

Return to A.M.

Mr. P. R. Sarkar and the Ananda Marga

MEMORANDUM

A report on the Ananda Marga Society in India and the plight of their leader Mr. P. R. Sarkar, prepared for the International Committee to obtain Justice for Shrii Shrii Anandamurti by British lawyer and Queen's Counsel, Mr. William T. Wells.

Mr. P. R. Sarkar and The Ananda Marga

MEMORANDUM

On instructions received from Messrs. Harold Kenwright & Cox, Solicitors, I travelled to India by air, leaving Heathrow in the afternoon of Friday, 29th March 1974, and arriving at Delhi early the next morning. I remained in Delhi until Thursday, 11th April, 1974, and reached Heathrow early the following day. I was accompanied by my clerk Mr. Roy Bannister whose help throughout was invaluable.

2. My instructions were to the effect that Mr. P. R. Sarkar, the leader of a spiritual movement called Ananda Marga (which means the Path of Bliss), had been imprisoned without trial since December 1971, in the State of Bihar, on a charge of conspiracy to murder some former followers. Adherents of Ananda Marga in the USA, Canada and Europe have formed a Committee designated the International Committee to obtain Justice for Shrii Shrii Anandamurti (which is the name by which Mr. Sarkar is known inside the Ananda Marga organizations, his name, so to speak, in religion). It is their belief that the charge against Mr. Sarkar is based on fabricated evidence and is part of a campaign by certain authorities against Ananda Marga in general and Mr. Sarkar in particular; and their anxieties as to Mr. Sarkar's fate have been sharpened by the fact that, for reasons that will appear later, he has, since 1st April 1973, abstained from taking solids and is now, as understandably appears not to be in dispute, in an extremely weak condition. Specifically my instructions were:

- (i) To explore the possibilities, either through an abandonment of the charge or otherwise, of Mr. Sarkar's being allowed to go to the USA for medical treatment in view of his extreme weakness. (He is said to be in a terminal state through under-nourishment.)
- (ii) To discuss with Mr. Sarkar's lawyers in India the prospects of an early trial.
- (iii) Generally to explore the attitude of the Indian authorities to Ananda Marga and whether there is any possibility of improving the relations between the Government and the movement.
- (iv) To report on these matters on my return.

3. Before leaving for India, I had the advantage of having several conferences with those instructing me who were on each occasion accompanied by representatives of Ananda Marga resident in the United Kingdom or the United States. When in India I had several consultations with members of the Indian Bar including Mr. C. K. Daphthary, Senior Advocate, and a former Attorney-General of India, who has represented a member of Ananda Marga in civil proceedings to which I shall refer below, and Mr. Ram Tanouk Singh, Advocate, who has appeared for Mr. Sarkar in the various proceedings in Patna. It had been originally intended that I should go to Patna to confer with Mr. Nageshwar Prasad, Senior Advocate, who has appeared for Mr. Sarkar with Mr. Ram Tanouk Sing, and if possible to visit with Mr. Sarkar himself in Bankipur jail, Patna. But I was advised, in strong terms and on authority I could not properly disregard, not myself to go to Patna, and I am satisfied the advise given to me was well founded; and unfortunately Mr. Nageshwar Prasad was not able to come to Delhi. Further I had a number of interviews with members of Ananda Marga whom it would not be politic to identify. Finally, I had an interview with Mr. Misra, an official of the Cabinet Secretariat, who received me most courteously, and who was accompanied by two gentlemen, whom I took, though unfortunately I cannot confirm, to be representatives of the Ministry of Home Affairs, and of the Central Bureau of Intelligence (to whom I shall subsequently refer as the "C.B.I."), that is, the federal security agency. This Memorandum is based mainly on what I learnt during these conferences and interviews. In particular any statements I may make as to Indian law and constitutional practice will simply reflect what I was told by Indian lawyers and administrators.

4. Although any deep examination of questions of religion, philosophy, sociology or politics would be quite outside the scope of this Memorandum, it would be impossible to understand the problems I was instructed to examine without some appreciation both of the tenets of Ananda Marga and the history of the movement; and of its relations with the Government of India and the Governments of certain other States, notably West Bengal and Bihar.

5. Ananda Marga was founded in Bihar by Prabhat Rainjan Sarkar in 1955. Mr. Sarkar, an accountant working in a railway workshop by occupation, was a relation of the former Congress leader Subhas Chandra Bose, who in order to advance Indian independence espoused the Axis cause in the War of 1939, went to Berlin, and is generally supposed to have died or been killed during the Burma Campaign. Bose was a critic of Mahatma Ghandi's doctrine of non-violence and there is possibly some significance to be found in the facts that in his student days Mr. Sarkar lived in Bose's house and that he has dedicated a book to him. However this may be, Mr. Sarkar, who had previously been a practitioner of what is known as Tantric Yoga, launched the movement with the twin objectives of

individual regeneration through spiritual practices and of liberating and purifying the society, and ultimately of creating a world government, by substituting rule by moralists for the corrupt rule, as he saw it, of the governments around him. (See the 10 principles—Table 2 Olaf T. Oftedal) (See paragraph 6 below). His doctrine, with its insistence both on the predominant importance of the spiritual element in life and on the fundamental equality of all human beings, found itself in conflict with the materialist element in the capitalist system, with the Marxist doctrine of dialectical materialism, and with the caste system implanted in the Hindu religion. Thus it was, and is, seen by some to pose a challenge both to the capitalist system supported by the conservative elements in the ruling Congress Party in India, to the Communists one part of whom, the Communist Party of India ("C P I"), as distinct from the Communist Party of India—Marxist-Leninist ("C P M") has lent its support to the Government led by Mrs Gandhi, and to the conservative Hindus adhering to the caste system. The issue underlying the hostility with which the rulers of India avowedly view Ananda Marga is whether, as the Margis claim, theirs is a spiritual movement seeking to influence politicians and administrators, in India and ultimately elsewhere, by spiritual means; or whether they are an essentially political movement seeking to overthrow the present Government of India by constitutional means if possible but if necessary by force, and to substitute a dictatorial form of government to be presided over by Mr. Sarkar. It will be impossible to establish within the scope of this Memorandum which of these two views approximates more nearly to the truth. But in seeking to deal with the questions I have been instructed to examine it will be necessary to refer to some of the evidence bearing on the matter. The question does, however, immediately present itself why, if the official view be the right one, should the Margis have taken the trouble, as they have done, to recruit adherents outside India, for example, in the USA, the Phillipines and the UK? There may be more than one answer but it is an important question.

6. From 1955 to 1967 there was no great conflict between the Indian authorities and Ananda Marga. While I have learnt much about the development of the movement during these years from other sources, I am particularly indebted to a monograph written by Mr. Olaf T. Oftedal, of the Centre for International Studies, Massachusetts Institute of Technology, a copy of which was included in my instructions.

THE BIRTH OF AN IDEOLOGY—THE ANANDA MARGA CONTROVERSY IN INDIA

"The early spread of the organization" says Mr. Oftedal, "was confined to Bihar and nearby West Bengal". Mr. Sarkar was of Bengali extraction and his teachings seem to have made an immediate appeal among the Bengali intelligentsia. The

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registration of Ananda Marga Pracaraka Samgha (organization for the Propagation of the Path of Bliss) was followed by the establishment in 1958 of *Renaissance Universal*, "an offshoot organization dedicated to cultural renaissance based on moral and spiritual inspiration". Ananda Marga at the same time was becoming increasingly concerned with social issues. In a series of speeches and publications in 1958—1962 Mr. Sarkar criticised capitalism, the caste system, and vested political interests, called for a "progressive socialist society", launched what he called the "Progressive Utilization Theory" (Prout), which appears to mean the progressive utilization of all physical, mental and spiritual resources in the interests of the whole community, and attacked a number of features of the existing social order : all without any interference from the authorities. By 1960 the movement had attracted a sufficient number of full-time workers to be sent to other parts of India, and in 1962 there was established the Seva Dharma Mission, "an order of yogic monks (and later nuns) who renounced their personal lives in order to devote themselves to serving humanity". In the 1960's, too, there developed, parallel with this Mission, and largely staffed by its members, the Education, Relief and Welfare Section ("ERAWS"). On the educational side schools, both primary and secondary, were established; and welfare units, children's homes, students' homes, hostels, cheap or free kitchens and lepers' homes, are a few examples of the work initiated. Starting in 1967 the watershed which divides the period of peaceful development from the period of government hostility—ERAWS initiated and carried through a number of schemes of calamity relief; against floods, famine, drought, earthquake, cyclones and finally, the problem of the Bangladesh refugees. Finally, this period saw the development of the movement's most controversial wing, Voluntary Social Service ("VSS"). According to the opponents of Ananda Marga, VSS is a paramilitary organization, providing drill, weapon training, and instruction in village warfare (whatever that may be) standing in the same relation to Ananda Marga as the Storm Troopers to the Nazis or the I R A to Sinn Fein; according to the Margis, it is the organization which carries out the actual physical side of the relief work, provides stewards for meetings of the other organizations in the movement, and the only drill provided for members of this organization is a certain amount of physical training. Which version is the truth?

7. What happened in 1967 to change the attitude of the authorities? This is a topic which could, and I believe ought to be, the subject of a major judicial enquiry, but this could only be carried out in India and by Indians. There seems to have been no new development in Mr. Sarkar's thought on teaching which could explain the change, though certainly by 1967 the movement had become a powerful one, with, it is estimated, over 2,000,000 adherents and a large proportion drawn from the educated classes. The trouble seems to have started in West Bengal at a time of considerable distress and disruption in which ERAWS teams participated in relief work. The State Government was a coalition in which the Communists

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took part, and it may be that since the Margis by definition opposed the teachings of the Marxists, the latter regarded this outburst of Ananda Marga activity with suspicion and hostility. There was also, according to Mr. Oftedal, a certain amount of friction between the Margis and the Christian Missions. At all events, on 5th March 1967, at Purulia in West Bengal, the location of the then Ananda Marga headquarters, a mob attacked these buildings, murdered five of the Ananda Marga workers and did a great deal of damage to property, while the local police stood by. A number of charges was subsequently brought and the trial judges in passing sentence criticised the local administration and police in scathing terms. Significantly enough, perhaps, his judgement, which I have read, was nowhere, I am told, reported. The only part the police took was to file 65 charges, according to Mr. Oftedal, against Ananda Marga supporters: of these, he writes, all but two have been dismissed and these are still, seven years later, pending. (Although a number of prison sentences was passed on those who initiated the disorders.) A somewhat similar incident took place in Cooch-Bihar, also in West Bengal, in 1969 and again the only action taken by the police appears to have been to initiate prosecutions against Mr. Sarkar and 37 other Margis, all the charges being later dismissed by the Court.

8. 1969 witnessed an even more ominous development. In May of that year the Government of India for the first time openly directed an attack on Ananda Marga by prohibiting members of the Indian Administrative Service ("IAS") from being members of this organization. The constitutionality of this ban was challenged in the Courts, and the consequent litigation has somewhat curious history. What in English legal parlance would be called an interlocutory injunction was obtained in the Supreme Court, the Chief Justice of India refusing an application by the Attorney-General for an adjournment to obtain further evidence by saying that what the Court was interested to know was what evidence was available to the Government at the time they made their Order. After the Court issued the injunction, the Plaintiff and his advisers made an effort to bring the matter to trial for the constitutionality of the Government's Order to be tested, but their efforts were unavailing; and when the Plaintiff retired from the IAS in 1972 the Court discharged the injunction on the grounds that it was no longer of any practical utility. Thereupon another member of the IAS issued proceedings, but there has been no Court hearing of any kind. Meanwhile Margi members of the IAS are allowed to remain at their posts, but I am told that they have reason to believe that their movements are watched and their correspondence opened. Members of Ananda Marga say that one of the main reasons for the ban was the friction created by the Margis' insistence on purity in administration and their refusal of bribes amid what they see as the prevailing corruption. All that can be said is that the Government's handling of the problem cannot have shaken their belief.

9. Although events did not stand still in the meantime, the next important phase of governmental activity against Ananda Marga opened in 1971. In May a large congregation of Margis assembled at Ranchi, in the State of Bihar, where the Ananda Marga headquarters was then located. Some of the workers were attacked by professional *thugs*, but the Ranchi police, instead of prosecuting the attackers, initiated a series of raids on Ananda Marga buildings. At the end of May Mr. Sarkar moved his headquarters to Patna, the capital of Bihar. A few days later, on the 3rd day of June, the police raided the house in Ranchi which he had just left. They found nothing. The raid was repeated a few weeks later, when one or two bombs and a few firearms were found on the premises (said by the Margis to have been planted by the police) and some arrests were made. Following this incident Mr. Sarkar (still in Patna) was arrested, and a number of his followers. In due course, the charges preferred were dismissed by the Courts, but we are now approaching the period of the final and continuing confrontation.

10. Among those arrested, and so brought into contact with the police, in connection with the Ranchi incidents in June 1971 was one Madhavananda, the General Secretary of VSS (referred to above). Evidently in the course of police questioning he either volunteered, or was induced or persuaded to make statements that implicated himself, but also Mr. Sarkar and others, in a conspiracy to murder, and, in relation to Madhavananda and several others, but not Mr. Sarkar himself, in the substantive offence of murder. The CBI were brought in to conduct the investigation and, after a period in police custody, Madhavananda at the end of October 1971, made a statement to a Magistrate the gist of which is reproduced in the next paragraphs. These charges involved the elimination by murder of a number of former members of Ananda Marga who had defected from the organization.

11. According to Madhavananda, in the late night of the 28th July 1970, Mr. Sarkar held a meeting at Tatanagar at which he ordered the killing of seven defectors, namely, Tapeshwarananda, Bhabananda, Japeshananda, Susmitananda, Sudhananda, and Amilyar Kumar. Those present at the meeting were named Sambadhananda, Sarveshwarananda, Satyananda, Taras Kumar Banerjee and Madhavananda. At that time Mr. Sarkar's personal assistant was one Vishokananda, who had become very close to Mrs. Sarkar and, it seems, used his position so far as possible to isolate Mr. and Mrs. Sarkar from his followers. Vishokananda was dismissed by Mr. Sarkar on the 27th September 1971; Mrs. Sarkar interceded on his behalf, but was rebuffed by her husband; and thereupon Mrs. Sarkar and Vishokananda left Mr. Sarkar's house, and the Ananda Marga organization, simultaneously. Vishokananda who, like Madhavananda, had kept silence for fourteen months, in October 1971, gave information corroborating Madhavananda's testimony at several points. He said he was told by Sambadhananda about the meeting at

which the conspiracy was hatched; and that he later overheard Mr. Sarkar scold Sambadhananda for letting the bodies of three of the defectors be found. Madhavananda said that, before Mr. Sarkar left Tatanagar on the 29th July, he told Sambadhananda and himself to carry out the killings in the district in which the head of the local police, Superintendent A. H. Prasad, was a Margi, and Vishokananda said that a few days later Superintendent Prasad came to meet Mr. Sarkar.

12. According to Madhavananda, the first victim was Tapeswarananda who was lured into the forest about 15 kilometres from Tatanagar and there stabbed to death, the participants in that killing being, he says, himself, Sambadhananda, Umeshananda, and Tapas Kumar Banerjee. That was during the night of the 29th July/30th July 1970. Tapas Kumar Banerjee, according to Vishokananda, told him about the murder on the 30th. On the 31st July a body was found, later claimed to be that of Tapeswarananda—although decomposed beyond recognition, not much more than twenty-four hours after the alleged killing. On the 3rd August, Madhavananda and Sambadhananda, having enlisted the help of Barun Kumar Banerjee and Pavitra Kumar Roy, and collected three victims for execution, namely, Sudhananda, Susmitananda and Mritonjayananda, who were, according to Madhavananda, gagged and stabbed to death during the night of the 3rd/4th August. Their bodies were subsequently found and identified at the committal proceedings by Madhavananda and also by two other witnesses. Two of the bodies were found on the 4th and the third on the 5th. It was on the 7th, following this discovery, according to Vishokananda, that Mr. Sarkar scolded Sambadhananda for letting the bodies be found, and on the same day arrangements were made for killing Japeshananda and Ajayananda the following day, instructions being given that in future killings the victims should be decapitated and their heads defaced or got rid of. Shambamarananda, Sambadhananda and Madhavananda set out on the 8th August with their proposed victims, Japeshananda and Ajayananda. The former was strangled and decapitated and his head thrown into a river but Ajayananda escaped. These three killings on the nights of the 29th/30th July, 3rd/4th August and 7th/8th August respectively were alleged to have taken place on which charges were subsequently based, but Madhavananda has alleged that between August 1970 and October 1971 he was involved in twelve other murders and ordered to commit fifty others. Willing enough up to a point, his conscience, it seems, was starved by the numbers involved, while Vishokananda, who had borne his guilty secret in silence for nearly fourteen months, found himself impelled to reveal it when dismissed by Mr. Sarkar. He is the main witness available to corroborate that of the self-accused accomplice in murder, Madhavananda.

13. Mr. Sarkar was arrested on the 29th December 1971, and Sureshwarananda, Satyananda, Barun Kumar Mukherjee and Pavitra Kumar Roy were also apprehended, the other men said by Madhavananda to have been involved in the killings having,

it seems, absconded. Three charges were preferred, based on the information summarised above, but two of these have been dismissed and only the counts relating to the killings of the 3rd/4th August 1970, still stand. In connection with these Mr. Sarkar, Sarveshwarananda, and Satyananda, have been committed for trial on the charge of conspiracy to murder, while Barun Kumar Mukherjee and Pavitra Kumar Roy are charged with the substantive offence of murder itself. All five accused deny the charges against them.

14. The history of the proceedings is long and complex. In the first place in Indian procedure I understand it is necessary to obtain the pardon of an accomplice in order to render his evidence admissible. Proceedings are necessary for this purpose, and in the first instance a pardon was granted by a Magistrate who did not have the jurisdiction to grant it. His order was quashed on appeal, but a fresh grant of pardon was made by another Magistrate within whose scope it lay to do so; in any event on appeal the second grant of pardon was upheld. Secondly, there have been the actual committal proceedings themselves. Here the committal based on the original grant of pardon was set aside, and Mr. Sarkar was released, but he was soon re-arrested and re-committed. Thirdly, there have been proceedings arising from Mr. Sarkar's application for bail which the Magistrate and the High Court at Patna refused, and finally, the Petition for special leave to the Supreme Court was rejected.

15. The final matter of fact with which it is necessary to deal, and in a sense perhaps the most important because so much else revolves upon it, is Mr. Sarkar's fast. The circumstances in which he started this were that, following a number of complaints he made regarding his health and his treatment in jail, a request for a visit from the Civil Surgeon (or the Chief Public Medical Officer of the State of Bihar, as I understand the term) was refused and the Prison Doctor, who visited him, prescribed some medicines, following the taking of which he was completely paralysed for some time and went blind for some days. He thereupon announced his intention, which he has carried out, to abstain from all solid food from the 1st April 1973, until four demands he made were conceded. These are:

- (1) Restoration of facilities existing on the 31st December 1972. These were:
 - (a) Restoration of facilities of taking meals cooked from his residence;
 - (b) Granting interviews in the jail to his friends and relations;
 - (c) Bringing back his four co-accused to Bankipur Central Jail and allowing them to live with him or at least see him.
- (2) Withdrawal of false cases against Ananda Marga workers.
- (3) Unconditional release of such workers.
- (4) The appointment of a Judicial Commission to inquire into his alleged poisoning on the 12th February 1973.

16. Mr. Sarkar's fast has now continued over a year. Whatever the medical details of his condition, as to which there seems to be some controversy, there can be no doubt but that he is, or at any rate was when I was in India, in a state of extreme weakness—as indeed is only to be expected. A few days before I arrived he was visited in prison by four members of Lok Sabha (the Federal Parliament) belonging to opposition parties, and they confirmed this. One of them, a Socialist member, Mr. Samar Guha, I met, and he left me in no doubt. The ending of the fast is a matter of great urgency from a humanitarian standpoint. I will discuss his conditions for ending it below.

17. Two questions remain to be examined before I attempt to give the best answer I can to the three specific topics canvassed in paragraph 2 above.

18. The first is, would it be right to regard the charge of conspiracy to murder as a genuine prosecution or not? Normally, one would hesitate to make any comment on a matter that is *sub judice* whether at home or abroad, but the reply given by Mrs. Gandhi to Canadian inquirer does modify the reluctance I feel in commenting at this stage. The learned Magistrate who heard the committal proceedings delivered a long and careful judgment on the question whether he should rule that there was no case to answer or whether he should, as he ultimately decided to do, commit for trial: In the course of this he said:

“It may be mentioned that the evidence of Madhavananda regarding some of the points noted above is not without discrepancies,.... all these and other omissions, contradictions and discrepancies are there in the evidence of Madhavananda and others in the Court as compared to their previous statements. Indeed, I find that on every material point there is some defect or other in the evidence of Madhavananda. The statements may create doubts about the reliability of these witnesses or even about the truthfulness of the whole prosecution case in the final trial”.

What did Mrs. Gandhi say? That he had been “proved” guilty of “many heinous crimes”. One would not necessarily expect the Prime Minister to be informed of the details of such a prosecution as this, but that she should commit herself in this way would appear to suggest that she has been given some singularly biased and inaccurate information.

There is, too, one very singular aspect of this affair. I have referred above to Superintendent A. H. Prasad. The plain implication from the evidence of Vishokananda, the principal witness, corroborating that of Madhavananda for the prosecution, is that Superintendent Prasad was either a part to, or privy to, the conspiracy to murder with which Mr. Sarkar is charged. The natural expectation, therefore, would be either that he would have been charged with Mr. Sarkar or, at least, that there would have been a disciplinary inquiry and that he would have

been suspended from duty pending its findings. From the inquiries I have made it would seem that the Superintendent has never been charged with any offence or subjected to any inquiry, still less suspended; but that he has been continuously in police employment and that he has recently been posted to Kashmir with somewhat enlarged responsibilities. In these circumstances it may be difficult to believe that the authorities, whether in Delhi or Patna, are treating the allegations against Mr. Sarkar seriously except in the sense that they are a useful stick with which to beat a difficult and embarrassing movement.

19. The second question is, to what extent is it reasonable to treat Ananda Marga as a political rather than a religious or spiritual movement? Mr. Sarkar appears to have made a number of speeches with political implications. There was, also, what appeared to be a political wing of the movement called the Proutist Bloc of India (PBI) which had one member of Lok Sabha, Mr. Shashi Ranjan Sahu, and recently fielded several candidates for election, and it would seem a little difficult to run candidates for election, and at the same time to argue that the movement was a spiritual non-political one. The facts appear to be that Mr. Shashi Ranjan Sahu, formerly a member of the Congress Party, was an adherent of Ananda Marga, that he became increasingly disillusioned with, and ultimately resigned from, the Congress Party, and founded a Bloc (PBI) with a membership of one, that he and about twelve others stood as PBI candidates at the last General Elections, and that they all lost their deposits. I was told that all the Margi supporters in their constituencies voted for them, none of them would have forfeited their deposits. This I take as clear evidence that there is no direct connection between Ananda Marga and the PBI.

20: The first of the three matters specifically mentioned in my instructions is :

To explore the possibilities, either through an abandonment of the charge or otherwise, of Mr. Sarkar's being allowed to go to the USA for medical treatment in view of his extreme weakness.

21, It would be unrealistic to say other than that, for the time being at least, there is no possibility of the charge against Mr. Sarkar being withdrawn. It would be necessary to convince the Government of India that they have been misinformed or misled as to the nature of Ananda Marga and its true objectives and that the evidence against Mr. Sarkar had been fabricated, in the first place; and secondly, either to persuade the Government of the State of Bihar to the same effect or at least to persuade the Central Government to ask the State Government to withdraw the charge against Mr. Sarkar, there being, as I am advised, no power in the Government of India to direct a State Government to this effect.

The result proposed could not be achieved otherwise, and indeed it was one of Mr. Sarkar's most devoted disciples, but one with considerable experience in public life, who said to me in this regard "Justice must take its course".

22. The second specific task I was set was to discuss with Mr. Sarkar's lawyers the prospects of an early trial. As I stated above, I was unfortunately not able to see Mr. Nageshwar Prasad, the senior advocate, in Indian parlance, or leading Counsel, as we should say in England, for Mr. Sarkar in the various proceedings in Patna, but I did see in Delhi Mr. Ram Tanouk Singh and Mr. Bishambar Lall Khanna, two of the advocates, who have been led by Mr. Nageshwar Prasad. I also had the advice of Mr. C. K. Daphthary. Summarising my understanding of the result of my discussions with them, the position appears to be that, so long as his fast continues. Mr. Sarkar would be quite incapable of giving evidence, and while the Court could order the trial to proceed in his absence, it seems unlikely that the prosecution will bring the matter to trial in the absence of some initiative by the defence. Apart from any considerations of fairness, there can be no doubt that from the prosecution point of view it is not unsatisfactory to have what they regard as a dangerous man held in custody when the committing magistrate himself has drawn attention to a number of weaknesses in the prosecution case.

23. The third and in a sense the most important question is [see paragraph 2(iii)] above "the attitude of the Indian authorities to Ananda Marga and whether there is any possibility of improving the relations between the Government and the movement".

24. The attitudes on both sides being as deeply entrenched as they are, a change of heart could only result from an inquiry in depth, wide ranging in scope. Such an inquiry could not be held until Mr. Sarkar's trial has been concluded. It is barely possible that the trial should take place until he has broken his fast. Mr. Sarkar will not break his fast until his four conditions (see paragraph 15 above) have been satisfied. These conditions cannot be satisfied until he has been brought to trial. Is it possible to break this change and if so, how?

25. The advice I received from Mr. C. K. Daphthary may provide a possible answer. A public judicial inquiry would not be possible while the charge against Mr. Sarkar is pending. But in relation to the two, at least, of the four conditions, it would be possible for some personality such as a retired judge to be appointed by the Government to inquire privately into the conditions under which Mr. Sarkar is held in custody and as to the truth underlying the alleged attempt to poison him in prison in February 1973. If the Government were to take this step, and to undertake later to appoint a commission to inquire into the truth generally of the

allegations made as to the character of Ananda Marga and, in particular, into the third and fourth of Mr. Sarkar's conditions, would Mr. Sarkar be satisfied to the point of ending his fast? It would seem to me an essential task for those of Mr. Sarkar's disciples who still have access to him to persuade him of the importance, for the purpose of proving his sincerity, of his accepting a compromise of this kind, if offered.

26. Could the Government of India be persuaded to take the steps of the nature suggested above? I have already put a proposal of this kind orally to Mr. Misra of the Cabinet Secretariat, and he will no doubt have communicated it to members of the Government. If they were to accept such a course, it would, it seems to me, place their sincerity in this matter beyond doubt. But if they were to evince unwillingness to give it serious consideration, there would, in view of the general history—the change from tolerance to intolerance, the undoubted fact that charges have been preferred which could not be sustained, the Purulia incident of March 1967, and its aftermath, and the murky character of the prosecution evidence in the charges against Mr. Sarkar and his co-accused, above all, the strange affair of Superintendent Prasad, to take only a few examples—be grounds for suspicion that the actions of the Indian authorities, and their attitudes have been actuated by considerations other than those they have expressed; and which they are reluctant to avow.

27. The Ananda Marga movement is of a character, it must be admitted, to arouse a measure of suspicion and antagonism especially in India. Its condemnation of the caste system conflicts with the beliefs and traditions of orthodox Hindus; its emphasis on spirituality makes it anathema to the secularists, and particularly to the Marxists, its call for a Government of moralists and its attacks on corruption renders it suspect to the practical politician and the administrator who are trying to make the best of the situation as it is and human nature as that is. It would not have been unnatural to expect a measure of caution, circumspection, and even finesse in the public utterances of the leaders of a movement in so exposed a situation, and making its appeal primarily to the educated classes. On the contrary, Mr. Sarkar, in my view, seems often to have gone out of his way to give powder and shot to his opponents; and it is, to say the least, highly unfortunate that a movement which emphasises its spiritual as against its political character should have had a political party, even though an extremely unsuccessful one, as one of its offshoots, however involuntarily. In the United States or the United Kingdom it would probably cause nothing more than amused tolerance where candidates to stand for elections under the banner of the Salvation Army or the Oxford Group. It would be unrealistic to look for the same reaction in a country in so difficult a situation as India.

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28. Similarly, the Governments of India and of Bihar have taken no precautions to protect themselves from criticism to the effect that they are behaving in a high-handed manner to a spiritual movement with a message that is antipathetic to them. The zest with which the authorities in Patna blamed Ananda Marga and one or two other movements for recent disturbances there, which were clearly attributable to deeper and more widespread causes, did not escape the notice of political commentators and cartoonists while I was in India.

29. Using the language attributed to public relations consultants, neither party to these controversies has spared any pains to give itself an unfavorable image. But whoever is responsible, and to whatever extent Mr. Sarkar must share that responsibility, the fact is that he is, almost unquestionably, approaching a terminal state because of a fast undertaken basically because he believes he and his movement are the victims of injustice. Cannot the Government of India, a country with a great civilization, be persuaded to break the deadlock ?

W. T. WELLS