

915/11/C/2/2000-101

Secret

फाइल सं०

File No.

खण्ड

Volume

IV

41

4

भारत सरकार
GOVERNMENT OF INDIA
प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

अनुभाग/प्रभाग

~~POLITICAL SECTION~~

SECTION/DIVISION

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

86017

को सूचीकृत की गई
Indexed on

आद्याक्षर
Initials

अभिलेख क/ख
Record A/B

अभिलेख ग में नष्ट किया जाए
Record C Destroy in

अनुभागीय नोट बुक में नोट किया जाए
नोट न किया जाए

To be noted in Sectional Note Book
Not to be noted

अनु अ./अधीक्षक के आद्याक्षर
Initials of S.O./Supdt.

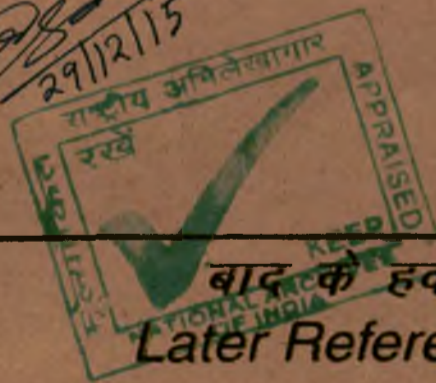
लिपिक के आद्याक्षर
Initials of Clerk

विषय
SUBJECT
Justice Mukharjee Commission of
Inquiry
for Inquiry into the Alleged
Disappearance of Netaji Subhas
Chandra Bose

CONTENTS			
Notes		Correspondence	
From	To	From	To
1	38	1	301

keep

29/12/15



पिछले हवाले
Previous References

बाद के हवाले
Later References

915/11/C/2/2000-101

Vol. I, III

Vol. V

M-4 (P+1) - Debarata Bhowal's
Letter to PM

T-120/AS(Bu)/15
10.10.15

1/N

POLITICAL SECTION

✓ ✕
S.NO 2(R)
X.S.NO 5(R)

FR-I & FR-II are two letters from the Justice Mukherjee Commission (JMC), Kolkata which may kindly be perused.

In FR-I it has been stated that in our office File No. 915/11/C/96-Pol (placed below), (photocopy of which has been made available to the Commission) only three note-sheet pages have been provided and noting portion in respect of the remaining correspondence of the file has not been furnished. On this ground, an officer, not below the rank of Joint Secretary, PMO has been asked to appear personally before the Commission on 16.10.2001 at 11 a.m. in the Committee Room 'C' at Vigyan Bhawan Annexe, New Delhi to explain the above anomaly.

This is not only strange but also very unfortunate that despite filing Affidavit before the Commission by Secretary to PM and Joint Secretary to PM to the effect that "...nothing material has been concealed..." (verification portion of both the Affidavits at F/A & F/B refer), the Commission has not felt the need to check the veracity of our statement before asking Joint Secretary to PM to explain the "anomaly" before the Commission personally.

In this context it may be mentioned that working nature of this office is some what different from other conventional offices of Govt. of India. In this office, noting on the note-sheet is made for taking direction of higher officers or obtaining PM's approval on some important issues. For each and every incoming routine receipts no noting is done on note-sheets. On majority of the cases disposal instruction of a receipt is given by the concerned officer on the receipt itself.

A | Therefore, if approved, we may inform the JMC that the photo copy of the entire file has already been made available to the Commission including the entire noting portion which consists of only three pages. In fact, if considered appropriate we may ask the Secretary of the Commission to visit this office personally to check the file in question and satisfy himself to remove any doubt.

S.NO 5 (R)

In FR-II attention has been drawn to Principal Secretary's direction contained in page - 3/N of the above referred file (placed below) about asking MEA to make an effort to ascertain if the name of Netaji Subhas Chandra Bose figures in U.N. records as 'War Criminal'. Request has been made to inform the Commission about the out-come of the effort within eight weeks.

In pursuance of Principal Secretary's direction MEA was asked to take necessary action vide our u.o. note at P-192/C. Although more than 33 months have passed we have not received any feed back from MEA in this regard.

B | In view of the present letter from JMC, we may ask MEA to let us know the result of the effort made in this regard urgently.

In addition to the aforesaid issue the JMC has desired to know the action taken by this office on the letters from Shri Bijon Ghosh (dt. 10.10.1998) at page-182/C and from Prof. Amalendu Guha (dt. 23.1.1999) (Page No. 194/C). It may be observed from the file placed below that while comments of MEA on Shri Bijon Ghosh's letter dated 10.10.1998 had been called for, Prof. Amalendu Guha's letter was referred to MHA on 9.2.1999. In fact, above referred direction of Principal Secretary was given in the context of MEA's reply on Shri Bijon Ghosh's letter.

C | We may convey the above position to JMC.

Submitted for approval of 'A', 'B' & 'C' above.

Alok
(Alok Mukhopadhyay)
Under Secretary (Pol)
27.09.01

Dir(J) Pe Spk
NS/MS
f/x

2. As desired on 'A' a fair letter is placed below for signature, if approved
 3. on 'B' DIR(J) has already written to MEA. we will pursue the matter
 4. Reg. 'C', commission will be informed accordingly
- S.NO 6 (I)
DIR (J) 8/10 NS/MS
Alok
8/10/01

31/m

POLITICAL SECTION

4/R

✓ FR.

The Justice Mukherjee Commission (JMC) vide their letter dated 18.9.2001 (placed below) has forwarded a copy of an 'Aide Memoir' by Shri Ashish Roy to Shri V.P. Singh and sought our confirmation whether the same has been received in this office.

'A'

Shri V.P. Singh's tenure as PM was from 2.12.1989 to 10.11.1990. All relevant files pertaining to Netaji opened during this period has been checked up but this particular 'Aide Memoir' (copy of which has been forwarded by JMC) does not seem to have been received in this office. Other Sections in PMO has also been consulted.

800/6/k/1/190
p-2-4/m
8/c

However, one letter dated 19.8.1990 from Shri Ashish Roy addressed to then PM (Sl.No. 8/C of the file placed below) was received in this office and duly examined vide our note on Page - 2 to 3/N (para 8 of the internal note refers). Photocopy of the entire file has already been made available to the Commission.

In view of 'A' above we may inform the Commission accordingly.

Alok
(Alok Mukhopadhyay)
Under Secretary (Pol)
03-10-2001

Dir(J) ✓ yes pl 31/m
3/x

P-111 12m
3/x ns (pre)

→ 31/R

4/10

POLITICAL SECTION

7/R

The Justice Mukherjee Commission (JMC) vide their letter placed below has sought our confirmation whether an affidavit had been filed by Govt. of India in the Justice Khosla Commission wherein it was averred, inter-alia, that more than 34 'confidential files' relating to "Netaji Mystery" were found either "destroyed or missing."

Photocopy of all of our relevant files have already been made available to the JMC. We have no information available with us about the above referred Affidavit. Therefore, if approved, we may inform JMC that this office has no knowledge about the aforesaid Affidavit filed by the Govt. of India before the Justice Khosla Commission.

Alok

(Alok Mukhopadhyay)
Under Secretary(Pol)

01.10.01.

Dir(J)

pe ghu 7/4/x

nc (pofe)

Discussed with DIR/J
and as desired draft reply to
JMC is placed below for approval.

DIR(J)

7/8/x

Alok
8/10/01

S.No 8/1

Subject : Justice Mukherjee Commission of Inquiry for inquiry into the alleged disappearance of Netaji Subhash Chandra Bose.

(A) Shri M. Roy, OSD in the Justice Mukherjee Commission of Inquiry (JMCI) has intimated us (F/ 'A') that the next hearing of the Commission will be held on 15th and 16th October, 2001 (also on 17th October, if necessary) at Vigyan Bhawan Annexe, New Delhi. **An Officer of PMO on behalf of Secretary to PM is among the persons summoned for witnesses on 16th October, 2001.** It may be seen that Shri Pranab Mukherjee, former Minister of External Affairs has been summoned on 15.10.2001.

(B) 2. Shri Tarakeswar Pal, Senior Counsel to the Government of India, in his letter dated 29.9.2001 (F/ 'B') addressed to PMO has given the flavour of questions likely to be raised by the Commission :

- (i) Government is not producing relevant records-classified or non-classified (including 9000 files of the Ministry of Defence).
- (ii) The Government is not taking initiative for foreign records, as well as not making the records collected therefrom public.
- (iii) As Jawaharlal Nehru was anti-Netaji and anti-INA, he was trying to establish death of the Netaji and so Enquiry Committee was set up in 1956 under his own man, Shah Nawaj Khan and the Justice Khosla Commission was also appointed to draw the said given conclusion – and similarly the present Justice Mukherjee Commission has also been appointed with the same aim.
- (iv) The Government is not making the records, on the basis of which the Prime Minister Morarji Desai and Minister of State Dhanik Lal Mondal expressed, in the Parliament, disagreement with the findings of the Shah Nawaj Committee and the Justice Khosla Commission, public.
- (v) Jawaharlal Nehru complained to British Premier Attlee against Stalin for the latter's allowing the Netaji in the USSR after 18th August, 1945.
- (vi) Asiatic Society scholars have not been helped by the Government in unearthing the records proving the Netaji's existence in the USSR in spite of Russia's "no objection".
- (vii) Government of India under Jawarlal Nehru and subsequently as a British Dominion Government included the Netaji as War Criminal and did nothing against such branding to bar him from coming out while the Government of India said to the Shah Nawaj Committee

G/W

that it has not in possession of any information as to the Netaji's status as War Criminal, but if reaffirmed in 1971 the said status of the Netaji beyond statutory limitation.

- (viii) Government of India's apathy to celebrate the Netaji's birth Centenary.
- (ix) Moves of Sri Pranab Kumar Mukherjee and Sri Jaswant Singh, former and present Ministers of External Affairs, respectively, to bring "ash" of the Netaji from Renkoji (even after the present Commission was set up).

3. Shri Tarakeswar Pal, Senior Counsel has specifically mentioned that the following questions are likely to be asked from Shri Pranab Mukherjee :

- (i) On the basis of which records you took initiative in bringing the "ash" stated to be of the Netaji from Renkoji ?
- (ii) On the basis of which records you supported conferring "Posthumous Bharat Ratna" on the Netaji ?
- (iii) On the basis of which records the programme of bringing "ash" and conferring "Posthumous Bharat Ratna" was dropped ?

4. It may be recalled that we have furnished photocopy of relevant files available in PMO to the JMCI. An affidavit by JS (J) on 29.11.2000 and a supplementary affidavit by the then Secretary to PM on 16.1.2001 were filed before the Commission.

5. As regards conferment of Bharat Ratna "posthumously" on Netaji Subhash Chandra Bose, the following may be perused :

- (i) Note dated 25.9.1991 put up by Director to PM through Principal Secretary (F/ 'C')
- (ii) Note dated 31.10.1991 recorded by PS to PM for information of Principal Secretary (F/ 'D')
- (iii) PM's letter dated 10.10.1991 to President proposing conferment of Bharat Ratna posthumously on Subhash Chandra Bose. (F/ 'E')
- (iv) PM's letter dated 19.1.1992 to President suggesting announcement of posthumous award to Netaji Subhash Chandra Bose (also Maulana Abul Kalam Azad) on 23rd January (Netaji's birthday) (F/ 'F')
- (v) Note dated 13.4.1992 put up by Director to PM through Principal Secretary regarding non-acceptance of award by Netaji's family (F/ 'G')

6. The Commission has separately requested that an officer, not below the rank of Joint Secretary, PMO, to appear personally before the Commission on 16.10.2001 at 1100 hrs to explain "anomaly" with regard to documents filed by

PMO before the Commission. The Commission's complaint is that only three note sheet pages have been provided by us of the original file No. 915/11/C/6/96 Pol. The factual position is that a photocopy of the entire file, including the noting portion - which incidentally is three pages only -- has already been made available to the Commission. The position may be suitably explained by the PMO officer when he appears before the Commission on 16.10.2001.

A | 7. It is suggested that either AS (P) or JS (J) may be nominated to appear as witness on behalf of Secretary to PM. It may also be useful if Home Secretary is requested to take a meeting on the subject so that a unified stance before the Commission is adopted by the Government.

Submitted.

Sunil Jain
(Sunil Jain)
Director
6.10.2001

JS (J) May take a view - whether some ^{one} officer from PMO should appear before the Commission or not. We may have no comments on other questions as mentioned at Para 2₁ ^{above} Main question which could be asked from PMO officer may be - On the basis of which records PMO supported / and the then PM recommended conferring "Posthumous Bharat Ratna" on Netaji Subash Chandra Bose? Our files donot bring out any basis on this subject. JS (J) may appear before the

F/C,
F/D
F/E

Prl. Secy to PM
Dy. No. 3538/9101
Date 8/10

JS (A)

Principal Secretary

JS (A) JS (J)

dir (J)

Jamaal Singh
8/10/2001
Pragati Mishra
8/10 - he
9/18

3201 JSECASQ

Fol

The Commission as well
as our counsel have
been informed about
nomination of JS(J) to
appear as witness
before the Commission vide
our letter placed below.

From
9/2/01



~~13/8~~ S(64) 8/n

PRIME MINISTER

New Delhi
October 10, 1991

Respected Rashtrapatiiji,

It is proposed to confer the highest civilian award, namely 'Bharat Ratna', posthumously on Shri Subhash Chandra Bose, in recognition of his public service of the highest order and his outstanding contribution to the freedom struggle of our country.

I request you to consider this suggestion for approval. The award could be presented at a special investiture ceremony.

With regards,

Yours sincerely,

P.V. Narasimha Rao

(P.V. Narasimha Rao)

Shri R. Venkataraman
President of India
Rashtrapati Bhavan
New Delhi

9
JS
1/10
20/10/91

4-6/N
12729/200691
14/10

2660/JS(2)/5/91

200/574/1/91



Personal

9/11

PRIME MINISTER

New Delhi
January 19, 1992

Respected Rashtrapatiji,

Thank you for your letter regarding Shri J.R.D.Tata. The award to him would, indeed, be appropriate.

I would suggest that the announcement of this award could be made on January 26. Announcement of the posthumous awards to Netaji Subhas Chandra Bose and Maulana Abul Kalam Azad could be made on January 23, which also happens to be Netaji's birthday. My office will be in touch with your Secretariat to finalise the necessary details.

With regards,

Yours sincerely,

P.V. Narasimha Rao
(P.V.Narasimha Rao)

Shri R.Venkataraman
President of India
Rashtrapati Bhavan
New Delhi

No.800/05/P/2/91-POL

February 17, 1992

Copy, forwarded to Shri A.K. Narayanan, Joint Secretary,
Ministry of Home Affairs.

(Prabhat C. Chaturvedi)
Director

no 2 send with this
3/11
RE

1499/200/92
3/11

27/01
27/11

Add to the file
send to JS
3/11

Also to JS
MHA Shri Narayanan

3/11
3/11

Alchavani
3/11

337/05/11/92
3/11

22/1/92
3/11

ISSUED
18-2-92

F. 1/27/91 - Public

10/m

Internal

May kindly see the notes of MHA from page 1-4 below (Flag P) regarding the award of Bharat Ratna posthumously on Netaji Subhash Chandra Bose.

2. Rashtrapati Bhavan had issued a press communique dated 22nd January, 1992 regarding conferment of Bharat Ratna on Netaji Subhash Chandra Bose posthumously. Subsequently Netaji's family declined to receive the award on the ground that it may be interpreted as a slight to his memory.

3. The Prime Minister had asked the Home Minister to meet the President and seek his guidance in the matter (page 2/N). HM met the President on 24-3-92. After meeting the President, HM has minuted at page 2/N of the file as below:-

"I have discussed today with President and he said that there is no provision for withdrawing the Bharat Ratna award. It will not be sent to Archives. It may be kept with Home Ministry. It will not be mentioned when the names are called. Nothing needs to be done."

4. Home Minister has sent the file to PM suggesting that no further action is necessary and the matter may be treated as closed.

Submitted for the information/orders of the Prime Minister.

Prabhat

[Prabhat C Chaturvedi]
13-4-92

No further action appears necessary in view of the President's advice.

For information.

Aiyans
30/4/92

he
13/4/92

~~JS(M)~~

~~Pr. Secy~~

~~PM~~

P.V. N. Chawla
2/5

Pub + OM

2/5 (P)

draft c.m. in put up
JS(M)
Prabhat
4/5/92

... 2/-

5/4/92
ST5

Personal Section
No. 708.5
Date 30-4-92

5/3/Dia(P)/S/12
13/4

1039/JS(N)/S/5/2
7/5 JS(M)
892/JS(N)/S/92

Do ... 14/8/5
Done ... 13/9

11/2

PM has approved the suggestion that no further action is necessary and the matter may be treated as closed.

in hand

7e
(N. K. Sinha)
Joint Secretary to PM
5.5.92

Secretary to the President.

PMO no 200/57/1/91/Pol dated 5-5-92

5/5
20/5
(P)

Pol 5/5
5/5

File moved
5/5

Secret/Internal

May kindly see the U.O. of Ministry of Home Affairs (Flag 'A') below regarding conferment of "Bharat Ratna" on Late S/Shri Maulana Abul Kalam Azad and Subhash Chandra Bose.

2. Shri Pramod Mahajan, M.P. in his Special Mention on 7th August, 91 in Rajaya Sabha raised the issue regarding conferment of "Bharat Ratna" on Late S/Shri Maulana Abul Kalam Azad and Subhash Chandra Bose in the background of the fact that Golden Jubilee of quit India movement was being celebrated this year.

3. Ministry of Home Affairs has to send a suitable reply to Shri Mahajan in this regard and have sought the advise of P.M.O.

4. "Bharat Ratna" is awarded for exceptional service towards the advancement of Art, Literature and Science and in recognition of public service of the highest order. The statutes and Rules relating to the award of "Bharat Ratna" can be seen at flag 'B'.

5. The decision about conferment of 'Bharat Ratna' is taken by the Prime Minister at his level and his recommendations are sent to the President for approval.

6. So far, the following 26 persons have been awarded 'Bharat Ratna' :-

<u>Sl.No.</u>	<u>Name</u>	<u>Year in which awarded</u>
1.	Dr. S. Radhakrishnan	1954
2.	Shri C. Rajagopalachari	1954
3.	Dr. C.V. Raman	1954
4.	Dr. Bhagwan Das	1955
5.	Dr. M. Vivesvaraya	1955
6.	Shri Jawaharlal Nehru	1955
7.	Pt. Govind Ballabh Pant	1957
8.	Dr. Dhonde Keshav Karve	1958
9.	Dr. B.C. Roy	1961
10.	Shri Purushottam Das Tandon	1961
11.	Dr. Rajendra Prasad	1962
12.	Dr. Zakir Hussain	1963
13.	Dr. Pandurang Vaman Kane	1963
14.	Shri Lal Bahadur Shastri	1966

DECL. SECY. TO P.M.

No. 4600-5/91

DATE 26/9/91

PM'S Personal Section

DY. NO 701-S

DATE 28-9-91

- 15. Shrimati Indira Gandhi 1971
- 16. Shri V.V. Giri 1975
- 17. Shri K. Kamraj 1976
- 18. Mother Mary Teresa Bojaxhiu 1980
- 19. Acharya Vinoba Bhave (Posthumous) 1983
- 20. Khan Abdul Ghaffar Khan 1987
- 21. Shri Marudur Gopalan Ramachandran 1988
(Posthumous)
- 22. Dr. Bhimrao Ramji Ambedkar 1990
(Posthumous)
- 23. Dr. Nelson Mandela 1990
- 24. Shri Morarji R. Desai 1990
- 25. Shri Rajiv Gandhi (Posthumous) 1991
- 26. Sardar Vallabh Bhai Patel 1991
(Posthumous)

7. Request for conferment of "Bharat Ratna" on Late S/Shri Maulana Abul Kalam Azad and Subhash Chandra Bose posthumously, has been received time and again. However, these requests have not been exceeded to earlier perhaps because many such requests are likely to be made for conferring such an award of many other eminent Indian posthumously. As a matter of fact there would be galaxy of such Indians on whose behalf such claims could be agitated.

8. However, since a reply has to be sent to Shri Pramod Mahajan, Prime Minister may like to take a view in this matter.

Prabhat

(Prabhat C. Chaturvedi)
25-9-91

JSM

h b
25/9/91

Anwar

Pr. Secy.

27/9/91

P.M.

We may agree. ~~But~~ At the same time, we must have a clear cut policy in this behalf. A examine.

P.V. Narayan

29/9

Pranayata Day

Please discuss.

Anwar

1/10/91

JSM

has been discussed.

Pl put up draft from Pt. L. The President.

Dir (P)

for framing guidelines will have to be taken

h b
1/10/91

P.S. OFFICE

No. 2115-S

DATE 25/9

266/JSM/S/91

2619

Secy. 5/10/91

PRIME MINISTER'S OFFICE

President has informed the Prime Minister that he has accepted the recommendations made for conferring the Bharat Ratna Award on Maulana Abul Kalam Azad and Subash Chandra Bose posthumously. He has suggested that details may be settled by the concerned officers.

Ramu Damodaran
(Ramu Damodaran)
PS to PM
31.10.1991

Principal Secretary

Anwar
31/10/91

AS (v) *Kr.*
31/10/91

JN(N)

h
22/10/91

I have spoken to Shri A.K. Upadhyaya Director President's Secretariat to get the press release issued from the Rashtrapati Bhawan. Thereafter M.H.A will be asked to take further necessary action.

to L ✓
31/10/91

Prathal
1/11/91

discussed with JS(N) today. JS(N) directed that M.H.A may also be informed about this and asked to take further action as per procedure and conventions. U.O be issued

so/pol

Prathal
1-11/91
U.O. issued
12/11/91

✓ 66/c

2322/CP/8/91
11/11
3031/JS(2)/5/91
11/11

S
Dy. No. 1530
Dt. 31/10/91
AS (v)

5370/S/91
31/10/91

PM'S Section
LY 932-S
DATA 31-10-91

13974-Pol/LR
11/11

15/2

POLITICAL SECTION

In pursuance of Justice Mukherjee Commission's letter Sl. No. 2(R) JS(J) and the undersigned went to Vigyan Bhavan yesterday i.e. 16.10.2001 and prior to commission's sitting, JS(J) had a brief informal meeting with the Chairman of the Commission. During this meeting, the Chairman informed JS(J) that for handing over the PMO file required by the Commission, JS(J)'s presence during Commission's proceedings was not necessary. The Chairman indicated that the undersigned could do the job on behalf of JS(J), PMO.

2. Accordingly, the undersigned after taking oath deposed before the Commission and duly handed over this office file No. 915/11/C/6/96-Pol. During deposition, the commission was, inter-alia informed that so far PMO is concerned several relevant files have already been made available to the Commission and efforts are on to locate any other relevant files. In case any such relevant file could be located, those will be made available to the Commission. During cross-examination, in response to a question, it was informed that we have no knowledge about furnishing of any Affidavit before the Justice Khosla Commission on behalf of Govt. of India relating to destruction of "34 Confidential files" and a reply on this line has already been sent to the Commission.

V F/B.

3. In this context attention may be drawn to the letter dated 8.10.2001 received from JMC raising number of issues pertaining to the file No. 915/11/C/6/2001-Pol. Since the file has been submitted to the Commission, para-wise reply to this letter may be sent only after the file is received back from the Commission and pending that we may send an interim reply stating the above position.

X F/A.

4. Yesterday during the course of the hearing, our counsel handed over a status report as on 9.10.2001 on the action taken/compliance with the orders/directions contained in various proceedings of the Commission

5. It may be observed from the Status Report that out of 13 paras, action point for PMO emerge from only 3 paras viz. 2, 6 and 8. Infact, a reply on the issue mentioned in para 8 has

Pol

We have sent
a reply w.r.t para 6
of the status report.
May pl. check 'A' of
para 2 of the Status
Note.

Mr Gosain

Arora
19/12

Checked up each and
every paper but it does not
seem to have come to this
office.
19/12/12

already been sent to the Commission. Therefore, on the remaining ~~to~~ paras we may send an action taken note to the Commission

13

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)

17-1-01.

~~Dir(J)~~

11/11/01

~~JS(J)~~

We should send it quickly.

Please put up draft.

~~Dir(J)~~

us Pol.

11/11/01

Alok
19/11

Jamaal Singh
18/10

Pol

With reference to para 3 above, a fair reply to JMC is placed below for perusal before issue.

Alok
29/1/01.

~~DIR(J)~~

29/1/01

POLITICAL SECTION

Reference MHA's I.D. note dated 18.10.2001 with regard to JMC's letter dated 18.9.2001 and JS(J)'s direction thereon.

It may be mentioned that JMC's letter dated 18.9.2001 was also received in PMO and the same has already been examined vide our note at P-2/N and necessary follow-up action has also been intimated in the form of a note to MEA (Sl.No. 6(I) refers) with reference to Prl. Secy.'s direction referred to in JMC's above letter. A reply from MEA has been received confirming that Netaji's name does not figure in UN's record as "War Criminal". More detailed information has been called for from MEA and the meanwhile an interim reply has been sent to the Commission vide our letter at Sl.No. 9(I). However, it is felt that since the subject matter concerns MEA we may pass on MHA's note to MEA with the request to send a final reply to the Commission clarifying the position about the status of Netaji's name figuring in UN Records as War Criminals.

A

In this context it may be pointed out that our original file containing the correspondence referred to in JMC's letter dated 18.9.2001 has been submitted to the Commission on 16.10.2001.

In view of the position explained above, the course of action suggested at "A" above may kindly be approved.

Alok
[Alok Mukhopadhyay]
Under Secretary(Pol)
29/10/01

~~Dir(J)~~ 29/10

~~JS(J)~~ MEA is the nodal ministry for clarifying the position about status of Netaji's name/figuring in UN records as a war criminal. We may inform MEA to inform the Justice

18/N

Mukerjee Commission of Enquiry on this directly under intimate to this office. A copy of the letter [our letter] may also be sent to JMCE.

~~DIR (J)~~

30/10

Jamshedpur
30/10

~~NS (P/)~~

Pat

No note addressed to NEA is placed below for signature, if approved, one copy of this note will be sent to the JMCI. for information vide our letter placed below.
may be shown to JSEJ also.

Alok
NS (Pat)
31.X.01

~~DIR (J)~~ 31/X

~~JS (J)~~ slightly amended.

Jamshedpur
31/10

~~DIR (J)~~ 31/X

~~NS (P/)~~

Fair letter is placed below for signature etc.

Sent for issue
Am
2/11

~~NS (P/)~~

~~DIR (J)~~
1/11

~~DIR (J)~~ Koy/Secy
2/11
Alok

12/10
19/11

POLITICAL SECTION

* Placed below.

Justice Mukherjee Commission vide its letter dated 8.12.2001 at P-32/C had pointed out several alleged anomalies in respect of certain documents pertaining to the File No. 915/11/C/6/96-Pol. The Commission has called for our explanation in regard to these anomalies within 8 weeks from to receipt of this letter.

Subsequently, on 16/10/2001 during the Commission's hearing held in the Vigyan Bhavan, as per a specific direction from the Commission, the said file was submitted to the Commission and the same has been received back only in the last week of November, 2001. Due to non-availability of the file the alleged anomalies could not be examined earlier.

Para-wise comments on JMC's letter regarding the alleged anomalies are given below.

- Para (a) It is a fact that the said file actually contains only 3 note sheet pages and 204 pages on the correspondence portion. This file was submitted to the Commission and they must have satisfied themselves.
- Para (b) On receipt of an independent letter on this specific issue from the Commission, further follow up action has been taken in consultation with MEA and finally MEA, being the nodal Ministry, has been requested to provide requisite information to the Justice Mukherjee Commission. The Commission has also been informed of the position.
- Para (c) Page No 130 & 131 of the correspondence portion are very much there in the file.
- Para (d) Page 132 and 133 are enclosure of a letter written by Shri Shakti Singh, President, Subash Chandra Bose Rastriya Bichar Manch, Uttar Pradesh. Therefore, no action was required to be taken on these pages.
- Para (e) Being a mere photocopy of a newspaper clipping no action was called for on our part.

13/12 20/11

-2-

- Para (f) Correspondence pages 117 to 165 contain two letters dated 16.5.98 alongwith enclosures addressed to PM by Shri Shakti Singh, President, Subash Chandra Bose Rastriya Bichar Manch, UP. Generally, these kinds of letters are forwarded to MHA for appropriate action. But in the instant case, due to inadvertence these letters were not forwarded to MHA and were simply filed.
- Para (g) Position indicated is correct. MHA's comments does not seem to have been received so far. We may ask MHA to furnish their comments in the matter urgently.
(Action: PMO/MHA)
- Para (h) Shri Bijon Ghosh's letter was regarding removal of Netaji S.C. Bose's name from the UN records of 'War Criminals'. The present status has been indicated against para (b).
- Para (i) MHA reply dated 12.10.2001 at P-45/c conclusively explains the position regarding removal of Netaji's name from the list of War Criminals in United Kingdom. The same may be made available to the JMC.
(Action: PMO)

The para-wise comments given above, if approved, may be forwarded to the Commission. We may also take necessary action on the action points emerges from the para-wise comments.

Alok
[Alok Mukhopadhyay]
Under Secretary (Pol)
12-12-01.

Dir (J)

Pl discuss



12/12

US(P&E)

Discussed with DR(J)
who desired to put up the
note direct to JS(J) who
is dealing with the issue.

JS(J)

Alan
12/12

217

POLITICAL SECTION

Reference JS (J)'s direction on the FR which is a letter dated 29.4.2002 from Justice Mukherjee Commission of Inquiry (JMCI) enclosing photocopy of JMCI's proceedings dated 21.3.2002 and 22.3.2002 together with copy of Status Report as on 19.3.2002.

2. So far as proceedings dated 21.3.2002 & 22.3.2002 are concerned, PMO has no action points.

3. The Status Report contains several points on which the Commission is expecting response from PMO. These points and the action to be taken or already taken are explained before one by one.

Para 6: Contents of JMCI's letter dated 8.10.2001 was examined vide our note at P-12 & 13/N and was submitted to Dir (J) but subsequently, due to inadvertence the file was not submitted to JS (J) and as such Commission's letter has remained unanswered. The note on P-12 & 13/N may kindly be perused and the course of action suggested therein may be approved.

Para 9: The Commission's letter dated 29.10.2002 may kindly be perused at F/X [on Pt. File No. 915/11/C/2/2000-Pol]. The file [No. 23/156/51-PM] mentioned in the letter is also placed below. Regarding procedure for destruction of document of a file it may be stated that it is done strictly as per the procedure laid down in the chapter X of Manual of Office Procedure (MOP) (A GOI Publication). Therefore, we may write to the Commission to refer to their particular chapter of MOP (most authentic and easily available GOI Publication).

o.k. ✓

Para 10: It relates to another letter dated 29.1.2002 from JMCI but so far as PMO is concerned no action on
...2....

our part is called for. We may inform the Commission accordingly.

Para 11(d): Commission's letter dated 28.1.2002 was addressed to MEA who in turn requested this office to check up for the report of the American Intelligence Party. MEA has already been informed vide this office ID note No. 915/11/C/5/2001-Pol dated 7.3.2002 (P-23/C) of the file of even number. Hence, no action on our part is called for.

Para 13 (a): In response to Commission's letter dated 1.2.2002 (P-16/C). JS (J) has already written to the Commission vide his letter dated 22.3.2002 at P-28/C. Hence, no further action is pending on our part.

Para 13(b): In response to Commission's letter dated 29.1.2002 Lok Sabha Secretariat had been requested to do the needful and Lok Sabha Secretariat has already supplied Xerox copy of the relevant Lok Sabha proceedings of 28th August, 1978 to the JMCI.

Para 21(b): As desired by the Commission authenticated true copy of this office file No. F.2 (64)/55-66-PM and 2(67)/56-62-PM have already been forwarded to the Commission and the same has been received by them.

Para 21(d): In response to Commission's letter dated 14.3.2002, a reply has already been sent to the Commission by JS (J) vide his letter dated 11.4.2002.

Para 21(e): Since the relevant Lok Sabha Question was answered by MHA the Commission was accordingly informed vide JS (J)'s letter dated

23/N

11.4.2002 that this office do not have any copy the reply.

From the foregoing it may be observed that only in respect of paras 6 & 9 of the status report action on our part is still due. The course of action suggested against relevant paras may kindly be approved.

Dullat

8.5.02

US(Pol) - on leave

[Alok Mukhopadhyay]

Under Secretary (Pol)

8.5.2002

JS (J)

Pl. put up drafts on Paras 6 and 9.

US/POL.

DFA I, II, III placed below pt.

Jamaal Singh
8/5

Raj
9.5.02

JS (J)

Pl. discuss.

JS (J)

he
10/5

Discussed.

JS
11/5

US (Pol)

24/n

POLITICAL SECTION

REFERECNE: JS (J)'s query on the FR.

FR is in response to our u.o. note at F/A. Our note at p-14 to 16/N would recall the case.

Due to non-receipt of requisite advice from MHA in response to our u.o. note of 10.9.1998, MHA was asked to inform Justice Mukherjee Commission of Inquiry (JMCI) suitably about the action taken on the letter received from Golden Jubilee Celebration Committee in Germany. MHA have now informed that all relevant documents available with them have been made available to the Commission and the Commission has also being apprised of the non-availability of any other documents.

On remaining points of Commission's letter of 8th October 2001, action has already been taken by (PMO). Hence, no further action on our part is called for.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
4.6.2002

Dir(J) - on tour.

JS (J)

① us/pol.

Am
A/6

Jamaal Singh
4/6

25/7

POLITICAL SECTION

Justice Mukherjee Commission of Inquiry (JMCI) vide their letter dated 17.6.2002 (FR) have requested this office to furnish following clarification:-

- (i) Whether the Xerox copy of PMO file No. 870/11/P/16/92-Pol (which has been made available to the Commission) contains true and correct copies of all the note sheet pages and the correspondence pages of original file.

The Commission has also sought following information with regard to correspondence page 21 and 22 of the aforesaid file containing Netaji S.C. Bose's message dated 26.12.1945, 1st January, 1946 and February, 1946.

- (1) (a) Whether the Prime Minister's Office possesses originals of those messages ?
- (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office.
- (c) If not, whether any inquiry was made by the Government of India about the source and authenticity of those messages; and
- (2) What is the result of such inquiry?

So far as (i) above is concerned, giving any such confirmation at this stage is not particularly when the Commission has not spelt out specifically adviceable the anomalies noticed. In case there is any shortcomings in the photocopy of file already given to the Commission, this office would be in an embarrassing position if we provide any sort of confirmation about correctness of the photocopy. Therefore, we may send another photocopy of entire file and certify that all the pages are authenticated true copy of the original file.

Doubts regarding correspondence pages 21 & 22 arose mainly due to erroneous filing of papers in the file. The Aide-Memoir

26/m

alongwith other supporting documents (placed at Page 1 to 31/C) are actually enclosure to Shri Chitta Basu's letter at Sl. No. 2/C. Page-33/C. In fact Shri Basu's letter should have been placed at Sl. No. 1 and Aide-Memoir and other documents should have been placed below Shri Basu's letter.

Shri Basu's letter after having been acknowledged by PM was forwarded to MOS. MEA alongwith complete set of enclosures for appropriate action.

Since Netaji S.C. Bose's message was received as enclosure to Shri Chitta Basu's letter, the queries posed by the Commission at 'X' above is not of any consequence and the Commission may be informed accordingly as in the draft subject to approval of 'A' above.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
4.7.2002

Dir(R)

Alu
u/7

JS(J)

dir(R)

Pl

Alu
s/7

Jana Singh
5/5

~~The letter is placed below for signature~~
~~_____~~

~~_____~~

~~_____~~ ~~_____~~
5/5 5/5

Pal

As approved by JSD photocopy
of the entire file has been made
and placed below for sending
to JMCI.

Fair letter is placed below
for signature pl.

DIR (R)

Me →
5/7

Alon
5/7/02

27/n

POLITICAL SECTION

S. NO 39 (R)

Justice Mukherjee Commission of Inquiry (JMCI) written 3 separate letters dated 21.6.2002 (FR-I, II & III) drawing attention to different correspondence pages of (P-20, 41 and 7 to 10) of this office file No. 870/11/P/10/93-Pol and requested to furnish additional information/material or clarification in respect of particular receipt.

2- FR-I relates to correspondence Page-20 regarding note from MEA [has been stated that file Nos. C/551/7/92-JP and C/551/14/90-JP (along with a folder bearing No. C/551/7/92-JP) regarding Netaji S.C. Bose has been returned to PMO.

3. The Commission has requested to send authenticated true copies of those files and the contents of the aforesaid folder.

4 Careful scrutiny of the relevant pages reveals that the MEA files referred to in JMCI's letter had been submitted to Principal Secretary to PM on 9.10.1993 and there is a scribbling which states that MEA folders had been returned to MEA on 14.10.1993. But there is no verifiable proof that MEA files had actually been returned subsequently.

5. We may ascertain from MEA whether 'A' above is correct.

6 FR-II relates to correspondence page 41 which is a photocopy of one MEA file and contains paras 6 & 7. JMCI has asked us to furnish true copy of paras 1 to 5.

7 Correspondence page 41 is actually an extract from MEA file. Photocopy of only this page had been retained because endorsement had been made on this page and the file was returned to MEA. Therefore, paras 1 to 5 would be available with MEA. We may ask JMCI to get the requisite portion from MEA direct.

8 FR-III relates to correspondence pages 7 to 10 which contains a joint letter address to the President and which was forwarded to the Prime Minister by the President. Commission has desired to know action taken on the letter and also the outcome of the action.

9 The subject letter after having been acknowledged by PM was forwarded to Home Secretary on 8.4.1993 for appropriate action.

28/n

Therefore, we may inform JMCI accordingly and ask them to approach MHA to know further action taken by them and outcome thereof.

12

10. Submitted for approval of the course of action suggested in respect of each FR.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
8.7.2002

Dir(R)

Alc
8/7

JS(D)

Abright.

Jayasingh 8/7

Dir(R)

Alc
9/7

Fair letter to Secy, JMCI and u.o note to MEA.
are placed below for signature, if approved.

DIR(R)

Alc
2/7/02

Alok
11.7.02.

S.no 37/1 }
S.no 40/c }

216/Dir(R)/02
8/7

29/8

POLITICAL SECTION

Justice Mukherjee Commission of Inquiry (JMCI) vide their letter dated 22.7.2002 has requested this office to send authenticated Xerox copies of the Rules and Procedure prescribed for destruction of files or documents 23(156)/51-PM had been destroyed.

Chapter X of Manual of Officer Procedure published by the Department of Administrative Reforms, Govt. of India prescribes procedure for indexing and recording of files. Procedure laid down in this manual is followed by the GOI offices. Therefore, if approved, we may ask the Commission to refer to particular chapter of this publication.

Draft for approval please.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
13.8.2002

Dir(R)

Me
14/8

Fair letter to JMCI is placed below for signature pr.

DIR(R)

Alok
14/8

Me
14/8

Letter sent for issue.

Pol

Har
16/8

Fair copy.
Har
14/8

30/m

POLITICAL SECTION

Justice Mukherjee Commission's letter dated 14.6.2002 (placed at FR) may kindly be perused. The relevant file is placed below. From scrutiny of the file we may make following point-wise observation:

- (1) The listed documents had been destroyed probably during 1969 while recording of the said file was undertaken as per the procedure laid down in the Manual of Office Procedure.
- (2) No specific order is necessary for recording of old files. This is periodically done by following the procedure laid down in the Manual of Office Procedure.
- (3) We have no knowledge on this aspect.
- (4) No copy of the destroyed papers have been kept.

If the above responses are approved, the Commission will be informed accordingly.

Submitted for orders please.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
16.8.2002

Dir(R)

M
16/8/02

JS(J)

Pl. prepare draft.

us Pol.

Jamaal Singh 16/8

Pal
As directed, Draft letter to JMC is placed below for approval pt.

Dir(R) / JS(J)

M
19/8

Alok
19/8/02

Jamaal Singh
19/8/02

dir(R)

M
19/8

531/DIR(R)/102
16.8.02

3117

POLITICAL SECTION

Justice Mukherjee Commission of Inquiry (JMCI) vide their letter dated 30.7.2002 (FR) have drawn our attention to a letter dated 3.2.1978 written by Shri R.C. Majumdar to the then PM which is (placed at Page-16-19/c of the file placed below) and requested to furnish authenticated Xerox copies of the documents referred to in Shri Majumdar's above referred letter.

The documents referred to in Shri Majumdar's letters are as follows: -

- (a) Wavell's Journal (edited by Penderel Moon, 1973.)
- (b) Volume-VI of the "Transfer of Power 1942-47."
- (c) A news report appeared in the Chicago Tribune (date not mentioned)

Although, in a letter (Page-13/C) written by the then PM to Shri Majumdar it has inter alia been mentioned that "I have had the sixth volume of the printed records of the Transfer of Power 1942-47 looked into" we could not located that particular document and other two documents referred to above. Therefore, if approved, we may inform JMCI as in the DFA.

Alok
 [Alok Mukhopadhyay]
 Under Secretary (Pol)
 19.8.2002

Dir
 19/8

Dir(R)

JS(D)

Dir(R)

M
 19/8

Jamaal Singh 19/8

32/n

PRIME MINISTER'S OFFICE

Justice Mukherjee Commission of Inquiry (JMCI) vide their letters (FR-I & II) dated 30th July, 2002 have drawn our attention to (i) a letter placed at P-112/C and (ii) a letter from Shri M.L. Sondhi, M.P. addressed to the President placed at P-177-177A correspondence of the file placed below.

With regard to (i) JMCI has desired to know the action taken by Govt. of India for verification of the news of imprisonment of Netaji S.C. Bose.

With regard to (ii) JMCI has desired to know details of action taken on the said letter and the outcome thereof.

Scrutiny of the file reveals that the letter at (i) had been seen by one of the Joint Secretaries to PM and then simply filed as there was no direction for taking any action. We may inform JMCI of the position.

So far as letter at (ii) is concerned, the letter of Shri Sondhi had been referred to MHA and MEA for action as appropriate vide our u.o. at Page-179/C. We are not aware of the outcome of the action taken by these Ministries. We may draw JMCI's attention to our u.o. note at Page-179/C and ask them to get further information from MHA & MEA.

For orders please.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)
23.8.2002

Dir(R) *Alc*
23/8/02

JS(J) *Dir(R)* *Alc*
23/8

Jamaal Singh
Pol *23/8*

Draft letter to Secy, JMCI is placed below for approval pl.

Dir(R) *Alc*
23/8

Alok
23/8/02

*Sent for review
P-III
Alc
23/8*

33/N

POLITICAL SECTION

Justice Mukherjee Commission of Inquiry (JMCI) vide their letters dated 1st August, 2002 (FR-I) and 30th July, 2002 (FR-II) have drawn attention to the following two separate correspondence placed in our file No. 2(64)-56-70 Vol.V (placed below):

FR-I Page-126 to 128/correspondence – Prof. Samar Guha’s letter to the then PM and PM’s reply thereto may kindly be perused. Alongwith Prof. Guha’s letter a list of five PMO files had been enclosed. One of the files listed therein was 12(226)/56-PM against which it was indicated as “**Destroyed.**” In this context PM’s reply at Page-128/C may kindly be perused. WE have no knowledge about the contents of the destroyed file (No. 12(226)/56-PM) Therefore, at this stage it cannot be said with certainty files in which the documents of the destroyed file (No. 12(226)/56-PM) would be available. Out of 4 remaining files of the list, barring file No. 2(381)/60-62-PM, [which could not be traced in our record and in our Affidavit filed before the Commission non-availability of this particular file has also been mentioned] photocopy of remaining three files have been made available to the Commission long back.

A | In view of the position explained above, if approved, we may inform JMCI that at this stage it is not possible to identify the documents which had been lodged in the file (No. 12(226)/56-PM) which had been destroyed. We may also add that out of five files mentioned in the list (P-127 ~~22~~ C), photocopy of three files have been made available to the Commission.

FR-II Attention has been drawn to a letter written by Prof. Samar Guha and placed at correspondence pages 116 to 122 of the file placed below.

34/m

The JMCI has desired to know action taken by this office on various points mentioned by Prof. Guha other than those points on which action has been taken by Shri B.N. Tandon, Joint Secretary to PM.

B Prof. Guha's letter dated 21.12.1973 had been forwarded to MHA with the request to look into the other points made by Prof. Guha and send him a suitable reply under intimation to this office vide this office u.o. note No. 307 dated 5.1.1974 at Page-124 correspondence. In pursuance to our request the then HM had sent a replay to Prof. Samar Guha. Copy of the same is available in this file at P-143/C.

We may inform JMCI about 'A' & 'B' above

Alok
[Alok Mukhopadhyay]
Under Secretary (Pol)
22.8.2002

DIR(R) Me
date

JS (J) Please prepare draft.

us/pol.

Draft letter to Secy, JMCI is placed below for approval pt. James 23/8

DIR(R) Me
JS (J) date

Alok
28/8/02.
Fair letter is placed below for signature pt.

DIR(R)

letter sent for issue. Alok
5/9/02

Can't we clearly mention
the status about bills to
having been destroyed
already bearing about the
bush? N. discuss

OP (POL)

Rh
22/9

Pol

Discussed with DIR (R).

As desired by her some
addition has been made at
the last para of the draft.

Submitted for approval.

DIR (R)

Rh

Attn
2/9/02

2/9

JS (J)

I have deleted
four words.

DIR (R) Rh
3/10/02

35m

POLITICAL SECTION

63/R

FR-I is a letter from JMCI in response to our letter at Sl.No. 37(I). Notes on Page-20-21/N would recall the case. In view of the position explained in para 4 of the note, a confirmation has been sought from MEA vide our I.D. note at Sl.No. 40(I). Response from MEA is yet to be received. Therefore, MEA will be reminded.

64/R

FR-II is a reminder to JMCI letter dated 30.7.2002 placed at Sl.No. 45(R) which have already been replied to vide our letter at Sl.No. 46(I). We may send a copy of the same to JMCI again for ready reference.

65/R

FR-III is a reminder to JMCI's letter dated 30.7.2002 placed at Sl.No. 55(R) which has already been replied to vide our letter Sl.No. 57(I) with the approval of JS(J). Our note on Page-26-27/N refers. We may send a copy of our reply to JMCI for ready reference.

66/R ✓
67/I

In view of the position explained above for reminder to MEA and reply to JMCI are placed below for signature please, if approved.

Alok

[Alok Mukhopadhyay]
Under Secretary (Pol)

DL(R) *Ku*
26/9/02

859/Dir(R)OL
27/9

66/I
67/I

36/N

POLITICAL SECTION

57/I

70/R

Justice Mukherjee Commission of Inquiry (JMCI) vide their letter dated 18.2.2003 (FR) has written to this office in response to our letter No. 915/11/C/2/2000-Pol dated 3rd/5th September, 2002 (which was in reply to JMCI's letter dated 1.8.2002) that our response was not compatible with the contention of the reply given by the then PM to Prof. Samar Guha, MP on 9.1.1974.

2. In view of JS(J)'s remark on the FR whole set of relevant files and documents was shown to Dir(R) who in turn discussed the issue with JS(J) and all the relevant correspondence was shown to him. Dir(R) mentioned that JS(J) was satisfied that our response of 3rd/5th September, 2002 was entirely based on the available documents and there is no incompatibility what-so-ever. He was further desired that in our reply to JMCI's present letter we may reiterate what has already been stated in this context.

3. Draft reply to JMCI is placed below for approval.

Signature

For Under Secretary (Pol)
27-2-2003

for approval of

Dir (R)

Signature
27/2/03

~~JS(J)~~

Dir (R)

Signature
27/2

Signature
27/2

Signature

70/R
71/I

37/2

POLITICAL SECTION

Justice Mukherjee Commission of Inquiry (JMC) vide their letter at FR had forwarded a copy of Status Report as on 28.11.2002 and proceedings of the Commission dated 17.9.2002 and 2.12.2002.

After carefully going through these documents, it was observed that barring para 3 of the above referred Status Report, ^{on} no other points any follow up action on our part was called for. Therefore, after obtaining the approval of JS(J), specific advice of our Senior Counsel in JMCI was sought on the question of furnishing counter-affidavit for which JMCI has been insisting. Our Counsel in JMCI is of the opinion that question of furnishing any counter-affidavit does not arise (para 2 of Counsel's letter at [] refers). It has also been stated by our Counsel that non-filing of counter-affidavit makes no encumbrance upon the Govt. of India.

In view of the opinion expressed by our Counsel, no further action is called for on JMCI's letter dated 26.12.2002 (FR). *However, we may ask our counsel to inform JMCI suitably.*

Alok
[Alok Mukhopadhyay]
Under Secretary (Pol)
10.2.2003

Dif(R)

M
10/2/03

we may ask our counsel quickly.

JS/J

Dif(R)

M
10/2/03

James Singh
10/2

Internal

Subject: Alleged disappearance of Netaji Subhas Chandra Bose.

Shri Debabrata Biswas, MP and four of his colleagues, all from the All India Forward Bloc, have addressed DO letter dated 10.8.07 [FR] to the Prime Minister regarding the report of the Justice Mukherjee Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose. The letter makes the following demands from the Government of India:

- (i) Acceptance of the findings of the Mukherjee Commission of Inquiry;
- (ii) Withdrawal of the 'Action Taken Report'; and
- (iii) Acceptance of the fact that Netaji did not die in the alleged plane crash at Taiwan on 18th August 1945, which didn't occur at all, and the so-called ashes kept at the Renkoji Temple of Japan were not of Netaji.

2. It further states that '[I]t is unfortunate that our party has been compelled to come in confrontation with the UPA Government on such a sensitive and vital issue, although as a partner of the Left Front we have been continuing our support from outside to the UPA Government'.

Submitted for orders as appropriate.

(Amit Agrawal)
14.8.07

JS(M)

we may request MHA to
furnish at appropriate ^{subsignature} draft reply.
Sanjay Prasad
14/8

Prd Secy

JS(M)

sm

Dvi(AA)

16/8

Pol-3/8

to pl., requesting for draft by 27-8-07

6663-6/PM
14/8/07
4459/75M/Q1
2120/DO(AA/07

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

No. JMCI/meeting-Hearing/99-2000/57/232(61)

Calcutta, dated, August 3,, 2001

Under Certificate of Posting

From
Shri M. Roy, IAS (Retd.)
Officer on Special Duty

1/R

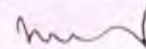
To
Shri Jarnail Singh
Joint Secretary
Prime Minister's Office
North Block
New Delhi 110 001

Dear Sir,

I am directed to inform you that the next hearing of the Commission will be held on August 22, 2001 (Wednesday) at 11.00 O'clock in the forenoon in the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Calcutta 700 007 when the Commission, besides transacting other business, may examine the following witnesses :

1. Shri Pranab Kumar Mukherjee
(former Minister of External Affairs, Govt. Of India)
60/2/7, Kabi Bharati Sarani, Flat No.2A (1st floor) Kolkata 700029
2. Shri Asoke Gupta, I.A.S.,
(former Under Secretary, Ministry of Home Affairs, Govt. Of India)
Finance Secretary, Govt. Of West Bengal, Writers Bldgs., Kolkata 700 001
3. Prof. Alope Roy
Editor, Netaji Subhas Chandra Bose Commemoration Volume, Scottish Church College,
3 Cornwallis Square, Kolkata 700 006
4. Shri Santanu Banerjee,
Correspondent, Indian Express, 7 Grant Lane, Kolkata 700 012
5. Capt. Barindra Karmakar
Flat D-44, Mahavir Vikas, Block HC Sector III, Salt Lake, Kolkata 700 091
6. Dr. Amiya Kumar Samanta, IPS (Retd.)
Block GD,, Plot No.280, Salt Lake City, Sector III, Kolkata 700 091

Yours faithfully,



(M. Roy)
Officer on Special Duty

Handwritten notes and signatures at the bottom of the page:

- ds (A)
- OSD (K)
- us (Retd.)
- 10/8/2001
- No action
- 15/8
- 22/9/2001/14/101

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

e-mail:

jmcinscb@cal.3.vsnl.net.in

Fax:
0091-033-252-2765

No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/300

Kolkata, dated, September 18, 2001

From : Shri P.K. Sengupta
Secretary

To
The Secretary,
Prime Minister's office,
Government of India,
South Block,
New Delhi 110 001

Sir,

I am directed to state that on perusal of the photo-copy of the purported file No. 915/11/C/96-Pol sent to the Commission by your office it appears that only three note-sheet pages are provided in the said photo-copy and the other noteshet pages pertaining to other corr. pages have not been furnished to the Commission.

I am, therefore, directed to request you to advise your authorised Officer, not below the rank of Joint Secretary to the Government of India, to appear before the Commission on 16.10.2001 at 11,00 a.m. in the Committee Room 'C' at Vigyan Bhavan Annexe, New Delhi, to explain the above anomaly and to present before the Commission authenticated true copies of all notesheet pages, serially numbered, pertaining to the original file No. 915/11/C/6/96-Pol. Regarding disappearance/death of Netaji Subhas Chandra Bose.

Yours faithfully,



(P.K. Sengupta)
Secretary.

P-122/N
S.NO. 10(I)

Use Pol
4
27/9

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone
Chairman 252 2115
Secretary 252 2117
Officer on
Special Duty = 252 2115
Office = 252 2115

(3)

S.No 3(R) 41B

No. JMCI/ Records/N.Delhi/99-2000/37/296 Calcutta, dated, the 18th September '01

From : Shri M.Roy,
Officer on Special Duty

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

S i r,

I am directed to send herewith a copy of an 'Aide Memoire' by Shri Asish Roy to Shri V.P. Singh, purportedly sent to the then Prime Minister of India, with a request to confirm whether it was received by your office.

Enclosure : As stated above.

Yours faithfully,

M.R.
(M. Roy.)
Officer on Special Duty

24/9
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41
25/9

TPS

pal

P-3/N
4/I ✓

3/2

2358/Dia(J)/01

Annexure : ' R ' (Colly)

411

(4)

A I D E - M E M O I R E

Subject : Myterious disappearance of Netaji Subhas Chandra Bose

The last official stand taken by the office of Prime Minister of India on the floor of Lok Sabha was on 3rd September 1978 when Shri Morarji Deai stated : "Shah-Nawa Committee and Khosla Commission hold the report of Netaji Subhas Chandra Bose's death following a Plane Crash as true. Since the reasonable doubts have been caused on the correctness in the reports and various important contradictions in the testimony of the witnesses have been noticed. Some further contemporary official documentary record have also become available. In the light of those doubts and contradiction and those records Government find it difficult to accept that the earlier conclusions are decisive.

The claim in support of Netaji's death consequent to the alleged accident at TAIHOKU on 18.8.1945 was based almost entirely on the evidence provided by Col. Habibur Rehman, A.D.C to Netaji and the Japanese Doctor T. Yohimi. Col. Rahman maintained he accompanied Netaji on the reported fateful journey but survived the tragedy. Dr. Yohimi submitted that he unsuccessfully treated Netaji in hospital after the reported incident.

Col. Rehman was twice interrogated by Allied intelligence and he also appeared before the Shah-Nawas Committee. A chart of his statements on these three occasions indicate the rather inconsistent nature of his descriptions is enclosed herewith. The Combined Services Detailed Interrogation Centre (CSDIC) recorded on 25th March, 1946 : It appears that Habibur Rehman is not willing to come out with the truth". In fact, the Intelligence Bureau, in New Delhi categorically recorded on 19.5.1946 : "Habibur-Rehman's statement is unsatisfactory. The multitude on Counter Intelligence Corps (CIC) in Tokyo and later to C.S.D.I.C. is being taken up".

.....2/-

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone: 5
Chairman
Secretary
Office of Secy
Special Team
DTP

No. JMCI/ Records/N.Delhi/99-2000/37/296 Calcutta, dated, the 18th September '01

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Officer on Special Duty

To : The Secretary,
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Yours faithfully,

M.R.
(M. Roy.)
Officer on Special Duty

Pot
Referenced as above.

Pot
May please check up whether the 'Aide Memoire' mentioned above is with you and let us know positively by Monday, i.e. 1.10.01. about the outcome.

So EST/EsII
So. Public

Atal
27.9.01.

2358/Dia(J)/01

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman

Members

Secretary

Joint Secretary

No. JMCI/ Records/N.Delhi/99-2000/37/296 Calcutta, dated, the 18th September '01

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Officer on Special Duty

To : The Secretary,
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South Block,
New Delhi-110001.

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Officer on Special Duty

Pot

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SO ESI / Es II ✓ we no papers on this 28.9
SO. Public. Pot see

Asst
27.9.01.

2358/Dir(J)/01

Annexure : 'R' (Colly)

4/11-7

A I D E - M E M O I R E

Subject : Myterious disappearance of Netaji Subhas Chandra Bose

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.....2/-

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

(8)

No. JMCI/ Records/N.Delhi/99-2000/37/296 Calcutta, dated, the 18th September '01

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Officer on Special Duty

To : The Secretary,
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New Delhi-110001.

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Officer on Special Duty

Pot

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So ESTI / EstII
So, Public - I

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Arad
27.9.01

2358/Dir(J)/01

no Aide Memoire mentioned above is in Pub-II pe

Fax : (091-033-252-2705

110-mail : jmcomsec@cal.govt.net.in

not received in Pub. LM. 17d

POL. SECTION

Annexure : 'R' (Copy)

411-
C

A I D E - M E M O I R E

Subject : Myterious disappearance of Netaji Subhas Chandra Bose

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.....2/-

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSI.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:
Fax:
E-mail:
Website:

10

No. JMCI/ Records/N.Delhi/99-2000/37/296 Calcutta, dated, the 18th September '01

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Officer on Special Duty

To : The Secretary,
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South Block,
New Delhi-110001.

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(M. Roy.)
Officer on Special Duty

Pot

Referenced as above.

May please check up whether the 'Aide Memoire' mentioned above is with you and let us know positively by today, i.e. 1.10.01. about the outcome.

So EST / Est II

So. Public (US), Funds.

Checked up mat in room No 239.

Note in Room no. 238 p/ack

27.9.01.

Acknowledgement copy sent for SD/SA

2358/Dir(3)/01

P.L. link P-III

M 27/9 SO (FI)

e-mail : jmcis@cal3.vnl.net.in

us (P/01) dpr 5/11 37 W

Annexure : 'R' (Colly)

411 - (11)

A I D E - M E M O I R E

Subject : Myterious disappearance of Netaji Subhas Chandra Bose

The last official stand taken by the office of the Minister of India on the floor of Lok Sabha was on 3rd September 1978 when Shri Morarji Deai stated : "Shah-Nawa Committee & Khosla Commission hold the report of Netaji Subhas Chandra Bose's death following a Plane Crash as true. Since the reasonable doubts have been caused on the correctness in the two reports and various important contradictions in the testimony of the witnesses have been noticed. Some further contemporary official documentary record have also become available. In the light of those doubts and contradiction and those records, Government find it difficult to accept that the earlier conclusions are decisive.

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.....2/-

S.No. 4(I)

3/5 (4/I)

(12)

No. 915/11/C/2/99-Pol
PRIME MINISTER'S OFFICE

NEW DELHI-110 011
October 5, 2001

Shri M. Roy,
Officer on Special Duty
Justice Mukherjee Commission of Inquiry
"B" Block (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700 087.

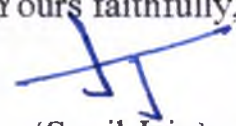
Sir,

3(R)

Reference is invited to your letter No. JMC/Records/N.Delhi/99-2000/37/296 dated 18.9.2001.

This is to inform that records of this office have been checked-up but the particular 'Aide-Memoir' (copy which has been forwarded by JMC) does not seem to have been received in this office.

Yours faithfully,



(Sunil Jain)
Director

d/c

P-111

- 3/m



S.No.5(R)

13

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR BEING INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:
Chairman
Secretary
Officer on
Special Duty
Office

No. JMCI/ Records/N.Delhi/99-2000/37/306 Calcutta, dated, the 18th September '01

From : Shri M.Roy,
Officer on Special Duty
To : The Secretary,
Prime Minister's Office,
South Block, Government of India,
New Delhi-110001.

S i r,

I am directed to refer to the minutes dated 21.12.1998 of Shri Brojesh Mishra, the then Principal Secretary to the Prime Minister appearing at n.s. page 3 of file No.915/11/C/6/96-Pol. of the P.M.O. (copy enclosed) and to request you to inform the Commission within eight weeks from the date of receipt of this letter the outcome of the efforts.

I am further directed to refer to the letter dated October 10, 1998 of Shri Bijan Ghosh, Advocate, addressed to the Prime Minister of India, appearing at c.p.182 of the said file (copy enclosed) as also to the D.O. letter dated January 23, 1999 of Prof. Amalendu Guha, addressed to the Prime Minister of India, appearing at c.p.s 194 and 195 of the said file (copies enclosed) and to request you to let the Commission know immediately the action taken thereon.

Enclosures : Four pages
as stated above

Yours faithfully,

M. Roy

(M. Roy.)
Officer on Special Duty

24/9

DM

urgent

PPS

pol 24/9

P-122/N
G(I)/9(I)

2358/Dia(I)/01/25/9

fax : 0091-033-2525365

e-mail : jmcmscb@cal3.vsnl.net.in

From the NP 3 of the file it appears that one Sri Bijon Ghosh, Advocate of the Supreme Court of India, had written to the Prime Minister asking for the removal of the name of Netaji Subhas Chandra Bose from the list of War Criminals and the PMO had sought MEA's advice in the matter. It was noted further by Sri P.P.Sukla the then Joint Secretary (P) in the P.M.O. that the position was that the U.N. "does not maintain any list of war criminals but does maintain records of the U.N. War Crimes Commission". It was further noted by the same Joint Secretary "it is not known whether Netaji's name figures in this list or not. In any case, according to MEA, the list is more in the nature of an archive rather than an actionable list. There is thus no benefit in even seeking to establish whether Netaji's name figures in such a list." MEA, therefore, advised that no further action should be taken by us". In spite of this proposal by the Joint Secretary (P) in the P.M.O.'s office, Sri Brajesh Misra, Principal Secretary to the Prime Minister, ordered on 21.12.98 that MEA should make an effort to ascertain if the name figured in U.N. records". Again at Cor.P 196 there is a letter dated 12.3.99 from Sri A.K.Paitandy, Director (ISI) to Sri D.C.Mohanty, Sr./Counsel / standing of the Govt. of India, Orissa High Court, Cuttack, wherein Sri Mohanty was informed that as per information furnished by the Govt. of United Kingdom, the name of Netaji Subhas Chandra Bose was not included in the list of war criminals drawn up by them. This letter was in connection with a Writ Application OJC No. 14400 of 1998) filed by one Dr.S.S. Mohapatra before the Hon'ble High Court of Orissa. The information said to have been furnished by the Govt. of United Kingdom or any copy thereof is not in this file. Cor. Page 133 purports to be a letter of Sri Sashi Tharoor, Executive Assistant to the Secretary General of the United Nations, in reply to a letter dated 15.2.77 (cor. page 132) of Air Vice Marshall S.Goyal, Chairman, Netaji Forum, New Delhi. In this letter Sri Tharoor informed Sri Goyal that the Secretary General of U.N.O. was aware of the great regard in which Netaji was held but he was powerless to undo any reference that might have been made in the past. Sri Tharoor, however, added that the Secretary General was confident that no United Nation's Agency or publication would use the term "war criminal" in reference to Netaji in the future. This letter palpably does not put at rest the allegations from different quarters that Netaji's name figures in the list of war criminals. There is only an assurance that in future the terms 'war criminal' would not be used in reference to Netaji.

Gijan Ghosh

ADVOCATE
SUPREME COURT OF INDIA

SIX LAWYERS' CHAMBERS
SUPREME COURT BUILDINGS
NEW DELHI - 110 001
FAX OFF. 3782595
PHONE OFF. 3382078
3381007
RES. 8539044
8525525

Hon'ble Prime Minister
Government Of India
South Block
New Delhi

Sub : A Demand of We , the People .

In Re : Netaji, Subash Chandra Bose
whose name is still in the records
of United Nations' War Criminal List.

Hon'ble Mr. Atal Behari Vajpayee,

We, the People of India hereby demand

1. that the Govt. of India should take every step in the United Nations to remove the name of NETAJI SUBASH CHANDRA BOSE from the War Criminal List of United Nations with an retrospective effect since 1945.

The Govt. of India should have taken every step since independence because Netaji , irrespective of his error of judgment in deciding to take help from and give support to the Axis camp during World War -II , is regarded & considered as one of the Great Son of Mother India and a main architect in achieving independence of India.

Even today, if a world referendum is taken on this issue, it will be found that more than half of the world population , in their considered esteem , regard & honour Netaji as a Hero of Humanity who suffered and sacrificed for Freedom, equality and fairness.

2. that there can not be any further Inquiry under Commissions of Inquiry Act, 1952 or any kind of Inquiry like Judicial Inquiry or High Level Investigative Inquiry w.r.t. the facts and circumstances leading to the disappearance of Netaji S.C. Bose after 18.08.1945 , the sole being He is still a War Criminal.

The National Logo is " TRUTH MUST PREVAIL " , but in the issue of Netaji the Govt. of India , since independence , is giving mis-information and dis-information to the Nation .

-51/c-

In the service of the Truth and Nation,

We remain, Sir,

Gijan Ghosh 10.10.98
On behalf of We, the People of India.

354/1007/1998 : 1101/JS(P)/G/198
10/11



58/C

154 (16)

INSTITUTE FOR ALTERNATIVE DEVELOPMENT RESEARCH INSTITUTT FOR ALTERNATIV UTVIKLINGSFORSKNING

Shri Atal Bihari Vajpayee.
Hon'ble Prime Minister of India.
Prime Minister's Office.
New Delhi 110 001.
India.

Oslo, January 23, 1999.

Dear Vajpayee-ji:

Today is NETAJI SUBHAS BOSE's birthday. This day is being celebrated all over India and in important countries and places of the world as the commemorative birthday of the "Patriot of Patriots" of India.

Unfortunately, he has still been kept as war-criminal by both the Government of free India and the former Imperial, now Royal, Government of the United Kingdom. Why. Why and Why ?

The first and former Prime Minister of India Jawaharlal Nehru had always refused to reply directly to the question of whether his status of war criminal as declared by then Viceroy of India Lord Wavell and the Royal British Government was waived off. IT MEANS THAT THE GOVERNMENT of free India did not and has not yet done it.

The present British Prime Minister Mr Tony Blair has avoided to reply it directly because of his lack of knowledge. Enclosed please find herewith the copy of the letter from his office.

The Foreign and Commonwealth Office of the U.K. Government, on behalf of the Prime Minister, replied that "the question of how to treat Subhas Chandra Bose and other members of the Indian National Army was considered in 1945 by the Government of India in consultation with the HMG." Enclosed please find herewith the copy of the letter. It is very clear from this letter that the Govt. of India in 1945 under Lord Wavell was the British Colonial Govt. and this very Government declared Subhas Chandra Bose as war criminal. AND THERE DID NOT TAKE PLACE ANY FURTHER DEALING OR DEVELOPMENT ON THE ISSUE.

I have also appealed to the International Court of Justice at The Hague to go through its record of the war criminals and let me know of the findings and Netaji Subhas Chandra Bose's present status. It will take, at least, four months more to receive any reply.

Office Address

Carl Johans gate 8
154 Oslo, NORWAY

Telephone + Telefax

47-22-41 09 49.

Mailing Address

Post Box 870 Sentrum
0104, NORWAY

FAX NO. 6030.05.58383

195

(17)

-2-

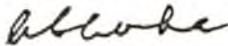
You, as the de facto administrator of India, possess the right and official power, for making decisions on important national issues.

I, therefore, appeal to you to kindly DECALARE OFFICIALLY THAT THE GOVERNMENT OF INDIA HAS WAIVED OFF THE 1945 DECISION, IN WHICH NETAJI SUBHAS CHANDRA BOSE WAS DECLARED AS WAR CRIMINAL. For this humanist and patriotic decision and declation of yours I, as well as, the entire nation in India, will remain ever grateful you. And I believe that you are the fittest and the best Prime Minister to do so.

Looking forward to your kind and positive reply at an early date,

I remain,

Very sincerely yours,



Amalendu Guha, M.A., M.Com., M.Sc., Ph.D., D.Sc.
Professor/Director

and author of the books on (which were maile to you earlier)

i) NETAJI SUBHAS : IDEOLOGY AND DOCTRINE

and

ii) GANDHIAN NON-VIOLENCE.

(Proposed for Nobel Prize in Economics in 1999 for theory on:
GLOBAL MALDEVELOPMENT)

Encl: as mentioned.

S.NO 6 (I)

(12)

Most Immediate

PRIME MINISTER'S OFFICE

no file

Reference PMO UO No. 915/11/C/6/96-Pol. Dated 24.12.1998 regarding the proposal to remove the name of Netaji Subhash Chandra Bose from the list of war criminals entered in the records of the UN War Crimes Commission. Photocopy of the correspondence is enclosed for ready reference.

2. MEA is requested to expedite reply as the *Justice Mukherjee Commission of Inquiry* for inquiry into the alleged disappearance of Netaji Subhash Chandra Bose is pressing for response in the matter.

[Handwritten Signature]

(Sunil Jain)
Director

[Handwritten initials]

Joint Secretary (UNE), MEA
[Shri A. Gopinathan]

PMO UO No. 800/05/C/1/91 Pol. dated : 6.10.2001

P-2/N

[Handwritten signature]
6.10

19
Bijan Ghosh

ADVOCATE
SUPREME COURT OF INDIA

SIX LAWYERS' CHAMBERS
SUPREME COURT BUILDINGS
NEW DELHI - 110 001
FAX OFF. 3782595
PHONE OFF. 3382078
3381007
RES. 8539044
8525525

Hon'ble Prime Minister
Government Of India
South Block
New Delhi

10.10..98

Sub : A Demand of We , the People .

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The Govt. of India should have taken every step since independence because Netaji , irrespective of his error of judgment in deciding to take help from and give support to the Axis camp during World War -II , is regarded & considered as one of the Great Son of Mother India and a main architect in achieving independence of India.

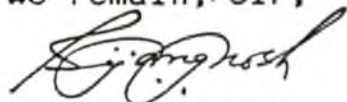
Even today, if a world referendum is taken on this issue, it will be found that more than half of the world population , in their considered esteem , regard & honour Netaji as a Hero of Humanity who suffered and sacrificed for Freedom, equality and fairness.

2. that there can not be any further Inquiry under Commissions of Inquiry Act,1952 or any kind of Inquiry like Judicial Inquiry or High Level Investigative Inquiry w.r.t. the facts and circumstances leading to the disappearance of Netaji S.C.Bose after 18.08.1945 , the sole being He is still a War Criminal.

The National Logo is " TRUTH MUST PREVAIL " , but in the issue of Netaji the Govt. of India , since independence , is giving mis-information and dis-information to the Nation .

In the service of the Truth and Nation,

We remain, Sir,



On behalf of We, the People of India.

UII/103/1/98
Ministry of External Affairs
(UN Division)

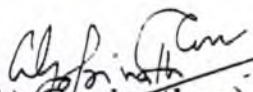
SNO. 31/Corr

Reference JS(P) PMO's U.O. no. 315/11/C/6/96-Pol. Of November 12, 1998 forwarding letter dated October 10, 1998 from Shri Bijan Ghosh, Advocate, Supreme Court of India on deletion of the name of Netaji Subash Chandra Bose from the lists of UN War Criminals.

2. PMI New York has been consulted. It has been ascertained that the UN does not maintain lists of war criminals. In its archival functions, it simply maintains the records of the UN War Crimes Commission. It is not known whether Netaji's name in fact figures on any of the voluminous records of the Commission.

3. Even if this was the case, the Secretariat has made it clear that, since the documents have simply been stored for archival purposes, no change of any kind can be made to them. Therefore, it is not feasible, working through the UN, to remove Netaji's name from any of the lists submitted to the Commission, should he figure on them.

4. If we want to establish whether Netaji's name figures on the lists, we have to make a formal request from PR to Secretary General for access to the archives to establish this fact. This by itself would be an indication that we suspect he is on the list of war criminals. Since, according to the UN Secretariat, it is not possible to remove names from these lists, it is a moot point whether any purpose would be served by making this request.


(A. Gopinathan)
Joint Secretary (UN)
December 9, 1998

JS(P) PMO

PRIME MINISTER'S OFFICE

Reference Note No.UII/103/1/98 dated 9 December, 1998 regarding the proposal to remove the name of Netaji Subash Chandra Bose from the list of war criminals entered in the records of the UN War Crimes Commission.

2. MEA may kindly take action to ascertain if Netaji's name figures in the records.

sd/-
(P.P. Shukla)
Joint Secretary (PMO)
24 Dec 98

Joint Secretary (UNE), MEA

PMO U.O. No. 915711/c/6/96-Pe.

dated 24-12-98

PRIME MINISTER'S OFFICE

531

Placed below is a letter received by PM from Shri Bijan Ghosh, Advocate, Supreme Court of India, which is self-explanatory.

2. The facts of the case are requested.

[P.P. Shukla]
Joint Secretary [PMO]
11 Nov 98

Additional Secretary (UN), MEA

PMO U.O. No: 3157/11/2/6/36- Pol

Dated 11-11-1998

REGISTERED WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

FAX : 033 252-2765

Phone:

Chairman -- 252-2835

Secretary -- 252-2767

Officer on

Special Duty -- 252-2765

Office -- 252-2766/68

e-mail jmcinscb@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/318(2)

Dated Calcutta, September 20, 2001

BY REGISTERED POST WITH A/D

From : Shri M. Roy

Officer on Special Duty.

To

The Secretary
Prime Minister's Office
Government of India
South Block
New Delhi 110 001

The Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi 110 001

Sir,

It appears from some papers filed before this Commission that an affidavit was filed before Justice Khosla Commission on behalf of the Government of India wherein it was averred, inter alia, that more than 34 'confidential files' relating to 'Netaji Mystery' were found either "destroyed or missing".

Since the complete records of the proceedings of the Justice Khosla Commission have not yet been received by this Commission though repeatedly asked for by it, it has not been possible for the Commission to verify whether such an affidavit was filed.

In that context I have been directed to ask you to confirm whether such affidavit was filed by the Government of India and if so, to furnish a copy of the same with a detailed explanatory note on the contents of each of the said 34 confidential files allegedly destroyed or missing.

Yours faithfully,



(M. Roy)

Officer on Special Duty.

URGENT

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P-4/N
S.NO 8(1)

362/Dir(J)/01
25/9

S. NO 8 (I)

(24)

No. 915/11/C/2/2000-Pol Vol. IV
PRIME MINISTER'S OFFICE

New Delhi
8th October, 2001

To,

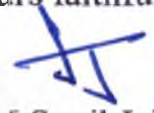
Shri M. Roy,
Officer on Special Duty,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third Floor),
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

The undersigned is directed to refer to the Commission letter No. JMCI/Records/N-Delhi/99-2000/37(Vol-II)/318(2) dated 20.9.2001 and to state that this office has no knowledge about furnishing of any such Affidavit before the Justice Khosla Commission as mentioned in the above referred letter of the Commission.

7/R

Yours faithfully,



[Sunil Jain]
Director

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9/10

b-h/n

P-III

S.NO 9(I)

(25)

915/11/C/2/2000-Pol Vol. IV
PRIME MINISTER'S OFFICE

New Delhi-110011

9th October, 2001

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

The undersigned is directed to refer to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/306 dated 18.9.2001 and to state that Ministry of External Affairs (MEA) have been requested to expedite their reply about figuring Netaji's name in the U.N. record as War Criminals. As soon as a reply is received from MEA, the Commission will be informed of the status.

It is further informed that Shri Bijon Ghosh's letter dated 10.10.1998 had been referred to the MEA and in the context of MEA's comments on this letter the Principal Secretary to the Prime Minister had given the direction vide his minutes on P-3/N on file No. 915/11/C/6/96-Pol. Prof. Amanendu Guha's letter dated 23.01.1999 had been referred to the Ministry of Home Affairs. on 9.2.99

Yours faithfully,

Am.
[Alok Mukhopadhyay]
Under Secretary(Pol)

a/x.

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2/10
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S.No 10(I)

By Speed Post (26)

No. 915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi
8th October, 2001

9th

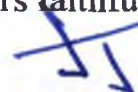
To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third Floor),
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

The undersigned is directed to refer to the Commission's letter No. JMC/Meeting-Hearing/99-2000/57(Vol-II)/300 dated 18.9.2001 regarding making available the noting portion of this office file No. 915/11/C/2/96-Pol to the commission and to confirm that the said file contained only three pages in the noting portion and photocopy of the entire file including these three pages have already been made available to the Commission. I would like to assure you that there has been no anomaly in this regard.

Yours faithfully,



[Sunil Jain]
Director



P-117

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9/10

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

No. JMCI/Meeting-Hearing/99-2000/57/325(66)

Calcutta, dated, September 25, 2001

Under Certificate of Posting

From

Shri M. Roy, IAS (Retd.)
Officer on Special Duty

To

Shri Jarnail Singh
Joint Secretary
Prime Minister's Office
South Block
New Delhi 110 001

Dear Sir,

I am directed to inform you that the next hearing of the Commission will be held on 15.10.2001, 16.10.2001 and if need be on 17.10.2001 starting at 11.00 O'clock at Committee Room 'C' in the Vigyan Bhavan Annexe, New Delhi, when the Commission, besides transacting other business, is likely to examine the following witnesses:-

Witnesses summoned for 15.10.2001

1. Shri Pranab Kumar Mukherjee (former Minister of External Affairs, Govt. of India)
2. Officer-in-Charge of Website of Hindustan Times
3. Shri Sitanshu Das, Correspondent, Hindustan Times
4. Shri Shali Ittaman, Correspondent, Hindustan Times
5. Shri Anju Dhar, Correspondent, Hindustan Times
6. Shri Jai Singh, Author of a letter to the Editor, Hindustan Times
7. Shri Satindra Pal Singh, Author of a letter to the Editor, Hindustan Times

Witnesses summoned for 16.10.2001

1. Authorised Officer on behalf of the Secretary, Prime Minister's Office, Govt. of India
2. Smt. Prabha Jagannathan, Correspondent, The Economic Times
3. Shri Janardan Das (JMCI/59/2000)
4. Shri Mahesh Prosad Srivastava (JMCI/60/2000)
5. Shri Rai Singh, Author of a letter to the Editor, Hindustan Times
6. Shri Pradip Bose (JMCI/26/2000)

Yours faithfully,

(Signature)

(M. Roy)

Officer on Special Duty

for you please
Ans,
Du (J) 2/16
Shri Rohit Chandra
28/9

P-5157/N

4 08/05/01/016/11/11

Tarakeswar Pal

Advocate

Senior Counsel - I, To The Government of India
In Justice Mukherjee Commission Of
Inquiry For Inquiry Into The Alleged Disappearance Of
Netaji Subhas Chandra Bose

Office :
Room No. : 5
Bar association,
High Court, Calcutta,
Phone : (033) 248-3190/3169,
Fax : (033) 248-2313,
E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:
Purnasasi,
33, Asoke Avenue,
(Off. & Opposite Navanir),
Kolkata - 700 040,
Phone : (033) - 471-0592,
Fax : (033)-471-1204.

(Kindly use office address for recorded delivery post)

Ref: 12/1

Date 27th September, 2001

REGISTERED WITH A/D

To

CONFIDENTIAL

1. Smt. Sangita Gairola,
Joint Secretary,
Ministry of Home Affairs,
North Block, New Delhi - 110001,
2. Sri Jarnail Singh,
Joint Secretary,
Prime Minister's Office,
South Block, New Delhi - 110001 .
3. Sri Jayant Prasad,
Joint Secretary,
Ministry of External Affairs,
South Block, New Delhi - 110001.
4. Sri Falguni Rajkumar,
Joint Secretary,
Ministry of Defence,
South Block, New Delhi - 110001.

Dear Madam/Sirs,

Re. : Instructions as required on the stand of
the Govt. of India in reference to the
allegations against it and also for steps
in the proceedings of the Hon'ble Justice
Mukherjee Commission.

By this time, I understand, you have become aware of
the allegations of several deponents against the Govt. of India
of which basic and important ones may be concisely reproduced
below.

2. a) General allegations that the Government is not
producing relevant records-classified or non-classified (including
9000 files of the Ministry of Defence).

b) The Government is not taking initiative for foreign

Pl. put up quickly
Sh. Rohita Khanna
3/10

Pl. put up quickly
Sh. Rohita Khanna
3/10

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3/10
7883/BJ/G.

Tarakeswar Pal

Advocate

Senior Counsel -I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of

Netaji Subhas Chandra Bose

Office :

Room No. : 5

Bar association,

High Court, Calcutta,

Phone : (033) 248-3190/3169,

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Kolkata - 700 040,

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Fax : (033)-471-1204.

Ref: 12/1

(2)

Date: 27th September, 2001

records, ^{as} well as not making the records collected therefrom public.

c) As Jawahar Lal Nehru was anti-Netaji and anti-INA, he was trying to establish death of the Netaji and so Enquiry Committee was set up in 1956 under his own man, Shah Nawaj Khan and the Justice Khosla Commission was also appointed to draw the said given conclusion - and similarly the present Justice Mukherjee Commission has also been appointed with the same aim.

Do we have a report?

d) The Government is not making the records, on the basis of which the Prime Minister Morarji Desai and Minister of State Dhanik Lal Mondal expressed, in the Parliament, disagreement with the findings of the Shah Nawaj Committee and the Justice Khosla Commission, public.

e) Jawahar Lal Nehru complained to British Premier Attlee against Stalin for the latter's allowing the Netaji in the U.S.S.R. after 18th August, 1945.

f) Asiatic Society scholars have not been helped by the Government in unearthing the records proving the Netaji's existence in the USSR inspite of Russia's "no objection".

g) Government of India under Jawahar Lal Nehru and subsequently as a British Dominion Government included the Netaji as War Criminal and did nothing against such branding to bar him from coming out while the Govt. of India said to the Shah Nawaj Committee that ~~it has not in possession of any information~~ confd::: 3

(30)

Tarakeswar Pal

Advocate

Senior Counsel -I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of
Netaji Subhas Chandra Bose

Office :

Room No. : 5

Bar association,

High Court, Calcutta,

Phone : (033) 248-3190/3169,

Fax : (033) 248-2313,

E-mail : barasohc@cal.cmc.net.in

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Phone : (033) - 471-0592,

Fax : (033)-471-1204.

Ref: 12/1

(3)

Date 27th September, 2001

it has not in possession of any information as to the Netaji's status as War Criminal, but it reaffirmed in 1971 the said status of the Netaji beyond statutory limitation.

h) Government of India's apathy to celebrate the Netaji's birth Centenary.

i) Moves of Sri Pranab Kumar Mukherjee and Sri Jaswant Singh, former and present Ministers of External Affairs, Respectively, to bring "ash" of the Netaji from Renkoji (even after the present Commission was set up).

3. The stand of the Government of India on the above allegations has gained further importance in view of summoning of Sri Pranab Kumar Mukherjee, former Minister for External Affairs as a witness (to be examined on 15th October, 2001 in New Delhi). He has been cited as witness by the Deponents Nos. 11, 14, 23 and 27. The expected questions to be asked (to Sri Mukherjee) are as follows :-

a) On the basis of which records you took initiative in bringing the "ash" stated to be of the Netaji from Renkoji ?

b) On the basis of which records you supported conferring "Posthumous Bharat Ratna" on the Netaji ?

c) On the basis of which records the programme of bringing "ash" and conferring "Posthumous Bharat Ratna" was dropped ?

The answer by Sri Mukherjee may be as follows :

(31)

Tarakeswar Pal

Advocate

Senior Counsel - I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of

Netaji Subhas Chandra Bose

Office :

Room No. : 5

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Fax : (033)-471-1204.

Ref : 12/1

(4)

Date 27th September, 2001

a) I cannot remember the description of such records now, but my acts were based on the records which are lying in the Ministry.

4. An officer of the P.M.O. has also been summoned to be examined on 16th October, 2001 obviously on the allegations set forth hereinabove. Apart from that Sri Pradip Bose, Deponent No. 26, Sri Janardan Das, Deponent No. 59, Sri Mahesh Prosad Srivastava, Deponent No. 60 will be examined on 16th October, 2001. Be it mentioned that Deponent No. 27 (Sri Subrata Bose and others) have cited journalists - Sri Sitangshu Das and Smt. Prabha Jagannathan who will also be examined along with his cited witness Sri Pranab Kumar Mukherjee.

5. In view of above, kindly convey the instructions as to what stand should be taken on behalf of the Govt. of India during examinations of Sri Pranab Kumar Mukherjee and other witnesses and also during hearing in respect of the said allegations.

6. The Scheduled date of the session of the Commission in New Delhi commencing on 15th October, 2001 to continue upto 17th October, 2001 at Committee Room - 'C' in Bijnan Bhawan, New Delhi, and thanking you,

Yours faithfully,

Tarakeswar Pal

(Tarakeswar Pal)

Senior Counsel to the Govt. of India.

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:
Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

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II)/349

No. JMCI/ Meeting-Hearing/99-2000/57(Vol. Calcutta, dated, the October 8, 2001

From : Shri P.K. Sengupta,
Secretary,

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

S i r,

I am directed to state that the following anomalies have been noticed on perusal of the photo-copy of File No.915/11/C/6/96-Pol., received by the Commission from your office :

(a) It contains only three notesheet pages while the number of correspondence pages is 204. All the minutes in the first page of the notesheet are dated 28.02.96/29.02.96, those in the second page thereof are dated 20.08.98 and 21.08.98 and those in the third page thereof are dated 19.12.98 and 21.12.98 while the cor.pages show that there are correspondences during the period from 30.02.96 to 19.08.98. Thus it appears that all the correspondences are not reflected in the notes in the note-sheets in the file.

(b) The notesheet pages as also the cor.pages do not appear to indicate what has been the outcome of the Order dated 21.12.98 at note^{-sheet} page 3 of Shri Brojesh Mishra, the then Principal Secretary of the Prime Minister. The cor. page 192, however, shows that the M.E.A., Government of India, was requested under Prime Minister's Office U.O. No.915/11/C/6/96-Pol. dated 24.12.98 to take action to ascertain if Netaji's name figures in the U.N. records; but the further development in the matter is not available in the said photo-copy of the file.

contd..2.

12/11/98
25/11/98
P-26/k

Taken care
of
P-82/c

3295/25/11/98
ADDL. SECY. TO PM
Dy. No..... 2315/S
Date..... 12/10/98

P-80
P-8/N

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE,
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700087

Phone:
Chairman -- 216 20 11
Secretary -- 216 2161
Officer on
Special Duty -- 216-2161
Office -- 216-2161

- : 2 : -

No. JMCI/

Calcutta, dated, the

- Very much here* → (c) Cor. pages 130 and 131 are not available.
- (d) Cor. pages 132 and 133 dated February 15, 1997 and May 1, 1997 respectively do not appear to have been dealt with though the subject matter thereof appears to be serious in nature. *Enclosure*
- Simply filed in the absence of any specific direction from office* → (e) Cor. page 116 appears to be a xerox copy of the news item titled, "Netaji's ashes can't be brought to India : HC" published in the Hindustan Times dated April 9, 1998 and the same has not been dealt with though it appears to convey the decision of the Division Bench of Calcutta, High Court.
- Called for on this particular news papers clipping* → (f) Cor. pages 117 to 165 which are written mostly in Hindi and appear to be concerning 'Gumnami Baba' of Faizabad do not appear to have been dealt with.
- Same as in (d) above* → (g) Cor. pages 166 to 173 is a petition dated August 15, 1998 of the office bearers and members of "Golden Jubilee Celebration Committee-G50" of Hamburg, Germany, addressed to the Prime Minister of India. Another copy of the said petition appears to have been sent to the P.M.O. by the M.E.A. with their note dated September 3, 1998 (vide c.p. 178) which **have been sent by the P.M.O.** to the Home Secretary seeking M.H.A.'s advice (vide c.p. 181). Further development in the matter appears to be not available in the file.
- MHA's response not recd.* → (h) Cor. page 182 is a xerox copy of a letter dated 10.10.98 of Shri Bijan Ghosh, Advocate, Supreme Court, which was sent by the P.M.O. to the M.E.A. on 11.11.98 (vide c.p. 183) requesting for facts of the case. The reply dated December 9, 1998 of the M.E.A. thereto is at cor. page 191 which appears to have been dealt with in the minutes dated December 19, 1998 and December 21, 1998 (vide note sheet page 3) but not conclusively.
- Reply sent* →

contd...p.3.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700:087

Phone:

Chairman -- 216-2111
Secretary -- 216-2111
Officer on
Special Duty - 216-2111
Office - 216-2111

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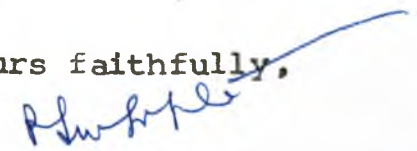
No. JMCI/

Calcutta, dated, the

(i) Cor. page 186 is a communication dated 27.10.98 of the Senior Central Government Standing Counsel, High Court of Orissa, Cuttack, of the Order dated 23.10.98 of the Hon'ble Orissa High Court, Cuttack, passed in O.J.S. No.14400/98 and cor. page 187 is the note of the P.M.O. dated 16.11.98 to the Home Secretary enclosing a copy of the said letter dated 27.10.98 requesting for appropriate action by the M.H.A. Cor. page 196 is a letter dated March 12, 1999 of the M.H.A. addressed to the said Senior Central Government Standing Counsel communicating the action taken by the M.H.A. in compliance with the aforesaid direction dated 23.10.98 of the Hon'ble Orissa High Court and outcome thereof. A copy of the said communication of the M.H.A. was endorsed to the P.M.'s office. The said communication dated March 12, 1998 of the M.H.A. appears to have not been properly dealt with by the M.H.A. in the light of the note dated December 9, 1998 of the M.E.A. (vide cor. page 191) sent to P.M.O. read with the Order dated 21.12.98 of the Principal Secretary to the Prime Minister at notesheet page 3.

I am, therefore, directed to request you to furnish necessary explanation/clarification in respect of the aforesaid anomalies within eight weeks from the date of receipt of the letter.

Yours faithfully,


(P. K. Sengupta)
Secretary

(35)

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions including those contained in the Proceedings dated 13.06.2001 read with proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, and 04.04.2001 of the Commission

1. Copies of the Status Report as on 20.08.2001 (forenoon) were sent for favour of taking necessary action to the Secretaries, Ministry of Home Affairs, Ministry of external Affairs, Prime Minister's Office, Defence Department and Cabinet Secretariat, Government of India, by Registered Post with A/D with Commission's letter bearing No. JMCI/Meeting-Hearing/99-2000/48(Vol.III)/309(5) dated September 19, 2001 wherewith a copy of the proceedings dated August 22, 2001 of the Commission was also sent for their kind perusal.
2. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow-up)/48 (Vol.II)/274 dated August 23, 2001 to let the Commission know, within six weeks from the date of receipt of the letter, which of the files/records/documents mentioned in 'A' ← paras (a)(I) and (a) (iii) of the proceedings dated March 23, 2001 of the Commission pertain to the Prime Minister's office, which of them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.
3. The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II) /272 dated August 23, 2001 to kindly arrange to locate further records of the Shah Nawaz Khan Committee and send them to the Commission expeditiously. The response of the Ministry of external Affairs, Government of India, in the matter is still awaited.

Contd....p/2

P-8/N

4. The Director General of the National Archives of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II)/271 dated August 23, 2001 to report to the Commission immediately whether Micro-films of Mountbatten and Wavel papers are available in the National Archives of India and, if available, to send to the Commission authenticated xerox copies thereof as quickly as possible. The response of the National Archives of India in the matter is still awaited.

5. In Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.III)/262 dated August 20, 2001 addressed to the Secretary, Ministry of Home Affairs, Government of India, it has been pointed out that neither the original records of the day-to-day proceedings of Justice Khosla Commission of Inquiry nor any authenticated copy thereof has yet been received by the Commission. He has been requested therein to ensure more vigorous efforts to locate all the remaining records pertaining to the Justice Khosla Commission of Inquiry including the documents presented before the said Commission, the documents not received by it in spite of its requisition and the documents which were made exhibits before it and to make all those records/documents available to this Commission as quickly as possible as those are essentially required by this Commission for the purpose of its inquiry. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

6. Late Morarji Desai, the then Prime Minister of India, declared inter alia in the floor of Parliament on August 28, 1978 that "Further contemporary official documentary records have also become available" concerning Netaji Subhas Chandra Bose. The Secretary, Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated June 29, 2001 has been requested to ensure production of duly attested xerox copies of all those "further contemporary official documentary records" before this Commission within six weeks from the date of receipt of the letter. In course of the discussion of the Hon'ble Chairman with the Hon'ble Home Ministry on 13.08.2001, the Hon'ble Chairman also requested for making available to the Commission authenticated xerox copies of all those "further contemporary official documentary records which have also become available"

Action to be taken.

6
(cc)

concerning Netaji Subhas Chandra Bose. A reminder was sent to the Secretary, Ministry of Home Affairs, Government of India, vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/307 dated September 18, 2001. Those documents/ records are yet to be received.

7. The report and the Affidavit, as called for, from the Ministry of Home Affairs, Government of India, in Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/228 dated August 1, 2001 read with its letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/320 dated September 20, 2001, have not yet been received.

✓
Reply sent.

8. The Secretary, Prime Minister's office and the Secretary, Ministry of Home Affairs, Government of India, were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/318(2) dated September 20, 2001 to confirm whether an affidavit was filed before Justice Khosla Commission on behalf of the Government of India wherein it was averred, inter alia, that more than 34 'confidential files' relating to 'Netaji Mystery' were found either 'destroyed or missing' and if so, they were requested to furnish a copy of the said affidavit with a detailed explanatory note on the contents of each of the said 34 confidential files allegedly destroyed or missing. The response to the said letter is being awaited.

9. The Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Affidavit-Averment(Follow-up)/2000-2001/67/132 dated May 30, 2001 was requested to furnish the original or authenticated copies of the documents relied upon by some deponents in their affidavit/supplementary affidavits, xerox copies of which were sent to the Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/263 dated September 20, 2000. In response thereto the Ministry of Home Affairs sent to the Commission a copy of the letter dated July 4, 2001 addressed to different authorities of the Government of India, wherein they were requested to go through the list of documents enclosed therewith and if necessary, to submit an affidavit before the Commission directly. The Ministry of Home Affairs was requested by Commission's letter No. JMCI/Affidavit-Averments (Follow-up)/67/228 dated August 1, 2001 to clarify with a supporting affidavit whether

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(Contd.)

or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents concerned. The Ministry of Home Affairs was again requested by the Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/320 dated September 20, 2001 to take necessary action to send the report with the supporting affidavit as quickly as possible as also to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the deponents concerned to enable the Commission to pursue effectively with the authorities concerned of the Government of India for production before the Commission their respective documents. The said reports and affidavits of the Ministry of Home Affairs, Government of India, are still awaited.

10. The Director General of National Archives, Government of India, was requested by Commission's d.o. No. JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 dated September 5, 2001, to inform the Commission whether they have got Micro-Films/Micro-Fiches of the files/documents of the public records office of the British Library which were listed by the team of the Commission after their study of the files/documents in the British Library and the Public Records office so that the Commission may obtain transcriptions from those Micro-films/Micro Fiches or authenticated xerox copies of the entire File No. K 148/A of Mountbaten papers in the Heartley Library of the Southampton University or at least of the papers listed in the said letter dated September 5, 2001 of the Commission. The receipt of the aforesaid Micro-Films/Micro-Fiches/Authenticated xerox copies are still awaited.

11. The Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Overseas/2000-01/70/283 dated September 3, 2001 to take up with the Embassy of India in Tokyo so that lists of witnesses sent by them to the Commission with their No. 25/4/NGO-Vol.VI dated March 27, 2001 are verified in view of the anomalies pointed out in the Commission's said letter dated September 3, 2001 and a corrected and up-to-date list of witnesses along with their respective present correct addresses sent to the Commission as early as possible to enable it to draw up a programme or examination of the witnesses in Japan during the proposed

visit of the Commission to Japan. The Ministry of External Affairs, Government of India have informed that they have taken up the matter with the Indian Embassy in Tokyo.

12. (a) D.O. No. 25/4/NGO-Vol.VI dated September 26, 2001 has been received from the Hon'ble Minister of External Affairs, Government of India, in reply to the Hon'ble Chairman's d.o. No. JMCI/Doc(For)/99-2000/56(Vol.II)/267 dated August 21, 2001 regarding inspection of documents relating to Netaji Subhas Chandra Bose stated to be lying in different foreign countries. In this communication the Hon'ble Minister has stated that the points raised in the Hon'ble Chairman's letter have been taken up with the diplomatic mission of India in the countries concerned and that they (Ministry of External Affairs) would keep the Commission informed about the outcome of their efforts in this regard.

(b) Ministry of External Affairs, Government of India, with their d.o. letter No. 25/4/NGO-Vol.VI dated October 1, 2001 has sent to the Commission some xerox copies written in Russian along with their English translation which have been sent to them by the Russian Foreign Office through the Indian Mission in Moscow stating those to be "all available documents received from different Archives in the Russian Federation". The said d.o. letter and its enclosures have been received by the Commission on October 8, 2001 and will be scrutinized in due course.

13. The Ministry of External Affairs, Government of India was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/106 dated May 28, 2001 to send a true copy of the report of the Government of India in the Foreign Ministry allegedly submitted before the Khosla Commission and marked as Exhibit 29-I which is allegedly concerning another alleged report dated 17.10.1945 of the Director of the British Military Intelligence Department on a Secret Japanese message allegedly intercepted by the Chinese advising Netaji Subhas Chandra Bose to be separated from his fellow travellers at the time of his journey from Burma in an aircraft. The Ministry of External Affairs in their d.o. No. 25/4/NGO-POL.VI dated September 6, 2001 intimated that they were making every effort to trace the same and will revert to the Commission shortly in this matter. Further development is still awaited.

14/11

FAX NO. 033-252-2765

40

915/11/C/2/2000-Pol Vol. IV
PRIME MINISTER'S OFFICE

New Delhi-110011

9th October, 2001

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Subject: **Hearing of the Commission to be held at
Vigyan Bhavan Annex, New Delhi on 15-
16 October, 2001**

Sir,

The undersigned is directed to refer to Commission's letter No. JMCI/Meeting-Hearing/99-2000/325(66) dated 25.9.2001 on the subject noted above and to state that Shri Jarnail Singh, Joint Secretary to the Prime Minister has been nominated to appear as witness before the Commission on behalf of Secretary to PM.

Yours faithfully,

Am
[Alok Mukhopadhyay]
Under Secretary(Pol)

N.O.O.

[FAX NO 033-2482313]

Copy for information to :-

Shri Tarkeswar Pal,
Senior Counsel to the Govt. of India,
in Justice Mukherjee Commission,
Bar Association, Room No. 5,
Calcutta High Court,
KOLKATA-700069.

Am
9/10

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DATE, TIME
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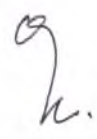
PRIME MINISTER'S OFFICE

Please find enclosed a copy of letter 23rd January, 1999 from Prof. Amalendu Guha addressed to the then Prime Minister. This letter had been forwarded to MHA vide this office u.o. No. 915/11/C/6/96-Pol dated 9.2.1999. (copy enclosed)

It is requested that action taken by MHA on this letter may kindly be intimated to this office urgently. This information is required in connection with the forthcoming sitting of the Justice Mukherjee Commission in New Delhi on 15th & 16th October 2001.



[Sunil Jain]
Director



MHA [Smt. Sangita Gairola – Joint Secretary (IS-I)]

PMO U.O. No. 915/11/C/2/2000-Pol

dated: 12.10.2001

P-111



(42)

भारत सरकार
 GOVERNMENT OF INDIA
 प्रधान मंत्री कार्यालय
 PRIME MINISTER'S OFFICE
 नई दिल्ली-110011
 NEW DELHI-110011

Forwarded to..... *Secretary*

MHA

को उचित कार्यवाही के लिए प्रेषित
 for appropriate action.....
 इस पत्र को प्राप्ति सूचना नहीं भेजी गई है।
 The Communications has not been
 acknowledged.

O/C

BK
 ((बिष्णु कुमार डाल))
 (B. K. CHAL)
 अवर सचिव

प्रधान मंत्री कार्यालय गै. पत्र सं.
 दिनांक.....
 Prime Minister's Office U.O. No.....
 Dated.....

Under Secretary
 प्रधान मंत्री कार्यालय
 नई दिल्ली-110011
 9/5/11/C/6/96
 PR

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SE/C

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INSTITUTE FOR ALTERNATIVE DEVELOPMENT RESEARCH INSTITUTT FOR ALTERNATIV UTVIKLINGSFORSKNING

Shri Atal Bihari Vajpayee,
Hon'ble Prime Minister of India,
Prime Minister's Office,
New Delhi 110 001,
India.

Oslo, January 23, 1999.

Dear Vajpayee-ji.

Today is NETAJI SUBHAS BOSE's birthday. This day is being celebrated all over India and in important countries and places of the world as the commemorative birthday of the "Patriot of Patriots" of India.

Unfortunately, he has still been kept as war-criminal by both the Government of free India and the former Imperial, now Royal, Government of the United Kingdom. Why, Why and Why ?

The first and former Prime Minister of India Jawaharlal Nehru had always refused to reply directly to the question of whether his status of war criminal as declared by then Viceroy of India Lord Wavell and the Royal British Government was waived off. IT MEANS THAT THE GOVERNMENT of free India did not and has not yet done it.

The present British Prime Minister Mr Tony Blair has avoided to reply it directly because of his lack of knowledge. Enclosed please find herewith the copy of the letter from his office.

The Foreign and Commonwealth Office of the U.K. Government, on behalf of the Prime Minister, replied that "the question of how to treat Subhas Chandra Bose and other members of the Indian National Army was considered in 1945 by the Government of India in consultation with the HMG." Enclosed please find herewith the copy of the letter. It is very clear from this letter that the Govt. of India in 1945 under Lord Wavell was the British Colonial Govt. and this very Government declared Subhas Chandra Bose as war criminal. AND THERE DID NOT TAKE PLACE ANY FURTHER DEALING OR DEVELOPMENT ON THE ISSUE.

I have also appealed to the International Court of Justice at The Hague to go through its record of the war criminals and let me know of the findings and Netaji Subhas Chandra Bose's present status. It will take, at least, four months more to receive any reply.

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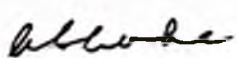
You, as the de facto administrator of India, possess the right and official power, for making decisions on important national issues.

I, therefore, appeal to you to kindly DECALARE OFFICIALLY THAT THE GOVERNMENT OF INDIA HAS WAIVED OFF THE 1945 DECISION, IN WHICH NETAJI SUBHAS CHANDRA BOSE WAS DECLARED AS WAR CRIMINAL. For this humanist and patriotic decision and declation of yours I, as well as, the entire nation in India, will remain ever grateful you. And I believe that you are the fittest and the best Prime Minister to do so.

Looking forward to your kind and positive reply at an early date,

I remain,

Very sincerely yours,



Amalendu Guha. M.A., M.Com., M.Sc., Ph.D., D.Sc.
Professor/Director

and author of the books on (which were maile to you earlier)

i) NETAJI SUBHAS : IDEOLOGY AND DOCTRINE

and

ii) GANDHIAN NON-VIOLENCE.

(Proposed for Nobel Prize in Economics in 1999 for theory on:
GLOBAL MALDEVELOPMENT)

Enclo: as mentioned.

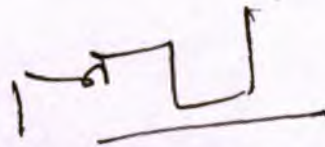
Ministry of Home Affairs

IS Division (US D.IV)

Prime Minister's Office may please refer to their U.O.No. 915/11/C/2/2000-Pol dated 12.10.2001 enclosing therewith a copy of letter from Prof. Amalendu Guha addressed to the Union Prime Minister regarding certain aspects concerning Netaji Subhash Chandra Bose.

2. The said letter which was forwarded to this Ministry vide U.O.Note dated 09.02.1999 is not readily traceable. However, efforts are being made to locate the said letter. In this connection, it may be stated that Ministry of External Affairs was consulted by this Ministry on the aspects of removal of Netaji's name from the list of War Criminals in United Kingdom. According to the information furnished by MEA, Army Historical Branch of the British Ministry of Defence has confirmed that Netaji's name was not included in any list of War Criminals drawn out the U.K. Government after the second World War. A copy each of the two communications dated 1st January 1999 and 6th January 1999 are enclosed.

3. Based on the above information, a Parliament question has also been answered in the Rajya Sabha on 24th February 1999. A copy of the reply is enclosed for ready reference. It is requested that for any further information, Ministry of External Affairs may please be consulted.



(MUKESH MITTAL)
DEPUTY SECRETARY (IS-I)

On file please.
be
12/10

Dir(5)

Prime Minister's Office
Shri Jarnail Singh, Joint Secretary, New Delhi
M.H.A U.O.No. I/12014/11/2001- IS (D.III) Dated 12.10.2001

Enclsoure: As above



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भारत सरकार (17)
विदेश मंत्रालय, नई दिल्ली (46)
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

No. 12/125/6/98 E.I.

New Delhi the.....19

Vani S. Rao
Under Secretary(EW-1)
Tel: 01 6383

No. VI/

January 1, 1999

Dear Shri Paitandy,

Please refer to your D.O.letter addressed to Joint Secretary(EW) No.VI/11034/118/98-IS(D.III) dated December 29,1998, regarding the Writ Petition filed by Dr. S.S. Mohapatra, former MP in the High Court of Orissa, for the removal of of Netaji Subhash Chandra Bose's name from the list of war criminals in United Kingdom.

2. The information as provided by Our High Commission in United Kingdom, in November 1998 is as follows :

3. *'According to the facts furnished by the UK's Imperial War Museum, London and as substantiated by the Historical Branch of the Foreign and Commonwealth Office, United Kingdom did not draw up a list of Indian war criminals. Such a list was drawn up only for Japanese and German nationals. Even if Netaji's name had been on any such list, his name would have been removed, following his death soon after World War II. The Army Historical Branch of the Ministry of Defence, UK has also been contacted to re-confirm this information. Their response is awaited.'*

*Very important feedback. Please take care.
5.1.99
S.V. (S-I)*

Regards,

Yours sincerely,

Vani

(Vani S. Rao)

Sd/- (S.I)

Shri A.K. Paitandy,
Director(IS.I),
Ministry of Home Affairs,
North Block, New Delhi-1

*13/1/99
6/1*



No.

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भारत सरकार
विदेश मंत्रालय, नई दिल्ली
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

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New Delhi the.....19

Vani S. Rao
Under Secretary(EW-I)
Tel: 3016383

No.WI/125/6/98

6th January, 1999

Dear Shri Paitandy,

Please refer to our D.O. letter of even number dated 1st January, 1999 regarding the Writ Petition filed in the Orissa High Court, by Dr. S.S. Mohapatra, former MP, for the removal of Netaji Subhash Chandra Bose's name from the list of war criminals in the U.K.

2. In continuation, our High commission in London, has informed us that the Army Historical Branch of the British Ministry of Defence, has also confirmed that Netaji's name was not included in any list of war criminals, drawn out by the U.K Government after the Second World War.

Regards,

Yours sincerely,

Vani S. Rao
(Vani S. Rao)

Shri A.K. Paitandy,
Director(ISI),
Ministry of Home Affairs,
North Block
New Delhi-110011

11-1-1999
SOCD-III
W.S. Rao
12/1

(TO BE ANSWERED ON THE 24TH FEBRUARY, 1999)

DECLARATION OF BRITISH GOVERNMENT ABOUT NETAJI

237. PROF. M. GOPAL YADAV:
SHRI L. DUTT YADAV:

Will the Minister of HOME AFFAIRS § गृह मंत्री §
be pleased to state:

- (a) whether the British Government has declared Netaji Subhas Chandra Bose as a war offender;
- (b) if so, whether Government are taking any action to get this declaration abolished; and
- (c) if so, the details thereof and if not, the reasons therefor?

.....

गृह मंत्री § श्री लाल कृष्ण आडवानी §

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI)

(a): As per information furnished by the Government of United Kingdom, the name of Netaji Subhash Chandra Bose was not included in any list of war criminals drawn up by them.

(b) & (c): Do not arise.

...

(TO BE ANSWERED ON THE 24TH FEBRUARY, 1999)

DECLARATION OF BRITISH GOVERNMENT ABOUT NETAJI

237. PROF. M. GOPAL YADAV:
SHRI DUTT YADAV:

Will the Minister of HOME AFFAIRS § गृह मंत्री §
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- (a) whether the British Government has declared Netaji Subhas Chandra Bose as a war offender;
- (b) if so, whether Government are taking any action to get this declaration abolished; and
- (c) if so, the details thereof and if not, the reasons therefor?

.....

गृह मंत्री § श्री लाल कृष्ण आडवानी §

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI)

(a): As per information furnished by the Government of United Kingdom, the name of Netaji Subhash Chandra Bose was not included in any list of war criminals drawn up by them.

(b) & (c): Do not arise.

...

12/R

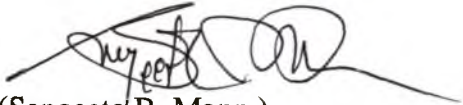
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MOST IMMEDIATE

Ministry of External Affairs
(United Nations Division)

Reference PMO UO No. 800/05/C/1/91 dated October 6, 2001 regarding the proposal to remove the name of Netaji Subhash Chandra Bose from the list of war criminals entered in the records of the UN War Crimes Commission.

2. Permanent Mission of India, New York have informed that they had made a formal request to the UN Secretariat for access to the archives of the Commission. The records were duly examined but nothing was found there to indicate that Netaji Subhash Chandra Bose's name figured in any of the lists. Our Mission in Tokyo has also confirmed this.


(Sangeeta B. Mann)
Director (UNE)
Tel. No. 301 4040
Fax No. 379 4349

Prime Minister's Office, (Attention Shri Sunil Jain, Director) New Delhi.
MEA I.D. Note No. UII/103/1/98 dated October 12, 2001.

Urgent for kind info

Jain
12/x

~~JS(J)~~

pe
12/10

dir/s

Pol

Reference as above.
This issue was discussed in JS(J)'s room recently. As desired by JS(J), U.O note addressed to MEA is placed below for signature, if approved.

DIR(J)

Jain 19/x
Pol

Avon
19/x/01

7997/JSJ/G

015/11/2/2000
use: IV

Sub: 6 (1)

18/12

(51)

PRIME MINISTER'S OFFICE

Subject:- UN War Crimes Commission – removal of Netaji Subhash Chandra Bose's name

Reference is invited to MEA ID note No.U.II/103/1/98 dated 12.10.2001 on the subject noted above.

MEA is requested to furnish relevant copies of correspondence, particularly the response received from UN, New York, PMI New York and Indian Embassy Tokyo.



(Sunil Jain)
Director



Smt. Sangeeta B. Mann, Director (UNE), MEA

PMO UO No.915/11/C/2/2001-Pol Vol.IV dated : 19-10-2001

2010
9/20/10



MIR

(52)

Government of India
Ministry of Home Affairs
IS-I Division

Ministry of External Affairs may please find enclosed a copy of letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/317 dated Sept. 20, 2001 from Justice Mukherjee Commission of Inquiry regarding "a PTI report dated United Nations of January 13, 1971, says that India deposited with the United Nations yesterday i.e. the 12th January, 1971 its ratification of the convention removing any statutory limitations for classification of war criminals.....".

2. It is requested that the said report of the PTI may please be examined and its correctness or otherwise communicated to Justice Mukherjee Commission of Inquiry directly under intimation to this Ministry.

Encl: As above.

MIR

(MUKESH MITTAL)
Deputy Secretary (IS-I)

Ministry of External Affairs (Shri Jayant Prasad, Joint Secretary (CNV),
South Block, New Delhi.

MHA UO No. I/12014/20/2001-IS D-III

Dated, the 18th Oct., 2001

- ✓
1. Copy along with enclosure forwarded for information and necessary action to Shri Jarnail Singh, Joint Secretary, Prime Minister's Office, South Block, New Delhi.
 2. Copy for information to Shri M. Roy, Officer on Special Duty, Justice Mukherjee Commission of Inquiry, Netaji Subhas Chandra Bose, 'B' Block (3rd Floor) 11/A, Mirza Ghalib Street, Kolkata-700087.

Shris only for
information for
22/10
22/10
29/10
us/pal
29/10

8052/JSJG

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68
e-mail jmcinscb@cal3.vsnl.net.in

FAX : 033 252-2765

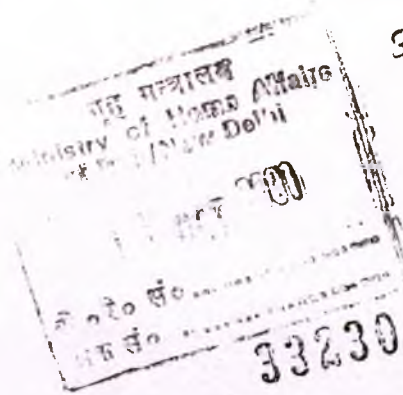
No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/317

Dated Calcutta, September 20, 2001

REGISTERED WITH A/D

From : Shri M. Roy
Officer on Special Duty.

To
The Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi 110 001



3)37) 125 (M.D. 20/01)
11/10

US(DIV)

Sir,

It appears from some papers filed before this Commission that "a P.T.I. report, dated United Nations of January 13, 1971, Says that India deposited with the United Nations yesterday, i.e. the 12th January 1971 its ratification of the convention removing any statutory limitations for prosecution of War Criminals" and that the issue was raised before Justice Khosla Commission by Shri Niharendu Dutta Mazumder, Counsel for Late Suresh Chandra Bose at the initial stage of the inquiry by the said Commission.

I am, therefore, Directed to ask you to report within eight weeks from the date of receipt of this letter whether the said report of the P.T.I. is true.

Yours faithfully,

(M. Roy)
Officer on Special Duty.

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To me

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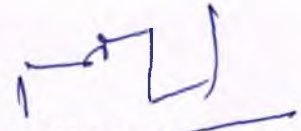
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54

**Government of India
Ministry of Home Affairs
(IS-I) Division**

Prime Minister's Office may please find enclosed a copy of Justice Mukherjee Commission of Inquiry letter No. JMCI/Records/N.Delhi/99-2000/37/306(2) dated 18 Sept'2001 enclosing therewith the Minutes dated 21.12.98 of Shri Brajesh Mishra, Principal Secretary to the Prime Minister and copies of two letters dated Oct'10, 1998 of Shri Bijan Ghosh, Advocate addressed to the Prime Minister and dated Jan'23,1999 of Professor Amalendu Guha addressed to the Prime Minister regarding removal of the name of Netaji Subhash Chandra Bose from the list of War Criminals.

It is requested that the matter referred to above may please be examined in the Prime Minister's Office in consultation, if necessary, with Ministry of External Affairs and to send a response directly to the Commission.



(Mukesh Mittal)
Deputy Secretary (IS-I)

Prime Minister's Office (Shri Jarnail Singh, Joint Secretary), South Block, New Delhi.

MHA UO No.I/12014/20/2001-IS D-III

Dated, the 18th Oct., 2001.

*This may be put up quickly.
I think, since MEA is well conversant
with this matter, MEA should directly
reply to Commission.*

us/Pol.

22/10

*P-10 & 11/N
X*

2954/Di's(J)/01

8051/JST/G.

JUSTICE MUNSHIJIJI COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:
Chairman 282 2005
Secretary 282 2006
Officer on
Special Duty 282 2007
Office 282 2008

55

No. JMCI/ Records/N.Delhi/99-2000/37/306(2) Calcutta, dated, the 18th September '01

From : Shri M. Roy,
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



2962/01/1505CO/1 ✓
27/9

S i r,

I am directed to refer to the minutes dated 21.12.1998 of Shri Brojesh Mishra, the then Principal Secretary to the Prime Minister appearing at n.s. page 3 of file No.915/11/C/6/96-Pol. of the P.M.O. (copy enclosed) and to request you to inform the Commission within eight weeks from the date of receipt of this letter the outcome of the efforts.

I am further directed to refer to the letter dated October 10, 1998 of Shri Bijan Ghosh, Advocate, addressed to the Prime Minister of India, appearing at c.p.182 of the said file (copy enclosed) as also to the D.O. letter dated January 23, 1999 of Prof. Amalendu Guha, addressed to the Prime Minister of India, appearing at c.p.s 194 and 195 of the said file (copies enclosed) and to request you to let the Commission know immediately the action taken thereon.

Enclosures : Four pages
as stated above

Yours faithfully,

(M. Roy.)

Officer on Special Duty

1.30

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From the NP 5 of the file it appears that one Sri Bijon Ghosh, Advocate of the Supreme Court of India, had written to the Prime Minister asking for the removal of the name of Netaji Subhas Chandra Bose from the list of War Criminals and the PMO had sought MEA's advice in the matter. It was noted further by Sri P.P.Sukla the then Joint Secretary (P) in the P.M.O. that the position was that the U.N. "does not maintain any list of war criminals but does maintain records of the U.N. War Crimes Commission". It was further noted by the same Joint Secretary "it is not known whether Netaji's name figures in this list or not. In any case, according to MEA, the list is more in the nature of an archive rather than an actionable list. There is thus no benefit in even seeking to establish whether Netaji's name figures in such a list." MEA, therefore, advised that no further action should be taken by us ". In spite of this proposal by the Joint Secretary (P) in the P.M.O.'s office, Sri Brajesh Misra, Principal Secretary to the Prime Minister, ordered on 21.12.98 that MEA should make an effort to ascertain if the name figured in U.N. records". Again at Cor.P 196 there is a letter dated 12.3.99 from Sri A.K.Paitandy, Director (ISI) to Sri D.C.Mohanty, Sr./Counsel / standing of the Govt. of India, Orissa High Court, Cuttack, wherein Sri Mohanty was informed that as per information furnished by the Govt. of United Kingdom, the name of Netaji Subhas Chandra Bose was not included in the list of war criminals drawn up by them. This letter was in connection with a Writ Application OJC No. 14400 of 1998) filed by one Dr.S.S. Mohapatra before the Hon'ble High Court of Orissa. The information said to have been furnished by the Govt. of United Kingdom or any copy thereof is not in this file. Cor. Page 133 purports to be a letter of Sri Sashi Tharoor, Executive Assistant to the Secretary General of the United Nations, in reply to a letter dated 15.2.77 (cor. page 132) of Air Vice Marshall S.Goyal, Chairman, Netaji Forum, New Delhi. In this letter Sri Tharoor informed Sri Goyal that the Secretary General of U.N.O. was aware of the great regard in which Netaji was held but he was powerless to undo any reference that might have been made in the past. Sri Tharoor, however, added that the Secretary General was confident that no United Nation's Agency or publication would use the term "war criminal" in reference to Netaji in the future. This letter palpably does not put at rest the allegations from different quarters that Netaji's name figures in the list of war criminals. There is only an assurance that in future the terms 'war criminal' would not be used in reference to Netaji.

ghosh
ADVOCATE
COURT OF INDIA

SIX LAWYERS' CHAMBERS
SUPREME COURT BUILDINGS
NEW DELHI - 110 001
FAX OFF 3782595
PHONE OFF 3382078
3381007
RES 8539044
8525525

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So. P. (S)
3.1.1
G
att
J.P.

182

Hon'ble Prime Minister
Government Of India
South Block
New Delhi

MINISTER'S OFFICE
27 OCT 1998
NEW DELHI

Sub : A Demand of We , the People .

In Re : Netaji, Subash Chandra Bose
whose name is still in the records
of United Nations' War Criminal List.

dp

Hon'ble Mr. Atal Behari Vajpayee,

We, the People of India hereby demand

1. that the Govt. of India should take every step in the United Nations to remove the name of NETAJI SUBASH CHANDRA BOSE from the War Criminal List of United Nations with an retrospective effect since 1945.

The Govt. of India should have taken every step since independence because Netaji , irrespective of his error of judgment in deciding to take help from and give support to the Axis camp during World War -II , is regarded & considered as one of the Great Son of Mother India and a main architect in achieving independence of India.

Even today, if a world referendum is taken on this issue, it will be found that more than half of the world population , in their considered esteem ; regard & honour Netaji as a Hero of Humanity who suffered and sacrificed for Freedom, equality and fairness.

2. that there can not be any further Inquiry under Commissions of Inquiry Act,1952 or any kind of Inquiry like Judicial Inquiry or High Level Investigative Inquiry w.r.t. the facts and circumstances leading to the disappearance of Netaji S.C. Bose after 18.08.1945 , the sole being He is still a War Criminal.

The National Logo is " TRUTH MUST PREVAIL " , but in the issue of Netaji the Govt. of India , since independence , is giving mis-information and dis-information to the Nation .

- S/C -

In the service of the Truth and Nation,

We remain, Sir,

[Signature] 10.10.98
On behalf of We, the People of India.

1101 JS(P) G/78
10/10



58/C

194

58

INSTITUTE FOR ALTERNATIVE DEVELOPMENT RESEARCH INSTITUTT FOR ALTERNATIV UTVIKLINGSFORSKNING

Shri Atal Bihari Vajpayee,
Hon'ble Prime Minister of India,
Prime Minister's Office,
New Delhi 110 001,
India.

Oslo, January 23, 1999.

Dear Vajpayee-ji:

Today is NETAJI SUBHAS BOSE's birthday. This day is being celebrated all over India and in important countries and places of the world as the commemorative birthday of the "Patriot of Patriots" of India.

Unfortunately, he has still been kept as war-criminal by both the Government of free India and the former Imperial, now Royal, Government of the United Kingdom. Why. Why and Why ?

The first and former Prime Minister of India Jawaharlal Nehru had always refused to reply directly to the question of whether his status of war criminal as declared by then Viceroy of India Lord Wavell and the Royal British Government was waived off. IT MEANS THAT THE GOVERNMENT of free India did not and has not yet done it.

The present British Prime Minister Mr Tony Blair has avoided to reply it directly because of his lack of knowledge. Enclosed please find herewith the copy of the letter from his office.

The Foreign and Commonwealth Office of the U.K. Government, on behalf of the Prime Minister, replied that "the question of how to treat Subhas Chandra Bose and other members of the Indian National Army was considered in 1945 by the Government of India in consultation with the HMG." Enclosed please find herewith the copy of the letter. It is very clear from this letter that the Govt. of India in 1945 under Lord Wavell was the British Colonial Govt. and this very Government declared Subhas Chandra Bose as war criminal. AND THERE DID NOT TAKE PLACE ANY FURTHER DEALING OR DEVELOPMENT ON THE ISSUE.

I have also appealed to the International Court of Justice at The Hague to go through its record of the war criminals and let me know of the findings and Netaji Subhas Chandra Bose's present status. It will take, at least, four months more to receive any reply.

To MMA
RDE
US (P)
AT
MUS
572
P-III

i's

Office Address

1 Johans gate 8

Telephone + Telefax

47-22-41 09 49.

Mailing Address

Post Box 870 Sentrum

0101, NORWAY

195 (59)

You, as the de facto administrator of India, possess the right and official power, for making decisions on important national issues.

I, therefore, appeal to you to kindly DECALARE OFFICIALLY THAT THE GOVERNMENT OF INDIA HAS WAIVED OFF THE 1945 DECISION, IN WHICH NETAJI SUBHAS CHANDRA BOSE WAS DECLARED AS WAR CRIMINAL. For this humanist and patriotic decision and declation of yours I, as well as, the entire nation in India, will remain ever grateful you. And I believe that you are the fittest and the best Prime Minister to do so.

Looking forward to your kind and positive reply at an early date.

I remain,

Very sincerely yours,

Abloha

Amalendu Guha, M.A., M.Com., M.Sc., Ph.D., D.Sc.
Professor/Director

and author of the books on (which were maile to you earlier)

i) NETAJI SUBHAS : IDEOLOGY AND DOCTRINE

and

ii) GANDHIAN NON-VIOLENCE.

(Proposed for Nobel Prize in Economics in 1999 for theory on:
GLOBAL MALDEVELOPMENT)

Enclo: as mentioned.

21/R

60

Confidential

**Ministry of External Affairs
(United Nations Division)**

Subject:- UN War Crimes Commission - removal of Netaji Subhash Chandra Bose's name.

Reference PMO UO No. 915/11/C/2/2001 - Pol Vol.IV dated 19.10.2001 on the subject mentioned above.

Requisite copies of relevant correspondence, the response received from Permanent Mission of India, New York and Indian Embassy, Tokyo, are enclosed.

A. Gopinathan

(A. Gopinathan)
Joint Secretary(UNE)
Tel. NO.3013413

Prime Minister's Office.(Attention Shri Sunil Jain, Director), New Delhi.
MEA I.D. Note No. UII/103/1/98 dated October 22, 2001.

PC SPK

23/x

US (A/P)

Sp. Secy to Dir (J)

2870/Dir(J)/01
23/10



Satyabrata Pal,
Deputy Permanent
Representative

सत्यमेव जयते

1530/JS(UN)/99
16/4
संयुक्त राष्ट्र स्थित भारत का स्थायी मिशन
न्यूयॉर्क

PERMANENT MISSION OF INDIA
TO THE UNITED NATIONS
235 EAST 43RD STREET
NEW YORK, N.Y. 10017

20/4/99
26/4

No. NY/PM/443/8/98

April 7, 1999

My dear Gopi,

Please refer to correspondence resting with your fax No. 5996/JS(UN)/98 of the 28th December 1998, regarding the possibility that Netaji Subhas Chandra Bose figured in the list of war criminals maintained by the War Crimes Commission.

2. On your instructions, we had sent a formal request to the UN Secretariat for access to the archives of the Commission. Permission having been granted, FS (LA) has examined the relevant records, and has found nothing there to indicate that Netaji Subhas Chandra Bose figured in any of the lists.

3. FS (LA)'s note is attached.

Best wishes,

Yours sincerely,

(Satyabrata Pal)

Encl: as above

Shri A. Gopinathan,
Joint Secretary (UNE),
Ministry of External Affairs,
New Delhi

Pl. add to file
22/04/99
WV P

(52)

Permanent Mission of India, New York

Subject: UN Archives - list of war criminals.

Reference letter to PMO from Shri Bijan Ghosh, Advocate, on the above subject.

I visited the UN Archives today and went through the following lists of war criminals in the records of the UN War Crimes Commission:

Central Registry of War Criminals and Security Suspects (CROWCASS)
Allied Control Authority

1. Consolidated Wanted Lists, Part 2
A - Z Non-Germans only - March 1947
A - Z Non-Germans only - December 1947
2. Supplementary Wanted List, No. 1
Part 2 - Non-Germans - June 1947
3. Supplementary Wanted List, No. 2
Part 2 - Non-Germans - September 1947

The lists do not contain any reference to Netaji Subhash Chandra Bose.

The records also contain lists of charge files consisting of formal charges submitted by States to the Commission. These are classified according to the country which filed the charges and the nationality of the persons charged, eg., France vs. Germans; France vs. Italians, etc. There is no entry regarding charges filed by any country against any Indian national.

Narinder Singh

Narinder Singh
FS (LA)
6.4.1999

DPR



S.Jaishankar
Minister & DCM



Confidential

S-181 JS(UN) (117)
10/5 (63)
भारत का राजदूतावास, टोकियो
Embassy of India,
2-11, Kundan-Minami 2-chome,
Chiyoda-ku, TOKYO 102
Telex : 2324886 INDEMB J
Phone : 0 3 (3 2 6 2) 2 3 9 1
Fax : 0 3 (3 2 3 4) 4 8 6 6
E-Mail : indembjp@gol.com

No.Tok/102/2/92

4th May, 1999

Jean Popri.

Kindly refer to your letter No.D-1530/JS(UN)/99 dated April 21, 1999 regarding the possibility of Netaji figuring in any list of war criminals. What I had indicated during our brief discussion of the subject was that the Embassy actually had papers to confirm that Netaji **did not** figure in such a list. I am enclosing a copy of the papers in question, culled from our files, for your information.

R. J. G.

Yours sincerely,

S. Jaishankar

(S.Jaishankar)

Shri A.Gopinathan,
Jt.Secretary(UNE),
MEA, South Block,
New Delhi.

encl: as above

Can file, pl.
21.05.99
UN II
Sh. Sundar
(This is a file on the subject)

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

CONFIDENTIAL

भारत सरकार
विदेश मंत्रालय, नई दिल्ली

New Delhi (11) the 27th April, 19 67

No. UII/151(27)/67

Subject:- Netaji Subhash Chandra Bose.

Dear Mission,

The Ministry of Home Affairs have desired to have authentic information as to whether Netaji Subhash Chandra Bose was declared a War Criminal or a Prisoner of War by United Nations War Crimes Commission. From the material available with the Ministry of Defence, as also the Historical and L&T Divisions of our Ministry, it has not been possible to ascertain the correct position.

2. This question has arisen out of a letter addressed by a certain individual to the Ministry of Home Affairs. An extract from the same is reproduced below for your background information:

"In this regard it is our considered opinion that it would be better if, in the first instance, a Committee of eminent Judges and Jurists in India be appointed to go into all the aspects of the judgement of the International Court which had declared Netaji as a war criminal in Tokyo and submit their opinion to the Government for the decision of the Parliament, if this judgement should be enforced on a sovereign state which was not a party to it at the time, more so when this judgement itself had a dissentient note".

3. We shall be grateful if you could kindly make discreet enquiries at your end and let us have whatever information you have been able to gather in the matter at your earliest convenience.



1. The Permanent Mission of India, NEW YORK.
2. The Embassy of India, Tokyo
3. The Embassy of India, The Hague.

J.N. Dixit,
First Secretary.

Confidential

No.375-FS/67.

Dated the 5th May, 1967.

Dear Ministry,

Please refer to your letter No.UII/151(27)/67,
dated the 27th April, 1967.

2. We have made some preliminary inquiries with the Japanese Foreign Office and academic circles here who have given a tentative confirmation that Netaji Subhash Chandra Bose was not declared a war criminal. The question of his being declared a prisoner of war does not arise because he was never captured by the allies. He died a little before Japan's surrender. Our contacts in the Foreign Office have promised to give us definite information on the query raised by you in due course. Please consider this as an interim reply.

Yours ever,

Ministry of External Affairs,
New Delhi.

COPY

CONFIDENTIAL

Embassy of India in Japan
Tokyo

J.N. Dixit,
First Secretary

No. 375-FS/67

5th May, 1967

Dear Ministry,

Please refer to your letter No. UII/151(27)/67 dated the 27th April, 1967.

2. We have made some preliminary inquiries with the Japanese Foreign Office and academic circles here who have given a tentative confirmation that Netaji Subhas Chandra Bose was not declared a war criminal. The question of his being declared a prisoner of war does not arise because he was never captured by the allies. He died a little before Japan's surrender. Our contacts in the Foreign Office have promised to give us definite information on the query raised by you in due course. Please consider this as an interim reply.

Yours ever,

Sd/-

Ministry of External Affairs,
New Delhi

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

Confidential
भारत सरकार
विदेश मंत्रालय, नई दिल्ली

No. UII/151(27)/67

New Delhi (II) the 19th August, 1967

Dear Mission,

Please refer to your letter No.
375-FS/67 dated 5.5.67 regarding Netaji
Subhash Chandra Bose declared as War Criminal.

We shall be grateful for further
information promised in the above quoted
reference.



The Embassy of India,
Tokyo.

No. 534-CDA/67.

Dated the 16th October, 1967.

Note Verbale

The Embassy of India presents its compliments to the Ministry of Foreign Affairs of the Government of Japan and has the honour to state that, according to a report, the International Tribunal for the Far East set up after the last War had, in a judgement, pronounced the late Mr. Subhash Chandra Bose a War Criminal or a Prisoner of War. The late Mr. Subhash Chandra Bose, it may be recalled, was a leader of the Indian National Independence Movement and had also inspired and created the Indian National Army during the war in support of the struggle for India's independence. According to records available with the Government of India, no such reference by the International Tribunal to the late Mr. Subhash Chandra Bose is traceable. Any assistance and information that the Japanese authorities can make available, which will help trace any such reference, would be greatly appreciated.

The Embassy of India avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Government of Japan the assurances of its highest consideration.

Ministry of Foreign Affairs,
Government of Japan, Tokyo.

not for circulation

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Mh

C.D.A.
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

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S-1301/67
Confidential
भारत सरकार 79/1/67
विदेश मंत्रालय, नई दिल्ली

(69)

No. III/151(27)/67

New Delhi (11) the 25th Oct. 1967.

Dear Mission,

Please refer to your letter No. 375-FS/67 dated 5th May, 1967 and our reminders of even number dated 19th August, 1967 and 28th September, 1967 respectively regarding Netaji Subhash Chandra Bose being declared as War Criminal.

2. We shall be grateful for an early reply in the matter.

Yours ever

Seal

The Embassy of India,
Tokyo.

6/10/67
Sv. (23)

No. (20)

1000-24



CONFIDENTIAL

7

विदेश मंत्रालय, नई दिल्ली-११
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI-11

70

A.R. Deo,
Deputy Secretary (EA)

November 27, 1967

No. C/5511/67/JP

S-1305/67
2/12/67

My dear Jagdish,

(70)

Am N-
D/11/67/2/11

Please find enclosed a copy of Mani's letter No. 375-FS/67 dated the 5th May, 1967, in which he had promised to follow up his communication on whether Netaji had been declared a prisoner-of-war after making enquiries with the Japanese Foreign Office.

2. I shall be grateful if you could kindly have it looked into and let me know.

Kind regards,

Yours sincerely,

A.R. Deo

(A.R. Deo)

Shri J.C. Ajmani,
Counsellor,
Embassy of India,
Tokyo

J.C. Ajmani
Counsellor



Dated the 8th December, 1967

71

No 597-cl/67

No (27)

Please refer to your letter No C/551/1/67/JP dated the 27th November 1967.

Despite our persistent approaches, formal and informal, it has not been possible to get an authoritative reply from the Gaimusho regarding the alleged declaration of Netaji Subhas Chandra Bose as a prisoner-of-war or a war criminal. Evidently the Foreign Office is finding it difficult to trace the reference in the old and voluminous documentation of the International Tribunal for the Far East. As an enquiry of this nature would require painstaking research, it may be some time before we can expect a definitive answer. Meanwhile, we shall press the Foreign Office again to speed up their efforts.

With best wishes and regards,

Yours sincerely,

Yh

v/c (J.C. Ajmani)

18/12/67
Shri A.R. Deo
Deputy Secretary (EA)
Ministry of External Affairs
New Delhi

Translation

No. 136/ASW

Ambassador
Counselor
Paper H. K. 24/12
AA



(4) 72

GAIMUSHO

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Embassy of India and, in reply to the enquiry made by the latter's Note Verbale, No. 534-CDA/67, dated October 16, 1967, concerning the late Mr. Subhash Chandra Bose, has the honour to state as follows:

S. No. (25)

1. As far as the records of the International Military Tribunal for the Far East (including indictments, writs of judgement, etc.) are concerned, no evidence is found supporting the alleged arrest, prosecution or conviction as a "War Criminal" of the late Mr. Subhash Chandra Bose by the said Tribunal. Nor exists any evidence supporting the pronouncement by the Tribunal of the late Mr. Chandra Bose as a "Prisoner of War."

2. According to various information regarding the late Mr. Chandra Bose (including that from official documents as well as private publications), Mr. Bose was killed

73

killed in an aircraft accident on August 18, 1945, upon his departure from the Taipei Airport, where he had stopped on his way from Saigon to Dairen (Talien) by a Japanese military aeroplane offered him through the good offices of the late General J. Terauchi, Supreme Commander of the then Japanese Expeditionary Forces, Southern Regions. As it was not until September 11, 1945, that the arrest of General H. Tojo and other persons was started consequent upon indictment instituted against them by the Military Tribunal, it is inconceivable under the circumstances referred to above that Mr. Bose was pronounced as a "War Criminal" by the said Tribunal.

Tokyo, December 20, 1967.

(74)

45



亜西第136号

昭和42年12月20日

口 上 書

外務省は、在本邦インド大使館に敬意を表するとともに故スバス・チャンドラ・ボース氏につき照会のあつた1967年10月16日付同大使館口上書№534-CDA/67に関し、下記のとおり回答する光榮を有する。

記

1. 極東国際軍事裁判所関係諸資料（起訴状、判決書等を含む）によれば、故スバス・チャンドラ・ボース氏が国において「戦争犯罪人」として逮捕され、起訴されあるいは極東国際軍事裁判所によつて有罪の判決を受けた事実は存せずまた、同国際裁判所が同氏を「戦時俘虜」として宣告した事実はない。
2. チャンドラ・ボース氏に関する一般資料（公私の著書等）によれば同氏は南方軍司令官寺内

大将のあつせんによる日本軍用機により、台北經由大連に向かう途中、昭和20年8月18日台北飛行場出発の際、飛行機事故により、死亡している。然るに、極東国際軍事裁判所に訴追された東条大将等の逮捕が始められたのは昭和20年9月11日であつた。チャンドラ・ボース氏が裁判にかけられたり、犯罪者と宣告されたりしたということは、前記のような同氏死亡の日との関係からも考えられないことと思われる。

J.C. Ajmani,
Counsellor.

Confidential

37

76

No. 621-CP/67.

December 29, 1967.

My dear

Please refer to my letter No. 597-CP/67,
dated the 8th December, 1967.

2. We have now received a formal reply from the
Gaimusho stating that records of the International
Military Tribunal for the Far East do not contain any
reference about the declaration of Netaji Subhas
Chandra Bose as a war criminal or prisoner of war
by the Tribunal. Copy of the Gaimusho's Note Verbale
No. 136/ASW, dated the 20th December, 1967, is enclosed.
...

With kind regards,

Yours sincerely,

JA

67c (J.C. Ajmani)

Shri A.R. Deo,
Deputy Secretary (EA),
M.E.A., New Delhi.



सत्यमेव जयते

T. Cherpoot,
Under Secretary(J)

DRSENT
विदेश मंत्रालय, नई दिल्ली-११
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI-11

134
77

No.C.551/8/70-JP

22/7/70

My dear

Satwinder

We will be grateful if you could collect information on whether there was any list of war criminals maintained apart from the list which was placed before the International Court which held its sittings in Japan. The information is required by Netaji Enquiry Commission and we should be grateful if the requisite information is sent to us as soon as possible.

With regards
Yours sincerely

T. Cherpoot
(T. Cherpoot)

Shri S.K. Uppal,
Second Secretary,
Embassy of India,
Tokyo.

Confidential

S.K. Uppal
Second Secretary

No. SS/70

November 6, 1970.

My dear Cherpoet,

Please refer to your letter No. 3551/8/70-JP dated the 27th October, 1970 about the lists of war criminals prepared after the Second World War. We have obtained information on the subject from the Justice Ministry of Japan. There are two lists - called B and C lists - besides the list (called A list) of war criminals that was placed before the tribunal of the International Court in Tokyo. The war criminals in the B and C lists were mostly tried outside Japan, in the Philippines, Singapore etc. The Justice Ministry has the complete B and C lists. They are very voluminous. Any specific enquiry can be referred to the Ministry.

Yours sincerely,

S.K. Uppal
(S.K. Uppal)

Shri T. Cherpoet,
Under Secretary (J)
Ministry of External Affairs,
New Delhi.



सत्यमेव जयते

विदेश मंत्रालय, नई दिल्ली-११

MINISTRY OF EXTERNAL AFFAIRS

NEW DELHI-11

T. Cherpoot,
Under Secretary(J)

77

141
79

C.551/8/70-JP

25 November, 1970

My dear *Secty in law*

Please refer to your letter No.SS/70, dated 6 November, 1970, wherein you said that the Justice Ministry of Japan has got the lists of war criminals including the lists 'B' and 'C'.

MM
In fact what we are interested to find out is whether the name of Netaji Subhash Chandra Bose is included in any of these lists. I would therefore be grateful if you could find this out and let us know at the earliest.

With regards

Yours sincerely

T. Cherpoot

(T. Cherpoot)

Shri S.K. Uppal,
Second Secretary,
Embassy of India,
Tokyo.

S.K. Uppal
Second Secretary

Confidential

142-80
14

No.SS/70

December 4, 1970.

(15)

5 Nov (17)

My dear Cherpoot,

24/

Please refer to your letter No.C.551/8/70-JP dated the 25th November, 1970 about whether Netaji's name is included in any list of war criminals. We have checked it up with the Justice Ministry and Netaji's name is not there in any of the three lists the Ministry maintains.

yours sincerely,

S.K. Uppal
(S. K. Uppal)

Shri T. Cherpoot,
Under Secretary (J)
Ministry of External Affairs,
New Delhi.

20/10

By Speed Post 81

No. 915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi
29th October, 2001

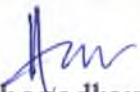
To,
Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third Floor),
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

The undersigned is directed to refer to Commission's letter No. JMC/Meeting-Hearing/99-2000/579 Vol.II) dated 8.10.2001 regarding alleged anomalies noticed in this office file No. 915/11/C/6/06-Pol.

As the said file has been submitted to the Commission on 16.10.2001 during their sitting in New Delhi, reply to the aforesaid letter could be given only after the said file is returned by the Commission to this office.

Yours faithfully,


[Alok Mukhopadhyay]
Under Secretary (Pol)


20-10-01

P- 8/15
Reply 6/11/01
20/10

25/10

Confidential

Most Immediate

PRIME MINISTER'S OFFICE

Subject: UN War Crimes Commission – removal of Netaji Subhash Chandra Bose's name.

Reference is invited to MEA ID note No. U.II/103/1/98 dated 22.10.2001 on the subject mentioned above.

MEA being the nodal Ministry in so far as the issue involved is concerned. Therefore, Ministry of External Affairs may take necessary action on this and then suitably inform Justice Mukherjee Commission by furnishing copies of all available relevant documents urgently under intimation to this office.



[Sunil Jain]
Director



Shri A Gopinathan – Joint Secretary (UNE), MEA

PMO ID No. 915/11/C/2/2000-Pol Vol.IV

dated: 01-11-2001

N.O.O.

Copy for information to Shri Mukesh Mittal – Deputy Secretary(IS-I), MHA w.r.t. MHA ID No. I/1204/20/2001-ISD-III dated 18.10.2001.



24/11

By Speed Post (83)

915/11/C/2/2000-Pol Vol. IV
PRIME MINISTER'S OFFICE

New Delhi-110011

1st November, 2001

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA – 700087.

**Subject: UN War Crimes Commission – removal of
Netaji Subhash Chandra Bose's name.**

Sir,

In continuation of this office letter of even number dated 9.1.2001 the undersigned is directed to send herewith a copy of this office I.D. note of even number dated 01.11.2001 addressed to Ministry of External Affairs on the captioned issue.

Yours faithfully,


[Alok Mukhopadhyay]
Under Secretary(Pol) 



(84)

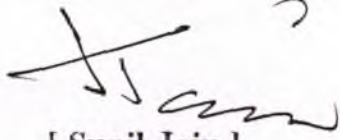
Most Immediate

PRIME MINISTER'S OFFICE

Subject: UN War Crimes Commission – removal of Netaji Subhash Chandra Bose's name.

Reference is invited to MEA ID note No. U.II/103/1.98 dated 22.10.2001 on the subject mentioned above.

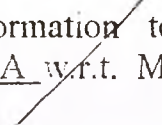
MEA being the nodal Ministry in so far as the issue involved is concerned. Therefore, Ministry of External Affairs may take necessary action on this and then suitably inform Justice Mukherjee Commission by furnishing copies of all available relevant documents urgently under intimation to this office.


[Sunil Jain]
Director

Shri A Gopinathan – Joint Secretary (UNE), MEA

PMO ID No. 915/11 C.2/2000-Pol Vol.IV

dated: 01-11-2001


Copy for information to Shri Mukesh Mittal – Deputy Secretary (IS-I), MHA w.r.t. MHA ID No. I 1204 20.2001-ISD-III dated 18.10.2001.

By registered post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

/48/48

No. JMCI/ Meeting-Proceeding (Follow Up) Kolkata, dated, April 29, 2002

From : Shri Manabendra Roy
Officer on Special Duty

To : The Secretary
Prime Minister's Office
South Block,
New Delhi-110001.

S i r,

I am directed to send herewith xerox copies of the proceedings dated 21.3.2002 and 22.3.2002 together with a xerox copy of the Status Report as on 19.3.2002 (forenoon) for necessary action at your end.

Yours faithfully,

(M. Roy) 29.4.2002
Officer on Special Duty

Encl : As stated above.

3/5
25/07
PMO (NGO)
Dy. No. 3716/02
Date 06/5

Pl. go through this
Is there any thing to be
attended to by us?
6/5

9941854302
dir (st) 7/6/5
US/NE/C
for you for. [Signature]
6/5/02
1570/USJ/9
6/5
US (Pae)

ADDL. SECY. TO PM
Dy. No 1261-04
Date 3/5/02

Proceedings dated 21st March 2002 (Fourteenth-DI)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

21.03.2002

Of the six witnesses summoned to-day Shri Subrata Bose, Smt. Chitra Ghosh, Shri Supriyo Bose, Smt. Bithi Chatterjee and Shri Satyabrata Tapadar are present. Prayer for time by another witness summoned, Dr. Susanta Kr. Mitra, was allowed vide order dated 08.03.2002.

Smt. Bithi Chatterjee, Shri Subrata Bose, Smt. Chitra Ghosh and Shri Satyabrata Tapadar have been examined as CW.71, CW.72, CW.73 and CW.74 respectively. Shri Subrata Bose in his examination has testified that the statements made in the affidavit filed by him jointly with Smt. Chitra Ghosh and Shri Supriyo Bose before the Commission are correct. The affidavit is marked Exhibit 94. The signatures of Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) on the affidavit have been marked Exhibits 94/1 and 94/2 respectively. A letter dated 01.12.95 written by Smt. Chitra Ghosh (CW.73) to the then Prime Minister has been marked Exhibit 95 (Xerox copy retained).

Shri Supriyo Bose who filed the affidavit along with Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) has not been examined as his evidence would be repetitive

Shri Satya Brata Tapadar (CW.74) has asserted that his statement made in his affidavit filed on 28th January, 2000 and Supplementary affidavits filed on 11th April, 2000, 19th January, 2001 and 18th January, 2002 are correct. The said affidavit and the supplementary affidavits have been marked Exhibits 96, 97, 98 and 99 respectively. His signatures on the affidavit and on the respective supplementary affidavits have been marked Exhibits 96/1, 97/1, 98/1 and 99/1. The booklet titled as "What happened to Netaji after 18th August, 1945" authored and published by him is marked Exhibit 100.

Status report as on 19.03.2002 (forenoon) prepared by the Commission has been circulated to all the parties present. Proceeding is adjourned till 11 AM to-morrow for hearing on Status Report.


(M. K. Mukherjee)
Chairman

Proceedings dated 22nd March 2002 (Fourteenth-D2)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

22.03.2002

At the outset, Commission wanted to know from Mr. Tarakeswar Pal, Ld. Senior Counsel of the Govt. of India, about the result of inquiry for finding out further relevant records, as two months' time prayed for by Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Govt. of India on December 22nd, 2001 and allowed by the Commission, had already elapsed. Shri Pal informed the Commission that two Committees, one for searching the documents within the Ministry and the other for the other departments and the Ministries, had been formed, but the reports of the Committees had not yet reached the Ministry of Home Affairs. So there was the delay in intimating the Commission about the result of further inquiry. Commission expressed its displeasure for dealing with the matter in lackadaisical manner. Commission would pass necessary order, if need be, at the appropriate time.

The deponent Shri Nanda Lal Chakraborty, referring to page 1, paragraph 3, page 3, paragraphs 7(a)(i), 7(a)(ii), 7(a)(iv) of the Status Report, wanted to know about the compliance by the respective Ministry, Govt. of India and requested the Commission to take up the follow-up action where order of the Commission had not been complied with by the respective Ministries.

As regards paragraph 7(a)(i) of the Status Report, the Ministry of External Affairs filed an affidavit in compliance with the order of the Commission on their prayer at the last sitting in Delhi. They stated that they had no further documents. As regards paragraph 7(a)(ii) of the Status Report, in the paper received by the Commission nothing relevant to the terms of reference of the Commission was found.

Follow-up action, wherever necessary, would be taken up.

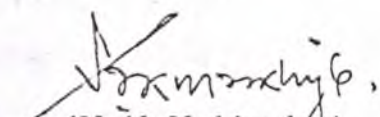
The deponent, Shri Nanda Lal Chakraborty and Shri Subrata Bose suggested that Commission should also visit Vietnam and Taiwan while visiting Japan, as Mrs. Prova Jagannathan did not appear before the Commission though she was summoned more than once.

Shri Subrata Bose further suggested that notice regarding foreign visits by the Commission should be sent to the deponents sufficient ahead so the deponents could arrange for Visas, Passports, etc. to take part in the hearing of the Commission in Japan and other places abroad.

The suggestion would be considered at the appropriate time.

The deponent, Dr. Sushanta Kumar Mitra, pointed out a mistake in the last line but one of paragraph 13(b) at page 9 of the Status Report wherein "October 28, 1978" had been typed instead of "August 28, 1978."

The mistake was rectified accordingly.


(M. K. Mukherjee)

Chairman

Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No. JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No. K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No. 915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hogda

addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

[Action:]
MHA

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.

MOD

5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the

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Pmo

letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission.

(a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."

(a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.

(a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of

92
reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process.

- 7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.
8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnami Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.

9. The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.
10. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

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"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

PMO X

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.

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11.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated

contd...P.7.

in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/I/90-Pol. of the Prime Minister's Office.

(c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

(d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

mea
has been informed that this report is not available with P.M.O.

12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on

the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).

b) The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARRTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated ~~September~~^{August} 28, 1978 and of other papers, if any, connected therewith.

14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No.2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.
15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant

files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (C.N.V.), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of ^{the}witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 16, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- (a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

- (b) Who are the present custodians of those records examined; and
- (c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/~~lists~~.

(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, Newyork, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No.25/4/MGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in Newyork as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation ^{that} Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

18. As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of

(100)

them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

19. By Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No. I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.

20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor. page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

- (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor. page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.
- (c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.
- 21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.
- (b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to

(102)
already done
In U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

amp
X
(c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

amp
Reply sent
(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

Action
MHA
(e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.

DRAFT

915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi-110011

9th May, 2002

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA – 700087.

Sir,

Reference is invited to JMCI letter No. JMCI/Meeting-
Proceedings (Follow-up)/ 48/48 dated 29.4.2002 regarding
Para-9 of status report.

The undersigned is directed to state that the Commission
may kindly refer to Chapter-X captioned as " Indexing &
Recording" of Manual of Officer Procedure (most authentic &
easily available Govt. of India Publication).

Yours faithfully,

(Jarnail Singh)
Joint Secretary to PM

No need of writing

20/5

(105)

915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi-110011

10th May, 2002

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA – 700087.

Reference is invited to JMCI letter No. JMCI/Meeting-
Proceeding/(follow-up)/48/48 dated 29.4.2002 regarding Para-6 of
status report.

The undersigned is directed to state the Para-wise comments on
JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/349 dated
8.10.2001 regarding alleged anomalies are given below: -

- Para (a) It is a fact that the said file actually contains only 3 note
sheet pages and 204 pages on the correspondence
portion. This file was submitted to the Commission.
- Para (b) On receipt of an independent letter on this specific issue
from the Commission, further follow up action has been
taken in consultation with MEA and finally MEA, being
the Nodal Ministry, has been requested to provide
requisite information to the Justice Mukherjee
Commission. The Commission has also been informed
of the position.
- Para (c) Page No 130 & 131 of the correspondence portion are
in the file.
- Para (d) Page 132 and 133 are enclosure of a letter written by Shri
Shakti Singh, President, Subash Chandra Bose Rastriya

Bichar Manch, Uttar Pradesh. Therefore, no action was required to be taken on these pages.

Para (e) Being a mere photocopy of a newspaper clipping no action was called for on our part.

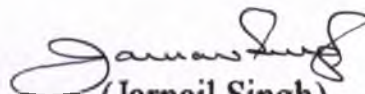
Para (f) Correspondence pages 117 to 165 contain two letters dated 16.5.98 alongwith enclosures addressed to PM by Shri Shakti Singh, President, Subash Chandra Bose Rastriya Bichar Manch, UP. Generally, these kinds of letters are forwarded to MHA for appropriate action. But in the instant case, due to inadvertence these letters were not forwarded to MHA and were simply filed.

Para (g) Position indicated is correct. MHA's comments does not seem to have been received so far. MHA is being requested to furnish their comments directly to JMCI in the matter urgently.

Para (h) Shri Bijon Ghosh's letter was regarding removal of Netaji S.C. Bose's name from the UN records of 'War Criminals'. The present status has been indicated against para (b).

Para (i) MHA reply dated 12.10.2001 explains the position regarding removal of Netaji's name from the list of War Criminals in United Kingdom (copy enclosed).

Yours faithfully,


(Jarnail Singh)

Joint Secretary to PM

O/c


13/5

DRAFT

915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi-110011

9th May, 2002

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA – 700087.

Reference is invited to JMCI letter No. JMCI/Meeting-
Proceeding/(follow-up)/48/48 dated 29.4.2002 regarding Para-6 of
status report.

The undersigned is directed to state the Para-wise comments on
JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/349 dated
8.10.2001 regarding alleged anomalies are given below: -

- Para (a) It is a fact that the said file actually contains only 3 note
sheet pages and 204 pages on the correspondence
portion. This file was submitted to the Commission, ~~and
they must have satisfied themselves.~~
- Para (b) On receipt of an independent letter on this specific issue
from the Commission, further follow up action has been
taken in consultation with MEA and finally MEA, being
the Nodal Ministry, has been requested to provide
requisite information to the Justice Mukherjee
Commission. The Commission has also been informed
of the position.
- Para (c) Page No 130 & 131 of the correspondence portion are
~~very much there~~ in the file.

- Para (d) Page 132 and 133 are enclosure of a letter written by Shri Shakti Singh, President, Subash Chandra Bose Rastriya Bichar Manch, Uttar Pradesh. Therefore, no action was required to be taken on these pages.
- Para (e) Being a mere photocopy of a newspaper clipping no action was called for on our part.
- Para (f) Correspondence pages 117 to 165 contain two letters dated 16.5.98 alongwith enclosures addressed to PM by Shri Shakti Singh, President, Subash Chandra Bose Rastriya Bichar Manch, UP. Generally, these kinds of letters are forwarded to MHA for appropriate action. But in the instant case, due to inadvertence these letters were not forwarded to MHA and were simply filed.
- Para (g) Position indicated is correct MHA's comments does not seem to have been received so far. MHA is being requested to furnish their comments directly to JMCI in the matter urgently.
- Para (h) Shri Bijon Ghosh's letter was regarding removal of Netaji S.C. Bose's name from the UN records of 'War Criminals'. The present status has been indicated against para (b).
- Para (i) MHA reply dated 12.10.2001 ~~conclusively~~ explains the position regarding removal of Netaji's name from the list of War Criminals in United Kingdom (copy enclosed).

Yours faithfully,

(Jarnail Singh)
Joint Secretary to PM

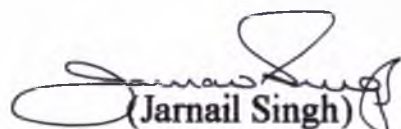
27/5

109

PRIME MINISTER'S OFFICE

Enclosed please find a copy of letter No.JMCI/Meeting-Hearing/99-2000/57(Vol-II)/349 dated 8.10.2001 regarding certain observation made by JMCI whether MHA's advice, sought in PMO u.o. No. 915/11/C/6/96-Pol dated 10.9.1998, forwarding therewith a letter from Golden Jubilee Celebration Committee in Germany to PM dated 15.8.1998 regarding inquiry into the disappearance of Netaji Subhash Chandra Bose, was received in PMO or not.

No advice has been received from MHA on the aforementioned U.O. note. MHA may kindly send a suitable reply to Justice Mukherjee Commission of Inquiry (JMCI) under intimation to this office.


(Jarnail Singh)
Joint Secretary to PM

o/c

Home Secretary

PMO ID No.915/11/C/2/2000-Pol

dated: 10.5.2002

27/5


2005

DRAFT

Enclosed please find a copy of letter No.JMCI/Meeting-Hearing/99-2000/57(Vol-II)/349 dated 8.10.2001 regarding certain observation made by JMCI whether MHA's advice, sought in PMO u.o. No. 915/11/C/6/96-Pol dated 10.9.1998, forwarding therewith a letter from Golden Jubilee Celebration Committee in Germany to PM dated 15.8.1998 regarding inquiry into the disappearance of Netaji Subhash Chandra Bose, was received in PMO or not.

~~Since~~ ^{has been} ~~No~~ advice received from MHA ^{on the} ~~against~~ ~~be~~ ^d ~~send~~ a suitable reply to Justice Mukherjee Commission of Inquiry (JMCI) under intimation to this office.

(Jarnail Singh)
Joint Secretary to PM

Home Secretary

PMO ID No.915/11/C/2/2000-Pol

dated: 9.5.2002

28/12 (111)

MINISTRY OF HOME AFFAIRS

IS(D.III) DESK

PMO may kindly refer to the correspondence resting with their ID No. 915/11/C/2/2000-Pol. dated 10.5.2002 enclosing therewith a copy of letter No. JMCI No. JMCI/Meeting-Hearing/99-2000/57 (Vol. II)/349 dated October 8, 2001 regarding certain observations made by JMCI on their (PMO's) file No. 915/11/C/6/96-Pol. a photocopy of which was made available to the Commission.

2. In this regard the undersigned is directed to convey the following.

(i) The matter has been looked into. It is revealed that the letter dated 15.8.98 from Golden Jubilee Celebration- G50 addressed to the Hon'ble Prime Minister relates to enquiry into the disappearance of Netaji Subhas Chandra Bose.

(ii) In the letter it was inter-alia mentioned that the relevant documents in the custody of the Government of India relating to the disappearance of Netaji Subhas Chandra Bose should be placed before the people of India. It was also requested that the Govt. of Russia, Britain and Japan be moved to release their files on Netaji which can throw any light on this subject.

(iii) PMO is aware that a Commission of Inquiry has already been set up by the Govt. on 14.5.99. All relevant records pertaining to the subject matter as available with the Ministry have been made available to the Commission.

The Commission has also been apprised of the non-availability of other documents etc. as desired by them. The term of the Commission has also been extended up to May 14, 2003.

3. In view of this position, no further action seems necessary as per letter dated 15.8.98 at this stage. As rest of the paras as mentioned in the Commission's letter dated October 8, 2001 pertain to PMO, they may like to respond appropriately to the Commission.

4. PMO may kindly see.


(MUKESH MITTAL)
DIRECTOR (IS-I)

PMO (Shri Jarnail Singh, Jt. Secy. to PM), South Block, New Delhi

MHA ID No. VI/11034/114/97-IS(D.III) dated 23.5.02

*Pl. discuss
Is any thing pending from us?*

*for
24/5*

*45/Rae.
III*

*1782/BJ/9
24/5*

29/12

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700087

(113)

Phone:

Chairman - 252-2835

Secretary - 252-2767

Officer on

Special Duty - 252-2765

Office - 252-2766/68

No. JMCI/MEETING-HEARING/99-2000/57(II)/82(68))

Kolkata, dated, May 14, 2002

Under Certificate of Posting

From :

Shri M. Roy, IAS (Retd.)

Officer on Special Duty

To

Shri Jarnail Singh

Joint Secretary

Prime Minister's Office

South Block

New Delhi 110 001

Dear Sir,

I am directed to inform you that the next sitting of the Commission will be held on 10.06.2002 starting at 11.00 O'clock at the seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007 to ascertain the relevancy, if any, of the articles and documents recovered from the dwelling place of one Gumnami Baba in Faizabad and since brought to the Commission's office in Kolkata with the permission of the Lucknow Bench of the Allahabad High Court.

Yours faithfully,



(M. Roy)

Officer on Special Duty

No. JMCI/Meeting-Hearing/99-2000/57(II)/82(2)

Kolkata, dated, May 14, 2002

Copy forwarded to :

1. Mr. Tarakeswar Pal, Learned Senior Counsel, Government of India, 33, Asoke Avenue, Kolkata 700 040;
2. Ms. Abha (Datta) Roy, Learned Counsel for the Govt. of West Bengal; F-4, Cluster XI, Purbachal Housing, Salt Lake City, Kolkata 700091

(M. Roy)

Officer on Special Duty

Fax : 0091-033-252-2765

*

e-mail : jmcinscb@cal3.vsnl.net.in

1738/BJS
9/15
1895/Dia(7)/02
21/5

7/28/02 us/p-e

Under Certificate of Posting

Ref: Pat's query.
It seems this is just for information. However, if considered necessary we may check up from JMCI or our counsel
c) whether our presence is required during the hearing to be held on 10/6/02.
X
DIR/ST
27/5
Alon/27/5
JS(J)'s - yes he
28/5

28/5

30/12

Speed post (114)

Through Fax No. 033-248-2313

No. 915/11/C/2/2001-Pol Vol-III
PRIME MINISTER'S OFFICE

New Delhi-110011
30th May 2002

To,

Shri Tarakeswer Pal,
Senior Counsel to Govt. of India
In Justice Mukherjee Commission of Inquiry
Room No. 5, Bar Association,
Calcutta High Court;
Kolkata- 700069

Subject: Commission's sitting on 11.6.2002 at Kolkata.

Sir,

Reference is invited to JMCI letter no. JMCI/Meeting-Hearing/99-2000/57 (II)/82(68) dated May 14,2002 addressed to Joint Secretary, PMO (and copy endorsed to you) intimating this office about the next sittings of the Commission, which is to be held on **10.6.2002** at Kolkata.

It appears the Commission's above-mentioned letter is only for information. However, it may kindly be confirmed by return fax to PMO whether the hearing of 10th June 2002 to be held at Kolkata needs to be attended by a PMO representative.

Yours faithfully,

[Sunil Jain]
Director

DZ 30/5/02



~~31/5~~

(115)

DRAFT

Through Fax No. 033-248-2313

No. 915/11/C/2/2001-Pol Vol-III
PRIME MINISTER'S OFFICE

New Delhi-110011
30th May 2002

To,

Shri Tarakeswer Pal,
Senior Counsel to Govt. of India
In Justice Mukherjee Commission of Inquiry
Room No. 5, Bar Association,
Calcutta High Court;
Kolkata- 700069

Subject: - Commission's sitting on 11.6.2002 at Kolkata.

Sir,

Reference is invited to JMCI letter no. JMCI/Meeting-
Hearing/99-2000/57 (II)/82(68) dated May 14,2002 addressed to Joint
Secretary, PMO (and copy endorsed to you) ~~regarding attending~~ *intimating*
~~representative of PMO~~ *about* in the next sittings of the Commission, to be
held on 10.6.2002 ~~starting at 11.00 O'clock~~ at Kolkata. *to PMO*

It appears the Commission's above ~~referred~~ *mentioned* letter *is just*
for information. However, it may kindly be confirmed by return fax *only*
whether the hearing of 10th June 2002 to be held at Kolkata *need* to be
attended by any PMO representative.

Yours faithfully,

[Sunil Jain]
Director

30/5
Pol

Art. Sec
DFA P.
Reg.
30/5 Dir(J)

31/R

(116)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinscb@cal.3.vsnl.nct.in

No. JMCI/Meeting-Hearing/99-2000/57(II) Kolkata, dated, 5th June' 2002.
/107.

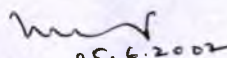
From : Shri M. Roy,
Officer on Special Duty

To : The Secretary,
Prime Minister's Office,
North Block,
New Delhi-110 001.

Sir,

In inviting a reference to para (g) of your letter No. 915/11/C/2/2000-Pol. Vol. IV dated 10.05.2002, I am directed to request you to send to the Commission a true copy of your reference to the Ministry of Home Affairs Government of India in the matter to enable the Commission to pursue the same.

Yours faithfully,


05.6.2002
(M. Roy)

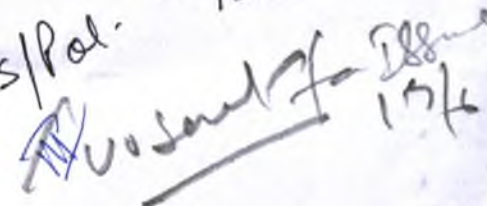
Officer on Special Duty

2019/05/16
13/6

1327/d872

ADDL. SECY. TO PM
Dy. No. 1522-G...
Date.....11.6.02...



45/Pol. 13/6

15/6

Form's Centre, Kolkata-54.

S.E.-5

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Meeting-Hearing/99-2000/57(II)/107.

Dated 5,06.02.



Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
117, Minerva Club Street, 3rd Floor
Block B, Calcutta— 700037

South
Chit

To
The Secretary,
Prime Minister's Office,
~~North~~ Block,
New Delhi-110 001.

34

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/00

e-mail: jmcinsebv@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Meeting-Hearing/99-2000/57(II) Kolkata, dated, 5th June' 2002.
/107.

From : Shri M. Roy,
Officer on Special Duty

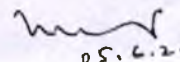
To : The Secretary,
Prime Minister's Office,
North Block,
New-Delhi-110 001.

Sir,

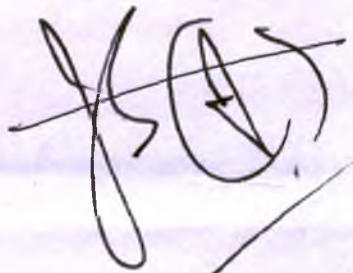
25 (A)

In inviting a reference to para (g) of your letter No. 915/11/C/2/2000-Pol. Vol. IV dated 10.05.2002, I am directed to request you to send to the Commission a true copy of your reference to the Ministry of Home Affairs Government of India in the matter to enable the Commission to pursue the same.

Yours faithfully,


05.6.2002
(M. Roy)

Officer on Special Duty



Surgey / per
11/6

11/6

US (pol) III

ADDL. SECY. TO PM
Dy. No 1499-64...
Date..... 20/6/02...

25

33/E

(118)

No. 915/11/C/2/2000-Pol Vol.IV
PRIME MINISTER'S OFFICE

New Delhi-110011

17th June, 2002

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

Reference is invited to JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(II)/107 dated 5.6.2002 regarding para (g) of JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/349 dated 8.10.2001.

A copy of PMO I.D. note to MHA (No. 915/11/C/2/2000-Pol Vol.IV dated 10.5.2002) and MHA's reply received against the aforementioned I.D. note are enclosed herewith for information.

Yours faithfully,

Aan

[Alok Mukhopadhyay]
Under Secretary (Pol)

o/c P-III

W
17-06

915/11/C/2/2000-Pol Vol.V
PRIME MINISTER'S OFFICE

New Delhi-110011

17th June, 2002

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block. (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA – 700087.

Sir,

Reference is invited to JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(II)/107 dated 5.6.2002 regarding para (g) of JMCI letter No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/349 dated 8.10.2001.

A copy of PMO I.D. note to MHA (No. 915/11/C/2/2000-Pol Vol.IV dated 10.5.2002) and MHA's reply received against the aforementioned I.D. note are ~~also~~ enclosed herewith. *for information.*

Yours faithfully,

[Signature]

[Alok Mukhopadhyay]
Under Secretary (Pol)

3975

120

No. 915/11/C/2/2000-Pol Vol-IV.
PRIME MINISTER'S OFFICE

New Delhi-110011
21th June, 2002

To,

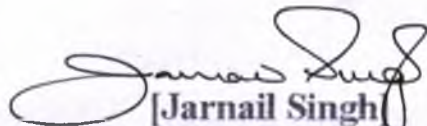
Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

This has reference to your letter No. JMCI/Records/2000-01/37(A)/118 dated 13.6.2002 requesting to know the action taken on the letter dated 7th August, 1995 of Shri Amiya Nath Bose addressed to PM.

The subject letter of Shri Bose after having been seen and acknowledged by the then PM was retained in this office for record. There is no record of any other action taken on this.

Yours faithfully,


[Jarnail Singh]
Joint Secretary to PM

2

P-111

Recd
22/6

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinscb@cal.3.vsnl.net.in

By registered
post with A/D.

Fax : 0091-033-252-2765

No. JMCI/ DOC(FOR)/99-2000/56(II)/123 Kolkata, dated, June 17, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India
South Block,
New Delhi-110001.

S i r,

I am directed to state that, on a study of the xerox copy of the Confidential File No.870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s reg." of the Prime Minister's Office sent to the Commission, certain apparent anomalies were noticed. In view of this, I am directed to request you to kindly confirm that the xerox copy of the said Confidential file contains true and correct copies of all the notesheet pages and the cor.pages of the original file No.870/11/P/16/92-Pol. of the Prime Minister's Office.

I am further directed to draw your attention to cor. pages 21 and 22 of the aforesaid file containing Netaji Subhas Chandra Bose's purported messages dated December 26, 1945, January 1, 1946, and February 1946 which, as it prima facie appears, were broadcast after the alleged air-crash on August 18, 1945 and to state that the keeping of the aforesaid copies of the purported messages of Netaji in the said Confidential File of the Prime Minister's Office without any comment on or even any mention of any of those messages in the notesheets in the file tends to give rise to a presumption that the copies of the said purported messages have some authenticity or, at least, sanctity, which may justify the Commission's taking cognizance of the probative value of the messages.

I am, therefore, directed to request you to kindly

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US/Pol
Ale
26/6

[Handwritten signature]

2190/BT/9
25/6
484/S/8802

ADDL. SECY. TO PM
Dy. No.....1694-C7...
Date.....24/6/02..

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

(2)

No. JMCI/

Kolkata, dated,

let the Commission know immediately :-

- (1)(a) Whether the Prime Minister's Office possesses originals of those messages ?
 - (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office,
 - (c) If not, whether any inquiry was made by the Government of India about the source and authenticity of those messages ; and
- (2) What is the result of such inquiry ?

This may kindly be treated as urgent.

Yours faithfully,



(P.K. Sengupta)
Secretary

No: JMCI/DOC(FOR)/99-2000/56(II)/123

Dated : 17.6.2002

SE-6

CONFIDENTIAL

भारत सरकार सेवार्थ
ON INDIA GOVERNMENT SERVICE



To
The Secretary
Prime Minister's Office
Government of India
South Block
New Delhi-110001.

Rabji

Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta- 700087



5685
19/6/02

NOV 21 1892

NOV 21 1892

36/I

By Speed Post (123)

SECRET
Most Immediate

No. 915/11/C/2/2002-Pol

PRIME MINISTER'S OFFICE

New Delhi

dt. 8.7.02

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Sir,

With reference to Commission's letter No. JMCS/Doc (FOR)/99-2002/56 (II)/123 dated 17.6.2002 the undersigned is directed to forward herewith photocopy of the entire file No. 870/11/P/16/92-Pol and it is also certified that all the pages are true copy of the original file.

So far as Netaji's Message placed at P-21 & 22 of correspondence portion of the above referred file is concerned, it may be mentioned that Netaji's messages alongwith other documents were received as enclosure to Shri Chitta Basu's letter dated 11.2.92 (Placed at P-33/Correspondence) Shri Basu's letter had been acknowledged by PM and copy of Shri Basu's letter together with complete set of enclosure (placed at Page 1 to 33 Correspondence.) was forwarded to MOS. Ministry of External Affairs for appropriate action.

It is felt that the position stated above fully explains the queries posed by the Commission regarding source and authenticity of the messages.

Yours faithfully,

RK

[Renuka Kumar]
Director

Enclosure: Photo copy of PMO file NO.
870/11/P/16/92 Pol.

Issued.
Am
8/7.

P-1117

2

(125)

7/11/107
12/37

DRAFT
Secret
Most Immediate

No. 915/11/C/2/2002-Pol

PRIME MINISTER'S OFFICE

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Sir,

With reference to Commission's letter No. JMCS/Doc (FOR)/99-2002/56 (II)/123 dated 17.6.2002 the undersigned is directed to forward herewith photocopy of the entire file No. 870/11/P/16/92-Pol and it is also certified that all the pages are true copy of the original file.

So far as Netaji's Message placed at P-21 & 22 of correspondence portion of the above referred file is concerned, it may be mentioned that Netaji's messages alongwith other documents were received as enclosure to Shri Chitta Basu's letter dated 11.2.92 (Placed at P-33/Correspondence) Shri Basu's letter had been acknowledged PM and copy of Shri Basu's letter together with complete set of enclosure (placed at Page 1 to 33 Correspondence.) was forwarded to MOS, Ministry of External Affairs for appropriate action.

(125)

It is felt that the position above stated fully explains the queries posed by the Commission regarding source and authenticity of the message.

Yours faithfully,

Ru
5/7/02
[Renuka Kumar]
Director

37 II
No-915/111C/2/2000-Pol
PRIME MINISTER'S OFFICE

By Speed Post

(126)

11th July, 2000
New Delhi-11.

To,

**Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.**

Ref: JMCI letter No. (i) Records/N.Delhi/99-2000/37(II)/131 dated 21.6.2002 (ii) Records/N.Delhi/99-2000/37(II)/132 dated 21.6.2002 (iii) Study(PMO)-Followup/2002-03/84/136 dated 21.6.2002.

Sir,

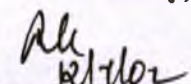
With reference to Commission's 3 letters mentioned above the factual position is indicated below: -

So far as Commission's letter at (i) above is concerned, the further movement of MEA files/folders referred to in this letter is being ascertained from MEA and requisite information will be made available to the Commission in due course.

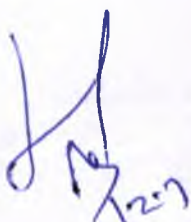
In regard to the second letter under reference it is informed that P-41 correspondence of File No. 870/11/P/10/93-Pol Vol.I is actually an extract from MEA file. Photocopy of only this page had been retained because endorsement by PMO official had been made on this page. The MEA file was returned. Therefore, paras 1 to 5 would be available with MEA and they may be approached by the Commission.

With regards to third letter under reference, it may be informed that the subject letter after having been acknowledged by PM was forwarded to Home Secretary on 8.4.1993 for appropriate action. Hence, it is requested that the Commission may kindly write to MHA to ascertain action taken by them and the outcome thereof.

Yours faithfully,


[Renuka Kumar]
Director

P-III


127

92

38/R

127

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

By Registered post
with A/D.

Fax :
0091-033-252-2765

e-mail :
jmcins@vsnl.net.in

131

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated, June 21, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block
New Delhi-110001.


S i r,

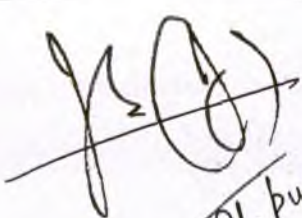
I am directed to draw your attention to cor.page 20 of Secret File No.870/11/P/10/93-Pol. Vol.I of the Prime Minister's Office which is a note dated 08.10.1993 of the Director (AP) of the Ministry of External Affairs (Asia Specific Division) sent to D.S.(s), Prime Minister's Office stating that File Nos. C/551/7/92-JP and C/551/14/90-JP (along with a folder bearing No. C/551/7/92-JP) regarding Netaji Subhas Chandra Bose were returned by the Ministry of External Affairs to the Prime Minister's Office along with the said note.

20/6
23/6/02

I am, therefore, directed to request you to send immediately to this Commission authenticated true copies of those files and of the contents of the aforesaid folder.

Yours faithfully,


(P.K. Sengupta)
Secretary



Pl. put up

22/6/02

11/11/2002

us/Pol.

17/10

P-20/W

40/c

1527/2002
ADDL. SECY. TO PM
Ly. No.....1691-67...
Date.....21/6/02

2252/03JG
1/7

125/Dir(R)/02
217

By registered
Post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax :
0091-033-252-2765

e-mail :
jmcinsecb@cal.3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II) ¹³² / Kolkata, dated, June 21, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001

S i r,

I am directed to draw your attention to cor.page 41 of the Secret File No.870/11/P/10/93-Pol. Vol.I of the Prime Minister's Office which appears to be a xerox copy of paras 6 and 7 of the note dated 13.09.1993 of Shri A.K.Sinha, Under Secretary (AP) submitted to JS (AP).

I am, therefore, directed to request you to kindly send immediately a true copy of paras 1 to 5 of the said note dated 13.09.1993 of Shri A.K.Sinha, Under Secretary (AP).

Yours faithfully,

P. Sengupta

(P.K. Sengupta)
Secretary

Para 1 to 5 are available with MEA. We did not retain p.c. of the entire note. We retained P.C. of the last page of MEA file's retyping portion on which endorsement was made.

S.No 39 (I)
S.No 40 (I)

By Regd. Post with A/D.

3919

129

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/Study(PMO)-Follow Up/2002-03/ Kolkata, dated, 21st June' 2002.
84/136.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

S i r,

Kindly refer to cor. pages 7 to 10 of Prime Minister Office's Secret File No. 870/11/P/10/93-Pol. Vol. I which contain a xerox copy of the letter dated March 13, 1993 jointly signed by Shri Triguna Sen, Shri Amiya Kumar Mazumder and Shri Aurobinda Nath Bose addressed to the President of India which was acknowledged to have been received by the Prime Minister vide his d.o. letter dated March 25, 1993 addressed to the President of India at cor. page 11 of the said file.

I am directed to request you to let the Commission know immediately what action was taken on the said letter and what was the outcome thereof.

Yours faithfully,

P. K. Sengupta
(P. K. Sengupta)
Secretary

*Referred to MHA.
Therefore, MHA may be
imposed in this
matter.*

Pol. Section

Please find enclosed a copy of letter dt. 21.6.02 received from JMCI.

One file indicates that the MEA files mentioned in the enclosed letter had been submitted to the Principal Secretary to P.M 9.10.93 alongwith NGO Section Fno. G-4(6)91/NGO.

NGO section may kindly let us know whether they have any information about further movement of MEA files referred to in JMCI's letter.

Am
4.7.02
US(POL).

US(NGO)

New Section.

Ref. note above.
② files/records have been ^{pr}checked. We have no information as to the movement of the MEA files & folder referred to in the JMCI's letter dt. 21-6-02 (ie. File nos. C/551/7/92-JP alongwith a folder bearing the same number, and file no. C/551/14/90-JP.)

US
08/7/02

US(NGO) - on leave.

US(POL), Am
07

131

By Registered post
with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax :
0091-033-252-2765

e-mail :
jmcincha@cal3.vsnl.net.in

131

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated. June 21, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block
New Delhi-110001.


S i r,

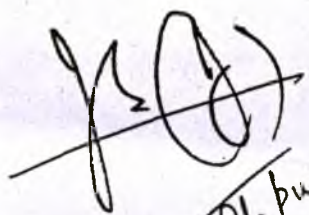
I am directed to draw your attention to cor.page 20 of Secret File No.870/11/p/10/93-Pol. Vol.I of the Prime Minister's Office which is a note dated 08.10.1993 of the Director (AP) of the Ministry of External Affairs (Asia Specific Division) sent to D.S.(s), Prime Minister's Office stating that File Nos.C/551/7/92-JP and C/551/14/90-JP (along with a folder bearing No.C/551/7/92-JP) regarding Netaji Subhas Chandra Bose were returned by the Ministry of External Affairs to the Prime Minister's Office along with the said note.

2016
23/6/07

I am, therefore, directed to request you to send immediately to this Commission authenticated true copies of those files and of the contents of the aforesaid folder.

Yours faithfully,


(P.K. Sengupta)
Secretary



Pl. put up

June 2002

Dir(R)

us/pol.

17/02

1527
ADDL. SECY. TO PM
Ly. No.....1591-67...
Date.....21/6/02

2252/0379
17

125/Dir(R)/02

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

40/H (132)

नई दिल्ली-110 011
New Delhi-110 011

Subject: Letter from Justice Mukherjee Commission of Inquiry (JMCI) regarding files relating to Netaji Subhas Chandra Bose.

138/R
Please find enclosed a copy of letter dated 21.6.2002 received from the Commission.

According to our office record, the MEA files/folder referred to in JMCI's letter had been received in this office vide MEA (AP Division) note dated 8.10.1993 (copy enclosed) and these files/folder had been returned back to MEA on 14.10.1993. It may kindly be confirmed urgently whether these files/folder are with MEA so that the Commission may be informed suitably.

ku
12.7.02
[Renuka Kumar]
Director

MEA (Shri Vijay Gokhle – Joint Secretary(CNV))

PMO ID No. 915/11/C/2/2000-Pol

dated: 12.7.2002

13-7-02
(ku)
P-III
Pol S

To remind
MEA
Reminder 66/I

41/R

133

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(III) Kolkata, dated, July 22, 2002 /196

From : Shri P.K. Sengupta,
Secretary
To : The Secretary
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

Sir,
I am directed to refer to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/536 dated January 29, 2002 (xerox copy enclosed) and to request you again to kindly send to the Commission immediately authenticated xerox copies of the Rules and Procedures prescribed for destruction of files or documents as called for by the Commission's letter dated January 29, 2002 referred to above, since it appears from the purported xerox copy of Prime Minister's Office File No. 23(156)/51-PM as also from their communication dated September 21, 2001 that a number of papers/files of the Prime Minister's Office were destroyed.

Yours faithfully,
P.K. Sengupta
(P.K. Sengupta)
Secretary

Encl: As stated above.

30/7
25/AM

[Handwritten signature]

Pl. send.
Dis (R)
us/Pd.
30/7
31/7

22/7

2621/RJ/9
30/7
599/S/88/2
ADDL. SECY. TO PM
Dy. No. ... 325-S
Date..... 29/7/02.

133

Records/N.Delhi/99-2000/37
(Vol.II)/536.

29th January 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

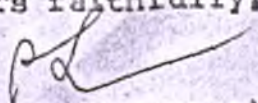
R/S 688
Billa

S i r,

I am directed to state that it appears from the purported xerox copy of File No. 23(156)/S1-PM as also from your communication dated September 21, 2001, that a number of papers/files of the Prime Minister's Office were destroyed.

I am, therefore, directed to request you to kindly send to the Commission immediately authenticated xerox copies of the Rules and Procedures prescribed for destruction of files or documents.

Yours faithfully,


(P. K. Sengupta)
Secretary

CONFIDENTIAL

421

By Speed Post
135

No. 915/11/C/2/2000-Pol.

PRIME MINISTER'S OFFICE

14th August, 2002
New Delhi-110011.

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Subject: Rules & Procedure prescribed for destruction of files/documents.

Sir,

I am directed to refer to JMCI's letter No. Records/N.Delhi/99-2000/37(III)/196 dated 22.7.2002 on the subject noted above and to state that Chapter XI of Manual of Officer Procedure published by the Department of Administrative Reforms and Public Grievances prescribes procedure for indexing and recording of files. The procedure laid down in this Book is largely followed by the offices of Govt. of India.

It is, therefore, requested that the Commission may kindly refer to the particular chapter of this book to acquaint themselves with the destruction procedure of files in Govt. of India offices.

Yours faithfully,

Renuka Kumar
[Renuka Kumar]
Director

2

22/8

P-111
copy may be given to our counsel for info.
P-111
16/8

16.9

136

गोपनीय
CONFIDENTIAL

N.O.O.

No. 018/11/022000-PAJ

Copy alongwith copy of letter under reply forwarded to Shri Tarakeswer Pal, Senior Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069 for information.

[Signature]

[Alok Mukhopadhyay]
Under Secretary (Pol)

Principal Secretary (Commission of Inquiry),
1B Block (1st floor),
11A/11B/11C/11D/11E/11F/11G/11H/11I/11J/11K/11L/11M/11N/11O/11P/11Q/11R/11S/11T/11U/11V/11W/11X/11Y/11Z/11AA/11AB/11AC/11AD/11AE/11AF/11AG/11AH/11AI/11AJ/11AK/11AL/11AM/11AN/11AO/11AP/11AQ/11AR/11AS/11AT/11AU/11AV/11AW/11AX/11AY/11AZ/11BA/11BB/11BC/11BD/11BE/11BF/11BG/11BH/11BI/11BJ/11BK/11BL/11BM/11BN/11BO/11BP/11BQ/11BR/11BS/11BT/11BU/11BV/11BW/11BX/11BY/11BZ/11CA/11CB/11CC/11CD/11CE/11CF/11CG/11CH/11CI/11CJ/11CK/11CL/11CM/11CN/11CO/11CP/11CQ/11CR/11CS/11CT/11CU/11CV/11CW/11CX/11CY/11CZ/11DA/11DB/11DC/11DD/11DE/11DF/11DG/11DH/11DI/11DJ/11DK/11DL/11DM/11DN/11DO/11DP/11DQ/11DR/11DS/11DT/11DU/11DV/11DW/11DX/11DY/11DZ/11EA/11EB/11EC/11ED/11EE/11EF/11EG/11EH/11EI/11EJ/11EK/11EL/11EM/11EN/11EO/11EP/11EQ/11ER/11ES/11ET/11EU/11EV/11EW/11EX/11EY/11EZ/11FA/11FB/11FC/11FD/11FE/11FF/11FG/11FH/11FI/11FJ/11FK/11FL/11FM/11FN/11FO/11FP/11FQ/11FR/11FS/11FT/11FU/11FV/11FW/11FX/11FY/11FZ/11GA/11GB/11GC/11GD/11GE/11GF/11GG/11GH/11GI/11GJ/11GK/11GL/11GM/11GN/11GO/11GP/11GQ/11GR/11GS/11GT/11GU/11GV/11GW/11GX/11GY/11GZ/11HA/11HB/11HC/11HD/11HE/11HF/11HG/11HH/11HI/11HJ/11HK/11HL/11HM/11HN/11HO/11HP/11HQ/11HR/11HS/11HT/11HU/11HV/11HW/11HX/11HY/11HZ/11IA/11IB/11IC/11ID/11IE/11IF/11IG/11IH/11II/11IJ/11IK/11IL/11IM/11IN/11IO/11IP/11IQ/11IR/11IS/11IT/11IU/11IV/11IW/11IX/11IY/11IZ/11JA/11JB/11JC/11JD/11JE/11JF/11JG/11JH/11JI/11JJ/11JK/11JL/11JM/11JN/11JO/11JP/11JQ/11JR/11JS/11JT/11JU/11JV/11JW/11JX/11JY/11JZ/11KA/11KB/11KC/11KD/11KE/11KF/11KG/11KH/11KI/11KJ/11KK/11KL/11KM/11KN/11KO/11KP/11KQ/11KR/11KS/11KT/11KU/11KV/11KW/11KX/11KY/11KZ/11LA/11LB/11LC/11LD/11LE/11LF/11LG/11LH/11LI/11LJ/11LK/11LL/11LM/11LN/11LO/11LP/11LQ/11LR/11LS/11LT/11LU/11LV/11LW/11LX/11LY/11LZ/11MA/11MB/11MC/11MD/11ME/11MF/11MG/11MH/11MI/11MJ/11MK/11ML/11MM/11MN/11MO/11MP/11MQ/11MR/11MS/11MT/11MU/11MV/11MW/11MX/11MY/11MZ/11NA/11NB/11NC/11ND/11NE/11NF/11NG/11NH/11NI/11NJ/11NK/11NL/11NM/11NN/11NO/11NP/11NQ/11NR/11NS/11NT/11NU/11NV/11NW/11NX/11NY/11NZ/11OA/11OB/11OC/11OD/11OE/11OF/11OG/11OH/11OI/11OJ/11OK/11OL/11OM/11ON/11OO/11OP/11OQ/11OR/11OS/11OT/11OU/11OV/11OW/11OX/11OY/11OZ/11PA/11PB/11PC/11PD/11PE/11PF/11PG/11PH/11PI/11PJ/11PK/11PL/11PM/11PN/11PO/11PP/11PQ/11PR/11PS/11PT/11PU/11PV/11PW/11PX/11PY/11PZ/11QA/11QB/11QC/11QD/11QE/11QF/11QG/11QH/11QI/11QJ/11QK/11QL/11QM/11QN/11QO/11QP/11QQ/11QR/11QS/11QT/11QU/11QV/11QW/11QX/11QY/11QZ/11RA/11RB/11RC/11RD/11RE/11RF/11RG/11RH/11RI/11RJ/11RK/11RL/11RM/11RN/11RO/11RP/11RQ/11RR/11RS/11RT/11RU/11RV/11RW/11RX/11RY/11RZ/11SA/11SB/11SC/11SD/11SE/11SF/11SG/11SH/11SI/11SJ/11SK/11SL/11SM/11SN/11SO/11SP/11SQ/11SR/11SS/11ST/11SU/11SV/11SW/11SX/11SY/11SZ/11TA/11TB/11TC/11TD/11TE/11TF/11TG/11TH/11TI/11TJ/11TK/11TL/11TM/11TN/11TO/11TP/11TQ/11TR/11TS/11TT/11TU/11TV/11TW/11TX/11TY/11TZ/11UA/11UB/11UC/11UD/11UE/11UF/11UG/11UH/11UI/11UJ/11UK/11UL/11UM/11UN/11UO/11UP/11UQ/11UR/11US/11UT/11UU/11UV/11UW/11UX/11UY/11UZ/11VA/11VB/11VC/11VD/11VE/11VF/11VG/11VH/11VI/11VJ/11VK/11VL/11VM/11VN/11VO/11VP/11VQ/11VR/11VS/11VT/11VU/11VV/11VW/11VX/11VY/11VZ/11WA/11WB/11WC/11WD/11WE/11WF/11WG/11WH/11WI/11WJ/11WK/11WL/11WM/11WN/11WO/11WP/11WQ/11WR/11WS/11WT/11WU/11WV/11WW/11WX/11WY/11WZ/11XA/11XB/11XC/11XD/11XE/11XF/11XG/11XH/11XI/11XJ/11XK/11XL/11XM/11XN/11XO/11XP/11XQ/11XR/11XS/11XT/11XU/11XV/11XW/11XX/11XY/11XZ/11YA/11YB/11YC/11YD/11YE/11YF/11YG/11YH/11YI/11YJ/11YK/11YL/11YM/11YN/11YO/11YP/11YQ/11YR/11YS/11YT/11YU/11YV/11YW/11YX/11YY/11YZ/11ZA/11ZB/11ZC/11ZD/11ZE/11ZF/11ZG/11ZH/11ZI/11ZJ/11ZK/11ZL/11ZM/11ZN/11ZO/11ZP/11ZQ/11ZR/11ZS/11ZT/11ZU/11ZV/11ZW/11ZX/11ZY/11ZZ

Subject: Rules & Procedure prescribed for destruction of documents.

ISSUED
Dated 16.8.02
Sig. [Signature]

I am directed to refer to JMCI's letter No. [Number] dated 22.7.2002 on the subject noted above and to state that Chapter XI of Manual of Officer Procedure published by the Department of Administrative Reforms and Public Grievances prescribes procedure for indexing and recording of files. The procedure laid down in this Book is largely followed by the offices of Govt. of India.

It is, therefore, requested that the Commission may kindly refer to the particular chapter of this book to acquaint themselves with the destruction procedure of files in Govt. of India offices.

Yours faithfully,

[Signature]
[Renuka Kumar]
Director

Draft
(137)

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

To,

13TH August, 2002
New Delhi-110011.

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

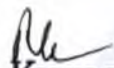
**Subject: Rules & Procedure prescribed for destruction
of files/documents.**

Sir,

I am directed to refer to JMCI's letter No. Records/N.Delhi/99-2000/37(III)/196 dated 22.7.2002 on the subject noted above and to state that Chapter XI of Manual of Officer Procedure published by the Department of Administrative Reforms and Public Grievances prescribes procedure for indexing and recording of files. The procedure laid down in this Book is largely followed by the offices of Govt. of India.

It is, therefore, requested that the Commission may kindly refer to the particular chapter of this ^{book to} acquaint themselves with the destruction procedure of files in Govt. of India offices.

Yours faithfully,


[Renuka Kumar]
Director

431R
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone: (138)
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinsec@cal.3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II) Kolkata, dated, 14th June' 2002.
/120.

From : Shri P. K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to refer to page Nos.1 and 2 of the Secret File No. 23(156)/51/PM of the Prime Minister's Office on the subject, "Disposal of properties of Indian National Army in the far East", containing two lists of papers destroyed which were in the aforesaid file and to request you to send a report to the Commission immediately stating :

- (1) When and under what circumstances those papers, particularly, Sl. Nos. 1A,2A,3A,4A,6A,8A,16A, 17A,27A,33B and the notes mentioned at the bottom of page 1, were destroyed;
- (2) Whether there was any specific Order of any competent authority for destruction of those papers;
- (3) Whether any contemporary list of papers destroyed was made under the signature of any competent authority; and
- (4) Whether any copies of those papers destroyed have been preserved. If so, what are the contents of those destroyed papers.

Yours faithfully,

P. K. Sengupta
(P. K. Sengupta)
Secretary

19/6
25/6

[Handwritten signature]

[Handwritten signature]
20/6

13A/2002 US/201
ADDL. SECY. TO PM

Dy. No. 1605-17
Date..... 19/6/2002

25/06/02
21/6

21/6/02/9
20/6

[Handwritten signature]

REGISTERED POST WITH A/D.

SE-6

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Records/N.Delhi/99-2000/37(II)/120. Dated 14.06.02.



Justice Mukherjee Commission of
Inquiry for inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta— 700087

To
The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

NEW MARKET PD (700937)



FL00 A 3147

Counter No11, Of-Code:DN

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INDIA POSTAGE

Pr:Rs25.00

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17/06/2002 15:28:47

WT:119grams To : NEW DELHI, PIN:110008



unfile
By Speed post (139)

No. 915/11/C/2/2000-Pol.

PRIME MINISTER'S OFFICE

20th August, 2002
New Delhi-110011.

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Subject: Destroyed documents of file No. 23(156)/51/PM - clarification regarding.

Sir,

43/R

This has reference to JMCI's letter No. Records/N.Delhi/99-2000/37(II)/120 dated 14.6.2002 on the subject noted above. Comments on various points raised in Commission's aforesaid letter are given below:-

- (i) The listed documents had been destroyed probably during 1969 while recording of the said file was undertaken as per the procedure laid down in the Manual of Office Procedure.
- (ii) No specific order is necessary for recording of old files. This is periodically done by following the procedure laid down in the Manual of Office Procedure.
- (iii) We have no knowledge on this aspect.
- (iv) No copy of the destroyed papers have been kept.

It may be suggested that in order to acquaint with the procedure for recording of files in Govt. of India offices, the JMCI may consult the Manual of Office Procedure (a Govt. of India Publication).

Yours faithfully,

Ru

[Renuka Kumar]
Director

2

P-III

Issued
21/8

23/8

140

N.O.O.

PRIME MINISTER'S OFFICE

Copy alongwith copy of letter under reply forwarded to **Shri Tarakeswer Pal, Senior Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069** for information.

Am
23/8/02

**[Alok Mukhopadhyay]
Under Secretary (Pol)**

o/c

Destroyed documents of the No. 23/156/51 PM - clarification regarding

*o/c
PIU*

This has reference to JMC's letter No. Records/N.Delhi/99-2000/3710/120 dated 14.6.2002 on the subject noted above. Comments on various points raised in Commission's aforesaid letter are given below:-

*Issued
23/8*

(i) The total documents had been destroyed probably during 1999 while recording of the said file was undertaken as per the procedure laid down in the Manual of Office Procedure.

(ii) No specific order is necessary for recording of old files. This is periodically done by following the procedure laid down in the Manual of Office Procedure.

(iii) We have no knowledge on this aspect.

(iv) No copy of the destroyed papers have been kept.

It may be suggested that in order to conform with the procedure for recording of files in Govt. of India offices, the JMC may consult the Manual of Office Procedure (Govt. of India (Publication)).

Yours faithfully,

**Bramha Kumar
Director**

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

To, 19th August, 2002
New Delhi-110011.

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Subject: Destroyed documents of file No. 23(156)/51/PM - clarification regarding.

Sir,

This has reference to JMCI's letter No. Records/N.Delhi/99-2000/37(II)/120 dated 14.6.2002 on the subject noted above. Comments on various points raised in Commission's aforesaid letter are given below:-

- (i) The listed documents had been destroyed probably during 1969 while recording of the said file was undertaken as per the procedure laid down in the Manual of Office Procedure.
- (ii) No specific order is necessary for recording of old files. This is periodically done by following the procedure laid down in the Manual of Office Procedure.
- (iii) We have no knowledge on this aspect.
- (iv) No copy of the destroyed papers have been kept.

It may be suggested that in order to acquaint with the procedure for recording of files in Govt. of India offices, the JMCI may consult the Manual of Office Procedure (a Govt. of India Publication).

Yours faithfully,

[Renuka Kumar]
Director

By Regd. Post with A/D.

WJR

CONFIDENTIAL.

142

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2935
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(II)Kolkata, dated, 30th July' 2002.
/223.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to invite your notice to cor.pages 16 to 20 of the secret File No. 2/64/78-PM of the Prime Minister's Office which contain a copy of the d.o. letter dated February 3, 1978 of Late R.C.Mazumder (renowned historian) addressed to Late Morarji Desai, the then Prime Minister of India, and of the notes of Late Mazumder annexed to his aforesaid letter and to request you to kindly furnish the Commission as early as possible with the documents or authenticated xerox copies thereof relevant to the various contentions of the said letter and notes of Late Mazumder which appear to be relevant to the terms of reference of the Commission.

I am further directed to state that in reply to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002, addressed to the Secretary, Ministry of Home Affairs, Government of India, for the aforesaid purpose, the Ministry of Home Affairs has intimated the Commission by their letter No.12014/13/2000-IS (D.III) dated July 18, 2002 that no such record appears to be available in that Ministry and that as such the Hon'ble Commission may consult the Prime Minister's Office in the matter.

Yours faithfully,

(P.K. Sengupta)
Secretary

2
6/8
25/02

25/7/02 (R) 6/8
633/5/25/02
ADDL. SECY. TO PM
Dy. No. 826-S
Date 5.8.02

Wb/12

(143)
By speed post

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

To,

20th August, 2002
New Delhi-110011.

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Sir,

I am directed to refer to JMCI letter No. Records/N.Delhi/99-2000/37(III)/223 dated 30.7.2002 regarding the documents referred to in the letter dated 3.2.1978 written by late Shri R.C. Majumdar to the then PM and to state that none of the documents referred to in Shri Majumdar's aforesaid letter are available with this office.

Yours faithfully,
sd/-
[Renuka Kumar]
Director

N.O.O.

By speed post

Copy alongwith copy of letter under reply forwarded to Shri Tarakeswer Pal, Senior Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069 for information.

Amr
[Alok Mukhopadhyay]
Under Secretary (Pol) 2.

P-III

Issued
2/18

24/8

DRAFT

(144)

7/11/02
A.C. 25/8

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

16th August, 2002
New Delhi-110011.

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Sir,

I am directed to refer to JMCI letter No. Records/N.Delhi/99-2000/37(III)/223 dated 30.7.2002 regarding the documents referred to in the letter dated 3.2.1978 written by late Shri R.C. Majumdar to the then PM and to state that none of the documents referred to in Shri Majumdar's aforesaid letter are available with this office.

Yours faithfully,

[Renuka Kumar]
Director

2

N.O.O.

Copy alongwith copy of letter under reply forwarded to **Shri Tarakeswer Pal, Senior Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069** for information.

Smt - for issue
P-117

[Alok Mukhopadhyay]
Under Secretary (Pol)

2

42/R

(145)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

Phone:

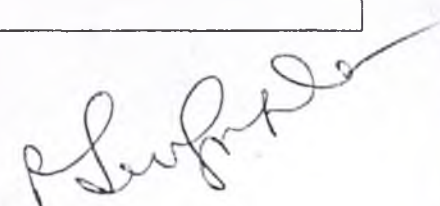
Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

No. JMCI/OVERSEAS WITNESSES/2000-01/70/ 276 Kolkata, dated, August 21, 2002

**Visit of Justice Mukherjee Commission of Inquiry
to Japan and Taipei (Taiwan)**

Revised Programme

12.09.2002	Thursday	Leaving Kolkata by AI353 at 22.15 Hrs. for Mumbai.
13.09.2002	Friday	Leaving Mumbai for Narita by AI306 at 14.45 Hrs.
14.09.2002	Saturday	To visit Renkoji Temple.
15.09.2002	Sunday	To visit other relevant places.
16.09.2002 & 17.09.2002	Monday to Tuesday	Sitting, examination of the witnesses, Dr. Yoshimi Taneyoshi, and other witnesses, if any. To meet the local persons at Renkoji Temple who are reportedly not willing to depose formally as witnesses but willing to meet the Commission.
18.09.2002	Wednesday	Leaving Japan (Narita Air Port) for Mumbai by AI307 at 12.00 Hrs.


(P. K. Sengupta)
Secretary

To
All the Deponents

for 26/8

Dus/RJ MK
27/8

By Regd. Post with A/D.

us/12

148

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 1st August '02.
/233.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
South Block
New Delhi-110001.

S i r,

I am directed to refer to Commission's letter
No. JMCI/Records/N.Delhi/99-2000/37(II)/120 dated
June 14, 2002 (copy enclosed), sent to you by
Registered Post and to request you again to kindly
send immediately the report called for in the said
letter of the Commission.

An early action at your end will be highly
appreciated.

2
6/8
JS/AM

Encl : As stated above.

Yours faithfully,

(P. K. Sengupta)
Secretary

be 6/8

626/5/2002

JS/AM
us/Pol. Me
6/8

ADDL. SECY. TO PM

Dy. No. 349-S

Date 5/8/02

(147-245-

By Registered post with A/D.

Records/N.Delhi/99-2000/37(II)
/120.

14th June' 2002.

From : Shri P. K. Sengupta,
Secretary.

A-3147
17/6/02

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to refer to page Nos.1 and 2 of the Secret File No. 23(156)/51/PM of the Prime Minister's Office on the subject, "Disposal of properties of Indian National Army in the far East", containing two lists of papers destroyed which were in the aforesaid file and to request you to send a report to the Commission immediately stating :

- (1) When and under what circumstances those papers, particularly, Sl. Nos. 1A,2A,3A,4A,6A,8A,16A, 17A,27A,33B and the notes mentioned at the bottom of page 1, were destroyed;
- (2) Whether there was any specific Order of any competent authority for destruction of those papers;
- (3) Whether any contemporary list of papers destroyed was made under the signature of any competent authority; and
- (4) Whether any copies of those papers destroyed have been preserved. If so, what are the contents of those destroyed papers.

Yours faithfully,

(P. K. Sengupta)
Secretary

4915

148

No. 915/11/C/2/2000-Pol
PRIME MINISTER'S OFFICE

New Delhi-110011

27th August, 2002

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Subject: Destroyed documents of file No. 23(156)/51/PM - clarification regarding.

Sir,

This has reference to JMCI's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/233 dated 01.8.2002 on the subject noted above.

This is to state that a reply has in this regard had already been sent to JMCI vide this office letter of even number dated 20.8.2002 (copy enclosed).

Yours faithfully,

Alok
[Alok Mukhopadhyay]
Under Secretary (Pol) *u.*

(w)
P-III

Issued
29/8

149

55/A

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 30th July' 2002.
/224(2).

From : Shri P.K. Sengupta,
Secretary

- To 1) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.
- 2) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to request you to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji Subhas Chandra Bose in Russia as mentioned in cor. page 112 (copy enclosed) of secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification which was actually made and the outcome thereof.

I am further directed to state that in reply to our reference to the Secretary, Ministry of Home Affairs, Government of India, for the aforesaid purpose, they have intimated the Commission by their letter No. 12014/13/2000-IS (D.III) dated July 18, 2002 that no record, as such, has become available in the Ministry of Home Affairs and have suggested that the information in this regard may be obtained from Ministry of External Affairs/Prime Minister's Office.

Encl : As stated above.

Yours faithfully,

(P.K. Sengupta)
Secretary

2
6/8
No action was taken. Who seen by JS to PM but

[Handwritten signature]

Pl. examine & put up 6/8

631/5/8802
ADDL. SECY. TO PM
Dy. No 387-S
Date 5/8/02

48/1/02
P-II
7/8

25/7

Dr. B. R. Ambedkar
6.2.40

Shrimati
Hon. Indira Gandhi
Prime Minister
Govt of India.
Delhi.

112

Is it this news?

11

I have the greatest pleasure
to read the news of the whereabouts
of Shri Netaji Subhash Chandra Bose in
"The Hindustan" published on the 2.6th Jan/40,
that he is imprisoned in Russia Room
No 45 of Yakuninsk jail.

If the news is true, what
kind of action by our Govt has been taken?
I am very eager to know ^{the} efforts made on his
part, hence I, as a citizen of my land, earnestly
and humbly request you to kindly intimate
whether the news is true.

I wish, God may provide him
long happy life.

Yours faithfully
B. R. Ambedkar

6.2.40

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(151)

518

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Tax : 0091-033-252-2765

NO. JMCI/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 30th July'2002.
/226(2).

From : Shri P.K. Sengupta,
Secretary

To 1) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

2) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to refer to cor.pages 177 and 177(a),
(copies enclosed), of the Prime Minister's Office secret
File No. 2(64)/56-68-PM which contain a copy of the letter
dated 15.10.1970 of Shri M.L. Sondhi, M.P.(Lok Sabha),
addressed to Shri V.V.Giri, the then President of India,
and to request you to report to the Commission immediately
the details of action taken on the said letter and the
outcome thereof since the said letter appears to contain
some important matters relevant for the purpose of inquiry
of the Commission.

I am further directed to state that the Ministry of
Home Affairs in reply to the reference made by the Commission
in the aforesaid matter to them as also to the Ministry of
External Affairs, Government of India, has stated in their
letter No.12014/13/2000-IS (D.III) dated July 18,2002 that
no such papers have become available in the Ministry of Home
Affairs and requested the Commission to get in touch with
the Ministry of External Affairs/Prime Minister's Office to
obtain information in this regard.

Enclosures: As stated above.

Yours faithfully,

P.K. Sengupta
(P.K. Sengupta)
Secretary

25/7

F/X ✓

L
6/8
23/11

[Signature]

Pl. examine & put up.

692/13/2000/Pol

Copy sent to MHA & MEA
vide our a/o dt 9-179/c

ADDL. SECY. TO PM
Dy. No. 338-S
Date 5/8/02

M.L. Sonshi
MEMBER OF PARLIAMENT
(LOK SABHA)



PRESIDENT'S SECRETARIAT
Dy. No. 5040-7020
Dated 17.10.70

152

C-1/6, Lodi Gardens,
New Delhi-3.

15th October, 1970.

Respected Rashtrapati ji,

Please permit me to draw your attention to a reference to Netaji's death which was published in the American version of Goebbel's Diary in its first edition. As you will notice in the enclosed copy of a page of this book, it has been mentioned in the explanatory note that Netaji was arrested and shot by the American troops. This American edition of Goebbel's Diary was withdrawn from circulation by the American Government, but we have been able to trace a copy of this book and I am drawing your attention to this particular matter because of the Netaji Inquiry Commission (1970) the Government have formed with Justice G.D. Khosla as its Chairman.

2. We are all very thankful to you for having agreed to make another effort to clear the mystery of Netaji's death, but in my view this mystery is surrounded with so much secrecy that unless this Committee of Enquiry has also some members from other countries, the Committee will not be able to achieve anything very substantial. In the first place, Government of India should request the State Department of the U.S. Government to release from its archives all the secret files in connection with Netaji's death and the same approach should also be made to the Japanese and other Governments.

3. May I, therefore, suggest that you should kindly review the composition of the Enquiry Committee and include in it some internationally well-known jurists and ensure that the injustice done by the Shah Nawaz Commission of 1956 is not repeated.

4. I have to draw your attention to a related matter which is the Verdict of the Tokyo Trial vis-a-vis Netaji. The consistent position taken by our informed citizens is that the Tokyo Trial was a grave injustice to the Japanese people and to Netaji. There is a popular demand among Indian intellectuals that the Government of India should take concrete steps to undo the Verdict of the Tokyo Trial. It is a matter of some comfort that the renowned Indian judge Radha Binod Pal in his dissenting judgement exposed by implication the malafides of the other Allied judges on the Tokyo tribunal.

G-1
16/10

M.L. Sondhi
MEMBER OF PARLIAMENT
(LOK SABHA)



C-I/6, Lodi Gardens,
New Delhi-2.

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177R
~~177R~~
153

15th October, 1970.

- 2 -

Reflecting the wishes of the overwhelming majority of millions of our countrymen who respect and admire the cooperation of Subhas Chandra Bose and the Japanese people, I propose to bring in the next session of Parliament a motion placing on record the heartfelt thanks of the Indian people to the Japanese people and calling upon the Government of India to take steps to get the Tokyo Verdict vacated by all diplomatic means at its disposal.

With respectful regards,

Yours sincerely,

M.L. Sondhi.

(M.L. SONDHI)

Shri V.V. Giri,
President of India,
New Delhi.

Encl: One

52/2

By Speed Post
(154)

No. 915/11/C/2/2000-Pol.

PRIME MINISTER'S OFFICE

27th August, 2002
New Delhi-110011.

To,

**Shri P.K. Sengupta
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.**

**Subject: Letters from JMCI seeking clarification on
correspondence about pertaining to PMO
file No. 2(64)/56-68 Vol. IV.**

Sir,

This has reference to JMCI's letters (i) No. JMCI/Records/N.Delhi/99-2000/37(iii)/226(2) dated 30th July 2002 and (ii) JMCI/Records/N.Delhi/99-2000/37(iii)/224(2) dated 30th July 2002 on the subject noted above.

So far as letter placed at Page-112 correspondence is concerned it is confirmed that no action was taken by this office on this letter.

So far as Shri M.L. Sondhi, M.P's letter placed at page 177 to 177 A is concerned, attention of the Commission may be drawn to this office u.o. note (placed at page-179) vide which the letter of Shri Sondhi had been forwarded to MHA and MEA for appropriate action. Hence, for further information in this regard MHA and MEA may be approached.

Yours faithfully,



**[Renuka Kumar]
Director**

P-111
Issued
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25/8

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**Ministry of External Affairs
CNV Division**

Subject: Justice Mukherjee Commission of Inquiry

Prime Minister's Office may please refer to letter No. JMCI/Records/N.Delhi/99-2000/37(III)/225 dated 30.7.02 (copy enclosed) from the Justice Mukherjee Commission. As is evident, the issue of radio broadcast made from Radio Moscow by a student in the name of Netaji Subhas Chandra Bose is not fully dealt with in the corr. Page 153 of file no. 2(64)/56-68-PM which has been sent to us by the Commission. It is, therefore, requested that copies of the subsequent pages. i.e., pages 154 onwards, of the said file pertaining to the issue of the radio broadcast may be sent to this Ministry for further necessary action at this end.

2. Further, with reference to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/194 dated 22.7.02 alongwith its enclosure(copies enclosed), it is requested that copies of (i) U.O. No. 800/6/C/1/90-Pol dated May 23, 1990, (ii) letter dated May 11, 1990 of Shri Amiya Nath Bose, (iii) the reply dated May 19, 1990 of Shri R.Sen, the then JS(PMO), and (iv) the letter dated May 4, 1990 addressed to Shri V.P.Singh, the then Prime Minister, jointly authored by S/Shri Ashoke Nath Bose, Amiya Nath Bose and Subrata Bose may be sent to this Ministry to facilitate this Ministry's reply to the Commission.

Vijay Gokhale
(Vijay Gokhale)
Joint Secretary (CNV)

Me
23/8/02

Smt. Renuka Kumar, Director, Prime Minister's Office

MEA U.O. No. 25/4/NGO – Vol.VIII dated 22.08.2002

Pot

Reference as above.
We may make available the copies of documents asked for to MEA as in the fair u.o note placed below, if approved.

Me
23/8/02

23/8/02

Me
23/8/02

Awk
22/8/02

605/Dir(R)/02
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157

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2707
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

6-8-02 Fax : 0091-033-252-2765

57

No. JMC/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 30th July' 2002.
/225.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

Sir,

I am directed to refer to cor.page 153 (copy enclosed) of the secret File No. 2(64)/56-68-PM of the Prime Minister's Office and to request you to send the full text of the Radio speech as referred to in the aforesaid cor.page, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter.

I am further directed to state that the Ministry of Home Affairs, Government of India, in reply to the reference made by the Commission in the aforesaid matter has stated by their letter No. 12014/13/2000-IS (D.III) dated July 18, 2002 that no such information is available in the Ministry of Home Affairs and has requested the Commission to write to the Ministry of External Affairs for the purpose.

Yours faithfully,

P. K. Sengupta

(P. K. Sengupta)
Secretary

Enclosure: As stated above.

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6/8/02

having accepted the findings of the Committee, have taken the position that unless fresh evidence or new facts were brought to light a further enquiry was not warranted. Rumours about Netaji's survival and whereabouts, etc., have cropped up repeatedly. Each of these, whenever brought to Government's notice, has been investigated and generally found to be baseless. In 1962, rumour was spread that a Sanyasi of Shaulmari Ashram was in fact Netaji. The Sanyasi, Swami Shradhanand himself denied the rumour. Another claim made by Dr. S.W. Sinha that Netaji was incarcerated in Cell No. 46 of Yakutusk prison in Siberia has not been corroborated by any tangible evidence. Lt. Gen. Fujiwara of Japan who came to India to present Netaji's sword, while urging for further investigation, did not produce any evidence to contradict the findings of the Shah Nawaz Khan Enquiry Committee. Recently a press report in a Bengali Daily, "Jugantar", based on information given by an ex-Indian army personnel, presently employed in West Bengal Police (as Inspector of Police, Security Control, Calcutta), that Netaji left Singapore by submarine towards the end of 1945 was investigated and found to be hearsay and vague information. The latest instance is of the news report claiming that Netaji Subhas Chandra Bose had spoken from Radio Moscow after the Tashkent Agreement. On checking up with Radio Moscow authorities, it was discovered that a student by

.../-

by registered
post with A/D.

8/8/02
7.8.02
118 159

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinscb@cal.3.vsnl.net

Fax : 0091-033-252-2765

(59) /194
No. JMCI/ Records/N.Delhi/99-2000/37(II) Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of External Affairs,
Government of India,
South Block
New Delhi-110001.

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US(N/S)

Now, action
on these letters intal.

Shri
7/8/02

Sh. Sen

Sir,

I am directed to refer to Commission's letter No. JMCI/Records/^{N. Delhi}2000-01/37(II)/532 dated January 28, 2002 (xerox copy enclosed) and to request you again to ^{kindly} let the Commission know immediately what was the outcome of the action taken on U.O. No.800/6/C/I/90-pol, dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, read with the enclosures thereto as mentioned in Commission's aforesaid letter dated January 28, 2002.

Yours faithfully,

P.K. Sengupta

(P.K. Sengupta)
Secretary

1 : As stated above.

Confidential.

R/554w
20/1/02

160

Records/2000-01/37(II)/532.

28th January'2002.

From : Shri P.K. Sengupta, WBHJS(Retd.),
Secretary

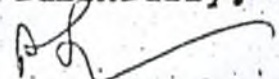
To : The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

Sir,

I am directed to refer to U.O.No.800/6/C/I/90-pol dated May 23, 1990 of the Prime Minister's office, endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Sri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R.Sen, Joint Secretary of the Prime Minister's office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashoke Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs. Xerox copies of the said letters and the note are available in the file No. 800/6/C/I/90-pol of the Prime Minister's office.

I am also directed to request you to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on those letters.

Yours faithfully,



(P.K. Sengupta)
Secretary

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

गुप्त
SECRET

161

54/2

नई दिल्ली-110 011
New Delhi-110 011

Subject: Justice Mukherjee Commission of Inquiry.

Reference is invited to MEA u.o. Note No. 25/4/NGO-Vol.VIII dated 22.8.2002 on the subject mentioned above.

Enclosed please find requisite document sought in the para 1 & 2 of aforementioned note for further necessary action.

Me

[Renuka Kumar]
Director

O/c

MEA [Shri Vijay Gokhale - Joint Secretary (CNV)]

PMO ID No. 915/11/C/2/2000-Pol. Vol. IV dated: 28.8.2002

(me)
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Raj
29/8/02

(162)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on Special Duty - 252-2765
Office - 252-2766/68
e-mail: jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

(55)R

No. JMCI/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 30th July' 2002.
/228.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

Flx 1

I am directed to refer to cor. pages 116 to 122 of the Prime Minister's Office secret File No. 2(64)/56-70-PM. Vol.V which contain a copy of d.o. letter dated December 21, 1973 of Shri Samar Guha, addressed to the then Prime Minister of India and to request you to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his aforesaid d.o. letter other than those points therein, specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 (vide cor. page 164 of the said file).³⁰⁷

6/8
25/07

I am further directed to state that the Ministry of Home Affairs in reply to the reference made by the Commission in the aforesaid matter has stated by their letter No. 12014/13/2000-IS (D.III) dated July 18, 2002 that no such communication dated December 21, 1973 has become available in the Ministry of Home Affairs and they requested the Commission to get in touch with the Prime Minister's Office in this regard.

P-117

Yours faithfully,

(P. K. Sengupta)
Secretary

628/S/PSA/2002

ADDL. SECY. TO PM
Dy. No 390-S
Date 5/8/02

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6/8

P-

153

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

56/R

No. JMCI/Records/N.Delhi/99-2000/37(III) Kolkata, dated, 1st August'2002.
/236(3).

From : Shri P.K. Sengupta,
Secretary

- To :
- 1) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.
 - 2) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
 - 3) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

(Handwritten signature)

S i r,

dupl R / us/pe 6/8
My

I am directed to send herewith xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India, and the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha, M.P. which appear at cor. pages 126 to 128 of the Prime Minister Office's Secret File No. 2(64)-56-70-PM Vol.V and to request you to kindly send immediately authenticated true copies of all the documents, copies of which were lying in P.M.O. File No. 12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974.

Yours faithfully,

(Handwritten signature)
(P. K. Sengupta)
Secretary

Encls. : As stated above.

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Pl. find out
P-III *Am*
7/8

627/5/8/2002

ADDL. SECY. TO PM

Dy. No. 342-S

Date. 5/8/2002

Prof. SAMAR GUHA
MEMBER OF PARLIAMENT
(LOK SABHA)

Sno. S.No 82


27, South Avenue,
NEW DELHI-11.

~~164~~

3rd January, 1974.

164

S.N.79

Dear Prime Minister,

In continuation of my letter dated 21st December, 73, I have to inform you further that the 'Prime Minister Secretariat files' which have been sent to Netaji Inquiry Commission show that a very vital document, No.12(226)/56-PM regarding 'Investigation into circumstances leading to the death of Subhash Chandra Bose' has been destroyed.

I am enclosing herewith a copy of the notings over the files.

I don't know whether such a vital file has been destroyed or withheld. I would request you to investigate into the matter and find out whether the files mentioned in my earlier letter to you as also about one in it, have really been destroyed and if so, the reasons thereof. I hope you will consider it essential that these vital files should be forwarded to the Netaji Inquiry Commission, for arriving at a correct conclusion about the matter relating to disappearance of Netaji Subhash Chandra Bose.

I am expecting replies to my letters addressed to you in connection with Government files supplied to the Netaji Commission.

With kind regards,

Yours sincerely,

Samar Guha
(SAMAR GUHA)

Smt. Indira Gandhi,
Prime Minister of India,
NEW DELHI.

p-24 (N)
S.no 84 & 85

X S.No 75

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4.1.74
PM
4.1.74

(Handwritten mark)

130 PM/74
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(165) (127)

Prime Minister's Secretariat Files

1. 23(156)/51-PM - Indian National Army (INA) in the Far East.
2. 23(11)56-57-PM - I.N.A. Treasure.
3. 12(226)/56-PM - Investigation into the circumstances leading to the death of Subhash Chandra Bose.
(written in pencil - since destroyed)
4. 2(67)/56-PM - Widow and daughter of Shri Subhash Chandra Bose - Misc. Correspondence with and about.
5. 2(381) 60-62-PM - Proposal to bring Shri Subhash Chandra Bose's Ashes from Tokyo and to put up memorial to him in front of Red Fort in Delhi.

S-1054
S-No 83

128
166

No. 11-PMO/74.

New Delhi,
January 9, 1974.

S-1054

Dear Shri Guha,

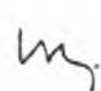
I have your letter of the 3rd January regarding the files supplied to the Netaji Inquiry Commission.

A misunderstanding seems to have arisen about the file that has been destroyed because of the subject heading given to it. I can assure you that this file contained only copies of certain documents which are still available in other files. This file was destroyed only because it contained copies.

I received your letter of the 21st December also. But since it mainly concerned the Ministry of Home Affairs, I passed it on to my colleague, the Home Minister, with a request to send you a reply.

Yours sincerely,

Lead
L
#1-74


2 (Indira Gandhi)

95(11)

Shri Samar Guha, M.P.,
27, South Avenue,
New Delhi-110011.

(5)

111

SA/I

(167)

By Speed Post

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

3rd September, 2002
5th New Delhi-110011.

To,

**Shri P.K. Sengupta
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.**

**Subject: Clarification/additional information sought
in respect of certain correspondence
placed in this office file No. (2(64)/56-70
Vol.V).**

Sir,

This has reference to JMCI's letter No. (i) JMCI/Records/N.Delhi/99-2000/37(III)/228 dated 30.7.2002 and (ii) JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated 1.8.2002 on the subject noted above.

With regard to letter at (i) above, it may be informed that Prof. Samar Guha's letter dated 21.12.1973 (placed at page-116 to 122 correspondence) had been forwarded to Ministry of Home Affairs with the request to look into other points made by Prof. Guha and send him a suitable reply vide this office u.o. note No. PMS-307 dated 5.1.1974 (placed at page 124 correspondence). In this connection attention is invited to the then Home Minister's

53/R
56/R

55(R)

letter to Prof. Guha placed at page-143 correspondence of this file.

With regard to Commission's request for making available the documents referred to in Prof. Samar Guha's letter and former PM's reply thereto, Commission's attention may be drawn to the internal note recorded by Shri B.N. Tandon, Joint Secretary to PM at page 24/N of the above referred file.

Perusal of the note would clarify the position. Moreover, it may also be added that out of 5 files mentioned in the list (page 127/C), photocopy of three files have already been made available to the Commission and of the remaining two files one has been destroyed (No. 12(226)/56-PM) and the other file (No. 2(381)/60-62) is not traceable in our record. In the Affidavit filed by this office this aspect has been mentioned.

Yours faithfully,

sd/-

[Renuka Kumar]
Director

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P-III

b-26-27/n

Handwritten signature and date: 19/5/59

(169)
DRAFT

No. 915/11/C/2/2000-Pol.
PRIME MINISTER'S OFFICE

2nd September, 2002
New Delhi-110011.

To,

Shri P.K. Sengupta
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Subject: Clarification/additional information sought in respect of certain correspondence placed in this office file No. (2(64)/56-70 Vol.V).

Sir,

This has reference to JMCI's letter No. (i) JMCI/Records/N.Delhi/99-2000/37(iii)/228 dated 30.7.2002 and (ii) JMCI/Records/N.Delhi/99-2000/37(iii)/236(3) dated 1.8.2002 on the subject noted above.

With regard to letter at (i) above, it may be informed that Prof. Samar Guha's letter dated 21.12.1973 (placed at page-116 to 122 correspondence) had been forwarded to Ministry of Home Affairs with the request to look into other points made by Prof. Guha and send him a suitable reply vide this office u.o. note No. PMS-307 dated 5.1.1974 (placed at page 124 correspondence). In this connection attention is invited to the then Home Minister's

letter to Prof. Guha placed at page-143 correspondence of this file.

With regard to Commission's request for making available the documents referred to in Prof. Samar Guha's letter and former PM's reply thereto, Commission attention may be drawn to the internal note recorded by Shri B.N. Tandon, Joint Secretary to PM at page 24/N of the above referred file.

Perusal of the note would clarify the position, ~~to a~~ ~~great extent~~. Moreover, it may also be added that out of 5 files mentioned in the list (page 127/C), photocopy of three files have already been made available to the Commission and of the remaining two files one has been destroyed (No. 12(226)/56-PM) and the other file (No. 2(381)/60-62) is not traceable in our record. In the Affidavit filed by this office this aspect has been mentioned.

Yours faithfully,

[Renuka Kumar]
Director

By Regd. Post with A/D.

CONFIDENTIAL.

(17)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(III)Kolkata, dated, 30th July'2002.
/227.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to refer to cor.pages 64 and 144 of the Prime Minister Office's secret file No.2(64)/56-70-PM Vol.V and to request you again to send to the Commission immediately true copies of Vols. I & II of Prime Minister Office's File Nos. F-2(64)/56-66-PM and 2(67)/56-62-PM as referred to in the aforesaid cor.pages .

I am further directed to state that the Ministry of Home Affairs in reply to the reference made by the Commission in the aforesaid matter has stated by their letter No. 12014/13/2000-IS (D.III) dated July 18, 2002 that no such files have been located in the Home Ministry and requested the Commission to consult the Prime Minister's Office in the matter.

Yours faithfully,

(P. K. Sengupta)
Secretary

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ADDL. SECY. TO PM

Dy. No..... 339-S.....

Date..... 5/8/02.....

By Regd. Post with A/D.

59/R

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records ND/99-2000/37(III)/275.Kolkata, dated, 21st August'2002.

From : Shri P.K. Sengupta,
Secretary

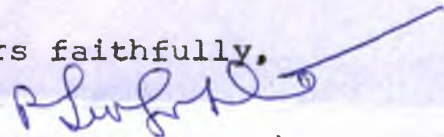
To : The Director,
Prime Minister's Office,
New Delhi-110001.

S i r, .

In inviting a reference to your letter No. 915/11/C/2/2000-Pol. dated 14/16th August, 2002, I am directed to request you to kindly furnish the Commission immediately with authenticated xerox copies of the Rules and Regulations for destruction of files/records which were in force at the time of destruction of the papers and notes as mentioned in pages 1 and 2 of the PMO's Secret File No.23(156)/51-P.M, since the Department of Administrative Reforms and Public Grievances, Government of India had been created many years after the said destruction took place.

I am to further request you to kindly send a xerox copy of the Manual of office procedure referred to in your above quoted letter.

Yours faithfully,


(P. K. Sengupta)
Secretary

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By Regd. Post with A/D.

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Records ND/99-2000/37(III)/275.

Dated 21.08.02.



*12-4570
22/8/02*

Justices Mukherjee Commission
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta— 700087

S. P. G. TECHNICAL
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To
The Director,
Prime Minister's Office,
New Delhi-110001.

65/K

173

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

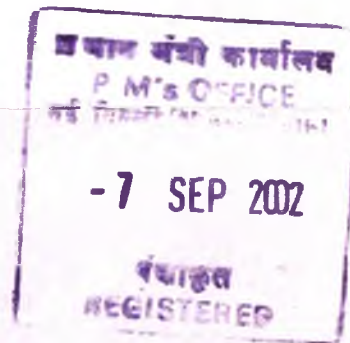
Phone:
Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Meeting-Proceeding(Follow-Up)/Kolkata, dated, 3rd September '02.
99-2000/48(IV)/300.

From : Shri P.K. Sengupta,
Secretary

To : Shri Kamal Pandey,
Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi-110001.



Sir,

I am directed to refer to this office registered letter No. JMCI/Meeting-Proceedings (Follow-Up)/99-2000/48(IV)/217 dated 26.7.2002 and to say that the period of four weeks stipulated in the aforesaid letter has already elapsed, but till now no counter-affidavit or affidavit-in-opposition has been received by the Commission either from the Ministry of Home Affairs or from any of the Ministries/Departments/Offices concerned of the Government of India, to each of whom the said letter dated 26.7.2002 was endorsed and sent by Register Post on 30.7.2002.

I am, therefore, directed to state that because of the said default of the said Ministries/Departments/Offices of the Government of India in the matter of filing counter-affidavit or affidavit -in - opposition, the Commission presumes that they do not want to file any counter-affidavit or affidavit-in-opposition as they have nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions in the affidavits.

Yours faithfully,

(P. K. Sengupta)
Secretary

No. JMCI/Meeting-Proceedings(Follow-Up)/99-2000/48(IV)/300(5)
Dated 3-09-02.

Copy forwarded for information & favour of taking necessary action to :

1. The Secretary, M.E.A, New Delhi.
2. The Secretary, P.M's Office, New Delhi.
3. The Secretary, Cabinet Secretariat, Govt. of India, New Delhi.
4. The Secretary, Ministry of Defence, Govt. of India, New Delhi.
5. The Director, Intelligence Bureau, Govt. of India, New Delhi.

(P.K. Sengupta)
Secretary

POK
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REGISTERED WITH A/D
भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Meeting-Proceedings(Follow-Up)/
99-2000/48(IV)/300(5). Dt. 3.09.02.



To
The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

Handwritten signature

Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta - 700087

CHECKED

Handwritten signature

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(173)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/69

e-mail: jmcinsecb@cal.3.vsnl.net.in

Doc No: 14091-033-252-2765

REGISTERED WITH A/D.

No. JMCU Meeting-Proceedings(Follow Up)Kolkata, dated, 01. 08. 2002.
99-2000/48(IV)/237(7).

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To :
- 1) The Secretary,
Ministry of Home Affairs, Govt. of India,
North Block, New Delhi-110001.
 - 2) The Secretary,
Ministry of External Affairs, Govt. of India,
South Block, New Delhi-110001.
 - 3) The Secretary,
Prime Minister's Office, Govt. of India,
South Block, New Delhi-110001.
 - 4) The Secretary,
Cabinet Secretariat, Govt. of India,
Bikaner House (Annexe), Sahajahan Road,
New Delhi-110011.
 - 5) The Secretary,
Ministry of Defence, Govt. of India,
South Block, New Delhi-110001.
 - 6) Director General, National Archives of India,
Janpath, New Delhi-110001.
 - 7) Director, Intelligence Bureau,
Govt. of India, New Delhi-110001.

S i r,

I am directed to send herewith xerox copies of the proceedings dated March 21 and 22, 2002, June 10, 2002, and July 16, 2002 and of the Commission's Status Reports as on 19.03.2002 and 06.06.2002 for your kind information and favour of taking necessary action.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encls : As stated above.

62575/25A02
ADDL. SECY. TO PM
Dy. No. 344-S
Date 5.8.02

Proceedings dated 21st March 2002 (Fourteenth-DI)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

21.03.2002

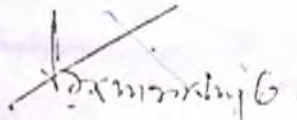
Of the six witnesses summoned to-day Shri Subrata Bose, Smt. Chitra Ghosh, Shri Supriyo Bose, Smt. Bithi Chatterjee and Shri Satyabrata Tapadar are present. Prayer for time by another witness summoned, Dr. Susanta Kr. Mitra, was allowed vide order dated 08.03.2002.

Smt. Bithi Chatterjee, Shri Subrata Bose, Smt. Chitra Ghosh and Shri Satyabrata Tapadar have been examined as CW.71, CW.72, CW.73 and CW.74 respectively. Shri Subrata Bose in his examination has testified that the statements made in the affidavit filed by him jointly with Smt. Chitra Ghosh and Shri Supriyo Bose before the Commission are correct. The affidavit is marked Exhibit 94. The signatures of Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) on the affidavit have been marked Exhibits 94/1 and 94/2 respectively. A letter dated 01.12.95 written by Smt. Chitra Ghosh (CW.73) to the then Prime Minister has been marked Exhibit 95 (Xerox copy retained).

Shri Supriyo Bose who filed the affidavit along with Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) has not been examined as his evidence would be repetitive

Shri Satya Brata Tapadar (CW.74) has asserted that his statement made in his affidavit filed on 28th January, 2000 and Supplementary affidavits filed on 11th April, 2000, 19th January, 2001 and 18th January, 2002 are correct. The said affidavit and the supplementary affidavits have been marked Exhibits 96, 97, 98 and 99 respectively. His signatures on the affidavit and on the respective supplementary affidavits have been marked Exhibits 96/1, 97/1, 98/1 and 99/1. The booklet titled as "What happened to Netaji after 18th August, 1945" authored and published by him is marked Exhibit 100.

Status report as on 19.03.2002 (forenoon) prepared by the Commission has been circulated to all the parties present. Proceeding is adjourned till 11 AM to-morrow for hearing on Status Report.


(M. K. Mukherjee)
Chairman

Proceedings dated 22nd March 2002 (Fourteenth-D2)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

22.03.2002

At the outset, Commission wanted to know from Mr. Tarakeswar Pal, Ld. Senior Counsel of the Govt. of India, about the result of inquiry for finding out further relevant records, as two months' time prayed for by Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Govt. of India on December 22nd, 2001 and allowed by the Commission, had already elapsed. Shri Pal informed the Commission that two Committees, one for searching the documents within the Ministry and the other for the other departments and the Ministries, had been formed, but the reports of the Committees had not yet reached the Ministry of Home Affairs. So there was the delay in intimating the Commission about the result of further inquiry. Commission expressed its displeasure for dealing with the matter in lackadaisical manner. Commission would pass necessary order, if need be, at the appropriate time.

The deponent Shri Nanda Lal Chakraborty, referring to page 1, paragraph 3, page 3, paragraphs 7(a)(i), 7(a)(ii), 7(a)(iv) of the Status Report, wanted to know about the compliance by the respective Ministry, Govt. of India and requested the Commission to take up the follow-up action where order of the Commission had not been complied with by the respective Ministries.

As regards paragraph 7(a)(i) of the Status Report, the Ministry of External Affairs filed an affidavit in compliance with the order of the Commission on their prayer at the last sitting in Delhi. They stated that they had no further documents. As regards paragraph 7(a)(ii) of the Status Report, in the paper received by the Commission nothing relevant to the terms of reference of the Commission was found.

Follow-up action, wherever necessary, would be taken up.

The deponent, Shri Nanda Lal Chakraborty and Shri Subrata Bose suggested that Commission should also visit Vietnam and Taiwan while visiting Japan, as Mrs. Prova Jagannathan did not appear before the Commission though she was summoned more than once.

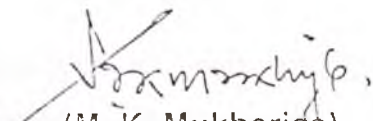
(177)

Shri Subrata Bose further suggested that notice regarding foreign visits by the Commission should be sent to the deponents sufficient ahead so that deponents could arrange for Visas, Passports, etc. to take part in the hearing of the Commission in Japan and other places abroad.

The suggestion would be considered at the appropriate time.

The deponent, Dr. Sushanta Kumar Mitra, pointed out a mistake in the last line but one of paragraph 13(b) at page 9 of the Status Report wherein "October 28, 1978" had been typed instead of "August 28, 1978."

The mistake was rectified accordingly.


(M. K. Mukherjee)

Chairman

Proceedings dated 10th June, 2002 (Fifteenth)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

10.06.2002

Articles and documents recovered from the dwelling place of one 'Gumnami Baba' in Faizabad and since brought to the Commission's office in Kolkata.

The parties and/or their authorised representatives present today, have been heard on the relevance of the above items to the terms of reference of the Commission. It has been suggested by the parties that the written comments found in the different books, in the margin of newspaper-clippings and on other documents should be examined by a team of, at least, three Handwriting Experts with the specimen handwritings of Netaji Subhas Chandra Bose. Shri Nanda Lal Chakraborty (JMCI/11/2000) has further suggested that the opinion expressed by some Handwriting Experts in this regard, as published in the 'Hindustan Times', be verified by the Commission.

It has also been suggested by them that the recovered articles like teeth and pipes be subjected to DNA tests.

Appropriate steps for examination of the handwritings found on the different books, in the margin of the newspaper-clippings and on other documents would be taken after their proper scrutiny. Steps for examination of the aforesaid articles by DNA Experts would also be taken.

Witnesses

Shri Kartick Chakraborty, office Secretary of Netaji Research Bureau at Netaji Bhavan who has been authorised by Smt. Krishna Bose, Chairperson of the Bureau to appear before the Commission and produce specimens of

(179)

the documents containing handwritings and signatures of Netaji Subhas Chandra Bose in Bengali, English and Hindi, has produced photostat copies of specimen of the documents in Bengali and English and photostat copies of the signatures in Bengali, English and Hindi in compliance with the summons JMCI/Meeting-Hearing/99-2000/57(II)/86(2) dated May 20, 2002. He has been examined on oath as C.W.75. The letter of authority has been marked Exhibit 101. Photostat copies of the documents and specimen signatures have been marked Exhibit 102 collectively.

Status Report

The parties and / or their lawyers present have been heard about the Status Report as on 06.06.2002, prepared by the Commission and circulated to all the parties present, with particular reference to the availability of the documents from the different ministries, probable date of visit to Japan, Taiwan, Vietnam, Singapore and the classified records lying in UK.

Further follow up action on these issues would be taken up in due course.


(M. K. Mukherjee)

Chairman

180

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 16th July, 2002 (Sixteenth)
Held in the Conference Hall of the Circuit House at Jalpaiguri

16.07.2002

Of the six witnesses summoned to-day Shri Sudhangshu Kumar Poddar, Shri Sudhir Kumar Poddar, Shri Lalit Mohan Chowdhury, Shri Bikash Chandra Guha and Shri Sujit Biswas are present.

Shri Sudhangshu Kumar Poddar, Shri Sudhir Kumar Poddar and Shri Lalit Mohan Chowdhury have been examined as CW 76, CW 77 and CW 78 respectively.

Shri Bikash Chandra Guha has been examined as CW 79. Shri Guha in his examination has identified the affidavit filed by him before the Commission and his signature thereon. The affidavit and his signature on the affidavit have been marked Exhibits 103 and 103/1 respectively. Some handwriting alleged to be of Swami Saradanandaji on the letter-head of Shoulmari Ashram has been marked Exhibit 104. One photograph alleged to be of Shrimat Saradanandaji has been marked Material Exhibit VI.

Shri Sujit Biswas has been examined as CW 80. One Inland letter written by him to the Commission has been marked Exhibit 105. An article written by him in Bengali Periodical 'Achalpatra' has been marked Exhibit 106.

During discussion with the local people of Shoulmari at the time of visit of the Commission to Shoulmari Ashram in the district of Cooch Behar on 15.07.2002 it was felt that Shri Rajat Kanti Bhadra and Shri Dinabandhu Dutta who were and still are connected with the Ashram should be examined as witnesses. They were therefore asked to appear before the Commission today. They are present.

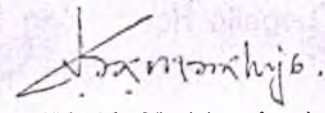
(181)

Shri Rajat Kanti Bhadra has been examined as CW 81. Thirteen printed leaflets filed by him are collectively marked Exhibit 107. A booklet captioned as "Atma Bikasher Pratham Sopan" compiled by Dr. Ramani Ranjan Das, the then Secretary of the Ashram, filed by CW 81 has been marked Exhibit 108.

Shri Dinabandhu Dutta has been examined as CW 82.

One application has been filed on behalf of the other witness Shri Nikhil Chandra Ghatak praying for recording his evidence to-morrow on Commission at his residence on the ground of his illness. The prayer has been considered and allowed.

Shri P. K. Sengupta, Secretary of the Commission, is hereby appointed Commissioner for recording the evidence of Shri Ghatak to-morrow in his residence at Raikatpara, P.O. & Dist : Jalpaiguri.


(M. K. Mukherjee)
Chairman

Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No.K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No.915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde

(183)
addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited. *Action MHA*

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission. *Action MD*

5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited. *Action MHA*

6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II)/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the

letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited. *Action: Proo Reply already sent. To be checked up*

7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission. MEA

(a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."

(a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.

(a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of

reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process. MEA

7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited. MHA

8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnami Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.

9. The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37 (Vol. II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No. 23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.

Action
P.M.O.

10. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37 (Vol. II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.

(187)

11.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

Action! MHA.

(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated

contd...P.7.

in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/1/90-Pol. of the Prime Minister's Office.

(c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

(d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

Action; MEA

12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on

the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).

Reply sent

3) The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

No Action

The Director (LARRTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated ~~August~~^{August} 28, 1978 and of other papers, if any, connected therewith.

14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.

MHA

15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant

files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated ^{MHA} December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (C.N.V.), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of ^{the} witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 18, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- (a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

- (b) Who are the present custodians of those records examined; and
- (c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/lists.

(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, Newyork, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in Newyork as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation ^{that} Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

MEA

18. As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of

them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India. MHA

19. By Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No. I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/-67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India. MHA

- 20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor. page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

(b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor. page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.

(c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

MHA/MEA

21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 22, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.

MEA

(b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to

done

in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

(c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

MIHA .

(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

Reply already sent
on this point.

(e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V and also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

Reply already
sent.

22. The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.

Status Report as on 06.06.2002 showing action taken on / compliance with orders / directions including those contained in the proceedings dated March 22, 2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001 and 20.12.2001 of the Commission.

1. Copies of the Status Report as on 19.03.2002 (Forenoon) and copies of the proceedings dated 21.03.2002 and 22.03.2002 of the Commission have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's letter Nos. JMCI/Meeting-Proceedings (Follow Up)/48/46 to 52, all dated 29.04.2002, for necessary action at their end.

2. The Commission has been persistently asking the Ministry of Defence for their further affidavit on existence/non-existence/availability/non-availability, etc., of the complete records of the proceedings of the trial of the I.N.A. personnel.

3. The Ministry of Home Affairs, the Ministry of External Affairs, the Prime Minister's Office, the Ministry of Defence, and the National Archives of India are being pursued for submission of their affidavits/supplementary affidavits regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents and furnishing the original or authenticated copies of the documents referred to by the said deponents. The affidavit and the enclosures thereto received from the Intelligence Bureau are under scrutiny.

4. Xerox copies / authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.

5. Re : Classified Documents in the U.K.

A reply has since been received from the Lord Peter Archer by his d.o. letter dated May 3, 2002 wherein he has stated inter alia : "I fear that my powers of persuasion have not secured their release..... If you and the Government of India consider it essential to take this forward, I can only suggest that there may be greater success if diplomatic representations were made between Governments." The Ministry of External Affairs is being persuaded again to take up the matter with the Government of the U.K.

- 198
6. The Hon'ble Chairman has decided to express his views at the appropriate stage on the report given by the Ministry of External Affairs about non-availability of "further contemporary official documentary records" as referred to by the then Prime Minister in his statement made in the Lok Sabha on 28.08.1978.
 7. Further response from the Ministry of External Affairs regarding finalisation of the visit of the Commission to Japan and Taiwan is still awaited.
 8. Some documents collected by the National Archives of India from the U.K. as per requisition of the Commission have recently been received by the Commission which are being scrutinized.
 9. The Commission has received from the Ministry of External Affairs some papers which indicate that the name of Netaji Subhas Chandra Bose does not appear in the list of 'War Criminals'. Those papers are being scrutinized.
 10. The reply of the Prime Minister's Office in respect of the anomalies noticed by the Commission in the photo-copy of Prime Minister Office's file No.915/11/C/6/96-Pol. is under scrutiny.
 11. The documents and articles allegedly belonging to 'Gumnami Baba' have since been brought from Faizabad Treasury. While some of them have already been scrutinized, the others are in the process to ascertain their relevancy, if any.
 12. The authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents of the Government of India as called for are yet to be received from the Prime Minister's Office.
 13. The documents received from different Archives in the Russian Federation through the Ministry of External Affairs, Government of India, along with their English translation are being scrutinized by the Commission on getting verification of the correctness of the said English translation from Dr. (Mrs.) Purabi Roy.

199

VICE-PRESIDENT'S SECRETARIAT
6, MAUALANA AZAD ROAD,
NEW DELHI-110011

612

WITH THE COMPLIMENTS
OF THE SECRETARY TO
VICE-PRESIDENT

NO.VPS/22/32/2002/RAJ/VPT-01

TOUR PROGRAMME OF SHRI BHAIRON SINGH SHEKHAWAT,
VICE PRESIDENT OF INDIA TO RAJASTHAN FROM 8TH TO
13TH SEPTEMBER, 2002.

SUNDAY, THE 8TH SEPTEMBER, 2002

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1410 HRS. DEP: DELHI AIRPORT (TA) BY IAF SPL. AIRCRAFT
B-737

1500 HRS. ARR: JAIPUR AIRPORT

NIGHT HALT AT JAIPUR

MONDAY, THE 9TH SEPTEMBER, 2002

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1600 HRS. DEP: JAIPUR BY IAF SPL. AIRCRAFT B-737

1650 HRS. ARR: UDAIPUR AIRPORT

NIGHT HALT AT UDAIPUR

TUESDAY, THE 10TH SEPTEMBER, 2002

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NIGHT HALT AT PALI

WEDNESDAY, THE 11TH SEPTEMBER, 2002

=====

1600 HRS. DEP: JODHPUR BY IAF SPL. AIRCRAFT B-737

1640 HRS. ARR: BARMER, UTTAR LAI AIRPORT (AIRFOCE BASE)

1830 HRS. DEP: BARMER, UTTAR LAI AIRPORT (AIRFOCE BASE)
BY IAF SPL. AIRCRAFT B-737

1910 HRS. ARR: JAISLMER AIRPORT

NIGHT HALT AT JAISALMER

THURSDAY, THE 12TH SEPTEMBER, 2002

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0900 HRS. DEP: JAISALMER BY IAF SPL. AIRCRAFT B-737

1000 HRS. ARR: SURATGARH AIRPORT

NIGHT HALT AT GANGANAGAR

FRIDAY, THE 13TH SEPTEMBER, 2002

=====

1105 HRS. DEP: SURATGARH AIRPORT BY IAF SPL. AIRCRAFT
B-737

1205 HRS. ARR: DELHI AIRPORT (TA)

Handwritten notes on the left margin: "7/9", "10-9", "D", "D", "11/9", "P-111", and a signature.

Handwritten signature of Ashok Dewan.

भारत सरकार सेवार्थ
ON INDIA GOVERNMENT SERVICE

THE SECRETARY TO THE
PRIME MINISTER OF INDIA,
SOUTH BLOCK,
NEW DELHI

भारत के उप-राष्ट्रपति सचिवालय
भारत सरकार
नई दिल्ली-110011
Vice-President's Secretariat
Government of India
NEW DELHI-110011



(62/R)

(200)

Embassy of India
Tokyo

Suggested Programme for the Visit of Hon'ble Justice Mukherjee
Commission to Japan

Saturday, 14th September, 2001:

0800 hrs: Arrival Narita airport by Air India flight No AI-306

Departure for Hotel New Otani (Phone 3265-1111, Fax: 3221-2619)

Programme as convenient (May visit Hibiya Park, Imperial Hotel, Kamakura and Zushi)

Kamakura: Kamakura was the ancient Capital of Japan and a place of historical and cultural significance.

Zushi: The Nippon Vedanta Society (Japan chapter of Ramakrishna Mission) is located in Zushi.

Sunday, 15th September, 2001:

1000 hrs: Visit Justice Pal (Shimonaka) Museum in Hakone (It is one and half hours drive from the Hotel, depending on the traffic condition)

Monday, 16th September, 2002:

Uttarakhand
New Delhi

1000 hrs: Departure for Renkoji Temple

1030 hrs: Reach Renkoji Temple

1100 hrs: Informal interaction with Netaji's associates

1300 hrs: Departure for Chancery

1330 hrs: Lunch hosted by Shri Biren Nanda, Deputy Chief of Mission

1545 hrs: Departure for Haneda airport - 2 -

(20)

1735 hrs: Departure for Miyazaki by ANA-613

1910 hrs: Arrival at Miyazaki

Stay at Miyazaki.

Tuesday, 17th September, 2002:

0900 hrs: Deposition of Dr. Yoshimi Taneyoshi

1300 hrs: Departure for Miyazaki airport.

1500 hrs: Departure for Tokyo by SNA-118

1630 hrs: Arrival at Haneda airport

1800 hrs: Dinner hosted by Shri. Taninoy Banerjee, Prominent Indian

DBZ(R)
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12/9 P-III
10/9

Wednesday, 18th September, 2002:

0900 hrs: Departure Hotel for Narita airport

1200 hrs: Departure Narita for India by Air India Flight No. AI-307

Under Certificate of Posting

Justice Mukherjee Commission of Inquiry
For Inquiry Into The Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE
'B' Block (Third Floor)
11/1 Mirza Ghalib Street, Kolkata 700 087

No. JMCI/Witnesses/2000-01/70/301(68)

Dated: September 3, 2002

Copy forwarded to Shri **Jarnail Singh**
New Delhi.

for
information. This is in continuation of the programme
sent earlier under this Office No. JMCI/Overseas Witnesses/
2000-01/70/276 dated, August 21, 2002.

[Signature]
03.9.2002
(M. Roy)
Officer on Special Duty

** N.B.

May be at 0800 hours instead of 0900 hours.

63/R

FRI (202)

**BY REGISTERED POST
WITH A/D.**

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Records/N.Delhi/99-2000/37(III)/314.

Kolkata, dated, **06.09.2002.**

**From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty**

**To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.**

37/I
1-2

S i r,

I am directed to refer to P.M.O.'s No. 915/11/C/2/2000-Pol. dated 11.07.2002 providing reply inter alia to this office letter No. JMCI/Records/N.Delhi/99-2000/37(II)/131 dated 21.06.2002 and to request you to kindly send to the Commission authenticated true copies of the files and of the contents of the folder as referred to in the Commission's said letter dated 21.06.2002, as expeditiously as possible.

Yours faithfully,

(Signature)
**(M. Roy)
Officer on Special Duty**

37/I
6-20-21/W

Refer our note to MEA at S-110040(I)

17/9
25/9-05.
75(13)

18/9

25/R) M
18/9

ADDL. SECY. TO PM
Dy. No ... 2999-61...
Date..... 17.9.02.....

3182/050/9/02
18/9

By Regd. Post with A/D.

64/R

203

FRT

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinsecb@cal.3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(III)/317.

Kolkata, dated, 6.9.02.

From : Shri M. Roy,
Officer on Special Duty,

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

Sir,

I am directed to refer to the Office registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/223 dated 30.7.2002 and to say that the documents or the authenticated xerox copies thereof as solicited in the aforesaid letter are yet to be received.

I am, therefore directed to request you to kindly do the needful in the matter as expeditiously as possible.

Yours faithfully,



(M. Roy)
Officer on Special Duty

Reply already sent.
on 20/8/02 vide our
letter at S.No 46(I). Copy
of the same may be sent
to JMCI.

How
22/9

45/R
46/I

By Regd. Post with A/D.

bSP

204

FRD

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(III)/321.

Kolkata, dated, 6.9.02.

From : Shri M. Roy,
Officer on Special Duty.

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

Sir,

I am directed to refer to this office registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/228 dated 30.7.2002 as to say that the report as solicited in the aforesaid letter is yet to be received.

I am, therefore, directed to request you to kindly do the needful as expeditiously as possible.

Yours faithfully,

m

(M. Roy)
Officer on Special Duty.

37/2
SP/2

Form's Centre, Kolkata-54

S.E.-5

भारत सरकार सेवार्थ

BY REGISTERED POST

ON INDIA GOVERNMENT SERVICE

WITH A/D.

No. JMCI/Records/N.Delhi/99-2000/37(III)/314, 317 & 321.

Dated : 06,09,2002.

To

The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.



S. P. G. TECHNICAL
BRANCH
16 SEP 2002
CHECKED
SIGNATURE

Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Ghalib Street, 3rd Floor
Kolkata-700016

[Handwritten signature]



NEW MARKET PO <700037>

RLAD A 8221

Counter No:1, OP-Code:SU

INDIA POSTAGE

Pre:Rs25.00

11/09/2002 11:37:41

Wt:18gr To : NEW DELHI, PIN:110001



प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

66/I (205)

नई दिल्ली-110 011
New Delhi-110 011

✓ 30/9
**Subject: Letter from Justice Mukherjee
Commission of Inquiry (JMCI)
regarding files relating to Netaji
Subhas Chandra Bose.**

Reference is invited to this office I.D. note
of even number dated ✓ 12.7.2002 on the subject
noted above. (Copy enclosed)

The confirmation asked for in the matter
may kindly be expedited in order to enable this
office to send a reply to JMCI.

Me

[Renuka Kumar]
Director

Joint Secretary (CNV), MEA → 62/R

PMO ID No. 915/11/C/2/2000-Poldated: 26.9.2002

30

28/9

✓ 30/9

62/I

By Speed Post

(206)

No. 915/11/C/2/2000-Pol.

PRIME MINISTER'S OFFICE

26th September, 2002
30th New Delhi-110011.

To,

**Shri P.K. Sengupta
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.**

**Subject: Letter from JMCI seeking clarification
on certain correspondence pertaining
to Netaji Subhas Chandra Bose.**

Sir,

This has reference to JMCI's letters dated 6.9.2002 bearing Nos. Records/N.Delhi/99-2000/37(III)/314,317 and 321. With regard to the 1st letter under reference it may be mentioned that as had been intimated earlier in our letter dated 11.7.2002, clarification has been sought from Ministry of External Affairs (MEA) about the movement of requisite files/documents but response from MEA is still awaited and they are being reminded. Based on MEA's response information/material will be furnished to JMCI as early as possible.

With reference to the JMCI's other two letters under reference it may be mentioned that in response to JMCI's letters dated 30.7.2002 replied had already been sent

63,64,65/R

p-28/m

(207)

vide this office letter of even number dated 20.8.2002 and 3/5-9-2002 respectively. Copy of both the replies are enclosed for ready reference.

Yours faithfully,

RK

[Renuka Kumar]
Director

2

N.O.O.

Copy alongwith copy of letter under reply forwarded to **Shri Tarakeswer Pal, Senior Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069** for information.

Am. 30/9/02

[Alok Mukhopadhyay]
Under Secretary (Pol)

s/c

28/12

1/9/30/9
1/30/5

68/R

208

Ministry of Home Affairs
IS(V) Desk

.....

slip

✓ F/A

Reference PMO's letter No.517092 dated 6/8/02 forwarded therewith a copy of letter No.JMCI/Meeting Proceedings (follow-Up) Kolkata, dated 26th July, 2002 from Justice Mukherjee Commission of Inquiry.

2. In this connection attention is invited to para 5 of this Ministry's Affidavit dated 19/12/2001 filed before the Hon'ble Justice Mukherjee Commission of Inquiry at Kolkata (copy enclosed) wherein this Ministry has affirmed that a separate affidavit will be filed by MEA, MOD, IB, National Archives of India and PMO concerning the availability of records etc. in the matter.

3. Accordingly, PMO may consider to file counter affidavit regarding availability of files/records sought by the Commission from time to time.

(Signature)
(U.K. KALRA)
DIRECTOR (IS-II)

11/10

Officer on Special Duty, PMO, South Block, New Delhi
MHA U.O.No.VI/11012/9/2002-IS(D.III) dt. 9.10.2002

7/10
~~6/10~~
Pp pl.
2

May kindly see.

This is regarding disappearance. Subject Political Section - Justice of Inquiry's earlier letter MHA and is plugged at F/A pl. Section may pl. see for further action.

Netaji Subhash Bose's matter concerns Mukherjee Commission letter was obtained from F/A pl. fol. for further action.

H.S. Dhar 80(1)
22/10/2002

OSD (K) has seen.

B-III An
24/10

US (Pol)

22/10

✓
(209)

Before the Hon'ble Justice Mukherjee Commission of
Inquiry at Kolkata

IN THE MATTER OF COMPLIANCE WITH THE ORDERS
OF THE COMMISSION AS PASSED IN ITS PROCEEDING
DATED 17TH OCTOBER 2001 HELD AT NEW DELHI.

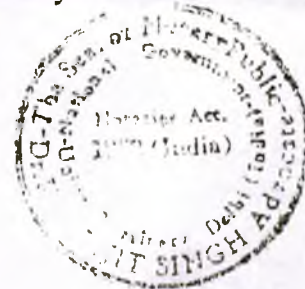
AFFIDAVIT

I, Smt. Sangita Gairola working as Joint Secretary (Internal Security-I) in the Ministry of Home Affairs do solemnly affirm and state as under: -

1. With regard to the Status Report as on October 9, 2001, actions asked in Paragraphs 2, 5, 6, 7, 8, and 9 have been shown as pertaining to Ministry of Home Affairs. With regard to each of those paragraphs, our response is given in the succeeding paragraphs.
2. With regard to Paragraph No.2 of the said Status Report, the documents mentioned in Paragraphs (a) (i) and (a) (iii) of the Proceeding dated 23rd March, 2000 are not available in the Ministry of Home Affairs. The Ministry of External Affairs, Prime Minister's Office and the Ministry of Defence have been asked on 25.10.2001 and Intelligence Bureau on 5.11.2001 to identify the



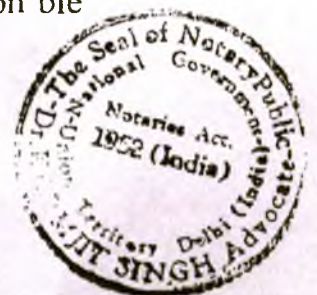
NOTARIAL
NOTARY PUBLIC
DELHI (INDIA)
99 DEC 2001



records/files/documents mentioned in the said Paragraphs Nos. a (i) and a(iii) of the proceeding dated 23rd March, 2000, and report which of them pertain to them and to apprise the Commission directly of the position. Only Ministry of Defence has informed that an affidavit has already been submitted before the Hon'ble Commission on 1st February 2001 regarding documents mentioned at the said Paragraphs (a) (i) and (a) (iii) of the proceedings dated March 23, 2000. Intelligence Bureau has filed a separate affidavit on 11.12.2001 regarding their stand with respect to said various documents etc. This Ministry is therefore not in a position to state as to which Ministry/Department, those documents pertain.

3. As regards the requisition made in Paragraph No.5 of the Status Report, certain records pertaining to Khosla Commission were made available to the Hon'ble Commission. The records already made available to the Commission were identified by a representative of Ministry of Home Affairs in the sitting of the Commission on 22.12.2000. However, as per direction of the Hon'ble

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3 DEC 2001



Commission as contained in the Status Report as on October 9, 2001, a vigorous search was launched to locate files/documents mentioned in the proceedings from time to time. As a result of this search, some more documents have since become available and a list thereof is enclosed at Annexure - A herewith, for perusal of the Hon'ble Commission.

- 4. With respect to the "contemporary official documentary records" referred to in Paragraph No.6 of the said Status Report dated 9th October, 2001 no such records have been located in this Ministry so far. The matter has also been taken up with Prime Minister's Office on 10.10.2001, requesting them to trace the relevant records at their end.
- ✓ 5. With regard to requisitions made in Paragraph No.7 of the said Status Report, in so far as affidavit/supplementary affidavit of some deponents including the affidavit dated February 17, 2000 and two supplementary affidavits dated July 28, 2000 and August 25, 2000 filed on behalf of Jyotish Chandra Bose and 8 others are concerned, the contents thereof have been gone through. The averments



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NEW DELHI (INDIA)

and allegations made therein are matters of records and subject to consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Honb'le Commission and some others have been discovered with this Affidavit for consideration by the Honb'le Commission.

As has already been stated, this Ministry has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India and Prime Minister's Office to go through the documents and if necessary submit an affidavit to the Commission directly.

6. With regard to the requisition made in Paragraph No.8 of the said Status Report it may be submitted that as far as this Ministry is concerned no such affidavit has been located so far.
7. Regarding the matters of Paragraph No.9 of the said Status Report, we have sent copies of the Affidavit to the concerned Ministries for examination and reporting directly to the Commission. There is nothing in records of



77
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NEW DELHI (INDIA)
77 DEC 2001

this Ministry to indicate the name of the Ministries/Departments concerned with various documents. Position with regard to documents/files located by this Ministry has already been stated in Paragraph No.3 hereinabove. Intelligence Bureau has informed this Ministry that it has filed an affidavit dated 11/12-12-2001 in compliance with the orders/directions of the Hon'ble Commission.

As per information furnished by National Archives of India, all the files relating to disappearance of Netaji Subhas Chandra Bose including INA files transferred to it by Ministry of Defence are open for consultation and the Commission may depute their representative for consulting the same if so desired.

Sangita Gairola

(SANGITA GAIROLA)
Deponent



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[Signature]
NOTARY PUBLIC
NEW DELHI (INDIA)
15 DEC 2001

Verification

I, Sangita Gairola declare and affirm that what is stated above is true to my knowledge and no part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on 19th December 2001.

Sangita Gairola
(SANGITA GAIROLA)
Deponent

Deponent identified -

U.P. Bhatia
(19.12.2001)
(U.P. BHATIA)
Under Secretary
Ministry of Home Affairs



ATTESTED
Tarajit Singh
NOTARY PUBLIC
NEW DELHI (INDIA)
19 DEC 2001

17
215

**LIST OF FILES/DOCUMENTS/RECORDS AVAILABLE FOR THE
CONSIDERATION OF THE HO'BLE COMMISSION**

Sl. No.	File No.	Subject
1.	-	Record of Oral evidence-Vols. 1 to 17 (pages 1 to 4681) (details given in schedule-1 attached).
2.	-	Register of day to day working of the Netaji Inquiry Commission-1970.
3.	-	List of orders passed by the Chairman (Some orders signed by Chairman, Shri G.D. Khosla in original) (21.8.70-30.7.73)
4.	-	Shah Nawaz Khan-W-I (Exhibits produced by Shah Nawaz Khan-before the Commission containing original affidavit of Shah Nawaz Khan dated 22.12.70.
5.	-	Record of the Proceeding of the Commission-Vol.XX-Pages 5532-5907 (dated 17.12.73 to 2.1.74).
6.	-	Record of the proceeding of the Commission-Vol.XXI-Pages 5908-6486 (dated 14.1.74 - 22.1.74)
7.	-	Vol.XXIII-Verbatim proceeding of the sitting of the Commission held on 15.2.74, 21.2.74 and 22.2.74 (no page Nos. given).
3.	-	Proceedings of the Commission on the 11 to 14 March 1974-Vol.XXIV (No page nos. given).
9.	-	Order of the Chairman dated 18.9.73.
10.	-	Order of the Chairman dated 13.12.73.
11.	-	Order of the Chairman dated 30.7.1973.
12.	-	Chairman's order dated 27.12.1973.
13.	-	Commission's order dated 2.1.1974.
14.	-	Translation copies of the document filed before the Commission at Taipei.
15.	-	Death of Subhas Chandra Bose-Summary of Record's in the mounbatten diaries (WO 172F in P.R.O.) relating to the event. (two typed pages-2 copies).
16.	-	Nation's Homage- life and work of Netaji Subhas Chandra Bose.
7.	-	Material supplied by Government.
8.	-	Material pertaining to the reported death of Netaji Subhas Chandra Bose (list of Lok Sabha debates etc.)
19.	-	One Tape (received from Khosla Commission).
20.	-	Netaji in Germany-Book.



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NEW DELHI (INDIA)
30 DEC 2001

21.	-	One Japanese Book relating to Subhas Chandra Bose.
22.	-	Netaji Mystery-Book.
23.	-	JNA & Its Netaji-Book.
24.	-	Netaji Subhas Chandra Bose/Havashida-Book.
25.	-	The Indian National Army-Book.
26.	-	Type material-Bhavan's Book university-Netaji in Germany (A little-known chapter) by N.G. Ganguley.
27.	-	F.No.30/131/69-A&N-Netaji Subhas Chandra Bose Memorial to proposal regarding.
28.	-	A bundle of misc. loose papers containing copies of secret reports of Ministry of Defence and some papers from Embassy of India-Tokyo on the death of Netaji (details in schedule-II attached).
29.	1/10/70-NIC	Personal file of Shri Ghanshyam, Peon.
30.	3/13/73-NC Vol.1	Formosa visit.
31.	6/28/73-NC	Reference received from Shri Samar Guha, MP regarding appearing of Col. Habibur Rehman before NIC.
32.	3/13/72-NC	L.S. Qn. No.1007 for 2/8/72 Memorandum submitted to the Commission.
33.	4/35/71-NC	Summons issued to Genl. Wadalia, Qutab Stud. Agricultural Farm, New Delhi.
34.	3/2/70-NIC	Accommodation for having session at Vigyan Bhavan.
35.	25/13/70-Poll-II	Fresh Inquiry into the disappearance of Netaji Subhas Chandra Bose in 1945- demand for.
36.	25/16/70-Poll-II	Appointment of Commission of Inquiry for fresh inquiry into disappearance of Netaji- Misc. correspondence with members of public.
37.	1/12014/6/80-D.III	Reference received from Prime Minister's Office to consider a suggestion made by Shri Tatsuo Hayashida for bringing the ashes of Netaji Subhas Chandra Bose to India for permanent repose.
38.	VI/11034/149/96-D.III	Misc. references pertaining to death/disappearance of Netaji Subhas Chandra Bose.
39.	-	List of exhibits produced by the witnesses-Master Copy.
40.	-	List of files received from Ministry of External Affairs.
41.	-	List of Books produced by witnesses.
42.	-	List of documents asked for from the Govt. showing their position availability.
43.	-	List of Exhibits marked as "Com No" during the arguments session held at Vigyan Bhavan from



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 11-11-2001

		10.9.73 to 20.11.73.
44.	-	Parliament Questions on Netaji Subhas Chandra Bose's death answered during 1970.
45.	1/13012/17/82-D.III	Lok Sabha Starred Question Dy.No.3279 for 3.3.1982 by Shri A.K. Roy regarding item captioned 'on Netaji Trial'.
46.	1/18/71-NC	Personal file of Shri R.C. Sharma, Peon.
47.	1/19/71-NC	Personal file of Shri Shiv Charan Lal, Peon.
48.	1/20/70-NC	Personal file of S.K. Sengupta, Peon.
49.	1/26/72-NC	Personal file of Shri G.R. Nair, IAS.
50.	1/15/70-NC (Vol.III)	TA Bills of the Chairman.
51.	4/3(a)/70-NC	Urdu letter from Ram Nath Agarwal.
52.	4/4/70-NC	Abdul Razak (General letter for information).
53.	-	Report of S.A. Ayer on Fatal Aircrash of Netaji Subhas Chandra Bose at Taihoku (FORMOSA) on August 18, 1945.
54.	-	China Post- Newspaper report.
55.	-	Register showing attendance of the counsels of the commission appointed by the Chairman Netaji Inquiry Commission to assist the commission.
56.	-	Write off of Loss- Orders of Secy. about loss of tray.
57.	-	Trunk Call Register for Telephone No.386220.
58.	-	Telephone Rent Bill Register from 1972-74.
59.	-	Telephone Trunk Call Register from 1.4.72 to 30.6.74.
60.	-	Register showing purchase of Newspapers etc. for Netaji Commission.
61.	-	Rates- DLY & DLZ CARS.
62.	-	Pay Bill file of Shri R.L. Malhotra, Asstt.Secy., Netaji Inquiry Commission, for the year 1973-74. (1 st August 1973 onwards).
63.	-	Register showing purchase of Newspapers etc. for Netaji Inquiry Commission from 1.4.73.
64.	-	Pay Bill file of Shri U.S. Mittal, Asstt. Secy. - 1972-73.
65.	-	Communication from Shri M.L. Anand, PS to Chairman regarding arranging of Cars.
66.	-	Review of Telephone bills of 1973-74 & 1974-75.
67.	-	Law Commission of India, Forty-Third Report of Offences Against the National Security.
68.	13012/16/75.S&P (D.III)	Starred question D.No.1391 in Lok Sabha for 26 th Feb. 1975 regarding material for publication of book "Last days of Netaji" by Shri Samar Guha.
69.	13012/49/76.D.III S&P	Parliament question- by Shri Subhodh Hansda-



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NEW DELHI (INDIA)
19 DEC 2001

		regarding preservation of Ashes/remains of Netaji brought from Tokyo.
70.	21015/932/78.D.III	Setting up of another Commission on Netaji Subhas Chandra Bose.
71.	12014/12/78.D.III.IS	Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
72.	13013/56/78.D.III (S&P)	Rajya Sabha 460 about the ashes of Netaji Subhas Chandra Bose.
73.	12014/6/79.IS.D.III	Letter from Sri. Pramanda Bajpayee about Netaji Subhas Chandra Bose.
74.	12014/9/79-D.III (S&P)	Regarding whereabouts of Netaji Subhas Chandra Bose.
75.	13012/79.D.III (S&P)	Unstarred Question No.6626 for 11.4.1979 regarding Ashes of Netaji Subhas Chandra Bose.
76.	12014/4/80.IS.D.III	Representation regarding the whereabouts of Netaji.
77.	12014/5/80.IS.D.III	Regarding whereabouts of Netaji Subhas Chandra Bose.
78.	12014/6/80.IS.D.III	Arrangements to bring ashes of Netaji Subhas Chandra Bose to India.
79.	12014/2/81-IS.D.III	Regarding Netaji Subhas Chandra Bose-Misc. representation.
80.	12014/1/91-IS.D.III	Letter from Shri Baburao Paranjpai, M.P. (L.S.) address to P.M. regarding. Some point of Netaji Subhas Chandra Bose.
81.	-	Netaji Commission Report.

LIST OF CLASSIFIED RECORDS *

Sl. No.	File No.	Subject
1.	F.14/1/88-T	Regarding ashes.
2.	F.21/51/76-T	Regarding ashes.

* A view would have to be taken regarding declassification/claim of privilege with regard to these 2 files by the Government.



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 THE
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 NEW DELHI INDIA
 9 DEC 2001

Schedule I

(219)

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<u>SL.NO.</u>	<u>VOLUME NO.</u>	<u>COPY NO.</u>	<u>PAGE NO.</u>
1.	I	II	1 to 405
2.	II	II	406 to 798
3.	III	I	799 to 1169
4.	IV	II	1170 to 1634
5.	V	III	1635 to 1982
6.	VI	II	1983 to 2478
7.	VII	III	2479 to 2630
8.	VIII	IV	2631 to 2794
9.	IX	IV	2795 to 3064
10.	X	III	3065 to 3251
11.	XI	I	3252 to 3602
12.	XII	I	3603 to 3802
13.	XIII	III	3803 to 4062
14.	XIV	I	4063 to 4290
15.	XV	III	4291 to 4463
16.	XVI	III	4464 to 4602
17.	XVII	I	4603 to 4681(Signed by Chairman sh.G.D Khosla

in original)

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NOTARY PUBLIC
NEW DELHI CIRCLE
19 DEC 2001



Schedule - 6/1 ✓ 12

220

LIST OF LOOSE TYPED AND MISC. PAPERS RELATING TO NETAJI ENQUIRY COMMISSION.

- ✓ 1. Revolution - What is it ? Published by the Indian Independence League - Editor - Narayana Menon, Rangoon.
File No.251/I.N.A (The Penang Propeganda School).
- ✓ 2. The Indian National Army Second front of the Indian Independence movement. K.K. Ghosh M.A. Ph.D.
- ✓ 3. Extract Secret file No.74/I.N.A-No.28000/6/GSI(b)(iii), A brief review of the so called 'Indian National Army'.
- ✓ 4. File No.26/Misc./INA-A monthly illustrated Magazine on Indian Affairs in East Asia - on to Delhi Shanghai, China.
- ✓ 5. Report by Counter Intelligence Corps, GID AFPAC on death of Subhas Chandra Bose, dated 29th Sep., 1945.
- ✓ 6. Comparative Statement showing the requisitioning and supply of various documents as ordered by the Commission from time to time with comments the office.
- ✓ 7. File No. 255/INA (5 folders) Report of Hikari Kidan.
- ✓ 8. No. 335/INA Discourses of cultural and national subjects for the Indian National Army.
- ✓ 9. Netaji Inquiry Committee - Report from the Japanese Government.
- ✓ 10. No.332/INA-DO's and Don'ts for the officers and men of INA.
- ✓ 11. Statement by Dr.T.Tsuruta, Furukawa 173, Tsu City, Mis-Prefl, recorded on 15-5-56 at 10 A.M. at Tokyo.
- ✓ 12. Second front of the Indian Independence Movement.
- ✓ 13. No. 273/ INA Subhas Chandra Bose- (Extracts bearing on his alleged death).
- ✓ 14. Netaji Inquiry Commission Visit to Malaysia.(Originally signed letter from High Commission of India, Kualalumpur to Shri D.K. Das, Secy.NIC)
- ✓ 15. Extract from Secret file No.471/INA.
- ✓ 16. Extract from Secret file No. 74/INA guide to GIPC.
- ✓ 17. File No.164/INA Report on the Indian Independence Movement.
- ✓ 18. His struggle and martyrdom-Tatsuo Mhyashida .
- ✓ 19. No. 20/Misc./I.N.A . 282/I.N.A.
- ✓ 20. File No. 164/I.N.A. Report on the Indian Independence Movement.

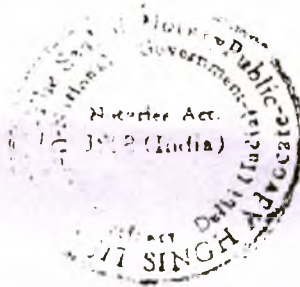
F. No. 25/Misc./INA - A concise Report on Event that took place in Malaya since 8th December, 1941 and Particularly relating to Indian Community.



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NEW DELHI (INDIA)
7th DEC 2001

✓ 15
(22)

- ✓ 23. F.No.252/INA (2 folders) Nippon Guirillas and Gurkha Penang school for soecial Gurkha party.
- ✓ 24. 211/INA Rant of Jhansi Regt.(Five folders)
- ✓ 25. Re-interrogation of Capt. Habir-ur-Retman.
- ✓ 26. File Cover No.291/INA-Magazines and Pamphamlets.
- ✓ 27. Complete F.No.1/Misc./INA-470/INA-How the first INA was born.
- ✓ 28. Netaji in Germany- N.G. Ganpuley.
- ✓ 29. 317/INA- Netaji's Message to Mahatma Gandhi.
- ✓ 30. Parch No. 23 Tarik 21-5-44.
- 31. No. 250/INA A note on relations between the Japanese and the I.N.A. dated 12th June, 1943.
- ✓ 32. No. 253/INA Bankok Conference Reports.
- ✓ 33. Chakravarti - No.4/23/70-NIC dated 22nd July, 1971.
- ✓ 34. Trikha - Tentative Itinerary of Commission's visit to Far Eastern Countries.
- ✓ 35. List of countries to be visited with dates and time at which the Session will start.
- ✓ 36. List of papers, files, Books etc. to be taken on tour to Far Easern Countries.
- ✓ 37. Detailed Itinerary for visit to Rangoon, Kualalumpur, Singapore, Penang, Bangkok, Saigon and Hongkong.
- ✓ 38. Evidence Tokyo - 30 371
- ✓ 39. D.O No.3/11/71-NC.
- ✓ 40. Commissioner's witness.
- ✓ 41. Narayana Karupplah.
- ✓ 42. Paper presented by John Jacob Singapore-1.
- ✓ 43. Authority - G.D. Khosla.
- ✓ 44. NIC - Visit to Singapore - October 18 to 23, 1971
List of Witnesses - Programme.
- ✓ 45. List of witnesses in Penang.



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: 3 :

- ✓ 47. Papers relating to Grant of Pension to I.N.A. Personnel.
- ✓ 47. Press clippings from local english papers submitted for Ambassador's perusal.
- ✓ 48. F.No.17/Misc./I.N.A. - The landing of the Japanese Agents from a submarines on the Kathiawar Coast on the night of 22/23 Dec., 1943.
- ✓ 49. F.No.19/Misc./I.N.A. - Dutt Ram (Dulari Dube)- General Mission.
- ✓ 50. F.No.16/Misc./I.N.A. - Statement of H.L. Mehta.
- ✓ 51. F.No.27/Misc./I.N.A. Chalo - Delhi for September, 1944.
- ✓ 52. 295/INA - Sardar Pritam Singh, B.S.D.
- ✓ 53. No.6/Misc./I.N.A. - Short History of subversive activities directed to Indian P.W. in Europe 1940-45.
- ✓ 54. No.243/I.N.A.- Order of Battle of the Indian Puppet forces in Burma.
- ✓ 55. F.No.245/INA Field Propaganda 'Unit' -Parchar Dal.
- ✓ 56. Sardar Pritam Singh B.S.D. No. 295/INA.
- ✓ 57. 250/INA F111 Party. --
- ✓ 58. No.6/Misc./INA Short history of subversive activities. - *same as S.I. No. 53*
- ✓ 59. No. 22/Misc./INA - A note on Puri Party.
- 60. Parch No. 21.5.44 - *same as S.I. No. 30*
- ✓ 61. 29/Misc./INA- Proclamation of the Provisional Government of Azad Hind.
- ✓ 62. Tokyo Papers Exhibit No.9.

ATTESTED
[Signature]
NOTARY PUBLIC
NEW DELHI INDIA
31 DEC 2001

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2025
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/69

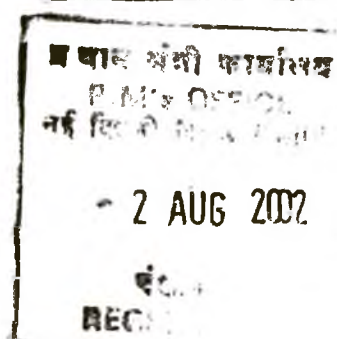
e-mail: jmciscb@cal3.vsnl.net.in

Tel: 0091-033-252-2765

No. JMCI/Meeting-Proceedings (Follow-Up) Kolkata, dated, /99-2000/48 (I)/217 July 26, 2002

From : Shri P.K. Sengupta,
Secretary

To : Shri Kamal Pandey,
Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi-110001.



2.
sir,

I am directed to refer to this office last reminder No. JMCI/Meeting-Proceedings (Follow-Up)/48 (Vol. II)/64 dated 2.5.2002, copies whereof were sent by registered post for necessary action to the Secretaries, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence as also to the Director, Intelligence Bureau and the Director General of National Archives, Government of India and to say that no counter-affidavits or affidavit-in-opposition have yet been received by the Commission either from the Ministry of Home Affairs or from any of the other Ministerial/Departments concerned of the Government of India. I am, therefore, directed to request you to kindly cause filing of the said counter-affidavits or affidavit-in-opposition, if any, by the Ministerial/Departments/Offices within four weeks from the date of receipt of this letter, failing which it may be presumed that they do not want to file any counter-affidavit or affidavit-in-opposition.

Yours faithfully,

508
(P.K. Sengupta)
Secretary

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

224 3
Phone:
Chairman - 252-2935
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/63
e-mail : jmcinsecb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/

Kolkata, dated,

:: 2 ::

By registered post with A/D.

No. JMCI/Meeting-Proceedings(Follow-Up)/48 (Vol. II)/217/1 (5)

Dated : July 26, 2002.

Copy forwarded for information and favour of taking necessary action. This is in continuation of the Commission's letters No. JMCI/Record/N. Delhi/99-2000/37 (Vol. II)/537 dated 29.01.2002 and endorsements bearing No. JMCI/Meeting-Proceedings(Follow-Up)/48 (Vol. II)/64 (6) dated 02.05.2002, all sent by Registered Post. X

- (1) The Secretary, MEA, New Delhi
- (2) The Secretary, PM's Office, New Delhi
- (3) The Secretary, Cabinet Secretariat, Government of India, New Delhi
- (4) The Secretary, Ministry of Defence, Government of India, New Delhi.
- (5) The Director, Intelligence Bureau, Government of India, New Delhi.

P. K. Sengupta
(P.K. Sengupta)
Secretary

SECRET



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

225

Vijay Gokhale
Joint Secretary(CNV)

D.O.No. 25/4/NGO-Vol.VIII

Dated

December 3, 2002

Dear Shri Sengupta,

38/12 Please refer to your letter No. Records/N.Delhi/99-2000/37(II)/131 dated 21.6.2002 addressed to the Prime Minister's Office regarding two files and one folder relating to Netaji Subhas Chandra Bose.

As desired, forwarded herewith is a copy each of this Ministry's file No. C/551/14/90-JP and the folder No. C/551/7/92-JP(KW). The other file (No.C/551/7/92-JP) could not be located till now. Efforts to trace it are still on. The same will be forwarded to the Commission as soon as it becomes available.

Yours sincerely,

(Vijay Gokhale)

To

Shri P.K.Sengupta
Secretary
Justice Mukherjee Commission of Inquiry,
'B' Block, (Third Floor),
11/A Mirza Ghalib Street,
Kolkata 700 087

66/12

✓ Copy for information to Smt. Renuka Kumar, Director(PMO), w.r.t. PMO I.D. No. 915/11/C/2/2000-POI dated 30.9.2002

→ P.I. line

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Ms
OR POK 4/12

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE,
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700:087

Phone: (226)
Chairman -- 216-2700
Secretary -- 216-2707
Officer on
Special Duty -- 216-2705
Office -- 216-2700/01

No. JMCI/ Stat.Rept/99-2000/33A/453(6)

Calcutta, dated, the December 9, 2002.

From : Shri P.K. Sengupta,
Secretary

REGISTERED WITH A/D.

To : The Secretary
Prime Minister's Office,
South Block,
New Delhi-110001.

Sub : Status Report from 01.11.2002
to 30.11.2002

Sir,

I am directed to send herewith a 'Status Report'
of Justice Mukherjee Commission of Inquiry from 01.11.2002
to 30.11.2002 with the request to send to the Commission
within six (6) weeks the replies/reports in respect of the
paras concerning your Ministry/Department/Office, in the
form of an affidavit, duly sworn by your authorised Officers
not below the rank of Joint Secretary to the Government of India.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl : As stated above.

Please
① List out actionable issues
in all paras by us.
② If we have already taken
action, please list out & we can
send reply again to Commission.

1574/Dir(R)/02
4234/OSJ/9/18/12

ADDL. SECY. TO PM

Dy. No 3170-G1...

Date.....17.12.02...

2651/OSJ/9/18/12

us/poe. All fac
18/12
Examined on S.No 71(R)
on 9.1.03 vide slip
attached on it.
A/S

(227)

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.11.2002 to 30.11.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/397 dated November 8, 2002.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on extence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
3. Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The response is still awaited. → NEA has sent a reply to JMCI - GA/R
- 4.(a) The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs U.O. No. VI/11034/61/2002-IS(D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith

contd....P.2.

a copy of this Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02 was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-Opposition filed and with the judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them. The Ministry of External Affairs with their letter No.25/4/NGO-Vol.VIII dated October 25, 2002 has sent to the Commission a copy of their U.O. No.25/4/NGO-Vol.VIII dated 26.07.2002 endorsed to the Ministry of Home Affairs wherefrom it appears that the Ministry of External Affairs has referred back the matter to the Ministry of Home Affairs. The Commission has not received the documents called for either from the Ministry of Home Affairs or from the Ministry of External Affairs as yet.

MHA/MNA

(b)(i) By Commission's registered letter No.310 dated 06.09.2002, the attention of the Secretary, Ministry of Home Affairs, Government of India was drawn to Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.

MNA

(b)(ii) By Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and

the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned in para 4(b)(i) hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No. 915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs [] and also from the Ministry of Home Affairs as already stated in para 4(b)(i) []

u.s./I
MEA/MAA

(c) Being advised by the Ministry of Home Affairs, Government of India, in their letter No.12014/13/2000-IS(D.III) dated July 18, 2002, the Prime Minister's Office was requested by Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/223 dated 30.07.2002 to kindly furnish to the Commission as early as possible the documents or authenticated xerox copies thereof relevant to various contentions of the d.o. letter dated February 3, 1978 of Late R.C. Mazumder (renowned historian) addressed to the then Prime Minister of India and of the notes of Late Mazumder annexed with his aforesaid letter which appear at cor. pages 16 to 20 of the Prime Minister's Office's Secret File No.2/64/78-PM. The Prime Minister's Office have since informed the Commission that the documents referred to by Late Mazumder are not available with them.

u.s/R

BMD

(d) The Secretary, Ministry of External Affairs, has been requested by Commission's letter NO. JMCI/Records/N.Delhi/99-2000/37(III)/225 dated July 30, 2002 to send the full text of the Radio speech as referred to in cor. page 153 of P.M.O.'s Secret File No.2(64)/56-68-PM, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true

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ME A

copy of the report sent by the Radio Moscow Authority in the matter. A xerox copy of the said cor. page 153 was enclosed with the said letter of the Commission. The Ministry of External Affairs has again been requested by Commission's registered letter No.319 dated 06.09.02 to send the informations and the documents as solicited in the Commission's aforesaid letter dated 30.07.2002. Their response in the matter is still awaited.

5. With Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No.915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No.PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No.24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.
- MNA

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9/5/11/2/00 (Pr) (231)

6. The Secretary, Prime Minister's Office has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No. IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.2002 of the Commission. The documents called for are still awaited.

7. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission which indicates that these papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Secretariat has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.

8. Shri Sanjoy Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjoy Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The matter was

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again referred to the said Joint Director by Commission's Regd. letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/384 dated October 22, 2002. The reply is still awaited.

56/R

9. Under Commission's registered letter No. JMCI/Records/N. Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have kindly been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No. 12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The Ministry of External Affairs has stated in reply that "the documents in the letter (i.e. Commission's letter dated August 1, 2002) referred to above of the Commission belong to files of the Prime Minister's Office and, therefore, any reply in this matter can be given only by Prime Minister's Office." The said documents are yet to be received.

P.M.O

10. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy

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Pg 2
para-11

of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post ~~agreement~~ vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

DMO/MNA

11.(a) By Commission's registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/193 dated July 19, 2002, the Secretary, Ministry of External Affairs has been furnished with a xerox copy of letter No.915/11/C/2/2002-Pol. dated July 8, 2002 of the Director, Prime Minister's Office, Government of India, which is in reply to the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(II)/123 dated June 17, 2002 and the Secretary, Ministry of External Affairs has been requested to kindly furnish answers immediately to the queries made in the aforesaid letter dated June 17, 2002 of the Commission, a copy of which has been enclosed with the Commission's letter dated July 19, 2002 referred to above. The queries are as noted below :

36/I

- (i) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's

Confidential File No.870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s reg." which, prima-facie, appear to have been broadcast after the alleged air-crash on August 18, 1945;

(ii) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;

(iii) If not, whether any inquiry was made by the Government of India, about the source and authenticity of those messages; and

(iv) What is the result of such inquiry ?

pmo/MEA
MEA

The Secretary, Ministry of External Affairs was again reminded by Commission's letter No.JMCI/DOC(FOR)/99-2000/56(IV)/349 dated 27.09.2002 sent to him by registered post. The report called for is still awaited.

M/EA

(b) By d.o. letter No.JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is awaited.

12. By Commission's registered letter No. JMCI/Study(PMO)-
Follow Up/2002-2003/84/257 dated August 14, 2002, read
with its registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/
348 dated 27.09.02, the Ministry of External Affairs,
Government of India, has been requested to kindly send
immediately a complete list of the names and addresses
of all the Archives in Russia as also in other States
which previously belonged to erstwhile USSR. We have
received a list of 9 (nine) archives in Russia from the
Ministry of External Affairs, Government of India, with
their d.o. letter No. 24/4/NGO-Vol.-VIII dated October 21,
2002 but the complete list as called for is still awaited.

MEA

13. The Secretary, Ministry of External Affairs was requested
by Commission's registered letters ~~99-2000/56(IV)/332~~
~~99-2000/56(IV)/332~~ dated August 1, 2002 and dated
27.09.2002 to kindly provide the Commission with the
particulars of the US documents on Netaji Subhas Chandra
Bose pertaining to the period from August, 1945 onwards,
if any, which are available in the National Archives of
the U.S.A. and Records Administration, Maryland, U.S.A.
as also in other archives of the U.S.A. including Mac Arthy
Archives, the Archives of the Princeton University,
Hoover Institution, Stand Ford, U.S.A. etc. The response
is still awaited.

MEA

14. The letter No. 281/12/1/2000-TS dated November 13, 2002
of the Director, Cabinet Sectt., Rashtrapati Bhawan,
New Delhi, which is in reply to Commission's letter No.
JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10,
2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati
Bhawan, New Delhi, does not contain the information about
the Departments/Ministry/Office, out of which ~~Departments~~
~~Ministry/Office~~ the Cabinet Sectt. was formed or about the
Department/Ministry/Office of the Government of India
which used to look after the works now being looked after

Cab Sectt

by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for.

15. By Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No. 870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The ~~SECRETARY~~ Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action. No report has yet been received in the matter from the Ministry of External Affairs, Government of India.

no action
P.M.O.
Ami Mazumder
MEA

16. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No. 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter

MEA

dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is awaited.

17. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of "further contemporary official documentary records", no such records could be traced out by the Government of India so far, as reported by them. The said reports received from the Government of India in the matter would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon.

18. The Hon'ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They, however, stated that they all believed that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji were being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki

on that very day to examine Dr. T. Yoshimi, the Hon'ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there was any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon'ble Chairman on 28.11.2002 from the Indian Embassy in Japan show that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.

19. Shri Nandalal Chakraborty, one of the deponents of the affidavit No. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission's letter No.398 dated 11.11.2002, as referred to in para 16 hereinbefore, with the request to act accordingly.

20. Some handwritings allegedly of 'Gumnami Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more competent handwriting experts, one after the other. It need be pointed out in this connection that it may take considerable time to get the same done.

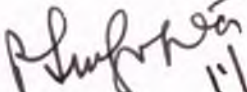
21. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the ~~time~~ Prime Minister's Office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.

*Delivered
Prasad*

22. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of D.N.A. tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed D.N.A. test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 P.M. on the same day, conveyed his willingness to donate blood sample for the proposed D.N.A. test on the specimens obtained from Faizabad, UP, "and for no other purpose". The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

23. Notice was sent to all deponents and others concerned regarding the hearing of the Commission on December 2, 2002 in the Annexe Building, Mahajati Sadan, Kolkata, and summons were issued to 7 (seven) persons for their examination as witnesses before the Commission on December 2, 2002.
24. The Secretary, Ministry of External Affairs, Government of India, was requested by the Commission's registered letter No. JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any, in the name of Ichiro Okura since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002 of the Commission. A copy of the said letter along with copies of the enclosures thereto were also sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post.

MMA


(P. K. Sengupta)
Secretary

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone: (24)
Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2705
Office - 252-2766/68
e-mail: jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Meeting-Proceeding(Follow Up)/
99-2000/48(IV)/478(7)

Kolkata, dated, 26th Dec.'02.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To :
- 1) Secretary,
Ministry of Home Affairs,
 - 2) Secretary,
Ministry of External Affairs,
 - 3) Secretary,
Prime Minister's Office,
 - 4) Secretary,
Cabinet Secretariat,
 - 5) Secretary,
Ministry of Defence,
 - 6) Director General of National Archives,
Government of India,
 - 7) Director,
Intelligence Bureau,
Government of India.

S i r,

I am directed to send herewith copies of the Status Report as on 28.11.2002 and of the Proceedings dated September 17, 2002, and December 2, 2002, of the Commission for your kind information and favour of taking necessary action.

Encl : As stated above.

Yours faithfully,

(M. Roy)
Officer on Special Duty

184/JS(5)/5/03
1309
40/DIS(R)/03/6/11
22/JS(5)/02
ADDL. SECY. TO PM

Dy. No 2-G1.....

Date..... 1/1/2003

63/03/9/13
6/11

63/03/9/13
6/11

72/7

Pol

I have gone through the status report as on 28.11.02 and also proceedings of the Commission dt. 17.9.02 and 2.12.02. Except para 3 (on F/x), there is no other issue on which any follow up action on our part is called for.

~~we perhaps~~ On para 3 (at F/x) we may perhaps seek the advice of our Senior Counsel in JMCI.

DIR (R)

Ab
10/11

Alor
9/11/03

~~IS (F)~~

Dir (R) Ab
10/11

Ab
13/11

71/20

-114
(242)

* Status Report as on 28.11.2002 showing action taken on/compliance with orders/directions including those contained in the proceedings dated 10.06.2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 21.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001, 20.12.2001 & 22.03.2002 of the Commission

1. Xerox copies of the Commission's Status Report as on 06.06.2002 and of the proceedings dated June 10, 2002 and July 16, 2002 were sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's registered letter no. JMCI/Meeting-Proceedings (Follow up)/ 99-2000/48 (IV)/237 (7) dated 01.08.2002 for their information and taking necessary action at their end. The Commission's Status Report from 01.10.2002 to 31.10.2002 was sent to the Ministry of Home Affairs on 11.11.2002 by Registered Post for necessary action at their end.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the INA personnel.
3. No counter-affidavit or affidavit-in-opposition was filed by Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence and Intelligence Bureau, Govt of India in respect of averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents in spite of repeated reminders. Hence, they have been intimated by registered letter no 300 dated September 03, 2002 that because of the said default of the said Ministries/Departments/Offices of the Government of India, the Commission presumed that the formers did not want to file any counter-affidavits or affidavits-in-opposition as they had nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions contained in the aforesaid affidavits.
4. Xerox copies/authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.
5. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble chairman has stated inter alia : "..... since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again

- 113 -
2
(243)

taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

— I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission.”

— Further development in the matter is awaited.

6. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of “further contemporary official documentary records”, no such records could be traced out by the Government of India, as reported by them. The reports given by the Ministry of External Affairs, Prime Minister’s Office, the Ministry of Home Affairs, etc. in the matter would be considered by the Hon’ble Chairman at the appropriate stage to express his views thereon.
- 7(a) The Hon’ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They have, however, stated that they all believe that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji are being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki on that very day to examine Dr. T. Yoshimi, the Hon’ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there is any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon’ble Chairman on 28.11.2002, shows that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.
- 7(b) Shri Nandalal Chakraborty, one of the deponents of the affidavit no. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. Copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission’s letter no. 398 dated 11.11.2002 to act accordingly.
8. The documents collected by the National Archives of India from the UK as per requisition of the Commission have been received and are being scrutinized by the Commission.
9. The Commission has received from the Ministry of External Affairs some papers in support of the contention of the Ministry of External Affairs that the name of Netaji Subhas Chandra Bose does not appear in the list of “War Criminals”.

Letter sent to JNCI records division for classification.

10. The Commission has been pursuing with the Ministry of External Affairs, Ministry of Home Affairs, Prime Minister's Office, Ministry of Information and Broadcasting, the Intelligence Bureau, etc., Government of India, for various files/documents/records/reports called for from them which are yet to be received by the Commission.

Some handwritings allegedly of "Gumnami Baba" were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more eminent handwriting experts, one after the other. It may be pointed out in this connection that it will take considerable time to get the questioned handwritings, allegedly of Netaji Subhas Chandra Bose, verified with admitted specimens of his handwritings by 3 (three) eminent handwriting experts independently, one after the other.

12. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the Prime Minister's office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.

13. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/ 03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Subrata Bose, Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed DNA test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has however expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

• Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 PM on the same day, conveyed his willingness to donate blood sample for the proposed DNA test on the specimens obtained from Faizabad, UP, "and for no other purpose".

(245)

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated September 17, 2002 (Seventeenth)
Held at Takajyocho, Miyazaki Prefecture, Japan

Present : Mr. Justice M. K. Mukherjee, Chairman

September 17, 2002

It is now 8.00 a.m. The sitting of the Commission for examination of the witness Dr. Taneyoshi Yoshimi commences.

Witness Dr. Taneyoshi Yoshimi is present in person. Other persons present are :-

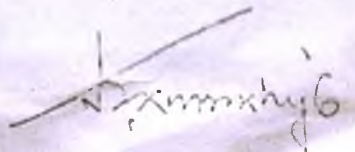
1. Sri P. K. Sengupta, Secretary of the Commission.
2. Ms. Navko Okruo, Interpreter.
3. Sri Subrata Bose, Deponent No. 27.
4. Dr. Madhusudhan Pal, Deponent No. 14.
5. Sri C. Rajsekher, First Secretary, Embassy of India in Japan.

Dr. Taneyoshi Yoshimi is examined on oath (administered through the Interpreter Ms. Navko Okruo in Japanese) by the Commission as CW no. 84. He is cross-examined by the Deponent no. 14 Dr. Madhusudhan Pal for himself and also for and on behalf of the Deponent no. 27 Sri Subrata Bose.

The questions put to the witness in English have been interpreted into Japanese and his answers have been interpreted into English by the above Interpreter. The deposition of the witness, as interpreted by the Interpreter, has been recorded by Sri P. K. Sengupta, Secretary of the Commission, in my presence and under my direction. One document in Japanese script has been admitted in evidence and marked as Exhibit 112 without any objection.

Declaration of the Interpreter as to the correctness and truthfulness of the interpretation made by her is kept with the deposition as part of it.

Detected by me
M. K. Mukherjee


(M. K. Mukherjee)
Chairman

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

246

Proceedings dated 2nd December, 2002 (Eighteenth)
held at Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chittaranjan Avenue, Kolkata-700007

2.2002

Of the seven witnesses summoned today two witnesses, namely, Shri Subhas Ranjan Dasgupta and Shri Usha Ranjan Bhattacharyya are present. Four witnesses, Shri Sunil Krishna Gupta, Shri Surajit Dasgupta, Shri Bijoy Kumar Nag and Dr. Sushanta Kumar Mitra prayed for time and their prayers were allowed vide order dated 29.11.2002. Another witness, Smt. Krishna Bose, prayed for exemption from her personal appearance on the ground that she has got no personal knowledge about the alleged plane crash at Taihoku and death of Netaji Subhas Chandra Bose. She has been exempted.

Shri Subhas Ranjan Dasgupta and Shri Usha Ranjan Bhattacharyya have been examined as CW 85 and CW 86 respectively. Shri Subhas Ranjan Dasgupta in his examination has testified that the statements made in the affidavit and Supplementary affidavit filed by him jointly with Shri Nirmal Sinha, Shri Satyabrata Tapadar and Shri Jayanta Chowdhury on 20th January, 2000 and 11th April, 2000 before the Commission are correct. He has identified his signatures on the affidavit and the Supplementary affidavit which have been marked Exhibits 96/2 and 97/2 respectively. His signature on another Supplementary affidavit filed by him jointly with Shri Satyabrata Tapadar on 19th January, 2002 has been marked Exhibit 98/2. He has asserted that this statement made in the affidavits filed by him on 7th May, 2002 and 31st October, 2002 are correct. These two affidavits have been marked Exhibits 113 and 114 respectively. His signatures on those two affidavits have been marked Exhibits 113/1 and 114/1 respectively. Two Newspapers : 'Netaji Azad Hind Gazette' dated 15th September, 1965 and pages 6 to 8 of the newspaper 'Rupantar' filed by Shri Dasgupta have been marked Exhibits 115 and 116 respectively.

(247)

Shri Usha Ranjan Bhattacharyya (CW 86) has asserted that his statement in the Affidavit filed by him on 3rd March, 2000 are correct. The said affidavit and his signature have been marked Exhibits 117 and 117/1 respectively. Two books titled 'Netaji-ke Lal-Kellai Hatya' and 'Netaji was murdered in Red Fort' authored by him have been marked Exhibits 118 and 119 respectively.

After examining the witnesses present, the parties and/or their lawyers present have been heard about the Status Report as on 28.11.2002 prepared by the Commission and circulated to all the parties present with particular reference to paragraphs 7(a) and 13 of the Status Report (which deal with the report dated 12/18.11.2002 of the Indian Embassy in Japan and photographs enclosed therewith indicating that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth and portion of the jaw; and collection of blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA test respectively).

Shri Subrata Bose (JMCI/27/2000) prayed for time for discussions and hearing in respect of paragraph 7(a); and as regards paragraph 13 of the Status Report, he submitted that he would try to impress upon some of the descendants in the paternal and maternal lineage of Netaji Subhas Chandra Bose for donation of blood. Dr. Madhusudan Pal (JMCI/14/2000) and other deponents also prayed for some time for discussion on paragraph 7 (a) of the Status Report. The prayer has been allowed and consequently the proposed hearing tomorrow has been adjourned.

Next date of hearing will be notified later on.


(M. K. Mukherjee)
Chairman

Urgent
By Speed Post (248)

72/7

No. 915/11/C/2/2000-Pol

PRIME MINISTER'S OFFICE

New Delhi-110011

15th January 2003

To

To.

**Shri Tarakeswer Pal,
Senior Counsel to Govt. of India
In Justice Mukherjee Commission of Inquiry
Room No. 5, Bar Association,
Calcutta High Court;
Kolkata- 700069**

**Subject: Letter from JMCI regarding Status Report as
on 28.11.2002.**

Sir,

711R
71A

7/10/03

The undersigned is directed to send herewith a copy of JMCI Status Report as on 28.11.2002 and draw particular attention to para 3 of the Status Report.

2. It is requested ^{in the} that light of the contents of the above referred para 3 this office may kindly be advised about the future course of action to be adopted by this office. ^{in this regard.}
3. An early reply will be very much appreciated.

Yours faithfully,

A.M.

**[Alok Mukhopadhyay]
Under Secretary (Pol)**

Handwritten signature
16.1

Handwritten signature

Handwritten initials

Handwritten initials

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REGISTERED WITH A/D

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinseb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

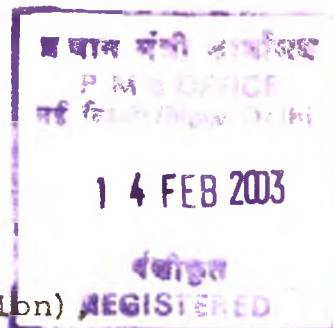
731R

NO. JMCI/Stat.Rept./99-2000/33A/534(7).

Kolkata, dated, 10th Feb.'03.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To
- 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
 - 2) The Secretary,
Ministry of Defence (History Division)
Government of India,
South Block,
New Delhi-110001.
 - 3) The Secretary,
Ministry of Information & Broadcasting,
Government of India,
Akashbani Bhavan,
Parliament Street,
New Delhi-110001.
 - ✓ 4) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.
 - 5) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.
 - 6) The Secretary,
Cabinet Secretariat,
Government of India,
Rashtrapati Bhavan,
New Delhi-110004.
 - 7) The Director,
Intelligence Bureau,
Government of India,
Ministry of Home Affairs,
North Block,
New Delhi-110001.



Sub : Status Report from 01.01.2003
to 31-01.2003.

Ref : Your Office Letter No.1/12014/
I/2000-IS(D.III) dt. 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report'
of the Secretary of Justice Mukherjee Commission of Inquiry,
for favour of taking necessary action at your end.

Encl : As stated above.

Yours faithfully,

(M. Roy)

Officer on Special Duty

NRO

(258)

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.01.2003 to 31.01.2003)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/503(7) dated 13.01.2003 to the Secretaries, Ministry of Home Affairs, Ministry of Defence (History Division), Ministry of Information and Broadcasting, Prime Minister's Office, Ministry of External Affairs, and Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their end.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
3. Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The document called for is yet to be located by the Ministry of External Affairs, Government of India, and sent by them to the Commission.

contd...P.2.

Action:
MEA

With Commission's letter No. JMCI/Records/N. Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No. 915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No. PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No. 24/27/71-Pol. II(D. III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No. PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.

Return
MHA

5. The Secretary, Prime Minister's Office has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the

PMD

3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.01 of Shri Sanjoy Sinha, Joint Director, IB, Govt. of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.02 of the Commission. A xerox copy of the list of exhibits marked as "Com. No." of Justice Khosla Commission of Inquiry was sent to the Director, Prime Minister's Office by Registered Post with Commission's letter No.502 dated January 10, 2003 as desired by the Prime Minister's Office in their letter No.915/11/C/2/2000-Pol. dated January 2, 2003. The documents called for are still awaited.

6. The Secretary, Ministry of Home Affairs, Govt. of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl.Nos.(ii),(iii),(iv),(v), & (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Govt. of India, addressed to the Commission which indicates that those papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Sectt. has been enclosed with the Commission's aforesaid letter dated June 14, 2002. A self-contained reminder was sent by Registered Post to the Secretary, Ministry of Home Affairs by the Commission's letter No.339 dated 24.09.02. The reply given by the Ministry of Home Affairs in their letter No.1/12014/13/2000-IS(D.V.) dated January 2, 2003 in the matter is being considered in the light of other relevant materials available on records.

7. Under Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and Ministry of External Affairs, Govt. of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No.12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed

file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The M.E.A. has stated in reply that the said documents belong to the files of the Prime Minister's Office. No reply of the Ministry of Home Affairs appears to have been received in the matter. The P.M.O. in their letter No.915/11/C/2/2000-Pol. dated 3rd/5th September, 2002 has referred to Commission's letter No. 228 dated 30.07.02 and Commission's aforesaid letter No.236(3) dated August 1, 2002 and has sent a reply to Commission's aforesaid letter No.228 dated 30.07.02 while their purported reply to Commission's letter No.236(3) dated August 1, 2002 is not compatible with the contentions of d.o. letter No.11-PMO/74 dated January 9, 1974 of Smt. Indira Gandhi, the then Prime Minister, addressed to Shri Samar Guha, M.P., a xerox copy of which was enclosed with Commission's aforesaid letter No.236(3) dated August 1, 2002. Besides, the said reply of the Prime Minister's Office to Commission's aforesaid letter dated August 1, 2002 adduces no cogent reason for their inability to send their documents called for by the Commission in its letter No.236(3) dated August 1, 2002.

8. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose

MHA
with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry^{of Home Affairs} is still awaited.

MHA
9.(a) By Commission's registered letter No.310 dt. 06.09.2002, the attention of the Secretary, Ministry of Home Affairs Government of India was drawn to Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II) : 608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report ~~is~~ called for from the M.H.A. is still being awaited.

MEAs
MHA }
(b) By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No.915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs [] and also from the Ministry of Home Affairs as already stated [].

18B

3. By d.o. letter No. JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of all India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is still awaited.

MEA

11. By Commission's registered letter No. JMCI/Study(PMO)- Follow Up/2002-2003/84/257 dated August 14, 2002, read with its registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/348 dated 27.09.02, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia as also in other States which previously belonged to erstwhile USSR. We have received a list of 9 (nine) archives in Russia from the Ministry of External Affairs, Government of India, with their d.o. letter No. 24/4/NGO-Vol.VIII dated October 21, 2002 but the complete list as called for is still awaited.

12. The Secretary, Ministry of External Affairs was requested by Commission's registered letters dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and x Records Administration, Maryland, U.S.A. as also in

MEk
other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Standford, U.S.A. etc. The response is still awaited.

Cab. Sectt.
13. The letter No.281/12/1/2000-TS dated November 13, 2002 of the Director, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, which is in reply to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, does not contain the information about the Department/Ministry/Office, out of which the Cabinet Sectt. was formed or about the Department/Ministry/Office of the Government of India which used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for. The said information is still awaited.

MEA
Home Sectt.
reply
14. By Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No.870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Autobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action.

The Ministry of External Affairs in their letter No. 25/4/NGO-Vol.VIII dated January 1, 2003 has stated inter alia that the letter dated 22.03.93 of Dr. S.D. Sharma, the then President of India, could be located in the records of the Ministry of External Affairs and that no ~~any~~ follow up action was taken on it.

15. To Expedite matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No.25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No.398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is still awaited.

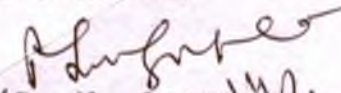
16. Notwithstanding the statement made by Late Morarji Desai, the then Prime Minister of India, in the Lok Sabha on 28.08.1978 regarding the availability of "further contemporary official documentary records", no such records could be located by the Prime Minister's Office, the Cabinet Sectt., and the Ministry of External Affairs, as reported by them. The said reports would be considered by the Hon'ble Chairman at the appropriate stage to express

NEA

his views thereon. The report called for in the matter from the Ministry of Home Affairs by Commission's Registered letter No. JMCI/Records/N. Delhi/99-2000/37/177 dated 29.06.2001 has not yet been received inspite of several reminders.

17. On being requested by the Commission, the Indian Embassy in Japan has agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. may be isolated for the purpose of a D.N.A. test." Further development in the matter is ^{still} awaited.
18. Shri Nandalal Chakraborty, one of the deponents of the affidavit No. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India, in continuation of the Commission's letter No. 398 dated 11.11.2002 ~~referred to the Ministry of External Affairs~~ with the request to act accordingly. The reply of the Ministry of External Affairs in the matter is still ~~is~~ awaited.
19. Some handwritings allegedly of 'Gumnami Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. The aforesaid two sets of handwritings have been made over to another competent handwriting expert in the last week of December, 2002. The report of the second handwriting expert is yet to be received. On receipt of which the relevant documents will be referred to ^{the} third handwriting expert.

20. Shri Dwaraka Nath Bose, son of Netaji's elder brother, Late Sunil Chandra Bose, has conveyed in writing his willingness to donate his blood sample, of 1 ml. for the purpose of proposed D.N.A. test. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family and it is taking steps for arrangements of D.N.A. tests of the blood samples of willing eligible donors of Netaji's family. Shri N.K. Panja, Principal Private Secretary met Dr. S.E. Hasnain, Director, Centre for DNA Finger Print and Diagnostics in Hyderabad on 23rd January, 2003 to discuss the modalities of collection of blood samples for DNA test as also to collect the Test Tubes and Syringes from him for the purpose.
21. The hearing of the Commission was held on January 9, 2003 in Annexe Building, Mahajati Sadan, Kolkata, on the contents of the paragraph 7(a) of the Status Report as on 28.11.2002, copy of which was sent to the authorities concerned with Commission's Registered letter No.503(7) dated 13.01.2003.
22. The Secretary, Ministry of External Affairs, Govt. of India, has been requested by the Commission's registered letter No. JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any in the name of Ichiro Okura, since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002 of the Commission. A copy of the said letter along with copies of the enclosures thereto has also been sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. Their response is still awaited.


(P. K. Sengupta)
Secretary

REGISTERED WITH A/D.

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE



No. JMCI/Stat.Rept./99-2000/33A/534(7).
Dated 10.01.03.



alok
Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta-- 700027

To
The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

P. G. TECHNICAL
BRANCH
8 FEB 2003
CHECKED
Sign. *[Signature]*

SE-6
IFM-I-11016/J-2/67/2000-C&P(Ret.)dt:7.3.2001

भारतीय डाक
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NEW MARKET PO <700087>
RL A 4836
Counter No:1, OP-Code:SU
INDIA POSTAGE
Amount:Rs37.00
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Wt:62grams To : NEW DELHI, PIN:110001

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WIRMAN BHAWAN-14

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2035
Secretary - 252-2767
Officer on Special Duty - 252-2765
Office - 252-2706/63

e-mail: jmcinsec@aol.com, jmcinsec@vsnl.net.in

260

No. JMCI/Stat.Rept./99-2000/33A/503 (7)

Kolkata, dated. 13.01.2003.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

Sub : Status Report from 01.12.2002
to 31.12.2002.

Ref : Your Office Letter No.I/12014/
I/2000-IS(D.III) dt.07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for ^{in view of taking} necessary action at your end.

Yours faithfully,

(M. Roy)

Encl : As stated above.

Officer on Special Duty

Pl. go through carefully & discuss - Para 3, Para 5, Para 8

ADDA. SECY. TO PM

Dy. No. 215-64

Date 21/1/03

21/1/03
US/Pol - 24/1
22/1
24/1 (5:15 PM)

160/33(4)/4/03/211

186/Dir(R)/03
24.1

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.12.2002 to 31.12.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/453(6) dated December 9/11, 2002 to the Secretaries, Ministry of Home Affairs, Ministry of Defence, Ministry of Information and Broadcasting, Prime Minister's Office, Ministry of External Affairs, and Cabinet Secretariat.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
3. Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Snri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The documents called for is yet to be located by the Ministry of External Affairs, Government of India, and sent by them to the Commission.

MOD

37/11

Action Pms
part is over

PMO

Action: MEA

4. With Commission's letter No. JMCI/Records/N. Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No. 915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No. PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No. 24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No. PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.

Action:
MHA

5. The Secretary, Prime Minister's Office has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the

PMO

3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.2002 of the Commission. The documents called for are still awaited.

6. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii),(iii),(iv),(v), and (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission which indicates that those papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Sectt. has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.

MHA
Cab Sectt

7. Shri Sanjoy Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjoy Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The matter was again referred to the said Joint Director by Commission's Registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/384 dated October 22, 2002. The reply is still awaited.

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8. Under Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs,

and Ministry of External Affairs, Government of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No.12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The Ministry of External Affairs has stated in reply that "the documents in the letter (i.e. Commission's letter dated August 1, 2002) referred to above of the Commission belong to files of the Prime Minister's Office and, therefore, any reply in the matter can be given only by Prime Minister's Office." The said documents are yet to be received.

PMO

9. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said

MHA

U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

10. The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs U.O. No.VI/11034/61/2002-IS(D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith a copy of this Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02 was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-opposition filed and the Judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them. The Ministry of External Affairs with their letter No.25/4/NGO-Vol.VIII dated October 25, 2002 has sent to the Commission a copy of their U.O. No.25/4/NGO-Vol.VIII dated 26.07.2002 endorsed to the Ministry of Home Affairs wherefrom it appears that the Ministry of External Affairs has referred back the matter to the Ministry of Home Affairs. A copy of the said Judgment Order has since been received but no copy of the affidavit-in-opposition referred to above has yet been received.

11.(a) By Commission's registered letter No.310 dt. 06.09.2002, the attention of the Secretary, Ministry of Home Affairs Government of India was drawn to Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India and the outcome thereof.

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The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.

MHA

(b) By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned in para 11(a) hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No.915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs and also from the Ministry of Home Affairs as already stated in para 11(a) J.

MHA

12. By d.o. letter No.JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the

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Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is still awaited.

MEA

13. By Commission's registered letter No.JMCI/Study(PMO)- Follow Up/2002-2003/84/257 dated August 14, 2002, read with its registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/348 dated 27.09.02, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia as also in other States which previously belonged to erstwhile USSR. We have received a list of 9 (nine) archives in Russia from the Ministry of External Affairs, Government of India, with their d.o. letter No.24/4/NGO-Vol.VIII dated October 21, 2002 but the complete list as called for is still awaited.

MEA

14. The Secretary, Ministry of External Affairs was requested by Commission's registered letters dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and Records Administration, Maryland, U.S.A. as also in other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Standford, U.S.A. etc. The response is still awaited.

15. The letter No.281/12/1/2000-TS dated November 13, 2002 of the Director, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, which is in reply to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, does not contain the information about the Departments/Ministry/Office, out of which the Cabinet

Cab Sectt

Sectt. was formed or about the Department/Ministry/Office of the Government of India which used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for. The said information is still awaited from the Cabinet Sectt., Rashtrapati Bhavan, New Delhi

16. By Commission's registered letter No. JMCI/Records/N. Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No. 870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action. No report has yet been received in the matter from the Ministry of External Affairs, Government of India.

MEA

17. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No. 398 dated 11.11.2002 was sent by Speed Post to the Ministry of

External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is awaited.

MEA

18. Notwithstanding the statement made by Late Morarji Desai, the then Prime Minister of India, in the Lok Sabha on 28.08.1978 regarding the availability of "further contemporary official documentary records", no such records could be located by the Prime Minister's Office, the Cabinet Sectt., and the Ministry of External Affairs, as reported by them. The said reports would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon, The report called for in the matter from the Ministry of Home Affairs by Commission's Registered letter No.JMCI/Records/N.Delhi/99-2000/37/177 dated 29.06.2001 has not yet been received inspite of several reminders.

we have already informed JMCI
PMO

MHA

19. On being requested by the Commission, the Indian Embassy in Japan has agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. may be isolated for the purpose of a D.N.A. test." Further development in the matter is awaited.

20. Shri Nandalal Chakraborty, one of the deponents of the affidavit No. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India, in continuation of the Commission's letter No. 398 dated 11.11.2002 as referred to para 17 hereinbefore, with the request to act accordingly. The reply of the Ministry of External Affairs in the matter is awaited.

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21. Some handwritings allegedly of 'Gumnami Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. The aforesaid two sets of handwritings have been made over to another competent handwriting expert in the last week of December, 2002. It need be pointed out in this connection that it may take considerable time to get the aforesaid two sets of handwritings examined by the said second expert and thereafter by the third expert.

MEA

22. Shri Subrata Bose, a nephew of Netaji Subhas Chandra Bose has stated before the Commission at the time of its hearing on 02.12.2002 that he would try to impress upon some of the descendents in the paternal and maternal lineage of Netaji Subhas Chandra Bose to donate blood. Shri Nirupam Som, who earlier questioned the efficacy of the proposed D.N.A. test, has stated inter alia in his letter dated 05.12.2002 to the Secretary of the Commission : "I see no reason to deviate from the stand taken by me in my earlier letter to you. I am also sure that Shri Subrata Bose is aware of the points raised in the same. Hence, since this important matter of blood donation is being

(27)

delayed, I hereby express my willingness to donate blood for the D.N.A. test provided Shri Subrata Bose has also given concurrence and has donated the same." Shri Sadhan Kar in his letter dated 26.12.2002 received by the Commission on 06.01.03 has expressed his willingness to cooperate with the Commission for the proposed D.N.A. test. The Commission by its Registered letter No.495 dated December 31, 2002 has requested Shri Dwarka Nath Bose, son of Netaji's elder brother Late Sunil Chandra Bose to convey in writing his willingness to donate his blood sample of one ml. for the purpose of the proposed D.N.A. test. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

23. Necessary steps have been taken for the hearing of the Commission scheduled to be held on January 9, 2003 in Annexe Building, Mahajati Sadan, Kolkata on the contents of the paragraph 7(a) of the Status Report as on 28.11.2002 (copy enclosed).
24. The Secretary, Ministry of External Affairs, Government of India, has been requested by the Commission's registered letter No.JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any, in the name of Ichiro Okura, since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002

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(272)

of the Commission. A copy of the said letter along with copies of the enclosures thereto has also been sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. Their response is awaited.

P. K. Sengupta
13/11/07
(P.K. Sengupta)
Secretary

○ Status Report as on 28.11.2002 showing action taken on/compliance with orders/directions including those contained in the proceedings dated 10.06.2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 21.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001, 20.12.2001 & 22.03.2002 of the Commission.

1. Xerox copies of the Commission's Status Report as on 06.06.2002 and of the proceedings dated June 10, 2002 and July 16, 2002 were sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's registered letter no. JMC1/Meeting-Proceedings (Follow up)/ 99-2000/48 (IV)/237 (7) dated 01.08.2002 for their information and taking necessary action at their end. The Commission's Status Report from 01.10.2002 to 31.10.2002 was sent to the Ministry of Home Affairs on 11.11.2002 by Registered Post for necessary action at their end.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the INA personnel.
3. No counter-affidavit or affidavit-in-opposition was filed by Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence and Intelligence Bureau, Govt of India in respect of averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents in spite of repeated reminders. Hence, they have been intimated by registered letter no 300 dated September 03, 2002 that because of the said default of the said Ministries/Departments/Offices of the Government of India, the Commission presumed that the formers did not want to file any counter-affidavits or affidavits-in-opposition as they had nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions contained in the aforesaid affidavits.
4. Xerox copies/authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.
5. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble chairman has stated inter alia : "..... since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again

taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission.”

Further development in the matter is awaited.

- 6. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of “further contemporary official documentary records”, no such records could be traced out by the Government of India, as reported by them. The reports given by the Ministry of External Affairs, Prime Minister’s Office, the Ministry of Home Affairs, etc. in the matter would be considered by the Hon’ble Chairman at the appropriate stage to express his views thereon.
- 7(a) The Hon’ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They have, however, stated that they all believe that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji are being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki on that very day to examine Dr. T. Yoshimi, the Hon’ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there is any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon’ble Chairman on 28.11.2002, shows that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.
- 7(b) Shri Nandalal Chakraborty, one of the deponents of the affidavit no. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. Copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission’s letter no. 398 dated 11.11.2002 to act accordingly.
- 8. The documents collected by the National Archives of India from the UK as per requisition of the Commission have been received and are being scrutinized by the Commission.
- 9. The Commission has received from the Ministry of External Affairs some papers in support of the contention of the Ministry of External Affairs that the name of Netaji Subhas Chandra Bose does not appear in the list of “War Criminals”.

10. The Commission has been pursuing with the Ministry of External Affairs, Ministry of Home Affairs, Prime Minister's Office, Ministry of Information and Broadcasting, the Intelligence Bureau, etc., Government of India, for various files/documents/records/reports called for from them which are yet to be received by the Commission.
11. Some handwritings allegedly of "Gumnami Baba" were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more eminent handwriting experts, one after the other. It may be pointed out in this connection that it will take considerable time to get the questioned handwritings, allegedly of Netaji Subhas Chandra Bose, verified with admitted specimens of his handwritings by 3 (three) eminent handwriting experts independently, one after the other.
12. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the Prime Minister's office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.
13. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/ 03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed DNA test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has however expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 PM on the same day, conveyed his willingness to donate blood sample for the proposed DNA test on the specimens obtained from Faizabad, UP, "and for no other purpose". The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records/ND/99-2000/37(IV)/547.

Kolkata, dated, 18th Feb.'03.

From : Shri M. Roy, IAS(Retd.),
Officer on Special Duty

To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to refer to your letter No. 915/11/C/2/2000-Pl. dated 3rd/5th September, 2002 and to say that the contention of your said letter, which is in reply to the Commission's letter No. 236(3) dated 01.08.2002, appears to be not at all compatible with the contention of the d.o. reply dated 09.01.1974 given by Smt. Indira Gandhi, the then Prime Minister of India to Shri Samar Guha, M.P., a copy of which was sent to you as one of the enclosures of the Commission's aforesaid letter dated 01.08.2002.

I am, therefore, directed to request you to kindly clarify the aforesaid incompatibility.

Yours faithfully,

(M. Roy)
Officer on Special Duty

Pl discuss with
letter under reference quickly

417/AS/20
ADDL. SECY TO PM
Dy. No. ... 610-01.....
Date..... 25/2/03...

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US/Pol.

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20/2

Form's Centre, Kolkata-54

S.E.-4

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Records/ND/99-2000/37(IV)/547

Police Commission of
Enquiry for Inquiry into the
alleged disappearance of
Lalji Subhas Chandra Bose
A, Mirza Galib Street, 3rd Floor
Block 'B', Calcutta— 700087

To
The Secretary
Prime Minister's Office,
South Block,
New Delhi-110001.



S.P.G. TECH. C.L.
BRANCH

CHECKED

SIGNATURE

T

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By Speed Post (277)

No. 915/11/C/2/2000-Pol

PRIME MINISTER'S OFFICE

New Delhi-110011

28th February, 2003

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

This has reference to JMCI letter No. Records/ND/99-2000/37(iv)/547 dated 18.2.2003 regarding the alleged incompatibility in this office reply of even number dated 3rd/5th September 2002.

The undersigned is directed to convey that our letter in question was based on facts and information available in our old records, which in totality have already been made available to JMCI and hence there is no incompatibility in the replies of the aforesaid letter. It has been our constant endeavour to fully co-operate with the Commission and accordingly all relevant documents have already been made available to the Commission.

Yours faithfully,

RK
(Renuka Kumar)
Director

o/c

P-III

29/2

By Speed Post

(278)

-2-

Copy with a copy of the letter No. JMCI/Records/ND/99-2000-37(IV)/547 dated 18.2.2003 for information to Shri Tarakeswer Pal, Senior Counsel to Govt. of India In Justice Mukherjee Commission of Inquiry Room No. 5, Bar Association, Calcutta High Court, Kolkata- 700069.

New Delhi-110011
28 February, 2003

How

(Alok Mukhopadhyay)
Under Secretary (Pol)

28/2/03

KOLKATA - 700087
11A, Mirza Ghalib Street,
"B" Block, (Third Floor)
Justice Mukherjee Commission of Inquiry
Officer-in-Chief, Enquiry
Room No. 5

Sir,

This has reference to JMCI letter No. Records/ND/99-2000(37)(IV)/547 dated 18.2.2003 regarding the alleged incompatibility in this office copy of even number dated 28/2/03 September 2003.

The undersigned is directed to convey that our letter in question was based on facts and information available in our old records which in totality have already been made available to JMCI and hence there is no incompatibility in the copies of the aforesaid letter. It has been our constant endeavour to help co-operate with the Commission and accordingly all relevant documents have already been made available to the Commission.

Yours faithfully,

(Renuka Kumar)
Director

Handwritten signature

(275)

DRAFT

No. 915/11/C/2/2000-Pol
PRIME MINISTER'S OFFICE

New Delhi-110011

27th February, 2003

To,

Shri M. Roy,
Officer-on-Special Duty
Justice Mukherjee Commission of Inquiry,
"B" Block, (Third Floor)
11/A, Mirza Ghalib Street,
KOLKATA - 700087.

Sir,

This has reference to JMCI letter No. Records/ND/99-2000/37(iv)/547 dated 18.2.2003 regarding the alleged incompatibility in this office reply of even number dated 3rd/5th September 2002.

The undersigned is directed to convey that our letter in question was based on facts ^{and} information available in our old records, which in totality have already been made available to JMCI, ^{and} ~~and therefore, we refuse to accept the charge of its being incompatible.~~ ^{and hence there is no incompatibility in the replies of the aforesaid letter.} It has been our constant endeavour to fully cooperate with the Commission and accordingly all relevant documents ~~on~~ ^{attached}

Sent for
inquiry
P-III
Ans
2/2/2

cont. ---

from Pre Page)

(28)

~~which we could lay our hands~~ have already been made available to the Commission.

Yours faithfully,

(Renuka Kumar)
Director



Animesh Majumdar, Advocate

Central Govt. Senior Counsel-II

Advocate

HIGH COURT CALCUTTA

Bar Association Room No. 12

Phones : 248-3190/3169

Fax : (033) 248-2313

E.mail : barasohc @ cal. cmc. net. in

Residence

BY SPEED POST

47271

CONFIDENTIAL

3rd February, 2003

To
Sri Alok Mukhopadhyay,
Under Secretary (Pol),
Prime Minister's Office,
New Delhi - 110011

Handwritten initials and scribbles

Dear Sir,

Re. : Your letter No. 915/11/C/2/2000-Pol
dated 16th January, 2003.

72/I

In reference to above and upon consultation with as well as endorsed and/or settled by Sri Tarakeswar Pal, Senior Standing Counsel to the Govt. of India in Justice Mukherjee Commission of Inquiry, the advice as sought for is hereby communicated as following :

1. It is true that no-Counter-affidavit, as mentioned in Paragraph No. 3 of the Status Report dated 28th November, 2002 was filed and the presumption as mentioned therein the said Paragraph No. 3 is lawful.

7/10/R

2. As there is no specific statement and/or allegation on behalf of the Government of India, in respect of the averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents in question, (although in some cases several affidavits had been filed on behalf of several Ministries/Departments and Offices of the Govt. of India), and there is no records requiring to make such statement and/or allegation, (the records as available in the matter had been discovered before the Hon'ble Commission) question of such counter-affidavit does not arise. Factually on asking, no such instruction had also been forward to us.

*Put up.
Am
5/2
P-III*

3. The Govt. of India, an impersonal Party cannot have any knowledge without records. Personal knowledge is out of consideration here.

4. The Hon'ble Commission is at full liberty to come to any finding at its pleasure on the available records in the matter - the counter-affidavit on behalf of the public in that respect, except the relevant records can not be accepted in law - on one hand, on the other, nor can be made too.

contd... 2



47275

282
Animesh Majumder,
Advocate
HIGH COURT CALCUTTA
Bar Association Room No. 12
Phones : 248-3190/3169
Fax : (033) 248-2313
E.mail : barasohc @ cal. cmc. net. in
Residence :

(2)

5. Hence non-filing of the said counter-affidavit makes no encumbrance upon the Govt. of India.

6. In view of above it is our considered advice and opinion that the future course of action to be adopted by your office is to comply with the requisitions of the Hon'ble Commission as to records, rules and procedures (as in the matter of destruction of records in your office - you have not filed the relevant rules yet before the Hon'ble Commission for which the Hon'ble Commission is repeatedly asking for) as quickly as possible, otherwise, the Inquiry is being delayed.

Thanking you,

Yours faithfully,

Animesh Majumder
(ANIMESH MAJUMDER)
Advocate,

Central Govt. Senior Counsel-II,
Junior to Mr. Tarakeswar Pal, Senior Standing
Counsel.

Settled.
Tarakeswar Pal,
Adv.
2.2.2003

78/II

"BY SPEED POST"

To
Sri Alok Mukhopadhyay,
Under Secretary (P),
Prime Minister's Office,
New Delhi - 110011.

From: -
Animesh Majumdar,
- Advocate,
Room No. 12, Bar Association,
High Court, Calcutta.
Kolkata - 700001.

EMS SPEED POST

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KOLKATA GPO (700001) भारतीय डाक
SP EE554524398IN
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INDIA POSTAGE
Amount:Rs50.00

03/02/2003 15:18
Wt:10grams To : NEW DELHI, PIN:110011



(283)

781

No. 915/11/C/2/2000-Pol

PRIME MINISTER'S OFFICE

New Delhi-110011

11th February 2003

To,

Shri Tarakeswer Pal,
Senior Counsel to Govt. of India
In Justice Mukherjee Commission of Inquiry
Room No. 5, Bar Association,
Calcutta High Court;
Kolkata- 700069

**Subject: Letter from JMCI regarding Status
Report as on 28.11.2002.**

Sir,

Please refer to your letter No. 47271 dated
3.2.2003 in response to our letter of even number
dated 16.1.2003.

It is requested that a suitable reply may kindly
be sent to Justice Mukherjee Commission of Inquiry
on the question of furnishing counter-affidavit or
affidavit in opposition to JMCI under intimation to
this office.

Yours faithfully,

Am.
[Alok Mukhopadhyay]
Under Secretary (Pol) *h.*

h.
7/2

(286)

No. 915/11/C/2/2000-Pol

PRIME MINISTER'S OFFICE

New Delhi-110011

11th February 2003

To,

Shri Tarakeswer Pal,
Senior Counsel to Govt. of India
In Justice Mukherjee Commission of Inquiry
Room No. 5, Bar Association,
Calcutta High Court;
Kolkata- 700069

Sir,

subject:

Please refer to your letter No. 47271 dated 3.2.2003 in response to our letter of even number dated 16.1.2003.

It is requested that a suitable reply may kindly be sent to Justice Mukherjee Commission of Inquiry under intimation to this office.

on the question

of furnishing counter-affidavit or affidavit in opposition to JMCI.

Yours faithfully,

[Alok Mukhopadhyay]
Under Secretary (Pol)



79/R
Animesh Majumder, Advocate
Central Govt. Senior Counsel - II, 285
Advocate

47282

HIGH COURT CALCUTTA
Bar Association Room No. 12
Phones : 248-3190/3169
Fax : (033) 248-2313
E.mail : barasohc @ cal. cmc. net. in
Residence :

BY SPEED POST

URGENT

Date : 06.03.2003

To
Sri Alok Mukhopadhyay,
Under Secretary (Pol),
Prime Minister's Office,
New Delhi - 110011

Dear Sir,

78II
Re. : My letter dated 3rd February, 2003, And
your letter dated 11th February, 2003 under
No. 915/11/C/2/2000 - Pol.

The reply you have referred ^{is} to be given and/or filed
before the Hon'ble Justice Mukherjee Commission of Inquiry by an
Affidavit by the Joint Secretary of your office.

2. Please send the copy of Rules as to destruction of
and weeding out ^{of} records in your Office immediately to the Hon'ble
Justice Mukherjee Commission.

Yours faithfully,

Amz
(Animesh Majumder)
Advocate

Central Govt. Senior Counsel - II
For Sri Tarakeswar Pal, Advocate Learned Senior
Standing Counsel to the Govt. of India in
Justice Mukherjee Commission.

Recd today
at 2-30 PM
Am
7/3/03

"BY SPEED POST"



From: -

Animesh Majumdar,
- Advocate
Room No. 12, Bar Association,
High Court, Calcutta.
Kolkata - 700001.

To

Sri Alok Mukhopadhyay,
- Under Secretary (Pol),
Prime Minister's Office,
New Delhi - 110011.

भारतीय डाक



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05/03/2003 15:47

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835

Secretary - 2252-2767

Officer on

Special Duty - 2252-2765

Office - 2252-2766/68

286

No. JMCI/Meeting-Hearing/99-2000/57(III)/ 571 (75)

March 04, 2003

From :

Shri M. Roy, IAS (Retd.)

Officer on Special Duty

Under Certificate of Posting

To

Shri Jamail Singh

Joint Secretary

Prime Minister's Office

South Block, New Delhi-110001

Dear Sir,

I am directed to inform you that the Commission will hold its next sitting on 26.03.2003 and 27.03.2003 (starting at 11.00 AM on both the days) at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007, when the Commission, besides transacting other business, is likely to examine the witnesses as named below :-

March 26, 2003 (Wednesday)

1. Shri Sunil Krishna Gupta,
2. Shri Ranendra Mohan Roy,
3. Shri Bijoy Kumar Nag, and
4. Shri Bhaskar Kishori Nag,

March 27, 2003 (Thursday)

1. Shri Surajit Dasgupta,
2. Shri Nandalal Chakraborty,
3. Shri Jagajit Dasgupta,
4. Shri Tarun Kumar Mukherjee, and
5. Shri Alope Krishna Chakraborty

12/3
M. Roy (R)
u.s./P.O.
13/3

Yours faithfully,

(M. Roy)

Officer on Special Duty

No. JMCI/Meeting-Hearing/99-2000/57(III)/571 (75)/1(2)

March 04, 2003

Copy forwarded to :

1. Mr. Tarakeswar Pal, Learned Senior Counsel, Government of India, 33, Asoke Avenue, Kolkata 700040.
2. Ms. Abha (Datta) Roy, Learned Counsel for the Govt. of West Bengal; F-4, Cluster XI, Purbachal Housing, Salt Lake City, Kolkata 700091

13/3
12/3

(M. Roy)
Officer on Special Duty

857/03/9/3
12/3

558/018(R)/6/03
13/3

Tarakeswar Pal

Advocate

Senior Counsel - I, To The Government of India
In Justice Mukherjee Commission Of
Inquiry For Inquiry Into The Alleged Disappearance Of
Netaji Subhas Chandra Bose

No. : 5
Bar association,
High Court, Calcutta,
Phone : (033) 248-3190/3169,
Fax : (033) 248-2313,
E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:
Purnasasi,
33, Asoke Avenue,
(Off. & Opposite Navanir),
Kolkata - 700 040.
Phone : (033) - 471-0592,
Fax : (033)-471-1204.

BY REGISTERED WITH SPEED POST

Date **1st April, 2004**

Ref:

15/19

To

1. Sri Rakesh,
Joint Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi - 100 001.
(Ref. : My letter dt. 26.2.2004 and your No. 1/12014/13/2000-IS
(D.III)/NCB-II,

2. MS Ruchi Ghanashyam,
Joint Secretary (C NV)
Ministry of External Affairs, Government of India, South Block,
New Delhi - 110 011.
(Ref. : 25/4/NGO-Vol-Viii)

3. MS Renuka Kumar,
Director,
Prime Minister's Office, Government of India, South Block,
New Delhi - 110 011.
(Ref. : 915/11/G/2/2000-Pol)

Dear Sir,

Re. : Compliance of various directions of the Hon'ble Justice Mukherjee Commission to you, And, (1) Order of the Hon'ble Commission as was passed on 5th February, 2004, (2) Status Report of the Hon'ble Commission as was published on 29th January, 2004, and, (3) the list of some long pending matters of the Hon'ble Commission with you (as all annexed herewith).

Please send your replies on the abovementioned three documents at your earliest. I would prefer visits of your responsible Officer/s for consultation on the whole matters - so that I may apprise the Hon'ble Commission of your compliances. The matters are long standing. Kindly do the need-ful and communicate instructions to me in the matter, as early as possible.

Thanking you,

Yours faithfully,

Copy to :
Sri M. Roy, Officer on Special Duty,
Justice Mukherjee Commission Of Inquiry,
11A, Mirza Galib Street (Block B-3rd floor)
Kolkata - 700 087.

Tarakeswar Pal
(Tarakeswar Pal)
Advocate

(in reference to his letter No. JMCI/Meeting-preceeding/(Follow-up)/99-2000/48(V)/506 dated 19th March, 2004, received by me on 31st March, 2004.)

- for information.

for you
DSIA
19/4

Please verify whether
any point relates to
P.M.O.

Dr
19/4

WSPot

No points of F/A's are related to ND. So far as Point N.1 of F/c is concerned, no action is pending so far as P.M.O. is concerned in view of position of F/1,2,344 of linked file. So far as Khasia Commission is concerned, as referred to in Para 5 & 6 of F/c, the position has been clarified vide our affidavit of F/2. Our Council knows about it. May pl. see ND to whether any reply is to be given to Govt. Council, Mr. Pat.

1170/DS(A)/9/04
19/4

DS(A)

Dr
30/4

Since nothing is
pending with P.M.O.,
so no need to
send further reply
at this stage.

Dr
5/5/04

Pat-3

Dr
5/5

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 5th February, 2004 (26th) held at the Seminar Hall, Annex Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 5, 2004.

Of the five witnesses summoned today two witnesses, namely, Shri Sugata Bose and Shri Swadhin Sanyal have prayed for adjournment by filing different petitions beforehand on the common ground of their prior commitments while Shri Pabitra Kumar Ghosh has, as on the earlier occasion, prayed for adjournment on the ground of illness. Other two witnesses, Smt. Jayanti Bhattacharya and Shri Rishi Ranjan Chakraborty, are absent without any intimation.

STATUS REPORT

The Parties have been heard in respect of the Status Report as on 29.01.2004.

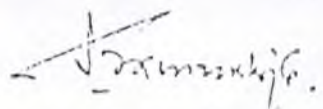
As different departments of the Government of India have not fully complied with the various directions contained in the proceedings of the different dates as mentioned in paragraphs 3(c), 5, 6, 7, 9 and 14 of the Status Report Shri Tarakeswar Pal, I.d. Senior Counsel for the Government of India has been directed to pursue the matter with the concerned departments by writing letters to them and apprise the Commission of their reply.

Attention of Shri Subrata Bose (JMCI-27/2000) was drawn to paragraph 9 of the news item titled, "Netaji Commissioner Kaj Niye Kendrer Birudhey Humki Andolonor" published in the 'Bartaman' dated 03.02.2004 where he was quoted "..... there are materials to prove that NETAJI WAS IN THE CITY OF OMSK IN SOUTH RUSSIA IN 1946". He stated that he was misquoted.

Referring to paragraph 7 of the Status Report, Dr. Madhusudan Pal (JMCI-14/2000) has submitted that he has also received a letter from the Chief of Protocol Office, Taipei City Government informing him that the Cremation Permits issued before 1968 by Taipei City Government, Department of Health were unfortunately destroyed.

Shri Nanda Lal Chakraborty (JMCI-11/2000) and Shri Sukhendu Kumar Baur (JMCI-31/2000) have submitted that sufficient time should be given to the different deponents for advancing their arguments in the matter. Commission assured them of giving sufficient time.

Let a copy of this Order be forwarded to Shri Tarakeswar Pal, I.d. Senior Counsel for the Government of India for taking necessary action in terms thereof.


(M. K. Mukherjee)
Chairman

Status Report as on 29.01.2004 showing action taken on / compliance with orders/directions of the Commission including those contained in the various proceedings.

1. Xerox copies of the Commission's Status Report as on 24.11.2003 (Forenoon) and of its proceedings dated November 27, 2003 have been forwarded to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence (History Division), Ministry of Information and Broadcasting, as also to the Director, Intelligence Bureau, Government of India, for their information and favour of taking necessary action at their end in respect such of the matters in the Status Report as may be applicable to them.
2. A notice has been sent to each of the deponents and other parties concerned regarding the next hearing of the Commission on February 5, 2004 and, if need be, on February 6, 2004 as well in the Annexe Building, Mahajati Sadan, Kolkata and summons have been issued to five witnesses for their examination/further examination during the hearing.
3. (a) Xerox copies / authenticated copies of various files / records of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/records in appropriate cases.
- (b) The Commission has been pursuing with the Departments/Ministries concerned, Government of India for various files/documents/records called for from them which are yet to be received by the Commission.
- (c) The photocopies of the three documents called for from the National Archives of the Government of the U.K.as indicated in para 3(c) of the Status Report as on 24.11.2003 (forenoon), have since been received. Those documents seem to indicate that an investigation was made under the orders of the Government of Taiwan in 1956 into the alleged death of Subhas Chandra Bose, leader of the Indian National Army, in Formosa.
4. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries.
5. By Commission's letter No. JMCL/EO/2002-03/83(III)/245 dated September 05, 2003 the Secretary, Ministry of External Affairs, Government of India, has been furnished with a copy of the news item captioned, "Government to authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday, October 28, 1995 and they have been requested to let the

- 8. (a) By Commission's d.o. letter No.JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her d.o. No.24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed to Prof. E.N. Komorov of Moscow Academy of Sciences, and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery; that her said d.o. letter dated October 13, 2003 is also silent about outcome of the request of the Commission to approach the Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1,2 and 3 of its said letter dated April 1, 2003. Their reply is still awaited.
 - (b) The reports regarding availability of relevant documents in all the remaining archives of the Russian Federation including the KGB Archive and an exhaustive list of all the archives of the Russian Federation are yet to be received.
 - (c) The report of the Indian Consulate of St. Petersburg as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, is yet to be received by the Commission in spite of several reminders to the said Ministry.
9. From the copy of the d.o. letter No.25/4/NGO/Vol.X dated January 12, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, endorsed to this Commission, it appears that all the three Notices sent by the Commission to the Ministry of External Affairs, Government of India, with the request for their publication in leading English and local languages newspapers in Singapore, Bangkok, and Saigon have since been complied with and that the Indian Mission in Singapore is being requested by the Ministry of External Affairs to make inquiries with regard to the feed back received from one Mr. Joseph C. Pereira, a Singapore National of Indian Origin, by the Embassy of India, Hanoi. Mr. Pereira has furnished some particulars of the son and daughter of Mr. Gerald De Cruz who might have some relevant information. Mr. Pereira is also being requested to send a copy of the book titled, "Kojaka Rebels" which was allegedly published by a Singaporean Publisher and to furnish the addresses of the said son and daughter of Mr. Cruz.

the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said Commission (as received by us) appear to contain only some parts of its proceedings. The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

- 15. The blood samples of Smt. Tripti Nag, daughter of one of Netaji's elder sisters and Shri Nirupam Som, one of Netaji's elder sisters' daughter's son, have recently been collected and made over to the Central Forensic Science Laboratory, Kolkata. Besides, the specimen teeth allegedly of one Gumnai Baba of Faizabad, and the blood samples of Shri Sadhan Kar, one of Netaji's elder sisters' daughter's son, Shri Subrata Bose, son of Netaji's elder brother Late Sarat Chandra Bose and Shri Dwarka Nath Bose, son of Netaji's elder brother Late Sunil Chandra Bose, had earlier been made over to the CFSL, Kolkata. By Commission's letter No.JMCI/EO/2002-2003/83(III)/371 dated December 22, 2003 the Director, CFSL, Kolkata have been requested for D.N.A. profiling tests to fix the identify of the person to whom the said teeth belonged.

Some Long Pending matters of the Commission with the
Government of India.

1. As far back as on September, 05, 2003 the Commission along with its letter No. JMCI/EO/2002-03/53(III)/245, addressed to the Secretary, Ministry of External Affairs, Government of India, has sent a copy of the news item captioned, "Government of authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday October - 28, 1995 and has requested ~~to~~ him ~~to~~ let the Commission know what has actually happened with regard to the reported decision of the Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news - item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA experts, viz. Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news-item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India Unfortunately, their response is still awaited.

2. By Commission's do letter No. JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her do letter No. 24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter ~~no~~ dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed

to Prof. E.N. Komorov of Moscow Academy of Sciences and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery, that her said d.o. letter dated October 13, 2003 is also silent about the outcome of the request of the Commission to approach the Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1, 2 and 3 of its said letter dated April 1, 2003 . Their reply is still awaited.

3. By Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the attention of the Joint Secretary (CNV) has been drawn to the d.o. letter No. 25/4/NGO/Vol. X dated 13.10.2003 of the Director (CNV), Ministry of External Affairs, Government of India, and he has been requested to kindly let the Commission know immediately the present position of the other pending matters mentioned in the d.o. letter No. 25/4/NGO-Vol(IX) dated 27.06.2003 of the Ministry as also to send a complete list of all the archives of the Russian Federation. The reports called for are still awaited.

4. By Commission's letter No. JMCI/CPDC/2002/86/394 dated January 08, 2004 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention has been drawn to her d.o. letter bearing No. 25/4/NGO/Vol.X dated 25.11.2003 and she has been requested to kindly send to the

Commission a progress report in the matter of their exploring alternative options for seeking the assistance of other agencies organizations for obtaining the requisite documents concerning the alleged air crash at Taihoku on August 18, 1945 and the alleged consequent death of Netaji and she has also been requested to make available to the Commission as early as possible all the relevant documents in the matter. In this connection it may be added that when it proposed to visit Taiwan in 2002 the Commission was made to understand that the Government of India would not be in a position to make any payment on behalf of the Commission in Taipei and that the payment for all service in Taipei including the cost of hotel accommodation, transport, interpreter, photographer, etc. would need to be made directly by the Commission itself and that publication of the notice in leading local details in English and local languages in Taiwan regarding holding of the hearing of the Commission in Taiwan would have to be arranged by the Commission itself. Consequently, the Commission made endeavours to contact the authorities in Taiwan to know about the availability of relevant documents and relevant witnesses in Taiwan as the Ministry of External Affairs, Government of India, expressed their difficulties to render the required help and assistance in the matter to the Commission on the ground that the Government of India is not having any diplomatic relations with the Government of Taiwan. Subsequently, the Ministry of External Affairs advised the Commission (vide d.o. letter No. 25/4/NGO/Vol.IX dated September 24, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, to the Secretary of the Commission) not to approach the authorities of Taiwan in the aforesaid matters directly but to write to the Ministry of External Affairs for the information required to be obtained by the Commission from Taiwan.

5. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned a new reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries. In this connection Commission's letter No. JMCI/DOC(FOR)/99-2000/56(1V)/391 398 dated November 11, 2002, and no. JMCI/Overseas/Witnesses/2000-01/70/433 dated November 27, 2002, both addressed to the Joint Secretary (CNV), Ministry of External Affairs, Govt. of India, and its letter no. JMCI/Overseas/Witnesses/2000-01/70(11)/621 dated April 01, 2003 addressed to the Secretary, Ministry of External Affairs, may kindly be referred to.

6. By Commission's letter No. JMCI/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No. 1/12014/13/2000-NCB dated 19/24. 09.2003 does not state specifically as to whether the documents called for by Commission's letter No. JMCI/11/2000/542 dated February 17, 2003 are in existence or not. It has also been stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence, the reason for which those have not yet been sent to the Commi-

Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is still awaited.

7. By Commission's letter No. JMCI/Pverseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Sri Vijoy Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned. "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter no. 25/4/NGO-Vol.IX dated May 7. 03 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation, and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.

8. By Commission's letter No. JMCI/Meeting-Proceedings/(Follow-up)/99-2000/48(V)/322 dated November 5, 2003 addressed to Shri Umesh Kalra, Director (IS), Ministry of Home Affairs, Government of India in response to the factual position regarding para 5 as indicated in Shri Kalra's letter no. 1/12014/13/2000-IS-V(NCB)/Vol.V dated 31.10.03, it has been pointed out that the 317 tiles of Khosla Commission mentioned therein do not contain either the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said Commission (as received by us) appear to contain only some parts of its proceedings. The

The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

9. The Commission by its letter No. JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post Graduate class in the U.S.A. indicating/suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

10. With Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26,2003 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August, as collected from the U.K. in course of the visit of the Commission to London, has been sent to the said Joint Secretary with the request to kindly let the Commission know as expeditiously as possible, the result of the inquiry initiated by the Viceroy as mentioned in the aforesaid document bearing No. 5190. Their response is awaited.

11. In Commission's letter No. JMCI/Meeting-Proceedings (Follow-up)/99-2000/48(V)/376 dated December 26, 2003 addressed to the Secretary, Ministry of Home Affairs, Government of India it has been pointed out, inter alia, that the documents mentioned in para 2(iii), 2(v), and 2(vi) of the Cabinet Secretariat's letter No. 281/12/1/2000-PS dated November 13, 2003 could not be traced out in Ministry of Home Affairs' files No. 1/12014/9/77-D.III. No. 1/12014/6/90-IS (D.III) and No. 31/2/74-Pol.D.III (2 Vols.) in spite of thorough search not only by the Officers of the Commission but also by one Officer of the Ministry of Home Affairs in course of his visit from New Delhi to the Commission's Office in Kolkata, though it has been stated in para 2 of the Ministry of Home Affairs' letter No. 1/12014/13/2000-IS (D.V) dated January 2, 2003 that those documents are available in the aforesaid files of the Ministry of Home Affairs and that the documents mentioned at para 2(ii), 2(iv) could not be made available to the Commission. The Secretary, Ministry of Home Affairs has, therefore, been requested in the said letter dated December 26, 2003 of the Commission to kindly take all possible steps to ensure early transmission of all the aforesaid five documents mentioned at para 2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of the aforesaid letter of the Cabinet Secretariat. Further development in the matter is awaited.

12. The report of the Indian Consultate of St.Petersburg (as intended to be sent later to the Commission in para 4 of the d.o. letter No. 24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission) is yet to be received by the Commission in spite of several reminders to the said Ministry.

SOME OF THE IMPORTANT MATTERS WHICH THE COMMISSION HAS BEEN CONSTRAINED NOT TO PURSUE ON THE REPEATED FAILURE OF THE MINISTRIES/DEPARTMENTS CONCERNED OF THE GOVERNMENT OF INDIA TO COMPLY WITH THE DIRECTIVES OF THE COMMISSION SENT IN THAT REGARD FROM TIME TO TIME.

1. Shri Morarji Desai, the then Prime Minister of India, made a statement on the floor of the Parliament (Lok Sabha) on August 28, 1978 that 'some further contemporary official documentary records have become available' in the light of which "it is difficult to accept that the earlier conclusions (of the Shah Nawaz Khan Committee and the Khosla Commission) are decisive". But the said 'further contemporary official documentary records' have not been made available to the Commission by the Government of India.

2. No follow-up action has been taken by the Ministry of External Affairs, Government of India, as requested by the Ministry of Home Affairs, Government of India on the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India (vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/449 dated December 5, 2002 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India).

3. The documents mentioned in the d.o. letter dated February 3, 1998 of Dr. Ramesh Chandra Majumdar (a renowned historian, since deceased) addressed to Shri Morarji Desai, the then Prime Minister of India, as also those mentioned in the note attached to the said d.o. letter of Dr. Mazumdar (vide c.p.s. 16-20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office) have not been made available by the Secretaries, Ministry of Home Affairs and Ministry of Information and Broadcasting as called for from them by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37 (Vol.II)/542 dated February 1, 2002.

4. Vol.Nos. XVIII, XIX and XXII pertaining to the Khosla Commission along with other relevant files/documents/records which have been shown in the Affidavit dated December 19, 2001 of Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, as called for by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol)II)/534 dated January 29, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, have not been made available to the Commission.

5. The Affidavit allegedly filed by the Government of India before the Khosla Commission regarding destruction/missing of 34 confidential files on Netaji has not been made available to the Commission.

6. The documents filed by the Government of India and other parties, if any, before the Khosla Commission which were made exhibits by the said Commission, have not been furnished by the Government of India to this Commission. Not even a comprehensive list of the said exhibits has been filed by the Government of India to this Commission.

7. Copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries Departments/ Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by any of the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India, have been kept informed by the Commission accordingly.

8. The Ministry of Home Affairs and the Ministry of External Affairs, Government of India, have been repeatedly requested by the Commission, in vain, to take up the matter with the Govt. of the U.K. at appropriate levels so that the classified British documents on Netaji Subhas Chandra Bose/INA are got declassified and the Commission can peruse them for the purpose of its inquiry.