

RELEASE OF LONG-TERM POLITICAL PRISONERS

On behalf of the National Council of the Communist Party of India a delegation consisting of Comrades Ajoy Ghosh, Sohan Singh Bhakna, S. A. Dange, E. M. S. Namboodiripad and Bhupesh Gupta met Prime Minister Nehru at noon today and presented a memorandum for the release of long-term political prisoners. In their talks the members of the delegation explained the cases of the long-term political prisoners and appealed to him to kindly take necessary steps so that these long-term political prisoners are released at an early date and the pending warrants against others withdrawn.

New Delhi,
September 17, 1961

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To,
Pandit Jawaharlal Nehru,
Prime Minister of India,
New Delhi.

MEMORANDUM FOR THE RELEASE OF LONG-TERM POLITICAL PRISONERS

Dear Panditji,

On behalf of the National Council of the Communist Party of India, we approach you today to seek your intervention for the release of a number of long-term political prisoners, who have been languishing for several years behind prison bars in West Bengal, Tamilnad, Bihar, Punjab and Andhra. We would also, in this connection, urge the withdrawal of warrants against political workers in connection with cases which arose over a decade ago.

Some relevant particulars about the political prisoners and workers are given in the list appended herewith. As will be seen from the list, most of these prisoners have spent 10 to 12 years, including the under-trial period, in jail, without, however, taking into account jail remissions which they have so far earned. In a number of cases, the period already served has, with such remissions, exceeded 14 years. Under the British, the prisoners with life imprisonment who had thus served 14 years used to be ordinarily released. But this convention does not seem to be followed in the case of these political prisoners.

Our Party and others made representations to the State Governments concerned over this matter, but we regret to say that except in the case of Andhra Pradesh, there was no sympathetic response. Shri Rama Krishna Rao, when Chief Minister of Hyderabad, released a number of long-term political prisoners. Later, when Shri Sanjeeva Reddy became the Chief Mini-

ster of Andhra Pradesh, he was good enough to release all the remaining long-term political prisoners except two. This gesture on their part was welcomed and appreciated by all and it set good political and humane standards. It was expected that similar amnesty to the long-term political prisoners would be granted in other States; but that was not to be.

When the State Governments were approached, we were told about the gravity of the charges on which these prisoners were convicted. The State Governments seem to take a purely technical and legal position in this matter when both political and humane considerations are called for. It is our misfortune that we have not been able to convince the State Governments of these wider considerations.

You will agree that while dealing with such cases, the political background in which they arose, as well as the changes in the political situation are always taken into account. It will be recalled that with all its spirit of revenge and vendetta even, the British Government in the old days could not always altogether ignore the political considerations in dealing with the question of political prisoners, and from time to time, long-term political prisoners, including those transported to the Andamans were released before time. Among them were those convicted under the Martial Law regime in the Punjab and in the first Lahore Conspiracy Case. These prisoners were charged for conspiracy to wage war against the King-Emperor and overthrow British rule. The Chittagong Armoury Raid prisoners, all of whom had been sentenced to transportation for life, as well as a number of others convicted for violence, were released in August 1946 by the British and the Muslim League Chief Minister of the undivided Bengal, Mr. H. S. Suhrawardy. Releases of similar prisoners took place in other provinces as well.

In this connection, we cannot but recall that in those days, the Congress organisation led by Gandhiji and yourself was always in the forefront of the public demand for the release of the long-term political prisoners. Faced with the people's demand for their release, the British Government used to harp on the serious nature of the charges involving violence. But you and the Congress took the stand firmly on a political and humane ground. Your intervention then was an important factor in the

repatriation of the political prisoners from the Andamans and later in securing their release.

It will ever remain a glorious page in the history of our freedom struggle when the Congress Ministries, after the 1937 elections, took up the question of release of long-term political prisoners in the face of stubborn opposition by the British Governors and the Congress Working Committee directed its Ministries to resign rather than submit to the Governors on this issue. It was the British who had to yield then and the national movement won.

In considering the cases of the prisoners for whose release we are approaching you, the political background in which these cases arose is a material point deserving of all due attention. Almost all the cases relate to the period between 1948 and 1950 when the Constitution had not yet come into force. In the early days of independence, some confusion prevailed among sections of the democratic movement. Certain policies of the Government contributed to the creation of that situation. The Communist Party and the RCPI were declared illegal and so were a number of popular mass organisations. The autocratic British laws prevailed and the Fundamental Rights now enjoined by the Constitution were yet not there. Hence the cases of these political prisoners can hardly be assessed or understood except in the context of that situation. Those days we have, of course, happily left behind and the political situation today is in many ways radically different from what it was before the commencement of the Constitution.

One of the features of the present political situation is that the political parties or the mass organisations with which these prisoners are associated are all working for the strengthening of India's nascent Parliamentary institutions. This has been demonstrated over the ten years since the Constitution. Not only our Party but all democratic forces stand for advancing their political objectives through peaceful means. It will be most unfortunate if the cases of these political prisoners were now to be viewed in isolation and without taking this singularly important aspect of our political life into account. In the changed political conditions, it would be a tragedy if these prisoners were still to languish in prison.

We are in a position to affirm that all these prisoners fully recognise the changes in the political situation and accept the policies of their respective parties for peaceful and democratic methods. This the prisoners also have themselves declared in no uncertain terms from inside prisons. And further this has been amply borne out by the conduct and activities of every one of these prisoners who have been released in Andhra and in other places.

We understand that it is not even the contention of the concerned State Governments that the release of these prisoners would in any way jeopardise what is called law and order. It seems that these State Governments take their stand on the ground of retribution which incidentally in modern times is not considered to be a civilised principle even in ordinary criminal-jurisprudence.

It is not our intention here to catalogue the political antecedents of these long-term prisoners, but a word or two will not be altogether out of place. Almost all of these political prisoners took prominent part in the fight against the British. Among them are Pannalal Das Gupta and Gajen Mali of West Bengal, K. Baladandayudam and V. Meenakshinathan of Tamilnad, Medan Singh and Pakhar Singh of the Punjab and Nakshatra Malakar and Sadhan Gupta of Bihar.

Pannalal Das Gupta joined the Congress in the early twenties, was convicted in the Mechua Bazar Bomb Case in 1931. After serving his five-year sentence, he was detained without trial and was released only in 1937. He played a leading part from "underground" in the "Quit India" movement of 1942.

Gajen Mali was in the forefront of the peasant struggles that swept Bengal in the years 1945-47. These peasant struggles then formed a powerful front in the post-war anti-British upsurge in West Bengal.

K. Baladandayudam was a leader of the student movement in his student days and he was sent out of his college for his anti-imperialist activities in 1939. Subsequently he was detained by the British Government in 1940. After release, he became an important trade union and political leader well known throughout Tamilnad.

V. Meenakshinathan joined the Congress in the early thirties and later, as a worker in the textile mills of A & F Harveys at Vikramasingapuram, became the leader of the trade union.

Medan Singh took part in the anti-imperialist revolutionary activities in the thirties and was tried several times by the British Government.

Pakhar Singh came under the influence of the famous Ghadar Party and took part in the anti-British struggles and has been a public worker since then.

Nakshatra Malakar joined the Civil Disobedience movement of 1930 and suffered imprisonment. As an active worker of the Rajendra Ashram (of the Congress), Katihar, he plunged into the "Quit India" movement of 1942. The British Government launched a number of criminal cases against him but could not get a single witness to depose against Malakar who had become a hero.

Sadhan Gupta was a Congress worker and later turned to the working class movement.

Teja Singh Swatantra, against whom a warrant is still pending, was a notable figure in Punjab's revolutionary movement. In the days of the Martial Law in the Punjab at the end of the First World War, he gave up studies and left college to join the political movement. He carried on his revolutionary activities against the British in various countries like the USA, Russia, Turkey, Afghanistan, Argentina and Canada and trained up many freedom fighters. After his return to India in 1935 he was put under detention by the British. While in detention in Campbellpore Jail, he was returned unopposed to the Punjab Legislative Assembly. He is now an old man of 65 in ruined health.

Kansari Haldar, a sitting Member of the Lok Sabha, was arrested after his election in 1957 in Delhi, but was released on bail. He was tried by a special tribunal and sentenced to life imprisonment on charges that date back to 1947-50. He is now undergoing the sentence in Alipore Central Jail. While still wanted by the police in that case, Kansari Haldar contested the last general elections as a Communist candidate. Even though he never appeared before the electorate, he was elect-

ed to the Lok Sabha with 2,36,192 votes from a double-member constituency, topping the poll. Incidentally, it may be mentioned here that the case against him had arisen in the very constituency from which he was so impressively returned. It is most tragic that a Member of Parliament, in circumstances such as these, should have been thrown in prison with a life sentence. Kansari Haldar was always active in the days of anti-British struggles.

These and other prisoners were leaders and organisers of the trade union and kisan movements or were otherwise active in the democratic movement. One may or may not agree with their political views, but it cannot be denied that these prisoners are a band of selfless workers. They have never been moved by any personal considerations throughout their public life.

Long years in prison have led to the shattering of the health of many of these prisoners. Some are suffering from very serious ailments to which two prisoners in Tamilnad had already succumbed. All these prisoners come from the poorer sections of the community and many were indeed the bread-winners of their families. Hardship and suffering their long incarceration is causing to their near and dear ones can be better imagined than described. Families of some of these prisoners today live in sheer destitution. We receive heartrending accounts of their sorrow and misery.

When all of us are participating in the remaking of our country after independence, these selfless workers are deprived of the privilege to serve the nation and the people. We know it for a fact that this is causing them deep mental agony.

In view of these considerations and notably of the fact that most of these long-term prisoners, as already stated, have spent ten to twelve years in jail, we would urge upon the Government to reconsider this entire question of release of long-term political prisoners with understanding, sympathy and political wisdom. It is but natural that the concern for these prisoners should have been growing over the recent period. The demand for their release is receiving increasing support from all sections of public opinion. Here mention may be made of the fact that 74 Members of Parliament issued a public statement appealing to Gov-

ernment for the release of these prisoners. Similar appeals were also issued in the States by prominent public men. But all these appeals have gone unheeded.

The cause is so just and urgent that we turn to you, as the Prime Minister, for redress in this matter. We count upon your humane feeling, sympathy and political vision. We would sincerely appeal to you to kindly take necessary steps so that these long-term political prisoners are released at an early date and the pending warrants withdrawn. Such an act of generosity on your part is anxiously awaited not only by the prisoners and their suffering families but by many others throughout the country.

Yours sincerely,

sd. Sohan Singh Bhakna,
Ajoy Ghosh,
S. A. Dange,
E. M. S. Namboodiripad,
Bhupesh Gupta.

for THE NATIONAL COUNCIL OF
THE COMMUNIST PARTY OF
INDIA

APPENDIX

List of Long-Term Political Prisoners

	Time of arrest	Time of conviction	Period already spent in prison as on 31.8.61	Sentence
	(1)	(2)	(3)	(4)
West Bengal				
(a) <i>Kakdwip Conspiracy Case</i>				
1. Gajen Mali	Feb. '50	Dec. '53	11 yrs. 6 mths.	30 yrs.
2. Bhusan Kamila	"	"	" "	" "
3. Sujoy Barik	"	"	" "	20 yrs.
4. Dwijen Dinda	"	"	" "	" "
5. Bejoy Mondal	"	"	" "	30 yrs.
6. Bhim Ghorai	"	"	" "	" "
7. Manik Hazra	Nov. '49	"	11 yrs. 9 mths.	20 yrs.
8. Tarani Sahu	Feb. '50	"	11 yrs. 6 mths.	" "
9. Kshirode Bera	"	"	" "	" "
10. Kansari Halдар, M.P.	'57	Aug. 28, '60	" "	" "
(b) <i>Dum Dum Basirhat & Jessop Cases</i>				
11. Bindhya Singh	Feb. '49	May '55	12 yrs. 6 mths.	25 yrs.
12. Mukunda Gupta	"	"	" "	" "
13. Sanat Dutta	"	"	" "	" "
14. Dinabandhu Kundu	"	"	" "	" "
15. Pritish Ray	Apr. '49	"	12 yrs. 4 mths.	" "
16. Hiranmoy Ganguly	Aug. '49	Mar. '57	12 yrs.	" "
17. Fatik Pan	"	"	" "	" "

	Time of arrest	Time of conviction	Period already spent in prison as on 31.8.61	Sentence
	(1)	(2)	(3)	(4)
18. Kalidas Chakravorty	Aug. '49	Mar. '57	12 yrs.	25 yrs.
19. Amiya Chakravorty	"	"	" "	" "
20. Biswanath Das	"	"	" "	" "
21. Prasad Mukherjee	"	"	" "	" "
22. Bireswar Bhattacharji	Apr. '50	May '55	11 yrs. 4 mths.	" "
23. Bikram Shaw	June '50	"	11 yrs. 2 mths.	" "
24. Tarapada Roy	Oct. '50	Aug. '53	10 yrs. 10 mths.	" "
25. Pannalal Das Gupta	July '51	May '55	10 yrs. 1 mth.	" "
26. Rajkrishna Chakravorty	July '49	Aug. '53	12 yrs. 1 mth.	20 yrs.
27. Saraswati Tewari	Oct. '52	"	8 yrs. 10 mths.	" "
28. Ramjatan Singh	Aug. '49	"	12 yrs.	" "
29. Harimukund Ram	June '49	"	12 yrs. 2 mths.	" "
30. Makhan Bose	Mar. '49	"	12 yrs. 5 mths.	" "
31. Anwar Ali	Oct. '49	"	11 yrs. 10 mths.	" "
32. Kartic Dhara	Mar. '49	"	12 yrs. 5 mths.	" "

Tamilnad

(a) Tirunelveli Conspiracy Case

33. V. Meenakshinathan	Nov. '53			20 yrs.
34. K. B. S. Mani	Aug. '52			" "
35. V. Alagamurthu	"			" "
36. K. Baladandayudam	Nov. '53			" "

	Time of arrest	Time of conviction	Period already spent in prison as on 31.8.61	Sentence
	(1)	(2)	(3)	(4)
(b) Kathalambatti Case				
37. M. V. Sivaswamy		July '50		20 yrs.
38. M. V. Vairavan		Mar. '50		" "
39. U. Veerannan		"		" "
(c) Shenbagam Servai Case				
40. K. Marudai		June '50		20 yrs.
41. C. Mottayan		"		" "
42. P. T. David Rajmani		"		" "
43. Joseph		"		" "
44. Veerayya		"		" "
(d) Tiruppur Case				
45. C. A. Balan				20 yrs.
Bihar				
46. Nakshatra Malakar	1951	1952	10 yrs.	20 yrs.
Digwadi Colliery Case				
47. Biswanath Bhuiya	1952	1952	9 yrs.	20 yrs.

Dharmaband Colliery Case

48. Sadhan Gupta	1952			20 yrs.
49. Bodi Alam	1954	1952	7 yrs.	" "
Agrarian Disturbances				
50. Panchanan Jha	1954	1952	7 yrs.	20 yrs.
51. Giri Jha	1955	1955	6 yrs.	10 yrs.
52. Baleshwar Jha	1955	1955	" "	" "
53. Jagdhar Jha	1955	1955	" "	" "

	Time of arrest	Time of conviction	Period already spent in prison as on 31.8.61	Sentence
	(1)	(2)	(3)	(4)

Nawadah

54. Dr. Brajnandan Lal	1955	1955	3 yrs.	7 yrs.
55. Suresh Bhatt	"	"	" "	" "
56. Bachoo Lal	"	"	" "	" "

Andhra Pradesh

57. M. Appa Rao	Aug. '54	Nov. '56		20 yrs.
58. D. Nagabhusbanam	'54	Mar. '55		" "

Punjab

59. Maidan Singh		1956		20 yrs.
60. Pakhar Singh	1953	1956	8 yrs.	" "
61. Kehar Singh	1953	1956	" "	" "
62. Pritam Singh	1954	"	7 yrs.	" "
63. Nasib Singh	1955	"	6 yrs.	" "

Absconding

1. Téja Singh Swatantra	(Punjab)			since 1948
2. Raja Ram	"			" 1951
3. Darshan Singh Dhakla	"			" 1948
4. Inder Singh Murari	"			" 1948
5. Sardha Singh	"			" 1951
6. Asoke Bose	(West Bengal)			" 1949