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HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

8 February 1985

Don Charles,

... You wrote on 1 February enclosing a copy of a letter which the Prime Minister had received from Jay Gohel, the Chairman of the United Kingdom Anglo Asian Conservative Society, and on which she requested the advice of the Home Secretary and the Foreign and Commonwealth Secretary. This letter and draft reply which I enclose incorporate the advice of both.

Mr Gohel's letter confirms the full reports we have been receiving from Sir Robert Wade-Gery and recent visitors to India of the depth of feeling there about the statements and activities of a minority of Sikhs in this country, and the misunderstandings about the attitudes of the Government and police here towards them. I understand that Mr Gohel called on Lady Young on 27 January and emphasised that the main problem is that Indian opinion is emotionally involved on these issues and cannot be swayed by rational arguments.

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All the remarks and allegations recorded by Mr Gohel are well known to us and have already been fully investigated. The Home Office and Foreign Office have reviewed all the laws and procedures on immigration, extradition, deportation and public order in relation to foreign political activists in recent weeks, and the Home Secretary sent the Prime Minister on 14 January a report on the results and the proposals for action.

Mr Gohel is primarily concerned with the cases of Jasvir Singh and Dr Chauhan, and the enclosed draft reply sets out the position for him. The real difficulties arise over Dr Chauhan and his alleged remarks and activities, none of which are new or even recent. There have been close and continuing consultations between the Home Office, Foreign and Commonwealth Office and the prosecuting authorities about the possibility of prosecuting Dr Chauhan on the basis of a number of statements he is alleged to have made. The most notorious of these statements occurred in an interview on the "World at One" on 12 June, in which he encouraged the mutiny of Sikh soldiers in

/the Indian

C Powell, Esq

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the Indian Army and predicted the "beheading" of Mrs Gandhi and her family. There was also a report, in the Urdu daily newspaper "Jang" on 8 June that Dr Chauhan was offering a reward for Mrs Gandhi's head. The latter appears to have been based on a press release dated 7 June purporting to come from the Khalistan National Organisation (KNO) at Dr Chauhan's address (but not under his signature) which reported an offer of a £50,000 reward. The notice has been examined by the Metropolitan Police and by the Attorney General. The police are making further enquiries, but we understand that Dr Chauhan has already disclaimed knowledge of it, alleging that it is a forgery. A number of charges have been considered in relation to Dr Chauhan's statements, including incitement to murder, conspiracy to murder, threatening behaviour and causing racial hatred, but it has so far been impossible to prove the necessary involvement, intent or likely consequences to justify mounting a prosecution for any of the possible offences. The difficulty in all this is that Dr Chauhan and other Sikh extremists take very considerable care to ensure that their activities in this country remain within the law.

As regards protection by the police, Dr Chauhan has at no time had full-time protection officers assigned to him. At one stage uniformed officers manned a fixed post outside KNO Headquarters, but this has now been withdrawn. There is thus no continuous presence now, but the police pay particular attention to these premises and to Dr Chauhan's home. For obvious reasons, however, it would not be desirable to go into details of security protection arrangements.

In addition to stating the facts on these matters, the draft reply concentrates on providing the reassurances about the Government's attitude which it would be helpful if Mr Gohel were to pass on to his friends in India. Home Office and FCO officials review the Sikh situation regularly, and it is clearly desirable for Ministers to use every opportunity to make the Government's position clear.

Yours aw,

Hugh

H H TAYLOR

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DRAFT LETTER

Bemain

ADDRESSEE'S REFERENCE

TO	ENCLOSURES	COPIES TO BE SENT TO
<p>Mr Gohel</p> <p>(FULL POSTAL ADDRESS)</p>		<p><i>Please type for PM's signature</i></p> <p><i>OK</i></p> <p>(FULL ADDRESSES, IF NECESSARY)</p>

LETTER DRAFTED FOR SIGNATURE BY..... Prime Minister.....

(very full & interesting) (NAME OF SIGNATORY)

Thank you for your letter of 25 January about your recent visit to India and the concern felt there about the activities of a small number of Sikh extremists in this country. I am grateful for your efforts in setting the record straight and for coming to see Janet Young on 27 January.

Naturally I fully share the Indian Government's concern about the activities of such extremists. As you will know, I *have* ~~forthrightly~~ ^{publicly} condemned the despicable behaviour of the tiny minority in this country who openly gloated over Mrs Gandhi's tragic assassination. So did Geoffrey Howe and Michael Heseltine, among others. Our position could not be more clear. If an occasion arises on which it would be appropriate for me to repeat our position publicly I shall not hesitate to do so.

In your letter you refer to two individuals in particular: Jasvir Singh and Dr Chauhan. Jasvir Singh was excluded from the United Kingdom on the Home Secretary's personal certification,

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on the ground that his presence here was not conducive to the public good. He had arrived in the United Kingdom from Dubai and held a valid re-entry visa to the United Arab Emirates where he has resided for a number of years. In accordance with normal immigration procedures, therefore, he was returned to his country of departure. //Dr Chauhan has been resident in the United Kingdom for many years and there is no legal power to deport him. All the evidence, however, is that the majority of the Sikhs in this country are not prepared to support him or the separatist movement which he represents. We have no evidence that he or his followers are collecting arms or training guerillas here for armed action in India, and we should certainly take action against them if we suspected that they were doing any such thing.

His various remarks, including those made during an interview on the BBC's "World at One" and those reported in the "Daily Jang", are a matter for the police and the Director of Public Prosecutions and this is not something in which the Government have any power to intervene. I know that they have looked at the evidence very carefully to see if there are sufficient grounds for prosecuting either Dr Chauhan or the newspaper. Their conclusion so far is that the grounds are not sufficient, and we have to accept that. Government Ministers and officials have spent a considerable amount of time, however, explaining to representatives of the Indian Government, both here and in Delhi, the facts on this and the Government's position.

I assure you that the police themselves are keeping a close eye on Dr Chauhan's activities and will not hesitate to take action on any statements or activities of Dr Chauhan or anyone else which overstep the boundary of legality. The police are already aware of allegations of financial irregularities in Dr Chauhan's organisation, which have also been brought to the attention of the Inland Revenue. If you have any more detailed information about specific incidents or activities, I would be glad to pass it to the police for investigation.

You will understand that I cannot discuss security arrangements, but there is no question of Dr Chauhan being given favourable treatment or accorded any honour or dignity. Protection in this country is provided to anyone who is judged on the basis of a professional police assessment to be under sufficient threat to his or her safety to warrant it. Each case is considered on its merits. The level of threat is the only relevant factor in deciding whether or not protection should be provided and the form it should take.

I ~~have noted~~ your suggestion that I ^{should} send a personal emissary to New Delhi, ~~and I am certainly ready to take any appropriate~~ ^{and shall certainly consider this.} ~~action which will contribute to Indo-British relations.~~ ^{There is a possibility that I shall} In fact

~~I hope to see Rajiv Gandhi myself in the not too distant future~~ ^{which would be a chance to discuss all these problems.} ~~and would be happy to discuss any matter which concerns him.~~

Similarly, of course, Michael Heseltine will be able to put our case to the Indian Government if, as we hope, new dates for his visit can be found.

cm.

OUT TELEGRAM

Classification and Caveats
CONFIDENTIAL

Precedence/Deskby
IMMEDIATE/080330Z

ZCZC	1	ZCZC
GRS	2	GRS
CLASS	3	CONFIDENTIAL
CAVEATS	4	
DESKBY	5	DESKBY 080330Z
FM FCO	6	FM FCO 071900Z FEBRUARY 85
PRE/ADD	7	TO IMMEDIATE NEW DELHI
TEL NO	8	TELEGRAM NUMBER
	9	YOUR TELNO 182: INDO-BRITISH RELATIONS AND WESTLANDS
	10	1. While persisting in your efforts to see Narasimha Rao we
	11	agree that you should also seek a meeting with Rajiv Gandhi.
	12	2. We have reservations however about some points in the
	13	approach suggested in your TUR. We think it best not (not) to
	14	convey the impression that concern over the Westlands contract is
	15	your sole, or prime, reason for calling. We must avoid giving
	16	credence to those who will wish to argue that present Indian
	17	tactics are having the desired effect. Similarly we should prefer
	18	you not to cite Westlands' AGM as a specific reason for seeking
	19	an early meeting. We doubt if the Indians will be particularly
	20	moved by the imminence of an AGM and we think it better not to
	21	associate the Prime Minister personally with concern on this
///	22	particular issue. On linkage with Sikh extremists in the UK we
//	23	should continue to give Rajiv the benefit of the doubt and not
/	24	assume that he himself regards the two issues as interdependent
	25	nor encourage him in such a direction. Finally, we prefer not to

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File number	Dept SAD	Distribution Limited PS SAD PS/Lady Young SCU PS/Mr Renton Protocol Dept PS/PUS MAED Sir W Harding TRED Dr Wilson MVD Mr Barrington Defence Dept News Dept Additional Distribution:- Sub-Continent Copy to: PS/No 10
Drafted by (Block capitals) D C WILSON		
Telephone number 233 3566		
Authorised for despatch		
Comcen reference	Time of despatch	

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2 associate the Prime Minister with the implication that present
 3 Indian tactics could generate some kind of anti-Indian backlash
 4 in the UK: there is a risk of the threat both appearing empty
 5 and being counter-productive.

6 3. In seeking an appointment with Rajiv Gandhi you may say that
 7 you are doing so at the Prime Minister's request. If Gharekhan
 8 asks what you wish to discuss you should say that you wish to talk
 9 about a number of bilateral points including arrangements for
 10 Rajiv's visit to the UK. You could then open the conversation
 11 with ~~him~~ ^{Rajiv} by drawing on the instructions already received about
 12 dates for his visit and the Prime Minister's reinstated tour of
 13 South East Asian countries and Sri Lanka.

14 4. In raising the subject of the Westlands contract you should
 15 draw on the instructions for your expected call on Rao (my telno
 16 141). You should stress the urgency of an early GOI decision.
 17 Much remains to be done in a short time (you could mention the
 18 Westlands AGM en passant). Money has to be transferred from the
 19 ODA to the Crown Agents, from them to the GOI, and then to
 20 Westlands: acceptance papers have to be moved between the Indian
 21 Ministries concerned and ONGC. Experience has shown that these
 22 transfers and procedures are time-consuming: unless the contract
 23 is concluded speedily it will inevitably mean that UK aid
 24 disbursements over 1984/85 will be pounds sterling 16m less than
 25 they should have been. The Prime Minister is concerned to ensure
 26 that this does not happen. Finally to demonstrate that we have
 27 not been unduly impressed by hints of trade embargoes you should
 28 contrast the delay over Westlands with the welcome and speedy
 29 progress which has so recently been made over Sea Harriers, a
 30 notable example of Indo-British cooperation. (For your own
 31 information we understand that the approaching end of the
 32 financial year was a major contributory factor in tying up that
 33 contract. This makes lack of progress on Westlands all the more
 34 puzzling.)

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<<<< 1 <<<<
 2 5. We naturally hope that Rajiv will not attempt to counter your
 3 arguments by referring to our handling of the Sikh extremists
 4 issue. Should he do so you will need to make it clear that we do
 5 not necessarily accept the Indian thesis that Sikhs here are
 6 directing terrorism in India (a thesis for which the MEA have
 7 refused to provide evidence). You should say that the Prime
 8 Minister is personally concerned at the implications of Sikh
 9 extremist activities not only for India but also for community
 10 relations here. This would provide a good opportunity to stress
 11 the close cooperation between the specialist British and Indian
 12 agencies. You should say in this connection that, while we are
 13 doing everything we can to keep the Indians informed at official
 14 level of all that we are doing about the Sikh threat, we are
 15 concerned that the message might not be getting through to Indian
 16 Ministers. You could, if you thought it appropriate, express
 17 regret that it had not been possible for Mr Heseltine or Mr
 18 Lamont to come to India. They would have been able to impress
 19 upon their Ministerial counterparts the concern of HMG about the
 20 behaviour of Sikh extremists and the steps which we are taking to
 21 deal with it.
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