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SPEECH OF HON'BLE MR. JUSTICE VIJENDER JAIN, CHIEF JUSTICE, PUNJAB AND HARYANA HIGH COURT ON THE OCCASION OF RELEASE OF BOOK 'THE HEROES OF CELLULAR JAIL' ON 23.3.2007 AT LAW BHAWAN, CHANDIGARH

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His Excellency- Governor of Haryana; Hon'ble Justice J.S.Khehar; Hon'ble Justice S.N.Aggarwal, my esteemed colleagues- Hon'ble Judges of the Punjab and Haryana High Court; Brig. Gurbinder Singh, one of those great freedom fighters, who was arrested when he was 16 years old in 1942 with quit-India movement and was kept in Borstal Jail in Lahore and we deem it a great privilege to have him amidst us today; Mr.Toor, Chairman of the Bar Council; Mr. Lekh Raj Sharma; Secretary of the Bar Council; Mr.Anmol Rattan Sidhu, President, High Court Bar Association; distinguished members of the audience; Advocate General of Punjab- Shri Mattewal; Advocate General of Haryana- Shri Hooda; former Judges; members of the legal fraternity and distinguished members on the stage and students.

When I came to know that Justice Aggarwal had written a book "The Heroes of Cellular Jail" and that book was sold, second or third edition was coming, he came to me and said Chief Sahab, he would like that I should release this book and wanted this book to be released in our Judges' lounge, such a modest person.

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When I went through his book, I told Justice Aggarwal that he has done a human service not only to the inmates of the cellular jail; not only to their indomitable spirit and not only to the cause of those patriots who laid down their lives, but to the cause of Judges itself, because as a sitting Judge, to my knowledge, perhaps he is the only Judge, who has written something about the great Saga of freedom movement of this country. I told Justice Aggarwal that it is a matter of great pride and privilege for the persons belonging to the legal community; lawyers and the Judges to honour a fellow Judge from our Court and it must be made known to the public because he was posted as a Judicial Officer there. How many people have been posted in Andaman and Nicobar Islands and how many people have produced the book? That makes the distinction and the difference between his work. While working as a Judicial Officer, he was so much concerned about the lives of the inmates of the cellular jail with judicial conscious spirit. The way he has described the brutality; the desire of the occupiers to break the will of the patriots in cellular jail is something, that when I started reading, I could not stop it. A very striking feature of the book is, that it not only narrates as to what happened inside the jail, but it talks about the pitiable conditions of the prisoners. He has narrated historical background of the movement and perspective as to what had taken shape and how these people were sent to Andaman and Nicobar Islands. I found very interesting, some of

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the observations, which he has made, that revolutionaries were not treated as political prisoners. They were called 'seditionists' or 'anarchists'. Cellular Jail was dedicated to the Nation on 11.2.1979 by the then Prime Minister Morarji Desai. The jail marked its centenary on 10th March, 2006. Justice Aggarwal has described that it has been a long journey for the jail- from a torture machine to a National Memorial, from a dreaded prison to a place of pilgrimage.

In Chapter 4, the author deals with Pre-Ghadr Deportation in the aftermath of Land Colonisation Act, 1907. How Lala Lajpat Rai, Ajit Singh (uncle of Shaheed-i-Azam Bhagat Singh) led the movement, which was joined by Sufi Amba Prasad, Pindi Das and other patriots, who formed Bhagat Mata Society (Anjuman Mohabat-e-Vatan). What was the impact of Banke Dayal's '*Pagri Sambhal Jatta*' touched the hearts and minds of the people of Punjab. He has gone in detail to tell about how the foundation of revolt against British colonialism took place.

When even shouting of 'Vande Mataram' brought penal action so as to deport prisoners to jail and a young Sushil was sentenced and beaten up, which generated hatred in the mind of Khudiram Bose, who was later on executed on 19.8.1908. He was the earliest martyr of the century. He has quoted Shanti Narain Bhatnagar of Shamli (U.P.) who was born in Shimla and educated in Lahore and who had started a weekly

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'The Swaraj' which was released on 9.11.1907. He depicted the cries of the mother of Khudiram Bose over the dead body of her patriot son in the following words:

"You gave your life on the gallows

With smiles on your lips !

Did I bring you up for this day ?"

He also exhorted the youth:

"Give up fear even if it costs Your life !

God helps those who love their motherland!

Justice Aggarwal has taken great pain to take us back to the history of freedom movement, when he talks that after Shanti Narain, who was the editor of Swaraj, the next incumbent. My Lord Justice Rajive Bhalla would be happy to know, was Babu Ram Hari from Quadian. He was from Gurdaspur District. Chapter 5 deals with Ghadrites and Deportation and he has given a picture how in 1903, people started moving from Doaba to America and Canada and it was that kind of apathy and attitude, which resulted into people like Sohan Singh Bhakna, G.D.Kumar and Pt. Kanshi Ram to come together and formulate Ghadr party later on and a weekly organ Ghadr was started in Urdu and Punjabi. He has taken great pain in narrating in sequence, which you once start reading, it is very difficult to stop. A great detail which he has made is about Kamagatamaru. The Kamagatamaru ship left Hong Kong on 4.4.1914 and reached the waters of Vancouver on 23.5.1914.

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The passengers were not permitted by the Canadian authorities to step on the land. Kamagatamaru reached the shores of Calcutta on 27.9.1914, where Britishers had denied their landing. They started firing. How many people were killed? How many people were hanged ? How many people were missing? How many people were detained? How many were sent to Andaman and Nicobar Islands? Another thing, which has touched, atleast me to a great extent, is the narration of an incident of one of the patriots, namely, Mahabir. He did not take anything. He died. The inmates of the cellular jail went on hunger strike. They said that they will not eat anything. When news went after a month or so, Jawahar Lal Nehru, Mahatma Gandhi and others in our country, all in unison, said that atrocities must stop in Kalapani Andaman and Nicobar Island, but the feeling at that time, because of communication gap, was that perhaps those inmates of cellular jail wanted repatriation to the main land and Justice Aggarwal has beautifully described this, because once Gandhiji sent a message to the prisoners, they took a decision agreeing to the call of Mahatma Gandhi to break the hunger strike. How the author has described it in the following words:

“The political prisoners were pained to learn from the messages received b y them that the purpose of their hunger strike was wrongly understood as confined to their repatriation

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alone, while they had started the fight on larger issues of national level.”

I would only like to say that in the end, Justice Aggarwal has discussed in detail the brutalities and assaults committed by the Japanese after they took over Andaman and Nicobar Islands from 1942 to 1945. It is an interesting reading. In the last, I would commend Justice Aggarwal for his wonderful work. You have inspired a whole lot of young generation and you have reminded me of an urdu couplet, which almost all the revolutionaries used to recite and I recite for our Hon'ble Governor:-

अगर इज़हारे इस्तरदाद के मायने बगावत है ।
अगर मज़लूम की फरियाद के मायने बगावत है ।
तो मैं एक बागी हूँ मेरा मज़हब बगावत है ।
बगावत का खुला पैगाम जवानों को देता हूँ । ।