

PART V
GOVERNMENT ATROCITIES

CHAPTER I

GOVERNMENT RESPONSIBILITY FOR GENERAL
REPRESSION.

Gandhiji's last speech in the A. I. C. C., on 8th August, 1942, which concluded at about 10 p. m., could not be broadcast or telegraphed and the newspapermen were in their offices to do their day's work that the resolution of the Government of India, passed by the Governor-General-in-Council on the A. I. C. C. decision, was being telegraphed from Delhi. Thus it is clear that the Government of India could not possibly have received the report of Gandhiji's speech in which he expressed his earnest desire to seek interview with the Viceroy and definitely declared: "We shall make every effort to see the Viceroy before starting the struggle." Gandhiji's speech was throughout and essentially a speech for peace and not for war. He laid all emphasis on non-violence from the beginning to the end. He insisted rather begged for the independence of India in which he implied a desire for the peace of the world but the British ears were turned against him. He, addressing the United Nations and Britain, said: "They have an opportunity now of a life-time to declare India Free and prove their real intentions. If they miss it, they will be missing the opportunity of a life-time, which never comes twice in the same generation and the history will say that they did not discharge their overdue debt to India."

But the British Government in India was sitting at Delhi, prepared to pounce upon the Congress as soon as the "Quit India" resolution was adopted by the A. I. C. C. The Government was not at all willing to consider anything thereafter and was not even prepared to examine and understand the Congress view-point. What Gandhiji said in his speech was not at all heard or considered. Doors for any compromise were banged against the Congress and it was declared unlawful and its leaders out-laws. They were arrested before the 'day break' and their followers beaten back by the Lathi-blows, bullet-shots and tear-gas. All this was not done by any individual or in any single province or any single state but it was done throughout India promptly and simultaneously and under the common and same orders. It was all done under the well-considered and well-planned policy of the Government and pursued vigorously throughout India by the Govern-

ment. Its responsibility was solely of the Government and not of the people. It was all an organised attempt to crush the people and crush them so badly that they may not be able to raise their heads erect or even their voice, however feeble it may be, against the British administration in India.

The flux of all the ordinances, the wide and strict application of the D. I. Rules, the simultaneous execution of arrest-warrants against thousands of Congressmen which were prepared and signed much before the message of the "Quit India" resolution by the A. I. C. C., at Bombay, and above all, the elaborate police and military arrangements to carry out all this, at a stroke like a swift-shock of electricity or a feat of Magic-show could not be done without full and previous preparations. The Congress actually gave out no programme or plan of its intended movement. There were no open or secret instructions for carrying out the movement. It was to be developed and devised according to the needs and circumstances and more correctly was to be revealed to Gandhiji at the proper time. But the Government was not depending on future revelations nor was waiting for the future development of the situation. They had a well-decided and carefully chalked out and worked-out plan on which they started their attack on the Congress.

Here, we quote below, from a speech of Mr. K. C. Neogy in Central Assembly, in September, 1942, demanding an enquiry into allegations of "excesses committed by the police and the military :—

"I have asked for a Committee of enquiry and I understand that the Government are in no mood to concede this demand. I must say that I was not quite unprepared for this attitude because already we have communiques issued by the Governments of the Central Provinces and of the United Provinces firmly taking their stand on the point and stating that in the case of the Central Provinces Government they have no intention of holding a judicial or any other enquiry into the measures which have so far been taken to restore order and that any such measure would only tend to affect the morale of the forces employed to counter the disturbances. I have already given to the House an idea of the technique which they adopt to counter these disturbances. The Central Provinces Government have gone one better. They have refused permission to the High Court Bar Association to hold a non-official enquiry in regard to the police excesses which they wanted to hold.

In the case of the United Provinces Government, they say that "The morale of the police is high,"—of course, it is high as you have already seen from the various instances to which

I have drawn attention of the House—the Inspector General of Police has given them the watchword 'Guard the people'. We know how they have been guarding the people, incidentally entrenching themselves and burning down the property belonging to people. In order to avoid any possibility of misunderstanding the United Provinces communique says that the United Provinces Government wishes to make it quite clear that no public enquiry will be held into the incidents arising from the disturbances.

The only conclusion to which one can come from these communique is that the acts to which I have drawn attention have been deliberately done, and the same policy has been pursued everywhere with the full knowledge and concurrence of these provincial administrations. If anything, these declarations made by the two Provincial Governments are a direct encouragement to the police and the military to continue these outrages, these acts of vandalism which the police and the military have been perpetrating on innocent people. If anything, this is likely to aggravate the situation beyond measure. I have no desire at all to say anything, or ask the Government to do anything, which will in any way weaken their hands in regard to any legitimate use of force which may be required for the purpose of meeting the situation. But I should like to warn the Government that they have already allowed the situation to get out of their hands, and it is high time that they sought to control their unruly hordes which were let loose on innocent people."

We may also quote below an extract from the speech of Mr. N. M. Joshi in support of Mr. Neogy's motion :—

"I cannot absolve the Government of India from their responsibility for the violence that has taken place in the country on account of the wrong policy which they followed in arresting the leaders of the Congress. It has appeared from the speeches of the representatives of Government that nothing has happened between the resolution passed by the All-India Congress Committee at Bombay and the violence that has taken place. The Government should have known that the arrest of the leaders of the Congress had intervened between the resolution of the All-India Congress Committee and the violence. I thought that the Members of the Government of India are honest. They would themselves admit that the arrest of the Congress leaders, at least to some extent, led to the violent protests by the people.

The point to be considered is this, that we want an inquiry into these excesses. The Government of India themselves will not say that there was no likelihood of excesses. The

Honourable Home Member said in his speech the other day that if there were any cases of excesses or injustice, they should be brought to the notice of the Provincial Governments or of the military authorities who, in the opinion of the Government of India, would do justice. We do not think that either the Provincial Government or the military authorities or even the Government of India would do justice. The Provincial Governments themselves announced beforehand that there would be no public enquiry, and by making that announcement they gave direct encouragement to some of the excesses committed by the police and the military. I would also say this, that the Government of India by giving full freedom to provincial Governments and to local authorities themselves encouraged the commission of some of the excesses which have been described and which have taken place in all parts of the country on many occasions.

I feel, therefore, that the Government of India should accept this challenge by the Assembly for the finding out of the truth. If the officers of the Government of India had done nothing wrong, the committee will declare them not guilty; but if they have done wrong, the committee will find them guilty. I do not know whether the police or military officers will be punished or not; but I am afraid that the highest authorities responsible for the commission of these excesses by the police and military, namely the Provincial Governments of India now escape the consequences of even the decision of the Committees against them.

The Government opposition to any enquiry into the allegations of the military and police excesses itself is a positive and strong proof of the Government responsibility for the general repression in the country.

Rai Bahadur Sri Narain Mehta in his speech on 23rd September, in the Council of State said :—

"It is neither a students' movement nor a Congress movement, nor even a Fifth Column attempt to sabotage India's war effort. It is the desperate gesture of a nation before whom you have dangled the offer of political freedom, a nation exasperated beyond the limits of human patience, a nation that has seen the anomaly of having to protect a freedom that it does not enjoy".

Mr. Neogy, in his speech of the 17th Sept. in the Central Assembly said :—

"The recent disturbances are to be ascribed to many complex factors, all of which are not directly political in character and in ignoring the seething discontent prevailing for a long time in the country, the Government were unwittingly helping to set the stage for the violent outburst which we

have witnessed. The general economic distress which is associated with British rule in India has been rapidly increasing of late. The people, a large proportion of whom normally in chronic state of semi-starvation, are now faced with a shortage of food due to various causes some of which are connected with the War. Other commodities which are required to meet their frugal needs are getting scarcer, and the prices of all articles are steadily soaring higher and higher. Medical help, inadequate in the best of times, is already beyond the means of the vast majority of the people. While the very physical existence of the people is thus threatened, the thoughtless and heartless actions of a callous bureaucracy, while carrying out measures of evacuation involving thousands of poor and ignorant people, have not certainly helped to create a feeling of loyalty to the Government. Complaints on this score have been heard for months past."

"While the popular feeling has thus been deeply embittered, the influx of Indian evacuees from Burma carrying tales of heartless treatment and racial humiliation on an unprecedented scale, has set the whole country ringing with denunciation of the present Government, I have just received a printed message from our Honourable colleague, Shaikh Rafiuddin Ahmed Siddique, of Chittagong, whose ill-health prevents his attendance here to-day, in the course of which he states that "the Government are doing absolutely nothing for the Indian evacuees who have no hearth and home, no food and no clothes. These poor people are wandering in Chittagong with their children and wives just like nomad tribes and begging from door to door. Many of them are still daily coming to Chittagong on foot from Burma. Their pitiable plight, if you could be shown, must have moved you to pity and tears. The differential treatment meted out to the Indian evacuees and the apathy of the Government towards their cause are highly deplorable.

"It is against this background of mass discontent and disaffection that the decision taken by the All-India Congress Committee in sheer desperation, and the untoward repercussions that followed the arrest of Congress leaders, can be properly examined.

"During those anxious days when hooliganism was rampant in the Imperial City, fearful accounts trickles through despite censorship, not merely with reference to the position in Delhi but also in the provinces, and there could be no doubt in the mind of any impartial observer that the spiritual successors of O' Dwyer and Dyer, who rule the roost at New Delhi, had initiated a reign of terror,"

This reign of terror is the subject-matter of our next chapter for which so far we have written only the preface.

CHAPTER II

THE REIGN OF TERROR

Since the epoch-making 8th August 1942, the best brains of the Government of India and all their endeavours were directed to solve the only one problem, of all problems, of obliterating the name of "Gandhi" and the "Congress" from the surface of the Indian soil. In their frenzy of achieving this absurd design, they did not hesitate to do things even absurd and apparently of little real value. As regards atrocities, they were gone not only out of head but bent upon out-tyrannizing a most terrible tyrant.

Actually, the mental state of the Government of India is very truly and fully depicted by the act of "the Bombay Board of Film Censors", against the portraying of photographs on the screen of Mahatma Gandhi and other jailed Indian leaders. What else can be the aim and purpose of such a move but that of attempting to make the Indian Nation to forget their leaders who have dedicated their lives to the service of their country and humanity and were confined in the Indian jails or other detention places in India.

Commenting on this task of the Government of India, the "Sound" of Bombay, in its issue of December, '43, correctly and timely sounded a note of warning to the Government of India in the following words :—

"The task is too much for them. They will never succeed in making a nation ever forget so great and so noble a personality as Mahatma Gandhi—a man who has earned for himself, a niche in history and who is even in this life and during his own life-time being compared with Jesus Christ.

"Force can be used advantageously to destroy whole cities, burn entire continents, murder vast populations but, as yet, down from the barbaric periods to the bloody era of to-day no instrument so powerful, so big or so deadly has yet been found that can completely efface from the hearts of man the memory of a patriot or of a people who have given their everything to win back for an oppressed nation, the respect of a generation. Guns, planes and even lathis, can, to a certain extent, forcibly remove an image or an object of reverence but there is no power on earth, no strength so great, no force so big, that can completely obliterate and deface from the heart of a single person the memory of whatever or whomever he wants to keep there. The Nazis have learnt that in occupied Europe.

The Japanese have learnt that in conquered China.....it is about time the British learnt it in India.

"It is useless to go on and on trying to impress on the Bureaucracy the utter futility of this their latest step to humiliate and denounce India's real leaders. The whole world knows the truth, and the truth is one thing that can never be suppressed. New ordinances may be issued prohibiting the printing and framing and decorating the photographs and busts of Congress leaders. House to house searches may be instituted to seize all the "offensive" pictures from the millions of Indian homes, where they hang to-day in the most prominent positions—until Government can find a pair of "scissors" strong enough and sharp enough to reach and cut the hearts of 400 million Indians.India and the world will never forget the Naked Fakir, who wrote a new glorious page for the History of India and engraved every word, every deed and every incident into the burning hearts of a vast sub-continent. Till those "scissors" are found India mocks the censor's scissors and defies them to do their utmost!"

In the memorable words of Mrs. Sarojini Naidu, "It was the 'gigantic' violence" on the part of the Government in making "whole-sale and melodramatic arrests."

After the wholesale arrests of Congress leaders and workers and their detention without trial of any sort, a veritable reign of terror was started in various parts of the country. Even access to some of these regions was rendered difficult, if not impossible.

There have been indiscriminate beating of the people by the police after being snatched out from their houses or lanes. Nobody was safe on the streets.

"If it is a crime to aspire to see one's country free and shake off foreign domination, including British, every self-respecting Indian is a criminal. There are administrators in India who dream constantly of fifth columnists walking on the roads and lanes of Indian towns and villages. These estimable gentlemen themselves belong to this category, if treachery to India's genuine interests is the real criterion of a fifth columnist in India. The great bulk of the Indian people can have possibly no sympathy with Japan or with any other Axis Power. Why should we Indians be at all anxious to invite Japan to this country? We want you to return to your own home safely and as speedily as possible, and does it stand to reason that we would welcome a new master with fresh vigour and unsatisfied lust for widespread possession? We want to be rid of alien rule altogether. We want this country to belong to and to be governed by ourselves. India has for a long time allowed herself to be sacrificed at the

altar of Imperial greed. The doctrine of benevolent trusteeship stands exploded and you can no more throw dust into our eyes. Indian representatives therefore demand that the policy of administration of their country in spheres, political, economic and cultural, must be determined by Indians themselves, unfettered by irritating acts of unsympathetic bureaucrats and bungling Governors. There was, however, ample room for mutual help and trust between England and India for, after all, it is a common menace that threatens both to-day. We recognise that the war must, for the present, absorb our whole attention but only with a free and willing partnership between India on the one hand, and England and other Allied Nations on the other, could we have fittingly organised ourselves for keeping the enemy out of our own country and saving the cause of the Allied Nations themselves. The British Government has failed to realise that India cannot be roused to a passionate fervour and devoted activity, such as is witnessed in Russia and China, unless Indians feel that they are free men and their freedom is to be saved, no matter at what sacrifice.

"These are natural sentiments fully consistent with the declared war-aims of the Allied Nations. If you are sincere in your assertion that you are anxious for a new world order and want to see that the cause of human freedom is never again imperilled, why should you hesitate to do a little act of self-abnegation by acknowledging India's freedom and thus save yourselves from being branded as guilty of hypocrisy? Instead of doing what is just and natural, for three months Government has carried on a reign of repression, which will serve as a good model to those deeply attached to totalitarian rules of conduct and whose alleged misdeeds are widely circulated through British agencies. During these months people have lost their fear of bullets. What can possibly be your next sanction to hold India in chains? To-day India seethes with discontent and bitterness. It is the easiest thing in the world to fight with people that are unarmed and defenceless. Some of the British spokesmen have said that India or a section of the country has declared war. If that is their belief, then let arms be provided to Indians and let the fight take place on a basis of equality. The most dangerous symptom to-day is that people feel so completely frustrated at the turn that events have taken that they would welcome any change to get rid of the present tyranny.

"It is indeed regrettable that men responsible for Indian administration should have forgotten the simple truth that Britain cannot fight India and the Axis Powers together. On account of sheer bankruptcy of statesmanship, much good-

will and co-operation on the part of Indians have been allowed to flow in the channel of distrust and resentment. Many of the administrators have lost their equilibrium and cannot hide their animosity towards Indians as a class. I am not suggesting that many of the senseless acts of outrage and sabotage committed during the last three months will help us to obtain our country's freedom. Let lawlessness be checked. But that is not the only problem. Violence and counter-violence have moved in a vicious circle and vitiated the atmosphere of the country to-day. You have failed to go to the root cause of the Indian unrest. It is the hunger of liberty that is to be satisfied, if peace is to reign in India again. Mere suppression of external manifestations of disorder by force, or worse still, a deliberate policy of terrorism, without any attempt to move along constructive lines to satisfy the legitimate aspirations of India, only widens the gulf of difference between Britain and India and is hardly of any good to either country or to the cause of world freedom. India cannot be held against her will merely at the point of the bayonet. Notes of warning are being sounded by well-meaning Britishers in their own country and here, and also by influential sections of public opinion in America and China. But a false sense of power, prestige and possession chokes the voice of reason and justice." (From the letter of the 16th Nov. '42, of Dr. Shyama Prasad Mookerji to the Bengal Governor.)

"In the name of combating violence and sabotage, which no one in his senses can exonerate or fail to condemn, they had resorted to methods reminiscent of some of the worst brutalities ascribed to the Axis powers. Hooliganism on the part of the goondas has been answered by equally, if not more, reprehensible terrorism on the pretext of restoring law and order which cannot find support from any living, zubberdast Dewan of any Indian State—not to speak of any ex-Dewan. Society at large has been penalised for the offence of the few. Collective or, to be more accurate, communal, fines on the principle of the Juzia have been imposed, and masses of innocent people have thus virtually been treated and punished as hostages for the misdeeds of the guilty, in correct Nazi's type. Insult, indignity, injury, assault or even death, has been meted out to the innocent along with the guilty with a degree of impartiality. Inoffensive Indians, irrespective of their position in society, such as Sir Madhorao Deshpande of Nagpur, have in places been made to remove litter from the streets in order to impress on the public at large the might of the British authority in whose eyes all Indians are equal. And Sir Cowasji Jehangir should not flatter himself that he is immune from such experiences.

Heroic attempts have been made to promote the interest of truthful statistics of the dead and wounded. It is alleged that the wounded could not always count upon proper medical attention in certain Government hospitals because they were 'rebels'. These are among the reports that reached us from different affected areas, but I shall not dwell further on this infamous chapter of British history in India which has just opened, because there may be another opportunity of dealing with it during this Session in greater detail.

To-day, frightfulness is the measure and expression of British might in India, but the moral cowardice of a despotic Government dictates the necessity for stifling publicity of legitimate information inside the country. Moreover, control and manipulation of public opinion in friendly countries abroad necessitate the landing out of information with the help of the official spoon. The Press has been gagged so successfully that nothing but officially approved news can be published either in India or abroad. The Press in India, according to Government, should either behave as a subordinate branch of the Home Department, or it must be scotched. A former Member of this House and ex-colleague of mine, Mr. Arthur Moore, is understood to have been jockeyed out of the editorship of the Statesman through wire pulling from New Delhi as a punishment for his occasional expressions of pro-Indian feelings, and the British editor of Civil and Military Gazette of Lahore may share the same fate unless he becomes sufficiently careful in time.

"Is the Honourable Member sure that he is not overreaching himself in the pursuit of this policy? Already we hear that certain foreign journalists have flown over to Chungking to outwit the censor and send un mutilated accounts of the Indian situation. And the credit of newspapers in India is now a minus quantity as few are prepared to accept their censored reports to be anything but misleading. For a parallel of the situation one has perhaps to turn to Nazi Germany.

"I have attempted to give the House a picture of the situation as it strikes me. The Honourable the Home Member has delivered a speech worthy of the Chief Constable of India. It dealt only with crime and ended with the rattling of the sabre. He is obviously a believer in the doctrine that India was conquered by the sword and by the sword it must be held. Conciliation is not in his line."

(From the speech of Mr. K. C. Neogy in the Central Assembly on Sept. 17th. 1942.)

Mr. Neogy summarised the charges against the Government and put them under the following six categories which

we shall also try to substantiate from the facts and figures we have been able to collect:—

1. "The first and foremost is: general pillage and arson and wanton damage to property by the police and the military in places, whether directly affected or not by any hooliganism. This has particularly happened in many villages in Bihar and the United Provinces.

2. Shooting at random in places not affected by any hooliganism, just for the purpose of creating an impression. I am borrowing a very well-known expression used by certain martial law authorities in the Punjab. I may say that so far as this practice is concerned, this has particularly happened in Calcutta.

3. Random shooting of innocent people found in any locality affected by hooliganism, after the hooligans had already left the place, the object being to chastise the locality rather than criminal mob which cannot be traced at the moment. This has happened in Delhi and in Calcutta as well as elsewhere.

4. Assault or shooting of non-violent crowds or individuals without proper warning. Technical violation of the curfew order by ignorant and innocent people is believed to have been promptly met with shooting at sight, leading to death in many cases. This is supposed to have occurred particularly in Delhi.

5. Excessive amount of force used in dispersing non-violent crowds.

6. Merciless assaults, particularly whipping, insults and indignities on all and sundry on the same principles that actuate the collective fine. In some cases, whipping and other kinds of assaults are reported to have led to death.

"Your methods of dealing with the present situation are as antiquated and will in their ultimate effect be as futile as Britain's attempt to coerce America in the eighteenth century. Against America, bone of your bone and flesh of your flesh, you employed the Red Indian savage with his scalping knife. Against the Indian mob you now boast of your collection of white forces, largest in India at present than at any time of its history. Have you collected them in India to fight Japanese aggression or to assert your strength against the millions that do not get a square meal from year's end to year's end, and to cow down those that merely ask you to act up to your own vaunted professions?"

"Government measures seem to have proceeded on no plan or method, except that of striking throughout the entire country-side. The net result of this has been an impression that the Government has become panic stricken and has

consequently aroused in the minds of the people a feeling that if this is to be the Indians' lot under British rule, to be shot on suspicion, to be hanged on evidence inadequate in law, to be arrested on the whim of a policeman, the average Indian may well be pardoned if he thinks of the Axis occupation of the conquered country as different only in degree. The war in India may, therefore, be said to have already begun on the moral plane, and even the simple-minded villager has begun to compare British methods of maintaining law and order with what he has been told about Axis methods in occupied countries, and to him the comparison may appear to be flattering. What is then the remedy? Statesmanship demands that the root causes be eliminated, and the people reconciliated, so that India takes her rightful place as a free and equal partner in the comity of the United Nations. You can repress, with the power that you now have, any popular movement, but you will merely drive it underground, where it will wait its time and burst forth at a more perilous hour. Conciliation should be the motto, and you can very easily conciliate Indians if you only consent to part with power." (Extract from the speech of Mr. Sri Narain Mehta in the Council of State on 23rd September, 1942.)

All warnings and sober and sane advice from the moderate loyal statesmen of the country were contemptuously and completely ignored by the Government and they pursued vigorously the policy of general repression in a sort of dreadful delirium. We give below, province-wise, a short account of the British Government's senseless, barbarous and heinous atrocities perpetrated throughout the country with extreme severity and indiscriminately. The account is only illustrative and not exhaustive :—

I. CENTRAL PROVINCES

Happenings at Chimur :—Chimur is a village with a population of 6,000, in the district of Chanda, C. P. It is surrounded from all sides by thick jungles, and has road communication only with Warora, the headquarters of the Tehsil and a railway station on the Wardha-Ballarshah line, by a second class pucca road 32 miles in length. A bus service runs between Chimur and Warora twice a day.

From old times it has been an important place in a region which is practically a jungle area for miles together. In olden days it was directly connected with Nagpur, the capital of the Bhonsla Ruler, and is rather nearer to it than to its present District headquarters, Chanda. At present it has a Police station, a hospital, a Marathi and Urdu Primary School, and a

Government Rest House. It is comparatively a rich village, having Sardar-like big families of Naiks and Begdes with their big old wadas. The place is politically conscious and has got branches of the Rashtriya Swayam Sewak Sangh, Hindu Mahasabha and the Congress.

No consistent story can be traced of the recent happenings which took place on Nagapanchami, the 16th August, 1942, as all the male population of the place is either under arrest or has fled. But from elaborate investigations made by me the following appears to me to be a true description of the events. Certain Congressmen of Chumur were arrested by the police on 16th August. This was followed by firing and lathi charges on a procession. Nothing has yet been established of the casualties due to the firing, but the report is that the firing was heavy and continued until the ammunition was exhausted. Thereupon the infuriated mob, which the firing had failed to disperse, set upon the police party, resulting in the death of Subdivisional Officer, one Circle Inspector of Police, one Naib Tehsildar and a police constable. The crowd is also said to have burnt the bodies. The mob then went on to block the only communication to Warora. They blocked it for over two miles by cutting big huge trees and spreading their trunks and branches over the road, and by damaging a culvert which crosses a brook.

The District Magistrate at Chanda, hearing rumours of strange happenings at Chumur, started for the place with a party of 50 armed police on 17th August. But when he found the road blocked and heard of the real happenings he felt diffident about his small force and went back. He represented to the local Government that there was a very big armed rebellion in the jungle of Chumur, which could not be put down without a strong regiment of white soldiers fully equipped. Really speaking, had the District Magistrate not lost courage and been equal to his responsibilities, he could have managed the situation with the 50 armed police with which he had started on the first day.

On the 19th a special train reached the station of Warora with 200 white soldiers and 50 Indians, fully equipped with military buses for their transport to Chumur—33 miles off. The D.M. with this party and his 50 armed policemen immediately started for Chumur and clearing the way reached Chumur. The District Magistrate, who is unfortunately an Indian, was mad with rage and revenge. The terror-stricken people, big or small, hid themselves in their houses either in big wadas or in cottages and barred the door from inside. There was none to be found in the streets and the whole village appeared

to be deserted. The D.M. took some troops with guns and muskets and went to the wadas of big persons first and then to the houses of others, broke them open and hunted out every male member and got them beated and arrested, excluding only old and young ones. Thus he effected over 120 arrests that day. He had now to arrange for the food of the military, or in his words, the guests of the villagers, who had invited them to protect themselves from the goondas. It was, therefore, the duty of the villagers to provide for their "invited guests". He transferred this duty to the police with full powers. They broke open the stores of the men who were under arrest. Then the police poured into the military camps cart-loads of big copper and brass utensils for cooking, bags of sugar, wheat, rice, fuel, tins of kerosene, ghee, oil etc. The village was then systematically plundered. Houses of well-to-do and rich men were entered and safes containing gold and silver rifled. Silk sarees were torn and scattered or handed to the Indian soldiers and police. They amused themselves with harmoniums and used kitchens as latrines. Women were raped but in many cases women linked themselves together hand in hand and put up successful resistance. But whereas in some of the poorer houses a single woman was found left alone the most shocking outrages occurred. There are reports of cases of women in advanced pregnancy, newly delivered ones with bleeding in menses, and girls of tender age are being strangled. This does not mean that there are hundreds of such cases or that over 50% of women population is molested as the rumours are. But such cases there are and in good many numbers which can only be traced if a responsible non-official enquiry is held.

This state of things rigncd for 2 days. At last an old lady, Daibai Begde, took courage and reached the D.M. through the guns and bayonets of the patrolling guards somehow. She narrated to him the whole situation and asked if there were no ladies in his house. The D.M. is said to have told her that their husbands, sons and brothers had invited the military and it was the natural outcome of that ; still he would enquire into the matter and give them protection. He there-upon called the military and police together and told them not to trouble the womenfolk. This helped to quieten matters to a certain extent, but did not serve much purpose.

In the meantime the local Government had imposed collective fine of one lac of rupees on the village and its surroundings. After the departure of the military on the 26th, collection of fine began in earnest and the money was extorted without difficulty from the terrorised womenfolk, the men having either fled away or been arrested.

Thus the above mentioned three stages of the tyranny, viz, (1) beating and arrest, (2) looting, plundering, and (3) legalised loot or the collection of fines are over. And now reigns the fourth stage of tyranny of investigation of offences. During the first three stages no outsider dared to approach the village either through fear or want of proper information. But now, although the Government say that there is no restriction on persons going to Chumur, still any outsider going to Chumur is put to hardships and humiliations. The D. M. is managing the situation in such a way that no outsider could go to the village till at least the investigations were over, lest, he is afraid, the investigations be hampered. Thus the village of Chumur which now consists mainly of female population is cut off from the outside world for the last seven weeks and is under the control of uncultured and uncontrolled police. Only recently a party of well-educated ladies from Nagpur, who were mostly graduates, visited the place as relatives of some residents there. On reaching there the S.D.O. threatened them. But when they were found a match to his threatening he sent two constables after them and guarded their lodging with a guard of 8 policemen so that they may not get out of the houses. This is what is meant by the restrictions in going to Chumur, mentioned in the letter of the Chief Secretary to the Government addressed to the President, Bar Association, Chanda, dated 31st August.

The fifth stage of this ordeal, the summary trial of all those already arrested, is yet to come. In private talks the D. M. said to have stated that several persons were to be hanged. There are about 400 arrests in the case, and if this 'several' means hanging of over 100 persons the fate of the poor women, who have suffered the previous ordeals with courage and endurance, is doomed. Go to Chumur and you will find every house in mourning; meet any woman of Chumur and you will find her with tears in eyes imploring you to try to release husband, brother or son."

(From a statement of Shri
Valunjkar, an inmate of Gandhiji's
Wardha Ashram.)

"Motichand Nanakchand was fined Rs. 10,000. He sent wires to the Governor and the D.C. to say that his shop was already looted to the extent of things worth Rs. 10,000. He then received the following reply from the D. C. :—

"Serious coercive measures will be started to-morrow noon."

A man's entire property worth Rs. 50,000 was taken away. Another man's entire property worth Rs. 1,800 was taken away. Nuri Bhora was fined Rs. 2,000, another Muslim

Rs. 1,000. Till 3rd September fines amounting to Rs. 85,000 had been realized. Later, in accordance with the Central Government's policy, the fines of the Muslims were remitted."

(From the account about Chimur issued by the Congress authorities at Bombay.)

Dr. Moonje and Mr. M.N. Ghatak, who enquired personally into these affairs gave the following connected account :—

"Our visits commenced with the visit to Ramtek first on Saturday the 19th and here we were accompanied by Mr. Layard, the Deputy Commissioner of Nagpur. Mr. Layard came to us in his own motor and we left for Ramtek at 8-30 and reached there about 10 a. m. First we visited the Railway Station, which though repaired, still bore quite visible signs of damage from hooliganism and fire. We met and interrogated the Station Master and his Assistant. They told us that on the day of the occurrence, a mob of about 500 men, composed of Hindus and Moslems with an admixture of Coolies with crowbars and from the Mines nearby, came to the Station invading it from all sides. Their very first act was to cut all the telegraphic wires. Next they entered the booking office and took possession of whatever cash was found. While this was going on, one portion of the mob, on one side entered the Lamp Room and taking possession of the Kerosene oil tins, set the station building on fire; and on the other side, another portion went over to the rail track and with their crowbars, began to tamper with it. Just at that time, a train from Nagpur came in but not getting the signal, had to be piloted to the platform. The train was emptied of the passengers and the first and second class Bogie was immediately set on fire.

"Besides these, two significant incidents happened at the Station. When the mob first collected at the Station, they found a Sub-Inspector of Police in uniform in charge of the prisoners arrested during the previous evening in a public meeting held to organise the mass movement. Immediately the prisoners were released and the Sub-Inspector was made a captive. About the same time, as mentioned above, a train from Nagpur arrived on the platform, and amongst the passengers was found another Sub-Inspector who was returning from Nagpur to go to his Police Station at Ramtek. He was also made a captive. These two captive Sub-Inspectors were then made to take off their uniforms and to wear Gandhi caps. The mob then formed into a procession and with these two captive Sub-Inspectors holding Congress flags in their hands marching in front, the procession went towards the town. When this procession reached near the Police Station and

the Tehsil building, the mob saw them surrounded by another mob of a bigger size of Hindus and Moslems shouting the same Congress slogans. Being satisfied with having made the two Inspectors of Police put on Gandhi caps and shout the Congress slogans and finding greater attraction in the doings of the bigger mob surrounding the Tehsil, the first mob ran towards and joined the Tehsil mob, leaving behind the two captive Sub-Inspectors of Police to themselves. These two captive Sub-Inspectors of Police and also the Railway Station staff officials were in no way molested or hurt.

We next went and inspected the Police Station and the Tehsil building. The Tehsil building was completely burnt. The door and the lock of the Treasury room was broken open and the Treasury was looted. We were shown the hind wall of the Treasury Room which was broken open to secure an entrance into the room; it is now repaired. The wall and the doors were broken open by the use of crowbars.

"We next went to a building of the Hospital where the Sub-Inspectors of Police are now holding their office. Here we interrogated the various officials. One Head Constable Moharrior, when interrogated, narrated his story as follows :— When he saw the mob invading the buildings, he asked the Tehsildar for permission to use his rifle and shoot. The Tehsildar told him that there is no need to shoot as the leaders of the mob are saying that they will only plant their Congress flag on the buildings and then disperse.

"We next saw the Post Office which also had been burnt, and then went straight to Umbala. We took our seats in the Sarai and the men of Umbala village assembled to meet us. We first interrogated the prominent Pandas, the Religious Priests of the place. They all told us that for two successive days, Mahar Sepoys of the Mahar Battalion stationed at Ramtek took control of the situation, visited the Umbala village in company with the Mahar Naib Tehsildar and forcibly entered their houses, broke open doors, and took away whatever cash and notes they could find in them. When they were being prevented and in some cases also resisted from entering their houses, these Mahar Sepoys would struggle with them and in such struggle, sometimes their home Deities were polluted and scattered and food utensils containing cooking food were thrown about. Two of these Pandas complained that they were also beaten with sticks. A tall well-built old man, who recognised Dr. Moonje and reminded him of his being a member of the Nagpur Municipality and of having worked with him in securing to Dr. Cholkar the Presidentship of the Nagpur Municipality in that year, came forward and narrated his own story. Mahar Sepoys entered

his house and went, in spite of his remonstrance, through all the rooms, polluted his kitchen, broke open doors and boxes, and brought a box in which were Rs. 110 in cash and some currency notes. They took away some notes and Rupee one in cash.

"It is said, though no one deposed in our presence, that Mahar Sepoys went to the Umbala Tank and bathed in it. The guardsman of the main Temple, however, deposed in our presence that some of these Mahar Sepoys, announcing themselves as Marathas, went forcibly inside the temple with their boots taken off but did not do any damage inside the temple or to the Chief Deity. It is to be noted with great satisfaction that, by taking off their boots before entering the Temple, they showed respect and observed the sanctity of the Temple, as they were Hindus.

"We did not get any report of molestation of women, though we are told that two cases of rape by the Sepoys have actually happened.

"It was now 1 p. m. and we returned to town. We assembled at the house of Mr. Bhayyasaheb Totade. Here we met prominent people of the town and they told us their hearsay story as above. It was now 2 p. m. We left Ramtek and reached back Nagpur by 2 p. m.

"While the Sepoys were playing pranks in the Umbala village, two Brahmins—Pandas—were beaten with sticks and their sacred threads were torn off by them. The Mahar Naib Tehsildar also beat a few of the men with his own stick. The Mahar Sepoys entered the Garh forcibly by breaking open the door of the first Gate while going from the town to Ramtek to Garh. There is a rule strictly observed from olden times that untouchables are not allowed to enter the Temple.

"We were told that these visitations by the Sepoys in search of money supposed to be the looted property of the Tehsil, were unauthorised. The Mahar Naib Tehsildar utterly failed to recognise his responsibility in the matter.

"On 22nd September we left in the morning for Ashti with the Commissioner of the Nagpur Division in his motor. While nearing Ashti, a few miles away from it, a bridge on the road appeared tampered with. It was destroyed on the day of the occurrence; so that no motors may be able to pass to Ashti from Nagpur. Further on we saw several Babool trees that were felled and said to have been put across the road to serve as blocks to prevent motors and lorries running along that road to Ashti. We reached Ashti at about 11 a. m. The Deputy Commissioner of Wardha had reached Ashti only a few minutes ahead of us; Mr. Ali Akhtar reached Ashti soon after. He is in-charge of investigation of the incidents

that happened at Ashti. We all settled down in a building of the Hospital. We immediately went to see the Buildings of the Police Station that had been burnt down. We were shown the spots where the Officials were killed and burnt and from where a Police Constable fired a shot and killed a man—a Moslem—who was with the invading mob. We also saw from a distance that the roof of the A. V. School was burnt down and were further told that the furniture of the Hindu Girls School was also destroyed by fire. The invading mobs were composed of Hindus and Moslems, mostly from the surrounding villages. They came in two waves one after the other, at an interval of about an hour.

"After the inspection of the spots, we returned to our place where we were staying. Here Mr. Ali Akhtar narrated all the incidents as they happened. He told us that a Moslem in the mob was shot down by the Police. He gave us a pathetic description of how the Police Officials were killed and burnt.

"We next interviewed the responsible people of the town, Ashti, who were invited to meet us. They all told us in one voice that Sub-Inspector of Police who was killed was very popular with the people and they were shocked when they heard of the report of his death. They gave Shelter to the families of the murdered Police Officials both Hindus and Moslems. They further told us that one Moslem, from the mob which was composed of Hindus and Moslems mostly from the surrounding villages, was shot down by the Police. They further told us that during the day after the Police Officials were killed and the buildings were burnt, there being nobody to maintain order in the town, great confusion and anarchy prevailed and there was general looting of grain in the village though on a small scale. Moslems and Hindus were mingled in the looting. They further told us that from the next day, when the Sub-Divisional Officer Mr. Mehta came to the town with Indian Military, complete order and peace prevailed and confidence was restored. They were unsparing in their praise for the balanced temper and administrative abilities of the Sub-Divisional Officer, Mr. Mehta. The Indian Military was strictly not allowed to enter the town; but they were provided with food and comforts. They have no complaints against the Indian Military who were stationed at Ashti. Individual cases of victims of mob looting in the town can still be discovered and we have reports of some of them. They further told us that since the day of the happenings, the A. V. Middle School, which is mostly attended by Hindu students, and Hindu Girls' School have been closed down. The Urdu School used by the Moslem is not closed and is running as usual. They complained of the great inconvenience that is caused by the closing

down of the two Hindu Schools, one for boys and the other for girls. Thus we finished our business in Ashti. We then returned to Nagpur via Arvi and Wardha. We reached back Nagpur by midnight.

"On 25th September, we went by the Grand Trunk Express to Warora. The Commissioner, Nagpur Division, also went by the same train with us to Warora. The Deputy Commissioner of Bhandra met us at Warora; we all passed the night at the Warora Dak Bungalow. In the morning of 26th, we went in two separate cars to Chimur and reached there at about 10 a.m. On the way about 3 miles from Chimur, there is a bridge which was demolished by a riotous mob on the day of the occurrences. It was shown to us by the Deputy Commissioner of Chanda who also showed us, further on, the spots where the Circle Inspector of Police and a constable were killed and burnt. We also saw, the trees that were felled to serve as blocks on the road to prevent motors and lorries coming by the road to Chimur.

"We next saw the Dak bungalow which was completely burnt down, with its out-houses which were partially burnt. Here we met a Chowkidar of the Dak bungalow who, being interrogated, told us how the Sub-Divisional Officer, Mr. Dungaji, and the Naib Tehsildar, were killed. The Chowkidar somehow escaped from the mob and ran away for his life.

"We then went into the town of Chimur and settled ourselves in a room of a building of the Hospital. We then walked down to see the buildings of the Police Station and the School. They were all partially burnt. Here we were told that men who were arrested from the town, about 150 in number, were accommodated in the 2 or 4 small rooms of the Police Station building and some were put in the small cattle-pound which was open on the top, being practically without roof. We were further told that in those days it was raining frequently. We were surprised that such a large number of men should have been crowded and confined in such rooms and particularly in the open cattle-pound exposed to rains. The Deputy Commissioner admitted that, there being no other accommodation available, these men had to be kept in such small rooms and in the open cattle-pound exposed to rain. To us it appeared a sort of a Black-Hole, and we leave it to be imagined how the men would have suffered in such overcrowding.

"We then took a round in the town to go to the house of Mr. Begde who is an old man about 60 years of age and one of the well-to-do men of the town. His wife, Mrs. Begde, came up to the verandah and, recognising the Deputy Commissioner, welcomed us all in a tone of humiliation and

agony of mind. We all, including the Commissioner and the Deputy Commissioner, set down in the verandah and cajoling the old lady, Mrs. Begde, and appealing to her sense of dignity and self-respect, brought her round to give us a complete story of molestations of women and outrages on women of the town.

"She then sent for and collected several women of the town who, with feelings of shame and outraged dignity, narrated their separate tales of molestations and actual rapes. Seventeen women all narrated their own stories; out of these 17 women, 14 were actually raped, some by more than one white soldier, and the rest 4 were only molested. The women in great agony of mind gave expression to their desire of revenge to be taken by their menfolk if God Almighty so willed.

"Mrs. Begde is a remarkable lady of courage and leadership, and she told us of an incident in the face of the Deputy Commissioner who was sitting by our side. She said that one day she, in the midst of the shameful bother of white soldiers coming to her house in batches frequently throughout the day and late in the night also, mustered courage and, though challenged frequently by the soldiers and the Police, went up straight to the Deputy Commissioner and told him of her trouble. The Deputy Commissioner, bluntly and heartlessly retorted, "Who has invited this trouble? Who brought these white Soldiers? It is your menfolk, your husbands and brothers". She was stunned. But soon, however, the Deputy Commissioner appeared to relent and ordered the soldiers not to do any mischief in the town.

"Of the women so molested, was the daughter of one of the Naik families who was raped by one white soldier and a police constable. They then took away a gold ring from her finger and extorted Rs. 10 from her mother, who being an old lady, was removed to another room and had to stand this shameful affair hopelessly, the menfolk of her household having been previously, arrested and removed to the lock-up. She comes from one of the highly respected Naik families of the town. Another lady, who is pregnant and whose modesty was grossly outraged, is the wife of the Sar-Panch, that is, the President of the Village Panchayat. She is Tali by caste, and the former lady is Brahmin by caste.

"As for looting and destruction of the household furniture, safes, boxes, almirahs, wearing apparel and foodgrains, it is incalculable, but the sight of this destruction in the rooms of the several houses is heart-rending. Both the Commissioner and the Deputy Commissioner saw this destruction with their

own eyes in company with us. Aghast Dr. Moonje exclaimed in their very presence : "Are we in British Raj? Or are we in Moghul Raj?" We have been provided by our friends with a list of some 10 or 12 houses of well-to-do people of the town, where it appears this kind of loots and destruction of property was indulged in freely with impunity.

"Having thus finished our enquiry in the town, we returned to our place for meals about 2 p. m. After meals, the Sub-Inspector of Police in charge of the Police Station, being interrogated, described the happenings as they happened. He told us that the mob was composed of Hindus and Moslems, and that men who held public meetings and addressed them were school masters and Congress leaders of the town. He did not mention any name from the respectable families of the town such as the Naiks or the Begdes. He told us of his conversation with Sant Tukdoji Maharaj. He went to see him in his own house where there was a large gathering of his disciples. In their presence and in their hearing, Tukdoji Maharaja said :—"You are the Sub-Inspector, you do your own duty. These people, being Congressmen pledged to non-violence, will remain non-violent." It was now about 4 p. m. We now left the town to return to Warora but on our way we went to see one woman, Tali by caste and Ashtakkar by name, in her own house. She was ill and had delivered only a few days ago. Her mother-in-law was also sitting by her side. She told us how she was caught hold of by a Police Constable and raped, pregnant though she was. We then went by way of the Naik houses and entering them we saw with our own eyes the shocking spectacle of the destruction of the household furniture. We next took our cars and reached back Warora by about 7 p. m. We spent the night in the Dak Bungalow, and taking the Grand Trunk Express next morning reached back Nagpur on the 27th. Thus finished our inspection."

Having come to know of our arrival in Chimur, several people both from the surrounding villages and from the town itself, some with written applications, came to see us and complained to us about the exorbitancy and unjust and unbalanced levy of fines and particularly of the ruthless and heartless manner in which the fines were collected. It may have added to the prestige of the collecting officials in the Government as most efficient and capable, but at what moral cost to the Government? We could see the discontent and misery depicted on their faces. Even the women and the ladies whom we had occasion to interview, complained loudly in the same manner. Of the several receipts showed us by the women, I remember of a woman, by name Radhabai,

if I now remember her name well, having shown me two receipts of Rs. 500 each, which showed that Rs. 1000 was paid through her. In the case of women, the particular point to note was that immediately after the incident most of their men-folk, including bread-winners and managers of their respective households were arrested and taken to the lock-up and it was in their absence and before the women could get over the terror and horror inspired by the terrible incident which they had not conceived in their wildest of dreams, that the military in groups, accompanied by the local Police and other Officials, were sent to their homes, bent on using terroristic measures to expedite realisation of the fines I leave it to the Government to imagine what horror, what shame and what misery must have been thus caused.

We are told on reliable evidence that a Moslem merchant of Chimur was utilized to give cash to those Hindus who were in need of it to pay fines on selling their gold and silver to him. We are told that the Moslem merchant secured, by thus paying cash, 400 tolas of gold 4,500 tolas of silver and gold at from Rs. 20 to Rs. 40 per tola and silver at from 4 annas to 6 annas per tola. If this story be true, gold and silver were sold and purchased dirt cheap. If true, nothing can show better straits the people were reduced to in finding cash to pay the fines within a few days. How much of coercion must have been exercised and what misery caused. This matter deserves immediate enquiry.

It will have been noted from the foregoing portions of our report the Moslems were not inconspicuous in taking part in the activities of mob-hooliganism in the towns we visited. This fact is now beyond question; but it is not for us to complain about it. However, we regard it as our duty to put on record our opinion that is actions like these that confirm the impression among the masses that the Government in their policy of divide and rule, is favouring Moslems at the moral and material cost of the Hindus. Can it not be imagined how it will disturb the inter-Communal amity between Moslems and Hindus living side by side as neighbours in far-off villages by creating needless jealousy from the rise of feelings of supposed superiority and inferiority in the minds of the Moslems and the Hindus?

Besides, this differentiation is based on injustice. If the Muslim League, which is, however, not the representative organisation of all the Moslems in the country, has announced its dissatisfaction from this movement of the Congress. It should be no news to the Government that the Hindu Mahasabha has always opposed the Congress policy of Civil Disobedience and non-co-operation. Therefore, if the Moslems

of the Muslim League are to be exempted, why should not then the Hindus of the Hindu Mahasabha be given the same concession? We are, however, content to leave the matter to the discretion of the Government.

From what we have seen with our eyes in our visits to Ramtek, Ashti, and Chimur, we feel no hesitation whatsoever in recommending to the Government that a Committee of enquiry be appointed to investigate into the happenings. Matters for enquiry are whether the force used to quell the disturbances was needlessly excessive and whether there was any need for destruction of domestic property as has been done so wantonly. Above all, the outrages committed on women in Chinur cry for some definite act of justice and retribution.

We are making this recommendation in spite of the knowledge that we have of Government's disinclination in the matter. Even believing that the action of the Government in quelling the disturbances was warranted on the ground that the Congress movement, as some may say, was an act of war or, as the Congress itself or Mahatma Gandhi himself describes, is an act of open rebellion, still the obligations of civilized warfare cannot be got over morally. We have often heard of the barbarities including outrages on women alleged to have been committed by Germany and Japan; and we read in the papers of 10th October that in the House of Lords, on 7th October, the question of dealing with the war criminals was raised by Viscount Maugham. In reply, the Lord Chancellor, Viscount Simon, announced that a Commission of the United Nations would be appointed for the investigations of war crimes.

Viscount Simon said, "If this time the perpetrators of the abominable war crimes are to receive due punishment, it would be a grave mistake at the stage to concern ourselves merely with the minutia of juridical analysis. Two prerequisites are necessary; first, to procure evidence, and secondly, to secure the persons accused."

Why should not a similar largeness of heart or anxiety be shown in respect of the happenings in India and particularly in our Province?

We would like to put on record our impressions on three points: firstly, why were the police unable to protect Government property and defend themselves; secondly, why nothing terrible happened in Ashti, though 5 officials were killed and why such horror was perpetrated at Chimur, where only 4 officials were killed, and why there was no loss of life in Ramtek; and thirdly, how was the behaviour of the officials?

As for the first point, it is well worth noting that in the three places we visited there was enough police with rifles and cartridges. In Ramtek, we are told, there were 10 Police Constables and two Sub-Inspectors with 10 rifles and 250 cartridges; in Ashti 4 constables and one Sub-Inspector, with 4 rifles and 100 cartridges; and in Chimur 3 constables and one Sub-Inspector with 3 rifles and about 75 cartridges.

From the point of defence, we would give first place to the position on which the buildings of Ramtek were standing and second and third places respectively to those of Ashti and Chimur. There was enough open ground in front of the Ramtek building. The open ground in front of the Ashti buildings was smaller than that in Ramtek, but in Chimur there was practically no ground. If at Ramtek and at Ashti, the Police constables under the order of their Sub-Inspectors had taken a firm stand and had, with a determined resolve, warned the approaching mob before they arrived within 50 yards to halt, shown fight and even fired one or two rounds each, we feel sure that the mob would have been kept at bay and eventually dispersed. This was, however, not possible in Chimur, as there was no open ground in front; shooting at mobs from quite near when actually surrounded on all sides is not only useless but actually provocative.

But the question is why did the police, though armed with rifles and provided with cartridges, not shoot at the mobs when at a distance? Our reply is that in view of the traditional Congress policy of non-violence, consistently and earnestly pursued during the last 22 years, no one believed that the mob, composed of the more or less familiar faces of the town and generally led by the educated youths of the higher classes, would indulge in violence and actual killing of human beings. We have evidence that at Ramtek the Sub-Inspectors were not on duty at the Police Station at the time and thus the constables were without their Officers. Besides we have evidence, as mentioned above, that the Tehsildar actually dissuaded, acting on this hypothesis, the Police constable from shooting. He appears to have honestly believed in the words of the leaders of the mob probably known and familiar to him, that they intended only to plant the Congress Flag on the building and then to disperse. The behaviour of the Sub-Inspector of Ashti towards the mob is more evidence of this hypothesis. When the mob assembled at the closed gate of the Police Station, the Sub-Inspector actually went down to meet them and argue with them. We believe that there is a great deal of truth in what Mr. Newsam, an Englishman I. C. S., Special Judge at Chittoor, Madras Presidency, said

while giving judgment in what is known as the Pannapakkan, train derailment case. He said: The idea of wrecking trains in the manner described by the prosecution was foreign to the genius of the Indian mind and terribly antagonistic to it. Similarly the idea of actually killing in cold blood quite innocent persons, known to them and often popular with them, is most loathsome to the genius of the Indian people. This does account for no loss life in Ramtek.

We are told that the Police Constables are not given enough of target practice and therefore they were not efficient shots.

Contrasting the situation as comprehended by us at Ashti with that at Chimur, we have no hesitation in saying that, if the Officials at Chimur had been as tactful and endowed with fellow-feeling as those at Ashti, perhaps the horrible incidents that have happened at Chimur after the deplorable incidents of the mob-hooliganism, would not have taken place.

We have already mentioned how the people of Ashti were full of appreciation of the temperament and administrative qualities of the Sub-Divisional Office, but quite different was the state of affairs in Chimur. The Sub-Inspector of Police in charge at Chimur has told us how the Circle Inspector was tactless and provocative in his dealings with the mob; but though provocative, he did not use the rifle and was content with mere threat of shooting at the mob. Besides he was frequently saying that the Sub-Divisional Officer was at the Dak Bungalow with a large posse of Police. We believe it was this behaviour of the Circle Inspector, who is now dead, which had provoked and enraged the mob into killing the Officers.

The Military at Chimur were not kept under control as at Ashti. We are sorry to say that the Deputy Commissioner of Chanda, who was on the spot, was not above fault.

We are very thankful to the Government and to the Commissioner of the Nagpur Division and the Deputy Commissioners of Nagpur and Wardha for the kind help and facilities they have given in our humanitarian work. We thank also the Deputy Commissioner of Chanda for having accompanied us.

The following ladies, including a doctor, also visited Chimur in the third week of September 1942:—

1. Mrs. Ramabai Tambe, B.A., B.T., the wife of Mr. B. S. Tambe, former acting Governor of C. P. She herself has also been a member of the C. P. Legislature.

2. Dr. Mrs. Durgatai Wazalwar, M.B., B.S., practising physician,

3. Mrs. Vimalabai Deshpande, M.A. wife of Mr. P. Y. Deshpande, Advocate.

4. Mrs. Dwarkabai Deoskar.

5. Miss. Vimlabai Abhyankar, B.A., daughter of the late Mr. Abhyankar, Bar-at-law (M.L.A. Central).

Their report is given below :-

"The Chimur outrage was a bye-word for the worst kind of military excesses. News reached us that not only were the menfolk arrested in masses and their houses looted, but defenceless women were outraged on a big scale. Nobody was, however, allowed to visit Chimur as long as the village was under military raj. About the second week of September, the bus service from Warora was open and there was some semblance of conditions returning to normal. Three of us, therefore, Mrs. Dwarkabai Deoskar, Miss Vimalabai Abhyankar and Mrs. Vimalabai Deshpande decided to go to Chimur and see things for ourselves. We were advised to take some male escort with us, but we declined. We left Nagpur for Warora on the 18th by the morning train. We spent the whole day at Warora, because we found that we could gather a great deal of first hand information about Chimur from people who witnessed things during those days of military excesses and who were now staying in Warora with their relatives. We also learnt that a Munim of the Naik of Chimur named Baliram who got the application of the outraged and molested women of Chimur prepared was arrested a day or two before our arrival. We were, therefore, warned by some people not to risk going to Chimur. The next day, 19th September 1942, we started for Chimur by the morning bus. We had sent a man to Chimur the day before to let Mrs. Seetabai Naik know that we were going to stay with her, and that if she was asked to state her relation to us, she was to say that we were her nieces and that she was our aunt. This precaution was needed, because only relatives were allowed to visit people in Chimur. As soon as the bus stopped at the motor-stand, the Muslim Sub-Inspector of the place came out of the police station and stood near the bus; when we got down, he asked our names in such an insulting and rude manner as to make anybody angry. But we had to keep our temper in control. As soon as we wrote down our names he asked us where we were going; he told us in the same rude and insulting manner that since Section 144 was promulgated there, we were not to hold any meeting, nor see anybody nor make any enquiry. We said that we had not come to make enquiries but only to see some people. He replied to us in the same rude manner that it was his

duty to warn us. We then started to go to Naik's place. As soon as our backs turned, the Sub-Inspector ordered a constable in a loud voice to send police in mufti to follow us and watch our movements. We expected all this treatment. No sooner had we reached the Naik's house, than the whole big house was under police watch. Word was sent to us by the Sub-Inspector that we were not to stir out of the house nor was anybody to see us in the house. We, however, asked the policeman to inform the Sub-Inspector that we were going to visit the Balaji temple that evening. For a time we were at a loss to know how to get the outraged women to come to this house to relate their stories; but we soon found the way. We sent the Naik's Munim to ask the women to come to the Naik's wada on the pretext of taking buttermilk. This arrangement worked to a certain extent and a few women came and related the harrowing tales of those days of atrocities. The whole atmosphere of the wada was surcharged with mortal fear as was evident from the very movements of the women. From every window we could see a policeman. On our arrival, we had sent words to Mrs. Dadibai Cadge, a lady who had bravely faced the military raj and protected her neighbours to come and see us. But her house also was watched and she could not stir out. In the evening, we started to visit the Balaji temple. On our way we stood outside Dadibai's house and called her to accompany us in a tone showing familiarity. Dadibai understood and came out. We all went together, but we talked about nothing but the Balaji of Chumur and Balajis of other places. We had to keep us appearances. When we reached the temple, one of us kept watch and the other two talked to Dadibai in undertones. This brave woman was so terror-stricken that she could not relate much to us. She talked in general terms only. After some time we left the temple, but Dadibai went out before we left, so terrified she was to go with us. The terror-stricken atmosphere of the whole village weighed on us. Late in the evening, Mrs. Tambe, Dr. Mrs. Wazalwar from Nagpur and Mr. Walunjkar from Wardha came to Chumur. They also met with the same rudeness from the Sub-Inspector. But when they showed him letters from the D.C. and the Commissioner which they brought with them, he had to soften. The police watch round the houses of Naik and Bagade was also relaxed after this.

The next morning, Mrs. Tambe and Mrs. Wazalwar came to see us. We showed Mrs. Wazalwar a case of rape. She examined that girl and declared that the girl was only 12 or

13 years old and that it was a clear case of rape. When Mrs. Wazalwar examined this case and saw all the signs of the military raj in every room of Naik's wada, she was greatly agitated. She decided to visit the village from house to house since her party had the Commissioner's letter to protect her. She went to Chambharpura, Telipura and Balaripura, the scene of the worst excesses of the soldiers, and questioned several women. She could with great difficulty bring out from them the tales of the outrages. She examined the woman who had delivered and who was outraged by two soldiers on the 5th day of her delivery. The woman was almost dumb through fear. We were to leave Chimur by the afternoon bus. As the time for our departure approached, Mrs. Seetabai Naik, our kind hostess, who looked greatly relieved since our arrival, grew restless. She piteously told us that after we had left them they would again be harassed by the police and things might get worse. She, therefore, at once started to go to Mrs. Dadibai's place, where Mrs. Tambe and her party were putting up. She entreated Mrs. Tambe who came with the Commissioner's letter to do her best to get the Sub-Inspector transferred since he was the most notorious scoundrel. The sight of Mrs. Naik's restlessness also agitated us. We promised her that we would do our best but that we knew our powerlessness. At about three in the afternoon we left Chimur. From the tales of the women at Warora and Chimur, from the evidence obtained by Mrs. Wazalwar during her visit to the worst affected parts of Chimur, from the signs of looting everywhere, in evidence of the big wadas and from the outlook of the completely weighed down and terror-stricken atmosphere that we experienced during our short stay there we got a fairly good picture of the atrocities that were committed at Chimur during the fateful days of the 19th, 20th and 21st August 1942.

"As soon as the military entered on the 19th August it arrested almost all the menfolk and only children, women and old decrepit men were left behind. After removing the men, the soldiers took complete possession of all the houses, looted everything they could lay their hands on, outraged women to their hearts' content. In order to save themselves from this, many young women hid themselves under hay, fodder or any other dirty rubbish they could find. Women tried to protect themselves by keeping together in batches of 25 to 30. For two whole days, 20th and 21st August, the women and children could get nothing to eat and not even water to drink, since their houses were overrun and occupied

by soldiers. Their kitchen and provisions were for the soldiers alone. Even infants of a few months remained without milk, while all the milk, all the tea, all etables were at the disposal of the military. The whole military fed on Chimur and the people starved. The soldiers hunted young women from place to place and outraged them in the byelanes. No woman was safe. Even pregnant women, women who had just delivered and girls of 12 and 13 years of age were outraged. It may be interesting to note here that when our visit to Chimur was planned, enquiries were made as to whether there was any legal restrictions on persons wanting to go to Chimur.

"No less an authority than the Commissioner of Nagpur, Mr. P. S. Rau, who has the reputation of being a firm and fair-minded official, told Mrs. Tambe and Mr. Walunjkar that there was not and never had been any restriction on persons proceeding to Chimur. But Mrs. Tambe and Mr. Walunjkar having insisted on a letter, the Commissioner gave them a letter to the D. C. of Chanda. The experience we have had at Chimur, and the experiences which Mrs. Tambe and her party had at Chimur, conclusively convinced us that either the Commissioner was kept blissfully ignorant of the state of affairs prevailing in Chimur and of the ways of the local authorities, or that he feigned ignorance with a view to discrediting all sorts of stories about Chimur that were in circulation all over the province. However, we have come back from Chimur with the firm impression that there is not a vestige of any law in Chimur and that the place is haunted by the goonda raj of the local police."

In order to ascertain correct facts about the tragedy at Chimur, Dr. Mrs. Wazalwar along with Mrs. Ramabai Tambe and some other ladies went to Chimur on the 19th September 1942, and her report runs as below :-

"It is no use repeating the atrocities as many visitors and sympathisers have given expression to them. I was also eager to get correct and first-hand information and not to fall a victim to idle gossip. After my return, I feel absolutely stunned, even to think of what I heard and saw, as with what little I know of past history I cannot remember any instance of such kind.

"I visited the place lane by lane. All the houses practically have no men-folk. Women are panic-stricken still. Visitors they saw and received with great suspicion. In many places I talked to them very casually. And none dare say anything except that the male members of the family were in jail for no fault of theirs. Some talked about looting, plundering and damage to property. On top of all the punitive

taxes, and how difficult it was for them to get the amount demanded. But no one said anything about molestation etc. Till 9 O'clock in the morning on the 20th I could not get any information about molestation of women. I then directly cross-examined them as to whether they remained free from molestation or outrage to their modesty. I saw the first hesitation on their faces, and then they told me that molestation occurred in Chambhapura, Telipura etc. So I went to Chambhapura first. We sat down to talk in a very homely way with the old ladies. We chatted on different points but they denied this particular kind of offence. In the morning, an old telu lady came to me and asked me the purpose of my visiting Chimur. I told her that I was anxious to get correct facts about molestation of ladies and also told her that to my surprise I had not come across a single instance except what I heard at the place where I was putting up. She could read my anxiety and volunteered to take me to all the houses where indecent assaults and molestation had occurred.

"I am giving below the terrible instances which are true to an inch, as no woman likes to admit such a thing both for the sake of her own reputation and for the dignity of the family. I could easily deduce that the families I had visited in the morning were trying to hide some facts from me. Still there were women who told me with their own lips that they were victims of unspeakable outrages :

THE STATEMENTS OF THE VICTIMS OF RAPE

The following are statements :—

Case No. 1. "While I was going to my grandmother's house an Indian soldier stopped me. I then went to the house nearby where he followed me. There was an old man in the house in whose presence the soldier dragged me aside and outraged me. I am a pregnant woman of 9 months and even I was outraged."

Case No. 2. "On Wednesday 19th August 1942, my husband and brother-in-law were arrested. On Thursday two Indian soldiers came to my place at dusk. My ailing sister-in-law was in the house, my mother-in-law having gone to give food to the prisoners. One soldier entered my room while the other stood outside. He laid hands on me and threatened me with death, if I shouted. I told him that I was a pregnant woman, but he would not listen. He then outraged me and went away. As soon as my mother-in-law returned I told her about the outrage. The same night I delivered a girl."

Case No. 3. "On Thursday, the 20th August 1942, two

soldiers came to my house. I was then in menses. I told about my state, but they could not believe it. They tried to drag me aside but I did not move. So they went away. After a time three soldiers came and searched for me. I hid in a neighbour's hay-stack. I hid there till Friday evening without food. But they persisted in coming. My hand is injured, because of their rough handling. But they did not molest me further. Since then I am ailing. (This woman later on confessed to Dr. Wazalwar that she was outraged by the soldiers, but that she did not like to reveal this truth to the pleader who wrote her application for her).

Case No. 4. "My husband, the Sar-Panch of the village was arrested on Wednesday the 19th August. There was no harassment at the time. But the next day, Thursday, four white soldiers and Prema Bhatia entered my house. They went round the whole house and broke mirrors and whatever things of glass they could find. Then they asked me to go upstairs, but I did not move. My two-mothers-in-law, my elder sister-in-law and an old woman were there. Still they came close to me, in the presence of all these elderly women, and tried to take liberty with me. One of them aimed his gun at me and threatened to kill me if I declined to go upstairs with them. I resolutely told them that I was a pregnant woman and that I would never yield to their desires. Then they went away.

"Then a local policeman in Mufti came and asked me how I escaped from the soldiers' hands. I got angry. But he threatened me and said that he would take me to Chanda, and if I did not yield, he would come in his uniform in the evening and bring about a dozen soldiers with him. He swore that he would outrage me.

"As soon as he left, Prema Bhatia came with four or five white soldiers and a couple of Indian soldiers. When I saw them at a distance, I hid behind my house. They then questioned my mother-in-law but she said that she did not know. The soldiers then took with them blankets, dresses and some linen from our house. I hid myself in Chambharpura.

"There also the soldiers would come and inquire: Show us the wife of the Sar-Panch. If you fail to surrender, we will burn your house.

"The whole night I stayed in a Chamar's house. At the dead of night two soldiers, one of them named Babulal, came and told everybody to get up. Then they looked at the faces of all the sleeping women with the help of a lamp.

"While this was going on I left the house by a back-door, and taking with me my daughter of four years and two neighbours, I left Chimur. We walked on without stopping,

without any food, and thus reached Berur, a village in the Nagpur district, in the evening.

"You have already made us helpless by taking away all our man-folk, many women have been outraged. I appeal to you to find out the culprits and punish them. In an identification parade, I will recognise four of the soldiers who tried to molest me."

The following cases were examined by Dr. Wazalwar :—

Case No. 5. "She is a girl of 12 or 13 years age. She was dragged from her father's place in the night and taken to a deserted place on some pretext. She was outraged. But she ran away and so escaped the fate of being outraged by many soldiers who were waiting for her. Dr. Wazalwar examined her and pronounced it was a clear case of rape.

Case No. 6. A woman of 25 years was outraged by two soldiers when she had delivered only some days previously. She was almost dumb due to fear.

Case No. 7. A woman of 25 years, staying in Pahadpura, was outraged.

Case No. 8. A woman of 25 years, staying in Vadipura, was outraged.

Case No. 9. A girl of 15 years, staying in Chambharpura was caught by soldiers, but ran away and so escaped.

Case No. 10. A pregnant woman of eight months staying in Bharapura stroked her abdomen.

Case No. 11. A girl of 15 years was outraged in a bye-lane.

GOVERNMENT DEFENCE

We give below the full text of the C. P. Government communique dated October 16th 1942 :—

"The Provincial Government has received complaints of rape and looting alleged to have been committed by the Military and Police at Chumur in Chanda district where, it will be remembered two Magistrates, an Inspector of Police and a police constable were done to death by a mob on 15th August, 1942. The Chumur village was visited by Dr. Moonje and Mr. Ghatate on 26th September, 1942 and they stayed there from 10 a. m. to 5—30 p. m. Some of the complaints have been received from Dr. Moonje and others from ladies of Nagpur, who visited Chumur on 19th September, 1942, or through other channels. None of the complaints has been filed before a Magistrate and none of them has been attested on oath or by solemn affirmation.

The Provincial Government has considered these complaints very carefully. As the complaints have not been sworn to or attested, it has been not possible to examine the complaints in the usual way. The complaints relate to

incidents which are alleged to have taken place between the 19th and 27th of August, 1942 and apparently are confined to the period from 19th to 21st August, 1942. The first intimation of complaints of this nature was given in a resolution of the Bar Association, Chanda, dated 22nd August, 1942, which merely gave currency to rumours and gave no details of any kind. It was not until 22nd September that written complaints were received by the Chief Secretary. The complaints included two allegations of rape, one on 19th August, 1942, and one on a date unspecified which, however, seems to relate to the same period. These two allegations were against unknown police constables and in both cases it was alleged that the victims were nine months gone in pregnancy. Subsequently on the date of Dr. Moonje's visit to Chimur on 26th September, 1942, six complaints of rape were preferred of which two appear to be the incidents referred to above. These later complaints, however, include an allegation of rape by five white soldiers, but the complainant did not herself come forward to make the complaint which was preferred through a sister-in-law. Again, consequently, (on 1st October, 1942) two separate reports on Chimur were received from ladies of Nagpur who visited Chimur on 19th September, 1942. In one of these reports, it is alleged that after removing the men, the soldiers took complete possession of all the houses, looted everything they could lay their hands on and outraged women to their hearts' content. As the population of Chimur is about 5,000 while the number of arrests at that time was only 225, it is obvious that this statement is wildly exaggerated. This report mentions that four white soldiers attempted molestation on 19th August. Altogether, four reports have been received, all about four or five weeks after the alleged events; they are grossly discrepant in matters of detail and as regards the number of cases of rape and outrage complained of. The first important point to notice in connection with these complaints is that Mr. Subramanian, the Deputy Commissioner of Chanda, was present at Chimur, together with the District Superintendent of Police, throughout the period covered by these complaints, except that the Deputy Commissioner was away for about 27 hours on the 21st and 22nd August. Mr. Subramanian states that the women of the village had ample opportunities to make complaints to him from the very first day. From the morning of the 22nd August onwards the women of the village were allowed to bring food, both morning and evening, for the persons who had been arrested, and were lodged in a room next door to the room occupied by the Deputy Commissioner who, in

order to ensure that they did not receive inconsiderate treatment, made a point of being present while the prisoners were being fed by their women-folk. The Deputy Commissioner observes, "If the women had been required to go a long distance to lodge their complaints failure to do so could be understood, but failure to open their mouths when I was in their very midst cannot certainly be accounted for. And when the women of the village made no complaint to me day after day, meal after meal, I could naturally take it that everything was all right. Every day nearly 100 to 200 women, and later even more, used to come."

Secondly, on 21st August certain ladies complained to the Deputy Commissioner that some soldiers were trying to enter their houses, but they made no allegations of looting or molestation, still less of rape. To restore their confidence immediate steps were taken to prevent the occurrence of any such incidents. One of these women was subsequently prominent in making allegations of rape to Dr. Moonje in respect of the same period, 19th August.

Thirdly, the Commissioner, Mr. Rau, himself visited Chimur on the 6th September, 1942, and interviewed several non-officials, but not a single complaint was made to him. It was not until on or about 10th September, 1942, after a number of Chanda and Warora pleaders had taken up the matter, that written complaints were addressed to the Commissioner and, even then, these complaints included one only of rape.

As regards complaints of looting, the Deputy Commissioner reports that not a single complaint was made to him by the public at any time but on the occasion of Dr. Moonje's visit, about five weeks after the incidents referred to, the evidence of the havoc alleged to have been caused by the Military and police appeared. It consisted of rooms with some broken photographs, tumblers and gramophone records; a broken door, two or three wooden pillars slightly chipped; and some boxes from which property was said to have been stolen. The Deputy Commissioner pointed out that books, chains and staples were found invariably intact, and observed, with regard to a number of rooms in which books and articles were found strewn about, that it is very unlikely that people would have allowed their houses to remain in such an untidy mass for as long as a month. It may be mentioned that on 25th August, 1942, when a suspicious bundle was seized from a constable, he was dealt with immediately on the spot and dismissed from the service. The other cases came subsequently to the notice of the District Superintendent of Police and are now under investigation.

The Provincial Government has received an exhaustive report from the Deputy Commissioner, Mr. Subramanian, together with the comments of the Commissioner, Mr. Rau. At Chimur, a Magistrate and a Naib Tehsildar, who were still at the rest house, a mile or so from the village and had not yet had an opportunity of visiting the village, were brutally done to death without any provocation whatever, and a Circle Inspector of Police together with a constable, resisting overwhelming odds, had also been brutally murdered. As the Deputy Commissioner points out, the force sent to Chimur was dealing with violent persons whose thirst for blood had not yet subsided and who were concealing themselves in groups of 8 or 10 behind locked doors. In such circumstances, a certain amount of damage to property and rough handling were inevitable. It is incredible that complaints of the nature now brought forward would not have been made to the Deputy Commissioner and Commissioner, both of whom are Indian officers, if they had really occurred. The Commissioner's conclusion is that it does not lie in the mouths of the complainants to bring forward these accusations now nearly five weeks after the events, that in the nature of things there can now be no proofs of the allegations as the women themselves have admitted that they are unable to identify their assailants and that, as the people concerned have postponed complaining they have only themselves to blame if the complaints are held to be "not proved".

On review of all the circumstances, and after securing the depositions of the British Officers who were in command of the small detachments of British troops, the Provincial Government is satisfied not only that the complaints are "not proved" but that there are strong reasons for supposing that the allegations have been put out in order to divert attention from the heinous crimes committed at Chimur. There are many inconsistencies and gross improbabilities in the allegations which have, moreover not been made on oath or solemn affirmation although there was every opportunity for doing so. The allegations are so belated as to be largely untrustworthy on this account alone. In particular, the Provincial Government has no hesitation in describing the accusations made against the British troops as highly improbable, incapable of proof, and contrary to the known facts regarding the others for their disposition and discipline at Chimur. The Provincial Government, therefore, decline to appoint a committee to enquire into charges which are properly cognisable by the Police and the Magistracy. To do so would be to invite vilification of the Police and Military in circumstances which would permit of no defence, since all the complaints

except one are against persons unknown so that there is no possibility of testing the truth of the allegations".

DR. MOONJE'S REPLY

"Having carefully read the unusually long communique of the C.P. Government, my impression is that the laboured arguments advanced by the Government to establish that the allegations of excesses against the Police and Military are not proved and that therefore there is no need to institute a Committee of Enquiry, are, to say the least, absolutely unconvincing, says Dr. B.S. Moonje, in a press statement. In view of the pressure of war conditions and the mass movement of civil disobedience, people can understand and appreciate the straight and frank statement, as issued by the Government of Bombay, that they will not tolerate the collection of evidence against the Government servants and the Military engaged in suppressing the movement. But when attempts are made by forced arguments to explain away alleged happenings as has been done by the Government of C. P. and Berar, it lands the Government in an awkward and untenable position. Say, for instance, the Government contention that "there are strong reasons for supposing that the allegations have been put out in order to divert attention from the heinous crimes committed at Chimur". Can this contention reasonably stand? More officials were killed at Ashti than at Chimur and Government buildings were burnt at Ramtek. Also large numbers of people, including the local leaders and other respectable persons were arrested at all these places. Then why was not this trick of falsely concocting foul and shameful allegations of rape and outraging modesty tried also at Ramtek and Ashti where particularly larger number of Government officials have been killed? Government say that these allegations "have not been made on oath or solemn affirmations". Was any opportunity afforded them for the purpose? It is exactly for this purpose that we are suggesting a Committee of Enquiry which unfortunately has been declined by the Government.

"While taking evidence and depositions, the Deputy Commissioner of Nagpur, Mr. Layard, and the Deputy Commissioner of Wardha and Chanda, and in the latter two places also the Commissioner of Nagpur division, were with us, and we sincerely believe that a 'Prima facie' case has been made out for the institution of a Judicial Committee of Enquiry. In view of the general atmosphere that was prevailing at the time at Chimur, we cannot hold the ladies and the women responsible or blame them for failing to make their

allegations in time, particularly when the men-folk in their household were arrested and locked up in the Government custody.

"The Government admits that the very first intimation of complaints in Chimur was given by the Bar Association of Chanda in its resolution dated 22nd August, that is, within 2 or 3 days of the happenings; but instead of congratulating the Bar Association on their vigilance and promptness, they have been curtly dismissed as circulating rumours, as the allegations of the women and the ladies have been dismissed as falsehoods. As a matter of fact, however, there are ladies whose husbands have been arrested but they have not made any complaints of molestations, while, on the other hand, there are women who have made such complaints, though none of their relations have been so far arrested.

"Under the circumstances how can the Government hope to convince the people of their innocence or want of responsibility in the matter?

In the end we publicly offer our grateful thanks to His Excellency the Governor for his kindness and courtesy in offering us an opportunity to do whatever little service we were able to do to our people at Ramtek, Ashti and Chimur".

Professor J. P. Bhansali M. A., (Aged 48 years) an inmate of the Sevagram Ashram and a close associate of Mahatma Gandhi, approached Mr. Aney at Delhi, on 1st November '42, requesting him to use his influence with the Government for appointing a committee to enquire specially into the complaints of the cases of "Rape" in Chimur and to see that such things are not repeated in future. When Mr. Aney did not accede to his request then he started a fast till his following demands were not fulfilled by Mr. Aney:—

1. That soldiers and Police should not be allowed to commit excesses hereafter.
2. The atrocities being committed in jails be stopped and those that occurred in the past should be investigated.
3. Excesses committed by the Police and the Military in the rural areas must be investigated.
4. If Mr. Aney is unable to get these reliefs for the public, he should resign.

He abstained from food and water and in the afternoon also imposed silence on himself. Thereafter at about 5.30 p.m. he was served with an order under D. I. R. issued by the Chief Commissioner, to leave the limits of Delhi within 3 hours. At 9.45 p.m. he along with his companion Mr. Balwant Singh was arrested. He continued his fast even in the jail. After 4 days of forcible feeding there he was released on 6th

November, 1942. along with his companion and conveyed to C. P., under police escort.

On the 10th instant, in the company of a fellow-worker, he left for Chimur. He was still convalescing after the ordeal of fast and forcible feeding in the Delhi Jail. He walked 13 miles, did 17 miles on bullock-cart and completed the journey by train and bus. At Chimur he and his companion were promptly arrested and taken to the police station. But they were let off after their names and addresses were noted. They then took up residence in a local temple. The police intimidated the temple priest, who, however, permitted his unexpected guest to stay. Prof. Bhansali visited several residents of Chimur and made his own inquiries into the allegations. The result of his inquiries fully confirmed the reports made by Dr. Moonje and a party of influential ladies who had visited Chimur from Nagpur. Prof. Bhansali again went on a fast at Chimur from the 12th instant as the only way in which, under the extraordinary circumstances, he could identify himself with the sufferings of the people of Chimur. This created a great stir amongst the public of Chimur who felt for the first time that God had sent somebody to befriend them. On the 13th a notice was served on him by the District Magistrate of Chimur requiring him to leave Chimur within three hours. As he did not leave within three hours, he and his companion were put under arrest and conveyed to Wardha where they were released. Prof. Bhansali again started his fast on the 12th, taking neither food nor water. He was on a fast since the 12th and upto the 16th day of his fast he took water only four times. His condition became extremely weak.

Chimur is nearly 75 miles from Wardha. On the 19th, he again set out for Chimur on foot inspite of his great physical weakness, accompanied by two attendants. After negotiating a distance of 7 miles from Wardha, the party spent the night in the open under the shelter of trees. Early morning on the 20th, they set out again. Prof. Bhansali was as usual bare-footed yet they reached Higanghat in the evening, which is nearly 30 miles from Wardha. They again set out and having done 31 miles reached a village called Amla on the road to Chimur. The last stage of 14 miles was travelled on the 22nd; they reached Chimur at 3 p. m. Prof. Bhansali was in an extremely exhausted condition and took his abode in the temple where he had started his fast on the 12th. He again met a large crowd of people in the temple. On the 23rd he was again put under arrest and brought back to Wardha under Police escort. His condition was extremely weak, but he appeared to derive marvellous sustenance from

his will-power. To be able to walk nearly 75 miles, after having fasted for 10 days, taking neither food nor water was a miracle of physical and mental endurance. He developed pain in the joints and certain other expected symptoms of starvation and fatigue.

On the 25th he again set out for Chitnur on foot accompanied by attendants to give every form of assistance and also to compel him to use a bullock-cart if he should show any signs of collapse. This was his 3rd trip to Chimur.

The following statement was issued to the public by Prof. Bhansali himself on reasons for his fast and his determination to sacrifice his life in order to secure redress for the outrages committed by the British and Indian Troops in Chimur :—

"No man likes to depart from this world easily. I had taken a vow to spin for at least fourteen hours a day till I lived. But it was with a pang that I had to abandon the spinning vow in the face of the conflagration raging around me. I could not for the life of me, harbour the peaceful idea of spinning away my time when my dear village sisters were raped by British and Indian soldiers who looted and plundered their wealth and corn leaving nothing for them to eat, taking away their clothing leaving very little for them to dress with. I have seen old men at Chimur weeping before me destitute as they were. I have seen aged women with tearful eyes weeping before me at the atrocities of the British Government. I have seen children of Chimur looking still dazed at the things that had happened there. God only knows the intensity of feeling and the helplessness of these mortals. A Deputy Superintendent of Police himself admitted before me that there might have happened a rape here or a rape there and that there was general beating of the people in the beginning to impress upon their mind the might of the Imperial Government. Looking at all these dreadful and painful circumstances I cannot help feeling that life is not worth living if these things cannot be remedied.

"I demanded of the D.C. an independent and impartial investigation. My letter has been unheeded. I wrote to Mr. Aney of the Imperial Government my intention to fast till death but no reply has been vouchsafed to me.

"The course of my conduct is clear. The English who complain of the Japanese and German barbarities are to my mind more barbaric than the heathens of old. The honour of India is at stake and I have decided to defend it by sacrificing my life and to leave this mortal body of mine as a protest against the barbarism practised by the British Government in the name of law and order.

"My last prayer to God is : May He open the eyes of the

Government to the dire distress and havoc they are causing to a helpless nation. May He give them wisdom to understand that as you do unto others you would be done by. But my innermost prayer to God is : Forgive them for they know not what they do."

The third trip of Prof. Bhansali to Chimur was again cut short by the local police and he was brought back to Sevagram on a stretcher. He was then served with an order by the Deputy Commissioner of Wardha forbidding him from leaving Sevagram and settling down in Wardha where he was since allowed to remain in peace. After making three trips on foot to Chimur under these conditions, it was physically impossible even for his endurance to undertake any more walking. His condition was causing anxiety to doctors and he himself appeared to be feeling the near approach to collapse.

Doctors expected him to lose consciousness at any moment. Luckily he was taking water which, it was hoped, would sustain him for sometime longer. He was being looked after by a band of devoted fellow-workers and inquiries after his health were pouring in from far and near. Amongst the kind inquiries was one from Mr. M. S. Aney, who had also appealed to Prof. Bhansali to abandon his fast and had assured him that he was doing what he deemed proper and possible. But there being nothing definite or tangible in Mr. Aney's request, Prof. Bhansali replied asking to be left in the hands of God and requesting Mr. Aney to go to Chimur personally and console the sufferers. Among those who were looking after Prof. Bhansali was Shrimati Janki Devi Bajaj.

Second statement by Professor Bhansali is given below :—

"I am religious minded by temperament. I am only interested in a life inspired by religion. That is why I serve Daridra Narayan, and spin as my daily ritual. I have been shocked by the repressive policy adopted in the country for the last three months and a half and by what I heard and read of it as applied to Asliti and Chimur. I spent many sleepless nights on this account and as already stated in my Nagpur statement, I was exercised on the point whether it was even moral to take water under the rule of such a Government.

"At this time I heard what Dr. Moonje and some sisters from Nagpur had to say about the molestation of women in Chimur. I also read the Government communique about it. Government did not venture to deny the facts though they tried to defend themselves in dubious ways. There is no other instance that I know of in the history of India when such atrocities were committed by letting loose soldiers on

women. Indian may have lost its political freedom, but has never suffered dishonour of its women. Even our enemies have recorded how hundreds of our women preserved their purity by immolating themselves in fire. My religious and moral sense was shocked at what happened at Chimur. It appeared to me to be my plain duty to lay down my life for such a cause. It would not be an exaggeration to say that I grew mad on the point. Many already think me to be mad. But I am surprised why people do not go mad about freedom and the honour of their womenfolk.

"I have known Shri Aney for many years. I knew that he had faith in Indian culture and religion. I therefore decided to go to him at New Delhi, acquaint him with the situation and get him to secure an independent inquiry. Chimur being near his village Vani, he is connected with the people of Chimur. I also thought that it was possible for both of us to go there and see the situation for ourselves. But Shri Aney had no intention of doing anything. On the contrary, he said that such incidents are common near cantonments. I was surprised to hear it. I felt that would be a travesty of our manliness if we submit to such things without resistance. I told him that if he could not do anything he should at least resign and if he did not do so, I would lay down my life at his feet. This was at 10 a. m. on 1st November. Shri Aney had already decided what to do with me. He pointed out a room to me and left. Then I began my fast.

"In the afternoon I received an order to leave Delhi. I was arrested at 9-30 p. m. From after the 4th, I was forcibly fed by the nose. On the 6th I was taken from Jail, brought to Sevagram on the 7th and set free.

"As previously decided I gave up my fast and decided to go to Chimur myself. Though weak I started on the 10th and reached there on the 11th. I started my fast again in the temple of Balaji. I then begged of the Deputy Commissioner to set up an impartial inquiry. In all humility I told him that if nothing was done in this matter, my fast would continue. Here also the farce of Delhi was repeated. I was served with an order to leave Chimur within 3 hours; then I was arrested, brought to Sevagram on the 13th and set free.

"I continued my fast and decided to go back to Chimur. I wanted to die at Chimur or on my way to it. I started on foot on the 19th from Sevagram and reached Chimur on the 22nd. My fast remained unbroken. Being weak I took 56 hours to do 60 or 62 miles on foot. But I met many people on the way. I also met police officers. They brought me back on a stretcher in train by second class. The Deputy Superintendent of Police confessed to me that rape might

have been committed here or there in Chimur. He pressed me to take water. He also realised the importance of my act and its back-ground.

"To-day on the 26th morning inspite of my fast without water, I am starting again for Chimur. I am starting from Sevagram and Bapu's hut which not only to me but to many others has been a shrine but now Chimur is the only shrine for me. I am making this last pilgrimage on foot and with fast. That is my consolation. My humble prayer to the Almighty is that no woman should suffer dishonour in this sacred land of ours, even if many others like me have to lay down their lives in that cause.

"This war is being conducted in the name of Peace and Freedom. The question of Indian freedom has great bearing on this grim war in which human life is being sacrificed, in the interest of humanity, Mahatma Gandhi's non-violent method has a greater bearing on Indian freedom. That way alone will the values of the world be altered. Real peace and a just society are not possible without it. This movement is a step in that direction, and Chimur incidents are a part of it. From this point of view, I am happy that I will die in the interest of humanity and in the cause of non-violence.

"Men who do not shrink from sending men to gallows felt sorry that a man like me should die of free will. This is not the strength of the individual but of non-violence. When the world realises its potency such atrocities will disappear."

Unmoved by the agitation caused by the revelations of Chimur and Prof. Bhansali's soul-stirring protest, the British Government in India was none the less perturbed and guilt-conscious. It has decided to suppress the agitation for redress. The Government passed orders banning the publication of any news either of Chimur or of Professor Bhansali.

But ultimately at the intervention of Dr. Khare, the C. P. Government took the decision, which enabled Prof. Bhansali to break his fast. The Government communique on this subject is reproduced in full below :—

Nagpur, January 12, 1943.

"Owing to the mediation of Dr. N. B. Khare, the tangle between the Government and the Press has been solved, and the C.P. Government have withdrawn the order of December 12, prohibiting the publication of news about Prof. Bhansali of Sevagram Ashram and his fast. The announcement was made by Mr. T. C. S. Jayaratnam, Chief Secretary, at an emergent Press conference held today. This was subject to the Bombay agreement and he hoped that nothing would be done to destroy the confidence that was established."

Mr. M. D. Shahane, Publicity Officer, made the following statement at the Press conference :—

"Government welcome the efforts which have been made to bring about a solution of the difficulties arising from the Chimur incident there was no intention of attributing any ulterior motive to the women of Chimur generally Government attach and have always attached the great importance to the maintenance of discipline among the military and police engaged in the restoration of order, and consider that respect for the honour of women and their protection from molestation are and shall be a first essential of good discipline"

The following is the letter of Dr. Khare to Prof. Bhansali :—

"Dear Mr. Bhansali—I saw you on January 8th and had a talk with you. I had as a result a full and free discussion with His Excellency about the Chimur incidents. As regards the complaints as to outrages committed on women of Chimur the demand for a public inquiry may not be pursued in view of the difficulty attending identification after the lapse of time. I am in a position to assure you that the C. P. Government will issue a communique to the effect that there was no intention on the part of Government to attribute any ulterior motive to the women of Chimur generally and that the Government attached and have always attached the greatest importance to the maintenance of discipline among the military and police engaged in the restoration of order, and consider that respect for the honour of women and their protection from molestation is and shall be a first essential of good discipline. The ban on the press relating to the Chimur and Bhansali affairs will be removed. The communique or the Press Note, etc., would simultaneously appear in the Press with the letters.

"I understand that there are no restrictions on visitors to Chimur now, but if there are any they will be removed. I am in a position to assure you that the Hon. Mr. Aney will join you in your visit to Chimur and meet the people, and Government will not place any restrictions on it. If you so desire I will have no objection to go with you. Yours has been a tremendous sacrifice, but in view of the above I would request you to break your heroic fast."

The following is the reply of Prof. Bhansali :—

"Dear Dr. Khare—Many thanks for your letter and your effort. I am glad to find that Government are willing to issue a communique as suggested by you and remove the ban on the Press as regards Chimur news and the restrictions on its visitors. I am also glad that Shri Aney will be kind enough to come with me to Chimur and meet the people of the

village thus conceding my request to him. As devoted to religious life, I have always felt that molestation of even a single woman is a crime not only against society but against God. Now it has been given to me to communicate the feeling to others, may be in a very small measure, I am therefore beholden to God that He has made me the instrument of awakening conscience on so vital a question as the honour of women.

"When I recover my strength I shall be glad to visit Chimur in the company of Shri Aney and yourself. In view of the reasons given by you, I agree to drop the demand for an inquiry in Chimur and to break my fast. After I break my fast no restrictions will be placed on my movements or utterances which may be directed to the relief of Chimur or which relate to my fast."

Dr. N. B. Khare issued the following statement :—

"I am glad to state that I have been successful in bringing about a happy termination of the episode which has been agitating the country for the last so many days. I mean Prof. Bhansali's fast. It is well known that I would have been the last man to take any interest in anything connected with Wardha, but after a great deal of persuasion of friends I proceeded to Wardha on Friday, January 8th and examined Mr. Bhansali and held discussions with him and his close associates. After returning from Wardha, Messrs. Munshi and Walunekar came to me and held discussions at my place in the presence of my friends, and after having number of interviews with His Excellency the Governor the released formula was agreed upon, and thus the oft-quoted saying 'all is well that ends well' has been amply justified.

"I take this opportunity of publicly thanking Mr. Anusuyaba Kale for persuading me to take interest in this affair, Messrs. Munshi and Walunekar and the Bajajes for their affording me all facilities and Mr. Bhansali for acceding to my request, and last but not the least to His Excellency the Governor for his helpful attitude throughout."

But actually it was after 64 days fast that Professor Bhansali achieved the moral success in the Ashti and Chimur affair. But it actually did not change the course of the Government. The Police and the Military escaped untried and unpunished whereas the people were further penalised with vengeance. 107 persons were prosecuted and stood their trial under 9 counts of murder, dacoity and rescuing arrested persons etc., with the following result:—

WARDHA, December 5, 1942.

Mr. Justice Deo, Special Judge for the Ashti Police Murder Case, convicted 10 of the accused to death by hanging, 55 to transportation for life, and 9 to terms of rigorous imprisonment varying from two to five years.

Thirty-three persons were acquitted.

Sixty-five witnesses were examined by the prosecution and 25 by the defence in this case.

Out of the 55 persons sentenced to transportation for life, fourteen were recommended by the Special Judge for mercy.

Out of the 33 accused acquitted eighteen were arrested in Jail, the very day in connection with arson committed on August 16th, 1942.

Somehow Professor Bhansali's life was saved and thereafter Mr. Aney also undertook to visit Chimur. On July 21, 1942, Professor Bhansali along with Shrimati Janki Devi Bajaj, left for Chimur, where he devoted his attention to improve the sanitation and also started a class to teach spinning. Mr. M. S. Aney, The Government of India's Representative in Ceylon, left for Chimur on July 26th, 1943, to see Prof. Bhansali and others to fulfil a promise made in January. Now the facts of Chimur are well-known and they form an important and darkest chapter of the history of the British atrocities in India.

This tragic story of our helplessness and shame shall echo and re-echo in the following words of Prof. Bhansali which formed his message at the time of his arrest at Delhi, in November, 1942 :—

"No nation can achieve freedom which suffers outrages on its women and receives them lying down. We must be up and fight against a Government intoxicated with the lust of power. God gives the utmost to those who fight for their honour".

INNOCENT MURDERS

We quote below in full the speech of Mr. G. V. Deshmukh (Nagpur) delivered in the Central Assembly in support of Mr. Neogy's resolution :—

"Sir, the use of force can only be justified when those who wish to establish order have to deal with a riotous assembly, and the use of firearms can only be justified when those who wish to establish order and preserve peace are in such a position that their lives are in danger. If none of these conditions can be satisfied, then resort to arms cannot be justified. There are certainly cases which have occurred and I am going to cite them and they can only be designated as cases of murder.

"Now, I am going to cite some instances. In Nagpur, for instance, milkmen coming from the suburbs in the early hours of the morning were shot at by the military men. Mind you, the suburban people are not expected to know any curfew order or any other orders that were promulgated. Not only was this curfew order which was issued in Nagpur not made known to these suburban people who brought milk and vegetables but even Government servants were not aware of it. I can cite the instance of a person who was connected with the Agricultural Department of the Government. He was connected with the breeding branch of the Agricultural Department. His boss was coming to Nagpur and he wanted to receive him at the station. The Scheduled time of the arrival of the train was 5 O'clock but that day it was late. So, I told him that there was a rumour that a curfew order was going to be issued. He said, 'Is it so?' I told him it was so. I was sitting at the house of a person who is a very responsible person; he is doctor and he was a member of this Assembly, I mean Dr. Khare...So the gentleman who wanted to go the station to receive his boss got himself in touch with the police. The reply he got from the police station was that they did not know but they promised to make enquiries and then let him know. The fellow waited for half an hour and got no reply. So, even the police did not know the promulgation of this curfew order. When even the educated people did not know anything about this curfew order, how can you expect the milkmen, and the vegetable vendors to know about it? These milkmen come to Nagpur to sell their milk; they ride on their cycles and their cans are filled with milk. There was no earthly reason for shooting a man who was riding on a bicycle and carrying his milk cans. The next thing that I wish to say is this. The soldiers whether Indian or European, who were employed to establish order or the officers who commanded them, did not care tuppence for the lives of Indians. When the disturbances occurred, I went to the city and there was firing going on. When the military came, there was no mob round-about those places and yet they started firing at random. I saw men coming in Dr. Paranjoye's hospital who were shot on all parts of their body. Among them were persons who were living in their houses and who were doing business in their shops. What earthly justification was there for using firearms against them? Not only that, even after the order was established, respectable persons were brought out of their houses to remove the refuse in the streets. So, it was not a solitary instance. I can say that this happened to the retired Government Sub-Assistant Surgeons. The unfortunate part of it is that these people who

suffered at the hands of the military will tell you in private all that happened to them but not in the public. Their idea is that they would go down in the estimation of the people. If there is a regular inquiry, they can come forward and speak the truth. There was a member of the Bar, who was treated in a very disrespectful fashion. The peons of Judges and other respectable persons were shot at. I know the case of a person who is now on the Bench and whose peon was shot at when he was returning from the Bank. When he wrote to the military authorities about the matter, they did not pay any attention to it. When cases like this do occur, they certainly impress the public and people begin to ask, as a friend of mine did ask, whether there is British Raj or Goonda Raj. These things are unjustifiable. Even Indian ladies have suffered at the hands of the military. Of course, they are not prepared to mention their names because their self-respect is involved.

"Now Sir, after narrating these incidents that happened at Nagpur, let me come to Chimur. Things became so serious at Chimur that they have occupied the attention not only of the public here but also in England and other countries. This is a place which had made itself known. I have a Government communique in my hand. From this very communique I will point out that there are grounds for inquiry. What happened was this. There were disturbances on the 16th and the District Magistrate went there on the 19th. He took with him 200 British soldiers, 50 Indian soldiers and 50 men belonging to the reserved police force. They went there and what did they do? They started breaking open the houses and arresting men and the following night the women were molested. Force was used, the houses were broken open and the people were terrified. I can establish this from the statement which was issued in justification of it by the Central Provinces Government itself. This is what the communique says :

"As the Deputy Commissioner points out, the force sent to Chimur was dealing with violent persons whose thirst for blood had not yet subsided and who were concealing themselves in groups of 8 or 10 behind locked doors. In such circumstances, a certain amount of damage to property and rough handling were inevitable."

"The fact is clear. The comment which I wish to make is this. How could these blood-thirsty men behind the locked doors confine themselves in the houses in batches? If they were blood-thirsty men, they would be out to take somebody's blood. The Government says that damage to property and rough handling were inevitable. You have to prove that

these things were inevitable. If you are not going to accept the statements which some of the ladies made and among them was included the wife of the Ex-Governor of the Central Provinces and Berar and many of them were graduates, what earthly reason is there for us to accept your statement?

"Then Sir, besides the allegations relating to Chimur incident there are other cases of molestation of women. What had the Government done? What is it that the Government says? It says we are not going to do anything. The reason is that names of women are not disclosed. Nobody comes forward to give out the names of persons. We cannot convict persons unless their names are known. It is no use to have an enquiry. What Government forgets and what we are claiming is this, that allegations against military and police are made by responsible persons. Government wish to disbelieve the attacks of military merely by saying that no name was given. They say the complaints of women are false. We say that there have been these acts, it is for you to prove that these are false. Hold an inquiry and prove the falsity of these, if you do not, then I feel justified in saying that these complaints are true and that the allegations that we have made are correct. Sir, I want to say one thing in justification of my proposition and that is this. You can not disbelieve a statement simply because no names are disclosed. For instance, this National War Front issued a leaflet called "Hounded Eyes" that gives an extract from a newspaper called the "Leader" of Allahabad. It contained an article or an extract of article which said that some person whose name is not given, interviewed a person, whose name is not given, and complained that his wife was raped by a Japanese soldier. The woman's name is not given. This interview took place after many months of Japanese attack on Burma. I am prepared to believe it—this statement that a Japanese may have raped this woman. Why should anybody blame us for not giving out names of women. Even in this article the names of persons are not mentioned. In the leaflet which has been issued by the National War Front no names are mentioned. They are carrying this Propaganda. They want the people to believe this statement. Having regard to the circumstances and certain customs of the society if at this stage no names of ladies are given we cannot say that these allegations are false."

Even at this the thirst of blood-thirsty British lion was not quenched but it rather increased. Thereafter followed prosecutions and convictions with the tyranny of the police and persecutions in the prisons. The Military and the Police got immunity from any sort of enquiry even into their deeds

and the question of their punishment never arose. The police and the Military were given the assurances through the Government communique beforehand. Thereafter when a demand for enquiry was made through a resolution by Mr. K. C. Neogy, in the Central Assembly, it was refused point blank and no heed was paid to such a demand and to all what was said there.

Several cases were started against a number of persons for the happenings in Ashti, Chimur and Betul. Besides long term sentences to hundreds of the people, 25 were sentenced to death. The Police cases, under ordinary circumstances, were seldom true and supported by the genuine evidence and in such disturbed times when there was no regard for any sense of proportion or justice who cared for anything! The cases were freely forged and fabricated. Many absolutely innocent persons were arrested and prosecuted and subsequently some were left by the police after rich gratification and some even declared innocent by the Courts after long trials. It was definitely mentioned in a judgment that the 'act was of also others not implicated'. Thus innocent were persecuted and prosecuted and the guilty even in the eyes of Law escaped punishment. Such was the administration of justice! We quote below an extract from a judgment of the Session Judge :—

"I hold that conspiracy has not been proved and also that this act is not the work of those three convicted, but also of others who have not been implicated in this case, as this is not the result of a sporadic action, but of some planning." The Session Judge Wardha, observed while acquitting Bhau Panse, Hansraj and Maroti Joge, and convicting Vallabhbai, a trustee of the Gramsewa Mandal, to two years' imprisonment and Dhebyabhai and Eswarsingh to three years, in the Paunar Conspiracy case.

The wanton and indiscriminate actions of police-brutalities and repression lasted not only during the disturbed times but even much after. So late as Oct. 1943, also saw a police raid on Khadi Bhandar in which they took away cash and food grains also. We quote below a news from Jubbulpore dated 20th Oct. '43:—

"As the result of the simultaneous raids and searches made by the C. P. police of the headquarters and the various branches of the Bhandar situated at Mul, Barmagar and Jubbulpore, the police, not only seized and removed the old and the current account books, the letters and the voucher copies, but also seized the cash which was found at these places at the time the searches were made.

"In addition to all these articles seized, the police also

removed the bags of grains which were stored by the inmates of the Bhandar at Saoli for distributing the same to the weavers and spinners who are in the employ of the Bhandar. The causes which prompted the police to make these searches are still shrouded in mystery."

Central Province, the adopted home and head quarter of Gandhiji, should have undergone terrible sufferings and so it did. It was in C. P., that the worst sort of repression and savagery were done not only on men but even women were not spared. How the modesty of women was violated and how the British soldiers raped them will remain a blackest blot on the British rule in India which Indians can ill-afford to forget.

BENGAL

We begin the account of Bengal with the following extract from the letter of Dr. Shyama Prasad Mookerjee to the Governor of Bengal dated 16th November '42:

"For the first time since the Reforms 1919, Bengal had a ministry enjoying the support of large sections of Hindus and Moslems. Parties and persons who were violently opposed to each other on political and communal considerations had agreed to stand on a common platform for the good of the people specially during the period of war. There are certain people occupying high positions in this country and also abroad, who for obvious reasons do not like a strong combination of Hindu and Moslem elements. The co-operation offered by us was not responded to by you and certain section of the permanent officials. I regret to say that from the very beginning of our association with you, you have failed to rise to that impartial height of a provincial Governor, which could have given you courage and foresight to respect the Constitution, establish new conventions, and broaden the base of the provincial administration so as to win the affection and confidence of the people. You have all along permitted yourself to be guided by a section of permanent officials,—loyal die-hards, according to you; short-sighted and reactionary, according to us; resulting in the establishment of a government within a government which has proved disastrous to the interests of the province.

"I shall not go into details. But let me remind you that you showed no sympathy whenever proposals for the recognition of the people's right in various fields of activity were made. They were turned down by you because of deep-rooted distrust and suspicion. Our proposal for raising a Bengal Army was not acceptable to you for reasons which would not even bear scrutiny. This

alone would have revolutionised public opinion in Bengal. The scheme for popularising the Home Guard was rejected by you in spite of unanimous advice of all the Ministers, simply because you and your officials were afraid of trusting the people. You have systematically resisted the appointment of Parliamentary Secretaries and the expansion of Cabinet, just to embarrass the Ministry. Even before the Congress started any movement, you declined to give back to thousands of Bengalees their freedom which had been denied to them on suspicion or for participation in political movements, although we were prepared to take full responsibility for their future behaviour and activities consistent with the war-situation. Recommendations for individual releases or even for temporary relaxation were turned down by you, utterly oblivious of any assurance given by us. In matters relating to the denial policy you failed to realise the untold suffering into which thousands of people would be thrown and the discontent that was bound to follow, and only after a good deal of efforts could that policy be only slightly modified. We do not yet know what plans have been kept ready for destruction of plants, machinery and other properties in case of enemy invasion. Even in matters relating to supply of food and control of supplies you have interfered with ministerial action and have rendered our task extremely embarrassing. You have discouraged the growth of collective responsibility among Ministers while taking momentous decisions on vital issues. Ministerial advice has been brushed aside in regard to selection and posting of officers, while your unabashed softness for the present Opposition Party is in marked contrast to the treatment we used to receive in a similar capacity when the last Ministry was in office. Even with regard to a simple question like prorogation of the last session of the Assembly, you have declined to accept our advice. Indeed I did not even receive a reply from you to my letter written early in October, pointing out how the Province had to incur wasteful and avoidable expenditure due to your decision not to prorogue the Assembly, simply to harass the Ministry. In matters affecting the rights and liberties of the people you have constituted yourself into an appellate authority, and you claim to act in exercise of your special powers under the Government of India Act. I have repeatedly told you that this is an absurd situation. During the war you can function with success only if you regard yourself as primarily responsible to the people of this province and act on the advice of their chosen representatives. But you have regarded yourself as one who is beyond anybody's control,

enjoying powers without being required to give account to any other authority. You have expressed your annoyance from time to time that Ministers are not more active in rousing public opinion in respect of matters relating to war or the general political situation. You will not allow Ministers to function and administer according to their own light and judgment. You and some of your officers will commit Government to policies and acts which Ministers do not approve of; and afterwards you expect them to stand up as obedient persons, fully justifying the results of your mistaken policy. The brunt of the attack falls on Ministers. The Legislature is even precluded from criticising or commenting on your conduct. You in your turn do not hesitate to take advantage of, and sometimes, even go beyond the spirit of, the provisions of the Government of India Act and the Instrument of Instructions, thus reducing ministerial administration to a mockery.

"But the most difficult situation has been created with regard to the manner of suppression of the political movement. I have told you repeatedly that, while it is the duty of any Government to see that acts of lawlessness are not committed or that disturbances are not created specially during this grave emergency, Government must not in any manner provoke a crisis or encourage or make it possible for officers to commit excesses or to inflict injury on innocent people. Where persons deliberately commit offences, they must face the consequences of the law. But in spite of our best efforts, indiscriminate arrests have been made, innocent persons assaulted and shot down, and oppression has been carried on in some parts in a manner hardly creditable to any civilized Government. The fact that some British prisoners of war under German control were put under fetters roused the loud and angry protests of the British Government and its supporters. Can you not express even a fraction of that moral indignation for similar and even worse outrage committed on Indians by the agents of the British Government itself? You have persistently refused to have allegations enquired into and have also helped in the suppression of publication of accurate news.

"The Congress movement in Midnapore took a very serious turn, and none can say anything in respect of any legitimate measures taken to deal with the persons guilty of serious offences against law. But in Midnapore repression has been carried on in a manner which resembles the activities of Germans in occupied territories as advertised by the British agencies. Hundreds of houses have been

burnt down by the police and the armed forces. Reports of outrages on women have reached us. Moslems have been instigated to loot and plunder Hindu houses; or the protectors of law and order have themselves carried on similar operations. Orders were issued from Calcutta that it was not the policy of Government that houses should be burnt down by persons in charge of law and order. I have ample evidence to show that this order was not carried into effect, and even after the unprecedented havoc caused by the cyclone on the 16th October and our visit to the affected areas a fortnight later, the burning of houses and looting were continued in some parts of the district. Apart from the manner in which people were fired and killed, these acts of outrages committed by Government agencies are abominable in character. Let us condemn by all means acts of lawlessness perpetrated by volunteers. To my knowledge they did not take the life of any Government servant. In any case the wrongs perpetrated by breakers of law and order are no justification whatsoever for the upholders of law and order to terrorise innocent people and to oppress one and all in a ruthless manner.

"The reports which I have received about the callousness and indifference of some of the officers even after the cyclone perhaps find no parallel in the annals of civilized administration. The suppression of news of the havoc by Government, and even of appeals of help, for more than a fortnight was criminal. In the presence of the District Magistrate complaints were received that boats were not made available on that fateful evening or even later to save lives of the people who were perilously resting for a brief while on the roofs of their houses that ultimately collapsed. One gentleman gave a harrowing description of the manner in which he and others begged of officers to allow a rescue for some men, women and children lying near the area concerned. This request was summarily rejected, and the men who had used the boat were threatened with dire consequences. Later on, all the people whom this party wanted to rescue were washed away, never to be found again. After the cyclone curfew orders are continuing even in areas where people offered every co-operation. Our intervention in this respect proved fruitless. Transport facilities and movements were extremely restricted even when we visited the district a fortnight later. Cows were requisitioned under the Defence of India Rules. The total destruction of cattle owing to flood and storm would be somewhere between 75 and 85 per cent. Of the cows that remained, although they were giving milk and some were with calf, a

good many were snatched away from private houses by the police and the military for the purpose of feeding the army. Such inhuman callousness is indeed unparalleled. One officer's report in writing to Government was that relief, whether organised by Government or any private agency, should be withheld for a month and thereby people taught a permanent lesson. Relief measures adopted by the local officers were utterly inadequate. Even bonafide private relief workers from Calcutta, though they produced their credentials, found themselves in jail under the Defence of India Rules. There is no chance on our part to get these officers removed from their area because prestige will then suffer. There is no chance of any enquiries being held, although other Provincial Governments have held enquiries, under far less serious circumstances, for then again prestige will suffer. The only chance that people of this province apparently have is to suffer patiently at the hands of the upholders of law and order and wait for the day when nemesis is bound to come.

"We have been told that there are indications that political agitation is still in progress in some parts of Midnapore. There may have been sporadic outbreaks, but from my personal knowledge I can definitely assert that the bulk of the people, including supporters of the Congress, genuinely want peace to be restored immediately. From my talks with many inside and outside the Midnapore Jail I am satisfied that, if officers dealt with the situation with tact and sympathy, subversive activities would completely stop and the whole of Midnapore would rise to a man to work whole-heartedly with Government for giving relief. It is disgusting how valuable time has been wasted for one month because of the pathetic and dilatory attitude of some of the local officers on the one hand, and the strange obstructiveness of some of the representatives of the department of law and order in Calcutta, on the other hand. Meanwhile thousands are suffering for want of food, shelter, medicine, clothings and drinking water. The present methods of persecution and slow action are both cruel and fatal, and they will not die out nor the atmosphere improve until some officers are transferred from the district. Ministers feel that both for the correct maintenance of law and order and for the suffering humanity this should be done immediately, but they are powerless to give effect to it. You too declined to accept our advice in this respect. Could you not as Governor issue in time a public message of sympathy—the Viceroy could do it—for the unprecedented loss following the flood and cyclone, costing the lives of at least thirty thousand people and colossal destruction of cattle

and property, a havoc which British troops describe as similar to the worst ravages that may be caused by enemy bombing? Let an impartial enquiry be conducted into the affairs of Midnapore and the correct version on both sides see the light of the day. Will you have the courage to agree to this?

"The manner in which collective fines have been imposed by Government throughout the province deserves severe condemnation. The scheme of imposition of collective fines on Hindus alone, irrespective of their guilt, has been an all-India feature and is a British revival of the ancient policy of Jazia for which Aurangzeb made himself famous. In Bengal the Chief Minister had been averse to the imposition of such fines and tried again and again to lay down certain principles which were unimpeachable from the point of view of elementary Justice. You have interfered with the Chief Minister's decision and have prevented him from giving effect to these directions. Amounts have been imposed in many cases without any regard to the total damage caused or to the part played by the inhabitants concerned. In at least one case I know the collector was not even consulted; in some others local officers were invited by Government itself to propose the imposition of fines. I have carefully examined the papers with regard to a number of these cases, and the monstrosity of the imposition has staggered me. I challenge you to place the materials on which decisions have been taken before any impartial Judge, and I have not the least doubt that in most cases the verdict will be that the fines are not at all leviable in accordance with the provisions of the Ordinance, or that the discrimination made is completely unjustifiable or that the amounts fixed are entirely disproportionate in character. Fines have been imposed in many cases without the Chief Minister knowing what was being done. Only recently it was suggested by the Chief Minister that the realisation might be delayed by a fortnight and the entire policy considered at a Cabinet meeting. Your answer to this request which was made on behalf of all of us, was in full conformity with the traditions which you had already established. You had no objection to a Cabinet meeting being held. But you indicated beforehand with sufficient clearness, but with unbecoming impropriety and discourtesy to ministers, that you would in any case pass orders in exercise of your individual judgment for the immediate collection of the fines.

"It is amazing how in every matter concerning the rights and liberties of the people or where racial considerations were likely to arise, you have acted with singular indifference to the genuine interests of the people of this province. A

difficult and tense situation, such as the present, might have been ceased by a policy of administration actuated by sympathy, understanding and good-will. Irresponsible possession of powers by persons without a high degree of administrative ability, ignorant of Indian mind and conditions and blindly guided by unsympathetic bureaucrats, leads to disastrous consequences during the period of war. If ever a time comes when an impartial stock is taken of what you and others did and omitted to do, the verdict will be that at a critical hour you hopelessly failed to serve a province of great strategic importance, although, if correctly approached, its people were capable of being roused to an intense patriotic fervour and would have readily agreed to face any sacrifice and suffering for saving their own country from the impending invasion of the enemy. What you and others have done has only helped the enemy who cares not for our future. Whatever happens, it is we, the people of the land, who will suffer as much at the hands of our so-called protectors as of the avowed destroyers. Military matters are kept dead secret from us. We still hope Bengal and India will be successfully defended. But if the worst happens, you and others, who now feel overpowered by special responsibilities, will, like your friends similarly situated in Burma, desert the province, we remaining here, unarmed, unprepared and emasculated, to face your parting bullets and the yet unknown operations of the denial policy on the one hand ; and the oppression of the invading enemy, on the other. And yet with good-will and statesmanship on your side to which the great bulk of Indians would have warmly responded, what a bulwark a free India and Allied Nations would jointly have been against the combined forces of the Axis Powers."

Midnapore : This district in Bengal was one of the worst sufferers at the hands of the Government in August 1942. The account of the Officials' brutal behaviour is given below as described in a report by some eye-witnesses :—

INDEPENDENCE MOVEMENT AND CYCLONE IN CONTAI SUB-DIVISION IN MIDNAPORE

About 150 arrests were made since August 14th, 1942. 32 were killed and 140 injured in Khasmahal as result of Official and Police firing at 8 places in 8 different days. About 700 houses were looted and burnt causing a loss of more than 2 lakhs of rupees.

The District Authorities adopted unprecedented repressive measures throughout the Sub-division. Practically speaking, the people of the Sub-division were subjected to

military rule. But the fun was that the military was doing no harm save in certain places, while the Civil Authorities of the District were committing as much excess as they could.

The Contai-Belda District Board Road—the only road from outside to Contai—was placed under military control from the 28th September '42; one whole day and night military cars patrolled the road. The Sub-Divisional Magistrate warned the people that any person suspected of attempting to damage the road, telegraph line or Ferry Ghat at Satmail or elsewhere will be at once shot at.

The S. D. O. also promulgated orders under Rule 93 of the India Defence Rules read with Notification No. 9478-P, dated 11-12-41, that no person except Government Officers, District Board employes, Ijaradars at Ferry Ghats and M. B. Doctors, should remain outside their house from 8 p. m. to 4 a. m. all over the Sub-Division. He also prohibited assembly of more than 4 persons at one place, carrying of lathi, iron materials etc. with them, and blowing of conch-shells except on occasions of religious festivals all over the Sub-Division.

The District Magistrate took over all the Buses of the Contai Bus-Syndicate as well as Kalinagar and Ramnager Bus Associations; consequently the Bus service all over the Sub-Division was totally stopped since the 28th September. The Royal Mail—the only Bus carrying mail bags—ran from Contai to Contai Road Station; but no passenger except Government servants were allowed to travel by that Bus. An instance might be cited to illustrate the rigour of the permit system. Mr. Saroj Kumar Maiti, Advocate, Calcutta High Court, was not even allowed to travel by the only Bus—the Contai Royal Mail—on 1-10-42 when he was going home in Puja Vacation. People were to walk on foot from Contai Road Station to Contai—a distance of 36 miles and also all over the Sub-Division.

The Strict censorship was established in all the Post Offices in the Sub-Division so that not a single letter either in Post card or in envelope could pass from the Sub-Division or delivered to any person without being censored and passed.

The Bengal Government had declared the following Associations of the Contai Sub-Division illegal under Section 16 (1) of the Criminal Law Amendment Act 1908—(1) Contai Sub-Division Congress Committee, (2) Contai National School, (3) Bhagwanpur Thana Congress Committee, (4) Potashpur Thana Congress Committee, (5) Egra Thana Congress Committee, (6) Panipur Congress Committee and (7) Hijli Tarun Sangha.

On 24-9-42, at dead of night the S. D. O. and the S. P.

with armed constables surrounded and entered the houses of Sri Satish Chandra Dinda, a local Zamindar and Secretary of the Hindu Mahasabha, Contai Branch, Sri Dharanidhar Dinda, M.A., B.L., Sri Sarendra Natha Jana, a local Zamindar and Sri Sachindra Nath Maiti another local Zamindar and took away their milk cows. The police took rice, dal etc. from Sri Abanti Kumar Maiti, Sri Achinta Nath Sasmal, Munshi Mahiuddin and others under Rule 75-A, of the India Defence Rules.

From the 1st October about 500 military was posted all over the Sub-division and was divided into 12 camps situated at different places.

Every day Aeroplanes patrolled all over the Sub-division. On the 2nd October an Aeroplane fell down at Magra field at a distance of about 3 miles from Contai. The pilot was a European and his life was saved. The European soldiers guarded the Aeroplane. They took their bath naked and showed coins and called women.

POLICE AND MILITARY FIRING

On 22-9-42, the S. D. O., S. D. P. O., and a posse of armed constables went to the locality, surrounded a number of houses in the neighbouring village and forced the villagers to fill up the cut. On the sight of the police the female inmates of some houses shut up the doors which were broken open by the police though there were no male members. The people assembled near the cut to protest against the forcible employment of the co-villagers for repairs. The D. P. Overseer having promised to pay proper wages for the work and to allow them to do, the crowd began to disperse. In the meantime there was a heavy shower of rain and the people took shelter from rain under the trees on the bank of Mahisagoth tank at a distance of about a furlong from the cut and the police was reinforced from the Sub-divisional quarter. On arrival of the reinforcement the S. D. O. with the armed force hurriedly walked up from the cut towards the people and wanted to speak with some of them. As soon as some of the crowd approached the S. D. O., severe lathi charge began. At this the people paced backwards, but were then attacked with brick-bats. The police then fired 30 rounds. As a result of the lathi-charge and firing about twenty-four persons were wounded of whom some wanted water. One boy proceeding to give water received bayonet charge. The police dragged 3 wounded persons by holding their legs from the bank of the Mahisagoth tank (the place of firing) to the truck going to Contai town. On the way 2 of the wounded persons succumbed and the third in the hospital. Three doctors from the town

visited the locality and gave wounded persons first aid. In the morning some of the seriously wounded persons were admitted in the hospital and the others were treated privately. Out of the wounded admitted in the hospital the next morning one succumbed, the total number of deaths being four.

S. D. O., the S. P., with a batch of armed constables raided the volunteers' camp at Belbani in P. S. Ramnagar, assaulted the volunteers sleeping there and burnt down all the articles of the camp on 27-9-42. The party then began to enter the village and was faced with a crowd. The police opened fire to disperse the crowd. As a result of this firing three persons died on the spot and about fourteen persons were wounded. The police, having retired from within the village, was again faced with another crowd near the volunteers' camp and again fired to disperse the crowd. Here also two persons died instantaneous death and about seven persons were wounded. The police left the place with the dead bodies of the first three persons and three wounded persons but did not take the last two dead persons. One of the wounded persons died in the hospital, the total number of deaths being six.

On 29-9-42, about 5,000 people went to raid the Bhagwanpur Government Police Station. The Police Station was well guarded with barbed wire fencing with one gate 3 feet wide. As soon as the procession reached the Thana gate Sadhansu Mohan Das Gupta, Manager, Contai Khas Mahal and the Second Officer-in-Charge, Bhagwanpur Police Station, opened fire on the processionists. As a result 13 persons died on the spot and about 99 persons were injured. Bhibhuti Bhusan Das lived about 30 hours after gun-shot. He was kept in Thana Hajat without water, food and medical treatment. Krishna Kumar Chakarvarti, Kabyatirtha (M. A. passed), Head Pandit of Bhumeswari M. E. School, was shot at when he was giving water to a wounded person. Being shot at he fell into the pond and his dead body floated over water next day. Paros Chandra Jana died in Birbanda hospital and Chinendra Nath Dalapet died on 16-10-42 in the Thana Hajat. Some wounded persons awaited. In all 16 persons died in the Thana raid.

On 30-9-42 in the afternoon the D. M. and the S. D. O. with an armed force forced the students, pleaders, and passers by including zamindars to load a motor truck with bricks and started for Marisda to repair the cut there. On their way they beat and forcibly took some persons in their truck. In course of repair work it became dark and the newly built Marisda U.P. School house was set on fire to by the District Magistrate for light to work. The police having left the place the bricks were removed by the people from the cut in the night. Next day

from 1-10-42 a batch of soldiers went to the locality, set fire to 25 houses of innocent villagers in Marisda, mercilessly beat an old man named Braja Mohan Jana, filled up the cut and then marched towards the Bhaingtarh. On their way they destroyed articles and goods in many shops at Machinda Bazar. At Bhaingtarh Motor Station the soldiers opened fire to disperse the mob resulting in 2 deaths one of which died instantaneously and another was struggling when one of the soldiers kicked him at the neck to death. On their way to Contai they arrested about 15 villagers and shop-keepers at Machinda Bazar.

In P. S. Pataspur on 3-10-42, the S. D. O., S. P., the Circle Officer and a batch of military and armed constables went to the thana and on their way they were faced with a crowd of about 8 thousand people at Khar. The police opened fire to disperse the mob resulting in one death. One was injured.

On 8-10-42, the police and military party headed by the S. D. O., reached Teparpara and having found some people on the Teparpara bundh they fired from tommy guns. As a result of this one person named Ganadhar Santra died there and nine wounded.

On 13-10-42, a batch of police accompanied by a batch of military entered the village of Alingiri in P. S. Egra to set fire to the houses of the villagers. Some persons were seen standing on the side of a tank at a distance of a quarter of a mile from the soldiers. They were shot at by the military. At this firing two were killed and one was wounded.

OTHER ATROCITIES

A cut was made on Cortai-Belda Road near Baranalgaria on 29-9-42. After this the District Magistrate, the S. D. O., and a Police party went to the locality, entered the village Tajpur. The D. M. himself and his bodyguards mercilessly belaboured the respectable gentlemen, Sri Srikrishna Maiti (age 90), Sri Naba Krishna Maiti (age 70), Sri Basanta Kumar Maiti (age 90) and two young men of this Maity family and other persons of the neighbouring houses. They also belaboured the villagers of Rasulpur and Baranalgaria. The above mentioned gentlemen and Sri Kenaram Adhikari, the President of the Basudebpur bazar on the Contai-Belda D. B. Road were severely beaten, taken to the place of cut and all were made to fill up the cut as coolies. 13 persons including Sri Krishna Maiti, Basanta Kumar Maiti, Naba Kumar Maiti and others at Tajpur were then arrested and taken to Contai-Sub-Jail Hajat.

In order to terrorise the people of the Sub-division the

District Authorities adopted the most reprehensible policy of looting and house-burning not only of Congress Volunteers, but of innocent villagers and educational institutions in broad daylight and in presence of Civil Officers including I.C.S., D.M., S.D.O., Second Officer, Third Officer, and others. One could not imagine that the Government would stoop so low to curb down the spirit of Nationalism and Independence in the politically conscious people of Contai Sub-division, hankering after freedom of their own Motherland. Every day the soldiers of a camp were divided into three or four batches and each batch with some civil and police officers and also with some constables started in different directions, entered villages, set fire to houses and stayed near the houses so long as the houses were completely burnt down. When a police party started towards some direction the people—both male and female of the villages in that area—left their houses, went into paddy fields and stayed there so long as the police did not leave the villages. If a police party reached a village at 11 or 12 a. m. the people left their houses with their cooked rice and plantain leaves and took their midday meals on bundhs in paddy fields or on the side of tanks. The police severely beat any persons they found on their way and demanded the names of volunteers to know the places where they hid their belongings such as ornaments, cash and other valuables.

The local authorities encouraged the Mahommedans to help the police in pointing out, looting and setting fire to houses of their Hindu neighbours, and it was known that the Mahommedans were bribed and coaxed by the Government for help. The Mahommedans were also assured that they would be exempted from all repressive measures. They were also directed to single out their houses by putting crescent flags on their houses. The Mahommedans of village Darura and some other neighbouring villages of Contai were called to the thana and asked to do this. But it was a matter of pride that they all with one voice refused to do these nasty things. They further said they would obey neither the dictates of Congress, nor the behest of the Government, and that they could only obey the mandate of the Muslim League. With this they left the thana and paraded the town. In P. S. Khejuri and Patashpur Mahommedans engaged themselves in looting the houses of their Hindu neighbours. The Mahommedans also looted the houses of Hindu villagers in Chandanpur P. S. Ramnagar. It was definitely known that this was encouraged by the local officials. Mr. Samar Sen I.C.S., B.O.D., Contai delivered a lecture to the Mahommedans at Kharai P. S. Pataspur to this effect on 3-10-42.

Instances were also reported of assault by police or military parties upon women, Instances of throwing young children to a distance and cows being burnt within houses were reported.

During the period under review about 700 houses of innocent villagers and educational institutions were burnt by the police pointed out by the local officials all over the Sub-division and the loss sustained in this looting and house-burning, though not yet correctly estimated, might amount to more than two lacs of rupees.

During this setting fire to houses in Uddhabpur in P. S. Egra the police opened fire and a man named Gadhadhar Chunia received injury on his left arm and the wife of Satschandra Roy was dragged and thrown away. The police looted Rs. 300/- in hard cash from Sri Narayanan Maiti of Daudpur and Rs. 500/- in hard cash in all from the co-sharers of Sri Satish Chandra Roy. One European soldier, while forcibly breaking open the door of Sri Jhata Charan Barik of Basudepur P. S. Egra, was shot dead with his own gun. In P. S. Egra in the presence of D. M. the houses of Sri Srikrishna Maiti and his family of Tajpur were looted and his pucca buildings were set fire to with the help of petrol causing a loss of property to the extent of about of Rs. 20,000. Besides this Rs. 20,000 in hard cash and silver of considerable weight were looted. In village Belighai the house of Sri Padmalochan Giri was looted and burnt causing loss of property to the extent of about Rs. 5,000/-—250/- in hard cash, about 15 tolas of gold ornaments and other valuables were taken and 500 maunds of paddy was burnt and his shop was looted.

In P. S. Khejuri the police looted Rs. 4,000 in hard cash hidden below the earth from the house of Sri Digamber Das of Janka. Besides the cash money other moveable properties of some other persons worth about Rs. 16,000 were destroyed or looted. On 9-10-42, early in the morning 30 European soldiers with one Special Magistrate Mr. Pares Chandra Sen as their Commander raided the houses of Sri Bhupendra Nath Bera, a local zamindar and Advocate of the Calcutta High Court, destroyed the articles worth about Rs. 500 and took away some gold ornaments and cash. The soldiers took his brother Narendhra Nath Bera to Ajoya and forced him to set fire to the houses of Ajoya Middle English School and Giri's Lower Primary School. They also arrested his brother Jogendra Nath Bera and threatened him at the point of gun shot to help the police to establish Government control in Khejuri Thana.

In P. S. Contai on 8-10-42, the houses of Sri Prodyot Kumar Shee and Radha Ranjan Das of village Kanaidigi were set

fire to by the police in the presence of Mr. Samar Sen I.C.S., the S.D.O., Contai. Before setting fire, their houses were looted and clothes, gold ornaments and five bundles of yarn were taken away by the S.D.O., and the police in the lorry to Contai. The party also set fire to all the houses at Kalinagar Bazar in village Danda-Parulia. Sri Radha Ranjan Das's paddy weighing about 1000 maunds was burnt. On his way back Mr. Sen, having drunk brandy from the dispensary of Dr. Das, mercilessly beat S. J. Mrityunjoy Bhunia, dragged him into the paddy field and kicked him with his boot. He was almost on death bed for 3 days and then recovered. In village Adambarh, P. S. Contai a woman of the family of Sri Madhusudan Jana was dragged, her ornaments were taken away, and the woman was then thrown into pond. The condition of the woman became very serious.

In P. S. Bhagwanpur the house of Radhagovinda Maity of Karulbarh was looted and about 10 tolas of gold and other articles worth Rs. 300 were taken away by the police. Some Mahommedans were tempted to take part in the looting. While looting the house of Barendra Nath Das of Bartan in P. S. Bhagwanpur the police found his cousin brother Bisweswar Das and threatened him with gun and forced him to give Rs. 100. While withdrawing a gun from Zamindar Srimanta Kumar Patra of Kishorepur, the police party forcibly took Rs. 152 from him. While returning to the Thana from Kishorepur the police entered a poor hut just by the side of the D. B. Road, the owner of the house being Ramanath Bera, a poor fisherman, and took away a wooden box containing Rs. 377 only. Besides this, the whole force of soldiers and police, number varying from 50 to 150, are being maintained in the thana by looting rice, dal, vegetables, goat, ducks, cocks, fish etc., from house to house and different shops environing the Thana office at Bhagwanpur. During the house-looting the wives of Babus Surendranath Dutta and Behari Lal Dutta of Bhagwanpur were assaulted.

Collective fines of Rs. 1,000 were imposed on villages Marishda, Machinda, Bhaintagarh and Kanaidighi in P. S. Contai and of Rs. 15,000 on Gopinathpur, Bhimeswari, Bhagwanpur, Kakra and Madhabpur and Rs. 5,000 on Mirjapur in P. S. Bhagwanpur. Moslems and Government officers were exempted from payment.

In the Contai Sub-division Sub-jail, there was accommodation for 14 prisoners only. But about 140 prisoners both convicted and under-trial were kept in the cell for more than a month. More than 100 convicts and under-trial prisoners were kept there still longer. Besides this in Bhagwanpur 3 persons were wounded in firing there and were confined in the Thana

Hajat. No water, food and medical treatment were given to them for two days and as a result Bhibhuti Bhusan Das died on the night of 30th September '42. Dharendra Nath Dalpat died without treatment on 16-10-42, the fateful day of Typhoon. It is also reported that while he was a little better he was assaulted by a constable with his gun.

Kaviraj Raghunath Maity, Vaidya-sastri, Kavyatirtha, who was suffering from paralysis of the left side of his body since 1931, was arrested and taken to jail Hajat on 30.9.42. In the jail Hajat he fainted and afterwards he was placed in the Contai Charitable hospital. He was neither tried, nor detained under any rule, nor any charges were framed against him for long.

The Government took all the guns and cameras possessed by the private persons of the sub-division. They also took cameras from shops.

The Government declared over a dozen Congress Committees and Volunteer's Camps besides the list already given, situated in the Contai Sub-division, illegal.

Of the houses burnt, there were in P. S. Contai—about 250 houses; P.S. Ramnagar—about 200 houses; P.S. Egra—about 130 houses; P. S. Pateshpur—about 170 houses; P. S. Bhagwanpur—about 30 houses; P.S. Khejuri—about 20 houses. Total about 700 houses. Besides these some of the houses were also looted.

TERRIBLE TORNADO IN MIDNAPORE

On the 16th of October, 1942, a terrible tornado of the Typhoon type from the Bay of Bengal passed over the whole of the District of Midnapore. It began about 7 or 8.0' clock in the morning of the 16th and spent itself up by 3.0' clock in the early hours of the morning of the 17th. The velocity of the wind, it is reported, was 460 miles per minute. The tornado was accompanied by heavy rain—at certain places it was as heavy as 12 inches in less than 24 hours.

In the afternoon of the 16th, there was a high tidal bore, forced up by the tornado from the Bay, which swept over the dykes in a fearful wave about 10 Ft. higher than the top of the highest area in the southern part of Midnapore, the south-eastern parts of Thanas Ramagar, Contai and Kahajuri of the Contai-Sub-division and of Thanas Sutahata and Nandigram of the Tamluk Sub-division, the devastation being of much greater magnitude in Contai than in Tamluk. The sea-dykes, which were neither properly maintained, nor the required height was kept for several years last, had to give way in several places to the strong current of the tidal bore and the sluice-gates were either smashed or damaged.

The loss of human beings and live-stock was greater due to the breaches on the sea-dykes.

Where the tidal bore did not come directly, the salt water had swept in through the rivers, canals and creeks, the lock-gates of the outlets being smashed by the tidal bore. The flood caused by torrential and continuous rain was augmented by the influx of sea water, and as a result, large areas were under water to a depth of 5 to 6 feet and the crops were submerged. Some areas were under water even upto the 20th day from the date of the tornado and flood.

The tornado and the tidal bore wrought terrible destruction from end to end of the affected area. The coastal areas were the worst-affected. In the worst-affected areas, there was no trace of human habitation. People and cattle were carried over a long distance in the strong current of the bore. The cattle were totally destroyed. Of the inhabitants, between 60 to 70 percent were perished. Many families became altogether extinct. In some families the majority were killed leaving behind either an old man or a young girl or a daughter-in-law or in some cases two or three members of the family. Of the surviving 30 percent were injured. No trees were standing nor any birds or animals were seen there. The whole area was covered with salt water, fresh water tanks being filled with sand and salt water and in some cases dead-bodies of human beings and cattle were floating on. Wherever any bushes or other natural obstacles existed, flood-borne corpses and dead cattle were being entangled in hundreds. The stench from the rotten bodies was so intense that it was difficult to approach such areas.

In the areas not washed by the high tidal bore, people and cattle were blown away and dashed to the ground, against tree trunks or thrown into water after being carried to a distance. Not a single mud-wall was standing and the tin, tile or thatched roofs of the houses were totally torn out and blown to bits. Human beings and domestic animals met death through being buried under collapsed walls and roofs. Grain-storage bins were shattered and the grains were blown to the fore wind. Of the big trees not one was standing, the river-beds, canals and water-ways and roads being choked up and blocked by fallen trees. Communications became very difficult and living almost impossible due to enormous quantities of decomposing vegetables and corpses that were lying rotten on the river banks, high lands and in tanks everywhere.

In the Contai Sub-division only the loss of human lives was not less than 10,000 and that of cattle was about 30,000. In the whole district of Midnapore the loss of human lives

might have been about 20,000 and that of cattle about 60,000. The Contai Sub-division had a population of about six and a half lacs, and thus lacs of people who were still alive in this Sub-division were going without food, water, bedding, clothing, shelter, and medical aid. The distress and miseries of the people of the tidal-bore-affected areas were 20 times greater than those of the people in the cyclone-affected areas. Thousands of people there were facing death after having survived the main cataclysm. The survivors there were fighting with each other for a cup of drinking water or for a handful of "chira" or a piece of cloth. The entire population was waiting or lying about in the open air without any shelter.

What passed over Midnapore on the 16th October 1942, could not be called a cyclone but a cataclysm the like of which was never witnessed in Bengal within living memory. In 1864 it is said a severe cyclone swept over this province, but that too pales into insignificance before this one. The All-India Radio reported that such extensive disaster as befell the people of Midnapore this time had never been witnessed in India except in the earthquake in Quetta. The Commandant of the platoon D. C. L. I. stationed at Contai was reported to have observed that the devastation of Contai was ten times greater than that of Tobruk when the latter fell.

The aftermath of this frightful catastrophe was still more horrible.

Mr. Samar Sen, S. D. O. Contai did not think it worth while to come out of his bungalow to see the devastated condition of the town and the pitiable condition of its people till it was 1 p. m. on the following day. He did not organize either officials or non-officials for any rescue work, nor did he take any steps to give first relief to the dying survivors. It was to be noted that the S. D. O. went out to visit the affected area personally in the mofussil on 7-11-42 the 23rd day after the occurrence. This showed utter callousness of civil officers towards humanitarian work. But the members of the D. C. L. I. posted at Contai gave hot water, tea, condensed milk powder, milk, biscuits, loaf, brandy etc., whatever they had to these dying survivors. They also gave food and brandy to the four females among the rescued who were then in labour pain. These females delivered there and the babies examined by medical officers.

The Contai Sub-division being a 'denial area' all the boats and dingies were previously seized, destroyed and burnt by the Government. On the day following the tornado, one small dingi was seen engaged in carrying the surviving people from flood-hills and in taking tube-well water from the sand hills to the interior of the flood-affected area. This

boat, too, was seized by the officer-in-charge P. S. Contai at the instruction of the civilian S. D. O. and kept unused for 15 hours. The owner of the dingy fell at the feet of Mr. Sen and begged his permission for plying the boat under police guard to bring the dying survivors then floating with the aid of thatches, logs, bamboos, trees etc. on the water. But this pitiful prayer was not granted. Had this prayer been allowed, more lives might have been saved. This sort of treatment towards dying people by the local authorities was so inhuman that humanity would feel ashamed of it.

Midnapore being always a strongly pro-Congress district, the August movement received strong support from the people. Indiscriminate lathi-charges, repeated firings, looting and burning of hundreds of houses of innocent persons and educational institutions and similar measures initiated by the Government failed to stop the movement. The exasperated District and Sub-divisional authorities decided to take advantage of the calamity to wreck vengeance on the helpless and dying people of Midnapore. The District Magistrate and the S. D. O. openly said that no relief should be given to the suffering people, that the people should be left to face the terrible consequences of this grim disaster and that no non-official relief committees should be allowed to work in Midnapore. The recommendation of this nature by the District Magistrate to the local Government were not, however, approved by the latter.

The little relief attempted by local people was violently interfered with by the local officials and police. No volunteer was allowed to administer relief unmolested, and therefore no help or aid to the distressed could be given openly. In spite of this, Congress volunteers were giving first relief to the distressed of the affected areas. The local Government sent rice to the Contai Sub-division, but no relief centre was started in any interior of the Sub-division till 23 days passed since the day of the catastrophe. Materials for 6 tube-wells were sent by the local Government, but not a single one was sunk for a long time.

Even after this frightful catastrophe, the local police, in the name of house search, entered the houses of Babus Amulya Ratan Dinda, Satish Chandra Dinda, Shuvaprosad Jana, Sachindra Kumar Naiti and others of Contai town without asking the female inmates of the houses to move elsewhere and looted polished and scented rice (leaving coarse rice), atta, flour, dal, sugar, kerosene oil, mustard oil, paddy etc. at a time when Babu Satish Chandra Dinda was giving daily relief to about 50 suffering persons.

The police also arrested Babu Basanta Kumar Das,

President, Nayaput Union Board, No. 11 in P. S. Contai one of the worst affected Unions, on the sea coast, after the typhoon. Basanta Babu lost all his children his two sons and one daughter, and the only daughter of his younger brother. He had no water, no food no clothing and no shelter for the survivors of his family when he was arrested.

The Civilian District Magistrate did not inform the Local Government of this terrible disaster for a week. The local Government, being first informed of this colossal disaster by the military, at once sent a relief party with rice, chira, gur, water, kerosene oil etc. in a launch to Contai. The party reached Petun on river "Rasulpur" in the Contai Sub-division on the 24th October '42 and began distributing chira, gur, rice etc. to the suffering people on the 25th. The leader of the party informed the local S. D. O of their arrival who in turn informed the District Magistrate. The District Magistrate at once sent orders prohibiting the relief party sent by the Bengal Government from giving any relief to the suffering people at Midnapore. The party, however, went on distributing rice, chira, gur etc. to the distressed. The local civilian S. D. O, Mr Samar Sen and another special Magistrate Mr. B. K. Ghosh were at once deputed by the District Magistrate to the place and rice, chira, gur etc. were taken over from the party on the 26th. The relief party had to leave Contai for Calcutta handing over everything to the local S. D. O on the 27th in spite of the crying demand for rice, gur, chira, water etc. from the dying people.

The publication of the report of this storm havoc was prohibited by the Press Censor and a Government Press Note on this was first published on the 3rd November '42, after 18 days from the occurrence.

The Contai-Belda D. B. Road was cleared up by the Military within a week from the date of cyclone. But no passenger Bus was allowed by the District Magistrate to run over the road till the 1st November, although there was a tremendous rush of people from outside to Contai to see the members of their families and also from Contai to put up elsewhere.

Again after the visit of Hon'ble Ministers three Buses were allowed to run over the road, but no passengers could travel by the Buses unless they were allowed by the local authorities. This permit system was as harassing and insulting as possible and permits were not granted to all. No passenger was allowed to travel in the passenger-buses from Contai Road Station to Contai although every day 200 to 300 passengers got down at the Contai Road Station and

walked a distance of 36 miles with women and children.

The relatives of the people of Contai living outside Contai were naturally very anxious to get the news of their relatives in Contai. And the letters were unnecessarily delayed from 3 to 6 days due to censor while in ordinary course letters took only 2 days to come from Contai to Calcutta.

The military cleansed the official quarters of the town by forced labour. They entered the houses of respectable gentlemen and forced Professors, Teachers, Pleaders, Zamindars and others to work from 7 A. M. to 4 P. M. without any food. The military worked in batches and as such had time for their meals. But the people of the town, who were not at all ready for any work and as such did not take their breakfast before 7 A. M. or had nothing in their houses for the breakfast, were all of a sudden caught hold of by soldiers and compelled to work without any food from 7 A. M. to 4 P. M.

Even after this colossal disaster in which a very small number of cows had survived, the soldiers were forcibly taking away cows specially pregnant and milch cows from the town and the suburbs for their meals and slaughtering them within the High School compound which was in the middle of the town and surrounded by Hindu residents.

The disaster was very grim but no relief centres were opened in the worst flood-affected areas even up to the 7th November 42. Government doles were being distributed at the Egra Police Station, Contai Police Station, criminal court and other places on the D. B. road where regular beggars assembled. Only the much-cursed Congress volunteers and workers were moving in the worst affected areas giving as much relief to the distressed as possible.

The people of Midnapore were keenly feeling the want of late Deshapran Birendra Nath Sasmal at this critical time of Midnapore.

It was criminal neglect of duty and utter callousness towards humanitarian work on the part of the Government officers to keep the area without any relief for such a long period after the occurrence and not to allow any non-official philanthropic bodies to give relief to the suffering humanity.

As far as the reports could be gathered up till 7th November 42, 36 houses were burnt, 43 persons killed and 70 wounded in the Tamruk Sub-division. Persons who suffered were all well-to-do and respectable people. In some cases womenfolk were not allowed to go out their houses which were set fire to by the police or military who remained on guard at the gates. In many cases women were rescued

by means of ladders thrown over the roofs of the houses ; in other cases they were rescued through unsuspected back doors, which were not guarded by the police or military, with great difficulty.

OUTRAGING MODESTY.

Mahisadal Bazar : 2 women (one Adhar pramanik's wife and the other Nilmoni Pramanik's wife) and again on the night of the 16th October, just after the fateful cyclone, 4 women who took shelter under an echala in Mahisadal Bazar, were assaulted and molested by the military.

Puyada : 2 women, one Kedar Dheik's wife and the other Bunadhar Dass', were outraged.

In Police Station Tamluk, Union 11, from Chaitanya Das's House, 30 guineas and notes of nearly Rs. 11,000 were taken away by the police.

In Police Station Mahisadal, village Chandrapatrah, Jiban Krishna Bag's House was looted. The furniture of the house was taken to the compound outside and set fire to. The women-folk kept under the sun from 10 A. M. to 4 P. M. and were obliged to enjoy the scorching rays of the midday sun.

In Police Station Satalata, village Jaynagar, Apurba Ghora's House was looted by the police. Some Musalmans incited by the police co-operated with the latter. Loss was about Rs. 15,000 in hard cash and ornaments.

On 30th October, '42, in the village Lakhya, P.S. Mahisadal Pulin Behari Karan's dwelling place was burnt.

In village Kalikakundu, in P. S. Mahisadal, four houses were burnt.

On the 4th November, '42, in Police Station Mahisadal, Hansadhvaj Maiti's house was set fire to. Hansadhvaj Maiti was the Vice-Chairman of the Tamluk Local Board.

Further 69 more cases of house burning were reported.

We give below an extract from the speech of Mr. K. C. Neogy in the Central Assembly :—

"Many of the Calcutta newspapers suspended their publication as a protest against the interference by the censoring authorities with the publication of news depicting the true situation in that city. And in an article which appeared in the Statesman, Delhi, dated Friday, the 21st August, headed "Newspapers in suspense", we find the following rather significant observations :—

'Government in Bengal should also attend without loss of time to statements made and repeated in certain quarters about events in Calcutta. Whether true or false they cannot safely be ignored. For want of a reply from Government the public is believing the worst.'

"No reply came to this from the Government, and the public and all along believed the worst and the public were convinced that the worst was really what actually happened. My Honourable friend, Sir Abdal Halim Ghuznavi, gave his personal testimony as regards the indiscriminate shooting that took place in Calcutta to which he was a personal witness. I am now speaking in the presence of my Honourable Leader, Dr. P. N. Banerjee, who has also some personal experience of shooting which was indulged in a locality, twenty-four hours after the act of hooliganism was committed there. After twenty-four hours of the happening, the police came on the scene and shot down people at random creating panic in the locality and then the police went away. This matter was debated in the Calcutta Corporation itself and they adopted a resolution condemning all these outrages. The House should remember that the Calcutta Corporation does not enjoy any privilege which the Legislature enjoys, and any statement which any member of the Corporation makes there must have been uttered with the utmost caution. I am going to quote just a few words from the speech delivered by a very prominent Barrister, Mr. N. C. Chatterjee. He said:

"I openly declare from my place in this House that if this policy of frightfulness which has been pursued in Calcutta had been pursued in the City of London, the Head of the Metropolitan Police would have been lynched."

"Then he gave several instances about which he had satisfied himself, particularly one in which a boy of seven was killed. He was standing on the ledge of his house in a lane. A sergeant entered the lane and shot him. That lane was not the scene of any hooliganism or disturbance and yet the sergeant rushed into that lane and shot dead that little boy, and got away after committing this act of great bravery."

Besides these horrible and heinous acts of the Government, Bengal equally suffered with India in the general policy of arrests etc. We quote below an extract from the speech of Mr. A. K. Fazlul Haq :—

"Replying to a question in the Bengal Legislative Assembly on February 19, 1943, Mr. A. K. Fazlul Haq, Chief Minister and Minister in-charge of the Home portfolio, informed the House that 1019 persons had so far been arrested and detained under Rule 129, and 1210 persons under Rule 26 of the D. I. R. in the province. He further stated that the number of persons convicted under the Defence of India Rules in the province in connection with political and anti-war activities and the civil disobedience movement from August last to the end of December 1942 was 1959."

Again Premier Sir Nazimuddin replying to a question in

the Bengal Legislative Assembly on September 28th, 1943, said: "Eighty-eight persons were killed and 453 injured in Bengal as a result of Police firing between August 7, and November 30th, 1942. He further added that these figures excluded casualties from Military firing on which information was not available."

Sir Nazimuddin informed the House that 1129 persons were arrested and 1655 detained under the Defence of India Act and Rules, and 818 convicted under the Defence of India Act and Rules and the Indian Penal Code for political reasons between August 1, 1942 and August 15, 1943.

Replying to another question, Sir Nazimuddin said that 20 members of the Bengal Legislature were arrested under the Defence of India Rules, of whom three were convicted and 17 detained.

Lastly we quote below a case to show that how indiscriminately a large number of innocent persons were arrested and prosecuted with the result that even the courts under this Government could not convict more than 25% of the accused :—

A message from Purlia, Bengal, dated September 6th, 1943 says :—

"In Barabazar Thana Burning Case, which is finally disposed of, 17 accused were sentenced to 4 years R. I. while the remaining 10 were acquitted."

The facts of the case are that the Barabazar Police Station was completely burnt down and along with it all record destroyed during the disturbances in 1942. In that case, 68 persons were tried by a Special Magistrate. He discharged 15, framed charges against 43, and convicted 28 and sentenced to 7 years R. I. The Special Judge, in appeal, ordered retrial of these 28, in accordance with the Federal Court Judgement. They were retried by ordinary court, who convicted, in September 1943, 17, acquitted 10, and discharged one. Thus finally out of 68 persons accused, only 17 were convicted and sentenced to 4 years R. I. each.

This case is only an instance to show as to how the Police, even after their unchecked and inhuman atrocities on the innocent and unarmed peoples, prosecuted them subsequently to throw a veil over their own mis-deeds and further to persecute and penalise those who somehow could not be victimised by the police otherwise. The Police persecution thus penetrated deep and wide into the population of Bengal. Their sufferings have known no limit and no end. But the Fire of Freedom is always burning bright in the heart of Bengal.

Again on the Bengal atrocities, the Bengal Premier made the following admissions :—

Calcutta, February 18th, 1944 : According to a statement made by the Chief Minister, Sir Nazimuddin, during question-time in the Bengal Legislative Assembly today, 195 Congress camps and houses and 81 other houses, etc., belonging to the Government, Public bodies and private individuals were burnt by Government forces and the Congress respectively during the last five months of 1942, in the Sub-divisions of Tamluk and Contai (Midnapore district).

Of these cases of incendiarism, all but 29 occurred before the cyclone which passed over the district about the end of 1942.

Asked what was the authority of the Chief Minister for saying that houses were burnt by the Congress, Sir Nazimuddin said that it was the report of the local officers.

Replying to a supplementary question whether "in view of the widespread incendiarism committed by Government's forces the Government was prepared to inquire into the matter", the Chief Minister said that he felt that it was the duty of the Government then in power to deal with this question. A Government that came into office after an interval of 18 months could not go and look into this question.

Asked what were the objects in burning the houses of Congressmen and Congress offices by Government forces, the Chief Minister said that, as far as he could find out, it appeared that action in each case was taken in restoring law and order.

Asked whether the "repression scheme" was still continuing in the Midnapore district, Sir Nazimuddin said that his report from the Tamluk area was rather bad. There had been cases of kidnapping and realization of "fines" from those supporting the Government forces. Recently in a case, a fine of Rs. 500, was realised from one person by some unknown persons.

The Chief Minister added that he had also received a representation that certain oppressions were committed by the Police. He had called for a report and proposed to take action if it was found that there was any truth in it. "On the other hand, I would like to take this opportunity to bring to the notice of members of the House that parts of the Tamluk area are still very bad and there is every reason to believe that persons who are being kidnapped and murdered there belong both to the Hindu and Muslim communities, and are those who have supported the forces of the Government", he said.

Answering the question whether the present Government were considering the desirability of rehabilitating the destitute persons who had been deprived of their homes and belonging as a result of incendiarism and arson committed by Govern-

ment forces, Sir Nazimuddin said that they had got no other policy of rehabilitation apart from the policy adopted by the Revenue Department as relief measures.

BOMBAY

We begin with the following statement of Miss Khurshed Naoroji, a grand-daughter of Dadabhai Naoroji, the Grand Old Man of India, which she issued in August to describe what she called "the repressive orgies of the Government":—

"We have been robbed of our speech but the voice of India has spoken through her action during the past few days after the arrest of Mahatmaji and other leaders. And yet I have felt throttled like in a nightmare at the misrepresentation of this action and the repressive orgies of the Government. I must speak even if my voice reaches nobody.

"Is there a doubt in the mind of any one that the Government has gone full length in the exercise of violence, illegal and unnecessary? Although I can speak in detail about occurrences in Bombay, similar or worse things have happened all over the country. Crowds have been fired upon, not once or twice but scores of times, for no crime graver than their determination to assemble and declare their freedom. There have also been frequent cases of indiscriminate shootings, for no reason whatsoever, presumably as terroristic. The Dyer mentality of Jallianwala Bagh massacre is still alive and perhaps more so now than before. I can do nothing better than quote from the unpartisan testimony of fifty residents of the Shivaji park area in Bombay among whom are physicians, scientists, professors and lawyers who say "We have seen the strange ineffective and at the same time dangerous action of military squads armed with sub-machineguns shoot at random up and down the road. This happened, for instance, in the case of military contingent stationed at the junction of Gokhale Road and Lady Jameshedji Road, who were shooting at random at regular intervals without reference to the character of persons who were either on or passing along the road. Whipping on naked bodies of batches of people, regardless of what they did or did not do, has been carried out. Black-and-tan methods are also being used and military pickets have gone into houses and beaten up and otherwise humiliated the residents. Aside from the actual exercise of brutality, there has been an enormous show of it, Bren-gun carriers, armoured tanks and low flying aeroplanes, which dropped tear-gas bombs. The Government has handed the cities of India over to the laws of the jungle. Among the most tragic victims of armed fury was brave Devu who was shot dead in front of

the K.E.M. Hospital. There was no crowd, he was all by himself, there were military pickets and his crime was to have shouted "Mahatma Gandhi Ki Jai".

(This incident is described in the letter of Dr. Jivraj Mehta also which we are giving hereafter).

"Crowds have been fired on several times at intervals of ten minutes or so, they retreated for a while with as many of the dead and wounded as they could carry, but they were back on the spot to face the bullet again and again. This has happened not alone in one area but in several parts of the same town. Individuals like Devu have always shown unexampled bravery. The fear of arms, although there, does not strike a fraction of the terror it used to do before or as it does, among unarmed Europeans and others. Again crowds have nowhere, in spite of the gravest provocation attempted to kill any one, British or Indian. This is of great credit to them, particularly when they had ample opportunities and even provocation for behaving otherwise. Non-violence in its base of non-killing has been achieved. This achievement is all the more precious, for there was little organisational control during the past few days but only the inner discipline and restraint which the masses imposed upon themselves.

"I pay my homage to the urban population of India for not doing what they could have easily done and for their great courage. But there were certain acts like stone-throwing and uprooting of plants and trees which, apart from being in variance with our way of life, show mere anger. Whoever may have committed these acts, it is the duty of the masses and to their own interest to see that they are not repeated.

"I know that my advice would fall on deaf ears unless I proposed some plan of action for our cities at least for the next few days. The peoples' energies that have been released should be made to produce good results and, therefore, should be conducted into:

"1. Organisation of hundreds and thousands of assemblies of women and men who spontaneously gather at street corners and elsewhere. At those assemblies, speeches straight from the heart will of course be made by any such as is taking part in the non-violent revolution and together with this, the Declaration of Freedom circulated by the All-India Congress Committee will be read out by all. "We declare that we are equal citizens of free India. The British Government is an unhappy memory of the past and we are determined to efface it as soon and swiftly as we can. British laws are dead and nothing in the world can make us obey them. In place of the British State which we are smashing

by going the fullest length under Ahimsa, we will create the Free State of India independent of dominations and caste and dependent only on the sovereign wishes of the people.

"2. Painting of roads, house-walls and all suitable places with the message of Mahatma Gandhi and sticking of posters.

"3. Causing deadlocks by strikes and other non-violent means.

"4. Continuing of strikes in schools and colleges and factories and shops and their extension to other spheres. The strikes of various groups should fraternise with each other and carry out the first three tasks.

"Let me pay my homage once again to the masses in our cities for their bravery and their inner discipline and I hope that they will show still greater determination and yet not cause injury to life."

How innocent people were humiliated and subjected to untold troubles at Bombay will be known from the following extract of Mr. K. C. Neogy's speech in the Central Assembly demanding an enquiry into alleged police and Military excesses :—

"I would make a passing reference to Bombay. 34 Commercial Associations led by the Indian Merchants' Chamber passed a resolution on Monday the 17th August 42, "condemning the repressive measures taking the form of the police and the military compelling the house-holders and merchants who were at their places of business and also passers-by to clean the streets of obstacles and debris littered there and effecting arrests from residential houses, shops and "pudhis" even of business people who were not implicated in the disturbances and who were entirely innocent". The resolution continues: "this meeting regrets that several businessmen and their employees while engaged in their usual vocations have been beaten and arrested..."

In this connection an observation was made also in the Bombay Chronicle under the heading "Stop such Humiliation" :—

"We welcome the assurance that law and order will be maintained. We presume, however, that this does not mean that the police and troops have been given a *carte blanche* to adopt methods which are intended to humiliate innocent and respectable citizens. Most of the Bombay papers have carried the story of residents.... (This is not the only paper in which this story appeared). Most of the Bombay papers have carried the story of residents and passers-by in certain localities being compelled to sweep the streets. Some Members of our staff have personally witnessed such inci-

dents, when even ladies were asked to sweep the street at the point of the gun".

Speaking on the same resolution of Mr. Neogy, Mr. N. M. Joshi said: "Sir, the Bombay Civil Liberties Union sometime ago, after the Government had initiated their policy of arresting the leaders of the Congress and after the violent protests by the people, requested the Vice-President of the Bombay Civil Liberties Union, a gentleman who is an experienced solicitor in Bombay, to make an enquiry into some of the cases; and from the enquiries made by the Vice-President of the Bombay Civil Liberties Union I have no doubt in my mind that in Bombay, too, cases of different kinds of excesses described by my Honourable friend, Mr. Neogy, have taken place. He has already mentioned that people were forced at the point of the bayonet to unjustifiable firing: firing not only on the crowd, but shooting at persons who were not in the crowd. Dr. Jewaraj Mehta, who is a very distinguished doctor in Bombay, and the head of a big hospital and medical college in Bombay had published that a boy, who was not in the midst of a crowd, and whose only fault was that he said "Gandhi Maharaj ki Jai" was shot dead in cold blood. Sir, people were dragged out of their rooms—people who had not gone out of their houses at all in the crowd—and lath charged and very severely handled by the police.

"Sir, besides this result of the enquiry made by the Bombay Civil Liberties Union, I have also got information regarding some cases. One of these cases has happened in the district of Kaira. Some students were going about villages preaching what they call, 'satyagraha'. After finishing preaching 'satyagraha' in Kaira district. The police party which was hunting these boys, alighted from the train which these people were going to catch, and marched towards them. The leader of the boys told the officer-in-charge of the police party that they were satyagrahis and if the police wanted to arrest them they were ready to be arrested; there would be no opposition to the arrest. In spite of this willingness of being arrested peacefully, the police fired on these students. Three of them were killed and a large number of them were wounded. Not only that, after firing on these boys the police prevented help being given to the wounded by way of water. The wounded felt thirsty, people in the village wanted to give them water; they were prevented from giving water to the wounded. The railway staff out of pity wanted to give water to the wounded; they were prevented from doing so. I do not think I shall find time to describe the whole incident."

"I shall give only one more instance and stop this narra-

tion of stories of excesses by the police and military. There is a small town called Nandurbar in the Dhulla District of the Bombay Presidency. On the 9th, when the students heard about the arrests of the leaders they took out a procession. These students can only be very small children because in Nandurbar there is no college and there could, therefore, be no grown up students. While the procession was marching the Police Sub-Inspector was hit either by some stone or by something else by a person whom the people in Nandurbar knew as being an enemy of this police Sub-Inspector. The Police Sub-Inspector, who was hit, got angry and instead of catching hold of his assailant and punishing him, he fired on these school children, three or four of them were again killed."

The details of the incident referred to above by Mr. Joshi regarding shooting of a boy for shouting "Gandhi ki jai" are given below from the letter of Dr. Jivanji Mehta, M. D., M. R. C. P., which he wrote to the Editor, Bombay Sentinel on 12th August 1942.

"On enquiry I find that this report is in several essentials a gross-misrepresentation of what happened in the morning of the 11th inst. About 8 to 10 children of about 8 to 15 years of age picked up early that morning three Municipal Benches from the adjacent Gokhale Park and a couple of iron cages which are on the road to protect the trees, and placed them along with the wheel of a hand-cart and a road sign-post across the Hospital Avenue near the Park evidently to serve as a barricade. They were assisted by two or three men in this work. On the middle of the three benches thus placed across the Hospital Avenue they put some dry grass which they had asked for from the driver of a Victoria standing nearby. They also placed a few hats, a couple of wooden poles and a Javali mat thereon and set all this to fire. The report speaks of a "huge pile of hats and ties". The hats were about 3 to 5 only, picked up by the children from roadside where they were lying, having been thrown about the previous evening. Likewise they had tried to barricade the road by fixing a thick wire between the telephone pole on the east side of the Hospital Avenue close to the Out-patient Department of the Hospital and to the lamp-post near the south-east corner of the Building 'Krishna Nivas' on the west. After fixing this barricade and lighting the fire referred to above, they moved away. The result of the fire can be judged by the extent of the damage to the benches etc., which are still lying in the Hospital Avenue.

"At about 9 A.M. came two police lorries along the Hospital Avenue from the south side. They carried armed policemen

under charge of Sergeants. The driver of the front lorry evidently noticing the wire barricade stopped his lorry and the other followed suit. The Sergeants and the armed police alighted. There were a few people on the footpath in small groups of 3 to 4. There were no medical students on the street as stated in the report. The Sergeants and some of the armed Police proceeded to cut the wire barricade. One of the persons on the footpath shouted just at this time, 'Mahatma Gandhiji ki Jai'. And for this offence on his part he got his dues at the hands of one of them who took an aim and shot him in the chest. His has not been, alas, an isolated instance of persons being shot at in the last three days above the waist-line. The majority of the wounded received at the K. E. M. Hospital have been shot above the waist-line against all canons of civilised rule in case of civil disturbances. Even persons have been shot at while in their rooms as happened in the case of a woman living on the first floor of a building in Saitan Chowkey, who was brought to the K.E.M. Hospital where she died shortly after admission, as a result of a bullet wound in the right loin. Her son, who also happened to be in the room at the time, got the bullet in his left elbow resulting in fracture at that joint. He is in the Hospital, fortunately making satisfactory progress.

On hearing the shots which were about 3 to 4 one of the students of the Hospital, who is a member of the Stretcher party formed by our students to go to areas of disturbance nearby with a view to collecting the wounded and send them over in an ambulance to the Hospital for as early treatment after injury as possible. But before the boy reached the Hospital gate the young innocent victim of this dastardly attack had expired."

Mr. Jamnadas M. Mehta also in his speech on Mr. Neogy's resolution on 12th February 1943, said :

"I confine my observations primarily to my constituency and to the city of Bombay and the district of Thana. I speak from personal knowledge of the people who were shot. I am asking Government that if they do not want to loss their reputation with those who are very friendly, and with those who are against any anti-war movement, they must accept this Resolution. I will give only two cases in my constituency where guns were used against women—not against the Japanese, not against the Germans—but against women who were proceeding to their houses or were already there. Government have admitted this grave misuse of authority and have come forward with small compensation instead of punishing those who were guilty. I ask the Honourable Sir Sultan Ahmed whether or not these guns,

which should be used only in war against the enemy, were used in the city of Poona and whether Government do not feel that their sense of honour and sense of responsibility demand the punishment of those who were responsible for those murderous attacks on the citizens. Soldiers who fired on those innocent women, deserve nothing except hauling up for murder. I will give only one more case. In Nandurbar, a town in my constituency, school boys and girls were going in procession through the bazar on the 9th September or 10th September—I don't remember the exact date. They were going in procession from their schools. The public had nothing to do with it. It was purely school boys' demonstration. They were shouting the usual slogans—harmless slogans. What happened? The police got scared and opened fire on those boys and girls aged mostly from five to fifteen. A procession—not of citizens, not of Congressmen, not of politicians—only of boys and girls returning home from their schools. The police fired on this crowd. The crowd began to run away. One boy of fourteen went to the place where the Congress flag was hoisted in that town and remained there. The police instead of arresting him fired on him. The boy was hit in the leg and the police went on firing till the boy was killed. The name of that boy will go down in the history of this country as a hero. I have seen the place where he was shot dead. I have met many citizens of Nandurbar. As soon as firing started the procession dispersed, all running for safety. Some ran towards the Assembly, others towards the Council of State Chamber and the rest towards the Princes Chamber—for the purpose of illustration—I am pointing out that the boys and the girls were shot after they had dispersed and were running for safety.

I therefore ask the Government to take note of this and institute an inquiry. I have complained to His Excellency the Governor of Bombay. He has promised to enquire if I sent him the necessary papers. But the police have effectively prevented me from collecting full information by terrorising those who had cars to lend me for going to Nandurbar. Even if any friend of mine offered me his own car he is threatened with the stoppage of his petrol supply."

MADRAS

The Government, pursuing their general policy started promptly and vigorously, their campaign of crusade against the Congress in Madras. The various Congress-Bodies were declared unlawful. All processions, meetings, and assemblies by Congressmen and their sympathisers and

supporters in Madras city were banned by the Commissioner of Police. These restrictive and prohibitive orders were promulgated throughout the Presidency. Simultaneously all prominent Congressmen were arrested.

As direct consequence of all this, the popular demonstrations and other incidents occurred throughout the province. We give below a press note issued by the Madras Government regarding the incidents that took place on a day in August 42 :—

"The situation in the Presidency continues to be disturbed owing to rowdy elements indulging in acts of hooliganism. From a number of places reports have been received of unruly mob attacking Government offices.

"At Devacottah in Ramnad district, a determined crowd surrounded and attacked the police when they tried to prevent the Sub-Judge's Court and District Munsiff's Court from being set on fire. In spite of repeated firings, the mob did not disperse. The District Magistrate and the Superintendent of Police arrived with armed reserves who opened fire. Although the exact number of casualties is not known, six bodies have been recovered and three other persons are known to have been injured. Fifty-one rioters were arrested and the situation is now in hand. The courts were completely burnt down.

"In Madura, gangs of hooligans are still causing trouble. On Monday they threw stones at passing cars, burnt two toddy shops and looted a post office. All these incidents occurred in Periakulam.

"A report has been received from West Godavari that a mob attacked the Bhimavaram Police Station and the Police Lines, as also the record room of the Revenue Divisional Officer. The police were forced to open fire as a result of which five persons were killed.

"It is generally quiet in other districts, although there are reports of students' demonstrations in scattered places and attempts at looting in a few villages in Guntur. Five Congressmen were arrested in Ambur when they attempted to organise a black-flag procession. All mills have resumed work in Coimbatore.

"Government are determined to use all the means at their disposal to put a stop to the various acts of hooliganism and rioting that have been taking place recently. Not only has extensive damage been done to Government buildings, to the telegraph and telephone services and to the railways, but the loss to private individuals must also have been very considerable. Government have already called the attention of District Magistrates, to the various powers vested in

them by the recent war-time measure and have instructed them to make the fullest use of these powers."

The above report is only an instance of such numerous reports issued by the Madras Government.

The Government of Madras, on above occurrences, adopted both legal and illegal methods of prosecution and persecution of the people. We give below the summaries of some judgments of the various courts to show the legal actions which were taken by the Government :—

Madras, December, 10th—Mr. Justice King and Mr. Justice Byers of the Madras High Court confirmed the conviction and sentence of all accused except one in the appeal in the Devakottah rioting case in which they were convicted for having set fire to Civil Courts building in Devakottah during 1942 August disturbances.

It may be recalled that 94 persons were tried by a Special Judge of Ramnad for various offences under the Defence of India Rules and Ordinance 3 of 1942. Two persons were acquitted, 26 found not guilty and the remaining 66 were convicted and sentenced to varying terms of imprisonment ranging from one to ten years. Of the 66 accused convicted 49 appealed to the High Court against their conviction.

The Lordships confirmed the conviction and sentence of 48 appellants and acquitted one on the ground that evidence against him was insufficient.

TANJORE, February, 23th 1943: Forty-one out of forty-four persons who stood charged in connection with the disturbances at Trivedi on August 13 last following a 'hartal' were convicted yesterday by a Special First Class Magistrate, Tanjore, under the D. I. R. and sentenced to various terms of rigorous imprisonment.

Five were sentenced to three years' rigorous imprisonment, twenty-two to two years' rigorous imprisonment, nine to one year's rigorous imprisonment and four to six months' rigorous imprisonment each. Twenty-five of these were ordered a dozen stripes each in addition. One in addition to imprisonment was fined Rs. 300/- and two others were fined Rs. 200/- each in addition to two years' rigorous imprisonment.

One deaf and dumb boy aged 17 was given one year's rigorous imprisonment.

Two college students were acquitted and another was bound over for good behaviour for two years and released on his own surety of Rs. 300/- and two sureties for the like amount.

MADURA, March, 28th 1943: Of the 120 accused who stood their trial for offences under the Indian Penal Code

and the Defence of India Rules in the Thiruvannamalai Sub-treasury looting and arson cases, 64 were convicted and sentenced, four of whom to ten years' rigorous imprisonment by the Special Judge. The rest (fifty-six accused) were acquitted by the Judge.

According to the prosecution the accused formed themselves into an unlawful assembly, looted the Thiruvannamalai Sub-treasury, set free the undertrial prisoners from the Sub-Jail, and burnt down the police station and the Sub-registrar's office on August 18, 1942.

MADRAS, May, 10th: Mr. Justice Wadsworth of the Madras High Court sitting as special review judge of Ordinance cases confirmed the conviction and sentence passed on K. Balan and six others by the Special Ordinance Judge Calicut in what is known as the North Malabar Sabotage Case.

The accused were sentenced in March last to varying terms of imprisonment ranging from seven to ten years' rigorous imprisonment for offences under the Defence of India Rules, the Indian Telegraph Act and the Explosive Substances Act.

CHENGLEPUT, May, 11th, 1943: Judgment was delivered to-day by the Special Judge, Mr. N. D. Krishna Rawo in what is known as the Shiyali Sabotage Case.

Out of the eight accused in the case one had already been discharged and to-day Mr. T. V. Genesan Sub-Editor "Dhinamani" and Mr. Krishnamurthy Iyer were acquitted and other five convicted. Mr. M. Ramaratham Associate Editor of the "Ananda Vikatan" the first accused, was sentenced to seven years' R. I., Mr. Subbaroyan to five years' R. I. and fine of Rs. 1,000/- and the other three accused to three years' R. I. each.

The accused were charged under the Railway Act and the Explosive Substances Act with conspiracy to blow up a railway bridge near Shiyali, South Indian Railway.

COIMBATORE, May, 10th, 1943: Delivering judgment in what is known as the Sular Arson Case after a trial lasting more than three months, the Special Judge convicted and sentenced 40 of the accused to seven years' R. I. and two to two years' R. I. each. The remaining 46 accused were acquitted.

Marappa Gounden and 93 others, of whom six were discharged after preliminary enquiry, were in this case charged—under various sections of the Defence of India Rules and the Indian Penal Code. The prosecution stated that the accused had committed acts of sabotage and caused damage to properties.

MYSORE STATE also followed the Madras Government and the Government of India step by step. All Congress and allied Organisations were declared unlawful. All prominent Congressmen were arrested. Restrictive orders were passed against the publication of the news of the mass-movement, public meeting and procession were banned and closure of shops etc., was forbidden. As a direct consequence of all this, the people, as everywhere in the country, observed Hartal and tried to take out peaceful processions and hold public meetings and then what happened can be estimated from the Mysore Government Press Note dealing with a day's account which runs as below :—

BANGALORE, August 18th: A press note issued by the Mysore Government says, "The police were again compelled to open fire in Bangalore city this afternoon resulting in the death of five persons. Thirty-three persons were seriously injured, of whom one has since died in hospital, another is in a moribund state and two others are lying in a precarious condition.

"A shop was looted and a crowd attempted to set fire to a post office. A police party appeared on the scene with the City Magistrate, who warned the crowd to disperse. The crowd became defiant, barricaded the roads and pelted soda-water bottles at the police.

"The situation became worse as the day advanced. The roads were blocked by dust-bins and barbed wires were tied across. Compound walls were demolished and stones and brick-bats were hurled at the police. The police were stoned from all directions as also from the roofs of houses in the neighbourhood. The Assistant Superintendent of Police and his men were injured. The City Post Office, was set on fire. Several post boxes were pulled up and their contents destroyed. The crowd then broke into a police station. Fire had to be opened some six times."

A couple of judgements are cited below to show the legal actions Government took against the people :—

BANGALORE. December, 5th, 1942: Eleven persons were sentenced to death and thirteen to transportation for life and thirteen others were acquitted by the Special Judge appointed by the Government of Mysore under the Special Criminal Courts Act to try what is known as the Issur Rioting Case.

Thirty-seven accused were challaned before the Special Judge holding court at Sagar in connection with murder and rioting in Issur village, about 200 miles from Bangalore on September 28 last, which resulted in the death of the Amildar

of Shikarpur and a police Sub-Inspector and injuries to several others.

BANGALORE, March 10th, 1943: Reviewing the judgment of the Special Judge of Hassan in what is known as the Sravanabelagola Rioting Case, Sir Darcy Reilly, Chief Justice, Mysore High Court reduced the sentence of transportation for life on two of the four accused to one of two years R.I.

Thirty persons were brought to trial before the Special Judge of Hassan for alleged rioting in Sravanabelagola about 110 miles from Bangalore in October last during the disturbances. The Special Judge sentenced four accused to transportation for life, 18 others to various terms ranging from two months' to two years' R. I. Six persons were acquitted while two others were discharged.

Sir Darcy Reilly, reviewing the judgment of the Special Judge, reduced the sentence of transportation for life on two of the four accused to one of two years R. I., of the 18 persons sentenced to varying terms of imprisonment four were acquitted.

The illegal and inhuman atrocities of the Government are too numerous to recount. Here still, some examples are given below:—

DEVAKOTTAH is a town in the extreme South of India. In August and September, beatings, torture, loot, arson and assaults on women by the Police and the British Military, were the order of the day in the town and several villages in its vicinity.

The terrorism and atrocities committed by the Malabar Police and by the British Military in Devakottah and other places in Ramnad District were horrible and heart-rending. Innumerable crimes were committed daily for over a month, and it became impossible for the people to live in those parts peacefully. Those who wore Khaddar were severely beaten. Many Chattars of respectable connections were abused in vulgar language, insulted and beaten. Many young men were violently handled while in remand with the result that their finger nails were torn off. The innocent villagers, abandoning their houses and property, fled to the jungles for safety.

Police looted all the articles in the famous Saraswathi Library. They entered into a marriage house, lathi-charged the bridegroom and his party and drove them away; cooks were also beaten and driven out. The Police and the Military carried on nefarious tasks in the locality with the help of the hooligan element of the population.

On the 25th August, 1942, the wife of one Kayabu Mudaliar, in the village Andhivayal, was cruelly disgraced by the Police. On the 26th August, the Police made a search for one

Gopalakesavan ; as he was not to be found, they made his wife the victim of many barbaric atrocities, such as stripping her naked and spoiling her honour in the most cruel way in a public street by ten Policemen and then by ten Pallas, a class of untouchables. What became of the woman is not known. On the 13th September, the wife of one Muthirulappa Servai and three other women of the village of Vilankattoor were taken in a bus to Thiruvadanai, where, inside the Sub-jail they were subjected to cold-blooded atrocities. They were tied to the trees naked and their breasts were squeezed and twisted by the Pallas. Four white sergeants screwed their lathis into their private parts. Blood was flushing out, and these innocent women, unable to bear the torture, smote their heads against the walls and died. What became of their corpses nobody knows. On the 14th Sept., the above said Muthirulappa Servai, who was aged 55, was shot dead by the Police. On that day, many houses of the innocent people were set on fire and burnt to ashes. On the 15th September, one Nagadi Nagappan was tortured, mutilated and murdered. On the 29th August, the house of one Ramaswami Servai in Thiruvadanai was burnt to ashes. As he was not to be found, his two sons were arrested by the Police. The houses of Velu Servai, Muthukamakshi Pillai, Shanmugham, Kadiresa Melakkar, Ayudai Odhuvar and Nagaswami Pillai were also burnt. In the villages of Kakkalathur, Kakkacheri and Muppaiyur, houses and granaries were burnt by the Police. Most of the houses in the village of Venniyur were also burnt. Three hundred Kalams of paddy were looted and the remainder burnt to ashes. The fields of one Karmegam, who was then in Burma, were looted and burnt down. His cattle too were shot ; five women of this village also suffered terribly at the hands of the Police and were disgraced. In the village of Athangudi, one Velu Thevar and two Pallas were bound hand and foot and they were shod on their heads and the Police forced them to drink urine. Most of the houses in Kavathukudi, Monnaiyur, Thirumanaivassal and other villages were set on fire and granaries looted. Daily hundreds of innocent village-folk were brought to Karaikudi in the Police-van and were tortured. All the people in a street in the town of Devakottah were asked to quit their houses and driven out. As they were unable to carry their belongings, they were living in the vicinity under great hardship.

Mr. K. C. Neogy, in his speech in the Central Assembly, on his resolution demanding an enquiry into the alleged Military and Police excesses said :—

“When I come to Madras, I should like to read out the published resolution of the Madura Municipal Council which

was adopted on the 19th of August. In this resolution, which was passed without any dissentient voice, the Municipal Council strongly condemned the shooting of innocent persons without warning on the pretext of the curfew order. This is one typical sample which I can give regarding the atrocities committed by the Police."

In the end, the relevant extract from the speech of Mr. T. T. Krishnamachari, in the Central Assembly on the above resolution, on 12th February, 1943, is given below :—

"The acts of the police and of the Military have created such a terror in the minds of the people, made them completely silent and dumb, made them put up with all the atrocities of the local Police without complaint, and unless some relief is forthcoming, some gesture is forthcoming from the Government to the effect that they do not wish to countenance this kind of atrocities or encourage such atrocities on future occasions, the moral of the people will indeed be affected and to that extent the war effort on which every Member of this House appears to be keen will suffer.

"There are two aspects to this question, Sir, one is where there is a particular outbreak, in the act of quelling that outbreak there may be police excesses. Well, perhaps, in a case like that police excesses can be justified to a certain extent. But, Sir, there is the other aspect of the question. There is a continuous movement on the part of those in authority to terrorise people into obedience, to take reprisals against acts of sabotage from which particular localities have suffered, which people of those localities are said to have indulged in. It is this aspect which is more frightening than the first one. We, in Madras, are accustomed to police shooting in the past—in the past, unconnected with the movement that is supposed to have been launched in August last. We have had occasions when unarmed crowds have been shot down, but since, those occurrences have taken place during war time no redress of those grievances was vouchsafed to us. We were accustomed in the past to that peculiar technique which had frightened people in the past—as long back as 12 years ago when the non-co-operation movement of 1931 was in progress. But the new method of terrorism indulged in by the police for the punishment of offenders is something totally new to us. It is a fact that in Madras we did not have military firing on occasions when there were outbreaks or subsequently thereafter. We have, however, a special branch of the police called the Malabar Special Police—a police which are quasi-military, and who are so wholly kept away from the people of the country that they could be as ruthless as, if not more than, the military.

In my own province, in the district which I have the honour to represent on the floor of this House, there have been occasions when police excesses had been so great that they have terrified the people of the entire district. In Tanjore there have been instances of firing, not only in the town of Tanjore, but in Kumbakonam, in Mannargudi, and in the suburbs. And on what account? To disperse the crowd. No enquiry was made whether the firing was justifiable, because the police had always held that the prestige of the Government would suffer, that the morale of the officers who were carrying out the work of keeping the peace in the country would suffer. That has been the age long cry of British Imperialism in this country and it is still being used to-day, not withstanding the fact that we have wise and patriotic Indians on the Treasury Benches. Another instance is that of the district of Ramnad where the worst type of police atrocities have taken place. There villages were burnt. Thatched sheds, huts were burnt during the absence of the male members of the village, and it is said that women also were molested. The matter was put before the local police officers; some of them had the decency to admit "Reprisals we have to carry out. Otherwise we cannot put down this movement." A distinguished police officer in my province has said that hooliganism must be met by hooliganism, but they would not admit that there have been occasions of molestation of women. *In the town of Madura* I have heard of a well authenticated report of *bad handling of two women*. Two women were taken away by the police, stripped off their clothes, then dressed in rags and left on an open road 12 miles away from the city, and it is said that particular action on the part of the police has evoked a reprisal from the public, the sequel to which is now a matter under the consideration of a judicial tribunal. Again, further South in Tinnevely similar instances have occurred. Villages after villages have been looted. Thatched sheds and huts have been set fire to, and there has been no enquiry of any sort. I can take the House into my confidence and say that a very highly placed person in my own province had approached the highest authority of that province and told him "these are instances we hear. Why do not you investigate? Why do not you, when you go about, call some non-officials and find out the truth? That at least will put the fear of God in the minds of the Police." There was no response. It is not merely in these districts that I have mentioned, that such things have happened. In other districts as well, in the Andhra districts, in the Ceded Districts, in the district of Guntur, in the district of Coimbatore such acts of

terrorism have taken place, and only for the purpose of terrorising people into obedience and to prevent them from resorting to acts of sabotage which they are reported to have indulged in.

"Is that really the policy of the Government? The resolution of this Government issued after the arrest of the Congress leaders seemed to indicate that punitive action will not be taken. But what is this? This is not perhaps punitive action, then this is sheer terrorism. The result of it is, as the House will understand, that if there is a movement it will be driven underground, if there is no movement people will be hardened against the Government. And that is the feeling of the people today in my own province at any rate.

"I shall not appeal to the Treasury Benches in the name of fair play. I shall not appeal to them in the name of the standards of justice for which great nations of the world are supposed to be fighting. But I shall appeal to them this way. I shall tell those people of my own colour, people who are sons of the soil, that they have to sit up sometimes and see that some remedy is vouchsafed to their own people who are suffering, who have been stricken down by these acts of terrorism. The members of an alien bureaucracy who are not natives of this country might feel in the same way as Madame de Pompadour, after us the deluge; but people of the soil cannot afford to do so. The deluge will come and will overtake them. They have got to be here and with us, they will have to sink or swim with us in the deluge. I appeal to those wise and patriotic Indians on the Treasury Benches, pull your weight to see that something is done, some enquiry is instituted, some courage and hope is infused in those people who have been terrorised into abject obedience. In my province no meetings are possible, there is a ban everywhere, we cannot have even meetings where Gita can be expounded. The District Magistrates use the Defence of India Rules for the purpose. We cannot write to the newspapers as newspapers would not publish them. How else are we going to ventilate these grievances except in this only forum which is vouchsafed to the people of this country."

Students took prominent part in the general demonstrations. So in general they were shot dead, injured and imprisoned. Besides, how their college authorities further hit them, an example of it is given below :—

"MADRAS : It is learnt that the Principal of the Loyola College, Madras, has disposed of a number of politically-minded students by presenting them with transfer certificates after the re-opening of the college.

"Both the junior and senior students have been victimized

thus. In the case of certain students of the same college who were successful in the recent university examinations and who sought admission into higher classes, the Principal made them go to his residence several times till it was too late for them to seek admission elsewhere, only to tell them politely that they could not be accommodated in the college on account of their political activities. More than a dozen students have been sent away thus. These students are now knocking at the bolted doors of other colleges."—

This is how the people of Madras were treated with vengeance. The British atrocities are challenging here to even the worst tyrant of the world living or dead.

BIHAR

It was one of those provinces of India which took the happenings of August, 1942, very seriously and jumped into the fire headlong. What actually was the condition of Bihar can be imagined from a Government Communique itself which was issued on Friday, 21st August, 1942. It runs as below:—

"PATNA, August 21st, 1942: Seventeen persons were killed on August 19, when a party of police and troops moving from Dumraon to Buxar in Shahabad district had to open fire on mobs who were digging up the road at various spots.

"Eighteen more were killed when a military unit moving by rail from Asansol towards Patna had to open fire several times at crowds attempting to damage the railway track.

"IN MUZAFFARPUR district serious riots took place at Katra and Minapore. At both places the police stations were destroyed. At Katra a constable was killed and a Sub-Inspector severely wounded. At Minapur a Sub-Inspector was killed.

"Fire was opened twice at Sasaram on August 14th on a mob headed by dacoits, sixteen persons were injured.

"At Barh in Patna district, a defiant crowd had to be dispersed by firing on August 16. Two persons were killed and two injured.

"At Katras in Dhanbad Sub-division, several police officers were injured by rioters on August 16, before they could be dispersed by firing.

"In the Patna district fire had to be opened at Bikram on August 17 and at Maner the following day to disperse large mobs.

"On August 20, small crowds attempting to obstruct roads in Patna district by falling the trees and placing wires across were dispersed by firing without casualties.

"Train communication between Patna and Gaya has now

been restored. In North Bihar, the mail service extends up to Muzaffarpur.

"By an order under the Defence of India Rules the following roads have been closed to the public for one month between the hours of 7 p.m. and 5 a.m.

"Patna City—Bukhtiarpur—Barh—Mokameh; Bukhtiarpur-Bihar—Nawadah—Rahauli—Kodarma—Singhrawan; Nawadah-Gaya; Patna-Digha-Dinapore—Manair—Arrah; Patna-Dinapore; Dinapore-Khagaul; Arrah-Bikramganj—Sasaram; the portion of the Grand Trunk Road from Singhrawan to Sasaram; Gaya-Dhobi and Gaya-Sherghati".

The Government, after all this, took legal and illegal actions against the people to simply crush them. To show the legal actions against people, the judgments in some cases, only as instances, are quoted below:—

"PATNA, February 24th, 1943 : Eight persons have been sentenced to death, two to transportation for life and five to five years' rigorous imprisonment by Mr. R.B. Beevor, I.C.S., Special Judge, Patna, in the case in which two Canadian officers of the R.A.F., were murdered by a mob at Fatwa, while travelling from Delhi to Calcutta on August 10, 1942. The Officers were dragged out of the compartment, killed and their bodies thrown in the Poon-Poon river. Thirty five persons were on trial, but the Special Judge discharged three of them after the examination of prosecution witnesses was over and 17 other accused were acquitted today."

"MONGHYR, May 13th, 1943 . Syed Naqui Imam, Special Judge, Monghyr, delivered judgment today in the European Pilot Murder case and acquitted all the ten accused.

"BHAGALPUR, June 6th, 1943 : Etwari Mandal and another person were sentenced to transportation for life by the Special Judge, Bhagalpur, for looting, burning and damaging the apparatus of Sabour Research College in August last.

Harihar Prasad, Balbhadra Mishra, Rudranand Jha and five more persons who also figured as accused in this case were acquitted."

Bihar is one of those provinces which were treated most brutally. How severely it had to suffer can be estimated from the following extract of the speech of Hon'ble Rai Bahadur Sri Narain Mehta, delivered in the Council of State on 23rd September, 1942 :—

"Speaking of the methods of putting down disturbances brings me to the tragic events in my own province of Bihar. Up to the evening of the 11th August nothing at all serious had happened anywhere in the Province. But on that fateful afternoon, in front of the Secretariat at Patna a mob that had begun to disperse was fired upon. As if this was just the

spark necessary for the movement to blaze out, events moved with incredible speed ; acts of sabotage and violence culminated in the roasting alive of some policemen and the tragic murder of a Sub-divisional magistrate. It appeared as if anarchy born of mob violence would stalk supreme. I well realize that no Government could, for a moment, tolerate such lawlessness ; but the measures taken have been such that the average citizen found himself placed in the most perilous situation, midway between the violence of the mob and the infinitely better organized violence of those who seek to assert the majesty of law. Troops and police were let loose on the countryside, and in the course of my touts in the villages, as a leader of the National War Front for my native district, I had reports made to me of oppression of the police and of the troops, of vandalism, of wanton destruction and loot of private property, of whole villages burnt, of extortion of money on threat of arrest, and in some cases, of actual physical torture. I have placed in the hands of my District Magistrate and of the Chief Secretary of my Province a statement of instances of such brutal oppression. This statement has been signed by me and by the Secretary of the District War Committee and Chairman of the District Board, perhaps the only one in India whose employees have bought war bonds of the value of nearly four lakhs. I have related to the Chief Secretary and to the Adviser to His Excellency the Governor of Bihar what these eyes of mine have seen in the villages ; all wealthy shops in the bazar looted ; entire villages burnt, not by the mob but by the soldiers and by the police, and I must confess that these sights would haunt me to my dying day. Indians in Bihar have by now been taught that there is very little difference between shooting down a pariah dog and pariah nigger. As the train I was travelling by to attend this session was passing Bamrauli aerodrome, I noticed an European in military uniform aiming a rifle at a pie dog about a hundred yards away ; he fired but missed, but those who wear the King's uniform in my part of the country are better marksmen, and they find their targets much closer."

In this very connection Mr. K. C. Neogy in his speech in the Central Assembly on 24th September, 1942, demanding enquiry into the alleged military and police excesses said :—

"This sweeping of streets appears to be a sort of special technique in putting down lawlessness because, we find this head-line in the "Searchlight" dated the 16th August, 1942 :

" 'People forced to do work of road clearing'. This relates to Patna and this is what it says—'people in different

mohallas—even respectable people of high position and status—are being dragged out of their houses and forced to do the work of cleaning the obstructions on the roads. And on refusing or hesitating to obey the orders they are severely dealt with and they are even given good thrashing. This morning. ...'

"I particularly draw the attention of the Honourable Law Member to the following ;

" 'This morning, Babu Nawal Kishore Prasad, one of the senior members of the Patna Bar, who is the President of the District Hindu Sabha and the Vice-President of the Provincial Hindu Sabha and who is one of the very prominent and respectable citizens of the town, while out for his morning walk, on the Kademkun road, was suddenly caught hold of and ordered to clean the road'—Then—'Dr. Damodar Prasad, M.B.B.S., a well known medical practitioner of the town is reported to have been dragged out of his sick bed on the upper storey of the Central Medical Hall and taken up to the Patna Collegiate school probably for the same purpose of doing the work of cleaning and was given a severe blow on his head which caused a deep wound in his skull from which blood oozed out profusely'—Again,—'Maulvi Shakarullah, a prominent Mokhtar, also, it is reported, was dragged out of his house and given a severe blow.'"

The Police excesses are even admitted by the Government of India themselves. The Home Member, Sir Reginald Maxwell, in his speech on Mr. Neogy's above referred resolution on 12th February 1943, said :—

"So far as my information goes, a number of cases against policemen are under investigation, or action has been taken, in various provinces. I have not yet got the full particulars of these cases. But, for instance, in Bihar 13 cases, involving 35 police officers, are either being inquired into at this moment or are being tried'."

The following is an account from an eyewitness :—

"Shri Jaglal Chaudhry who was a Minister of the Province from 1937 to 1939, and due to his education, culture, sufferings, sacrifices, and services was so very popular could hardly be left untouched by the Government. On 9th August, he was not present at his village residence hence could not be arrested that day. When after a couple of days he returned home and was addressing a gathering on the movement and the duty of the people, out of his house, at that very time, the District Magistrate, Saran, surrounded his house with the help of the armed police and military and wanted to enter his house forcibly. His only son, a college student of B. A. Class aged about 18 years, came to the gate and

stopped the District Magistrate from entering the house as his father, whom he wanted, was not inside and there were ladies who observed Purda. He was insisting to stop them because he was apprehensive of mal-treatment and molestation of his mother and sister who were inside. He apprehended such humiliation and molestation of ladies because that was the practice of that party in these villages in those days. He somehow sent word inside to his mother and sister to go out to save their honour and they went away too. Still he being not sure of it resisted the entry of the police and military party in his house so the hard-hearted British District Magistrate ordered to fire at him and the youngman died at the spot with a bullet shot. Thereafter the party entered the house to find it vacant. Then they went to the place where Ch. Jaglal was addressing the gathering. Chaudhry was called to see the District Magistrate and he readily did so. Then he was informed of the sad death of his lovely son. But he took it very calmly in an unperturbed way. He also got himself arrested quietly and asked the people who were in a huge crowd to disperse peacefully. He accompanied the Police and Military. It was due to his influence and efforts that the Police and Military party came from there unattacked at that time. But after he was taken in custody and removed from the spot, the crowd, on learning of the cold-blood murder of the young and lovely son of Ch. Jaglal, got naturally excited. But whatever they did thereafter for that Ch. Jaglal could never be held responsible. But the thankless police and the District authorities, instead, prosecuted innocent Chaudhry Jaglal and through false and fabricated evidence, got him convicted and sentenced to 10 Years R. L. The High Court of Patna also upheld the conviction and sentence. This is the example of British justice or British brutality. Innocent, young and the only son was shot dead, father was arrested and thus mother and sister were deprived of their both male members and main support of the family, and still not satisfied at that, the innocent and bereaved father was prosecuted and convicted for the acts of which he had no knowledge.'

How Mr. Archer, the District Magistrate of Patna, resorted to firing on innocent and peaceful students on 11th August, at Patna is a horrible tale ! It was a peaceful procession of the College Students of Bihar and specially of Patna. They wanted to hoist the National Flag on the University Building. But they were forcibly checked by the Armed Military to do so under orders of the District Magistrate who was present at the spot. The Students were in a large number and determined to do so. When this determination was not broken from

either side, the District Magistrate called some students to permit them to hoist the flag. Thus the students' leaders were taken aside. At this very time some students tactfully climbed up the University Building and cut the string of the Union-Jack and hoisted there instead "National Flag". Just then students began returning with delight but they were fired at from behind. Students actually ran, still firing took its toll. Eight young students died at the spot as a result of firing and many were injured. One Muslim young boy, aged about 8 years was crushed to death by the hooves of the Military horses which were let loose on the dispersing crowd. Thereafter how mercilessly the injured were treated is another heart-rending tale."

About the Jail treatment in Bihar, extracts from the speech of Babu Kailash Bihari Lal of Bhagalpur, delivered in the Legislative Assembly in July 1943, on the resolution for the better treatment of prisoners, are given below :—

"Like my friend Sardar Mangal Singh, I have also had some personal experience because I am also fresh from the Jail from the province of Bihar. Before I narrate what the treatment of prisoners there is, which is the subject-matter of this resolution, I wish to begin with some personal story which is in connection with the point raised by the Home Member himself. While going through his speech I found that he said that the smallness of the number shows that persons were selected for detention with due discrimination and there was no policy of indiscriminate arrests. It is with regard to this statement that I respectfully beg to point out how indiscriminate arrests were also made. In my own case, it is a matter of public knowledge that I had left the Congress because of my difference with them on several matters and it was long before the last movement was even started. I had attended even the Budget session of 1942 and apparently the disturbance began in August of that year. So, there cannot be any reason for my arrest, and I have repeatedly asked the Government of my province and the district officials if they have got anything to show against me and whether they had any apprehension so far as I was concerned. They turned a deaf ear to all my requests. Having committed one wrong, they wanted to save their face by continuing the wrong by keeping me under detention. And whenever the question was raised, the usual plea was that provincial autonomy is a subject that cannot now be touched by the Central Government."

Dr. P. N. Banerjee : "Provincial autonomy under Section 93."

Babu Kailash Bihari Lal : "It was left to the Provincial

Government. However, I must be thankful to his Excellency the Governor of Bihar for his intervention. When he visited the jail, I narrated my story to him. He took my case into consideration and I was then released. But the question of saving the prestige of the Government again came up and I was asked to sign the so-called undertaking. Though his Excellency had intervened, the District Magistrate brought one day a typed draft of that undertaking to me which purported to have said that I have dissociated from the Congress subversive movement and that I solemnly undertake not to hold any communication with my brother Rash Behari Lall and other absconders. Both these proposals were absurd on the very face of them. I pointed this out to the District Magistrate, who was very courteous and kind, made a note of it and said that he would inform the Government. I pointed out to him that there was no proof that I associated myself with subversive movement and therefore there was no ground for me to say that I have dissociated now. As regards holding communication with my brother, he was living with me in the same jail, in the same room for the last three months. I pointed out the absurdity of asking me to say that my brother is absconding and that I will not hold any communication with him. He made note of this discrepancy and said he would inform the Government. But the beauty of the thing was that I read in the newspaper of April, 23 morning in the jail that his Excellency the Governor of Bihar has been pleased to release Baba Kaulash Bihari Lall as he gave an undertaking that he dissociated himself from the Congress subversive movement and that he would not hold communication with his brother and other absconders. In the evening I was released. So such absurd things are done. I do not know with what object.

"Now, Sir, with this background, I will give you a picture of how I was huddled in the jail. On September 9, when I was just preparing to start for attending the Assembly, early morning two Sub-Inspectors came in a sedan car to escort me to Jail, I thought it was a mistake on the part of the police officers.

"Now, Sir, what is the position in jails? I will only mention one or two points. The trouble in the jail was with regard to the quality of food, the quantity of cloth, interviews, letters, accommodation, and so on. Over all these points my honourable friend has already said. At the rate of six annas per meal, twelve annas are being given. It can be easily imagined how in these days the prisoners in jails would fare with such low rations, and no wonder there is such a hue and cry over that. Then with regard to the quantity of cloth,

The upper class prisoners can get clothing from home, but the third division prisoners were in difficulty and they were living practically in a naked condition. The state of things about letters has been described by previous speakers and conditions remain the same. In my own case, for two months I was not allowed any interview or a letter, and no District Magistrate or any other official visitor ever visited the jail during four months of my stay there. My mental condition can easily be imagined, and it was a torture to me not to have an interview with any one. Then about lock-up. In the case of third division prisoners, I heard even recently when I came out of jail that there was some beating of the prisoners, although it was not a lathi-charge. I once had occasion to see a lathi-charge. Some political prisoners were caned in the middle of the jail and other political prisoners cried Bande Mataram and for this offence an indiscriminate lathi-charge was made and hundreds of prisoners were injured. Such things really happen but they can be avoided by sympathetic handling."

UNITED PROVINCES

After Bihar, the United Provinces had the honour of severe suffering and specially the Eastern part of the provinces. In the United Provinces, students took the most leading part in the demonstrations and their activities were firstly confined to the cities only. We give below some of the Press Reports of these activities which were issued either as the Government Communiques or allowed to be published by the Government in those days :

A communique of the U. P. Government says :—

"LUCKNOW, August 10, 42: A crowd of students having collected near the Monkey Bridge and indulged in rowdy demonstrations, intended as a protest against the arrest of Gandhiji and other Congress leaders, the police had to open fire.

"Earlier, the police attempted to disperse the students by a mild lathi-charge to which the students replied by brickbats. Thereupon, the District Magistrate, who was present on the scene, ordered the police to open fire. None was injured by the firing, but a couple of students received injuries while they were being dispersed by the police earlier. Some police constables, as well as Rai Sahib Onkar Singh, City Deputy Superintendent of Police, received injuries. Troops had been called out and stood by near the Monkey Bridge.

"A crowd had collected at Aminuddaulah Park, but was dispersed by the Police. A crowd of students tried to form

a procession and proceed to the University, but were stopped in Hazratganj and dispersed.

"Some students were arrested during the day for breach of the order under Section 144 which had been promulgated in the city.

"Thirteen students, including eight girls, were taken into custody after the clash at the Monkey Bridge. The girl students were later let off.

"Police and military pickets have been stationed near the premises of the University.

"Twenty-six persons were arrested in Aminuddaulah Park.

"Of the injured students who were admitted to hospital, seven have been detained for treatment, others having been allowed to go after they had received medical attention.

"Another crowd of students marched towards the Secretariat from Hazratganj. When stopped by the police they collected on the road behind the Secretariat and started shouting slogans. They were eventually dispersed by the police."

"CAWNPORE: A crowd marched in the city Kotwali on Monday afternoon and raised slogans. The demonstrators threw stones at the building. The crowd, however, retreated when the police prepared to meet the situation before it took a serious turn.

"After holding a meeting students marched through Mall Road, the main thoroughfare of the city, and indulged in wild demonstrations. Some threw stones at passing cars.

"Another group of demonstrators proceeded to the railway station and attempted to enter the booking office. Slogans were raised and the window panes of the railway offices were smashed. Two arrests were made by the police and the crowd then melted away.

"As the day wore on the situation showed signs of deterioration. In the evening crowds collected at the Kotwali, Tilak Hall and Chauk Sarafa and assumed a threatening attitude. The Police chased back the crowd near the Kotwali with a lathi-charge to Chauk Sarafa, where the mob became menacing. The appeal to disperse was disregarded and stones were thrown at the police party, injuring the Deputy Superintendent of Police. The police opened fire and some persons were injured. This action had the desired effect and the crowd dispersed.

"A tense situation developed at Sirkimulhal, where an excited mob attempted to attack the police outpost and set fire to certain articles. A clash occurred between the police and the crowd and brickbats were freely used. Finding the

situation getting out of control the police had to open fire for the second time on Monday. The mob then retreated.

"Eight persons were admitted to hospital following Monday's firing and the condition of two is said to be serious.

"A disturbance also occurred in Harbansmuhul where a police party has proceeded from the city Kotwali.

"The District Magistrate of Cawnpore has prohibited for two months gatherings of more than five persons in streets, the holding of public meetings, the taking out of processions without his previous permission and the carrying or selling of weapons of any description. While armed police were posted at strategic points, troops marched through the city on Monday evening."

A press report says:—

"ALLAHABAD, August 17: The city in general continued to be quiet here today also and even those shops, which had not opened in Chowk for the last four days, opened this morning.

"It is stated, however, that on two occasions firing was resorted to by some patrols in Kydganj killing two persons and wounding one seriously.

"The curfew period tonight also was 8 p.m. to 5 a.m.

"Reports received yesterday from the rural areas showed that there were attacks on Government property at two places.

"Patrols in the district have been strengthened and railway tracks are also being guarded by military patrols".

A press note issued by the U.P. Government states:—

"Since the recent disturbances have only been sporadic in most of the districts of the province and the ordinary person has seen little or nothing of them, Government consider it advisable to publish some information of the extensive damage done by violent mobs, almost invariably led by local Congress leaders, in some eastern districts the cost of which, to the extent to which it may not be covered by collective fines, will fall on the innocent tax-payer and the inconvenience arising from which will be common to all the inhabitants of the district who had no share in the disturbances.

"His Excellency the Governor recently paid a two days' visit to the badly affected areas of Ghazipur and Ballia, and this note gives some account of the damage which he himself saw on his tour. It should not be regarded as containing a full account of all the damage done.

"Order has now been restored in both these districts and the tehsils and police stations which were destroyed or temporarily abandoned have been reopened; conditions are in fact reverting to normal and the population are for the most part going about their lawful occupation.

"His Excellency travelled to Ghazipur and Ballia by train from Benares. In Ghazipur district a number of police stations and one tehsil were taken possession of by mobs, and at Sadata, Sub-Inspector of Police and a head-constable were burnt to death in front of the police station.

"His Excellency during his stay in Ghazipur visited Muhammadabad tehsil. The tehsil staff moved to the thana which is more easily defensible and a violent attack by a mob was repulsed with determination. But the tehsil, from which the treasury had been previously removed, was looted and burnt. The Tehsildar's quarters were looted and all his personal property destroyed; the Munsif's quarters were also attacked. The total damage done was very considerable.

"In Ballia district even more damage was done. One tehsil, a number of police stations, some seed stores and other public places were destroyed. The houses of three Deputy Collectors and a Munsif were looted and their private possessions including cloths, books etc., were destroyed.

"The house of a well-known private medical practitioner was also looted and his valuable stock of medicines, many of which are under present conditions irreplaceable either destroyed or taken away; so great was the destruction that the doctor who was wounded, by the rioters could not find any iodine to put on the wound, though previously he had a large stock. Some police out-posts in the town were also destroyed.

"At Baitia the thana had to be evacuated by night when the police, after putting up a magnificent defence, ran short of ammunition. The thana building was razed to the ground. At Sikandaipur only the four outside walls of the police station are now standing and the Dak Bungalow was also damaged. His Excellency himself visited Bansdih where the tehsil had been attacked, the treasure looted and the building burnt and sacked.

"The tehsil building was a two storied building of the most modern design. Apart from burning, the floor and cement ceilings had been hacked to pieces, the stone racks for the record rooms smashed and the iron work twisted or removed.

"His Excellency also visited Sahatwar police station. This was a modern building but is now unrecognisable as such. Roofs were burnt off, walls demolished and girders removed. In fact the building looks as if it had been struck by a cyclone or earthquake."

A communique issued by the U. P. Government states:—

"It is reported that a railway station between Tundla and

Hathras was the scene of police firing on the night between August 28, and 29, when a mob of about two hundred attempted to attack on it. Nine are believed to have been killed as a result of the firing which drove the hooligans away.

"Collective fines have been imposed on certain villages in Basti and Agra districts. The situation is quiet otherwise and order is being maintained."

For all the alleged activities and doings of the people on August 9, '42, and after, they were not only severely punished on the spot by the Police-lathis, and firings etc., but were also dealt with subsequently—both legally and illegally. How indiscriminately prosecutions were launched and innocent persons were penalised even in the name of justice can be derived from the following judgements of the various courts :—

"ALLAHABAD, September 4, 1942 : An application for a writ of *habeas corpus* was moved in the Allahabad High Court before the Chief Justice, on behalf of Mr. Ram Mohan Lal Agarwala, advocate of Moradabad, who is detained under Section 26 of the Defence of India Rules.

"Mr. Agarwal prayed that he be permitted to present the affidavit in person. In the course of the application the petitioner stated that usually he took no part in politics and there was nothing in the possession of provincial and local C. I. D. to show that he ever took part in subversive activities.

"That in August, 1941, the District Magistrate, Mr. G. A. Haig, demanded Rs. 20,000 from his client, Mst. Radharani, for the war fund. On her refusal to comply and pay this fabulous sum, the District Magistrate raided her house with a large number of police officials and Deputy-Collectors and removed or sealed all her gold and silver and Rs. 37,513/5/3 in cash. That, under instructions of the lady, the petitioner wired to the Governor, the Viceroy and others to intervene. Thus, the District Magistrate finding himself in hot waters, released her gold and silver and about Rs. 12,000, but retained about Rs. 22,000. He started bearing grudge against the petitioner and spoke of a deputation of respectable Hindus of his intention to "muzzle me" and to "clap me in jail." The District Magistrate, later to wrigle out of the situation, approached Messrs. Kedarnath and Saigal to create some kind of trust of the money. The lady and her brother instructed the petitioner to sue the District Magistrate as well as the trustees for the amount plus Rs. 50,000 as damages and when the petitioner was actually with Hafiz Mohd. Ibrahim, M. L. A., ex-Minister of the Local

Self-Government, negotiating with the District Magistrate and the Trustees, the petitioner was clapped in jail.

"That the petitioner under instructions from his lady client again wired to the Governor and met Sir T. Sloan and Mr. Burn in May for another assault on his client's brother by the police, he was, however, arrested in August, 1942, to avoid an ugly situation.

"That on the morning of August 12, a procession was to start in sympathy with those who were injured by the firing on August 11, the petitioner met the District Magistrate and the City Magistrate in the bazar and requested them to retire and assured them that no procession would be taken out. They, however, agreed to an alternative proposal to allow a procession in the evening. The petitioner took the responsibility of its peaceful termination and carried them peacefully through the bazar. It was tragic that some bad-mashes of the goonda type caused some damage to the Station Parcel and Booking Office in his absence which was condemned in his letter to the District Magistrate and also publicly.

"That the District Magistrate, evidently with a background of ill-will and prejudice mentioned above, exploited the letter and put him in jail. The District Magistrate offered to release him in September on terms which, not consistent with his self-respect, he refused to accept."

ALLAHABAD, March 10, 1943: A reference was made by the special judge of Ghazipur. It appeared that 61 persons were tried by him on charges under sections 396 (dacoity), 436, I. P. C. (arson) and Rule 35 of the Defence of India Rules. The Special Judge upon a consideration of the evidence and circumstances acquitted 44 of them and convicted only 17. Out of these Jitan Pandey was sentenced to death, Nankhu Chamar was awarded 10 years' R. I. and the rest except Achhaibar were given seven years under all sections. No separate sentences had been passed under each count except in the case of Jitan Pandey who had been given 10 years under sec. 436, I. P. C.

In the course of his judgement upholding the convictions of 17 persons but commuting the death sentence, passed on one Jitan Pandey by the Special Judge of Ghazipur, into transportation for life in a case in which a Sub-Inspector of police, Munshi Hamid Ullah Khan, and a constable named Wali Mohammad were chased, beaten to death and then burnt by a mob during the August disturbances in 1942, Mr. Justice Ismail, the reviewing judge, observed:—

"The investigation in all these cases has been very perfunctory. We cannot blame the investigating officer

for omissions on his part in the investigation when the countryside was in a state of commotion and means of transport were non-existent for several days. The police officers were also engaged in putting down disturbances in various parts of the district. For similar reasons it was not possible to put up the accused persons for identification within reasonable time.

"Further, his lordship said that there was no controversy about the main facts of the case. It appeared that on Aug. 15, 1942, information was given to the station officer of Saudat that a mob had collected at the seed store, close to the police station, in order to loot the grain stored there by the Agriculture Department. The station officer, with Ramji Raj, constable went to the store and after half an hour returned to the thana. The station officer advised the constables and other persons present at the thana to take shelter on the roof of the police station as the mob had become out of hand and was proceeding to the thana to commit acts of lawlessness. Soon after a mob consisting of 4,000 or 5,000 persons headed by Sevanand Sadhu arrived at the thana. The gate of the police station had been closed. The crowd broke open the gate and entered the compound. The S. O., Munshi Hamid Ullah Khan, came down, accompanied by a constable named Wali Mohammad, with a view to escaping from the fury of the mob. Other constables followed the example of the station officer and ran away in various directions. Before escaping the station officer had opened fire. It was not known exactly whether any person was injured or had died as a result of the firing. Before the station officer and constable Wali Mohammad could go very far they were chased by about 100 or 125 persons who attacked them and murdered them. In the meantime the thana had been set on fire. The dead body of Munshi Hamidullah Khan was tied to a rope and thrown in the fire. Wali Mohammad's body was said to have been carried by three or four persons and eventually burnt. Information was given at Saidpur P. S. and later to the Superintendent of Police at Ghazipur.

"It is a matter of common knowledge" remarked His lordship, "that about the same time several incidents of this description had occurred in various parts of the district. In the circumstances no proper investigation could be made immediately after the occurrence. A few days later with the assistance of the military several persons were arrested in connection with this as well as other incidents. Only 61 accused were prosecuted on various charges, as stated above. The crime was of a particularly serious kind and there is not the least doubt that a large number of persons participated in it,

The only point which has to be considered is whether there is sufficient evidence against individual accused to prove their participation in the offences that were committed on the day in question.

"His lordship found that only those accused had been convicted against whom there were at least two reliable witnesses. Some of the witnesses had identified several suspects correctly but had also identified undertrial prisoners who were mixed up with the suspects. Constable Izzat Husain identified a large number of persons wrongly. It was manifest that very little weight could be attached to his identification. He had, however, named 15 persons who were apparently known to him. The judge had relied on his evidence as far as the persons who were named by him were concerned. It was stated that Izzat Husain had made a report at Saidpur P. S. and had named some persons who had taken part in the dacoity. Izzat Husain himself denied that fact. The Special Judge had remarked that Izzat Husain had given evasive replies with respect to this report. The Special Judge summoned that report but none was forthcoming. It was difficult to say in these circumstances that a detailed report of the occurrence was made at the thana. It was not understood why the report was not forthcoming, if it was actually made. The Special Judge should have summoned the special and general diaries of Aug. 15 and 16 and should have examined for himself whether any report was made by Izzat Husain as alleged on behalf of the defence. At any rate, no one had been convicted on the statement of Izzat Husain alone. On occasions, like this, it was impossible to apply the ordinary standard that was required in criminal cases. The Special Judge had acquitted a number of persons against whom he found insufficient or weak evidence. He also gave benefit of doubt to those persons who gave convincing reasons for their having been falsely implicated on account of enmity or other causes.

"In his lordships' opinion the evidence against every accused who had been convicted was sufficient to warrant his conviction. The crime was a diabolical one and the participants resorted to very cruel devices in murdering the unfortunate Sub-Inspector and then setting his body on fire. His lordship, however, felt some doubt with regard to the evidence on which it had been held that Jitan Pandey took an active part in the murder of the Sub-Inspector. No witness stated that he saw Jitan Pandey inflicting any injury upon the Sub-Inspector. There was no doubt that every member of the crowd was constructively responsible for the death of the

deceased and legally might be sentenced to death, but it had not been the practice of this court to award the capital punishment in cases of constructive liability. It was fully proved that Jitan Pandey took active part in this riot. He was one of the 100 or 125 persons who chased the S. I. He was again seen among the persons who thrown the dead body in the fire. There was no direct evidence with regard to the actual assault that was made upon the Sub-Inspector. In these circumstances his lordship thought that the ends of justice would be met if Jitan Pandey was sentenced to transportation for life. In other respects his lordship saw no reason to interfere with the orders of the Special Judge. The sentences having regard to the heinousness of the crime, did not err on the side of severity".

"ALLAHABAD, March 10, 1943: In this case Panna and Khacheru along with 14 others were tried by the Special Judge of Bulandshahr under Ordinance 11 of 1942 on charges under Secs. 147/436, 435 read with Sec. 149, I.P.C., Rule 35 of the Defence of India Rules read with Sec. 5 of the Defence of India Act and Sec. 149, I.P.C. His lordship in his judgment said that it was abundantly proved from the evidence that on the night of Aug. 21/22, 1942, a large crowd raided Charora canal inspection house and set fire to the patrol's quarters, furniture of the inspection house, and the registers and papers of the department that were found in the premises. The employees of the department who were residing in the quarters of the inspection house were forced to hand over the keys of the inspection house. As the employees yielded to the pressure of the miscreants they were not ill-treated or beaten. The mob also cut telegraph wires near the inspection house. 16 persons were eventually put on trial. The Special Judge who tried the case found the evidence of identification unsatisfactory and therefore acquitted all the accused except Panna and Khacheru. The latter was a young lad of 14 years of age. The longest term of imprisonment imposed upon him was four years under Sec. 436, the other sentences being concurrent. His lordship said he had no jurisdiction to review Khacheru's case.

"Panna was one of the mob that followed the ringleaders and did what he was ordered to do. In his lordship's judgment there was sufficient material on the record to warrant Panna's conviction on all charges. As the conviction of Panna was based chiefly on his own confession they must accept the truth of his statement according to which he played only a secondary part in the occurrence. His sentence of 10 years was reduced to five years under Sec. 436. The sentences on other charges were maintained including the sentence of five

stripes under Sec. 4, of the Enhanced Penalties Ordinance III of 1942. The sentence of whipping would be carried out in case he was found physically fit to receive it."

ALLAHABAD, April 5, 1943: An application in the nature of *habeas corpus* under Section 491, Criminal Procedure Code, filed on behalf of a student of the Benares Hindu University, Harish Chandra of Farrukhabad, who is now under detention under the Defence of India Rules, came up for hearing before a full bench consisting of the Chief Justice and Justice Varma and Yorke. The Rt. Hon. Sir Tej Bahadur Sapru who had previously filed a similar application under Section 491 on behalf of a leading advocate of Banda, Kunwar Har Prasad Singh, who is also under detention, appeared as *amicus curiae* in this case, the applicant being represented by Mr. B. S. Darbari.

After hearing Sir Tej Bahadur Sapru for some time their Lordships found that all the relevant and necessary papers in the case were not available and adjourned the case till April 15. The District Magistrate of Farrukhabad was asked to explain as to why he had refused the applications for certified copies of the orders passed on bail applications.

The Government Advocate at the outset wanted to raise a preliminary objection, but the Chief Justice said that he could raise the objection after the Court heard the facts of the case from Sir Tej Bahadur Sapru.

Sir Tej Bahadur Sapru said that the petitioner was a young man of the name of Harish Chandra who, a few months ago when the disturbances broke out in August last year, was reading in the Ayurvedic College of the Benares Hindu University. After the disturbances broke out, he went to stay with his uncle at Kaimganj. On November 6, he intended to proceed by train to Raipuri village and he was arrested on that day under the Explosive Substances Act. He was taken to the District Jail, Fatehgarh, and about a week later, on the 13th or 14th, he was taken to the Kaimganj police station. An application for bail was moved afterwards before the Sub-division Magistrate and he was informed that although he was arrested under the Explosive Substances Act he was being detained under Rule 129 of the D.I.R. Later an application was moved before the Sessions Judge and it was stated that he might be released on bail on any conditions which might be imposed by the District Magistrate. The Sessions Judge sent for papers, but the Prosecuting Inspector reported that the applicant had made a confessional statement and there was sufficient evidence against him and he opposed the bail application. He wrote that the papers were with the Superintendent of Police who was on tour.

Chief Justice: If the Sessions Judge had asked for the papers it was the bounded duty of the Police to put the papers before the Sessions Judge, and if I find that for no valid reason the papers were not sent I propose to haul him up.

Proceeding, Sir Tej Bahadur Sapru told the court that certified copies of various orders in the case were refused to the petitioner by the District Magistrate whose order was: "I am not prepared to allow copies." The Sessions Judge fixed January 11, 1943, for hearing the bail application, but on January 9, the Police released applicant merely on a personal bond of Rs. 100 and immediately arrested him under Rule 129, D. I. R. The Sessions Judge rejected the bail application on January 11, saying that the Police had reported that the applicant had already been released on a personal bond. Another application was made to the Sessions Judge who rejected it on the ground that the applicant had been detained under Rule 129, D. I. R. On January 9, he was taken to the Kotwali where he was kept for 16 days. He was formally released under Section 129, again arrested under Section 129, released and arrested again.

At this, the Chief Justice, remarked, "The liberty of one of His Majesty's subjects is at stake and the papers are not before us. Tell the District Magistrate and the Superintendent of Police that every slip of paper connected with this case has to be before this court within one week. I shall not allow this sort of thing to be done. Tell them they must send every bit of paper here."

The case was adjourned till April 15. His lordship in his order said that this was an application under Section 491, Criminal Procedure Code, and the application was supported by an affidavit. Notice of the application was issued to the Government Advocate on February 1, 1943 and he had appeared today to oppose the application. A counter-affidavit has been filed on behalf of the Crown by Raza Ahmed Rizvi, Circle Inspector of Police. The facts stated in the two applications were by no means clear, and it was impossible to get from the two affidavits a comprehensive and chronological statements of facts. It was stated in the affidavit filed in support of the application that certain applications for certified copies of certain orders were made to the District Magistrate and those applications were refused. The affidavits further disclosed that the applicant was at a time arrested under Sections 4 and 5 of the Explosive Substances Act, then released and was then arrested under Rule 129, D. I. R. The dates on which the applicant was arrested either under the Explosive Substances Act or under the D. I. R.,

or the dates on which he was released did not appear from the affidavits.

In order to satisfactorily dispose of this application, said his lordship, the Chief Justice, it was necessary that all the Police papers and the various orders passed by the Magistrates together with the applications for bail should be before the court. They accordingly directed that all the relevant papers that might be in the office of the magistrates be sent to the High Court at an early date. The District Magistrate would be asked to submit an explanation as to why he had refused the applications for certified copies of the orders passed on bail applications. A copy of this order would be sent to the District Magistrate forth with for compliance. The applicant would produce certified copies on his bail applications to the Sessions Judge and the orders passed on those applications by the learned judge."

"BENARES, May 12, 1943: Seventeen persons who were convicted and sentenced by a Special Magistrate to undergo seven year's rigorous imprisonment each and ten to fifteen stripes under Rule 35 of the Defence of India Rules for taking part in the August disturbances have been acquitted on appeal by Mr. Atma Charan, Special Judge of Benares.

Acquitting the appellants, Mr. Atma Charan observed that the Special Magistrate, who convicted the accused persons, having been appointed as a Special Magistrate by the Secretary to the Provincial Government and not by the Provincial Government itself, his judgment in this case was invalid. It was the function of the Provincial Government to appoint Special Magistrates and not that of its Secretary."

"ALLAHABAD, July 21, 1943: The fine of Rs. 500 imposed by a magistrate of Muttra on a shopkeeper, named Harinath, under Section 81 (d) (4) D. I. R., was reduced in revision to Rs. 50 by his lordship, Mr. Justice Dar. The prosecution case was that on account of sympathy with the Congress movement a hartal was observed in the city of Muttra on September 9, 1942, and the shops in business quarters were closed. In the morning the District Magistrate issued an order purporting to act under the D. I. R., by which he directed the shopkeepers to keep their shops open for the conduct of essential business during periods of normal trading in the city of Muttra. A copy of this order was forwarded to the Kotwal with directions that it should be given immediate, wide publicity.

His lordship rejected the contention on behalf of the accused that the District Magistrate's order could only apply to those shops which were in fact open, because the order did

not direct shopkeepers to open their shops but only to keep the shops open. In his lordship's opinion the order directed that shopkeepers should keep open their shops during the period of normal trading in the city of Muttra and there was an obligation on a shopkeeper who carried on normal trade in the city to open the shop as much as to keep it open. One could not keep open a shop unless the first opened it. The defence of the accused was that he had no personal knowledge of the order of the District Magistrate and his shop remained closed not only on account of Congress hartal but on account of his observance of the usual holiday for Amavas. It was to be regretted that there was a lacuna on this part of the case. The accused was technically guilty of the offence under the D. I. R., but as there was no direct evidence of his personal knowledge and the possibility remained that the shop was not opened on account of Amavas and not in furtherance of any hartal his lordship thought that the benefit of the doubt should be given to the accused on the question of sentence and the fine imposed upon him might be reduced. The fine was accordingly reduced to Rs. 50."

Holding the trials in July, August and September '43 to be either not legal or proper or the convictions as based on insufficient evidence or vague allegations, Mr. Harish Chandra, Sessions Judge, Allahabad, quashed the sentences of several persons convicted in connection with the last political movement, on their filing appeals after the repeal of the Special Criminal Courts Ordinance, which had taken away the right of appeal.

Some of such cases are quoted below :—

1. "The sentence of 18 months' rigorous imprisonment passed by the City Magistrate on September 7 last on Mr. Radhakishan Tewari on the charge of possessing copies of the draft resolution of the All-India Congress Committee which met here in April, 1942, has been set aside, as the Sessions Judge felt that the accused was not given suitable opportunity for defence and so, in fact, there had been no proper trial. The Judge did not order a fresh trial as the appellant had already been in jail for nearly ten months.

"On the question of the A. I. C. C. resolution being a prejudicial report, the Sessions Judge observed: "Although I am not prepared to give a definite finding on the subject, there seems to be a great deal in the argument of the learned counsel for the defendant that the draft resolution of the A.I.C.C., copies of which were recovered from the house of the appellant in his absence, cannot in fact, be described as a prejudicial report. It is pointed out that although the Central Government had power under Rule 40, D.I.R., to

proscribe it as prejudicial report, the only notification issued by Government in respect of this resolution was one under Rule 41 (1) (B). Rule 40 deals specially with prejudicial reports. But for purposes of Rule 41, it is not necessary that the document should be a prejudicial report and the only action taken by the Central Government was to proscribe the publication of this resolution". However, in circumstances of this case the Judge did not consider it necessary to go into that matter further."

2. "The sentence of one year's rigorous imprisonment passed by Mr. D.C. Jain, Dy. Collector, on January 23 last on Nepal Singh was also set aside by the Judge as the documents for the possession of which he was convicted related to a period about 10 or 12 years ago and had no connection with the present movement. The Judge remarked that the contention of the appellant that the documents were not prejudicial reports was correct."

3. "The sentence of 18 months' rigorous imprisonment passed by the City Magistrate on Braj Mohan Goel on the charge of addressing His Majesty's forces to seduce them from duty was also set aside as the Judge held that the evidence on which it was based was not enough. Mr. Goel's one year's sentence on the charge under Section 52, Prisons Act, was also set aside as it was held as based on vague and indefinite allegations. But another sentence passed on Mr. Goel under the same Act for resorting to hunger-strike in jail was maintained but reduced from three months to one month's rigorous imprisonment."

4. "Shyam Upadhyaya's sentence of one year under Section 52, Prisons Act, was set aside as the conviction was held to be based on vague allegations and, consequently, the trial was not held to be legal".

5. "The Sessions Judge allowed the appeal and set aside the conviction of Mr. B. D. Mukherji, an Advocate, who was convicted under Rule 38 of the Defence of India Rules for shouting slogans, and remarked 'I cannot understand how what the appellant said can be said to constitute a prejudicial act. It is said that the closing of shops causes alarm and fear to the public. No doubt the closing of shops causes inconvenience to the public and interference with the normal life of the city, but I do not think that the closing of shops in honour of such leaders as Gandhiji, Pandit Jawaharlal Nehru, who had been arrested at Bombay was likely to cause alarm or fear to the public'".

6. "The sentence of six months' R. L. and also of a fine passed by Mr. D. G. P. Anthony on Anandilal under the Defence of India Rules for interfering with the means of

communications by blocking the Grand Trunk Road in Badshahimandi on Aug. 13, 1942, was set aside as the evidence of a solitary witness 'of this kind', (police head constable) was not, in the Judge's opinion sufficient especially when there was also a little discrepancy between his report and statement, and also because from the record it appeared that the appellant had no reasonable opportunity of defending himself.'

7. "The appeals of Bachcha Lal and Sharda, who were sentenced to various terms of imprisonments, the maximum 21 month' R. L., by the same magistrate in connection with an attack made on the Muthiganj post office, on Aug. 12, 1942, were allowed as the procedure adopted by the Magistrate was considered to be most extraordinary and the judge, therefore, held that there was no proper trial of the case."

8. "Setting aside the convictions by Mr. Anthony of Bhaggu Nath for being a member of a mob that had caused violence on Aug. 12, 1942, in Katra Bazar, cut telephone and telegraph wires and stretched them across the road, the sessions judge said that in his opinion a very reasonable doubt arose in regard to the guilt of the appellant, 'It is not unlikely', the judge remarked, 'that he was quite innocent and was merely going from his shop through the crowd to his house to give medicine to his child, who was ill.'"

9. "The judge also allowed the appeals of Kailash, Durga, Jaganaeh, Govind, Nanka and Birju against their conviction by Mr. Anthony in connection with the attack on Kydganj Post Office on Aug. 12, 1942."

10. "Setting aside the sentences passed by the same Magistrate on Bengali, Munshi alias Kripa Shanker and Mullan alias Mool Narain, who were convicted in connection with the attack made on the Railway city booking office here on Aug. 12, 1942, the Sessions Judge observed that in his opinion the charge sheet as submitted in the case did not constitute a report of writing of the facts constituting an offence as required by Sec. 150, Cr. P. C. 'In the circumstances the Magistrate was not competent to take cognizance of the case and had no jurisdiction to try it'. The Judge added, 'I have considered the possibility of quashing the present proceedings and suggesting that the case may be tried afresh if a report in writing of facts constituting an offence is now received from the police. But an analysis of the evidence would show that on the merits, too, the case against the appellants is extremely weak. Moreover, the appellants have been in the lock-up and jail for several months.'"

11. "The judge quashed the conviction and sentences of Ram Pratap and Mehdi Lal in connection with the attack

made by a mob on the A. R. P. report centre in Muthiganj, on Aug. 12, 1942. One of the prosecution witnesses was Mr. Taj Pal Singh (area magistrate) and for reasons given in the judgment the judge was of the opinion that his evidence did not at all improve the case against the appellants, and that on the merits they were entitled to acquittal. In this case also the judge considered the possibility of quashing the present proceedings and suggesting that the proceedings might be restarted if a proper report in writing of the facts constituting an offence was made now by the police, but he found that the evidence was extremely weak and on the merits, too, there was no case against the appellants."

12. "The conviction of Krishna Acharya under rule 5c, D.I.R., Daraganj inspite of the order of the District Magistrate prohibiting processions, was set aside as the existence of the order of the District Magistrate, prohibiting processions, was not legally proved. But the appellant's conviction under rule 38, D.I.R. for shouting anti-Government slogans was upheld. The imprisonment had already been undergone by him."

13. "Holding that the evidence in the case was extremely unsatisfactory and that even that unsatisfactory evidence did not seem to implicate the appellant in any way and there could be no possible doubt as to his innocence, the judge quashed the conviction of Jairam on the charge under Sec. 17(1) of the Criminal Law Amendment Act by Mr. Joti Swarup a Sub-divisional Magistrate. The appeal of Jairam was also allowed against his conviction on charges under Sec. 17(1) of the Criminal Law Amendment Act and rule 38, D.I.R., by Thakur Ram Nagina Singh, a Sub-divisional Magistrate, as the judge held that there was absolutely no case against the appellant."

14. "In the appeals arising out of the conviction of eleven persons by Khan Sahib Ashfaq Husain, a Sub-divisional Magistrate, in the case relating to an attack made on the P. W. D. Inspection house, cattle pound and post office, Saidabad, the judge acquitted Kamta, Ramswarup, Ajodhya, Ram Harakh, Raghunath, Ram Prasad, Sheodari, Nanku Singh and Maharaj Kishor as evidence against them was held to be altogether unreliable, but upheld the conviction and sentences of imprisonment, maximum 16 months' R. I., of Ramchandrar and Sheomurat, reducing their fine from Rs. 200 to Rs. 50.

"With regard to the Magistrate's order regarding payment of rewards out of the fines, if realized, the judge noted that the Magistrate had also ordered payment of a reward to the station officer under clause (b) of Sec. 24(2) of the Special Criminal Courts Ordinance, under which the case was tried,

But, the Judge said, the Section did not justify the payment of any reward to the investigating officer, for he could not in any sense be described as person giving information leading to the arrest or conviction of the accused persons.

"Moreover", remarked the judge, "I do not understand what the investigating officer has done in this case to merit a reward, unless credit is given to him for attempting to prove the case against a majority of the appellants, to procure the evidence of witnesses like Nadir, Amarnath and Babu Lal (held by the judge to be valueless) and for taking a number of appellants from the jail to the police station at Handia in a lorry immediately after they had been released on bail and detaining them at Handia for some time in circumstances giving rise to reasonable suspicion that the object was to give some witnesses an opportunity to see them there".

"The order awarding reward to the investigating officer was set aside but about the payment of rewards out of the fines, it realised, to the owners of the inspection bungalow and cattle pound and the postal department in the proportion of 1, 1 and 3 was confirmed."

ALLAHABAD, Sept. 22, 1943 : Kedar Nath and Lachhman Das appealed against their convictions by the Special Judge of Meerut, Dr. L.D. Joshi, under Sections 3 and 4 (b) of the Explosive Substances Act. They were sentenced to 10 years' R.I. under the former and seven years' R.I. under the latter Section, the sentences being concurrent.

On the promulgation of Ordinance XIX of 1943, numerous appeals against decisions of Special Judges and Special Magistrates were filed in the High Court and as in most of the appeals the validity of the Ordinance was assailed the hearing of the appeals was deferred till the decision of the question by a Full Bench, and a Full Bench had recently held that the Ordinance was valid, said his lordship. The consideration of the present appeal must, therefore, be approached on the assumption that the trial of the appellants which, culminated in the sentences passed by the Special Judge, had been held in accordance with the Criminal Procedure Code by the Sessions Judge.

The incident that led to the prosecution of the appellants took place in the Kothi of L. Piyare Lal of Hapur at about 6 a.m. on October 19, 1942. He was apparently a respectable resident of Hapur. He was an ex-Honorary Magistrate and Vice-Chairman of the Hapur Municipal Board. The evidence showed that during the disturbances of 1942 the police had to fire at a mob in Hapur on August 11 and L. Piyare Lal was with the Government Officials at the time of firing. This was resented by a certain section of people and they

suspected that he had instigated the firing. On October 10, when he was not present at his Kothi the doors were sprinkled with kerosene oil and set on fire. A report about this incident was lodged with the police. On the morning of October 19, there was a bomb explosion in the gallery of the Kothi. A number of articles were recovered from the room of the applicants and sent to the Chemical Examiner's report that traces of arsenic sulphide, potassium chlorate, sulphur and potassium nitrate were found on some of the articles.

After observing "The cardinal principle of jurisprudence that an accused is to be presumed to be innocent unless the contrary is established is the bedrock of our system. From that principle no departure is permissible or desirable. The equally important principle must be kept clearly in view that to quote the well-known observations of their lordships of the Privy Council in *Atar Singh v. Thakur Singh*, I.L.R. 35, Calcutta, page 1939, conjectures cannot be accepted as substitutes for proofs", his lordship the Chief Justice proceeded: "It is also necessary to take into account the circumstances which brought into being the repealed Ordinance II of 1942. Acts of incendiarism had been committed, sabotage was rampant. These are matters of which I consider I can take judicial notice, vide *Prabodh Chandra Chakarvarty v. Emperor* A.I.R., 1933, Calcutta, page 186. To continue the narrative, telegraph wires had been cut; all means of communication between man and man came to an end. If I am bound to take judicial notice of these, the next question which falls for consideration is the nature and quantum of proof. Here again one must keep the line clear between 'legal proof' and 'moral conviction.' But once the evidence comes before the court and stands the tests of severe legal scrutiny, that evidence constitutes the legal proof. Then the dividing line vanishes. 'Legal proof' in my judgment is neither more nor less than what is indicated by the definition of the word 'proved' in Section 3 of the Indian Evidence Act, 1872, that is to say, 'a fact is said to be proved when after considering the matter before it the court either believes it to exist or considers the existence so probable that a prudent man ought, under the circumstances of the particular case, to set upon the supposition that it exists'. It is the duty of the court in each case to concentrate its attention on the relevant and admissible evidence and then to decide whether or not the particular fact has been proved from the evidence adduced in the case. While the court is entitled to insist that the best possible evidence should be produced no hard and fast evidence as to the quantum of evidence required for the proof of a particular fact could be laid down as this must

necessarily vary with circumstances of each case. In the case before me, the Special Judge has in the course of his judgment noticed the evidence in detail and that evidence leaves no room for doubt that the room on the upper storey from which the incriminating articles were recovered was in possession of the appellants. It is, however, argued that the evidence of those witnesses was not sufficient proof that the appellants were in possession of the room and that the articles were recovered from that room. I am unable to agree with this contention. Bearing in mind the principles that I have enunciated above, bearing in mind the nature and extent of the disturbances of 1942 and the reluctance of the people to enter the witness-box, I cannot but hold that the 'legal proof' on the record is enough to warrant the belief in the guilt of the accused not only as a matter of 'Moral conviction' but as a matter of legal deduction. I have, therefore, no hesitation in upholding the conviction of the appellants under Section 4 (b) of the Explosive Substances Act".

His lordship set aside the conviction under Section 3 holding that the evidence could not lead to the conclusion that the appellants had either planted the bomb or were responsible for the planting of the bomb in the Kothi of L. Piyare Lal. The appeal was allowed to this extent. The conviction under Section 4 (b) was maintained and to this extent the appeal was dismissed.

"ETAWAH, Dec. 22, 1943: Mr. Shiv Baran Singh, Additional Sessions Judge, Etawah, has pronounced judgment in the well-known Basrehar Canal Kothi Burning case, in which eight accused stood charged under Rule 35 (4), D.I.R., and Sections 147 and 436 read with Section 149 I.P.C.

"Jagdish Singh, Rangil Lal, Suraj Prasad, Budhu Rai and Nawab Singh are sentenced to 7 years' R.I. and a fine of Rs. 100 each, Munshi Singh is sentenced to 5 year's R.I. and a fine of Rs. 50. Ten stripes each are awarded to Puttu Singh and Jagdish Singh, Soney Lal is acquitted."

There have been numerous political cases in the Province, in which innocent persons were implicated and convicted on very scanty and fabricated evidence. Among many such cases we refer to one of the most important cases of our province. This was as a sequel of a severe bomb-explosion at the Central Railway Station Cawnpore on 9th. Feb., 1943, at about 10 p. m., when the Delhi Mail reached the Station. As a result of this explosion three persons died at the spot, 13 others were injured and the Station property sustained a loss of about Rs. 3,000. It was discovered that a big time-bomb was placed below the stair-case of the main platform, which exploded at the fixed time. After this

incident, the Police carried out the investigation or a campaign of torture of many youngmen at Cawnpore. Finally the Police put on trial 13 youngmen in this case which came to be known as Cawnpore Station Bomb Case. After protracted trial of over a year on 10th Nov., '44, the Additional Sessions Judge Cawnpore delivered his judgment in which he held that the case was a sequel to two bomb outrages, one referred to above of the Central Railway Station and the other was of the Nishat Cinema Hall in the heart of the city, which did not cause any loss of life nor much damage to the property. The crime was considered a serious one with a political tinge. The accused were convicted under several counts, which included conspiracy, and offences under Explosive Substances Act, Arms Act and various sections of D. I. R. and I. P. C. In this case six persons were convicted and seven were acquitted by the Sessions Court. Babu Ram and Bajrang Singh were sentenced to death, Niranjan Singh was transported for life, Jagdish Dubey and Ram Gulam were sentenced to 14 years R. I. each and Dev Brat Som was sentenced to 7 years R. I. But the Police was not satisfied with this and went in appeal to the High Court against the acquittals and filed revision for the enhancement of the sentence of others. The High Court even under the changed political circumstances of the country in 1946, sentenced 6 out of the 7 acquitted young men to 7 yrs. R. I. and also enhanced the sentence of 14 yrs. R. I. of Jagdish Dubey to transportation for life. The judgment was pronounced on 15th. March 1946, and the Congress Government in the province came in office on 1st, April, '46 which released all of them soon after. The case was one in which all the convictions were based on the testimony of an unreliable and undependable evidence of an approver and the uncorroborated and retracted confessions of some of the accused. There was not a single eye witness of the alleged incidents, still on very scanty and weak evidence the judiciary of the country played in the hands of the Police and allowed itself to be misused to the extent of depriving liberty of so many youngmen and would have deprived them of their lives if the political circumstances were not changed in the country. Youngmen who could not be convicted would have been even hanged as many were done previously. Such cases can only be termed as pure and simple judicial murders for which we can only say that even the judges, guardian of justice, can not go above the influence of the administration in the country, which if turns atrocious on the people, the judicial courts simply become

the murder houses in place of the temple of justice.

Besides the above-quoted legal and judicial severities and atrocities, the people were subjected to numerous other brutal and barbarous cruelties. Some instances are quoted below :—

1. The Hon'ble Pt. Hirday Nath Kunzru speaking on "Political situation in India" in the Council of State on 24th September, 1942, said :—

"I should like to give one or two instances relating to the United Provinces which seem to me to be based on accurate information. The first instance I shall refer to, relate to Allahabad. I have made some inquiries on the subject and I understand that a man was caught hold of by an Indian Soldier or the special military police because he was wearing a Gandhi cap. He was asked to take it off which he naturally refused to. His part was taken by a passer-by. Two or three soldiers came and beat the man who was wearing the Gandhi cap. He turned round on his assailants and attacked them and then finally, shaking off the person who was holding his shirt, he tried to run away. He and his supporters who also ran away were at once fired on by one of the soldiers or military police. He was not hit but a passer-by who was hit died immediately. Another instance of the same kind, I understand, occurred in Allahabad, quite near the place where the first incident occurred, but I have not been able to inquire into it. The next incident, Sir, that I shall invite the attention of the House to, relates to one of the eastern districts of the United Provinces, Ghazipur. One of the inhabitants of the village which I am going to refer to, who is a substantial zamindar, paying between Rs. 3,000 and Rs. 4,000 annually as land revenue, has made representations both to the Local and the Central Governments regarding the excesses committed by the military in his village. The village concerned is Manjha and the story which the zamindar refers to in his representation runs as follows: On the 24th August four European soldiers—I think he meant four European officers—accompanied by about 100 or 150 Indian soldiers visited the village of Manjha in Tehsil Saidpur, ordered all the males in the village to come out of their houses and stand on one side of the road. They then entered the houses, forced the women to surrender all the ornaments they had on their persons, took hold of all the cash, jewellery and other valuables they could lay their hands on and then set fire to a number of houses. Afterwards they returned to the place where the male members of the village including children

were standing. The children were asked to go away, but all the males were whipped each of them by two men, one standing on either side of the victim. One of the houses that was looted was of this zamindar who has complained to Government. He is one of the men who helped Government to put down the non-co-operation movement in 1921. He has helped them to a small extent in recruiting soldiers in the present war. He has contributed to the war fund and has been made an Honorary Magistrate. Yet he was not spared. Sir, if this is the treatment that can be meted out to a loyal supporter of the Government, one naturally shudders to think what happened to those people who were not in that position. I should not like to suggest that things of this kind have happened in every village. But I must state that so many complaints have reached me from the eastern districts of the United Provinces that I feel, and feel strongly, that the Government ought to institute an impartial inquiry into the manner in which lawlessness has been suppressed in these districts."

2. Mr. K. C. Neogy speaking on his resolution demanding an enquiry into the excesses, in the Central Assembly on 24th September, 1942, said :—

"The document to which I will refer is a notice under Section 80 of the Civil Procedure Code, which a zamindar in the district of Ghazipur has served on the Government of India and on the Government of the United Provinces, claiming damages for wanton destruction of property committed by the military and the police in his village. I have got a complete copy of the notice in my hand. He first of all gives his own pedigree of loyalty. He mentions what his grandfather did and how his services were rewarded, what is the amount of income-tax that he pays, and finally, this is not without some amount of grim humour, he reproduces a certificate that was awarded to him only in the year 1933 in recognition of his meritorious services in connection with the putting down of the civil disobedience movement. Now, the House will soon realise what has happened to him, in spite of all his faithfully and highly appreciated services. He adds that he is an Honorary Magistrate. Now, Sir, I come to the most important portion of this notice. He says :

"On the 26th August 1942, at about 3 P. M. my Manager sent a man to me and through the message of my Manager I came to know that four European soldiers accompanied by about 150 military men armed with rifles and along with the Sub-Inspector, Nandganj Police Station, came to my village in the afternoon of the 24th August and asked all the male members of my village including my Manager

and servants to leave the village and file on kutcha road, which passed through the village, on pain of being shot at. The male members including children came out of the village and sat on the kutcha road. Thereafter, the four European soldiers along with the military men entered the village leaving a few military men to guard the villagers sitting on the road. In the village the women were asked to come out of the houses on threat of being shot at should they refuse to do so. When the women came out the soldiers deprived them of all their ornaments which they were putting on their person and after that they raided the houses and looted cash, jewellery, ornaments, clock, etc. They also raided my house. The Sub-Inspector warned the European soldiers that the house belongs to an Honorary Magistrate who was a loyal British subject but the European soldiers asked the Sub-Inspector to shut up. They then looted my house and broke some of the valuable furniture and articles. That I have been put to a loss of Rs. 30,405/7/3 approximately, as detailed hereunder, on account of the acts of vandalism committed by the said soldiers.'

"I do not want to mention the details. Now comes something which, I think, would not rouse the House into any hilarity.

"That the soldiers removed the clothings from the houses of the villages to outside the houses and set them on fire and further, set fire to 20 houses of my tenants in addition to several straw thatched houses in the village.

"That after having looted my house and the houses of my tenants the soldiers came back on the road and asked all children below the age of 12 to go out of the line of the people sitting on the road. After this order was complied with, the adult persons sitting on the road were asked to sit like frogs after undressing themselves including my Manager. They had to obey the order on point of rifles.

"That, thereafter, a bamboo stick was split up into few parts and five stripes were severely inflicted on the naked back of each of the villager so sitting, including my poor Manager who was throughout protesting that he was a servant of a loyal Zamindar and of an Honorary Magistrate. The condition of all these persons has become very serious and they will make their separate representation in due course if they so desire.

"That one of my peons who was protesting was tied to a tree and mercilessly beaten with 30 stripes and later on taken under arrest along with three other villagers.

"That no public property is situated near my village and that none was injured by the residents of my village.'

"As the ornaments belonged to his wife and daughter, they too have joined in the service of notice on the Government, and perhaps they will join him in the subsequent suit. This is a typical case, and I hold in my hand a bundle of papers giving very great details regarding outrages perpetrated by the soldiers and the police in the districts of Ballia, Gorakhpur, Azamgarh and Jaunpur. These papers give a summary of the various acts of tyranny and torture which the police and the military practised on the villagers. In one paper they gave, village by village, the names.

"Before I leave the United Provinces, I should like to dwell for a few minutes on the situation in Cawnpore. Cawnpore, the House will realise, was one of the districts which were not affected by the disturbances to the same extent as the eastern districts of the United Provinces. What I am referring to is the correspondence which passed between the Merchants' Chamber of the United Provinces and the District authorities.

"Now, Sir, this is a letter addressed to the District Magistrate from the Merchant's Chamber dated the 17th August, in which they refer to indiscriminate beating, assaults and arrest of merchants made at Cawnpore, particularly in the Naraingunj market.

"There is another letter dated the 24th August in which they say :

"It has further come to the notice of the Chamber that people without any consideration for their respectability have been arrested, insulted and beaten in their own houses and in the absence of male members of the house, the ladies have been insulted and subjected to misbehaviour by the police."

"Then, again, the letter from the Secretary, Hindu Sangh, Cawnpore, dated the 14th August. He says :—

"Apart from the frequent and indiscriminate arrests, the police has resorted to breaking open the doors of houses, in the absence of male members, terrorising the women-folk and smashing and throwing all the belonging and removing the valuables of the house'.

"I should also like to refer to the statement made by Mr. Onkar Prasad Saxena, who is a Government employee, being employed in the Laboratory Office of the Ordnance Laboratories. He says :—

"They ran amuck in the whole house, smashed the gramophone, damaged our Radio, and hurled our utensils down on the road. Crockery, glassware, photos and E.P.N.S. calendars met the same fate, and as if it was not enough they further proceeded to abuse and kick the ladies who stood aghast, trembling with fearThey also relieved us of our cash

amounting to Rs. 210 and jewellery worth about Rs. 1,800, a loss of roughly Rs. 5,000..... When I had gone to lodge a report in the Collectorganj Thara the policeman there declined to write anything about it.”

Mr. N. M. Joshi speaking on the above referred resolution of Mr. K. C. Neogy said :—

“There was an incident which has come to my notice, that had taken place in the district of Meerut. The manager of the Gandhi Ashram in Meerut went to a village called Bhanwori and some fifty or sixty people gathered round him. A police party came to the village and started bayoneting this crowd of people who were absolutely peaceful. When some people in the crowd began to retaliate against this bayonet attack, the police fired; and again three or four people were killed. This is not the whole story. The police found that this manager of the Gandhi Ashram, whose name is Ram Sarup Sharma, was not among the killed nor even among the wounded. Therefore, one policeman said that the chief culprit has escaped and ‘we must shoot him’. He was thrice shot and ultimately killed.” Sardar Sant Singh, in the Central Assembly on 12th February 1943, speaking on the resolution of Mr. Neogy, cited the following facts :—

“A retired Sub-Inspector of police submitted a memorial to His Excellency the Governor of the United Provinces. Therein he says :—

“In spite of the fact that your Excellency’s memorialist and his whole family are faithful and loyal subjects of the Government, his country house at village, Sherpur Kalan, Police Station Mahmudabad, district Ghazipur, was, along with others, burnt to ashes and all his other movable property, namely 25,000 rupees in cash, 10,000 rupees by way of gold and silver ornaments, 10,000 rupees by way of clothes and furniture, 2,000 rupees by way of damages to the house, were looted away and destroyed by the military under the direct command of the district authorities, leaving the family in utter ruin and despair.”

“Further on he says that not only the cash tempted our brave soldiers fighting against unarmed civilians but look at the mentality which prompted them to burn to ashes all the important and valuable documents, mortgage deeds—both registered and unregistered—and throw away the key of the iron safe, which they had forcibly taken away from inmates of the house, into a deep tank. May I ask if this is not a specific instance? The date is not given in the copy, but this memorial has been submitted to the Government. May I ask the Honourable Home Member, when he gets up to give some reply on behalf of the Government which I

hope he will do—has any action so far been taken on this memorial and any inquiry made by any official and any conclusions or findings reached on it ?”

The Honourable Sir Reginald Maxwell (Home Member) :

“Which Memorial ?”

Sardar Sant Singh : “This memorial, which I have read, from Suraj Narayan Rai to the Governor of the United provinces.

Then there is another letter from Mr. Jagannath Rai of the same village. He says :—

“The senior Police Inspector accompanied by a posse of constables made their appearance in my village and indulged in acts of loot and pillage. None dared oppose them because the people were assaulted, handcuffed, prodded with the butt end of the guns. Many people fell down unconscious as a result.

“Further on he said that the people killed in firing were thrown into the water, although some of the victims were still alive and could possibly have been saved on receiving proper treatment. Further on the allegation is that a woman was molested and her house was looted and set on fire afterwards. This state of things continued for two days in Arrah and other villages. The villagers were robbed of their property and even horses and elephants were not spared.”

The following are some reliable reports from the authentic sources :—

ALMORA : There was no particular trend of movement nor there was any cohesion or uniformity. The whole movement was limited to certain localities. A few days after the general upheaval, Sult, Choukote and Masi in Ranikhet Sub-division were the main places of popular activities besides Baijnath, Someshwar and Salam, which were three other big centres of activities in the district of Almora. The movement confined itself to non-violence till it was forced to be otherwise by the excesses of the Government. Some 500 persons were convicted and about 200 were kept under detention. The sentences were very heavy and ran upto the extent of 27 years to one Kaushal Singh. Some 20,000 rupees were collected by way of punitive tax. Fire were opened by the military in Salam, Choukote and Sult. Four persons were killed in all and some 40 were wounded.

On the night of 8th August, Mr. Madan Mohan Upadhyaya, a local Congress leader left Ranikhet for his home-village Dwarahat, thus escaped arrest. Thereafter he addressed a number of mass meetings in the villages with great zeal. Students went on strikes and people also joined with them

forming big processions and marching from village to village. Police party was running after them and trying to arrest Mr. Upadhyaya. On the 13th. Aug., after a mass meeting the police tried to arrest Mr. Upadhyaya ; but the people were in excitement and there was the danger of the police party being done to death. Hence to avoid such serious occurrence he got himself arrested as a matter of policy but in the very night he was out of the police custody with the help of the villagers in a peaceful manner. The escorting police party was blackened with tarcoal on their faces and their hands were tied on their backs. They went in this very state to the police Sub-Inspector. The people in hundreds accompanied Mr. Upadhyaya from village to village ; but these open revolutionary marches could not continue for long as the police and military under the S. D. M., Mr. Jhonson I. C. S., marched on to arrest him and such others, supressing the people of the villages one after the other. This led Mr. Upadhyaya to go underground. He had thus to pass a period of great stress, strain and risk.

The Magistrate Mr. Jhonson used all methods to suppress the people and tyrannize over them. Once at a village Sult, to disperse the crowd, he ordered firing which resulted in four deaths and eleven injured. One of the dying men refused to be bandaged by the Magistrate, another old man tried to strike a lathi blow on the Magistrate's head, but was stopped by another who took it on his hand which got broken. Another patriot was taken into Jail who died of injuries at the Jail gate.

While all this was openly done the people of villages were working remarkably well. They were to muster at a spot when the councches were blown from a top of the hill, followed by the same process from various hill tops. It was supposed to be the danger signal and all able-bodied men were to leave their homes to collect at the appointed place to face the danger. No villager ever helped the police or supplied meals to them. Once a shop-keeper, Devi Datt of the village Chantaria was suspected of having supplied grams to the police constables, so he was surrounded by a band of revolutionary village-workers in the night and after his face being blackened he was tied to a tree for public inspection for treachery to the country.

All these arrangements or complete suspension of British rule in Kumaon were successfully organised and controlled among others by Mr. Upadhyaya, who remained underground till 19th. November, 1942, in the hills.

Once in a village Binta in Karairo he actually lived for about 20 days under the ground by making a hollow in an

open field where he remained lying for the whole day and came out in the night. For his arrest the police was vigilant and active. Every bridge was watched and arrangements were made for his arrest. The people were being tortured and harassed to give clue leading to his arrest. Under such circumstances Mr. Upadhyaya lived in temples, deserted houses and in fierce-retured jungles. He suffered a very hard and troublesome life during his absconding period in the hills. Finding it impossible to stay any longer in such hazardous and troublesome circumstances he was forced to leave the hills as a matter of dire necessity and expediency.

Thereafter, till his arrest in July, '44, Mr. Upadhyaya remained all along in Bombay where he took up the charge of publicity, propaganda and broadcasting which was taken up when the movement was dull and other activities were stopped. An English paper '9TH AUGUST' was started under editorship of Achchut Patwardhan, whereas Dr. Lohia and Mr. Upadhyaya edited 'KRANTIKARI' in Hindi. Broadcasting, which was once stopped after Gandhiji's fast, was restarted from Jan. 26, 1944. Broadcasting was done primarily, after Miss Usha Mehta's arrest, under the supervision of Mr. Upadhyaya. The papers were being distributed from one part of the country to the other and were being sent by special messengers from Bombay to Allahabad, Patna, Delhi and Calcutta where from the news of the Eastern Zone were taken to Bombay.

Bombay was then the concentration of all the absconders from U.P., C.P., Bengal and Madras. Different persons were made incharge of different places. Such absconders were employed in some or the other office to earn their livelihood were further engaged in the work of propaganda and publicity. Delhi was a place of their constant visit. These activities were continued right up to the release of Gandhiji in May, '44. Thereafter all activities of broadcasting, publicity and propaganda etc., were wound up.

Rupees 1500/- were announced as reward for one who could get Mr. Upadhyaya arrested dead or alive. Mr. Upadhyaya was arrested on 7th July, '45 at Bombay, and was taken to the District Jail Almora after 3 years of absconding. He was informed there that he was sentenced under several counts in absentia for a total term of 13 years R. I. Later he was transferred to the District Jail, Meerut, where he remained till his release, on the advent of the Congress Ministry in the province, in the general amnesty to the politicals. Most of his colleagues of Almora who remained as absconders led the similar life till either they were arrested or their warrants

were cancelled by the Congress Ministry. Patriots of Almora played important part in 1942 and after in Kumaon and even in outside Districts.

CAWNPORE : In the city, since the 9th Aug. 1942, hartal was observed in the markets and all the colleges and schools also remained closed for the whole month. A number of peaceful processions were taken out upto the end of October, 1942, but only one public meeting was held on 9th August, and thereafter none could be held. But, of course, 46 meetings were held in the district upto 23rd Aug., '42. There were lathi-charges several times in the city resulting into severe injuries to a number of persons. Firing was resorted to some 15 times causing some 20 deaths and many injuries. In the district armed guards on the railway resorted to firing at 3 places resulting in 3 deaths and injuries to 2 persons. Throughout the month of August, 1942, the police perpetrated serious atrocities in the city. Innocent persons walking on the roads and streets were severely beaten. The shopkeepers were dragged out of their shops and beaten besides their goods in the shops were badly destroyed and their cash from the shops was taken away by the police. In the private residential houses, too, the police forcibly entered into and destroyed the ordinary goods, looted the valuables and cash. Women and children were mal-treated and males were severely beaten. Such things lasted for over a month in the city.

In the district, the police excesses reached to its extreme in Tehsil Billaur. The police in the company of Goondas and miscreants numbering upto 500, attacked one village after the other. The whole of the attacked village was completely looted and even earthen utensils were broken. The villagers were deprived of all their belonging including cash, ornaments, clothes, corn, utensils and other domestic things. In Kakwan, Police-Station, L. Ram Swarup Vaish of Visdhar village was put to a loss of Rs. 50,000/- in the police-loot and he was severely beaten while his wife was tied to a tree to witness the ghastly scene. Thereafter, he was sent to jail. In Nadiha village of this very Police-Station, 150 persons were arrested and their houses were looted. Pt. Ram Gulam Shukla, a Congress-worker of that village was set too fire after sprinkling kerosene oil on him, then a bucket-full of human-secreta was forcibly thrust into his mouth and ultimately he was so badly beaten that he remained lying almost unconscious for days together and lastly he was sent to jail. On the occasion of the loot of the village Masan in Police-Station Shivarajpur, cash amounting to Rs. 1,100/- was taken away by the police from a house. The girls also were beaten. The

police of the Police-Station, Billaur, on not finding the trace of certain persons of Baidi village, took the females of the village to the Police-Station and kept them there for 3 days without food and water. Even their children of 1 year old were kept starving and thirsty. The women were let off only when the wanted men presented themselves in the Police-Station. All these happenings were common in Guidhara, Hasnapur, Baidi, Aullu and Bakothi villages. Some women were forcibly raped in the Police-Station. Police attacked Baid-Alipur village thrice and looted the houses there. Village Nantankatra in Police-Station Kakwan, was also badly looted by the police. In this Tehsil, hardly any village could escape the police-excesses. Some villages got exemption from the Police raids and loot because they voluntarily collected thousands of rupees as donation and sent the amount to the Police-Station. Such police excesses and atrocities were committed in other tehsils also. In this district about 80 cases were started out of them in 35 cases all the accused were acquitted. In other cases sentences were passed upto death.

MEERUT : On the arrest of the leaders, the whole of the city observed a complete Hartal. All the schools and colleges were closed while Katchery also appeared deserted. There were demonstrations of protest throughout the city and in the evening a mammoth meeting was held in the Town Hall on the 9th of August, 1942. The wholesale arrests of prominent Congress Workers were started throughout the District and upto the 14th of August, nearly all the prominent workers of the District were arrested. In the city students' demonstrations in protest, and the lathi-charges on them by the police were the order of the day. The city observed a complete Hartal for a week or so when forcibly shopkeepers were compelled to open their shops. The City Magistrate along with a number of Policemen toured the whole city and forced the shopkeepers to open their shops. Some of them were also punished with heavy fines and imprisonments.

The gravest tragedy of the District took place at Bhamori, a village in Sardhana Tehsil, when Pt. Ram Swarup, a worker of the local Gandhi Ashram was addressing a meeting there. The Circle Police Inspector along with a band of Police Constables reached the scene. The people were infuriated on the insulting behaviour of the Police Officer which resulted into a clash with the police who, in their turn, resorted to firing. Some 5 or 6 casualties took place of whom four succumbed to death. The worker of the Gandhi Ashram who was endeavouring to keep the people calm and quiet was not one of those injured in the first firing. Hence he was chased and shot three or four times till he died at the spot. His dead

body was mysteriously removed by the Police which was subsequently unearthed with great efforts.

At Mawana an infuriated mob attacked at Police Inspector and snatched by force his revolver but no casualty took place.

Near Mawana, a canal out-post was attacked by a mob in the night, who wanted to burn up necessary papers etc. On the refusal of the Ilaqadar to hand over the bunch of keys, the Ilaqadar was done to death and the kothi was set on fire.

From the 9th to the 17th of Aug., in the Meerut Tehsil, in many villages, papers of the Patwaries and local Primary Schools were burnt down by a mob and at some places, belts of the Chaudhars were taken. All these villages were afterwards heavily fined by the District Magistrate. There were villages where only an insignificant damage was done to the Government property but the fine was very excessive e. g., in one village only an iron nail was taken out from a tube well. This hardly cost the Government a few annas, but the fine on the village was Rs 3200/-. The special peculiarity of the fines was exemption of the Muslims everywhere.

In the whole of the August month, in Baghpat Tehsil, stations after stations were raided by mobs and two or three of them burnt. Telephone posts were pulled down every where and iron rails on S.S.R. were removed from time to time. Electric wires were also cut down. This impeded the traffic so much that for two or three days there were no trains and for days together there were no night trains.

As a result of these disturbances four big cases were instituted by the Police. Hapur case in which about 60 persons were prosecuted out of whom only 13 were punished for various terms of imprisonment and all others were either discharged or acquitted.

In Sardhana case there were about 80 persons only a few of whom were sentenced. Mawana case had also met the same fate and Ilaqadar murder case had to be withdrawn by the Police for want of evidence. The local C.I.D. Police tried to hatch up a big conspiracy in which they tried to implicate many youngmen of the District as well as of the outside, but their efforts were of no avail.

Then Hapur, perhaps, witnessed worst form of savagery during the month of August, 1942 and the following months. There was police-raj and no pains were spared in terrorising, humiliating and finally looting the inhabitants of this small town otherwise very peaceful being a well-known grain trade centre.

Trouble began in the first week of August. In the beginning it had no political aspect and was more or less a local issue. Hapur was threatened with a virtual wheat

famine. Whatever little stock was there had been freezed by the authorities. Arrangements began to be made for its removal from here. This was naturally resented by the whole town. The people of every caste and creed were interested alike in the question of availability of food during the rest of the months of the season. When representations and arguments with the authorities failed, a representative public meeting, held on the Town Hall grounds, decided to exhibit their protest and resentment against the Government action by declaring a general Hartal. Incidentally August 9th was fixed as the Hartal Day.

News reached there early that morning from the radio that Mahatma Gandhi and other members of the Congress Working Committee were arrested. This caused excitement and the announcement of the Hartal was made with even greater vigour. While the announcement was being made some of the prominent Congress Workers were arrested under Section 129 D. I. R. No untoward incident occurred and the Hartal was an unprecedented success. A public meeting was held on the Town Hall grounds the same evening when the object of the Hartal (protest against the food grain policy of the District authorities) was explained. Arrested workers were also congratulated.

August 10th passed off uneventfully. Early next morning (i. e. August 11th) persons who had taken part in the 9th August meeting were also arrested for detention under Section 129 D. I. R. There was again excitement and some school students who happened to be present at the time of arrest decided to announce for the day's hartal. They went about doing it and again the hartal was as complete as could be imagined. This annoyed the local authorities including the S. D. M. Hapur who was also there in those days. In fact they had been unrestful since August 9th. Unfortunately the authorities decided to exhibit their full force by carrying away wheat on the 11th and they had kept in readiness a number of A. R. P. lorries. This infuriated the citizens but there was no clash anywhere although the police and the authorities were itching for one and their agents including some prominent citizens and at least one Municipal Commissioner went about saying that the authorities had decided to open fire even on slightest pretext. Subsequent event proved that the firing was preconceived and entirely uncalled for.

At about mid-day a small procession of students paraded the streets at random. When it reached the Town Hall grounds about two dozen students mostly of tender age were put under arrest. All sorts of wild rumours were let loose. At the time of these arrests all the local Police Officials were

present in the town hall. Besides a number of prominent 'raises' and hereditary loyalists were present by invitation. Some of them had been asked and they had actually brought with them a band of goondas to help the police in combating the demonstrators. When the news of the arrests of the students reached the town a huge crowd gathered under the 'neem' tree in the cloth market and they then started towards the Town Hall in the form of a peaceful procession to express their protest once again.

It was a very quiet and peaceful procession. There was only one flag in a small bamboo. People were, of course, crying national slogans. When the procession reached the Town Hall gate, a large number of policemen armed with lathis rushed out of the gate and began to make indiscriminate and brutal lathi-charge. A part of the procession was broken up and some people began to run for safety. They were stoned at by the police and the goondas who had been called for the purpose. In turn some stones were also returned by the crowd but as subsequent proceedings of the Riot case indicated no one amongst the police party or their invitees received serious injury. Only a few persons received small bruises. The lathi-charge was most uncalled for and no warning of any sort was given at any stage.

While people were running for safety the Police including the Civic Guards chased them for a long distance attacking them with lathis and throwing brickbats. But they did not stop at that. Their main object—the firing—was still to be done. When a part of the crowd perfectly peaceful did not move despite lathi attacks, they opened fire. The firing was done in all the directions, five persons died either on the spot or immediately after in the hospital. A dozen others received gun shot wounds. A very large number of persons got serious lathi injuries.

This naturally resulted in the dispersal of the crowd. Only 2 persons were arrested on the spot.

The enquiry of the case was entrusted to a Sub-Inspector, who was soon after suspended for a very heinous offence of falsely challaning persons for wire-cutting which was done at his own instance, in order to implicate those persons for the mere offence that they had agreed to give evidence for the accused challaned by the said Sub-Inspector. He accepted fat bribes and took no less than 5 months to complete the enquiry.

The result was that at first 59 persons were put on trial for rioting etc., but ultimately all were acquitted or discharged except 13 who were sentenced to 2 years R. I. by the trying Magistrate.

The firing was preconceived and uncalled for and that the police and the authorities were itching for a clash is established from the following facts. It is common knowledge that on the 11th August morning some persons who enjoyed the confidence of the authorities went about saying that the firing would take place that day without fail, to their own friends and relations. The Goondas were called for attacking the processionists. There was absolutely no occasion for firing—none of the policemen was injured seriously—no damage, whatsoever, was done to any Government or private property. The processionists were unarmed and the lathi charge was done in a very brute indiscriminate and provocative manner. It is reliably learnt that the president of the Muslim League alone protested in very clear words against the authorities' actions in calling the Goondas for police help at the spot. He also threatened to declare it from the Muslim League platform in case the authorities gave the clash any communal turn. But his was the lonely cry.

The riot had very serious repercussions on the spirits of the citizens. They were frightened and terror-stricken in the extreme due to police persecution. The Station Officer, Kishore Chand Mehta, and the Circle Inspector, Md. Yhiya, harassed the people in every possible manner. In September there were some cases of wire cutting. Merchants and Businessmen of the Mandi and the Pucca Bagh Mandi were compelled to keep night watch. They were humiliated at every step. Any one who dared to refuse was threatened to be arrested under 129 D. I. R. Money was extracted all through. A mistry of the local Hydro-Electric Office was subsequently arrested for the alleged wire cutting. He was sentenced to 7 years R. I.

Then there were two or three country made bomb explosions. The police again set to work and launched another campaign of harassment and repression. Many persons were arrested and let go by the local police after taking money. Finally two businessmen—brothers Kedar Nath and Lachman Das—were arrested for the offence of preparing country made bombs. This was a sequel to the bomb explosion in the house of L. Pyre Lal, Senior Vice Chairman of the local Municipal Board. They were tried by the Sessions Judge, Meerut, and sentenced to 17 years R. I. In appeal the High Court reduced the sentence to 7 years R. I.

The main result of these disturbances was that many innocent persons were implicated by the Police everywhere either for exacting money or for avenging the enemy of the village headman (mukhia) or the Police Officers. There were instances that when a son was required by the Police

and if he was not found, his father was arrested or if younger brother was not found, the elder one or any other member of the family was taken into custody. At Mawana, Sardhana, Hapur and some other places, the Police Sub-Inspectors earned a lot upto fifty thousand each or even more, only with these devices. The Police-Raj was rampant everywhere in its worst form.

Avowed Congressmen even the members of the D. C. C. were challaned for dacoities which in no case the Police could prove, simply because the Sub-Inspectors concerned, somehow or the other saw a good opportunity of giving a good lesson to those who always raised a cry of protest against the atrocities or injustices of the Police and the officials.

While the public spirited men were in Jail, the public at various places was forced to guard the Government buildings and Government property day and night. They were compelled to go in batches to keep watch on these buildings for fear of heavy fines, imprisonment and even misbehaviour by the Police.

During this period while the people were being mercilessly and cruelly treated outside the jails, the jail treatment was in no way better. About the best treated in jails that is the superior class detenus, a press statement of L. Ramratan Gupta, M. L. A. (Central), Joint Secretary and Treasurer of the Nationalist Party, which he issued in May 1942, is given below:—

"The public is permitted to know nothing about the life of the security prisoners in the jails of the United Provinces. Sir Maurice Hallet's Government has thoroughly succeeded in 'burying alive' (a phrase which Sir George (now Lord Lloyd) was very fond of using in connection with Mahatma Gandhi's incarceration)—thousands of men and hundreds of women behind the prison walls. We are not allowed to know anything about them. The Government of the United Provinces have not issued any official communique about the prisoners. We do not know what their lot has been during the last eight months, information has, however, trickled down through such men as have been released. Whatever we have been able to glean from these sources has convinced us that the political detenus in the United Provinces are not being treated properly. The restrictions, which have been imposed upon them, have worked havoc in many cases. The rules which are framed for regulating lives of the detenus have been changed in many respects to the utter disadvantage of the prisoners. All these changes have been brought about with the ostensible object of maintaining peace and tranquillity in the Province. But in actual fact, desire for peace

has nothing to do with the changes. The pernicious principle of classification of the detenus into three divisions has been reintroduced. Is it not strange that this very Government which a year before abolished every trace of distinction between a detenu and a detenu, should have again brought in this system of classification? After all, the detenus are not prisoners in the sense in which the word is generally, and even legally, understood. They have not been convicted of any offence. They have been detained on mere suspicion, rather, on the very questionable apprehension of the local authorities that they (detenus) were about to act in a particular manner. That being the position, the U. P. Government should have treated everybody so arrested with care and humane considerations. But the Government's ways are inscrutable.

"We have been informed that the detenus in U. P. are not allowed to maintain correspondence with their friends and relatives. This is really strange. The Sind and the Bengal Governments do not find anything objectionable in permitting the security prisoners in these provinces to write and receive letters to and from their friends and relatives. But the U. P. Government would not do so. This very Government had made the rules that the security prisoners would write two and receive four letters per week, that they would have weekly interviews, that they would get daily newspapers and magazines, that they would be permitted to have writing materials, that they could supplement their food and get money deposited at the jail office for their use, that they could get their musical instruments, and that they could sleep in the open air during the six summer months, *i. e.* from the 15th of April up to the end of October. The U. P. Government once considered all these things as absolutely essential for the security prisoners. But this time the rules have been so amended that all these facilities which the detenus enjoyed before have been snatched away from them. The spirit behind these changes is not so much the maintenance of public peace and tranquility as the Government would fain have us believe.

"The rule, giving the facility of ceiling pull-fans during the summer has also been held in abeyance. All these instances clearly show that a spirit of vendetta has been at work.

"Owing to the ban placed on the security prisoners' correspondence, many of the detenus have been subjected to utterly irrational and easily avoidable agonies. Some have civil

and revenue cases against them. Others have questions of income-tax to settle. Then, again, there may be some who left their near and dear ones in the grip of serious illness at the time of their arrest. The detenus do not know *i. e.* have not been permitted to know what has happened to all such cases concerning themselves. We are informed that the ban on correspondence has operated so strictly that even when relatives and friends of detenus died, no information was allowed to be sent to the persons concerned.

"The deprivation of the right to have weekly interviews must have resulted in making the security prisoners a sort of sub-human species. This dehumanising process has now gone on for eight months. It is time that the U. P. Government stops to reconsider its attitude in this connection. We can understand the reason for anxiety of the Government to shut off detenus from the rest of the world for the first two or three months of their arrest. But a continuation of that policy is beyond our comprehension."

A press-news about the treatment of the prisoners in the Central Prison, Bareilly, is given below :—

"LUCKNOW, June 19, 1943: News has been received here from prisoners recently released that nine prominent Congressmen of U. P. confined as security prisoners in Bareilly Central Prison have addressed a letter to the Home Secretary to the Government of the United Provinces bringing to his notice cases of assaults, beatings and illegal punishments given from time to time to the detenus and D. I. R. prisoners confined there. Those who have subscribed to this letter include two ex-Ministers of U. P., the Speaker of the U. P. Assembly, and members of the Provincial Legislature.

"People who till only a few days back were inmates of the prison say that on February 16 last twelve security prisoners were so mercilessly and brutally belaboured that for days after that they could not sit up. Kicks, shoes sticks and slaps, interlarded with the foulest possible oaths, were showered upon them. Munshi Udho Narayan, a revered old man over 60 years of age, a respectable citizen of Bareilly and an ex-Honorary Magistrate was one of the batch of these victims of inhumanity in the jail.

"After this incident, another security prisoner Mr. J. P. Mishra who comes of a very respectable family, some of whose members are in high Government posts, was beaten by about a dozen convict officers so mercilessly that he bled from his mouth and head, his whole body became stiff with pain and he remained prostrate for some days. Later he was put up before the Superintendent who gave him one month's

solitary confinement and did not take any notice of Mr. Mishra's complaint about the assault, thus making himself responsible for the high-handedness of his underlings.

"There are a number of Juvenile D. I. R. prisoners in this jail, these boys have been brutally assaulted on one pretext or the other, sometimes for short work, sometimes for singing songs—a practice which jail rules specially permit. Only a few days ago they were badly beaten. One of them, Liladhar of Agra district, has been on hunger-strike for many days and released prisoners relate that his condition was critical. Another D. I. R. convict Mr. Shiv Shanker Singh of Cawnpore District has been on hunger-strike for over a month now. Mr. Jaideva Azad of Badaun is also understood to have been severely beaten. Over and above this, he has also been given bar-tickets and solitary confinement. Kunwar Bhagwan Singh, M. L. A., of Pilibhit, whom the Government placed in "C" class is also under bar-tickets for short work.

"It is stated that the administration of the Bareilly Central Prison has gone on exactly like this for all these ten months."

A press-news about the treatment of the prisoners in the Central Prison, Bareilly, is given below :—

"BAREILLY, February, 9th 1944: The evidence was recorded by the City Magistrate, Mr. B. L. Chaturvedi, in the sensational case of Jaideva Azad, a political prisoner of Badaun, who is undergoing trial under Section 52, of the Prisons Act for having, it is alleged, refused to eat. The accused went on hunger-strike on November 26th, 1943, and only broke it on January 28th, 1944, after he was persuaded by his counsel, Mr. Mehra, who is appearing on his behalf. The trial is being held in the Central Jail Izatnagar.

"The prosecution examined Mr. Obaidullah, Jailor, as their first witness. He stated that Jaideva was undergoing his period of imprisonment of four years under Section 411, I. P. C., and Arms Act. The witness added that the prisoner went on hunger-strike and was kept on forcible feeding. He also said that bar-twisting was light labour and 300 yards would require four to six hours for an average man to work. Answering the court, the witness said that the accused was kept in separate confinement.

"The next witness was Dr. M. Uddin Faruqi, Senior Assistant Surgeon, Central Jail, who said that the weight of the prisoner had been reduced to 84 lbs. He also said that Jaideva agreed to take his meals if his grievances were removed. The prisoner's grievances, according to the witness were harsh treatment and the beating that was given to him.

Answering the court, Dr. Faruqi said that frequently

men went to him and alleged that they were beaten. If such men were admitted to hospital he recorded their injuries.

"The next witness examined was Satis Chandra M. A., a former Secretary of the District Congress Committee, who was also an inmate of the Central Prison until last year. He said that he was dragged several times for not standing before the Superintendent on his visits. Several times he was forced to stand up. He said that this rough treatment was due to the Deputy Superintendent, Mr. A. Latif. He was not given food according to schedule. He was several times on one day's fast as a protest. When cross-examined he said that jail officials said that it was a part of jail discipline even for security prisoners to get up and stand in parade but they contested this position. Mr. Satis also said: 'We were punished for this by the Inspector-General by giving me two month's solitary cells. About 50 other security prisoners got the same sentence'.

"The next witness was Munshi Udho Narain, ex-Honorary Magistrate, who was in the Central Prison till October, 1943, in detention. He said that on February 16/17, 1943, he was beaten with 11 others by warders with fists, slaps, shoes and dandas before the jail officials. He then said that he served a notice on the three Central Jail officials and he intended to file a civil suit. He was given an inferior diet and milk, adulterated with water, while the vegetable had worms. He resorted to hunger-strike for 12 days owing to the beating received by him. He was also kept in solitary confinement for one month, because of his refusal to stand up on parade.

"Kr. Bhagwan Singh, M. L. A. (U. P.), a former President of the District Congress Committee, Pilibhit, and at present in detention in the Central Prison was the next witness examined, who said that he had been in the Central Prison since April, 1943 and was at present placed in "C" class. Once he was beaten by the Deputy Superintendent of the Prison with blows with his fists. He also said Jaideva was beaten in his presence.

"The next witness was Jaidev Kapoor of Hardoi, who was sentenced to life imprisonment in the Lahore Conspiracy case in 1930. He said that certain prisoners were assaulted at different times.

"The accused Jaideva Azad filed a written statement in Hindi in which he pleaded not guilty. He further said that prisoners, especially the Congress prisoners, were frequently maltreated and beaten and given insufficient and inferior food. It was his lot to get abuses daily and to be beaten on several occasions and when he found it impossible to bear this torture he had to go on hunger-strike in order to end his

life. He said that some of the jail officials were following a commonly laid out policy with regard to the Congress prisoners."

Almost similar was the treatment and lot of the political prisoners in the various jails throughout the Province.

About the treatment of the politicals in Sitapur District Jail the following account is given from the correspondence of Raja Maheshwar Dayal Seth with the Commissioner, Lucknow Division.—(Raja Sahib was an ex-officio-visitor of the Sitapur District Jail but subsequently he was directed by the U.P. Government by an order dated July 28, 1943, not to visit the jail for a period of 8 months from the date of the order).

In his letter to the Commissioner of the Lucknow Division, on July 4th, 1943, Raja Maheshwar Dayal Seth, the well-known Taluqdar and member of the Legislative Council of the U.P., says :

"I firmly maintain that the entire trend of the jail administration in Sitapur has created a just and widespread dissatisfaction in the jail population. Marks of injuries have been found on the persons of the prisoners for which no record of punishment has been maintained. The jail authorities have not complied with the rules as laid down in the U.P. Jail Manual of which several instances have been mentioned by me in my inspection note. Many persons, including young students, have been awarded the punishment of whipping by the Government at the instance of the Superintendent of the Jail and very many other punishments have been given in the course of a month or two since the new Superintendent has been in charge of this jail.

"Under para 821 of the Jail Manual, whipping as a jail punishment can be inflicted only for mutiny or incitement to mutiny or for serious assaults. It came to my notice during the last visit of the Board of Visitors on June 29, 1943, that whipping had been inflicted as a jail punishment on several prisoners for short work. The infliction of such punishments as whipping for short work is unwarranted and illegal exhibiting as it does the high-handed behaviour of the Jail Superintendent and the local Government.

Prisoners have been punished for making groundless complaints to visitors.

"There was a general complaint that prisoners were beaten by the jail authorities, with a view to concealing marks of injuries, they were beaten on the sole of their feet, obviously because none of these punishments can be legally recorded. It is also very curious that prisoners have been severely punished for making complaints to me or to other non-official

visitors, namely, Messrs Baij Nath Pershad Mehrotra and N.K. Mehta, who visited the jail on May 23, 1943, on the ground that they made groundless complaints under paragraph 806 of the Jail Manual. The Superintendent of the Jail admitted it to the District Judge that no evidence has been taken or recorded by the Superintendent and no inquiry was made to find out whether the complaints made by the prisoners to the non-official visitors were groundless and false. I believe the District Judge in his inspection note has also remarked that if the prisoners were to be punished merely for making complaints to the non-official visitors, without any inquiry, it only means that every time the Superintendent of the Jail can punish these prisoners by holding that the allegations made by the prisoners were groundless, as the allegations must necessarily be against the jail staff or the Superintendent."

The following are the two versions of an incident of the District Jail, Aligarh, which speak out clearly the facts as must have taken place:—

"ALIGARH, June 20, 1943: Mr. Ramesh Chandra Arya, a well-known Hindi Journalist who had been arrested here on June 15, died in Jail on June 18, under mysterious circumstances. His body was handed over to his relations in a decomposed condition. There were swellings and several marks of injury on his person.

"He was lodged in Aligarh jail on June 17. It is stated that before his arrest he was quite hale and hearty. It is understood that on the evening of June 18, he was subjected to lengthy interrogation in the jail. At midnight of the same date his body was recovered from a well inside the jail.

"The following day the deceased's relations were informed and after a post-mortem examination the body was handed over to them. The Jailor is understood to have told the relations of the deceased that he was believed to have committed suicide by jumping into the well."

(2) LUCKNOW, July 8, 1943: A Press communique says: In view of certain allegations in the Press about the death of Ramesh Chandra, a prisoner in the Aligarh Jail, his Excellency the Governor has decided to publish the following communique:—

"Ramesh Chandra was arrested on June 17, under Section 397, I.P.C., and was then in good health. The following day towards the evening he complained of dizziness and asked to be permitted to join other Congress political prisoners. The Jailor expressed his inability to permit him and he returned to his enclosure. The evening meal was distributed and shortly afterwards Ramesh Chandra disappeared.

A search was made soon after his absence was discovered and eventually his body was found in a nearby well. Artificial respiration proved unavailing. The body bore no signs of injury and there was no suspicion of foul play. The death of this prisoner was subject to magisterial inquiry and the Magistrate was satisfied that the case was one of suicide."

The jails were virtually converted into torture, persecution and murder houses of innocent and harmless political prisoners since August 1942. Police and Prison officials were trying with each other in their race of torturing and terrorising the people. The Police officials were even exposed by public trials of their wanton and inhuman murders of the innocent people. One such incident was reported from Allahabad. From the following proceedings this can be known :—

"ALLAHABAD, March 9, 1943: The magisterial inquiry was started on Monday by Mr. N.A. Abbasi, Deputy Collector, in the case arising out of the shooting incidents, which were reported to have occurred on Dec. 17 last, in Lutar village in the Meja Sub-division of this district.

"The accused in the case are Shamsuddin a Naik, and Muhammad Idris, Safdar Hussain, Ahmad Hussain and Mohammad Raza, constables, of the Special Armed Constabulary, who have been challaned by the district police, for offences under Sections 302/147/149 I.P.C., the prosecution allegation being that they caused the murders of Ram Dular, a village Bania, and his wife, Mst. Thakuri.

"One of the prosecution witnesses examined yesterday was Jagia, a village Chaukidar, who deposed that about two and half or three months ago, when he returned to his house at sunset, he learnt from the village people that a quarrel had taken place between Dular Bania and a Sipahi regarding weights. The witness said that he then went to Dular, who told him, that the Sipahi had said that the weights of Bechu Bania, Mst. Rajkali and his (Dular's) weights were short and that he would challan them. Dular added that Bechu paid Rs. 5 and Rajkali paid Rs. 14 as illegal gratification and they were let off and as he (Dular) did not pay, a quarrel arose and a Marpit took place between him and the Sipahi and he (Dular) had bitten the Sipahi on some part of his body, finger or thumb. The witness said that he asked Dular to go to Thana with him and lodge a report but he refused to go.

"Continuing the Chaukidar said that the next day he started off for the Thana and at about 9.15 a.m., he met the station officer on the way. He related the story to the station officer, who, he said, asked him to arrest the Sipahi, if he

came again, and to ask Dular to lodge a report, if he desired. The witness went back to his house and the same evening he went to Bhuska village to inquire about the incidents there.

"At about 9-30 p.m., the Chaukidar said, he heard reports of gunfire—first one report and thereafter three or four successive reports, from the north-west side of Bhuska. He at once went to his village. Where he learnt that four or five Sipahis had come and taken away Dular, and his wife had also followed him. The witness went on and found Mst. Thakuri (Dular's wife) lying injured in the abdomen, under a mango tree. On his questioning, she told him that constables were taking away her husband under arrest, that she was following and crying for help, that the Sipahis shot her, and she did not know where they had taken away her husband. She also told him that four or five Sipahis had taken away her husband".

Further light is thrown by the High Court judgments given below :—

Differing judgments were delivered by the Chief Justice and Mr. Justice Dar in the appeal filed by five S. A. C. police, two of whom were sentenced to death and the rest to transportation for life by the Sessions Judge of Allahabad for causing the death of a villager and his wife in December, 1942.

The Chief Justice in his judgment acquitted the appellants while Mr. Justice Dar, upholding their convictions, committed the death sentence passed upon two accused to those of transportation.

CHIEF JUSTICE'S JUDGMENT

"If ever there was a case in which the accused were entitled to the benefit of doubt the present was eminently a case of that description", observed the Chief Justice, "Indeed, but for the fact that the prosecution succeeded in the court below and my brother Dar, J., is disposed to accept the prosecution case, I would have been prepared to record a categorical finding to the effect that the case for the prosecution is untrue and the defence put forward by the defence substantially embodies the correct version of facts. It follows that the conviction of the appellants under Sections 148 and 302 I. P. C., cannot in my judgment be sustained."

The five appellants—Shamsuddin Naik, Safdar Husain Lance Naik and Mohd. Idris, Ahmad Husain and Mohd. Raza—were members of a platoon of the S. A. C. force that was posted at Nani station from October 15, 1942. The platoon at Naini was a part of the 'B' command of the 3rd Battalion

of the S. A. C., at Allahabad. Mr. H. G. Seward was the Commandant of the battalion and the commander was Daulat Singh, and he was posted with the platoon at Naini, Sadaquat Husain was the commander of the platoon at Naini. All of them figured as witnesses for the defence in the case. Seward had stated that the battalion was raised with the object of protecting parts of the railway line which had been declared strategic from the military point of view. The battalion was under the administration and disciplinary control of the I. G. of Police but was "under the army for control and command with respect to its operational duties". The army control over the battalion was exercised by the Commander, Allahabad Area.

When the disturbances broke out in the country in August, 1942, it became imperative in the interest of society at large and for the successful prosecution of the war to exercise the utmost vigilance for the protection of railway lines and telegraph wires against acts of sabotage and with this object in view the platoon was posted at Naini and was charged with the duty of patrolling the railway line between Naini and Mirzapur. On November 16, 1942, there was a derailment and it was clear that the derailment between Unchadi and Manda was an act of sabotage. The Commander of the Allahabad Area then ordered Mr. Seward to intensify patrolling between Naini and Mirzapur.

It was common ground that on the night of December 17, 1942, Dular of village Lutar was shot dead by the police between Meja Road and Unchadi station near the railway either on or close to a telegraph pole. On the same night his wife, Mst. Thakuri, was fatally wounded by rifle bullets admitted fired by the appellants in a grove. While the accused asserted that the entire incident was the outcome of an attempt by some "Congressmen" to cut telegraph wires and tamper with railway lines, the prosecution went to the length of emphasizing that not one single individual in Lutar had sympathy or connection with the Congress and the five accused abused their position and murdered two innocent and peaceful villagers. The other fact that arrested attention was that the relations between the district police and the S. A. C. left much to be desired. To use the words of the Government Advocate "there was a tussle between the two sections of police".

His lordship in an elaborate judgement covering 62 typed pages dealt with the evidence in great detail and said that the case for the defence had been uniform throughout whereas the case for the prosecution had been improved upon from

time to time according to the exigencies of the situation. What was worse was that persons who made statements favourable to the accused were terrorised and at least four of them under cover of the D. I. R. locked up in jail for more than a month. These being the facts, he had no hesitation in preferring the evidence of the defence witnesses to the testimony of the witnesses produced by the prosecution.

The fact that apart from Dular the only other person who was killed was Dular's wife was no doubt a fact that excited suspicion, but the explanation for this coincidence was not far to seek. The residents of Lutar must have been cognizant of the fact that Dular was shot by the appellants. The residents came out in large numbers and pursued the appellants. Mst. Thakuri being bewildered must necessarily have been in the crowd and possibly ahead of many of the people and thus received the bullet wounds. His Lordship was inclined to the view that the coincidence that the two persons who happened to be husband and wife were seized by the prosecution and made the pivot of the whole show and the whole story was fabricated on the basis of this coincidence.

JUSTICE DAR'S JUDGMENT

In his judgment, covering 54 typed pages, Mr. Justice Dar said that he had anxiously considered the suggestions made on behalf of the prisoners but he could find no adequate reasons to come to the conclusion that the case was concocted or that there was any conspiracy between the villagers, the police and the railway authorities to cover up the crime of sabotage by a false charge of murder in order to implicate five innocent persons of the S. A. C. There was no reliable evidence that Dular was a Congressman or had any Congress sympathies. In his opinion the surrounding circumstances of the case were only consistent with a faked sabotage and not with a genuine sabotage. The defence story that the crowd was chased to the village, having entered the village, it came out again in an aggressive mood including women and children, that it was fired at a second time and in this firing Mst. Thakuri was killed by accident was equally unreliable. There was also great difficulty in accepting the defence story that Dular was shot when he was at a telegraph pole.

Taking the entire evidence into consideration, his Lordship came to the definite conclusion that the grove which killed Mst. Thakuri were not only fired without any justification but they were fired in circumstances in which it must have been obvious to the appellants that the firing would result in death and that the prisoners deliberately and in

cold-blood shot Dular near the telegraph pole and killed him. Despite some omissions he was satisfied that the prosecution discharged its duty both at the investigation and at the trial in a somewhat difficult case and in somewhat trying circumstances fairly and properly and the appellants had not been prejudiced in any material manner either at the investigation or at the trial. The Sessions Judge had on the whole arrived at correct conclusions and had produced an able and just judgment.

The Chief Justice who was of the view that the appellants had been wrongly convicted also agreed that even if the conviction of the appellants was affirmed, the death sentence was inappropriate.

Another case of a still worse nature occurred at the boundary of Ghaziabad (U. P.) and Delhi. The following is its Press Report:—

DELHI, July 10, 1943: Four members of the United Provinces Special Armed Constabulary who, according to their Platoon Commander, were ordered to be paid rewards for distinguishing themselves in the campaign against saboteurs, were, instead, awarded death sentences by Mr. D. Falshaw, District and Sessions Judge, Delhi, yesterday for shooting three young boys dead on the railway track near Silampur level crossing on the night of October 30.

Delivering judgment in the case, the court observed,

"All four of the assessors were of the opinion that the guilt of the accused is established and, agreeing with their opinion, I accordingly, convict Naik Ram Singh, son of Raghbir Singh, under Section 302 read with Section 109 I.P.C., Ram Singh, son of Pratap Singh, Shiv Prasad Singh and Bhagwan Singh under Section 302 I.P.C., and, in the absence of any mitigating circumstances, whatsoever, sentence all four of them to be hanged by the neck until they are dead."

The accused were given 7 days' time to file appeal against their conviction in the High Court. Discussing the arguments advanced on behalf of the defence, the Judge remarked: "The main argument on behalf of the accused was based on the improbability of the prosecution story, the chief stress being laid on the apparent absence of motive for the accused to act in the manner in which they are alleged to have acted. The theory of the prosecution appears to be that the accused shot the boys dead partly to avoid the possibility of a charge of sodomy and partly to win rewards and possible promotion for the expeditious manner in which they dealt with the gang of saboteurs. As regards the sodomy there is little evidence on the file and what little there is in the statement of Mohd. Din would appear to indicate that Shafi,

deceased, was a consenting party and the real motive for the conduct of the accused appears to be the second part as suggested by the prosecution. On this point, learned counsel for the accused relies on the statement of the Platoon Commander to the effect that no rewards have been promised beforehand to the armed constabulary for dealing with saboteurs, but at the time, it would appear to be probable that rewards and promotions were expected by the members of the constabulary, in case they distinguished themselves, and the Platoon Commander has himself stated that a reward of Rs. 50 was actually ordered to be paid to Naik Ram Singh and Rs. 20 to each of the other three for their conduct on the morning of October 31, 1942. This, of course, being before inquiry had been held and in the circumstances, although the motive appears to be inadequate for the inhuman conduct attributed to the accused, it would appear to be adequate in the eyes of the accused themselves. In any case, arguments regarding the probabilities and the adequacy of motive cease to have any force in the face of direct and circumstantial evidence that certain events actually took place."

According to the prosecution story the accused were on duty to guard the railway lines on the night of the October 30-31, 1942. They caught hold of four boys who were stealing coal on the railway line near Kishan Ganj railway station and took them towards Ghaziabad along the railway line in order to produce them before the military officers. On reaching the Silampore level crossing beyond the Jumna bridge the boys were lined up and shot at point blank range.

One boy, Mohammed Din, who managed to escape told the court that they fell at the accused's feet and begged for mercy but were fired at. Two boys dropped dead and the third staggered, Mohd. Din caught hold of him and using him as a shield fell on one side. He held his breath and pretended he was dead. Just then a goods train came which stopped because the bodies were lying on the railway track. The engine driver began talking with the accused. Seizing the opportunity Mohd. Din escaped towards a village. Later passing through unfrequented paths and swimming across the Jumna he reached his house in Delhi.

The accused told their officers at Ghaziabad the next morning that they had shot down three persons as they had smashed the lights and the gates at the level crossing.

The accused were posted on duty on the railway line between Kishanganj and Ghaziabad railway stations in order to prevent tampering with railway lines. The police and the military guarding the railway lines had authority to shoot people tampering with the railway track.

To give shelter against such cases and to avoid further prosecution and exposure of the police for their lawlessness and atrocities the U. P. Governor enacted an indemnity act. The following is the Press Note about the same :—

"LUCKNOW, April 14, 1943: The United Provinces' Maintenance and Restoration of Order (Indemnity) Act, 1943, which seeks to indemnify servants of the Crown and other persons in respect of acts ordered or done or purporting to be ordered or done in good faith in the reasonable belief that the act was necessary for the purpose of maintaining or restoring order, has been enacted by the Governor and comes into force at once."

The statement of objects and reasons says: "In August 1942, the Congress Party launched a subversive movement designed to paralyse Government. Extensive violence and damage were perpetrated and the destruction of communications, particularly, was calculated to most seriously jeopardise the defence of India against the enemy. Although Martial Law was not declared the circumstances were similar to those in some instances by the imperative need of restoring order in the interests of the defence of India to take measures not covered by a provision of law. The Governor considers that protection should be given to such officers of Government and has accordingly enacted the United Provinces Maintenance and Restoration of Order (Indemnity) Act, 1943."

"Without prejudice to the operation of any other provisions of law for the time being in force, says the preamble, no suit, prosecution or other legal proceeding for, or on account of, or in respect of, any act ordered or done or purporting to be ordered or done by a servant of the Crown for the purpose of maintaining or restoring order in any part of the province during the period of Emergency (the period commencing on August 8, 1942, and ending today) to which this Act applies, shall be instituted in any court except with the previous sanction of the Provincial Government, and if any such proceeding has been instituted before the passing of this Act it is hereby discharged."

The individual police and other Government Officials in the province moved after innocent people as a mad hunter after his hunt. In this connection the British Officers endeavoured to surpass their ancestors and predecessors like General Neil, Havelock and Dyer etc. Mr. Hardy, the District Magistrate, Bulandshahar, toured from village to village terrorising the people by beating and looting and shooting them. He ordered indiscriminate lathi-charge on the political prisoners in the District Jail who were so badly beaten that their cries and shrieks were heard in the city. What was

done in the Eastern Districts of U.P., is beyond human power to describe. Mr. Marsh Smith and Mr. Nethersol were the two important stalwarts of the Government atrocities perpetrated in Balia, Ghazipur, Basti, Gorakhpur, Azamgarh. They moved with drunk Bulochies and burnt villages after villages and did not even allow the people to go away to save their lives, what of property. The honour of women was not spared. The innocent persons without any regard for sex or age were mercilessly treated. Even to this day Balia is a land of general torture. No person from outside is allowed to go to Balia to see the conditions of that District. Even men like Hon. Hirdaya Nath Kunzru are not allowed to go there to enquire into the doings of the Government. The white Gandhi cap is an inexcusable crime for any one to wear. If anybody entering into or even passing through the limits of Balia is seen with Gandhi Cap, he is, if he does not remove it, beaten severely by the police.

The sufferings of the United Provinces and specially of the Eastern Districts were of the extreme type. The British atrocities had their fullest display and were at par, if not more, with their doings in Bihar, C.P., and Bengal.

In Azamgarh district in Kajiha State innocent persons, who assembled to celebrate a fair were made victims of indiscriminate shooting by the military. One person died on the spot.

In Madhuban Sub-Division Shri Shiv Bahadur Singh a well-known Rais of Surajpur village was subjected to looting by the military and deprived of ornaments etc., worth Rs. 32,000. His palace was burnt after sprinkling kerosene oil. The doors of the palace were closed to put to death the inmates by suffocation.

A khadi producing centre was similarly burnt. The house and the shop of Shri Radha Raman Agarwal, a wealthy man of Mhow, were reduced to ashes causing him a loss of lakhs of rupees.

On 23rd Aug, '42, in Patwadh village the military fired on a crowd which was peaceful resulting in 3 deaths at the spot.

In Atrolia military fired to disperse public crowd resulting in the death of Shri Dev Raj Sharma of Village Kharedhi and injury to 100 others. Thus 205 houses were burnt, out of them 150 were of Madhuban Sub-Division. In this district the people suffered a loss of about 3,52,000 besides paid collective fines of Rs. 1,62,000. About 107 persons were put to death. The number of injured could not be definitely ascertained. 380 persons were put to trial out of them 230 were sentenced to various terms, ranging from 6 months to life imprisonment.

In Balia, which established independent free Government for some time was subjected to severest atrocities. The account of which is beyond the pale of the pen to write. The two tyrants, namely Nethersol and Marsh Smith, started a campaign of mass canning in public besides thrusting of the lances indiscriminately. People were dragged after being tied down with the legs of elephants. Gandhi Cap was the severest crime which continued to be the recipient of severe beating wherever it was seen throughout Balia or even in its vicinity. The losses which the district suffered were 12 Lakhs collective fines, while actually realised 29 Lakhs, 105 houses were burnt causing a loss of about Rs. 38 lakhs, 406 men were killed as a result of the military and the Police firing. In Jaunpur near Dhanimau, a young student, zamindar's son, along with couple of his companions was shot dead by the military. In Bakshi Police Station two men were hanged for the whole day and in the evening were shot. Some people ran to save their lives in the ponds but were made the victims of the military bullets as soon as they raised their heads to breathe. Many persons were subjected to brutal canning and a number of houses were set on fire. Even schools were not spared. In Village Pali a youngman who was standing by the side of an absconder, Shri Kedar, was shot at and died at the spot. In this district a new method of torture was invented. It was a brutal method of castration which was termed as "Current". The person who was subjected to this torture was set up straight on the ground with stretched legs and two persons stretched his hands and one man caught his head to keep it straight then the other men caught hold of his legs and pulled them behind, resulting in oozing out of blood from his private parts resulting in his becoming impotent immediately.

In the District of Gorakhpur, in town Uiba, shop-keepers were looted and beaten. In village Paisa general looting of houses was resorted, 7 houses were burnt, 10 persons were severely beaten. The burning of the houses and the looting of the villages was done in the district on a very wide scale. Huge amounts of money and ornaments were taken away from individual houses. Only in one Tehsil 12 houses were burnt to ashes. The roofs of other 103 houses were destroyed and 75 houses were looted. The losses were estimated at Rs. 2,34,979.

The worst of the savagery perpetrated in the province was the molestation and blood-boiling raping of the women. Some such instances are quoted here. In the village Rampur of district Azamgarh in the house of Chattu Harijan, the British Military soldiers under the leadership of Hardy and

Johnson forcibly entered and raped his young wife 20 times continuously one after the other which resulted in her death at the spot. In the same manner these white soldiers, whose parentage was never known, raped an innocent woman in village Kajah. In the district Jaunpur the Police got the women stark-naked, kept them standing with legs stretched for hours together. In district Gorakhpur the village women were molested and raped, the women remained shrieking in terror and military police accompanied by the village goondas forcibly raped them. Many of such women became senseless. All these women were of respectable homes. This incident was of village Parsa which took no part in 1942 movement. In another village Khopapar of Gorakhpur Kailashwati Devi wife of Pt. Ram Bali was dragged out of her house with the pull of her hair and then her private part was made naked. The wanton shooting, lathi-charges, whipping, looting, burning of houses and forced collections, that were made by some members of the executive and police of Gorakhpur in 1942 were so brutal, inhuman and uncalled for that they can never be forgotten and even now people shudder when they recollect the brutalities on innocent and non-violent people in these dark days. An officer ordered to open fire on those innocent and unarmed people whose only fault was that they had previously hoisted the tri-colour on the court building and were dispersing peacefully. In a short time a number of people were wounded. One Congress volunteer fell dead on the spot and three were fatally wounded, who subsequently died in the hospital and amongst the three fatally wounded, was a child about 12 years old, a student of a National Vernacular Middle School at Basantpur Dhusi, some 12 miles north of the town, who along with his school-mates had come over to this place to participate in the student-demonstration. Before the firing started some people asked him to run away and throw away the national flag, but that valiant one rebuked them and told them that he would face bullets on his chest with the emblem of liberty in his hands. It breaks one's heart to relate that Ram Chandra, for that was the name of the boy, was shot right through his chest and died the same night in the hospital.

In Gorakhpur district in Tehsil, Bangawn, the avalanche of repression started on the 1st of September. A high police officer accompanied by a subordinate officer and three lorry full of armed and plain constables and fifty goondas arrived at the village of Kakrahi. They went first of all to the house of Pt. Ram Lakhani. The inmates were beaten, the entire property consisting of ornaments, cash, clothes

utensils and everything, was looted. Kerosene oil, forcibly snatched from the house of a neighbouring Teli, was then sprinkled over the whole house which was then set on fire. Villagers were strictly forbidden, on pain of death, to put out the fire. The fire was only put out, after the police had departed, to prevent other houses from catching fire. The house was burnt to cinders and nothing remained even as a trace. The whole house of Lal Narain Chand, of Gopal-pura had been looted and the entire property consisting of all kinds of movables from ornaments to utensils, worth about Rs. 35,000 was taken away by the police. The ladies of the house fled away from the house and concealed themselves in gutters and canefields for fear that the 14 years old daughter of the Lal Saheb might be molested.

They carried away with them Lal Saheb's son, barely 11 months old, and the child drenched with rain and famished for want of milk made its exit from the world in just two days. Lal Saheb's brother, Lal Raj Bahadur Chand had been arrested a day earlier and he was kept in detention for two years, although he had never been in politics.

In the village of Gopalpura, a Congressman, S. J. Keshbar-dhan Rai was arrested. His house was looted and burnt and even his parents were arrested. In the same village the police caught hold of a person Mr. Ram Narain Rai and asked him to shout "Government ki Jai." He shouted instead "Gandhiji ki Jai" and he was rewarded with lathis and cane stripes. Similarly a boy Ram Chandria aged only 15 was flogged for refusing to shout "Government ki Jai."

In the village of Khonapapur Smt. Kailashwati Devi wife of a well-known Congress worker, Pt. Ram Bal Misra, was interrogated about the boys who visited her place, on failing to furnish any information under the orders of the Thanedar, the Goondas tore away her Sari and dragged her by the lock. The village school was burnt and along with it all the charkhas and the collection of books, numbering more than a thousand.

Tandi was the scene of the worst repression. Here the police officer arrived with the usual armed constables and goondas. Here some houses were burnt, every house, without exception was looted and what is more the females were gagged and then raped. The police here attempted to snatch away a neck-ring from the neck of a small girl, Ram Dei, aged 10 years, and when she protested, they hurled a lance at her, making a deep wound below her right eye. The important note is that in this village there was not a single

Congress member and still arson, loot, rape and flogging were the order of the day.

At Uruabazar the villagers were bound with ropes and dragged to a certain bungalow where they remained confined and they were released only after ransom money had been paid to the police. Here Ram Adhar Singh received serious injuries from beating by the police. Malibari village in Deoria Tehsil was the scene of incendiarism and loot by the military who had specially detrained here for the purpose. Here villagers were tied with ropes and pushed into a pond. One Jasa Chamar received bullet wounds and Sheo Vrat Rai was assaulted by lathis and died on the spot.

At Deoghat near Bhatni, a firing squad shot down Bhajal Mian and Ram Lagan Teli, also property worth Rs. 40,000 was looted from the house of Ram Kant Mishra. The total damages of Tehsil Bangsaon amount to more than a lakh of rupees, and the villages most affected are Kakrhi, Gola, Gopalpura, Janipur, Dhamusa, Madana, Konihri, Dei Di Uruabazar, Tandi and Parsa.

BASTI: During the August days Gaura Station, in the district of Basti, witnessed a minor disturbance. Telegraph wires were cut, cash amounting Rs. 10/8 was looted, the station building tampered with, and grain meant for the military contained in a wagon was taken away by the people. This is the whole official story of disturbance at Gaura. But the reprisal was fierce. Five villages near the station, in the polling circle Babhnan, were set on fire. Six villages, Dubha, Barbhaya, Itbahara, Ranipur, Gaur and Sardaha were looted. The womenfolk were robbed of their ornaments and people were tortured for months together. More than two hundred people were arrested in the vicinity but later on a case was instituted against the following nine persons only:--

Sjs. Jhinkoo Singh, Bhadeshwar Singh, Sita Ram Singh, Raja Ram Singh, Raj Mani, Suraj Prasad Shukla, Jai Baksh Singh, Bhagwan Singh and Ram Bah Singh.

The tenth Pandit Suraj Prasad Tewari, the declared leader of the case, was all long an absconder. He crossed the frontier of Nepal. On recrossing the frontier to Basti the police made a bid to arrest him but he fought back his way to Nepal again. He was, however, seriously wounded in the action and the police brought him back from Nepal. Pandit Suraj Prasad Tewari was a Siradar of the Qaumi Seva Dal of Babhnan Mandal and during the period he was an absconder, his house was looted seven times.

Sj. Bhadeshwar Singh, another accused in the case is a Malguzar of village Itbahara, paying a land revenue of Rs. 2,000 per annum. His property worth more than Rs. 2,000

was auctioned for the small sum of Rs. 400 and the bid was made by a police officer. His womenfolk were beaten and then stripped naked. He is at present undergoing imprisonment for 7 years' R.I.

The womenfolk of Jhinkoo Singh, still another accused in the case, were made to stand the whole day in the sun and not only were they deprived of their ornaments but were relieved also of their utensils. The terror prevailing in the vicinity was so great that the family of Bhadeshwar Singh, whose utensils had also been taken away, did not buy any fresh utensils, although they had the means, and cooked their meals in earthen pots for fear that the police might raid again.

Elephants were made to trample under foot the standing crop at Gaur and the portion of it that was ripe, was given away as booty to the chowkidar and other village officials.

In the Khetwal Mandal, Sj. Ram Baran Yadava, a member of the District Congress Committee, was arrested in his village and taken to Railway Station Shoharatgrah on an elephant. In all the intervening villages, the villagers were asked to kick him, and whosoever refused was himself beaten by the police.

At Walterganj, in the villages Baheria, Bharauli, and Belhara, some houses were set on fire, some property was looted, people beaten and some even flogged. About forty persons were arrested, out of whom only eleven were sentenced and of whom the sentences of seven have already been remitted.

At Bahin Mandal, in the village of Imila, near Railway Station Parsa, the house of Pt. Beni Madhava was set on fire, his property was looted, his whole family was detained in the station yard for days together and his old father aged 70 given a sound thrashing. The only occurrence here was the cutting of a telegraph wire in the vicinity. Here again Kotwal Singh's house was set on fire and his cattle auctioned without any notice or even a record.

The house of one of the secretaries of the Basti D. C. C., Sj. Lalta Prasad, was set on fire and his property looted. This was at Menhdawat in the Tehsil of Khalilabad.

In Kalwan Mandal, a village Patwari's papers were burnt. The sequel was that the people of seven or eight villages were beaten, and the eight-year-old son of one Sj. Bhusi Singh was kidnapped. The boy still remains untraced and the father undergoing a sentence of three years' rigorous imprisonment.

The village of Sardaha was set on fire. The villagers who collected together were fired upon by the police wounding a schoolboy.

At Basti proper, a students' procession was lathi-charged and the office of the D. C. C. was set on fire.

The atrocities perpetrated in the Eastern districts of U. P. were also witnessed in the other parts of the Province. The old capital of the province and the home of Pt. Jawahar Lal Nehru, Allahabad, had also undergone the same sorts of sufferings.

After the arrest of the leaders in Bombay on August 9, Allahabad, like many other cities, was greatly excited at the unprovoked attack on them. On August 12, a procession of students marched towards kutchery and the panicky administrators of peace lost their nerve. The police threw brick-bats on the procession, and then trouble began. The tension grew. According to the officers on the spot, there was no need for the firing that followed. Shooting began under the orders of the City Deputy Superintendent of Police, who had no business to give such order in the presence of the District Magistrate.

A bullet went through the chest of Lal Padmadhar, a student of the Allahabad University, and he died. Girls and boys coloured their hands with the blood of the martyr and marched ahead. Bullets could not terrify the students and they did not leave the place.

Real trouble began in Allahabad with the death of Lal Padmadhar. Police and military were posted all over the city. Martial law prevailed. Innocent persons passing on roads were shot dead and their bodies dragged aside, and taken to some hospital at convenience.

A dhobi who happened to wear a Gandhi cap was shot dead by a member of the S. A. C. from a moving lorry which passed along the road where the dhobi was taking rest. These S.A.C. men beasts of the bureaucracy, enjoyed similar "sport" all over the province and indulged in all naked barbarities. According to the information available, a grass-cutter also met the same fate as that of the dhobi on another road.

The bravery of Ramesh Malviya, a young student, who fell fighting defending the honour of the national flag, will long remain a proud memory. When a crowd of men was being fired at, Ramesh continued shouting—"March ahead!". This was too much for some Baluchi soldiers. One of them fired at Ramesh. He died bleeding on the spot. These brutes killed several other persons in Allahabad without provocation.

The death of Murari Mohan Bhattacharya was a most cruel instance of military shooting in Allahabad. He wanted to cross the road in Johnstongunj. He was stopped and was ordered to go back. He obeyed the order, but that was not

enough. He was shot in the back and he lay dead in a pool of his own blood. A number of men were killed in Allahabad.

Allahabad was at the mercy of the police and Military for a long time. They did what they liked. The Deputy Superintendent of Police for over a year remained the Nadirshah of the city and a wave of terror swept over it. The lock-up of the police Kotwali was miniature "Red Fort", where Bhaji, a Congress worker, was beaten so mercilessly that he passed blood. When he went to Jail from the lock-up, he narrated the whole story. Third degree methods were used in the Kotwali in dealing with Congressmen. Well-known persons were taken there and beaten with shoes and canes. The police officer used to abuse publicly the Congress leaders and he ill-treated Rai Ram Charan Agarwal, a premier rais of Allahabad, and many others. The local police chased and haunted students in the hostels and the university and humiliated them. One day, they invaded the university and attacked the students with batons and hounded them out of the compound. All this happened in the presence of the University Authorities. For a long time Allahabad was under the Police Raj. Policemen mercilessly extracted money, arrested anyone they liked, looted any home they chose, thrashed any body they pleased; Gambling dens were promoted for the prosperity of the police. It was for all such things that Governor Hallett had been so profusely praising them in his parades and durbars.

The above are merely the instances and not enumeration in full of the British Savagery in U. P. under the regime of Hallett who was vying in ferocity and atrocity with the worst of tyrants in the history of the world.

OTHER PROVINCES

The British savagery was experienced and exhibited throughout the country, of course, somewhere it was more and somewhere comparatively less but the policy of the Government was practically the same everywhere except some discretion was used by the local and provincial Governments. We give below in brief some account of the rest of the provinces of India :-

ORISSA

This small province was subjected to no less severe and atrocious actions by the Government. Convictions, fines, lathi-charges, firing and beating were done all in common. The number of detenues in the province amounted to 39 and convictions under D. I. R. and other law totalled 1337

according to an official statement made on May 11, 1943. Besides this lathi-charge and beating was done in the jails.

In the Orissa Assembly on Wednesday, March 17, 1943, replying to a question by Srimati Sarla Devi, Maulvi Sobhan Khan stated that a detachment of armed reserve was taken to the District Jail at Berhampur on November 15 last, and made a short lathi-charge on the political prisoners who sustained injuries of a simple nature on their persons. This was done as the prisoners became unruly.

In district Balasor, after August 8, 1942, police started an atrocious rule. The firing was done at various places. In these firings 42 persons were killed and 270 were injured. The women, after guilts of their husbands and sons, were molested. They were made naked and hung on the trees, up side down. At various parts of their bodies they were whipped and canned besides being tortured in various other ways. They were being tortured even after they became senseless. Innocent women were deprived of their ornaments.

In Korapur, the fields, cattle, houses and other property of the Congressmen were forfeited. Many Congressmen were made naked and badly tortured. Even ladies were brutally behaved. The property of the Congress which included a car and Rs. 2,000 cash were forfeited.

Congress leader Lakshman Niak, while addressing a public meeting in village Maithli was arrested and taken to the police station. The huge crowd of the people accompanied him. While the crowd was returning the police charged them with lathis and firing, resulting into death of six persons and injury to 100. Lakshman Niak was attacked with spears and bayonets. In these inhuman treatments an innocent child of 4 years was killed. The officials of the Jaipur state who were present at that spot helped the police. A forest guard who was deadly drunk fell down in Canal near by and died. After 8 or 10 days of this incident the Collector and Superintendent Police reached the village and got it burnt to ashes. Lakshman Niak with 53 others was tied for the murder of the forest guard. Lakshman Niak was sentenced to death and others were transported for life, excepting 24 who were acquitted.

In Korapur Jail, in no time, 50 politicals died due to inhuman treatment. The jail could accommodate hardly 250 prisoners, but during August movement about 1,000 were thrusted.

During the movement 1,917 persons were arrested, 11 were detained and 560 were sentenced to various terms of imprisonment. 324 times lathi-charges took place and 41 rounds were fired in two times resulting in death of 28 persons. Rs. 11,200 were imposed as collective fines. 3 per-

sons were hung up side down on the trees, canned and beaten. 12 cases of rape with women were recorded.

Even in the states in Orrisa the atrocities were not less. In Dhankanal Megini and Talcha firing was resorted. In Nilgu and Talk states even machine-gunning was done from the air. 100 persons were thrust in jail without any reason. Many men were killed and injured. Women were looted even in the day. The property of the people was destroyed recklessly. Women, men and children of 75 villages took shelter in Myorbhanj state. In these villages 25,904 Rupees was imposed as collective fines. In Dhanbal state two men were killed, many others were injured and about 32 persons were sentenced to terms of 20 to 40 years. Property worth thousands of rupees was looted, 43 villages were inflicted, with collective fines of 50,000. In Nayagarh state innocent men were made victims on the roads and many persons were inflicted with tortures and sent to jail. The loot and destruction of property was the order of the day. 12 villages were inflicted with collective fines of Rs. 8,000.

In Talchar State 3 men were killed. A college student died in jail due to inhuman treatment. Over 100 persons were injured. Many houses were looted and burnt. 40 men were imprisoned and 95,000 rupees was imposed as fine. Thus Orrisa was not less subjected to the atrocities of 1942 than other provinces of India.

SIND

Sind had been the worst sufferer than all its surrounding provinces. Besides usual arrests and detentions, the innocent people were treated mercilessly. In some respects Sind atrocities stand out as incomparable :

Karachi is the capital of Sind. It witnessed, on 19th August, scenes of police excesses which were of gruesome character. The local Industry Merchants' Chamber appointed, on 14th August, a Committee to investigate into the allegations against the police. The following is the full text of the Committee's Report which speaks for itself.

At the first meeting of the Committee held in the Committee Room of the Karachi Indian Merchants' Association on the 14th August 1942, the following gentlemen were co-opted from the business community viz. (1) B.T. Thakur, M.A., F.I.B. (2) Mr. Durgadas B. Advani and (3) Mr. Fida Ali Y.M. Lokmanji.

The Committee heard a number of witnesses and recorded their statements. Some of the persons alleged to have been injured by Police lathi-charges and who were unable to come before the Committee were visited by certain members

of the Committee at their residences and their statements were recorded. The Committee has carefully considered all these reports and statements and has the honour to make the following report :—

"From the depositions made before us by the various witnesses who are alleged to have been belaboured by the Police we have come to the conclusion that the Police, in dealing with the public particularly on Tuesday, the 12th August 1942, has acted in a very high-handed manner and used far more force than was actually necessary in suppressing the alleged agitators and that it also indulged in indiscriminately assaulting innocent persons who were not taking any part in any demonstration. The following is a brief summary of the Committee's findings.

The Police used lathis not only for dispersing crowds, but they have belaboured respectable persons going about on their lawful business either on foot or bicycles. They also entered Reading Rooms, Restaurants and Clubs and indiscriminately assaulted persons sitting therein and also arrested a number of them. They chased young boys and knocked them down with lathis and also trespassed into private residences and other premises. They made indiscriminate arrests of students who were not taking any part in demonstrations or acts of rowdyism. These boys were mercilessly assaulted on the roads and dragged into Police lorries where they were sat upon, trammelled, kicked and foully abused by the Policemen. At the Police Station, these arrested persons were in most cases subjected to very humiliating cruel treatment smacking of the Middle Ages. Some of the youthful victims, mostly students, and sons of respectable citizens have stated before the Committee that at the Police Station after severe beatings by slaps, fisticuffs, kicks etc., they were taken into a room and made to lie down on their backs, with a plain clothesman sitting on their chest, their feet were lifted up by another man and they were beaten on the soles of their bare feet with canes, most of them having received 10 to 20 stripes. They were compelled to touch the boots of the Police Officer with their noses, and shuffle on the ground on their buttocks, or to do, what is known in Sindhi as 'Gisi'.

"One case has been brought to the notice of the Committee in which a Police Officer is alleged to have asked one of the recruits to select any of the arrested boys brought to the Police Station and who had been severely beaten. The Makrani, it has been stated, actually dragged a boy into a room, forcibly removed his pyjama and underwear, but on the latter's raising a hue and cry he was let off. Some of the persons who were arrested at about 12 noon were detained

in the Police Station till 5.0 p.m. and during this period no food or even water was served to them. It was, however, stated that some persons who were detained till 9.0 p.m. were given food.

That the lathi-charges have been indiscriminate and excessively severe has been made evident by the cases brought to our notice. Three of the victims are Government Officials, one being Diwan Mangharan Aimal, a retired Additional City Magistrate of Karachi. He has received such a severe beating that he is still confined to bed. He was assaulted in the premises of the Amil Institute. He could not possibly have been mistaken for a Congressman or an agitator as he was dressed in English style with a hat and had a newspaper and a tennis bat in his hand.

Another elderly Government servant was also beaten while reading newspaper in the Amil Institute. The case of the third is most pitiable. On the 12th August, 1942, in the morning, he had received a telegram about the death of his brother. He went to the office and obtained leave of absence in order to go to his native place. In the evening, after making a few purchases, he went to the shop of his son near Rambaugh and was standing there when about 8 to 10 Policemen with lathies rushed into the shop. There was no one except himself and his two sons. At the sight of the policemen his sons tried to run away and escaped lightly with one or two blows. The Policemen then started belabouring him. After a few blows on his head blood oozed out of the wound inflicted on him. Several blows were then given on his arms, in spite of his shouting that the shop belonged to his son. Later, a Police Sergeant entered the shop to whom he complained that the shop belonged to his son, and that the Policemen had beaten him for no fault, whereupon the Sergeant promptly ordered him to get out. Accordingly he left the shop but fell down on the road side. There also the Policemen continued beating him. Eventually, he became unconscious and was taken by the neighbours to Rambaugh Hospital where his head-wound was stitched and dressed. Five days after the incident when a few of us saw him he appeared to be in a dazed condition and was lying on a cot at his residence.

Policemen have entered private houses, shops and premises of private clubs in pursuit of individuals. A restaurant on Clayton Road was raided by the Police on the afternoon of the 12th August when there was absolutely no crowd or demonstration and people who were taking tea were severely beaten with lathis, apprehended, and taken to the Police

Station, detained for several hours and let off after being subjected to all the cruelties and indignities described above.

There is one more point which we would like to discuss. It is alleged that A. R. P. personnel and Civic Guards were requisitioned into service for Police work during these days and Police recruited undesirable characters and Goondas to help them to deal with the demonstrators. As regards the first allegation, the authorities have already issued a communique denying the employment of A. R. P. personnel and Civic Guards for this purpose. In view of this communique we have not investigated this point.

As regards the other allegation, the authorities have preferred to remain silent. The evidence before us, however, clearly indicates that the authorities have recruited reinforcement for the Police—whether temporarily to combat the present situation or permanently, we are not in a position to say—from a class of people who are generally regarded as a scourge of danger to society. The following few instances, the general behaviour of these Policemen and the filthy language they have been using, cannot but confirm the public allegation in this respect. Seth Lalji Malhotra, President of the Karachi Indian Merchants' Association and ex-Mayor of Karachi, while he was given lathi blows by one of the new recruits, himself saw some plain clothed men, presumably their Chief insolently butting in while Seth Lalji Malhotra was conveying to the Officer-in-Charge of the Police party, what had happened to him. It is surprising that plain clothed men were employed for lathi-charging. There are allegations of persecution of persons apprehended and taken to the Police Station by the Policemen. According to a statement before us, a policeman evidently a new recruit, is said to have cursed the arrested boys in the most filthy language while taking them to the Police Station in a lorry, for being deprived on their account, of his income which he would, otherwise, have made by reselling tickets of 'Basant,' a picture running at the Plaza. Where upon, the Head Constable is stated to have tried to appease him by saying that he (the new recruit) should not worry as he would be given country liquor in the evening. If the statement is true, and there is no reason to doubt its veracity, coming as it does from respectable witnesses. It is likely that the Police have secured the services of some undesirable characters to deal with the present situation. There is an allegation that two of the arrested boys brought to the Police Station were offered to some raw recruits for the purpose of unnatural offence. But we have definite statement from one of the victims about his own case. Such boys have been according to the statements,

taken into the rooms, 'fingered', their checks pulled, their pyjamas removed, although no one has come forward to say that the act was actually committed.

After taking statements, oral and written, seeing the victims and their wounds and some of us visiting the scenes of lathi-charges and beatings, we cannot help but arrive at the conclusion that in some cases the use of lathi was not called for at all. In dispersing crowds, the Police as a general rule, has used force much in excess of the actual requirement of the situation and indulged in lathi-charges wantonly, in a brutal manner and behaved towards the students and others most indecently. Ranchhore Police Station has been used as a place of Inquisition, and some of the Officers in charge there have acted illegally and inhumanly. We also feel that the additional Police have been recruited from amongst a class of people who constitute a danger to society. Their employment even for short time cannot but undermine the moral of the Police force, and serve as an encouragement to unruly element which in course of time, it will be difficult to control.

We wonder that such Police excesses can happen in the Capital town of a Province under the very nose of the Governor and a popular Ministry.

The Committee is conscious that they had not the benefit of cross-examination of the witnesses and complaints by those against whom such serious allegations have been made. But the allegations are so widespread, and the complaints appeared to be genuinely serious and true that they cannot be disbelieved. In our opinion, a *prima facie* case about Police excesses, indecencies and maltreatments has been established. It calls for an immediate, impartial and judicial enquiry into the conduct of the Police.

(Signed) Pardaman Singh
do Soonderdas Dharmsey
do Sukhdev Udhavdas
do Jethanand Hiranand, Rao Sahib, (J.P.)
do B. T. Thakur
do A. M. Baakza
do Fida Ali Y. M. Lokmanji
do Durgdas B. Advani
do Manooobhai Doongurseec
do Shivji Velji Kothari
do Gobindram Udhavdas, (J. P.)
do Wazirchand Seth.

Karachi 20th August, 1942.

The extracts of this report were quoted by Mr. Lalchand Naval Rai, M. L. A., in his speech in the Central Assembly

on 17th September, 1942, on the motion of consideration of "The situation in India" but no reply to all that was given.

The same member put certain questions regarding flogging punishment for Political offences under Martial Law in Sind in the Central Assembly in its Session of 12th February, 1943. We reproduce below the questions and answers in full:—

Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state if it is a fact that punishment of flogging with stripes is being awarded to respectable persons and young students of tender age charged with political offences in Sind area where Martial Law is proclaimed?

(b) Is it a fact that Martial Law in Sind was proclaimed avowedly for the suppression of Hur outrages?

(c) Will the Honourable Member be pleased to give the number of students and non-students, separately, who have been awarded this type of punishment since the proclamation of Martial Law, according to each district in Sind?

(d) Is it a fact that many amongst them had fainted during the infliction?

(e) Are Government aware of the enormous discontent and horror that this practice has caused among people of all shades of public opinion?

(f) Do Government propose to stop it?

Mr. C. M. Trivedi: (a) The punishment of whipping or canning has been awarded to a number of youths who have created or incited others to create disturbances within the Martial Law area. Whipping in accordance with Jail Rules has been awarded to a few such youths between the ages of 18 and 23 for acts of hooliganism. A number of youths between the ages of 12 and 18 have been punished by being lightly canned, as it was not considered desirable to award sentences of imprisonment to them. I may add that all persons were warned by Martial Law Regulation No. 41 that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

(b) The Honourable Member is referred to the reply given by me to part (a) of starred question No. 124 on the 21 September, 1942.

(c) Statistics are not available to show what proportion of the youths whipped or canned were actual students but the majority were of age.

(d) There was no case of fainting during infliction of either whipping or canning.

(e) No.

(f) Whipping is one of the forms of punishment provided.

under Martial Law Regulations and Government see no reason to interfere with the discretion of Martial Law Tribunals in this matter.

Mr. Lalchand Navalrai: May I ask if the intention was not to apply the Martial Law for civil offences? What was required by the public was the Hur movement should also be met by Martial Law and is it not against that principle that the smaller children should be flogged?

Mr. C. M. Trivedi: No Sir, I have already said that Martial Law Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

Mr. Lalchand Navalrai: Was it in connection with Hur movement or not?

Mr. C. M. Trivedi: No, Sir, this Regulation was not promulgated in connection with the Hur movement.

Mr. Lalchand Navalrai: May I ask whether Honourable Member knows that the public asked and the Martial Law was established only to checkmate the Hur movement?

Mr. C. M. Trivedi: I know that, but subsequently Regulation No. 41 was made.

Mr. Lalchand Navalrai: That is exactly what I want to know from the Honourable Member. Was this Regulation made with the intention which was consistent with the original intention or was it made with the further intention to apply it to the civil population as well?

Mr. C. M. Trivedi: If there are disturbances in Martial Law area for any reason, that must hamper the military authorities in carrying out the object for which Martial Law was originally established.

Mr. Lalchand Navalrai: Am I to understand from the Honourable Member that the disturbances arose amongst the civil population and because of that it was considered that there should be Martial Law?

Mr. C. M. Trivedi: No. What I say is this that Martial Law was originally proclaimed for the suppression of Hur outrages. If any other forms of disturbance occur in the Martial Law area, those disturbances must hamper the Martial Law Administrator in the suppression of the Hur menace for which Martial Law was established. Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

Mr. Lalchand Navalrai: May I know from the Honourable Member what were those civil disturbances that necessitated Regulation No. 41? Was it the Congress movement?

Mr. C. M. Trivedi: Yes, Sir.

Sardar Sant Singh in the Central Assembly on 16th September, 1942, referring to and citing portions of the above quoted report of the Karachi Merchants said :—

"May I ask you whether a series of atrocities that have been mentioned here today can beat this atrocity? I ask the Honourable Member of the European Group whether they will quietly condone it in the name of law and order. This is one Committee of independent men who have gone into the matter and they have published this report. Well, Sir, if these things have happened at one place in the country, do you think they will leave soft feeling for the Britishers or the Police in the bosoms of the people? Reflect, consider and judge coolly. The time is not when we in our desire to condemn each other forget the real psychology of the people, forget the real facts and say that we will fight both the internal as well as the external enemy. Through you, Sir, I want to appeal to the Government; pause and think over before it is too late. That is why I placed a constructive proposal in my amendment before the House. I am afraid my friends are correct when they say that my amendment has no chance of being passed in this House. I know that is the case. If I were to be guided by the verdict of this House, I would sooner be in a mad house than in this place because here reason does not reign and the verdict is not given on the merits of the proposition. It is all for propaganda. But the Government forget at this stage that war is not won by propaganda alone. In making that supreme efforts to win the war, they will have to win the supreme co-operation, unstinted co-operation of the people of this country. So long as the morale of the country is down or is converted into active hostility, they cannot win this war. They will not only ruin themselves but they will ruin the Americans and the Chinese who are here. They will ruin the Allied Nations whose number is 56 or 57.

"I will only say that even if we look at the brightest side of the picture that they have succeeded in suppressing this movement, they would certainly leave a trail of bitterness behind with no love for the Britishers in this country. Do they want that state now?

"I will only say this in the end that before it is too late, let saner counsels prevail and that Government would take stock of the situation. I have yet lot to say which I am leaving unsaid, but let it not be said of the present Government Members that they were the coffin bearers of the British Imperialism in the country".

DELHI

The capital of India, the old Imperial city of Delhi, was

no less victim of the British Savagery during the period under treatment. The following are the Press-Notes issued by the Deputy Commissioner, Delhi:—

"NEW DELHI, Tuesday, August 10, 1942: A Press Note issued by the Deputy Commissioner, Delhi, says that after a meeting early on Monday morning, demonstrators paraded about the city endeavouring without success to enforce a complete "hartal". Muslim shops and a few Hindu shops remained open. When the crowd reached Ajmeri Gate they were held up by the police, but a number of them, largely students, infiltrated into Connaught Circus, where a certain amount of hooliganism took place. Some windows were broken and some Europeans were obstructed. But no one was injured. Connaught Circus was cleared, and the hooligans returned to the city. Some damage was done there to trams and buses and occasional stones were thrown at passing cars. Among these was the bus of the Convent of Jesus and Mary. The driver was injured. Other cases of molestation of Europeans in the city occurred earlier in the morning.

"The workers of the Birla and Delhi Cloth Mills went on strike without notice.

"British troops were called out in the afternoon to stand by".

"NEW DELHI, August 12, 1942: The police opened fire thrice in Delhi, on Wednesday, 11th August, 1942. A crowd broke into a post office in Pharganj in the afternoon and after throwing out stamps and post cards was about to set fire to them when the police intervened and dispersed it with a volley. One man was killed and one injured.

"Firing was again opened by the police in Chauri Bazar, when bricks were thrown at them from roof-tops. No one is reported injured as a result of this firing.

"For the third time, the police opened fire on a Congress procession in Naya Sarak. It is stated that a police lorry patrolling the area was stoned by some of the processionists and the police fired in self-defence. One man was seriously injured and admitted into the hospital.

"Five municipal terminal tax outposts in Old Delhi are reported to have been looted or burnt. A wheat flour mill in Sabzi Mandi was broken into and large quantities of flour taken away by a crowd.

"The income-tax office at Tees Hazari, a post office and A.R.P. post near Sabzi Mandi were also burnt.

"In Karol Bagh, the house of a Chinaman was forced open and furniture thrown out. The crowd was trying to set fire to it when police appeared and dispersed them.

"Chandni Chowk, the old city's business quarter and the

main centre of yesterday's disturbance was today deserted except for armed police and British troops, including parachute men, placed at points where narrow twisting by-lanes branch off from the main bazar. The charred remains of a motor bicycle, an R.A.F. lorry and two fire engines lay at some distance from the municipal office which was itself on fire, with firemen rushing about trying to take water hoses into the smoke-begrimed building.

"The fire-brigade were handicapped by the loss of two engines. The police and the troops were the object of attention, sometimes hostile and sometimes curious and good-humoured, from crowds or groups gathered in the by-lanes or looking on from balconies of the buildings on both sides of the half-mile long bazar. All the shops on the ground-floor along the whole length of the bazar were shuttered up and barred.

"The smell of burning rubber tyres and paper filled the air. The electric clock on the hundred-foot tower in front of the municipal building had stopped at 12 noon and the siren timed to go off at tea hour was continuing to wail for hours afterwards. The ladder leading up to the clock having been burnt, there was no means of reaching the clock and stopping the siren.

"The municipal office building is reported to have suffered extensive internal damage. The municipal meeting hall, furniture and fittings being destroyed and a number of rare old irreplaceable paintings burnt out. Many of the records and the whole of cash have been saved.

"The godown of the railway office in Naya Bazar was set on fire. Wire obstruction has been placed near the Kotwali.

"All approaches to New Delhi are guarded by armed police and troops and other steps have been taken to prevent the disturbances spreading up this area.

"Most shops and schools in Old and New Delhi were closed again today.

"Banks agents in Delhi and New Delhi, who held a meeting on Wednesday morning at the Reserve Bank office, decided that banks which were closed should resume business from Thursday morning.

"The police also opened fire on a crowd near the Kishanganj railway station, resulting in injuries to six persons.

"It is now learnt that 13 persons were killed as a result of police firing in Delhi till Wednesday".

"The following press communique was issued by the Deputy Commissioner, Delhi, at 8 p. m. to day :—

"Conditions in Delhi after the disturbances of August 11

improved but some serious damage to property was done in Karol Bagh and Paharganj areas. Among the properties damaged were those of refugees from Burma and Chinese, which is so symbolic of the oft-expressed friendship of Congress with China. In Old Delhi, peaceful conditions are rapidly returning under the strong police and military forces now stationed there. A few shops are reopening. In new Delhi all is quiet".

After such incidents for sometime, the usual lathi-charge and firing were continued besides indiscriminate prosecutions were launched. Thus the people were persecuted even in the capital of India.

ASSAM

About the Government action in Assam we quote below what was said by the Premier, Sir M. Saadullah in the Assam Assembly replying to some questions:

SHILLONG, Dec. 13, 1942: Three thousand one hundred and forty-five persons were arrested during the past year since August 1942, in connection with political activities. Of these 1,619 were convicted. Altogether 405 were detained under the D. I. R. during the same period. Collective fines amounting to Rs. 4,40,487 were imposed, out of which about Rs. 2,49,578 had been realized.

The Premier also said that on six occasions during the same period police were compelled to open fire, twice in Darrang district, and twice in Kamrup district, once in Nowgong district and once in Goalpara district, when 14 persons were killed and 33 injured.

Referring to the case of His Holiness the Adhikari Goswami of Garamur, the Premier said that Government issued instructions that if the Goswami furnished an undertaking to avoid any political propaganda activity the suspension of his sentence might be considered. Due to reports received of his propaganda activity in the jail in which he was originally lodged, Mr. Deveswar Sarma, Chief Whip of the Congress Coalition Party in the Assam Assembly, had been transferred from Jorhat Jail, the premier informed.

The Judicial Minister informed that Government were employing all feasible methods of improvement as regards treatment of political prisoners in jails, particularly of diet.

Besides legal and ordinary atrocities indiscriminate firing and beating was done in a most inhuman manner.

A Press Message supporting the above fact is given below :-

"On 20th September, 1942, in Dhakia Juli (Assam), Police

fired and continued firing indiscriminately on a running crowd. One constable even chased the running persons. In the building of the police station in the South of Hath Khola, a dead body was found. Another dead-body was found in the drain in the south of police station. A dead-body of a young girl was found near the P.W.D. drain and the shop of Satish Viswas. Afterwards one more dead-body was found near the Godhajali river about a mile far from the Police Station. The dead-body at Hath Khola was of a beggar. From all these it clearly appears that the police firing was done indiscriminately and wantonly and hence was cowardly."

These remarks are taken from the court judgement of Mr. S.K. Das, Special Magistrate. But the Assam Premier, in the Assembly, refused to inquire into this incident saying that firing was done in self-defence by the police.

In Assam, an attempt was done to establish parallel Government. The people succeeded to a great extent in paralysing the British Government in their province. The Government ran mad and took to indiscriminate firing and bayoneting of the people who gathered in peaceful meetings. Assam Police got free hand to do its worst. On the establishment of Saadullah Ministry, on August 1942, the police was licenced to carry on inhuman repression in their own way.

The two brave ladies Kanak Lata and Tuleshwari will go immortal in the history of Assam who faced death as bravely as any human being inspired with the spirit of patriotism could do. Kanak Lata a soft hearted girl of 13 years who led a procession on 20 September, in district Darang, to hoist National Flag on Golapur police station. She was stopped by the police officer, but she refused to obey the order and proceeded with her procession. The police started firing. A bullet pierced her chest and she fell down on the ground, bled and died. The second was a youngman Mukund Kaoti. In this all massacring of people, white planters also participated. These European planters were armed with guns and pistols and were accompanied by their field guards, who were armed with lathis and sticks. While the processionists were dispersed by the police firing, these European planters with their servants fell upon them and killed most of them.

The above narrated incident of Dhakia Juli in which the death of a girl is mentioned, we may here point out that the girl was none else but brave Tuleshwari. These atrocities were perpetrated not only by the police and the military but the Moslem goondas were also summoned to commit the brutalities on unarmed people beside molesting the women.

A week after the firing incident mentioned above the market was held in the city. The crowds which gathered for marketing were treated as Congress crowds and wantonly fired at. The men were mercilessly beaten and women were molested. In this incident 16 men were killed, among them were 3 women and one was pregnant, besides 100 others were wounded. To express protest against this massacre a meeting was held in Tejpur on 21st September, 1942, where the gathering was belaboured and subjected to firing and bayoneting as a result of which 100 of them were wounded.

In the same manner in village Gola under Patacharkuch Police Station, on 25 Sept. firing was resorted on a dispersing crowd, after the meeting. Two men Madan Chand Banmait and Rawat Ram died on the spot. The same sort of bloodshed was done in Nagawa, Dang and Kamrup by the Police. In Nagawa the people were organised to some extent. In the neighbouring village the revolutionary spirit was rampant. Their organization became a terror to the police. Hence to suppress the district the Government resorted to inhuman cruelties on the people of the district. The military was posted on the village and rail roads who took to indiscriminate firing on the passers-by which caused death of many innocent persons. On 20th August, '42, one military party which was hiding near the bridge of Bavejia fired on two youngmen. The second day, military police party shot dead a youngman near Rohapal, six miles far from Gohati. In village Bavejia, helpless women, men and children were subjected to severe brutalities in the mid-night. In the hot mid-day 400 men, women and children under armed police guard were forced to march 12 miles to the police station. One woman had in her lap a child of 3 days, who died in the way, and her mother followed her after some days.

Tilak Dheka, the leader of this Shanti Saina, who was the resident of Borapujia village in district Nawgaon was put to death by the military. Shanti Saina was established by the villagers for their protection. Tilak Dheka, seeing the march of the military towards the village, warned the people by sounding Turahi, but he could sound it only once that he was hit by the bullet shot and died at the spot. The village people gathered and surrounded the military and at the cost of 5 or 6 lives snatched the dead body of Tilak Dheka. As a result of this incident 300 persons were arrested and many others were tortured, houses were burnt, teachers were beaten and students were subjected to unheard of atrocities.

On the 16th of September, in Barahmpur 3 men were killed who gathered in front of the Congress house in connection with a feast. On this gathering military police

fired which caused many casualties of youngmen and ladies even.

In Upper Assam, in Shiv Sagar and Jorabat Sub-Divisions, construction work was done on a wide scale and village Panchayats were established. In Charigaon, Hatigarh and Teauk and some other places parallel Governments were formed. They were established according to the civilised governments of the present times. All this could not be tolerated by the administration. Many workers of Jorabat were brutally beaten. A crowd collected near Teauk Police Station. Police and military constantly attacked them. Not only men, but also women and children were severely hit by the lathis and bayonets. Two persons died and 20 others were injured. In the same manner Police and military attacked a crowd of 50,000 persons near Police Technical School, Jaisagar, resulting into severe injuries to many persons.

Kaushal Kunwar who was fired with the zeal of patriotism and was a staunch follower of the Congress was implicated in Sanypar Train tragedy case and sentenced to death. The young patriot was hanged on 15th. June, 1943. He kept up cheerful countenance and brave spirit till the last moment. In the same manner Kamla Meri suffered severe inhuman treatment in the jail and died suffering the tortures of jail life patiently. The collective fines in Assam were said to be 1,25,000 but they were realised in a very cruel manner. Military and Police entered the houses of the poor villagers forcibly and insulted the women. Whenever the police could not find any other article they even snatched away the cooking utensils of the family. These sufferings of Assam were very great and particularly Assam was subjected to severe brutalities because it was on a boarder of India and nothing was known about the happenings in the other parts of the country.

SATARA: The city of Peshwas, the founders of the Hindu Empire in India who fought bravely the foreigners and maintained the honour of their country even after the slavery of the Moghul rule in India for centuries, could not remain without making a mark in the grand attempt at revolution in 1942. Nana Patil, an innocent and simple looking man, became the organiser of free parallel government in Satara during 1942 and after. The Government was known as "Patri Sarkar" which successfully ran its course for months together. But here we are primarily concerned with the black deeds of the British rule on the occasion of the public demonstration. A police officer arrested a Congress leader and the armed police belaboured the crowd. A Congress worker named Shri Pandurang was injured. On

15th. Sept., while Shri Parsu Ram Dharge was leading a procession in Baruj the police resorted to firing and Shri Dharge was hit by 3 bullets and died at the spot. Another day Shri Pandu Master was canned in the presence of a responsible police officer at Islampur. Half an hour after the dispersal of the crowd, the persons who were standing near the court, were fired at. One peasant named Kanduwara Pate died with bullet shot. Shri Pandya, engineer of Krioloshar factory, died of his wounds while he was being removed to the hospital. Other three persons also got serious injuries. Such incidents in Satara were innumerable which can not be recounted here for want of space.

Collective fines were heavily imposed in Satara which went up to Rs. 2,000 each village. The realization of the fines was very atrocious. Villages were being surrounded, people were not allowed to get out of the village, nor even the cows and buffaloes could go out for drinking water. The ornaments of ladies were forcibly snatched and sold in the Bazar. Beside, other tortures to the people were much rampant in the district.

The atrocities in the jail were perhaps of the worst sort ever heard by the human ears. In Karad and Bahadar Talukas, prisoners were subjected to such tortures as ordinary human mind can not even think of. A new method known as "Sundri" for torturing was invented. Leather straps were soaked in salt water and prisoners were beaten with them. Smoke and hot water was also used to torture the prisoners. Four old men of village Katewadi were seated in a line and stone slabs were put over their heads and 4 boys mounted on them. From the Children of 8 years to the old men of 80 were subjected to the torture of being drawn off their skins.

The worst of the atrocities were perpetrated when the police surrounded the village in the nights and took away the ladies of the absconders out of the villages in some solitary places and subjected them to torture and molestation. The women were brutally raped. The modest women drowned in shame and bent heads, weeping and sobbing, returned to their villages. In the history of repression of political uprisings perhaps nowhere in the world, modesty of women was ever violated so very recklessly and persistently as it was done during 1942 and after throughout India under the aegis of the British Rule.

A group of independent journalists who visited Satara in April, '45, reported widespread terroristic activities by the police, who in some instances had obtained the services of criminals to aid them. Further they cited number of cases of

police brutality, confiscation of villagers' property, more than 2,000 arrests since 1942, six deaths in jail, 13 killed by police guns in 1942 and collective fines imposed on 34 villages since August, 1942.

Muslims, Government servants and depressed classes, who got most of the Government jobs in villages were excluded from the collective fines. Karve, a village of 3,500 inhabitants, received a collective fine of Rs. 30,000.

Satara, suffered British atrocities in keeping with its past sacrifices and history.

KARNATAK: In Hubli one boy died by the police bullet and 7 were injured in village Bidhan and many such incidents were repeated in many other parts of Karnatak. The result of these brutalities was that people in general rose in revolt. A sort of organised revolution prevailed in provinces, once the government was completely paralysed. The government thereafter lost its head and behaved in a most brutal manner. For about 6 months 5,000 police force with 300 officers hunted the leaders of the revolution and succeeded in shutting them behind the prison bars. In the prison patriots were severely persecuted to give out the address of their companions. Villagers were so much persecuted that their life was made hell. In the night people were not allowed to sleep, and they were made to awake from their sleep. If any body tried to avoid the police vigilance he was mercilessly beaten. At the time of the police investigation the people were canned on their naked buttocks, till they disclosed the secrets or became unconscious. The worst of the doings of the police was the outraging of the modesty of the women. On the pretext of searching for the absconder the police could enter into any house and carry on the campaign of their misdeeds. In this rule of the police no citizen could live with honour and maintain self-respect. Karnatak in common with other provinces of India perhaps more than any other suffered a severe stroke of British Savagery during 1942 and after.

VIDARBHA

In Vidarbha Province of the Congress, which is a part of C. P. with its headquarters at Akola, according to the report of the Provincial Congress Committee the following deeds were committed by the government.

In rural parts the police authorities used third degree methods, uncivilized and inhuman. They included stranding of men or boys in hilly tracts, at the mid-nights, till the suspected became unconscious or sustained fractures of limbs, putting chilly powder into the eyes and anus. Light lathi-

charges were resorted at Akola and in Amraoti District to disperse meetings. Shootings were resorted to in the Amraoti district at Yawali, Banoda, Khanpur and about 30 persons sustained injuries and more than 15 died. In the Amraoti District (at Yawali and similar places where shooting took place) looting and destruction of shops by police occurred. In jails Second class prisoners were getting very bad treatment. Beating, lathi-charge, neglect of medical help etc., were not uncommon there.

BLOOD OF THE MARTYRS SPEAKS

How the reign of terror in its worst, most inhuman and brutal form was kept in force in India during the August 1942 and after is narrated in the preceding pages of this chapter. The facts mentioned are as exact and accurate as possible. They are derived from authentic and reliable sources. How horrible and heart-rending they are is beyond the pale of the human pen to write.

The political situation in India after 9th August, 1942, was a subject of discussion in the Central Assembly and the Council of State as well. The members of the Council of State (Upper House) generally come from the upper strata of the society and most of them have a very soft corner in their heart for the British Government in India. Most of them also do not desire any drastic and sudden change in the form of the administration of the country. Still they were also moved by the horrible atrocities perpetrated in India in the name of suppressing the uprising after the arrest of the Congress Leaders. This whole period of the Government atrocities is termed here as "The Reign of terror".

We would conclude this chapter with the following relevant extracts from the speeches of the members of the Council of State in its sittings on 22nd, 23rd and 24th September 1942, on the motion regarding Political Situation in India :—

Hon'ble Sir Mahomed Usman (leader of the house) said :—

"To control and suppress these disturbances, and to maintain law and order in the country, the following measures were taken :—

"1. The Congress Committees were declared to be unlawful associations and important individuals who were likely to organize and lead mass movement and create disturbances with the object of paralyzing the administration were detained.

"2. As this movement was intended to interfere in the prosecution of the war and to paralyze the war efforts, action was taken under the Defence of India Rules.

"3. The Penalties Enhancement Ordinance, the Special

Criminal Courts Ordinance and Collective Fines Ordinance were put into operation.

"4. Certain restrictions on the publication of news were imposed in the best interests of the country.

"5. In the disturbed areas fullest use was made of the police who had on several occasions had to face very difficult situations and were forced to open fire on riotous mobs. As a result of this 390 people were killed and about 1,060 wounded. A large number of policemen were injured and 32 were killed.

"6. British and Indian troops were used in aid of civil power in about 60 places. They were forced on many occasions to open fire, the casualties being 331 killed and 159 wounded, and the military casualties being 11 killed and 7 wounded.

"7. The Air Force was employed for reconnaissance and patrol".

The Honourable Sir A. P. Patro (Nominated Non-Official) : "Sir, after the graphic description of the tragic results that we see around us today, and that we saw lately, the Government ought in justice to the people to have stated or indicated also what has brought about the present state of things, what are the causes that have led to this disruption and disorder and destruction of property. It would have been very enlightening at this stage if we had indications of that from the Government. The absence of any allusion to that is indeed to be deplored."

The Honourable Mr. P. N. Saprú (United Provinces Southern Non-Mohammadan) : "No one conversant with the situation in the provinces and districts can deny that in maintaining order not all officials high and low, have adhered to the maxim that the force used must not exceed the necessities of the situation, that in restoring public peace care must be taken to see that the innocent do not suffer along with the guilty, that things are not done which are likely to excite racial passions, that people are made to feel that the object is not to humiliate them or any particular section of them but merely to assert the majesty of the law. We live, Sir, in a period of firing, lathi-charges, collective fines and whipping.

"The real problem before statesmanship today is that people feel alienated from the law and they so feel alienated as they find that Government has been preparing them not for the freedom that they desire but for perpetuating a status quo which they intensely hate, which they intensely dislike.

"The attitude of Government had been extremely, extraordinarily provocative.

"An objective study of the situation has convinced me that the main responsibility for the present unrest in the country rests mainly, if not entirely, upon the Government of this country.

"It is therefore, a tragedy that you have interned Indian leaders who are definitely and wholeheartedly opposed to Axis aggression. You rely on Rai Bahadurs and people of that type. I think it is easier for them to transfer their loyalty, than for people who have an anti-imperialist ideology. It is a tragedy that a large number of people who were willing and eager to help you in putting up a very strong resistance, have had to keep aloof from the war effort on account of the Government attitude. It is nonsense to say that the Congress is fifth columnist or is pro-Axis. A free India would have been able to render the maximum help she was capable of to China, the Soviet Union and other countries. *What you have done is to deprive these countries, by your policy, of the maximum help that they could have obtained if you had settled with the Congress.*

"It is India's misfortune, it is Britain's misfortune, that Britain has as her Prime Minister one who is so entirely devoid of imagination, who is so absolutely racial in his outlook as Mr. Churchill. He has made a speech full of venom against the people of this country. Even the "Times" had to remind him that the Congress was not a negligible factor in Indian politics and such is the arrogance of this statesman that he actually boasts, while fighting a war for freedom, that there are more white troops in this country at this time than at any period in Indian history. *It is, therefore, impossible, having regard to this background for any thinking Indian to support the policy culminating in the arrests of Mahatma Gandhi and the Congress leaders.*

"Government has fired the first shot, that they have taken the initiative and opened the long looked for second front in India".

Hon'ble Rai Bahadur Sri Narain Mehta (Bihar) :—

"The extent, depth and import of this movement has not been properly understood or realised. It is neither a students' movement nor a Congress movement nor even a Fifth Column attempt to sabotage India's war effort. It is the desperate gesture of a nation before whom you have dangled the offer of political freedom, a nation exasperated beyond the limits of human patience, a nation that has seen the anomaly of having to protect a freedom that it does not enjoy.

"It is not my purpose to extenuate the excesses of the mob nor to exaggerate the repressive measures of the

Government, I must say that while mob violence had a clear line of action, Government measures seem to have proceeded on no plan or method, except that of striking terror throughout the entire countryside. The net result of this has been an impression that the Government has become panic-stricken and has consequently aroused in the minds of the people a feeling that if this is to be the Indians' lot under British rule, to be shot on suspicion, to be hanged on evidence inadequate in law, to be arrested on the whim of a policeman, the average Indian may well be pardoned if he thinks of the Axis occupation of the conquered country as different only in degree."

The Honourable Rai Bahadur Lala Ram Saran Das (Punjab):—

"The Government is to my mind suffering from propaganda complex. Having made up its mind not to part with power, it realised that it must one day come into clash with the Congress. It prepared itself for that clash in the convenient belief that the Congress could be crushed at a stroke. There is no doubt that it was in this belief that the Government acted on 9th August. Having assumed that the Congress movement would have no backing, it gave to the world a daily picture of "All quiet on all fronts". For some weeks we were told that there were hardly any disturbances worth mentioning and the All-India Radio even ceased mentioning the matter after the first few days following the arrests of Congressmen. Suddenly the Government appears to have changed its propaganda angle. It has now let loose an account of arson, loot, murder and sabotage to show that it had been faced with "an open rebellion" and that but for the loyalty of the military, the police and the Government servants, the rebellion might have paralysed the machinery of Government. At the same time we are given the assurance that the general public has remained steady and has not supported the rebels.

"What can be the motive of publishing now these blood-curdling accounts of hooliganism? I suspect that the motive is to keep the Congress leaders locked up in jail for the period of the war and to carry on the administration on the existing pattern.

"I wish to know whether the Government feels satisfied that after imprisoning the Congress leaders it has done its job and that it can take a complacent view of the situation in the country.

"I have a stake in the country and during my long public life I have been a supporter of ordered progress. I am pained to find today that the Government stands friendless. Even those classes such as the Taluqdars of Oudh, who were

Government's most loyal supporters, are not without misgivings as to the policy Government is pursuing".

The Honourable Haji Syed Muhammad Husain (United Provinces):—

"The Indian Members of the Viceroy's Council are the gentlemen who are being proclaimed from the house tops by the British Government in every corner of the world as members of a Government which is Indian. Have they discharged their duty to India in this debate? Is it sufficient for them to support the measures of repression for counteracting the present subversive movement? If they did that, I think they certainly discharged only one of their duties, but that duty was only to the Government. Have they come out with any constructive proposal? Have they done anything to remove the present deadlock, and to ease the Indian situation, or have they merely joined hands with the Government in repression? I should have expected something better from the Indian Members at least. They are men of integrity and experience. They are of all types—feather-weight, light-weight, middle-weight and heavy-weight. They have had experience in their life. But they have utilized their intellect and experience in favour of the Government and nothing in favour of the Indians.

"In this country, since the last 30 years there have been public and popular movements against the British Government. The fight for freedom which was confined some time ago to within the four walls of a certain room or to drawing-room politicians came into public and popular-movements started a few years ago. This movement openly created an atmosphere in the country which was wholly anti-Government or anti-British agitations and establish goodwill among the people of India by the British. Why? Because they did not bother their head to create good-will among the Indian people and wanted to rule so long as they could. The result is that in India today—I hope I am not very wrong—there is not one single Indian, whether he is a Government servant, a man in the street or whether he is a member of any institution of the Government, even of the Executive Council, who is enamoured of the present administration. It is only natural. No Indian today having realized what slavery has been and what freedom means, can possibly be a supporter of the system of Government which exists today. Among the masses there is very great anti-British feeling. If officials want to know the mass mentality—which they never care to know and I am quite certain that they do not know correctly—let me tell them. Now I am going to tell them how best to act in a manner which would be beneficial—to everybody.

The mass mentality is anything but pro-British—not because of the present movement which is only accelerating and accentuating the thing which already existed. *The methods which are employed in suppressing the movement* are helping a good deal in that direction.

“Now in the country, whether your repressive measures are justified or not, they are creating an atmosphere which would be exceedingly dangerous at the hour of test, namely, when an attack is launched on India. We have had experience of Malaya and Burma. There is a shout that in India forces of Fifth Columnists are working. I do not believe it. If you merely extend and elaborate the definition of a Fifth Columnist a little more the mentality of an Indian today is such that every one can be called a Fifth Columnist. The action of the Government, even if justified, is making even their friends enemies. Now what would be the result of that? You may be able to stop mob violence, demonstrations, you may be able to shoot down people like dogs who bark at you, but what is the ultimate result? You are creating a deep-rooted spite and anger in the minds of those people whose association and co-operation you would require in the nearest possible future.

“My idea had always been and is that the methods that the Government is employing, namely, the brutal force, might ultimately prove to be very dangerous.

“India is a sub-continent. The people of India when they will be ready to work shoulder to shoulder with the British people I am quite certain could provide an Army which will absolutely wipe off continents. India is a huge thing. It has enormous martial races who have proved their merits on not one but many battle fields. Secure it, try and get the co-operation and good-will of those people and then the winning of the war is certain, and without this, if the Government wants to win the war *by terrorising people, by threatening people, by bluffing people, I am afraid that will not do*”.

The Honourable Pandit Hirday Nath Kunzuru:—

“Sir, Government ought seriously to think of the measures by which reconciliation can be brought about between them and the people. It is futile for them to think that the dissatisfaction which has manifested itself in the country has been engineered by the Congress. Considering the fact that the adherents of the Congress got no time to prepare the people for carrying out their programme, did not get time even to inform the people fully of their programme, it is absurd to say that the movement is wholly engineered. I think, Sir, considering the situation impartially

one cannot doubt that the upheaval that has taken place reflects the feelings of the people towards the British Government. The despair and exasperation to which the policy of the British Government have driven all people, whether Hindus or Muslims, have unfortunately resulted in acts of lawlessness on the part of the people, but my Honourable friends opposite should on an occasion like this bear in mind Lord Morley's words that when people rebel it is not their fault but their misfortune. A friend of mine, Sir, convened a meeting at Allahabad to ask the people to co-operate with the Government in their war effort. This meeting was conveyed under the auspices of the Communist Party. My friend in the course of his speech attacked the Japanese for the atrocities of which they have been guilty in China. A man in the audience excitedly got up and said, "You might have said that some time ago but please do not say that now". A day earlier, or the same day, a procession of students had been fired on by the police and one of them had died. The students I understand had not been guilty of any violence and when the news of the firing on the students spread through the city it touched the hearts even of those who deplored the present movement. This little incident should suffice to show to Government which way the wind is blowing and instead of burying their heads like ostriches in the sand they ought to look facts in the face, realize their responsibilities and think of their duty towards the people whose trustees they profess to be instead of always thinking of their prestige and power."

CHAPTER III

THE INDIVIDUAL OFFICERS BEHAVED AS "BLOOD-THIRSTY TIGERS"

In the preceding chapter an account is given of the British atrocities in India after the arrest of the Congress-leaders on the 9th August, 1942. The period which covered the brutal and inhuman British Savagery is aptly named as "THE REIGN OF TERROR". The general and broad policy of the Government of "repression" and "suppression" of the people, no doubt was primarily responsible for the savagery and atrocities committed on the Indian people but the responsibility for their actual execution rested on the individual officers who were directly deputed to perpetrate them.

The individual officers and specially "British Officers" actually behaved like "Blood-thirsty tigers". Their spirit was of revenge and of extreme revenge with rage and fury. They

moved from place to place hunting the Indian people indiscriminately and most inhumanly.

Numerous such incidents have been quoted in the previous chapter. Here their mere reference will suffice to prove that the individual official of the Government, specially the British, vied with their predecessors like General Neil and others of the year 1857 and General Dyer and others of 1919. Indiscriminate beating, flogging and shooting were the usual practice besides torturing, humiliating and even violating the modesty of women were acts which were done without any hitch and hesitation. The *man* in the Government officials was reduced to *a brute* and with their acts they put the humanity as a whole to shame and defame.

The British rule in India will end sooner or later. The history of the period will have its own record but the worst and blackest will be the deeds of the British Officials which they performed on innocent and unarmed people of India.

"Midnapore", "Chimur", "Nandurbar" and numerous other places in Bihar, United Provinces and other parts of the country go far ahead of the massacre of Jalianwala Bagh in 1919. To enumerate the black deeds of the Officers who degraded and degenerated the element of humanity in man to that of a brute and behaved like "blood-thirsty beast" is beyond the very sense of humanity which inspires and the very blood which runs into the veins of every Indian. As an ordinary man of present century and civilisation and Indian too can ill-afford to forgive and forget all that has been done by the individual British Officers. Their acts breed contempt, disgust and spirit of unending revenge. But we, Indians, have been bred and brought up in a different civilisation and culture and our creed is one of "Non-violence", "forbearance" and "forgiveness". We actually hold and shall ever hold as an article of faith the following :—

"They know not what they do, they deserve mercy and not anger and revenge".

This is our assertion not under the cover of cowardice and helplessness but under the spirit of "True bravery and strength" which conquers and attains lasting victory over human heart and does not know defeat in any form.

CHAPTER IV

BRUTAL TREATMENT TOWARDS WOMEN AND CHILDREN.

The atrocities were perpetrated indiscriminately and brutally. The terrible tale of all this heart-rending account is already narrated in a previous chapter. Here there repe-

tion is not desired. But what actually is aimed at is to show that not only women and children were not spared but that they were also deliberately and pointedly offered brutal treatment. On all such previous occasions either in 1857 or in 1919 or in 1930-32, such things were not done so very deliberately and intentionally. The honour of women was maintained and they were never so shamefully molested as on this occasion. No case of rape was reported which was done by the British Officials as a matter of their policy and pride. But this time, it appears, it was as a matter of their policy and pride. The cases of humiliation, molestation and rape have been specifically given in the chapter of "Reign of terror". They are also mere instances and not exhaustively detailed. Still they are enough to show as to what depth of degradation, the character of the British administration in India and its officers is reduced to. This is extremely shocking and forces humanity to bend its head in shame and disgrace.

Further the actual hunting, shooting and barbarously beating of the school children, boys and youngmen are things which were incidental on all such previous occasions and never went to this extent as during the fateful August, 1942 and after.

Feelings of tenderness, and mercy are said to be inherent in man. There is also limit to cruelty and hard-heartedness. There is a point at which man is forced to shudder and stop his brutality. Such a point is a cry of an innocent child, life of a playful ignorant boy or of a youth in sublime excitement. But alas! there is no "point" at which any sense of mercy or feeling could arise in the steel-framed British administration in India or its officers. Their thirst of avenging and perpetrating inhuman and brutal atrocities could not be quenched till it reached to the extremest limit of shedding blood of innocent children, boys and youngmen and ravishing the womanhood of India. Can there be anything more brutal, inhuman and shameful? What is now left which could be conceived of as worse than this?

The most terrible tales of tyranny have been heard and even seen. The people actually shivered, shuddered and swooned at their sight or hearing. But even they could not go to such an extent. The worst-painted and propagated atrocities of Nazi-Germany and Fascist-Japan did not even touch the fringe of these inhuman and brutal deeds. Nowhere such innocent and unarmed people as Indians, were ever offered such treatment. Children and women of even violent and warring people—what of innocent and unarmed people—were never so treated. But the British, the proud

custodians of civilisation and culture, in the garb of defence of India and quelling of the internal disturbances, could do all this.

CHAPTER V

HOW INDIAN PEOPLE REDUCED TO MERE CHATTELS

August, 1942, did not bring in its train only "The Reign of Terror" with its extreme severities and brutalities but also marked a special trend of the British policy in India. It was the policy of suppression of all civil liberties in India reducing Indians to a status of a "Chattel." All the active political institutions and associations even remotely connected with the Indian National Congress were declared unlawful and suppressed. The right of people to freedom of association and freedom of speech were completely snatched away and crushed. The people were prohibited from holding any public meeting or taking out any public procession. Even the funeral and Marriage processions were not only not allowed to be taken out freely without any restrictions but were actually prohibited. The press was muzzled and almost all the nationalist papers were forced to stop their publication in August, 1942. After suspension of their publication for months together some resumed publishing again under new and strict restrictions. Besides all these suffocating restrictions police was specially empowered under D. I. R. to arrest indiscriminately. So the arrests and detentions were made a regular routine since August, 1942. Nobody could feel safe and secure. Even the extreme loyalists, toadies and setellites of the Government could not escape from the all-catching clutches of the police. The Police-Raj was started from August, 1942, and it continued to last without any check or control. Besides all this, the extreme type of atrocities have been cited to some extent in the previous chapters. The people were subjected to collective fines and their cruel and indiscriminate realisation by the Police-methods. The people were again forced to keep watch on public roads, buildings, ways and Railways etc. "Congressman" was declared an outlaw. The white-Khadi-Cap (Gandhi-Cap) was made a virtual offence. Thus the Indians were actually reduced to a status of a chattel. They could not move and act freely. They could not speak and write freely. They could not associate and meet freely. Their life, property and movements were subjected to such restrictions that it became really hard to breathe even. Thus an Indian was deprived of all ordinary and essential civil liberties and was treated like a dumb-driven cattle or a chattel without

any option or freedom. This sort of life of an Indian lasted not only for a day or a month or even a year but right upto the release of Gandhiji and other Congress-leaders in 1945.

The Congressmen were treated as out-law from the very morning of 9th August, 1942, and behaved in no better way, whether in jail or outside. Those who were imprisoned were prisoners all-right with the jail restrictions and severities but those who were allowed to stay outside were also practically kept in the same sort of suffocating restrictions. Their movements were watched and their places of living and visiting were guarded and they themselves were virtually dogged. Their visitors and their post were also not left unchecked. Thus a Congressman was being treated worse than the most dangerous type of beast. And who is not a Congressman in India! Every Indian is a Congressman but the one who is hired by the Government to work as their tool to do all this dirty job of suppressing and perpetrating atrocities on their fellow-countrymen. Still the Indian personnel of the Government even, as a whole has been definitely lukewarm and unwilling, and in almost all cases the brutalities were carried out under European-management, whether managing personality was a self-satisfied and callous Viceroy, blood-thirsty Governor, a ferocious District Magistrate or a cruel and barbarous Superintendent of Police.

In the world history a vast number of people, so huge and illustrious as the huge population of India is, has never been so ill-treated and reduced to such a status as the Indian people have been done during the British regime and particularly during the period from 9th August, 1942 and after. It is a matter of shame and disgrace for the humanity as a whole. It really shudders one and gives one the most shocking thrill in which naturally comes the following words in awe and wonder:

"WHAT MAN HAS MADE OF MAN."