

AMRITSAR EPISODE

The unfortunate incident of April 19, 1947, in Amritsar (Punjab) is a sad chapter in the history of the Indian subcontinent. It is a tragedy which has shocked the conscience of the world and has become a symbol of the religious intolerance which has been the cause of the bloodshed and death toll of 1947. The account of the episode is given in the book 'The Amritsar Episode' by the late Mr. J. S. Grew, a distinguished British official who was in Amritsar at the time of the incident. The book is a masterpiece of impartial and objective reporting.

TRUTH

This incident was a part of a larger movement for the re-organisation of India. It was a part of the struggle for the creation of a free India. The Amritsar episode was a part of the struggle for the creation of a free India. It was a part of the struggle for the creation of a free India. It was a part of the struggle for the creation of a free India.

TRIUMPHS

The Amritsar episode was a triumph for the Indian people. It was a triumph for the Indian people. It was a triumph for the Indian people. It was a triumph for the Indian people. It was a triumph for the Indian people.

VERDICT

The Amritsar episode was a verdict on the religious intolerance which has been the cause of the bloodshed and death toll of 1947. It was a verdict on the religious intolerance which has been the cause of the bloodshed and death toll of 1947. It was a verdict on the religious intolerance which has been the cause of the bloodshed and death toll of 1947.

OF

SESSIONS JUDGE, KARNAL

AMRITSAR EPISODE

The unfortunate incident of April 13, 1978 (Akali-Nirankari Confrontation) at Amritsar involved much of blood-shed, and death toll of 18 lives on account of the scathing attack by the jatha of 200 Singhs armed with deadly weapons on the peaceful Nirankaris who were holding their annual Baisakhi samagam in the grounds of Railway Stadium Amritsar. The procession in which thousands of Nirankaris joined from far and wide, including women and children, passed off peacefully in the morning by 11 A.M. This attack was made by the jatha during the intermission when the Sangat which had come to attend the samagam, were taking their lunch (Lungar). This incident created sensation throughout the country especially in the Northern region. For a pretty long time, the Amritsar episode was highlighted in all important Newspapers/Magazines in the country.

Some fanatic top notch Akali leaders who were holding the reins of the Government in Punjab instructed the police officers to make out a false case on charges of unlawful assembling, criminal conspiracy, murder, grievous hurt etc. in which as many as 66 innocent Nirankaris including their chief Baba Gurbachan Singh ji and the near relatives of Nirankari Baba viz. Sukhdev Singh (Son-in-law), Shri Gobind Singh (Brother-in-law), Shri Gurbax Singh, Rajkavi father of Shri Sukhdev Singh, Shri Niranjan Singh, IAS were implicated. The Akali dominated Government through the Punjab Police waged a relentless war of persecution against the innocent Nirankaris who are known to be peace-loving and law abiding citizens, and were fully entitled to exercise their fundamental right of belief and worship under the Constitution of India.

Some top Akali leaders who were at the helm of affairs, the religious leaders of the Akali Dal, and the S.G.P.C. were directly responsible for making out this false case against the:

Nirankaris using the Punjab Police and the magistracy for fabricating and concocting this false case. Not only this, some rebel Akali leaders for their vested interests wanted to exploit the situation for political gains, and were instrumental in getting the Nirankari Chief and S. Naranjan Singh IAS involved in the case at a later stage. The story does not end here. All sorts of inhuman atrocities and brutalities were committed against followers of Nirankari Mission in Punjab. The Nirankaris were openly ill-treated, harassed, and humiliated by the rank and file of the Punjab Government at the behest of the top political leadership. The Punjab police did not afford any protection to the life and property of the Nirankaris in Punjab. Rather, some of them including women were mercilessly beaten and tortured in the very presence of police who stood nearby as silent spectators. The Nirankari Bhawans in Punjab were sealed and taken over by the Punjab police in the garb of giving protection to the life and property of the Nirankaris. This type of humiliation and inhuman behaviour was meted out to the Nirankaris for about two years which will remain a black spot forever in the history of the Akali regime.

In this manner, the Punjab state was reduced to a theocratic state in a secular and democratic country of India where every citizen had equal opportunities and fundamental rights including the right to life and property, and to profess any belief and mode of worship. In the wake of all this brutality and cruel treatment meted to the Nirankaris, none from the Central Government intervened as they were busy in sorting out their differences within the group of political parties with a view to clinging on to the power wielded by them. Whereas lot of poisonous and false propaganda was made against the Nirankari Mission and the Nirankari Chief by the Akali Ministers and Akali Dal with all the means at their disposal, the Nirankari Baba in his statements to the press, and in his appeals to his followers, always advised them to remain peaceful and exercise restraint and complete tolerance despite utmost provocation and even while facing hardships and

cruelties at the hands of the fanatics. In this background, the Nirankaris had a reasonable apprehension that they wouldn't get a fair deal and there was no question of getting justice from any Court of law in Punjab during the Akali dominated regime. Fortunately the Supreme Court of India came to their rescue, and transferred this historic case to the Court of Shri R. S. Gupta, Sessions Judge Karnal. The proceedings of this case and some editorials have been appearing in the leading dailies during the course of the pendency of this case in which comments on various issues had been given by the press on various aspects of the case from time to time. The layman seems to be quite ignorant about the whole truth. The people were naturally anxious to know the true facts of the case which had assumed great importance in the wake of communal disharmony spread in the State on account of the false propaganda by the Akalis against the Nirankaris.

The learned Sessions Judge, Karnal delivered his 282 paged judgement on January 4, 1980 which is full of all the details as to how the prosecution story was cooked up, how the entries in the police diaries and other records were forged, how the partisan and made-up witnesses were produced, how the police officers prevailed upon S/s Resham Singh and Mehma Singh to become approvers, how the padding and embellishments were made by the police after long deliberation and delay, how the investigation was not impartial, how the testimony of the police officers and other prosecution witnesses was not worthy of credence and how the Nirankari chief Baba Gurbachan Singh, his near relatives, and Shri Naranjan Singh, IAS, former D. C. Gurdarpur, were later falsely implicated at the instance of the High Command of the Akali Dal party. The learned judge after careful consideration of the oral and documentary evidence produced by the prosecution and the defence, the inspection of the records, spot inspection, and after noting the demeanour of the witnesses produced by both sides, has delivered the judgement.

The judgement casts a serious reflection on the Punjab leadership, and the Administration, particularly the vicious role played by the Punjab police officers who were held to have committed crimes with a view to pleasing the political and Sikh priesthood under some kind of pressure, fear and allurements. The learned Session Judge has dismissed the case of the Punjab Government holding that the case of the prosecution is intrinsically wrong. It is all a frame up. It is an after thought. It was trumped up after long deliberations by the police officers concerned changing the whole genesis and substratum of the matter, and honourably acquitted all the accused as being innocent. The learned judge has given clear-cut findings on vital issues, and passed strictures against the police officers, the Executive Magistrate, the Distt. Administration, and the political and religious leaders.

We do not consider it proper to reproduce this lengthy judgement, but the important excerpts from the judgement are being published in this booklet for the information of the general public, and to enlighten the people all over the world about the truthfulness of the Mission and of the false case made out against the Nirankaris by the Akali dominated Punjab Government. These excerpts are given here in Verbatim so that the readers can know the truth for themselves.

PROSECUTION CASE—ENTIRELY FLASE AND FABRICATED

How the police officers whose normal duty is to check crime committed a serious crime of cooking up a false case implicating a large number of innocent people in this case, the learned Session Judge has given clear cut findings indicting the police officers, the Executive Magistrate and the political and religious leaders at the helm of affairs:

Para 171—Page 281

“The case of the prosecution is intrinsically wrong. It is all a frame up. It is an after-thought. It was trumped up after long deliberations by the police officers concerned

changing the whole genesis and substratum of the matter. Why they did it I have already given my reasons."

Para 121—Page 207 & 209

"This register tells its own story. The pages of this register including the covers have been stitched with a cord. Those covers are of Urdu daily newspaper "Hind Samachar", Jullundur of 1.10.1978 and the Gurmukhi daily newspaper "Ajit" of 25.1.1979. This unerringly shows that this daily diary register has been re-stitched after 26.1.1979."

"These manipulations in the daily diary of the police Station speak for themselves. These leave no doubt that this first information report came into existence on 14.4.1978 because all the pages containing the entries for 13.4.1978 and 14.4.1978 before 9 A.M. have been removed and in their place pages with forged entries have been foisted. I understand that the Police Stations are for preventing crimes and for bringing to book the criminals. Here is a case where certain police officer(s) have committed a serious crime inside the Police Station. I hope that the Punjab Government do take due notice of it."

Para 126(g)—Page 221

"It seems to me that in the given circumstances the arrests of the Nirankaris were made afterward at the behest of and to the wire pulling from the religious/political over-lords of the Akali Dal party who held the reins of and dominated the Punjab Government. It seems to me that it was under pressure from them that the police officers afterwards made deliberations, conjured and trumped up this wrongful version branding the Nirankaris aggressors."

Para 129—Page 227

"For the reasons recorded above I agree with the defence that after pushing back whatever scanty police force was there the Jatha of Singhs went berserk and rushed to the main gete of the pandal and then opened their virulent

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attack on the Nirankaris with deadly weapons which they were carrying. It seems to me that their differences with the Nirankaris in the matter of religion had the better of them, that they threw all discretion to the winds and that they in flagrant subversion of law and order went to the Nirankaris' pandal determined to uproot their Samagam and to punish them. They thereby caused fatal injuries to some and other types of injuries to many others. I am of the view that all these police officers and for that matter the executive Magistrate surrendered their conscience to the pulls and pressures from those who could make or mar their career. Perhaps, they found themselves helpless."

Para 115—Page 196

"I am constrained to say that Shri Baj Singh, Executive Magistrate, Amritsar (prosecution witness No. 30) has not been truthful."

INVOLVEMENT OF NIRANKARI CHIEF AN AFTER THOUGHT

Giving his verdict, the learned Judge has pointedly referred to and given cogent reasons for the involvement of the Nirankari Chief by the police at a much later stage at the behest of the top Akali leaders :

Para 161—Page 272

"In his talk which had been tape-recorded as aforesaid, Anup Singh, City Inspector of Police says that the matter against Baba Gurbachan Singh was introduced for the first time on the 25th April, 1978 at the behest of the High Command of Akali Dal party."

Niranjan Singh, IAS Falsely Implicated

Para 156—Page 264-65

"Both the approvers have been found by me to be unreliable and untruthful. Whereas Shri O.D. Joshi and Santokh Singh say that he gave that type of exhortation

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only once, Pritipal Singh says that Naranjan Singh accused gave that exhortation at the top of his voice three or four times. Shri O.D. Joshi claims that Shri Baj Singh (Executive Magistrate) and Anup Singh, City Inspector of Police stayed on with him throughout from the very beginning. As aforesaid, Shri Baj Singh (Executive Magistrate) had been knowing this Niranjan Singh intimately since long. The question is whether Shri O.D. Joshi and Shri Santokh Singh had magic eye which Shri Baj Singh and Anup Singh and for that matter other police officers did not have. The matter does not end here and none from the injured Singhs, who have been put in the witness-stand, says that this Niranjan Singh accused and for that matter any one from the Nirankaris at any stage gave any such exhortation. This fact is indeed of very material nature. It cannot be said that it is a trifle. The fact this important and material detail does not appear in the first information report makes it doubtful that Niranjan Singh gave any such exhortation." "I, therefore, find that the case of prosecution against this Niranjan Singh has no basis whatever and it is all an after-thought."

APPROVERS UNRELIABLE

While dealing with the evidence of the two approvers, the learned Judge held that both of them were first rate liars and that they had bargained with the police for a pardon.

Para 235—Page 137

Coming to the two approvers and the value of their evidence I would say that an approver is an accomplice, a partner in the commission of the crime. Goaded by the instinct of self preservation he bargains and trades in for his freedom and immunity. He has to testify in terms of the pardon tendered to him and he knows that if he does not do so he also would be in jeopardy. The Courts

have always viewed the evidence of an approver with doubt and have always insisted on independent and reliable corroboration of the evidence given by him.

Para 141—Page 240

“I have strong reasons for saying that none of these two approvers (Resham Singh and Mehma Singh) is a truthful witness.”

Para 143—Page 244

“I have no hesitation in saying that Mehma Singh, the other approver, (prosecution witness No. 19) is a rank liar. As aforesaid, he claims to have attended one of the meetings in the Nirankaris' Bhavan in Delhi on 6.11.1977 and also the open Samagam of the Nirankaris which took place on the day there afterwards. He claims that Shri Fakhar-ud-din Ali Ahmed, the then President of India, was the chief guest in that Samagam. It is noteworthy that Shri Fakhr-ud-din Ali Ahmed had died much earlier.”

Para 143—Page 245

“He has tried to impress that it was on 29.4.78 that he conveyed to the jail authorities that he wanted to make a clean-breast of his guilt and that he did not request any one to arrange for pardon for him. He states that he decided to confess his guilt on the call of his conscience. I wonder if a liar like him would have such a magging conscience. The fact that ultimately he was given pardon and made an approver would show that he had bargained for it.”

Para 144—Page 247

“I hereby hold that the evidence of none of the two approvers is worthy of reliance at all.”

Para 143—Page 247

“His Mehma Singh's brother Kehar Singh is employed in the Punjab Police as Inspector. The possibility that his said brother prevailed on him to take this step cannot be ruled out.”

ARRANGED AND GOT UP WITNESSES

Making a sharp reference to the unreliable witnesses produced by the prosecution, the learned judge made the following observations :

Para 136—Page 235

“All these four public witnesses, in the given circumstances, do not seem to be credible and above board. They are arranged and got up witnesses. The police officers concerned seem to have found them handy for towing their artificial version.”

Para 130—Page 228

“As regards the ocular account given by those witnesses from the Jatha of Singhs and who suffered injuries in the course of the violent clash I would say that they are all partisan witnesses whose paramount interest has been to project themselves innocent and victims of aggression at the hands of Nirankaris.”

Para 144—Page 247

“I hereby hold that the evidence of none of the two approvers is worthy of reliance at all. Then, when all other prosecution witnesses, including the police officers, have been found to have given wrong evidence and when the police officers after due deliberations have come out with an after-thought version changing the very genesis of the matter, it cannot at all be said that the evidence of these two approvers stands corroborated by the evidence of any other witness.”

FORGED ENTRIES AND FABRICATED EVIDENCE

There are repeated references in the judgement about the forging of daily diaries and other documents by the police officers with a view to fabricate false evidence to fit into the frame work of the prosecution version. The observations of the learned Judge are quoted verbatim :

Para 119—Page 207

“It has been rightly pointed out by the defence that in this report the name of Tilak Raj Constable No. 1586 has been interpolated after erasing the name and number of a different Constable.”

Para 121—Page 207

“This register tells its own story. The pages of this register including the covers have been stiched with a cord. Those covers are of Urdu daily newspaper “Hind Samachar”, Jullundur of 1.10.1978 and the Gurmukhi daily newspaper “Ajit” of 27.1.1979. This unerringly show that this daily dairy register has been re-stitched after 26.1.1979.”

“There are conclusive circumstances to show that pages No. 42 to 51, which include entires at serial Nos. 13, 14 and No. 15 of 13.4.1978 and others have been foisted in this register after removing the original pages”. “I have not the least hesitation in holding that this clumsy foistation of the relevant pages in the register has been done in an attempt to lend credence to the showings (wrongful) that the first information report had been received in the Police station a few minutes after 3 P.M. on 13.4.1978.”

Para 126 (h)—Page 221

“The facts stated by me above prove beyond any vestige of doubt that the relevant entries in the daily diary of the Police Station showing that the first information report had been recorded by 3.20 P.M. and that the said thirty-two of the arrested Nirankaris had been brought to the Police Station on the day at 5 P.M. are forged and foisted ones.”

VIRULENT ATTACK ON PEACEFUL NIRANKARIS

After screening the entire evidence produced by the prosecution and the defence, the learned judge came to the

definite conclusion that there was no truth in the plea that the members of Jatha of 200 Singhs intended to go to the Nirankari Pandal to make a request not to cause indignity to the Sikh Gurus. In fact, they were armed and their purpose was to uproot the Samagam of the Nirankaris and to scare them away. The observations of the learned judge are as follows :

Para 105—Page 148

“To say that the members of the Jatha of Singhs intended to go to the Nirankaris in their Pandal for merely beseeching them and to make a peaceful request to them not to cause indignity to the Sikh Gurus and Sikh religion is futile.”

Para 106—Page 150-151

“It seems to me that they were going on a crusade against the Nirankaris ; their minimal purpose being to uproot the Samagam of the Nirankaris and to scare them away. After all, when one goes to his enemy for merely making a peaceful request he, normally, is not armed to teeth with lethal weapons of the type without conveying to him his said purpose and to be alarmed because his visit is likely to be misconstrued and the other is likely to believe that here was his enemy who had come to punish him and may be to lynch him.”

Para 129—Page 227-228

“For the reasons recorded above I agree with the defence that after pushing back whatever scanty police force was there the Jatha of Singhs went berserk and rushed to the main gate of the pandal and then opened their virulent attack on the Nirankaris with deadly weapons which they were carrying. It seems to me that their differences with the Nirankaris in the matter of religion had the better of them that they threw all discretion to the winds and that they in flagrant subversion of law and order went to the Nirankaris' pandal determined to uproot their Samagam and to punish them. They thereby caused fatal injuries to some and other types of injuries to many others.”

Para 147—Page 251-252

All this has no bearing and appears into nothingness because of my clear finding that the Jatha of Singhs after pushing away the scanty police force ran amuck upto the pandal's main gate and without any provocation mounted their attack on the Nirankaris with their lethal weapons causing the death of a few of them and hurting many others with serious injuries".

Para 147—Page 252

After all several thousands of Nirankaris, including women and children, were inside the pandal at the time and had the Nirankaris not resisted in the mannar in which they did the life of so many innocent, who were at the main gate of the Pandal and inside, were in imminent danger and were imperilled. Not only this, some from the Jatha of Singhs had after having mounted their aggressive attack on the Nirankaris with the said lethal weapons already killed some and had hurt many others.

Para 166—Page 279

There is evidence, including that of Bachint Singh that formerly the followers of Sant Jarnail Singh Bhindranwala had been successfully obstructing and uprooting the Nirankari Smagam at various places. As aforesaid, that must have been done by use of violence or show of force.

THE MILITANT CORE VS THE SEWA DAL

The judgement also draws an interesting comparison between the followers of Sant Jarnail Singh Bhindrawala and the Sewa Dal of the Nirankari Mission. After careful consideration of the evidence produced by both sides and noting the demeanour of the witnesses, the learned judge has made the following observations :

Para 106—Page 152-153

"Here I may add that it appears to me that Sant Jarnail Singh Bhindranwala and his followers are the hard abdures and militant core among the ranks of Akali Sikhs.

In the photograph Ex. D. I, Sant Jarnail Singh Bhindranwala appears at point 'A'. With him is sitting one of his followers and with a carbine and another standing behind him armed with a gun. In the photograph Ex. D. K. he again appears at point 'A' and one of his followers is standing closeby armed with a gun and having a bandolier. In the photograph Ex. D. M. he is seen walking with an arrow in his right hand and is being followed by a person armed with a gun and carrying a bandolier. It has not been disputed that in the past the followers of Sant Jarnail Singh Bhindaranwala succeeded in obstructing the Samagams of the Nirankaris at least at three places. As aforesaid, physical force must have been used for the purpose".

Para 161—Page 272

"The evidence of the two approvers also shows that Baba Gurbachan Singh thereby declared that every member of the Sewa Dal wing should be a brave soldier who would not care for his life and would readily sacrifice it. It has been impressed that he wanted the Sewa Dal a para-military force. This all means to be a cock and bull story. How could the Sewa Dal wing be para-military force when none of them ever handed even single fire arm. The whole thing appears to be a square peg in a round hole."

Para 161—Page 273

"This is the evidence of Resham Singh himself showing that the duties of the members of Sewa Dal wing had been to canteen work, to instal tents etc, to look after the comforts of the Sangats, to do cooking, to give medical first aid and so on. The people engaged in this type of service work could not have been converted into pra-military force by telling them orally about the fire-arms. For the reasons stated above I have not the least hesitation in saying that the evidence of the two approvers in this behalf also is no better than junk."

“As regards Mehma Singh his evidence is that the said meeting in the afternoon of 6.11.1977 was attended by the Sanghchalaks of the Sewa Dal wing, that Shri H.S. Kohli had required him to attend that meeting although he was not a Sanghchalak and was an ordinary Nirankari and that Shri H.S. Kohli also attended that meeting. On behalf of the prosecution it has been impressed that since this Mehma Singh is a retired Subedar of the Indian Army he was specially called there so that he could give training in the use of fire-arms to the members of the Sewa Dal wing of the Nirankaris' Mandal. As aforesaid, I have also found him to be a liar. It is indeed interesting that all that he says to have done is that he afterwards in the Nirankaris Bhavan in Chandigarh gave oral training only to some of the members of Sewa Dal wing in the use of fire-arms. He has admitted that not a single fire-arm was handled for giving such training. I really wonder how training in the use of fire-arms can be given in that manner.”

This historic judgement containing serious strictures against the Punjab Police and Punjab Administration, has also brought to limelight the narrow mindedness of the Akali leaders, their intolerance for other faiths and their fanatic communalism. The cat is now out of the bag and the nefarious intentions behind their plot are now well known.

Sant Nirankari Mission is a purely spiritual movement. The Mission is preaching and propagating a Universal Brotherhood through realisation of the All-pervading Formless God. The followers of this Mission have full respect and regard for all the prophets, Gurus, Avatars, Saints and Seers as also the scriptures and religious books of all faiths and religions. People belonging to different religions, castes and creeds and who have love for all humanity, have joined this Mission. This Mission of Universal Brotherhood believes in putting a check to mutual ill-will and hatred through its spiritual teachings and cordial dealings. The devotees of this

Mission feel convinced that mutual love and affection between man and man and Universal Brotherhood are the human goals which can be achieved only through realisation of the Fatherhood of God.

It is the result of the teachings of Satguru Baba Gurbachan Singh that despite maximum provocation by the communal people, the Nirankari saints could keep their calm even in disturbing situations. They never returned hatred for hatred. On the other hand, they expressed love and affection even for those who hated them. Even after leading a life of torture and ill-treatment for 21 months, they never nurtured any feelings of hatred or ill-will against any one. All the time they have been praying to their Lord Master that He may let good sense prevail upon those who were burning themselves in hatred and to bestow upon them a life of love and spiritual bliss.

After this judgement the ill effects of the poisonous propaganda let loose by the communal leaders must have been washed. People must have known the truth. The walls of hatred and ill-will between brother and brother must have crumbled down.

In case there are any doubts or misunderstanding in the mind of any person even after this judgement, we would humbly beseech him to establish a direct contact with us for any clarification he needs. We assure him our full cooperation in this regard. Nirankari Mission is an open book which any person can read at any time and at any place.

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