

File No 5

C. D. - 1931

XV-82
O.R.

FORM E VIDARBHA

S-1

Confidential

4/12/31

P.&M.	161	91
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SECTION.

CASE NO.

SUBJECT.

- (a) Calling off of the C.D. movement.
- (b) Appreciation of the situation.
- (c) Punitive Police posts.
- (d) Report on boycott of British Goods.
Picketing + non-payment of L.R.

161

OFFICE

DISTRICT.

- Subject :- (1) Calling off of the C.D.Movement by Congress.
- (2) Appreciation of the situation arising out of the action taken by Government with special reference to how far the congress organizations have implemented Mr.Gandhi's promise
- (3) Punitive Police posts.
- (4) Report on Boycott of British goods, Picketing and non-payment of I.r.

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A. 1.

Class

Prefix

Code

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.
INLAND TELEGRAM.

No.

Space for Postage Stamps.

The Stamps must be affixed by the Sender and must not overlap. Any Stamp for which there is not room here should be affixed at the back of this Form.

Stamps cut, torn or defaced are not accepted.

Office of Origin, Date and Service Instructions.

Words.

H. M.

Sent at

Charge.

To

Rs.

A.

By

Nothing to be written by the Sender above this line.

If this telegram is to be classed EXPRESS
write the Class here.

If this telegram is on State business, the word
STATE should be written in this space.

State

When a reply is to be prepaid, write
the words "Reply Paid" and the amount
in the space below. These words are
not charged.

TO { Name
Address
Telegraph Office

Commissioner

Purao

NOTICE.

PLEASE
GIVE A
FULL
ADDRESS.

35-C.D. Congress has called off Civil Disobedience Movement on terms
entirely satisfactory to Government of India, who are cancelling -
ordinances from today. Copy of agreement reached together with
instructions will be sent shortly. Meanwhile Government is contemplating
orders for immediate release of bulk of A and B prisoners.

FROM {

NOT TO BE
TELEGRAPHED.

{ Signature
and
Address of Sender

L. W. Barclay
Superintendent

5-6
ADDITIONAL SPACE FOR STAMPS.

The **ACCURACY** of telegrams is not guaranteed; the Sender and Receiver must accept **ALL RISKS** arising from non-delivery, errors or delays. *Complaints* respecting Inland telegrams should be addressed to the Postmaster-General of the Circle, concerned, and those relating to Foreign Telegrams should be addressed to the Postmaster-General, Bengal and Assam Circle, Calcutta. Claims for *refund* involving complaints against the service should also be addressed accordingly. Claims for refund respecting telegrams *which do not involve complaints against the service* should be addressed to the *Officer-in-charge, Telegraph Check Office, Calcutta*. Claims for refund or complaints respecting telegrams should be made within two months from the date of the telegram. The receipt granted for the telegram should be enclosed with the reference. In addresses consisting of a name prefixed to a Registered or Abbreviated address, or when a telegram is addressed to one person at the house of another whose name is also given, the words "Care of" or the symbol "C/o" should be inserted after the name of the Addressee. There is always risk of a telegram not being delivered if a full and definite address is **not** given in the first instance.

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2

Copy of telegram No. 35-C.D. dated the 6th March 1931, from the Chief Secretary to Government, Central Provinces, to all Commissioners of Divisions and Deputy Commissioners, Central Provinces and Berar.

Congress has called off Civil Disobedience Movement on terms entirely satisfactory to Government of India, who are cancelling ordinances from today. Copy of agreement reached together with instructions will be sent shortly. Meanwhile Government is contemplating orders for immediate release of bulk of A and B prisoners.

GOVERNMENT OF THE CENTRAL PROVINCES.
Political and Military Department.

No. 35-A/C.D., dated Nagpur, the 6th March 1931.

✓ Postal copy forwarded to -

all Commissioners of Divisions, (except Nagpur),
all Deputy Commissioners, (except Nagpur),

Central Provinces and Berar, in confirmation.

*File with Comm. Secy
Lupin*

I.A. 6/3.

Official

Under Secretary.

CO's

6.3

S-8 3
No. 154-I.

GOVERNMENT OF THE CENTRAL PROVINCES.
Political and Military Department.

From

H. C. Gowan, Esq., C.I.E., V.D., I.C.S.,
Chief Secretary to Government,
Central Provinces.

To

All Deputy Commissioners,
Central Provinces and Berar.

Dated Nagpur, the 6th March 1931.

Sir,

Shir 2/2

In continuation of my telegram No. 35/C.D. dated 6th March 1931, I am directed by the Governor in Council to forward a copy of a statement by the Governor General in Council issued from New Delhi on 5th March 1931, and to say that, without waiting for any report with regard to the action taken by Congress to implement their side of the agreement, the local Government desires that all A and B class prisoners, imprisoned in connection with the Civil Disobedience movement, except those convicted of offences involving violence, other than technical violence, or incitement to violence, shall be released as soon as possible. You should arrange, therefore, as early as you can, to examine all the cases of such persons confined in your jail, and should set free all those about whom you have no doubt, reporting their names etc. for a formal order by Government confirming your action. Should you have any doubt about any case you should report it for the orders of Government. In this connection I am to explain that no doubt need be felt about any A class prisoner, or any person detained under Section 108 Criminal Procedure Code for failure to furnish security. On the other hand doubt does exist about any person convicted of an attempt to tamper with the loyalty of the troops or the police. Should there be any case on the border line you should resolve the doubt in favour of

the prisoner, if he belongs to your own district. If he belongs to another district, you should refer his case for the orders of Government. Also when you are going to release a prisoner belonging to another district you should inform the Deputy Commissioner and the District Superintendent of Police of that district by wire a day before the actual release takes place.

2. When you have completed the work connected with A and B class prisoners you should take up the case of those in Class C on the same lines, separating them into three classes, namely those barred by violence or its kindred offences, the doubtful, and those suitable for release, and should wire the numbers of each to Government with your opinion as to whether there has been a sufficient response by the Congress in your district to make the release of the third class desirable. You should report the doubtful cases for orders. As in the case of A and B class prisoners belonging to other districts you should give a day's warning by telegram to the Deputy Commissioner and District Superintendent of Police concerned before the actual release takes place.

3. Government is considering separately the cases of punitive police posts and will issue orders in due course. Meanwhile collections on their account should be stopped.

4. In other respects you should be guided by the terms of the Government of India's statement, interpreting it in a liberal spirit. Many of its provisions have little bearing in this province. In case of doubt the orders of Government should be taken.

5. I am to add that when all the necessary steps have been taken to implement the terms of the agreement

with regard to non-violent activities of the Congress, Government proposes to examine the violent cases. In particular the cases in which jungle people have been duped into violent action will need careful consideration.

I have the honour to be,

Sir,

Your most obedient servant,

B. S. Rao

Chief Secretary.

No. 155-I, dated Nagpur, the 6th March 1931.

Copy forwarded to

all Commissioners of Divisions, Central Provinces & Berar,
the Inspector General of Police, Central Provinces,
the Inspector General of Prisons, Central Provinces,

for information.

B. S. Rao

Chief Secretary.

I.A.6/3.

Maharashtra

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6

STATEMENT BY THE GOVERNOR GENERAL IN COUNCIL, DATED
THE 5TH MARCH 1931.

The following statement by the Governor General in Council is published for general information :—

1. Consequent on the conversations that have taken place between His Excellency the Viceroy and Mr. Gandhi it has been arranged that the civil disobedience movement be discontinued, and that with the approval of His Majesty's Government certain action be taken by the Government of India and local Governments.

2. As regards constitutional questions the scope of future discussions is stated, with the assent of His Majesty's Government, to be with the object of considering further the scheme for the constitutional Government of India discussed at the Round Table Conference. Of the scheme there outlined federation is an essential part; so also are Indian responsibility, and reservations or safeguards in the interests of India for such matters as, for instance, defence, external affairs, the position of minorities, the financial credit of India, and the discharge of obligations.

3. In pursuance of the statement made by the Prime Minister in his announcement on the 19th January 1931, steps will be taken for the participation of the representatives of the congress in the further discussions that are to take place on the scheme of constitutional reform.

4. The settlement relates to activities directly connected with the civil disobedience movement.

5. Civil disobedience will be effectively discontinued and reciprocal action will be taken by Government. The effective discontinuance of the civil disobedience movement means the effective discontinuance of all activities in furtherance thereof by whatever methods pursued, and in particular the following :—

- (1) The organized defiance of the provisions of any law;
- (2) the movement for the non-payment of land revenue and other legal dues;
- (3) the publication of news-sheets in support of the civil disobedience movement;
- (4) attempts to influence civil and military servants or village officials against Government or to persuade them to resign their posts.

6. As regards the boycott on foreign goods there are two issues involved, firstly, the character of the boycott, and secondly, the methods employed in giving effect to it. The position of Government is as follows. They approve of the encouragement of Indian industries as part of the economic and industrial movement designed to improve the material condition of India, and they have no desire to discourage methods of propaganda, persuasion, or advertisement pursued with this object in view, which do not interfere with the freedom of action of individuals, or are not prejudicial to the maintenance of law and order. But the boycott of non-Indian goods (except of cloth which has been applied to all foreign cloth) has been directed during the civil disobedience movement chiefly, if not exclusively, against British

goods, and in regard to these it has been admittedly employed in order to exert pressure for political ends. It is accepted that a boycott of this character, and organized for this purpose, will not be consistent with the participation of representatives of the congress in a frank and friendly discussion on constitutional questions between representatives of British India, of the Indian states, and of His Majesty's Government and political parties in England, which the settlement is intended to secure. It is therefore agreed that the discontinuance of the civil disobedience movement connotes the definite discontinuance of the employment of the boycott on British commodities as a political weapon, and that in consequence those who have given up, during a time of political excitement, the sale or purchase of British goods must be left free, without any form of restraint, to change their attitude, if they so desire. In regard to the methods employed in furtherance of the replacement of non-Indian by Indian goods, or against the consumption of intoxicating liquor and drugs, resort will not be had to methods coming within the category of picketing, except within the limits permitted by the ordinary law. Such picketing shall be unaggressive, and it shall not involve coercion, intimidation, restraint, hostile demonstrations, obstruction to the public, or any offence under the ordinary law. If and when any of these methods is employed in any place, the practice of picketing in that place will be suspended.

8. Mr. Gandhi has drawn the attention of Government to specific allegations against the conduct of police, and represented the desirability of a public enquiry into them. In present circumstances Government see great difficulty in this course, and feel that it must inevitably lead to charges and counter charges, and so militate against the re-establishment of peace. Having regard to these considerations Mr. Gandhi agreed not to press the matter.

9. The action that Government will take on the discontinuance of the civil disobedience movement is stated in the following paragraphs.

10. Ordinances promulgated in connection with the civil disobedience movement will be withdrawn. Ordinance No. 1 of 1931 relating to the terrorist movement does not come within the scope of the provision.

11. Notifications declaring associations unlawful under the Criminal Law Amendment Act of 1908 will be withdrawn, provided that the notifications were made in connection with the civil disobedience movement. The notifications recently issued by the Burma Government under the Criminal Law Amendment Act do not come within the scope of the provision.

12. (1) Pending prosecutions will be withdrawn, if they have been filed in connection with the civil disobedience movement, and relate to offences which do not involve violence other than technical violence or incitement to such violence.

(2) The same principles will apply to proceedings under the Security provisions of the Criminal Procedure Code.

(3) Where a local Government has moved any High Court, or has initiated proceedings under the Legal Practitioners Act in regard to the conduct of legal practitioners in connection with the civil disobedience movement, it will make application to the court concerned for permission to withdraw such proceedings, provided that the alleged conduct of the person concerned does not relate to violence or incitement to violence.

(4) Prosecutions, if any, against soldiers and police involving disobedience of orders will not come within the scope of this provision.

13. (i) Those prisoners will be released who are undergoing imprisonment in connection with the civil disobedience movement for offences which did not involve violence other than technical violence, or incitement to such violence.

(ii) If any prisoner who comes within the scope of (i) above has been also sentenced for a jail offence, not involving violence, other than technical violence, or incitement to such violence, the latter sentence also will be remitted; or if a prosecution relating to an offence of this character is pending against such a prisoner it will be withdrawn.

(iii) Soldiers and police convicted of offences involving disobedience of orders in the very few cases that have occurred will not come within the scope of the amnesty.

14. Fines which have not been realized will be remitted. Where an order for the forfeiture of security has been made under the Security Provisions of the Criminal Procedure Code, and the security has not been realized, it will be similarly remitted. Fines which have been realized, and securities forfeited and realized under any law, will not be returned.

15. Additional police imposed in connection with the civil disobedience movement at the expense of the inhabitants of a particular area will be withdrawn at the discretion of local Governments. Local Governments will not refund any money not in excess of the actual cost that has been realized, but they will remit any sum that has not been realized.

16. (a) Moveable property, which is not an illegal possession, and which has been seized in connection with the civil disobedience movement under the ordinances or the provisions of the Criminal Law will be returned if it is still in the possession of Government.

(b) Moveable property forfeited or attached in connection with the realization of land revenue or other dues will be returned, unless the collector of the district has reason to believe that the defaulter will contumaciously refuse to pay the dues recoverable from him within a reasonable period. In deciding what is a reasonable period special regard will be paid to cases in which the defaulters while willing to pay genuinely require time for the purpose, and if necessary the revenue will be suspended in accordance with the ordinary principles of land revenue administration.

(c) Compensation will not be given for deterioration.

(d) Where moveable property has been sold or otherwise finally disposed of by Government compensation will not be given, and the sale products will not be returned, except

in so far as they are in excess of the legal dues for which the property may have been sold.

(e) It will be open to any person to seek any legal remedy he may have on the ground that the attachment or seizure of property was not in accordance with the law.

17. (a) Immoveable property, of which possession has been taken under Ordinance IX of 1930, will be returned in accordance with the provisions of the Ordinance.

(b) Land and other immoveable property in the possession of Government, which has been forfeited or attached in connection with the realization of land revenue or other dues, will be returned unless the collector of the district has reason to believe that the defaulter will contumaciously refuse to pay the dues recoverable from him within a reasonable period. In deciding what is a reasonable period special regard will be paid to cases in which the defaulter, while willing to pay, genuinely requires time for the purpose, and if necessary the revenue will be suspended in accordance with the ordinary principles of land revenue administration.

(c) Where immoveable property has been sold to third parties the transaction must be regarded as final, so far as Government are concerned.

Note.—Mr. Gandhi has represented to Government that, according to his information and belief, some at least of these sales have been unlawful and unjust. Government on the information before them cannot accept this contention.

(d) It will be open to any person to seek any legal remedy he may have on the ground that the seizure or attachment of property was not in accordance with the law.

18. Government believe that there have been very few cases in which the realization of dues has not been made in accordance with the provision of the law. In order to meet such cases, if any, local Governments will issue instructions to district officers to have prompt enquiry made into any specific complaint of this nature, and to give redress without delay, if illegality is established.

19. Where the posts rendered vacant by resignations have been permanently filled Government will not be able to reinstate the late incumbents. Other cases of resignation will be considered on their merits by Local Governments, who will pursue a liberal policy in regard to the reappointment of Government servants and village officials who apply for reinstatement.

20. Government are unable to condone breaches of the existing law relating to the salt administration, nor are they able in the present financial condition of the country to make substantial modifications in the Salt Acts. For the sake, however, of giving relief to certain of the poorer classes they are prepared to extend their administrative provisions, on lines already prevailing in certain places, in order to permit local residents in villages immediately adjoining areas, where salt can be collected, or made, to collect or make salt for domestic consumption, or sale within such villages, but not for sale to or trading with individuals living outside them.

21. In the event of congress failing to give full effect to the obligations of this settlement Government will take such action as may in consequence become necessary for the protection of the public and individuals and the due observance of law and order.

5-13

Camp Nagpur.

8

Dated the 8th March 1931.

My dear

Urgent

Please refer to the Political and Military Department letter No. 154-I, dated the 6th March 1931. Will you kindly let me have as early as possible for the information of Government an appreciation of the situation arising out of the action taken by Government with special reference to how far the congress organizations have implemented the promise given by Mr. Gandhi and what difficulties are being experienced in maintenance of law and order or the carrying on of the ordinary administration, how far the congress are helping or obstructing Government officers in the realisation of land revenue and other Government dues and how the picketing of liquor and foreign cloth shops are being carried on under the changed circumstances. What part the released prisoners are taking may also be reported if possible. Government desires to be placed in possession of all relevant facts as early as possible and I should request you to treat this as very urgent and let me have an early report.

Yours sincerely

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5-14 9
POSTAL COPY OF THE SERVICE MESSAGE.

Express State

Dated Nagpur the 8th March 1931.

From

Nagpur

From

Commissioner, Berar

To

Amraoti - V. A. Mola

To

Dycom

Please refer to Political and Military Department letter No. 154-I, dated sixth March and see that immediate action is taken.

No. 8 Dated Camp Nagpur, the 8th March 1931.

Copy is forwarded to the Deputy Commissioner, Am: V. A. Mola in confirmation.

o.c.

For

Commissioner, Berar.

LIST OF B.C. CIVIL DISOBEDIENCE PRISONERS CONFINED IN A K O L A JAIL ON 7-3-1934 A K O L A . District

S.No.	Reg. No.	Name	Father's name.	Sentence of offence.	Sentence & Date.	Sentencing Court.
1.	21.	Dajipand.	Shankarrao Bedarkar.	117/26 I.P.Code.	on 7-8-30 1 year 8 months R.I. & fine Rs.100/-	S.D.M. Akot-Balapur. Fine p paid
2.	22.	Kesheo.	Shriram Lale.	- Do -	- Do -	- Do -
3.	23.	Jagannath.	Ramchandra Shastri.	- Do -	- Do -	- Do -
4.	24.	Wasudeo .	Bapuji Ashtiker.	- Do -	- Do -	- Do -
5.	229.	Shankar.	Gopal Dabir.	- Do -	- Do -	- Do -
6.	862.	Laxman.	Sitaram Marathe.	124 A.I.P.Code.	9 months R.I. on 23-8-1930.	R.S. Dongre. M.F.C. Akola.
7.	863.	Mukund	Balkrishna Garde.	108 C. P.C.	18 months R.I. & fine 300/- on 6-1-31.	Mr. Vaidya S.M. Fine paid Akola.
8.	956.	Bansilal.	Hiralal.	117/26 I.P.C.	1 year S.I. on 6-1-1931.	- Do -
					6 months R.I. on 11-2-1931.	on Appeal by S.Judge.

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5-15 10

Office of the Deputy Commissioner, Akola.
No. 8, dated Akola, the 7th March 1931.

From

G. S. Bhalja, Esquire, I.C.S.,
Deputy Commissioner, Akola.

To

The Chief Secretary to Government,
Political and Military Department,
Central Provinces, Nagpur.

Subject.- Release of A and B Class civil
disobedience prisoners.

Sir,

As directed in your letter No. 154-I., dated the 6th March 1931, on the subject noted above, I have the honour to say that there ^{are} 21 B class civil disobedience prisoners confined in the Akola Jail. Eight prisoners of the Akola District have been released today. The remaining 13 from other districts will be released tomorrow. The Deputy Commissioners and the District Superintendents of Police of the Districts concerned have been informed by telegram. A list of the prisoners released today and ^{to} will be released tomorrow is enclosed. *There are no A class prisoners confined in Akola Jail*

I have the honour to be,

Sir,

Your most obedient servant,

(Sd) G. S. Bhalja,

Deputy Commissioner, Akola.

No. 8, dated Akola, the 7th March 1931.

Copy, ~~inference~~ with copy of lists, is forwarded to the Commissioner, Berar, for information.

W. N. A. B.
Deputy Commissioner,
Akola.

LIST OF B CLASS CIVIL DISORDERLY PRISONERS CONFINED IN A K O L A JAIL ON 7-3-1937

S.No.	Regt. No.	Name.	Father's name.	Sections of offence.	Sentence & Date.	Sentencing Court.
1.	1962.	Shankar.	Sakharam Sarnaik.	117 I.P.C. & 26 a Forest Act.	9 months R.I. + 3 months S.I. 12 months R.I.	S.D.M. Yeotmal on 1-8-30.
2.	1995.	Ratnakar.	Vishnu Karankiker.	117/26 I.P.C.	9 months S.I.	S.D.M. Yeotmal on 5-8-30.
3.	1996.	Yadeo	Shrihari Aney.	-Do-	-Do-	Section 30 -Do- -Do-
4.	126.	Mukund.	Vithal Deshpande.	-Do-	9 months R.I. fine Rs. 200/-	S.D.M. Yeotmal. Fine paid convicted on 12-8-30 in full.
5.	217.	Bhaskar.	Mahadeo Tembhe.	-Do-	9 months S.I. 6 months S.I. to run concurrently.	S.D.M. Yeotmal convicted on 21-8-30.
6.	306.	Vithal.	Anant Dhoregaonker.	-Do-	9 months R.I.	S.D.M. Darwaha convicted on 28-8-30.
7.	307.	Gangadhar	Raghunath Aney.	-Do-	9 months R.I.	S.D.M. Darwaha convicted on 28-8-30.
8.	373.	Shankarsingh	Paikusingh Gerulkar.	-Do-	-Do- fine Rs. 100/-	S.D.M. Yeotmal. convicted on 22-8-30.
9.	375.	Laxmikant	Shamrao Deshpande.	-Do-	9 months R.I. and fine Rs. 200/-	S.D.M. Darwaha. convicted on 5-9-1930. Fine paid.

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List of B & A CLASS CIVIL DISOBEDIENT PRISONERS CONFINED IN AKOLA JAIL ON 7-3-1931.

DISTRICT.

BULDANA

S.No.	Regt. No.	Name.	Father's name.	Section of offence.	Sentence & Date.	Sentencing Court.
1.	129.	Vyankatesh.	Keshao Soman.	117 Indian Penal Code.	One year's R.I. & fine Rs. 500/- on 13-8-30.	S.D.M. Buldana. Fined. paid.
2.	130.	Rajeshwar.	Vyankatesh Deshmukh.	- Do -	- Do -	- Do -

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Maharashtra State Archives

List of B CLASS CIVIL DISOBEDIENCE PRISONERS CONFINED IN AKOLA JAIL ON 7-3-1931. of CHANDRA DISTRICT.

S.No.	REGY. No.	Name.	Father's name.	Section of offence.	Sentence & Date.	Sentencing Court.
1.	660.	Jairam.	Harbaji	117 Indian Penal Code and 26 a Forest fined 200/-	6 months R.I. & on 28-10-30	S.D.M. Warora. Fine paid.

S-19

List of B & LASS CIVIL, DISORDERLY PRISONERS CONFINED IN AKOLA JAIL ON 7-3-1931, of JUBBULPORE DISTRICT.

S.No.	Reg. No.	Name.	Father's name.	Section of offence.	Sentence & Date.	Sentencing Court.
1.	857.	Kesheo	Ramchandra Khandekar.	124 - A I.P.C. 2 offences.	1 years R.I. for each offence. Two years R.I. in all. On 19-5-30	officer Additional District Magistrate Jubbulpore.

820

821
Copy of telegram dated 8-3-31 from the Deputy Commissioner,
Akola, to the Chief Secretary to Government, C. P. Nagpur

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Your letter No. 154-I of the 6th March. C class
Civil Disobedience prisoners in Akola Jail 70 stop 5 violent
10 doubtful, 55 non-violent stop Picketing of foreign cloth
shops at Akola abandoned stop Release of 55 prisoners
desirable.

--

Copy by post submitted to the Chief Secretary to
Government, C. P. Nagpur, for information.

8-3-31

Sd/- G. S. Bhalja,

Deputy Commissioner, Akola.

Copy forwarded to the Commissioner, Berar, for
information.

8-3-31

G. S. Bhalja
Deputy Commissioner, Akola.

*Rs 3/-
9/3/31*

Heaven

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9-3-31

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522 17
Copy of telegram dated the 9th March 1931 from the District Magistrate, Yeotmal, to the C.P. Nagpur.

Four C class prisoners Yeotmal jail all releasable local congress committee announced calling off civil disobedience through^{out} Yeotmal district wire release.

Office of the Deputy Commissioner, Yeotmal.

No. _____ Dated Yeotmal the 9th March 1931.

Copy is forwarded to B.N. De, Esqr., C.I.E., I.C.S., Commissioner, Berar, for information in connection with the Secretariat letter dated the 6th March 1931 regarding the peace agreement. The four C class prisoners in this jail are (1) Madewar, (2) Vinchulkar, (3) Fulmali and (4) Gondhalekar. They are all convicted under Section 117 I.P.C. and in two cases the conviction was also under Section 26-G Rxx of the Forest Act. One was sentenced to 1 year and the three to 9 months. They have undergone the bulk of the imprisonment, the unexpired portion being not more than 4 months in any case. The District Superintendent of Police is of opinion that all these prisoners belong to the third category mentioned in the Secretariat letter and are suitable for release. I have separately reported what the response of the congress committee has been to the peace agreement. The prisoners will be released on receipt of orders from the Secretariat.

Shri D. W. 10/3
10/3
District Magistrate,
Yeotmal.

5-23

18

Yeotmal

7th March 1931.

Dear Mr. De,

With reference to the Political and Military Department letter No. 154-I dated the 6th March 1931, I beg to report that there are 3 B class prisoners in this jail viz., Malwa, Bapat and Sakale. As no doubt existed about these prisoners they have all been released this evening. They were all sentenced under section 117 of the Indian Penal Code. They all belong to this -- district and, therefore, there was no necessity to send an intimation by wire to any outside authority.

1. There are 4 C class prisoners in this jail and all of them are of the third category, being suitable for release. I am making enquiries as to the response the District Congress Committee has made towards the agreement that has been arrived at between Government and the Congress Working Committee and shall send the information by wire on Monday the 9th instant. These prisoners are also from this district alone.

3. As regards paragraph 4, I am going through the statement in order to see if there are any points on which action can suitably be taken in this district. There are no pending prosecutions. Fines which have not been realized will be remitted under paragraph 14 of the statement. Mostly these are fines which remained unrecovered for want of moveable or immoveable property belonging to the accused persons.

Yours sincerely

18m

B. N. De., Esq., C.I.E. I.C.S.,
Commissioner, Berar,

529
19
Yeotmal
9th March 1931.

Dear Mr. *de,*

Your D.O. letter dated the 3th March 1931. A telegram was received by the local War Council from the Secretary, All India Congress Committee, to suspend all activities in connection with the civil disobedience movement and the Satyagraha movements. Accordingly a meeting was held last night at which Jathar, the President of the War Council, presided and announced that the civil disobedience movement will be called off throughout the district with effect from the 9th March. It was, however, stated that confirmation of this decision will be made when Mr. Aney would arrive from Jun. It is understood that Mr. Aney arrived at Akola on the 7th and after the release of 'B' class prisoners at Akola he left for Jun where his mother is said to be dangerously ill. He is expected any time at Yeotmal and it is certain that on his arrival the final decision will be taken and the civil disobedience movement will be abandoned.

2. As regards the result of the abandonment of the movement, it is, I am afraid, yet too early to express an opinion. In this district there was no tampering with the land revenue payment and therefore the changed condition will make no difference in so far as payment of land revenue and taccavi is concerned. Most of the land revenue ^{is} already in and only small amounts remain bulk of which I hope will be

collected by the end of this month leaving only a nominal arrear.

3. There was some sort of half-hearted and ineffective picketing of foreign cloth shops and liquor shops that was going on as part of the activities of the local War Council. The effect of the agreement will, I expect, be felt in the complete ~~cessation~~^{cessation} of these two movements. It appears to me that in future all activities and energies of the people will be directed towards the study of the problems ^{arising out of} the Round Table -- -- Conference.

4. As regards the release of prisoners it is also too early to say anything. Dr. Tembe and others came here yesterday and were taken out in a big procession. All of them attended the evening meeting and were a party to the decision announced by Jankar to call off the civil disobedience movement. It is therefore presumed that they also will take no part in anti-Government activities in future.

5. This morning while going round in the town I met a few pleaders from whom I made ^{certain} enquiries. I understood that as a result of the decision of the last night's meeting, all meetings, processions and speeches will be abandoned and the district will revert to the condition previous to the launching of the Satyagraha movement early last year.

6. This morning I did not find the congress flag on the District Council building but I cannot say whether it was deliberately taken down or that it was not flown because no business was being transacted ^{to-day}. On other days I used to see, even in the

morning the flag on the building. I doubt however if the other institutions such as the Municipal Committee, will ^{haul} ~~take~~ down the flag. In the agreement reached between the Government and the congress there is no reference to the flag question. I suppose we should leave it alone.

7. I shall be watching the effects of the agreement and report within a week as to how far the local Congress Committee has decided to implement the agreement entered into by Mr. Gandhi on behalf of the Indian Congress. A week's time is essential to gauge the response and its effect on the administration.

Yours sincerely,

L. S. S.

B. N. De, Esqr., C.I.T., I.C.S.,
Commissioner, Berar,
C/O G. S. Khan, Esqr., C.B.I., I.C.S.,
Commissioner, Raigarh Nagpur Dist.
Nagpur.

No. 769/II

527

GOVERNMENT OF THE CENTRAL PROVINCES.
POLITICAL AND MILITARY DEPARTMENT.

IMMEDIATE.

From

H.C.Gowan, Esquire, C.I.E., V.D., I.C.S.,
Chief Secretary to Government,
Central Provinces.

To

All Commissioners of Central Provinces
and Berar.
The Inspector General of Police,
Central Provinces.

Dated Nagpur, the 10th March 1931.

Sir,

9. /
In paragraph 3 of my letter No.154-I, dated the 6th of March, 1931, to Deputy Commissioners a copy of which was forwarded to you under my endorsement No.155-I, of the same date, it was said that Government was - considering separately the case of punitive police posts and that in the meantime collections on account of these posts should be stopped. I am now to ask that you will be good enough to furnish Government with your opinion at the earliest possible moment whether these posts should be continued.

2. I am also to request that you will be good enough to report to Government the amount of arrears still remaining for collection in your division.

I have the honour to be,

Sir,

Ycur most obedient servant,

H.C.Gowan

Chief Secretary.

J.R.
9/3

No 335/II of 11-3-31
Copy copy to S.C. Amraoti
for favour of early report on
para 2 of the letter

11/3 @Counel

S-29

Amraoti Camp.

23

Dated the 12th March 1931.

My dear

Will you kindly send me a copy of your confidential letter dated the 11th March regarding the release of prisoners and the political situation which was addressed to the Chief Secretary and which I forwarded in original in order to save time.¹ It would be desirable to send such letters in duplicate so that a copy may be kept by me for my use.

Yours sincerely

W

To

P.J.H. Stent, Esq., I.C.S.,
Deputy Commissioner,
Amraoti.

S-30

24

Camp Murtizapur,

Dated the 11th March 1931.

My dear Mr. De,

Please refer to your D.O. letter of the 8th instant regarding the political situation after the "settlement". The terms of the "settlement" appeared in the press on the 7th. Mrs. Durgabai Joshi returned to Akola on the 9th and Mr. P.B. Cole on the 10th. In my humble opinion it is too early yet to attempt an appreciation of the situation.

2. As I remarked in my fortnightly confidential report, the settlement has brought a sigh of relief and on the whole, has been well received by the public. The mass of the people outside the Congress circles were tired ~~xxx~~ of civil disobedience and were glad to see an end of it. In the -- Congress circles there is subdued jubilation. Meetings were held at Akola on the 7th, 8th and 9th instant to give public reception to the released prisoners. M. S. Aney, who addressed the meeting on the 7th, explained the terms of ~~xxxx~~ the -- "settlement" and justified it. There was only one dissenting voice. R. M. Pendse of the Labour Union, who is a communist, condemned the settlement and stated that Aney had mortgaged his intellect before he left for Delhi. He was, however, hooted down. Almost all the B class released prisoners made short speeches. They all characterised the "settlement" as a truce and asked the country to be prepared for a further struggle, if necessary. So long as the truce was prevailing, they must all honourably abide by the terms of the settlement. The tone of the speeches was distinctly better and there was very little bitterness against Government. Except for Pendse, who does not speak for a large section of the community, the "settlement" has been welcomed by the people including the followers of the Congress.

3. Since the settlement, I have received no report of picketing of liquor shops or foreign cloth shops any where in

the district. The reports of the meetings held at headquarters so far indicate that the speakers have ceased to advocate boycott of British goods. A copy of the Sub Divisional Magistrate's report of the meeting held at Akola on the 7th was forwarded with the *privately* confidential report. A copy of the report of the meeting held on the 9th instant is enclosed. Even though peaceful picketing of liquor shops and foreign cloth shops has not been given up by Mr. Gandhi, there is no reference to it in any of the speeches.

4. The released prisoners appear at present to be preoccupied with their own affairs. They have not shown any particular activity. As I have already said, however, sufficient time has not yet elapsed to enable them to decide their further programme. Very likely, a new Congress Committee will be appointed for the district. I doubt if any programme will be undertaken until the Congress meets at Karachi.

5. No particular difficulty has been experienced so far in the maintenance of law and order or the carrying on of the ordinary administration as a result of the general amnesty. It is yet to be seen whether the collection of land revenue will be easier or more difficult. ~~the~~ Congress never took up the no-tax campaign officially and there was no reference to non-payment of land revenue in the speeches made at headquarters. Non-payment was preached in the interior mainly in Balapur Taluk by individual followers of the Congress on their own responsibility. The tactics of such men will be carefully watched.

Yours sincerely,

At Phale

B. N. De, Esq., B.I.E., I.C.S.,
Commissioner, Berar,
Amraoti Camp

5-32 16
Copy of a report of a meeting held at Akola on 9-3-31.

There was a public meeting last night on 9-3-31 in Tilak Park under the presidentship of Gangutai Bapat, to congratulate Durgatai Joshi.

Pramilatai Oke in congratulating her remarked that we -- appreciated the deeds of a man. Be he man or a woman, every one should understand his rights.

Mr. Brijlal Biyani said :-

Durgatai went to jail as a lady as well as a dictator of Berar. In this battle ladies have specially much benefitted. So far they were called weak (अबल). Mahatma Gandhi has proved that the one who endures hardships most is the powerful. Our sisters are well known for endurance and they have thus proved that they are powerful and not weak (अबल). We are proud for Berar and for Akola specially that our sister was the dictator of Berar.

The name Durga is in itself significant. Government got terrified. They arrested her and convicted her for an offence 2 or 3 months old. Durgatai has the credit to start picketing of foreign cloth and liquor shops in Akola by women and the credit is due to her that salt law has been broken openly in Akola Town.

I hope now that my sister will now work peacefully with as much vigour and zeal at this period of peaceful working, as she had done at the time of War. She would be as calm and cool now as she was bold and fierce then. Whether she changes her fierce name "Durga" or not, does not matter.

Durgatai Joshi said :-

"I hear that there has been a truce. I do not know the terms of truce. But whatever has happened has been wonderful. Mahatma has the same power as our old Rishis. He goes like a Rishi to the King's court and says "The Congress wants this" and he is -- respected.

We were sure that the bureaucracy will one day kneel down before the Mahatma and it has happened. I am convinced that the Mahatma is really God-incarnate. Whatever he utters is the truth. Whatever he says should be done and must be done.

As for my jail experiences, I can only say this much that in jails you see two types of people - the Government servants and the criminals - and I have observed that the word Satyagrahi or Mahatma Gandhi's name is enough for them all to behave properly and none -- dared to misbehave. This is my experience. Whatever respectable treatment is expected for the ladies in jail, I am glad to say that I got all. We get good treatment in jails, leaving aside the question of jail discipline of course. By the influence of Mahatma none can dare -- ~~mischief~~ misbehave. Mahomedans, Hindus, Christians and even the criminals behaved with us respectfully.

One thing for which I felt in jail was the division of the convicts in three different classes and we had no means to put all on equal footing. Just see, the C class prisoners have not yet been -- released Why? The Government has so many servants at their --- disposal. It only shows that they have not yet learnt how to administer. I ~~ex~~ feel ashamed to see that these volunteers whom I had myself sent to jail are not present here before me. They are yet in jail. Had they been released, would the Government have been shaken.

I have not done much in comparison to the work of the ladies of Gujrat and Bombay. I therefore do not deserve your congratulations.

My faith is that you cannot get Swaraj by going to jail only for a couple of months. You will have to work further. Remember that you have to carry on the fight, keeping in view the sacrifices made by Gujrat.

President in closing the meeting remarked that C class prisoners should have been left first and then B class ones.

The meeting was attended by about 2000 people.

From

G. S. Bhalja, Esqr., I.C.S.,

DEPUTY COMMISSIONER,

A K O L A

To

The Chief Secretary to Government,
Central Provinces,N A G P U R

Dated the 11th March 19 31.

Sir.

Subject :- Release of C class civil disobedience
prisoners.

I have the honour to solicit reference to my --
telegram dated 8-3-1931 and to request orders on the 10
doubtful cases referred to therein. I enclose a statement
showing the names of the prisoners and the section of the
Indian Penal Code under which they are convicted. Nilkanth
Ramkrishna was convicted under section 188 I.P.C., read with
section 26 (G) of the Indian Forest Act on 20-8-1930. He has
been classed as doubtful as there is a statement on his
warrant that his disobedience of the order led to a riot. I
have requested the District Magistrate, Buldana, to send me
a copy of the judgment in this case. The remaining nine
cases were convicted under section 427 I.P.C. on 13-9-1930.
When the campaign of Forest Satyagraha was in full swing in
this district, they cut down 104 tari trees in E class land
at Mauza Dhamori Bk, in Murtizapur Taluq. They were --
sentenced to two years' rigorous imprisonment by the trying
Magistrate but the sentence was reduced to one year by the
Sessions Judge in appeal in the case of 7. Four of them are
18 years of age, four 20, and one 25. All of them are
labourers by occupation. One of them had apologized but he

was

was not released as wanton damage of public property was caused. All of them have now been in jail for about six months. As observed by the Sessions Judge, "They were led astray by the enthusiasm of the movement". Taking into consideration their youth and status and the sentence already undergone by them, I think clemency may be extended to them also.

I have the honour to be,
Sir,

Your most obedient servant,

Sd/- G.S. Bhalja,

Deputy Commissioner,
Akola.

Encl.
Copy of
Statt. refd to.

No. Q/1 Dated C. Murtizapur the 11th March 31.

Copy forwarded to the Commissioner, Berar, for
information.

C. P. Bhalja

Deputy Commissioner, Akola.

Statement showing the names of the prisoners and the section of the Indian Penal Code under which they are convicted.

S. No.	Name	Section of offence.	Date of conviction.
1	Nilkanth Ramkrishna	188 I.P.C. & 26 (G) F. Act.	20-8-1930
2	Govinda Kewaji	427 I.P.C.	13-9-30
3	Maroti Baliram	"	"
4	Zaga Zabuji	"	"
5	Hari Dinasa	"	"
6	Rajaram Ramrup	"	"
7	Dumana Narayan	"	"
8	Motiram Bhiosan	"	"
9	Vithoo Govinda	"	"
10	Motiram Sonaji	"	"

8-37

31

No. 158-I.

Government of the Central Provinces.
Political & Military Department.

From

H. C. GOWAN, Esqr., C.I.E., V.D., I.C.S.,
Chief Secretary to Government,
Central Provinces.

To

All Deputy Commissioners,
Central Provinces & Berar.

Nagpur, the 11th March 1931.

Subject:- Release of civil disobedience prisoners.

Sir,

I have the honour to refer to paragraph 5 of my letter No. 154-I., dated the 6th March 1931, and to say that you should now submit through your Commissioner, as early as possible sending an advance copy direct to Government, a report on the cases of all civil disobedience prisoners, whether falling into classes B or C, who have not been released because they were convicted of offences involving violence, other than technical violence, or incitement to violence. Your report should describe briefly the circumstances of each case, as disclosed in the judgment of the court, and should contain your recommendation as to whether the prisoner should be released, or be given a remission of sentence, or be left to undergo his sentence. Where the police have been assaulted, or an attempt has been made to seduce them from their allegiance, the opinion of the District Superintendent of Police should be obtained as to the effect of any clemency proposed on the morale of his men. Your report should deal only with cases belonging to your own district. Where any prisoners belonging to other districts are being kept in the jail of your district, you should send their particulars at once to the Deputy Commissioner of the district concerned for him to deal with, and submit a copy of your letter to Government for information.

2.

Government does not wish to lay down any hard

S-38

32

-2- /

hard and fast rule as to what constitutes a claim to lenient treatment. Each case will be determined on its merits. Speaking generally the main points to be considered are the actual damage done by the offenders, and the effect of leniency on the morale of the police, and the future peace of the district. Where no bad results are anticipated, it seems to Government only fair that ignorant dupes of Congress agents should not suffer more than the agents themselves, who whilst producing an atmosphere in which violence was bound to occur have had the discretion to keep clear of actual violence itself.

3. The above orders apply mutatis mutandis, to pending cases, which should be reported to Government in the same way as cases of convicts. Until the orders of Government are received, the cases should take their course.

I have the honour to be,

Sir,

Your most obedient servant.

H. Rowan

CHIEF SECRETARY.

No. 159-I., dated the 11th March 1931.

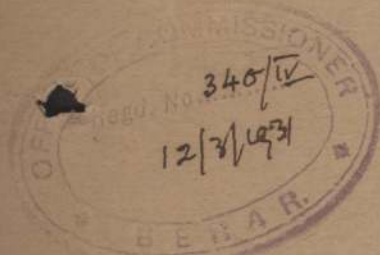
Copy forwarded to all Commissioners, of Divisions, Central Provinces and Berar, for information, with the request that the cases of each district be sent on as they arrive.

H. Rowan

Chief Secretary.

ERM.11/3.

*Ro 3
12/31/31*



New IV

No.

of 1931.

34

from,

P.J.H. Stent Esquire, I.C.S.,

Deputy Commissioner, Amraoti.

To,

The Commissioner,

Berar.

Dated Amraoti the 17th March 1931.

Sir,

With reference to your endorsement No. 335/IV, dated 11-3-1931, forwarding copy of a letter from the Chief Secretary to Government regarding punitive police posts, I have the honour to say that all the three punitive police posts in this district - viz Jarud, Chandur Bazar and Takarkheda, were withdrawn on the afternoon of the 11th February 1931, on expiry of the period for which they were imposed.

2. The whole of the assessment for these posts has been collected and no arrears remain for recovery.

I have the honour to be

Sir,

Your most obedient servant,

E.A.C.

E.A.C.

for Deputy Commissioner,

Amraoti District.

Sc



716/5
13/3

Maharashtra State Archives

S-41

Deopt-

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No 335-8/IV dt- 14-3-31

To

The Secy to Govt -
Pol: & Finl Deptt
C.P.

Sir,

With reference to your
letter No 769/II of 10-3-1931,
I have the honour to
say that all the three
punitive police posts
in ~~Karnas~~ this division -
viz Jarod, Chandur Bazar
& Sakarkheda ^{one} have
been withdrawn on
11-2-1931, on expiry
of the period for which
they were imposed.

(2) The whole of the
assessment for these
posts has been collected
& no arrears remain
for recovery.

I have &c
Mr.

From:

542

No. 106-D/iv

36

Parmanand, Esquire., I.C.S.,
District Magistrate,
Buldana District.

To

The Chief Secretary to Government,
Central Provinces,
Political & Military Department,
Nagpur.

Through the Commissioner, Berar.
dated Buldana, the 12th March 1931.

Sir,

with reference to your letter No. 158/1, dated 11-3-1931, I have the honour to say that as reported already in my letter No. 106/C/IV, dated 11th/12th March 1931, there is now no civil disobedience prisoner of B or C class in this district.

2. As regards paragraph 2 of your letter, I have the honour to say that the District Magistrate, Akola, referred the case of one civil disobedience prisoner whom he classed at doubtful and 5 whom he classed as violent. I enclose a copy of the letter of the District Magistrate, Akola, and of my reply to him, together with copies of the enclosures. It will be seen that Wilkenth Ramkrishna, serial number 6 in the list, sent by the District Magistrate, Akola, this prisoner was convicted after his conviction of 20-3-30 of an offence punishable under section 26, clause (g) of the Indian Forest Act for which he received rigorous imprisonment for six months and of an offence punishable under section 188 of the Indian Penal Code for which he was awarded rigorous imprisonment for four months. The offence punishable under section 188 of the Indian Penal Code had nothing to do with the civil disobedience movement. This offence consisted in carrying a lathi at Lonar in defiance of the orders of the Sub Divisional Magistrate, who had prohibited ^{the} carrying ^{of} lathis under section 144 of the Criminal Procedure Code owing to the Hindu Muslim tension at

at that place. As this prisoner has now undergone more than four months rigorous imprisonment, I think he may be given the benefit of the concession that is being extended to other civil disobedience prisoners inspite of his conviction of an offence punishable under section 133 of the Indian Penal Code. As regards the last five prisoners in the list of the District Magistrate, Akola, it would appear from the Sessions Judge's order that the accused took part in beating a Deputy Ranger and a Forest Guard when they had gone to check cattle which they suspected were being grazed illicitly. These offenders subsequently tied the Deputy Ranger and the Forest Guard to trees and again thrashed them there. The sentences which they received were richly deserved and were maintained in appeal. The accused had gone up in revision to the court of the Judicial Commissioner. These prisoners do not appear to be civil disobedience prisoners and in any case, I do not think they should be released before the expiry of their sentences.

I have the honour to be,

sir,

Your most obedient servant,

Ramchand

District Magistrate, Buldana.

W 340.6/IV 2. 14-3-01.

Forwarded to the Commissioner.

(Sd) B. N. D. C.

Commissioner, Buldana

14/3/01

S-45

39

Copy of letter No. 2, dated the 8th March 1931, from the District Magistrate, Akola, to the District Magistrate, Buldana.

I have the honour to invite a reference to para 2 of the Chief Secretary's Political and Military Department letter No. - 154-I, dated the 6th March 1931. There are 11 C class prisoners from Buldana District confined in Akola Jail, of whom 2 are under Section 26 of the Indian Forest Act, 1 under section 379 Indian Penal Code, 1 under section 117 Indian Penal Code, read with section 26 of the Indian Forest Act, 1 under section 114, read with section 379 Indian Penal Code, 1 under section 138 Indian Penal Code., read with section 26 of the Indian Forest Act, and 5 under Section 147 read with section 332 Indian Penal Code. I have classed the first five as non-violent, that under section 138 Indian Penal Code as doubtful and the rest as violent. I attach a statement showing the names of these prisoners and the law under which they are convicted. The case of Milkhanth -- Ramkrishna has been classed as doubtful as there is a statement on his warrant that his disobedience of the order led to a riot though, he was not convicted for abetment or incitement of rioting. Please favour me with your opinion about this prisoner sending me a copy of the judgment. Please let me know if you agree with the classification of Baxia and 4 others as violent and let me have a copy of the judgment.

"True Copy"

K. K. Kumbhar
Superintendent,

District Magistrate's Office,
Buldana.

L. W.

Amolik/13/3/31.

Statement showing the names of prisoners from Buldana District, confined in Akola Jail, and the law under which they are convicted.

S.No.	Regr. No.	Name	Father's Name	Sect. of offence	Sentence	Sentencing Court	Date
1	113	Bhikamsingh Bahadur-singh.		26 G.F. Act.	1 year R.I. M.F.C., -	Khamgaon.	26-7-30.
2	118	V.G. Korde.		-Do-	-Do-	-Do-	-Do-
3	528	Dinkar.	Keshaorao.	379 I.P.C.	6 months' R.I. N.T. & M.S. & fine Rs.200/- or 1 1/2 R.I.	Jalgaon.	4-9-30
4	527	Achutrao	Keshaorao.	117/26 I.P.C.	1 Yr. R.I. & fine Rs.500/-	M.F.C. & M.A.C., - Khamgaon.	1-10-30.
5	468	Motilal.	Bhikandas.	379 & 114 I.P.C.	-Do-	S. 30 Magt., Buldana.	6-9-30.
6	200	Nilkanth.	Ramkrishna.	138 I.P.C. & 26 G.F. Act.	4 mths' R.I. - & 6 " " " total 10 months' R.I.	M.S.C., Mehkar & M.F.C., - Khamgaon.	20-8-30.
7	676	Baxia.	Kadatia.	147/332 I.P.C.	1 Yr. R.I. - for each of the 2 offences to run concurrently.	M.F.C., Khamgaon.	17-11-30.
8	675	Sambhia.	Chandria.	-Do-	-Do-	-Do-	-Do-
9	674	Pundlik.	Laxman.	-Do-	-Do-	-Do-	-Do-
10	673	Sukhdeo.	Ganoo.	-Do-	-Do- & fine Rs. 500/-	-Do-	-Do-
11	672	Himmatrao.	Janrao.	-Do-	-Do- & fine Rs. 200/-	-Do-	-Do-

"True Copy"

Roxaunt
Superintendent,

District Magistrate's Office,
Buldana.

Amolik/13/3/31.

8-47 40
from Buldana District,
they are convicted.

S.No.	Regr. No.	Name.	Father's Name.	Sect. of offence.	Sentence.	Sentencing Court.	Date.
1	113	Bhikamsingh	Bahadur-singh.	26 G.F.Act.	1 year R.I.	M.F.C., - Khamgaon.	26-7-30.
2	113	V.G. Korde.	-	-Do-	-Do-	-Do-	-Do-
3	523	Dinkar.	Keshaorao.	379 I.P.C.	6 months' R.I. & fine Rs.200/- or 1 1/2 R.I.	M.T.&M.S. Jalgaon.	4-9-30
4	527	Achutrao	Keshaorao.	117/26 - I.P.C.	1 Yr.R.I. & fine Rs.500/-	M.F.C. & E.A.C., - Khamgaon.	1-10-30.
5	463	Motilal.	Bhikandas.	379 & 114 I.P.C.	-Do-	S. 30 Magt., Buldana.	6-9-30.
6	200	Nilkanth.	Ramkrishna.	138 I.P.C.	4 mths' R.I. & 26 G.F. - Act.	M.S.C., Mehkar & H.F.C., - Khamgaon.	20-8-30.
7	676	Baxia.	Kadastia.	147/332 I.P.C.	1 Yr.R.I. - for each of the 2 offen- ces to run concurrently.	M.F.C., Khamgaon.	17-11-30.
8	675	Sambhia.	Chandria.	-Do-	-Do-	-Do-	-Do-
9	674	Pundlik.	Laxman.	-Do-	-Do-	-Do-	-Do-
10	673	Sukhdeo.	Ganoo.	-Do-	-Do- & fine Rs. 500/-	-Do-	-Do-
11	672	Himmatrao.	Janrao.	-Do-	-Do- & fine Rs. 200/-	-Do-	-Do-

"True Copy"

Superintendent.

District Magistrate's Office,
Buldana.

maolik/13/3/31.

D. O. No. *III/C.O.*

548

41

Nagpur,
The 7th March 1931.
13th

My dear *Mr De*,

Will you kindly furnish information at an early date as regards the total amount collected in your division towards the punitive police tax up to the end of February 1931, and the balance yet to be recovered.

Yours sincerely,

mmu

To

B. N. De, Esqr., C.I.E., I.C.S.,
Commissioner,
Berar Division.

Mr

Copy to S.L. do. for forwarding of report

10c

14/2/31.

14/2/31
10c
14/2/31

S-50

No. *of XIV*
XX-1

42

From

P.J.H. Stent Esquire, I.C.S.,

Deputy Commissioner, Amraoti.

To

The Commissioner,

Berar.

Dated *14th* March 1931.

Sir,

In reply to your endorsement No. *0/-* dated *14th March 1931* forwards copy of a letter from the Under Secretary to Government Political and Military Department regarding collections of punitive police tax, I have the honour to report that the total amount of punitive police tax collected upto the end of February 1931 is Rs.12,546/- and no balance remains to be recovered.

I have the honour to be,

Sir,

Your most obedient servant,

Asenkey

E.A.C.

for Deputy Commissioner,

Amraoti District.

*15/3/31**beis view a draft repl to be at**to*
14/3

551
43
Amraoti Camp,

Dated the 14th March 1931.

Dear Gowan,

Please refer to Hills demi official No.111/C.D, dated the 7th/13th March 1931 regarding the total collectionstowards the punitive police tax up to the end of February 1931. The total collections amount to Rs.12546/- and as intimated in my letter No.335-B/IV, dated the 14th March 1931, no balance remains to be recovered.

Yours Sincerely
M

To

H. O. Gowan, Esquire, C.I.E., V.D., I.C.S.,

Chief Secretary to Government,

Central Provinces,

M A G P U R .

Issued for

5-52 44
Copy of telegram dated 14-3-31 from the District Magistrate,
Akola, to the Chief Secretary, C.P. Nagpur.

Your telegram 62-C.D. dated 10th. Number of civil
disobedience prisoners remaining in Akola Jail 6. step. Number
released 85. All men. No women civil disobedience prisoners in
Akola Jail.

Postal copy forwarded to the Chief Secretary to --
Government, Central Provinces, Nagpur, in confirmation.

14-3-31

Deputy Commissioner, Akola.

Copy forwarded to the Commissioner, Berar, for
information.

14-3-31

C. H. Mehta
Deputy Commissioner, Akola.

5-53 45
No. Q/2

From,

G. S. Bhalja, Esqr., I.C.S.,
Deputy Commissioner,
Akola.

To,

The Chief Secretary to Government,
Central Provinces,
N A G P U R

(Through the Commissioner, Berar,

Dated Akola the 14th March 1931

Sir,

Subject :- Release of civil disobedience prisoners.

With reference to your letter No.158-I dated the 11th March 1931, on the subject noted above, I have the honour to say that there ~~now~~ now remain six civil disobedience prisoners in Akola Jail, all from Buldana District. Their particulars are as follows :-

- | | | |
|--------------------------|---|---|
| (1) Nilkanth Ramkrishna, | } | convicted under section 188 I.P.C. and section 26 of the Indian Forest Act, by the Magistrate 2nd class, Mehkar and Magistrate 1st Class, Khemgaon respectively on 20-8-30. |
| (2) Baxia Kadatia | | |
| (3) Sambhia Chandria | | |
| (4) Pandlik Laxman | | |
| (5) Sukhdeo Ganoo | | |
| (6) Himmatrao Janrao | | |
| | | All convicted under sections 147 and 332 I.P.C. by the Magistrate 1st Class, Khemgaon, on 17-11-1930. |

Nilkanth was classed doubtful and the rest violent. In this connection, I enclose a copy of letter No.106-B/IV dated 11-3-31 ~~Ex~~ from the District Magistrate, Buldana, together with its enclosures. It will be seen that he recommends the release of Nilkanth Ramkrishna. As there is no definite recommendation about the other five, I have requested him to submit a report to you direct. A copy of my letter to him is enclosed.

46

S-54

- 2 -

2. A separate reference will be made about pending cases.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- G.S. Bhalja,

Deputy Commissioner, Akola.

Ind copy has been forwarded. I do not recommend the release of no 286. Mr. N. K. Nambhushna may be released

Camp Akola-

15/3/31.

Dr

or

555
Copy of letter No: Q dated the 11th. March, 1931 from the District Magistrate, Amraoti to the Secretary to Government, Political and Military Department, C.P., Nagpur.

---***---

With reference to your letter No: 454/I, dated the 6th. March, 1931, I have the honour to report the action taken by me upto date.

2. On receipt of the letter I examined the cases of all A, B, and C class prisoners imprisoned in connection with the civil disobedience movement and issued orders for the release of A and B class prisoners on the 8th. of March, 1931. One A class and 17 B class prisoners, of whom three were women, belonging to the Amraoti District, were released at about 5.30 P.M. on the 8th. March, 1931. The District Magistrates of other districts were informed that B class prisoners of their districts would be released on the morning of the 10th. March, 1931, and five such prisoners were accordingly released on that date. A list of the A and B class prisoners released from this jail for favour of the issue of formal orders confirming my action has been sent already vide my letter No: 392/C/VII date the 9th. March, 1931.

3. As regards C class prisoners I reported in my letter dated the 9th. March, 1931, that they could be classified as follows:-

- | | | |
|-----|-----------------------|------|
| (a) | Barred by violence. | Nil. |
| (b) | Doubtful. | 1 |
| (c) | Suitable for release. | 69. |

I also indicated that no definite response to the settlement had been made by the Congress but that if the question of response were left out of account the prisoners of the Third Class should, in my opinion, be released. On receipt of oral

5-56
orders from the Chief Secretary for their release I ordered all C class prisoners except one doubtful case to be released immediately. They were accordingly released at 4.30 P.M. on the 10th. March, 1931. It was found, however, as reported in my telegram of date, that the prisoners in question actually numbered 71 and not 69, the error being due to a mistake in the serial numbering of the list of prisoners furnished by the Superintendent of the Jail. The cases of all 71 prisoners were examined by me but I took the total from the total entered on the list without actually counting the names. The error is regretted. The seventy-one prisoners were accordingly released instead of 69 in anticipation of Government's sanction, which may kindly be communicated. There remains, therefore, only one civil disobedience prisoner in the Amraoti Jail at present, namely, the doubtful case referred to above. A reference has been made to the District Magistrate, Nagpur, regarding this prisoner and the orders of the Government will be obtained in due course.

4. As regards the response made by the Congress in this District, as already reported, no definite announcement has yet been made. Meetings were held on the 8th. and 10th. March. At both meetings satisfaction was expressed at the settlement but it was characterised as a victory for the Congress and humiliation for His Excellency the Viceroy. Stress was laid on the necessity of continuing the fight for independence. The tone of both meetings was triumphant and somewhat truculent. I have not had a full report of the meeting of the 10th. but from the Police report it appears that two youths made speeches in praise of the anarchist movement and against the settlement, and called for revenge on the Government for its acts of ~~injurious~~ repression. A separate detailed

252
report is being sent regarding these meetings and the political situation generally. In the Tahsil headquarters and other parts of the district the new settlement was well received but no definite announcement of discontinuance of any congress activity has been made. Though the above response cannot be considered favourable it should not, in my opinion, be taken too seriously. It is due, I think, to the natural jubilation of the leaders of the movement on their release.

5. Several Congress leaders on the other hand have privately expressed their satisfaction at the settlement and state that it is unwelcome only to a few extremists. Considerable dissatisfaction, however, was expressed by them and the Congress generally here at the failure upto date to release the two persons convicted in this district under Section 124-A. These are Mr. N.V. Abhyankar, Barrister-at-law of Nagpur and Mr. Wamanrao Joshi. Both, I understand, are at present in the Seoni Jail. There is an impression locally that they have not been released because they were convicted of sedition. The Congress leaders were informed that while we had no information they would probably be released shortly. If they have not already been released it seems desirable that they should be released as soon as possible.

6. I have issued orders for the immediate stoppage of all collections on account of the punitive police, Forest compensation for damage done in the civil disobedience movement and unrecovered fines in civil disobedience cases. The orders of Government for the remission of unrecovered fines will be awaited. The amount will be reported in due

8-58
course. This interim report is submitted for
the information of Government.

Copy is forwarded to the Commissioner,
Berar, for information with reference to his D.O.
dated the 12th. March, 1931.

[Signature]
E.A.C.,

for Deputy Commissioner,
Amraoti District.

Maharashtra State Archives

REPLY.

Two copies of the judgment
are herewith attached.

18/3/31
Superintendent,
D.C.'s Office, Akola.

To
The Commissioner, Berar.
Camp Akola.

Office of the Dy. Commr., Buldana.

No.

dated Buldana, the 13 March 1931.

Un-official Memorandum.

The Superintendent,

Dy. Commr.'s Office,

Will the Superintendent, Deputy Commr.'s

Office, Akola, kindly refer to this
office letter No. 106-S-IV, dated the 11th
March 1931 and have two copies of Sessions -
Judge's order, referred to in the concluding
portion of the said letter prepared and sent
direct to the Commissioner, Berar, as --
enclosures to this office Letter No. 106 D IV
dated 13-3-31 1931.

K.B. Kamthkar
Superintendent,

Deputy Commr.'s Office, Buldana.

Deputy Commissioner's Office, Akola
Returned to the Superintendent
Dy. Commr.'s Office, Buldana, with
the request to please state the subject
to which the letter in question
relates.

Superintendent
Dy. Commr.'s Office
Akola

nod
16-3-31

560
Office of Commissioner, Berar.

52

No. 8/11 Dated Camp Akola, the 18th March 1931.

~~Copy~~ Forwarded to the Secretary to Government, Political and Military Department, Central Provinces, in continuation of my endorsement No. 340-B/IV, dated the 14th March 1931.

Commissioner, Berar.

561 53
In the Court of C. R. Hemeon, Esquire, I.C.S.,
Sessions Judge (Buldana) at Akola.

Criminal Appeal No.157 of 1930
--

Sukdeo vs. King Emperor

Sukdeo, kunbi, of Hivarkheda, Khamgaon Taluq, has preferred this appeal against his convictions and sentences, running concurrently, of one year's rigorous imprisonment with a fine of Rs.500/- and one year's rigorous imprisonment, under Sections 147 and 332 Indian Penal Code respectively, awarded by the First Class Magistrate, Khamgaon, in Criminal case No.116 of 1930 on 17-11-1930. Himmatrao, Kishan Deorao, Krishna Khushal, Kishana Khushal, Fundalik, Baxia and Sambhia who were also convicted and sentenced to -- imprisonment in the same trial, have appealed too and their appeals will be considered in this proceedings.

2. On 1-9-1930, the Deputy Ranger Fazlul Rab, P.W.1, accompanied by the Patel, Choukidar, Mahar and Guard, went to the Reserved Forest at Hivarkheda to inquire into illicit grazing, but, being unable to act on account of the absence of the owners, he proceeded with the Forest Guard Sheikh Lal P.W.2 and Mahar Udia P.W.3 to the Ramna, on the west of the Chikhli road. Sheikh Lal P.W.2, who was ahead, discovered Sukdeo and Sambhia removing the bark of an Anjan tree and was admonishing them when the Deputy Ranger approached. Seeing this, Sukdeo shouted for Himmatrao who came with several others and seized the Deputy Ranger while Sukdeo, Kishan Deorao and Fundalik caught hold of the Forest Guard. Both were then beaten by the other accused on Sukdeo's and Himmat's order and taken to fallow land where they were bound to a Nim and Anjan tree and dealt blows with lathis and fists. They were also adjured never to seize cattle even when found grazing in Reserved Forest and threatened with death, if they did so.

3. They were released about 5 p.m; and after the Deputy Ranger had made his report Ex.P.1 at the Local Station House, the

guard and he were sent to the Asstt. Medical Officer, Khamgaon, Mr. Usuf Khan, P.W.4, ~~which~~ who on examination found the following injuries (vide Ex.P.2) on their persons :-

Fazlul Hab (Deputy Ranger) :

1. Ecchymosis over the whole of the middle of the back on an area 8" x 14".
2. Ecchymosis on the back of both the scapulae.
3. Ecchymosis 1" X 3" on the upper third of the left fore-arm on its external surface.
4. Ecchymosis (Circular) $\frac{1}{2}$ " x 5" round the lower third of the right arm.
5. Ecchymosis $1\frac{1}{2}$ " x $\frac{1}{4}$ " on the upper part of ~~for~~ the forehead on the right side.

Sheikh Lal (Forest Guard) :

1. Ecchymosis $4\frac{1}{4}$ x 1" on the upper part of the right arm.
2. Abrasion over the lower third of the right fore-arm.
3. Abrasion just above the wrist on the left forearm. In the Medical Officer's opinion, all of these injuries could have been caused by some hard and blunt substance such as a lathi within the previous 24 hours, except injury No.4 on the person of the Deputy Ranger which could be attributed to binding with a rope.

4. The Deputy Ranger accompanied by the Circle Inspector and the Ranger went to the scene of occurrence and (vide Ex.P.3) they seized 10 branches of an Anjan tree. Udia P.W.3 on hearing the noise of the assailants, had fled through fear of being attacked himself; and the Magistrate rejected the testimony of Razak P.W.5, a boy of 16 years, who averred that he had observed the incident from a point a few paces distant from the place where it began.

5. The appellants, who denied their guilt, submitted that some unknown persons had made them scape-goats for the belabouring of the Forest officials. Sukhdeo and Kishan Deorao in their defence asserted that they had left Hiverkheda for Avar, ~~5x~~ 7 miles away, on foot with

Dhansingh D.W.4 and Bhonaji D.W.5 soon after breakfast to participate in the Sampati ceremony of Pothi at the house of Waku D.W.3 and had about one hour after dinner which was ~~mark~~ eaten at 3 P.M. started for Hivarkheda. Sambhia and Baxia maintained that they had grazed their respective master's bullocks in the pedit field of "arikisan from morning to the evening; Himmatrao that he was similarly occupied with his brother's cattle; Pundalik that he and the appellant Kishan Khushal grazed their cattle in Ambu's and the adjoining field; and Krishna Khushal that he was likewise engaged with his master Motiram's bullocks near the hill of Bhadangnath.

6. Of the witnesses who were examined concerning the alibis of Sukhdeo and Kishan Deorao, Dhansingh D.W.4 and Bhunaji D.W.5 testified to their journey to, stay at and departure from Awar on the day in question which was Mahalaxmi. Waku is Dhansingh's maternal uncle; and Waku D.W.3 is related to the appellant Sukdeo and on friendly terms with Kishan Deorao. Udebhan D.W.1 and Kashirao D.W.2 are close neighbours of Bapu; as also is Kishan D.W.12 who resides in the house belonging to them.

7. Ambu D.W.6, Keshava D.W.7 and Baban D.W.8 deposed to observation of the appellants Sambhia, Baxia, Pundalik and Kishan Khushal from morning to evening; and Chandrabhan D.W.9 with Daulat D.W.10 similarly in respect of the remaining appellants Krishna and Himmatrao. Of these witnesses, Daulat D.W.10 was fined Rs.30 last year for the illegal pasturage of his cattle in Government Forest and Baban D.W.8 is a friend of all the appellants.

8. Regarded as a whole the defence evidence in support of the alibis advanced is interested and unworthy of reliance; and in fact, their learned pleader did not dwell on it with any degree of emphasis in the course of argument, having preferred to emphasize the exaggerations and inconsistencies in the case for the prosecution. More than that, he propounded a theory which was more interesting than relevant to the effect that the Forest Officer

had been belaboured to a slight degree after an equally slender altercation at the scene of occurrence. I have, therefore, to scrutinize at the outset the nature of the testimony adduced on the point of identification. Sheikh Lal P.W.2 knew all the appellants and averred that the Deputy Ranger knew only Himmatrao and Kishanrao by name. The Deputy Ranger P.W.1, on the other hand, declared that he knew all the 6 appellants well because they were in the habit of grazing their cattle in the Ramna, by which he may have meant that he was familiar with their features but not with their names. At any rate, he saw them in court and testified to the parts taken by them in the attack on him. His account was in this instance fully corroborated by Sheikh Lal, P.W.2 and nothing has been shown to create even a conjecture that they would have falsely inculpated with the appellants.

9. It was next urged that some of the latter were mere spectators and not members of an unlawful assembly. Both Forest Officials, however, recounted that Sukdeo and Sambhia, who had been discovered illicitly removing the bark of an Anjan tree, cried out for Himmatrao and that he came ~~xxx~~ with about 20 others. Thereafter he, Sukdeo, Kishanrao and Pundalik pommelled and beat the Deputy Ranger with lathis, while Baxia, Kisha and Krishna ~~xxxxx~~ similarly belaboured the Forest Guard. It was, therefore, patent that all the appellants had participated in the molestation and intimidation of these two officials and that they were all equally liable to punishment for the effects which resulted. It is true that variation figures in their several versions, but they are circumstantial rather than substantial and, as Paley remarks in his well-known Volume of Evidence, the usual character of human testimony is substantial truth under circumstantial variety. Lord Ellenborough also observed that minute variance excluded the idea of any uniform contrivance and design in the variations (vide Wills' Essay on the Principles of Circumstantial Evidence, re-edited with Indian Law by Krishnamachariar, 1925, page 567).

10. There can be no doubt of the truth of their evidence and, in the circumstances, the convictions of the appellants under sections 147 and

332 I.P.C. were right and proper. In view of the gravity of the offences committed, I am unable to hold that the sentences -- imposed were unduly severe and must add that, so far as the appellants Kishan Deorao, Krishna Khushal and Kishan Khushal are concerned, the learned Magistrate erred, if at all, on the side of leniency. The appeals are summarily dismissed.

--
Sd/- C.R. Hemen,
Sessions Judge,
(Buldana) at Akola.
--

Maharashtra State Archives

GOVERNMENT OF THE CENTRAL PROVINCES.
Political and Military Department.

From

H.C. Gowan, Esq., C.I.E., V.D., I.C.S.,

Chief Secretary to Government,

Central Provinces.

To

All Deputy Commissioners,
Central Provinces and Berar.

Nagpur, 17th March, 1931.

Subject:- Inclusion in or exclusion from the category
of violence of offences under section 131 I.P.C.
and section 3 Police Incitement to Disaffection
Act.

Sir,

I am directed to refer to my letter No.158-I, dated
the 11th of March, 1931, in which you were asked to sub-
mit reports on all civil disobedience prisoners who have
not been released because they were convicted of offences
involving violence or incitement to violence. A refe-
rence has been made to the Government of India with regard
to the inclusion in or exclusion from the category of
violence of offences under section 131, Indian Penal Code
and section 3, Police Incitement to Disaffection Act. The
view of that Government is that the question whether an offence
involves violence or incitement to violence other than
technical violence must be decided on the actual facts of
each case and not with reference to the provisions under
which the person was convicted.

I have the honour to be,
Sir,
Your most obedient servant,

H. Gowan
Chief Secretary.

No.231-A/C.D., dated Nagpur the 17th March, 1931.

Copy is forwarded to all Commissioners of Divisions, Cen-
tral Provinces and Berar, for information.

H. Gowan
Chief Secretary.

With Ccl
Submitted to P.O. are in the Ccl.
18/3/31

No. 246/C.O. 567

59

GOVERNMENT OF THE CENTRAL PROVINCES.
Political and Military Department.

From

R. J. J. Hill, Esquire, I. C. S.,
Under Secretary to Government,
Central Provinces.

To

The District Magistrate,
A k o l a.

Nagpur, the 18th March 1931.

Subject :- Release of civil disobedience prisoners.
.....

Sir,

P / I am directed to refer to your letter No. Q/2, dated the 14th March 1931, and in reply to say that the Governor in Council is pleased, under Section 401 of the Criminal Procedure Code, 1898, as applied to Berar, to remit the unexpired portion of the sentence passed on Nilkant Ramkrishna, a civil disobedience prisoner of the Buldana district confined in the Akola jail.

2. As regards the remaining 5 prisoners named in paragraph 2 of your letter under reference, I am to say that Government is not prepared to grant them any remission. They should serve their term in jail.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- R. J. J. Hill,
UNDER SECRETARY.

No. 246-A/C.O., dated Nagpur, the 18th March 1931.

Copy forwarded to the - -

District Magistrate, Buldana, for information, with
Commissioner, B e r a r, 1

reference to his letter No. 106-D/IV, dated the 13th March 1931.

endorsement No. Q, dated the 15th March 1931.

G.C. 18/3

UNDER SECRETARY.

568 60
Copy of letter No.252-B/I, dated Yeotmal the 18th March 1931, from the District Magistrate, Yeotmal, to the Chief Secretary to Government, Central Provinces, Political and Military Department, through the Commissioner, Berar.

Subject.- Release of Civil Disobedience Movement Prisoners.

With reference to the Political and Military Department letter No.158-I, dated the 11th March 1931, on the subject noted above, I have the honour to state that there are no civil disobedience movement prisoners either belonging to this district or to other districts confined in the Yeotmal jail who have not been released on account of their being convicted of offences involving violence other than technical violence or incitement to violence.

2. As regards the prisoners of this district kept in the Jails of other districts, enquiry is being made and a further report will follow shortly in due course.

v.

No 340. Ep IV d. 21.3.43)

Forwarded

8/2, 10/2

20/3/43

No. Q-1

From,

G. S. Bhalja, Esqr., I.C.S.,

Deputy Commissioner,

AKOLA

To,

The Chief Secretary to Government,
Central Provinces,NAGPUR

(Through the Commissioner, Berar)

Dated Akola the 16th March 1931.

Sir,

Subject :- Withdrawal of pending cases arising from the
civil disobedience movement.

With reference to your letter No.158-I dated the 11th March 1931, and in continuation of my letter No.Q/2 dated the 14th March 1931, on the subject noted above, I have the honour to report that there are 5 criminal cases pending in this district arising from the civil disobedience movement.

(1) Criminal case No.143 of 1930, on the file of the Sub Divisional Magistrate, Basim, under section 157 I.P.C. against Kanhayalal Bholaram and Demodardas Bholaram.- The two accused, who are brothers, allowed a portion of their house at Mangrulpur to be utilized as Shibir or Camp for Forest Satyagrahis. They were convicted on 8-9-1930 and sentenced to pay fines of Rs.1000/- and Rs.200/- respectively. Their appeals to the Sessions Judge failed. They went up in revision to the Additional Judicial Commissioner. The Additional Judicial Commissioner by his order dated 26-1-1931 ordered retrial of the case and refund of the fines on the ground that the statements of the accused on which they were convicted, did not amount to admission of the charge against them. I recommend that the case may be withdrawn.

(2) Criminal case No.3 of 1931, on the file of the Sub Divisional Magistrate, Basim, under section 107 Cr.P.C. against Narayan Ishnaji, Namdeo Maroti, Bajirao Keshaorao, Nagorao Appaji and Fatehram Ramjeevan, all of Sirpur. There are two parties at Sirpur - one of loyalists and the other of the followers of the Congress. The accused, who are all Congress-men, have been attacking the loyalists at public meetings and abusing them individually. Two such meetings were held on the 17th and 18th of February 1931. I think the case should take its course. If as a result of the "truce" the ~~xx~~ accused will undertake to refrain from attacking the loyalists, the Magistrate will himself drop the proceedings.

(3) Criminal case No.1 of 1931, on the file of the Section 30 Magistrate, Akola, under sections 147, 352 and 341 I.P.C. against ^{Kisan,} Trimbak, Tulsirem, Sheoram Deshmukh, ^{Phimrao,} Deshmukh, Sheoram Kurbi and Hari, all of Pimpalkhuta, in Balapur Taluq. The prosecution story is that on 27-10-1930 Ramnarayan Hamwant Marwadi of Pimpalkhuta, who was boycotted by the Congress for keeping aloof from the civil disobedience movement, was prevented from drawing water from a public well. His rope was snatched away by the accused. The case was challaned on 27-12-30 as Pimpalkhuta was later found to be one of the turbulent villages where non-payment of land revenue was freely preached. Two of the accused, Kisan and Hari, have been discharged by the Magistrate. The case may be withdrawn.

(4) Criminal case No.7 of 1931, on the file of the Naib Tahsildar and Magistrate 2nd class, Balapur, under sections 143, and 341 I.P.C. against Gondurao, Bhagwan, Sadu, Vinayak, Bhikabhan and Sheoram, all of Pimpalkhuta. In this case Kisanrao Deshmukh was prevented from purchasing provisions from the shop of Shekaji at the weekly market at Pimpalkhuta on 28-11-1930. Shekaji's shop was picketed as he used to supply provisions to Government servants. The accused were convicted on 7-3-1931 under sections 143 and 341 I.P.C. and -- sentenced to undergo rigorous imprisonment for four months on the first count and simple imprisonment for one month on the second

S-72
Camp Deulgaon Raja.

14th March 1931. 64

Dear Mr. W.,

Will you kindly refer to your demi official letter dated 8th instant, forwarding a copy of Political and Military Department letter No. 154/I, dated 6th March 1931 ? More reports of speeches made at the meetings in connexion with the release of civil disobedience prisoners have now come in. At all these meetings it has been stated that the Delhi decisions are ^a ~~was~~ victory for the congress because Government had to come to terms with it realizing its strength. At one or two places dissatisfaction has been expressed ^{with} ~~that~~ the terms accepted by Mr. Gandhi. But even at these meetings audience has been advised strictly to comply with the terms. This has been done because it is realized that owing to the great influence ^{which} of Mr. Gandhi's commands and the fact that people are now tired of the civil disobedience movement, any other advice would be unacceptable. In respect of land revenue advice given has been to pay it up, but in Malkapur a suggestion was made ^{significantly} ~~provisionally~~ that those who could not pay up should apply to Government for suspension or remission of land revenue. It is possible, but I do not think likely, that an agitation might be extended on these lines in Malkapur, Khamgaon and Jalgaon tahsils and that the agitators while out-wardly acting according to the undertaking given by the Congress might yet be obstacles in the way of collecting land revenue, but in respect of this nothing definite ^{can} ~~could~~ be said at present.

Yours sincerely,

Pannam

To

B.N. De., Esquire., C.I.E., I.C.S.,
Commissioner, Berar,
Amraoti Camp.

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- 3 -

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count, the sentences to run concurrently. Their appeals are pending in the court of Mr. Jai Narayan, Magistrate First Class with appellate powers, and they have been released on bail. Their sentences may be remitted under section 401 Cr.P.C.

(5) Criminal case No. 143 of 1930, on the file of the Sub Divisional Magistrate, Headquarters, under sections 147 and 332 I.P.C. against Krishna, Digambar, Gulabrao, Vishvanath and Ram Ratan, all of Akola. The prosecution story is that the accused along with other Congress volunteers were picketing the District Office during the last excise sales. On the night of 24-11-1930 some provisions meant for the Superintendent, whose quarters are situated in the District Office compound, were being taken inside in a tonga. The Congress pickets thinking that the provisions were meant for the excise contractors, who were accommodated in the District Office compound, obstructed the tonga. In the scuffle that ensued a Sub Inspector was pulled down by the accused and ~~fallen~~ ^{down} on the ground. Except for this incident, the picketing of excise shops and auctions at Akola was, on the whole, peaceful. I think the case may be withdrawn.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- G.S. Bhalja,
Deputy Commissioner,
Akola.

(One copy has been submitted to the Chief Secretary,
C.P. Nagpur, direct)

forwarded. The case no 6 is of doubtful nature. I am not sure if it should be withdrawn or the whole, the balance of advantage is in favour of withdrawal of this case, as the hunt was carried to the limit. I think after all the day in all his proposals.

Mishra

12.1.31

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Amraoti Camp.

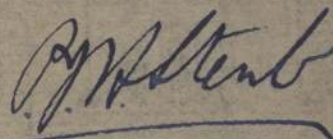
Dated the 24th. March, 31.

My dear De.

With reference to your D.O. letter of the 8th. March, regarding the response of Congress to the settlement I have sent in several reports about this, one with direct reference to Chief Secretary's letter No: 1541 of the 6th. March, another in reply to the queries of the Government of India and others again in the form of Confidential report. I presume therefore you do not now want a separate report on this D.O.

2. As I think I have indicated already no difficulties are being experienced in the maintenance of Law and order or the carrying the ordinary administration, and the Congress neither helping nor obstructing Government officers in the realization of the land revenue etc. There is at present no picketing whatever. Released prisoners have been conspicuous chiefly for self-congratulatory speeches.

Yours sincerely.



To

B.N. De Esquire, C.I.E.I.C.S.,

Commissioner, Berar,

Amraoti Camp.

CONFIDENTIAL.

IMMEDIATE.

No. 217/C.D.

GOVERNMENT OF THE CENTRAL PROVINCES.
Political and Military Department.

From

H. C. Gowan, Esq., C.I.E., V.D., I.C.S.,
Chief Secretary to Government,
Central Provinces.

To

All Deputy Commissioners,
Central Provinces and Berar.

Dated Nagpur, the 17th March 1931.

Sir,

I am directed to forward a copy of Express Letter No.1990/31-Poll, dated the 13th of March, 1931, from the Government of India in the Home Department, and to request that on the 26th instant without fail you will submit to Government a report on the three points dealt with in the Government of India letter, namely,

- (a) The boycott of British goods,
- (b) Picketing,
- (c) Non-payment of land revenue.

Your report should be submitted through the Commissioner of your division, and a copy of it should be sent direct to Government.

2. Your particular attention is invited to the request ~~xxx~~ of the Government of India under point (c) that immediate information may be sent off any movement to keep alive the agitation for the non-payment of land revenue or other dues.

I have the honour to be,
Sir,
Your most obedient servant,

H. Gowan

Chief Secretary.

Enclos:- 1.

No. 217-A/C.D., dated Nagpur, the 17th March 1931.

Copy forwarded to the Commissioner,

Nagpur
Jubbulpore
Chhattisgarh
Nerbudda
Berar

Division, with the request that he will forward to Government a report for his division as soon as he has received reports from all his Deputy Commissioners.

H. Gowan

Chief Secretary.

Enclos:- 1.

I.A.17/3.

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Copy of Express letter No. D.1990/31-Poll. dated the 13th March 1931, from Home, New Delhi, to C.P., Nagpur.

The Government of India would be grateful for very early reports from local Governments in regard to the spirit in which, and the actual methods by, and the extent to, which the Congress have carried and are carrying out the obligations imposed on them. In particular they would like information on the following points:-

(a) Boycott of British goods.

The essentials of the settlement are :-

- (1) Boycott should be abandoned for political purposes;
- (2) all who have given up during a period of political excitement, the sale or purchase of British goods must be left free without any form of restraint to change their attitude if they so desire;
- (3) there must be no discrimination against British goods.

(b) Picketing. The position is specifically stated in para. 7 of the Statement, dated 5th of March 1931, issued by the Governor General in Council.

It was recognised that the settlement might, and probably would, be followed by greater efforts to push the boycott of foreign goods on the lines of the encouragement of Indian goods and also that there might be some increase in picketing, but it was felt that the impetus would probably be of short duration and that the position would steadily improve after a few weeks. This, however, assumed that both sellers and buyers would be left without any form of restraint, and the Government of India attach great importance to this condition.

They desire, therefore, to be informed at once of any difficulty that Congress may place in the way of buyers or sellers and, in particular, of specific cases. They also wish to be informed of particular cases in which picketing offends against the terms of the Statement.

(c) The abandonment of the movement for the non-payment of land revenue and other dues.

It is possible that while Congress will abandon this movement as part of the civil disobedience movement, they may attempt to keep it alive in another form by organising agitation in rural areas on the ground of economic distress and inability to pay. The Government of India would request an immediate report in regard to any movement of this character.

True Copy,

B. W. Beverley.

Superintendent,

Political and Military Department.

TIAL

From

B.N. De, Esq., C.I.E., I.C.S.
Commissioner, Berar.

To

The Chief Secretary to Government,
Political and Military Department,
Central Provinces.

Dated Amraoti Camp, the 27th March 1931.

Sir,

With reference to the Political and Military Department letter No. 217/C.D., dated the 17th March 1931, in regard to the spirit in which, ^{and} the actual methods by, and the extent to, which the Congress have carried and are carrying out the obligations imposed on them, I have the honour to forward copies of the reports from the District Commissioners in Berar and to say as follows.

2. (a) Boycott of British goods.

(1) It may be said that the boycott has been abandoned for political purposes, but the ^{use} ~~consumption~~ of Swadeshi cloth in preference to foreign cloth is being encouraged.

(2) The dealers are ^{allowed} ~~let~~ to dispose of the foreign cloth in whatever manner they like.

(3) There is no discrimination against British goods as such except in so far as the ^{use} ~~consumption~~ of country-made cloth in preference to foreign cloth is encouraged.

(b) Picketing

Picketing of foreign cloth has been abandoned since the Settlement. The picketing of liquor shops ~~will~~ virtually ceased even before the Settlement.

(c) Non-payment of land revenue

The Congress organization never adopted this item as a plank in its platform in Berar, and there never was any no-tax campaign in the Amraoti and Yeoti

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Agitation was, however, set up in parts of Akola and Buldana districts and it was brought under control by the application of the Unlawful Instigation Ordinance. Some of the followers of the Congress endeavoured to keep up the agitation, specially in the Balapur, Akot, Khamgaon and Malkapur taluqs by inducing the cultivators not to pay land revenue on the ground of economic distress and inability to pay, but in consequence of the action taken under the Land Revenue Code and also in view of the advice issued from the headquarters of the Congress organization, specially in the Akola district, asking the people to pay up land revenue if they can, the bulk of the land revenue has been collected. The propaganda carried on by the Revenue Officers holding out hopes of the grant of liberal taccavi has also induced the cultivators to pay up their dues in the hope of obtaining the relief in the shape of taccavi loans. It may therefore be said that the Congress organization has acted up to the promise embodied in the Settlement.

3. Several meetings were held at headquarters of districts and also at several places in the interior mainly with the object of welcoming the released prisoners and explaining the terms of Settlement. Responsible leaders everywhere advised the people faithfully to abide by the terms of Settlement. The left-wingers who were dissatisfied with the terms ~~imposed~~ while not actually defying the orders endeavoured to explain their attitude by saying that this was merely a truce for a short time and that the fight ^{would} ~~will~~ be resumed if the second Round Table Conference failed to satisfy the Congress. A few speeches inclined to be violent in tone were delivered in the Amraoti district, particularly in the Ellichpur and Morsi taluqs as a mark of protest against the delay in the release of Wamanrao Joshi who was the first president of the 'War Council' in Berar, but Wamanrao Joshi himself after release and other responsible leaders expressed their determination to carry out the terms of Settlement in the proper spirit. The

recent execution of the Punjab murders~~s~~ has evoked a certain amount of bitterness, but Berar is too far away from the Punjab to be affected by any agitation in such a matter.

4. My own impression is that the Congress organization would endeavour to carry out their obligations although many of them probably do not approve of the Settlement in its entirety. It is unnecessary to take any notice of the speeches occasionally made by certain irresponsible persons.

I have the honour to be,

Sir,

Your most obedient servant,

Commissioner, Berar.

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effected and has not been revived. In the last few months there was a certain amount of sporadic picketing of shops in Ellichpur and Amroiti but this has not been resumed as yet. Picketing of liquor shops ceased from some months and has not been resumed at all.

(c) Non-payment of land revenue.

There was never any organised political movement for the non-payment of land revenue in this district. A few desultory attempts were made to organise protests of the cultivators against the payment of land revenue on the score of economic distress but these were only half-hearted and were speedily dropped in face of the firm attitude taken up by Government. Over 9/10ths of the land revenue demand has already been collected and I anticipate no difficulty in collecting the bulk of the balance before the close of the month.

2. The above report leaves the impression that the response of the Congress in this district has been full and complete but this gives a somewhat misleading view of the actual situation. The three specific activities on which the Government of India desire opinion are matters which never engaged the attention of the Congress to any great extent in this district. There is one respect in which the response has been disappointing. A large number of political meetings have been held mostly with the object of welcoming the released prisoners and at these meetings many speeches have been delivered which represent the settlement as a surrender of Government to the Congress and as a temporary armistice before resuming hostilities on an intensive scale. Many speakers have professed themselves to be dissatisfied with the settlement and several speeches of a violent and provocative character, some containing actual incite-

5-79 71
Copy of letter No: Q dated the 24th. March, 1931, from the District Magistrate, Amraoti District, to the Commissioner, Berar.

With reference to Secretariat Political and Military Department confidential letter No: 217. C.D. dated the 17th. March, 1931, regarding the extent to which the Congress are carrying out the spirit in letter of the agreement, I have the honour to report as follows:-

(a) Boycott of British goods.

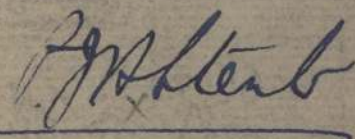
This has never been complete in this district. Even when the movement was at its height, British goods could be purchased in many of the bigger towns and villages in the district. The seals placed upon foreign cloth in Amraoti Town have been broken and the dealers are now permitted to sell their stocks but are being asked to give an undertaking that they will not purchase fresh stocks. All over the district the dealers are selling their stocks of British and foreign cloths without restriction. The propaganda against the use of foreign cloth continues but emphasis is no longer laid on British goods for political reasons. In general therefore it may be said (1) that the boycott has been abandoned for political purposes for the present, (2) that those who gave up the sale or purchase of British goods during the movement are now left free to deal in them, (3) that no specific discrimination is made against British goods as such. In fact the boycott was never complete except in Amraoti Town and Ellichpur Camp, In Morsi it only lasted about a month and in other parts of the district was largely ineffective.

(b) Picketing.

Organised picketing of liquor and cloth shops ceased some months before the settlement was

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incitements to violence or breach of the law have been delivered. The tone of these speeches is not, I believe approved by the responsible Congress leaders but they have to some extent lost control of the situation in favour of the younger and more extreme elements among their followers. I have drawn the attention of the responsible leaders to this state of affairs and one of them at least has undertaken to attempt to prevent a repetition of speeches of this character. This undertaking was certainly kept at the last meeting held in Amraoti to welcome Mr. Wamanrao Joshi and I hope that an improved tone will become evident as time goes on. The situation will, however, require careful watching and it is desirable that after allowing sufficient time for reorganising Congress Committees and consultation on the changed conditions deliberate disregard of the terms of the settlement taking the form of public vilification of Government and its Officers and incitements to violence and breach of the Law should be visited with speedy and condign punishment.

Spare copy is forwarded to the Commissioner Berar, in continuation of my letter No:Q, dated the 24th. March, 1931.



Deputy Commissioner,

24th. March, 31.

re.

Amraoti District.

5-82
Copy of letter No. Q dated the 25th March 1931, from 74
the Deputy Commissioner, Akola, to the Chief Secretary to
Government, C.P.

Subject.- Observance of the terms of the Settlement
by the Congress.

With reference to your confidential letter No. 217-C.D.,
dated the 17th March 1931, on the subject noted above, I
have the honour to say that the Congress at Akola have so
far carried out the obligations imposed on them by the
'Settlement'.

2. Boycott of British goods.- The congress seals on
stocks of foreign goods at Akola have been broken and
British cloth is now being sold without any restraint. A
number of meetings were held at Akola and in the interior
at which the terms of the Settlement were explained. It was
pointed out that the boycott of British goods as such was
lifted as a political weapon. Some speakers explained
that though boycott of British goods was to be abandoned,
preference was to be given to Indian goods and that foreign
goods including British goods were to be avoided. No speakers
have discriminated against British goods in particular.

3. Picketing.~~There~~ There is practically no picketing
anywhere in the district. A few Mahomedan cloth shops at
Akola were being picketed but picketing has stopped entirely
after the Settlement. Platform speakers have exhorted the
people to abstain from drink but have carefully avoided
reference to picketing, perhaps, because they ~~realise~~ realise
that ordinary people would not be able to distinguish bet-
ween peaceful picketing and picketing which would violate
the ordinary law.

4. Non-payment of land revenue.- The Akola Congress had
never officially taken up the no-tax campaign but the
followers of the Congress in Akot and Balapur taluqs were
freely preaching non-payment of land revenue. The declara-
tion of Akola District as a Notified area under the Unlawful
Instigation Ordinance, led to cessation of open incitement

83 of this kind. After the withdrawal of the Ordinance, no responsible Congress leader has preached nonpayment of land revenue. Land revenue is coming in satisfactorily except in Balapur taluq where the progress of collections is slow. Wadegaon in this taluq was the centre of the no-tax campaign and it was the fond hope of the extreme section to make it the 'Bardoli of Berar'. Although non-payment of land revenue ceased to be preached after the Settlement the released prisoners and others were carrying on agitation on economic grounds. They were advising the people to refuse payment if they were unable to do so on account of bad crops or the fall in the prices of agricultural produce and to approach Government with petitions for suspension or remission. The headquarters leaders, however, have exercised a moderating influence and the latest report of the Naib Tahsildar, Balapur, dated the 22nd March 1931 shows that the released prisoners are now advising the people to pay up. The grant of taccavi on a liberal scale will be a great boon to the agriculturists and will be much appreciated.

5. On the whole, the Congress organizations in Akola may be said to have carried out their part of the agreement in true spirit.

584 Copy of letter No. 32 dated the 26th March 1931, from the Deputy Commissioner, Buldana, to the Chief Secretary to Government, C.P., through the Commissioner, Berar.

With reference to your letter No. 217/C-D, dated the 17th March 1931, I have the honour to report as follows:-

(a) Boycott of British goods:

There is now practically no picketing of foreign cloth shops except at Khangaon, where also the picketting is peaceful. There has not been any appreciable increase in the sales of foreign cloth, because, owing to the present depression, very few are buying good cloth. There is also no doubt however, that the campaign of boycott of foreign cloth has induced in the minds of many a preference for Indian cloth ~~with~~ which will delay the recovery of sales of foreign cloth. No discrimination is being practiced in respect of cloth manufactured in Great Britain.

(b) Picketting: A reference is invited to the remarks under (a) above. There has been no attempt in this district to intensify the picketting of foreign cloth shops, nor is there any evidence that greater efforts are being made to push the boycott of foreign goods. In fact, the Delhi Settlement has been followed by lethargy on the part of the Congress workers in their activities not excluding picketting. It is expected, however, that the prisoners, who have been released recently, will soon after the Karachi Congress ~~devote~~ devote their attention to reorganizing their activities, which are, therefore, likely soon to receive an impetus.

(c) Non-payment of Land Revenue: This movement has been abandoned openly everywhere in the district. There is, behind the dissatisfaction expressed in certain quarters with the Delhi decisions, the grim realization that the continuance of the civil disobedience movement would have rapidly weakened the Congress hold on the public. The commercial community had become impatient and tired, and in the Premier's declaration at the conclusion of the Round Table Conference, it found an excellent reason for withdrawing their support

5-85
of the civil disobedience movement; and other
of the public would have followed suit soon.
Those dissatisfied with the Delhi decisions
have, therefore, for the time being, contented
with formal disapproval of the terms, combined with
emphasis on the need of strict discipline in the Congress
ranks, and a threat that the agitation would be revived
if the decisions of the second Round Table Conference are
not satisfactory. Remarks were thrown in here and there
regarding the 'victory' of the Congress. A few have tried
cautiously to sound what response there would be to a fresh
call for agitation, but I believe they have discovered
that the ground is not favourable for a revival of agita-
tion at present and that the tide is against them. An
attempt to create some excitement by representing that
oppressive methods were being used to collect land revenue
evoked no response, and the attempt appears to have been
given up. At Shegaon, a hot-bed agitation, the agitators
are now trying to see whether an agitation could be worked
up on the basis of a request, not for suspension or remis-
sion of the current year's land revenue, but for the sus-
pension of the enhancement of land revenue at the last ses-
sion. It is too early to say how far this agitation will
interfere with the collection of land revenue, but it is no
unlikely that finding that the situation is not favourable
to the revival of an agitation, they will give up the
attempt for the present, but incidents like the execution
of Bhagat Singh and others will be carefully exploited to
create excitement so that in the interval between now and
the time when the new constitution can be brought into force
there should be ready adequate material to be used for work-
ing up an agitation. There is, however, at present no defini-
te attempt to work up any agitation for non-payment of land
revenue.

On the whole, as a result of the Delhi decisions, the
political situation has not deteriorated but has
contrary improved.

5-86 Copy of letter No. 309-A/I, dated the 25th March 1931, 78
from the Deputy Commissioner, Yeotmal, to the Commissioner,
Berar.

With reference to Political and Military Department
letter No. 217/C.D. dated the 17th March 1931, I have the
honour to report as under:-

2. With the abandonment of the civil disobedience movement
and the abolition of the 'War Council' on the 12th March,
the picketing of British goods has been entirely given up.
When the decision to abolish the War Council was taken,
the President Mr. Jatkar made it quite clear that thenceforth
there will be no boycott of British goods but at the same
time the people should keep alive the movement of Swadeshi,
the change being from a destructive or negative movement to
a constructive or unobjectionable movement. The people were
advised to resort to Indian made cloth, thereby encouraging
the Indian industries. It cannot be gainsaid that the move-
ment of Swadeshi is at any rate partly a political movement
intended to bring pressure on the English commercial classes.
The movement, however, is preached under the guise of encour-
agement to Indian industries to which no exception can be
taken by Government. Change in the name from "boycott" to
"Swadeshi" is itself suggestive of a change for the better.
No picketing of foreign cloth shops is now undertaken in the
district and therefore no restraint in any form is placed
on those who want to purchase British or foreign goods. There
is definitely no discrimination against British goods. People
are advised to eschew all foreign cloth, no matter what
country it is manufactured in.

3. The position regarding the picketing of liquor shops
has also improved and leaves nothing to complain about. Even
before the Congress called off the civil disobedience movement
the picketing was not strong or sustained in this district
and therefore the agreement of the Congress had really no
change to make in this matter. Whatever sporadic or half-
hearted attempts at picketing were made at some shops like

587 79
Yeotmal, Darwaha and one or two shops in the interior have also been abandoned and there is now no restraint whatever on the purchasers visiting liquor shops. The result is that the contractors who offered low prices at the time of Excise sales in the belief that picketing would continue, will now reap the benefit of short-sighted and obstructive action of political agitators. Consumption of liquor will now be restored to its normal quantity and the profit will go to the contractors instead of to the State.

4. There has been no movement directed against the payment of land revenue or other dues in this district and therefore there is no change to report as a result of the cession of the civil disobedience movement. Most of the land revenue has already been collected and whatever is left is left not because non-payment was preached by the Congress but really due to the inability of the people to pay up the dues in such a hard and difficult year as this. The arrears are due to the fall in the prices of cotton and the contraction of credit in the general market and has nothing to do with any movement against the payment of Government dues. It is possible that some people may have held up the payment in the hope that thereby the amount will be remitted but it has been perfectly made clear during the tours of the revenue officers that no suspension or remission will be granted this year and further that claims to taccavi will not be considered in those villages where land revenue or taccavi has not been paid up in full or without particular resort to coercive processes. This has a good effect in the countryside and taccavi particularly which was not coming in as freely as it should have been in the beginning is now being paid up and the arrears are being reduced considerably.

5. In general, there are distinct signs of relief as a result of the abandonment of the civil disobedience movement by the congress, particularly by the trading and professional classes. At a crowded meeting Dr. Tembe, a medical

589 80
practitioner of Yeotmal who joined the movement and went
to jail declared that henceforth he would pay more atten-
tion to his professional duties and would take to political
work only in his spare time. It is realised that political
agitation at the cost of self-interest cannot continue
indefinitely. I have toured extensively since I took over
as Deputy Commissioner of this district and have been
impressed wherever I went with the friendliness displayed
by all non-officials including those whose leanings are
definitely towards the Congress.

6. A copy of this letter is being sent direct to Local
Government as directed at the end of paragraph i of the
letter under reply.

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Reference to latter cases.

Subject.	File No.	Year.	Section.

Reference to previous cases.

Subject.	File No.	Year.	Section.
Maharashtra State			

