

# The Unmasking of a Political Murder: The Mystery around the Death of Deen Dayal Upadhyaya

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## **Abstract-**

Deen Dayal Upadhyaya was appointed as the president of the Bhartiya Jana Sangha in December 1967. But unfortunately, he died during a train journey, just 43 days after being appointed as the President of the party. He was found dead while commuting to Patna between the 10th and 11th of February 1968. The death occurred in mysterious circumstances, and therefore some members of Parliament demanded that the investigation be handed over to the Central Bureau of Investigation. The government's Central Bureau of Investigation (C.B.I.) team investigated the situation and concluded that the unfortunate incident was the result of a theft committed by two men who were apprehended and tried in court for allegedly pushing Upadhyaya off the train after he saw them stealing his luggage and threatened to denounce them to the police. However, due to a lack of evidence, they were both cleared of the murder accusation. Soon after, the government created a one-person Justice YV Chandrachud Panel to investigate the case; the commission mostly concurred with the C.B.I.'s findings. Initially, his death was seen as an unfortunate incident caused by two thieves, but many people never bought this theory. The cause of death was identified as murder during theft. Despite the fact that the case was handled by various investigation committees, the enigma of his death is still intact.

**Keywords:** Deen Dayal Upadhyaya, Conspiracy, Jana Sangha, Investigation, Murder

Deen Dayal Upadhyaya was one of the most prominent leaders of the Bhartiya Jana Sangh who established and consolidated the party as a major opposition to the ruling Congress party. His achievements and philosophies have been discussed many times, but one aspect of his life is still shrouded in mystery. This mystery is related to his death, around which multiple theories have been presented, and many accusations have been levied. Lots of doubts surround the mysterious death of the political leader. How merely after 43 days of becoming the president of the Bhartiya Jana Sangha, he lost his life in very strange circumstances. Traveling on a train to Patna, he was allegedly murdered by two thieves, and his body was recovered 10 minutes after the train's arrival at Mughalsarai station. Initially, his death was seen as an unfortunate incident caused by two thieves, but many people never bought this theory. The cause of death was identified as murder during the theft. Despite the fact that the case was handled by various investigation committees, but the enigma

of his death is still intact. In this paper, we will try to analyze the different aspects of the case of the mysterious death of Deen Dayal Upadhyaya. Another thing worth discussing here will be the dichotomies and contradictions that permeate throughout the case, and how perception plays such a vital role in deciding the veracity of facts in this particular case. The mutual mistrust between organizations and people from differing ideologies can be a roadblock in the quest for truth. And this is precisely what we are going to discuss in this paper.

### **The Case and the Initial Investigation**

The unfortunate incident took place on 11<sup>th</sup> February and was reported a few hours later. Deen Dayal Upadhyaya was visiting Patna to attend an important meeting organized by the Patnadivision of Bhartiya Jana Sangha. So he left his sister's home at Lucknow to board the Sealdah Express on 10<sup>th</sup> February. But he never reached his destination. When the train reached Patna, the party members who were present there to welcome him, searched for him inside and outside the station, but couldn't find him anywhere. His body was discovered by the leverman of Mughalsarai station named Ishwar Dayal, who then informed the Assistant Railway Station Master. Following the investigation, it was revealed that there were many unexplained things in this case for which no plausible explanation could be found. His body was discovered near a traction pole close to the Mughalsarai station. A five rupee note was found in his hand and twenty one rupees were found from his pocket. He was last seen alive at Jaunpur during midnight and his body was discovered a few hours later.

Further investigation and testimonies by his co-passengers like M.P. Singh revealed the involvement of Bharat Lal, responsible for removing his bedding. Later on, another man named Awadh Ram was also arrested as a co-conspirator. Ram Awadh and Bharat Lal were the two accused, who were charged with murder and theft. But the session court acquitted them both from charges of murder because of the lack of conclusive evidence, even though Bharat Lal was found guilty of stealing and tempering with the belongings of Deen Dayal Upadhyaya. The judge of the session court made an insightful remark in his judgment that even though the murder charge was not proven against the accused, this by no means absolves them of being the chief suspects in the crime. In his judgment, the session judge held that Shri Upadhyaya died a homicidal death (Chandrachud, 1970).

But this judgement left many people unsatisfied, particularly the party members of Jana Sangh, who claimed that there might be a political conspiracy to assassinate Deen Dayal Upadhyaya, considering his growing political clout. The blame was put on the Congress party, the Communists or Muslims, in no particular order. They were also unsatisfied with the process of investigation. It was said that the C.B.I. director, John Lobo, was called back even before he could complete his inquiry in Mughalsarai. These developments created suspicions in the minds of many people regarding the change in direction of the investigation. The C.B.I., in its inquiry report, relegated the death of Deen Dayal Upadhyaya to an ordinary crime committed in the heat of the moment.

### **Chandrachud Commission**

Over seventy members of Parliament urged the appointment of a Judicial Commission to investigate the subject further on June 22, 1969. The Union government created a new investigating team for the matter on October 23, 1969. Over the next year, Jan Sangha and the C.B.I. interviewed nearly 80 witnesses before concluding their investigation on June 30, 1970. The commission's only member was appointed by the Bombay High Court's Y.V. Chandrachud. He presented a report that supported

the charge of the murder but not the theory of the political assassination. The analysis ruled out accidents and suicide, and suggested that Deen Dayal Upadhyaya was killed by two robbers in an attempt to rob him. Their acquittal on the charge of murder sparked the public conviction that, after all, the murder was not done by random criminals, but rather by a government-sponsored assassination. However, Y.V. Chandrachud pointed out that the inquiry had no political underpinnings and that the C.B.I. was not under any political pressure to take a specific path in the case. Deen Dayal Upadhyaya's death occurred under "suspicious circumstances." According to the C.B.I., Deen Dayal Upadhyaya's murder was the result of a theft, and there was no ulterior motive involved in this case. At the same time, Jana Sangha party members suspected the murder was pre-planned and carried out for political reasons (Sultan, 2021).

Several questionable factors in the murder case were discovered during the inquiry. For starters, one of Deen Dayal Upadhyaya's co-passengers, Major Surendra Mohan Sharma, had his name changed to Major "S. L. Sharma" and his ticket number changed to 06171 instead of 06172 by Naik Har Govind Pandey of the R.T.O.'s Office. Major "S. N. Sharma" was how the train service's coach personnel referred to him. Finally, the Sealdah Express Conductor noticed a man dressed in civilian clothes standing in the cabin. Fourth, Shri Gauri Shankar Rai, M.L.C. arrived in Shahganj on his way to Varanasi. Fifth, cabin's restroom was clogged and could not be opened. Sixth, M.P. Singh saw a stranger in the cabin who identified himself as the son of one of the passengers. The burglar then seized Deen Dayal Upadhyaya's file, despite the fact that it was worthless to a minor thief. That particular file was never found again. The wristwatch and 26 rupees, for which Deen Dayal Upadhyaya was clutching a 5 rupee note unusually, were not taken away by the robber. His body was spread out on his back, his face hidden behind a shawl.

Shri Gauri Shankar Rai, a member of the Uttar Pradesh Legislative Council, purchased an unreserved ticket and sat in the lower berth of the middle cabin, dubbed the cabin. He went to meet a friend who was travelling by the same train after putting his bedding on the berth. When Shri Rai returned, he discovered that his bedding was not in the 'B' Cabin, much to his dismay. After inquiring, he discovered that the bedding had been transferred to the 'C' Cabin because Shri Upadhyaya preferred to travel by the 'B' Cabin rather than the 'A' Cabin, where his berth had been reserved. It was convenient for Shri Upadhyaya because he disliked travelling in compartments which were close to the wheels of the train. Shri Gauri Shankar Rai accepted the situation and travelled in the 'C' Cabin. Shri Rai was unconcerned about the move because the explanation came from Shri Pitambar Das, a senior member of the Uttar Pradesh Legislative Council at the time. A Jan Sangh member, Shri Pitambar Das, was present in the station to see off Deen Dayal Upadhyaya. Shri Ram Prakash, the Deputy Chief Minister of Uttar Pradesh, had done the same. The 'Samyukta Vidhayak Dal' Ministry was in power in Uttar Pradesh at the time, and Jan Sangh was one of the Dal's component entities. As a Jan Sangh member, Shri Ram Prakash was appointed to the State Cabinet. At 11:25 p.m., the train arrived in Shahganj, where Shri Rai exited. He had a ticket to Ballia through Varanasi and would have gone as far as Varanasi regularly. However, he was told by a copassenger in Lucknow that going to Ballia through Shahganj was more convenient. As a result, he arrived in Shahganj. He did, however, disembark from the wrong side because the Ballia train was stationed there and no coolie was present. He and his fellow passenger, Shri Srivastava, a Sub-Divisional Magistrate, took a connecting train from Shahganj to Ballia together. Shri Gauri Shankar Rai alighted at Shahganj since it was much easier to get to Ballia via Shahganj, and he alighted on the wrong side because no coolie was available to carry his bags. Except Deen Dayal Upadhyaya, M.P. Singh, Gauri Shankar Rai and

Subedar Sidh Singh, no one else was travelling in the IST class compartment of the train. Except Upadhyaya and M.P.Singh, no one else was travelling in the F.C.T. bogie after Shahganj. This is how Deen Dayal Upadhyaya was left potentially vulnerable on the train in the absence of Gauri Shankar Rai.

Aside from these discoveries, the case was shaped by a series of coincidences. To begin with, Deen Dayal Upadhyaya was scheduled to travel to Delhi, but instead chose to travel to Patna to answer to the Jana Sangha's Bihar Branch. Second, he was meant to travel in cabin A, but he ended up sharing a seat in cabin B with Girija Shankar Rai. Shankar later opted to disembark at Shahganj rather than Varanasi on the recommendation of his co-party worker Girija. While falling off the F.C.T. bogie, Shri Upadhyaya collided with a traction pole, which was one of the few traction poles in the area. Last but not least, despite his recent marriage, Major Sharma made the decision to leave one day ahead of schedule.

Y.V. Chandrachud made certain inferences from the facts he laid his hands on. Firstly, it was not possible that Deen Dayal Upadhyaya could have sustained those injuries inside the compartment. Secondly, there were glaring problems and carelessness on the part of the railway officials in handling the situation. At about 2: 20 A.M. the dead body was discovered, during the earlier stage of shunting and not at 2:50 A.M. after the completion of the first stage. The Assistant Station Master B. N. Prasad was more interested in saving his reputation than in presenting the truth, which is reflected in changing description of the events on that eventful day. Similarly, his juniors made contradictory statements to save their face and protect themselves from charges of negligence. The Assistant Medical Officer, Dr. B. R. Chakravarty, tried to alter the record to show that he attended to the dead corpse at 3:55 A.M., despite the fact that he had not done so until 5:55 A.M. in order to give the impression that he had completed his duties promptly. There was a strong possibility that the position of the dead body was disturbed by the shunting team out of convenience or basic human empathy. The body was similarly disrupted by S.I. Fateh Bahadur Singh for photography.

Concluding his report, Chandrachud pointed out that Shri Upadhyaya's murder was linked with theft of his belonging, naturally linking both these incidents. The bedding of Shri Upadhyaya was not found in a pit. There was no credible indication that the missing file included any politically sensitive information which the potential murderers were looking for. The evidence for and arguments made were meticulously examined in Justice Chandrachud's findings. Shri Upadhyaya was standing near the door of his compartment when he was pushed out of the running train, following which he was hit by the traction pole and died instantly. He further said that 'his injuries were caused in a single incident, and that they could not have been caused inside the compartment.' He further said that the murder was immediately or simultaneously followed by theft. Furthermore, there is hardly any evidence to support the claim that Shri Upadhyaya's murder was motivated by politics. He had political opponents, but his death was the result of reckless and impromptu thievery. Neither the communists nor the 'communalists' (presumably Muslims) implicated by the Jan Sangh, nor Dr. A.J. Faridi of the Muslim Majlis, are "associated, directly or indirectly, with the murder." The C.B.I., on the other hand, was investigated with care and objectivity.

Initially, the government's Central Bureau of Investigation (C.B.I.) team investigated the situation and concluded that it was a case of theft that resulted in an accident. Two men were apprehended and confessed to pushing Upadhyaya off the train after he allegedly saw them stealing his luggage and threatened to denounce them to the police. However, due to a lack of evidence, they were both cleared of the murder accusation. Soon after, the government created a one-person Justice YV

Chandrachud Panel to investigate the case; the commission mostly concurred with the C.B.I.'s findings.

### **Jana Sangha's Conspiracy Theories**

Jan Sangh's treasurer, Nanaji Deshmukh was appointed by the party to collect all the requisite information related to the murder case of Deen Dayal Upadhyaya. He was instrumental in getting many key witnesses examined by the C.B.I., even though, out of the 51 witnesses examined by Jana Sangha, only 23 were examined by the C.B.I. (Anand, 2020).

Jan Sangha believed that certain Muslim organizations were responsible for the murder as they held Deen Dayal Upadhyaya responsible for the communal riots at Meerut. They further considered it to be a nexus between the Muslim communal forces and the local communists. It was argued that a stranger travelled in the name of Major Surendra Sharma, in order to commit the heinous act. Some of the party members put direct blame on Major Sharma, as he was the son-in-law of V.N. Sharma. It was alleged that Major Sharma was closely associated with Dr. Faridi, the president of 'Majlis Mushawarat.' So Major Sharma travelling as a co-passenger of Deen Dayal Upadhyaya was not a coincidence but a planned conspiracy. The roles of Major Sharma and Dr. Faridi, as well as their connections, are important to this theory. Major S.M. Sharma had just been married for three weeks when Deen Dayal Upadhyaya was murdered. He took the same train out of Lucknow as Upadhyaya. Even though his seat was reserved in the same cabin he was surprised to see his name incorrectly mentioned as Major S.L. Sharma in the reservation chart, with ticket number 06172 instead of his actual ticket number, 06171. Later on, his name was listed as Major S.N. Sharma in the reservation chart. The Major provided unmistakable proof that he travelled as far as Gamoh and arrived at his unit late on February 11<sup>th</sup> (Noorani, 2017)

As a result, after leaving Zaferabad at 12.41 a.m., Upadhyaya was assassinated in the running train. According to this theory, the assassins held him tightly on chest, legs and skull, and he was hit repeatedly on his head, and later pushed out of the running train. Then the body was put near the traction pole to make it look like an unfortunate accident.

Dr. A.J. Faridi was a cardiologist who practised in Lucknow. The Jan Sangh called three witnesses to back up its claim that along with the communists, Muslims also hatched the conspiracy to assassinate Upadhyaya. But Faridi was nowhere mentioned in the first witness testimony. The second witness did mention him, but the account he gave about Faridi's speech was contradicted by the newspaper in which it was published. According to the last witness account, Major Sharma's father-in-law V.N. Sharma shared good relations with Dr. Faridi. But the judge was provided with a verified copy of a complaint by Sharma against Dr. A.J. Faridi, charging him for trespassing in relation to a portion of the buildings that Faridi had leased to Cipla. From November 1966 to January 1970, the company was in rent arrears, according to another report. Major Sharma being one of the managers had a tumultuous relationship with Faridi.

In contrast to the hypothesis suggesting that Major Sharma was the perpetrator and agent of Dr. Faridi, the Sangh proposed the theory of an unknown man masquerading as Major Sharma and travelling alongside Deen Dayal Upadhyaya. This theory was not supported by probability or evidence. An imposter posing as Major Sharma would not have used the name of actual Major Sharma, especially if the actual Major Sharma was on the same train?

The evidence pointing to the stranger's existence was equally inconclusive. According to Kamal, the Sealdah Express conductor, he spotted a man in the cabin next to Deen Dayal Upadhyaya. However, there were two additional passengers in that cabin that Kamal was unaware of. Kamal does not appear to have approached the F.C.T. bogie in any way. Shri Ram Prakash, the Deputy Chief Minister, Shri Pitambar Das, Harishchandra, and others had gathered in front of the 'B' cabin to watch Upadhyaya leave. No one was on the platform near the 'B' cabin, according to Kamal. The murder was perpetrated in the compartment, according to the Jan Sangh, but the C.B.I. believes it was done by pushing Deen Dayal Upadhyaya out of the running train and not inside the compartment. The commission's opinions on a few of the finer points are worth noting.

Sangh's theory was further contradicted by the nature of the injuries. It provided two witnesses who said they heard a shriek and a thump in the next III class compartment, but the same was not testified by the co-passenger of Deen Dayal Upadhyaya, M.P. Singh. They were found to be false on other counts, and their evidence was dismissed. The report is full of such rejections. Dr. Bhushan Rao, a C.B.I. witness, indicated that Deen Dayal Upadhyaya must have succumbed to his injuries soon after hitting the traction pole, while the witness of Jana Sangh Dr. R.N. Kataria, said that at least an hour had passed between the time the injuries and the resultant death. Before 1968, Dr. Kataria was involved with the Jan Sangha.

Dr. Kataria's testimony has a fascinating element to it. Jan Sangh created a reduced clipping from the 18th February 1968 issue of the Organizer. It states that "after discussing the case involving Shri Upadhyaya's death with Shri Ram Prakash, Shri Balraj Madhok, Shrimati Khanna, and a leading surgeon," one may make "the following statement." But the statement following this was cleverly removed from the clipping. The surgeon was identified as Dr. Kataria before the commission.

### **Assessments of Deen Dayal Upadhyaya's Death from 1970's till Recent Times**

Many conspiracy theories started floating around from all sides. Balraj Madhok, a founding member of the Jan Sangh, mentioned that Deen Dayal Upadhyaya's death was a murder and an accident. He spent most of his time researching and writing on political issues including his memoir titled *Jindagi Ka Safar*, which was published in three volumes, the last of which came out in 2002. This volume begins from the time of the death of Deen Dayal Upadhyaya. In this work he claims that some prominent Jan Sangh leaders were involved in the assassination of Deen Dayal Upadhyaya. He talked about the different factions that exist in RSS, which created power tussle in the organization. At the time of the death of Deen Dayal Upadhyaya, Atal Bihari Vajpayee faction was getting stronger and stronger. For this reason, Madhok accuses Nanaji Deshmukh and Atal Bihari Vajpayee of not giving enough importance to the investigation of Deen Dayal Upadhyaya's death, even when they came to power in 1977. Subramanian Swamy had asked Home Minister Chaudhary Charan Singh to re-open the investigation on Deen Dayal Upadhyaya, but his efforts were obstructed by the Jan Sangh ministers, Vajpayee and Advani.

The authenticity of Madhok's claims is in question. Madhok's articles have a patronizing tone throughout their text, and it's difficult to separate fact from fiction in his rants against many of his colleagues, particularly directed against Atal Bihari Vajpayee. This led to his expulsion from the party in the year 1973. Members of the B.J.P. have recently attempted to blame Congress – without providing any evidence. The B.J.P. may be aware of the potential for a backlash if it chooses to conduct a fresh investigation and would prefer to avoid it. For the time being, it appears that only

Upadhyaya's family is sincerely interested in learning the truth. Madhu Sharma, the head of the B.J.P.'s Mahila Morcha Manch in Rajasthan, believes that an investigation is still conceivable.

One of the party members, Ramacharya Panday, said he learned about the death of Deen Dayal Upadhyaya on the morning of February 11th and immediately forwarded the message to Shri Nanaji Deshmukh, who asked him to personally visit Mughalsarai and gather details about the death. Panday did what he was asked to do and gathered all the necessary information in his diary. In their testimony, the secretaries of Bihar Jana Sangha, Nanaji Deshmukh and Ashwini Kumar, pointed out that Deen Dayal Upadhyaya kept a diary where he used to record certain nefarious activities taking place in the country. However, the report of the Nanaji Deshmukh committee made no mention of the file or the diaries.

The report of Justice Chandrachud includes a section that explains why the Jan Sangh acted the way it did. Those who were interested in Shri Upadhyaya seemed to be thinking in all directions, even if they were not supported by evidence. They did not hesitate to commit the planchette, but the answers they received were unsatisfactory. Another theory suggested that perhaps the murder was committed by a masked drunken man who forcefully entered the cabin of Deen Dayal Upadhyaya and beat him up severely, causing him fatal injuries. But the *Organizer* in their report published on 10<sup>th</sup> March, 1968 mentioned that the speed of the train was very slow, and thus such an activity wouldn't have gone unnoticed, this hypothesis was deemed to be unsuitable and was abandoned. Politics was brought into the murder scene in search of a more credible theory. Chandrachud expressed his dissatisfaction with the fabricated evidence, but refrained from criticizing Jana Sangh because they were driven by sensibilities more than rationality.

The report had hardly just been released when their periodical *Organiser* published a critical piece titled 'Chandrachud Follows in Shah Nawaz's Footsteps.' A detailed review arrived three weeks later. Very cleverly these articles avoided the mention of fabricated diary and rejected witnesses and doctored clippings, which were rejected by the court as potential evidence. Ironically, an editorial headlined 'Monkeying with the Judiciary' appeared in the first edition of the periodical *Organiser*. The attack on Justice Chandrachud reveals that the judiciary was also susceptible to public backlash and scrutiny, based on the popular perception about a judgement.

The B.J.P. has blamed Congress personally for Deen Dayal Upadhyaya's death. The party sees the Jan Sangh leader's rising popularity as a threat to Congress, and has taken steps to counter it. In 2015, B.J.P. leader Subramanian Swamy sought the formation of a multi-disciplinary special investigating committee to re-investigate the "plot" behind Jan Sangh founder Deen Dayal Upadhyaya's mysterious death (Pandey, 2015). Upadhyaya's close associates, notably Nanaji Deshmukh and Dattant Thengadi, he claimed, never accepted the C.B.I.'s findings that he was forced from the train by robbers. If that was the case, how was Panditji's body lying upright, according to the B.J.P. leader? Why was he holding a five-rupee note? Swamy stated that every passenger on board that day had ordered tickets using fictitious addresses, and that Panditji's murder was meticulously organised and never fully probed. The mystery surrounding Panditji's death, according to MJ Akbar, remains unsolved.

## Conclusion

Deen Dayal Upadhyaya's unfortunate death led to series of discussions, debates, allegations and investigations regarding the nature and chronology of the incident. But the official investigations conducted by different commissions and the internal enquiry conducted by the Jana Sangh party led

to often disparate and dichotomous conclusion, which led to the questioning of the credibility of the people involved in these investigations. Despite the fact that two culprits were apprehended for the crime, the lack of clarity of events made the death of Deen Dayal Upadhyaya an enigma. Even after more than fifty years, these case crops up time and again in the form of discussions and conspiracy theories. These theories cannot be proved or disapproved completely and there exists a larger shade of grey looming over the binaries of truth and untruth. Lately, the whole case shows us how the political structure of a country can be so brittle that a single event can initiate a chain of reactions, allegations and conflicts, both within and outside the organization, and this intermingling of multiple ideologies can complicate the quest for truth so much, that seeking confirmation for your perception becomes greater objective than seeking the truth.

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