

2000

915/11/C/2/2000-10-1

फाईल सं०

File No.

Secret

खण्ड

Volume

I

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

Pol.

अनुभाग/प्रभाग

SECTION/DIVISION

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

..... 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.

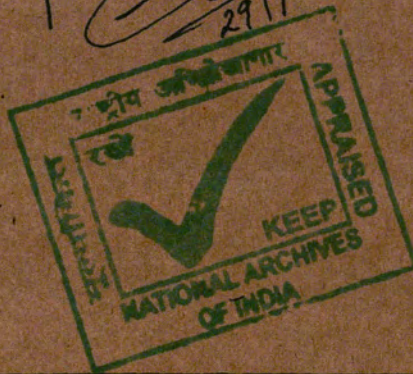
लिपिक के आद्याक्षर
Initials of Clerk

विषय
SUBJECT
Death/Disappearance of netaji S. C. Bose
- Justice Mukherjee Commission of
Inquiry Ref.

CONTENTS

Notes		Correspondence	
From	To	From	To
01	29	01	207

Keep [Signature] 29/12/15



पिछले हवाले
Previous References

915/11/C/19/95-Pol vol 2/11

102/11/15
S. R. 15

बाद के हवाले
Later References

Vol II - Sh BR Tamta's letter
Ref netaji SC Bose
Vol III Ref. Justice Mukherjee
Commission

Index:-

1. Proceedings dated 23.3.2000 Slms - 1/c
2. — do — 13.6.2000 6/c
3. — do — 31.8.2000 20/c
4. — do — 4.9.2000 26/c
5. — do — 28.9.2000 42/c
6. Premlise — 64/c —

FR

1/N

The following files on Netaji Subhash Chandra Bose have been located in our records:

<u>Sl.No.</u>	<u>Files number</u>	<u>Subject</u>
1.	23(156)/51-PM ✓	Disposal of properties of Indian National Army in the far East.
2.	23(11)/56-57-PM ✓	I.N.A. Treasure.
3.	2(64)/56-66-PM Vol. I to V	i) Death of Sh. S.C. Bose. ii) Appointment of an Enquiry Committee to go into the circumstances of the death.
	I II III IV V	
L.ND 470 4.	2(64)/78-PM ✓	- do -
LND 288 5.	2(64)/79-PM ✓	-do-
LND 295 6.	2(64)/80-PM ✓	-do-
LND 302 7.	2(64)/81-PM ✓	-do-
LND 299 8.	2(64)/82-PM ✓	-do-
LND 287 9.	2(64)/84-PM ✓	-do-
LND 290 10.	2(64)/86-PM ✓	-do-
11.	800/6/C/3/88-Pol ✓	-do-
12.	800/6/C/1/89-Pol ✓	Netaji Subhash Bose
13.	800/6/C/1/90-Pol ✓	-do-
14.	800/6/C/1/91-Pol ✓	Disappearance of Sh.S.C. Bose
15.	915/11/C/6/96-Pol ✓	Disappearance/death of Sh.S.C. Bose.
16.	915/11/C/9/99-Pol Vol. I, II & III ✓	-do-

2/2

It may be mentioned that the Commission has specifically mentioned about 3 files of PMO i.e.

- (i) 23(156)/51-PM
- (ii) 23(11)/56-57-PM
- (iii) 12(226)/56-PM

The files at (i) & (ii) are available in our records and placed below. The file at (iii) has since been destroyed.

Submitted please.

(Signature) 18/4/2000

[B.K.Dhal]
Under Secretary

~~Dir(AT)~~ may like to see, w.r. to minutes on F.R. Secy. of the Commission would be informed accordingly, as requested by MHA.

~~JSCA)~~ *(Signature)* 20/4/2000

(Signature) 18/4

~~Dir(AT)~~ *(Signature)* 1/5

Draft letter to Secretaries, Justice Mukherjee Commission of Inquiry is placed below for approval please

~~ws(DP)~~

(Signature) 2/5

~~Dir(AT)~~ After confirming the name of the file at S. no 13 *(Signature)* 2/5

2/5

S No. 4/c

FR may kindly be seen.

Secretary, Justice Mukherjee Commission of Inquiry has requested that photo-copies of the files/records concerning Netaji Subhas Chandra Bose/INA as listed in our letter dated 2.5.2000 (F/A) may be sent to him immediately.

He has also desired that the subject and contents of F.No.12(226)/56. PM and the circumstances under which the file was destroyed may be intimated to him.

It may be mentioned on this connection that the subject of the file was "Investigation into the circumstances leading to the death of Shri Subhash Chandra Bose". Since the files was opened in Cabinet meeting head, most probably this file contained the agenda paper/minutes of the Cabinet meeting on the subject. The file register indicates that the file was destroyed on 6.3.1972 (perhaps ~~to~~ after routine review - because a set of agenda papers and minutes ~~are~~ kept permanently in Cabinet Secretariat.)

If approved we may send a reply on these lines. We may also start photo-copying the files. if approved.

(Signature)
31/5/2000

[B.K.Dhal]

Under Secretary

Dir(A) The files relating to the above subject in our office may be sent to the Commission of Inquiry, as requested by them. For the reasons regarding destruction of a file in PMO, we may inform them that it was destroyed on 6/3/1972 probably because a set of those papers are to be permanently maintained in Cab Sectt, as mentioned at 'A' above. We may reply accordingly.

(Signature)
31/5

JS (A)

(Signature)
2/6/2000

(Signature) 2/6 us (pot) III

✓
F/73
-x

Reference notes on Page 3/n.

The photo-copies of the 16 files have been made. If approved, we may now send these to Secretary, Justice Mukherjee Commission.

Certain documents of F.No.23(156)/51-PM required by the Commission (F/A) have been destroyed while recording the file in 1969. The list of documents destroyed has been kept in the file (F/B). We may bring this to the ^{notice} ~~which~~ of the Commission.

DFA

[Signature]

[B.K.Dhal]

Under Secretary
30.6.2000

Dir(A) As desired by the Commission, 16 files have been photo copied and reasons for destroying one file in 1969 have been given. May please see, before letter is forwarded to the Commission.

*DFA

~~JSCA~~

[Signature]
30/6/2000

[Signature]
30/6

~~SPD~~

[Signature]

~~US (Del)~~

Fair letters are placed below for signature.

F.No. 23(11)/56-57-PM and F.No. 2(64)/56-66-PM (Vol. II) may now be transferred to NGO as they are Top Secret. These may be sent to Mukherjee Commission separately by NGO section

Dir(A)

has approved and signed the letter.

[Signature]
A/7/2000

[Signature]
ht

Reference notes on p. 5/n.

The T.S. files referred to are sent along with photo-copies of the files for being forwarded to Mukherjee Commission. NGO may now take over the files.

NGO Section may take further necessary action and return this file to Political Section after keeping relevant extracts.

Amal
4/7/2000
US (PST).

NGO Section

As discussed with Dir (A) when US (Poe) was also present, we may ask IB to concur to the downgradation of their two letters dated 12-6-63 and 16-11-63 sent by the then DIB to Shri K. Lann then PPs to Pm. about one Shri K.K. Bhandari (believed to be Shri Subhas Chandra Bose), DFA is put up. About downgradation of our letters pps shall be put up separately for orders of JS (A)

Amal
5/7/00
US (NGO)

~~Dir (A)~~
~~US (NGO)~~ 5/7

Two top secret files (and photopies) and Extracts of notes retained.

~~US (Poe)~~

Complete the file & give to P. 111
Amal
5/7

→ 13/C

Sh. Sen

3
-3/10
✓
p. 1-3/n
&
S.No. 17/c
We have already made available 15 files on Netaji Subhash Chandra Bose/INA to Justice Mukherjee Commission of Inquiry.

Subsequent to this we have located the some more files in our records as under:-

- (i) T-2(64)/78-PM
(Death of Netaji Subhas Chandra Bose appointment of an Inquiry Commission to go into the circumstances of death).
Photo copy of the main file has already been made available to the Commission. This file contains some Top Secret notings This has been transferred to NGO and they are taking orders separately.
- (ii) 2(67)/56-71-PM Vol.I & II
(Widow and daughter of Shri Subhas Chandra Bose – Misc. correspondence with and about).
- (iii) 2(67)/78-PM
(Widow and daughter of Shri Subhas Chandra Bose – Misc. correspondence with and about).
- (iv) 2(64)/78-PM
Annexure to S.No.38
(Death of Netaji Subha Chandra Bose – Apptt. Of an Inquiry Commission to go into the Circumstances of death).
Photo copy of the main files have been Made available to the Commission.
- (v) 2(64)/80-PM (Annexure)
-do-
-do-

- (vi) 2(658)/53-PMS
(Jankinath Bhavan at Cuttack, birthplace of Shri Subhas Chandra Bose – acquisition by the Orissa Govt. of – use of the building as a hospital by the Netaji Subhas Seva Sadan).
- (vii) 870/11/P/17/90-Pol
(Netaji Subhas Chandra Bose – Disappearance regarding – Sh. Samar Guha, MP's letter forwarded by the President).
- (viii) 870/11/P/10/91-Pol
(Netaji Subhas Chandra Bose – disappearance regarding – letter from Sh. Samar Guha, MP forwarded by President).
- (ix) 870/11/P/16/92-Pol
(Netaji Subhas Chandra Bose – Disappearance of papers regarding).
- (x) 870/11/P/10/93-Pol Vol.I & II
(Disappearance of Netaji Subhas Chandra Bose – Return of the ashes of Subhas Chandra Bose from Japan to India).
- (xi) 870/11/P/11/95-Pol
(Disappearance of Netaji Subhas Chandra Bose).

2. Since the Commission has requested that all files relating to Netaji Subhas Chandra Bose should be made available to it, if approved, we may send photocopy of the above files to the Commission.

3. While going through the file registers of 1966 we have come across a file (No.2(381)/60-66-PM – Proposal to bring Shri Subhas Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi). This file was however not listed in the subsequent year's file

- 98/100

registers. There is also no indication if this file was destroyed/recorded/transferred. This file is also not available in our records. For consideration if we should bring this fact to the notice of the Commission saying that this file is not readily traceable.

(Signature)

(B.K. Dhal)

Under Secretary(Pol)

21-7-2000

Dir(A) The above mentioned 11 files relating to Netaji Subhas Chandra Bose have been found in Pol. Sec, and may be forwarded to the Commission. One file of 1966 on the subject of bringing back the ashes of Netaji is not traceable. If approved, the Commission would be informed that it is not readily available and would be sent if found. Efforts to locate it are on for approval, please.

(Signature)
21/7

JS(A)

~~Dir(A)~~

~~US(Pol)~~

(Signature)
27.2000

(Signature)
21/7

We may forward the files as per the letters placed below for signature please

Dir(A) we may send by courier / speed post

US (Pol)

(Signature)
25/7

(Signature)
25/7 → 17/C

97/15/SCA/20
19 8/15/8 (A) 1/51 21/7

POLITICAL SECTION

✓
FR may kindly be seen.

✓19/c —
Shri Paitandy, Director, MHA in his letter has mentioned that he has attended the proceedings of the Justice Mukherjee Commission of Inquiry at Calcutta on 31-8-2000 wherein it transpired that there are some more files in PMO regarding Netaji Subhas Chandra Bose. [in addition to the 16 files sent to the Commission on 2.5.2000] He has also mentioned that:

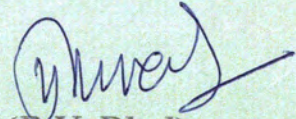
(i) PMO should recheck its records and state the factual position in respect of availability or non-availability of records pertaining to Netaji/INA in a sworn and attested affidavit which could be filed before the Commission much before 28.9.2000 i.e. the next date of hearing.

(ii) The Commission has also observed that if any of the files of PMO have been destroyed the circumstances leading to that may also please be indicated in that affidavit.

-13/c F/B
-17/c-F/C
-18/c-F/D
2. It may be mentioned that in addition to the 16 files sent to the Commission on 2.7.2000 we have made available 10 more files vide letter dated 25.7.2000. NGO Section has also supplied 7 files. The receipt of these files has been acknowledged by the Commission.

3. One file required by the Commission (File No.12(226)/56-PM- Investigation into the circumstances leading to the death of Shri Subhas Chandra Bose) has been destroyed on 6.3.1972 and one file (File No. 2(381)/60-66-PM-proposal to bring Shri Subhas Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi) is not traceable in our records.

There are no other files on Netaji Subhas Chandra Bose in our records. However, as requested by MHA we are again re-checking our records.



(B.K. Dhal)

Under Secretary

11.9.2000

Dir(A)

45 (Pol)

As discussed. Pl put up early. I have discussed with Sri Singh, SD & Sri Paitan dy also
Wahid
12/9

POLITICAL SECTION

The reference received from Justice Mukherjee Commission of Inquiry (JMCI) may kindly be seen. JMCI has desired immediate production of xerox copies of the orders regarding destruction of files/documents concerning Netaji Subhas Chandra Bose as also the xerox copies of the "Lists of files/documents destroyed" in pursuance of the said order.

2. While making available the files on Netaji Subhas Chandra Bose we have already intimated JMCI that:

- ✓ SNo. 13/c. (I) One File No. 12(226)/56-PM has been destroyed on 6.3.1972.
- ✓ (II) Certain documents of File No. 23(156)/51-PM have been destroyed while recording that file.
- ✓ SNo. 17/c. (III) One file [No. 2(381)/60-66-PM proposal to bring Shri Subhas Chandra Bose's ashes from Tokyo and to put up a memorial to him in front the Red Fort in Delhi] is not readily traceable in our records.

* placed below
F/x
3. There appears to be another ^x file (File No. 2(64)/56-70-PM (Vol.VI) which is also not readily traceable. We have made available to the Commission the five Volumes (Vol. 1 to V) of this file. On the file cover of Vol. V it has been indicated "see Vol. VI." But Vol.VI of the file is not readily traceable. This fact ~~is~~ may be brought to the notice of the Commission separately.

* F/O
F/x
4. As regards para 2(i) above no orders for destroying that file could be located. In the file register however there is an entry regarding destruction of that file in 1972. There is also a note in Vol. V File No. 2(64)/56-70-PM about the destruction of this file. If approved we may send a photo-copy of the relevant page of the file register and the relevant notes in File

No. 2(64)/56-70-PM Vol. V to the Commission.

F/P

5. As regards destruction of some documents of File No. 23(156)/51-PM there is a list of the documents destroyed kept in the file while recording. No orders on this could, however, be located. If approved we may draw attention of JMCI to the relevant part of the file already made available to them.

6. The question of destruction of these files/documents were raised in the past by Shri Samar Guha, M.P. in 1974 in connection with production of papers before the Netaji's Inquiry Commission and PM's reply to him may kindly be seen at F/Y & F/Z in File No. 2(64)/56-70-PM Vol. V.

7. A draft letter to JCMI is placed below for approval.

(B.K. Dhal)
Under Secretary
19.9.2000

~~Dir(A)~~ The Commission has asked us to give them reasons for destruction of the files, in the years when they were destroyed, i.e. in the '60s and early '70s. It is proposed to reply to the Commission as per draft placed below.

JS(A)

Manjib
7/20/9

~~Ray ke signat~~

Discussed with JS(A), who has approved the letter. May issue

US(Pol)

21/9

INTERNAL

May kindly see the notes from page 13/N onwards.

+ p 31/c
@ p 32/c
S p 33/c
* p 34/c

We have since received the reply from the National Museum, Ministry of Defence, Cabinet Secretariat and Ministry of External Affairs. These may please be seen at pages 31-34/C. The National Museum have stated that they would convey their decision to declassify the document pertaining to the Museum, in consultation with Department of Culture, Ministry of Culture & Tourism. The History Division of the Ministry of Defence have referred the matter to DGMI, AHQ for appropriate action in the matter. The Cabinet Secretariat have left the decision regarding declassification to the Ministry of Home Affairs. With regard to the stand of the Ministry of External Affairs, it may be mentioned that their no objection has been received to declassify the paper originating from that Ministry enclosed with our U.O. dated 14.9.2000, to 'confidential'. As to which of these may be made public, if any, that Ministry have left it to the discretion of the Commission. As regards the documents to be produced before the Commission by the Ministry of External Affairs, it has been indicated that they intend taking the same stand.

± pp 28-29/c

As the next date of hearing by Commission has been fixed as 26.9.2000, it appears unlikely that we would get the response from all the Ministries/Departments/Agencies addressed by us on 14/15.9.2000, to convey their views to declassify and make public the documents originating from their end. In any case, in their proceedings held on 31.8.2000, the Commission had passed directions not only to the PMO, but also to the Ministry of Home Affairs, the Ministry of External Affairs and the Government of West Bengal for production of documents/ filing of affidavit etc. If approved, we may write to the Ministry of Home Affairs, the Ministry of Defence, Intelligence Bureau, National Museum and Government of West Bengal to convey their stand in the matter to the Commission direct, under intimation to this office. A draft is placed below accordingly, for approval. With regard to the Ministries/Departments/Agencies/State Governments addressed separately by Pol. Section, a separate reference on same lines would be sent from Pol. Section file.

- ibid -

Flag 'S'

DEAS I + II
(R)

In so far as the classified notes/letters which were initiated in the Prime Minister's Office, it is for consideration whether we may take the stand, on the lines of the one taken by the Ministry of External Affairs, that our classified notes/letters etc. may be

declassified as 'confidential' and we leave it to the discretion of the Commission to make them public, or convey that all our classified notes/correspondence has been declassified and there is no objection to making the same public.

Flagged
continued
with ink - A

Orders are solicited for the declassification of the notes/correspondence originating from Prime Minister's Office on our files as 'confidential', and to convey to the Commission that they may use their discretion to make all/ any of these documents public.

Flagged

Draft of the Affidavit to be filed by the JS(A) before the Commission has been attempted and is placed below for approval. I have ascertained from the Ministry of Home Affairs on phone that the Affidavit could be typed on the plain paper. However, this would need to be got verified from Notary Public, before being sent the Commission.

(P.S. LALLY)
US(NGO)
20.9.2000.

~~Dir(A)~~

Notes above may pl be seen.
May please approve amended draft Affidavit, placed below. 'A' above also for approval, please
Awarzal 21/9

~~JS(A)~~

copy of the Affidavit with Dir (A).

pl issue

21.9.2000

JS(A) has desired that Affidavit be signed by US(A)

21/9

US(NGO)
21/9

Sl Nos. 15 & 16 (Issue)

Recd copy
22/9

Sl No 17 (Receipt) P. 22

In view of the decision at (R) prepage and our Uo dated 21.9.2000 at pp. 35-36

PRIME MINISTER'S OFFICE
POLITICAL SECTION

The classified papers originated in PMO in the files of Political Section which have already been made available to the Justice Mukherjee Commission of Inquiry are flagged and placed below.

A/

In case of NGO Section files a view has already been taken to downgrade the documents to confidential and leave it to the discretion of the Commission to use the material in any manner if likes.

A similar view may perhaps be taken in case of the documents in these files i.e. we may downgrade all classified documents originated in PMO in these files as well as the notes portion to confidential.

List of the classified documents is at F/A.

(Signature)
21/9/2000

[B. K. Dhal]
Under Secretary

~~Dir(A)~~ The classified papers flagged below are quite innocuous and can be downgraded. 'A' above also for approval, please.

(Signature)
21/9

~~JS(A)~~

(Signature)
27/9/2000

~~Dir(A)~~

(Signature)
27/9

US(Pol)

<u>S.No.</u>	<u>File No.</u>	<u>Author's Name</u>	<u>Letter No. & Date</u>	<u>Classification</u>	<u>Page no.</u>
1.	2 (67) / 56-71-PM Vol. I	Pt. J.L. Nehru	313/PMH/16 15-2-61	Confdl.	13
2.	-do-	-do-	704-PMO/59 3-11-59	Confdl.	31
3.	-do-	-do-	662-PMO/59 20.10.59	Confdl.	32
4.	-do-	-do-	945-PMO/58 2-12-58	Confdl.	41
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14.	-do-	J.L. Nehru	26.1.54	Confdl.	105

<u>S.No.</u>	<u>File No.</u>	<u>Author's Name</u>	<u>Letter No. & Date</u>	<u>Classification</u>	<u>Page No.</u>
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17.	-do-	-do-	9-9-52	Confdl.	116
18.	-do-	-do-	6.9.52	Secret	117
19.	-do-	-do-	4325/PM 6.9.52	Secret	118
20.	-do-	-do-	15.8.52	Secret	119
21.	-do-	-do-	15.8.52	Secret	120
22.	2(658)/53-MS	B.N. Kaul,	D/S. 13485	Confdl.	4
23.	-do-	J.L. Nehru	637/PM 4.9.53	Confdl.	9
24.	-do-	-do-	18.5.53	Confdl.	19
25.	-do-	-do-	27.3.53	Confdl.	23
26.	-do-	-do-	16.3.53	Confdl.	28

<u>S.No.</u>	<u>File No.</u>	<u>Author's Name</u>	<u>Letter No. & Date</u>	<u>Classification</u>	<u>Page No.</u>
27.	2(64)/56-66 fm vol. I	J.L. Nehru	793-PMH/56 14.4.56	Confid.	50-A
28.	-do-	-do-	792-PMH/56 14.4.56	Confid.	49-A.
29.	-do-	-do-	2-4.56.	Secret	45A
30.	-do-	-do-	583-Pmo/55 11-10-55	Secret	40-A.
31.	-do-	-do-	1820/PMH/55 1-10-55	Secret	39-A
32.	-do-	-do-	20.7.55	Secret	33-A.
33.	2(64)/56-67 fm vol. III	Sh. S. P. Khanna PS to PM	Pms/21386 4-11-67	Secret	15
34.	-do- vol. IV	Sh. T. N. Kaul	8.2.68	Secret	7/c
35.	-do-	Sh. K. N. Singh	Pms/6813 23.4.68	Secret	14/c
36.	-do-	Sh. S. Banerji JS to PM	Pms-982 17.6.69	Confid.	19/c -
37.	-do-	Sh. V. P. Marwaha PS to PM	Pms/12726	Confid.	20/c
38.	-do-	-do-	8-9.69	Secret	27/c
39.	-do-	Smt Indira Gandhi	5.9.69	Secret.	32/c
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47.	870 / 11 / P / 10 / 91 fol	Ms. Meera Shankar Director	^{UD. M.} 870 / 11 / P / 10 / 91 fol 24.4.91	Secret.	53 / c
48.	870 / 11 / P / 16 / 92 fol	Ms. Sujata Mehta Director	870 / 11 / P / 16 / 92 fol 15.12.92	Confid.	115 / c
49.	870 / 11 / P / 10 / 93 fol vol. I	Sh. A. N. Varma, Pr. Secy to fm	870 / 11 / P / 10 / 93 fol 13.10.93	Secret.	39 / c
50.	915 / 11 / c / 6 / 96 fol	Sh. Satish C. Mehta Director	915 / 11 / c / 6 / 96 fol 10.9.98	Confid.	181

Regarding declassification of records pertaining to files relating to Netaji Subhas Chandra Bose we had written to the following to let us know their views :-

1. Chief Secretary, Orissa,
2. Secretary, Ministry of Urban Dev.
3. Secretary, Dept. of Economic Affairs.
4. Secretary, Ministry of I & B.
5. Secretary, Dept. of Food and Public Distribution.

We have received replies from Min. of Urban Development and the Ministry of I & B saying that they have no objection to the documents pertaining to their ministry being made public. Dept. of Economic Affairs has also sent a reply which not very clear.

In view of this we may write to Chief Secy, Orissa; Dept. of Economic Affairs and Dept. of Food and Public Distribution to intimate their views about declassification to the Commission direct under intimation to their other

Enc. Fair letters placed below for signature
Please

[Signature]
22/9

~~Dir (A)~~

Anarjan
22/9

US (Pol)

SNb-31/c

FR may kindly be seen. (S No. 43)

Orders are solicited on the directions given by the ^{Justice} Mukherjee Commission of Inquiry at F/c.

~~Dir CA~~

Notes on pre pages may please be seen.

Omman
24/11/2000
US (CR)

The Commission has directed once again that the Affidavit be signed by an officer of the rank of JS or above. Time available with us is till 15/11/2000.

For orders, please.

Anand
24/11

~~JS (A)~~

Does it relate to MHA?

24/11/2000

~~MHA~~

These are papers / documents of PMO, sir. The Commission has written to different offices, separately. Anand
25/11

JS (A)

- Discussed with JS (A). He desires that Sectoral JS for MHA can sign Affidavit. Pl prepare note + Affidavit (draft) accordingly.

Anand
2/11

US (P&L)

15/11/2000

Regarding declassification of records regarding
MHA/Netaji Subhas Chandra Bose we have not yet
replies from MHA in respect of snos. 39 & 40.
We may remind if approved. DPA-I

The reply received from DEA is not
very clear (sno. 29). We may ~~soon~~ request
them to give a clear-cut answer as per DPA II

~~Der(A)~~ Pl confirm whether
there is any duplication
betw. WAO & Pol as far as MHA note
is concerned. ~~please~~

Omnes
15/11

in order. I've signed. May go, if found

~~US(Pol)~~

Charanjit
15/11

I think it is OK. US(NBSC) may
kindly see also

~~US(NBSC)/MHO~~

Reminder to MHA
was not issued
as reply from MHA
has been received.

Omnes
15/11

Omnes
16/11

PRIME MINISTER'S OFFICE
POLITICAL SECTION

FR

MHA has sought our views/comments in respect part (c) of Lok Sabha Starred Question for reply on 21.11.2000 which is reproduced below:-

“ Will the Minister of Home Affairs be pleased to state:

- a) the terms and conditions of M.K. Mukherjee Inquiry Commission constituted to unravel the mystry behind Netaji Subhash Chandra Bose's disappearance;
- b) Whether the Government are cop-operating with the Justice Mukherjee Commission.
- c) If so, the reasons for Union government officials and counsels not appearing before the Commission for affidavit and witness on successive dates of hearing; and
- (d) the time by which the Commission is likely to submit its report?"

✓ SNo. 13 & 17/c

✓ SNo. 33/c

2. As regard (c) it may be mentioned that PMO has been fully co-operating with the Commission . As desired by the Commission photocopies of the files of Netaji Subhas Chandra Bose /INA have been made available to the Commission . An affidavit by US(Admin) was also filed .

xy SNo. 42/c

3. The Commission has however ^{xx} pointed out that all information to be furnished should be supported by an affidavit of a competent officer not below the rank of Joint Secretary to Government of India and had directed that such an affidavit should be filed by 15th November 2000 .

.....2/-

4. In order to explain some queries raised by the Commission regarding security classification of some documents in PMO files made available to the Commission we have been in correspondence with several Ministries/State Governments. Replies from a few Ministries/State Governments are still awaited. We have therefore requested the Commission for 15 days' more time to file a consolidated affidavit covering all the points mentioned in the proceedings of the Commission.

5. If approved we may send a reply to MHA on these lines as per DFA.

[Signature]
16/11/2000

[B. K. Dhal]

Under Secretary

Dir(A) MHA has asked for comments on a Lok Sabha provisionally starred Question, reproduced on pre page, on the Justice Mukherjee Commission of Enquiry.

If approved, the copies of our Communications - including the Affidavit signed by the US - would be sent to MHA, along with covering letter, as per draft placed below.

[Signature]
16/11/00

JS(A)

Dir(LA)

[Signature]
17/11

[Signature]

16/11/2000

US(Pol)

Office of J. S. (J)

Dy. No. 973/S

Date 18/11/2000

3611/JS(A) 20 20/11/2000

PRIME MINISTER'S OFFICE
POLITICAL SECTION

The letter from Shri Tarkeshwar Pal, Senior Counsel to the GOI in Justice Mukherjee Commission may kindly be perused .

The Course of action suggested at para 5 of this letter is not fully comprehensible because most of the files/documents referred to in this letter do not pertain to PMO.

Photocopy of all the relevant files which were available in this office and which have bearing on the term of reference of the Commission have already been made available to the Commission. The need for filing another Affidavit is also not understandable. In view of the position explained above ~~we~~ may write ^{to} Shri Pal as in DFA.

as discussed with DIR(A).

Pol
Revised draft is placed below pt.
DIR(A)
Alok
26/4

Alok
[Alok Mukhopadhyay]
Under Secretary(Pol)
25-04-01.

*Pl make changes in draft, as indicated -
us/pol 25/4*

Dir(A)

Draft reply to our counsel may kindly be seen, before issue.

Anand 26/4

JS(T)

dir(A) may also talk to Shri Tarkeshwar Pal to check up the position.

dir(A) Pl have the letter despatched & then put up

Jawahar Singh
26/4

*5502/365/01
28/4
38/1 DIR(A)/6
28/4*

US (Pol) - pl. as desired. Resubmitted to US (Pol) - 27/4
Discussed with Shri Pal, who would get back after confirmation. 28/4

POLITICAL SECTION

In response to our letter at Sl.No. 74/c, Shri T. Pal, Senior Counsel to the Govt. of India in the Justice Mukherjee Commission has reiterated that a fresh Affidavit is to be made stating the following :-

✓ S.No 75/c

- (i) that the Xerox copies of the files which have been made available to the Commission are true copies of original files and those are authentic. ?
- (ii) Other files (referred in para 1 of Shri Pal's earlier letter) are not available with PMO and where those files would be available.
- (iii) Details of destruction of any files stating why, when and where these files were destroyed (other than the files stated in para 10 of the Affidavit furnished by JS(J).
- (iv) Whether any notes or copies of such destroyed files are, available and if so, those available records are to be submitted to the Commission.

2. The issue was discussed with Dir(A) while the justification of (i) above was appreciated, the need to state (ii), (iii) & (iv) above in the said Affidavit could not be appreciated. Dir(A) suggested that we may ascertain direct from the Commission about the documents need to be furnished by this office. However, as Shri Pal is the Counsel of GOI, before taking the aforesaid action, it was decided to informally check up from MHA whether they have received any such letter and if so, what action is being taken by them. Accordingly the position was checked up from Shri V.P. Bhatia, US, MHA on 23.5.2001 and I was told that they have not received any such letter from Shri Pal.

3. With regard to para 1(ii), (iii) & (iv) above, following may be submitted:

- (a) barring 3 files other files/documents listed at para 1 of Shri Pal's earlier letter dated 12.4.2001 do not pertain to PMO and from the numbers of the file it is not

X S.No 73/c.

possible for us to identify to which Ministry or Department these files belong. Therefore, we are not in a position to state where these files will be available.

(b) Since no files relevant to the terms of reference of the Commission (other than those already referred in our earlier Affidavit) have been destroyed, question of mentioning this fact again in the Affidavit does not arise.

(c) As (b) above is negative, due to obvious reason question of furnishing destruction particulars does not arise at all.

4. In view of position explained above, we may simply furnish a fresh Affidavit stating the fact as in (i) above from JS(J). However, before furnishing the same we may inform the Commission about Shri Pal's letter regarding the Affidavit and also our view point in the matter. We may also request the Commission to let us know whether furnishing of the aforesaid Affidavit [as in (i) above] would suffice.

- A -

Moh
(Alok Mukhopadhyay)
Under Secretary(Pol)
25.5.2001

Dir(A) The record of the Proceedings have been sent to us by the Commission. We have not been asked to provide any further Affidavits.

'A' above may perhaps be the best course of action at this point. For approval, please.

Anand

JS(J)

Let us discuss on 28-5-2001.

Dir(A) & US(Pol). Discussed. I have spoken to Sir Sen of the Commission. Let us await his response.

Anand
25/5/2001
Anand
28/5

281/DIA(A)/S
25/5

P-III
28/5
US(Pol)

N. G. O. Section.

Secret
Internal

Subject :- Justice Mukherjee Commission of Inquiry for inquiring into the alleged disappearance of Netaji Subhas Chandra Bose.

Reference(s) : (1) Secret Regd. letter dt. August 1, 2001, and
(2) Regd. letter dated August 2, 2001, from Shri Tarakeshwar Pal, Senior Standing Counsel to the G.O.I. in the Justice Mukherjee Commission of Inquiry, addressed to Smt. Sangita Gairole, Joint Secretary (IS-I), MHA, with a copy endorsed to Shri Jarnail Singh, JS (J), PMS, among others.

In his first letter dt. 01-8-2001, ^{at FR-I,} relating to the affidavit of the deponent Sri Usha Ranjan Bhattacharjee, dated 5th March, 2000, Shri Tarakeshwar Pal, our counsel, has requested PMS to take steps for filing an affidavit in the matters of item (h) of paragraph 3 of his letter which reads as under:

" 3 (h) Records relating to formation and proceedings of the Shah Nawaz Committee (it may relate to Cabinet Secretariat, the Prime Minister's Office and Ministry of External Affairs — although some of the records as to proceedings have been placed before the Hon'ble Justice Mukherjee Commission). "

In this connection it may be stated that NCO Section has no records on the said item (h) of para 3 of Shri Pal's letter dt. 01-8-2001, relating to the Shah Nawaz Committee, which was constituted in 1942.

2. In his second letter dated 2nd August, 2001, at FR-II, ~~it~~ relating to the affidavit by the deponents — (1) Subrata Bose, (2) Smt. Chitra Ghosh and (3) Sri Supriyo Bose, before the Hon'ble Commission, Shri Tarakeshwar Pal, our counsel, has advised PMS for filing affidavit in r/o item (a) of paragraph 5 of his letter which reads as under:

" 5 (a) The relevant records (without specification) in the Prime Minister's Office during Jawahar Lal Nehru. "

In this connection, it may be stated that photocopies of two Top Secret files viz. (1) F.No. 23(11)/56-57-PM and (2) F.No. 2(64)/56-66-PM (Vol. II), which are the only two files in ~~the~~ N.G.O. Section relating to the subject matter of the inquiry, during the ¹² ~~period~~ ^{file may, but} of office of late Pt. Jawahar Lal Nehru as P.M. have already been forwarded to Justice Mukherjee Commission of Inquiry alongwith five other files, vide this Office letter dated 24-7-2000

(C/c at page 6/enc. of F. No. B-16(4)/2000-NAO).

NAO. Section, therefore, have no more records/files to place before the Commission, with reference to Shri Tarakeshwar Dal's two letters cited above.

Submitted please.

10/8/2001

Div(RP)/ JS(5) may kindly see.

Thereafter, a copy of this note would be made available to Political Section for formulating a consolidated reply to the two letters received from Shri Tarakeshwar Dal, Central Govt. Counsel at Calcutta.

[Signature]
10/8/01
P. S. Lally
US(NAO)

~~Div(RP)~~ [Signature]
TOP

~~JS(5)~~ [Signature]

[Signature]
14/8

[Signature]
10/8

US(Pol.)

स.सं.का. (एन.जी.ओ.)/PMO (NGO)
क्र.सं./Dy. No. 476/S/2.e.o.1...
दिनांक/Date.....14.8.01.....

Confidential

MOST IMMEDIATE/TIME BOUND
DO No. I/12014/13/2000-IS (D.III)



सत्यमेव जयते

A.K. PAITANDY
DIRECTOR (IS-I)
Tele No.301 2478

गृह मंत्रालय
भारत सरकार
नाथं ब्लॉक, नई दिल्ली-110001
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NORTH BLOCK, NEW DELHI-110001

Dated the 11th April, 2000

Dear Sir,

As you are aware, a Commission of Inquiry headed by Justice M K Mukherjee, a retired Judge of the Supreme Court of India, is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose. In its first sitting held at Calcutta (the headquarters of the Commission), on 23rd March, 2000 the Commission has issued certain Orders/Directions as contained in the record of proceedings, a copy of which is enclosed for ready reference. It will be seen that these Orders/Directions are to be complied with by the concerned Ministries of the Government of India within six weeks of the communication of the same.

Urgent

Pl. check if any pt. on the subject exists in Pno

al
Depd 124/2000
Q. 12/4

2. As the matter is very sensitive and important, it is essential that the requirements are handled and coordinated on extremely urgent basis so that there is no delay in extending help to the Commission. I shall, therefore, be grateful if you please look into the matter immediately and personally and let us have the factual information latest by 20-4-2000 as to whether any records/files pertaining to Netaji/INA, with particular reference to the files/documents mentioned in the various directions of the Commission, are available in your Deptt/Organisation.

3. In case the position is in affirmative, the files/documents etc. will need to be kept in readiness and intimation regarding the same is to be conveyed to the Secretary of the Commission in the following address:-

Shri P K Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, 3rd Floor,
11/A, Mirza Ghalib Street,
Calcutta- 700 087

Telephone Nos:- 033- 2162765/68
2162835

FAX No. 033-2162765

US (Pol)
US (N90)

III

→ 2/c

Contd...2/-

512/S/88A20
12/4

107/Dir(A)/S/2000/13/4

(2)

A copy of the intimation may also please be made available to us in the following address:-

(a) **Shri V P Bhatia,**
Under Secretary IS(D.IV),
Ministry of Home Affairs
North Block,
New Delhi

Telephone No.301 5700

3093700

FAX Nos. 011-301 7763/301 5750

(b) **Shri S.N. Singh**
Section Officer
Justice Mukherjee Commission of Inquiry
(New Delhi Office)
Room No.172-B,
North Block,
New Delhi

Telephone No.301 6634

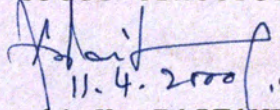
4. It may please be noted that the names of different Nodal Officers of the concerned Ministries (as shown below) have been communicated to the Commission on the basis of the requirement of the Commission and the consent of the Ministries. It will be the responsibility of these Nodal Officers to interact with the Commission after obtaining necessary feed-back/input/orders etc. from the Competent authorities of their respective Ministries. The Secretary of the Commission is also being informed accordingly:-

Sl.No.	Name of the Ministry	Name & Designation of the Officer	Tele. No.
1.	Ministry of External Affairs	Shri Jayant Prasad Joint Secretary South Block, New Delhi-110 011	301 1357
2.	Ministry of Human Resource Development (Deptt. of Culture)	Dr.Sukumar Sarkar Director General, National Archives Janpath, New Delhi	3383436 FAX No. 0091-11-3384127
3.	Ministry of Defence	Shri G.B. Singh Director(History) Division, 3/West Block-8, Wing-I R.K. Puram, <u>New Delhi</u>	610 2067

5. This may kindly be accorded top priority.

With kind regards,

Yours sincerely,


11.4.2000
(A.K. PAITANDY)

Shri Ashok Saikia
Joint Secretary (Admn)
PM's Office
South Block,
New Delhi

(4)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

Proceedings dated 23rd March, 2000.

Present - Hon'ble Justice M.K. Mukherjee,
Chairman.

After examining the statements filed by the parties and after hearing them and/or their representatives regarding the modalities of the proceedings, the Commission makes the following Orders/Directions :-

(a) The Government of India shall produce before the Commission, within six weeks from the date of communication of these Orders/Directions, the following :-

(i) All files relating to Netaji Subhas Chandra Bose and/or I.N.A. in the Prime Minister's Secretariat including the following Secret files :-

A

1A, 2-A, 3-A, 6-A, 8-A, 12-A, 16-A (U.O. Note No. D/S-86 6, dated August 24, 1953, from P.M.'s Secretariat to Mohd. Yunus, MEA (SEA, BR), 17-A (U.O. Note No. D.3788-8EA/53, dated August 27, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 27-A, (Memo No. 2/53/1971/3/601 151) dated October 13, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 33-B (Letter No.20/62 (Accts.) dated April 82 (sic), 1954, from the Joint Secretary, I.N.A. (Enquiry and Relief Committee, 82, Daryaganj, Delhi to the President, 34 A (Rajya Sabha's Starred question No. 60 dated Sept. 28, 1954), 35-B (Note for Supplementaries) 37-A (Lok Sabha Starred Question No.334 dated August 2, 1955) 37-BCD (enclosures to S. No. 37-A) and Notes 11, 12, 13, 14, 15, 18, 19, 23, 24, 25, 26 and 29 File No. 23 (156)/ 51-P.M. (Indian National Army) (INA) in the Far East), 23 (11)-56-57 PM (INA Treasure), 12(226)/56 PM (Investigation into the circumstances leading to the death of Subhas Chandra Bose); 249 INA-GHQ Case Bose and Russia, 249-INA- II(H) GHQ Case on Subhas Chandra Bose, Headquarters main file 279/1 INA 10 Misc., Headquarters main file 273 INA (Misc. INA), Headquarters main file 273/INA, Headquarters Main file 273-INA, 138-INA and 265 INA; 10 Misc., INA;

(5)

No. Date

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

(ii) File No.16/3/45-Poll. (i) containing Secret Report dated 19.09.45 by R. Tottenham, Secretary prepared for Home Department; file No.75/INA containing intelligence report prepared by Major Toye, Comd. S. Section CSDIC(i) dated 20.10.45; F. No. 8/18/46-Poll. (i) containing question No. 28 of Hon'ble Yuvaraj Dutta Singh in the Council of State and the answer given; file No.8/15/46-Poll. (i) relating to question No.14 dated 6.11.46 of Yuvaraj Dutta Singh; File No.8/2/47 - Poll. (i) relating to Yuvaraj Dutta Singh's questions placed in the list of business for the Council of State on 17.2.47;

(iii) Report bearing Secret No.1400/23/SE. CSDIC. Red Fort, Delhi dated 25th March, 1946; Netaji's letter to Jacob Malik, Soviet Ambassador, Tokyo dated 20.11.1944; Netaji's broadcast at 21.15 hrs. to 21.25 hrs., Special Message on 18.8.45; Confidential letter dated 23.5.46 from American Consulate Guard, Bombay dated 23.5.46 to the Secretary of State, Washington D.C.. A-175(a de-classified C.I.A. document (original stated to be in the Archives of Princeton University); a de-classified C.I.A. document dated 27.2.64 relating to a story concerning the possible return of one Subhas (Subas) Chandra Bose; API news agency's report attached to intelligence report for the Home Department dated 21.12.45; Secret No. 11/INC/45 dated 16.1.46 from the Dy. Inspector Genl. of Police, CIS, Bombay Province, Sivajinagar, Pune-5; Lt. Col. Anderson's confidential letter No.MS/5/5, CSDIC Red Fort Delhi dated 21.1.46 referring to a portion of Major Toye's report dt. 15.1.46; Daily INA Report No.56 dated 5.2.46 prepared by W.N.P. Jenkins, Dy. Director (C) of Intelligence Bureau (Home Dept.); W. Mckwright's letter No. C-5 dated 19.2.46 to Intelligence Bureau, H.D., New Delhi-3; Major Yong's Top Secret letter No.SL/9/CS/1 dated 1.8.46 to W.C.K. Wright; Pt. Nehru's letter to Mr. Atlee, the then Prime Minister of U.K. during 45 to 47 relating to Subhas Chandra Bose; Khurshed Naoroji's letter dt. 27.7.46 to Louis Fischer, secret correspondence between

contd...P.3.

No. Date

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

Mckwright and Major Young dt. April 8, 1946 relating to receipt of a letter by Pandit Jawaharlal Nehru from Subhas Ch. Bose regarding his stay in Russia; and correspondences between Louis Fischer and Gandhiji, Louis Fischer and Khurshed Naoroji, Louis Fischer and the President of USA, Louis Fischer and the Prime Minister of UK and other political leaders of U.K. in relation to Netaji and India's independence, Louis Fischer to Stalin;

(iv) The entire proceedings (including the evidence recorded) of Shaw Nawaz Committee and Khosla Commission which had^{held}/earlier enquiries into the disappearance of Netaji Subhas Chandra Bose;

(v) The full texts of the Transfer of Power, Volumes VI & VII;

(b) Besides filing the above files/records/documents, the Government of India shall file Affidavits of competent persons of the related Ministries giving lists of all other files/records/documents, irrespective of whether they are Top Secret, Classified or De-classified, (except the 995 files transferred by the History Divn., Ministry of Defence to the National Archives, Delhi, a list of which has already been furnished to the Commission) lying in their respective custody or control relating to Netaji Subhas Chandra Bose and/or Indian National Army;

(c) The Government of West Bengal shall produce all the files relating to Netaji Subhas Chandra Bose now lying in the custody of the Special Branch, including file No.269/45 "Prisoner/Release-Revised Policy of Govt., for the release of security prisoners" containing Memo No.SS 129/SB dated 31st August, 1945 from the Commissioner of Police, Calcutta to H.S.E. Stevens, the then Chief Secretary, Govt. of Bengal, express letter No.1234 dated 25.8.45 of Bengal Govt. and Confidential Note dated 3.9.45 of D.R. Hardwick, D.I.G. I.B.;

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

- (d) Since, from the statement filed on behalf of All India Forward Bloc it appears that Dr. (Mrs.) Purabi Roy of Asiatic Society has done along with some others an extensive research work in Russia including on Netaji Subhas Chandra Bose and has submitted their report to the Society, The Commission would like to have an affidavit filed by Mrs. Purabi Roy indicating the particulars of the documents which might have come to her notice in course of her research and considered by her to be relevant for the purpose of the enquiry by this Commission as early as possible preferably within six weeks from the communication of these Orders/Directions.

The General Secretary of the said Society is also requested to forward to the Commission the aforesaid report along with its enclosures within the period prescribed as above.

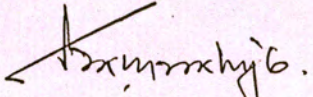
- (e) After the files are produced and/or particulars furnished by the Central Government in terms of the above orders/directions, a research team will be constituted to peruse those files and submit its report about the relevant contents thereof. The parties may suggest names of competent persons, preferably stationed in Delhi, who may be included in the team to be so constituted; and
- (f) Having regard to the facts that the evidence of Major G. Baskaran, who in his statement has claimed that he worked as Confidential Secretary of Netaji Subhas Chandra Bose, at the material time, will be relevant for the enquiry and that he is aged 82 years, has lost his vision and is seriously ailing, immediate steps be taken to record his statement at his residence at No. 9, Royal Enclave, Basat Avenue, Chennai notwithstanding the fact that the evidence, if any, to be

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

produced by the Central Government is
yet to be recorded.

The Secretary of the Commission is directed
to take immediate steps for compliance with the
above Order/Directions.


(M.K. Mukherjee)
Chairman

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

9

नई दिल्ली - 110 011
NEW DELHI - 110 011

2/c

2.5.2000

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

To,

Shri P.K.Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, 3rd Floor,
11/A, Mirza Ghalib Street,
Calcutta - 700 007.

Sir,

I am directed to refer to the proceedings of the Commission on dated 23rd March, 2000 and to say that the following files are available in our records:-

<u>Sl.No.</u>	<u>Files number</u>	<u>Subject</u>
1.	23(156)/51-PM ✓	Disposal of properties of Indian National Army in the far East.
2.	23(11)/56-57-PM ✓	I.N.A. Treasure.
3.	2(64)/56-66-PM Vol. I to V	i) Death of Sh. S.C.Bose. ii) Appointment of an Enquiry Committee to go into the circumstances of the death.
4.	2(64)/78-PM	- do -
5.	2(64)/79-PM	-do-
6.	2(64)/80-PM	-do-
7.	2(64)/81-PM	-do-
8.	2(64)/82-PM	-do-
9.	2(64)/84-PM	-do-
10.	2(64)/86-PM	-do-
11.	800/6/C/3/88-Pol	-do-

Vol. I, II
P- III
7/6

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

10

नई दिल्ली - 110 011
NEW DELHI - 110 011

-2-

12. 800/6/C/1/89-Pol Netaji Subhash Bose
13. 800/6/C/1/90-Pol Netaji Subhash Bose -
Bringing in the ashes of
14. 800/6/C/1/91-Pol Disappearance of Sh.S.C.Bose
15. 915/11/C/6/96-Pol Disapperance/death of Sh.S.C.Bose.
16. 915/11/C/9/99-Pol -do-
Vol.I,II & III

2. F.No. 12(226)/56-PM referred to in para 1(a)(i) of the proceedings is not available as it has been destroyed.

Yours faithfully,

[Archana Ranjan]
Director

Copy forwarded to:-

- (i) Shri V.P. Bhatia,
Under Secretary IS(D.IV)
Ministry of Home Affairs
North Block, New Delhi.
- (ii) Shri S.N.Singh,
Section Officer,
Justice Mukherjee Commission of Inquiry
(New Delhi Office)
Room No.172-B
North Block, New Delhi.

Au
[Archana Ranjan]
Director

9/c

p-1-2/W

Recd
23/5/16
1-23/5/16

Draft (11)

To,

Shri P.K.Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, 3rd Floor,
11/A, Mirza Ghalib Street,
Calcutta - 700 007.

Sir,

I am directed to refer to the proceedings of the Commission on dated 23rd March, 2000 and to say that the following files are available in our records:-

<u>Sl.No.</u>	<u>Files number</u>	<u>Subject</u>
1.	23(156)/51-PM	Disposal of properties of Indian National Army in the far East.
2.	23(11)/56-57-PM	I.N.A. Treasure.
3.	2(64)/56-66-PM Vol. I to V	i) Death of Sh. S.C.Bose. ii) Appointment of an Enquiry Committee to go into the circumstances of the death.
4.	2(64)/78-PM	- do -
5.	2(64)/79-PM	-do-
6.	2(64)/80-PM	-do-
7.	2(64)/81-PM	-do-
8.	2(64)/82-PM	-do-
9.	2(64)/84-PM	-do-
10	2(64)/86-PM	-do-
11.	800/6/C/3/88-Pol	-do-

- 12. 800/6/C/1/89-Pol Netaji Subhash Bose
- 13. 800/6/C/1/90-Pol *details Subhash Bose -
Bringing in the ashes of,*
- 14. 800/6/C/1/91-Pol Disappearance of Sh.S.C.Bose
- 15. 915/11/C/6/96-Pol Disapperance/death of Sh.S.C.Bose.
- 16 915/11/C/9/99-Pol -do-
Vol.I,II & III

2. F.No. 12(226)/56-PM referred to in para 1(a)(i) of the proceedings is not available as it has been destroyed.

Yours faithfully,

[Archana Ranjan]
Director

Copy forwarded to:-

- (i) Shri V.P. Bhatia,
Under Secretary IS(D.IV)
Ministry of Home Affairs
North Block, New Delhi.
- (ii) Shri S.N.Singh,
Section Officer,
Justice Mukherjee Commission of Inquiry
(New Delhi Office)
Room No.172-B
North Block, New Delhi.

[Archana Ranjan]
Director

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

BY SPEED POST

13

Phone:
216-2765-68 & 216-2835
Fax:
216-2765

No. JMCI/Meeting/99-2000/48/98(7)

Calcutta, dated, the 29.05.2000.

From : Shri P.K. Sengupta, WBHJS (Retd.),
Secretary

To : Shri Ashok Saikia,
Joint Secretary (Admn.),
P.M.'s office,
South Block,
New Delhi. 110 001.

Sub : Compliance of the orders/directions
contained in the proceedings dated
23.03.2000 of Justice Mukherjee
Commission of Inquiry.

S i r,

I have been directed to send herewith a copy of
the proceedings dated 23.03.2000 of the Commission, a
copy of which appears to have been already sent to you
by Shri A.K. Paitandy, Director (IS-I), Ministry of Home
Affairs, Government of India, with his D.O. No.1/12014/-
13/2000-IS(D.III) dated 11th April, 2000 and to request
you for immediate compliance with those orders/directions
which concern your Ministry/Department/Organisation.

Yours faithfully,

(P. K. Sengupta)
Secretary

No. JMCI/Meeting/99-2000/48/98(7)/1

Dated : 29.05.2000.

Copy forwarded for information and favour of taking
necessary action to Ms. Sangeeta Gairala, IAS, Joint
Secretary (Internal Security), Ministry of Home Affairs,
North Block, New Delhi-110 001.

(P.K. Sengupta)
Secretary

2/6/2000

Dir(A)

2/6

US (P&I)

Action taken
on this at Sr. 1 & 2.

2/6

1721/SCA/200
317

3961A/IRCA/ACW
2/6/

(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, Calcutta 700 087

Phone:
216-2765-68 & 216-2835
Fax:
216-2765

No. JMCI/Meeting/48/95

Calcutta, dated, the 23.05.2000.

SNO. 4/C

From : Shri P.K. Sengupta, WBHJS (Retd.),
Secretary

To : Ms. Archana Ranjan,
Director,
Prime Minister's Office,
South Block,
New Delhi

Madam,

I am directed to refer to your letter
No.915/11/C/2/2000-Pol. dated 2nd May, 2000
addressed to me and to request you to kindly
send immediately to the Commission in Calcutta
the photocopies of the 16 files/records concerning
Netaji Subhas Chandra Bose/I.N.A. as listed in
your aforesaid letter dated 2nd May, 2000.

I am further directed to request you
to kindly intimate to the Commission immediately
the subject and the contents of File No.12(226)/-
56-PM and the circumstances under which the said
file was destroyed, as reported in your aforesaid
letter.

Yours faithfully,

P. K. Sengupta
(P. K. Sengupta)
Secretary

SNO. 2/C

Q
2115

US (Pol)

Shri Sen
putup

Submitted with pro. papers H.
29/5/2000
30/5

Ames
30/5

1181/12/RCAD/91/60
29/5

PRIME MINISTER'S OFFICE
(Political Section)

S.M. S. C.

The relevant file is placed below. We are in the process of photocopying the files. We shall be able to complete the work by the end of next week.

(15)

~~Amal~~
23/6

~~Dir(S)~~

~~2~~
23/6

~~Do (A)~~
As discussed
23/6

3015736

As (Pol)

*Regd. *10*
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, Calcutta-700 087

Phone 1
033-216-2765/60
033-216-2835.
Fax 1
033-216-2765

16

6/c

No. JMCI/Meeting-Proceedings(Follow up)/48/128(6) Calcutta, dated, the ...19.6.2000

- From: Shri P.K. Sengupta, WBHJA(Retd.),
Secretary
- To : (1) The Secretary, Ministry of Home Affairs,
Government of India
(2) The Secretary, Ministry of External Affairs,
Government of India
(3) The Secretary, Ministry of Defence,
Government of India
(4) The Secretary, Ministry of Human Resource
Development, Government of India
(5) The Secretary, Prime Minister's Secretariat,
Government of India
(6) The Secretary, Cabinet Secretariat,
Government of India

Sub: Strict compliance of the orders/
directions contained in the
proceedings dated 13.06.2000 read
with proceedings 23.03.2000 of
Justice Mukherjee Commission of
Inquiry.

*Dir(s)
22/6
This is for you*

S i r,

I am sending herewith a copy of the proceedings
dated 13.06.2000 for your perusal and compliance thereof
as directed by the Commission.

A copy of the proceedings dated 23.03.2000 of the
Commission which was sent to your office earlier is again
sent herewith for your ready reference.

Enclo: As stated above.

Yours faithfully,
P. K. Sengupta
(P. K. Sengupta)
Secretary

Dir(s)

22/6

*1380/DIR(CA) W W
23/6 1720/DIR(S) 00
23/6*

(17)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

Proceedings dated 13.06.2000 (Second)

Held at the Seminar Hall Annexe Building, Mahajati Sadan,
166 Chittaranjan Avenue, Calcutta 700 007

June 13, 2000

The parties and/or their authorised representatives present today, were heard on the following matters in terms of the Notice dated May 19, 2000.

- a) Steps taken by different authorities to comply with the orders/directives passed by the Commission in its proceedings dated 23.03.2000 (vide copy of the proceedings enclosed) and further steps to be taken in this regard;
- b) Examination of the alleged ashes of Netaji Subhas Chandra Bose by a D.N.A. Expert in the context of the news item published in The Times of India (Calcutta) on 14.04.2000 based on the report of Dr. V.K. Kashyap, Deputy Director, Central Forensic Science Laboratory, Calcutta; and
- c) Recording of evidence including oral evidence.

Pursuant thereto, the following orders/observations are hereby made :

Re: (a) Since neither the Government of India nor the Government of West Bengal has properly complied with the various directions contained in the order dated March 23, 2000, both the Governments are given another opportunity to comply with the same by July 31, 2000. It is made abundantly clear that in case of failure to comply with the same by the aforesaid date, the Commission may be reluctantly compelled to invoke the provisions of Section 5(4) of the Commission of Inquiry Act, 1952 against the recalcitrant officers of the Government, both Central and State. It is also made clear that since the orders/directions passed in the proceedings by the Commission are in exercise of statutory - and not administrative - powers, no correspondence will henceforth be entertained relating to the compliance thereof. However, in respect of any matter relating to the compliance with the directions/orders of the Commission, the concerned Government may approach the Commission by making formal applications supported by affidavits before the Commission through competent officers, not below the rank of Joint Secretary to the Government of India.

Re: (b) Besides the parties and/or their representatives, Dr. Kashyap, Deputy Director, Central Forensic Science Laboratory, Calcutta was heard. The matter will be further discussed at the appropriate stage.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

: 2 :

Re: (c) The parties are directed to file a list of witnesses with their full particulars and addresses whom they would like to examine in support of their respective statements, and also indicate briefly the fact or facts which the witnesses are expected to prove in his/her examination and why instead of oral examination, his/her examination on affidavit will not suffice. The list should be filed within one month from the date of communication of this order.

Let this order be also communicated to the following Departments/Branches of the Government for strict compliance :

- 1) Ministry of Home Affairs, Govt. of India;
- 2) Ministry of External Affairs, Govt. of India;
- 3) Ministry of Defence, Government of India;
- 4) Cabinet Secretariat, Government of India;
- 5) Prime Minister's Office, Government of India;
- 6) Ministry of Human Resource & Development, Government of India; and
- 7) Home Department, Govt. of West Bengal, Writers' Bldgs., Calcutta.

Mukherjee
Chairman.

(19)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

Proceeding, dated 23rd March, 2000.

Present - Hon'ble Justice M.K. Mukherjee,
Chairman.

After examining the statements filed by the parties and after hearing them and/or their representatives regarding the modalities of the proceeding, the Commission makes the following Orders/Directions :-

(a) The Government of India shall produce before the Commission, within six weeks from the date of communication of these Orders/Directions, the following :-

(1) All files relating to Netaji Subhas Chandra Bose and/or I.N.A. in the Prime Minister's Secretariat including the following Secret files :-

1A, 2-A, 3-A, 6-A, 8-A, 12-A, 16-A (U.O. Note No. D/S-86 6, dated August 24, 1953, from P.M.'s Secretariat to Mohd. Yunus, MEA (SEA, BR), 17-A (U.O. Note No. D.3788-8EA/53, dated August 27, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 27-A, (Memo No. 2/53/1971/3/601 151) dated October 13, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 33-B (Letter No.20/62 (Accts.) dated April 82 (sic), 1954, from the Joint Secretary, I.N.A. (Enquiry and Relief Committee, 82, Daryaganj, Delhi to the President, 34 A (Rajya Sabha's Starred question No. 60 dated Sept. 28, 1954), 35-B (Note for Supplementaries) 37-A (Lok Sabha Starred Question No.334 dated August 2, 1955) 37-BCD (enclosures to S. No. 37-A) and Notes 11, 12, 13, 14, 15, 18, 19, 23, 24, 25, 26 and 29 File No. 23 (156)/ 51-P.M. (Indian National Army) (INA) in the Far East), 23 (11)-56-57 PM (INA Treasure), 12(226)/56 PM (Investigation into the circumstances leading to the death of Subhas Chandra Bose); 249 INA-GHQ Case Bose and Russia, 249-INA- II(H) GHQ Case on Subhas Chandra Bose, Headquarters main file 279/1 INA 10 Misc., Headquarters main file 273 INA (Misc. INA), Headquarters main file 273/INA, Headquarters Main file 273-INA, 138-INA and 265 INA; 10 Misc.,INA;

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

(ii) File No.16/3/45-Poll, (i) containing Secret Report dated 19.09.45 by R. Tottenham, Secretary prepared for Home Department; file No.75/INA containing intelligence report prepared by Major Toye, Comd. S. Section CSDIC(i) dated 20.10.45; F. No. 8/18/46-Poll. (i) containing question No. 28 of Hon'ble Yuvaraj Dutta Singh in the Council of State and the answer given; file No.8/15/46-Poll. (i) relating to question No.14 dated 6.11.46 of Yuvaraj Dutta Singh; File No.8/2/47 - Poll. (i) relating to Yuvaraj Dutta Singh's questions placed in the list of business for the Council of State on 17.2.47;

(iii) Report bearing Secret No.1400/23/SE. CSDIC. Red Fort, Delhi dated 25th March, 1946; Netaji's letter to Jacob Malik, Soviet Ambassador, Tokyo dated 20.11.1944; Netaji's broadcast at 21.15 hrs. to 21.25 hrs., Special Message on 18.8.45; Confidential letter dated 23.5.46 from American Consulate Guard, Bombay dated 23.5.46 to the Secretary of State, Washington D.C.. A-175(a de-classified C.I.A. document (original stated to be in the Archives of Princeton University); a de-classified C.I.A. document dated 27.2.64 relating to a story concerning the possible return of one Subhas (Subas) Chandra Bose; API news agency's report attached to intelligence report for the Home Department dated 21.12.45; Secret No. 11/INC/45 dated 16.1.46 from the Dy. Inspector Genl. of Police, CIS, Bombay Province, Sivajinagar, Pune-5; Lt. Col. Anderson's confidential letter No.MS/5/5, CSDIC Red Fort Delhi dated 21.1.46 referring to a portion of Major Toye's report dt. 15.1.46; Daily INA Report No.56 dated 5.2.46 prepared by W.N.P. Jenkins, Dy. Director (C) of Intelligence Bureau (Home Dept.); W. Mckwright's letter No. C-5 dated 19.2.46 to Intelligence Bureau, H.D., New Delhi-3; Major Yong's Top Secret letter No.SL/9/CS/1 dated 1.8.46 to W.C.K. Wright; Pt. Nehru's letter to Mr. Atlee, the then Prime Minister of U.K. during 45 to 47 relating to Subhas Chandra Bose; Khurshed Naoroji's letter dt. 27.7.46 to Louis Fischer, secret corres. between

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

Mckwright and Major Young dt. April 8, 1946 relating to receipt of a letter by Pandit Jawaharlal Nehru from Subhas Ch. Bose regarding his stay in Russia; and correspondences between Louis Fischer and Gandhiji, Louis Fischer and Khurshed Naoroji, Louis Fischer and the President of USA, Louis Fischer and the Prime Minister of UK and other political leaders of U.K. in relation to Netaji and India's independence, Louis Fischer to Stalin;

(iv) The entire proceedings (including the evidence recorded) of Shaw Nawaz Committee and Khosla Commission which had^{held} earlier enquiries into the disappearance of Netaji Subhas Chandra Bose;

(v) The full texts of the Transfer of Power, Volumes VI & VII;

(b) Besides filing the above files/records/documents, the Government of India shall file Affidavits of competent persons of the related Ministries giving lists of all other files/records/documents, irrespective of whether they are Top Secret, Classified or De-classified, (except the 995 files transferred by the History Divn., Ministry of Defence to the National Archives, Delhi, a list of which has already been furnished to the Commission) lying in their respective custody or control relating to Netaji Subhas Chandra Bose and/or Indian National Army;

(c) The Government of West Bengal shall produce all the files relating to Netaji Subhas Chandra Bose now lying in the custody of the Special Branch, including file No.269/45 "Prisoner/Release-Revised Policy of Govt., for the release of security prisoners" containing Memo No. SS 129/SB dated 31st August, 1945 from the Commissioner of Police, Calcutta to H.S.E. Stevens, the then Chief Secretary, Govt. of Bengal, express letter No.1234 dated 25.8.45 of Bengal Govt. and Confidential Note dated 3.9.45 of D.R. Hardwick, D.I.G. I.B. ;

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

- (d) Since, from the statement filed on behalf of All India Forward Bloc it appears that Dr. (Mrs.) Purabi Roy of Asiatic Society has done along with some others an extensive research work in Russia including on Netaji Subhas Chandra Bose and has submitted their report to the Society, The Commission would like to have an affidavit filed by Mrs. Purabi Roy indicating the particulars of the documents which might have come to her notice in course of her research and considered by her to be relevant for the purpose of the enquiry by this Commission as early as possible preferably within six weeks from the communication of these Orders/Directions.

The General Secretary of the said Society is also requested to forward to the Commission the aforesaid report along with its enclosures within the period prescribed as above.

- (e) After the files are produced and/or particulars furnished by the Central Government in terms of the above orders/directions, a research team will be constituted to peruse those files and submit its report about the relevant contents thereof. The parties may suggest names of competent persons, preferably stationed in Delhi, who may be included in the team to be so constituted; and

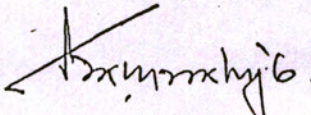
- (f) Having regard to the facts that the evidence of Major G. Baskaran, who in his statement has claimed that he worked as Confidential Secretary of Netaji Subhas Chandra Bose at the material time, will be relevant for the enquiry and that he is aged 82 years, has lost his vision and is seriously ailing, immediate steps be taken to record his statement at his residence at No. 9, Royal Enclave, Basat Avenue, Chennai notwithstanding the fact that the evidence, if any, to be

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

produced by the Central Government is
yet to be recorded.

The Secretary of the Commission is directed
to take immediate steps for compliance with the
above Order/Directions.


(M.K. Mukherjee)
Chairman

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

Proceeding dated 23rd March, 2000.

Present - Hon'ble Justice M.K. Mukherjee,
Chairman.

After examining the statements filed by the parties and after hearing them and/or their representatives regarding the modalities of the proceeding, the Commission makes the following Orders/Directions :-

(a) The Government of India shall produce before the Commission, within six weeks from the date of communication of these Orders/Directions, the following :-

(i) All files relating to Netaji Subhas Chandra Bose and/or I.N.A. in the Prime Minister's Secretariat including the following Secret files :-

1A, 2-A, 3-A, 6-A, 8-A, 12-A, 16-A (U.O. Note No. D/S-86 6, dated August 24, 1953, from P.M.'s Secretariat to Mohd. Yunus, MEA (SEA, BR), 17-A (U.O. Note No. D.3788-8EA/53, dated August 27, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 27-A, (Memo No. 2/53/1971/3/601 151) dated October 13, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 33-B (Letter No.20/62 (Accts.) dated April 82 (sic), 1954, from the Joint Secretary, I.N.A. (Enquiry and Relief Committee, 82, Daryaganj, Delhi to the President, 34 A (Rajya Sabha's Starred question No. 60 dated Sept. 28, 1954), 35-B (Note for Supplementaries) 37-A (Lok Sabha Starred Question No.334 dated August 2, 1955) 37-BCD (enclosures to S. No. 37-A) and Notes 11, 12, 13, 14, 15, 18, 19, 23, 24, 25, 26 and 29 File No. 23 (156)/ 51-P.M. (Indian National Army) (INA) in the Far East), 23 (11)-56-57 PM (INA Treasure), 12(226)/56 PM (Investigation into the circumstances leading to the death of Subhas Chandra Bose); 249 INA-GHQ Case Bose and Russia, 249-INA- II(H) GHQ Case on Subhas Chandra Bose, Headquarters main file 279/1: INA 10 Misc., Headquarters main file 273 INA (Misc. INA), Headquarters main file 273/INA, Headquarters Main file 273-INA, 138-INA and 265 INA; 10 Misc.,INA;

No. Date

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

(ii) File No.16/3/45-Poll. (i) containing Secret Report dated 19.09.45 by R. Tottenham, Secretary prepared for Home Department; file No.75/INA containing intelligence report prepared by Major Toye, Comd. S. Section CSDIC(i) dated 20.10.45; F. No. 8/18/46-Poll. (i) containing question No. 28 of Hon'ble Yuvaraj Dutta Singh in the Council of State and the answer given; file No.8/15/46-Poll. (i) relating to question No.14 dated 6.11.46 of Yuvaraj Dutta Singh; File No.8/2/47 - Poll. (i) relating to Yuvaraj Dutta Singh's questions placed in the list of business for the Council of State on 17.2.47;

(iii) Report bearing Secret No.1400/23/SE. CSDIC. Red Fort, Delhi dated 25th March, 1946; Netaji's letter to Jacob Malik, Soviet Ambassador, Tokyo dated 20.11.1944; Netaji's broadcast at 21.15 hrs. to 21.25 hrs., Special Message on 18.8.45; Confidential letter dated 23.5.46 from American Consulate Guard, Bombay dated 23.5.46 to the Secretary of State, Washington D.C.. A-175(a de-classified C.I.A. document (original stated to be in the Archives of Princeton University)); a de-classified C.I.A. document dated 27.2.64 relating to a story concerning the possible return of one Subhas (Subas) Chandra Bose; API news agency's report attached to intelligence report for the Home Department dated 21.12.45; Secret No. 11/INC/45 dated 16.1.46 from the Dy. Inspector Genl. of Police, CIS, Bombay Province, Sivajinagar, Pune-5; Lt. Col. Anderson's confidential letter No.MS/5/5, CSDIC Red Fort Delhi dated 21.1.46 referring to a portion of Major Toye's report dt. 15.1.46; Daily INA Report No.56 dated 5.2.46 prepared by W.N.P. Jenkins, Dy. Director (C) of Intelligence Bureau (Home Dept.); W. Mckwright's letter No. C-5 dated 19.2.46 to Intelligence Bureau, H.D., New Delhi-3; Major Yong's Top Secret letter No.SL/9/CS/1 dated 1.8.46 to W.C.K. Wright; Pt. Nehru's letter to Mr. Atlee, the then Prime Minister of U.K. during 45 to 47 relating to Subhas Chandra Bose; Khurshed Naoroji's letter dt. ^{22.7.46} 27.7.46 to Louis Fischer, secret correspondence between

No. Date

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

Mckwright and Major Young dt. April 8, 1946 relating to receipt of a letter by Pandit Jawaharlal Nehru from Subhas Ch. Bose regarding his stay in Russia; and correspondences between Louis Fischer and Gandhiji, Louis Fischer and Khurshed Naoroji, Louis Fischer and the President of USA, Louis Fischer and the Prime Minister of UK and other political leaders of U.K. in relation to Netaji and India's independence, Louis Fischer to Stalin;

(iv) The entire proceedings (including the evidence recorded) of Shaw Nawaz Committee and Khosla Commission which had^{held} earlier enquiries into the disappearance of Netaji Subhas Chandra Bose;

(v) The full texts of the Transfer of Power, Volumes VI & VII;

(b) Besides filing the above files/records/documents, the Government of India shall file Affidavits of competent persons of the related Ministries giving lists of all other files/records/documents, irrespective of whether they are Top Secret, Classified or De-classified, (except the 990 files transferred by the History Divn., Ministry of Defence to the National Archives, Delhi, a list of which has already been furnished to the Commission) lying in their respective custody or control relating to Netaji Subhas Chandra Bose and/or Indian National Army;

(c) The Government of West Bengal shall produce all the files relating to Netaji Subhas Chandra Bose now lying in the custody of the Special Branch, including file No.269/45 "Prisoner/Release-Revised Policy of Govt., for the release of security prisoners" containing Memo No.SS 129/SB dated 31st August, 1945 from the Commissioner of Police, Calcutta to H.S.E. Stevens, the then Chief Secretary, Govt. of Bengal, express letter No.1234 dated 25.8.45 of Bengal Govt. and Confidential Note dated 3.9.45 of D.R. Hardwick, D.I.G. I.B.;

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

(d) Since, from the statement filed on behalf of All India Forward Bloc it appears that Dr. (Mrs.) Purabi Roy of Asiatic Society has done along with some others an extensive research work in Russia including on Netaji Subhas Chandra Bose and has submitted their report to the Society, The Commission would like to have an affidavit filed by Mrs. Purabi Roy indicating the particulars of the documents which might have come to her notice in course of her research and considered by her to be relevant for the purpose of the enquiry by this Commission, as early as possible preferably within six weeks from the communication of these Orders/Directions.

The General Secretary of the said Society is also requested to forward to the Commission the aforesaid report along with its enclosures within the period prescribed as above.

(e) After the files are produced and/or particulars furnished by the Central Government in terms of the above orders/directions, a research team will be constituted to peruse those files and submit its report about the relevant contents thereof. The parties may suggest names of competent persons, preferably stationed in Delhi, who may be included in the team to be so constituted; and

(f) Having regard to the facts that the evidence of Major G. Baskaran, who in his statement has claimed that he worked as Confidential Secretary of Netaji Subhas Chandra Bose at the material time, will be relevant for the enquiry and that he is aged 82 years, has lost his vision and is seriously ailing, immediate steps be taken to record his statement at his residence at No. 9, Royal Enclave, Basat Avenue, Chennai notwithstanding the fact that the evidence, if any, to be

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
To inquire into the alleged disappearance of
Netaji Subhas Chandra Bose

No. Date

produced by the Central Government is
yet to be recorded.

The Secretary of the Commission is directed
to take immediate steps for compliance with the
above Order/Directions.

sd-
(M.K. Mukherjee)
Chairman



प्रधान मंत्री
PRIME MINISTER

(29)

7/c

New Delhi
May 16, 2000

Dear Shri Advani Ji,

9/c

I am enclosing a copy of a letter of April 28, 2000 from Shri Debabrata Biswas, MP and General Secretary of Netaji Probe & Research Foundation. Shri Biswas has informed that the work of Justice Mukherjee Commission of Inquiry is progressing very slowly. He has attributed lack of attention from the Government as one of the reasons.

In his letter, Shri Biswas has made some suggestions regarding measures needed to expedite the probe. Ministry of Home Affairs may take suitable action on the points raised in the letter.

With regards,

Yours sincerely,

A. B. Vajpayee

(A.B. Vajpayee)

Shri L.K. Advani
Minister of Home Affairs
New Delhi

Let
24/5
Dir (S)

we may find the status
after one month.
24/5

Pr. Sec. III

412 24/5
(F.No. 915/11/c/2/2000)

→ 8/c

915/11/c/2

→ 1/c

Dear Shri

I am enclosing a copy of a letter dated 28 April 2000 from Shri Debabrata Biswas, MP and General Secretary of Netaji Probe & Research Foundation. Shri Biswas has informed that the work of Justice Mukherjee Commission of Inquiry is progressing very slowly. He has attributed lack of attention from the Government as one of the reasons.

2. In his letter, Shri Biswas has made some suggestions regarding measures needed to expedite the probe. ^{Ministry of Home Affairs may take} ~~I will be grateful if suitable action is taken~~ on the points raised in the letter.

Yours sincerely

P.M

Shri L.K. Advani
Union Home Minister

Draft letter to HM as
described at F/A is ~~in file~~
may be seen. ^{JKar}
12/v

Jaswant Singh 13/5/2000

JS (J)
PSTPM (Shri V. Anandheyan)

JK
15/5



प्रधान मंत्री
PRIME MINISTER

31
8/c

New Delhi
May 4, 2000

Dear Shri Biswas,

I have received your letter of April 28, 2000 regarding assistance to Justice Mukherjee Commission of Enquiry.

With regards,

Yours sincerely,

A. B. Vajpayee

(A. B. Vajpayee)

Shri Debabrata Biswas, MP
28, Gurudwara Rakabganj Road
New Delhi

DRAFT

Dear

I have received your letter dated April 28, 2000 regarding assistance to functioning of Justice Mukherjee Commission of Enquiry.

With regards

Yours sincerely,

PM

Shri Debabrata Biswas, MP

~~DPAP~~
SA
3/5

~~DS(S)~~
3/5

PS/PM

PM has signed. He desires that a letter from him should go to HM on this subject.

DS(S)

V. J. G.
9/5/2000

8/5

NETAJI PROBE & RESEARCH FOUNDATION

28, Gurudwara Rakab Ganj Road
New Delhi - 110 001
Phone : 3352273, Telefax : 3714131

9/c

Dated 28th April 2000

Dear Prime Minister,

Sub: Netaji Enquiry Commission

Kindly refer to my earlier letters regarding Justice Mukherjee Commission of Enquiry, which is now probing about the mystery behind the disappearance of Netaji Subhas Chandra Bose. The Netaji Probe and Research Foundation extends its sincere gratitude to you for extending the duration of the Commission by one more year.

The Netaji Probe and Research Foundation is working very extensively to facilitate the efforts of the Commission to unveil the truth for ever is very closely watching the movements of the Commission also. While keeping great faith on you in this regard, we regret to point out that, the Enquiry Commission has been moving at a snail's pace. Your kind intervention is very much necessary to accelerate the pace of the working of the Commission.

Through our activities , we felt that the Commission is not getting proper attention from the government's side as we expected. As you are well aware that this time the Commission have no other option than to base on only the documents. To declassify these scattered documents which are lying in our country and abroad is a Herculean task. In the light of above circumstance, we earnestly request you to take necessary steps to resolve the following suggestions at the earliest.

1. To set up a full fledged Camp Office of the Commission at New Delhi, preferably at Vigyan Bhavan with necessary facilities.
2. Top priority must be given to all correspondence from Mukherjee Commission.
3. To take immediate steps to bring back all the related documents about Netaji which are lying in foreign countries. We came to know that the External Affairs department has not taken any step in this regard so far.
4. But it appeared in the Press that the hon'ble Prime Minister told that the govt. has written letters to all concern countries to declassify all the documents. If it is so kindly let us know the progress of the same.
5. We came to know that some important files/documents are lying with Shri. Md. Yunus, former Chirman, Trade Authority of India, Pragathi Maidan New Delhi. If it is true immediate steps should be taken to collect the same from him.
6. We learnt that, Shri. V.P. Bhatia Under Secretary IS(D.IV) Ministry of Home Affairs, North Block New Delhi and Shri. S.N. Singh, Section Officer Justice

A |
B |

व.न.सं./V.I.R. 98040982
डायरी सं./Diary No.
दिनांक/Date..... 2/5/2000.

6207/Bm/v/00
9/15
633/DS(M)/K/2000
8/5

547/V (ms) / 00
24/5

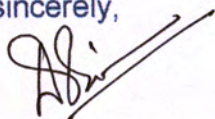
Mukherjee Commission of Enquiry, (New Delhi Office) Room No. 172-B, North Block New Delhi are co-ordinating the activities of the Commission in New Delhi. Kindly give them necessary office facilities and infrastructure assistance.

Hope that you will consider this letter in its true spirit and do the needful.

Thanking you,

In anticipation,

Yours sincerely,



DEBABRATA BISWAS, M.P;
General Secretary
Netaji Probe and Research Foundation.

To
Shr. Atal Behari Vajpayee,
Hon'ble Prime Minister of India,
New Delhi.



35

187C

L. K. ADVANI
HOME MINISTER

26.5.2000

P-52/HMP/2000

My dear Badham Mantri ji, ✓✓✓

9/c

I am in receipt of your letter dated 16th May, 2000, enclosing therewith a copy of a letter dated 28.04.2000 from Shri Debabrata Biswas, MP and General Secretary of Netaji Probe & Research Foundation suggesting certain measures for expediting the probe into the mysterious disappearance of Netaji Subhas Chandra Bose by Justice Mukherjee Commission.

As desired, I am having the suggestions of Shri Biswas looked into for suitable action.

With regards,

Yours sincerely,

L. K. Advani

(L K ADVANI)

Shri A.B. Vajpayee,
Prime Minister of India,
NEW DELHI - 110 011.

P III
mug
9/6
9/5/11/0/9/977ad

PG(A) a
3/15
For info, etc.
JK
3/15
Dir(S)
2/6
2/6

Office of J. S. (J)
Dr. No. 277-VIP
Date 2/6/2000

596/Dir(S)/K-2
2/6

Ministry of Home Affairs, North Block New Delhi -110001 INDIA

"Please visit our website at <http://mha.nic.in>"

7944/Am/v/00
2/6



प्रधान मंत्री
PRIME MINISTER

New Delhi
June 22, 2000

Dear Dr. Sengupta.

I have received your letter of June 15, 2000 regarding memorials at all the places in South East Asia associated with the Azad Hind Fauj and Netaji Subhash Chandra Bose.

With regards.

Yours sincerely.

A. B. Vajpayee

(A. B. Vajpayee)

Dr. Nitish Sengupta. MP
40/135, Chittaranjani Park
New Delhi - 110 019

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

dated June 28, 2000

Copy with a copy of the letter under reply forwarded for action as appropriate to :

1. Foreign Secretary
2. Defence Secretary

[Signature]
[Sunil Jain]
Director

5242/101/2000
28/6

Recd (me)
29/6

[Signature]



सत्यमेव जयते

प्रधान मंत्री
PRIME MINISTER

New Delhi
June 22, 2000

Dear Dr. Sengupta.

I have received your letter of June 15, 2000 regarding memorials at all the places in South East Asia associated with the Azad Hind Fauj and Netaji Subhash Chandra Bose.

With regards,

Yours sincerely,

A. B. Vajpayee

(A. B. Vajpayee)

Dr. Nitish Sengupta, MP
40/135, Chittaranjan Park
New Delhi - 110 019

7/26/6

DMJ

Copy to

1. Fgn Secy
 2. Defence Secy
- for a.s.g.

26/6

PRE III

mm
27/6

Dr. Nitish Sengupta, I.A.S (Retd.)

MEMBER OF PARLIAMENT
(LOK SABHA)



40 / 135
Chittaranjan Park
New Delhi 110019
Tel: 646-9353

38

12/c

June 15, 2000

Respected Prime Minister,

The contribution made by the Azad Hind Fauj under the leadership of Netaji Subhash Chandra Bose is too well known to bear repetition. After an interval of nearly 60 years we can easily say, with the advantage of hind sight, that this played no less a role than that of the Quit India Movement of Gandhiji in hastening British withdrawal from India. The INA was set up in Singapore at a historic rally at Esplanade of Singapore on 1st October, 1943, and it was here that Netaji gave his historic call 'Delhi Chalo' and made an emotional appeal to the people of India to rise up against the oppressive colonial rule and achieve independence so that the tri-colour flag could be hoisted at the Red Fort of Delhi. The INA was a rare example of inter communal organisation where Hindus, Muslims, Sikhs, Christians and members of nearly every community in India joined together under Netaji's leadership to achieve the cause of our country's independence. Unfortunately, there is no monument in Singapore Esplanade to commemorate this great event and to remind posterity of the great role played by the INA and Netaji. It is understood that a memorial was built shortly after this remarkable mass gathering, but it was demolished under the orders of Admiral Lord Louis Mountbatten, the Supreme Commander of the Allied Forces, after Singapore's liberation in 1945. If it is true then this wrong needs to be undone by requesting the friendly government of Singapore to allow Indian authorities to erect an appropriate monument to commemorate this great event. Similarly, there is a strong case for erecting memorials at all other places in South East Asia associated with the Azad Hind Fauj and Netaji like Rangoon (now Yonon), Saigon (now Ho-Chi Minh City). Tokyo and Taipeh in Taiwan where Netaji was last seen. I shall be grateful if you will kindly give your personal attention to this very important issue and let me know your decision at your earliest convenience.

I am sending a copy of this letter to our distinguished Foreign Minister, Shri Jaswant Singh, requesting him to discuss this matter with you.

With personal regards.

Yours sincerely

Nitish Sengupta

(Nitish Sengupta)

Shri Atal Behari Vajpayee
Prime Minister
Government of India
South Block, Central Secretariat
New Delhi 110001

अ.न.स./V.I.R.
डा.य.री.सं./Diary No. 98044441
दिनांक/Date..... 21/6/2000

282/V/PIR (D)/2000
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52431 Pol/2000
866
9169/PMIR/2000
26/6

302/DS (M)/V/2000
21/6

SECRET

39

13/c

Prime Minister's Office

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

4th July, 2000

From : Ms. Archana Ranjan,
Director
Prime Minister's Office
South Block,
New Delhi.-110011.

To: Shri P.K. Sengupta
WBHJS (Retd.)
Secretary,
Justice Mukherjee Commission of Inquiry
B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087.

Sir,

5/16-4/c

I am directed to refer to your letter No.JMC/Meeting/48/95 dated 23rd May, 2000 and to forward the photocopies of the files/records concerning Netaji Subhas Chandra Bose/INS as per the list enclosed. Two files which are classified as Top Secret, are being sent separately.

2. The file No.12(226)/56-PM which contained agenda paper/cabinet decision regarding "Investigation into the circumstance leading to the death of Shri Subhash Chandra Bose" was destroyed in 1972 in course of routine review/weeding of old records since records of Cabinet proceedings are kept permanently in Cabinet Secretariat, from where they may be procured.

3. Certain documents of F.No.23(156)/51-PM required by the Commission have been destroyed while recording that file in 1969. The list of the papers destroyed may kindly be seen in that file.

Yours faithfully,


[Archana Ranjan]
Director

Issued (with 20 files)
M
4/7/2000

copy to NCI section.

p-1-5/12
p-5-6/12

8/c

List of files on Netaji Subhash Chandra Bose located in PMO records:

<u>Sl.No.</u>	<u>Files Number</u>	<u>Subject</u>
✓1.	23(156)/51-PM (Secret)	Disposal of properties of Indian National Army in the far East.
*2.	23(11)/56-57-PM (Top Secret)	I.N.A Treasure.
*3.	2(64)/56-66-PM Vol. I,III,IV&V (Secret) Vol.II – (Top Secret)	(i) Death of Sh. S.C.Bose. (ii) Appointment of an Enquiry Committee to go into the circumstances of the death.
4.	2(64)/78-PM (Secret)	- do-
5.	2(64)/79-PM (Confidential)	- do-
✓6.	2(64)/80-PM	- do-
7.	2(64)/81-PM	- do-
8.	2(64)/82-PM	- do-
9.	2(64)/84-PM	- do-
✓10.	2(64)/86-PM (Secret)	- do-
✓11.	800/6/C/3/88-Pol (Secret)	-do-
✓12.	800/6/C/1/89-Pol (Secret)	Netaji Subhash Bose
13.	800/6/C/1/90-Pol	Netaji Subhash Bose
14.	800/6/C/1/91-Pol	Disappearance of Netaji Subhash Bose
15.	915/11/C/6/96-Pol	Disapperance/death of Sh. S.C.Bose.
✓16.	91 5/11/C/9/99-Pol [Vol. I,II & III] (Vol.I-Secret)	Disappearance/death of Shri S.C. Bose.

*Regarding F.Nos. 23(11)/56-57-PM and 2(64)/56-66-PM (Vol.II) being Top Secret a further communication will follow.

Regd. #10
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, Calcutta-700 087

41
Phone :
033-216-2765/6
033-216-2835.
Fax :
033-216-2765

SECRET

No. JMCI/...Documents/99-2000/37/153.

Calcutta, dated, the 11.07.2000.

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

To : Ms. Archana Ranjan,
Director,
P.M.'s office,
South Block,
New Delhi-110011.

14/c

Madam,

SNo 13/c

With reference to your letter No.915/II/2/C/2000-Pol. dated 4th July, 2000, I am directed to acknowledge receipt of the photo-copies of 20 files including part-files as per list enclosed with your aforesaid letter, the contents of which are under scrutiny in the office of the J.M.C.I.

I am further directed to request you to expedite your further communication regarding top secret File Nos. 23(11)/56-57-PM and 2(64)/56-66-PM (Vol.II).

Yours faithfully,

[Signature]

(M. Roy)

11-7-2000
Officer on Special Duty

13/7
US (NGO)
MS (Poe)
P. retain a copy for your record & return for 2 above. 14/c on page

P 11) mms 14/7

910/11/c/2/2000

ब.सं.का. (एन.जी.ओ.)/PMO (NGO)
पत्रिका/य. नं. ST 8/5/2000
दिनांक/Date..... 13/7/2000

1901310 (00) 1/37

MINISTRY OF HOME AFFAIRS
(IS-I DIVISION)

Subject:- PM's letter dated 16-5-2000 regarding Shri Debabrata Biswas, MP's letter containing suggestions to expedite the probe by Justice Mukherjee Commission of Netaji Subhas Chandra Bose.

7/c
9/c

Kind attention is invited to Hon'ble PM's letter dated 16-5-2000 addressed to Home Minister, forwarding therewith Shri Debabrata Biswas, MP's letter dated 28-4-2000 suggesting some measures to be taken to expedite the probe by Justice Mukherjee Commission of Inquiry on Netaji Subhas Chandra Bose.

2. Two of the suggestions made by Shri Biswas need response of PMO. These two suggestions are as under:-

9/c 'A'

(iv) 'But it appeared in the Press that the Hon'ble Prime Minister told that the Government has written letters to all concerned countries to declassify all the documents. If it is so kindly let us know the progress of the same'.

9/c 'B'

(v) 'We came to know that some important files/documents are lying with Shri Md. Yunus, former Chairman, Trade Authority of India, Pragathi Maidan, New Delhi. If it is true immediate steps should be taken to collect the same from him'.

3. It is, therefore, requested that appropriate comments of PMO in the matter may kindly be made available to us.

[Signature]
5.7.2000
(A.K. Paitandy)
Director (IS-I)

PMO(Attention: Ms Archana Ranjan, Director
MHA ID No.I-12014/17/2000-IS (D.III) dated 6-7-2000

The file is submitted. We have no information regarding the points raised in para. 2.

[Signature]
There is no information as US (P&S) para 2 above in P&S section. Can R.O. confirm before we inform MHA accordingly

R.O. (Sri Dv Vijaykar)

Newspapers of the months of April & March 2000 were gone through and no news item in this regard was noticed.

Dir (A) Pl prepare draft accordingly.

US (P&S) P. III

14/7

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011

Subject: PM's letter dated 16.5.2000 regarding Shri Debabrata Biswas, MP's letter containing suggestions to expedite the probe by Justice Mukherjee Commission of Netaji Subhas Chandra Bose.

Reference is invited to MHA I.D. No. I-12014/17/2000-IS(D.III) dated 6.7.2000 on the subject mentioned above.

As regard para No. 2 of above mentioned note, PMO has no information.

(Archana Ranjan)
Director

MHA (Shri A.K. Paitandy – Director (IS-I))

PMO u.o. No. 915/11/C/2/2000-Pol. dated: 17th July, 2000

19/7

17/c
SECRET

44

Prime Minister's Office

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

25th July, 2000

From : Ms. Archana Ranjan,
Director
Prime Minister's Office
South Block,
New Delhi.-110011.

To: Shri P.K. Sengupta
WBHJS (Retd.)
Secretary,
Justice Mukherjee Commission of Inquiry
B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087.

Sir,

In continuation of my letter dated 4th July, 2000 I am desired to forward photo copies of 10 more files relating to Netaji Subhas Chandra Bose/INA which have since been located in PMO records (as per list attached).

One more file (F.No.2(381)/60-66-PM – proposal to bring Shri Subhas Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi) is not readily traceable and would be sent when found. Efforts to locate it are on.

Yours faithfully,

Archana
[Archana Ranjan]
Director

Issued (with 10 files)
M
25/7

p-6-8/2

S No. 13/c

45

List of files on Netaji Subhash Chandra Bose
located in PMO records:

<u>Sl.No.</u>	<u>Files Number</u>	<u>Subject</u>
✓1.	2(67)/56-71-PM Vol.I & II (secret)	Widow and daughter of Shri Subhas Chandra Bose Misc. correspondence with and about.
✓2.	2(67)/78-PM (secret)	-do-
✓*3.	2(64)/78-PM Annexure to S.No.38 (confidential)	Death of Netaji Subhas Chandra Bose – appointment of an Inquiry Commission to go into the circumstances of death).
*4.	2(64)/80-PM (Annexure) (secret)	-do-
✓5.	2(658)/53-PMS (secret)	Jankinath Bhavan at Cuttack, Birth place of Shri Subhas Chandra Bose – acquisition by the Orissa Govt. of – use of the building as a Hospital by the Netaji Subhas Seva Sadan.
✓6.	870/11/P/17/90-Pol (secret)	Netaji Subhas Chandra Bose - disappearance regarding – Sh. Samar Guha, MP's letter forwarded by the President.
✓7.	870/11/P/10/91-Pol (secret)	-do-

* Regarding F.Nos.2(64)/78-PM Annexure to S.No.38 and 2(64)/80-PM(Annexure) - Photo copy of the main files have been made available to the Commission vide letter No.915/11/C/2/2000-Pol dated 4/7/2000.

- ✓ 8. 870/11/P/16/92-Pol (confidential) Netaji Subhas Chandra Bose - disappearance of papers regarding.

- ✓ 9. 870/11/P/10/93-Pol Vol.I&II (secret) Disappearance of Netaji Subhas Chandra Bose return of the ashes of Shri Netaji Subhash Chandra Bose from Japan to India.

- ✓ 10. 870/11/P/11/95-Pol (secret) Disappearance of Netaji Subhas Chandra Bose.

S No 18

47

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:
 216-2765-68 & 216-2835
 Fax:
 216-2765
 e-mail
 jmcinscb@cal3.vsnl.net.in

No. JMCI/Meeting-Proceedings(Follow Up)/ Calcutta, dated, the 02.08.2000.
 48/181.

From : Shri M. Roy, I.A.S.(Retd.),
Officer on Special Duty

To : Ms. Archana Ranjan,
Director,
P.M.'s office,
South Block,
New Delhi-110011.

Madam,

I am directed to acknowledge the receipt of the photo-copies of seven Secret/Top Secret files sent under your letter No.G-16(4)/2000-NGO dated 24.07.2000 and the photo-copies of ten more files sent under your letter No.915/11/C/2/2000-Pol. dated 25.07.2000 which are all awaiting scrutiny at this end.

Yours faithfully,

[Signature]
 (M. Roy) 02.8.2000
 Officer on Special Duty

Q
 7/8
 US (Pol)

Since we had forwarded Secret/TS files, we are keeping original on our file.

US (Pol)

PTM
[Signature]
 8/8

162A/DIA(CA)/A/90
 2107



A.K. PAITANDY
DIRECTOR (IS-1)
Tele No.301 2478

19

MOST IMMEDIATE/TIME BOUND
DO No.I-12014/13/2000-IS (D.III)

गृह मंत्रालय

भारत सरकार

48

नार्थ ब्लॉक, नई दिल्ली-110001
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NORTH BLOCK, NEW DELHI-110001

Dated the 6th September, 2000

Dear Madam,

SNO-2/c

Please refer to PMO's letter No.915/11/C/2/2000-Pol, dated 2-5-2000 addressed to the Secretary, Justice Mukherjee Commission of Inquiry with a copy to this Ministry regarding details of 16 files available in PMO about Netaji Subhas Chandra Bose and/or INA.

2. I attended the proceedings of the Commission at Calcutta on 31-8-2000 wherein it transpired that in addition to the 16 files referred to above, there were some more files in this regard in PMO. Having regard to the proceedings/deliberations of 31-8-2000 it has been felt necessary that the P.M.O should recheck their records and state the factual position in respect of availability or non-availability of records pertaining to Netaji/INA in a sworn and attested affidavit which could be filed before the Commission much before 28-9-2000 i.e. the next date of hearing. The Commission also observed that if any of the files of P.M.O have been destroyed, the circumstances leading to that may also please be indicated in that affidavit.

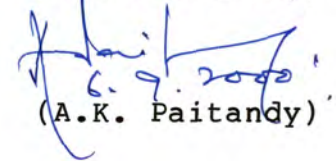
S.N. Singh
S.O.

3. I shall be grateful if you could look into the matter personally and give the Commission the relevant details as per para 2 above under intimation to MHA. This may please be accorded top priority as the next hearing of the Commission is to be held on 28-9-2000.

Q
7/9
US (Pol)

With regard,

Yours sincerely,


(A.K. Paitandy)

Ms. Archana Ranjan,
Director
PM's Office
South Block
New Delhi

P-9-107N
S.No. 21-23/c

Copy forwarded for information to:-
The Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, 3rd floor
11/A Mirza Ghalib Street,
Calcutta- 700 087

Pre. paper is placed below pl.
M
11/9.

११ ११ ११ ११ ११ ११ ११ ११ ११ ११

20

49

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:
216-2765-68 & 216-2835
Fax:
216-2765
E-Mail
jmcinscb@cal3.vsnl.net.in

No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II)/243(5)

Calcutta, dated, 06.09 2000

REGISTERED WITH A/D.

From : **Shri P.K. Sengupta, WBHJS (Retd.),**
Secretary

To
The Secretary
Prime Minister's Secretariat,
South Block,
New Delhi 110 001

Subject **Strict compliance with the orders/directions contained
in the proceedings dated 31.08.2000 read with the
proceedings dated 23.03.2000 and 13.06.2000 of Justice
Mukherjee Commission of Inquiry.**

Sir,

I am sending herewith a copy of the proceedings dated 31.08.2000 of the Commission containing its orders and directions for your perusal and compliance thereof as directed by the Commission.

Copies of the proceedings dated 23.03.2000 and 13.06.2000 of the Commission were sent to your office earlier.

Yours faithfully,

P. K. Sengupta
(P.K. Sengupta)
Secretary

Encl: As stated above.

*u/a
us (Pol) P211*

*P-9-10/N
Smo 21-23/c*

*Dr (RP)
8/9
In you Pt
2
11/9
Dr (A)*

*1849/Dr (A) / 8/2000
11/9*

Proceedings dated 31.08.2000 (Third)

Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chittaranjan Avenue, Calcutta 700 007

August 31, 2000

After perusal of the files/documents still now made available to the Commission and hearing the parties and/or their representatives present, the following directions are given to the authorities noted below :

A. PRIME MINISTER'S OFFICE/SECRETARIAT

(i) While sending photocopies of seven files marked as 'Top Secret/Secret' with a forwarding letter No. G-16(4)/2000-NGO dated July 24, 2000 (also marked 'Top Secret/Secret') addressed to the Secretary of the Commission, a Director of the Prime Minister's office, South Block, New Delhi has made the following request :

"It is further requested that while information contained in the 'Top Secret' papers may be made use of by the Commission, in camera, since these are classified as 'Top Secret', they may kindly consider not publishing the same."

Viewed in that context, the above office/secretariat is directed to adduce specific reasons as to why privilege is being claimed against the disclosure of the contents thereof, more so, when the Commission is holding a public enquiry and its report will be a public document and the contents of those files may have an important bearing.

(ii) The above office will let this Commission know whether any of the files/records relevant to the terms of reference of this Commission has been destroyed and, if so, details thereof and why, when and where they were destroyed and whether copies of the documents contained therein have been kept or maintained.

(iii) In spite of directions contained in paragraph a(i) read with paragraph (b) of the order of this Commission dated March 23, 2000 read with the order dated June 13, 2000, the above office/Secretariat has not filed any affidavit regarding the availability of files/documents mentioned in the aforesaid paragraph a(i).

*Evidence Act
Lawyer*

B. MINISTRY OF HOME AFFAIRS

- (i) In spite of the directions of the Commission contained in its orders dated March 23, 2000 and June 13, 2000, the complete original records of the entire proceedings of Justice Khosla Commission of Inquiry, including the evidence recorded by and documents produced before the said Commission, have not been sent.
- (ii) In his affidavit dated June 20, 2000, the Director (IS-I) attached to the Ministry of Home Affairs has stated, inter alia, that in their Ministry only the files regarding bringing back of the presumed ashes of Netaji kept in Renkoji Temple in Tokyo in Japan and posthumous announcement of award of 'Bharat Ratna' to Netaji are available, and according to the deponent, those files do not have any direct bearing on the on-going inquiry of the Commission. Notwithstanding the above observation, the Ministry of Home Affairs is directed to submit those files before the Commission immediately.

C. MINISTRY OF EXTERNAL AFFAIRS

- (i) In spite of earlier directions of the Commission contained in the orders of the Commission dated March 23, 2000 and June 13, 2000, the complete original records of the entire proceedings of Shah Nawaz Khan Committee of Inquiry including the evidence recorded by and the documents produced before the said Committee, have not been sent.
- (ii) Along with his letter No. 25/4/NGO-Vol.V dated March 1, 2000 (marked 'Top Secret'), Joint Secretary (CNV) has given a list of some files marked 'Top Secret'. The Ministry is directed to produce the said files in original before the Commission for its inspection and also explain why those files are still being treated as 'Top Secret', more so, when the Commission is holding a public enquiry and its report will be a public document and the contents of those files may have an important bearing.

D. GOVERNMENT OF WEST BENGAL

Secretary to the Home Department, Government of West Bengal, is directed to produce the original Index Books, together with xerox copies thereof, relating to the files detailed in Annexure 'B' to the affidavit dated July 28, 2000 filed by Shri Aloknath Bhattacharyya, Special Secretary to the Government of west Bengal, Home (Political) Department. The Index Books shall not be taken back without the leave of the Commission.

E. COMPLIANCE WITH THE ABOVE ORDERS/DIRECTIONS

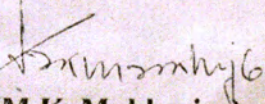
All informations to be furnished in terms of the above orders/directions must be supported by affidavits of competent officers, not below the rank of a Joint Secretary to the Government of India, and filed by September 26, 2000. All files/documents, in terms of the above orders/directions, must be produced also by the same date.

F. EXAMINATION OF WITNESSES

- (i) The Government of India is directed to produce its witnesses, if any, on the next date of hearing for their examination, before the Commission examines witnesses cited by other parties.
- (ii) Of the witnesses cited by the other parties, let the following witnesses be summoned to appear on the next date of hearing :
 1. Dr. Sisir Kumar Bose, Chairman, Netaji Research Bureau, Calcutta
 2. Shri Suman Chattopadhyay, Executive Editor, Ananda Bazar Patrika, Calcutta.
 3. Shri Ardhendu Sarkar, formerly of Bharat Heavy Engineering Corpn.
 4. Shri Anindya Sengupta, Columnist, The Statesman, Calcutta.
 5. Shri Nilanjan Basu, Reporter, Bartaman, Calcutta.
- (iii) As regards the other witnesses cited by them, appropriate directions as to who of them will be examined and when, will be notified in due course.

G. NEXT HEARING

The next hearing of the Commission will be held on September 28, 2000 at 11 A.M. in the Seminar Hall, Annexe Building, Mahajati Sadan, 166 Chittaranjan Avenue, Calcutta 700 007.


(M.K. Mukherjee)
Chairman.

53

21

SECRET
MOST IMMEDIATE

PRIME MINISTER'S OFFICE

Subject: Declassification of records.

The Government of India has appointed the Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subash Chandra Bose. In response to the communication received from the Commission of Inquiry Vide ✓ letter No. JMC/Meeting/48/95, dated 23.5.2000, copy of seven top secret files pertaining to this Office were sent to the Commission with the request that while the Commission may make use of the top secret papers, in camera, they may kindly consider not publishing the same, since these are classified as top secret.

SNo. 4/c.

2. The Commission have ✓ Vide their letter dated 6.9.2000 directed this Office to adduce specific reasons as to why privilege is being claimed against the disclosure of the contents of the Top Secret files, more so, when the Commission is holding a public inquiry and its report will be a public document and contents of these files may have an important bearing. It also appears the Commission has been in touch with the Ministry of Home Affairs, Ministry of External Affairs, Government of West Bengal etc. for production of records relevant to the terms and conditions of the Commission of Inquiry.

SNo. 20

.....2/-

P-9-107N

3. Copies of the classified communications which originated from your Ministry/Department are enclosed. You are requested to kindly let this Office know immediately the view, if any already taken regarding their declassification and production before the Commission. If a view is yet to be taken, the same may please be expedited and complete information intimated to this Office latest by the forenoon of 18th September, 2000.

Ar
[Archana Ranjan]
Director

Reply at
SNo. 27/c
SNo. 29/c
SNo. 28/c
SNo. 31/c

- 1. Secretary, Ministry of Urban Development
- 2. Secretary, Deptt. of Economic Affairs
- 3. Secretary, Ministry of Information & Broadcasting
- 4. Secretary, Deptt. of Food and Public Distribution - 37/c -

PMOU.O. No. 915/11/C/2/2000-Pol (Vol.1) dated: Sept. 15, 2000

Issued (we)
[Signature]
15.9

- ✓ MUD - FNo. 2 (658)/53 - PMS
SNo. 33-A letter No. 9223-WJ/53
3/5 - 12 - 1953.
- ✓ DEA - FNo. 2(64)/86 - PM
SNo. 25/c letter No. 36/22/87-BO III
dt 21-12-87.
- ✓ IKB - FNo. 2(64)/86 - PM
SNo. 1/c - letter dt. 7.11.86.
- ✓ Food & PD - FNo. 2(64)/56-68-PM
SNo. 53/c (Vol. IV)
letter No. CH/FCI/camp

22

SECRET
MOST IMMEDIATE

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

Dt. 15.9.2000

To
The Chief Secretary,
Government of Orissa,
Bhubneswar.

Subject: Declassification of records

Sir,

I am directed to say that Justice Mukherjee Commission of Inquiry has been set up by Government of India to inquire into the alleged disappearance of Netaji Subash Chandra Bose. The Commission have directed various Ministries/Departments of Government of India, including this Office, to produce all files/documents by 26th September, 2000. Some of the Secret files with Office contain the letters written by the Chief Minister, Orissa to the Prime Minister (copies enclosed). ✓

✓ photo copies
also placed
below.

2. It is quite possible that the Government of Orissa have already taken a view regarding desirability or otherwise of declassifying these letters and making it available to the Commission of Inquiry. If so, the decision taken may kindly be intimated to this Office urgently. If, however, a view has not yet been taken, you are requested to kindly let us know the views of the Government of Orissa regarding declassification of the Secret/Confidential letters in question, and making a copy of the same available to the Commission of Inquiry.

3. An early response is requested, keeping in view the fact that files/documents have to be made available to the Commission of Inquiry by 26th September, 2000, positively.

Yours faithfully,

Ar

[Archana Ranjan]
Director

Issued (w.c.)
[Signature]
15/9

P-9-10/N

Reply
41/c

Secretary
Ministry of P.W.D.

D.O.No.

CHIEF MINISTER
GRISSA



Do No 3064-00

Mubansur
15.9.53.

Confidential

My dear Jawaharlal,

I have received your
Confidential letter No 637-P.M.
of the 4th instant.

We have decided to purchase
the Janakirath Shivan + are
going to take the vote of the
Assembly this month. Rs 75,000/-
will be paid for the property.

Yours sincerely
M.M.

Sd/- Jawaharlal Nehru,
Prime Minister,
N. Delhi.

PM
M

SECRET.

in F-25(33)-PM

Extract from the fortnightly letter No. 2 dated the 16th March, 1954, from the Governor of Orissa to the President.

.....

On 8th March I visited the hospital run by the Netaji Subhas Seva Sadan, Cuttack, and went round the hospital. This institution is conducted by the Netaji Subhas Seva Sadan Trust Board which is registered under Central Act XXI of 1860. The Board is desirous of establishing here a Seva Sadan after the Chittaranjan Seva Sadan at Calcutta, and I also saw Janakinath Bhavan, the building where the father of Subhas Chandra Bose lived when he was practising here as a lawyer and where Subhas Bose was born. The State Government intend acquiring Janakinath Bhavan from the owners at a cost of Rs. 75,000 and make it available to the Trust Board who propose to shift the hospital to Janakinath Bhavan.

Joint S. Department: L.S. Dept.
Public Secretary,
Ministry of Works, Housing & Supply,
Cuttack.

SH.

2/658

23

58

No. 915/11/C/2/2000 (M.I) **SECRET**
MOST IMMEDIATE
PRIME MINISTER'S OFFICE

To
The Chief Secretary,
Government of West Bengal,
Calcutta.

dt. 15.9.2000

(Attention : Shri Aloknath Bhattacharyya, Special
Secretary, Home (Political) Department)

Subject: Declassification of records

Sir,

I am directed to say that Justice Mukherjee Commission of Inquiry has been set up by Government of India to inquire into the alleged disappearance of Netaji Subash Chandra Bose. The Commission have directed various Ministries/Departments of Government of India, including this Office, to produce all files/documents by 26th September, 2000. Some of the Secret files with Office contain the letters written by the Chief Minister, West Bengal to the Prime Minister (copies enclosed). ✓

✓ photo copies placed below.

2. It is quite possible that the Government of West Bengal have already taken a view regarding desirability or otherwise of declassifying these letters and making it available to the Commission of Inquiry. If so, the decision taken may kindly be intimated to this Office urgently. If, however, a view has not yet been taken, you are requested to kindly let us know the views of the Government of West Bengal regarding declassification of the Secret/Confidential letters in question, and making a copy of the same available to the Commission of Inquiry.

3. An early response is requested, keeping in view the fact that files/documents have to be made available to the Commission of Inquiry by 26th September, 2000, positively.

Yours faithfully,

Archana Ranjan
[Archana Ranjan]
Director

2(62)/50-71-114 Vol. I
2(64)50 -66-114
15/9

Issued (w.e.)
15.9

Reply at SMO 36/c

2-9-107N

-36/c-

SECRET

CHIEF MINISTER
GOVERNMENT OF WEST BENGAL
CALCUTTA.

D.O.No. 82-CM

The 10th/11th March, 1952.

My dear Jawahar,

Kindly refer to your letter regarding the
ashes of Subhas Bose.

I referred the matter to Sri Asoka Nath
Bose, the eldest son of late Sarat Chandra Bose. He
evidently consulted his people and telephoned to me
yesterday to say that at the present moment they do not
desire to move in the matter, and they also wish that
the matter be not pursued at the present moment. So
I think there is nothing else to be done for the
moment.

Yours affectionately,

Sd/- B.C. Roy.

Hon'ble Shri Jawaharlal Nehru,
Prime Minister,
New Delhi.

Sd/- J. Nehru.
13.3.52.

Sec. C.R.

No D/S 2403 A/14. 3.52

23(156)

By M 1134 PM
dt 14/3



104-A
No. 1005-CM
Calcutta
The 5th December, 1958
60
37

CONFIDENTIAL

My dear *Jawhar*

I have received your letter of the 2nd December, giving me the details of the remittances made to Anita.

I find that altogether Rs 30,000/- has been paid during the period from 25.3.1954 till December, 1958, which means that, during 57 months, money has been paid @ Rs 500/- a month. The amount paid is quite satisfactory. As a matter of fact, Lalita came to me a little while ago and said that Anita's mother would like to have not monthly remittances but periodical remittances, say, every six months Rs 3,000/-. I have given her the dates on which the remittances had been made, so that she might communicate them to Anita's mother.

I have been discussing the question of Anita's coming over to India. I am enclosing a note, which will give you an idea of the present position regarding the house in Elgin Road. You will see that a part of the house was owned exclusively by Sarat Chandra Bose and that three-fourths of the property was owned jointly by Sarat Chandra Bose and Suresh Chandra Majumdar, both dead, and by Shri Asoke Kumar Sarkar, the present proprietor of the Hindusthan Standard. Therefore, if the heirs of Sarat Chandra Bose are not ready to receive Anita, it will be difficult for her to come and stay at the Elgin Road house, even if she wants to.

Under the circumstances, I have told Lalita to inform Anita not to come to India at the present moment. I have also learnt some more points regarding Anita, which I will tell you personally when I meet you next week.

Yours aff
B.C. Roy

Shri Jawaharlal Nehru,
Prime Minister,
New Delhi

Enclo:

61

Re: 38/1, Elgin Road (Netaji Bhaban)

Subhas Chandra Bose had one-fourth share in the premises. The other co-sharers being his brothers Sa Chandra Bose (deceased), Sudhir Chandra Bose (-deceased) Sailesh Chandra Bose.

The undivided one-fourth share which Subhas Chandra Bose had was sold by Government to Satish Chandra Bose on 6th March 1946 after the attachment of the property by the Government in the criminal proceedings against Subhas Chandra Bose.

On the 13th May 1946 Satish Chandra Bose conveyed the undivided one-fourth share of the property purchased by him from the Government to Srimati Amiya Bala Sircar. Satish Chandra Bose, Sudhir Chandra Bose and Sailesh Chandra Bose sold their remaining three-fourth share in the property to Sarat Chandra Bose (deceased) Suresh Chandra Majumdar (deceased) and Asoke Kumar Sarkar. On the same date that is on the 13th May 1946 a Deed of Partition was executed between Srimati Amiya Bala Sircar of the one part and Sarat Chandra Bose, Suresh Chandra Majumdar and Asoke Kumar Sarkar of the other part, by which one-fourth part was demarcated and allotted to Srimati Amiya Bala Sircar. The remaining three-fourth part was held jointly by Sarat Chandra Bose (deceased), Suresh Chandra Mazumdar (deceased) and Asoke Kumar Sarkar. The portion allotted to Srimati Amiya Bala Sircar was the back portion of the premises. A description of such portion is annexed and marked "A".

X 104-

Subsequently Srimati Amiya Bala Sircar conveyed such part to Sarat Chandra Bose (deceased) on the 3rd July 1946.

The position now is that the heirs of Sarat Chandra Bose (deceased) are the owners of the divided southern portion of the property described in Annexure "A" and the

heirs of Sarat Chandra Bose(deceased), the excutors or the heirs of Suresh Chandra Mazumdar(deceased) and Asoke Kumar Sircar are jointly entitled to the remaining portion of the premises described in Annexure "B".

Suresh Chandra Majumdar died leaving a Will. The executors applied in the High Court for grant of Probate. His nephews opposed the grant. The High Court in its Original Side directed to grant of Probate against which the nephews have filed an appeal which is pending. The executor has not yet paid the duty payable and taken out the Probate from the High Court.

Nripendra Chandra Mitra

4th December 1958

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ANNEXURE " A "

(Portion purchased by Sarat Chandra Bose from Srimati Amiya
Bala Sircar).

Partly one and partly two storied building with land
8 Cottahs 14 Chittacks and 8 Square feet being the southern
portion of the premises No 38/2, Elgin Road.

ANNEXURE "B"

(Portion purchased by Sarat Chandra Bose, Suresh Chandra
Majumdar and Asoke Kumar Sarkar).

Three storied building with land-12 Cottahs 7 Chittack
and 37 Square feet being the northern portion of premises
No 38/2, Elgin Road.

CONFIDENTIAL

CALCUTTA

12th April, 1954
157A.

61A

84 (64)

No. no. 269/CM

Jyoti Jankar

I am sending back the Trust Deed as modified.

I have provided also that the money should go to the mother in case Anita dies before she reaches the age of 21. In a contingency where the mother also dies before the daughter's death, the money should revert to the Indian National Congress.

2/67/58-71/Am

With regard to the appointment of a Trustee in place of either of us not being able to function, the matter should be left to the Working Committee of the Indian National Congress because it is, after all, the Working Committee which gave the money originally.

Yours *att*

B. J.

Shri Jawaharlal Nehru
Prime Minister
NEW DELHI

667

Enclo:

(85)
6-12-65

We, (1) Jawaharlal Nehru, son of Motilal Nehru deceased, of Allahabad now residing in New Delhi; (2) Dr. Bidhan Chandra Roy, son of Prakash Chandra Roy deceased, of No. 36, Wellington Street, in the town of Calcutta, ~~and (3)~~ do hereby declare as follows:-

WHEREAS a sum of Rs. 2,00,000/- (Rupees Two lakhs) only has been set apart by the Working Committee of the Indian National Congress out of the I.N.A. Fund lying with the All India Congress Committee for the benefit of Anita Bose daughter of Netaji Subhas Chandra Bose;

AND WHEREAS the said amount is now being held by us for the uses and purposes for which the said amount has been set apart by the Working Committee of the Indian National Congress;

WE DO HEREBY MAKE THIS DECLARATION OF TRUST that we shall hold the said sum of Rs. 2,00,000/- (Rupees Two lakhs) upon trust to invest it in any manner authorised by law for the investment of trust funds and to hold such investments (hereinafter referred to as the "Trust Fund") upon the trusts hereinafter declared, namely :-

(1) that we shall pay and make over the income of the Trust Fund to Frau Schenkl wife of the said Netaji Subhas Chandra Bose for the maintenance, education and advancement of the said Anita Bose until the said Anita Bose attains the age of 21 years, and


(2) that upon the said Anita Bose attaining the age of 21 years we shall transfer the said Trust Fund to the said Anita Bose, provided that should she die before attaining the said age we shall transfer the said Trust Fund to the mother, Mrs. Schenkl Bose. In case the mother dies before Anita reaches the age of 21, the money will revert to the Indian National Congress.

We do further declare that should any of us die or become incapable of acting in the trust or be desirous of retiring from the trust the others of ourselves with the concurrence of the Working Committee of the Indian National Congress appoint a new trustee in the place and stead of the trustee dying or becoming incapable or retiring and thereupon the Trust Fund shall vest in the new trustees jointly with the other trustees without any deed of appointment of new trustees being required to be executed.

IN WITNESS WHEREOF we have signed this Declaration of Trust this day of One thousand nine hundred and fifty four.

SIGNED by Jawaharlal)
Nehru in the presence of)

SIGNED by Dr. Bidhan Chandra)
Roy in the presence of)

SIGNED BY)
in the presence of 

CALCUTTA
26th March, 1954

Do no. 217 CM

My dear Jawahar

Kindly refer to your letter of 19th instant in which you have raised the question as to why Frau Schenkl should be made one of the Trustees. The reason is quite clear. It was you who had asked the Ambassador at Berne (Gundevia) to find out if Frau Schenkl would agree to be a Trustee. To that Mrs. Schenkl agreed to be one vide her letter dated the 17th of January, 1954. This is the reason why in the *draft* Trust Deed which was sent to you Mrs. Schenkl's name was included as one of the Trustees.

2(67)156-71-Any

2. I agree entirely with you that the whole thing need not be made so complicated. I am therefore sending you a fresh draft of the Trust Deed which is a simpler one in which there is only a declaration made by you and me about the funds and about the way in which the income from the funds is to be applied until the girl is able to claim the corpus itself.

3. In this draft we have made provision for three Trustees. I do not know whether we need have a third Trustee. If you do think so, you may consider a third name -somebody in India. We need not consider Frau Schenkl at all in this connection.

4. The signing of the draft need not be done by us both together at the same place. It may be done separately at different places.

Yours all

Bowen

Shri Jawaharlal Nehru
Prime Minister,
NEW DELHI.

Enclo:

upon trust to invest it in any manner
permitted by law for the benefit of
trust funds and to hold such investments
67
68

We, (1) ~~Pradip~~ Jawaharlal Nehru, son of Motilal Nehru
deceased of Allahabad now residing in New Delhi, (2) Dr. Bidhan
Chandra Roy, son of Prakash Chandra Roy deceased, of No.36,
Wellington Street, in the town of Calcutta and (3)

do hereby declare as follows :-

WHEREAS a sum of Rs. 2,00,000/- (Rupees Two Lacs)
only has been set apart by the Working Committee of Indian
National Congress out of the I. N. A. fund lying with the All
India Congress Committee for the benefit of Anita Bose daughter
of Netaji Subhas Chandra Bose [who is now an infant];

AND WHEREAS the said amount is now being held by us for
the uses and purposes for which the said amount has been set
apart by the Working Committee of Indian National Congress;

WE DO HEREBY MAKE THIS DECLARATION OF TRUST that we
shall hold the said sum of Rs. 2,00,000/- (Rupees Two Lacs) ~~or~~
~~the securities in which the said sum may from time to time be~~
~~converted~~ (hereinafter referred to as the "Trust Funds") ^{and}
~~Trustees for the uses and benefits following~~ ^{as} ~~namely :-~~
The trusts herein after declared

(1) That we shall pay and make over the ~~interest income or~~
~~issues~~ of the Trust Funds to Frau Schonkl wife of the said
Netaji Subhas Chandra Bose for the maintenance, education and
advancement of the said Anita Bose until the said Anita Bose
attains the age of _____ years, and

(2) That upon the said Anita Bose attaining the age of _____
years we shall ~~pay, make over, endorse or transfer~~ the said
Trust Funds to the said Anita Bose, ~~and in the meantime we shall~~
~~hold the said Trust Funds as Trustees for the uses and trusts~~
~~hereinbefore mentioned.~~ ^{she may before attaining the said age we}
^{shall transfer the said Trust Funds to her}
^{as trustee for the uses and trusts}
^{hereinbefore mentioned.}

Working Committee of the Indian National
Congress

We do further declare that should any of us die or become
 incapable or be desirous of retiring from the trust hereinbefore
 mentioned the others of ourselves with ^{the} concurrence of ^{the President} for the
 time being ~~now existing~~ ^{of the} Indian National Congress appoint a new
 trustee in the place and stead of the trustee dying or becoming
 incapable or retiring and thereupon the Trust Fund shall vest in
 the new trustee jointly with the other trustees without any deed
 of appointment of new trustee being required to be executed.

IN WITNESS WHEREOF we have signed and delivered this
 Declaration of Trust this day of One thousand nine
 hundred and fifty four.

SIGNED & DELIVERED by Pandit Jawaharlal
 Nehru in the presence of :

SIGNED by Dr. Bidhan Chandra Roy in the
 presence of :

SIGNED by
 in the presence of :



सत्यमेव जयते

SECRET

CHIEF MINISTER

WEST BENGAL

CALCUTTA

10th March, 1954

D.O. no. 173/cm

My dear Javala

I am sending you the Trust Deed as prepared by my Solicitor with regard to the money set apart for Sri Subhas Bose's family. Kindly look into it. It would perhaps be better to send the draft Deed to Gundavia for transmission to Madam Schenkl.

Yours

eff B. Ch

Shri Jawaharlal Nehru
Prime Minister
NEW DELHI

ENCLO:

2(67) 156-71-10

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TO ALL TO WHOM these presents shall come, we, (1) PANDIT JAWAHARLAL NEHRU, son of Pandit Motilal Nehru deceased, of Allahabad, now residing in New Delhi, (2) DR. BIDHAN CHANDRA ROY, son of Prakash Chandra Roy deceased, of No.36, Wellington Street in the town of Calcutta, (3) FRAU SCHENKL, wife of Netaji Subhas Chandra Bose, of Ferrogasse 24, in the town of Vienna, in Austria and (4) _____ son of _____ of No. _____ in the town of Calcutta SEND GREETING :-

WHEREAS out of various subscriptions and contributions collected and received from the public from time to time a sum of Rs.2,00,000/- have been set apart by the Working Committee of the Indian National Congress for the benefit of ANITA BOSE daughter of the said Netaji Subhas Chandra Bose who is an infant;

AND WHEREAS the said sum of Rs.2,00,000/- has been invested in the names of the said Pandit Jawaharlal Nehru and Dr. Bidhan Chandra Roy in the securities hereinafter mentioned in the Schedule hereunder written for the objects and purposes hereinafter appearing;

AND WHEREAS the said Pandit Jawaharlal Nehru and Dr. Bidhan Chandra Roy are desirous of transferring the said securities in favour of the said Frau Schenkl and the said _____ as Trustees for the uses and trusts hereinafter mentioned for the benefit of the said ANITA BOSE until she attains the age of twenty five years and the said Frau Schenkl and the said _____ have agreed to hold the same for the said uses and purposes with the powers and conditions hereinafter expressed;

NOW.....

(98) 7

NOW THESE PRESENTS WITNESSETH that the said Pandit Jawaharlal Nehru and Dr. Bidhan Chandra Roy do hereby declare that the said sum of Rs. 2,00,000/- so invested aforesaid were not their own proper money but was held by them for the benefit of the said ANITA BOSE daughter of the said Netaji Subhas Chandra Bose in manner hereinafter appearing that is to say that until the said ANITA BOSE attains the age of twenty five years the interest and income of the said sum of Rs. 2,00,000/- so invested in securities as aforesaid shall be applied for the maintenance, education and advancement of the said ANITA BOSE and that upon the said ANITA BOSE attaining the age of twenty five years the said sum of Rs. 2,00,000/- (Rupees Two Lacs) only or the securities in which the same are invested or may for the time being be invested be transferred to the said ANITA BOSE absolutely and for ever for her own use and benefit;

A N D the said Frau Schenkl and do hereby respectively declare for themselves and their successors in office that they shall on receipt of the interest income or issues of the said sum or said securities hereinafter mentioned in the Schedule hereunder written for the said sum of Rs. 2,00,000/- (Rupees Two Lacs) or the securities or moneys to which the same may from time to time be converted shall duly apply the same through the said Frau Schenkl for the maintenance, education and advancement of the said ANITA BOSE, until the said ANITA BOSE attains the age of twenty five years;

A N D the said Frau Schenkl and the said do hereby for themselves and their successors under these presents respectively further declare that they shall make over endorse and transfer the said securities for the sum of - - - Rs. 2,00,000/- (Rupees Two Lacs) hereinafter mentioned in the Schedule or the securities and moneys in which the same may for the time being be converted to the said ANITA BOSE on her - - - attaining

99
72

attaining the age of twenty five years and the said Frau Schenkl and the said _____ shall in the meantime hold the securities mentioned in the Schedule hereunder written or the securities or moneys to which the same may from time to time be converted as trustees for the uses and trusts hereinbefore mentioned for the benefit of the said ANITA BOSE as is hereinbefore expressed;

A N D the parties to these presents further declare that should any trustee under these presents be at any time or from time to time be desirous of retiring from the trusts herein expressed or become incapable or die before the said ANITA BOSE attains the age of twenty five years the other trustee shall with the consent and concurrence of the said Pandit Jawaharlal Nehru and Dr. Bidhan Chandra Roy or the survivor of them appoint another trustee in the place and stead of the trustee so retiring becoming incapable or dying and should the continuing trustee fail and neglect to nominate and appoint another trustee in the place and stead of the retiring incapable or dying trustee the said Pandit Jawaharlal Nehru and Dr. Bidhan Chandra Roy or the survivor of them shall have the right to appoint a trustee in the place and stead of the trustee so retiring becoming incapable or dying, and should at the time of the retirement, incapacity or death of any of the trustees either of the said Pandit Jawaharlal Nehru or Dr. Bidhan Chandra Roy be not surviving then and in that event such new trustee shall be nominated and appointed by the surviving trustee with the consent and concurrence of the President for the time being of the Indian National Congress.

THE SCHEDULE ABOVE REFERRED TO :

(Description of the Securities).

IN WITNESS WHEREOF we, the said Pandit Jawaharlal Nehru,

100
23

Dr. Bidhan Chandra Roy, Frau Schenkl and
have hereunto set and subscribed our respective hands and seals
the day month and year first above written.

SIGNED SEALED & DELIVERED by Pandit |
Jawaharlal Nehru in the presence of: |

SIGNED SEALED AND DELIVERED by Dr. |
Bidhan Chandra Roy in the presence |
of : |

SIGNED SEALED AND DELIVERED by Frau |
Schenkl in the presence of : |

SIGNED SEALED AND DELIVERED by the |
said |
in the presence of : |

(74)

DATED THIS DAY OF 1954.

-: Between :-

- (1) PANDIT JAWAHARLAL NEHRU
- (2) DR. BIDHAN CHANDRA ROY
- (3) FRAU SCHENKL

-: And :-

(4) _____

DECLARATION OF TRUST

MITRA & MITRA,
Attorneys-at-Law,
5, Hastings Street,
Calcutta.



SECRET

701 49-A

Shri S.K. Chatterjee, I.C.S.
GOVERNMENT OF WEST BENGAL
SECRETARY TO THE CHIEF MINISTER
THE 11th March, 1954

Dear Sir,

With reference to your secret D.O. letter
No. 2(628)-52-FM, dated the 25th February, 1954,
I write to say that the Chief Minister has already
written to the Prime Minister on the subject and
has enclosed a trust deed (vide Chief Minister's
D.O. letter No. 173/CM, dated the 11th March,
1954, to the Prime Minister of India).

Yours faithfully,

S. K. Chatterjee

(S. K. Chatterjee)
Secretary to the Chief Minister,
West Bengal.

Shri M. L. Bazaz,
Assistant Private Secretary to the Prime Minister,
Government of India,
New Delhi.

(628)

2/11/54 to 50

2(628)/52-71-FM

mu
173

46-A

sic

¹[This section applies also, with any necessary modifications, to finger-impressions.]

COMMENTS

Under the law the court has power to compare signatures /handwriting strengthening its finding based on other cogent material and evidence on record; *Satish Jayanthilal Shah v. Pankaj Mashruwala*, (1997) 2 Crimes 203 (Guj).

Public Documents

✓ 74. **Public documents.**—The following documents are public documents:—

- (1) Documents forming the acts, or records of the acts—
 - (i) of the sovereign authority,
 - (ii) of official bodies and tribunals, and
 - (iii) of public officers, legislative, judicial and executive, ²[of any part of India or of the Commonwealth], or of a foreign country ;
- (2) Public records kept ³[in any State] of private documents.

75. **Private documents.**—All other documents are private.

76. **Certified copies of public documents.**—Every ⁴public officer having the custody of a public document, which any person has a right to inspect, shall give that person on demand a copy of it on payment of the legal fees therefor, together with a certificate written at the foot of such copy that it is true copy of such document or part thereof, as the case may be and such certificate shall be dated and subscribed by such officer with his name and his official title, and shall be sealed, whenever such officer is authorised by law to make use of a seal ; and such copies so certified shall be called certified copies.

Explanation.—Any officer who, by the ordinary course of official duty, is authorized to deliver such copies, shall be deemed to have the custody of such documents within the meaning of this section.

77. **Proof of documents by production of certified copies.**—Such certified copies may be produced in proof of the contents of the public documents or parts of the public documents of which they purport to be copies.

78. **Proof of other official documents.**—The following public documents may be proved as follows:—

- (1) Acts, orders or notifications of ⁵[the Central Government] in any of its departments, ⁶[or of the Crown Representative] or of any State Government or any department of any State Government,—

by the records of the departments, certified by the head of those departments respectively,

or by any document purporting to be printed by order of any such Government ⁶[or as the case may be, of the Crown Representative];

1. Ins. by Act 5 of 1899, sec. 3.

2. The original words "whether of British India, or of any other part of Her Majesty's dominions" have successively been amended by the A.O. 1948 and the A.O. 1950 to read as above.

3. Subs. by the A.O. 1950, for "in any province".

4. A Village-officer in the Punjab has been declared for the purposes of this Act to be a public officer having the custody of a public document—see the Punjab Land Revenue Act, 1887 (17 of 1887), section 151(2).

5. Subs. by the A.O. 1937, for "the Executive Government of British India".

6. Ins. by the A.O. 1937.

- (2) the proceedings of the Legislatures,—
by the journals of those bodies respectively, or by published Acts or abstracts, or by copies purporting to be printed ¹[by order of the Government concerned];
- (3) proclamations, orders or regulations issued by ²Her Majesty or by the Privy Council, or by any department of ²Her Majesty's Government,—
by copies or extracts contained in the London Gazette, or purporting to be printed by the Queen's printer;
- (4) the acts of the Executive or the proceedings of the Legislature of a foreign country,—
by journals published by their authority, or commonly received in that country as such or by a copy certified under the seal of the country or sovereign, or by a recognition thereof in some ³[Central Act];
- (5) the proceedings of a municipal body in ⁴[a State],
by a copy of such proceedings, certified by the legal keeper thereof, or by a printed book purporting to be published by the authority of such body;
- (6) Public documents of any other class in a foreign country,—
by the original, or by a copy certified by the legal keeper thereof, with a certificate under the seal of a Notary Public, or of ⁵[an Indian Consul] or diplomatic agent that the copy is duly certified by the officer having the legal custody of the original, and upon proof of the character of the document according to the law of the foreign country.

STATE AMENDMENT

West Bengal :

After section 78, following new section has been inserted:—

78A. Copies of public documents, to be as good as original documents in certain cases.—Notwithstanding anything contained in this Act or any other law for the time being in force, where any public documents concerning any areas within West Bengal have been kept in Pakistan, then copies of such public documents shall, on being authenticated in such manner as may be prescribed from time to time by the State Government by notification in the Official Gazette, be deemed to have taken the place of and to be, the original documents from which such copies were made and all references to the original documents shall be construed as including reference to such copies. *Vide* West Bengal Act No. 29 of 1955 as amended by West Bengal Act No. 20 of 1960, section 3 (w.e.f. 5-1-1961).

Presumptions as to documents

79. Presumption as to genuineness of certified copies.—The court shall presume ⁶[to be genuine] every document purporting to be a certificate, certified copy or other document, which is by law declared to be admissible as evidence of any particular fact and which purports to be duly certified by an officer ⁷[of the Central

1. Subs. by the A.O. 1937, for "by order of Government".
2. The words "Her Majesty" stand unmodified *see* the A.O. 1950.
3. Subs. by the A.O. 1937, for "public Act of the Governor General of India in Council".
4. Subs. by the A.O. 1950, for "a Province".
5. Subs. by the A.O. 1950, for "a British Consul".
6. Ins. by the A.O. 1948.
7. The original words beginning from "in British India" and ending with the words "to be genuine" have been successively amended by the A.O. 1937, A.O. 1948 and A.O. 1950 to read as above.

Illustrations

(a) *A*, on his trial before the Court of Sessions, says that a deposition was improperly taken by *B*, the Magistrate. *B* cannot be compelled to answer questions as to this, except upon the special order of a superior court.

(b) *A* is accused before the Court of Sessions of having given false evidence before *B*, a Magistrate. *B* cannot be asked what *A* said, except upon the special order of the superior court.

(c) *A* is accused before the Court of Sessions of attempting to murder a police officer whilst on his trial before *B*, a Session Judge. *B* may be examined as to what occurred.

122. Communications during marriage.—No person who is or has been married shall be compelled to disclose any communication made to him during marriage by any person to whom he is or has been married, nor shall he be permitted to disclose any such communication, unless the person who made it, or his representative in interest, consents, except in suits between married persons, or proceedings in which one married person is prosecuted for any crime committed against the other.

✓**123. Evidence as to affairs of State.**—No one shall be permitted to give any evidence derived from unpublished official records relating to any affairs of State, except with the permission of the officer at the head of the department concerned, who shall give or withhold such permission as he thinks fit.

✓**124. Official communications.**—No public officer shall be compelled to disclose communications made to him in official confidence, when he considers that the public interest would suffer by the disclosure.

125. Information as to commission of offences.—No Magistrate or police officer shall be compelled to say whence he got any information as to the commission of any offence, and no Revenue officer shall be compelled to say whence he got any information as to the commission of any offence against the public revenue.

Explanation.—“Revenue officer” in this section means an officer employed in or about the business of any branch of the public revenue.]

126. Professional communications.—No barrister, attorney, pleader or *vakil* shall at any time be permitted, unless with his client’s express consent, to disclose any communication made to him in the course and for the purpose of his employment as such barrister, pleader, attorney or *vakil*, by or on behalf of his client, or to state the contents or condition of any document with which he has become acquainted in the course and for the purpose of his professional employment, or to disclose any advice given by him to his client in the course and for the purpose of such employment :

Provided that nothing in this section shall protect from disclosure—

(1) any such communication made in furtherance of any ²[illegal] purpose.

(2) any fact observed by any barrister, pleader, attorney or *vakil*, in the course of his employment as such, showing that any crime or fraud has been committed since the commencement of his employment.

It is material whether the attention of such barrister, ³[pleader], attorney or *vakil* was or was not directed to such fact by or on behalf of his client.

1. Subs. by Act 3 of 1887, sec. 1, for the original section 125.

2. Subs. by Act 18 of 1872, sec. 10, for “criminal”.

3. Ins. by Act 18 of 1872, sec. 10.

Explanation.—The obligation stated in this section continues after the employment has ceased.

Illustration

(a) *A*, a client, says to *B*, an attorney—“I have committed forgery and I wish you to defend me”.

As the defence of a man known to be guilty is not a criminal purpose, this communication is protected from disclosure.

(b) *A*, a client, says to *B*, an attorney—“I wish to obtain possession of property by the use of forged deed on which I request you to sue”.

This communication, being made in furtherance of a criminal purpose, is not protected from disclosure.

(c) *A*, being charged with embezzlement, retains *B*, an attorney, to defend him. In the course of the proceedings *B* observes that an entry has been made in *A*'s account book, charging *A* with the sum said to have been embezzled, which entry was not in the book at the commencement of his employment.

This being a fact observed by *B* in the course of his employment, showing that a fraud has been committed since the commencement of the proceedings, it is not protected disclosure.

127. Section 126 to apply to interpreters, etc.—The provision of section 126 shall apply to interpreters, and the clerks or servants of barristers, pleaders, attorneys, and *vakils*.

128. Privilege not waived by volunteering evidence.—If any party to a suit gives evidence there at his own instance or otherwise, he shall not be deemed to have consented thereby to such disclosure as is mentioned in section 126 ; and if any party to a suit or proceeding calls any such barrister [pleader], attorney or *vakil* as a witness, he shall be deemed to have consented to such disclosure only if he questions such barrister, attorney or *vakil* on matters which, but for such question, he would not be at liberty to disclose.

129. Confidential communications with legal advisers.—No one shall be compelled to disclose to the Court any confidential communication which has taken place between him and his legal professional adviser, unless he offers himself as a witness, in which case he may be compelled to disclose any such communications as may appear to the Court necessary to be known in order to explain any evidence which he has given, but no others.

130. Production of title-deeds of witness not a party.—No witness who is not a party to a suit shall be compelled to produce his title-deeds to any property, or any document by virtue of which he holds a property as pledgee or mortgagee or any document the production of which might tend to criminate him, unless he has agreed in writing to produce them with the person seeking the production of such deeds or some person through whom he claims.

✓ **131. Production of documents which another person, having possession, could refuse to produce.**—No one shall be compelled to produce documents in his possession, which any other person would be entitled to refuse to produce if they were in his possession, unless such last-mentioned person consents to their production.

132. Witness not excused from answering on ground that answer will criminate.—A witness shall not be excused from answering any question as to any

1. Ins. by Act 18 of 1972, sec. 10

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**Before the Hon'ble Justice Mukherjee Commission
of Inquiry at Calcutta.**

**IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN ITS
PROCEEDINGS HELD ON 23.3.2000 AT CALCUTTA.**

AFFIDAVIT

I, A.K. Paitandy s/o Late Dr. P. Paitandy, working as Director (Internal Security-I) in the Ministry of Home Affairs do solemnly affirm and state as under:

That the following Ministries/Departments/Organisations seem to be concerned with regard to the availability of old files/documents connected with the alleged disappearance of Netaji, INA and the record of proceedings of the Shah Nawaz Khan Committee, 1956 and the Khosla Commission of Inquiry, 1974 which earlier went into similar inquiries as is presently being conducted by the Hon'ble Justice Mukherjee Commission of Inquiry:-

- (a) Prime Minister's Office
- (b) Cabinet Secretariat
- (c) Ministry of Home Affairs
- (d) Ministry of Defence
- (e) Ministry of External Affairs
- (f) Intelligence Bureau
- (g) Department of Culture (National Archives of India)
- (h) Research and Analysis Wing (R&AW)

2. The above mentioned Ministries/Departments/Organisations were accordingly provided with the copies of the Commission's directions/orders

dated 23.3.2000 for complying with the same. In this connection, attention is invited to this Ministry's D.O. letters No.I-12014/13/2000-IS(D.III) dated 11.04.2000, written to individual officers, a copy each of which has also been provided to the Commission. As already mentioned in para(v)(b) of the Commission's aforesaid orders/directions dated 23.3.2000, the requisite affidavit is to be filed by the competent persons of the concerned Ministries/Departments giving a list of files available on Netaji/INA. However, in view of the fact that some of the Departments/Organisations have informed that they do not have any papers on Netaji/INA, there seems to be some confusion about filing of Affidavits to that effect by them. In view of this fact and in deference to the directions/orders of the Commission, this Ministry is filing this Affidavit on behalf of the following and I accordingly further affirm and state that there are reportedly no files/papers concerning Netaji/INA in their (the under mentioned Department's) possession:-

- (i) Cabinet Secretariat
- (ii) Intelligence Bureau
- (iii) Research and Analysis Wing

The Communications received from these organisations have already been forwarded to the Commission separately.

3. The Prime Minister's Office have a total of sixteen files, the details of which have already been communicated to the Commission, vide Prime Minister's Office letter No.915/11/c/2/2000-Pol dated 2.5.2000. This Ministry, vide its letter No.I-12014/13/2000-IS(D.III), dated 31.5.2000 has requested the Commission, inter-alia, to consider the feasibility of relevant files available in Prime Minister's Office, being perused/scrutinised at New Delhi. The Commission has, however, requested Prime Minister's Office to

make available to it photocopies of the files, which according to their report to the Commission, are available in the Prime Minister's Office. The Commission's letter No.JMCI/Meeting/48/93 dated 23.5.2000 refers.

4. Similarly, Ministry of External Affairs, vide DO letter No25/4/NGO-Vol.V, dated 24.5.2000 have inter-alia pleaded for scrutiny/perusal of the files/records available in MEA at New Delhi. In response thereto, the Commission have, for the time being, asked the Ministry of External Affairs to send photocopies of the following two files on Netaji/INA available with them, to the Commission:-

- (j) No.C/551/5/72-JP Part-III- Netaji Enquiry Commission under the chairmanship of Minister Shri Shah Nawaz Khan, 1956
- (ii) KW to file No.C/551/5/72-JP Part-III Record of evidence tendered before Shah Nawaz Committee-1956.

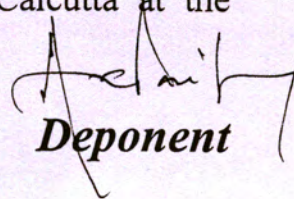
The Commission's letter No.JMCI/Meeting/48/93 dated 23.5.2000 refers. As regards the nine (9) Top Secret files available in MEA , the decision of the Commission is awaited, vide its letter No.JMCI/Meeting/99-2000/48/107 dated 5.6.2000.

5. The National Archives of India, vide their DO letter No.F.9-2(19)99 P.A. dated 24-4-2000 (copy attached), have informed that in addition to 990 files declassified and transferred to them by the Ministry of Defence on 26.8.1997, about which the Commission have already been informed separately, some more files are available with them. A fresh list of files relating to Netaji/INA have also been furnished. The Commission has, however, requested the Directorate General, Archives, to send photocopies of the files, which according to their report to the Commission in pursuance of the orders/directives contain in the proceedings dated 23.3.2000 of the Commission, are available at their end. It is presumed that the Director

General, Archives would be taking necessary action in the matter under intimation to the Commission.

6. The Ministry of Defence(History Division), vide their DO letter No.2191/NIC/99, dated 9.5.2000 (copy attached) have informed that they have already apprised the Justice Mukherjee Commission of Inquiry that all the files/documents pertaining to INA held by the History Division of that Ministry had been declassified and transferred to the National Archives of India on 26.8.1997. They have also stated to have submitted to the Commission, vide their letter dated 16.2.2000, a list of these files. They have further stated that they do not have any other proceedings in their possession.

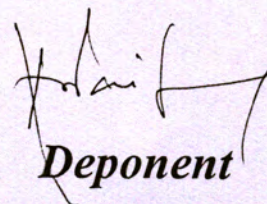
7. So far as the Ministry of Home Affairs is concerned, only the files on bringing back the presumed ashes of Netaji kept in Renkoji temple in Tokyo in Japan and posthumous announcement of award of 'Bharat Ratna' to Netaji, are available. These files do not have a direct bearing on the ongoing inquiry by the Commission. However, the record of proceedings of the Khosla Commission of Inquiry are available. Arrangements are being made to produce these proceedings before the Commission at Calcutta at the earliest.


Deponent

VERIFICATION

I, A.K. Paitandy, s/o Late Dr. P. Paitandy, declare and affirm that what is stated above is true to my knowledge. No part of this Affidavit is false and nothing material has been concealed.

Verified at New Delhi on 20th June, 2000.


Deponent

तार : राष्ट्रीय अभिलेख
Grams ARCHIEION



DR. SUKUMAR SARKAR
Director General of Archives
Govt. of India
Tele No 3383436
Fax : 0091-11-3384127

राष्ट्रीय अभिलेखागार
भारत सरकार
जनपथ, नई दिल्ली - ११० ००१
NATIONAL ARCHIVES OF INDIA
JANPATH, NEW DELHI - 110 001

Dated the 24 APR 2000

D.O.F.9-2(19)99 P.A

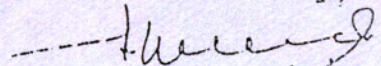
Dear Shri Paitandy,

Kindly refer to your D.O. letter No. I/12014/13/2000-IS (DIII) dated 11th April 2000 alongwith the proceedings dated 23rd March 2000 of Justice Mukherjee Commission of Inquiry. In this regard a fresh list of files relating to Netaji Subhas Chandra Bose and INA available with the National Archives of India is enclosed herewith for your kind perusal.

It may further be mentioned here that instead of 995 files as mentioned at page 3 of the proceedings of aforesaid Commission of Inquiry, National Archives of India received only 990 (Nine Hundred Ninty) declassified files transferred from Ministry of Defence, Government of India on 26th August 1997. This position has already been intimated to you vide National Archives of India letter of even no. dated 10th March 2000. It is needless to assure that all necessary facilities will be extended to the Commission as and when required.

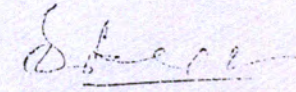
With kind regards,

Yours sincerely,


(SUKUMAR SARKAR)

Shri A.K.Paitandy,
Director (IS-I)
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001

Copy to:- Shri S.N.Singh, Section Officer, Justice Mukherjee Commission of Inquiry (New Delhi Office) Room No. 172-B, North Block, New Delhi.


(S.M.R. BAQAR)
Deputy Director of Archives

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De-classified files transferred by the Ministry of Defence, Government of India available in National Archives of India, New Delhi as per the proceedings dated 23.3.2000 enclosed with Ministry of Home Affairs, G.O. letter No. I/12014/13/2000-IS(D-III) dt. 11.4.2000

S. No.	File No.	Subject	Total Pages
1	2	3	4
1.	273/INA	Subhas Chandra Bose - a) Notes b) His departure from Bangkok on 17th c) Is SC Bose still alive? d) Extract from Allied Forces SEA Weekly Intelligence Review No. 57 for week ending 2 Nov. 45. e) S.C. Bose's death Nurse at Hospital where he relates story f) Data relating to his death in an Aeroplane g) His proposal to see the Russian Ambassador h) Statement with regard to his death i) Last moments of S.C. BOSE	40 pages
2.	138/INA	Fortnightly Intelligence Summary	222 pages
3.	265/INA	1. Provisional Government of India 2. The Azad Hind Dal	132 pages
4.	75/INA	Important Documents Recovered by 'S' Section	74 pages
5.	249/INA	Information on Subhash Chandra Bose	185 pages
6.	379/INA <u>Pt. LXXIX</u>	Report bearing Secret No. 1400/23/SE, CSDIC Red Fort, Delhi dated 29th May 1946	39 pages
7.	Speeches of Subhas Chandra Bose	Netaji's Broadcast at 21.15 hrs. to 21.25 hrs., special message on 18.6.45	2 pages

Files available in the National Archives of India holdings

No.	File No.	Subject	Remarks
1.	16-3/45-Poll.	Shifting of the ban on the Forward Bloc (It is containing the secret report dt. 19.9.45 by R. Tottenham)	67 pages
2.	8-18/46-Poll.	Council of State - question - Nov. 1946 regarding the reappearance of Netaji Subhas Chandra Bose	10 pages
3.	8-15/46-Poll.	Council of State - Nov. 1946, by the Hon'ble Raja Yuvraj Dutta Singh. Efforts to capture Netaji Subhas Chandra Bose.	5 pages
4.	8-2/47-Poll.	Council of State - question - Budget - session, 1947 The Hon'ble Raja Yuvraj Dutta Singh re-arrest of two Italian from the house of a forward Bloc worker, Indu Dev on suspicion that they had been deputed by Netaji Subhas Chandra Bose to the Punjab with some mysterious mission.	9 pages.

.....

~~CONFIDENTIAL~~

~~MOST IMMEDIATE~~

~~TIME BOUND~~

भारत सरकार

रक्षा मंत्रालय

रक्षा विभाग

नई दिल्ली

87



G.B. Singh
Director

Tele: 6102067

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
HISTORY DIVISION
WEST BLOCK NO. 8
R.K. PURAM,
NEW DELHI-110066

09 May 2000

D.O. No. 2191/NIC/99

Dear Shri Paitandy,

Kindly refer to your D.O. letter No. 1/12014/13/2999-15 (D.III) dated 11 April and 04 May, 2000 regarding the directions/orders passed by Justice Mukherjee Commission of Inquiry (inquiring into the alleged disappearance of Netaji Subhas Chandra Bose) in its first sitting held at Calcutta on 23 March, 2000.

We have already apprised the Inquiry Commission that all the files/documents pertaining to INA held by the History Division, Ministry of Defence had been declassified and transferred to the National Archives of India on 26th August 1997. A list of these files has also been submitted to the Justice Mukherjee Commission of Inquiry vide this office letter of even number dated 16 Feb 2000. We do not have any other proceedings in our possession.

With regards,

Yours sincerely,

(G.B. Singh)

Shri A.K. Paitandy
Director (IS-1)
Ministry of Home Affairs
Government of India
North Block,
New Delhi-110001

CONFIDENTIAL

Justice Mukherjee Commission of Inquiry

for inquiry into the alleged disappearance of

Netaji Subhas Chandra Bose (26)

'B' Block (3rd floor)

11/A Mirza Ghalib Street, Calcutta-700 087

Phone: 88
033-216-2765/60

033-216-2835.

Fax:

033-216-2765

No. JMCI/JMCI/Records/ND/99-2000/37/230

Calcutta, dated, the 25.08.2000.

4.9.2000

REGISTERED WITH A/D.

From : Shri P.K. Sengupta, WBHJS (Retd.),
Secretary

To : The Secretary,
P.M.'s Secretariat,
South Block,
New Delhi. 110001.

S i r,

I am directed to state that the Commission has called upon you to produce immediately xerox copies of the orders regarding destruction of files/documents concerning Netaji Subhas Chandra Bose which are reportedly destroyed as also xerox copies of the "Lists of files/documents destroyed" in pursuance of the said orders.

Yours faithfully,

P. K. Sengupta

(P. K. Sengupta)
Secretary

JSC(A)

OK

18/9 Today, P

us (P)

*Reply at
SM 35/c*

2976/25A2

SECY. TO P.M.

BY. No. 2936-C

DATE 8/9/00

1876/Dis(A)/SP/18/9

89

27

SECRET

BY SPL. MESSENGER

**MINISTRY OF URBAN DEVELOPMENT
AND POVERTY ALLEVIATION**

Subject : Declassification of records.

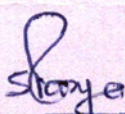
S.No. 21/c

Reference PMO's secret U.O. No.915/11/C/2/2000-Pol(Vol.I) dated 15.9.2000 on the above subject.

This Ministry's Confidential D.O. No.9223-WI/53 dated 3/5.12.1953 only contained certain information relating to Janakinath Bhawan, Oriya Bazar, Cuttack. No other records or files are available in this regard. After due consideration, it is felt that it would not be necessary to continue it as a Confidential document.

This issues with the approval of Secretary (UD).

Archana
MS (Pol)


(S.P. ARYA)

Additional Secretary

PMO (Ms Archana Ranjan, Dir)
M/O UD&PA I.D. No.Dy.64-S dt.18.9.2000

259/1210 (A) 18/0
18/9

28

SECRET
MOST IMMEDIATE

MINISTRY OF INFORMATION AND BROADCASTING

Subject:- Declassification of records.

S No 21

PMO may kindly refer to their U.O.No.915/11/C/2/2000-Pol(Vol.I) dated 15.9.2000 on the above subject. Matter has been considered in the Ministry.

2. The papers referred to in the above U.O. consist of only the reply to starred question given in the Parliament and facts conveyed to Parliament Sectt. in response to a Calling attention Motion. Since these are already public documents and as they contain nothing sensitive about Netaji, there is no reason whatever to classify them "Secret" or to claim privilege of withholding these from the Commission of Enquiry.

S.C. Tewary
21.9.00

(S.C. TEWARY)
DIRECTOR(BP&L)
☎:3385016

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PRIME MINISTER'S OFFICE (Ms. Archana Ranjan, Director)
M/o I&B I.D.No. 133 /Dir(BP&L)/S/2000 Dt. 21.9.2000

203/DIR(A) 01/02
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291

SECRET
MOST IMMEDIATE

Government of India
Ministry of Finance
Department of Economic Affairs
(Banking Division)

Jeevan Deep Building , Parliament Street,
New Delhi,
Dated 18.9.2000

Sub:- Declassification of records.

P.M. Office may please refer to their U.O. No.915/11/C/2/2000-Pol. (Vol.I) dated 15-9-2000 on the above subject.

2. Two references , pertaining to Banking Division, have been made in the communication received in the letter under reference. These are (i) F.No.16/102/87-B.O.III and (ii) F.No.36/22/87-B.O.III.
3. While the reference at (i) above is available ,the other is not readily traceable. It is seen from the file No.16/102/87-BOIII, that this matter has been under correspondence amongst, P.M Office ,M.H.A., Ministry of External Affairs, Ministry of Defense , Ministry of Finance for over a decade. In a communication sent to P.M. Office with reference to their letter No.260/68/C/28/88-ESI, dated 3/4-2/1998 and 18-7-98 (copies enclosed) and this Division's U.Os dated 9.9.98,.19-9-98 (copy enclosed) the position of the case had been reported..
4. Insofar as the available file is concerned, Banking Division have no objection to this file being treated as" not- secret "at this point of time. This file contains noting relating to the old records that were reportedly sent to national archives.However final decisions be taken after consultation with Ministry of Home Affairs.
5. Insofar as the second file is concerned declassification of the same cannot be commented upon in the absence of this file.

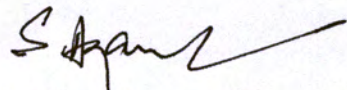
Not available

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- 6. It may also be mentioned here that a civil suit has been filed in the City Civil Court at Chennai for production of a certified copy of document bearing F.No.10/62/EC/79, dated 21-4-1999 with regard to deposits transferred from the Govt. of Burma to Govt. of India for supply of copper to Japan to the tune of Rs.42,33,04,000/- and 16,105 pieces of gold tickles. This file opened and handled by the Exchange control Division of Department of Economic Affairs of the Ministry of Finance and reportedly transferred to the Banking Division is not traceable.
- 7. In the absence of this file suitable action is being taken to make an appropriate mention before the court as to its non-availability.



(Shekhar Agarwal)
Joint Secretary(BO)

P.M. Office, South Block, New Delhi. Attn:- Ms. Archana Ranjan,
Director.
Ministry of Finance, Banking Division, U. No 7/63/2000- BOA
Dated 18.9.2000

0-2000-1987

93

Ministry of Finance
Department of Economic Affairs
(Banking Division)
.....

Subject:- Claim of Shri V.K.C. Ramalinga Nadar of Madras.

Prime Minister's Office may kindly refer to their d.o. letter No. 260/68/C/28/88-ESI dated 3/4.2.1988 forwarding therewith a copy of letter dated 18.11.1987 addressed to Prime Minister by Shri P.R. Kumaramangalam, M.P. regarding return of amount and gold coins allegedly deposited by the forefathers of Shri V.K.C. Ramalinga Nadar of Madras in the erstwhile Azad Hind Bank in Rangoon.

Shri Ramalinga Nadar of Madras has been writing to Government since 1979 that his forefathers who were doing import/export business of copper in Burma had deposited certain amount with the Azad Hind Bank out of patriotic considerations; that this money was deposited with Reserve Bank of India, Calcutta Office and that he being the surviving heir of the family, the amounts may be returned to him.

The matter has been examined on several occasions in the past. The RBI had categorically stated that it has no evidence that the amount in question were deposited/transferred to its Calcutta Office. Shri Nadar has also met the Governor, Reserve Bank of India who had explained the position to him. Shri Nadar was advised to furnish details about the account number, etc. to establish his claims.

We had also received a communication from Shri P.R. Kumaramangalam, M.P. alongwith which he had furnished copies of certain documents which according to him could establish the claims of Shri Nadar. Subsequently Shri Kumaramangalam had met Minister of State for Finance and had stated that efforts should be made to settle this long outstanding issue.

The matter was again taken up with the Reserve Bank. Reserve Bank of India has again reported that the evidence now produced by Shri Nadar did not change the position a bit and the Bank is not in a position to entertain the claims. The matter was also discussed in an inter-departmental meeting on 30.5.1988 where representatives of Ministry of Defence, Ministry of Home Affairs, Reserve Bank of India and Director, National Archives of India participated. The participants were requested to go through the old available records of the Departments/Minist

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to verify if there was any mention of the Azad Hind Bank, confiscation of money from the erstwhile INA personnel and its deposit in Reserve Bank of India accounts etc. The matter will be further discussed in a meeting shortly. We are also consulting Ministry of External Affairs if that Ministry can throw some light on this.

Prime Minister's Office may kindly see. That Office will be kept advised of the further developments.

z



(N. Balasubramanian)
Director

Prime Minister's Office,
(Shri Sudhakar Rao, Director),
South Block,
New Delhi.

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MINISTRY OF FINANCE
DEPARTMENT OF ECONOMIC AFFAIRS
(BANKING DIVISION)
.....

Subject:- Claim of Shri V.K.C. Ramalinga Nadar of Madras.

Prime Minister's Office may kindly refer to their U.O. No. PMO/260/68/C/29/88-ES.I dated 18.7.1988 on the above subject.

2. Subsequent to the position intimated vide this Division's U.O. No. 16/102/87-B.O.III dated 3.6.1988, two meetings were held on 6.6.1988 and 27.6.1988 to discuss the matter further. These meetings were attended by representatives from Reserve Bank of India, Ministry of Home Affairs, Exchange Control Division, Department of Economic Affairs, Ministry of Defence (Historical Division) and National Archives, all of whom reported that there were no records in their offices to substantiate the claim of Shri Nadar. Reserve Bank of India's representative also stated that even in the account of the Custodian of Enemy Property, there is no mention of the Azad Hind Bank or Azad Hind Fauj/Indian Independence League.

3. This matter was also discussed in detail in a meeting by Additional Secretary with Shri P.R. Kumaramangalam Member of Parliament on 28.7.1988. It was felt that no useful lead was forthcoming in this matter, on the Banking Side, and that the issue may be referred for consideration in the Ministry of Defence.

MS
(N. BALASUBRAMANIAN)
Director
o/c

Prime Minister's Office,
Shri Sudhakar Rao, Director)
South Block,
New Delhi

M/o Fin, EA, Banking Division U.O. No.
16/102/87-B.O.III dated 9.8.1988

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S. No 34/15

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Ministry of Finance
Department of Economic Affairs
(Banking Division)
.....

Subject:- Claim of Shri V.K.C. Ramalinga Nadar of Madras.

Prime Minister's Office may kindly refer to the correspondence resting with their U.O. No. PMO/260/68/C/29/88-ESI dated 18.7.1988 and this Division's U.O. note of even number dated 9.8.1988 on the above mentioned subject.

2. As earlier reported when the matter was discussed with Shri P.R. Kumaramangalam, M.P. it was decided that since no lead was forthcoming on the banking side, Reserve Bank of India may prepare a position paper and the matter may be referred to Ministry of Defence as there was a mention about certain amounts having been transferred to Custodian of Enemy Property, Singapore in the accounts of "S" Section of the then War Department. Accordingly, the matter has been referred to Ministry of Defence with the request that they may examine the matter and send a report to the Prime Minister's Office. The position has also been explained to Shri P.R. Kumaramangalam, M.P. Copies of d.e. letters dated 17.8.1988 addressed to Shri G. Asvasthanarayan, AS(A), Ministry of Defence and to Shri P.R. Kumaramangalam, M.P. are enclosed for information.

(N. Balasubramanian)
Director

MC

Prime Minister's Office,
Shri Sudhakar Rao, Director
South Block,
New Delhi.

M/p Finance, DEA, Banking Division U.O. No. 16/102/87-B.O.III dated 9-9-1988

Encl:- As above

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S.No. 36 (B)

Ministry of Finance
Department of Economic Affairs
(Banking Division)
New Delhi

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Sub: Claim of Shri V.K.C.Ramalinga Nadar of Madras.

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PRIME MINISTER'S Office may kindly refer to the correspondence resting with this Department's U.O. of even number dated 9.9.1988 on the subject cited above.

2. Ministry of Defence have since advised that they have no records relating to certain amounts having been transferred to Custodian of Enemy Property, Singapore on behalf of 'S' Section of the War Department. A copy of the letter received from Ministry of Defence is enclosed for information.

3. As earlier intimated, no useful lead on this has been forthcoming from any side. We are, therefore, not in a position to take any effective steps.

M
(N.Balasubramanian)
Director
19.9.88.
etc

Prime Minister's Office,
(Shri Sudhakar Rao, Director),
South Block

U.O.No. 16/102/87-BO.III dated 19.9.88.

Done
20/9/88

30

SECRET
TIME BOUND

No.915/11/C/2/2000-Pol (Vol. I)
PRIME MINISTER'S OFFICE
SOUTH BLOCK
NEW DELHI-110011.

Dated:22 September,2000

To,
The Chief Secretary,
Government of Orissa
Bhubneswar.

Subject: **Declassification of records**

S No 22

Sir,

I am directed to refer to this Office ✓ letter of even number dated 15.9.2000, on the subject mentioned above and to say that keeping in view the fact that the next date of hearing of the Commission has been fixed on 28.9.2000, the Government of Orissa may please convey their views/stand regarding declassification and making public the letter (copies of which had been enclosed with this Office letter of 15.9.2000) to the Commission, direct, at the following address, under intimation to this Office:

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

Yours faithfully,

Ar [Archana Ranjan]
Director

— 41/c —

Issued.
M 22/9.

31

SECRET
MOST IMMEDIATE
TIME BOUND

PRIME MINISTER'S OFFICE
SOUTH BLOCK
NEW DELHI-110011

Subject: Justice Mukherjee Commission of Inquiry appointment to enquire into alleged disappearance of Netaji Subhash Chandra Bose- Declassification of record.

- SNO. 21/c

Reference is invited to this Office U.O. of even number dated 15th September, 2000, on the subject mentioned above.

2. Keeping in view the fact that the next date of hearing of the Commission has been fixed on 28.9.2000, by which date the stand of the Government in the matter of claiming privilege regarding classified documents contained in the this Office classified files, copies of which have already been made available to the Commission, is to be made known to the Commission, it has now been decided that the Ministry/Department /Agency concerned, should take a decision regarding the desirability or otherwise of the references originating from their respective Ministry/Department/Agency (copies were sent along with our U.O. dated 15th September,2000), and convey it to the Commission, direct, at the following address, under intimation to this Office:-

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

2. It is requested that early action may kindly be taken in the matter, under intimation to this Office.


[Archana Ranjan]
Director
Tel. No.301393

Secretary, Deptt. of Economic Affairs
Secretary, Deptt. of Food and Public Distribution.

PMO U.O. No. 915/11/C/2/2000-Pol Vol.I dated 22.9.2000

Issued.
22/9.

32

By speed Post

100

PRIME MINISTER'S OFFICE

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

21st September, 2000

To,

Shri P.K. Sengupta, WBHJS (Retd.),
Secretary,
Justice Mukherje Commission of Inquiry,
'B' Block (3rd Floor),
11/A Mirza Ghalib Street,
Calcutta - 700087.

Sir,

File No. 26/6

I am directed to refer to your letter No. JMCI/Records/ND/99-2000/37/230 dated 25.8.2000/4.9.2000 and to state that no order as such regarding destruction of files/documents could be located. However the relevant page of the File Register showing destruction of the file in 1972 is enclosed. There is also a note at p.151/C of File No. 2(64)/56-70-PM (Vol.V) about the destruction of the file in question. (photo-copy of the file has already been sent to JMCI vide letter of even number dated 4.7.2000). A copy of the page is enclosed for ready reference.

2. As regards destruction of documents while recording the File No. 23(156)/51-PM a copy of the documents destroyed has been kept in that file (photo-copy of the file has already been sent to the Commission vide letter of even number dated 4.7.2000).

Yours faithfully,

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(Archana Ranjan)
Director

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<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam.	12.4.1957.
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	Carried over to 1957. -do-
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	-do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	-do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	-do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the -	-do-
12(215)/56-PM	Indian Citizenship Bill.	-do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	-do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	-do-
12(226)/56-PM	Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.	-do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	-do-
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	-do-
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	-do-

There is a file (151)
on the subject this file is in
Political Section.

AKK

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PM

The only files available in
this Section, on the subject are placed
below. There was another file bearing
no. 12/226/56, also with the subject
"Investigation into the circumstances leading
to the death of Shri Sahas Chandra Bose"
but this was destroyed on 6-3-72 during
the process of weeding

SSA (Vol. I + II only of the file which contains
papers pertaining to the subject)

151/C - 2(64)/56-70 PM (Vol. V)

33

No.915/11/C/2/2000-Pol (Vol.D)
PRIME MINISTER'S OFFICE
South Block
New Delhi-110011

Dated September 22, 2000

To

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

Subject: Compliance with the orders/directions
contained in the proceedings dated 31.8.2000
read with the proceeding dated 23.3.2000 and
13.6.2000 of Justice Mukherjee Commission
of Inquiry.

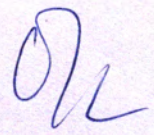
Sir,

SNo 20/c

I am directed to refer to your letter
No.JMC1/Meeting-Proceedings (Follow-up)/48(Vol.II)/243(5)
dated 6.9.2000 on the above mentioned subject and to
enclose an affidavit, duly verified by the Notary Public, on
behalf of the Prime Minister's Office.

Your faithfully,


[Archana Ranjan]
Director



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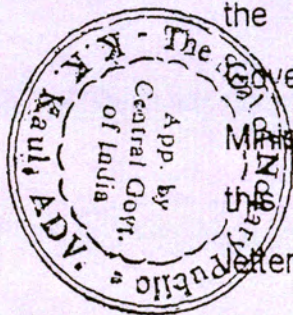
BEFORE THE HONOURABLE JUSTICE MUKHERJEE
COMMISSION OF INQUIRY AT CALCUTTA

IN THE MATTER OF COMPLIANCE WITH THE
ORDERS/DIRECTIONS OF THE COMMISSION AS PASSED IN
THE PROCEEDINGS HELD ON 31.8.2000 AT CALCUTTA.

AFFIDAVIT

I, Pradip Kanti Roy , son of Shri Praphulla Kumar Roy, working as Under Secretary in the Prime Minister's Office, do solemnly affirm and state as under:

- 1) That in so far as documents/ Notes which originated from the PM's Office on the files already forwarded to the Commission are concerned, these may be treated as declassified to confidential. It is left to the discretion of the Commission to make all/any of these documents, public.
- 2) That so far as the classified letters/references which originated from the other Ministries/Departments, like the National Museum, the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Defence, Ministry of Urban Development, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Food & Public Distribution, Cabinet Secretariat, Intelligence Bureau, and Governments of West Bengal and Orissa, are concerned, since the declassification of those references/letters can only be done, as per the extant instructions, with the concurrence of the concerned Ministries/Departments/State Governments, reference has already been made to the concerned Ministries/Departments/State Govts. on 14/15th September, 2000, to let this Office have their views regarding the declassification of the letters/references for apprising the Commission about the justification or



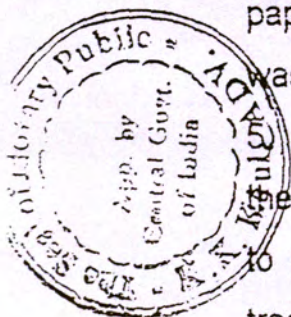
[Handwritten signature]

otherwise of declassification of classified records for use by the Commission. So far, while the Ministry of External Affairs have conveyed their no objection to their references being declassified to confidential, the Ministries of Urban Development and Information & Broadcasting have conveyed that their documents have been declassified. The Ministry of External Affairs have also conveyed that they leave it to the discretion of the Commission as to which of these documents may be made public, if any. With regard to the other documents which are to be produced by the Ministry of External Affairs before the Commission, that Ministry would convey their stand to the Commission, directly. This Office has no objection to the documents which originated from the Ministries of I&B and Urban Development being declassified and made public. The remaining Ministries/Departments have been requested to convey their stand to the declassification of documents pertaining to them, and to communicate with the Commission, directly.

3) That with regard to file No.12(226)/56-PM, which contained Agenda Paper/Cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subash Chandra Bose", it may be mentioned that as per the record in this Office, it was destroyed in 1972 in the course of routine review/weeding out of old records. Photocopies of two notes relating the destruction of the file are at Annexure-1 & 1A, respectively. It is further certified that no copy of the file was retained in this office at the time of its destruction.

4) That certain documents of file No.23(156)/51-PM required by the Commission were destroyed while recording that file in 1969. The list of papers destroyed are already available in that file. No copy of the file was retained in this office.

That the file (No..2(381)/60-66-PM) opened in 1960, dealing with the proposal to bring Shri Subash Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi, is not traceable. Renewed efforts are being made to trace the same. As soon as the file is traced, this Office would get in touch with the Commission.



6) That file No.2(64)66-70-PM (Vol-VI) regarding death of Netaji Subash Chandra Bose - Appointment of an Enquiry Committee to go into circumstances of Death, is also not traceable in this Office. Renewed efforts are being made to locate the file. early. As soon as the file is traced, this Office would get in touch with the Commission.

7) That with regard to Sr. Nos.5 of File No.G.12(3)/98/NGO and Sl.No.127A of file No.2(64)56-66-PM (Vol.II), it may be stated that although the letters have been marked as Confidential and Secret, respectively, these may be treated as declassified since these two letters had originated from private individual/party, and it is not possible, at this stage, to get in touch with them to get their concurrence for declassification of these letters. This office has no objection to the disclosure of the contents of these two letters also by the Commission.

8) That there are no other files with this Office, other than already sent to the Commission or mentioned above, relevant to the terms of the Commission.

[Signature]
Deponent

Verification

I, Pradip Kanti Roy, declare and affirm that what is stated above is true to my knowledge. No part of this Affidavit is false and nothing material has been concealed.

Verified at New Delhi on 22nd September, 2000.

[Signature]
Deponent

SOLENNELY SWORN BEFORE ME AT NEW DELHI 1

NOTARY PUBLIC
N.C.T. OF N. DELHI

22 SEP 2000



I Identify the deponent who has signed/put T.T. in my presence.

*Pradip Kanti Roy
Prime Minister's Office
New Delhi*

<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mabe and Yanam.	12.4.1957
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	Carried over to 1957 -do-
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	Justified Vol. I on 6.10.57 -do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	Destroyed on 21.1.77 -do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	Recorded - C-35 RR J -do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the	Destroyed on 21.1.77 -do-
12(215)/56-PM	Indian Citizenship Bill.	Destroyed on 8.10.77 -do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	Destroyed on 21.10.77 RR -do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	Destroyed on 10.8.77 -do-
12(228)/56-PM	Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.	Destroyed on 6-3 -do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	Recorded - C 3 RR J 16/11/71 -do-
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	Destroyed on 8-7 -do-
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	7/12/71 -do-

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Political Section

SECRET

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AM

The only files available on this section, in the subject's name place. There was another file bearing No. 1026/56. It is with the ... investigation into the ... to the death of ... "base" but this was destroyed on 6-30-58 during the process of ...

P. J.

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MOST IMMEDIATE

By Speed Post

No.G.16(4)/2000-NGO
PRIME MINISTER'S OFFICE

SOUTH BLOCK
NEW DELHI-110011.
Dated:25.9.2000-09-25

To

Shri P.K.Sengupta.WBHJS(Retd.),
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block(Third Floor),11 A,Mirza Ghalib Street,
CALCUTTA-700067.

Subject:-Justice Mukherjee Commission of Inquiry appointed
to enquire into alleged disappearance of Netaji
Subhash Chandra Bose-Declassification of record.

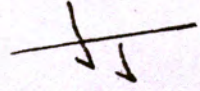
Sir,

In continuation of this Office letter No. 915/11/C/2/2000-Pol-Vol.I
dated 24.9.2000, enclosing the Affidavit on behalf of the Prime
Minister's Office, in connection with the above subject matter, I am
directed to inform that since the signing / despatch of the
aforementioned Affidavit, the Intelligence Bureau have informed this
Office that there is no objection to the seven communications
available on the files sent by this Office to the Commission, being
declassified. It has accordingly ^{de-}been decided that the IB
communications may be treated as ^{de-}classified and that there is no
objection to these communications being made public by the
Commission, if necessary. As already mentioned in the Affidavit of
this Office sent on 24.9.2000, other Departments have been
requested to inform the Commission, direct, of their views about
declassification of their communications available on PMO Files,
copies of which are already available with the Commission.

File with
for section

✓ FR (p 39/4)

Yours faithfully,


(SUNIL JAIN)
DIRECTOR

Issued
to
25/9/2000
5-25 p.m.

Copy to US (Pae)

JMCI
P 117
26/9

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110

MOST IMMEDIATE

BY FAX/SPEED POST

No.G.16(4)/2000-NGO
PRIME MINISTER'S OFFICE

SOUTH BLOCK
NEW DELHI-110011.

Dated:27.9.2000.

To

Shri P.K. Sengupta,
WBHJS(Retd.),
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block,(Third Floor),
11/A,Mirza Ghalib Street,
CALCUTTA-700 087.

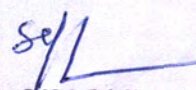
Subject:- Justice Mukherjee Commission of Inquiry appointed to enquire into alleged disappearance of Netaji Subhash Chandra Bose - Declassification of record.

Sir,

SM 34/2

I am directed to refer to this office letter of even number dated 25.9.2000, on the above subject, and to enclose a copy of letter No.2191/NIC/H/99 dated 26.9.2000, addressed by Shri G.B. Singh, Director, Ministry of Defence(History Division), to Ms Archana Ranjan, Director in this Office, regarding declassification of DGMI document No.DMI/5118/135/GS/(e) dated 07.10.1943, for your information/ record. The above document may please be treated as declassified and there is no objection to make it public, at the discretion of the Commission.

Yours faithfully,


(R.P.SINGH)
DIRECTOR.

✓ Copy to US (Pae)

P 111

27/9.

Most Immediate/By Hand

Tele:6102067

Sl no. 19 (Receipt)

JS (111)

NO.2191/NIC/H/99

26 Sep 2000

MINISTRY OF DEFENCE
(History Division)

Sl. No. 15
(Pg. 35-36/col)

SUB : DECLASSIFICATION OF RECORDS

Reference is invited to the PMO U.O. No. G 16(4) 2000-NGO dated 21.09.2000.

2. It is stated that the DGMI, originator of the letter has intimated that the document No. DMI/5118/135/GS/(e) dated 07.10.1943 could be treated as unclassified. You are requested to intimate the Commission accordingly.

(G.B. Singh)
Director

Ms. Archana Ranjan
Director
PM's Office
South Block.
New Delhi-110011

JS
26/9
US (NGO)
Re. put up on file
27/9

प्र. सं. का. (पुन. ज. वि.)/PMO (NGO)
क्र. सं. सं. No. 188/6/2000
दिनांक/Date..... 26/9/2000

PM's Office
Dt. 21.09.00
Page 26 of 00

S.No. 36

SECRET

112

Government of West Bengal
Home Department
Political

No. 413/SS(P)/2000.

Dated Calcutta, the 3rd Oct., 2000.

From: A. Bhattacharyya,
Special Secretary.

To : Smt. Archana Ranjan,
Director,
Prime Minister's Office,
Govt. of India,
New Delhi.

Sub: Declassification of records.

Madam,

I am directed to refer to your letter No. 915/11/C/2/2000-Pol.(Vol.I) dated 15-9-2000 and to inform you that this State Govt. have no objection to declassification of the correspondences made by the then Chief Minister of West Bengal with the then Prime Minister of India copies of which were enclosed with your letter under reference.

Yours faithfully,

(A. Bhattacharyya)
Special Secretary to the Govt. of West Bengal.

Tel.No. 033-2215614/office

23/c -

1. V. No. 713/S/2000
2. Date 16/10/2000
3. 9/10
4. (S. Govt.)
5. P III

FR may kindly be seen w.r. 1. s.no. 23/c.
It is understood that NGO Section has also sought similar clearance from WB Govt. on respect of the letters in their files. But no reply has been received and the NGO Section has demanded WB Govt. If approved we may send a consolidated reply to the Mukherjee Commission on receipt of the reply from WB Govt. on NGO Section.

24 + DIR (RP) S/ 9/10/00 US (RP) Govt.

We are reminding the state separately to expedite their reply.

16/10

Murali 16/10

16/10

300, 37

113

SECRET

No.C-13015/30/2000-AVU
Government of India
Ministry of Consumer Affairs & Public Distribution
(Department of Food & Public Distribution)

Krishi Bhavan, New Delhi-110001.

DT: 20th October, 2000

To:

Shri P.K. Sengupta, WBHJS(Retd.),
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third Floor),
11/A, Mirza Ghalib Street,
CALCUTTA-700 087.

Subject:- Justice Mukherjee Commission of Inquiry
appointment to enquire into alleged
disappearance of Netaji Subhash Chandra
Bose -Declassification of record.

Sir,

21/c

Please refer to Prime Minister's Office
U.O.No.915/11/C/2/2000-Pol(Vol.I) dated 15th
September, 2000 forwarding therewith a copy of letter
No.100 CH/FCI/CGM/70 dated 10th March, 1970 written by
Shri Shah Nawaz Khan, the then Chairman, Food
Corporation of India to the then Prime Minister of
India and subsequent PMO's U.O. of even number dated
22.9.2000 on the subject mentioned above.

53/c
2(64)/56-
58 PM
Vol. IV

2. In this connection, I am directed to state that
this Ministry has no objection to the Commission
making use of the above-mentioned letter in the course
of its inquiry and to its declassification.

Yours faithfully,

(Ghazala Meenai)
Director

contd.P.2/-

2
24/10
For you
25 (NGO)
m/x

vs (Boe)

P 17
m/x

प्र.सं.का. (एन.जी.ओ.)/PMO (NGO)
क्र.सं./Dy. No....723/3/2000
दिनांक/Date.....24-10-2000

3258/DIV (RP) 2000
24/10

Copy to:-

✓ Ms. Archana Ranjan, Director, PMO, New Delhi -
for information.

Ghazala Meenai
(Ghazala Meenai) 29/10
Director

S.No. 38

115

Secret
Most Immediate

Ministry of Home Affairs
IS-I Division

Subject: Declassification of records on INA/Netaji Subhas Chandra Bose.

PMO may please refer to their UO note No.16(4)/2000-NGO dated 14/15.9.2000 on the above subject. This Ministry has since considered the matter and has no objection to the under mentioned documents (photocopies attached) being declassified and produced before the Justice Mukherjee Commission of Inquiry:-

1. MHA's UO Note No.VI/11034/114/97-IS(D.III) dated 10.9.98.
2. MHA's UO No.VI.11034/114/97-IS(D.III) dated 24-25.8.98.
3. ✓ MHA's DO letter No.5293/JS(A)/93 dated 27.9.1993(along with its enclosures). 870/11/P/10/93 - P.O.
4. ✓ MHA's DO letter No.1/27/91-Public dated 5.10.1993. 2(64)/80 - P.M.
5. ✓ MHA's UO No.I/12014/6/80-IS(D.III) dated 27.10.1980. 2(64)/80 - P.M.
6. ✓ MHA's UO No.65/80-PMS/D.III/IS dated 29.8.1980. 2(64)/80 - P.M.
7. ✓ MHA's DO No.VI/11034/18/98-D.III dated 16.3.1999. 915/11/c/9/99-Pol
8. ✓ MHA's DO No.VI/11034/18/98-D.III dated 12.3.1999. vol. I
9. Writ Petition No.281 of 1998 dated 16.6.1998.
10. ✓ MHA's Note No.S-122/87-FCRA-I dated 28.4.1988. 800/6/c/3/88-Pol
11. ✓ MHA's DO No.F.25/48/70-Poll-II dated 18.11.1970. 2(64)/56-70-P.M.
12. ✓ MHA's UO No.Dy.S-122/87-FCRA-I dated 27-30.11.1987. 2(64)/88 - P.M.
13. ✓ MHA's DO No.21/52/78-T dated 21.11.1978. 2(64)/78 - P.M.
14. ✓ MHA's DO No.24/6/71.Poll-I dated 10.11.1971. 2(64)/56-70-P.M. vol. V
15. ✓ MHA's Note for the Cabinet No.32/132/69-Poll.I(A) dated 1.9.1969. 2(64)/56-68

This Ministry feels that the documents indicated below (copies attached) may continue to be treated as classified:-

1. ✓ MHA's DO No.I/12014/27/93-IS-D.III dated nil. G-16(3)/95 - NHO.
2. ✓ MHA's UO No.I/12014/27/93-IS(D.III) dated 9.8.1994. G-12(18)/94 - NHO.
3. ✓ MHA's UO No.I/12014/27/93-IS.D.III dated 20.4.1994. 870/11/P/10/93-Pol
4. ✓ MHA's UO No.25022/109/79.F.VII dated 6.2.1980(with enclosures). 2(67)/78 - P.M.
5. ✓ Cab.Sectt. ID Note No.281/12/1/2000-TS dated 18.9.2000. 16(4)/2000-NHO.

No claim here

recheck

re-retain copy & return we

US (NGO)

Ch
6/11

3161

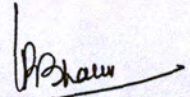
116

Secret

- 2 -

This has the approval of Home Secretary.

The action taken by PMO with reference to the compliance of the directions of the Justice Mukherjee Commission of Inquiry may please be intimated to this Ministry.



(V.P. BHATIA)

Under Secretary to the Government of India.

Tele. No.301 5700

PMO (Smt. Archana Ranjan, Director) South Block, New Delhi
MHA ID Note No.I.12014/13/2000-IS(D.III) Dated, 3rd Nov., 2000.

4

271/DIR(A)/S
8/11

SN. 39

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

Serial 117

नई दिल्ली-110 011
New Delhi-110 011

Subject: Declassification of records on INA/Netaji
Subhas Chanda Bose.

SN. 38/-

Reference MHA I.D. No. I.12014/13/2000-
IS(D.III) dated 3.11.2000 on the above mentioned subject.

MHA may kindly confirm if they have declassified
the Cabinet note on "Fresh inquiry into disappearance of Netaji
Subhas Chandra Bose in 1945 - Demand on" (No. 29/48/69-
Poll.II dated 18.2.1970 - copy enclosed)

FN No.
2(64)/53-66-PM
WP-IV


(Archana Ranjan)
Director

MHA (Shri V.P. Bhatia - Under Secretary)

PMO u.o. No.915/11/C/2/2000-Pol

dated: 10.11.2000

Issued (we.)
M 10/11

S No 40

SECRET

118

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

OUT TO-DAY

नई दिल्ली-110 011
New Delhi-110 011

Subject: Declassification of records on INA/Netaji
Subhas Chandra Bose.

Eno.
2 (64) (SB-66-PM)
(w.r. 12)

In connection with declassification of records relating to Netaji Subhas Chandra Bose a copy of the Cabinet Minutes (Cabinet Sectt. O.M. No. 39/CM/69 dated 6.9.1969) is enclosed.

2. MHA's views regarding declassification of this document may kindly be intimated to this office urgently.


(Archana Ranjan)
Director

MHA (Ms. Sangita Gairola – Joint Secretary)

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

dated: 10.11.2000

Issued (w.e.)
M
10/11

SN 41

Secret.

111

Government of Orissa
Tourism and Culture (Culture) Department.

No. 5989 /TC, Dated: Bhubaneswar, the 8.11.2000.
VIIIOM-72/2000.

From: Shri Isaac Behera, IAS,
Additional Secretary to Government.

To

✓ The Director,
Prime Minister's Office,
New Delhi.

P-22/c

Sub: Declassification of records.

Ref: Letter No.915/11/c/2/2000-Pol (Vol.I),
dated 15.9.2000.

SN. 3570

Madam,

I am directed to say that the Government of Orissa
have no objection to make available of the Secret/Confidential
letters in question to Justice Mukharjee Commission of Inquiry.

Yours faithfully,

Isaac Behera 8.11.2000
Additional Secretary to Government

REP/-

20
13/11
vs (187) Dr. Sun

Dr (A) desired to speak to
Shri Isaac Behera

46/c

Secy, Culture
for P.N. Sarapat
432269 Fax
0674

B
13/11
DR (R.D.)

S.No. 41

190

~~Secret~~

Government of Orissa
Tourism and Culture (Culture) Department

No. 5989 /TC, Dated Shubanswar, the 8-11-2000
VIYIDA-72/2000.

From: Shri Isaac Behara, IAS,
Additional Secretary to Government.

To

The Director,
Prime Minister's Office,
New Delhi.

Subj: Declassification of records.

S.No. 307

Ref: Letter No. 918/11/a/2/2000-Pol (Vol. I),
dated 15.9.2000.

Madam,

I am directed to say that the Government of Orissa
have no objection to make available of the Secret/Confidential
letters in question to Justice Mukharjee Commission of Inquiry.

2
US (P) 10/11
US (N) 90

Yours faithfully,

(Signature)
Additional Secretary to Government

RCP/

DD/RP
3420/2000/4/13/11

S No. 42

121

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 -- 216-2835
Secretary -- 216-2767
Officer on
Special Duty -- 216-2765
Office -- 216-2766/68

REGISTERED WITH A/D.

No. JMCI/Meeting-Proceedings(Follow-up)/48(Vo.II)/289(5)

Dated the 10th October 2000

From :
Shri P.K. Sengupta, WBHJS (Retd.)
Secretary

To
The Secretary
Prime Minister's Secretariat,
South Block,
New Delhi 110 001

Subject **Strict compliance with the orders/directions contained in the proceedings dated 28.09.2000 read with the proceedings dated 23.03.2000, 13.06.2000 and 31.08.2000 of Justice Mukherjee Commission of Inquiry.**

Sir,

I am sending herewith a copy of the proceedings dated 28.09.2000 of the Commission containing its orders and directions for your perusal and compliance thereof as directed by the Commission.

Copies of the proceedings dated 23.03.2000, 13.06.2000 and 31.08.2000 of the Commission were sent to your office earlier.

Yours faithfully,

(Signature)
(P.K. Sengupta)
Secretary

nrb
- 16.10
JS(A) - on loan
73(7)

Encl: As stated above.

3104/JS(S)/00
SECY. TO P.M.
DY. No... *2412-67*
DATE... *16/10/00*

Please discuss with me portion marked 'x' on page 3, today. Did we file this affidavit.

Discussed with JS(A) & US(Pol.)
PR 24/10 US(Pol.)
Discussed with JS(S). May wait till 23/10/2000
JS(S)
17/10
HS/Adm.
13/10

Fax : 0091-033-216-2765

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

122

Proceedings dated 28.09.2000 (Fourth)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chittaranjan Avenue, Calcutta 700 007

September 28, 2000

At the commencement of the hearing it is found that no witness on behalf of the Government of India is present even though in the earlier order dated August 31, 2000 they were asked to produce their witnesses, if any, on the next date of hearing, i.e. today, for their examination before examination of other witnesses. Since, neither any officer of the Government of India nor any Counsel on their behalf is present nor has any communication been received to explain their stand in this regard, the Commission is left with no other alternative but to presume that the Government of India do not intend to examine any witness. With this presumption, the Commission proceeds to examine the two witnesses present.

2. Examination of Witnesses

- (a) Sri Nilanjan Bose and Sri Ardhendu Sarkar are examined on oath and cross-examined as witness Nos. 4 and 5 respectively. Xerox copies of a report in Bartaman, a Bengali daily dated March 21, 1999 and of a news item in the Sunday Statesman dated January 22, 1989 are marked as 'Y' and 'Y(1)' for identification, on admission by the witness Nos. 4 and 5 respectively.
- (b) Of the other three witnesses summoned to depose today -
- (i) Dr. Sisir Kumar Bose sent a letter to the Secretary to the Commission on September 22, 2000 stating, inter-alia, as follows :
- "Since the end of World War II in August 1945 till to day I have not received any direct information from him (Netaji) or about him. I have no personal knowledge as to the issues referred to the Commission. I am therefore not competent to depose in this matter.";
- (ii) Sri Anindya Sengupta also sent a letter intimating that he was indisposed and as such is unable to be present today but has made a request to fix another date for his examination; and

(iii) Shri Suman Chattopadhyaya has not appeared nor sent any communication explaining his failure to appear, even though summons were duly served at his office address by registered post.

(c) Since from the contents of the letters of Dr. Sisir Kumar Bose it appears that no useful purpose will be served by examining him he need not be re-summoned. Let fresh summons be served upon Shri Anindya Sengupta and Shri Suman Chattopadhyaya for their examination before this Commission on the next date of hearing intimating them that if they fail to appear this time as well without any justifiable reason, appropriate legal action may be taken against them for their such failure.

(d) The following persons be also summoned to testify before the Commission on the next date of hearing :

- i) Shri Barun Sengupta, Editor, "Bartaman",
- ii) Shri Pabitra Kumar Ghosh, Journalist, "Bartaman",
- iii) Dr. Purabi Roy, 47C Abdul Halim Lane, Calcutta 700 016,
- iv) Shri Jayanta Roy, Hemanta Basu Bhawan, 49C,
Chittaranjan Avenue, Calcutta 700 012,

and

- v) Smt. Prabha Jagannathan, Correspondent, Formerly of The Telegraph and now of the Economic Times, 105/7A, S.N.
Banerjee Road, Calcutta 700 013

3. Further orders/directions

On conclusion of the examination of the witnesses, the parties/their representatives who are present have been heard on the status report prepared on September 26, 2000 and circulated amongst them before

commencement of the hearing today. After such hearing and perusing all the materials received from the Central Government and the State Government since the last date of hearing, the Commission makes the following further orders/directions :-

① P/B
✓
P/A

x

a) Even though in paragraph E of the order dated August 31, 2000 there was an express direction that all informations to be furnished in terms thereof must be supported by affidavit of a competent officer not below the rank of a Joint Secretary to the Government of India, the Prime Minister's office has sent an affidavit sworn by an Under Secretary of that office in purported compliance of paragraph A of the said order. The Commission therefore does not take any notice of the contents thereof; and calls upon the said office once more to strictly comply with the orders/directions issued on August 31, 2000.

b) (i) In compliance of paragraph B(i) of the order dated August 31, 2000, some papers reportedly relating to the Khosla Commission have been sent by the Ministry of Home Affairs and received by the office of the Commission without verifying the contents thereof. In expectation that some representative of the Ministry will be present today to identify those documents and prove their authenticity, the same have been brought to the venue of the Commission's hearing. But, as already mentioned, no one is there to represent the Government of India and for that matter the Ministry concerned.

(ii) A communication has been received from the Ministry seeking time till November 15, 2000 to produce the papers referred to in paragraph B(ii). The prayer is allowed.

(iii) Under orders of the Commission, a letter was sent by its Secretary on August 25, 2000 to produce the following documents :

(a)(a) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji along with a xerox copy of the said Inquiry Report; and

(b)(b) A xerox copy of the report dated 31st December, 1945 of Shri B.C. Chakravarty (Witness No.168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was counter-signed by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission;

but those documents have not yet been produced.

- c) None of the directions contained in para C(i) and (ii) of the abovequoted order has been complied with except that a letter has been received from the Ministry of External Affairs to-day (when the Commission was holding its sitting) wherein it is stated that they are preparing photocopies of the nine top-secret files referred to in paragraph C(ii) of the order dated August 31, 2000.
- d) Shri Aloknath Bhattacharyya, Special Secretary, Home (Political) Department who is present today has produced some Index Books but no affidavit has been filed in terms of para 'E' of the order dated August 31, 2000. Let the Index Books be kept with the office of the Commission and be not returned without leave of the Commission. The prayer of Shri Bhattacharyya for time to file affidavit is allowed.
- e) It is rather unfortunate that even though as far back as on March 23, 2000, the Commission passed comprehensive orders and directions regarding sending of files and documents to this Commission by the related Ministries/Departments/Offices, the same have not yet been

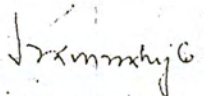
fully complied with. In this connection, the attention of the above authorities is drawn to the following portion of the order dated June 13, 2000 :-

"It is made abundantly clear that in case of failure to comply with the same by the aforesaid date, the Commission may be reluctantly compelled to invoke the provisions of Section 5(4) of the Commission of Inquiry Act, 1952 against the recalcitrant officers of the Government, both Central and State. It is also made clear that since the orders/directions passed in the proceedings by the Commission are in exercise of statutory – and not administrative – powers, no correspondence will henceforth be entertained relating to the compliance thereof. However, in respect of any matter relating to the compliance with the directions/orders of the Commission, the concerned Government may approach the Commission by making formal applications supported by affidavits before the Commission through competent officers, not below the rank of Joint Secretary to the Government of India."

- f) The above orders/directions must be complied with by November 15, 2000.

4. NEXT HEARING

The next hearing of the Commission will be held on November 23, 2000 at 11 A.M. in the Seminar Hall, Annexe Building, Mahajati Sadan, 166 Chittaranjan Avenue, Calcutta 700 007.


(M.K. Mukherjee)
Chairman.

S.No. 43.

By Speed Post

127

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

SOUTH BLOCK
NEW DELHI-110011

Dated: November 14, 2000

To

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

Subject: Compliance with the orders/directions contained in the proceedings dated 28.9.2000 read with the proceedings dated 23.03.2000, 13.06.200 and 31.08.2000 of Justice Mukherjee Commission of Inquiry.

Sir,

I am directed to refer to the Commission's letter No.JMCI/Meeting-
Proceedings (Folow-up)/48(Vol.II)/289(5) dated 10th October, 2000, on the above
subject, and to say that since this Office is yet to receive final reply from a few
Ministries/Departments about their views on declassification of the classified papers/
references available on this Office files, copies of which have already been forwarded
to the Commission by this Office, it is requested that 15 days' time may kindly be
given to this Office to file its consolidated Affidavit before the Commission, covering
all the points mentioned in the proceedings of the Commission, from time to time.

Yours faithfully,

Ar
o/c (ARCHNA RANJAN)
DIRECTOR

S.No. 42/c

14/11/00

S.No. 64

Secret

198

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011

Subject: **Declassification of records.**

S.No. 29/c

Reference is invited to Deptt. of Economic Affairs (Banking Division) u.o. No.7/63/2000-BOA dated 18.9.2000 on the above mentioned subject.

2. The document in question i.e. DEA OM No.36/22/87-BO.III dated 21.12.1987 has been filed in one of our files on INA/Netaji Subhas Chandra Bose which is required to be produced before the Justice Mukherjee Commission of Inquiry. DEA may kindly advice if this particular office memorandum could be declassified without going into the question of declassification of the files referred to in it.

3 An urgent reply is requested.

Ar
[Archana Ranjan]
Director

OC

Deptt. of Economic Affairs
(Banking Division)
(Shri Sekhar Agrawal , Joint Secretary)

PMO U.O. No. 915/11/C/2/2000-Pol dated November 15, 2000

Done
15/11

Reply at
-S.No. 67/c-

S No 45

SECRET

197

MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Subject : De-classification of records on INA/Netaji
Subhas Chandra Bose.

* * * *

S No 5
39
40

✓ Prime Minister's Office may please refer to their U.O.No. 915/11/C/2/2000-Pol dated 10.11.2000 regarding de-classification of Cabinet Note on "Fresh inquiry into disappearance of Netaji Subhas Chandra Bose in 1945 - Demand for" (No. 29/48/69-Poll.II dated 18.2.1970). Reference is also invited to PMO's U.O.Note of even number and date regarding de-classification of a copy of the Cabinet minutes (Cabinet Sectt. O.M.No. 39/CM/69 dated 6.9.1969).

2. The matter has been considered in this Ministry and we have no objection to the de-classification of the Cabinet Note under reference.

3. As regards minutes of the Cabinet meeting held on 5.9.1969, this Ministry agrees to the de-classification of the minutes of the said Cabinet meeting provided Cabinet Secretariat agrees to such de-classification as there are minutes pertaining to certain other items as well.

15/11
US (Pol)

V.P. Bhatia

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Prime Minister's Office (Ms. Archana Ranjan, Director), South Block, New Delhi.

MHA U.O.No. I-12014/13/2000-IS(D.III) dated 15.11.2000.

28/11/2000
15/11

No. 915/111C/2/2000 Pal

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

By Speed Post

130

नई दिल्ली-110 011
New Delhi-110 011

S No - 46

From:

Smt. Archana Ranjan

Director, Prime Minister's Office,
South Block, New Delhi-110 011

dated : November 16, 2000

To

Sh. R.N. Senapati,
Secretary, Deptt. of Culture
Govt. of Orissa, Bhubneswar.

Subject: Declassification of records.

Sjr,

I am directed to refer to Government of Orissa, Deptt. of Culture letter No.5989/TC,VIII CM-72/2000 dated 8th November,2000 on the above mentioned subject stating that Govt. of Orissa has no objection to make available the Secret/Confidential letters in question to Justice Mukherjee Commission of Inquiry.

2. It may kindly be clarified if the documents in question could now be declassified.

Yours faithfully,

Ar

[Archana Ranjan]
Director

SS/c

16/11

S No. 47

Secret 131

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011


Subject: **De-classification of records on INA/Netaji
Subhas Chandra Bose.**

✓
301c
2(64)/56-
58-
Vol. IV
In connection with declassification of records relating to Netaji Subhas Chandra Bose a copy of the Cabinet minutes circulated vide Cab Sectt. O.M. No.39/CM/69 dated 6.9.1969 is enclosed. This document has been filed in one our files which is required to be produced before the Justice Mukherjee Commission of Inquiry.

MHA's views regarding declassification of this document is enclosed.

Cabinet Secretariat's advice/comments are requested urgently.


[Archana Ranjan]
Director


Cabinet Secretariat
(Shri P. Gopalkrishnan - Director)

PMO U.O. No. 515/11/C/2/2000-M. dated November 16, 2000

32/48
No. II/13012/78/2000-IS(US D.IV)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 15th November, 2000.

OFFICE MEMORANDUM

Subject : Lok Sabha Provisional Starred Admitted Question
Dy.No. 683 (since admitted as Starred Question
No. 26) for reply on 21.11.2000 by Shri Bir
Singh Mahato, MP, regarding Netaji Subhas
Chandra Bose Enquiry Commission.

* * * *

The undersigned is directed to enclose a copy of the
Lok Sabha Starred Question referred to above and to request
that the views/comments of your Ministry/Department
particularly part (c) of the Question may please be provided
to this Ministry expeditiously and in any case by 16th
November, 2000 positively.

V.P. Bhatia

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

To

- 15/11*
us (Pol)
- ✓ (1) Prime Minister's Office,
(Ms. Archana Ranjan, Director),
South Block,
NEW DELHI - 110 011.
- (2) Ministry of External Affairs,
(Shri Jayant Prasad, Joint Secretary(CNV)),
South Block,
NEW DELHI - 110 011.
- (3) Ministry of Human Resource Development,
(Dr. Sukumar Sarkar, Director General),
(Department of Culture).
National Archives of India,
Janpath,
NEW DELHI - 110 001.

28/11 DIR(A) S
15/11

- (4) Ministry of Defence,
(Shri G.B. Singh, Director),
History Division, 3/West Block-8, Wing-I,
R.K. Puram,
NEW DELHI - 110 066.

- (5) Cabinet Secretariat,
(Shri Rakesh Sarwal, Deputy Secretary),
Rashtrapati Bhavan,
NEW DELHI.

- (6) Cabinet Secretariat (R&AW),
(Shri Ashok Chaturvedi, Joint Secretary(Admn.),
Bikaner House Annexe,
NEW DELHI.

- (7) Intelligence Bureau,
(Shri V.N. Mathur, Joint Director (SA),
North Block,
NEW DELHI.

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Priority in ballot	: 10
No. of Notices Tabled	: 1

A D M I T T E D

P R I O R I T Y Q U E S T I O N F O R T H E L O K S A B H A

P R O V I S I O N A L S T A R R E D

D.No. 683

Ministry to which the day has been allotted : HOME AFFAIRS

The question will be put down for the sitting on the :-

21-11-2000

N E T A J I S U B H A S H C H A N D R A B O S E E N Q U I R Y C O M M I S S I O N

* S H R I B I R S I N G H M A H A T O :

W i l l t h e M i n i s t e r o f H O M E A F F A I R S

b e p l e a s e d t o s t a t e :

(a) the terms and conditions of M.K. Mukherjee Inquiry Commission Constituted to unravel the mystry behind Netaji Subhash Chandra Bose s disappearance;

(b) whether the Government are cop-operating with the Justice Mukherjee Commission;

(c) if so, the reasons for Union Government officials and counsels not apearing before the Commission for affidavit and witness on successive dates of hearing;and

(d) the time by which the Commission is likely to submit its report?

JS(IST)
US(D-IV)

13.11.2000
US(D-IV)

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PRIME MINISTER'S OFFICE

South Block
New Delhi:110 011

Subject: **Lok Sabha Provisional Starred Admitted Question Dy.No. 683 (since admitted as Starred Question No.26) for reply on 212.11.2000 by Shri Bir Singh Mahto, MP, regarding Netaji Subhash Chandra Bose Enquiry Commission.**

S No 48/c

Reference MHA OM No.II/13012/78/2000-IS(US D.IV) dated 15.11.2000 on the above mentioned subject.


S No. 13/c
S No. 17/c

2. PMO has been fully cooperating with the Commission. As desired by the Commission photocopies of all files on Netaji Subhas Bose/INA in PMO records have been made available to the Commission. An affidavit by the Under Secretary (Admin) PMO was also filed before the Commission.

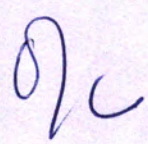
3. The Commission has however pointed that all information to be furnished should be supported by affidavit of a competent officer not below the rank of Joint Secretary to Government of India and directed that such an affidavit should be filed by 15th November,2000 .

4. In order to explain certain queries raised by the Commission regarding security classification of some documents available in PMO files clarifications have been sought from several Ministries/State Governments. Since reply from a few Ministries/State Governments are still awaited the Commission has been requested to grant 15 days' time to file consolidated affidavit covering all the points mentioned in the proceedings of the Commission from time to time (copy of the affidavit filed earlier and the letter dated 14.11.2000 are enclosed).

S No. 33/c
S No. 43/c

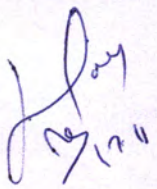

[Archana Ranjan]
Director

Ministry of Home Affairs
(Sh. V.P. Bhatia, Under Secretary)



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

dated November 16, 2000



S No. 50

MOST IMMEDIATE

By Speed Post 136

No.G.16(4)/2000-NGO
PRIME MINISTER'S OFFICE

SOUTH BLOCK
NEW DELHI-110011

Dated:20th November,2000.

To

The Department of Legal Affairs,
Branch Secretariat,
19th Floor, IInd MSO Building,
Nizam Palace,234/4, A.J.C. Bose Road,
CALCUTTA(West Bengal)

Subject;-Justice Mukherjee Commission of Inquiry appointed
to enquire into alleged disappearance of Netaji Subash
Chandra Bose -production of records- regarding.

Sir,

I am directed to say that the above Commission has directed this office to produce all the files relevant to the terms of reference of the Commission with this Office, and to say that this office had given photocopies of all the files with it, including classified files. With regard to the Top Secret files, the Commission was requested that while it may make use of the information, in camera, it may consider not publishing the same. Our files also contain Secret/Confidential correspondence which originated from other Ministries/Departments/States. The Commission have, however, not accepted the plea and observed that in case this Office wants to claim privilege in respect of the classified records, it may adduce reasons as to why privilege is being claimed against the disclosure of the contents thereof, more so, when the Commission is holding a public enquiry and its report will be a public document and the contents of those files may have an important bearing. Under the extant instructions, concurrence of the concerned Ministries /Departments/States has been solicited to declassify such correspondence so that the Commission can make the same public/ publish the correspondence, if it wished to do so. In the meantime, on 14.11.2000, this Office has sought 15 days` time i.e.,till 30.11.2000, to file its Affidavit before the Commission.

2. *A large number of classified papers which are available in our classified files had emanated from the Ministry of Home Affairs. That Ministry has filed its Affidavit before the Commission separately. In order to ensure that there is no contradiction amongst the various departments of Government of India, and that correct procedure is followed while dealing with the directions of the Commission, from time to time, it is requested that a Government Counsel, preferably the one already handling such matters on behalf of the Ministry of Home Affairs, may be assigned the task, for this Office, immediately, under intimation to this Office, for timely and proper briefing to the Counsel.*

Yours faithfully,


(Archana Ranjan)
Director

✓ Copy to US (Pap)

S.No. 51

Secret 137

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011

Subject:-Declassification of records.

✓
S.No. 44

Reference is invited to this office U.O.note of even number dated 15.11.2000 on the above mentioned subject.

2. It is requested that DEA's views regarding declassification of O.M. No.36/22/87-BO.III dated 21.12.1987 may kindly be expedited.

A
(Archana Ranjan)
Director

Deptt. of Economic Affairs
(Banking Division)
(Shri Sekhar Agrawal-Joint Secretary).

Ne

PMO U.O. No.915/11/C/2/2000-POL dated 21.11.2000

Reply - S.No. 67/c

Handwritten signature/initials

S No 52

Secret 138

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011

Subject:- Declassification of records on INA/Netaji
Subhash Chandra Bose.

✓ S No 47/c

Reference is invited to this Office U.O. note of even
number dated 16.11.2000 on the above mentioned subject.

2. Cabinet Secretariat's advice regarding declassification
of cabinet minutes circulated vide O.M. No.39/CM/69 dated
6.9.1969 may kindly be expedited.


(Archana Ranjan)
Director



Cabinet Secretariat (Shri P. Gopalakrishnan-Director).

PMO U.O. No.915/11/C/2/2000-POL dated 21.11.2000

S No 54/c


21/11/00

SN. 53

By speed post

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

137

No.915/11/C/2/2000-pol

नई दिल्ली-110 011
New Delhi-110 011

From:

Smt. Archana Ranjan
Director, Prime Minister's Office,
South Block, New Delhi-110 011

dated : November 21, 2000

To

Sh. R.N. Senapati,
Secretary, Deptt. of Culture
Govt. of Orissa, Bhubneswar.

Subject: Declassification of records.


Sir,

✓ SN. 46

Kindly refer to my letter dated 16-11-2000 on the above mentioned subject.

2 Your views regarding Declassification of the document in question may kindly be expedited.

Yours faithfully,


[Archana Ranjan]
Director

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Secret / Immediate

No281/12/2/99-Cab (VolII)
CABINET SECRETARIAT

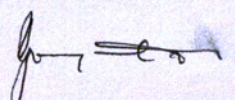
Sub: De-classification of records on INA/Netaji Subhas Chandra Bose.

✓ SNO. 47/c

PMO may please refer to their U.O No. 915/11/C/2/2000-Pol dated. 16.11.2000 on the captioned subject.

2. The Cabinet Secretariat has no objection to the declassification of the minutes of the Cabinet circulated vide 39/CM/69 dated 6.9.1969 pertaining to Netaji. As regards the minutes of other two cases circulated vide said Memo, it is observed that they have no relevance to the case pertaining to Netaji. Hence the extracts of the minutes pertaining to Netaji (Case No. 205/39/69, item 3) may only be provided to the Justice Mukherji Commission of Inquiry.

✓ SNO. 30/c
2(64) 56-68 PM
VOL. IV


(P. Gopalakrishnan)
Director (Cabinet)
Tele: 3015802

27/11
45/11

Smt. Archana Ranjan, Director, PMO
Cabinet Secretariat I.D. NO. 281/12/2/99-Cab.(Vol II) Dated. 21.11.2000

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Final 141

**BEFORE THE HONOURABLE JUSTICE MUKHERJEE
COMMISSION OF INQUIRY AT CALCUTTA
IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN THE
PROCEEDINGS HELD ON 31.8.2000 and 28.9.2000 AT
CALCUTTA.**

AFFIDAVIT

I, **Jarnail Singh** son of Late Shri Dalip Singh, working as Joint Secretary in the Prime Minister's Office, do solemnly affirm and state as under:-

That in so far as documents/Notes which originated from the PM's Office on the files already forwarded to the Commission are concerned, these may be treated as downgraded to confidential subject to the final decision on documents mentioned in para 2 of this Affidavit, and the documents listed in Annexure-I to this Affidavit and Notes portions of this office, listed in Annexure-IA.:However, it is left to the discretion of the Commission to make all/any of these declassified documents, public.

1) That so far as the classified letters/references which originated from the other Ministries/Departments, like the National Museum, the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Defence, Ministry of Urban Development, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Food & Public Distribution, Cabinet Secretariat, Intelligence Bureau and Governments of West Bengal and Orissa, are concerned, since the declassification of those references/letters can only be done, as per the extant instructions, with the concurrence of the concerned Ministries/Departments/State Governments, reference was made to the concerned Ministries/Departments/State Governments, on 14/15th September, 2000 to let this Office have their views regarding the declassification of the letters/references for apprising the Commission about the justification or otherwise of declassification of classified records for use by the Commission. So far, while the Ministries of Defence, Urban Development, Information & Broadcasting, Deptt. of Food & Public Distribution, Intelligence Bureau and the Govt. of West Bengal have conveyed that they have no objection to the declassification of the

.....2/

Fair copy is at bo/c

references pertaining to them, the Ministry of External Affairs have conveyed that their references may be treated as downgraded to confidential and that they leave it to the discretion of the Commission to decide whether to make them public or not. The matter is being pursued with the Department of Economic Affairs, National Museum and Govt. of Orissa to convey their stand to the declassification of documents pertaining to them early. Our stand , would thereafter be formulated and conveyed to the Commission with regard to such documents /notes on our files .

2) With regard to the documents which originated from the Ministry of Home Affairs, that Ministry is of the view that the documents listed in Annexure-I dealing with the following issues may be continued to be treated as classified:

- a) Controversies regarding Netaji's death and bringing his ashes to India from Japan;
- b) Identity of Mrs. Anita Pfaff, daughter of Netaji Subhash Chandra Bose .

Consequently the notes portion dealing with these classified documents available on PMO files would also continue to be treated as classified (Annexure I-A). In view of the advice of Ministry of Home Affairs, I, the Deponent as Joint Secretary in Prime Minister's Office dealing with the subject matter , am in control of these records and am filing the present Affidavit accordingly . I am filing the present affidavit claiming privilege , under sections 123 & 124 of the Evidence Act, in respect of the records as mentioned in Annexures I & IA to this Affidavit. I am claiming privilege in the following circumstance :-

4) The records listed in Annexure 1 & 1A which have been ordered to be produced by the Hon'ble Commission are unpublished official record relating to affairs of State and contain communications made to public officers in official confidence. The disclosure of the records would cause injury to the public interest. As such, they are protected by Section 123 and 124 of the Evidence Act.

.....3/-

5. I submit that the records ordered to be produced also belong to a class of documents which it is the practice to keep secret for ensuring the proper functioning of the public service.

6. I have carefully examined the question as to whether the disclosure of the records would cause injury to public interest, including India's relations with some friendly foreign countries and am bona-fide satisfied that their disclosure would cause injury to public interest, and that public interest would suffer thereby.

7. In the circumstances, I, with the approval of the Head of the Department, withhold permission to produce the said records or to disclose their contents or to give any evidence derived therefrom, and claim privilege under Section 123 and 124 of the Evidence Act, in respect of the aforesaid papers.(listed in Annexures I & IA).

8. However, I submit that I have no objection to the records in respect of which privilege has been claimed being produced for perusal by the Hon'ble Commission for satisfying itself about the bona-fides and genuineness of the pleas of privilege.

9. In so far as documents (1) Cabinet Sectt's. meeting notice No. 6/CM/95(ii) dated 6.2.1995 and (2) Record Note of discussion after Cabinet meeting held on 20.7.1994 are concerned, Ministry of Home Affairs have already filed an Affidavit dated 13.11.2000 before the Commission claiming privilege under Sections 123 and 124 of the Evidence Act.

10. That with regard to file No. 12(226)/56-PM which contained Agenda Paper/Cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subhash Chandra Bose", it may be mentioned that as per the record in this Office, it was destroyed in 1972 in the course of routine review/weeding out of old records which was done as per extent instructions. Photocopies of two notes relating the destruction of the file are at Annexure-II & IIA, respectively. It is further certified that no copy of the file was retained in this Office at the time of its destruction.

.....4/-

11. That certain documents of file No.23(156)/51-PM required by the Commission were destroyed while recording that file in 1969. The list of papers destroyed are already available in that file. No copy of the documents destroyed was retained in this Office.

12. That file No.2(381)/60-66-PM opened in 1960, dealing with the proposal to bring Shri Subash Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi, is not traceable. Renewed efforts made to trace the same have not borne fruit.

13. That file No.2(64)/66-70-PM Vol.VI regarding death of Netaji Subash Chandra Bose - Appointment of an Enquiry Committee to go into circumstances of Death, is also not traceable in this Office. Renewed efforts made to locate the file have not been successful.

14. That with regard to Sr. No.5 of File No.G.12(3)/98/NGO and Sl.No.127A of file No.2(64)/56-66-PM Vol.II, it may be stated that although the letters have been marked as Confidential and Secret, respectively, these may be treated as declassified since these two letters had originated from private individual/party, and it is not possible at this stage, to get in touch with them to get their concurrence for declassification of these letters. This Office has no objection to the disclosure of the contents of these two letters also by the Commission.

15. That to the best of my knowledge, there are no other files with this Office, other than already sent to the Commission or mentioned above, relevant to the terms of the Commission.

Deponent

Verification

I, **Jarnail Singh**, declare and affirm that what is stated above is true to my knowledge. No part of this Affidavit is false and nothing material has been concealed.

Verified at New Delhi on _____, 2000.

Deponent

5. I submit that the records ordered to be produced also belong to a class of documents which it is the practice to keep secret for ensuring the proper functioning of the public service.

6. I have carefully examined the question as to whether the disclosure of the records would cause injury to public interest, including India's relations with some friendly foreign countries and am bona-fide satisfied that their disclosure would cause injury to public interest, and that public interest would suffer thereby.

7. In the circumstances, I, with the approval of the ^{Head of the} ~~competent~~ ^{responsible} authority, withhold permission to produce the said records or to disclose their contents or to give any evidence derived therefrom, and claim privilege under Section 123 and 124 of the Evidence Act, in respect of the aforesaid papers.(listed in Annexures I & IA).

8. However, I submit that I have no objection to the records in respect of which privilege has been claimed being produced for perusal by the Hon'ble Commission for satisfying itself about the bonafides and genuineness of the pleas of privilege.

9. In so far as documents (1) Cabinet Sectt's. meeting notice No. 6/CM/95(ii) dated 6.2.1995 and (2) Record Note of discussion after Cabinet meeting held on 20.7.1994 are concerned, Ministry of Home Affairs have already filed an Affidavit dated 13.11.2000 before the Commission claiming privilege under Sections 123 and 124 of the Evidence Act.

10. That with regard to file No. 12(226)/56-PM which contained Agenda Paper/Cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subhash Chandra Bose", it may be mentioned that as per the record in this Office, it was destroyed in 1972 in the course of routine review/weeding out of old records which was done as per extent instructions. Photocopies of two notes relating the destruction of the file are at Annexure-II & IIA, respectively. It is further certified that no copy of the file was retained in this Office at the time of its destruction.

.....4/-

**BEFORE THE HONOURABLE JUSTICE MUKHERJEE
COMMISSION OF INQUIRY AT CALCUTTA**

**IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN THE
PROCEEDINGS HELD ON 31.8.2000 and 28.9.2000 AT
CALCUTTA.**

AFFIDAVIT

I, **Jarnail Singh** son of Late Shri Dalip Singh, working as Joint
That in so far as documents/Notes which originated from the PM's Office on
the files already forwarded to the Commission are concerned, these may be
treated as downgraded to confidential subject to the final decision on
documents mentioned in para 2 of this Affidavit, and the documents listed
in Annexure-I to this Affidavit and Notes portions of this office, listed in
Annexure-IA, Secretary in the Prime Minister's Office, do solemnly affirm
and state as under:

However, it is left to the discretion of the Commission to make all/any
of these declassified documents, public.

2) That so far as the classified letters/references which originated
from the other Ministries/Departments, like the National Museum, the
Ministry of External Affairs, Ministry of Home Affairs, Ministry of
Defence, Ministry of Urban Development, Department of Economic Affairs,
Ministry of Information & Broadcasting, Department of Food & Public
Distribution, Cabinet Secretariat, Intelligence Bureau and Governments of
West Bengal and Orissa, are concerned, since the declassification of those
references/letters can only be done, as per the extant instructions, with the
concurrence of the concerned Ministries/Departments/State Governments,
reference was made to the concerned Ministries/Departments/State
Governments, on 14/15th September, 2000 to let this Office have their views
regarding the declassification of the letters/references for apprising the
Commission about the justification or otherwise of declassification of
classified records for use by the Commission. So far, while the Ministries of
Defence, Urban Development, Information & Broadcasting, Deptt. of Food
& Public Distribution, Intelligence Bureau and the Govt. of West Bengal
have conveyed that they have no objection to the declassification of the

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**BEFORE THE HONOURABLE JUSTICE MUKHERJEE
COMMISSION OF INQUIRY AT CALCUTTA**

**IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN THE
PROCEEDINGS HELD ON 31.8.2000 and 28.9.2000 AT
CALCUTTA.**

AFFIDAVIT

I, **Jarnail Singh** son of Late Shri Dalip Singh, working as Joint Secretary in the Prime Minister's Office, do solemnly affirm and state as under :

1) That in so far as documents/Notes which originated from the PM's Office on the files already forwarded to the Commission are concerned, these may be treated as downgraded to confidential subject to the final decision on documents mentioned in paras 2 & 9 of this Affidavit, and the documents listed in Annexure-I to this Affidavit and Notes portions of this office, listed in Annexure-IA. However, it is left to the discretion of the Commission to make all/any of these declassified documents, public.

2) That so far as the classified letters/references which originated from the other Ministries/Departments, like the National Museum, the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Defence, Ministry of Urban Development, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Food & Public Distribution, Cabinet Secretariat, Intelligence Bureau and Governments of West Bengal and Orissa, are concerned, since the declassification of those references/letters can only be done, as per the extant instructions, with the concurrence of the concerned Ministries/Departments/State Governments, reference was made to the concerned Ministries/Departments/State Governments, on 14/15th September, 2000 to let this Office have their views regarding the declassification of the letters/references for apprising the Commission about the justification or otherwise of declassification of classified records for use by the Commission. So far, while the Ministries of Defence, Urban Development, Information & Broadcasting, Deptt. of Food & Public Distribution, Intelligence Bureau and the Govt. of West Bengal have conveyed that they have no objection to the declassification of the

.....2/

BEFORE THE HONOURABLE JUSTICE MUKHERJEE

COMMISSION OF INQUIRY AT CALCUTTA

IN THE MATTER OF COMPLIANCE WITH THE ORDERS/ DIRECTIONS OF THE COMMISSION AS PASSED IN THE PROCEEINGS HELD ON 31.8.2000 and 28.9.2000 AT CALCUTTA.

AFFIDAVIT

I, **Jarnail Singh** son of Late Shri Dalip Singh, working as Joint Secretary in the Prime Minister's Office, do solemnly affirm and state as under :

1) That in so far as documents/Notes which originated from the PM's Office on the files already forwarded to the Commission are concerned, these may be treated as downgraded to confidential except those listed in Annexure-I to this Affidavit and Notes portions of this office, listed in Annexure-IA. However, it is left to the discretion of the Commission to make all/any of these declassified documents, public.

2) That so far as the classified letters/references which originated from the other Ministries/Departments, like the National Museum, the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Defence, Ministry of Urban Development, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Food & Public Distribution, Cabinet Secretariat, Intelligence Bureau and Governments of West Bengal and Orissa, are concerned, since the declassification of those references/letters can only be done, as per the extant instructions, with the concurrence of the concerned Ministries/Departments/State Governments, reference was made to the concerned Ministries/Departments/State Governments, on 14/15th September, 2000 to let this Office have their views regarding the declassification of the letters/references for apprising the Commission about the justification or otherwise of declassification of classified records for use by the Commission. So far, while the Ministries of Defence, Urban Development, Information & Broadcasting, Deptt. of Food & Public Distribution, Intelligence Bureau and the Govt. of West Bengal have conveyed that they have no objection to the declassification of the

references pertaining to them, the Ministry of External Affairs have conveyed that their references may be treated as downgraded to confidential and that they leave it to the discretion of the Commission to decide whether to make them public or not. The matter is being pursued with the Department of Economic Affairs, National Museum and Govt. of Orissa to convey their stand to the declassification of documents pertaining to them early. Our stand would thereafter be formulated and conveyed to the Commission with regard to such documents/notes on our files

3) With regard to the documents which originated from the Ministry of Home Affairs, that Ministry is of the view that the documents listed in Annexure-I/ may be continued to be treated as classified. ^{consequently} In view of the above ^{available on Pmo files} the notes portion dealing with these classified documents, ^{on view of the advice of M/Home Affairs,} would also continue to be treated as classified (Annexure II-A). ~~As such,~~ the Deponent as Joint Secretary in Prime Minister's Office dealing with the subject matter, am in control of records and am filing the present Affidavit accordingly. I am filing the present affidavit claiming privilege, under sections 123 & 124 of the Evidence Act, ~~read with article 74(2) of the constitution in~~ respect of the records as mentioned in Annexures I & IA to this Affidavit. I am claiming privilege in the following circumstances :-

dealing with the following issues

(a) Controversy regarding Netaji's death and bringing his ashes to India from Japan;

These documents deal with the following issues:
 1) The HMA has claimed privilege in respect of these documents and I concur with the view of the HMA and has accordingly stated in para

4) The records ^{listed in Annex I & IA} as mentioned above which have been ordered to be produced by the Hon'ble Commission are unpublished official record relating to affairs of State and contain communications made to public officers in official confidence. ^{the} disclosure of the records would cause injury to the public interest. As such, they are protected by Sections 123 and 124 of the Evidence Act. ~~The disclosure of the records would also be violative of the mandatory provisions of Article 74(2) of the Constitution inasmuch as the records contain advice rendered by the Ministers to the President.~~

one para

5. I submit that the records ordered to be produced also belong to a class of documents which it is the practice to keep secret for ensuring the proper functioning of the public service.

6. I have carefully examined the question as to whether the disclosure of the records would cause injury to public interest, including India's relations with some friendly foreign countries and am bona-fide satisfied that their disclosure would cause injury to public interest, and that public interest would suffer thereby.

(b) Identity of Mrs. Anita Rao daughter of Netaji Subhash Chandra Bose.

with the ⁻³⁻ approval of the Competent Authority,

7. In the circumstances, I withhold permission to produce the said records or to disclose their contents or to give any evidence derived therefrom, and claim privilege under Section 123 and 124 of the Evidence Act, ~~read with Article 74(2) of the Constitution~~, in respect of the aforesaid ~~then~~ papers (listed in Annexures I & IA).

8. However, I submit that I have no objection to the records in respect of which privilege has been claimed being produced for perusal by the Hon'ble Commission for satisfying itself about the bona-fide-s and genuineness of the pleas of privilege.

9. In so far as documents (1) Cabinet Sectt's meeting notice No. 6/CM/95(ii) dated 6.2.1995 and (2) Record Note of discussion after ^{Cabinet} meeting held on 20.7.1994, regarding ~~'controversy about Netaji's death and allegations that he was an MI-6 agent'~~, are concerned, position would be intimated to the Commission in due course. Depending upon the views/Comments of Ministry of Home Affairs, Pm's Office would intimate its decision ~~about~~

10. That with regard to file No. 12(226)/56-PM which contained Agenda Paper/Cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subhash Chandra Bose", it may be mentioned that as per the record in this Office, it was destroyed in 1972 in the course of routine review/weeding out of old records. Photocopies of two notes relating the destruction of the file are at Annexure-II & IIA, respectively. It is further certified that no copy of the file was retained in this Office at the time of its destruction.

> which was done carried out as per extant instructions.

the views/Comments on the above papers, and connected notes available on Pmo files.

11. That certain documents of file No.23(156)/51-PM required by the Commission were destroyed while recording that file in 1969. The list of papers destroyed are already available in that file. No copy of the documents destroyed was retained in this Office.

12. That file No.2(381)/60-66-PM opened in 1960, dealing with the proposal to bring Shri Subash Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi, is not traceable. Renewed efforts made to trace the same have not borne fruit.

13 That file No.2(64)/66-70-PM Vol.VI regarding death of Netaji Subash Chandra Bose - Appointment of an Enquiry Committee to go into circumstances of Death, is also not traceable in this Office. Renewed efforts made to locate the file have not been successful.

14 That with regard to Sr. No.5 of File No.G.12(3)/98/NGO and Sl.No.127A of file No.2(64)/56-66-PM Vol.II, it may be stated that although the letters have been marked as Confidential and Secret, respectively, these may be treated as declassified since these two letters had originated from private individual/party, and it is not possible at this stage, to get in touch with them to get their concurrence for declassification of these letters. This Office has no objection to the disclosure of the contents of these two letters also by the Commission.

15 That to the best of my knowledge , there are no other files with this Office, other than already sent to the Commission or mentioned above, relevant to the terms of the Commission.

Deponent

Verification

I, **Jarnail Singh**, declare and affirm that what is stated above is true to my knowledge . No part of this Affidavit is false and nothing material has been concealed.

Verified at New Delhi on _____, 2000.

Deponent

ANNEXURE-I

1. File No. G-16(3)/95-NGO Sl. No. page of the file -
 MHA's D.O. No. I/12014/27/93-ISD.III dated Nil from
 Shri S.B. Chavan, Home Minister to Shri
 P.V. Narasimha Rao, Prime Minister,

2. File No. G-12(18)/94-NGO Sl. No. MHA's U.O. No.
 I/12014/27/93-IS(D.III) dated 9.8.94 from
 Shri K. Padmanabhaiah, Home
 Secretary to Shri A.N. Varma, Principal
 Secretary to PM, regarding controversy

3. File No. 870/11/P/10/93-Pol Sl. No. I/C (P.I/C) -
 Vol. II MHA's U.O. No. I/12014/27-IS.D.III
 dated 20.4.1994.

4. File No. 2(67)/78-PM Sl. No. 3/C (P.4-6/c) -
 MHA U.O. No. 25022/109/79-F.VII
 dated 6.2.1980 (with enclosures),

*Regarding
 Netaji's death and
 bringing his ashes to
 India from Japan.*

*from Shri Vinay Vasishtha, Under
 Secretary, M/Home Affairs to Shri Prakash Shah
 JS, who regarding established want of daughter of Netaji
 identity of Mrs. Anita Bose*

*Regarding mortal remains of Netaji
 Subhash Chandra Bose to be brought
 from Tokyo to India.*

*from Shri N.N. Vohra, Home
 Secretary to Shri A.N. Varma,
 Principal Secretary to PM,
 regarding controversy regarding
 Netaji's death and
 bringing his ashes to
 India from Japan.*

ANNEXURE - IA.

1. File No. G-16(3)/95-NGO Page Nos. 5 & 6 of Note dated 21.11.1995 from Ms. Sujata Mehta, Director, PMO & notings thereon, regarding proposal to bring the mortal remains of Netaji Subhash Chandra Bose from Japan to India
2. File No. G-12(18)/94-NGO Page Nos 1 to 4 (Notes portion) of Notes dated 26.8.1994 & 2.9.1994 of Ms. Sujata Mehta, Director, PMO and Nots thereon, ^{about} regarding controversy regarding Netaji's death and bringing his ashes to India from Japan.
3. File No. 2(67)/78-PM Page Nos. 2 to 3 of Notes portion, regarding doubts about the facts relating to wife & daughter of Netaji Subhash Chandra Bose.
4. File No. 870/11/P/10/93-Pol. (Vol. II) Page 2 to 3 of Notes portion, relating to controversy regarding Netaji's death and bringing his ashes to India from Japan.

... on the subject this ...
Political Section

SSA

227

3/27

2

PM

The only files available in this Section on the subject are placed below. There was another file bearing No. 12/226/56, P.S. with the subject "Investigation into the circumstances leading to the death of Shri Subhas Chandra Bose" but this was destroyed on 6-3-72 during the process of weeding.

SSA (Vol. I & II of the file ... contain ...)

Original available in F.No. 2(GH) 56-70-PM (Vol. I & II)

Have checked what files
on the subject there but in
Political Section.

SRK
22/7

3/17
P.M.

The only files available in
this Section, on the subject are files
relating. There was another file bearing
No. 12/226/56. P.M. with the subject
Investigation into the circumstances leading
to the death of "The Sallah Chandra Bose"
but this was destroyed on 6-3-72 during
the process of weeding.

SSA (Vol. I & II of the file which contain
papers pertaining to the case)

156

There is a check sheet
on the subject this sheet is
Political Section.

SRK

22/7

3/17
P.H.

The only files available in
this Section, on the subject are placed
below. There was another file bearing
No. 12/226/56. This with the subject
investigation into the circumstances leading
to the death of "Shri Sahas Chandra Bose"
but this was destroyed on 6-3-72 during
the process of unsealing.

SSA (Vol. I + II copy of the file which contains
papers pertaining to the subject)

57

157

<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam.	12.4.1957.
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	-do- ^{Carried over to 1957.}
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	-do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	-do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	-do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the -	-do-
12(215)/56-PM	Indian Citizenship Bill.	-do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	-do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	-do-
12(226)/56-PM	Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.	-do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	-do- (16/11/57)
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	-do- ^{Discontinued 1959.}
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	-do-

<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam.	12.4.1957.
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	Carried over to 1957 -do-
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	-do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	-do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	-do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the	-do-
12(215)/56-PM	Indian Citizenship Bill.	-do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	-do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	-do-
12(226)/56-PM	Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.	-do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	-do-
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	-do-
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	-do-

<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam.	12.4.1957.
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	Carried over to 1957 -do-
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	-do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	-do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	-do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the -	-do-
12(215)/56-PM	Indian Citizenship Bill.	-do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	-do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	-do-
12(226)/56-PM	Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.	-do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	-do-
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	-do-
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	-do-

null

Speed Both
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F.No. 152/LC/2000
Government of India
Ministry of Law, Justice & Co. Affairs
Department of Legal Affairs
Branch Secretariat
Calcutta

To,
1) The Director,
Prime Minister's Office,
South Block,
New Delhi-110001.

Dated, the 23 Nov. 2000

2) The Joint Secretary (ISI),
Ministry of Home affairs,
Govt. of India, North Block,
New Delhi.

Sub:- Justice Mukherjee Commission of Inquiry
appointed to enquire into alleged
disappearance of Netaji Subash Chandra
Bose -regarding.

27/11
Sir/ Madam,

DIJRP/

I am to inform you that Shri Tarakesuar Pal, Sr. Counsel alongwith Sri Animesh Mazumdar, Junior Counsel have been engaged to appear before Justice Mukherjee Commission at Calcutta on behalf of Union of India and other Central Government Departments. You are requested to contact both the Government Counsel engaged in the matter and necessary instructions may be given to them directly to enable proper conduct of the departmental case before Hon'ble Justice Mukherjee Commission of enquiry.

27/11
US (NCO)

The addresses and Tel.Nos. of both the counsel appointed in the aforesaid matter are furnished hereunder:-

1) Shri Tarakesuar Pal, Advocate

Chamber

Residence

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

Purnasasi, 33, Asoke Avenue
(Off: & Opposite Navanir)
Calcutta- 700040.
Phone No. 471-0592

Contd...2/-

27/11/00

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27/11/00

2) Shri Animesh Mazumdar, Advocate

Chamber

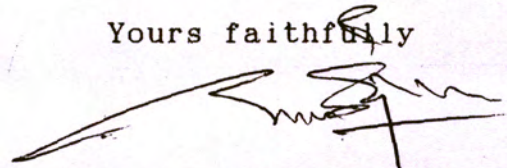
Room No:- 12
Bar Association High Court,
Calcutta-1.

Residence

12/1 Ghoses Lane(N)
P.O.-Belumath
Dist- Howrah, (WB)

Thanking you.

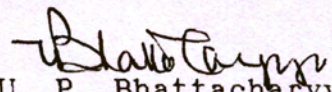
Yours faithfully



(S. K. Mohapatra)
Dy. Legal Adviser

Copy to :-

- 1) Shri Tarakesuar Pal, Advocate Room No.:-5, Bar Association, High Court, Calcutta -for information .
- 2) Shri Animesh Mazumdar, Advocate, Room No:- 12 Bar Association High Court, Calcutta-1 - for information.


(U. P. Bhattacharyya)
SUPDT. (LEGAL)

59

SECRET

MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Prime Minister's Office may please refer to their U.O.No. G.16(4)/2000-NGO dated 21.11.2000 regarding de-classification of classified records to be submitted to Justice Mukherjee Commission of Inquiry.

2. Cabinet Secretariat vide their I.D.Note No. 281/12/1/2000-TS dated 14.9.2000 had communicated that they have the following files/documents concerning Netaji/I.N.A. :-

- (i) Cabinet Note No. 1/18/68-Coins dated 17th May, 1968 regarding issue of Netaji Subhas Chandra Bose commemorative coin/coins on 21.10.68 on the occasion of the silver jubilee of the founding of the Azad Hind Government.
- (ii) Cabinet Note No. I/12014/27/93-IS(D.III) dated 2.2.1995 regarding proposal to bring the mortal remains of Netaji Subhas Chandra Bose from Japan to India.
- (iii) Cabinet Note No. I/12014/9/77-D.III(S&P) dated 17.11.1977 regarding Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
- (iv) Cabinet Note No. 29/48/69-Poll.II dated 18.2.1970 regarding fresh inquiry into the disappearance of Netaji Subhas Chandra Bose in 1945 - Demand for.
- (v) Cabinet Note No. 31/2/74-Poll(D.III) dated 27.8.1974 regarding the report of the one-man Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.
- (vi) Cabinet Note No. I/12014/6/90-IS(D.III) dated 10.1.1991 regarding dispute regarding ashes of Netaji Subhas Chandra Bose and also controversy about whether Netaji is dead or still alive.
- (vii) Note for Committee of Secretaries No. I/12014/27/93-IS(D.III) dated 16.5.1994 regarding controversy about Netaji's death and allegations that he was an MI-6 agent.

Am
M/V
NS (NGO)

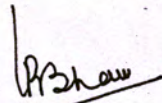
3. The aspect whether these documents may be continued as classified or de-classified has been considered in this Ministry and it has been decided that documents at Sl.Nos. (ii)

सं.क्र. (एन.जी.ओ.)/PMO (NGO)
नं./Dy. No. 812/5/2000
दि./Date 30/11/2000
304/अन(A)/900
29/11/00

and (vii) may continue to be classified as these are those documents for which this Ministry has already filed a privilege affidavit before Justice Mukherjee Commission of Inquiry on 15.11.2000. As regards documents at Sl.Nos. (iii) to (vi), it has been decided that these may be de-classified.

With regard to document at Sl.No. (i), since this pertains to Ministry of Finance, Department of Economic Affairs, it is that Department who has to decide about its continued classification or de-classification. A reference has already been made to Department of Economic Affairs as also a reminder addressed to Under Secretary (Coins), Department of Economic Affairs but no response has so far been received. Accordingly, it is requested that PMO may take up the matter directly with Department of Economic Affairs to decide about this document.

4. This note issues with the approval of Home Secretary.



(V.P. BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA.

Prime Minister's Office (Smt. Archana Ranjan, Director), South Block, New Delhi.

MHA I.D.Note No. I-12014/13/2000-IS(D.III) dated 29.11.2000.

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Fax : 011-301-9545
(To) 011-301-6857



Tarakeswar pal, Advocate
Sr. Counsel, HIGH COURT CALCUTTA
J.M. Commission, Bar Association Room No. 5

Phones : 248-3190/3169
Fax : (033) 248-2313
E.mail tarasohc@calcmc.net.in
Residence.

November 29, 2000

To
Smt. Archana Ranjan, Director,
Prime Minister's office,
Sector Block, New Delhi-110011.

Dear Madam,

Re: Justice Mukherjee Commission of Inquiry

And

Your letter dated 28-11-2000 under
No.G(15(4)/2000-NGC received by Fax on 28-11-2000.

And

Draft Affidavit by Sri Jarnail Singh,
Joint Secretary, P.M.O.

1. To apprise the matter in urgency, let me remind you that the Affidavit of P.M.O. required as under :-

a) As per Order containing in Para A(i) of Proceeding dated 31st August, 2000, the reasons of privilege as to disclosure of the contents of the files mentioned in letter No. G-15(4)/2000-NGC dated July 29, 2000, should be mentioned.

b) As per Order in Para A(ii) of proceeding dated 31st August, 2000 the particulars of destroyed files/papers to be mentioned.

c) As per para A(iii) of the said Order dated 31-8-2000 the availability of the files/documents mentioned in para (i) of proceeding dated March 23, 2000 in P.M.O. should be stated.

d) As per Para A(iii) of the said proceeding/Order dated 31-8-2000 Affidavits of Competent Persons (not below the rank of Joint Secretary) of Ministries of the Govt. of India to be filed giving lists of all other files records/documents (whether secret, top secret or anything) in respective Ministries (except 990 files with the National Archives) as per Para (b) of the proceeding dated 23rd March, 2000.

2. In view of above, as to 1(a) above, Paras 4, 5, 7 and 8 of Draft Affidavit be rewritten including the following :

That the contents of the said Files/Papers have no bearing with the present reference/issue of the Hon'ble Commission.

- 3. Include a Para as to 1(b) above.
- 4. Include a Para as to 1(c) above.
- 5. Include a para giving results on other files/records etc. (other than ordered by the Hon'ble Commission) as to 1(d) above.
- 6. Other paragraphs of the draft Affidavit be retained. (The draft you have sent is incomplete - after para 9 there is nothing. Annexure referred to in Affidavit is not with the copy).

with thanks,

Tarakeswar pal
(Tarakeswar Pal)
Advocate,

Sr. Counsel.

As Fax machine disturbed
- in delayed.

म.सं.का. (एन.जी.ओ.)/PMO (NGO)

दि. / Dy. No. ... 231 / 9 / 2000
दिनांक / Date 30 / 11 / 2000

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29/11

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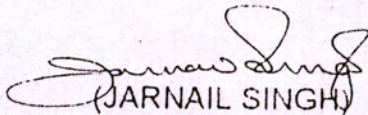
प्रधान मंत्री कार्यालय
नई दिल्ली 110 011
PRIME MINISTER'S OFFICE
New Delhi 110 011

No.G.16(4)/2000-NGO

dated: November 27, 2000

Subject: Proceedings before the Hon'ble Mr. Justice Mukherjee Commission of Inquiry appointed to enquire into alleged disappearance of Netaji Subhash Chandra Bose.

This is to inform you that we have no witness to examine on our behalf before the Commission, at this stage. If such an occasion arises later, we shall place the same forthwith before the Commission.


(JARNAIL SINGH)
JOINT SECRETARY

Shri Tarkeshwar Pal,
Advocate & Senior Counsel for the Govt. of India,
Before the Hon'ble Mr. Justice Mukherjee Commission

X

Copy to Pol. Section for their record.

प्र.मं.का. (एन.जी.ओ.)/PMO (NGO)
क्र.सं./Dy. No. 232/6/2000
दिनांक/Date... 1.12.00

166

**BEFORE THE HONOURABLE JUSTICE MUKHERJEE
COMMISSION OF INQUIRY AT CALCUTTA**

IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN THE
PROCEEDINGS HELD ON 31.8.2000 and 28.9.2000 AT
CALCUTTA.

AFFIDAVIT

I, Jarnail Singh son of Late Shri Dalip Singh, working as Joint Secretary in the Prime Minister's Office, do solemnly affirm and state as under:-

1) That in so far as documents Notes which originated from the PM's Office on the files already forwarded to the Commission are concerned, these may be treated as downgraded to confidential subject to the final decision on documents mentioned in para 2 of this Affidavit, and the documents listed in Annexure-I to this Affidavit and Notes portions of this office, listed in Annexure-IA. However, it is left to the discretion of the Commission to make all any of these declassified documents, public.

2) That so far as the classified letters/references which originated from the other Ministries/Departments, like the National Museum, the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Defence, Ministry of Urban Development, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Food & Public Distribution, Cabinet Secretariat, Intelligence Bureau and Governments of West Bengal and Orissa, are concerned, since the declassification of those references letters can only be done, as per the extant instructions, with the concurrence of the concerned Ministries/Departments/State Governments, reference was made to the concerned Ministries/Departments/State Governments, on 14/15th September, 2000 to let this Office have their views regarding the declassification of the letters/references for apprising the Commission about the justification or otherwise of declassification of classified records for use by the Commission. So far, while the Ministries of Defence, Urban Development, Information & Broadcasting, Dept. of Food & Public Distribution, Intelligence Bureau and the Govt. of West Bengal have conveyed that they have no objection to the declassification of the



Jarnail Singh
29/11/2000

references pertaining to them, the Ministry of External Affairs have conveyed that their references may be treated as downgraded to confidential and that they leave it to the discretion of the Commission to decide whether to make them public or not. The matter is being pursued with the Department of Economic Affairs, National Museum and Govt. of Orissa to convey their stand to the declassification of documents pertaining to them early. Our stand would thereafter be formulated and conveyed to the Commission with regard to such documents/notes on our files.

3) With regard to the documents which originated from the Ministry of Home Affairs, that Ministry is of the view that the documents listed in Annexure-I dealing with the following issues may be continued to be treated as classified:

- a) Controversies regarding Netaji's death and bringing his ashes to India from Japan;
- b) Identity of Mrs. Anita Pfall, daughter of Netaji Subhash Chandra Bose.

Consequently the notes portion dealing with these classified documents available on PMO files would also continue to be treated as classified (Annexure I-A). In view of the advice of Ministry of Home Affairs, I, the Deponent as Joint Secretary in Prime Minister's Office dealing with the subject matter, am in control of these records and am filing the present Affidavit accordingly. I am filing the present affidavit claiming privilege, under sections 123 & 124 of the Evidence Act, in respect of the records as mentioned in Annexures I & IA to this Affidavit. I am claiming privilege in the following circumstance :-

4) The records listed in Annexure I & IA which have been ordered to be produced by the Hon'ble Commission are unpublished official record relating to affairs of State and contain communications made to public officers in official confidence. The disclosure of the records would cause injury to the public interest. As such, they are protected by Section 123 and 124 of the Evidence Act.

.....3.-



[Handwritten Signature]
29/11/2020

5. I submit that the records ordered to be produced also belong to a class of documents which it is the practice to keep secret for ensuring the proper functioning of the public service.

6. I have carefully examined the question as to whether the disclosure of the records would cause injury to public interest, including India's relations with some friendly foreign countries and am bona-fide satisfied that their disclosure would cause injury to public interest, and that public interest would suffer thereby.

7. In the circumstances, I, with the approval of the Head of the Department, withhold permission to produce the said records or to disclose their contents or to give any evidence derived therefrom, and claim privilege under Section 123 and 124 of the Evidence Act, in respect of the aforesaid papers.(listed in Annexures I & IA).

8. However, I submit that I have no objection to the records in respect of which privilege has been claimed being produced for perusal by the Hon'ble Commission for satisfying itself about the bonafides and genuineness of the pleas of privilege.

9. In so far as documents (1) Cabinet Sect's. meeting notice No. 6,CM/95(ii) dated 6.2.1995 and (2) Record Note of discussion after Cabinet meeting held on 20.7.1994 are concerned, Ministry of Home Affairs have already filed an Affidavit dated 13.11.2000 before the Commission claiming privilege under Sections 123 and 124 of the Evidence Act.

10. That with regard to file No. 12(226)/56-PM which contained Agenda Paper Cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subhash Chandra Bose", it may be mentioned that as per the record in this Office, it was destroyed in 1972 in the course of routine review weeding out of old records which was done as per extent instructions. Photocopies of two notes relating the destruction of the file are at Annexure-II & IIA, respectively. It is further certified that no copy of the file was retained in this Office at the time of its destruction.



[Handwritten Signature]
29/11/2000

11. That certain documents of file No.23(156)/51-PM required by the Commission were destroyed while recording that file in 1969. The list of papers destroyed are already available in that file. No copy of the documents destroyed was retained in this Office.

12. That file No.2(381)60-66-PM opened in 1960, dealing with the proposal to bring Shri Subash Chandra Bose's ashes from Tokyo and to put up a memorial to him in front of the Red Fort in Delhi, is not traceable. Renewed efforts made to trace the same have not borne fruit.

13. That file No.2(64)66-70-PM Vol.VI regarding death of Netaji Subash Chandra Bose - Appointment of an Enquiry Committee to go into circumstances of Death, is also not traceable in this Office. Renewed efforts made to locate the file have not been successful.

14. That with regard to Sr. No.5 of File No.G.12(3)98/NGO and Sl.No.127A of file No.2(64)56-66-PM Vol.II, it may be stated that although the letters have been marked as Confidential and Secret, respectively, these may be treated as declassified since these two letters had originated from private individual/party, and it is not possible at this stage to get in touch with them to get their concurrence for declassification of these letters. This Office has no objection to the disclosure of the contents of these two letters also by the Commission.

15. That to the best of my knowledge, there are no other files with this Office, other than already sent to the Commission or mentioned above, relevant to the terms of the Commission.

Jarnail Singh
Deponent, 29/11/2000

Verification

I, Jarnail Singh, declare and affirm that what is stated above is true to my knowledge. No part of this Affidavit is false and nothing material has been concealed.

Verified at New Delhi on 29th November 2000.

Jarnail Singh
29/11/2000

I identify the deponent who has signed/put T.I. in my presence.

Bhabani
PA, Prime Minister's Office
South Block
New Delhi

K.K. KAUL
Advocate/Notary
Parliament Street Court
New Delhi

ATTESTED
[Signature]
NOTARY PUBLIC
DELHI

29 NOV 2000



ANNEXURE -I

1. File No. G-16(3) 95-NGO

Sl. No. 17 pages 20-21/c of the file No.G-16(3)95-NGO-MHA's D.O. No. I/12014/27/93-ISD.III dated Nil from Sh. S.B. Chavan, Home Minister to Sh. P.V. Narasimha Rao, Prime Minister regarding mortal remains of Netaji Subhash Chandra Bose to be brought from Tokyo to India.

2. File No. G-12(18)94-NGO

Sl. No.36 pages 4-5/c of the file No.G12(18)94-NGO -MHA's U.O. No. I/12014/27/93-IS(D.III) dated 9.8.94. from Sh. K. Padmanabhaiah, Home Secretary to Sh. A.N. Varma, Principal Secretary to PM on controversy regarding Netaji's death and bringing his ashes to India from Japan.

3. File No. 870 11 P 10:93-Pol Vol.II

Sl. No. 1/c Page 1/c of the file- No.870/11/P-10/93-Pol Vol.II- MHA's U.O. No.I/12014/27/93-IS.D.III dated 20.4.1994 from Sh. N.N.Vohra, Home Secretary to Sh. A.N. Varma, Principal Secretary to PM - Controversy regarding Netaji's death and bringing his ashes to India from Japan.

4. File No. 2(67)78-PM

Sl. No.3/C Page 4-6/c of the file No.2(67)78-PM MHA U.O. No.25022/109/79-F.VII dated 6.2.1980 (with enclosures)from Shri Vinay Vasishtha, Under Secretary, Ministry of Home Affairs to Sh. Prakash Shah, Joint Secretary, PMO regarding establishment of the identity of Ms. Anita Pfaff, daughter of Netaji Subhash Chandra Bose.



James Singh 29/11/2000

17

ANNEXURE -IA.

1. File No. G-16(3)/95-NGO Page Nos. 5&6 of Note dated 21.11.1995 of Ms. Sujata Mehta, Director, PMO & notings thereon regarding proposal to bring the mortal remains of Netaji Subhash Chandra Bose from Japan to India.

2. File No. G-12(18)/94-NGO Page Nos 1 to 4 (Notes portion) of Notes dated 26.8.1994 & 2.9.1994 of Ms. Sujata Mehta, Director, PMO and notings thereon about controversy regarding Netaji's death and bringing his ashes to India from Japan.

3. File No. 2(67)/78-PM Page Nos. 2 to 3 of Notes portion regarding doubts about the facts relating to wife and daughter of Netaji Subhash Chandra Bose.

4. File No. 870/11/P/10/93-Pol.Vol.II Page Nos. 2 to 3 of Notes portion relating to controversy regarding Netaji's death and bringing his ashes to India from Japan.



Jamaal Singh

29/11/2010

<u>File No.</u>	<u>Subject.</u>	<u>Date of recording.</u>
12(204)/56-PM	Ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam.	12.4.1957.
12(205)/56-PM	National Film Board and Film Finance Corporation - Establishment of.	-do-
12(206)/56-PM	Construction of a Hotel in the Diplomatic Enclave by Ashoka Hotels Ltd.	-do- <i>Carried over to 1957</i>
12(209)/56-PM Vols. I & II.	Industrial Relations Bill, 1954.	-do-
12(210)/56-PM	National Book Trust - Establishment of an Autonomous.	-do-
12(211)/56-PM	Construction of a Central Conference Hall in New Delhi.	-do-
12(212)/56-PM	Law relating to Copyright-Legislation for amending and consolidating the	-do-
12(215)/56-PM	Indian Citizenship Bill.	-do-
12(219)/56-PM	Monetary Reward to the workers of Sindhri Fertilizer Factory.	-do-
12(223)/56-PM	Coal Miners - New Housing Scheme for-	-do-
12(225)/56-PM	Indian Delegation to H.R.H. the Duke of Edinburgh's Conference on the social responsibility of Industry.	-do-
12(226)/56-PM	<u>Investigation into the circumstances leading to the death of Shri Subhash Chander Bose.</u>	-do-
12(229)/56-PM	Loan of Rs. 1.45 crores granted by the U.P. Govt. to M/S Sahu Jain Ltd. for a Soda Ash and Ammonium Chloride factory in U.P. - objection raised by the Central Govt. about the grant of -	-do-
12(230)/56-PM	Continuance of grants in-aid granted under article 278 of the Constitution to the Part 'B' states after the re-organisation of States.	-do-
12(231)/56-PM	Provision for arbitration in disputes arising out of contracts placed by the Directorate General of Supplies and Disposals for purchase of stores.	-do-

Sanjay
29/11/2022

There is no file on the subject in Political Section.

SRKhan
3277

3/27
P111

The only files available in this Section, on the subject are files below. There was another file bearing no. 12/226/56 P111 with the subject investigation into the circumstances leading to the death of "Shri Sathya Chandra Bose" but this was destroyed on 6-3-92 during the process of weeding.

SSA - Vol. I - II of the file have been retained for reference.



Jayaram Singh
29/11/2000

original available in F. No. 2(C) 56-70 PM vol-V

174

(60A)

No. 915/11/C/2/2000-Pol (Vol.1)

PRIME MINISTER'S OFFICE

SOUTH BLOCK

NEW DELHI - 110011

Dated : 29.11.2000

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

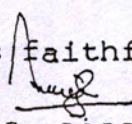
Subject : Compliance with the Orders/
 Directions contained in the
 Proceedings dated 28.9.2000 read
 with the Proceedings dated
 23.03.2000, 13.06.2000 and
 31.08.2000 of Justice Mukherjee
 Commission of Inquiry.

Received an
 affidavit with a
 forwarding letter from
 P.M.'s office
 Chatterjee
 30/11/2000

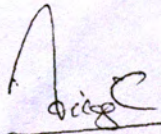
Sir,

I am directed to refer to this Office letter of even
 number dated 14.11.2000, praying for grant of 15 days, to enable
 this Office to file its Affidavit before the Commission, and to
 forward herewith the Affidavit, duly signed by Shri Jarnail Singh,
 Joint Secretary, ^{and} ~~only~~ verified by the Notary, for record/perusal
 of the Commission.

Yours faithfully,


 (P. S. LALLY)
 Under Secretary.

Copy to Govt. Counsel at Calcutta.


 30/11/2000

61

175

CONFIDENTIAL

PRIME MINISTER'S OFFICE

Subject: Declassification of records relating to Netaji Subhas Chandra Bose/INA.

A copy[✓] of the report of the Committee on the Evaluation of the contents of a sealed bag associated with the INA treasures stores in the National Museum is enclosed.

✓
F.No. 2(64)/78 PM
Annexure

2. It may be seen that while the report does not bear any security grading the set of photographs[✓] annexed to the report has been marked 'Confidential'. (copy enclosed)

3. Deptt. of Culture may kindly confirm if these papers/photographs may treated as unclassified.

Archana Ranjan
[Archana Ranjan]
Director

Deptt. of Culture (Dr. R.V.Vaidyanatha Ayyar – Secretary)
PMO U.O. No. 915/11/C/2/2000-Pol dated: 4.12.2000

Issued.
M 4/12



(62) 176

THE NETAJI SUBHAS CHANDRA BOSE MEMORIAL NATIONAL WELFARE FOUNDATION

Regd. Admn. Off : . No. 6, Angadi Street, Venkateshpuram Colony, Ayanavaram, Chennai - 600 023, India.
Tel / Fax : 91-44-6445857 Tel : 91-44-6449395 E-mail: desan@vsnl.com Radio Call : VU2 AID/AIG
(Regd. as No. 242 of 1996 with the Office of the District Registrar of Madras Central)
(Regd. U/s 12A (a) of the Income Tax Act, 1961)
(80 G Income Tax Exemption Order No. DIT (E) No. 2 (32 dated 28th February 1997)

CAPT. D. DASAN, MAESI FF (EX-INA)
MD. Nalini R. Export Pvt. Ltd., CHAIRMAN/TRUSTEE

DR. R. MUTHIAH SAKTHI FF (-INA)
M.A., M.Ed., Ph.D., Ex-MLC Malaya Managing TRUSTEE

MR. M. RAJKUMAR, B.Com., FCA., GRAD, CWA
Treasurer/TRUSTEE

MR. K.A. RAJAGOPALAN
Indian Police Station - CBI, Retd., Advisor, TRUSTEE

DR. NALLIKUPPUSAMY CHETTI
Nalli House, TRUSTEE

Lt. K.V. CHANDRAN FF (Ex-INA)
Hon. Secretary Tamil Nadu INA Forum, TRUSTEE

MR. K. RAMACHANDRAN, B.A., B.L.,
Retired Judge, TRUSTEE

MR. M. KALYANA SUNDARAM, B.Sc., B.L.,
Senior Advocate, TRUSTEE

MR. GOPAL DHAMANI, B.Com.,
Businessman, TRUSTEE

MR. RAJESH KAPOOR, B.A.
Industrialist, TRUSTEE

MR. KARIM. CURRIMBHOY, M.Com.,
Businessman, TRUSTEE

B. VENUGOPAL, B.Com., B.L.,
Advocate Chennai High Court, TRUSTEE

Rtn. K. KANNAN B.A.
Vice - President Bramin Assoc., TRUSTEE

Rtn. G. RAJAGOPALAN B.E.,
President BVP - Philanthropist, TRUSTEE

Rtn. D. VIPIN CHAND,
President Rotary Club, Chennai Mid City, TRUSTEE

Mr. S. KUNDAN
President, South Madras Cultural Association, TRUSTEE

Mr. N. SANKAR
Ex-President, South Madras Cultural Association, TRUSTEE

PAST FOUNDER TRUSTEES
MR. BV. RANGANATH Ex- Managing Trustee
G.M. IOC. RETD Freelance Journalist Advisor AASI.

Maj. E. BHASKARAN FF EX-INA
Spl. Secy. to Netaji Subhas Chandra Bose
Spl. Secy. to Rash Behari Bose
Spl. Secy. to Sarat Chandra Bose

Dr. (Ms) VIJAYALAKSHMI M.A. M.Phil.,
Research Scholar in History & Socio-Economy

PROF. M.S. ANNAMALAI, M.A., M.Ed., M.Phil.,
Ex-Trustee Secr.

Ref: NSCB:PM:18:11/2000-2001

27th November 2000

Hon. Prime Minister of India,
New Delhi - 110 001.

Most Respected Sir,

JAI HIND!

Sub: Justice Mukerjee Commission-Netaji's Death - reg.

Ref: Our appeal ref.01/06/Cov-Appeal/PM/2000-2001 dt. 10.7.2000.

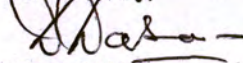
.....

As directed, we have presented our viewpoint on the due affidavit to the Mukherjee Commission, Calcutta.

We understand through a broadcast by Doordharshan Telecast that Mr. Pandey, Secretary-Home Department, has communicated to Justice Mukherjee's Commission that some files considered very relevant for ongoing inquiry by the present commission, could not be presented to it as they may constitute turmoil or security risk. Now, the file's content must be very old, and have historical relevance. Even the secret military or confidential files all over the world get declassified after a lapse of certain number of years. The files belong to the people of India. The people have the right to know the relevant information. Besides, why to set up the commission when the relevant informations are to be withheld?

Please, Sir, use your good offices to make the relevant files and information are available to the Justice Mukherjee Commission to determine the truth.

With regards,
Yours sincerely,


(CAPT. D. DASAN)
CHAIRMAN/TRUSTEE.

Copy to:

1. Hon. Home Minister, Ministry of Home Affairs, North Block, New Delhi - 110 001.

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.

"Never falter in your faith in India 's destiny" - Netaji Subhas Chandra Bose, August 1945"

Handwritten notes:
5.12.2000
M. Sankar

(30) / c

NETAJI SUBHAS CHANDRA BOSE MEMORIAL NATIONAL WELFARE FOUNDATION.

Regd Off: 35A Eldams Road, Teynampet, Chennai 600 018
(Regd. As No242 of 1996 with the Office of the District Registrar of Madras Central)
(Regd. U/s 12A of the Income Tax Act, 1961)
(80G Income Tax Exemption Order No. DIT (E) No. 2(32) dated 28th February 1997)

File: 177
Covering -
P M - Appeal

File copy = Appeal

REFNO.:01/06/COV-APPEAL/PM/2000-2001

10th July 2000

To
The Hon. Prime Minister,
New Delhi.

Most Respected Sir,

Sub: Signature Campaign- reg.

The Netaji Subhas Chandra Bose Memorial National Welfare Foundation is founded to upkeep the values that Netaji strived for and to fulfil the dreams that Netaji visualised and sacrificed his life for the welfare of India like a true son of Bharat Ma. Keeping these selfless endeavours of such a dynamic personality for which the nation is indebted, it is only proper that we pay long overdue respects to the memories of this great son of India in a befitting manner. The foundation in association with other social and charitable organisations, declared the following resolutions at a public meeting held in commemoration of Netaji's 103rd Birth Anniversary Celebrations, here in Chennai:

1. The *asthis* and ashes of Netaji to be given its due respect by bringing it onto the soil of our Motherland – INDIA and give the people of our country a chance to mourn this great leader's death properly by building a befitting last resting place.
2. To restore the Birth Place of Netaji at Cuttack which was severely damaged in the Orissa Super cyclone and to be maintained as a Memorial where we Indians can draw inspiration from the life of this dynamic leader.
3. To rename Andaman and Nicobar Islands as Shaheed and Swaraj Islands whose names were given by Netaji. No other name can be more apt as most of our freedom fighters were kept in prison at Andaman.

It is the earnest wish of all that Netaji's *asthis* and ashes should be brought to India and on behalf of all those associated with us and the public, we request your kind self to look into this matter with utmost care and urgency. We know that you will consider this matter as you have equal admiration for Netaji. What we are doing is to supplement your own thoughts and values. To substantiate this, the Foundation along with other like-minded people, promoted a signature campaign, which was well received by many. Enclosed

- Capt. D.DASAN, MAESI FF (EX-INA)
MD. Nalini R. Export Pvt Ltd. **CHAIRMAN**
- Dr.R.M.MUTHIAH SAKTHI FF (EX-INA)
M.A. MEd. PhD,EX-MLC Malaya **MANAGING TRUSTEE**
- Mr. M. RAJKUMAR, B.Com FCA.GRAD CWA
TRUSTEE, TREASURER
- Mr. M.KUMAR, Hon. Gen.Secretary DPK
TRUSTEE SECRETARY
- Mr.K.A. RAJAGOPALAN
Indian Police Service - CBI, Retd. **ADVISOR**
- NALLI KUPPUSAMY CHETTI
Nalli House **TRUSTEE**
- L.I.K.V.CHANDRAN FF (EX-INA)
Hon. Secretary Tamil Nadu INA Forum **TRUSTEE**
- Mr. K. RAMACHANDRAN, B.A.,B.L.
Retired Judge **TRUSTEE**
- Mr. M.KALYANA SUNDARAM, B.Sc.,B.L.
Senior Advocate **TRUSTEE**
- Mr. GOPAL DHAMANI, B.Com.
Businessman **TRUSTEES**
- Mr. RAJESH KAPOOR, B.A.
Industrialist **TRUSTEE**
- Mr. KARIM. CURRIMBHOY, M.Com.
Businessman **TRUSTEES**
- Rtn.K.Kannan B.A
Vice-President Brarmin Assoc **TRUSTEE.**
- Rtn. G.Rajagopalan B.E.
President BVP-philanthropist **TRUSTEE**
- Rtn.Vipin **TRUSTEE**
President Rotary Club- Chennai City.-Philanthropist
- PAST FOUNDER TRUSTEES**
- Mr. B.V.RANGANATH Ex- Managing Trustee
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- Maj. E.BHASKARAN FF EX-INA
Spl Secy. to Netaji Subhas Chandra Bose
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Dr(Ms) VIJAYALAKSHMI MA.MPhil
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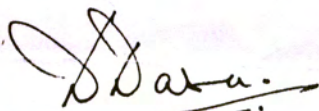
Prof. M.S.ANNAMALAI, MA.MEd.MPhil Ex-Trustee Sec

" Never falter in your faith in India's destiny " - Netaji Subhas Chandra Bose ,August 1945

are the signature sheets for your reference and it is just a token sentiment reflected by many more.

Please do look into this matter at the earliest and soothen the frayed sentiments of all.

JAI HIND!

A handwritten signature in black ink, appearing to read 'D. Dasan', with a horizontal line underneath it.

Capt. D.Dasan
Chairman/Trustee

AN APPEAL TO THE INDIAN GOVERNMENT

It is not armies not nations that advance the race but here and there in the course of ages an individual has stood up and cast his shadow on the world. And we in India have been blessed with men and women of such calibre. Netaji Subhas Chandra Bose is one such brave and dynamic and patriotic man. His charisma, his determination, his involvement is unparalleled.

Our country is universally acclaimed for its rich varied heritage. And what is this heritage that we are all so proud of or at least should be? Our culture is time tested and rightly found as the way to an enriched life. We have a great respect for others. We respect our elders, our guru and our patriots to mention a few. This respect is manifested in many ways. As children we listen to them. As adolescents we ask them for their advice. As young responsible people we care for them. And as fate takes them away from us, we carry their memories in our hearts and pay our respects to them by building a shrine for them.

It is indeed truly sad that, we, the people of India have not or not been able to give the supreme sacrifice of Netaji its due respect. It is even sadder that for a man born to this country and who struggled for the freedom of this country and died fighting for it, he is yet to find peace in death. He cannot find a resting place in the soil for the freedom of which he not only gave up his comforts but also his life. It is an embarrassment to the people of our country that while we have not been able to recognize the worthiness of this great personality, a foreign country has done it so promptly and still continues to. Japan has selflessly treasured the *asthis* of Netaji when in reality we should have been doing it.

Yet all is not lost. We can still redeem what we failed to do so earlier. It is our earnest request to you, sir, to cut through the layers of fiction shrouding the death of Netaji and publicly acknowledge the fact that Netaji was indeed sadly and unfortunately killed in the ill-fated aircraft crash on the 18th of August 1945. The greatness and achievements of this dynamic leader have taken a back seat due to the ill-based rumours surrounding his death. Kindly do cap these rumours and help us all in appreciating the true worth of Netaji.

The insights based on the investigations by various authorities are stated below to substantiate the facts of Netaji's death.

1. The War Office, United Kingdom.
2. Report on the death of Subhas Chandra Bose by the Office of Military Adviser, Lt. Colonel J.G. Figgess at Tokyo dated 25th July 1946.
3. Medical Report by SubⁿLt. (Medical) Tsuruta Toyoshi who was on duty at Taihoko Military Hospital where the severely burned and injured Netaji was taken.
4. Admission of the Japanese Government in their Military Record and death of their senior officers who, if the crash was false, would have reappeared.
5. Investigations by the Indian Government
 - a) Netaji Inquiry Committee Report, 1956. This committee consisted of Mr. Shah Nawaz Khan, Mr. Suresh Chandra Bose and Mr. S.N. Maitra.
 - b) Khosla Report, 1971. A one man Inquiry by Justice Khosla. This was constituted under political compulsions.

6. The evidences of the INA Personnel:
 - a) Tokyo Cadets (45 in number, the Chairman of this Foundation being one of them)
 - b) Col. Habibur Rehman (personal aide to Netaji)
 - c) Mr. S.A. Aiyer (Cabinet Minister, Publicity and Propganda)
 - d) Mr. A.M. Sahay (Cabinet Minister, Cabinet Affairs)
 - e) Ms. Asha Sahay (daughter of A.M. Sahay and member of Rani of Jhansi)
7. American Government too concluded that Netaji was killed in the ill-fated crash.
8. The finding of the treasure that Netaji was carrying on the flight. If Netaji were not on that flight then the valuables would not have been there as the valuables were in the custody of only Netaji. Or if Netaji survived from the crash then he would surely have claimed for the valuables directly or indirectly.
9. Netaji's uniform and personal material were collected by Capt. Narayanan, Mr. Nachiappa, and the undersigned Capt. Dasan.

Most important is the details stated by Col. Habibur Rehman who was on the ill-fated plane and who to the last minute stayed with Netaji. He too had sustained burns in the crash and also while trying to save Netaji for Netaji's seat was right behind the Pilot, where the flames were the strongest. When Col. Habibur saw that Netaji's clothes were on fire, he rolled Netaji on the ground to extinguish the fire thereby sustaining severe burns on his hands. Col. Habibur Rehman had requested for the body of Netaji to be taken to Singapore or Tokyo for the people to see but this could not be possible due to the following reasons:

- a) Lack of Transport facilities;
- b) The unstable political conditions in Singapore and Japan due to unconditional surrender by Japanese Army;
- c) The Condition of the body, which could not be embalmed due to lack of facilities and the body had deteriorated and decomposed.

Netaji was a man with strong attachments. He had a family and was very closely attached to his family. If he was alive he would and could not have stayed without getting in touch with his family. Nowhere is there evidence or even an iota of suspicion that either he or his family members have been in touch. He had an even stronger attachment with the Motherland – INDIA. He just could not have kept himself away from the call of the nation- the freedom of India. This unfortunate accident took place in 1945 and then India still did not get its independence, while it was Netaji's passionate dream to see India independent and also a growing, healthy economy. If Netaji was in hiding, he would still try to get in touch with any of his associates while his Beloved Country was going through the trying times of Partition, the China War, The Goa war, The Pakistan war, The National Emergencies or the many natural disasters.

It was rumoured that Netaji was spotted at Nehru's funeral. Is it really possible to believe, keeping in mind the thought process and action pattern of Netaji that he would remain incognito for the rest of his life while the nation needed leaders like him especially after the sad demise of Nehru? And is the Indian Intelligence so lacking in their investigations and skill that they could not trace Netaji after have been spotted at Nehru's funeral? Or at least

the associates of Netaji would have tried their earnest to trace their beloved leader whom they missed and still miss a lot.

Let not political compulsions, personal jealousies or narrow party considerations deprive the rightful place for Netaji in the National Scenario. The wild cry of many without substantiating their claims will only deprive the honour Netaji deserves. It is a welcome wish of all when someone says that Netaji is alive or did not die in the ill-fated crash. There is no single evidence of some authentic sighting, meeting or personal knowledge, I have heard of none. We ask these countrymen of ours to share their evidence with the nation so that it can be probed to find the ultimate truth. If not then please accept the evidence of others.

Netaji's ashes have been kept at Renkoji Temple, Tokyo and has been greatly revered by the Temple authorities, senior Japanese associates and Japanese Military Officers. They continue to pay their respects year after year and this is on since 1945. Should the intelligence and integrity of such top personnel ever be doubted? Is it possible for men of such calibre to carry on a façade for so many years while they have nothing to gain? They have shown their deep love and respect they have for Netaji who was with them in the war on the Burma Front. When can we, the people of India, express our respects to this great son of India?

Keeping in mind the sentiments of our countrymen, the following resolutions were taken at a Public meeting in commemoration of Netaji's 103rd Birth Anniversary Celebrations at Seerani Arangam, Marina Beach, Chennai. It was well attended by people from different walks of life:

1. The *asthis* of Netaji to be given its due respect by bringing it onto the soil of our motherland – India and give the people of our country a chance to mourn this great leader's death properly by building a befitting last resting place.
2. To restore the Birth Place of Netaji at Cuttack which was severely damaged in the Orissa super cyclone and to be maintained as a Memorial where we Indians can draw inspiration from the life of this dynamic leader.
3. To rename Andaman & Nicobar Islands as Shaheed & Swaraj Islands. No other name can be more apt as most of our freedom fighters were kept in prison at Andaman.

It is the earnest wish of all that Netaji's *asthis* should be brought to India and on behalf of all those associated and not associated with us, I request you to kindly look into the matter as early as possible and do the needful. Netaji sacrificed not only his life, but also good living, the comforts of home and the love of family to serve his motherland – Bharat Ma. He is not just a *Tyagi* but a *Maha Tyagi*. The *atma* of this *Maha Tyagi* needs to find a resting place in the land he loved and served. He did not ask for name or fame but it is the duty of us, who are living in a free land which had come about due to foresight, toil, suffering and death. Let the revival of his memories bring fresh inspiration to us so that we may serve India with added determination and purpose to build a peaceful, united and prosperous India.

JAI HIND!

63

182

To

Dated: 28th November, 2000

Shri, Atal Bihari Vajpayeeji
 Hon. Prime Minister of India
 7, Race Course Road
 New Delhi - 110001

Respected Sir,

It is unfortunate and sad that the same Govt. of India unable to provide nine (9) files relating to the disappearance of "Netaji Subhas" to the "Research Team" headed by "Mrs. Purabi Roy", which is constituted by the same Govt. of India for finding the mystery behind the sudden disappearance of "Netaji Subhas".

It is further more unfortunate and sad that Govt. of India unable to provide security to the "Research Team" in MOSCOW when they are there for the same research related works and then some unknown phone call asked them to stop research work and go back to India, despite of the fact that India has a good relation with Russia.

A country and its people who are not interested to know the future of "Patriot Hero" like "Netaji Subhas Chandra Bose" in the last fifty years of Independent India, who actually gifted independence to them, then that country and its people are termed as ungrateful and that country will be gradually ruined.

We are totally dedicated to the philosophy and path shown by our "Uncompromising Hero of Indian Independence — Netaji Subhas Chandra Bose". He is our inspiration and he is our everything. Our organization is based on the memory and ideologies of "Netaji Subhas". Therefore under all these present situations created by the apathy of your's government to provide assistance to the "Research Team" which proving the "Disappearance of Netaji Subhas", we are unable to continue our work for this ungrateful country known as India. We will resume our work if you fulfill our following demands: —

- 1) Full and final settlement of the mystery behind the disappearance of "Netaji Subhas Chandra Bose".
- 2) Full and final settlement of the mystery behind the "Mysterious death of Syamaprasad Mukherjee" in Kashmir.
- 3) Full and final settlement of the "Mysterious death of Lal Bahadur Sastri" in Taskhand in erstwhile U.S.S.R. after the Indo-Pakistan war of 1965.
- 4) Punishment of real culprits, under whose direction meritorious and scholar students of Bengal were killed in "Fake Encounters: during "Naxalite Movement" in West-Bengal in 1969-70.

✓
 Pol. Section
 Mr. Sen

183

- 5) Punishment of real culprit who are behind the massacre of innocent "Sikh Population" in different parts of India, especially in Delhi during "Anti-Sikh" riots of 1984.
- 6) Punishment of real culprit who are behind the killings of innocent people during the riots of "Bombay" and in other parts of the country after the demolition of "Babri Masjid".
- 7) The roal reasons of defeat of India at the hand of China in 1962 war.
- 8) Why Jawaharlal Nehru stop the "Indian Forces" to capture the whole of Kashmir, during the war of 1947-48 ?????
- 9) The real reasons of "Partition of India" and the role of "Jawaharlal Nehru" and "Lord Mountbatten" in this regard.

Untill then

Good Bye

Singing off ... *Shahid For Shahid Shaheed* ...

Kindly Note : You have not asked us to write to you regarding different problems of India and its provable solutions. However, we have the responsibility as a good citizen of this unfortunate country to ask for your permission before we discontinue our writing.

Best of luck for a good governance under your leadership.

Namaskar -- Namaste ---- Sio o Nara ---- etc. etc.

GOD IS LOVE LOVE IS GOD

JAI HIND BHARAT MATA KI JAI VANDEMATARAM

JAI MATA DI SAT SRI AKAL ALLA HO AKBAR

.....

(64)

184

JMCI

FAX NO. : 091 033 216 2765

DEC. 06 2000 04:21PM P1

JUSTICE MURARAJE 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 -- 216-2835
 Secretary -- 216-2767
 Officer on
 Special Duty - 216-2765
 Office -- 216-2767

No JMCI/ Meeting-Hearing/99-2000/57/389 Calcutta, dated, the 6th Dec' 2000.

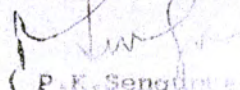
By FAX

From: Shri P.K. Sengupta, MBJS (Ret.d).
Secretary.

To : Shri Jarnail Singh,
Joint Secretary,
Prime Minister's Office,
New Delhi- 110001.

Sir,

With reference to your Affidavit dated November 29, 2000, I am directed to state that your claim of privilege as contained in the aforesaid Affidavit, will be taken up during the next hearing of the Commission which is scheduled to be held on December 12, 2000 at 11.00 A.M. in the Seminar Hall, Anna Hall, Mahajati Sadan, 166, Chittaranjan Avenue, Calcutta.

Yours faithfully,

 P.K. Sengupta
 Secretary.

Urgent
Do we have to be present?
Please discuss.

Dis/A
JS(5) & dismissed with the
counsel. He confirms that
it is not necessary. MHA would
be called.
Aravind 7/12

3788/JS(5)/4/2000
2006/DIR (A)G
2/18/00

Am
8/12
Mr Sm

e-mail

(64)

185

JMCI

FAX NO. : 091 033 216 2765

DEC. 06 2000 04:21PM P1

JUSTICE M... 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 - 216-2635
 Secretary - 216-2767
 Officer on Special Duty - 216-2765
 Office - 216-2765

Meeting-Hearing/99-2000/57/389 Calcutta dated the 6th Dec' 2000.

By FAX

From: ...

To: ...

Sir,

With reference to ...

Urgent
 Do we have to be present?
 Please discuss.

JS(J) I have intimated ^{for} 6/12/2000
 JS(J) & discussed with the
 counsel. He confirms that
 it is not necessary. ^{MSHA would}
 be called. *Aravind* 7/12
 3788/JS(J)/4/2000
 3066/DIR(A)/G
 5/18/00

MS (Pdt)
Mr Srm 8/12

186

SECRET
MOST IMMEDIATE

S. NO 65

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Subject : Filing of affidavit before Justice Mukherjee
Commission of Inquiry.

* * * *

It is understood that an affidavit with regard to records on Netaji Subhas Chandra Bose/INA has been filed before the Commission by the Prime Minister's Office on 30.11.2000. It is requested that a copy of the said affidavit may be provided to this Ministry expeditiously so that the stand of the Government with regard to production of records is not contradictory insofar as different Ministries are concerned.

2. This issues with the approval of Joint Secretary (IS-I) in the Ministry of Home Affairs.

V.P. Bhatia

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.
301-5700

Prime Minister's Office (Smt. Archana Ranjan, Director), South Block, New Delhi.

MHA I.D.Note No. I.12014/13/2000-IS(D.III) dated 8.12.2000.

ll spk
11/12
US (Pol)

Pol. Section

Reference as above.

-66/c-

Discussed with Dir (Adm) yesterday. we may accede to the request at 'A' above.

For with enclosing a copy of affidavit filed by this office is placed below. May kindly see before issue

Received at 6:00 P.M.
on 8.12.00

8/12/00
US (Pol)

DIR (A)
US (Pol)
14/12

14/12/00
US (Pol)

SECRET

MUST IMMEDIATE

SNO. 66

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

187

नई दिल्ली-110 011
New Delhi-110 011

Subject: Filing of affidavit before Justice Mukherjee
Commission of Inquiry.

Reference is invited to MHA I.D. Note
No.I.12014/13/2000-IS(D.III) dated 8/12/2000 on the
subject noted above.

SNO. 65/c

As desired, a copy of the affidavit filed by this
office before the Mukherjee Commission is sent herewith
for information.

Alok

[Alok Mukhopadhyay]
Under Secretary

o/c w.e.)

Shri V.P. Bhatia,
Under Secretary ,(D.IV), MHA, North Block

PMO U.O. No. 915/11/C/2/2000-Pol dated December 14,2000

Mr. Sun

Issued (w.e.)
M 14/12

67

188

F.No.7/63/2000-BOA
Government of India
Ministry of Finance
Department of Economic Affairs
(Banking Division)

Jeevan Deep Building, Parliament Street,
New Delhi, Dated the 8th December, 2000

OFFICE MEMORANDUM

Sub :Declassification of records.

-- 510.44/c --

The undersigned is directed to refer to PMO UO NO.915/11/c/2/2000-
Pol dated November 15, 2000 on the subject cited above and to state that
Banking Division have 'no objection' if DEA (Banking Division), OM
No.36/22/87-BO-III dated 21.12.1987 is declassified.

K.B.L. Mathur
(K.B.L. MATHUR)
Director (BO)
Phone:3537128

Prime Minister Office
(Archana Ranjan, Director),
South Block,
NEW DELHI.

17/12/00
A18/A1

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189

PRIME MINISTER'S OFFICE

**South Block
New Delhi**

The Government of India has appointed the Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subhash Chandra Bose.

2. It may be recalled that in 1974 for the same purpose Government of India had set up '**Khosla Commission**'.

3. It is requested that we may be informed urgently whether there are any files available with Ministry of Home Affairs/National Archives, pertaining to the Khosla Commission of Inquiry. The report submitted by the Commission may also please be forwarded.

(Archana Ranjan)
Director

**Smt. Sangita Gairola, Joint Secretary, Ministry of Home Affairs.
Shri H.D.Singh, Dy. Director, National Archives of India, New Delhi.**

PMO UO No.915/11/C/2/2000-Pol. dated 20th December, 2000

20/12

Reply from NAI
69/C
Reminde at SMO. 70/C

MHA's reply
+
Khosla Commission Report
in vol. III at SMO. 3/C

DRAFT

PRIME MINISTER'S OFFICE

The Govt. of India has appointed the Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subhash Chandra Bose.

It may be recalled that in 1974 for the same purpose Govt. of India had set up 'Khosla Commission'.

It is requested that we may be informed urgently whether there are any files available with MHA/National Archives, pertaining to the 'Khosla Commission' of Inquiry. *The report submitted by the Commission may also please be forwarded.*

[Archana Ranjan]

Director

1. Shri A.K. Paitandy, Director (IS-I), MHA
2. Shri H.D. Singh, Dy. Director, National Archives of India, Janpath, New Delhi.

PMO U.O. No. 915/11/C/2/2000-Pol dated December 19, 2000

DFA pl.
Asst.
19/12

DIR(A)

PA

Fair U.O note sent for issue.

Am
20/12

Mr. Sen

BY SPECIAL MESSENGER



विशेष संदेशवाहक द्वारा
By Special Messenger

69

OUT- TODAY

राष्ट्रीय अभिलेखागार

भारत सरकार

जनपथ, नई दिल्ली - ११० ००१

NATIONAL ARCHIVES OF INDIA
JANPATH, NEW DELHI - 110 001

Tele No. 3383436

Fax : 0091- 11- 3384127

E mail : archives@ren02.nic.in

Website : http://nationalarchives.nic.in

Dated the 22 December, 2000

DR. SUKUMAR SARKAR
Director General of Archives
Government of India

D.O.No.F. 9-2(4)/2000-P.A.

Dear Ms. Ranjan,

Kindly refer to your U.O.No. 915/11/C/2/2000-Pol. dated 20th December, 2000.

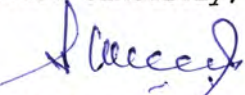
Since Ministry of Home Affairs has not transferred any file on Khosla Commission of Inquiry to National Archives of India for permanent preservation, we are not in possession of any file pertaining to Khosla Commission. I may, however, inform you that on 26 August, 1997 Ministry of Defence, Government of India had transferred 990 declassified files on Indian National Army pertaining to the period 1942-46 to National Archives of India for permanent preservation and use by the research scholars.

You may kindly appreciate our position as such, you may like to approach the Ministry of Home Affairs for getting the relevant files on Khosla Commission as well as a copy of the Khosla Commission report, if available with them.

Wishing you a happy and prosperous New Year.

With warm regards,

Yours sincerely,


(SUKUMAR SARKAR)

Ms. Archana Ranjan,
Director,
Prime Minister's Office,
South Block,
NEW DELHI.

4074 DIR (A) G
2/1/2001

27/12
US (Pol)

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192

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011
New Delhi-110 011

Subject: Khosla Commission.

P-68/c

No. 68/c

Reference is invited to this office u.o. of even number dated 20.12.2000 on the above mentioned subject.

2. It is requested that we may be informed urgently whether there are any files available with Ministry of Home Affairs pertaining to the Khosla Commission. The report submitted by the Commission, if available with MHA, may also be forwarded to this office.

Ar

[Archana Ranjan]
Director

2

Ministry of Home Affairs
(Smt. Sangita Gairola - Joint Secretary)

PMO U.O. No. 915/11/C/2/2000-Pol dated January 2, 2001

Issued
4
9/1

Reply recd.
Report at sm. 3/c vol. III

(71)

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प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

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

dated January 4, 2001

नई दिल्ली-110 011

New Delhi-110 011

From:

Smt. Archana Ranjan
Director, Prime Minister's Office
South Block, New Delhi-110 011

To

Sh. R.N. Senapati
Secretary, Deptt. of Culture
Govt. of Orissa, Bhubneswar.

Subject: Declassification of records.

Sir,

Kindly refer to my letter dated 16.11.2000 and 21.11.2000 on the above mentioned subject.

2. Your views regarding declassification of the document in question may kindly be expedited.

Yours faithfully,

a

[Archana Ranjan]
Director

- 72/c -

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44/c
2
53/c

H
19/11/01

(72)

194

FAX

FAX

FAX

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

dated January 8, 2001

From: Smt. Archana Ranjan,
Director, Prime Minister's Office,
South Block , New Delhi - 110011
(Fax No. 3019545)

To

The Chief Secretary,
Govt. of Orissa,
Bhubneswar

(Attention Shri Isaac Behara- Additional Secretary, Govt. of Orissa)

Subject: Declassification of records.

Sir,

I am directed to refer to Orissa Govt. letter No.5989/TC/VIII OM-72/2000 dated 8.11.2000 conveying that the State Government have no objection to make available the Secret/confidential letters in question to Justice Mukherjee Commission of Inquiry. It is presumed that while conveying the above views the State Government have also agreed to declassify the letters in question. Please confirm by return fax. As next date of hearing has been fixed on 17.1.2001, this may please be treated as Most Immediate. In this connection, this office letters of even number dated 16.11.2000 and reminder dated 21.11.2000 & 5.1.2001 also refer.

S No. 46953/c
271/c -

[Archana Ranjan]
Director

Handwritten initials and date: 2/11

Subject: **claiming of privilege in respect of the documents to be furnished to the Justice Mukherjee Commission - clarification regarding.**

Reference is invited to MHA note No.1/12014/13/2000-IS(D.III) dated 14.3.2001 on the subject noted above.

Of the five documents listed in the above referred Communication following three documents alongwith their relevant files have already been made available to the Justice Mukherjee Commission.

1. PMO U.O. Note No.870/11(P)/10/93-Pol dt. 13.10.93.
2. PMO U.O. Note No.PMO(NGO)354/T/94 dt. 16.9.94.
3. PMO U.O. Note No.G-16(3)/95-NGO dt. 30.11.95

It has also been clarified through filing of an Affidavit by this office that all notes/correspondence originating from PM's office, copies of which have already been made available to the Commission may be graded as Confidential. Therefore, the Security grading of the aforesaid documents may be treated as confidential.

UO sent for issue.
22/3

196

-2-

The remaining two "Secret" u.o. notes (No.805/4/C/13/95-Pol(Vol.II) dated 19.12.95 and 18.1.96 which relate to a proposal for DNA Analysis of the Ashes presumed to be of Netaji's could not made available to the Commission by this office so far as these papers had inadvertently been lodged in a some-what unrelated file and therefore could not be located while forwarding other files/documents to the Justice Mukherjee Commission, However, copies of these u.o. notes are available in MHA file on which MHA intend to claim privelege. Therefore, our stand in respect of these two documents would be similar to the position as explained in our Affidavit referred to above.

[Archana Ranjan]
Director

07
2

Shri Mukesh Mittal , Deputy Secretary (ISD), MHA
PMO U.O. No. 915/11/C/2/2000-Pol dated March 20, 2001



73/R

REGISTERED WITH A/D

From : Tarakeswar Pal, 197
Advocate
HIGH COURT CALCUTTA
Bar Association Room No. 5
Phones : 248-3190/3169
Fax: (033) 248-2313
E-mail : barasohc@cal.cmc.net.in
Residence :

Senior Counsel to the Government of India
in Justice Mukherjee Commission.

To
Ms. Archana Ranjan,
Director,
Prime Minister's Office
South Block,
New Delhi - 110 011

April, 6, 2001

12

Dear Madam,

Re. : Proceedings before the Hon'ble Justice
Mukherjee Commission at Calcutta
And
Status Report of the Commission dated
2nd April, 2001.

After hearing on 4th April, 2001, may I address you on
the above Status report as follows :

1. The Hon'ble Commission by its proceedings dated 23rd March,
2000, 13th June, 2000 and 31st August, 2000 asked for several files
and records, as follows :-

- i) Files Nos. 1-A, 2-A, 3-A, 6-A, 8-A, 12-A, 16-A (V.O.
Note No. D/S-86-6, dated August, 24, 1953, from P.M.'s
Secretariat to Mohd. Yunus, MEA (SEA, BR).
- ii) File Nos. 17-A (V.O. Note No. D.3788 - 8EA/53 dated
August, 27, 1953, from Mohd. Yunus, US, MEA (SEA) to
P.M.'s Secretariat.
- iii) File No. 27-A (Memo No. 2/53/1971/3/601 151) dated
October 13, 1953, from Mohd. Yunus US, MEA (SEA) to
P.M.'s Secretariat.
- iv) File No. 33-B (letter No. 20/62 Accts. dated April 82
Sic., 1954, from the Joint Secretary, I.N.A., (Enquiry
and Relief Committee, 82, Daryaganj, Delhi to the President)
- v) File No. 34 A (Rajya Sabha's Starred question No. 60
dated Sept. 28, 1954),
- vi) File No. 35-B (Note for Supplementaries).

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17/4
US (Pol)

BS&DIR(A) G
17/4

contd. ... 2



(2)

From : Tarakeswar Pal

Advocate

HIGH COURT CALCUTTA

Bar Association Room No. 5

Phones : 248-3190/3169

Fax: (033) 248-2313

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

Residence :

Senior Counsel to the Government of India
in Justice Mukherjee Commission.

- PMO*
- vii) File No. 37-A (Lok Sabha Starred question No. 334 dated August, 2, 1955) with 37-BCD (Enclosures to S. No. 37A) and Notes 11, 12, 13, 14, 15, 18, 19, 23, 24, 25, 26 and 29 in File No. 23 (156)/51-P.M. (Indian National Army (INA) in the Far East.
 - viii) File No. 23(11) - 56-57 PM (INA Treasure),
 - ix) File No. 12(226)/56 P.M. (Investigation into the circumstances leading to the death of Subhas Chandra Bose) ;
 - x) File No. 249 INA - GHQ^S case, Bose and Russia, and 249-INA-II (H) GHQ Case on Subhas Chandra Bose.
 - xi) Headquarters Main File 279/1 INA 10 Misc,
 - xii) Headquarters Main File 273/INA (Misc. INA)
 - xiii) Headquarters Main Files 273/INA, 138-INA, ²⁶⁵256-INA and 10 Misc. INA.

2. The Hon'ble Commission in its proceeding A(II) dated 31st August, 2000 wanted to know the details of destroying of files asked for.
any

3. Your office has sent to the Hon'ble Commission the Xerox copies of following files :

- Not Pano file*
- a) 23(156)/51-P.M. of item No. (vii) of Para 1 above.
 - b) 23(II)-56-57 P.M. being item No. (viii) ibid.
 - c) 249-INA of item No. (x) ibid.
 - d) 138-INA and ~~256~~ 265-INA of item No. (xiii) ibid.

4. The filing of those documents require to be filed by Affidavit by an officer not below the rank of a Joint Secretary, and no explanation as to destroy of any file has also been filed.

5. In view of above you are requested to do the following :-

- x13/c*
- i) Kindly send me a copy of ^{covering} ~~Couring~~ letter sent with the xerox copies of said files to the Hon'ble Commission for appraisal of the matter.

contd. ... 3



(3)

1999
From : Tarakeswar Pal,
Advocate
HIGH COURT CALCUTTA
Bar Association Room No. 5
Phones : 248-3190/3169
Fax: (033) 248-2313
E-mail : barasohc@cal.cmc.net.in
Residence :

Senior Counsel to the Government of India
in Justice Mukherjee Commission.

ii) Kindly arrange Affidavit by the Joint Secretary (to be filed before the Hon'ble Commission) - with the following facts :-

- already given*
- a) ^{re} ~~discovering~~ the records as sent to the Hon'ble Commission with authenticity thereof, and,
- b) details of the documents/files/records relevant to the term of the Commission destroyed giving the details as to why, when and where those were destroyed, and, giving details wheather any copy of those destroyed documents/files/records is available or kept. ;

iii) Kindly send the remaining files/records as mentioned in the foregoing paragraph No. 1 with Affidavit or report on the availability or non-availability of those files/records with such Affidavit.

6. Before filing the Affidavit the matters be briefed for appraisal of the whole thing done.

Thanking you,

Yours faithfully,

Tarakeswar Pal

(TARAKESWAR PAL)
ADVOCATE

Senior Counsel to the Government of India
in Justice Mukherjee Commission.

→
79/c

By Speed Post

74/c

200

PRIME MINISTER'S OFFICE

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

dated: 27-4-2001

To,

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

Subject: Proceedings before the Hon'ble Justice Mukherjee Commission at Calcutta and Status Report of the Commission dated 2nd April, 2001.

Sir,

73/R

The undersigned is directed to refer to your letter dated 6.04.2001 on the subject noted above and to state that the course of action suggested by you in para 5 of your letter is not clear. Except files at Sl.No. (vii), (viii) & (ix), other files/documents referred to in para 1 of your letter do not pertain to this office. Hence, we have no access to these documents. The aforesaid PMO files have already been made available to the Commission vide this office letter of even number dated 4.7.2000.

13/c

The necessity of filing another Affidavit regarding destruction of files/documents is not clear because in para 10 of the Affidavit already filed by this office before the Commission mention has been made about the files/documents which had been destroyed. The reason for destruction have also been mentioned in the said para.

In view of the position explained above we may kindly be informed whether there is still any need to file another Affidavit on facts which have already be^{en} sworn before the Commission by way of an Affidavit.

Yours faithfully,

Alok
[Alok Mukhopadhyay]
Under Secretary(Pol)

27/4

o/c back to us(Pol)

25/4

msd
22/4



S.No 75/R

From : Tarakeswar Pal,

Advocate

HIGH COURT CALCUTTA

Bar Association Room No. 5

Phones : 248-3190/3169

Fax : (033) 248-2313

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

Residence :

Senior Counsel to the Government of India in Justice Mukherjee Commission.

REGISTERED WITH A/D

May, 9, 2001

To
Ms. Archana Ranjan,
Director,
Prime Minister's Office,
South Block,
New Delhi - 110 011

Dear Madam,

Re. : Proceeding before the Hon'ble Justice Mukherjee Commission,

74/c
73/R

and
Your Letter No. 915/11/C/2/2000 Pol dated 27.4.2001 in reply to my letter dated 6/12.4.2001.

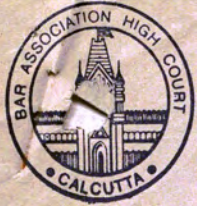
In reference to above it is to say that Xerox copies of several files have been sent from your Office to the Commission. In Para 3 of my ~~letter~~ abovementioned letter, I have given the list of such files xerox of which you have sent to Commission. In Para 5 of my abovementioned letter I wanted to have a copy of Your forwarding letter while you sent those xerox of copies of files to the Commission (by (i) of Para 5 of my said letter).

2. By item (a) (ii) of Para 5 of my said letter I want to Communicate that as you have filed Xerox copies of the said files to the Commission, you are to make an Affidavit to that effect stating, inter alia, that the said xerox copies of those files (as sent to Commission) are true copies of original file & those are authentic. Other files are not with the P.M.O. In the same affidavit you are also to state wheather other files (as of Para 1 of my said letter) are available, with your office. If not, where those files are available. Along with these you are also to state details of destruction of any file stating - why, when and where these were destroyed - in case such files (except as stated in Para 10 of Affidavit by Sri Jarnail Singh) had been destroyed. You are also to say wheather any notes or copies of such destroyed file (except as that one - if any) available and those available records are to place before the Commission. Apart from all these if any such other file is with your office (of the said Para 1 of my said letter) you are to starte as to such file and place it before the Commission.

PL spe
a
16/5
hs (Pal)

contd. ... 2

S. J. D. B. (A) C/O
16/5



- 2 -

From : Tarakeswar Pal. 202

Advocate

HIGH COURT CALCUTTA

Bar Association Room No. 5

Phones : 248-3190/3169

Fax : (033) 248-2313

E.mail : barasohc @ cal. cnc. net. in

Residence :

Senior Counsel to the Government of
India in Justice Mukherjee Commission.

May, 9, 2001

3. However, no copy of letter dated 4.7.2000 is ~~not~~ with me. Kindly send a copy thereof. *Please send me such copy.*

4. With this occasion, may I say that for early communication Regd. letter to me may kindly be sent to my office address : Room No. 5, Bar Association, High Court, Calcutta, and in all other cases of unregistered letter, the same may be sent to my residence : 'Purnasasi,' 33, Asoke Avenue, Calcutta - 700 040.

Thanking you,

Yours faithfully,

Tarakeswar Pal

(Tarakeswar Pal)
Advocate

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

203 ✓

No. JMCI/Meeting-Hearing/99-2000/57/87(60)

Calcutta, dated, the 22nd May 2001

Under Certificate of Posting

NOTICE

The undersigned hereby informs all concerned for their information and necessary action that Shri P.K. Sengupta, Secretary of the Commission, has been appointed by the Hon'ble Chairman of the Commission as Commissioner for recording the evidence of Dr. (Col.) Lakshmi Sehgal, ex-I.N.A., residing at 15/241 Civil Lines, Kanpur 208001, U.P., at the Government Circuit House, Kanpurnagar, Kanpur on June 4, 2001 (Monday) at 11.00 A.M. and that if the recording of her deposition is not completed on 4.6.2001 the recording will be resumed on June 5, 2001 Tuesday) at 11.00 A.M. at the same place.



(M. Roy)

Officer on Special Duty

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

Due to
Jan 28/5
An 29/5
hs (Post)
6018/03/05/09
29/5
P-111

Fax : 0091-033-252-2765

*

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

618/DIA (A) / C
29/5

204

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

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Officer on

Special Duty -- 252-2765

Office -- 252-2766/68

No. JMCI/Meeting-Hearing/99-2000/57/107(60)

Calcutta, dated, the 28th May 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
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 June 13, 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. Mr. Mubarak Mazdoor, 18/2A, Balu Hakak Lane, Park Circus, Calcutta 700 017
2. Smt. Prova Jagannathan, Correspondent, The Economic Times, New Delhi.
3. Shri Asoke Ghosh, General Secretary, West Bengal Committee, All India Forward Bloc, 49A&C Chitta Ranjan Avenue, Calcutta 700 012

Yours faithfully,



(M. Roy)

Officer on Special Duty

Recd (A)
4/6
4/6
45 (Pol)
P-III
4/6

205

Through Fax FAX NO.033-471-1204 / 033-248-2313 .
PRIME MINISTER'S OFFICE

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

dated: 27th August, 2001

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.

Subject: 1) Written advice including advice on evidence in respect of Averments/Contentions/Allegations of the deponent Sri Usha Ranjan Bhattacharjee in his affidavit dated 5th march, 2000 concerning Govt. of India.

2) Written advice including advice on evidence as to the averments/Contentions/Allegations made in the Affidavit by 1) Subrata Bose, 2) Smt. Chitra Ghosh and 3) Shri Supriyo Bose, before the Hon'ble Justice Mukherjee Commission.

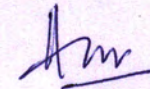
Sir,

The undersigned is directed to refer to your above referred letters dated 1.8.2001 and 2.8.2001 and to state that this office has no additional information/new inputs to furnish with regard to the paras 3(h) and 5 (a) of the above referred letters respectively:

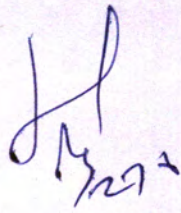

In view of non availability of any additional information/ material w.r.t. paras 3(h) and 5 (a) of your above referred letters this office may be informed by return FAX whether we still need to file yet another Affidavit stating the above fact.

An early response will be very much appreciated.

Yours faithfully,



(Alok Mukhopadhyay)
Under Secretary (Pol)
Tel. No. 301 0976
FAX No. 301-6857
301-9545



Subject: Application under RTI for papers relating destruction of File No.12(226)/56-PM about 'Investigation into the circumstances leading to the death of Netaji'

Shri Anuj Dhar of Netaji Mission, Vikas Puri, New Delhi has sought above information under the Right to Information Act. Administration has accordingly called for the relevant record

2. The File No.12(226)/56-PM, containing Agenda Paper/Cabinet Decision, was destroyed in 1972 during the course of routine review/weeding of old records. A letter, No.915/11/C/2/2000-Pol dated 4.7.06 [Flag-A], to this effect was issued to Secretary, Justice Mukherjee Commission of Inquiry.

2.1 On 21.9.2006, Secretary of the Commission was again informed [Flag-B] that no order as such regarding destruction of files/documents located. A photocopy [Flag-C] of page 151/cors of another file was however forwarded to them which indicated that File No.12(226)/56-PM was destroyed on 6.3.1972. Photocopy [Flag-D] of File Register was also forwarded to them.

2.2 It was also confirmed to the Commission through an affidavit dated 22.9.2000 [Flag-E] that File No.12(226)/56-PM, which contained Agenda Paper/Cabinet decision, was destroyed in 1972 in the course of routine review/weeding out of old records.

3. It may be seen that the petitioner is not only aware of the exact File Number & Subject, but also the fact that the file has been destroyed. How he has acquire this information, is not known.

4. In view of the above, it would be in fitness of things that a copy of office note of Page-151/cors, i.e. Flag-C, is provided to the petitioner with a reply in the following manner:

"The File No.12(226)/56-PM about 'Investigation into the circumstances leading to the death of Netaji, has been destroyed in 1972 during the routine review/weeding of old records. A photocopy of office note is enclosed in this regard. No other office records are available about the destruction of the said File."

Submitted for consideration please.

(Signature)
(S. K. Singh)

Section Officer-Pol

30.8.2006

~~DS(A)~~
~~JS(M)~~

Paragraph 4 may be approved by

(Signature)
30/8/06

~~DS(A)~~
~~JS(M)~~

Sanjay Mitra
30/8

(Signature)
31/8

A clear copy of note is attached. May pl. see for final

(Signature)
31/8

IO J's OFFICE
D. No. 5063
D. No. 30-8-06

5857/JSM/906

3129/DSA/G/02 ✓ SO (Admin)

(151)

Please check what files
on the subject there are in
Political Section

S.P. Khanna

3.7.72

2/3/72
all
P.M.

The only files available in
this Section, on the subject, are placed
below. There was another file bearing
No. 12/226/56-P.M. with the subject "
Investigation into the circumstances leading
to the death of Shri Sulekha Chandra Bose"
but this was destroyed on 6-3-72 during
the process of weeding

SSA
6/7

(Vol. I + II only of the file placed below contain
papers pertaining to Panditji's trial)

W.S.
6-7-72

~~SSA~~

Thanks

10.7.72 S.P. Khanna

Index

- ① Affidavit (MWA) sno - 25/c
- ② — do — (PWA) 60/c
- 3 20 files issued to Commission vide sno 13/c
4. 10 — do — vide sno - 17/c
- 5 Indian evidence Act 1872 vide sno 24/c
interim reply at 41/c
- 6 Corrs with Govt. of Orissa sno - 22, 46, 53, 72
7. — do — West Bengal sno 25, 36/c
(Reply)