

Glaring Cases of Moral Lapses Amongst Officers Posted in East Pakistan

(1) Lt. Gen A.A.K. Niazi

14. In the Main Report we have mentioned the allegations, and the evidence relating thereto as regards the personal conduct of Gen Yahya Khan, Gen. Abdul Hamid Khan the late Maj Gen (Retd) Khuda Dad Khan, Lt. Gen A.A.K. Niazi, Maj Gen Jehanzeb and Brig Hayatullah. We wish to supplement those observations as regards Lt. Gen Niazi.

15. From a perusal of Paragraphs 30 to 34 of Chapter 1 of Part V of the Main Report, it will be seen that the graveness of the allegations made against Lt. Gen. Niazi is that he was making money in the handling of Martial Law cases while posted as G.O.C Sialkot and later as G.O.C and Martial Law Administrator at Lahore; that he was on intimate terms with one Mrs. Saeeda Bukhari of Gulberg, Lahore, who was running a brothel under the name of Seniorita Home, and was also acting as the General's tout for receiving bribes and getting things done; that he was also friendly with another woman called Shamini Firdaus of Sialkot who was said to be playing the same role as Mrs. Saeeda Bukhari of Lahore; that during his stay in East Pakistan he came to acquire a stinking reputation owing to his association with women of bad repute, and his nocturnal visits to places also frequented by several junior officers under his command; and that he indulged in the smuggling of Pan from East Pakistan to West Pakistan. These allegations were made before the Commission by Abdul Qayyum Arif (witness No. 6), Munawar Hussain, Advocate of Sialkot (Witness No. 13), Abdul Hafiz Kardar (Witness No. 25), Maj Sajjadul Haq (Witness No. 164), Squadron Leader C.A Wahid (Witness No. 57) and Lt. Col Haliz Ahmad (Witness NO. 147).

16. During the present phase of our inquiry damaging evidence has come on the record regarding the ill repute of General Niazi in sex matters, and his indulgence in the smuggling of Pan. A mention may be made in this behalf of the statements made before us by Lt. Col. Mansoorul Haq (Witness No. 260), ex GSO-I, 9 div. Lt Cdr. A.A. Khan (Witness No. 262), of Pakistan navy, Brig I.R Shariff (Witness No. 269) former Comd. Engrs. Eastern Command, Mr. Mohammad Ashraf (Witness No. 275) former Addl. D.C. Dacca, and Lt. Col. Aziz Ahmad Khan (Witness No. 276). The remarks made by this last witness are highly significant: "The troops used to say that when the Commander (Lt. Gen. Niazi) was himself a raper, how cold they be stopped. Gen. Niazi enjoyed the same reputation at Sialkot and Lahore."

17. Maj Gen Qazi Abdul Majid Khan (Witness No. 254) and Maj Gen Farman Ali (Witness No. 284) have also spoken of Gen Niazi's indulgence in the export of Pan. According to Maj Gen Abdul Majid, Brig Aslam Niazi, commanding 53 Bde, and Senior Superintendent of Police Diljan, who was residing with Gen Niazi in the Flag Staff House at Dacca, were helping Gen Niazi in the export of Pan. Maj Gen Farman Ali has gone to the extent of stating that "Gen Niazi was annoyed with me because I had not helped him in Pan business. Brig Hamiduddin of PIA had complained to me that Corps Headquarter was interfering in transportation of Pan to West Pakistan by placing limitation on poundage. I told ADC to Gen Niazi, who visited me in my office, that this was a commercial matter and should be left to the arrangements arrived at between PIA and Pan exporters." We understand that the insinuation is that a son of Gen Niazi was engaged in the export of Pan from East Pakistan to West Pakistan. According to Major S.S. Haider (Witness NO. 259) and Brig Atta Mohammed (Witness No. 257) even Brig Baqir Siddiqui, Chief of Staff, Eastern Command, was a partner of Gen Niazi in the export of Pan.

18. The allegations mentioned in the preceding paragraphs were put to Lt. Gen. Niazi during his appearance before us, and he naturally denied them. When asked about his weakness for the fair sex, he replied, "I say no. I have been doing Martial Law duties. I never stopped any body coming to see me. I became very religious during the East Pakistan trouble. I was not so before. I thought more of death than these things."

19. As regards the allegation that he was indulging in the export of Pan, he stated that he had ordered an enquiry into the matter on the complaint of a man called Bhuiyan who was aggrieved by the monopoly position occupied by the Pan exporters. He alleged that in fact Brig Hamiduddin and PIA staff were themselves involved in the smuggling of Pan.

20. From the mass of evidence coming before the Commission from witness, both civil and military, there is little doubt that Gen. Niazi, unfortunately, came to acquire a bad reputation in sex matters, and this reputation has been consistent during his postings in Sialkot, Lahore and East Pakistan. The allegations regarding his indulgence in the export of Pan by using or abusing his position in the Eastern Command and as Zonal Martial Law Administrator also prima facie appear to be well-founded, although it was not our function to hold a detailed inquiry into the matter. It is for the Government to decide whether these matters should also form the subject of any inquiry or trial which may have to be ultimately held against this officer.

(2) Maj Gen Mohammad Jamshed, former GOC 36 (A) Division, East Pakistan

21. Col. Bashir Ahmad Khan (Witness No. 263) who was posted as DDML, Eastern Command, stated before the Commission that the wife of Maj Gen Jamshed Khan had brought some currency with her while being evacuated from Dacca on the morning of 16th of December 1971. He further alleged that Lt. Col Rashid, Col. Staff of the East Pakistan Civil Armed Forces, commanded by Maj Gen Jamshed Khan, was also reported to have been involved in the misappropriation of currency. It further came to our notice that the General had distributed some money among persons who left East Pakistan by helicopters on the morning of 15th or 16th of December 1971.

22. An inquiry was made from Maj Gen Jamshed Khan in this behalf, and his reply is as under:

The total sum involved was Rs 50,000 which I had ordered to be drawn from the currency that was being destroyed under Government instructions and the total amount was distributed by the officers detailed by me and strictly according to the instruction/rules and regulations to the Binaries and Bengalis, informers, and to the needy on night 15/16th December 1971.

A secret fund was placed at my disposal by the Government of East Pakistan for the purpose of payment of rewards and purchase of information and in this case the expenditure was from the secret fund at my disposal. This fund was non-auditable. The money given to the needy families who were dispatched by helicopters on the night of 15th/16th December 1971 was from the EPCAF Director General's Fund. I was the sole authority to sanction from this fund and considering the circumstances under which this expenditure was made I had no intention to recommend recovery from persons concerned.

From the above clarification it will be appreciated that there was no requirement to furnish details of the above expenditure to any accounts department.

23. We regret we cannot regard the reply given by Maj. Gen Jasmhed as satisfactory. Even though the funds disbursed by him may not be auditable in ordinary circumstances, it would have been appropriate and advisable for him to supply such information as was possible for him to do in the circumstances once the question of the disposal of these funds had arisen on the basis of information supplied to the Commission by officers who heard of these transactions in East Pakistan and later in the prisoners of war camps. We suggest, therefore, without necessarily implying any dereliction on the part of the general, that the matter should be enquired into further so that the suspicion surrounding the same is cleared in the General's own interest.

(3) Brig Jehanzeb Arbab, former Commander 57 Brigade.

(4) Lt. Col. (Now Brig) Muzaffar Ali Khan Zahid, former CO 31 field Regiment.

(5) Lt. Col. Basharat Ahmad, former CO 18 Punjab

(6) Lt. Col. Mohammad Taj, CO 32 Punjab

- (7) Lt. Col Mohammad Tufail, Col 55 Field Regiment
(8) Major Madad Hussain Shah, 18 Punjab

24. The evidence of Maj Gen Nazar Hussain Shah (Witness No. 242 GOC 16 Div, Maj Gen M.H Ansari (Witness NO. 233) GOC, 9 Div, as well as of Brig Baqir Siddiqui (Witness No. 218) Chief of Staff, Eastern Command, disclosed that these officers and their units were involved in large scale looting, including the theft of Rs. 1,35,00,000 from the National Bank Treasury at Siraj Gaj. This amount was intercepted by a JCO at the Paksi Bridge crossing when it was being carried in the lower part of the body of a truck. The driver of the truck produced a chit reading "released by Major Maddad". We were informed that a Court of Inquiry was conveyed under the Chairmanship of Maj Gen M.H Ansari who had recorded some evidence, but could not complete the inquiry owing to the outbreak of war.

25. The GHQ representative was not able to inform us as to what action had ultimately been taken by GIHQ in respect of these officers, except that Brig Jehanzeb Arabab had been appointed to officiate as GOC of a Division. The Commission feels that this appointment, before the completion of the inquiry and exoneration of the officer from any blame, was highly inadvisable on the part of the GHQ. We recommend that action should now be taken without delay to finalise the proceedings of the inquiry commenced by Maj Gen Ansari in East Pakistan. There should be no difficulty in re-constructing the record, if necessary as the material witness appear to be now available in Pakistan.

26. Before we conclude this Chapter, we would like to state that we had no desire to embark on any inquiry into personal allegations of immorality and dishonesty against senior Army Commanders, but were persuaded to examine these matters owing to the universal belief that such infamous conduct had a direct bearing on the qualities of determination and leadership displayed by these officers in the 1971 war. We have regretfully found that this was indeed so. It is, therefore, imperative that deterrent action should be taken by the Government, wherever it is justified by the facts, in order to maintain the high moral standards and traditions for which the Muslim Army of Pakistan was justly proud before degeneration set in.