

BOOK REVIEW

***The Destruction of Hyderabad.* A.G.Noorani. London: Husrt & Company, 2014. Pp. 338.**

The Destruction of Hyderabad is an exhaustive constitutional discussion by A.G. Noorani, an Indian lawyer, and a distinguished political author. His in-depth research delves into rare and unexplored archives, such as Sunderlal Mission report on Hyderabad, and its forcible accession to India. Sunderlal Mission Report was concealed for over fifty years and contains the record of the massacre of up to 40,000 Muslims in Hyderabad in 1948. A rational advocacy based on appendices of historical, diplomatic, and journalistic documents by the author entice political scientists to an impartial modern, and revisionists discourse.

A brave and 'forensic' examination of testimonies further justifies his balanced post-communal and post-nationalist thesis, and challenges the erstwhile narratives on Hyderabad. His humanist and intellectual approach reflects the need for indigenised South Asian culture and Islam in a South Asian context. He holds Jawaharlal Nehru, the then Prime Minister of India, and Vallabhai Patel, the then Deputy Prime Minister of India, responsible for ruining the course of independence of Hyderabad, with one being an Indian nationalist and the other a Hindu nationalist, thus laying the seeds of continuing communal and territorial tragedies. "They had split the responsibilities. Nehru did the running on the Kashmir question while consulting Patel who disagreed with his policies. Patel did the running on Hyderabad. Consultation with Nehru was not as close (xxi)." Patel's non-secular wish led to the ruinous path of shattering its rich social ethos, and served only to inflict the vibrant culture of Hyderabad. To Patel, it was an "ulcer in the heart of India" (p.15).

Hyderabad, known as the Ottoman of the subcontinent, was the largest and the most extensive among all the principalities of India, with a population of sixteen and a half million people living in 82,000 sq. miles' territory. It was established on the ruins of Qutb Shahi Kingdom of Golconda, and was taken over by Asif Jahis at the end of the Mughal rule in 1858. It slid into the British treaties after the Anglo-French contest over

Hyderabad. The rulers of Hyderabad were feudal overlords with the title of Nizam. The chapter, 'The Founding of the State' establishes the foundation of independent Hyderabad. The Nizam earned the title of 'His Exalted Highness' and 'the Most Faithfull Ally' in 1918. He however, rejected the title of the King, believing it to be considered disloyalty by the Muslims of his state.

The seventh and last Nizam, Mir Osman Ali Khan, at a farewell dinner to British Resident, Sir Arthur Lothian, reminded of the claim of Asif Jahis on August 14, 1947 during the eighteenth and nineteenth centuries, but failed to determine the future of his State "regardless of the wishes of his people (p.23)." There were several vital points before Hyderabad at that time: for instance, the status of Hyderabad, the question of securing the sea port, and the opportunity provided to the states by the partition.

The British left India with the "States free to claim independence." The author has written extensively on the Law of Paramountcy and the "enormity of fraud" it was compounded with, as exposed in the Butler's report. The withdrawal of the Law of Paramountacy had once again allowed them to renegotiate their relationship with the states of India and Pakistan. The Cripps Mission report had recognised the possibility of some states to stand out of the independent India, but this was not acceptable to the Indian National Congress who had regarded it as a scheme of "Balkanisation". Furthermore, since there were feuds between India and Pakistan, the leaders of both the countries also could not put forth any demand on these states, and the issues were left to the princes themselves.

The author has also accused (Quaid-i-Azam Mohammad Ali) Jinnah for instigating the Nizam for his suggestions to follow the examples of Imam Hussain. Noorani states that after the "visits of 1937 and 1939, Jinnah had won a place among the Muslims of Hyderabad as nothing less than their Quaid-i-Azam, a fact that the Nizam could not possibly ignore (p.68)."

On November 29, 1947, the Nizam of Hyderabad signed a 'standstill' agreement with the Indian Union for a period of one year. This was regarded as a step towards the state's accession to India. On the other

hand, the Nizam hoped that the agreement would help concentrate on the administration of the state rather than on the constitutional relationship between the state and the Indian Union. Already, Clause 7 of the Indian Partition Act provided the princes a leverage not to be bound by the Indian constitution as and when it was drafted, and Clause 8 guaranteed their autonomy in all areas in which authority was not expressly ceded to the Government of India.

The mention of 'Razakar Movement', supported by the Majlis Ittehad-ul-Musalmeen and led by Kasim Rizvi as a representative of eleven per cent Muslims living in Hyderabad, is also given its due share in the book. The movement had helped the Nizam to relentlessly demand for a self-governing independent state in accordance with the Indian Independence Act. This was refused by the Indian Union.... "the Congress would like Hyderabad to enter the Constituent Assembly and ultimately join the Union. Jinnah wanted Hyderabad not to enter either of the Constituent Assemblies but declare its independence (pp.138-139)."

Noorani, in his writing, has condemned the wicked role played by Sardar Vallabhai Patel, who insisted on Hyderabad's merger into the Indian Union by imposing economic sanctions on a landlocked state to tighten the noose around its neck. Patel had no respect for the composite culture of Hyderabad. Quoting from the diary of Maniben, the daughter of Patel, the author says, "On August 21, Patel threatened to resign if army was not sent to Hyderabad." Furthermore, Patel believed that the Muslim officials were bound to be disloyal even if they would opt for India and therefore should be dismissed from their official status. The communal polarisation, therefore, was laid out long ago in the politics of India.

On September 10, 1948, the Nizam, who was initially reliant on the British, sent Nawab Moin Nawaz Jung to the Security Council to represent Hyderabad's case before the United Nations, "since Article 35 (2) enables a non-member state of the United Nations to bring to the Council's attention or to the General Assembly any dispute to which it is party, if it accepts in advance the obligations of pacific settlement provided in the Charter (p.251)." The act was taken as defiance by India. All channels of communication were severed and on September 13, 1948, the Indian

Army initiated its police action known as 'Operation Polo' against Hyderabad, leading to the complete destruction of Hyderabad, and the massacre of its people, with the help of an entire armoured division. On September 18, 1948, the Indian army entered Secunderabad Cantonment and military rule was declared. The author has questioned the legitimacy of the police action, and has called it an 'invasion' towards a destructive course. Noorani argues that the gradual accession of Hyderabad would have left lesser agonising memories. In the same vein, he has compared the police action taken in Goa in 1984, which was much steadier. He however, has appreciated Nehru's disagreement on the police action.

The deception in the appointment of Osman Ali Khan as the 'Rajpramukh' of Hyderabad after the police action, to pretend the smooth transition, and to pacify the feelings of proud Hyderabadis, is discussed as a sequel of annexation by Noorani in his critical analysis of the events and the result of the Nizam's poor statesmanship. The redrawing of Hyderabad on linguistic lines is also described as a clandestine work on the basis of the so-called territorial nationalism, in the later part of his book. The withdrawal of 'privy purse' of monarchs and royal families by Indira Gandhi in 1972 also receive support from a wealth of memoirs consulted by the author.

The last pages of the chapter 'At the United Nations' also reveals obtrusive investigation on the controversy of Hyderabad Funds. On June 26, 1948, the Nizam issued a 'Firman' by earmarking the credit of £1,007,940 at Westminster Bank, under the title of "Government of Hyderabad". Moin Nawaz and Mir Nawaz Jung Bahadur, the Nizam's Agent-General in London had the powers to operate the account. "On September 16, Mir Nawaz called on Habib Rahimtoola, a former Bombay businessman, and then Pakistan's High Commissioner in London..... and asked him to accept a transfer of the funds'. Habib Rahimtoola accepted the transfer on the advice of the then Foreign Minister of Pakistan, Sir Mohammed Zafarullah, Habib Rahimtoola though he, in his statements during investigations, professed ignorance on whether the money belonged to the Nizam or the State. This was followed by the instructions given by Moin to the Westminster Bank to close the Nizam Government's account and confirmed the specimen signatures of Rahimtoola under the

title 'Habib Ibrahim Rahimtoola, High Commissioner for Pakistan in London'. The letter was delivered to the Bank by hand on September 20, three days after the defeat of the Nizam. Soon, the cables were routed through the Government of India in reaction to the re-transfer of the account. On September 28, a request was sent by the Nizam himself. When Rahimtoola was replaced by Mr. M.A.H. Isphahani, Pakistan's High Commissioner in London, Rahimtoola requested the Bank to transfer the debt to his name. This was refused by the Bank, and soon the Government of India filed a suit in England against Moin Nawaz, Rahimtoola and the Bank for recovery of the money with interest. Since there was no breach done by either Moin or Rahimtoola legally, the transaction was considered inter-governmental and therefore to be solved in inter-governmental negotiations, in a ruling in July 1956. The Appellant Court, however, gave a unanimous decision in favour of the Nizam who had denied the orders regarding the transfer of money in favour of Rahimtoola on an affidavit.

The decision of Court of Appeal was once again reversed by the five judges of the House of Lords unanimously in November 1957, and held Pakistan as a "legal owner of the funds without having the 'equitable title' or 'beneficial interests' which vested in the Nizam. The latter could displace the former by litigation, but Pakistan as a sovereign state, refused to participate in the exercise altogether (p.268)."

The issue had remained crucial in the talks between India and Pakistan, and eventually in 1960, was settled on sharing the amount with the ratio of 40:60. Both the countries jointly submitted a letter to the Westminster Bank on November 15, 1960. The request has been rejected by the bank on the basis of the instructions filed by the Nizam to The Nova Scotia Company (Bahamas) Limited, as a trustee of the fund for his two grandsons, and other family members. The Nova Scotia Bank has given a formal notice in regard to their interest in the fund to the Westminster Bank (p.268).

With this background in place, authenticated by the research documents of a leading lawyer of India, the recent direction by a UK court to pay 1,50,000 pounds to India as legal fees in the 67-year-old Hyderabad funds case involving the Nizam's money, looks malign and unreasonable.

The court has denied the ‘sovereign immunity’ to Pakistan in this case, and termed Pakistan’s behaviour as “unreasonable”. The sum of ‘Hyderabad Funds’ is currently valued as 35 million pounds.

The book, overall, reaffirms the accounts on the bloodiest partition. Noorani’s reconstruction of the political manipulation exposes the bureaucratic handling of Hyderabad, and the book is packed with information, documents, reports and letters, which makes it a difficult read. There is very little mention of the grandeur and elegance of Hyderabad’s culture in which its people had lived with pride, though the author strongly advocates the strength in cultural affiliations.

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