PART-III

FOREST SATYAGRAHA AT CHIRNER
The initial thrust of civil disobedience was on salt satyagraha, but the salt phase of the agitation started petering out when the monsoon arrived. There was indeed no all-India blueprint for civil disobedience and the movement in practice took the form of loosely co-ordinated local conflicts. By 15 May 1930 Congress Working Committee realised that extensive flexibility was necessary to be granted to local satyagraha units, and that a time had come for new forms of civil disobedience, such as violation of forest laws, non-payment of land revenue, disobedience to the Ordinances, withdrawal of post office savings, etc. As Jairamdas Daulatram wrote in the Young India: "Each town, each village may have……………..to become its own battlefield. The strategy of the battle must then come to be determined by local circumstances and change with them from day to day " (Young India, 17 July 1930). Accordingly the Maharashtra Civil Disobedience Committee opted for a series of satyagrahas against the oppressive forest laws. Forest satyagraha became a great rallying point and its strategy for Western Maharashtra was prepared by Shankarrao Deo. After the Shiroda Salt satyagraha, the next target was the forest satyagraha in Sangamner and Akola talukas of Ahmednagar district. A series of forest satyagrahas was enacted in almost all districts.

However, the satyagraha at Chirner in Panvel taluka attracted great attention not merely in Maharashtra, but also in India. A huge mass of people violated the forest laws simultaneously at Chirner, Kalhe and Chawane on 8 September 1930. But the most famous satyagraha, which was a grim non-violent battle, was fought at Chirner on 25 September 1930. "The Tahsildar equipped with a considerable police force was sent to curb the satyagraha. Indignant but non-violent satyagrahis were handcuffed without the order of the Tahsildar. The latter questioned the police officer for his action. The satyagrahis appreciated the good gesture of the Tahsildar. The police officer, however, took offence and on a slight pretext opened fire on the satyagrahis. The tahsildar was surprised why the police should have
resorted to firing. He came forward to stop the use of this brute force. Unfortunately the Tahsildar, the representative of British Government, himself fell a victim to a bullet shot from the so-called protectors of law. The satyagrahi women tried to save the life of the Tahsildar, but in vain. The satyagrahis, all of them Agris and Kunbis, even though they had lost seven of their colleagues in this battle, showed the magnanimity to decorate the dead body of the Tahsildar and to participate in the funeral procession. This led to a great consternation among the official circles. The bureaucracy instituted prosecution of many satyagrahis and perpetrated the worst type of harassment of those arrested. (K. K. Chaudhari, Maharashtra and Indian Freedom Struggle, p. 95)

The documents and the comments of enlightened persons and newspapers, furnished in this part, throw a searching light on the nonviolent movement of Gandhian resistance at Chirner.

Editor
Bombay Special to Home, Simla (Telegram)

S. D. 4212 26 September, 1930.

Following from Commissioner, Southern Division, dated September 26th Quote District Kolaba wires Begins Panwel Sipols telegram received yesterday night Begins Firing opened at the mob in Chirner Satyagraha Mamlatdar killed. No trace of Chirner partymen. Inspector and Ranger in difficulty wired for help from Karjat and Uran. Myself proceeding Chirner with possible men. Ends. Panwel Head Karkun wire. Begins Chirner forest Satyagraha Mamlatdar died gunshot wound. Ends. Myself with dispol and Prant Northern proceeding this morning Panwel Will wire further development later. Ends. I suggest Thana or Bombay reinforcements be offered to District Kolaba at Panwel and reinforcements be wired to stand by pending his reply Unquote.

A. E. Caffin, D. S. P., Kolaba to I. G. P., Poona

Panvel, 27 September, 1930.

In continuation of my telegram of last night I have the honour to report as follows:

For the past week or so, an additional force of 20 armed policemen has been kept at Panvel in view of the frequency of forest satyagraha there.

On 25th Sept. 1930 satyagraha was to take place in Chirner forest. So the Mamlatdar, Inspector and 20 police (14 armed and 6 with lathis) went there. A large crowd had gathered outside the forest, but a number of people had already entered the forest. The police party went ahead and arrested a number of leaders or more prominent offenders. The Inspector ordered the prisoners to be handcuffed fearing an attempt by the crowd to release them. The crowd made a hostile demonstration and the Mamlatdar, in order to pacify them, ordered the removal of the handcuffs. This was done, but the crowd became more and more hostile. The police party were now in a small valley and the satyagrahis entered in from the hills on the three sides of the party and commenced throwing stones and logs cut from the forest. The Mamlatdar and a roundguard went ahead to try and pacify the crowd, but to no effect. A forest guard who was bringing sickles (attached from the accused) was beaten and the sickles
taken from him. Simultaneously the Inspector received a blow from a stick knocking him down, and his revolver and cartridges were snatched from him. Seeing the situation so serious, the police opened fire in self-defence. Unfortunately a stray bullet killed the Mamlatdar. One roundguard also was killed, but this cannot be definitely ascribed to a bullet until the post-mortem notes are received. Apparently some policemen strayed from the party and were cut off. One head constable returned yesterday after wandering through the jungle; 1 head constable and 1 constable were found at a short distance from the scene, beaten to death and one unarmed head constable has not yet reported.

In all 9 deaths are so far reported including four Government servants. Fourteen policemen have received injuries mostly slight. About 15 satyagrahis are known to be injured, but there are probably many more satyagrahis injured to a less extent. The number of satyagrahis was estimated at 5,000.

One hundred and fifty-five rounds of ammunition are missing, i.e., including fired and lost. Probably quite a number of rounds were lost, without being fired.

The D. S. P. and D. M. received intimation of the occurrence at 10 p.m. on 25-9-30 and reached Panvel on 26-9-30 at 10 a.m. (approximately). It was found that the D. S. P., Thana, on receiving news, went to the spot in the early hours of the morning with his Dy. S. P. and 50 men, and rendered invaluable assistance in restoring confidence and setting afoot an enquiry. The D. M. and D. S. P., Kolaba, after making enquiries at Panvel proceeded to the spot and continued enquiries there. The D. S. P. is continuing the enquiry as the above is a rough outline of the happenings. The D. M. has returned to Alibag. Offences are being registered under the relevant sections. Two guns (475 pattern), one revolver and a quantity of ammunition are missing in addition to other articles of Government kit.

Panvel Merchants' Association to Governor of Bombay

Panvel, 26 September 1930.

'The Merchants' Association of Panvel strongly protests against police excesses, unprovoked, unauthorised and indiscriminate firing by the police on peaceful masses assembled at Chirner from several villages for forest satyagraha on twenty-fifth evening. The association expresses regret of the tragic death of the magistrate and other victims due to the police firing. It further demands complete inquiry by independent non-official committee and immediate transfer of officers concerned for impartial investigation.—President Panvel Merchants' Association.
Panvel Municipality to Governor of Bombay

Panvel, 20 October 1930.

The Municipality, Panvel, resolves by resolution of 1-10-30.—The Municipality of Panvel invites the attention of His Excellency the Governor of Bombay to the unauthorised firing by the police at Chirner on 25th September 1930 and begs that a committee of non-officials with a Judicial Officer as president be appointed to enquire into the matter.

The Prabhat

30 September 1930 (Extract).

Referring to the recent firing tragedy at Panvel, the Prabhat says that it is an admitted fact that the Police Inspector was new and had just come there from Sholapur, that he disliked at first the Mamlatdar’s advice to remove the handcuffs from the arrested satyagrahis and also that the public became excited when the Magistrate fell a victim to the firing. In view of all these things, the paper demands a thorough enquiry into the matter. It says that though the Mamlatdar is not the head of the police, he is considered senior to the Police Inspector, but the paper had lately direct communication with the Home Member, and it tells that if this is not true, the misunderstanding should be removed.

The Bombay Chronicle

24 October 1930 (Extract).

The executive committee of the Sarvajanik Sabha of Poona at its meeting held on Sunday last, Mr. N. C. Kelkar presiding, decided to appoint a committee to inquire into the firing at Chirner in Panwel taluka (Kolaba) and the following gentlemen have consented to work on the committee:—

Jamnadas M. Mehta, President; Husein B. Tyebjee, Ex. Judge. Small Causes Court, Bombay; M. C. Chhagla; L. R. Gokhale, High Court Pleader, M. L. C.; Narayanrao R. Gunjal, M. L. A.; Narayan Nagoo Patil, M. L. C.; and Dr. Motiram B. Velkar, L. M. & S. Corporator, Bombay. Madhavrao V. Godbole, has been appointed secretary of the committee and all communication should be addressed to the Hon. Secretary, Chirner Enquiry Committee, Asian Building, Ballard Estate, Bombay.
I have the honour to submit my final report regarding the tragic episode of Chirner after making a full enquiry into the matter.

2. As you are aware, I reached Panvel with the District Magistrate and District Superintendent of Police at midday on the 26th, the isolated situation of Alibag having rendered it impossible for us to reach earlier. I immediately proceeded to the tragic scene at Chirner and examined the place. The maidan at the foot of the tree-clad hills presented a ghastly scene of a battle-field. The place was strewn with stones and pieces of newly cut branch wood and two dead bodies, viz, those of the forest guard Shevde and of a villager were still lying there. The Mamlatdar’s body had been removed to Panvel the previous evening. I was shown the dead bodies of two Policemen lying in paddy fields between the village and the scene of riot. I need not say more on the subject here as you have seen all the above-mentioned places and the dead bodies the same day.

3. My enquiry has been as thorough and open as it could be. For the first four days I camped in the adjoining village Vindhane and began my enquiry on the 27th. On the 29th I saw you at Panvel and as instructed by you, I caused it to be proclaimed both in Panvel town and Chirner that the evidence of persons who are desirous of giving first-hand information will be recorded by me at Panvel on 30 September and 1 October. The Congress at first seemed to be opposed to my holding the enquiry and I gathered that two days previously, it was resolved at a public meeting that Government should be requested to appoint a committee of non-officials for the purpose. On the first day (30th) none turned up till 4 p.m. On the other hand a few volunteers were loitering in a private property in front of my camp apparently to picket the enquiry. Strangely enough between 4 and 5 p.m. one pleader (Mr. Gangal) came with 5 witnesses. He volunteered an explanation that the Panvel Congress Committee was not opposed to the enquiry being made by me. I had already granted their request to allow two pleaders to be present to watch the proceedings. The D. S. P. also sent one or two subordinates for the same purpose. Throughout my enquiry from 30th September to 3rd October both sides were represented and even the statements of the Police Inspector and the Policemen concerned in the firing were recorded in the presence of the representatives on both sides.

I examined 14 witnesses produced by the Congress pleaders in addition to a Congressman of Chirner, examined by me in the village on the 27th. These witnesses include five persons of Chirner, one of Chirle and one Uran Peta village. They also include five Congress volunteers, 2 private Medical Practitioners deputed by me Congress for ambulance duty and the father of the dictator of the Congress. On the other side I have examined five Police officers and men directly concerned, three independent witnesses from villages on that side and 10 Government officers and servants who cannot but be disinterested in the results of the enquiry. The evidence of the two sides is kept in separate files.
4. The C. D. O. Movement in Panvel was at its lowest ebb during the salt campaign days of April and May. The movement grew intense since the settling in of the monsoon and the local Congress committee strengthened by the moral and financial support of landlords, merchants and pleaders began to tread in the steps of the B. P. C. C. They opened a satyagraha mandal corresponding to War Council of the B. P. C. C. They opened a camp of volunteers started a seva dal with the services of a drill-instructor secured from Bombay and held a vigorous campaign for picketing liquor shops in the first instance. As a result direct or indirect to anti-excise movement the Excise Inspector and his party were roughly handled by illicit distillers in village Kharghar. About the same time the Congress volunteers were diffusing propaganda against the Forest Department and two sporadic raids on forests were reported. In one case, 60 or 75 people of one village entered in a body in broad daylight in the teak forest of Karnala and cut 150 teak trees at a stroke. The wood was removed openly in broad day-light. This was in the month of June, The movement was further intensified in the months of July and August when Congress with the support of the leaders outside the district celebrated weeks under the name of Gandhi Week, National Week, Boycott Week, Peasants Week, etc. During these weeks especially during the last mentioned one, a vigorous propaganda was held in villages both by speeches and by the distribution of cyclostyled bulletins styled as Satyagraha Patrikas and printed leaflets known as Shetakari Athvada Patrika and so on. Secret instigation of a very mischievous character also formed part of the propaganda.

With the ground thus prepared, the First raids on forests were held on 8 September at four centres. The simultaneous raid at four centres was evidently calculated to baffle the arrangements of the local officers, I camped in the taluka from 8 to 13 and during that period jungle satyagraha was held on 8 and 11, The Police was strengthened by 36 armed men from Headquarters. On the 11th myself and the D, S. P. were present at Kamala (Bandhanwadi) centre which was to be their main amphitheatre, and where at the first raid of the 8th considerable damage had been caused to the forests. While, however, raids were held at other centres on the 11th, their programme of Karnala was cancelled at the eleventh hour on the pretext of rains.

Before leaving Panvel, I organised a scheme for enlivening a counter-propaganda amongst the villagers and this seemed to have led to tangible results,' The raids on the 15th though announced did not materialise. By this time the Karnala centre was practically closed to the Congress activities as the people definitely declined to participate in the jungle raids, The Congress people then concentrated their attention upon Chirner centre which is on the borders of Uran Peta, The villages on that side, besides being populous have, I understand, a sad history of crimes to their credit, I have found out that 4 or 5 years back there was a serious riot roundabout Chirner which ended in two or three murders,

Nevertheless the satyagraha at Chirner on the 18th was a fiasco though it was their main amphitheatre of that day and the crowds did not enter the forest after two volunteers who made speeches were arrested.
These results while on the one hand made the local officers confident of nonviolence, it seemed to have actuated the Congress agitators to leave no stone unturned to make their campaign a success. They even altered the *modus operandi* secretly as will be explained later.

5. Turning now to the incidents of 25th as the first act of deception, they declared on the preceding day that simultaneous satyagraha would be held at seven centres. Their object was evidently to hoodwink the Magistrate and the Police because while at 6 centres no satyagraha or anything of the sort took place, the forces of the raiders were mobilised at one centre *viz.*, Chirner. The Inspector could not afford to take more than 20 Policemen to Chirner, of whom 14 were armed with rifles or guns and 6 with lathis. Against this small Police force, according to the evidence of the Congress witnesses themselves, 5,000 or 6,000 people, many of whom were armed with sickles and axes gathered at Chirner. The Magistrate and Police were further outwitted. While all previous raids commenced with a procession followed by speeches, this time while a procession was being formed in Chirner village, crowds entered the jungle for cutting trees before the arrival of the procession. No speeches were made and Congress volunteer Khare says that K. G. Gupte, the dictator's father told the Police Inspector at the entrance into the jungle that speech was omitted from the programme as it would lead to arrests in the beginning. Evidently this was a reference to the failures of the satyagraha at the very place on the 18th.

6. It will not be out of place to explain here the topography of the scene of satyagraha. A map drawn to scale accompanies. The village of Chirner is 14 miles distance from Panvel with which it is connected by roads, partly Provincial and partly Local Board. The Local Board road, especially, the last three miles are in a very bad condition, being just passable for motor buses with difficulty. The forest in question is about a mile further to the east of the village and a zigzag foot-path leads to it over bunds of fields and Warkas land. The foot-path is at some places, especially the portion which emerges out into the scene of riot, is so narrow as not to admit passing even in rows of two.

There is a brooklet where the foot-path from the village ends and beyond it a maidan which is the scene of the riot. The maidan is situated within the limits of the reserved forest, but excepting for bushes, shrubs, and a few young teak plants on its outskirts, it is practically an open area, the real jungle being situated on the hills surrounding the maidan on three sides. I have shown in the map the situation on the hill where the trees were actually cut. Between that hill and the maidan there is another brooklet and beyond it a zigzag and steep foot-path leads up into the jungle where the trees were cut. The principal landmarks at the scene of satyagraha concerning this case are (1) the hill to the east where the trees were cut, (2) the brooklet at the foot of the hill, (3) the maidan next to it, (4) a banyan tree in the middle of the maidan with a platform built round it, and (5) the brooklet on the other side of the maidan where the foot-path from the village ends. In short the maidan with towering hills on its three sides has only a bottle-necked opening on the fourth side which is covered by the foot-path leading to the village.

1 Not enclosed here.
7. I shall now dwell upon the main incidents. The maidan was made the base of raid by the satyagrahis. Because it is there that the people gathered and it was from there that satyagrahis entered the forest. It is proved by the evidence of witnesses on both the sides that the cutting of trees was commenced before the procession arrived after worshipping a cow in the village. The Magistrate, the Police and Forest officers and their parties had, as a matter of fact, to go to the maidan before the procession on seeing masses entering the forest. It is in the evidence on both the sides that the Police Inspector and his men and the R. F. O. and his subordinates ascended the hill after the procession arrived at the maidan and after ascertaining that no speeches would be made. In relating the subsequent events, for the sake of convenience. I am dividing the story into the following parts: Occurrences on the hill; occurrences on the maidan before the Inspector and his men arrived from the hill; occurrences on the maidan after they arrived; and events after fire was opened.

8. It is in the evidence on both the sides that the whole crowd did not enter the jungle, but much of the crowd stood on the maidan, while some portion of it ascended the hill for cutting trees. Even the Congress witnesses give the number of the latter to be about 500 to 700. The Magistrate was "sitting somewhere on the maidan till he was invited to come up into the jungle as will be explained later. It is evident from the evidence of witnesses on both the sides, witnesses who were standing on the maidan, that sometime after the Police and Forest Officers and men entered the jungle, a row came to be heard from the hill.

Congress witness Baloo Ramji says that from the maidan he saw the Police and the people quarrelling with each other. Narayan Patil says that on hearing the row some of the persons standing on the maidan ascended the hill. Shankar and Shivaram, who are both independent witnesses, say that the people, when they heard the row, ascended the hill with the words that they would not return home without the persons arrested by the Police. After the row was heard according to the witnesses on both the sides a report came down that the Police are charging people on the hill with lathis. On hearing this a large number of people on the maidan ascended the hill, and even the Congress volunteer Thorve says that there was a great commotion in the crowd when they heard about the lathicharge. A majority of the witnesses state that 2 or 3 persons from the hill came down and told the people why they were still standing there when people were charged with lathis and that they do not know the names of the persons who brought the report. But Ganpat, Mamlatdar's orderly and Dattatraya Ganesh, Talathi state that it was Congress volunteer Narayan alias Nana Khare who brought the report about lathicharge and who took the Mamlatdar up into the jungle from the maidan telling him the same thing. The said volunteer admits that he came down from the hill to the maidan to call the Mamlatdar; as, he says, every prisoner was abused and slapped on cheek by the Inspector while being arrested, and as the inspector, while doing so, asked the Congress volunteers to go down as they had no business to remain in the jungle. The said volunteer also states that one other Red Cross volunteer whose name he does not remember also came down with him to call the Ambulance Doctors Phadke and Khare. Even Messrs. Phadke and Khare calling themselves Ambulance Doctors state that somebody from the hill shouted "Where are the Doctors, our people are charged with lathis on the hill." They say then they went up to the hill. It is therefore evident that after the row on the hill the report about lathicharge was brought down by some including Congress volunteer Nana Khare to the effect that the people were charged with lathis which worked the minds of the crowds up.
Curiously enough, however, Nana Khare himself has not alleged that lathis were used. He has denied it even when particularly questioned and he even denies that he told people about lathicharge. He says that he only said people were subjected to marhan, which again means merciless beating. In the same breath he corrected even that word and says that he only said that persons were slapped and abused. Even his statement that the arrested persons were abused and slapped is believed by the evidence of the respectable Congress witnesses, Ambulance Doctors Phadke and Khare. Volunteer Khare says that he was with the Police Inspector and party from the beginning and he says that 6 or 7 persons first arrested were so abused and slapped when he went down to inform the people and the Mamlatdar. According to him the Ambulance Doctors also came afterwards. But the Ambulance Doctors say that they also were present with the Inspector till the first 10 or 11 offenders were arrested by the Inspector one by one and afterwards they came down because they found everything was going on peacefully. According to them they heard the shout of lathicharge sometime after they went down. It goes without saying that the evidence of the volunteers and that of the Ambulance Doctors falsify each other. Further, the Ambulance Doctors say that they did not see any person Injured with lathi, though they made enquiries after they went up. Of course, being witnesses produced by the Congress they say that the Red Cross volunteers told them that the injured men ran away, Phadke says the volunteers said that only one was injured, while Khare says that the number given was 4 or 5, the fact remains that they did not see anybody injured with lathis either then or at any time afterwards.……………… While writing this report I received the dying declaration of Krishna Anant Sawant, one of the wounded constables lying in a precarious condition in Alibag Civil Hospital. He states that disturbance arose after somebody created a scare about lathicharge which was entirely false.

9. The Police Inspector says that he did not even slap anybody and that he simply arrested offenders one by one while ascending the hill and left them in the charge of Police constables while ascending further and further. He says that 7 persons first arrested were so left in the charge of constables and arrested 9 more at the last stage. It appears from the evidence on both the sides that 6 or 7 prisoners first arrested were taken down to the maidan by the constables in advance. What happened to these prisoners will be said later. To revert to the happenings on the hill the Inspector says that while he was coming down from the last stage with the 9 prisoners for writing the panchanamas at a convenient place at a lower stage of the hill, he saw crowds from below coming up towards him, On seeing them he feared that the prisoners with him might mix themselves into the crowd, and so in order to secure their custody he caused them to be handcuffed. He had only 4 handcuffs with which 8 were handcuffed, two with each, and one was loose. The crowd then demanded that the Inspector should either remove the handcuffs or to handcuff the whole crowd. At this juncture he says the Mamlatdar came there. It is thus apparent that this incident happened after the scare about lathicharge was spread below. Dadabhai Gupte, Congress Dictator's father, and the Mamlatdar are said to have tried to pacify the crowds, but they were uncontrollable and the Mamlatdar then asked the Inspector to remove the handcuffs. While this talk was going on 5 prisoners, 4 handcuffed and one loose, ran away. At this juncture one person from the crowd cut a tree in the presence of the Police, The Inspector caused panchanamas regarding them to be written and after the panchanamas were over, he removed the handcuffs as asked by the Mamlatdar, Then they all started going to the maidan.
These witnesses say that the crowds demanded the removal of the handcuffs and the release of the prisoners. The evidence of the Ambulance Doctors that nothing untoward happened while they were present till the first 10 or 11 persons were arrested gives strength to the Inspector's statement. The evidence of even the Congress witnesses and of the Ambulance Doctors also proves that the crowds demanded the removal of the handcuffs. Even Dadabhai (K. G.) Gupte, Congress Dictator's father, who says that he went up after hearing report about lathicharge states that he enquired who were injured with lathis but no response came. It is thus evident that neither lathicharge nor slapping has been proved. On the other hand the scare about lathicharge excited the fury of the crowds below and after they went up, created disturbance over the removal of handcuffs and in the resultant disturbance 5 prisoners escaped.

Here I must relate incident about the 6 or 7 prisoners sent down in advance. According to the evidence of the Policemen who guarded them, after the scare about lathicharge part of the crowd ascended the hill, the remaining crowd assaulted them with sticks and sickles and affected the release of the prisoners. That these prisoners were brought down in advance is an undoubted fact and is proved by the evidence on both the sides. Phadke, Ambulance Doctor, and a Congress witness himself says that he saw 7 or 8 prisoners on the maidan with Police escort surrounded by a crowd of about 1,000 men. Of course he is silent as to why it was so and what happened afterwards to them. Congress witness Balaram says he had seen prisoners with Police on the maidan, but after part of the crowds went up he saw only Policemen without prisoners. The Police constables state that after the prisoners were rescued they were obstructed from going to the hill to report the event to the Inspector. It is pertinent to observe that Congress volunteer Thorve who says he was on the maidan throughout states that once he saw 3 or 4 prisoners with the Policemen on the maidan but after about an hour he saw only the Police in the act of going to the hill without prisoners. These Congress witnesses, therefore, without saying distinctly in so many words make statements suggesting an inference that the prisoners either escaped or were rescued.

10. On the whole out of the 16 offenders arrested only 5 remained with the Police at the time when the Inspector and his men started from the hill. It is an undisputed fact that the 5 prisoners with their handcuffs removed were placed between Policemen and they were in the front, while the Inspector, Mamlatdar, Range Forest Officer and others were following them down from the hill. When they reached the foot of the hill, a very large crowd was facing them shouting and flourishing sticks and sickles. While this was so, the Congress volunteers on the other side of the brooklet were standing with a cordon formed, making a way for the prisoners and Policemen and officers to pass out. Here I must observe that the evidence on the two sides is diametrically opposite of each other, this being the principal item of the happenings of the day, viz., what led to the firing. The Inspector says that though the volunteers formed the cordon, the pressure of the mob from behind the cordon was too great for them and after proceeding a few paces in the cordon somebody shouted "look at the Patil Shiva, don't leave him " and this was followed by blows of sticks on the head of Shivram Vithu, Police Patil of Chirner, who is said to have given the names of some
of the offenders on the hill. At this juncture Forest Guard Narayan was given a blow with a stick and was robbed of the attached sickles and pieces of wood in his custody. When they went a few paces onward and were approaching the banyan tree the pressure became so overwhelming that the cordon broke with the result that the Inspector and Policemen became exposed to the attacks of the crowds. The Inspector says that at this juncture stones and pieces of wood were also showered on them and he was dragged on one side and somebody struck on his head with a piece of wood and his turban fell down. When he stopped to pick it up, he received a blow of stick on his left shoulderblade. When he turned round to catch the assailant, he heard reports of gun shot. After this when he stepped two paces, he was given another blow which struck above the thumb of his right hand. It was then that volunteer Thorve held him in his clasp and he and Dadabhai Gupte, Dictator's father, conducted him to a bush at some distance and was given shelter, while on the one side firing was continued on the other side men in the crowd came upon him with sticks and sickles and the volunteers protected him by beseeching to the people not to injure the Inspector. I will stop here for the present and dwell upon the evidence of others leading up to the incident.

Narayan Patil Karulkar, Talathi, and Narayan, Forest Guard say that there were shouts of _mara mara_ (beat) as soon as the Police party approached the maidan. These witnesses were then standing on the maidan. Karulkar and Datatraya Ganesh Kelavane. Talathi, who was also standing on the maidan saw blows of sticks fallen on persons and the latter says that the blows were seen by him having struck the Policemen and the Police Patil. This is also corroborated by the evidence of the Policemen and the party. The Police Patil who received the blows first also corroborates and he says that he fell down as soon as he received the blow, but was helped up by a Policeman and to save his life he pushed his way along with the police leaning on a Policeman for support. The evidence of the Policeman shows that near the Banyan tree they saw the Inspector and the Mamlatdar dragged aside by the mob and the shower to stones and other missiles and the blows of sticks caused injuries to severals of the Policemen and one Policeman even fell down with his lip torn, and he was helped up. This is the constable who is lying in the Civil Hospital in a precarious condition with his head also broken. His dying declaration also says that he was hurt while they were passing through the crowds in the maidan. They further state that they pushed their way amidst blows and missiles and as soon as they were out of the crowd, Budhaji, the Major Havildar finding mob still coming upon them and not seeing the Mamlatdar and the Inspector told his men to save their lives (*Jan Bachao*). Then they said they opened fire. In the meanwhile somebody shouted " they are blank shots, don't fear attack the Police " and then the mob increased their shower of missiles.................

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The Congress version is that after the party came down, the volunteers formed a cordon allowing a passage by which the Policeman etc., went out as far as thebrooklet when firing was opened unnecessarily. Further to strengthen their version they state that the Mamlatdar hearing the gunshot reports stood raising his hands and asked who ordered firing but himself fell down shot dead. A further development has arisen in their story that just at the time the Inspector who was standing near him aimed his revolver at the Mamlatdar and shot him dead, one more shot of the revolver having struck an Agri (referring to one Hashiram Budhya who died in the K. E. M. Hospital and whose alleged version appeared in the issue of the _Free Press Journal_ of the 28th September). The revolver incident will be dealt with in a separate para, and I shall first dwell upon the evidence of Congress witnesses as to the incident which led up to firing.
Firstly, regarding the cordon they say that the cordon was formed only for allowing a passage to the Police, as they could not find a way out in the thick crowds. If therefore it is to be believed that the Policemen passed out safely, the cordon must have extended from one end of the crowd to the other and the prisoners must also have passed with Police through the cordon. But the evidence of the Congress witnesses on this point it so discrepant that it goes to support the Police version.

Congress witnesses Meghanath, Dhanaji Joma, Narayan Khare, K. G. Gupte say that the cordon extended from the brooklet at the foot of the hill to the brooklet where from the fire was opened. But their own witnesses Gajanan, Thorne, Khaja and Madan state that the cordon was only partial and even amongst them, while some say that the cordon extended from the brooklet at the foot of the hill wherefrom the fire was opened. Witness BalooThakur says that no cordon was formed at all. Madan says that the cordon was composed only of 5 persons, as short as that. This point is important because according to the Police version the cordon which commenced at the foot of the hill broke when they approached the banyan tree, the tree is midway between the two brooklets.

Further, as regards persons who passed through the cordon, the evidence is extremely discrepant. No man's statement on the point tackles with that of another. It is, however, significant that, Meghanath, Balaram Posha say that the prisoners were not seen with the Policemen in the cordon. But Gajanan Dhanaji, Ragho, Narayan Khare, Thorne, Khaja say that the prisoners also passed out of the crowd with the Policemen. Further, while all the witnesses except K. G. Gupte say that the Police Inspector passed out of the crowd with the Policemen, as regards the Mamlatdar they are not unanimous. This is a very important point as it has a bearing on the allegation that the Inspector who was near the Mamlatdar shot him with a revolver immediately after firing was opened. Dhanaji. Baloo Thakur, Ragho, Thorne, Khaja say that the Mamlatdar was with the Inspector and the Policemen while passing out of the crowd. But Meghanath, K.G. Gupte definitely say that the Mamlatdar was not passing through the cordon. According to K. G. Gupte even the Police Inspector was near him and the Mamlatdar behind the cordon. Meghanath says that after escorting the Police out through the cordon, he went to the well on the northern side of the maidan for drinking water and at that time he found the Mamlatdar near the well He further says when both of them were near the well then heard the reports of gunshots and the Mamlatdar and himself both came to where the Policemen had been left. According to this witness, while he and the Mamlatdar were standing there, the Mamlatdar asking who ordered firing, the first shot struck the Round Guard Shevde who fell down and when, therefore, the witness was just about to run the Mamlatdar also was shot dead.

It is curious that while Meghanath claimed the Mamlatdar to be beside him near well when firing was opened, K. G. Gupte says that both the Mamlatdar and the Inspector were near him near the banyan tree till just when they were going aside towards the north, gunshots were heard and the Mamlatdar fell down when he had raised his hands asking who ordered the firing. According to him therefore the Mamlatdar did not at all go to the well. Some Congress witnesses have stated that the Police Inspector ordered the firing. Gajanan says that after passing the banyan tree Inspector said
something in English and then fire was opened. Dhanaji also says the same thing. Shankar Pandav, a Congress volunteer who admits his ignorance even of A B C D states that the Inspector said two words in English when firing was opened. Gajanan, another volunteer, says that the Inspector said loudly "fire" when firing was opened. According to these two last mentioned witnesses the Mamlatdar and the Inspector were standing close to each other when the Inspector ordered the firing and the fire was opened. If so, there would have been no occasion for the Mamlatdar to have expressed who ordered firing. But they say that the Mamlatdar said so and it was at that juncture that the Inspector shot the Mamlatdar with a revolver.

11. I must now dwell upon the revolver incident. Two Congress volunteers mentioned above are the only two witnesses who have made this allegation. Shankar Pandav locates the place of revolver shooting quite close to the brooklet from where the Policemen opened fire. But Gajanan says that this took place somewhere after passing the banyan tree on the maidan and he definitely says that only Policemen (not Inspector) and prisoners had gone to the brooklet from where firing was opened. Shankar Pandav says that the Inspector was immediately behind the Mamlatdar. He further says that there were about 20 or 25 Panvel people round about the place of whom 5 or 6 were volunteers of the Congress, his own Comrades. He mentions amongst the latter his companion witness Gajanan and one Khaja. But Khaja who has been examined has made no mention of the revolver incident. Gajanan on the other hand says that he did not see any acquaintance of his standing near the place where the revolver was fired. If as stated by Shankar 20 or 25 persons including 5 or 6 volunteers were round about the Inspector and the Mamlatdar several of them must have seen it and it is curious that Shankar says that none tried to catch hold of the Inspector red handed with the revolver either before or after the revolver was fired. On the other hand, according to the evidence of volunteer Thorve and K. G. Gupte who do not relate the revolver incident just when gun shots were heard, the Inspector was seen by them being beaten by persons in the crowd and they both conducted the Inspector to a place of safety which they would not have done, if Inspector had committed heinous crime. Again, the evidence of all these persons is falsified by that of Meghanath according to whom both he and the Mamlatdar came from the side of the well after hearing gunshots. No explanation is forthcoming as to the Inspector's motive in wilfully shooting the Mamlatdar and as to the disposal of the revolver after the alleged firing with it. Nobody says that he threw the revolver and if he had thrown it would not have escaped the notice of so many persons standing as said by Shankar. If it is to be assumed that the Inspector consigned the revolver back into his pocket or case, as he was entirely in the charge and under the care for the Congress volunteers till he was brought to Panvel at about 11 p.m. that night, his possession of the revolver would not have escaped the notice of the Congress people; especially because according to the evidence of K. G. Gupte and Thorve the Inspector was even made to wear Khadi cap and Thorve's coat and the Inspector's uniform dress was tied in a bundle with the intention of disguising him.
Moreover the two eye witnesses of the alleged revolver shooting say that they opened their lips of this incident for the first time while giving their depositions before me on the 2nd October. Shankar says that after the firing ceased, he was on the maidan for some time and he met Ambulance Doctor Khare treating wounded men on the maidan and he did not communicate even to him the secret of the Mamlatdar's death. Both the witnesses state that since then till they gave depositions before me (full one week) they visited the Congress office often every day but never imparted the secret to any body not even to the Dictator of the Congress. They further say that they did not even hear others talking over the subject. Here I must refer to the publication in the (Bombay) Chronicle of 28 September in which it is stated that one Miss Gupte\(^1\) was standing close to the Mamlatdar when he was shot dead. She is said to be the sister of the dictator of the Congress and even witness Shankar says that the said lady was near the Mamlatdar when the Inspector shot him with the revolver. Hence in the ordinary course of things she would have come to know the real cause of the Mamlatdar's death and it would have reached the ears of her brother, the dictator, but both Shankar and Gajanan say that they did not hear anybody talking over the matter.

The first version which appeared in the Congress organs Free Press and Chronicle never mentioned the revolver incident. For the first time it appeared in the Free Press Journal of 28 September as the statement made by Hashiram Budhya in K. E. M. Hospital. It was also mentioned that his statement was recorded as dying declaration by Mr. Jangalwalla, Presidency Magistrate. The development in the version of the Panvel Congress people is traceable to the said publication in the newspaper. Hasha has not made any mention in his dying declaration of revolver nor of the Inspector. His words on the point are: "The police opened fire. One bullet hit Raosaheb (Mamlatdar). I was behind him, running after the Raosaheb, was hit".

Evidently he meant that the shot fired by the policemen hit both him and the Mamlatdar. The Free Press publication further says that Hashiram has had a revolver shot passed right through his chest into the back. The Assistant Dean of the K. E. M. Hospital says: "From the post-mortem examination alone, it is not possible to state if the injuries were caused by a revolver shot. No bullet was found in the body of the deceased ".

On the other hand the Assistant Dean says that the patient was brought to the Hospital for treatment for two gunshot wounds, both of which were at the post-mortem examination found to be the result of one shot, ingressand agrass. From this it is clear that the Panvel Congress witnesses fabricated the revolver theory relying upon the Free Press publication and the fact that the Inspector has lost his revolver. As regards the loss of the revolver the Inspector's explanation is that when he was at the last stage on the hill he gave the revolver and his waist-belt, which contained it, to his orderly. Shantaram for being kept as himself was perspiring through heat. Shantaram corroborates this and says he had kept the articles in his haversack of which he was robbed when he was near the Mamlatdar's dead body to help the Mamlatdar's orderly

\(^1\) Miss Vimal Gupte was the sister of dictator Prabhakar Gupte. The Gupte family was in the vanguard of the movement in Panvel and Chirner.
Ganapat. Ganapat in turn corroborates Shantaram and says that he saw one person having taken away Shantaram's haversack after assaulting him. The haversack contained *panchanamas* regarding the forest offence, and it is said that the haversack was taken away in order to do away with the proof of forest offence against those who had been arrested and rescued. It is quite possible that some persons on the hill saw the *panchanamas* having been kept in the haversack after the *panchanamas* were written; that the people intended to do away with all traces of the forest offence with which the arrested men were to be charged is apparent from the fact that Forest Guard Narayan was robbed of the attached sickles and pieces of wood. That the people were on that look out also for the *panchanamas* is apparent from the statement of Talathi Karulkar who says that while he was coming down from the hill before the Police officer and men as he apprehended disturbance on the hill, some persons of the crowd who were ascending the hill stopped him and demanded him to hand over the *panchanama*. When the Talathi said that he had not the *panchanama* with him his person was searched and he was saved from further molestation.............. This view is strengthened from the following statement in the dying declaration of Hashiram Budhya recorded by the Presidency Magistrate: "The Police brought the arrested men under a banyan tree not far from the hill. The people round about were looking fierce. The Raosaheb was with the people. The Police wanted permission to fire. Raosaheb would not give it. The Police opened fire. I cannot say what happened before the shots were fired ".

This statement is evidently full of meaning. It precludes the idea that peace prevailed on the maidan then. It explains circumstances under which the Mamlatdar got mixed with the fierce-looking crowd, received a stray shot, stray as it must be. It also explains that good deal happened before the shots were fired which the dying man was unable to state.

Further proof is supplied by the 19 Government servants including the Policemen wounded with lathis or stones. One of them as already said is lying in a precarious condition in the Civil Hospital. The Congress organ *Free Press Journal* went to the length of publishing that the whole mortality in the affair and the injuries of all the survivors were the result of gunshot wounds. The Medical Officer of Panvel has stated that of the dead bodies of Government servants, the body only of the Mamlatdar showed the death to have been caused by shot. The bodies of the three constables and the Round Guard Shevde showed that they were murdered. All the wounded Government servants, according to the medical evidence, received injuries with hard substances, such as sticks or stones. It is not unlikely that some others also received injuries from the missiles thrown. But no such persons have stepped forth for treatment at any Government dispensary and I think they would not come forward lest they should furnish evidence of violence on the part of the mob. It is, however, significant that one Congress witness Pandu Dehu, a Kumbhar of Chirner, stated to me that a gunshot which graced his bullock caused a wound. I sent him to the Medical Officer for treatment and the Medical Officer in his evidence says that the wound was not caused by a gunshot. It is pertinent to observe here that Ambulance Doctor Phadke says that both the Ambulance Doctors with their volunteers gave first aid to
about 50 or 60 wounded men on the maidan after the firing had ceased. But only 21 wounded persons have been admitted into the Bombay Hospitals and the Uran dispensary for the treatment of gunshot wounds. I also caused detailed house to house enquiry to be made by village officers in the villages and have ascertained that no others have received gunshot wounds. I therefore think that the figure given by Phadke is either an exaggeration or the number included those who received injuries from missiles.

13. The proof of violence on the part of the mob is furnished also by the localities where the dead bodies of the Policemen and the Round Guard were found to be lying. I have shown in the maps the spots where the bodies were found. The two bodies of the policemen, which were found in paddy fields about midway between the village and the maidan speak of violence after the firing. Obviously, as deposed to by the Policemen, the retreating Police were pursued by the mob upto the entrance of the village and the three constables met with their death at the hands of the pursuing mob. Even after the surviving Policemen entered the chavadi at the entrance into the village, they found the mob approaching them which led to the firing on the approaching mob by two of the Policemen who were not fortunately completely exhausted. This shooting led to one or two more casualties amongst the crowds and it is this matter which has been criticised in the Congress organs saying that the offensive (?) shooting was continued by the Police even upto the limits of the village.

But the fact that the dead body of the Round Guard lay on the maidan itself, clearly shows that violence was carried to that extent. The body of the third constable was discovered two days after the incident on the slope of the hill comparatively nearer to the maidan and within a short distance of the foot-path leading to the village. It is possible that this constable was also killed in the course of pursuit by the mob but the spot where the Round Guard's body was lying shows that he met with his death on the scene of riot itself. Unfortunately, controversy arose from the report that the Round Guard also died of gunshot wound. Obviously, the cause of his death is very important in this case because the body was found lying within a distance of 50 feet of the brooklet from where the firing was opened. There was a bush between the two points. In view of the fact that the body lay within the range of shooting, suspicion would arise that the death was caused by gunshot wound. On the other hand by reason of the body found lying at the place where the disturbance which caused injuries to so many Policemen took place, it is possible that the Round Guard was killed by the mob. It is proved that the disturbance took place between the banyan tree and the brooklet to the west and the body was found lying within that area. While therefore the cause of death of the Round Guard is of vital importance, controversy arose from the report current that he died of gunshot wound. From the condition in which the body was lying, only one wound was prominently visible to by-standers and that was a hole-like wound on the forehead. Obviously none of the side of Government could have had first-hand information as to how the death occurred. The Magistrate is dead and the Police Inspector was himself being beaten, he was sitting under the shelter of Congress people, that both the Mamlatdar and the Forest Guard died of gunshot wounds. You might remember that when we visited the scene in the afternoon of the 26th, we expressed our suspicion that it may not be a gunshot wound and we remarked that the post-mortem examination would throw light.
While the body was lying, only the wound on the forehead was visible to by-standers. But the inquest held over the body at that very place later on 26th shows that on examining the body after turning over and turning on sides it was found that the forearm seemed to have been broken and apanch expressed the doubt as to whether the wound on the forehead was caused by gunshot or by the striking of a stone. The post-mortem examination has revealed that there was no gunshot wound on the body but there were fracture of ribs, injury to the left lung, complete fracture of the lower jaw, dislocation of right elbow joint and haemorrhage from the wound of the left eye. Evidently the Round Guard was battered to death. The fact that he was battered to death at the very scene of riot speaks eloquently of extreme violence on the part of the mob. Further, as the body lay within 50 feet of the place from where firing was opened and with the range of firing the crime could not have been committed while the firing was in progress, nor could it have been committed after the firing ceased because the deceased would not remain on the maidan till then and he would have met with his death somewhere else while fleeing just as three Policemen met with their death at the hands of the pursuing mob.

14. It is proved by the evidence of the Medical Officer, Panvel and the 2nd Class Magistrate that some pleaders of Panvel were very impatient about the result of the post-mortem examination of the bodies of the Round Guard and the Magistrate. They approached both these officers to be permitted for keeping a private Medical Practitioner present as the representative of the public rather of the Congress people at the time of the post-mortem examination. Their request having been refused by both the officers they approached me at my camp in Vindhane on the 27th, and you are aware that I declined their request and referred them to the Civil Surgeon on the ground that there was no reason for suspecting the dishonesty of the Government Medical Officer. The deputation of 10 or 12 pleaders came to me for the purpose. In the course of their discussion with me, they said that the Inspector himself has given out that the Round Guard died of gunshot wound. I told them that the Inspector seems to have held the same belief and that it shows his honest belief in what he was informed. This discussion has led to a petition submitted to you on the 6th October. Therein they say that the medical post-mortem examination report in respect of the Round Guard's body was wrong in view of the Inspector's own belief that the Round Guard died of gunshot wound. This argument does not hold any water because it is clear from the evidence of the Congress witnesses themselves, viz., Thorve and K. G. Gupte that the Inspector could not have had a first-hand knowledge of the cause of the Round Guard's death because at least from the time when fire was opened till the Inspector was brought to Panvel, he was entirely in the charge of the Congress people. The Inspector's knowledge was therefore either hearsay 'or derived from the Congress people themselves. As the inquest held before the post-mortem examination also mentions other injuries, the truth of the post-mortem report which could not be disbelieved except for strong and valid reasons, is established The Medical Officer has lately come to Panvel on transfer and is a person having no concern with the local politics.
The impatience and anxiety exhibited by the pleaders about the Mamlatdar’s body was in connection with the astoundingly false theory about the revolver. The evidence of the 2nd Class Magistrate who held inquest over the body in Panvel dispensary, where the body had already been brought, shows that 8 respectable *panchans* were chosen for the inquest. They included 2 pleaders, one private Medical Practitioner, the very person who was present at the scene of riot as Ambulance Doctor. Besides, there was a large crowd of Panvel people gathered. Nevertheless nobody raised even a word of suspicion about the nature of the bullet which hit the deceased. The bullet was not found in the body but only a piece of brass or nickel like metal was found in the shattered portion of the liver. The D. S. P. is of opinion that piece is definitely of 0.303 bullet i.e., of rifle.

15. I have dwelt fully on the evidence on both the sides. The total mortality and the casualties are mentioned below:

**Died**

(a) Government servants: (1) K. M. Joshi, Magistrate (shot wound); (2) Hari Narayan Tavate, Policeman; (3) Kashinath Shevade, Round Guard; (4) Jayaram Babaji, Policeman; (5) Narayan Pandu Kadam, Policeman.

(b) Non-Officials: (1) Raghunath Moru Nhavi; (2) Anandya Maya Patil; (3) Dhakya Gavalya; (4) Parsha Rama; (5) Alya Bemtya; (6) Rama Bama; (7) Hasha Budhya.

Note.—Nos. (1) to (5) died on the day of riot. No. (6) died in J. J. Hospital, Bombay on 27 September and No. (7) in K. E. M. Hospital on 30th.

(Names of wounded not included here)

* * *

16. Finally, I must remark that the scene of satyagraha, situated as it is, could well be compared with a trap and a small posse of Policemen with a posse of volunteers could not have been able to control the situation. The fact that so many Policemen, Police Patil, Forest Guard and other Government servants received injuries coupled with the murder of the Round Guard on the spot leave no room to doubt that the situation was extremely grave before fire was opened. The dying declaration of Hashiram recorded by the Presidency Magistrate, while the man was amongst the Congress, people in a private hospital, confirms the view. Not finding the Inspector and the Mamlatdar when the Policemen were struggling to save their lives, the Major Havaldar seems to have given orders for fire in the right of their private defence. I am of opinion that the trouble began originally from the scare about lathicharge spread by some persons and it was this scare which excited the fury of the mob. I do not think that the mere hand cutting of prisoners would otherwise have excited the fury of the mob to such an extent. The difficulty of controlling a furious mob of 5,000 to 6,000, the greater part of which was armed with sickles and axes, had better be imagined rather than described. The fact that the persons in the mob carried away the attached sickles, *panchanamas etc.*, throws light upon their intention. It is proved by the evidence on both the sides that 6 or 7 prisoners, first arrested and sent down ahead, were not handcuffed. It is evident from that handcuffing of the prisoners was not originally the intention of the police and the fact that they had only 4 handcuffs with which they handcuffed 8 or 9 prisoners of the last batch confirms the view. The witnesses support the Inspector’s statement that handcuffs were used only when the crowds were approaching.
17. It would not be entirely wrong to pass a verdict of lack of wisdom and prudence against the Police Inspector. He seems to have been overconfident of non-violence on the part of satyagrahis and his organisation of the Police arrangements was not sound. Even the posse of constables taken with him was divided and scattered as the result of his own action. He ought not to have left constables with each prisoner individually at scattered places. His act of parting with the revolver was no doubt indiscreet. The situation was not well maintained. His act of trying to secure the arrested men at any cost in the heart of the jungle, when his forces were scattered, was obviously rash.

18. The Congress Committee of Panvel on the other hand is guilty of having played with fire. Responsible members of the Congress Committee stayed behind and sent only a posse of irresponsible boys and volunteers to control the fury of mob of 5,000. As matter of fact one of the volunteers and probably a few more by spreading the scare further excited the fury of the mob. After having thus let loose the forces of the mob against a posse of Policemen, they subsequently made a futile attempt to save the Policemen from the hands of the infuriated mob. The whole affair is nothing but the self impeachment of the modus operandi of the Congress Committee. Their attempt to have it believed that the entire mortality and all the casualties were caused by the shots fired by the Police is obviously calculated to save the movement from the ignominy. This explains why their story was developed from day to day and they went to the length of insinuating that the Mamlatdar was assassinated by the Inspector.

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Hamid A. Ali, D. M. Kolaba to Secretary to Govt.
Home Department

Camp Matheran, 24 October 1930.

I have the honour to offer the following remarks on the report of the S.D. M., N. D. regarding the disturbance in the Chirner forest, forwarded with this office letter dated 16-10-1930. Mr, Koundinya's report is so complete and detailed and so well reasoned as to leave me little to say.

The procedure of inquiry described in para 3 ought to remove all misgiving as to fairness and all suspicion of the inquiry being one-sided. I had doubts about non-officials, especially Congressmen, coming forward to give their statements, but, as a matter of fact, only too many were anxious to have their statements recorded with the result that many had to be sent away disappointed.

The violent propaganda carried on by the Panvel Congress Committee through meetings, patrikas etc., prior to the disturbance has been described. The material which this propaganda worked on was highly inflammable. The Agris are known as an ignorant, excitable and irresponsible community. The riot near Chirner mentioned by the S. D. M. in para 4 is an instance of these characteristics. About a year ago, the Patil of Chirner and another man, trying to settle a local dispute, were beaten by the villagers. It is not surprising that the satyagrahis failed to control the excited mob of Agris in the present disturbance, and the likelihood of such failure ought to have been foreseen.
The immediate cause of the disturbance is not quite clear. Some link seems missing. I attach a copy of a report to the D. F. O. by the Range Forest Officer, which makes mention of the Police Inspector slapping one of the arrested men. This is also mentioned in the statement given by beat guard Sathe before the D. F. O. The R. F. O. was not found by the S. D. M. in a suite to give a coherent account of what had happened, while the beat guard failed to mention the slap before the S. D. M. Whether a slap was actually given or not, a rumour arose that the Inspector had beaten one of the arrested men; this had been exaggerated into a lathi charge by the time the news reached the maidan, and then the mob got out of hand.

It is clear that, of the Government servants, only the Mamlatdar died of a gunshot wound. Also that the bullet that killed the Mamlatdar was of a 303 rifle and not of a revolver or a musket. None of the villagers carried firearms. The other officials were brutally murdered by the mob.

I think that the action of the Police party, separated from the Mamlatdar and the Inspector and attacked by a menacing crowd, was justified. Many of them were wounded, they were twenty against several thousands. The protection of their own lives must have seemed to them the supreme need. The conduct of the Police Inspector is more open to criticism, though I expect it is comparatively easy to be wise after the event. His position was extremely difficult. However, his parting with his revolver and ammunition and his making arrests on the spot instead of merely recording names, and his sending the Police party down in ones and twos with prisoners certainly do not seem acts of discretion, I am afraid the R. F. O. lost his nerve completely and remained dazed for several days after the incidents.

I fail to see anything wrong in the procedure followed in the post-mortem examinations. It is clearly impracticable to have a committee of doctors sitting over corpses and risking a conflict of opinions, which may or may not be influenced by preformed views.

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Hamid A. Ali, D. M. to Dy. Secretary to Govt.
Home Department

Alibag, 5 November 1930.

With reference to your Express letter No. S. D. 4876, dated 31 October 1930, I have the honour to state that Mr. Koundinya did not refuse to examine any specific witnesses but, with my previous approval, merely stopped the inquiry after all points of importance had, in his opinion, been sufficiently elucidated and the prescribed dates, for presentation of witnesses extended by two days, had passed.

I have not taken any action in regard to the invitation of the non-official committee. The inquiry itself has been banned under Section 144, Cr. P. C. within the limits of Panvel taluka including Uran Mahal. I can of course, not give any information to the Committee, before the cases, to be filed, soon, are decided.

* * *
The Bombay Chronicle

7 January 1931 (Extract).

A representative committee of Bombay citizens has been formed for giving all possible legal and financial aid to the accused who are facing trial at Panvel in what is known as the Chirner Firing Case. The Committee propose to extend help to victims of the Chirner firing as also the dependents of the victim. The committee appeal to the public of Bombay to subscribe to the fund. The Committee consists of Mr. K. M. Munshi, Advocate, President, Mr. B. G. Kher, Solicitor, Vice-President, Members:—Messrs, Lalji Naranji, Raja, Narayanlal Bansilal, L. B. Bhopatkar, Nagindas T. Master, Solicitor, Treasurer, Bhausaheb Puranik of Panvel. Secretaries:— Messrs, S. C. Joshi, Advocate and H. M. Joshi.

The Bombay Chronicle

2 February 1931 (Extract).

The curtain was rung down on the Chirner Firing Case at Panvel when Mr. R. R. Sonalkar, the special Magistrate, committed all the 47 accused to Sessions on Friday.

The case, it will be recalled, arose out of the forest satyagraha that was practised at Akkadevi Hill, near Chirner, on September 25 when the Police resorted to firing and as a result Mr. Joshi, the Mamlatdar of Panvel, two police constables and two employees of the Forest Department were killed. The accused came from Panvel, Chirner and several surrounding villages. The accused are charged under various Sections of the I. P. C. for forming an unlawful assembly, assaulting Government servants, obstructing them in their lawful activities, murder, theft and dacoity, etc.

Dr. M. B. Velkar of Bombay was present in the court and interviewed the accused. Miss Vimal Gupte, the young daughter of accused No. 17, Mr. Keshav Ganesh Gupte, was also present in the court.

In committing the accused to Sessions the Magistrate observed that there was evidence to show that all the accused except Nos. 25 and 46, Mr. Vedak and Mr. Bedekar, were present at Chirner on September 25 and that they were members of unlawful assembly, they attacked Government servants and obstructed them in their lawful work. They had assembled to commit murder, and dacoity and obstructed the Police Inspector; Patil Shivram, Police Patil of Chirner; Sathe, Beat Guard; S. G. Desai, Daulat Sakhamram, B. L Kadam, Ghosalkar and Antu Ganpat, constables in their work and caused them injuries. They also caused injury to Krishna Anant and murdered Jayaram Savant, Kadam, Tavate and Shevade, the Forest Round Guard. He therefore, held them guilty under Sections 147.148,332.3 33, 379,395 and 382 I. P. C, the last five Sections read with Section 109 I. P. C. and he, therefore, committed them to Sessions,
N. C. Kelkar, President, Poona Sarvajanik Sabha to Sir Fredrick Sykes

Poona, 23 March 1931.

I have the honour, on behalf of the Sarvajanik Sabha of Poona, to submit for favourable consideration by Government, the following representation for the release of those premiers who are committed for trial before the Sessions Judge at Thana in connection with the events that took place at Chirner in the Panvel taluka of the Kolaba district on 25 September last and which are popularly known as the Chirner Tragedy.

The Sabha is aware that it is not usual to make representations about matters awaiting judicial trial and inquiry; nor has the Sabha any intention directly or indirectly to comment on matters which are sub-judice. I am not, therefore, entering into the merits of the trial that is about to commence on the 23rd inst, at Thana.

Under the terms of what is known as the Irwin-Gandhi agreement, thousands of persons, who were technically guilty of offences not involving violence or moral turpitude, have been already released or are being released, and the Sabha submits that on a fair interpretation of that agreement, the accused concerned in the Chirner tragedy should be regarded as coming within the political amnesty.

It will be remembered that the events of 25 September 1930 at Chirner arose out of what is called the forest satyagraha, an item in the programme of the Civil Disobedience Movement, which has now been discontinued in pursuance of the Irwin-Gandhi agreement. It, therefore, follows that those who were convicted or are undergoing trial for offering this civil disobedience should be released. I may state that out of the 47 undertrial prisoners in the abovementioned case as many as 37 are charged with only technical offences; the alleged theft, if any, the alleged dacoity and the alleged conspiracy were all a part of the Civil Disobedience Movement, and, therefore, the accused are, I submit, entitled to the benefit of the political amnesty. Among the thousands of prisoners who are being released a large number were convicted either for selling or manufacturing salt or for raiding salt depots. The Sarvajanik Sabha respectfully submits that no distinction can be justly drawn between the salt satyagrahais and the forest satyagrahais.

Of the remaining, four are charged with assaulting the Police during the forest satyagraha. I submit that under a generous interpretation of the Irwin-Gandhi agreement these also are entitled to the benefit of the amnesty.

Only six out of 47 charged with murder. The Sabha does not countenance any violence and cannot plead anything in extenuation of those who may have committed murder; but I would respectfully submit that the whole object of the Irwin-Gandhi Settlement is to create an atmosphere favourable to the success of the Round Table Conference, and that object cannot be better secured than by giving free pardon even to those who may be suspected of having resorted to violence. This submission of mine is strengthened by the recent speech of the Hon'ble Home Member exhorting the public to forget and to forgive. The Home Member's appeal is applicable as much to the excesses committed by the public as to those committed by Government Officers, and the Sabha pleads that even these six accused at Thana might be given the benefit of a pardon.
The Government have nothing to lose and everything to gain by stretching the spirit of the agreement much further than they have done: and the good-will that will result therefrom will have a wholesome effect on public opinion during the eventful months that are ahead. I submit that in these circumstances the best interests of the Government and the public will be served by the immediate release of the 47 undertrial prisoners in, whose behalf this representation has been made.

As Government are aware in deference to a strong public opinion in Maharashtra this Sabha had appointed a committee of inquiry into the Chirner incidents sometime ago. The committee consisted of public men of long standing undoubted probity and great ability. The chairman of the committee has informed me that the committee has made a unanimous report. If and when the said report will be published, the committee's conclusions on the question of violence will be found to be widely different from the case for the prosecution, now pending at Thana, and there is every probability of the faith of the public in the acumen of the judiciary being shaken; and on this ground also I submit that the pending prosecution may be-withdrawn and the accused released forthwith.

R. N. Mandlik to Secretary to Govt.

Political Department

Poona, 23 March 1931.

I have been authorised as a president of the public meeting held at Karjat, District Kolaba, on 19th March 1930 to forward the following two resolutions unanimously passed at the meeting.

That this meeting of the residents of the Karjat taluka in the Kolaba District humbly request the Government to commute the death sentences passed on Bhagatsing, Rajguru and Sukhadeo in the Lahore Conspiracy Case, in view of the Gandhi-Irwin settlement.

That this meeting of the residents of the Karjat Taluka in the Kolaba District humbly requests the Government to withdraw Meerat and Chirner cases, with a view to create peaceful atmosphere for settlement of the political problem at the Round Table Conference.

The proceedings of the meeting were conducted in Marathi, the above is the substance of the two resolutions passed at the meeting.

I trust that the Government will be pleased to pay its earnest attention to the above resolutions.
The Times of India

24 March 1931 (Extract).

The trial of the accused in the Chirner Forest Satyagraha Case commenced before Mr. B. N. Sanjana, Sessions Judge, Thana, on Monday morning. A large crowd of spectators who had come to witness the proceedings was held up by the police outside the court premises as there was no accommodation in the court room. All the 47 accused appeared in the dock with Gandhi caps on.

Mr. W. B. Pradhan of Bombay conducted the Prosecution, while Mr. R. P. Karandikar and Dr. B. R. Ambedkar defended the accused.

* * *

The Times of India

3 July 1931 (Extract).

Judgment was delivered by Mr. B N. Sanjana, Sessions Judge. Thana, on Thursday, in the sensational case known as the Chirner Forest Satyagraha Case in which forty-seven persons were charged with various offences which included murder, dacoity, unlawful assembly and rioting. The jury returned unanimous verdict of not guilty against all the accused on all the charges, both as jurors and assessors: but the Judge, disagreeing with the verdict, convicted twenty-nine accused and sentenced five of them (accused Nos. 1, 2, 3, 4, 5) to an aggregate of three years rigorous imprisonment.

* * *

Eighteen accused were acquitted.

As regards accused Nos. 2,3,4 and 5 who were also charged under Section 149 read with Section 302 (murder), the Judge being satisfied that there was sufficient evidence against them referred the matter to the High Court.

In passing the sentence His Honour took into consideration the prolonged period for which the accused were under trial and observed that there was no statutory law for him to take judicial notice of the pact between the Government and Mr. Gandhi, but it rested with the Government to interpret and apply it. His Honour also gave thirty days, time for the accused to pay up their fines.

The names of the accused were—

(1) I. G. Narangikar (2) V. A. Narangikar
(3) T. V. Mokal (4) M. K. Patil
(5) H.B. Kharpalit (6) N. C. Mokal
(7) A. S. Patil (8) A. M. Povale
(9) J. S. Vanl (10) M. B. Povale
(11) S. K. Povale (12) P. A. Mhatre
(13) A. N. Narangikar (14) J. K. Pole
M. K. Gandhi to R. M. Maxwell, Private Secretary to
Governor of Bombay
Bombay, 10 July 1931.

You will recall the Chirner case. According to the judgement of the Sessions Judge, 20 accused were held not guilty of any violence. These accused were fined according to the sums marked against their names with varying terms of imprisonment in default of payment of fine. As you will observe from the footnote to the list of the names, the Judge has allowed 30 day's time to pay up the fines on proper security being furnished. These men have given security. As you will observe, judgment was given on the 2nd inst. As these cases clearly come under the settlement I ask for the remission of their fines. I hope that the matter will receive early attention.

G. F. S. Collins to M. J. Dikshit, D. M., Thana
Poona, 26 July 1931.

As you are probably aware, the Sessions Judge sentenced several of the accused in the Chirner case to fines only and said that while he had no judicial knowledge of the Delhi Pact, Government would no doubt decide how far their cases came within its limits. Since then. Government have received several applications to remit the fines.

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according to that Pact, but as they have tender consideration the question of appealing against the Sessions Judge's decision, they have not been able to take any action on the petitions. The Sessions Judge allowed one month to pay the fines and took security from the accused accordingly. This period will, I understand, elapse on the 1st of August. If Government decided not to appeal and the sentences stood as they are, the fines would have to be remitted under the Pact. Presumably the accused will have to appear before the Court on August 1st. As therefore, it is unlikely that the decision on the question of appeal will be reached by that date, I am to request you to instruct the Public Prosecutor, or whoever, appears on behalf of Government, to state that Government will have no objection if the proceedings for recovery of the fines are adjourned.

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Government of Bombay, Home Department

Resolution No. T. 19. Poona, 1 August 1931.

In exercise of the powers conferred by Section 401, Criminal Procedure Code, 1898, the Governor in Council is pleased to suspend, without conditions and until further notice, execution of sentence of fine and imprisonment in default, passed by the Sessions Judge, Thana, on the 2 July 1931, against the persons mentioned in the accompanying list.¹

Bombay Chronicle

25 November 1931 (Extract).

The Hon. Mr. Justice Patkar and the Hon. Mr. Justice Barlee delivered judgment on Tuesday in the reference and appeals in the sensational Chirner forest Satyagraha riot case. Their Lordships gave separate but concurrent judgements dismissing both the reference and appeal. In the result the four persons who were accused of the murder of three police constables and of being members of an unlawful assembly were acquitted of the charges and the convictions and sentences passed by the Sessions Judge on nine persons, including the four charged with murder, on charges of rioting and causing hurt were confirmed.

Their Lordships found in regard to the Sessions Judge's reference that the evidence on behalf of the prosecution, unless it was stretched against the accused by a process of inferential reasoning bordering on surmise, was not sufficient for their conviction on charges of murder and being members of an unlawful assembly. The four accused in the reference who were brought to the court every day during the hearing were not present when judgment was delivered.

* * *

¹Not reproduced here.
The Sessions Judge disagreeing with the verdict in respect of 29 of the accused convicted them and sentenced them to various terms of imprisonment and fines. He also found that four of the accused, namely, Vithu Ambaji Narangikar, Tukaram Vithu Mokal, Maya Kanya Patil and Hasha Balu Kharpadit were guilty of offences under Section 140 (being members of an unlawful assembly) and 302 (murder) and referred their cases to the High Court.

These four accused along with five others were also convicted on charges of being members of an unlawful assembly, rioting and causing hurt and sentenced to terms of imprisonment ranging from 15 months to three years. Against these convictions there were appeals.

The Hon. Mr. Justice Palkar in delivering judgement dealt first with the reference made by the Sessions Judge. In regard to the death of the Round Guard Shevde, he observed, it was suggested by the defence that he was killed by a bullet wound and not by mob fury. Having regard to the evidence on that point it could not be said that if the jury came to the conclusion that Shevde died of gunshot wound, it was a conclusion which could not be reached by reasonable men.

It was, however, unnecessary to go into the question as accused No. 7 who was implicated in connection with his death had been acquitted both by the jury and the Judge. As regards the deaths of the three constables, Kadam, Savant and Tavte, there was no doubt that they were caused by mob fury.

The question then was, continued His Lordship, whether the four accused had been shown beyond any reasonable doubt to be members of the unlawful assembly whose common object was to murder the three constables. There were in all 15 witnesses on the point of the assault on these constables. Ten of these witnesses were villagers and five belonged to the official party. Taking the evidence as a whole and disregarding the comments made in cross-examination of the several witnesses and believing the prosecution evidence as a whole, it appeared that there were two attacks on Kadam and Savant and two on Tavte.

There seemed to be different parties attacking different persons at different times. It would, therefore, follow that accused Vithu Ambaji Narangikar, Tukaram Vithu Mokal and Maya Patil, if they took part in committing an assault on Kadam and Savant, were not members of the unlawful assembly which committed the murder of the two police constables. Further, if the evidence of two other prosecution witnesses was to be believed, accused Hasha Baba Kharpadit took part in the first attack on Tavte, but the constable was not killed by the party of which the accused was a member.

It was urged by the Advocate General that if those discrepancies in the evidence on behalf of the prosecution led to the inevitable conclusion that the accused were not members of an unlawful assembly who committed the murders of Kadam, Savant and Tavte, they should be held guilty of a minor offence, namely being members of an unlawful assembly and causing grievous hurt to public servants in the discharge of their duties, if Posu and Balaram, two of the important prosecution witnesses, were to be believed it would inevitably follow that the accused could not be held guilty of being members of an unlawful assembly and murder.
The question whether they should be convicted under the lesser offence of being members of an unlawful assembly and causing grievous hurt was a matter of inference and unless it was clearly proved that Kadam, Savant and Tavte received grievous hurt at the time of the first attack made on them by the batches of the assailants of which the accused were members, it would be difficult to hold that they were guilty, of those offences.

"Having regard to the circumstances, " added His Lordship, " it is difficult to say that the jury was perverse in acquitting the four accused of the offences under Section 149 (Unlawful assembly) and 302 (murder). The evidence on behalf of the prosecution, unless it is stretched against the accused by a process of inferential reasoning bordering on surmise, is not sufficient for their conviction on those charges. I think that the reference should be dismissed and they should be acquitted on the charge of being members of an unlawful assembly and murder."

As regards the appeals filed by the above four accused and the original accused Nos. 12, 15, 16 and against their convictions on charges of being members of an unlawful assembly, rioting and causing hurt, his Lordship thought there was sufficient evidence of their guilt and confirmed the convictions. It was urged on behalf of accused No. 15 who was sentenced to 18 months' rigorous imprisonment, and accused No. 1 and the four accused in the reference, who were sentenced to three years' rigorous imprisonment each, that the sentences were excessive and should be reduced. Having regard to the circumstances of the case, the Judge did not think that there was any ground to reduce the sentences.

Mr. Justice Barlee delivered a concurrent judgement and both judges expressed their thanks to the learned Advocate General and Mr. H. C. Koyaji (Counsel for the appellants) for their able and clear arguments which considerably assisted their Lordships in going through the voluminous records of the intricate case.

Free Press Journal

28 November 1931 (Extract).

The secretaries of the Chirner Defence and Relief Committee have sent the following statement to the Press for publication.

It is over a year since the Chirner tragedy was enacted. The judgement in the Chirner Case has now been delivered by the High Court. The Reference made by the Sessions Judge in respect of four accused, charged with being members of an unlawful assembly having the common object of committing murder, and the appeals filed by nine accused against order of conviction passed against them were both dismissed. Though the sentence of three years' imprisonment passed against five accused and the sentence of 1\(\frac{1}{2}\) years' imprisonment passed against one accused are confirmed, it is a matter of great satisfaction that no one has been found guilty on a charge of murder.
There was firing on the 25 September 1930 on the occasion of the forest satyagraha at Chimer and as a result seven persons from the public and five Government servants were killed while a number of persons were wounded. The Government immediately started investigation into the offences alleged to have been committed by the people in this affair and arrests of persons began from the 12 October 1930. In all 47 persons were prosecuted under various Sections of the Indian Penal Code. The case commenced on the 23rd December 1930 before the Special Magistrate Mr. Sonalkar at Panvel. After taking the evidence of the prosecution he committed the case to the Sessions on 2 February 1931.

Thereafter Government ordered the case to be tried by Mr. Gundil, Assistant Sessions Judge at Alibag with the aid of Assessors. The accused, however, applied to the High Court for setting aside the order and the High Court passed an Order directing the case to be tried at Thana before a Jury. The case was accordingly tried at Thana before the Session Judge, Mr. Sanjana and a Jury from 23 March 1931 to 2 July 1931. The Jury gave a verdict of not guilty for all the accused on all the charges. The Sessions Judge, however, sentenced five accused to three years' imprisonment, one accused to one and half years' imprisonment. Three accused to Six months' imprisonment and twenty accused to a fine from Rs. 100 to 200 each, and made a reference to the High Court in respect of four accused on the charge of their being members of an unlawful assembly having the common object to commit murder. The High Court has now given its decision as mentioned above.

Our Committee was formed and a fund was raised for conducting the defence of the accused and for giving relief to the relatives of the accused, the persons wounded in the firing and the relatives of the persons killed. The public have contributed liberally to the fund, with the result that satisfactory arrangement for the defence of the accused could be made and some relief could be given to the afflicted persons. We therefore heartily thank all who contributed to the fund and gave other assistance to our Committee.

We also offer over heartfelt thanks to the following lawyers who worked at Panvel, namely, Mr. K. N. Dharap, Mr. V. R. Karandikar, Bar-at-law. Messrs. R. K. Pandke, R. B. Vaishampayan, G. R. Shringarpure and Shankarrao Patki. those who appeared at Thana, namely, Dadasaheb Karandikar. Dr. Ambedkar, Messrs. B. R. Damle, K. N. Dharap, Mr. V. R. Karandikar, Bar-at-law, Messrs. V. A. Rege, K. R. Godbole. S. A. Tendulkar, V. G. Karmarkar, D. K. Sathe and V. R. Gupte: and those in the Bombay High Court namely Messrs. H. C. Koyaji, and K. N. Dharap and Karandikar for the great pains they took, the valuable time which they spent and the sincerity with which they worked in defending the accused. It is equally necessary to give our hearty thanks to Mr. Haribhau Joshi, the secretary of the Committee for the unceasing efforts he made for raising the fund and otherwise arranging for the defence.

* * *
Weekly Letter from D. M., Kolaba

7 January 1932 (Extract).

The same afternoon Hari Moreshwar Joshi brought Mr. Vithalbhai Patel from Bombay for the opening ceremony of the obelisk at Chirner. The ceremony took place at 4 O’Clock in the presence of about 500 people. Besides Vithalbhai, there were present Jamnadas Mehta, Karandikar, Bedekar, K. G. Gupte, Chapsi Purshottam and R. A. Patwardhan. T. N. Bedekar, introducing Vithalbhai, referred to his sacrifices of health and position for the national cause. He said that the bad treatment given to Vithalbhai in jail put his life in danger and government were compelled to release him in order to avoid disgrace. Referring next to the Chirner incident, he said that the report of the non-official committee presided over by Mr. Jamnadas Mehta clearly showed that Government (meaning the police) were responsible for the firing. Mr. Vithalbhai Patel in his speech attached much importance to the report of the non-official committee and expressed the opinion that there had been no provocation on the part of the people and that the police were not justified in opening fire. Joshi, Mamlatdar and four other Government officials who lost their lives in carrying out orders and were innocent should be considered as five volunteers of the swarajya. When he was not allowed to meet Gandhiji he was convinced that the Irwin-Gandhi Pact had died. The more non-violent they were the better they would succeed. If, on the other hand, they resorted to violence in protecting themselves, they would dig their own graves, Every man and woman must boycott British goods.

Karandikar, in winding up the function, said that the names of all those that had fallen had been inscribed on the obelisk—the names of the police in front and those of the villagers at the back—and that he would call the obelisk the "Peace Obelisk".

Order of S. Aminuddin, D. M., Kolaba

No. 172 of 1932. 4 June 1932.

The District Magistrate is satisfied that the inscription on the stone obelisk (standing in a plot in the Chirner gaonthan belonging to one Antaji Mahadev Powale) in question is of such a nature as to bring into hatred or contempt His Majesty or the Government established by law in British India and falls within the purview of Sections 4 (1) (d) and (f) of the Indian Press (Emergency Powers) Act XXIII of 1931. It is, therefore, a newsheet within the provisions of the Act and an unauthorised newsheet within the provisions of Section 2(10).
The District Magistrate hereby orders the Police Sub-Inspector, Panvel under S. 16(1) of the Indian Press (Emergency Powers) Act, 1931, to seize the said obelisk as an unauthorized newssheet and produce the same before the Magistrate 1 class, Panvel under Section 16(3). The execution of the order should be communicated to the District Magistrate, for taking action by him under Section 16(4) of the Indian Press (Emergency Powers) Act, 1931.

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**Weekly Report, 12 June 1932, from D. M., Kolaba**

10 June 1932 (Extracts).

The destruction of the Chirner obelisk was effected without opposition and has evoked no criticism beyond mild comments in the Kolaba Samachar and the Prabhat.

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**The Pratiyogi, 8 June 1932 and the Konkan**

10 June 1932 (Extracts).

Referring to the demolition of the Chirner Satyagraha Memorial the Pratiyogi writes:—No explanation has so far come from Government as to under whose orders and under what authority the Chirner Memorial was pulled down by the District Superintendent of Police, Kolaba. We think that such conduct on the part of the Government is not authorised by the present Ordinances. It is necessary for the Government to explain under what authority the memorial standing in a private place was suddenly pulled down. If any infringement of authority has taken place in demolishing the memorial the officer responsible for it ought to be punished. The Konkan remarks that the Government did not approve of the Chirner forest Satyagraha but that fact had nothing to do with the memorial because the satyagrahis were prosecuted and sentenced. The paper expresses regret that Government did not exhibit the balance of mind in regard to the Chirner Memorial which they ought to have exhibited.

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**Bombay Chronicle**

8 March 1935 (Extract).

"As I hold that the writing complained of falls under the definition of newssheet, the Plaintiffs are not entitled to a declaration and injunction." With these remarks Mr. L. C. Sheth, the First Class, Sub-Judge at Thana, dismissed with costs this afternoon the Chirner Minar Demolition case.

The Sub-Judge came to the conclusion that Court had no jurisdiction to try the suit in view of the Section 30 of the Indian Press (Emergency Powers) Act. The defendants proved that the inscribed stones were unauthorised newssheet within the meaning of Section 4(1) (d) and (f) of the Indian Press (Emergency Powers) Act read with Section 77 of the Special Powers Ordinance 10 of 1932, but the defendants did not prove that their seizure under Section 16(1) of the Indian Press (Emergency Powers) Act was legal, and that the entry by the defendants on the plaintiffs’ land and demolition of the obelisk were necessary and legal.
The Sub-Judge held that it was not necessary to give his finding whether the court had power to grant relief or not.

The court found that as the plaintiffs did not prove that loss was caused to them by the acts of the defendants, they were not entitled to claim the amounts of damages from the defendants or any of them. The second and third defendants could not he held liable. The plaintiffs were not entitled to declaration and injunction sought.

* * *

The Sub-Judge, in dismissing the suit, ordered that the plaintiffs and the fifth defendant (Mr. Ramchandra Anant Patwardhan, a member of the Chirner Memorial Committee) to pay the costs of the first three defendants and bear their own. The fourth defendant (Mr. Anant Mahadeo Powale) to bear his own costs.

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J. M. Sladen, Secretary to Govt, of Bombay to
T. N. Bedekar, Secretary, Chirner Memorial Committee


In continuation of this Department letter No. S. D. 2010 .10, dated 8 August 1938. I am directed to state that orders have been issued today waiving the recovery of costs awarded to Government by the Courts of the First Class Subordinate Judge, Thana. and the District Judge, Thana. in the Chirner Memorial case. The District Magistrate, Kolaba. has been directed also to return the stones of the Memorial if there are any still remaining undestroyed.

* * *

Bombay Sentinel

26 September 1938 (Extract).

Soon after taking meals, a score of buses started for Chirner, about 14 miles off from Panvel, the scene of the forest satyagraha.

The stones of the Chirner Minar, restored recently to the Panvel Congress Committee were taken in a procession to the accompaniment of bands. Mr. Munshi was accompanied by Mr. H. M. Willis, Collector of Kolaba. Mr. S. V. Tilak, President, Kolaba District Congress Committee, Mr. Azad, D. S. P. Mr. H M. Joshi of Lokashakti and others, He was received at the meeting place in great excitement and with unprecedented enthusiasm. The meeting place was decorated Mr. T. N. Bedekar briefly told the whole Chirner story and requested Mr. Munshi to lay the foundation stone.
Having laid the foundation stone, Mr. Munshi began his inspiring address in simple Hindustani. He paid an eloquent tribute to the heroism and sacrifice of the satyagraha martyrs as well as the officials who had done their duty, and proceeded to observe that by the magic of the old man of Segaon satyagrahi convicts like himself and his Chief Mr. B. G. Kher, had become the Government of the Bombay Presidency and he had to face the difficult task of adjudicating between the cases of his subordinate police officials and Congress volunteers.

"What you have to remember is to stand upright, stand by what you consider right, act fearlessly and truthfully and if you do that no power on earth can deprive you of your heritage, by which I understand Poorna Swaraj." These were Mr. Munshi’s concluding words to the crowd of over a thousand villagers who had gathered to hear him at Chimer.

Mr. Munshi was then introduced to about 40 people, who were accused in the big riot case which followed the forest satyagraha. Two of them are dead, whose memory was recalled by all with due respect.

* * *

Bombay Chronicle

4 January 1939 (Extract).

"The column just unveiled is to my mind an emblem of the obedience and self-sacrifice of the martyrs and a clarion call to the Nation to cultivate the unfailing virtues of fearlessness and stern character." In these stirring words, the Honourable Mr. B. G. Kher, the Premier, unveiled last evening at Chirmer, the Chirner Memorial in the presence of a large gathering of about 5,000 persons, mostly agriculturists from surrounding places. The audience included almost all district officers and Congress workers of Panwel.

* * *

Amidst deafening cheers the Honourable Mr. Kher unveiled the column and delivered an impassioned oration in Marathi. The Premier said that the lesson of Chirner was Ahimsa and Peace, and that in future it would be a place of pilgrimage for the soldiers of freedom movement. Proceeding, he explained the Congress aims and ideals and assured the vast concourse of agriculturists that the Congress Ministry was doing their best for their uplift and that various schemes were under consideration. The Congress, he averred, is non-communal in character and the swaraj we would bring would not be a swaraj of this class or that, but swaraj of all and for all.

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