

CHAPTER IV.

The Firing at the Jallianwala Bagh.

1. What the military authorities did at Amritsar up to the declaration of martial law is, as has already been observed, taken by the Punjab Government as done in the aid of the civil authority and they say that such action will be governed by sections 130-131 of the Criminal Procedure Code. The action of the civil authorities, in asking the Officer Commanding "to consider himself in charge of the military situation and to take such steps as he thought necessary to re-establish civil control," it may be argued, amounted to the establishment of *de facto* martial law, but for the purposes of judging the Jallianwala Bagh incident, it is immaterial whether General Dyer was acting merely in aid of the civil powers or on his own initiative as the Military Commander at a place where *de facto* martial law existed. On the morning of the 13th of April, General Dyer issued a proclamation, the relevant portion of which order for this purpose is as follows:—

"No procession of any kind is permitted to parade the streets in the city or any part of the city or outside it at any time. Any such processions or gatherings of four men will be looked upon as unlawful assembly and will be dispersed by force of arms if necessary."

2. It appears that this proclamation was promulgated by General Dyer himself who went to certain parts of the town with the *naib-tahsildar* and others. The people were collected at certain places by beat of drum and the proclamation was made known

Proclamation prohibiting meeting insufficiently promulgated.

to them in the vernacular; printed copies of the Urdu translation of the proclamation were also distributed. There was produced before us a map of the city with the route followed by General Dyer and the places at which the proclamation was promulgated marked on the map. There is no doubt, on this map and other evidence placed before us, that the proclamation was insufficiently promulgated, important portions of the town having been left out. The number of people who could have heard the proclamation promulgated is put down at 8 to 10,000 people; the total population of the city is put down at 160,000 to 170,000. There was a large influx of people from outside owing to the *Baisakhi* fair which is an important religious festival; and there was also a cattle fair. The reason for this insufficient promulgation is given in the evidence of Mr. Plomer, Deputy Superintendent of Police:—

Q. You thought that it was sufficient notice for a town like Amritsar to give of an important proclamation?

A. I did not think anything. When it was too hot to walk in the city I took the nearest route out.

Q. You did not suggest to the General that a longer time might be given ?

A. No. When we got to the Majid *mandir* the General remarked that it was getting too hot for the troops so I took the route to Lohgar Gate.

Q. And then this proclamation was stopped

A. Yes.

No attempt was made to put up printed copies of the proclamation at the entrances of the Jallianwala Bagh although it is said, as will be seen hereafter, that it was the place where a number of public meetings had previously been held. General Dyer returned to his camp at Ram Bagh at 12-40 p.m., and on his arrival there he learnt that a big meeting was going to be held at Jallianwala Bagh at 4-30 p.m. It appears that General Dyer, as soon as he heard about the contemplated meeting, made up his mind to go there with troops and fire. He intended to fire upon them with machine-guns, but he was unable to use machine-guns owing to the accident of his being unable to take the armoured cars into the narrow entrance leading to the Bagh. When he took the

Wanted to use machine-guns but was unable to take them in.

machine guns with him he did not know of this difficulty as he had never seen the place before. Similarly, if he had more troops available than the 50 he had, according to him, he would have ordered all of them to fire. When he reached there, he saw a large meeting of people squatting on the ground and being addressed by a person from a small platform. The number of those attending the meeting are varyingly estimated from 15,000 to 20,000, but General Dyer at the time believed it to be 5,000 or 6,000. He put 25 Baluchis and 25 Gurkhas on the raised ground at the entrance and without giving any warning or asking the people to disperse, immediately opened fire at the people in the meeting who were at a distance of 100 to 150 yards.

Opened fire without warning and without asking to disperse, and continued firing till ammunition ran short.

The people, as soon as the first shots were fired, began to run away through the few exits the place has got, but General Dyer continued firing till the ammunition ran short. In all 1,650 rounds were fired, and the casualties have now been ascertained to be at least 379 killed and about 1,200 wounded.

His was not the case of a person who had to take a quick decision on a sudden emergency. After he received the information about the contemplated meeting he had four hours to think before he started to go to Jallianwala, he took half an hour to reach there and he arrived there with his mind already made up as to the action he was going to take. His action was in accordance with a determined resolution that he had deliberately arrived at.

In the report he made on the 25th August, 1919, to the General Staff, 16th Division, General Dyer says : " I fired to produce a great moral effect ; not a question of merely dispersing the crowd. I fired and continued to fire till the crowd dispersed ; and I considered that this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand the casualties would have been greater in proportion. *It was no longer a question of merely dispersing the crowd ;* but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity." Then in the evidence before us, General Dyer said :—

Q. I think you had an opportunity to make up your mind while you were marching to decide what was the right course. You came to the conclusion that if there really was a meeting, the right thing for you would be to fire upon them straightaway ?

A. I had made up my mind. I was only wondering whether I should do it or I should not.

Q. No question of having your forces attacked entered into your consideration at all ?

A. No. The situation was very, very serious. I had made up my mind that I would do all men to death if they were going to continue the meeting.

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Q. Does it or does it not come to this ; you thought that some striking act would be desirable to make people not only in Amritsar but elsewhere to consider their position more correctly ?

A. Yes. I had to do something very strong.

Q. You commenced firing the moment you had got your men in position ?

A. Yes.

Q. The crowd had begun to go away when you continued firing ?

A. Yes.

Q. The crowd were making an effort to go away by some of the entrances at the further end of the Bagh ?

A. Yes.

Q. You put your pickets one to the right and one to the left of the entrance. Towards some places the crowd was getting thicker than other places ?

A. They did.

Q. From time to time you changed your firing and directed it to places where the crowds were thickest ?

A. That is so.

Q. Is that so ?

A. Yes.

Q. And for the reasons you have explained to us you had made up your mind to open fire at the crowd for having assembled at all ?

A. Quite right.

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Q. When you heard of the contemplated meeting at 12-40 you made up your mind that if the meeting was going to be held you would go and fire ?

A. When I heard that they were coming and collecting I did not at first believe that they were coming, but if they were coming to defy my authority, and really to meet after all I had done that morning, I had made up my mind that I would fire immediately in order to save the military situation. The time had come now when we should delay no longer. If I had delayed any longer I was liable for court-martial.

Q. Supposing the passage was sufficient to allow the armoured cars to go in would you have opened fire with the machine-guns ?

A. I think, probably, yes.

Q. In that case the casualties would have been very much higher ?

A. Yes.

Q. And you did not open fire with the machine-guns simply by the accident of the armoured cars not being able to get in ?

A. I have answered you. I have said if they had been there the probability is that I would have opened fire with them.

Q. With the machine-guns straight ?

A. With the machine-guns.

Q. I gather generally from what you put in your report that your idea in taking this action was really to strike terror ? That is what you say. It was no longer a question of dispersing the crowd but one of producing a sufficient moral effect.

A. If they disobeyed my orders it showed that there was complete defiance of law, that there was something much more serious behind it than I imagined, that therefore these were rebels, and I must not treat them with gloves on. They had come to fight if they defied me, and I was going to give them a lesson.

Q. I take it that your idea in taking that action was to strike terror ?

A. Call it what you like. I was going to punish them. My idea from the military point of view was to make a wide impression.

Q. To strike terror not only in the city of Amritsar, but throughout the Punjab ?

**Wanted to reduce the
" morale " of rebels.**

A. Yes, throughout the Punjab. I wanted to reduce their *morale*; the *morale* of the rebels.

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Q. Did you observe that after the firing was opened, there were a number of people who lay on the ground in order to save themselves ?

A. Yes.

Q. And your men continued to fire on these people who were lying on the ground ?

A. I cannot say that, I think that some were running at the time and I directed them to fire, and sometimes I stopped firing and re-directed the firing on other targets. The firing was controlled.

Q. Did you direct the firing on people who were lying down in order to save themselves ?

A. I probably selected another target. There might have been firing on the people who were still lying down though I think there were better targets than that.

The last but one extract supplies the key to the action of General Dyer. He fired on this meeting, and killed about 400 people and wounded about 1,200; because, in his view, they were rebels and he was " going to give them a lesson " and " punish them " and " make a wide impression " and " strike terror throughout the Punjab " and he " wanted to reduce the *morale* of the rebels." That was why he began to fire without warning and without calling upon them to disperse. He continued firing even when the people began to run away, and went on firing till his ammunition was nearly exhausted.

Innocent people among the crowd. Now, because certain people, on the 10th April, had committed certain outrages at Amritsar, to treat the whole population of Amritsar as rebels was unjustifiable; it was still more unjustifiable, to fire at the meeting which was not engaged in doing any violence, in order to give them a lesson and to punish them, because they had disobeyed his orders prohibiting meetings. It is clear that there must have been a considerable number of people who were perfectly innocent, and who had never in all probability heard of the proclamation. The Punjab Government in their case submitted to us say that large crowds of villagers had collected for the *Baisakhi* fair; and that " there were a considerable number of peasants present at the Jallianwala Bagh meeting on the 13th; but they were there for other than political reasons." And they say in another part, " It is clear that a considerable number of them (villagers) did attend as spectators." It is therefore obvious that the crowd on which General Dyer fired comprised people who did not belong to the city of Amritsar at all, and who, therefore, cannot

even vicariously be held responsible for the acts of the hooligans on the 10th April. General Dyer said in his evidence as follows :—

Q. On the assumption that there was a crowd of something like 5,000 and more, have you any doubt that many of these people must have been unaware of your proclamation ?

A. It was being well issued and news spread very rapidly in places like that under prevailing conditions. At the same time there may have been a good many who had not heard the proclamation.

Q. On the assumption that there was the risk of people being in the crowd who were not aware of the proclamation, did it not occur to you that it was a proper measure to ask the crowd to disperse before you took to actually firing upon them ?

A. No : at the time it did not occur to me. I merely felt that my orders had not been obeyed, that martial law was flouted, and that it was my duty to immediately disperse it by rifle fire."

Possible to disperse without firing. General Dyer also admits that it was quite possible that he could have dispersed them without firing.

Q. What reason had you to suppose that if you had ordered the assembly to leave the Bagh they would not have done so without the necessity of your firing, continued firing for a length of time ?

A. Yes : I think it quite possible that I could have dispersed them perhaps even without firing.

Q. Why did you not adopt that course ?

A. I could disperse them for some time ; then they would all come back and laugh at me, and I considered I would be making myself a fool.

It is now admitted that among the 379 dead, now officially recognized, 87 were ascertained to be residents of outside villages. The proportion of the outside people in the meeting must have been appreciable as shown by the fact that it attracted the attention of General Dyer even within the extremely short time—30 seconds—between his arrival and the opening of fire. He says in his report that the crowd appeared to be a mixed one consisting of city people and outsiders.

3. It appears that the action of General Dyer was approved by General Beynon and also by Sir Michael O'Dwyer. General Beynon on the 14th April sent the following telegram :—“ Your action correct. Lieutenant-Governor approves.” Sir Michael O'Dwyer in his evidence before us, states that General Beynon spoke to him over the telephone about the Jallianwala Bagh incident and said that he fully approved of it and asked him (Sir Michael O'Dwyer) if he approved of it. Sir Michael O'Dwyer says that he at first said that it was not for him to criticise his (General Dyer's) action or to approve or disapprove of it. But General Beynon added that the situation in Amritsar had been completely restored. He

(General Beynon) said that General Dyer would like to know that if he (Sir Michael O'Dwyer) approved of his action. The entry in the War Diary of the 16th Division under date the 14th April is to the following effect: "At a Conference at Government House, General Dyer's report on his action at Amritsar was considered and action taken was approved by the Lieutenant-Governor."

Sir Michael O'Dwyer told us that before General Beynon's telephonic message came on the 14th April, that morning he had got an account of the incident from the Deputy Commissioner which contained the information that General Dyer had fired without warning and had gone on firing for about 5 to 10 minutes and dispersed the crowd inflicting 200 casualties, by which Sir Michael says he understood dead casualties. It was with this information before him that Sir Michael O'Dwyer expressed his approval of General Dyer's action later in the day.

We must say we are not surprised that Sir Michael O'Dwyer should have expressed such approval, for it appears from his evidence before us that he holds practically identical views with those of General Dyer in this matter. In his view, it did not matter if the people assembled at the Jallianwala Bagh that evening were different people from those who had committed murder and arson on the 10th, the very fact that they had assembled was enough to treat them as people who had committed murder and arson; and he also believes in the effect of General Dyer's action in crushing the alleged rebellion. In the written statement submitted to us he says: "The casualties were large and regrettable but the loss of life was inevitable, when a truculent mob which had already committed murder and rebellion assembled to defy authority." The following extract from his *visu voce* examination is instructive:—

Q. I want to ask you a few questions about the Jallianwala Bagh incident. You say on page 10 "the casualties were large and regrettable but loss of life was inevitable when a truculent mob which had already committed murder and rebellion, assembled to defy authority."

A. You have got my *addendum* to that statement.

Q. Yes. I will deal with that. The view there seems to be as if the crowd that had assembled there had committed murder and rebellion. Is there any evidence that that particular crowd had committed any murder or rebellion?

A. I do not suppose it could be said with reference to any particular crowd, but Amritsar city, as a whole, had committed murder and rebellion.

Q. You treated the whole city to be in rebellion and therefore everybody in the city as taking part in that rebellion. That was your view?

A. The view I took there was that that meeting was held to show their hostility to Government and their sympathy with the people who had committed rebellion and murder.

Q. It may be that those who assembled there that evening may have been different people altogether from those who committed the actual murders and arson and other violent acts ?

A. Yes, but they were there to show their sympathy with the people who committed murder and rebellion and their hostility to the Government which was repressing it.

Q. There is no evidence to show that they assembled there for that ?

A. I think it may be inferred from the fact that they had assembled there knowing what the conditions in Amritsar had been for the previous three days and knowing that any such meeting had been prohibited.

Q. I am coming to the prohibition. But there is no evidence to show that the assembly there expressed their sympathy with those who had committed murder and arson ?

A. I think the fact that they had assembled there was enough ; they would not have assembled there without good reason, at a critical time like that.

Q. The mere fact that they had assembled justified the conclusion that they had assembled there for the purpose of expressing sympathy ?

A. I think after what had happened in Amritsar for three days and taking that the prohibition issued that morning

Q. I am coming to the prohibition. You say they assembled to express sympathy. There is no evidence at all. You infer it ?

A. Yes, I infer it.

At another place in his written statement, Sir Michael O'Dwyer says :—

“ Speaking with perhaps more definite knowledge of the then situation than any one else, I have no hesitation in saying that General Dyer's action was the conclusive factor in crushing the rebellion.”

4. General Dyer wanted by his action at the Jallianwala Bagh to create a “ wide impression ” and “ a great moral effect.” We have no doubt that he did succeed in creating a very wide impression and a great moral effect, but of a character quite opposite to the one he intended. The story of this indiscriminate killing of innocent people not engaged in committing any acts of violence but assembled in a meeting, has undoubtedly produced such a deep impression throughout the length and breadth of the country, so prejudicial to the British Government, that it would take a good deal and a long time to rub it out. The action of General Dyer as well as some acts of the martial law administration, to be referred to hereafter, have been compared to the acts of “ frightfulness ” committed by some of the German military commanders during the war in Belgium and France.

Effect of General Dyer's action in the country.

It is pleaded that General Dyer honestly believed that what he was doing was right. This cannot avail him, if he was clearly wrong in his notions of what was right and what was wrong ; and the plea of military necessity is the plea that has always been advanced in justification of the Prussian atrocities. General Dyer thought that he had crushed the rebellion and Sir Michael O'Dwyer was of the same view. There was no rebellion which required to be crushed. We feel that General Dyer by adopting an inhuman and un-British method of dealing with subjects of His Majesty the King-Emperor, has done great disservice to the interest of British rule in India. This aspect it was not possible for the people of the mentality of General Dyer to realise. The following extract from his (General Dyer) evidence may be referred to in this connection :—

Q. Did it ever occur to you that by adopting this method of "frightfulness"—excuse the term—you were really doing a great disservice to the British *Raj* by driving discontent deep ?

A. No, it only struck me that at the time it was my duty to do this and that it was a horrible duty. I did not like the idea of doing it but I also realized that it was the only means of saving life and that any reasonable man with justice in his mind would realize that I had done the right thing ; and it was a merciful act though a horrible act and they ought to be thankful to me for doing it.

Q. Did this aspect of the matter strike you that by doing an act of that character you were doing a great disservice to the British *Raj* ?

A. I thought it would be doing a jolly lot of good and they would realize that they were not to be wicked.

People like General Dyer have the fixed idea that the effective way of governing in India is force. It is the same idea that General Drake-Brockman of Delli gave expression to in his written statement at Delhi : "Force is the only thing that an Asiatic has any respect for."

5. The conduct of General Dyer, after the firing was over, was in keeping with the attitude which dictated the firing. He immediately left the place with his troops and did not do anything to see that either the dead were attended to or the wounded received help. He did not consider it to be "his job." It is said that it would not have been quite safe for him to have stayed at the Bagh any longer, as there was the risk of the crowd that he had dispersed overpowering his force as his ammunition was finished. But for the purpose of arranging for the dead and the wounded, he need not have waited at the Bagh, but he could have given the necessary directions for the purpose after reaching his head-quarters at Ram Bagh. Either he was in supreme command in supersession of the civil authority or he was there in aid of the civil power. If the former, we think he ought to have done something about the matter. If the latter position was the correct one, he should have informed the civil authorities and they should have made the necessary arrangements. But neither the civil nor the military authorities seem to have done anything at all. The following is General Dyer's evidence on the point.

Q. After the firing had taken place did you take any measure for the relief of the wounded ?

A. No, certainly not. It was not my job. But the hospitals were open and the medical officers were there. The wounded only had to apply for help. But they did not do this because they themselves would be taken in custody for being in the assembly. I was ready to help them if they applied.

Q. Were any measures taken immediately for dealing with the dead ?

A. They asked that they might bury their dead.

Q. That was much later ?

A. My recollection is that when I got back they came and asked me and I said certainly. It never entered my head that the hospitals were not sufficient for that number of wounded if they had liked to come forward.

When General Dyer, in this part of his evidence, said that when he got back, the people came and asked that they might be allowed to bury the dead and he gave the necessary permission, he was under a misapprehension. The asking and giving of such permission took place the next day, *viz.*, 14th April. In the report which General Dyer made of the operations from the 11th to 14th April to General Beynon, and which is appendix III to that officer's report to the Adjutant General dated the 5th September 1919, he, after narrating the Jallianwala Bagh incident, proceeds to say that he returned to the head-quarters at 6 P.M. (13th) and at 10 P.M. he marched through the city to make sure that his orders as to the inhabitants not being out after 20 hours (13th) was obeyed; he found the city absolutely quiet and not a soul was to be seen. He then says, " the inhabitants have asked permission to bury the dead, and this I am allowing." This evidently refers to the 14th ; the day on which he made the report. This is further borne out by the entry made by Captain Briggs in the War Diary about this permission. The order itself which is appendix VI to General Dyer's report of 25th August 1919 permitting the burning or burial of the dead, is dated the 14th April. When this was pointed out to General Dyer he admitted that the permission was given on the 14th of April.

6. As already stated above, Sir Michael O'Dwyer learnt on the 14th April from the Deputy Commissioner about the Jallianwala Bagh, that General Dyer had fired without warning and had gone on firing for about 10 minutes, and that there were 200 dead casualties. It does not appear that any steps were taken by the Punjab Government for a long time to ascertain the real facts about so serious an occurrence and to find out the correct number of casualties. Sir Michael O'Dwyer, when asked about it, says in his evidence that, on the 15th April he had an interview of about a quarter of an hour with General Dyer and that afterwards the Punjab Government were awaiting General Dyer's report. Sir Michael O'Dwyer said that in the latter part of April, General Dyer had been taking moveable

No steps taken for a long time to ascertain the casualties.

columns to the various parts in the neighbourhood of Amritsar and that when he came back he was sent early in May to the Afghan War. General Dyer did not make his report till the end of August 1919, and that was made in response to a communication from the Adjutant General dated the 19th July 1919 evidently asking for a special report. The Punjab Government do not appear to have taken any steps till the end of June to ascertain the casualties. Mr. Thompson, the Chief Secretary, said :—

Q. Do you know what steps were taken to ascertain what the number of the casualties were ?

A. There were no steps until about the end of July when we told the Deputy Commissioner to make enquiries.

It appears that notices were issued on the 8th August, inviting people to give information regarding those who had met their death at the Jallianwala Bagh. During the discussion in the Imperial Legislative Council on the 19th September 1919, in speaking about this matter the Government enquiries showed dead casualties to be 291 and that any information which puts the number beyond this should be received with the gravest caution.

In his evidence before us Mr. Thompson admitted that certainly 379 dead casualties had taken place, and that there was possibly still a small margin for more.