

## Dismissal Of Sheikh Abdullah Government In 1953

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### ABSTRACT

In October, 1947, when raiders from Pakistan invaded Kashmir Maharaja Hari Singh was made to appoint Sheikh Abdullah the head of the Emergency Administration. Then on March 5, 1948 this Emergency Administration was replaced by a popular Interim Government, and Sheikh Abdullah remained its head. After assuming office he started taking drastic steps in the absence of a legislative organ, and there was no one to question his authority. Soon certain ominous developments started taking place. Sheikh Abdullah becomes increasingly autocratic in his style and intolerant of any advice..

**KEYWORDS** Emergency Administration, Interim Government, State of Jammu and Kashmir, Cabinet Mission, Sadar-i-Riyasat, Constituent Assembly, Praja Parishad.

### 1. INTRODUCTION

The British Cabinet Mission that visited India in March 1946 brightened the prospectus of the Indian independence. It held one hundred seventy two meetings and interviewed seven hundred forty two leaders of the various Indian political parties. Then it convened a Triparty Conference at Simla, which prolonged for a fortnight; however, the leaders of these parties failed to arrive at a consensus. Therefore, on May 12, 1946, the Cabinet Mission issued its own Award. As regard the future of the Indian princely States, the Mission recommended that the States would be part of the Indian Union and would represent the Constituent Assembly of India on the same principles on the British provinces. Thus, in accordance with the recommendations of the Cabinet Mission, the elections to the constituent Assembly of India were held in June 1946, while on September 2, 1946, the interim Government of India was formed. The States were also required to send their representatives to the constituent Assembly of India. Most of the States sent their representatives to the said body but authorities in Jammu and Kashmir were hesitant to send its representatives to the Constituent Assembly of India. As a result, on April 17 and 18, 1946, while addressing the Gwalior Session of the All India States People Conference, Jawahar Lal Nehru warned the princes that "all those who did not join the Constituent Assembly now would be regarded as hostile States and they will have to bear the consequences of being so regarded."<sup>1</sup>

However, by early 1947, the political affairs in the sub-continent reached a point where a declaration for independence could not be delayed any longer. Immediate after the announcement of the partition of the country of the leaders of both, the League and the Congress tried to woo the princes of the countries to accede to their countries. Therefore, few leaders of the congress and league visited Kashmir to persuade the Maharaja to join their respective countries. Lord Mountbatten and Lady Mountbatten visited Kashmir on June 19, 1947. Mountbatten's visit had a serious political purpose. He in fact had come to persuade the Maharaja of Kashmir to make up his mind well before August 15, 1947 and had brought an assurance from the Indian leaders that they would not take objection to his decision in whatever may be thought fit, even if it was accession to Pakistan.<sup>2</sup>

Accordingly, on July 25, 1947, Mountbatten, as a Crown's representative addressed the princes in the meeting and advice them that they were provided with only two options, to join either of the Dominions, keeping in view the geographical position of their States, on or before 15, 1947. The ruler of Jammu and Kashmir tried

to conclude a Standstill Agreement with both the Dominions. It was in these circumstances those three days before the transfer of power, the Maharaja of Jammu & Kashmir sent telegrams bearing identical dates, asking for standstill Agreement on August 12, 1947 to both the Dominions India and Pakistan.<sup>3</sup>

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The Government of Pakistan accepted it while the Government of India kept it in abeyance and wanted to have a further discussion on it. In the meantime, the visits of the Indian celebrated leaders to Srinagar at such a critical time created a sense of suspicion among the Pakistan authorities. Because of it, they lost patience and imposed economic blockade on Kashmir to coerce the Maharaja to accede to Pakistan.

After few days, this economic blockade was followed by the so-called tribal attack from the territory of Pakistan. Soon after, in the early hours of October 22, 1947, the hordes of heavily armed bands driven in motor trucks poured across the State borders and started loot, arson and rape.<sup>4</sup> On October 23, 1947, the raiders plundered Muzaffarabad and captured Domel. They entered Baramulla on October 26, 1947 and committed untold atrocities on the masses specially the women and the children. Houses were looted and burnt and many women were carried off. With the occupation of Baramulla by the raiders and their onward march, Srinagar itself was threatened.<sup>5</sup> The State forces collapsed to resist the attack, therefore, as a measure of defence against the invasion; the ruler of the State opted for help from India. The Indian leadership refused its assistance unless the State accede to India and the most popular leader, Sheikh Mohammed Abdullah sworn as the Prime Minister of the State. Thus, in duress, on October 26, 1947, the ruler of the State signed the instrument of Accession and acceded to India. On October 30, 1947, the Maharaja appointed Sheikh Mohammed Abdullah as the Prime Minister of the State of Jammu and Kashmir. The Maharaja appointed an Emergency Administration, headed by Sheikh Mohammad Abdullah.<sup>6</sup> An Emergency Council of twenty three members consisting of thirteen Muslim members (twelve from valley and one from Jammu) and ten Muslims members as constituted. The powers, the Emergency Administration supposed to exercise, were not defined. Thus, on March 5, 1948 this Emergency Administration was replaced by a popular Interim Government.<sup>7</sup> After assuming office he started taking drastic steps in the absence of Legislative Organ.<sup>8</sup>

Within a few months, the crisis deepened. The Maharaja complained to the Government of India about the high-handedness of the Interim Government. This provokes the temper of the Conference leaders who had now become severely critical of the Maharaja and openly asked for his abdication.<sup>9</sup> The State Department made some feeble attempts to reconcile the difference between the Maharaja and the Conference leaders. The efforts proved futile. In April 1949, Sardar Patel, the Home Minister and Deputy Prime Minister of India suggested Maharaja Hari Singh to leave Jammu and Kashmir and make his son Yuvraj Karan Singh the Regent. Accordingly on June 9, 1949, Maharaja Hari Singh abdicated in favour of his eighteen year old son, Yuvraj Karan Singh and he left the State and settled in Bombay, where he spent rest of his life. Thus, Sheikh Mohammed Abdullah got free hand to manage the administration of the State. Sheikh Abdullah becomes increasingly autocratic in his style and intolerant of any advice. His utterances too became anti Indian. In the middle of 1949, took place the first breach in the Kashmir National Conference when Gulam Mohinddin Karra left the National Conference and formed the Kashmir Political Conference a few years later, which stood outright accession of the State to Pakistan.<sup>10</sup>

In the meantime, in order to maintain Financial Stability, the Government of Sheikh Mohammad Abdullah approached the Government of India for financial. The need to clearly define Jammu and Kashmir's relations with India was also realized by Mirza Afzal Beg. Thus arise the need for setting up of a Constituent Assembly.<sup>11</sup> In October 1950, the General Council of National Conference issued a manifesto of the party for the Constituent Assembly.<sup>12</sup> the resolution Stated: *"the indecision and unrealistic procedure adopted so far has condemned the people of the State to a life of agonizing uncertainty."* The All Jammu and Kashmir National Conference are gravely concerned and cannot any longer afford to ignore the perpetuation of these conditions of doubt and frustration. In the opinion of General Council, therefore, time has come when the initiative must be regained by the people to put an end to this indeterminate State of draft and in decision. The General Council recommends the supreme National Executive of the people to take immediate steps for convening a Constituent Assembly based upon adult suffrage and embracing all sections of the people and all the Constituents of the State for the purpose of determining the future constitution for the State.<sup>13</sup>

Early in 1950, the Land Reforms Act was passed by the Sheikh's Government and this was the first important piece of Legislation which was enacted by the State Government without any prior reference to the Government of India. It was a source of much concern and embarrassment to the latter. Of course, on grounds of principles, one could not exception to this legislation, because in India also Land Reforms which gave the tiller title depriving the zamindar of his rights were under way. But sting was in the fact that this legislation was hurried through without consulting the centre.<sup>14</sup> However May 1, 1951, Yuvraj Karan Singh issued a proclamation and ordered the Institution of the Constituent Assembly for the State.<sup>15</sup> the proclamation envisaged that Assembly would be Constituted of the representatives of the people elected on the basis of Universal Adult Franchise and secret ballot. In accordance with the proclamation, the State was to be divided into electoral districts each covering forty thousand of population voting age was fixed at twenty one. General elections to the Assembly were held in September 1951.<sup>16</sup> Seventy three of the seventy five members of the Assembly, all nominees of the National Conference, were returned unopposed. Most of the candidates, other than the National Conference candidates, Praja Parishad who field their nomination for

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election, withdrew from the contest. Nomination papers of a large number of candidates were rejected in the process of scrutiny. The remaining two seats that were annexed by the National Conference after the Praja Parishad announced its decision to boycott the elections. The result of this election satisfied the Sheikh's vanity, as he used to declare openly that he was Kashmir and anybody who was opposed to his views did not have any place in the valley. So, to him the existence of an opposition party in the Constituent Assembly was unthinkable.<sup>17</sup>

The very first step the Assembly took was to abolish the rule of the Maharaja and replace him with a *Sadar-i-Riyasat* to be elected by the Kashmir Legislative Assembly. Yuvraj Karan Singh was elected the first *Sadar-i-Riyasat* (Governor) and took office on November 17, 1952. The Assembly also approved of a separate flag for the State to be flown on all normal occasions and restricted the use of the Indian National Flag to formal functions.<sup>18</sup>

It was therefore more than a coincidence that throughout 1951 and 1952 certain ominous developments started taking shape, with the Sheikh turning increasingly autocratic in his ways and intolerant of any advice from the Government of India. Of course, his personal relations with Pandit Nehru remained as cordial as before, but his utterances against India displayed a more critical tone. The Government of India did not object his highhandedness and maintained criminal silence and gave full hand to Sheikh Abdullah Acts.

In April 1952, Gopalaswami Iyengar wanted to bring about a measure of integration between Kashmir and India on financial matters by extending the jurisdiction of the comptroller and Auditor General to the State. The Sheikh Abdullah resented this move and accused the Government of India of wanting him to sign a promissory note in their favour. Piqued by this attempt by the Government of India at financial integration; Sheikh Abdullah made a highly provocative speech at April 10, 1952 at Ranbir Singh Pura the same month, which was duly reported by the Intelligence Bureau the Prime Minister, who mildly rebuked him for this. Sheikh Abdullah, of course promptly denied the move objectionable portions, but there is no doubt that he was trying to assert his independence.<sup>19</sup>

Sheikh Mohammad Abdullah's insistence on having a separate flag, a separate constitution and separate president provoked something like a revolt especially in the Jammu province and in the rest of the country. This created an impression that Sheikh Mohammad Abdullah wanted to become an absolute monarch of Kashmir. In these designs, he was supported by Pandit J.L.Nehru, who laid emphasis on the right of people of Kashmir to decide the future of the State.<sup>20</sup> In fact, this was exploited by Sheikh Mohammad Abdullah, who in order to get his demands fulfilled laid time and again that he could not persuade the people of Kashmir to have full union with India unless his demands were fulfilled. Soon an agreement was signed between Government of India and Sheikh Mohammad Abdullah known as the Delhi Agreement on July 1952.<sup>21</sup> The Agreement gave Sheikh Mohammad Abdullah what he wanted i.e. a separate flag, a separate constitution and end of Dogra ruling dynasty and its replacement by *Sadar-i-Riyasat* who was indirectly elected by the Legislature.

By now, it was obvious from his deeds and speeches that he was playing with the possibility of an independent Jammu and Kashmir. He also accused India of being communal and threatened that the accession of the State should not be taken for granted. Moreover, he cultivated friendly relations with Adlai Stevenson, U.S. Ambassador to India, who visited Kashmir in May, 1953. It was believed that the latter assured him of assistance in securing the independence of Kashmir through the UNO and that made Sheikh Abdullah more and more assertive and intransigent. Sheikh Abdullah was thoroughly confused and was avoiding meeting with Pandit Nehru. Evidently he was on a war path. He even refused to visit Delhi when Nehru himself invited him. On July 3, 1953<sup>22</sup> when Maulana Azad came to Srinagar for a few days, Sheikh Abdullah pointedly ignored him and he was insulted by the workers of the National Conference.<sup>23</sup>

In the meantime, the Sheikh restricted the use of the Indian flag and made the State Constituent Assembly approve a separate flag for this State to be hoisted on suitable occasions.<sup>24</sup> Meanwhile it was after the Delhi Agreement that Praja Parishad became suspicious of the designs of Sheikh Mohammad Abdullah. Moreover, the Praja Parishad leadership was alarmed as Sheikh Mohammad Abdullah's opposition to the complete integration of Jammu and Kashmir with India. Pandit Prem Nath Dogra went to Delhi to meet the Prime Minister in 1952 but failed as Nehru refused to meet him.<sup>25</sup> However, the Praja Parishad had lauded a movement for the restoration of "*Ek Nishan, Ek Vidhan and Ek Pardhan*" (one flag, one constitution and one President). Meanwhile the Jammu agitation showed no signs of abating and in fact, was taken up by like minded parties in Delhi, specially the newly formed Bharatiya Jana Sangh headed by Dr. Shyama Prasad Mukherjee and N.C. Chatterjee who decided to launch a Satyagraha on an All India basis.<sup>26</sup>

Although Sheikh Abdullah attempted to dismiss the whole matter as the plot of 'reactionary elements' and the Government of India seemed to support that view.<sup>27</sup> On the other hand, Praja Parishad was still carrying on Satyagraha. In this Praja Parishad was also supported by Dr. Shyama Prasad Mukherjee, the then president of Hindu Mahasabha, who took the battle on behalf of Praja Parishad in and outside the Parliament.<sup>28</sup> In

August 1952 Dr. Mukerjee visited Jammu and found that people of Jammu were earnest about the accession and that their patience was reaching the breaking point. He however, advised them not to take any hasty step and urged them to explore all constitutional means for achieving their laudable objective. On this Sheikh Mohammad Abdullah got irritated and became repressive. The Government started hunting out the volunteers of Praja Parishad. When this news reached Delhi, Dr. Shyama Prasad decided to come to Jammu on May 1953 to study the situation. He was accompanied by Vaidya Gurudutt, a physician. Both were arrested on 8<sup>th</sup> May near Lakhanpur Gateway of Jammu province for defying the ban on their Entry into Jammu and Kashmir State. They were sent to Srinagar jail.<sup>29</sup> Shyama Prasad died in Srinagar on 23<sup>rd</sup> June 1953 under mysterious circumstances.<sup>30</sup> His death further added fuel to the fire and invited strong criticism from India, particularly, from Bengal Chief Minister of Bengal, Dr. B.C. Roy sent a telegram to Sheikh Mohammad Abdullah asking how Kashmir Government had allowed this to happen.<sup>31</sup>

The popular discontent against Sheikh Mohammad Abdullah's discriminatory treatment with regard to Jammu province, his non-implementation of policy and programmes of National Conference in true perspective and his differences with his cabinet colleagues led to his downfall. In his cabinet he had lost the confidence of his colleagues. Only Mirza Afzal beg, Mohammad Shafi and a few others were with him. All other important leaders like Bakshi Gulam Mohammad, G.M. Sadiq, Maulana Mohammad Syed Masoodi, Mir Qasim and Hindu leaders like Shyam Lal Saraf, G.L. Dogra and P.N. Dhar were against him.

The Sheikh was so serious about Kashmir's independence that he started discussing the nature of J&K relationship with India in the working committee of the National Conference and in the Constituent Assembly of Jammu and Kashmir. However, over the question of relationship of the State with India the cabinet of Sheikh Abdullah was divided into two groups, one group led by Mirza Afzal Beg, was vociferous in its views that the relationship of the State with India should not go beyond the three subjects i.e. defence, foreign policy and communication, while the other group led by Gulam Mohammad Bakshi, was agreeable to a more comprehensive relationship covering other vital areas, such as judiciary, financial arrangements and so on. This tussle within the National Conference gradually assumed serious dimensions.<sup>32</sup> His opponents accused Sheikh Abdullah for highhandedness and of ignoring the view point of his colleagues.<sup>33</sup> This rift in the cabinet came to a head on Aug. 7, 1953, when Sheikh Abdullah decided to move against his opponents by asking for the resignation of Pandit Sham Lal Saraf.<sup>34</sup>

Everyone in official circle as well as in public was now suspicious of the designs of Sheikh Mohammad Abdullah. He had lost even the confidence of the Government of India. His separatist policy awakened the people as well as the Government of India. Sheikh Mohammad Abdullah was accused of creating ill-will between Kashmir and Jammu on one hand and between India and State on the other. The more the Sheikh was being isolated, the more desperate he was becoming. There was every possibility that he would assume the role of a dictator or do some other desperate act.<sup>35</sup> In the meantime, the intelligence Bureau headed by B.N. Mullick, Durga Parshad Dhar, who was Deputy Home Minister in the State, Maulana Azad, who had earlier been to Srinagar and the *Sadar-i-Riyasat*, Karan Singh were continuously reminding Pandit Nehru that Sheikh Abdullah was indulging in anti national activities.<sup>36</sup>

Therefore, on August 8, 1953, the *Sadar-i-Riyasat* and the prime Minister discussed the situation in light of the memorandum dated Aug 7, 1953 and intelligence Bureau's report. The *Sadar-i-Riyasat* suggested that an emergency meeting should be held at his residence in the same evening so as to explore the possibilities of securing a stable, justified and efficient Government. But Sheikh Abdullah refused the request and went off to Gulmarg to spend his weekend. Hence after consultation with Nehru the *Sadar-i-Riyasat* dismissed his government and arrested him<sup>37</sup> on Aug 8, 1953.

Thus, he was neither provided a charge sheet nor was he ever convicted. His support within the State legislature was unquestioned. However, the elementary principles of law and democracy were thrown to the wind, when Sheikh was suspected to be in league with anti National forces.

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