

Strictly Confidential.

NOTICES OF MOTION.

The following Notices of motion have been received :—

“ Resolutions.

I. That this Congress Committee fully concurring in the principle underlying the unanimous resolution of the Nasik session of the Bombay Provincial Conference urging the grant of general amnesty to Political Prisoners urges upon the forthcoming Joint meeting of the All-India Congress Committee and the Moslem League at Allahabad to press upon the Government of India for the immediate release of not only all the Political Prisoners but also all those persons who have been unjustly and arbitrarily interned under the so-called Defence of India Act;

This Congress Committee is of opinion that failing any such action on the part of the Government of India, so as to justify public confidence, the All-India Congress Committee should call upon all its members and also upon those of the Provincial Congress Committees not to associate with Government in any manner whatsoever in connection with the forthcoming visit to India of the Secretary of State for India.

2. This meeting of the Bombay Provincial Congress Committee is of opinion that the time has now come for the adoption of a policy of Passive Resistance in regard to all Executive Orders of a character intended to strike at the liberty of movement and speech of the subject, without sufficient justification being shown therefor, and calls upon the people of this Presidency, wherever such orders may be passed, not to obey them;

And further the Bombay Provincial Congress Committee is of opinion that the people of this Presidency should firmly refuse all manner of co-operation with the Government in the conduct of civil and military administration until such time as the present reactionary policy is not reversed and the repressive and coercive orders by which loyal and law-abiding citizens have been deprived of their personal liberty and freedom of conscience are not revoked.

3. This meeting of the Bombay Provincial Congress Committee expresses its deep sympathy with the patriotic Moulvi Lealty Hussein, who has been unjustly and arbitrarily sentenced to two years' rigorous imprisonment for freely avowing an opinion which is commonly shared by all his countrymen."

II.

I. "The Bombay Provincial Congress Committee submits to the Joint Conference its earnest recommendation that in view of the Secretary of State's announcement in the House of Commons on the 20th inst. containing the definite declaration that responsible Government in India as an integral part of the British Empire is the goal of the policy of His Majesty's Government—all idea of Passive Resistance should be abandoned, and the attention of the all India Congress Committee and of the Council of the Muslim League be concentrated on helping the Secretary of State with suggestions of

constructive policy based on the Resolution adopted by the National Congress and the Muslim League at Lucknow in December last; and calculated to meet the objections of the authorities in India to the measures jointly urged therein.

2. That this Committee further recommends that the Joint Conference should press on the attention of the Secretary of State and of the Government of India the wisdom and justice of releasing Mrs. Besant and Messrs. Arundale and Wadia from their unwarranted internment under the Defence of India Act, or, if the authorities hold that Mrs. Besant and Messrs. Arundale and Wadia have offended against the law, then, of proceeding against them before a judicial tribunal, as public opinion cannot otherwise be satisfied of the legality or justice of any restriction of their liberty."

III.

"That the Bombay Provincial Congress Committee is unable to advise the adoption of the policy of passive resistance both as regards its principle and working in carrying on political work by the Indian National Congress or any component parts of the Congress organisation."

IV.

"With reference to the Resolution passed at the Joint Session held at Bombay on the 28th and 29th July 1917, the Bombay Provincial Congress Committee is of opinion that it is not desirable at the present juncture to consider the advisability of adopting the policy of passive resistance both as regards its principle and working in carrying on political work."

V.

"The Bombay Provincial Congress Committee is of opinion that passive resistance being purely a matter of individual conscience no resolution adopting the policy of passive resistance should be passed by an organised political body like the Indian National Congress or any component part of the Congress Organisation."

VI.

"That in the opinion of the Bombay Provincial Congress Committee, the Indian National Congress or any of the component parts of its organisation should have nothing to do with "passive resistance" in any form or shape."

VII.

"The Bombay Provincial Congress Committee is of opinion that as "passive resistance" in carrying on political work necessarily involves disobedience of the law, an organised political body "adopting the policy of passive resistance," that is to say, of disobeying the law, would become an unlawful body and that, therefore, it is advisable for the Indian National Congress and every component part of its organisation to refrain from "adopting the policy of passive resistance."

VIII.

"That in view of the impending visit of the Secretary of State for India, the Bombay Provincial Congress Committee is of opinion that the consideration of the question of Passive Resistance be postponed *sine die*."

Bombay Provincial Congress Committee.

123, ESPLANADE ROAD, FORT,

Bombay, 29th August 1917.

Notice of Adjourned Meeting.

The adjourned meeting of the 12th of August will take place at the Rooms of the BOMBAY PRESIDENCY ASSOCIATION on Sunday next (the 2nd of September, 1917) at 3 P.M. (St. Time) to transact the undisposed of items of business in the agenda of the original meeting. The said items are printed overleaf.

N. M. SAMARTH,

U. K. TRIVEDI,

N. M. JOSHI,

Hon. Secretaries.

P. T. O.

BUSINESS.

(1.) Consideration of the suggestion to separate Sind from the Province of Bombay and constitute it as a separate Provincial unit under the Congress Constitution. (This question was discussed at the last meeting and its further consideration was postponed.)

(2.) Sanctioning the recommendation of the Council that the Poona Sarvajanic Sabha having now satisfied all that necessary conditions laid down in clause (6) of Article XX. of the Congress Constitution, this Committee should recognise it as an electorate in terms of and subject to the limitations mentioned in the said clause of the said Article.

(3.) Consideration of the following Resolution passed at the Joint Session of the All-India Congress Committee and the Council of the All-India Muslim League held at Bombay on 28th and 29th July last and communicated by the General Secretaries of the Congress in their letter dated 30th July last:—

“That the Provincial Congress Committees and the Council of the All-India Muslim League be requested to consider the advisability of adopting the policy of passive resistance both as regards its principle and working in carrying on political work and to send their opinion to the General Secretaries of the Indian National Congress within six weeks.”

by the Indian National Congress or any component part of its organisation can be recommended because he entirely agreed with Mr. Kelkar in his view that "passive resistance" necessarily involved disobedience of the law. That being so, an organised body like the Congress or any of its organisations "adopting the policy of passive resistance," that is to say, the policy of disobeying the law, would become an unlawful body and so the Congress should have nothing to do with the adoption of a policy of passive resistance.

10. Mr. M. K. Gandhi in explaining his views, observed *inter alia* that it was a mistake to have referred the subject to the Provincial Congress Committees, that "passive resistance" was not a proper expression, that what was meant to be conveyed by that expression was "soul-force," which eluded definition, that the resort to the exercise of that "soul-force" was purely a matter of individual conscience and that being so, the Congress as a body could not and should not adopt the policy of "passive resistance." He was of opinion that the subject should not be considered at all by the Congress Committees or by the Congress.

11. Mr. K. Natarajan came to the meeting when Mr. Gandhi had nearly finished explaining his views.

12. After some discussion Mr. Natarajan proposed a Resolution, which ultimately took the shape, in which it is printed in the accompanying sheets. It was seconded by the Hon. Mr. V. J. Patel. Mr. Samarth raised a point of order that it was not competent to the Sub-Committee to pass such a Resolution. The Chairman decided the point against Mr. Samarth.

13. The Resolution was put to the vote, when, besides the proposer and the seconder, the following members voted for it:— 1 Mr. B. G. Horniman (Chairman); 2 Mr. N. C. Kelkar; 3 Mr. Umar Sobani; 4 Mr. S. G. Banker. The following voted against it.—1 Mr. R. G. Pradhan; 2 Mr. G. K. Devadhar; 3 Mr. N. M. Samarth; and 4 Mr. N. M. Joshi. The Resolution was declared carried by 6 against 4 votes and at the same time it was decided to circulate the Resolution among the members present for their signatures or for any dissentient remarks that any members may deem fit to make.

14. Mr. Jamnadas Dwarkadas and Mr. U. K. Trivedi, who took no part in the voting at the meeting, have recorded minutes of dissent.

15. Out of the 12 members present the minutes of the 6 dissentient members will be found below the Resolution.

N. M. SAMARTH,

U. K. TRIVEDI,

N. M. JOSHI.

Hon. Secretaries.

August 29th 1917.

I should omit the word "undesirable" and say "not desirable."

V. J. PATEL.

25/8/17.

I raised a point of order that the Sub-committee could not pass such a Resolution but the Chairman decided the point against me.

2. I think the Resolution in question is *not* a report on the reference made to the Sub-committee by the Provincial Congress Committee.

3. The first part of the Resolution amounts to an abdication of its functions by the Sub-committee and the latter part thereof introduces matters outside the scope of the reference, which the Sub-committee had no right to do.

4. The new matter thus introduced is also foreign to the agenda of the Provincial congress committee's meeting which has been adjourned.

(Sd.) N. M. SAMARTH.

28th August 1917.

We take the same view.

(Sd.) G. K. DEVADHAR.

(Sd.) N. M. JOSHI.

August 28th, 1917.

With due deference to the Chairman, I think the Resolution of the Sub-committee is absolutely out of order. The Sub-committee was asked to define and explain Passive Resistance and to formulate practical steps, if any, to enable the Provincial Congress Committee to consider the question before it with full knowledge of the measures intended to be taken in the prosecution of Passive Resistance by its advocates. That the Sub-Committee refrained from doing and proceeded to advise the Provincial Congress Committee on matters which were never referred to it. I agree, therefore, with Mr. Samarth that the report is no report on the reference, and should be treated as out of order.

(Sd.) U. K. TRIVEDI.

28-8-17.

I read at meeting of the Sub-Committee my views at some length on the subject matter of reference to the Sub-Committee. I shall send the memorandum since completed to the Secretaries if they will kindly let me know whether they could get it printed and circulated among the members of the Provincial Congress Committee or at the next meeting on Sunday.

(Sd.) N. C. KELKAR.

The Resolution passed at the meeting of the Sub-committee held on the 26th August 1917.

RESOLUTION.

"That in view of the fact that the announcement of Mr. Montagu's forthcoming visit to India and the purpose thereof has materially changed the conditions in which the reference to this sub-Committee was made by the Provincial Congress Committee, and in view of the satisfactory nature of Mr. Montagu's speech in the House of Commons in the debate on the Mesopotamia Report, on the eve of his appointment as Secretary of State, this Sub-Committee resolves to report to the Provincial Congress Committee that it is undesirable for the present for this Sub-Committee so proceed with the task entrusted to it; but that meanwhile it should be represented to the Government that the object for which the Sub-Committee has arrived at this conclusion, namely, that Mr. Montagu's mission in this country may be prosecuted under the most favourable conditions, will be defeated, unless the interned persons are released in time—before Mr. Montagu's arrival—to allow the public mind to get rid of all traces of the excitement and bitterness created by these internments and unless no further repressive measures are resorted to."

MINUTES.

I regret I am unable to vote in favour of this resolution. It appears to me that the resolution goes beyond the terms of the reference made to the Sub-Committee. I do not think that it is open to the Sub-Committee not to proceed with the task, though the situation may have been modified by Mr. Montagu's pronouncement and forth-coming visit to India. The question of what should be done in case of orders prohibiting public meetings is to my mind extremely important and that question remains unaffected by that pronouncement and visit. I have therefore thought it desirable to express my views in a separate minute which I append (my memorandum read in the meeting.)

R. G. PRADHAN.

Bombay,

August, 27, 1917.

[The memorandum referred to above by Mr. Pradhan is a long document of 8 type-written foolscap sheets, at the end of which he summarises his conclusions as follows:—

"Conclusions Summarised."

"My conclusions then are these:—

1. In the case of orders passed under the Defence of India Act, the question whether such orders should be "passively resisted" by disobedience or not, must be decided by each individual concerned. As a general rule, and in view of the special circumstances due to the war, they would not justify resort to the other kind of passive resistance viz. refusal to co-operate with the Government.

2. In the case of orders prohibiting public meetings held under the auspices of a Congress body, each case of such prohibition should be referred to the Local Provincial Congress Committee and the Provincial Congress Committee should immediately call an emergency Meeting and decide whether passive resistance should be resorted to, and if so, after what preliminaries, and to what extent. The Committee should also decide which of the two modes of passive resistance or whether both should be resorted to.

3. With regard to the third case, viz the rejection of our demands for political and administrative reform, I am of opinion that as a matter of principle, such rejection would justify resort to passive resistance by refusal of co-operation with the Government. But the matter should not be decided now.

(Sd.) R. G. PRADHAN.]

I am sorry I cannot see my way to vote for the resolution passed at the meeting of the Sub-Committee held on Sunday last. I do not agree with Mr. Pradhan when he says that it is not open to the Sub-Committee to recommend a reconsideration of the situation in the light of altered circumstances, but, I do hold that even the altered circumstances do not necessitate the postponement of the consideration of the question of Passive Resistance. I am of opinion that Mr. Montagu's decision to come to India is the result of the vigorous agitation that we have carried on ever since the internment of Mrs Besant and Messrs Arundale and Wadia. If this agitation were given up at the present moment I fear that the bureaucracy would perhaps succeed in converting Mr. Montagu, about whose bonafides there are no two opinions, to their own view and would persuade him to believe that the numerous telegrams that were sent from here were manufactured and that there was no real agitation in the country. Besides I believe leaving aside Mr. Montagu's speech on the eve of his appointment as Secretary of State, the declaration that he has made is of a very vague and therefore unsatisfactory character. The grievance for which some of us thought it desirable to resort to Passive Resistance remains unredressed in spite of Mr. Montagu's declaration. We wanted the reversal of the policy of repression and as an earnest thereof we asked for the immediate release of Mrs. Besant and her colleagues who are unjustly interned by an order of the Government of Madras. The declaration leaves these two questions untouched and I am strongly of opinion that until these two things are granted, viz. the reversal of the policy of repression to which the Government of India have lately resorted and the immediate release of Mrs. Besant and her colleagues, the situation cannot be said to have in any way altered. I strongly hold that the reasons that led us to consider the advisability of resorting to Passive Resistance do, not only exist even now, but in the light of Mr. Montagu's expected visit to India, it becomes doubly imperative that we should openly refuse even so much as to discuss the question with Mr. Montagu until the two things for which we have been agitating are granted to us.

JAMNADAS DWARKADAS,

28/8/17.

**Report and Record of Proceedings of the Sub-Committee
appointed at the meeting of the Bombay Provincial
Congress Committee held on 12th August 1917.**

The terms of reference of the said Sub-Committee are contained in the following amendment for adjournment of the debate on the whole question which was carried as a substantive proposition at the meeting of 12th August last on the motion of Mr. K. Natarajan seconded by Indaavadan N. Mehta :—

“That before considering the question of the advisability or otherwise of adopting passive resistance referred to this Provincial Congress Committee for its opinion, this Provincial Congress Committee appoints a Sub-committee consisting of the gentlemen mentioned in Mr. Horniman's motion to formulate the definite scheme of practical steps, if any, which they may recommend for adoption with a clear definition and explanation of passive resistance both as regards its principle and working and submit their report within a fortnight to this Provincial Congress Committee and that, in the meantime, the consideration of this whole question be adjourned.”

2. The names in Mr. Horniman's motion were as follows :—
The Hon. Mr. M. A. Jinnah, Messrs. B. G. Tilak, N. C. Kelkar, Jamnadas Dwarkadas, B. G. Horniman, S. G. Banker, Umar Sobani, H. P. Mody and the Hon. Secretaries.

3. When Mr. Natarajan's amendment was carried as a substantive proposition, the Hon. Mr. Jinnah announced that he was unwilling to serve on the Sub-Committee and that his name should not be included in the list of those forming the Sub-Committee. Mr. B. G. Tilak also withdrew his name. Other names were added on the motion of members as follows :—Mr. K. Natarajan, Mr. R. G. Pradhan (of Nasik) the Hon. Mr. V. J. Patel, Mr. Mulchand A. Shah (of Ahmedabad), Mr. Jivanlal V. Desai (of Ahmedabad), Mr. G. K. Devadhar, and Mr. H. K. Patvardhan (of Ahmednagar).

4. The members of the Sub-Committee appointed as above, who were not present at the Provincial Congress committee's meeting held on 12th August, were informed by letters dated 13th August of their having been so appointed and were requested to intimate if they were willing to serve on the said Sub-Committee. Mr. H. P. Mody whose name was included in Mr. Horniman's motion was not a member of the Bombay Provincial Congress Committee. He could not therefore, serve on the Sub-Committee and he was not formally addressed on the subject. Mr. Mulchand A. Shah wrote to the effect that he would not be able to serve on the Sub-Committee and so his name “should be dropped from the list”. Mr. H. K. Patvardhan of Ahmednagar also asked to be excused on the ground that he “will be unable to attend any meeting of the Sub-Committee.”

1ST MEETING OF THE SUB-COMMITTEE.

5. In accordance with notice of meeting dated 13th August, a meeting of the Sub-Committee was held on 16th August at 6 p.m. at the Bombay Presidency Association Rooms. The following members were present :—1 Mr. K. Natarajan ; 2 Mr. N. C. Kelkar ; 3 Mr. R. G. Pradhan ; 4 Mr. B. G. Horniman ; 5 Mr. G. K. Devadhar ; 6 Mr. Umar Sobani ; 7 Mr. Jamnadas Dewarkadas ; 8 Mr. Shankerlal G. Banker ; 9 Mr. N. M. Samarth ; 10 Mr. U. K. Trivedi ; and 11 Mr. N. M. Joshi.

6. No business was transacted at this meeting as many of the members had to attend "a Home Rule Meeting" at China Bang at 6-30 p.m. that day. Messrs. Natarajan and Devadhar had to leave for Simla to attend the Secondary Education Conference the next day and were not expected to return before 26th August. It was, therefore, impossible for the Sub-Committee to meet and comply with the terms of reference in time for the adjourned meeting of the Provincial Congress Committee which was to take place on 26th August. Accordingly, the members of the Sub-Committee who were present unanimously resolved that they should meet on 26th August and that the President of the Committee be requested to adjourn the adjourned meeting of the Provincial Congress Committee to Sunday, 2nd September, at 3 p.m.

2ND MEETING OF THE SUB-COMMITTEE.

7. The Subcommittee met on 26th August at the Bombay Presidency Association Rooms at 3 p.m. The following members were present :—1 Mr. B. G. Horniman ; 2 Mr. S. G. Banker ; 3 Mr. Umar Sobani ; 4 Mr. Jamnadas Dwarkadas ; 5 Mr. N. C. Kelkar ; 6 The Hon. Mr. V. J. Patel ; 7 Mr. G. K. Devadkar ; 8 Mr. R. G. Pradhan ; 9 Mr. N. M. Samarth ; 10 Mr. U. K. Trivedi ; 11 Mr. N. M. Joshi.

8. Mr. M. K. Gandhi came to the meeting along with some of the members. He was allowed to be present at the meeting in order that he may explain his views.

9. Mr. B. G. Horniman was voted to the Chair. Mr. R. G. Pradhan read the memorandum which he had written on the subject-matter of the reference. Mr. N. C. Kelkar also read the proof-sheets in which he had embodied his views at great length as to what is and what is not "passive resistance." The conclusion he arrived at was that there cannot be "passive resistance" without disobeying the law. He said he had not completed the memorandum as he had not formulated the practical steps, if any, which the Sub-committee was asked to recommend. Mr. Samarth read the definition which he had framed of "passive resistance" and explained his views on the subject to the effect that "passive resistance" was a matter of individual conscience and was morally justifiable but urged that the Sub-Committee should report that no practical steps for "the adoption of a policy of passive resistance"