorrect, as Singh had turned over the pistol himself. According to Kooner, Singh "committed one great blunder" by taking his pistol on that day "when it was clear not to harm anybody and offer for police arrest without any protest." Kooner further states that the police connected "the shell of the gun fire found from the (Saunders') murder site and the pistol." The two were sent to the Sessions Court of Judge Leonard Middleton, who ruled that Singh and Dutt's actions had undoubtedly been 'deliberate' as the bombs had shattered the one and a half inch deep wooden floor in the Hall. Dutt was defended by Asaf Ali, while Singh defended himself. Their appeal was turned down and they were sentenced to 14 years life imprisonment.

Further trial and execution

On 15 April 1929, the 'Lahore bomb factory' was discovered by the police, leading to the arrest of other members of HSRA, out of which 7 turned informants, helping the police to connect Singh with the murder of Saunders. Singh, Rajguru, and Sukhdev were charged with the murder of Saunders. Singh decided to use the court as a tool to publicise his cause—the independence of India.

Hunger strike and Lahore conspiracy case

Singh was re-arrested for murdering Saunders and Chanan Singh based on substantial evidence against him,

including the statements of his associates, Hans Raj Vohra and Jai Gopal. His life sentence in the Assembly Bomb case was deferred till the Saunders' case was decided. Singh was sent to the Mianwali jail from the Delhi jail, where he witnessed discrimination between European and Indian prisoners, and led other prisoners in a hunger strike to protest this illegal discrimination.

They demanded equality in standards of food, clothing, toiletries and other hygienic necessities, as well as availability of books and a daily newspaper for the political prisoners, who they demanded should not be forced to do manual labour or any undignified work in the jail, as detailed in their letter to the Home Member on 24 June 1929.

Jinnah made a powerful speech in the Assembly supporting Singh, and sympathised with the prisoners on hunger strike. He declared on the floor of the Assembly:

"The man who goes on hunger strike has a soul. He is moved by that soul, and he believes in the justice of his cause...however much you deplore them and however much you say they are misguided, it is the system, this damnable system of governance, which is resented by the people."

Jawaharlal Nehru met Singh and the other strikers in Mianwali jail. After the meeting, he stated:

"I was very much pained to see the distress of the heroes. They have staked their lives in this struggle. They want that political prisoners should be treated as political prisoners. I am quite hopeful that their sacrifice would be crowned with success."

The Government tried to surreptitiously break the strike by placing different food items in the prison cells to test the hungry prisoners' resolve. Water pitchers were filled with milk so that either the prisoners remained thirsty or broke their strike. But nobody faltered and the impasse refused to break. The authorities then attempted forcing food using feeding tubes into the prisoners, but were resisted. Kishori, a hunger striking prisoner swallowed red pepper and drank hot water to clog his feeding tube. The Indian Viceroy, Lord Irwin, broke his vacation in Simla and came to discuss the matter with the jail authorities. There was still no resolution. Since the activities of the hunger strikers had gained popularity and attention amongst the people nationwide, the government decided to advance the start of the Saunders murder trial, which was henceforth called the Lahore Conspiracy Case. Singh was transported to the Borstal jail. This trial began on 10 July 1929 in Borstal jail, Lahore, in the court of the first class magistrate, Rai Sahib Pandit Sri Kishen. In addition to charging them for the murder of Saunders, Singh and 27 other prisoners were charged with plotting a conspiracy to murder Scott and waging a war against the King. Singh, still on hunger strike, had to be carried to the court handcuffed on a stretcher since he had lost 14 pounds (6.4kg) weight from 133 pounds (60kg) before the strike.

By now, the condition of another hunger striker, Jatindra Nath Das, lodged in the same jail had deteriorated considerably. The Jail committee recommended his unconditional release, but the government rejected the suggestion and offered to release him on bail. On 13 September 1929, Das breathed his last after a 63 day hunger strike. After his death, Lord Irwin informed the British prime minister Ramsay MacDonald:

"Jatin Das of the Conspiracy Case, who was on hunger strike, died this afternoon at 1 p.m. Last night, five of the hunger strikers gave up their hunger strike. So there are only Bhagat Singh and Dutt who are on strike ..."

Almost all the nationalist leaders in the country paid tribute to Das' death. Mohammad Alam and Gopi Chand Bhargava resigned from the Punjab Legislative Council in protest. Motilal Nehru moved an adjournment motion in the Central Assembly as a censure against the 'inhumane treatment' of the Lahore prisoners, that was carried by 55 votes against 47. Singh finally heeded to a resolution of the Congress party and his father's request and ended his 116 day long hunger strike on 5 October 1929, that was longer than 94 day long hunger strike (from 11 August to 12 November 1920) of Irish prisoners at Cork. During this period, Singh's popularity among common Indians, grew beyond Punjab. Singh attention now turned to his trial. The team for the British Crown was composed of C.H. Carden-Noad, Kalandar Ali Khan, Gopal Lal and the prosecuting inspector, Bakshi Dina Nath. The defence was composed of eight lawyers. When Jai Gopal turned into a prosecution witness, Prem Dutt, the youngest amongst the 28 accused, threw his slipper at Gopal in court. The magistrate ordered to handcuff all the accused, despite all other revolutionaries having dissociated themselves from the act. Singh and others refused to be handcuffed and were therefore subjected to brutal beating. The revolutionaries refused to attend the court and Singh wrote a letter to the magistrate citing various reasons why they had done so. The trial

was henceforth ordered to be carried out in the absence of the accused or members of the HSRA. This was a setback for Singh as he could no longer use the trial as a forum to publicise his views.

Special Tribunal

To speed up the slow trial, the Viceroy, Lord Irwin, declared an emergency on 1 May 1930, and promulgated an ordinance setting up a special tribunal composed of three high court judges for this case. The ordinance cut short the normal process of justice as the only appeal after the tribunal was at the Privy Council located in England. The Tribunal was authorised to function without the presence of any of the accused in court, and to accept death of the persons giving evidence as a concession to the defence. Consequent to *Lahore Conspiracy Case Ordinance No.3 of 1930*, the trial was transferred from Rai Sahib Pandit Sri Kishan's court to the tribunal composed of Justice J. Coldstream (president), Justice G. C. Hilton and Justice Agha Hyder (members).

The case commenced on 5 May 1930 in the Poonch House, Lahore against 18 accused. On 20 June 1930, the constitution of the Special Tribunal was changed to Justice G.C. Hilton (president), Justice J.K. Tapp and Justice Sir Abdul Qadir. On 2 July 1930, a habeas corpus petition was filed in the High Court challenging the ordinance and said that it was *ultra vires* and therefore illegal, stating that the Viceroy had no powers to shorten the customary process of determining justice. The petition argued that the Act, allowed the Viceroy to introduce an ordinance and set up such a tribunal only under conditions of break down of law-and-order, whereas there had been no such breakdown. However, the petition was dismissed as 'premature'. Carden-Noad presented the government's grievous charges of conducting dacoities, bank-robbery, and illegal acquisition of arms and ammunition amongst others. The evidence of G.T.H. Hamilton Harding, the Lahore superintendent of police, shocked the court, when he stated that he had filed the First Information Report against the accused under specific orders from the chief secretary (D.J. Boyd) to the governor of Punjab (Sir Geoffrey Montmorency) and that he was unaware of the details of the case. The prosecution mainly depended upon the evidence of P.N. Ghosh, Hans Raj Vohra and Jai Gopal who had been Singh's associates in the HSRA. On 10 July 1930, the tribunal decided to press charges against only 15 of the 18 accused, and allowed their petitions to be taken up for hearing the next day. The tribunal conducted the trial from 5 May 1930 to 10 September 1930. The three accused against whom the case was withdrawn included Dutt, who had already been awarded a life sentence in the Assembly bomb case.

The ordinance (and the tribunal) would lapse on 31 October 1930 as it had not been passed in the Central Assembly or the British Parliament. On 7 October 1930, the tribunal delivered its 300-page judgement based on all the evidence and concluded that participation of Singh, Sukhdev and Rajguru was proved beyond reasonable doubt in Saunders' murder, and sentenced them to death by hanging. The remaining 12 accused were all sentenced to rigorous life imprisonment. The warrants for the three had a black border.

Appeal to the Privy Council

In Punjab, a defence committee drew up a plan to appeal to the Privy Council. Singh was initially against the appeal, but later agreed to it in the hope that the appeal would popularise the HSRA in Great Britain. The appellants objected to the ordinance that created the tribunal as invalid. The government again plead that the Viceroy was completely empowered to create such a tribunal under the said Act (Section 72). The appeal was dismissed by Judge Viscount Dunedin.

Reactions to the judgement

After the rejection of the appeal to the Privy Council, Congress party president Madan Mohan Malviya filed a mercy appeal before Lord Irwin on 14 February 1931. An appeal was sent to Mahatma Gandhi by prisoners to intervene. In his notes dated 19 March 1931, the Viceroy recorded:

"While returning Gandhiji asked me if he could talk about the case of Bhagat Singh, because newspapers had come out with the news of his slated hanging on March 24th. It would be a very unfortunate day because on that day the new president of the Congress had to reach Karachi and there would be a lot of hot discussion. I explained to him that I had given a very careful thought to it but I did not find any basis to convince myself to commute the sentence. It appeared he found my reasoning weighty."

The Communist Party of Great Britain expressed its reaction to the case: "The history of this case, of which we do not come across any example in relation to the political cases, reflects the symptoms of callousness and cruelty which is the outcome of bloated desire of the imperialist government of Britain so that fear can be instilled in the hearts of the repressed people."

An abortive plan had been made to rescue Singh and fellow inmates of HSRA from the jail. HSRA member Bhagwati Charan Vohra made bombs for the purpose, but died making them when they exploded accidentally.

Writings in prison

Singh also maintained the use of a diary, which eventually grew to include 404 pages. In this diary, he made numerous notes regarding the quotations and popular sayings of various people whose views he agreed with. Prominent in his diary were the views of Karl Marx and Friedrich Engels. The comments in his diary led to an understanding of the philosophical thinking of Singh. In his prison cell, he also wrote a pamphlet entitled *Why I am an Atheist*, in response to him being accused of vanity by not accepting God in the face of death. It is also said that he signed a mercy petition through a comrade Bijoy Kumar Sinha on 8 March 1931.

Execution

Bhagat Singh, Rajguru and Sukhdev were sentenced to death in the Lahore conspiracy case and ordered to be hanged on 24 March 1931. On 17 March 1931, the Home Secretary, Punjab, sent a telegram to the Home Department, New Delhi, fixing the execution on 23 March 1931. Singh was informed that his execution had been advanced by 11 hours on 23 March 1931, just a few hours before his execution. Singh was hanged on 23 March 1931 at 7:30 pm in Lahore jail with his fellow comrades Rajguru and Sukhdev. It is reported that no magistrate of the time was willing to supervise his hanging. The execution was supervised by the Honorary Magistrate of Kasur, Nawab Muhammad Ahmad Khan Kasuri, who also signed Singh, Rajguru and Sukhdev's death warrants as their original warrants had expired. The jail authorities then broke the rear wall of the jail and secretly cremated the three martyrs under cover of darkness outside Ganda Singh Wala village, and then threw the ashes into the Sutlej river, about 10km from Ferozepore (and about 60km from Lahore).

Criticism of the Special Tribunal and method of execution

Singh's trial is generally considered to be an important event in the Indian history, as it went contrary to the fundamental doctrine of criminal jurisprudence. An ex-parte trial was against the principles of natural justice that no man shall be held guilty unless given an opportunity to defend in a hearing. The Special Tribunal was a departure from the normal procedure adopted for a trial. The decision of the tribunal could only be appealed to the Privy Council located in Britain. The accused were absent from the court and the judgement was passed ex-parte. The ordinance, which was introduced by the Viceroy to form the Special Tribunal, was never approved by the Central Assembly or the British Parliament, and it eventually lapsed without any legal or constitutional sanctity.

It was probably for the first time, that executions were carried out in the evening, by advancing the date of execution. The families of the accused were not allowed to meet them before the execution nor were they informed about it, even the bodies of the three were not given to their relatives after the execution to perform last rites, but were removed by demolishing the rear wall of the jail since there was an angry crowd at the front gate and were disposed off by cutting them into pieces and burning with the help of kerosene after which the remains were thrown into Satluj river.

-PRAKASH ARULAPPA