

Regarding the LCC Ordinance

Bhagat Singh

2nd May, 1930

To

His Excellency 2nd May, 1930
The Governor – General of India,
Simla,

Sir,

The full text of the special Ordinance to expedite our trial has been read over to us. To Tribunal has also been appointed by the Chief Justice of the Punjab High Court of Juridicature. We welcome the news. We could have kept silent, had you not referred to our attitude adopted so far in this case, and thus tried to throw the sole responsibility on our shoulders. In the present situation, we feel it necessary to make a statement to clear our position.

We have been marking from the very beginning that the Govt. authorities have always been trying to deliberately misrepresent us. After all, this is a fight, and the misrepresentation is and has always been the best instrument in the hands of the Govt. to meet their enemies. We have absolutely no grudge against this mean tactic. However, there are certain things the consideration of which is forcing us to make the following counter.

You have mentioned your statement issued alongwith the Lahore Conspiracy Ordinance, our hunger strike. As you have yourself admitted, two of us had begun the hunger strike weeks before the commencement of the inquiry into this case in the court of R.S Pt. Sri Krishan, Special Magistrate. Hence any man with the least common sense can understand that the hunger strike had nothing to do with the trial. The Govt. had to admit the existence of these grievances. When the Govt. made some gesture as to making certain arrangement for the settlement of this question, and Provincial Jail Enquiry Committees were appointed for the same purpose, we gave up the hunger strike. But at first we were informed that the question would be finally settled in November. Then it was postponed till December. But January also passed and there was not the least to indicate as to whether the Govt. was going to the do anything in this connection at all, or not. We feared that the matter was shelved. Hence the second hunger strike on 4th Feb., 1930, after full one week's notice. It was only then that the Govt. tried to settle this question finally. A Communique was published and we again gave up the hunger strike and did not even wait to see the final decision, in this connection, carried into effect. It is only today that we are realising that the British Govt. has not yet given u the policy of telling lies even in such ordinary matters as this. This Communique is in specific terms, but we find something quite contrary in practice.

Anyhow, this is not the proper place to discuss that question; we might have to deal with it later on, if the occasion arises. But what we want to emphasise here is that the hunger strike was never directed against the proceedings of the court. Such great sufferings cannot be invited and such great sacrifice cannot be made with that ordinary motive. Das did not lay down his life for such a trivial cause. Rajguru and others did not risk their lives simply to protract the trial.

You know thoroughly well, and everybody concerned knows it, that it is not hunger strike that has forced you to promulgate this Ordinance. There is something else the consideration of which confused the heads of your Government it is neither the protraction of the case nor any other emergency which forces you to sign this lawless law. It is certainly something different.

But let us declare once and for all that our spirits cannot be cowed down by ordinances. You may crush certain individuals but you cannot crush this nation. As far as this Ordinance is concerned, we consider it to be our victory. We had been from the very beginning pointing out that this existing law was a mere make – believe. It could not administer justice. But even those privileges to which the accused were legitimately and legally entitled and which are given to ordinary accused were legitimately and legally entitled and which are given to ordinary accused, could not be given to the accused in political cases. We wanted to make the Govt. throw off its veil and to be candid enough to admit that fair chances for defence could not be given to the political accused. Here we have the frank admission of the Government. We congratulate you as well as your Govt. for this candour and welcome the Ordinance.

In spite of the frank admission of your agents, the Special Magistrate and the Prosecution Counsels, as to the reasonableness of our attitude throughout, you had been confused at the very thought of the existence of our case. What else is needed to assure us of our success in this fight

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[The strategy of the LCC accused was to prolong the case and use the court as a platform for propagating the aims and objects of the revolutionary party. The government saw the game, and to expedite the proceedings, withdrew the case from the lower court, and promulgated an ordinance known as the LCC Ordinance No. 3 of 1930. Equipped with the Ordinance, it appointed a Special Tribunal of three High Court judges, handed over the case to it, empowered it to dispense with the witnesses and proceed with the case even in the absence of the accused. The Governor-General, while justifying the step, said that the accused were resorting to hunger strikes again and again and were making it impossible for the court to proceed. It was in this context that Bhagat Singh wrote this letter to the Governor — General to demolish his argument.]

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