

## CHAPTER I.

### Delhi.

1. The first outbreak occurred in Delhi\* on 30th March 1919. On that date a *hartal*, (i.e., a shutting of shops) was held in the city, as part of Mr. Gandhi's passive resistance movement against what is known as the Rowlatt legislation. Mr. Gandhi's original intention, at least as understood in Delhi, was that the 30th of March should be observed throughout India as a day of abstinence from work and general mourning in protest against the Government's action in passing Rowlatt Bill No. 2. The date for this all-India *hartal* was ultimately altered to, or fixed as, the 6th April ; but in Delhi it had been resolved by those in sympathy with Mr. Gandhi's action that a *hartal* should take place on 30th March. Accordingly it took place and with very great success in the sense that shops both Muhammadan and Hindu were closed and business was brought to a standstill in the city.

2. Early in the morning of 30th March crowds collected of those who were observing the day as one of fasting and abstinence from work. There is evidence that **Crowds enforce "Hartal."** they objected to people riding in *tongas* † and motor cars and showed their objection in certain cases by getting people to alight from vehicles in which they were driving.

3. A considerable number of people went early in the forenoon of the 30th March to the Railway Station, Delhi. **At the Railway Station.** There they endeavoured to get the vendors of refreshments at the 3rd class refreshment room to abstain from work and join with them in their *hartal*. The contractor, an old deaf man, explained that he was under contract with the railway authorities to keep his stalls open for the sale of goods to passengers by trains and therefore could not close his shop as requested. This explanation did not satisfy the crowd. They proceeded to seize and drag the contractor to the entrance ; in the scuffle he was hurt. About this time too Mr. Matthews, Deputy Station Superintendent, had the coat torn off his back but in the absence of Mr. Matthews the evidence as to the exact sequence of this incident is not entirely clear. In any case the railway police quite properly interfered. They arrested two men but these men do not appear to have been detained for any considerable time.

---

\* For map see appendix.

† Pony Carts

4. The temporary arrest of the men appears to have evoked great excitement and caused numbers of people to invade the main station building streaming across the platform, stopping all work, and using threats of violence. **Crowds become intractable.** Mr. Yule, District Traffic Superintendent, was among those threatened. Although they were driven out of the station the crowd remained in numbers in the station yard in front of the station on Queen's Road, off which road is the main entrance to the station. They refused to accept the official assurance, which was given to them, that there were no men in custody; and continued to demonstrate, obstructing and finally stopping traffic at the station, notwithstanding that some members of the public had been taken over the station buildings to satisfy themselves that no one was there in arrest and had declared this to the crowd. While the people were being cleared out of the station building some railway property was destroyed, but it does not appear that this was done intentionally.

5. Mr. Currie who was acting as Additional District Magistrate and **Police and military forces.** Mr. Jeffreys, Additional Superintendent of Police, arrived at the station about 1 o'clock. The latter gentleman had a police force of between 40 and 50 under him. Meantime the civil authorities had communicated with General Drake Brockman who was in command of the troops in Delhi, and a picket of 30 men and a sergeant under Lieutenant Shelford were sent from the fort to the railway station where they arrived shortly after one. These men were armed with rifles, bayonets and the regulation number of 20 rounds of ammunition each. In addition to this military force there were some 15 or 20 British soldiers travelling through Delhi who are held up at the station. There was also a company of 250 Manipuris on their way home from Mesopotamia but their presence was not known to Mr. Currie, and; in any event, their employment was a matter of difficulty as they did not know either English or Urdu, and apparently understood only their own officer. Lieutenant Shelford divided his force into 2 parties, one of 15 men under Sergeant Kemsley and the other of equal strength under himself. He increased his own force by going to the station and getting 15 non-commissioned officers and men of the small force above referred to armed from the ammunition store at the station.

6. The crowd in front of the station was increasing in numbers and **in the yard and on the road.** their attitude was gradually becoming one of hostility to the authorities. When Mr. Jeffreys, who was mounted, arrived in the station yard he found it packed. People began poking at his horse with sticks. The horse backed out of the yard into the road and the crowd followed. There they saw the armed constables of Mr. Jeffreys drawn up in line. Mr. Currie vainly endeavoured to get the crowd to break up. They kept clamouring for the release of two of their number and refused to disperse although informed that there was no one detained in custody.

Mr. Marshall, Senior Superintendent of Police, with a small force of mounted police arrived at about a quarter to 2 o'clock.

7. The crowd were pressed back across Queen's Road into Queen's Gardens by a line of police supported by soldiers. Bricks were being thrown at the police and military. Mr. Jeffreys had several aimed

**In Queen's Gardens.  
Firing.**

at him, one of which struck him on the hand. The situation had become serious, the crowd having got completely out of hand. As it was pressed through the gates into Queen's Gardens, the railings, not very securely fixed, were pushed down for some distance. When through the gates the crowd seems to have increased in hostility, and finding stones, bricks and some convenient cover near its new position redoubled its efforts, throwing stones and bricks from the garden on to the soldiers and police. Mr. Marshall called out to Mr. Currie that they would have to fire. Mr. Currie finally sanctioned this being done and the mob was fired upon by the force under Sergeant Kemsley and by the police under Mr. Marshall and Mr. Jeffreys. Before the firing took place a considerable proportion of the police force under Mr. Jeffreys had been wounded by missiles thrown at them by the crowds. A little later in the same afternoon Mr. Barron, Chief Commissioner, found the place littered with bricks and stones. The force available to deal with the crowd at the Queen's Gate was about 16 armed constables near the gate, 8 or 10 mounted constables, about a dozen unarmed constables and 15 men under Sergeant Kemsley. Lieutenant Shelford had taken half of his original force, and the additional men obtained from the station, to clear away other portions of the crowds by forcing them to retire along Queen's Road. The firing lasted a few seconds. As the result thereof 2 or 3 men were killed and several wounded. The dead bodies were taken into the station.

8. After this firing the crowd retreated through the Queen's Gardens towards the Town Hall and Chandni Chowk, the main bazaar in the city. Precautions were taken to prevent the crowd returning to

**At the Town Hall.  
Firing.**

the station. Shortly after the retreat of the crowd, news reached Mr. Jeffreys of a row near the Town Hall. He was instructed by Mr. Marshall to go there and on arriving found a large crowd inside the western gate leading from the gardens to Chandni Chowk at the side of the Town Hall. This crowd was facing a small body of police—some 17 constables, mostly armed, under a sub-inspector whose orders were to prevent the crowd from returning to the station. The police were being pelted with missiles from the crowd who refused to disperse although requested to do so by some of the constables in front. The stone throwing increased on Mr. Jeffreys' arrival; his horse as well as himself were hit time and again: finally he had to get off and the horse bolted. Mr. Jeffreys had withdrawn his force slowly to the point at which the front face of the Town Hall guarded his left flank. On his other hand, however, there was considerable open space containing a line of bushes and he was afraid of being rushed from this direction. The crowd

continued to advance, some of them attempting to use the line of bushes on his exposed right flank. Finally he gave an order to the 4 men on the extreme right to fire one round in the direction of the bushes, in order to clear his flank and because of the missiles coming from that direction. One man was killed but the crowd moved forward throwing bricks at the police force. Mr. Jeffreys then ordered his 12 constables to fire a second "volley." This did not have much effect and the crowd continued to advance. A British picket (15 men under Sergeant Kemsley) then came up, and according to Mr. Jeffrey's statement fired off two "volleys" in the air. This only irritated the crowd and they charged the British party, who then lowered their rifles and fired into them causing them to disperse. As a result of this the total number of persons killed by the firing on this day was increased to 8. Only a dozen or so of wounded persons came to hospital for treatment but the number of the wounded on this day would exceed this figure substantially. It was suggested to us that the crowd at the Town Hall were wanting to return to the railway station in order to obtain the bodies of those killed in the previous firing there. We do not think that this is so but, if true, it does not seem to us to affect the conduct of the authorities in the circumstances above detailed.

9. Another incident of the 30th March may be noted. Mr. Munshi

**The Manipuris.**

Ram now known as *Swami* Shradhdhanand, President of the Reception Committee of the Indian National Congress, 1919, addressed a large meeting of people in the People's Park in the afternoon of that day. The Chief Commissioner himself went to this meeting, which he allowed to continue on being assured by the leaders present that it would be conducted in an orderly fashion. It passed off without disturbance. As *Swami* Shradhdhanand was returning from this gathering followed by a considerable number of people he met a picket of 20 or 30 of the Manipuris who were being sent to the Kotwali to act as a reserve. As this crowd approached the picket a shot went off accidentally probably in the course of loading. No one was hit. Mr. Orde, Superintendent, C. I. D., explained that he came upon the scene when the crowd were facing the picket who did not understand what was being said to them. He persuaded *Swami* Shradhdhanand to go away while he himself took the Manipuris to the Kotwali. The only importance of this incident is that it exemplifies the unsuitability of this particular force, suddenly plunged into strange surroundings and among strange people, for the purpose of dealing with highly excited crowd.

10. On 31st March large processions attended the funeral services of those who had been killed in the rioting on the previous day but no collision between the crowds and the police occurred.

**31st March. Funerals.**

11. On 1st April shops began to open again. According to Mr.

**6th April. Second  
"Hartal."**

Gandhi's programme of passive resistance to the Rowlatt legislation there was, as already mentioned, to be a general *hartal* throughout

India on Sunday, 6th April. The Delhi leaders were not anxious, in view of what had occurred on 30th March, that there should be a second *hartal*, but the people or a considerable portion of them insisted, with the result that all the shops were again shut. A large meeting was held at the Fatchpuri mosque where, contrary to Muhammadan custom, Hindus were allowed to speak.

On 7th, 8th and 9th April shops were gradually opened but there was a considerable amount of excitement among the people.

12. On the evening of 9th April Mr. Gandhi, who was on his way from Bombay to Delhi, was stopped at a small station, Palwal in the Punjab. An order had been issued excluding him from the Punjab and the Chief Commissioner of Delhi had got permission from the Government of India to issue orders excluding him from Delhi and confining him to the Bombay Presidency.

News that Mr. Gandhi had been arrested and turned back quickly spread through the city. On 10th April there was again a very general closing of shops. Word came in the evening of that day of the serious occurrences at Amritsar and Lahore. The civil authorities arranged to have military precautions in full force on the 11th in case of trouble. No actual disturbance took place, but, as the Chief Commissioner expressed it, the collecting of crowds in the city looked unpleasant in places. Meantime the shops continued shut. Several meetings took place between the authorities and the leaders of the passive resistance movement. Although most of these leaders were now anxious to have the *hartal* terminated they were unable to persuade the people to adopt this course. They appeared to have lost control.

13. On 14th April a C. I. D. Inspector was very badly assaulted at a meeting that was being held at the King Edward Park. On the appearance of the District Magistrate and a troop of cavalry from the Queen's Gardens, where a military force was kept quartered, the people dispersed.

14. The continuance of the *hartal* and the failure of the leaders to persuade people to open their shops was causing the authorities a great deal of anxiety. On the 16th April it was resolved to send a number of police pickets down the streets to inspire confidence in people who wanted to open their shops. On the morning of 17th April a number of shops were opened. Some of the more unruly members of the Delhi mobs, however, went behind the pickets and endeavoured to close such shops as were opening. This led to the arrest of a man by the police and an attack was made on a head constable, who was knocked down and nearly killed, and then on a police picket at the end of Ballimaran Street where it joins the Chandni Chowk. The police were forced to fire in self-protection. About 18 people were reported as wounded with buckshots, two of whom subsequently died.

15. No disturbance occurred in Delhi after 17th April. On 18th April most of the shops in the suburbs of the city and a certain number in the main bazaar opened, while on the 19th the shops in the Chandni Chowk opened and the *hartal* was definitely brought to an end.

**End of disturbances.**

16. The outbreak at Delhi on 30th March arose out of the *hartal* held in connection with Mr. Gandhi's passive resistance movement started as a protest against the Rowlatt legislation. In connection with that movement Mr. Gandhi instituted a *Satyagraha* society in India. On 7th March 1919 he visited Delhi and, as a result of that visit, a local branch of the society was founded. A number of leading Indians joined this society but it never had a large membership. The oath taken by *Satyagrahis* bound them to offer civil resistance to such laws as might be selected by a committee consisting of Mr. Gandhi and one or two others. We shall have occasion to consider this movement in more detail when dealing with the disturbances in the Punjab. We may point out, however, that, while abstinence from violence in their resistance to laws was preached to the people by Mr. Gandhi and his disciples, "civil disobedience" to laws to be prescribed by a committee is not the same thing as "passive resistance" and in any case the spread of passive resistance on a wide scale throughout India will inevitably lead to outbreaks of riot and violence. This latter fact was recognised by Mr. Gandhi after a serious outbreaks in the Punjab occurred.

**Causes. Civil Disobedience to Laws.**

It is an old custom in India for people, especially Hindus, to shut their shops as a sign of mourning. The term *hartal* is applied to a general shutting of shops on such an occasion. *Hartal* has been not infrequently resorted to as a measure of protest against, or opposition to, something considered as oppression, e.g., in Delhi itself the Hindus in 1917 had held *hartal* for 9 days because of Government's orders as to the Ram Lila procession route. Mr. Gandhi resolved to have a *hartal* held throughout India on a particular day as an indication of national disapproval of the Government's policy in passing the Rowlatt Bill. A great number of meetings were held throughout India in pursuance of this policy and there was considerable agitation connected therewith.

17. There is no doubt that the feeling against the Rowlatt Act was very widespread. Bitter speeches were made against it when it was before the Legislative Council. Wild rumours were circulated as to its effect. As examples of these rumours we were told that it was said that, under the Act, the police would have power to arrest any three or four men conversing together, that nobody would be allowed to own more than a certain amount of land, and that nobody would be allowed to marry without leave from Government. These and similar rumours were widely circulated and believed by the illiterate population who were not familiar with the provisions of the Act. So far as Delhi is concerned, it is not said that the political leaders were responsible for the circulation of these rumours. The worst thing alleged against them is, that they did not

deny the truth of the rumours and did not trouble themselves to explain the nature and effect of the provisions of the Act which they were denouncing.

18. The disturbances at Delhi never took the form of an *anti-European* and *anti-Government* movement. We are not satisfied that the boycotting of cars which occurred during the *hartal* was motivated by *anti-British* feeling. The criminal investigation department of the police investigated the question whether there was any organised conspiracy against Government responsible for the outbreaks. No trace of the existence of such a conspiracy was discovered.

When the *hartal* took place the people responded to it in a manner which neither the authorities nor the politicians themselves expected. The lower orders found themselves with nothing to do, readily found occasion for mischief, and their resentment at interference by the police speedily led to their getting out of control and committing acts of violence.

19. A certain amount of evidence was adduced before us as to general causes of unrest among the people of Delhi with which we may deal briefly. In recent years there has been a great deal more political agitation in Delhi than was previously the case. This is only a natural consequence of Delhi having become the capital of India. During the winter previous to the outbreaks, the All-India Congress and the Muslim League had met in Delhi. The meetings of the Legislative Council, at which the Rowlatt Bill was discussed, were held in Delhi in February. The discussions arising out of these meetings would lead to a good deal of excitement and feelings of antagonism to the policy of the Government would no doubt be roused. Some witnesses suggested that dissatisfaction existed among the people because it was supposed that the Deputy Commissioner was unsympathetic towards all forms of political activity.

Among the poorer classes there was a feeling of disappointment that prices after the armistice had not fallen to their pre-war level. So far was this from being the case, that prices of many of the necessaries of life had risen rather than fallen since that date, and by many this was no doubt made a cause of complaint against Government. In India as in European countries the termination of the great war has been followed by a period of unsettlement and general unrest.

It may also be noted, because more than one witness brought the matter to our notice, that there is a very widespread dislike of the police among the people of Delhi.

20. It does not appear to us that it would be legitimate to attribute the outbreak to any material extent to any one or more of these causes. Something must, no doubt, be allowed for the ferment of the time, which Delhi had not escaped, but the actual collisions between the public and the authorities on the 30th of March were the bye-products—undesigned

and unexpected—of the *Satyagraha* movement with its doctrine of civil disobedience to laws, and of the *hartal* which gave an opportunity for this doctrine to produce result in the action of numbers of the people.

21. As regards the measures taken by the authorities to deal with the disturbances we think that these were adequate and reasonable. Martial law was never proclaimed, though the situation was so serious that the Chief Commissioner on 17th April applied to the Government of India for authority to declare martial law. Throughout the critical period of the disturbances the civil authority received assistance from the military in the quelling of the disturbances, the patrolling of the streets and the maintenance of order. There does not, however, appear to us to have been any provocative or unnecessary display of military power. We cannot assent to the criticism that the police should have kept themselves in the background and left the preservation of order to the "leaders" on the notion that the presence of policemen on duty in the streets can be taken by the crowds as hostile or provocative action on the part of the authorities.

22. The chief question raised is whether or not firing on the mobs was justified on the three occasions when, as above indicated, this took place, *i.e.*, at the station and near the Town Hall on the 30th March, and in the Ballimaran Street on 17th April. In our opinion the answer must be in the affirmative so far as these three occasions are concerned. There is no doubt as to the right of the civil or military authority to fire upon an unlawful assembly if it is necessary for the public security that it should be dispersed and this cannot otherwise be effected. The firing by the Ballimaran picket was indeed done more as an act of self-protection against attack. On all the occasions to which we have referred recourse was only had to firing after the patience of those entrusted with the duty of maintaining public peace and order had been sorely tried and all reasonable efforts had been made to induce the crowd to disperse peacefully. In no case was firing continued longer than was necessary to achieve the legitimate object of restoring order and preventing a disastrous outbreak of violence.

23. There is no doubt that it was in consequence of Mr. Gandhi's being arrested and prevented coming to Delhi that a general *hartal* was started on the 10th and continued till after the 17th April. His presence at Delhi was naturally viewed with grave apprehension by the authorities. Whatever his own repugnance to any display of force might be, there was no guarantee that he would be able to get the people to carry out his instructions in the way desired by him. In asking for adherents to the *Satyagraha* vow and in engineering on so wide a scale a day of humiliation or mourning as a means of heightening feeling and making protest against an Act of the Indian Legislature, he had issued a distinct challenge to Government. What the effect of his being allowed to proceed on his contemplated journey would have been may be matter of



speculation ; but his presence in Delhi after the incidents of the 30th March, and in the troubled days which followed, was naturally considered as a source of danger. Any collision between the police and Mr. Gandli personally in Delhi would certainly have produced immediate trouble whatever had been the merits or the occasion.

24. Of the criticisms made before us upon the action of the authorities, the only one that requires to be noticed, arises out of the fact that, during the period of the disturbances, the Deputy Commissioner enrolled a number of the leading citizens as special constables. Several regulations as to uniform and reporting at the police station were issued which were strongly resented by the gentlemen who are enrolled in this force. The regulations objected to were recalled by the Chief Commissioner without compliance therewith having been insisted in. The special constables do not appear to have been called upon to render any services, and we think that, in all the circumstances, it was an error to enrol them at all though no great inconvenience was suffered by any one.