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List Of Defence Witnesses, Examined.

D.W.No.

1	Pt Indramuni Vakil of Meerut.	25- 1-32
2	Ch. Sheonath Singh Vakil, Meerut.	26- 1-32
3	Lala Mahabir Prasad, Zamindar, Meerut	26- 1-32
4	Bishamber Sahai, Press Owner,	26-1-32
5	Dr. Ajodhya Prasad	26-1-32
6	Ch. Raghubir Narain Singh, Zamindar, Meerut	26-1-32
7	Ch. Vijayapal Singh, Vakil, Meerut	26-1-32
8	Pt Ram Chandar Sharma,	26-1-32
9	Pt Ram Prasad Kayasth, Gorakhpur	27-1-32
10	B. Kamta Prasad, Meerut	28-1-32
11	R.V.Dhulekar, Jhansi	28-1-32
12	Rai S. Chandrika Prasad, Ajmer.	30-1-32
13	Hari Har Nath Shatri, Cawnpore.	30-1-32
14	G.Shethi , Jamsedpur	1-2-32
15	Bindhyavasini Prasad , Gorakhpur	1-2-32
16	Kali Das Ehattacharya, Calcutta	1-2-32
17	Mahbubul Haq, Calcutta	10-2-32
18	Dr.S.K.Basu, Calcutta	10-2-32
19	Sri Prakash, Benares	11-2-32
20	K.C.Mitra	12-2-32
21	L.G.Khware, Bombay	15-2-32
22	K.P.Khadilkar, Bombay	15-2-32
23	V.K.Tawade, Bombay	16-2-32
24	M.R.Jadhav, Poona	17-2-32
25	D.Y.Pathak, Poona	17-2-32
26	G.R.Kadam, Bombay	17-2-32

27	P.C.Bose, Jharia	18-2-32
28	Kiran Shankar Roy Calcutta	19-2-32
29	N.M.Joshi, Bombay	20-2-32
30	Knahaya Lal, Gorakhpur.	23-2-32
31	Dr. D.R.Dhar Calcutta	23-2-32
32	N.C.Kellar, Emm Poona	26-2-32
33	D.Chama Lal Lahore	29-2-32
34	S.Sadanand, Bombay	9-3-32
35	C.F.Andrews.	21-3-32
35	R.R.Bakle, Bombay	21-3-32

D.W. 1.

DEFENCE WITNESSES.

For Gauri Shankar accused.

1. Pt. Indramani Vakil of Meerut on S.A. age 50.

I am a B.A.L.L.B. lawyer practising at Meerut. I am also Senior *Vice* Chairman of the Municipal Board of Meerut. I know that there was a Kisan and Mazdur Sabha in Meerut in 1928 to 1929. I was a member of it. Its object was to organise the Kisans and Mazdurs, for the sake of removing social evils among them. The objects are stated in my original address in P. 322 on page 9 which I gave as President of the Reception Committee of the Conference of peasants and labourers held in 1928 or 1929. This was an independent organisation started under the auspices of the Congress workers, a district organisation. I was a member of the Congress up to the time when it was declared unlawful the other day. None of the aims and objects of the Sabha offended against the principles of the Congress. A parallel political conference was organised here on the same dates as the Mazdur Sabha Conference. That was a Congress Political Conference and the other was a Congress Mazdur and Kisan Sabha Conference. To the Kisan Mazdur Conference Messrs. Sahgal, S. S. Josh, Spratt and Muzaffar Ahmad and Majid accused were invited. They were invited to educate the public, being known as best workers. I read the printed resolutions Exh. P. 175 at the time when they came from the press. The resolutions printed therein were the only ones which were passed at that Conference. The Sabha was never affiliated to any other organisation within my knowledge up to this time. In the same way as the 5 gentlemen named were invited so also were a number of other gentlemen such as Dr. Satyapal and Pt. Jawahar Lal Nehru. Dr. Satyapal was invited from the Political Conference to lecture in our own Conference. Pt. Jawahar Lal also came to lecture but I do not know about the invitation in his case. I had talked with Gauri Shanker accused about his political ideas. As long as he worked with me I never found any thing against the accepted Congress ideas. He was a co-worker with me for 4 or 5 years.

(No other accused wishes to examine this witness in chief).

XXN. By Prosecution. The Mazdur Kisan Sabha started some time in 1928. I do not remember the exact date. It existed about 2 years before the Conference, from about 1926. I was

Chairman of the Reception Committee, of the Conference held about 13th to 15th October 1928. The Political Conference was a Congress Conference purely and simply. It was the idea of myself, Gauri Shankar, Ram Chandra Sharma, Lala Balwant Singh and several other villagers whose names I do not recall to hold this Mazdur Kisan Sabha Conference. Pt. Gauri Shankar accused drafted the resolutions. He had no pattern from which he drafted them. We all put our heads together. I was present at any important lecture that took place in that Conference. Of the 5 accused invited I knew only Sahgal accused, and him by reputation only. It was not my suggestion to invite any of the other 4. I agreed to the invitation of them all. I can not say with certainty whether Gauri Shankar or somebody else suggested Spratt's name; the same reply applies to Muzaffar, Josh and Majid. I had not heard of Muzaffar before. I agreed because I was told he was a very good labourer lecturer. I asked who Spratt was. I asked the man who suggested his name and was told he was an Englishman who sympathised with the poor. I had not heard his name before or Muzaffar Ahmad's. Before October 1928 I had never in any way heard or read of Muzaffar Ahmad's having been connected with the Cawnpore Conspiracy Case. I had never heard that there was such a case, or heard of it at all up to the date of that Conference. I have heard of the Public Safety Bill, but I had not heard of it up to October 1928. I only know it was a Bill but not what its object was. Until 2 years ago I only looked in the newspapers cursorily. From 2 years ago I began to buy them and read them thoroughly. As far as I think I never came across the Public Safety Bill in the former period of cursory reading. Since then I have come to know only that there is such a thing. I have not been interested to understand what it is about. About the Nehru Report I never read anything except criticism I only knew there was a report recommending Dominion Status. I knew then from what I read that Congress had rejected it. As a Congressman I know it continued to be rejected. Not the whole of the Nehru Committee resolution in P. 175 was my idea. I do not remember who did suggest it. The first para about Communal differences was suggested by me. I knew about the Report from the newspaper criticisms I had read.

I heard the speeches of Spratt, Muzaffar and Majid at that Conference. I understood Spratt mostly. I do not remember hearing him say he was a Communist. So far as I remember he did not. I did not know the term before or in that Conference so I say he did not use it. I remember him saying that he differed from Gandhiji on the question of 'Non Violence' and said it was a mistake to give it so much importance. I think he said

'I' and not 'we'. Muzaffar Ahmad did speak but I do not remember his speech. I do not remember his resolution. I do not remember his moving a resolution suggesting the formation of a strong U. P. Mazdur Kisan Dal, nor anything about sending people as representatives to Calcutta. I do not remember Dr. Mukerji's name being mentioned to be chosen as representative, or Joshi or Gauri Shankar. The last 2 were there at the Conference. I was in the Political Conference also part of the time. I heard Spratt speaking there but not at the Town Hall. I heard Majid speak but do not recall what he said. I do not recall what he said about Russia. Or if he mentioned the name of M. N. Roy. Sohan Singh Josh talked about labour organisation; not about Revolution or Inqilab. After that Conference I used to go on addressing villagers. I saw with Gauri Shankar rules of the Sabha saying that Congress rules must be observed entirely. I have never heard of the paper Krantikari. I do not know of any election of office-bearers made at the Conference. P.C. Joshi was introduced to me by Dr. Bhopal Singh. There is no such thing as the Mazdur Kisan Dal. In the Nehru Committee resolution there is mention of a Mazdur Kisan Dal. It is the same thing as a Sabha. I suggested the Mazdur Kisan Conference because poor men could not pay to go into the Political Conference. Entrance was free to this one. Gauri Shankar invited these men Spratt and Muzaffar. We gave him power. I do not remember who suggested Sahgal first. All I knew about him was by reputation that he was Arya Samajist etc. I knew nothing about the rest. The object of the Sabha was to organize and educate the labourers.

Sd. R. L. Yorké,

25-1-32.

All my statement of yesterday refers to a Mazdur Kisan Sabha which was in existence prior to the Conference of October 1928. No Party was formed at that Conference. If a Party was formed without my knowledge what I said does not apply to it. I do not remember if I heard Muzaffar Ahmad speak once or twice but I certainly heard him speak. I did not hear him propose that a Party should be formed. (Shown P. 1091 witness said after seeing first 2 paras down to end of list of names of members and the last para) Muzaffar Ahmad did not say anything like what is written there. I mean I did not hear him say anything like it. I realise he is said in that report to have said he was directed to place that resolution before the meeting. I did not hear him say that. I do not know the writing of P 322

page 3 (pink paper). I have read that paper through and it does not remind me of anything, which happened in connection with that Conference. I can not suggest any circumstances in that Conference which could have given the accused Spratt the impression that a workers and Peasants' Party was being formed. Gauri Shankar never came to me after the Conference to ask for subscriptions for an All India Workers and Peasants' Conference. I have worked with Gauri Shankar very closely for 4 or 5 years. He never showed me Exh. P 203. I do not remember if I have ever seen anything like P 331. Seeing the whole document including object on reverse witness said 'I do not remember whether I have or have not ever seen it in the past'. The same is my answer about P 333. I have never seen Exh. P 310 before. The Party mentioned there is not the one about which I was deposing yesterday. I know Mr. Dharmvir Singh well. He has been a Congress worker with me. I do not know his writing and have had no correspondence with him. I must have seen Gauri Shankar's writing. I can not say if I would recognise it. P 1432 does not remind me of any Party. I know P. C. Joshi accused. I saw him in Meerut for several days after the Conference. I do not know his writing. I was on the Subjects Committee at which the resolutions were drafted. The draft resolutions were written by different people. I was not present throughout. I do not know the writing of any of P 186. I heard Sahgal's presidential speech at the Conference. I have heard of Bolshevism but what it is I did not and do not know. I do not remember whether he said anything about Bolshevism or Bolsheviks, but it was a very fine speech. I did not read it in the Deshbhagat. I do not remember if Sahgal said anything about Russia or the Russian Revolution. As I appreciated it I do not think there was anything against the Congress in it.

REXXN. I joined the Bar only 3 years ago.

Read and admitted correct.

Sd. R. L. YORKE,

26-1-32.

D.W. 2.

Chaudhri Sheonath Singh Vakil Meerut on S.A. 45.

I am a practising lawyer since 1913 and practise at Meerut. I was Chairman of the Meerut District Board from 1925 to 1928. I was a Congressman till 1929. In 1928 there was a Delhi Prov.

incē Congress Political Conference at Meerut: There was also a Kisan Mazdur Conference at the same time. I was Chairman of the Reception Committee of the Political Conference. One sitting of the Kisan Mazdur Conference was held at night in the pandal of the Political Conference. I do not know if the Town Congress Committee gave Sahgal accused an address of welcome. I know Gauri Shankar accused well. He used to work in the Congress also up to the time of his arrest.

(No other accused wishes to examine in chief)

XXN. Nil.

Sd. R.L. YORKE.

26-1-32

D.W. 3.

Lala Mahabir Prasad on S.A., Zamindari 38.

I was Senior Vice Chairman of the Meerut Municipal Board. I pay over Rs. 15,000 Land Revenue, besides Income Tax, the amount of which at present I do not exactly remember. I know Gauri Shankar accused. I was a Congressman up to the time it was declared unlawful. On principle I could not help any organisation whose principles were opposed to those of the Congress. I had heard the name of a Mazdur Kisan Sangh in Meerut some years ago. I recognise my signature on page 3 of D. 330. I paid a subscription to the Mazdur Kisan Sammelan Meerut.

(No other accused examines this witness in chief)

XXN. Nil.

Sd. R. L. YORKE

26-1-32.

D.W. 4.

Bishambar Sahai on S.A. 32. Owner of Premi Press.

I am the proprietor of the Premi Printing Press. I know there was a Mazdur Kisan Sangh in Meerut. Its notices etc used to be printed in the Premi Press. P 175 was printed in my press, after the Conference, perhaps 15 days later. The document D 732 was printed at my press.

(No other accused wishes to examine this witness in chief).
XXN. This document D 732 was printed long before the
Conference referred to in P. 175.

Sd. R. L. YORKE.

26-1-32.

D W. 5.

Dr. Ajudhia Prasad on S.A. 40. Residence Meerut.

I have been practising since 1910. I know Gauri Shankar
accused. Up to 1929 I was a Congressman. I used to see Gauri
Shankar also doing Congress work up to 1929. I used to have
conversations with him. I used to find his views in entire agree-
ment with the Congress.

(No other accused wishes to examine the witness in chief).

XXN. I had no talks with him on any other political
subject except the Congress.

Sd. R. L. YORKE.

26-1-32.

D.W. 6.

Ch. Raghbir Narain Singh on S.A. Residence Asora P.S.
Hapur.

My son pays about Rs. 30,000 Land Revenue and some In-
come -Tax. I got a sword of honour in the war for war services
in this district. I was president of the All India Bhuinhar Sabha
at Patna in about 1926 or 27. I was member of the All India Zam-
indars' Association of which Maharaja Darbhanga is Chairman.
I was also member of the All India Congress Committee and
have been Chairman of the Delhi Provincial Congress Committee.
I know Gauri Shankar accused. He was a member of the Meerut
Town Congress Committee, of the Meerut District Congress Com-
mittee and the Delhi Province Provincial Congress Committee.
So far as I remember he was so up to the time of his arrest. No
one is elected to these Committees whose creed is against that of

the-Congress. In fact the voters vote for those who they think are in thought and deed faithful to the Congress. I have often discussed political matters with Gauri Shankar. From our discussions I can say that I found him a follower of Mahatma Gandhi and the Congress. He was a keen Khaddar worker, kept a Charkha and preached it here and at Hardwar. There used to be a Mazdur Sangh at Meerut. I knew it as Mazdur Sangh, not Mazdur Kisan Sangh. He mentioned it to me several times, and I gathered it was a Mazdur Sabha with the same objects as Congress. The name I understood was given to it to give it importance. I often saw Congress people working in it. This Mazdur Sangh is the one which had a Conference at same time as the Political Conference. I knew Kidar Nath Sahgal accused. So far as I remember the Town Congress Committee gave Sahgal an address at the time of the Political Conference when he came for the Mazdur Sabha Conference. I was on the Executive Committee of the Political Conference.

(No other accused wishes to examine this witness in chief.)

XXN. Nil.

Sd. R. L. YORKE.

26-1-32.

D W. 7.

Ch. Vijaipal Singh, Jat, Vakil, Meerut on S. A.

I am a practising lawyer at Meerut. I was for 3 years a member of the Legislative Council. I was also *Vice* President of the Meerut Town Congress Committee. I have been in the past a member of the District Congress Committee and the Delhi Province Provincial Congress Committee. From 1921 up to 1929 so far as I know Gauri Shankar was a member also of the Town, District and Provincial Congress Committees. He and I talked several times about Congress programme. I never found his ideas and creed clashing with the Congress creed. I know of the existence of a Kisan Mazdur Sangh at Meerut. I was a member of the Working Committee of it. As far as I know that was a local district organisation only. It was never to my knowledge affiliated to any other organisation. It was created for the amelioration of labourers and peasants in the district on Congress lines. The workers in the Sangh were those who were interested in the

uplift of labourers and peasants. They were all Congressmen. I have seen D. 732. This gives the creed of the Sang about which I have spoken above.

(No other accused wishes to examine this witness in chief).

XXN. There is nothing in the membership form D 732 limiting membership to members of the Congress. I do not know all the members of the Sangh. I know many.

REXXN. I knew almost all the workers in the Sangh.

XXN. I know now of the formation of the Workers' and Peasants' Party of the U.P. since this case was started. I knew nothing personally before. I have never heard of the Krantikari. It was never sent to me. There is another Ch. Vijaipal Singh B.A.L.L.B. of Meerut. It may be his house which appears as No 946 in P 433. He passed his examination the same year as me. I came because I received summons.

By Ghosh accused (Nothing relevant in Court's opinion)

Read and admitted correct.

Sd. R. L. YORKE.

26-1-32.

For Kadam accused.

D.W. 8.

Pt. Ram Chander Sharma on S. A. Meerut.

I attended the Session of the Indian National Congress at Calcutta in 1928. I reached Calcutta on 22nd December. On the way at Cawnpore I met Lachman Rao Kadam accused and others. On the same date on which I reached Calcutta I attended a Mazdur Kisan Conference. I also attended it on the 23rd and 24th. Kadam attended the Mazdur Kisan Conference on the 22nd. I did not see him there on the 23rd or 24th. I asked him to come again on 23rd but he said to me that he had thought it was like the Conference held at Jhansi but he found the Mottoes not to his liking and therefore he did not want to attend it any more. I asked him to come again but he refused. He did not say anything to me about the speeches he had heard. I was present on 24th at the time of the election of the National Executive Committee of the Mazdur Kisan Sabha. Kadam

accused did not attend the meeting. The name of Lachmi Narain Pandit was selected for Jhansi.

For Gauri Shanker accused.

There was a Mazdur Kisan Sangh at Meerut. I was a member of it. I was so as long as it lasted. It came to an end when Gauri Shanker was arrested. I did some work at the time of the Conference held here. The Sangh was a district organisation and not a branch of any other organisation. The Sangh was started by us people, Congress workers. The aims were those stated in the Mazdur and Kisan betterment resolution of the Gauhati Session of the Indian National Congress. That Sangh was never affiliated to any All India or Provincial Mazdur Kisan Sabha. So far as I remember in the Meerut Conference of 1928 no resolution was passed for its affiliation. I met Gauri Shanker accused at Calcutta in the Indian National Congress but I did not see him on any date at the Kisan Mazdur Conference there. I saw him there staying in the bazar at the house of a Rais.

For Banarji accused.

There had been 2 Conferences of the Kisan Mazdur Sangh at Meerut before the one to which I have referred. One was at Garhmuktesar and before the 1921 Meerut Conference. I do not recall the date. The other was at Nauchandi Fair. The Sangh made the arrangements for all 3 Conferences and convened them all. (after reading the account of Garhmuktesar Conference in the 'Bir Hindu' dated 21. 11. 27. witness said). The account given here is correct. I remember it well now. I cannot remember the resolutions passed at that Conference. Seeing document P 189 D Gauri Shanker (Objection made by prosecution under section 159 evidence act but withdrawn as not worth pressing); I do not remember the resolution passed but this paper is the same as what appears in the Bir Hindu.

Sd. R. L. YORKE

26/1/32

I can not remember the date of the Nauchandi meeting but it was at the time of the Mela. The arrangements for it were made by the Mazdur Kisan Sangh. I was present at that meeting. I did not do any work in it but had a shop at Nauchandi. I do not remember seeing any notice like P 188 at that time. After the October Conference I used to be meeting Gauri Shankar

regularly up to the time of his arrest. It was in connection with public work. We remained in agreement.

For Kadam by permission. In the Meerut Mazdur Kisan Conference the first thing done was that a photograph of the late Mr. C.R. Das was unveiled. Kedar Nath Sahgal was invited to the Conference because he was a good Congress worker and worker of the Naujawan Bharat Sabha. I do not know if there was any U.P. Kirti Kisan Party at the time of the Conference. Nor do I know anything about one afterwards.

(No other accused wished to examine the witness in chief).

XXN. I know Gauri Shankar since 1921. I was probably a member of the Mazdur Kisan Sangh from its commencement. The first Conference of this Sangh was at Garhmuktesar, then at Nauchandi. The Nauchandi one would be in March. I was present at the Nauchandi Conference from time to time, not the whole time. To the best of my knowledge Diwan Datt, Kamta Prasad, Balwant Singh and Gauri Shankar were the organisers. The President was Diwan Datt. He was in place of Diwan Chaman Lal who could not come. When I attended the Conference I saw Diwan Datt presiding. I think I only went once to the Conference. I know Shaukat Usmani accused since this case is proceeding. I know that Shaukat Usmani was present at that meeting. I have never spoken to him but only come to know him by sight. Having seen P 187 D Gauri Shankar witness said I can neither assert nor deny the truth of the statement therein that Shaukat Usmani presided at this Conference.

I was one of the organisers of the October Conference, and one of the Committee which sent Gauri Shankar to invite Sahgal to be President. I never weighed whether there were other Congress workers in the neighbourhood of Meerut nearer than Lahore as good as Mr. Sahgal at that time. The reason that Sahgal was selected was that some one in the Committee suggested his name and so he was sent for. Muzaffar Ahmad and Spratt's names were suggested by Thakur Moti Ram, I do not know who suggested the names of Sohan Singh Josh and Majid accused. Moti Ram said about Spratt that just as Mr. Stokes used to work among the peasants so Mr. Spratt took an interest in the peasants in Bengal and so he and Muzaffar Ahmad were invited. Their expenses were sent. Mr. Moti Ram is a witness summoned and present today. I was present throughout the October Meerut Mazdur Kisan Conference. I heard everything that took place. No party at all was formed at that meeting. It was a Conference. I never heard of any Party being formed after it. I know

Pt. Indramani. I saw him in Court yesterday. I did not see him after he had given his evidence. I was waiting in the witness room and did not see him going out. Why should I go and see him. I was not interested in what he was asked. After the Conference I used to see Gauri Shankar often and talk to him. He never came to me and asked me for a subscription for the All India workers' and Peasants' Party Conference. I read about that Conference in the newspapers. I can not say in what newspaper. I never saw any posters like P 375. I went to Calcutta for the Indian National Congress. This Mazdur Kisan Conference was on so I attended it too. The 1st day of the National Congress was on 26th, 27th or 28th December. I can not deny that the sittings of the Congress began on 29th. I went there beforehand because it is a big city. It is also more expensive than Meerut. I stayed in the Congress Nagar with U.P. and Delhi delegates. There were many Meerut people there. Moti Ram was there. Gauri Shankar was in the the city and not there. Kadam was in the Congress Nagar. I attended the workers' Conference because at Meerut I had met Sohan Singh Josh. I went to see him at Calcutta and he gave me a ticket, and so I went. I went to see him in the house where he was staying perhaps in Circular Road. I had no correspondence with him after he left Meerut. I met Kadam for the first time at Cawnpore on my way to Calcutta. Gauri Shanker was in Calcutta before I arrived. I was not present at the opening of the W. P. Conference. I went there on the 2nd day with the President Sohan Singh. I saw some 400 or 500 people present at it. First there was singing and then English resolutions. Some persons spoke Hindi too. Most of the proceedings were in English. I heard the Hindustani speeches. All resolutions were in English. In Hindustani one day Kadam made a speech and one day I recited a poem. One day a boy spoke in Hindi. I did not find the English proceedings interesting. I did not remain present all the time. It was 23rd I did my recitation. That was before the election of the All India Working Committee. The proceedings were written in English. The names were given out in Urdu. I was interested in who was elected. I wanted to know who was elected. I had no connection with this party. There was no reason for my interest. I remember who were selected from U. P. but not from Punjab. Puran Chand Joshi was elected and Dr. Bisnath Mukerji and Gauri Shanker and Lakshmi Narain Sharma of Jhansi. Lakshmi Narain I met then for the first time. I did not find out his business. I was in Jail with him for 6 months. There he told me he kept a press at Jhansi. I did not talk about what papers he published. I do not know the newspaper Krantikari. I know P. C. Joshi since the Meerut

Conference I was not on the platform in the Calcutta Conference. I had not heard the name of Dr. Mukerji before this case I did not see him in the Conference or hear his name except at the time of the election.

Kadam mentioned the Workers' and Peasants' Conference to me in the train. I had seen it mentioned in the newspapers at Meerut before I started. I did not however know it was a Conference of the W. P. Parties of the U. P., Punjab, Bengal and Bombay. That was not in the newspapers so far as I saw. His impression about it and mine were the same. I saw Kadam in the Calcutta Conference on the 2nd day sitting near me in the same line of chairs. Before that day's proceedings ended I and Moti Ram, Jahdeo Singh and Khem Chand of Meerut and Kadam and some one I did not know left together. We talked on the way back. So far as I remember he said some of the mottoes hung up were against the Congress and he did not like them. I also did not like them. There was other talk about the Conference. Next day I went to the Conference after mid-day. I did not recall if I saw him in the Congress Nagar that day but I did see him in the Congress Nagar afterwards. I do not know when he went back to Jhansi. I went back to Meerut on the night of 31st. Gauri Shanker returned to Meerut after me. He stayed on in Calcutta. I know Gauri Shanker was Secretary of the Meerut Mazdur Kisan Sangh. I did not see him at all at the Calcutta Conference. I looked for him there. I was not surprised not to see him there, in spite of the fact that he was Secretary of the Meerut Sabha and present in Calcutta. I met Gauri Shanker in Calcutta at a house in the Bazar. I do not remember when. It was before the Congress. He had gone to Calcutta in order to go to the Congress. He did go to the Congress. I think I saw him every day there was a sitting of the Congress. I traced Gauri Shanker's place of residence through Ram Saran Vidyarthi. I mentioned the W. & P. Conference to Gauri Shanker. It was the first time I met him when I went to borrow some vessels from him. I can not remember if it was after the W. P. Conference was over or before. Kadam did not go to the W. P. Conference along with me. I can not say if he had got his ticket already. I had never been to Calcutta before. No one took me to Sohan Singh Josh. I saw in the papers that he was President and went to him myself. The papers printed that the Conference was at Albert Hall and went to inquire where I learnt the address and went there. It was in Circular Road or Lower Circular Road. I do not recall the number. I went again to that house on the 24th, but not again. It was for the meeting. At the meeting on 24th there was only election while I was there. It

had begun before I arrived. There was great disturbance at that meeting. The meeting was still going on at 4-30 or 5 p.m. when I left it. I arrived after midday. There was some break in the proceedings while representatives of each province were told to select their numbers of the All India Committee. That was the only break. I do not remember hearing Muzaffar Ahmed speaking about the objects of the W. P. Party in the Meerut Conference. It was not a short speech but took more than an hour. I can not say whether or not Muzaffar Ahmed spoke about the formation of a W. P. Party. I do not remember. I have come to the Court a number of times since the case has been proceeding in the Magistrate's Court. I was present outside the Court on the day when Mr. Randive was arrested. I was in the front row of the crowd on that occasion. I do not remember if there was a banner with Long Live Revolution written on it or if I was near it. There were banners. I remember well that nothing was written on them. It is possible. I was shouting. I remember shouting Inqilab Zindabad. I do not take any interest in this case as far as it relates to Communism but only so far as it relates to certain people. I have done all in my power to assist some of the accused including Communist accused. But about those I only knew later that they were Communists.

REXXN. For Banarjee. My knowledge that Shakaut Usmani was present at the Nauchandi meeting was from some one saying it at my shop. The Mr. Stokes about whom I spoke I once saw at Gaya Congress. I have read of his work among the Kisans against begar. Congress usually has its sittings from 26th, 27th, 28th or 29th December in the Christmas holidays. I certainly knew the date on which the Congress was to begin in 1928, through Congress Office. Before the actual Congress Session there are meetings of the Subjects Committee. They are held 2 or 3 days before. I have almost always attended the Subjects Committee meetings at the Congresses which I have attended. I went to Jail under the Salt Act in the course of the Civil disobedience Movement. The persons accused in this case in whom I take an interest are those who are Congressmen and wear Khaddar. I used to come because I was a member of a Sewa Sangh which was started when this case came here. It was started to look after the comforts of the accused. That was the kind of help I was speaking of having given to the accused.

XXN. In chief by Ghosh accused under S. 291. C. P. C. This Sewa Sangh was formed after the accused came here, at the end of March. 12 or 15 people worked in the Sewa

Sangh. The Meerut people started it. In those rule there was no specification as to what kind of accused persons of this case should be helped. I gave the help I did in the capacity of the Sewa Sangh. I was not aware of the political views of all the accused in this case at that time. In the case of some I was aware. I did not try to find out the political opinions of any of them before giving assistance. If I had found the political opinions of any of the accused not agreeing with mine I would have given help or not according to the opinion of the majority of the Committee. I did not render any personal help to any of the accused in this case.

REXXN. Nil. XXN. By Crown Counsel on last portion. Nil.

Sd. R. L. YORKE.

27-1-32.

D.W. 9.

Pt. Ram Prasad, Kayasth. 47 Service Residence Gorakhpur Town on S.A.

File P. 1384 was seized by Police from the office of B.N.W. Railwaymen's Association. I am the Secretary of that Association. In that capacity I received cyclostyled letter D. 733 (1) (9 sheets) and under the directions of accused Mukerji replied to it in D. 733 (2) which bears my signature. I do not remember if I received any reply from Mr. Saklatwala. I sent a copy of my letter to Mr. N. M. Joshi and asked him to send me a copy of the Constitution of the British Trade Union Congress. I received a copy of that Constitution. I remember to have carried on a correspondence with the British Trade Union Congress. The B.N.W. Railwaymen's Association was founded in 1920. Its first president was R.B.B. Narsing Prasad. I have been connected with the Association since 10 years. I used to attend most of the meetings of the workers. Accused used to address the workers and tell them to remain non-violent. I do not think any meeting to celebrate Lenin Day was ever held at Gorakhpur. No meeting was ever held by the Association certainly. Resolution No. 6 in D. 190 (50A) and (51) was moved by Dr. Mukerji and passed by the Executive Committee of the Association. A

copy was sent by me to Mr. N. M. Joshi.

Sd. R. L. YORKE.

27-1-32.

D. 190 (1) bears my signature and this was the press note sent by me. D. 190 (2) was prepared by me and included in this file. I recognise my signature on D. 190 sub-numbers 1, 3, 4, 10, 12, 13, 14, 15, 16, 17, 18, 22, 25, 28, 31, 38b, 54, 61, 69, 72, 73, 74, 81, 83, 85, 92, 102. These letters I issued as Secretary of the Association. I recognise the signature of Dr. Mukherjee on D. 190 subnumbers 26, 29, 33, 36, 40, 43, 52, 64, 67, 75, 79, 90 and 109. I was the person who kept this file and I can say that all the letters from outside included in it were received by me and included in it in the ordinary course of my duties. D 191 (6) is a correct report of the proceedings and was printed by the orders of the Executive Committee of the Union. D 191 (9) is a copy of the rules of the Kisan Mazdur Sabha Gorakhpur. The office was close to mine and so I was acquainted with the rules. D 191 (12) was issued under Dr. Mukerjee's orders. I got it printed as directed by him. I received D 193 (13) by post. D 192 is the revised rules of the B. N. W. Railwaymen's Association, drafted by Dr. Mukerjee under the orders of the Executive Committee in 1927 and 1928. It was just before the registration of the Union in 1928. All the work I did in the office of the Union was done under Dr. Mukerjee's instruction. I identify the writing and signature of Dr. Mukerjee on D 193 (1) and his writing on subnumber 2.

The Conference of the B. N. W. Railwaymen's Association was held on 20th January 1928. The Conference of the Kisan Mazdur Sabha was held on the following day in the same pandal. I visited the Conference. I could not remember any of the resolutions zabani (*i. e.* without something to remind me). Seeing D 194 (1) I can say that those resolutions were passed. I recognise Dr. Mukerjee's signature on D 195 (2) and (3) and (6) (8) (10), also on D. 203 page 7. The Hindi signature on page 9 looks like his. So does that on pages 10, 11, 12. That on 13 in English is his. That in Hindi on page 18 looks like his. I recognise his signature on D 202 page 9, 10, 26, 35, 63, 64. In D 205 I recognise Dr. Mukerjee's writing and signature on page 19, and signature on page 23, 25, 39 (also hand writing). I am a Congressman. In March 1929 I saw a member of the Executive Committee of Town Congress Committee of Gorakhpur. In 1929 early in March a public meeting to celebrate Swaraj Day was

held at Ismail Park Gorakhpur. Dr. Mukerjee presided. A resolution supported Nehru Committee Report and the resolution of the Congress Working Committee was passed at that meeting. Dr. Mukerjee explained both of these to the audience as President of the meeting. May Day was celebrated in Gorakhpur in 1928. It was celebrated because a circular letter was received from the Secretary All India Trade Union Congress.

(No other accused wishes to examine this witness in chief).

XXN. I worked in the office of the B. N. W. Railwaymen's Association in Mohalla Jafra Bazar. I used to go to Dr. Mukerjee's house sometimes to take his instructions but not to work there. It was close by. There was no meeting and nothing to celebrate Lenin Day in Gorakhpur. I do not know when Lenin Day is. I say there was none because if it had been I should have known of it. That is if it had been celebrated by my Association I should have attended it. Had my Association been not concerned there would have been no necessity for me to know about it. My hours of work used to be from 12 to 6. I do not know whether Dr. Mukerjee is a great admirer of Lenin. I do not remember ever to have seen any picture of Lenin. I know who he was. I never saw a picture of some one rather like Dr. Mukerjee but I never went inside Dr. Mukerjee's house. I always stood in the verandah. I did not know Dr. Mukerjee was engaged in educating the public on Bolshevism, writing treatises about. I never saw P 1424. The writing of his name on page 1 and 3 looks as if it was handwriting.

REXXN. Had Lenin Day been celebrated in a meeting at which Dr. Mukerjee presided I would have known if he had told me.

By Ghosh. Gorakhpur is a big city. There are 2 places where public meetings are commonly held. One is half a mile away from the office and the other a full mile. I should pass one of these places on my way to and fro from the office. Notices of meetings are usually given by handbills leaflets and posters. My Association office was well known. I used often to receive such notices in my office. If Lenin Day meeting had been held a notice must have been received in my office. Dr. Mukerjee was in the habit of taking me to such meetings, I mean the meeting of the workmen, labourers, Congress Committees. I do not remember his ever taking part in any meeting which was not a workmen labourers' or Congress Meeting. I ought certainly to know if any big meeting took place in Gorkhpur.

XXN. By Crown. Dr. Mukerjee used to take me to meetings because I was interested. It was to know what was being done in the meeting. It was because most of the meetings held was of the workmen and of the Congress. It was to know the proceedings and because I was a member of those 2 bodies. Dr. Mukerjee could answer why he took me to meetings in which I was not interested. I served no useful purpose at such meetings to him or anyone. I understood the Hindi proceedings. If there was no notice of a big meeting I ought to know because there would be drumbeat. Or if I did not see notice or hear drumbeat I might meet people in the street. Otherwise I would not know.

Read and admitted correct.

Sd. R. L. YORKE.

28-1-32.

D.W. 10.

B. Kamta Prasad witness for Gauri Shanker, Vaish, Mukhtar on S. A.

I am a Mukhtar practising at Baraut. I was last year the Senior Vice Chairman of the Baraut Municipal Board. My father is a zemindar. I know Gauri Shanker accused. There was a Kisan Mazdur Sangh at Meerut I knew. I was a member of it, for 2 years in 1927 and 1928. I ceased to be a member of that Sangh after Mr. Gauri Shanker's arrest. It was a local organisation of the Congress. Its main object was, according to the Gauhati resolution, to popularise Khaddar and the spinning wheel among the peasants. Gauri Shanker came to Baraut in connection with this organisation. I remember a Delhi Province Political Conference being held at Meerut during 1928. As far as I remember Gauri Shanker came to Baraut sometime in January 1929. He stopped a night at Baraut and next morning went on into the villages. I think I never accompanied him into the villages. I discussed political matters with him many times. I think that his political views, so far as he disclosed them to me, were the same as those of the Congress. So far as I remember there was no Kirti Kisan Party in the Punjab and the U. P. up to the time of Gauri Shanker's arrest.

There were 2 Conferences held at the same time in 1928, at Meerut, the Delhi Province Political Conference and the Mazdur Kisan Conference. I attended them both only on one day the 13th October. I was present at the opening ceremony of the Kisan Mazdur Conference. It began with a national anthem, and then some one proposed Mr. Sahgal as President of the Conference.

(No other accused wishes to examine this witness as his witness).

XXN. I did not hear Majid accused speak at that Conference nor any speeches on the 14th or 15th. I can not say positively that there was no Kirti Kisan Party in the Punjab or U. P. up to Gauri Shanker's arrest. I think there was none because I never saw anything in the papers up to the time of his arrest. I did not take in such papers as the Krantikari or the Kirti.

REXXN. Nil.

Read and admitted correct.

Sd. R. L. YORKE.

28-1-32.

D.W. II.

Mr. R. V. Dhulekar on S.A. Advocate, Jhansi. Witness for Kadam accused.

I have been practising for the last 18 years, in Jhansi. I am engaged in Congress activities, since 1910 and as a member and office-bearer since 1915. I have been Secretary and *Vice* President and President of the Town and District Congress Committees, and also represented Jhansi on the Provincial and All-India Congress Committee. I was for 1½ years Secretary of the U. P. Provincial Congress Committee. I have been attending National Congress Sessions regularly for several years. I attended the Gauhati Session as a delegate and member of the Subject Committee. I remember the Labour resolution moved by Pt. Moti Lal Nehru and seconded by Maulana Shaukat Ali at that Congress. It is as given on page 211 in the statements of accused (Kadam's statement) I have known L. R. Kadam accused since 1917. We have been in close touch. He had taken part in Home Rule League agitation in 1916 and 1921 became a member of the Congress. He also occupied posts as Secretary or Joint Secretary. In 1923 he was Swarajist candidate in the Municipal Board and remained a member for 6 years. At the time of his arrest he was one of the Secretaries of the District Congress Committee. I was then *Vice* President of the District Congress Committee. I know of the Provincial Political Conference held annually. It goes round the Province, to a different place each year according as it is invited. It was held in Jhansi in 1916 and again in 1928. There were 2 other functions along with it, Kavi Sammelan (poets conference) and the other was a Bundelkhand Kisan Mazdur Conference. The latter was organised by the members of the Congress at Jhansi myself and Kadam included. Kadam was Joint Secretary of the Reception Committee. In the Political Conference only political subjects were discussed while in the Kisan Mazdur one there were subjects not almost coincident with the Congress. I mean that in it there were discussed economic and social subjects, e.g. takavi grants, remissions of revenue, early marriages etc. Political Subjects were not discussed at the Kisan Mazdur Conference. The reason for holding 2 conferences was that traders, zamindars, cultivators, labourers do not ordinarily attend Political Conferences and this Conference was to deal with the subjects that interested them. This Conference was held in the same Pandal as the Political Conference and in the intervals between its sessions. The arrangements for the Pandal were made by the Reception Committee of the Political Conference. The officers of the 2 Reception Com-

mittees were the same. There was no organisation of the name of the Workers' and Peasants' Party at Jhansi. I never saw a letter heading like P 2015P. There was a Kisan Mazdur Sabha at Jhansi. I was a member of it. It was formed some 6 or 7 months before the Political Conference. Mr. Kadam was the Secretary and Mr. Gangadhar Nilkant Aushde was the President. There was no separate Working Committee. It was working under the auspices of the Congress. It had no connection with any other body outside Jhansi. So far as the wording goes of the object on the back of the form attached to P 1350 (8) there is not in my opinion anything in it opposed to Congress principles (Note. Nimbkar accused objected to the question on the ground that witness is not an expert on Congress principles). I had occasion to see a paper called Krantikari issued from Jhansi. I read it sometimes, off and on. I know Hindi. The proprietor was Lakshmi Narain Sharma and Krishan Gopal Sharma was also a partner. I know them both well. They were both connected with the Congress. K. G. Sharma was Secretary of the Reception Committee of the Political Committee.

Sd. R. L. YORKE.

28-1-32.

Continued on S. A. L. N. Sharma and K. G. Sharma were in charge of the management of Krantikari. Kadam accused had no connection with the paper. There was a Municipal workers' Union at Jhansi, formed about the beginning of 1929. I was its President. Kadam accused was its Secretary. He was not a member of the Municipal Board at that time. I was present at the inaugural meeting in which the Union was formed. This Union had no connection with any other body in Jhansi or outside. There were one or more Congressmen interested as members of that Union but mostly they were employees of the Municipality. There was no workers' and Peasants' Party or branch of it at Jhansi of which Mr. Krishna Gopal Sharma was Secretary. The statement to that effect in the Krantikari dated 24. 11. 28 is not correct. There was no other Kisan Mazdur Sabha in Jhansi up to the time of Kadam's arrest except that of which I was a member, Kadam Secretary and Gangadhar Nilkant Aushde President. Excluding the Congress no organisation with which both Kadam accused and I were connected was affiliated to any outside organisation. To the best of my knowledge there was no organisation at Jhansi which was affiliated with any Party outside excepting the G. I. P. Union which was a branch of the Head Office at Bombay. I of course exclude Congress. The

announcement for the Simon Commission was made in August 1927. I was generally in Jhansi from then until March 1929. Almost all sections of the people at Jhansi worked for the boycott of the Commission. At first the politically minded people of Jhansi had faith in the British Labour Party thinking them friendly towards them but on the appointment of the Simon Commission they lost faith. I remember that 2 members of the British Trade Union Congress came to India after that announcement Messrs Purcell and Hallsworth. I had talk with others at Jhansi about their coming before they came. We thought that the British Labour Party had co-operated with the Government in the appointment of the Simon Commission and therefore they would not do anything for Labour in India. Kadam mentioned to me that he wanted to go to the Cawnpore Trade Union Congress Session. He did not mention any particular object.

I remember a meeting on 6-2-28 in connection with the G. I. P. Railway workers. I was President of the meeting. The object of that meeting was that our Union which was founded in 1918 was somewhat dormant and we wanted to reorganise it and make it a branch of the Bombay G. I. P. Railwaymen's Union at Bombay. So we were in communication with Jhabwala accused who was its Secretary. I and my co-workers had founded the G. I. P. Railway workers' Union, Jhansi. Kadam was present at the meeting on 6th February. He had joined me in the work some time in middle of 1927. He was not an office-bearer. In that meeting he was elected Secretary and I was re-elected President. I know Kadam accused's handwriting. The 3 draft telegrams in D 341 are in Kadam's hand. They are invitations issued for the Provincial Political Conference in 1928. Kadam accused was discussing with me for some time what Communism was. I am a Maratha, Kadam accused does not speak or understand Marathi. I know the author of D 338 by reputation. He is an advocate of Cow-protection and this is a book on that subject. D 619 is a notice of a meeting of the District Congress Committee. Kadam's name is on it as Joint Secretary. It is written by Ram Nath Duivedi whose writing I know and he was the Joint Secretary also. P 428 is a notice of 4 meetings at Jhansi including the Political Conference and the Kisan Mazdur one. A resolution on the Nehru Committee Report was passed at the Kisan Mazdur Conference. There was also one about the Boycott of the Simon Commission. The Nehru Committee Report was discussed only in so far as it guaranteed the rights of landholders, Kisans and traders, and the Simon Commission in

reference to the non-representation of kisans and labourers on it. I have read through P 1445 (1). It is not at all a correct account of the Conference (Kisan Mazdur). The resolutions were not worded as shown in this document and of the 5 subjects covered by these resolutions only 2 were actually discussed. Subjects Nos. 1 and 3 were not discussed at all and resolutions on the subjects dealt with in 2, 4 and 5 were not worded like this. There were resolutions on other subjects as well such as one praying to the Government for Takavi, Nehru Report.

There was no organisation at Jhansi called the Young Comrades League. Unless it were a secret society no public organisation could be started at Jhansi without my knowing. Kadam was one of the delegates from Jhansi to the Calcutta Session of the Indian National Congress. After the Calcutta Session the Working Committee asked that there should be a National Week to popularise the Nehru Report among the masses by holding meetings. There was a meeting held at Jhansi and several in the district. I do not remember the date exactly. It was in March 1929. I was present and Kadam was the president of the meeting. The meeting passed a resolution supporting the Nehru Committee. I was asked to bring the proceedings of the District and Town Congress Committee but I have not been able to trace them. I asked Krishna Gopal Sharma who said they were seized by the Police in 1929 in connection with this case. The names of the speakers in P 1445 (1) do not appear to me correct except myself, Lakshmi Narain and Jhabwala. The other names are incorrect. I know P. C. Joshi accused. He came to my house during the Political Conference to see my nephew Balkishan Damodar Dhulekar. He did not take any part in either conference that is either the Political or the Kisan Mazdur. He was not invited to either. Later on Lakshmi Narain Sharma was also made a Joint Secretary of the Railwaymen's Union because membership increased and we had to open another office. I and Kadam and others after discussion amongst ourselves suggested the name of Jhabwala as President of the Kisan Mazdur Conference. He was selected as a prominent worker and Congressman and Secretary of the Bombay G. I. P. Railwaymen's Union Head Office. He belonged then to one of the Ward Congress Committees in Bombay.

By Ghosh accused. At the Gauhati Session the President was Srinewas Iyengar ex-Advocate General of Madras. I remember that a resolution was put from the chair and passed for disseminating correct information in 'foreign countries and appointing Jawahar Lal Nehru to represent India in Oppressed

Nations Conference. (A resolution shown to witness but no copy tendered). There was a heated discussion on the Khaddar franchise in that session. I know both Nimbkar and Joglekar accused. They were both present at Gauhati Session and were on the All India Congress Committee as was I. Mr. Joglekar opposed the Khaddar franchise resolution (Question objected to by Nimbkar but objection disallowed). So far as I remember he said he was in favour of Khaddar and wore it himself but he did not support it for others because he thought it would be a difficulty in the way of those who wore mill cloth but were ready to join the Congress.

I know the book shown to me. It is a report of the Congress Session at Gauhati. I first saw it 4 or 5 months after the Congress. I was at that time able to remember what had happened at the Gauhati Sessions. I could in the case of some resolutions in which I was interested at that time have said if there were errors or mistakes in reporting the speeches. This resolution and the speeches were among those in which I was so interested that I would have noticed any mistakes. I believed the report to be correct when I read it.

XXN. By Nimbkar with reference to application of section 159. The report of the Gauhati Session was published in 1928. (Ruled that the document can not be used for refreshing memory as witness's answers show that he could not at the time of reading the report have been in a position to remember and know that the report of the words used by Joglekar accused was correct). Accused asks no further question in cross-examination in chief.

In reading out witness says he did not admit he was a speaker.

(No other accused wishes to examine the witness as his witness).

Sd. R. L. YORKE.

30-1-32.

XXN. Ry Crown. Except for a few minutes I was present throughout the proceedings of the Jhansi Mazdur Kisan Conference. I heard the speech of Jhabwala accused. There was nothing in it that struck me as being little out of the ordinary way of saying things at Congress meetings. There were some

political subjects discussed, from the economic point of view. Russia was mentioned. All that was said was that there was a Labour Movement in Russia also. He did not deal with Russia particularly at all. He included it with all the other countries of the world. I have seen the printed copies of his speech but not read it. I saw the printed copies of the speech during the Conference. Some one in the joint office gave it to the press. Kadam did not speak to me about the speech. I do not know if he was dissatisfied on a particular point and wanted an explanation from Mr. Jhabwala. I have seen a copy of Kadam's statement to the Court outside the Court. I knew it was his statement because it was his statement. I do not remember who showed it to me. There were several witnesses present but I do not know their names. I saw it but I did not read it. I saw the beginning and so I learned it was his statement. Learning it was his I dropped it because I thought that I should not read it. I did not want to prejudice my mind in any one's favour. Kadam and I did not discuss the evidence I was going to give before I came into the witness box. He knew that I knew all about him. He said I was president of the Union and a Congress worker and I should say all I knew about him. I did some work in the G.I.P. Railwaymen's Union office. I went to the office every week or so to look through the papers. Papers were put up before me and I saw those papers. I also sometimes looked at documents which were not put before me. I received a sample copy of Kranti. I had not seen these copies P 1440, of Kranti either in the G.I.P. Union office. Nor did I ever see the issue of 23-2-29. On his attention being drawn to the article headed Betrayal of Railway workers in Kranti of 23-2-29, printed speech of Jhabwala P 292, speech as reported P 1093 and Kadam's statement in this Court witness: I still say that Jhabwala made no mention of Soviet in his speech at the Jhansi Conference. Nor did he say anything about Bolshevism. The mottoes at this Congress were put up by Congress purely. Motto No. 4 in P 1094 is not representative of all section of the Congress. It represents the views of that section which thinks there should be no landlords and no rich people. I did not attend the Meerut Conference. I had a talk with K. G. Sharma, about the formation of a Workers' and Peasants' Party at Meerut. So far as my knowledge goes I know that there was no party formed at Meerut. I saw something in Krantikari that a party had been formed, and therefore I spoke to Krishan/ Gopal Sharma. He also had not gone to Meerut. I used to get Krantikari regularly. It does not purport to be the prominent national weekly paper of the Workers' and Peasants' Party but the paper of the Peasants' and Workers'

organisation. I read the article on page 10 of No. 2 of Krantikari dated 24-11-28 P 431 entitled U.P. and Delhi Mazdur Kisan Dal or Workers' and Peasants' Party, when I received the paper. I know both Krishan Gopal Sharma and Lakshmi Narain Sharma well. I talked to Krishan Gopal about this. He is at Jhansi now. He has not received any summons as a witness. I used to read Krantikari sometimes but I was not interested in it. I did not go to Calcutta for the Indian National Congress. I do not know if he went for the All India Workers' and Peasants' Conference. I think Lakshmi Narain went to the Congress. I do not know if he went to the All India Workers' and Peasants' Conference. I am sure Krishan Gopal did not go as a delegate to the All India Workers' and Peasants' Party Conference. I had talked to Krishan Gopal about the Party but not about the Conference. So far as I can remember Krishan Gopal did not go to Calcutta. In photograph P 460 I recognise Ajudhia Prasad accused, on his left a man from Jhansi whose face only I know, then Kadam, then Lakshmi Narain Sharma and then Joshi accused.

Sd. R. L. YORKE.

29-1-32.

Apart from myself, Kadam, and Lakshmi Narain the only other office-bearer in the Railwaymen's Union was one Din Mohammad *Vice* Chairman, a railway employee. P. C. Joshi did not stay with me in October. He stayed in one of the houses arranged for delegates and visitors (added in reading over) for the Conference. I had not known he was coming. I did not know he had written to people beforehand saying he was to be found at my house. He had no talk with me about the Conference. He did not express any views to me. I do not remember the occurrence of Lenin Day on January 21st 1929. I know from newspapers that it is celebrated by certain people. I do not know if it was celebrated by certain people in Jhansi that year. I do not remember to have read that in Krantikari. I do not know that Krishana Gopal Sharma spoke at a Lenin Day meeting. Shown Krantikari P 431 dated 28-1-29 page 2; I never saw that para about the celebration of Lenin Day. Rameswar Prasad Sharma mentioned in it is a Congressman and editor of the Sahas. I do not know any connection between Har Prasad Singh of Banda (M. L. C. at one time for Hamirpur) and Jhansi. Pt. Gangadhar Aushde Vaidya of Jhansi is a physician. He is the same person as Gangadhar Nilkant Aushde. I

know a Parsi called Rustamjee at Jhansi. He is a Congressman. He was a student, a young man. I do not know if he had anything to do with the Kisan Mazdur Sabha. Mr. Saklatwala visited Jhansi I remember, when he toured India. I have no idea of the date.

REXXN. My reasons for saying that no Workers' and Peasants' Party was formed at Meerut are first that there was no office at Jhansi. I never visited Meerut. The talk I had with Krishna Gopal about that was that when I read the report in the Krantikari I asked him, what is this? You are mentioned here as Branch Secretary; what does it mean? I tried to ascertain whether the report was correct. My opinion was that there was no party formed there.

Read and admitted correct.

Sd. R. L. Yorke.

30-1-32.

D.W. 12.

Rai Sahib Chandrika Prasad, on S. A. For Thengde and Mukherjee. 74. Residence Ajmer. For Thengde. I retired in 1914. Before that I was in the service of the B. B. C. I. Railway, as Asst. Traffic Superintendent. I became Rai Sahib in 1908. I have been a member of the A. I. T. U. C. since 1921 and was President in 1926-7. D 145 (32) is a copy of my Presidential speech at Delhi. It is not quite as delivered as a portion was modified just before delivery. It is substantially correct. I also know the All India Railwaymen's Federation. I was President of the first Conference of All-India Railwaymen at which the Federation was founded. The Federation used to issue Bulletins like D 478 and I may have received this one. I know D. R. Thengde. He was President of the A. I. T. U. C. once and was my colleague in it, from 1925 to his arrest. I was present at the Session of the T. U. C. at which Thengde was President. D 145 (18) is a copy of Thengde's Presidential address. I received a copy at the time and believe it to be a correct account of the speech which he delivered. I attended with him a number of meetings of the Congress and of the Executive Committee. He took part in the deliberations. I do not say that he took any

particular line. I never disagreed with Thengde. Generally our views were in consonance. I do not remember our ever voting on different sides. I attended one or 2 Executive Committee meetings every year. Generally 2 or 3 Executive Committee meetings were held every year. I do not remember the last Executive Committee meeting we both attended. I think he was at Jharia. There was also a meeting of the A. I. R. Federation at Jharia. I presided. I know the East Indian Railway Union. As far as I remember that union was not affiliated to the All India Railway Federation at that time. Only representatives of affiliated unions which have paid their affiliation fees have the right to vote at the meetings of the All India Railway Federation. That rule was applied at Jharia as it was always. It is quite possible that E. I. R. Union people attended the meeting. I remember one, Mr. K. C. Mitra doing so. I know him as General Secretary at Asansol or somewhere of the E. I. R. Union. I do not remember anything special about his attendance. I do not remember if he spoke. I know Banarjee accused. I saw him several times at meetings of the Federation as representative of the E. I. Railwaymen. I think I saw him at Jharia at the All India Railway Federation. By Mukherjee. Owing to my meeting with Mr. Ramsay MacDonald in 1909 I came into the Labour Movement. I have travelled in Europe and England. I met Labour leaders there. I first saw Dr. Mukherjee in 1921 at the 1st Conference of All India Railwaymen at Bombay. He took a leading part in the proceedings. I saw him again at the Bombay meeting in 1925, at Cawnpore 1927, at Gorakhpur in 1928. He took a leading part at all these places. He was throughout a genuine constitutional trade unionist. I presided over the Railwaymen's Conference at Gorakhpur in January 1928. I delivered a Presidential address which is contained in D 191 (6). I was invited by Dr. Mukherjee as General Secretary of the B. N. W. R. Association and the members of the Committee. Dr. Mukherjee was Chairman of the Reception Committee. He also gave an address as Chairman of the Reception Committee which is also contained in that report at page 7. I met with all a large number of Railwaymen present at the meeting. A procession was also taken through the town. The Railwaymen called Dr. Mukherjee Deshbakht. Literally that means Devotee of the country. Mukherjee was a member of the Executive Committee of the All India Trade Union Congress. Mukherjee gave me general co-operation in these meetings. We were in correspondence in Union matters up to the time of his arrest. He took my advice now and then on Union matters.

By Ghosh. I know Mr. A. P. Dube Barrister at Law of

Allahabad. He lived at 10 Edmonstone Road. The letter shown to me D 734 is one written by me in my own hand. It was in reply to a letter received from Ghosh accused a typed letter; I may have that letter the original I received. I have not destroyed any papers. It was a typed letter in which only my name and the signature were in longhand but I cannot say if it was a circular letter.

I am in correspondence with Mr. V. V. Giri. I know the signatures on D 291 and 292 to be those of Mr. Giri. I know Mr. A. P. Dube's writing and can say that D 268 is written by him. I know Mr. M. Daud, and his handwriting. D 244 bears his signature. I know Mr. B. Shiva Rao and his handwriting. D 165 (8) and D 165 (9) bear his signature and the latter also his description in his own hand.

(No other accused will examine the witness as his own witness).

XXN. By Crown. I do not remember a Mr. P. Gladding at the A. I. T. U. C. at the 1925 Bombay Session, nor do I recollect any particular European attending that Congress. Shown D 623: I remember some of these Ginwala, Thengde, Mukherjee. I cannot say that all the important persons were sitting down. A good many of those sitting were important. I recognise D 399 as the official report of the Delhi All India Trade Union Congress session. I cannot vouch for its correctness. The Secretary alone can. I remember a resolution No. 3 about China being discussed. I took no active part and dont remember anything about the discussion, or who brought it forward. I was added to the Sub Committee for drafting a Constitution for India as a member to represent with them the A. I. T. U. C. at the All Parties Convention. I went to the Calcutta meeting of the All Parties Convention. I dont think Mr. Thengde was there. I know Thengde's writing. Seeing P. 806 page 9 witness said: I still dont remember seeing him there or hearing him say anything. That book is in his writing. Thengde was not to my knowledge concerned in the A. I. R. F. He did not attend the A. I. R. F. at Jharia.

No question in Rexxn.

Read and admitted correct.

Sd. R. L. YORKE.

30-1-32.

D.W. 13.

Harihar Nath Shastri. on S.A. Kayasth. Life Member of Servants of the People Society, Residence, Cawnpore.

I recognise the handwriting of page 19 of D. 205. It is Dr. Mukerjee's. On seeing this paper I remember that I received that telegram. It was in response to an invitation, sent by me. I identify my own writing and signature on the letters D. 190 subnumbers 24, 27, 30, 34, 41, 45, 46, 47, 66, 71, 77, 80, 82, 86 and 91. These are all letters which I wrote to Mukerjee accused. I am a Congressman. I am also a Trade Unionist. I do remember that Dr. Mukerjee and some other persons formed a group on the A.I.T.U.C. I was Secretary of the Reception Committee of the Cawnpore Session of the A.I.T.U.C. Late Ganesh Shankar Vidyarthi was Chairman of the Reception Committee. Mukerjee accused was one of the *Vice* Chairman. A provisional Committee of the U.P.T.U.C. was formed after that Cawnpore Session. Afterward it became a branch of the A.I.T.U.C. after a year. The fact that it was to be such a branch was mentioned in the constitution of the U.P.T.U.C. That constitution was framed by myself and Mukerjee jointly. It was framed on the same lines as the constitution of the A.I.T.U.C. There was a proposal between me and Mukerjee to tour the province in connection with the Trade Union work. Once or twice I invited Mukerjee accused to address meetings of the mill workers at Cawnpore. He did so once, after the Cawnpore A.I.T.U.C. session. The subject was organisation of workers. He stressed the organisation and betterment of the economic conditions of workers and rooting out of social evils. The U.P.T.U.C. had representation of the U.P.P.C.C. Mukerjee was a member of the United Province Provincial Congress Committee and the All India Congress Committee. Mukerjee was a member of the U.P.P.C.C. and the A.I.C.C. up to the date of his arrest. I was not invited to attend the session of the All India W. & P.P. Calcutta. I did receive an invitation to attend Workers' Conference at Meerut.

By Ghose. I dont remember receiving any letter from Ghose accused in my capacity as Secretary of the Reception Committee of the A.I.T.U.C. at Cawnpore. Nor do I recollect if I received one from the Secretary Bengal Trade Union Federation. I issued a notice to persons concerned to who wished to move any resolution to give notice with copies to the Secretary a fortnight before the beginning of the session. I do not remember whether I have any letter of Ghose's in my possession. I have some recollection of the resolutions at the Cawnpore

Congress and who moved them. There was one about Simon Commission. In the E.C. there were 2 resolutions but after a hot discussion Mr. Chamanlal came out with a 3rd Resolution which was accepted by the mover of the 1st resolution. Perhaps Kishorilal Ghose accused was the mover of the 1st resolution. The mover of the 2nd was Dange accused. He also accepted the proposition of Mr. Chamanlal. It was probably Kishorilal Ghose who moved the resolution in the open session of the Congress. I dont know who seconded the resolution.

By Kadam. Letters D. 735 and 736 were written by me to Kadam accused. I once received a letter from Kadam asking me to allow him to attend the All India Trade Union Congress as a visitor. I issued the invitation asked for. He attended that session. I was once present at an interview between Kadam accused and N. M. Joshi during the Cawnpore Congress. Kadam asked Mr. Joshi for his advice in connection with organising the Railway workers at Jhansi. Mr. Joshi expressed his sympathy and advised Kadam to correspond with Jhabwala in the matter.

For Banerjee. There was a social party at the Pratap office a day or two after the Congress was over. It was on the invitation of the Chairman of the Reception Committee Mr. Vidyarthi. He was the editor of the Pratap. All the delegates who still remained at that time were invited. Most of the delegates had gone home by that time. A group photograph was taken of the delegates who attended the function. That group was reproduced in the Pratap. P 992 is a copy of it.

No other accused will examine the witness.

XXN. I did not attend the Delhi A.I.T.U.C. Session. I was a delegate from the Cawnpore Mazdur Sabha to the A.I.T.U.C. I was the General Secretary of the Provincial Committee of the U.P.T.U.C. and we discussed its formation a day or 2 after the A.I.T.U.C. We met twice at my residence. I live in Cawnpore. I was invited to the party at the Pratap office but I could not go. The invitations for that party were sent through me. The T.U.C. affairs had been finished by them, some 2 days before. I have seen Puran Chandra Joshi once, at Cawnpore. He came to Cawnpore in the year 1928, apparently as a student to know something about the Labour movement by practical study. He gathered certain information from me about the activities of the Muzdur Sabha. He did not ask me to help him in carrying on organisation. He expressed a desire that after his studies were over he wanted to join the labour movement. I do not remember if he said anything about Meerut. I was not aware that he had

anything to do with Meerut. I did not know that he had come from Meerut and did not ask him anything about Meerut. I was asked to the Jhansi Conference and went to it. I mean in connection with the Political Conference but I also attended the Muzdur Kisan Conference. I heard most of the proceedings at it. That was after Joshi had seen me. Jhabwala was presiding. I saw Joshi there. He was living in the same camp in which I was living that is the United Provinces Political Conference camp. I heard Jhabwala's presidential speech. I don't remember to have heard the concluding speech. I did not see the printed copy of Jhabwala's speech. A reference was made to Russia along with several other foreign countries. I met Mr. Dhulekar here yesterday but was not allowed to talk to him. He said that workers in other countries were much better off than workers in India in various respects, wages etc. That was the only reference to Russia that he made. I don't remember if he referred to what had taken place in Russia. He spoke in Hindi which I understand. He did not speak about revolt in Russia. I don't remember if he said that the means of your liberation consists in the example set by Russia. He never said money had come from Russia to help workers in India.

No accused claims a right of crossxxn.

No REXXN.

Read and admitted correct.

Sd. R. L. YORKE.

30-1-32.

D.W. 14.

G. Sethi on S.A. Mechanical Engineer. Jamshedpur.

For Ghose.

The letter shown to me D. 737 is in my handwriting. I wrote a letter to Ghose accused from Edinburgh about September 1927. I sent him a printed copy of the Presidential address delivered at the British T.U.C. annual session held at Edinburgh that year. D. 219 is either the copy I sent him or another copy of the same thing. These copies were distributed to the delegates just before the President started delivering his address. I was following the address in the copy. As far as I remember

there were no difference between the printed address and the address actually given by the President. I was present as a fraternal delegate from the A.I.T.U.C. I was at that time a member of the Executive Council of the A.I.T.U.C. I represented the Jamshedpur Labour Association, of which I was in 1927 the Honorary General Secretary. I held that office up to October 1928 from 1921. In 1927 and again in 1929 I visited Geneva as adviser to the workers delegates of India. Ghose accused visited Jamshedpur on several occasions. He came at least 2 or 3 times in 1928. It was on the invitation of the Labour Association Executive Committee. It was in order to bring about the settlement of the dispute, as a strike was going on. The E.C. had invited Mr. N. M. Joshi, Mr. M. K. Bose, President of the Bengal Trade Union Federation, Ghose and a few other leaders, including Mr. Giri. This was about the middle of July. Mr. Joshi was present at the time of Ghose's visit. Ghose accused came again about the beginning of August. Ghose accused addressed some meetings and had interview with the General Manager, to put before him the grievances of the men and bring about a settlement. I was present at the interview. That is how I knew the purpose. I was present throughout the open meetings of the Cawnpore A.I.T.U.C. I remember a resolution being passed that the A.I.T.U.C. should boycott the Simon Commission.

Most probably Diwan Chamanlal and Ghose either moved or seconded that resolution. The President was Diwan Chaman Lal. I moved an amendment to the Resolution that the British Labour Party should be asked to withdraw their members from the Commission. I was also present throughout the Jharia session of the Congress, including the Executive Committee meetings. I remember that Ghose accused made a statement and appeal on behalf of the workers of Bauria at the E.C. meeting. It was an E.C. meeting in the course of the Session after a good deal of business had been done. It was after a big resolution had been passed for a one day strike as a protest against the passing of the Public Safety and Trades Disputes Bills then pending before the Assembly. He pointed out that it was not enough to pass big paper resolutions and here there were 15,000 people on strike at Bauria for the last several months. He asked for a practical proof of sympathy by contributing funds towards their relief, through the A.I.T.U.C. Representatives of several unions came forward with offers of help. Ghose accused suggested a particular procedure that all the money for this purpose should be sent to the General Secretary of the A.I.T.U.C. at Bombay, who would send it on to Ghose. All the money

must come through the A.I.T.U.C. At the Cawnpore Session a Sub Committee was appointed to draft a Labour Constitution for the Government of the Country. I was a member of that Sub Committee. No meeting of the Sub Committee was held till at Jharia some of the members met in a hurry informally and discussed the matter. The members who then met were Diwan Chamanlal, Ghose accused, myself, Spratt accused, and may be one or 2 more. One was Mr. Daud. The All Parties Convention was then just about to be held at Calcutta. The A.I.T.U.C. had just passed a resolution advocating the establishment of a Socialist republic in India. Or perhaps I am wrong and the resolution was passed after this informal meeting. The Sub Committee along with delegates one from each union not exceeding 50 in all were authorised to place that resolution before the All Parties Convention. The Sub Committee held its informal meeting while the E.C. was sitting. The resolution of the A. I. T. U. C. as ultimately adopted was the result of the informal meeting. That resolution was moved in the open session by Mr. Daud or Diwan Chamanlal. Either Diwan Chamanlal or Ghose accused seconded that resolution. Usually when a resolution is moved from the chair it requires no seconder. Mr. Daud was the President that year. I received a letter from Ghose accused expressing his views about the working of the various groups in the Jharia Conference about the end of January or middle of February. I have not got the letter here. Nor have I got it in my possession. I destroyed it. Ghose spoke of a group which was well organised and able in spite of not being in a majority to get what it wanted and of another lot of members who were in a majority but not organised. He suggested that we might have a meeting of some of those members to organise ourselves into a group. I dont remember if he referred to a particular party. I recognise D. 305 the official report of the Jharia A. I. T. U. C. session. I received it some time about April 1929. I read the report and found it to be substantially correct. A message from Mr. C. F. Andrews was read out. There was at one time a proposal to affiliate the Jamshedpur Labour Association and the Indian Colliery Employees Association to the Bengal Trade Union Federation and form one organisation to be called the Bengal and Behar T. U. F. I can't be certain whether Ghose made a speech in connection with the Socialist Republic resolution at the Jharia Congress. I remember Ghose having a hoarse voice at Jharia.

(No other accused will examine this witness as his witness).

XXN. By Crown Counsel. I have been connected with the A. I. T. U. C. from 1921 onwards and on the E. C. from 1922 up

to July 1931. I am not on it now. I have not attended all the Congresses. I attended at Bombay in 1925, Delhi 1927, Cawnpore, Jharia. In D. 623 I recognise the following sitting on chairs from the right Jhabwala accused, Hasan from Lahore, then some one I dont know, Mr. Kirk, Mr. N. M. Joshi, R. S. Chandrika Prasad, then Thengde the President, Mr. Bole, Mr. Ginwala. Mr. Aiyar, then some one I dont know by name or face, then Mr. Sarkar, and then Dr. Mukherjee. No. 3 from the right I dont know at all. I know 11 out of 13. No. 3 must be a mill manager or some one else to see the proceedings and put down in the chair because perhaps he was very friendly to Mr. Joshi. I know of no other reason. As far as I remember he could not have been a guest invited by the A. I. T. U. C. What I mean is that as far as I remember he was not a guest of the A. I. T. U. C. Most probably there were no official guests invited by the A. I. T. U. C. I say there were no official guests because till then they had no outside connection or correspondence with outside people. No. 3 from the other end or no. 11. I cant say if he is a European or not (note: this answer refers to the gentleman no. 3 from the left and wearing spectacles). (Mr. Sinha objects that when the witness says he does not know this person the question "can you suggest any reason why this gentleman should be sitting there" does not arise. I can only say that I dont agree and overrule the objection) Witness answers: No. I dont remember the name of a Mr. P. Gladding as a person who attended this session at Bombay in 1925. As far as my memory now goes I dont remember meeting any European Trade Unionist except Mr. Kirk in 1925. I remember Mr. Saklatwala being up at Delhi. I was not present at any small meeting if any which Mr. Saklatwala addressed. In reading over witness says he also said "if at all it was held." I did not attend any private meeting outside the Congress which Mr. Saklatwala addressed. At the time I received Ghose's letter I did not think it important enough to keep it so I destroyed it after some time. After coming to this court I came to think it important. Up to that moment I had not thought any more about it. I answered that letter.

By Bradley. I dont remember that any resolution to the effect that the money for the Bauria strikers be sent to Mr. N. M. Joshi and redirected was passed. If there was one it must be in the official report.

By Nimbkar. The Bengal Juteworkers Association was affiliated to the A.I.T.U.C.

Mr. Sinha wishes for permission to ask the witness if Saklatwala addressed any small meeting at Delhi. It is evident that if the witness did not attend any such meeting he cannot know. He has not proved any such meeting. The question is unnecessary and I refuse permission.

Read and admitted correct.

Sd. R. L. YORKE.

1-2-32.

D.W. 15.

B. Bindyabasini Prasad, Advocate, Gorakhpur on S.A. 41.

I have been a Congressman about 20 years. I have known Mukherjee accused about 25 years. On March 20, 1929 I was President of the Gorakhpur District Congress Committee and Mukherjee accused was the General Secretary. Mahatma Gandhi was according to the original plans to have visited Gorakhpur in May 1929. We had received such instructions from the All India Congress Committee and the U.P. Provincial Congress Committee and Mr. Sitla Sahai came from the Ashram to make arrangements for the tour. The District Congress Committee was entrusted with the local arrangements and the responsible persons were the President and the General Secretary. I passed an order that the Secretary should arrange for propaganda and other necessary arrangements. Correspondence was accordingly carried on with the Tahsil Congress Committee's. The District Congress Committee arranged for propaganda meetings and Mukherjee addressed such meetings, in 1929. I was told that Dr. Mukherjee was assaulted in a village in the district in about September 1928 and I subsequently saw marks on his body. I did preside over a meeting held in Ismail Park in which a resolution was passed offering sympathy to Dr. Mukherjee and admiring his courage in sustaining the assault without retaliation. I was the legal adviser of the B.N.W. Railwaymen's Association. There was an organisation in Gorakhpur called the Divisional Mazdur Kisan Sabha but I was not a member of it. I know of no organisation called the Workers' and Peasants' Party there. I think Lenin's Day has never been celebrated in Gorakhpur. I know the handwriting of Sitla Sahai mentioned above. I recognise it in D 205 page 4. I know Babu Ram Ghulam Sahai of Deoria for some 10 years. He was

President of the Deoria Tahsil Congress Committee. I know his handwriting. D 204 page 7 bears his signature. I know Pt. Chāngur Tirpathi of Barhaj Bazar. I know his handwriting. The whole of P 204 page 2 is in his handwriting. I know Mukherjee accused's Hindi writing. D 203 page 9 is in that writing, so is page 10, 11, 12, 18. So are D 202 page 1, 5, 6, 11, signature on page 12 and 14 and 15. D 202 page 16 is in Sitla Sahai's Hindi writing which I know. D 199 (20) is in Mukherjee's Hindi writing.

By Ghose accused. I know Mukherjee's English handwriting. The 2 lines of writing on Photograph P 1383 below the photo are in his handwriting.

(No other accused wishes to examine witness as his witness).

XXN. By Crown Counsel. When I spoke of celebration of Lenin Day I referred to celebration by public meeting big or small. If it was a meeting of any real consequence I ought from my public position to have known of it. If the publicity was bad and if it was a very small meeting or say a fuas fiasco I might not have known about it.

Read and admitted correct.

Sd. R. L. YORKE.

1-2-32.

D.W. 16.

Kali Das Bhattacharya on S. A. Homeopathic Doctor, Brahman, 45, Residence Bhatpara. For Banerji I used to practise as doctor in Bhatpara but do so now in Bankura. I practised at Bhatpara from 1921 to end of 1923. I was also doing the Trade Union work at Bhatpara. There was Trade Union there. I started the Trade Union work in 1923. I was also an employee in a mill up to 1924. When I was working in the mill I joined a Union called the Gauripur Works Employees Association and in consequence they dismissed me. I did not leave the Union when I was dismissed. That Union was organised by Mrs. Santosh Kumari Gupta who was conducting a strike there. She was helped by a man called Satya Narain Chattarji. The work I used to do in the Union was to enlist members, sell a paper called Sramik, of which Santosh Kumari Gupta was editor and I also used to contribute. I know of a Union called Naddea Millworkers Union.

1 or 2 or 3 of my friends together organised the Union. I know of Reliance Labour Union also. This Union also was organised by me. Those Unions existed only for a year and a half or so. Then they were all amalgamated into one, called the Bengal Juteworkers' Association. That began its existence from the 1st January 1925. Juteworkers of all mills were its members. The first President was Mani Mohan Mukherjee pleader. I do not remember if there was a General Secretary but the Secretary then was Sideshwar Chattarji. I do not exactly remember but I might have been one of the Joint Secretaries or Vice President. D 68 is a booklet which I wrote. It relates to matters of interest to the B. J. W. A. and gives at the end the list of officebearers of the B. J. W. A. for 1925 and 1926. Both are correct. For 1925 I am described as Secretary and Sideshwar Chatterjee as General Secretary. No one else took an interest in the Union in 1925. At the end of 1925 Shib Nath Banerjee came. He was introduced by Mrs. Gupta and Mr. Subodh Roy. Mr. Roy said he was busy in Calcutta and could not come but Mr. Banerjee had been to Europe and had experience and would do us well and we could have him if we liked. Thereupon I asked Shib Nath Babu if he would be willing to come and he said yes but he could not come at once for good but he would come now and then and would also give us publicity by writing in the papers about the activities and condition of the workers. He did us a lot of work besides publicity in accident cases getting compensation. He used to write in Sramik and also in Atma Shakti and Forward. He had nothing else to do with Sramik. I knew Messrs Johnstone and Sime. Sometime in 1925 in October or November they came to Calcutta where I went and saw them and they visited Bhatpura. I heard that Sime was Secretary of the Dundee Jute and Flaxworkers Union. They came to study the workers' conditions of living and work. Shib Nath Babu and Mrs. Gupta and I helped them a lot in their enquiry and were always with them. After inquiring into the conditions of the workers they said that they found that in comparison with the condition of workers in the jute area in their country the condition of the jute workers in India were terrible. They asked us to organise the Union and make it a very strong union. They said if you will organise this union well we will promise to help you. They did help us by giving us money several times whenever we asked for it, sometime 100, or 200 or 300 rupees. The last time was in 1928 during the Bauria strike when we sent a telegram and got some money.

Sd. R. L. YORKE.

1/2/32.

Continued on S. A. They used to give publicity to the activities of the Union by publishing in their paper the Forward and in handbills of which copies were received by us. They also published an appeal for money. I recognise D 65 which I have seen. This sort of Pamphlet we received. Sime sent them. He sent us many copies not only of this but of others. I understand English a little but Mr. Sideswar Chatterji and others explained the whole of D 65 to me. There are some mistakes in the pamphlet. I pointed them out then. For instance on page 17 it was not correct that the B. J. W. A. had conducted 9 strikes. The statements about grievances of workers and their conditions are generally correct. Only 2 strikes were conducted by the B. J. W. A., others were before its foundation. Personally I took part in almost all the strikes. Of the rest 3 were conducted one each by Naddea Juteworkers' Union, Gauripur Union and Reliance Labour Union. In the others the workers came to me and I conducted them before the Unions came into existence. I go there after strike began. (This last by witness in English) After Johnstone and Sime went away from Bhatpura Shib Nath Babu stayed a couple of days and then went away. After a few days I went to Shib Nath at Calcutta and asked him to join the Union. It was because Johnstone and Sime had asked Shib Nath in my presence to join the Union. Shib Nath then came and joined the Union. At first he used to look after the Compensation cases in Calcutta, going there from Bhatpura. D 738 is a letter written by me to Shib Nath (December 23, 1925). In January 1926 the next election of B. J. W. A. office bearers took place. Shib Nath Babu was elected General Secretary I proposed him. I was also one of the Secretaries. In 1926 Shib Nath and I and Sideswar Chatterji were the persons controlling the Union or Association. Its chief work was fighting compensation cases and cases for the realisation of wages, running a school, cooperative society, recreation club, holding workers' meetings. Meetings were addressed by me usually and Shib Nath and Sideswar occasionally. In October or November Shib Nath went to Calcutta. He said he could not secure an employment and must go there. I saw him there. There he secured some private tuition. It might be in December or in January I saw him. After that he could not come to help the Association, except occasionally. In January 1927 the election of office bearers took place. There was no General Secretary in 1927. None was elected. I was President. There were 2 Secretaries that year Shib Nath Banarjee and Sideswar Chatterjee most probably. Shib Nath only came once or twice on Sunday, and otherwise he could not take part as he had no time. At first Sideswar Chatterjee and I managed all the work but later about the middle of the year Gopendra

Chakravarty accused came and joined the Union. He came of his own accord and said that I could get him employment there he could attend to that and do the work of the Union too. We got him employment in the Naddea Jute Mill. He was not given any office in the Union in 1927, but practically he used to do the work of a Secretary. He went on working till about a month before the searches for this case and then went away. In January 1928 office-bearers for 1928 were elected. Gopendra Chakravarty was then elected General Secretary and I was elected President. Shib Nath was only a member of the executive Committee. We could not elect him Secretary because he himself said he could not find time. There is another reason. He raised an objection because I was a member of the Peasants and Workers Party of which he did not approve because he said by joining that party our work may suffer. Letter D 668 is in my handwriting and is mine. I wrote it to Shib Nath. He objected when I became a member of the Executive Committee of the P & W Party. That caused much difference of opinion between us. Shib Nath said that if I joined the W & P Party our objects would not be fulfilled and we would not get any help from the Congress or the Trade Union Congress. But I continued to be a member of the P & W Party. I became a member of the Executive Committee of the P & W Party some time in 1927. I joined the P & W Party because I thought there was no harm. On reading their circulars I thought we should get benefit from them. I had seen a copy of Rules & Regulations (P 549 (8)) before I became a member. I remember receiving a copy of the letter shown to me P 416 (1) 2nd page. The original is in office of the B.J.W.A. But the papers were taken away by the police. I did not do anything at the time of its receipt. Either Muzaffar Ahmad or Halim asked me afterwards verbally at Calcutta to get the Union affiliated to the Party I replied, let it be affiliated, I have no objection. That was verbal too. I do not remember whether I have said anything in writing. We separated from the Bengal Trade Union Federation because there was a struggle going on in it. I saw that some other Unions were affiliating to the Workers and Peasants Party so I thought it good to affiliate ours also. I came to know that our Union was affiliated when the report was received. We never paid any affiliation fee. We had no money and they also had none and did not demand any. We got no pecuniary or other help but they published our activities in their paper Ganavani. I was a member of Executive Committee of the P & W Party in my personal capacity. At first I was an ordinary member of the Party. There was no official election of any one to represent the B.J.W.A. on the

Executive Committee of the P. & W. Party. I do not know if the P. & W. Party elected any one to represent the B.J.W.A. on the Executive Committee of the P & W Party. I never paid any subscription to the P & W Party either as a member of the Party or of the Executive Committee. I used to go to Executive Committee meetings sometimes. That was all I did except write articles to the Ganavani and sell copies of Ganavani which were sent to me. Sometimes I sold a few copies, can not remember how many. I also occasionally received a few leaflets and booklets from the Party. I used to keep them in the office where people sometimes saw them. I attended the Conference of the P & W Party at Bhatpara in January or February 1928 or even March. I and Gopendra Chakravarty made all the arrangements for that Conference. Because I was a member of the Executive Committee they asked me to make arrangements for holding a Conference there. I did not take the initiative. The B.J.W.A. did not have anything to do with the conference. Mr. Atul Chandra Gupta presided over the Conference. After the Conference I hardly did anything for the Party and also kept myself aloof from it. It was because I found we were getting no benefit from the Party because they were too busy with their own affairs. After the Conference I took no part in the Executive Committee meetings of the Workers and Peasants Party. We had got no benefit and also by the affiliation Shib Nath Banarjee was annoyed with me. Gradually the tension was increasing. I resigned my membership of the Workers and Peasants Party in 1929. I remember receiving the letter P 144 (D-Mittra). I have seen D 37 before, either this or another copy. As indicated by the contents of P 144, D 37 was received along with that letter. In reply to P 144 I sent a letter of resignation by registered post. D 106 is that registered letter. I had sent a letter of resignation on 16th February but they did not then reply to me they sent me P 144 and D 37. I further told them that there was no necessity to keep my Unions affiliated. I do not remember if I did it in writing or verbally but if verbally it must have been to Muzaffar Ahmad. The Workers and Peasants Party did not exercise any control over the Bengal Jute Workers' Association while it was affiliated to the Party. They never gave us any directions for work. The B.J.W.A. was also affiliated to the All India Trade Union Congress, and the Bengal Trade Union Federation. The B.J.W.A. was affiliated to the A.I.T.U.C. that is we paid affiliation fees from 1925 to 1928 so far as my knowledge goes. I can not say about 1929 because I was not in Bhatpara. We originally paid affiliation fees to the B.T.U.F. and then stopped doing so when the dispute was going on in it and began again doing so. I do not remember

when we stopped paying. Nor do I recall the year when we started again. The B.J.W.A. had a representative on the Executive Committee of the A.I.T.U.C. I do not remember who was in which year but once I was and once Shib Nath was and once Sideshwar Babu was. I remember that at an Executive Committee meeting of the B.J.W.A. on 22-4-28 a resolution for the reaffiliation to the B.T.U.F, was passed unaimously, being seconded by Shib Nath accused as shown in P 283 on page 6. When Shib Nath was in Calcutta in 1927 I used to go there occasionally and used to see him. I told him about the B.J.W.A. being affiliated to the W.P.P. He said on hearing it, then I shall not be able to work with you and in the course of a few days I shall resign. After a few days Shib Nath wanted to put in his resignation after making his position clear. I told him why should you resign? Better wait a bit. See whether we actually get any benefit from the W.P.P. He said he knew exactly what benefit we would get. He further said he would not be able to work at the Central office at Bhatpara but he could establish a branch at Titagarh. He actually did so on the understanding that we would not be able to interfere with the working of the branch. He worked 2 or 3 months there. After that he joined the East Indian Railway workers Union as Secretary. Because the W.P.P. Conference was held at Bhatpara without consulting him he got annoyed and locked up the office and went off to Lillooah. After joining the Lillooah Workers' Union he did no work for the Bengal Jute Workers Association. In 1929 again there was an election of officebearers of the B.J. W.A. We then elected Shib Nath as President. He was not present at the election. I proposed him. It was because he did the work of the B.J.W.A. very well in the past. It was also out of respect for his incarceration and also to show to Government our attitude. There was no other reason except that he was going to jail and his election would not be liable to give rise to any difficulty. Shib Nath did nothing as President. I was acting President. I do not remember having any talk with any member of the Workers and Peasants Party about this 1929 election. The W.P.P. were never satisfied with Shib Nath nor was Shib Nath satisfied with them. Muzaffar Ahmad and Halim said that Shib Nath being a man of Congress Mentality should not have been elected. I had talk with them. They used to say also that Radha Raman was a person of Congress Mentality. I can not remember if they objected to any one else. Of course Shib Nath is a Congressman. He was a member of the Congress, and the Congress Labour Board. The B.J.W.A. got its income from subscriptions from members, donations, contributions from Dundee, and from A.I.T.U.C. The Central office of the B.J.W.A.

was transferred to 97 Cornwallis Street in 1929. It had one room there. There were other offices there, of the Swadeshi Bazar and the Young Socialist Club or something like that. They had no connection with my office of B.J.W.A. P 358 is the application form for membership of the B.J.W.A. It contains a pledge in order to stop bribery in the mills. I started the People's Welfare Society at Bhatpara. I used to receive the reports of the I.F.T.U. I used to receive regularly reports like D 47, 60 and these are those I did receive by post. I also received D 63 and 64 in my office. D 27 is an office copy of a letter actually despatched to the address given in it.

Sd. R. L. YORKE.

2-2-32.

Continued on S. A. I recognise the file D. 30. It was maintained in B. J. W. A. office by the Secretary. I received the following letters of this file in the office 2, 4, 5, 8, 11, 14, and 16. I recognise D 43 as a copy of the Rules of the B. J. W. A. It is a correct copy. D. 44 (1) is a letter written and signed by me. I recognise D 44 (12) which is a copy of a letter written by me to Shib Nath Banerjee accused. D. 44 (17) which I also recognise is a copy of a letter written by me to Subash Bose. I recognise the following files and registers which were all kept in the B. J. W. A. office in the ordinary course of business: D 46, 49, 50, 51, 52, 53, 55, 56, 58. The list at page 1 of D 51 is a correct list. In D 53 the entries on pages 45 and 61 are correct. In D 58 the endorsement copy forwarded on the first 2 pages are in my hand. The letter dated 4. 2. 26. is in my hand (addressed to Editor 'Forward' and 'Servant'. D 78 is a circular issued by the B. J. W. A. to its member. I do not know its date. I know an organisation called the Ichapur Ordnance Workers Union. I attended the formation meeting. Certain letters were issued and after that nothing more was done. I myself worked for some time in the Ordnance Factory. That was why I had some acquaintance with the workers there. They knew that the work of Juteworkers Union was going on well so they invited us to form a Union for them. By 'us' I mean myself. I was elected Secretary at the formation meeting. Spratt accused was elected President. I proposed him. I did so because I considered that if an Englishman is appointed President the work will go on well. That was the only reason. Shib Nath accused was elected Vice President. Very likely I proposed him. He was working at Titagarh then and was known to the Ichapur workers so I thought he would be a good man. He was not present at the

meeting. He never took any part at all. Sometimes I went to Lillooah during the workshop strike there. Mr. K. C. Mitra had issued a circular asking for help and the B. J. W. A. had deputed Gopendra Chakravarty accused to go and help. The letters now shown to me D 739, 740, 741 were all written by me to Shib Nath accused. I know R. R. Mitra accused. I also know Mr. Bankim Chandra Mukerjee. I first met them when they were forming a Juteworkers' Union at Chengail. There was a strike there and the Chengail workers asked for help. It was Bankim Babu who informed me. Workers took the leading part in that strike but Sadali and one Aswani were the leading workers conducting that strike. I went to Bauria after the Chengail strike was half way through. Bankim Babu asked me to go. It was somewhere about the middle of 1928. I went again in August, September or October. I was called there by Bankim Babu and R. R. Mitra. They asked me that it is necessary that you stay here and settle this strike for the workers. The B. T. U. F. had formed these 2 Unions with the help of Bankim Babu and Radha Raman Mitra. They wanted my help because the B. T. U. F. and Bankim Babu and Radha Raman were unable to settle it and I should help. I said I could not stay because I had too much to do at Bhatpara. I said I would send a man from Bhatpara. I sent Gopendra Chakravarty accused at least I asked him to go. I sent a wire to Mr. Sime at Dundee. In reply he sent about Rs. 329, for the help of the Bauria strikers. I sent Rs. 250 to Radha Raman Babu and the rest was spent in expenses coming and going to Bauria. The strike at Chengail and Bauria were conducted by the workers. We were helping them, that is I and Bankim Radha Raman, Gopendra Chakravarty and Kishori Lal. Kishori Babu was Secretary of the B. T. U. F. and President of the Bauria Juteworkers Union. Both sides tried much for the settlement of that strike, on the side of employers Mr. Reid, and on the side of strikers the same 5 already mentioned. Once Subash Bose was called and he did much for the settlement. The efforts at settlement were not successful. The employers said they did not like to hear anything from the outsiders.

By Ghose accused. I went to Bombay in April 1926 to attend a meeting of the Executive Committee of the A. I. T. U. C. I had a special reason for going namely to appeal to them for some money for the B. J. W. A. My application was considered at that meeting. Other members objected that there was no money. But I persisted and to my surprise. Kishori Babu supported me much. I thought that in the quarrel in the B. T. U. F. Kishori Babu had taken me as one of Mukund Lal Sirkar's party. Ultimately the Executive Committee granted me Rs. 300.

I know of the Kankinara Labour Union. Kankinara is 1 mile from Bhatpara. Mr. K. C. Rai Chowdhury was President of it almost all the time. The B. J. W. A. and the Kankinara Union had no good relations. Once Kishori Babu tried to settle the differences. It was about 1927-1928 but I do not recall exactly. He suggested that both parties should select one arbitrator on whom both could rely and accept his decision as binding. The person suggested was Mr. Upendranath Banarjee. I took it as a good suggestion. But no good came from it. Kishori as Vice President of the Kankinara Union was willing and so was I but other members of both organisations were not willing. In my personal knowledge Mr. Roy Chowdhuri was not willing. He refused in my presence. Possibly I received D 240 but I do not remember if I did. I was not present at the formation meetings of the Chengail and Bauria Unions. In my opinion by forming the Chengail and Bauria Unions they had disobeyed the rules of the A. I. T. U. C. and had also harmed the workers. There is a rule that overlapping trade unions should not be formed. I am referring to the rules and not to any resolution. I told Kishori Babu that I thought it against the rule. His reply was, let the small unions be formed now and afterwards they can be federated. I did not agree to that. I met Kishori Lal Ghose many times at Bauria and Chengail. I have met him there in the company of Mr. Daud, Mr. Mrinal Kanti Bose, Mr. Indu Bhushan Sirkar, and Mahbubul Haq. It was during the time of the Chengail and Bauria strikes from middle to end of 1928. The signature on the left edge of P 34 is mine. I know Hemanta Kumar Bose mentioned as Assistant Secretary therein. He was Secretary of the North Calcutta Congress Committee. He was so many times but I can not say if he was at that particular time. Radha Raman Mittra and Bankim Mukherjee were also connected with the North Calcutta Congress Committee. I never informed Ghose accused that I received money for the Bauria strikers from the Dundee Union. I received a copy of P 53 which is Report in Bengali of Peasants and Workers Party 1927-1928. The statement on page 5 that the membership of the B. J. W. A. was over 5000 may have been correct at that time. I recognise P 52 also. I received that also, towards the end of 1928. The other unions that I saw affiliating themselves to the Peasants and Workers Party were the Scavengers' Union Calcutta and the Bengal Papermill Workers' Union, and the Workers Protection League. There might be one or 2 more which I do not remember. I do not know if any of those were affiliated to the All India Trade Union Congress.

(No other accused wishes to examine the witness as his witness).

XXN. By Crown Counsel. I have been a Homeopathic Doctor since 1920. I was working in the mills then and the only occasionally practised as a Doctor. That is my profession now. I know one Soumyendra Nath Tagore from 1926. I can not say if he was ever Secretary of the Peasants and Workers Party. He used to go to the office of the Peasants and Workers Party and I saw him there. (Seeing passage about Tagore being sent to Europe in P 52) I know he went to Europe but I did not know he was Secretary. I did not see it properly that he was described as Secretary. I received 2 or 3 letters from him from abroad and I also wrote letters to him. If I can see the handwriting I can say if it is his. Shown P 416 (12) I can not say definitely if the signature in that letter is his but it looks very much like it. In P 440 too the signature is very like his. I can not say about that in P 2008 P, or if I received a letter with the signature as in P 2028 P. I would take it to bear his signature. That in P 2032P appears to be of the same writer.

Looking at P 2035 P, the signature in this also is like his.

Looking at P 2038 P, the signature in this also is like his.

Looking at P 2056 P, the same is the case.

Looking at P 2098 P, the same is the case.

Looking at P 2120 P, the same is the case.

Looking at P 2130 P, the same is the case.

Looking at P 2131 P, the same is the case.

Looking at P 2143 P, I can not say if this is his signature.

Looking at P 2168 P, this also appears to bear his signature.

When I went to Bombay in April 1926 I stayed 3 or 4 days. I have met Donald Campbell but I did not meet him at Bombay on that occasion. I was not well acquainted with him. When the Police searched they found his passport in my possession. I was present on one day at the Calcutta Conference of the Peasants and Workers Party in February 1927. I was elected to the Executive Committee at that Conference. I was also present at the Bhatpara Conference on 31.2.28. I cannot say whether notices were issued beforehand referring people who wanted to know about the Conference to apply to the office of the Bengal Jute Workers' Association at Bhatpara. Shown leaflet P 355 I now remember that notices to that effect were issued. The statement in the 1st paragraph of the body of P 523 Call to Action is correct (not the preface). At the time of preparing the report

for the Bhatpara Conference I and Dharani Goswami and Gopendra Chakravarty were members of the Executive Committee of the Peasants and Workers Party. I was at that time an office-bearer of the Bengal Jute Workers' Association. I do not remember whether Goswami was so also or not. Seeing P 283 I now remember after seeing the minutes of the 1st January 1928 that Goswami and Chakravarty were also at that time office-bearers of the Bengal Jute Workers Association. I was not sent a 'good many' copies of Ganavani to sell. I used to get 25 copies whenever I contributed an article. I never received more than 25 copies of Ganavani at a time, I think. I do not think it possible that there should have been 27 ever. P 1996 searchlist bears my signature and I was present at that search. I see the item 27 copies of Ganavani of 12-10-26. It must be correct. I can not say if I had contributed to that number. I cannot say if that was the last number before it ceased publication.

I was present at the All India Workers and Peasants Party Conference in December 1928 at Calcutta, only on one day, not the 1st but the 2nd or 3rd. It was the day when the question of election of General Secretary came up. It was the day when the amendment was discussed as to the method of election of the General Secretary. The General Secretary was Muzaffar Ahmad. I do not know if anyone tried to push Muzaffar Ahmad out but we tried to put in another man. I was one of those wanted to put in anyone else. We 3 members of the Bengal Jute Workers Association mentioned before were in that party. We all 3 spoke, I and Goswami and Gopen Babu. I do not know if Manindra Sinha was in it or a member of the party. About the decision I do not remember the details but I heard that in the end Muzaffar Ahmad was elected General Secretary. Besides the 3 persons mentioned there were no other members of the Bengal Jute Workers Association who were also members of the Peasants and Workers Party. I know Nirod Chakravarty. Without seeing the papers I cannot say if he was a member of the Bengal Jute Workers Association. As long as the Central Office was at Bhatpara I do not know if he was made Branch Secretary of any branch. Shown P 34 I know Nirod Chakravarty and remember from this that in January 1929 he was made Branch Secretary of Champdani Branch. Seeing name of Manindra Sinha Branch Secretary of Matiaburz, Branch B.J.W.A. I know him most probably he was a member of the Workers and Peasants Party and I saw him sometimes at the Workers and Peasants Party office and I also saw him at Matiaburz. He was also at one time Secretary of the Bengal Textile Workers Union. I cannot say if that Union was started

by the Workers and Peasant Party. Do not know who started it. I know Kali Sen, B.J.W.A. Branch Secretary Calcutta. I cannot remember without seeing papers if he was a member of the W.P.P. I resigned from the W.P.P. I do not know about other people resigning. Seeing P 423 I do not know Kali Sen's signature. I am not certain one way or the other whether Kali Sen was or was not a member of the W.P.P. I had 2 reasons for resigning from the W.P.P. One was that I used to quarrel with Shib Nath because I was on the Executive Committee of the Workers and Peasants Party and the Bengal Jute Workers Association was affiliated. The other was that we got no benefit and they were always busy with their own work. I did not mention the matter of Shib Nath in my resignation letter but I did say that I did not get any benefit out of it. I did not state in my letter what the benefits were which I expected to get from the Workers and Peasants Party. My letter of resignation was written before I received the resolutions contained in D 37 but I knew all about the arrangements for them beforehand. In the resignation letter I complained that I would not be a member of the Executive Committee and that my Association would not remain affiliated. I did not write it in my letter but the reason of the resignation was that I knew those resolutions were going to be passed. I do not remember whether in my resignation letter I mentioned any reason except that we were getting no benefit out of the W. P. P. I did not find anything objectionable in the aims and objects of the W. P. P. The paper shown to me P 2615 is an office copy of my letter of resignation but not in my hand. The signature is mine. I see that I have not mentioned the point of getting no benefit in it at all. The only reason I gave was that the Party leaders were not taking me into their confidence and letting me know what was being done.

Sd. R. L. YORKE.

3-2-32.

Continued on S. A. There is no contribution from me in the Ganavani of 12th October 1926. It is not correct that I said before that one of the reasons I had for affiliating the B.J.W.A. to the W.P.P. was that I saw other Unions being affiliated to it. I admit that the 3 Unions I mentioned were the Scavengers' Union Calcutta, the Bengal Papermills Workers' Union and the Workers' Protection League. Possibly the Scavengers' Union was formed in January 1928. The affiliation of the B.J.W.A. took place in October 1927. Asked if in that case it was not untrue that the Scavengers Union was affiliated at the time of

affiliating the B.J.W.A witness: I dont remember. I have nothing else to say about it. I dont know whether the Scavengers Union was formed by the Peasants and Workers Party or W.P.P. The address of the Scavengers Union was 2/1 European Asyleum Lane. I know Dharni Goswami was Secretary of the Scavengers Union. Seeing P 52 I see from this that the Scavengers Union was formed under the auspices of the Party. I was a member of the Executive Committee of that Party. As to the Bengal Papermill workers Union that was formed by the efforts of the B.J.W.A. itself and had its headquarters at Bhatpara. I know that Union was affiliated but I dont know when. It is not possible that it should have been affiliated long before the B.J.W.A. was got affiliated. I never said that those Unions were affiliated to W.P.P. before the B.J.W.A. was. After my Union was affiliated I heard that other Unions were affiliated. I can not say if the Workers Protection League was organised by the P.W.P. Seeing P. 52 I cant say if it is true as stated there that Party Members established the Workers Protection League.

Most probably Shib Nath was not present at the General Meeting of the B. J. W. A. on 1st January 1928. I say most probably not because he used to come to Bhatpara very seldom. I shall certainly agree if he himself has said that he was there. I still cant remember unless I see papers. Shib Nath locked up and left the Titagarh office without my knowing of it. I heard it from one Sheobalak Shukl some 7 days later. It was at the middle or end of March 1928. It could not be in April. It might be in 1st or 2nd week of April that Sheobalak gave me the information. It might be more than 7 or 8 days after Shib Nath left. I read of the Bamangachi firing. I cant say if he left before or after that or if I heard of his going before or after it. A report of the working of the year 1927 must have been submitted by the Secretary at the meeting on 1-1-28 but there were 2 Secretaries and I dont know who submitted it. They were 2 Joint Secretaries. Chakravarty was only an ordinary member in 1927. Without seeing papers I cant say he was not stating the truth when he said in his statement shown to me that in 1927 he was Assistant Secretary of the B. J. W. A. I dont know where the 1927 Minute Book is. If he says he was Assistant Secretary I must have been wrong.

I cant say whether at the time of the Annual General Meeting on 1-1-28 he was one of those who were authorised by a resolution passed at that meeting to represent the B.J.W.A. on the Executive Committee of the A.I.T.U.C. in 1928. Seeing P. 283 page 3 it is a fact that he was. Shib Nath attended the next E. C. meeting of B. J. W. A. on 22nd January and

was again present at the next meeting on 22nd April, but not on 17th June the next meeting, but on 12th August he was again present and again on 9th September, which was the last meeting in 1928. He at that meeting moved resolution No. 4, at page 13. The resolution was "That this committee condemns most vehemently the attempt of the Government to pass the Public Safety Bill which means nothing but a heinous attempt to prevent the real friends of the mass people from coming to India." It was seconded by Goswami accused. I did not inform Banarjee beforehand that I was proposing him as President. I did so afterwards. I cant remember if it was by letter or words of mouth. I can only say it is unnatural that we should not have informed him. Most probably I wrote to Mr. Sime after the election of 3-1-29 that I was elected President. D. 23 is in my handwriting. In my opinion it was immaterial that Shib Nath was elected President because he was in Jail. I must have informed him. I dont remember meeting him after he was elected President so I cant say if he was very surprised at his election. If I informed him I did it by letter. I dont remember whether he ever wrote a letter in reply. My letter if I wrote one I dont remember when I sent it. If Shib Nath said that he got the news from a newspaper report 2 days before he went to Jail that must be correct (Statement of Banerjee accused page 95). I cant say if he ever received my letter. I cannot say whether D. 44 (4) is the first letter I got from Shib Nath after the election. Shib Nath might have written such letter in which he mentioned that he was annoyed with me because I had affiliated the B. J. W. A. to W. P. P. but I cannot produce any because the police took all the papers away in the searches on 5th March 1929. There is no letter apart from those papers. Mr. Sinha objects that the witness added with me and Banerjee accused supports him. Interpreter does not remember his saying it. Crown Counsel says the answer was only a nod. I did not notice). How can I produce now or say whether there is any letter with me, mentioning it? I cant remember after so long time whether there is actually such a letter in which he mentioned that he was annoyed about it. There might have been. From Chakravarty's word it appears that he was closely connected with the working of the B.J.W.A. from the beginning of 1927. (statement Chakravarty page 152) I do not agree with him that the B.J.W.A. conducted a strike at Kankinara in 1926 but it is correct that on behalf of the B. J. W. A. I conducted the strike at Jagatdal for a few days. I was its leader I mean for 2 or 3 days. It is correct as he says that on behalf of the B. J. W. A. (Kali Das) helped the Ludlow Jute Mill strike in April 1928. It is also correct that I and he

(Chakravarty) helped the Bauria workers from November 1928. What he says about the B.J.W.A. not confining its activities to the Jute Industry only is also correct. Bengal Papermill workers Union and Angus Engineering workers Union were organised by the B.J.W.A. as he says, and there were others such as Peoples Welfare League, Cooperative Credit Society. The Ichapur Union was due to me and Spratt accused. I took the initiative and called Spratt in. Asked about the passage beginning from the very beginning its object was and still is to fight the entire employing class in general and the jute employers in particular witness said; I cant say whether I agree with that passage because I dont know what "to fight" means. Between 1926 and 1929 I was mostly at Bhatpara. After the office of the B.J.W.A. was transferred to Calcutta I had been there 2 or 3 times, not frequently. That office was conducted by Kali Sen. He had a separate room somewhere in Cornwallis St. I dont know exactly where. Bhatpara is 22 or 24 miles from Calcutta. Titagarh is 10 to 12 miles from Bhatpara. Ichapur is between Bhatpara and Titagarh. I went to Titagarh from Bhatpara. I did not pass through Titagarh in going from Bhatpara to Ichapur. I did not tell Shib Nath that I was going to propose him as *vice* President at Ichapur. Shib Nath told me that he had either received or written letters to some Sahibs about the formation of an Ordnance Workers Union at Ichapur. I cant say that he was interested. I dont remember when I told him about his election as Vice President. It was quite natural, I must have told him. I did not go Titagarh that day.

By Nimbkar. It is about 3 or 4 years since I last received a letter from Mr. Tagore. I have received at the utmost 3 or 4 letters from Tagore. I never actually saw him writing. I have already said that I cant say with certainty that the letters shown to me are his. The reason is that they have got similar writings in the Tagore family.

By Mitra. Very likely I addressed a meeting at Bauria the first time I went there on the invitation of Bankim Babu and Radha Raman. I dont remember if I saw Radha Raman Mitra at that meeting. Perhaps he was not there. There was no Bauria Union then I am not sure what month that was. Shown P 118 D Mitra. It was about 10th June but I cant say if it was exactly so. Within about a month from then I passed through Bauria on my way the Budge Budge Branch of B.J.W.A. I then saw a single shift notice at the gate of the mill. It is a fact that I met Mitra at Calcutta and told him about this notice.

(Note. The witness here fully understood a question put entirely in English.) I explained to him the meaning of the change. I dont remember if I told him the change must be resisted at all costs. Mitra accused wanted help from me in stopping the change. I said that I could not interfere as the Bauria Union was working under the B.T.U.F. I dont remember when I said that but there was such a talk. There was a conference at Kishori Lal Ghose accused's house when Kishori Babu, Gopen Babu. Radha Raman, Bankim Babu and I were present, and some others. (Note. It is obvious that this examination is really an examination in chief. Leading questions are therefore barred and the accused is treated as examining the witness as his own witness. The accused says that in those circumstances he does not wish to continue the examination.

REXXN. By Mr. Sinha. Reference the 1st para in 523 very likely Muzaffar Ahmad paid the cost of the pandal mentioned there. The expense of the Conference, were borne by the W.P.P., Muzaffar Ahmad, Halim etc. Asked what is meant by Comrades of the B.J.W.A. in that sentence witness said: anyone who becomes a member of the B.J.W.A. is a 'comrade of the B.J.W.A.' The W.P.P. paid the expenses for erecting Pandal and I with the help of coolies got it done. The Jagatdal strike lasted from 5 to 12 days. The Bengal Papermill workers union worked for only a few days and there were only books and papers.

No other accused wishes to re-examine the witness.

Read and admitted correct.

Sd. R. L. YORKE.

4-2-32.

Accused wishes Court to ask witness questions about the Conference mentioned above. I am not able to see that the Conference mentioned has any such importance against any accused that further inquiry into it is necessary. I therefore decline to pursue the matter further.

Sd. R. L. YORKE.

1-2-32.

D.W. 17.

Mr. Mahbubul Haq. For Banarjee. on S.A. Pleader.

I have been practising as a Pleader in the Judge's Court at Alipur, Calcutta since 1918. I was a member of the Bengal Legislative Council from 1925 to end of 1926. I have been connected with the Trade Union and Trade Union Movement in Calcutta since 1919. I was one of the Secretaries of the All India Trade Union Congress in 1926. In 1928 I was one of its Vice Presidents, being elected at the Jharia Session. In 1928 I was sent as an adviser to the Labour Delegate from India at Geneva. The Delegate that year was Diwan Chaman Lal. I attended the British Commonwealth Labour Conference as a delegate from the A. I. T. U. C. in 1928. It was held in London. I know of the Calcutta Tramway Workers Union. I was one of its Vice Presidents in 1928. It was Shib Nath Banarjee accused in Court who came to me one morning and requested me to become so. I consented. Shib Nath Banerjee was one of the Vice Presidents. The Secretary was one Phanindra Kumar Sanyal. The union was registered under the Trade Union Act. It was the first Union to apply, soon after the passing of the Act. It applied for affiliation to the A.I.T.U.C. at the Jharia Congress in 1928. I can not say if it was affiliated that year. It was also one of the Unions affiliated to the Bengal Trade Union Federation. I do not know if it was affiliated to any other body. I heard of an organisation called the Workers and Peasants Party. I do not know whether there was any connection between the Tramway Workers Union and the Workers and Peasants Party. I attended very few meetings of the Executive Committee of the Tramway Workers Union. I know the signature on the Post Card D 742; it is that of the Secretary of that Union, Mr. Sanyal. D 743 is in his handwriting. I am acquainted with his handwriting and signature. D 744 is in my own handwriting. It is in reply to a letter of congratulation received by me from him, which I destroyed. He had congratulated me on my selection as Adviser at Geneva. I attended the Jharia Session of the A.I.T.U.C. after my return from Geneva. There was a hot discussion on that matter of sending delegates to Geneva in a meeting of the Executive Committee at Jharia. The proposal was to send a Delegate and Adviser for the next International Labour Conference and some members were against it, and spoke against it. So far as I remember Shib Nath Banarjee was against the proposal and spoke. On that occasion I spoke and said to Shib Nath that you congratulated me on my selection and how you are opposing the proposal. He said he was opposed

to it because the delegation diverts the attention of the real Trade Unionists from the actual work. He also said it resulted in the formation of Party cliques for pushing up their own nominees. Others also spoke against the proposal. I remember the visit of Messrs. Purcell and Hallsworth to Calcutta. The Tramway workers Union presented an address but I was not present at the function. I heard from some of the officebearers that it would be done. I was otherwise engaged on that occasion. D 139 (14) is also in the handwriting of Phanindra Kumar Sanyal.

By Ghosh accused. I have known Ghosh accused since 1923. I first met him at the Bar Library of the Judge's Court Alipur. I used to go now and then in 1923 to the Forward office. I saw Ghosh there also working as an Assistant Editor of the Forward. I was a Swarajists member of the Bengal Legislative Council. I was connected with the B.T.U.F., and the Press Employees Association. I was a Vice President of the latter. I maintain a file of correspondence in connection with the B.T.U.F. and the Press Employees Association. There was a Manifesto issued to Press workers in connection with the visit of Purcell and Hallsworth and I was a signatory. Other signatories were B. Mrinal Kanti Bose President and Krishan Chandra Rai Chowdhri Vice President, and the Secretary Kishori Lal Ghose. The Vice President is better known as K. C. Rai Chowdri. D 745 is that Manifesto to (tendered). I remember that during the Scavengers Strike a relief fund was started and I was elected a member of the Committee. I received a notice from the Committee, and have it here. D 746 is that notice and bears some of my handwriting on it about reply. I received a notice about a meeting in connection with the Trades Disputes Bill and other important matters to be held on 2, 9. 28 at Albert Institute. D 747 is that notice which I have here on my file. I attended that meeting. A resolution was passed, about securing the cooperation of the National Congress in opposition to the bill. I opposed the resolution, as I wanted such activities to be confined to the Unions and that we should not be relegated to a subordinate position. Ghose accused delivered a speech saying there was no such misunderstanding or misapprehension as we thought. He supported the Resolution. In connection with the visit of Purcell and Hallsworth a Manifesto was issued over the signature of the President and Secretary of the B.T.U.F. I have a copy here, but D 270 is the same. I remember the visit of Mr. Mardy Jones to Calcutta, in 1927. I received letter D 748 from Ghosh accused in that connection. I attended the All India Press Employees Conference in 1927. D 749 is a notice of that

Conference which I received. The B.T.U.F. gave an address to Mr. J. M. Sen Gupta on his election as Mayor of the Calcutta Corporation for the 3rd time. I was present. D 750 is a copy of that address. So far as I remember Ghosh accused looked after the drafting of the address. I was connected with the Bengal Mariners Union and the Indian Seaman's Union Calcutta. Ghosh accused was invited along with others to meetings of the Mariners Union. D 751 is a notice of such a meeting which I received and produce at which Ghosh was one of the speakers along with myself and Mrinal Kanti Bose and K. C. Rai Chowdri. The gentleman named as President was Mr. Fazlul Haq one time Minister in Bengal and Delegate to the Round Table Conference. I also received paper D 752 and attended that meeting. (Professor Orchard) I also received printed letter D 753, bearing the signature of Mr. Mrinal Kanti Bose which I recognise (relating to the B.T.U.F. split). D 754 is a letter I received from Mr. S. K. Dutt (same connection) D 755 is a letter relating to Chengail affairs which I received from Ghosh accused dated 29-3-28. D 756 is a postcard which I received from Ghosh accused on 4-1-29 relating to Bauria. The reference to the Kidderpore group of unions is to the Bengal Mariners Union, the Indian Seamen's Union, the Port Trust and Marine Workers Union, and the Quartermasters' Union. I received a letter dated 12-11-26 from Ghosh accused mainly about the B.T.U.F. split. The person referred to there as the Labour Dictator of Bengal was Mukund Lal Sirkar. I also received a letter from Kishori Lal Ghosh accused dated 17-8-28 with reference to a meeting of welcome to me etc. at Chengail: I tender it D 757. D 758 is a Post Card which I received also. D 263 is a letter written by me, and the cuttings from the Daily Herald with it were sent by me from London. D 267 is a copy of a letter of introduction which Ghosh accused gave to me when I was going to Europe. The original is no longer in my possession. I was once Secretary of the Port Trust Marine Workers Union. It was in the latter part of 1927. I know Abdul Halim whose name appears in P 67 as signatory and Joint Secretary. He is a seaman, and connected with the Indian Seamen's Union also. He lived in 1927 and 1928 in Mominpur Road in the house of one Sayid Minnat Ali the Treasurer of the Indian Seamen's Union and Port Trust Marine Workers Union and Bengal Mariners' Union and Quarter Masters' Union. He used to attend B.T.U.F. meetings as representative of one of these Unions.

(No other accused examines the witness as his witness).

XXN. By Crown Counsel. I did not know before I came into Court what I was going to be asked about the Jharia

Conference and the hot discussion referred to above. The only discussion I had before coming here was about some letters which I had on my file. It was within the precincts of this Court on an earlier date. I have been here since the 1st of February. The discussion was only stray remarks while passing and repassing in the Court precincts. As a lawyer I appreciate how very dangerous it is to call a witness without knowing exactly what he was going to say. I would not do it myself. The same holds good with regard to Ghosh accused. That also was stray remarks only. I came provided with all these papers because I thought it might be Kishori Lal Ghosh who had cited me. I had flagged beforehand every letter which has gone in in my evidence. In my summons I was not asked to bring anything. I had never received any letter from Kishori Lal Ghosh either about bringing papers. What I brought I brought owing to my instinct as a lawyer. I was one of those who supported sending delegates to Geneva at the Jharia discussion; Kishori Lal Ghosh also spoke supporting the proposal rather vaguely saying delegates should be sent to Geneva as it is an international forum for the ventilation of the grievances of the workers. So did Abdul Haq of the Bengal Mariners Union, Diwan Chaman Lal, Dr. Pillai, Mr. R. R. Bakhle, Aftab Ali, in support all of them. In opposition were Shib Nath Banarjee, Joglekar accused, Mr. Kulkarni, perhaps Bradley accused. I do not remember the reasons Joglekar accused gave, or Kulkarni, Bradley gave a short speech opposing saying no useful purpose was served because the Conference is an Imperialistic organ. The reason I said "perhaps Bradley" was that at first I was not sure but on further thought I did remember. By "so far as I remember" (Shib Nath was against) I meant "so far as my personal knowledge goes." I did not mean to convey any doubt about my memory but only "so far as I was concerned in the matter." I did not know what Shib Nath had said to this Court in giving his reasons for opposing the sending of a Delegate. He did not explain what he meant by saying that it diverted attention from the actual work. What I have stated he said to me was said in private conversation in the same meeting and I cannot say if he said the same in the course of his speech.

ReEXXN. The letters I referred to as flagged were those in my possession handed to the Court from my file, in answer to Kishori Lal Ghosh's questions.

Read and admitted correct.

Sd. R. L. YORKE.

10-2-32.

D.W. 18.

Dr. S. K. Basu on S. A. Residence Calcutta, 43, Eye Specialist.

I am M. E. of Brooklyn School of Medicine U. S. A. Doctor of Ophthalmology Philadelphia, D. O. Faculty of Medicine Paris University. I started practice in India about 1914. I went to Europe again in 1924, and was there 3 years working in the Moorfield Eye Hospital London, as Senior Clinical Assistant. I started practising again as an Eye Specialist in Calcutta in 1927. I met Shib Nath Banarjee accused in London about the beginning of 1925 at the Gower Street Indian Students Union. I met him quite a few times there. I remember that on one occasion an English gentleman was invited to speak on Russia and he did not turn up. Somebody in the audience suggested that as Shib Nath was from Russia and was present in the meeting. I meant that he had visited Russia. Shib Nath spoke. I do not remember what he said. I also remember that Shib Nath was in financial difficulty and some one Mr. Ranganathan or one of the other secretaries was collecting a fund to send him back to India. Mr. Ranganathan was the Chief Secretary of the Y. M. C. A. branch which maintained the Gower Street Union. I was asked to contribute and did so. Shib Nath accused and I also had personal talk. I heard from him that he used to go to the High Commissioner's Office and India Office about a passage and ultimately got a passage. I have an idea I saw some papers about him but I am not sure. On coming to India I met Shib Nath in 1927 working in a firm in Calcutta of export and import agents, Adya Dutt Company. A few months later he came to me and asked me to be a member of the Executive Committee of the Tramway Workers Union. I accepted. I remember taking Mr. and Mrs. Thurtle to an Executive Committee meeting of the Union. I had met them in London. He was M. P. and she was the daughter of Mr. Lansbury M. P. In Calcutta I met them at the place of Mr. Subash Bose. He asked me to take charge of them and show them the Labour conditions in Bengal. They spoke and discussed at the Union meeting. Banarjee accused was there. He invited Mr. and Mrs. Thurtle to go and see the Titagarh Juteworkers where he was working. I went there with them and they saw the dwelling places of the workers and addressed a meeting of workers. They spoke in English and Banerjee accused translated Mr. Thurtle's speech into Hindustani. I used to go to Tramway workers Union meetings and also got some help for them through Subash Bose, and helped some dismissed workers myself. It was because Mr. Sanyal the Secretary

and Banerjee accused approached me to get some help from the Congress. I was in Calcutta in 1928 and remember the Lillooah strike. I tried to raise funds for the strikers by leading a procession in Calcutta where I live. It was because the Congress was in sympathy with their objects and I am a Congressman since a long time. I remember the Congress Medical Inquiry Board in connection with the Lillooah strike. It was started after the Bamangachi shooting. There was a public meeting at the Albert Hall and I was entrusted with the task of getting the consent of well known physicians and surgeons in Calcutta. Some of these were Dr. Bidhan Chandra Roy, Captain S. K. Roy and Dr. B. R. Das. I also worked on it. I belonged to the Bengal Provincial Congress Committee until it was dissolved and was Secretary and Assistant Secretary of the South Calcutta Congress Committee.

By Ghose accused. The letter attached to D 253 is mine. I sent the letter with the notice D 253 which relates to a meeting I arranged for celebrating the Lala Lajpat Rai Day as Secretary South Calcutta District Congress Committee. It was on 29-11-28. I was present at the meeting. Mr. J. C. Gupta M.L.C. and Bar-at-Law presided. On that occasion Dr. Annie Besant was present and addressed the meeting. Ghosh accused also addressed the meeting.

D 276 is also in my handwriting. The writing on page 2 of D 166 is that of Mr. and Mrs. Thurtle and the writing was done in my presence at the Bow Bazar Head Quarters of the B.T.U.F. and the Press Employees Union. I found some members of the B. T. U. F. present when we arrived there. I think Mrinal Kanji Bose was present. The Bengal Provincial Congress Committee took steps in regard to the Simon Commission by arranging demonstrations etc. I saw Ghosh accused in quite a few meetings held under the auspices of the Bengal Provincial Congress Committee in that connection. He spoke at some of those meetings. I remember a meeting at Harish Park in connection with the Lillooah strike. It was organised by the B. T. U. F. to enlist the sympathy of the public and raise funds for the strikers. Mr. B. K. Bose M. L. C. Advocate was President. He belonged to the Congress Party in the Bengal Council. I was present.

No accused will examine this witness as his witness.

XXN. Nil.

Read and admitted correct.

Sd. R. L. YORKE,

10-2-32.

D.W. 19.

Mr. Sri Prakasa. on S.A. Barrister-at-Law Residence Benares. Witness for Mukherjee accused. I am a Congressman. I was General Secretary of the U. P, Provincial Congress Committee in 1929. I have known accused Mukherjee about 10 years. As he was chief Congress worker in Gorakhpur and I was General Secretary we were closely associated together in Congress work. I thought him at that time to be an earnest Congressman, chiefly interested in the social side of Congress work. I have been many times to Gorakhpur and twice to inspect Congress work. D 204 page 1 is a Post Card dated 12-3-29 written by me to Mukherjee accused. Following that Post Card I visited Gorakhpur as I said in it that I would, and inspected the office of the District Congress Committee. I also saw in the same building the office of the Railwaymen's Association. There was also a Kishan Sabha office there. So far as I remember I did not notice any office there by the name of the Workers and Peasants Party. I remember once to have attended a meeting of peasants some miles beyond Kasia in company with Jawahar Lal Nehru and Sheo Prasad Gupta. The meeting was held at the place where an assault on Mr. Mukherjee was alleged to have taken place. We all 3 spoke on that occasion and condemned the actions of those who assaulted Mukherjee accused. I know of the U. P. Charkha Sangh. I know B. Sital Sahai of that Sangh. I also know his handwriting. I also know Pt. Jawahar Lal Nehru well and can recognise his handwriting. I also know Mr. Sampurnanand and can recognise his handwriting. I also know Mr. Sahdeo Singh the head clerk of Mr. Sampurnanand's office, and his handwriting. I also know Krishan Chandra Sharma of U.P. Provincial Congress Committee, and his handwriting. D 200 (3) is in my handwriting. Presumably D 202 page 13 was issued by Pt. Jawahar Lal Nehru; it is a printed circular. D202 page 40 is the same. D. 202 page 44 is a letter from me so is page 51, D 202 pages 69, 70 is a circular which I remember to have issued. D 203 page 2 is a letter written by me, D. 203 page 4 is a circular issued from my office bearing my stamp, D 205 page 13 is also a circular which I remember issuing, D 205 page 15 bears my signature, and page 20 is in my handwriting.

I recognise the signature of B. Sital Sahai in D 205 page 5.

I recognise the signature of Pt. Jawahar Lal Nehru in D 202 page 39, 55 and 56 and D 205 page 24, and the whole writing in D 202 page 38 is his. The handwriting of Sahdeo Sing appears in the marginal note on D 202 page 61 and D 205 page 7.

Krishan Chand's signature is on D 202 page 61. I recognise the handwriting of Pt. Gobind Ballabh Pant's in D 202 pages 47 and 66 and that of Mr. C.Y. Chintamani on D 203 page 8. D 205 page 9 bears a stamped signature of Mr. Rafiq Ahmad Qidwai. I know he had such a stamp and used to use it.

I was Editor of the Aj, Benares at one time. (Accused Mukherjee states that he does not want Pt. Jawahar Lal Nehru as his witness).

Sd. R. L. YORKE.

11-2-32.

By Ghosh accused. I was present at the Calcutta Session of the Indian National Congress in 1928. I do not remember whether while in the Pandal I received a copy of an appeal for the Bauria workers. I could recognise the signature of Mr. J. M. Sen Gupta. I do not remember to have received any letter from him which was all in his handwriting. I cannot recognise the initial signature on D 170. D 208 (3) is in the handwriting of Pt. Jawahar Lal Nehru. Mr. Shiva Prasad Gupta mentioned therein is a friend of mine in Benares and in 1929 was one of the Treasurers of the All India Congress Committee. Pt. G. B. Pant was leader of the Swaraj Party in the U.P. Council. Mr. Sri Prakasa mentioned therein is myself. I remember vaguely that D 208 (3) relates to a subscription for some strike somewhere, possibly in Bengal. The signature in D 296 is Jawahar Lal's, so is that in enclosure No. 1, while enclosures 2 and 3 are entirely in his handwriting. I recognise his Hindi writing also. In regard to D 208 (3) Pt. Jawahar Lal said he had promised a certain sum and asked us to help. The Independence League was founded by Pt. Jawahar Lal Nehru. So far as I remember its object was to induce the Congress to accept Independence as its goal.

No other accused wishes to examine witness as his witness.

XXN. Nil.

Read and admitted correct.

Sd. R. L. YORKE.

11-2-32.

D.W. 20.

Kiran Chandra Mittra on S. A. Witness for Banarji and Ghosh. (Gives evidence in Hindustani) age 52.

MEMORANDUM.

I have worked in many railways particularly in E. I. Railway and O. R. Railway. The last post I held was that of station-master. I left service in 1920; as I was working in Non-Cooperation Movement I was dismissed. After that I worked in the Railwaymen's Association at Lucknow, up to 1926. It was at first the Association of the O. R. Railway but in 1925 after the O. R. R. was amalgamated with the E. I. Railway the name was changed to the E. I. Railway Association. Men of both railways were members of it. D 670 is a copy of the Rules of that Union. It was published by me. The office continued to be at Lucknow up to 1926 and after that was moved to Dinapur. The Union had a paper at Lucknow called the Weekly Mazdur. I was the Editor and Printer. It moved to Dinapur along with the office of the Union. I continued to be Editor up to 1928. I was General Secretary of the Union after it moved to Dinapur. The Union was registered at Dinapur under the Trade Unions Act in 1927 I think. In 1926 Mr. Deoki Prasad Sinha was President of the Union, and S. N. Sahai was Assistant Secretary. Mr. B. C. Mittra was Assistant Editor and Manager of the Weekly Mazdur. Many branches of the Union were opened. The biggest of these was at Lillooah. It was opened at the end of 1927. It was because the workers there had many grievances and used to write to me. The Union Committee therefore deputed me to open a branch there, and I did so. I also worked as Branch Secretary in addition to my duties as General Secretary. From 1927 a large number of members was enlisted. In January or February 1928 it was 11,000 or 12,000, subscription paying members. After the branch was started I took up grievances of the workers, by making representations to the Railway officers and interviewing them and giving publicity through the Weekly Mazdur. I got some grievances redressed. In January 1928 the relations between the workmen and the authorities were peaceful. At the end of the month there was a one-day strike about a petition by the workmen to the Agent for increase of pay etc. The Agent gave an unfavourable reply and the men were dissatisfied. One day at the midday interval they went to the Works Manager's office. He however refused to listen to them, and told them to go back to work. They did not do so and he told them that if they were not going to work they should go out of the workshop.

They went out. The District Magistrate came there and called me there. The District Magistrate was Mr. G. S. Dutt. He called me to effect a settlement. He took me to the Deputy Agent, who said the workers would get their pay for that day and should go back to work and their grievances would be considered. So work was resumed next day. Some 20 or 25 days later 6 men were dismissed but no reply was given about the grievances. They were prominent Union workers. The men were angry at this and petitioned for the reinstatement of those men to the Works Manager. 4 of them were taken back but 2 were not. That did not satisfy the men. Efforts were made on their behalf. At the same time the reply about the grievances was received. The annexure to D 207 (4) is a copy of the notification issued by the Agent, E.I. Railway. A copy of it was hung up in the Workshop in English, and Hindi. The men were excited and downed their tools and sat in the shops. I heard of it at midday and at 4 p.m. when they came out a meeting was held in Maidan. I attended it. No other outsiders attended. The leaders of the men said they would not work until they got redress. Next day however they went back to work, but instead of working they just sat idle, resisting persuasion. Next day 8th March they were locked out. I sent a wire informing the President of the Union. He came a few days later. Meanwhile meetings were being held morning and evening and I addressed them. So far as I remember no outsiders came. Workers also addressed the meetings, many of them. The object of the meetings was to keep the men together and control them so that they should not go away anywhere. We used to take a roll call. The object of control was to prevent riots. A wire was also sent to N. M. Joshi. He replied that I should meet the Agent and try to effect a settlement. On that wire I and the President and some workmen interviewed the Agent. I selected the men at a meeting. Nothing was settled with the Agent and he was not willing to listen to us. Some 10 or 12 grievances were mentioned to him. We had discussed the grievances beforehand in our Committee. After our return there was a meeting in the evening when the men were informed. The men said they would continue the struggle until their grievances were settled. A statement was issued by the President on behalf of the Union which appears on pages 1 and 2 of the Weekly Mazdur dated 21-3-28. The President then went away to Europe on business. The strike went on under my guidance. After that when no hope of settlement appeared I issued an appeal to all the Unions in Calcutta for money and men. D 146 (15) pages 1 and 3 contain that appeal. Other similar appeals were issued. Such is D 127, which bears my

signature. A Conference was held at Lillooah to which many persons came. It is mentioned in D 127. After it some workers came to help, Spratt accused Gopen Chakravarty and Mani Babu and Mukand Lal Sirkar, and many others. Mukand Lal was the first. He stayed some 15 days at Lillooah, at the Union Office. He had invited Singaravelu Chettiar of Madras. Singaravelu's policy and mine did not agree, and so both of them went away. I suggested they should go if they did not agree with me. Spratt came a day or so after the Conference, to see the strike but as he did not know Hindi he could not do much work. Spratt used to attend some meetings. Meetings continued to be held twice daily throughout the strike so far as I remember. Most of the meetings were addressed by me or by the workers. I had called my Assistant Secretary Sahain Babu from Dinapur and Mr. B. C. Mitra Manager of the Mazdur. They also used to speak.

I know Shib Nath Banarjee accused. The President Mr. Sinha mentioned him to me once when I was at Dinapur. I was then ill and going on leave, and had asked for someone to be appointed General Secretary. Shib Nath was sent for from Calcutta to work at Dinapur. It was about the middle of 1927, probably June. He was however unable to come to Dinapur. Work increased at Dinapur and I was unable to go on leave and then I went away to Lillooah. There Shib Nath came to see me. I told him that when I wanted his help I would send for him. He used to come and see me from time to time. At the time of Purcell and Hallsworth's visit about January 1928 Shib Nath took me to them to introduce me to them. A reception was organised for them at Lillooah and Shib Nath helped in organising it. It was on behalf of the Union. After the Bamangachi firing I sent for Shib Nath to help in the strike.

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I called him to help in the inquiry and in conducting it and looking after the interests of the Union. He was then taken as Joint Secretary of the E. I. Railway Union. He remained so until the end of August 1928. After that I went on leave and he acted as General Secretary. Possibly I returned from leave in September. After my return he continued as Joint Secretary. In the time of the strike his duty was to conduct court cases and to do his best to enlist Congress sympathy and help, and to attend and speak at Union meetings. He was given Court work because

he was on terms of acquaintance with many barristers, and Congress work because there his janpahchan (acquaintance) was to a special degree. After Bamangachi others also came to assist such as Subash Bose, J. M. Sen Gupta, and others, and officebearers of the Railway Unions and other Unions, and Andrews and Giri and Naidu and other labour leaders. They used to attend and address the daily meetings. There were 2 meetings a day for 4 months that is over 200 in all. The most frequent speakers were myself, Godbole, S. N. Sahai, K. D. Bose, and certain of the workmen. Banarjee accused also sometimes spoke when he had leisure to attend the meetings. I do not remember up to when S. N. Sahai remained helping us. Spratt accused may have spoken in 3 or 4 meetings in all. Muzaffar Ahmad also came to Lillooah during the strike sometimes, 2 or 3 times altogether. He never spoke at meeting. He was called because he knew well the work of Secretariat but he did not do anything. D 146 (1) and (5) to (11) and D 160 (1) & (2) were edited by me (copies of Weekly Mazdur). The editorials in these were written by me. I used to write them at Lillooah and send them to Dinapur where the paper was printed. The 3 telegrams printed at foot page 2 and top page 3 in D 146 (10) were sent by me and are copies of the originals. The statement of the Agent on page 3 is printed from a copy given by a workman from the workshop where it was hung up. I do not remember at what meeting what resolution was passed zabani. After meeting the resolution printed at page 3 of D 146 (9) witness said I do not remember that this resolution was passed. It must have been passed. I can not say who sent this report to be printed there. I attended a meeting at which the persons mentioned in this report were present. I issued the statements headed Workers' Demands and More Light printed at pages 3 & 4 of D 160 (1) Weekly Mazdur. (Witness took 5 minutes to read these through before being able to answer). The Agent's Communique on page 4 was printed from a copy given to me from those hung up in the workshop. On page 3 of same number the article Bamangachi news was not written by me. As far as I think the article Retrenchment Win Workshop on page 3 of D 146 (7) was written by me. The Agent's Circular there referred to was received by me through the workshop. I attended the Shradhdhanand Park meeting mentioned in D 146 (7). By Court. I do not remember its date. By Counsel. The resolutions mentioned at page 5 of the same issue were passed at a meeting of the Executive Committee of the Union. The Appeal for Help which appears on page 5 of D 146 (5) was written by me. In D 146 (3) the notices of All Bengal Labour Conference and Labour Procession were both issued by me.

News of the Lillooah Strike was mostly published in the Forward and Amrita Bazar Patrika. Their reporters used to visit my office, and attend the meetings. When I had leisure I used to read the reports. If there was anything special the office clerks used to show the reports to me. I had read the report in D 160 (4) cutting at the time of its publication. I was present at the meeting mentioned therein. The resolution printed here was passed. After that resolution was passed I began to correspond with other Unions and with the A.I.T.U.C. and B.T.U.F. asking them to take steps against the retrenchment. The retrenchment further excited the men and affected the strike therefore. I was not present at the Bamangachi incident on 28th March but I had taken a procession to the Agent's office that morning. I was the leader and I had 10,000 or 12,000 workmen with me. It was to speak about a settlement. It was in accordance with a decision at workers' meeting. The Agent asked for a deputation of 20 men. I went in it with 19 workmen. The Agent heard the men but made no settlement. We came back. At about 5 p.m. I heard the news of the firing, and went to the spot. The Union instituted a case before the Magistrate. In that connection the Magistrate held an inquiry and I deputed Banarjee accused in that inquiry. Banarjee accused was not present with the deputation, that went to the Agent. I met him that day, then said, I met him on 29th March but not on 28th. There was a meeting at Albert Hall after the Bamangachi shooting and I attended it. I read a report of the meeting in the Forward or Amrita Bazar. Perhaps B. Mrinal Kanti Bose presided. I also spoke there. Resolutions appointing a Non-Official Inquiry Committee and a Medical Committee were passed. The Non-Official Committee held an inquiry. Banarjee accused worked on that Committee for the Union. Mr. Andrews came a week after the shooting to hear the case and to arrange a settlement. Banarjee accused brought him from Calcutta. He had an interview with the Agent and after it the B. T. U. F. held a meeting at Wellington Square of which Mr. Andrews was President. At that meeting Mr. Andrews reduced the demands, and asked the Secretary B. T. U. F. to take a deputation with those reduced demands to the Agent. The Agent however refused to meet the deputation of the B. T. U. F. 8 or 10 days later we filed an application to the Howrah Magistrate Mr. Douglas. I and all the strikers went. Banarjee accused and Mandal Babu also went. The Magistrate sent for the Railway officer and he came and talked to us but nothing was settled. We asked Mr. Douglas to help us get the arrears of pay or settle the strike. I had written letters to him and received replies and may perhaps recognise his signature. D 674 bears

his signature, and this is the order which came to us after the meeting. (Mr. Sinha wishes to prove the application made to the District Magistrate of Howrah by means of a copy of a newspaper. It was presented in a Court and the proper secondary evidence if the original is not obtainable (which is not shown to be the case) is a certified copy). Banarjee was present at the talk with the Railway officer. I do not remember anything special he did. The Magistrate's order was explained to the workers at a meeting that evening. They were disappointed. A fresh application was made to the Magistrate that the dues should be made or arrangements made for feeding the strikers. The Magistrate arranged an interview with the Agent and we went. It was 2 or 3 days later. Mr. Douglas was there and I and Ghosh accused, and B. P. Pyne and Banarjee accused and some workmen. There was a long discussion with the Agent but without any result. The demands had been still further reduced. On our return we informed the men at a meeting at Howrah Maidan. It was decided that if no settlement could be arrived at the strike should be extended along the line. Men were accordingly sent along the line to do this. To Ondal Spratt and Dharni Goswami accused were sent and one man from the Union; they had been called in to help and were not officebearers of the Union. There were no other persons available to send. We were very busy at Lillooah. I do not remember but perhaps it was I who proposed extending the strike along the line. The idea was to put pressure on the authorities. Many workers spoke at the meeting on that proposal. Ondal and Asansol men had also come to that meeting. The workers who spoke supported the proposal, so did the Ondal men and Asansol men. I do not know if Spratt accused was present at that meeting or not. Nor do I recall how many persons spoke on the proposal. After 8 or 10 days steps were taken for extending the strike. I think the delay was due to arrangement being made for doing Satyagraha at Howrah Court. There was a quarrel about it. Satyagraha was due to the workers thinking something about a settlement might come out of it. I do not remember if any appeal was made after the decision to extend the strike. I went on the line myself later, some 6 days after the strike started at Ondal. That was perhaps at the beginning of June. Men were being sent and meetings held at Ondal, Asansol and Sitarampur for extending the strike. To Ondal later Noni Babu, Radha Raman Mittra and Sahai and Godbole went. The same went to Asansol. Noni Babu Mukherjee was Branch Secretary of the Ondal Branch. The expenses of sending them were paid by the Union. These persons worked there according to my "rai" that is they consulted me and acted on my instructions. Reports and telegrams used to be

sent to me from those places. I do not remember any visit of a Government or Railway officer after the Ondal and Asansol strikes or at that time. I used to meet Mr. G. S. Dutt District Magistrate of Howrah daily. I also interviewed the Governor, in the hope of a settlement being effected, but without result. I received a reply a few days later. Later I went to the Agent along with Kunwar Arun Singh and that also had no result. The strike went on to 10th July when it was called off. I was at Lillooah at the time. It was called off because the funds were at an end and the men were suffering, and exhausted. The decision to call off the strike was reached at a meeting at Lillooah where I explained the situation to the men. The strike ended at Lillooah that day and men were sent along the line to call off the strike. I think Spratt and Banarjee and Dinesh Chandra Roy were sent. So the strike was called off at Ondal and Asansol also. Those who had gone to conduct the strike came back to Lillooah and their respective homes. Spratt perhaps came back to where he was living at Calcutta. After that there were no relations between Spratt and the Union. Banarjee returned to Lillooah and continued to work as Joint Secretary. D 146 (15) sheets 2 and 4 are appeals issued by me, during the strike. These appeals were sent out to all Unions, Works and everywhere. I received monetary assistance from the A.I.T.U.C., B.T.U.F., A.I.R.F., B.N. Railway Union, E.B.R.U., and other Calcutta Unions and also from Congress and Khilafat Committees. An Anna Fund was also started. I also went to Kanchrapara, Srirampur, Titagarh and other places myself with men to collect subscriptions. Money also came from outside India, from England, Amsterdam and Russia, I do not know from what bodies. English money came through the A.I.T.U.C. It is my idea that an account was kept of all the money received and spent, and published in the newspapers. It must have been published in the Weekly Mazdur, Forward or Patrika. I certainly sent such accounts to the newspapers. I sent the portion headed Account of Foreign Help at the foot of column 4 in D 124 (19) for publication. The letter printed in the cutting D 126 (1) is mine. D 672 is another appeal which I issued. The manuscript writing at foot is not mine. Appeals were issued in English, Hindi and Bengali and Urdu.

The notice about an All-Bengal Labour Conference was inserted in D 146 (3) because it had been decided by the Lillooah Union to hold such a conference. Notices were issued to various labour centres and associations by me as General Secretary of the E.L.R.U. D 149 (1) & (2) are notices of the Conference and Procession which I sent to newspapers like those in D 146 (3).

I sent others also to other newspapers. Some 15 or 20 days before the National Congress I and Banerjee accused went to Dr. B. C. Roy General Secretary of the Reception Committee of the Indian National Congress and gave him a written petition for permission to hold a Labour Conference in the Congress Pandal during the National Congress. The permission was granted. A written permission was given to us. (Note; both the above replies which contain statements as to the contents of documents not produced are ruled out). I issued the vernacular notices D 161 and D 277 (3 sheets) which are shown. D 684 is a license for a procession 13-10-28 which I received from the Police. D 73 (8) is a notice issued and signed by me. The procession in D 684 and D 73 (8) was a rehearsal for the procession to be held at the Labour Conference. It started at Lillooah. I led it. D. C. Roy and S. R. Mandal also took part.

The procession of which this was the rehearsal actually took place on 30th December 1928. That also started from Lillooah and was led by me and Banarjee accused and D.C. Roy and Mandal and Radha Raman Mittra accused. Spratt and Muzaffar Ahmad accused were not there, and had nothing to do with that procession. The procession went from Lillooah to the Ochterlony Monument Maidan, where it has been arranged that workers from Matiaburz and Titagarh and Kidderpnr etc should meet. Those workers were led to the Maidan by the leaders of their Unions.

D 685 is a license which I received from the Police Commissioner about the procession of 30th December. I reached the Ochterlony Monument at 8 or 9 a.m. We left there at 10.30 or 11 a.m. We were delayed there because the Deputy Commissioner of Police stopped us there for a short time. I cannot say why he stopped us. After that he allowed us to go on. From there we continued to lead the procession and B. Rajendra Prasad of Patna and Mani Lal Kothari Congressmen were with us. Spratt and Muzaffar accused were not with us. We went to the gate of the Congress. We found the gate closed. It was about 12.30 or 1 p.m. and the Congress time was approaching. The gatekeepers refused to let us in. I sent 2 or 3 men to Pandit Moti Lal Nehru and we got permission to go in. We went in and held our conference in the Congress pandal. Pt. Jawahar Lal Nehru was President of our Congress. He and Pt. Moti Lal Nehru and I spoke and Radha Raman Mittra accused and 2 or 4 others. The meeting lasted an hour. As we were going out Gandhi arrived and made a speech also. He did it standing on a motor inside the gate. The Conference was held to enlist the sympathy of

Congress leaders for the grievances of the workers. I mentioned them in my speech. After that the Conference ended and we came away.

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After the lockout began the workshop gate was first opened again on 25th or 26th May. Many men went in that day but did no work. On that occasion Mr. Douglas called me into the workshop and asked me to take the men out as they were not working. I asked the men to come out and they did so. At 4 p.m. the usual meeting was held and it was decided in it that if the gate was opened the men would go in but not work. Next day gate was again opened. The men on duty at the gate asked the men to affix their thumb impressions to a statement that if they went in they would work. Some did so and went in but they did not work. The workshop authorities turned them out. There was again a meeting and it was decided that the men would not go in till a settlement was reached, and the Union instructed the men to go in. After that the men did not go in till the strike was called off. In India the greatest amount of help in the strike was received from the Bengal Provincial Congress Committee. They gave us Rs. 7000 at the beginning and at end of June or beginning of July Rs. 2000. For the latter amount I and Banarjee went to Subash Bose, to ask for help. He gave us rice worth Rs. 2000, not cash. In the early stages the Union had funds for distributing relief; that was up to May. After that we got help from the B.T.U.F., and after that the Congress at end of May took charge, and helped up to 2nd or 3rd July. I used to produce the accounts of all moneys received and expended before the Executive Committee of the Union at Dinapur. The total amount expended during the strike was about Rs. 43,000 or 44,000. The accounts were audited by a Chartered Accountant, as required by the Trade Unions Act, for submission to Government. In my opinion no financial help was received from the Workers' and Peasants' Party in the strike. My Union also received no money from that Party before or after the strike. When we went to interview the Governor the demands had again been reduced below the reduction made by Mr. Andrews. At the time of Kunwar Arun Singh's intervention the demands had been even further reduced. The only demands then were: No Victimization and Recognition of the Union.

There was a Factory Workers' Union at Howrah with office at Telkaghat. It was founded I think in January 1928. I was

the founder, and President. Banarjee accused never had anything to do with that Union.

I attended the A. I. T. U. C. Jharia Congress as representative of the E. I. R. U. Banarjee accused and B. C. Mitra were also representing it there. We all 3 stayed together in the delegates' camp. I attended that Congress throughout. We used to receive daily agenda in advance, and the 3 of us used to discuss them, and decide how we should vote, and speak. We all 3 did as we had decided to do, and voted together. I spoke on the 1st day. The 2nd day I was unwell and did not speak Banarjee accused spoke once or twice that day.

We all 3 also attended the meetings of the A. I. R. F. Conference. Our Union was not affiliated that year. But we got special permission from the President to attend. I was also allowed to speak on a special proposal. We did not vote as we were not authorised to do so. D 675 is in my handwriting. It is in reply to a letter which I received from Banarjee accused. That letter was in the Asansol Office. I cannot say where it is now. The Asansol files came to the Lillooah office. Mr. Saha mentioned in D 675 was a reporter of the Englishman, and had come to me with news about the settlement from K. Arun Singh. So far as I remember the terms were amended by Arun Singh. D 677 (1) to (6) are all in my handwriting. Ratanganj is my home. I had gone there ill. I know the handwriting of B. C. Mitra. D 683 (1) to (5) are in his handwriting and (6) to (8) bears his signature and some writing in his hand. I know J. N. Chattarji accountant of my Union and his handwriting and signature. D 679 and 680 are both his. Dinesh Chandra Roy was clerk in the Lillooah branch of my Union and I know his handwriting. D 681 and 682 are in his handwriting. In D 677 (2) the person referred to as Gopal is my nephew whose name is Promodh Kumar Dutt. Gopal is his home name.

By Ghosh accused. D 207 (9) bears my stamped signature. I sent this letter to the Secretary B. T. U. F. I attended public meetings under the auspices of the B. T. U. F., three meetings. The object of those meetings was to collect funds for the Lillooah strikers. I attended a meeting held at Beadon Square, and one held at Wellington Square. At the Beadon Square Meeting B. Mrinal Kanti Bose at first presided, and after some time B. Subash Chandra Bose came and presided. A resolution was passed to form a deputation to wait upon the Agent, for settlement of the strike. The terms stated were the minimum demands stated by Mr. Andrews in the Wellington Square meeting, which had been held the day before. I received a copy of

correspondence between Ghose accused and the Agent. Those copies will be in the Union office. I am not now connected with the E. I. Railway Union. I did not as Secretary of the Union receive any letters from the Agent. I may have received one or 2 from his office. I do not remember who signed them. The Committee which was appointed to form the deputation at the Beadon Square meeting was C. F. Andrews, Subash Bose, Satyendra Nath Bose, Kishori Lal Ghose, myself, Mrinal Kanti Bose, and 2 or 4 more. S.N. Bose is a M.A.L. The Agent refused to receive this deputation. I first saw Ghose accused at Lillooah in the middle of February probably, along with Mrinal Kanti Bose; I had asked accused and Mrinal Babu to come and address a meeting. The next time I saw him was with Mrinal Babu and Tushab Kanti Ghose at the office of the Amrita Bazar Patrika, when I went there with Mr. D.P. Sinha. I had asked Mr. Sinha to ask the B.T.U.F. to help us in the strike as he was going to Europe. It was a day or 2 after the strike began. 5 or 7 days later Mrinal Babu and accused Ghose visited the Lillooah office. Mr. Ghose said he had come to write the grievances of the workers and their demands with a view to writing them to the A.I.T.U.C. He did take notes. I received letters from Mr. N.M. Joshi Secretary A.I.T.U.C.; in the course of the strike. (Witness is asked to prove D 208 (14) and (16) copies of letters received by him as Secretary of the E.I.R.U. Question disallowed. The originals are in the E.I.R. Office and have not been called for. Prosecution objects). Before the strike was called off I consulted other people besides the workers at the meeting referred to above. I consulted the Secretary A. I. R. F. B., A.N. Bose, Subash Bose, Mrinal Kanti Bose, Kishori Lal Ghose accused, J. M. Sen Gupta, and others who had helped in the strike. I issued a statement to the Press about the calling off of the strike, and saw it in the newspapers. It was probably in Forward or Amrita Bazar, a few days after the calling off of the strike, and was correctly reproduced. I sent a cable to Moscow for help for the strikers. I did not consult Ghose accused about doing that. The cable was refused as objectionable. It was published in the English newspapers in Calcutta and comments were made against the workers because of it. Afterwards I had some talk with Ghose accused about it. He told me the Cawnpore A.I.T.U.C., had decided that Unions should not send wires to Europe direct but if it was necessary it should be through the A.I.T.U.C. I did not know of the resolution. I received the money from Russia at the end of May or beginning of June at time of the Baqr Id. I got the money from Lloyds' Bank. In order to get the money I had to and did get myself identified before the District Magistrate.

I was the leader of the Lillooah strike. The control did not at any stage pass into any other hands. I used to see statements of accounts from time to time published over the name of Ramanand Chattarjee. They were like D 174 (5). I used to receive money from B.T.U.F., but I cannot say how much.

(No other accused wishes to examine the witness as his witness.)

XXN. No accused wishes to cross-examine the witness. By Crown Counsel. The Weekly Mazdur was started in 1924. I was the Editor then and until the middle of 1928. I find a difficulty in expressing myself in English because I have never given evidence in Court before. I speak Hindustani better than I speak English I think. The English phrases used by me yesterday and quoted to me are not good Hindustani. I read mostly Forward, Amrita Bazar Patrika and occasionally Englishman when any article of mine appears. The accused Spratt did suggest the extension of the strike to Ondal and up the line. The other people who sent the wire to Russia with me were Spratt and Muzaffar Ahmad accused. I cannot recall if it was addressed to Profintern. Nor do I remember hearing the name of Profintern. I cannot say if the money that came from Russia came from the All-Russian Cooperative Bank, nor can I remember the name of the person who sent it. Nor would I remember if I heard it. I do not know the name Lozovsky. When we went with the petition about the Labour Conference I saw Dr. B. C. Roy and gave him the petition. There was a copy of that petition. The answer was in the office. I do not know if it is still there. I do not remember if I saw a copy of the Forward of 30th December 1928. I do not remember what day it was. (D 54 (2) page 15 Col. 2 para. headed "a misunderstanding.") The statement in the first 2 sentences implying that permission was not granted for the holding of the Labour Conference in the Congress Pandal is not true. Forward is the official paper of Congress. I cannot say whether there was in Forward of 30th December an official statement that permission was not granted. (Issue of Forward of 30-12-28 page 6 col. 6 shown to witness headed False Rumour. Also at page 7 col. 4 headed also False Rumour). It was not possible for the publicity Secretary of the Congress to put in such a notice as the latter as the notice of the Labour Conference was appearing daily in the Forward. It is false that permission was not given. In the former passage the statement that no permission had been applied for or had been given was false. I cannot remember whether I saw Amrita Bazar Patrika that day or the next. I saw an account

of the procession in the papers next day but I do not recall what paper. (Prosecution tenders the copy of Forward containing the 2 passages referred to which are marked P 2616 (1) and (2). Copies to be taken and marked as P 2616 (1) and (2) C and the original returned.)

It is not a fact that it is untrue that permission was ever granted.

I was not aware whether Banarjee was authorised to attend the A. I. T. U. C., Jharia Session as a delegate of the Bengal Juteworkers' Association. I do not remember on what point I spoke at the A. I. T. U. C. meeting, or on what point Banarjee spoke. I have been convicted twice for defamatory articles in the Weekly Mazdur.

ReXXN. Spratt accused made the suggestion to extend the strike 4 or 6 times. The first time was probably at the end of March or beginning of April. He continued to make the suggestion up to the time he was actually sent. The last time was about the end of May. I did not agree to accept the suggestion the first time it was made and said Not Yet. I went on making that reply up to end of May. The names of Spratt and Muzaffar were put in the telegram to Russia because I did not know anything about things in Russia. Volunteers: They told me that money could be got from there if a telegram was sent. I did not consult the Executive Committee before sending that telegram. I did ask Sahai Babu and B. C. Mittra of my office before sending it. When the telegram was returned everyone in the office saw it. After the telegram came back Banarjee accused said it should not have been sent, and you should not have put your name along with these people.

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D W, 21,

Mr. L. G. Khare. on S. A. Witness for Desai accused. I am the Editor of the Bombay Chronicle. Its circulation is about 18,000 to 20,000 per day. I am a B. A. of Cambridge University. I studied Journalism also and worked on the Tribune in 1908 and 1909. From 1916 I began to work as a Journalist in this country.

I have been associated with the Bombay Chronicle from that time. I went on as a Special Correspondent for some 10 years. From 1926 I was understudy to the Editor Mr. Brelvi. My special job was to collect Labour Statistics and deal with International Politics. I have acted as Editor informally when Mr. Brelvi was away and formally when he went to Jail at the time of the Civil Disobedience agitation. I was Editor and proprietor of a weekly paper called "The Indian Nationalist" which ran for about 2 years. I stopped working on it as my duties on the Chronicle left me no time. The Chronicle has correspondents in different parts of the world. The Chief Editor appoints them. As a rule no one else in the office knows the names unless they are correspondents who want their names to be known. I know Mr. Brelvi's handwriting and signature, D 760 and 761 bear Mr. Brelvi's signature, as does D. 726. I know Mr. M.R. Jayakar who is a friend of mine. The signature on D. 763 is his. I know M. G. Desai accused in Court. He was a member of our staff, at the end of 1927 and left it after about a month. Several weeks later he came to see me. He came to see me about a weekly journal, at the instance of Mr. Brelvi. He wanted to consult me about the business prospects of a weekly paper. I advised him against it as no weekly had any prospects unless it were to be a special kind of paper. One must have means of one's own to do it. If it were going to be a paper of the type of The New Leader it could not be sold for more than 2 pice. After a long time he came again. He told me he was determined on the new venture and wanted to put money in it. I warned him again saying I had lost Rs 4000 over mine but he said he was going to do it. He asked me to suggest a name. I said it was difficult but for a weekly the name should be short and significant. He asked me to suggest 4 or 5 names as a lot of weeklies came to my office and I suggested he should call it the Champion, but warned him against the printer's devil who might make it into Champagne. I also suggested Torch but he did not like it. So I suggested Spark from the Electric Spark and said I hope it would not be an intermittent sort of Spark, and then went away. I saw the first issue of the Spark. I know a Mr. Dhairyawan. He is my night Sub Editor. I gave him leave twice to go to do something for the Spark. My paper receives articles and contributions containing views which are not in consonance with the official views of the paper. We publish such if they are worth having. We dont nowadays append any note to the effect that we dont agree with our correspondent's views. That is out-of-date journalism. I know Spratt accused in Court. He came to the Chronicle office once to see me, in connection with an article on Miners' Cost of Living which he had contributed. Under

Mr. Brelvi's instructions I asked him to finish the article and give me the second part of it. He came once again (I saw him only twice at the office). I introduced Spratt to Desai accused who happened to come in saying that Desai was a man who had worked in the New Leader office and was interested in the collection of Labour Statistics. I then went on with my own work. The Sunday Worker used to come to our office, not regularly but some stray issues now and then. Some 2 years ago I used also to see a Communist paper called Inprecorr coming to the office. I have also seen publications of the League against Imperialism. Some of its pamphlets used sometimes to come to our office. We have a Correspondent for the Bombay Chronicle in Moscow also, and we publish his contributions, over his name which is Aziz or A. Aziz. We include articles on Russia in the Sunday edition almost every week. That is because it is an item of news value. (Mr. Sinha tenders 13 Sunday issues of the Bombay Chronicle which are marked D 764.)

No other accused wishes to examine Mr. Khare as his witness.)

XXN. By accused. Nil.

By Crown Counsel. My age is 44 and I took my degree in 1910 and came out to India at the end of 1910. At first I taught people French and German from then to 1922 or 1923. One year I was Professor in French also. After that my Chronicle work which had been by contribution and going round as Special Correspondent increased. I ran the Indian Nationalist in 1924 and 1925. About a month after Desai left the Chronicle. I found that he had gone to the Indian National Herald. It was a couple of months after he left us that he first came to consult me about his paper. It was then he told me that he was in the Indian National Herald. He did not mention to me the financial condition of the Herald. I gathered from his talk that he wanted to leave the Herald but I did not ask him why. Some months later the Herald collapsed. His first visit I should estimate to be in February 1928 and the second about April. I cant say if the Herald has collapsed by the time of the second visit. The name accused Desai himself suggested for his paper was I think the Guardian. I said the name was too common. He also suggested Nationalist but I objected that it was too near the name of my paper which I hoped to revive. It would not have been a rival as mine was a heavy sort of paper costing 2 annas. I always read the articles on Russia which appear in the Bombay Chronicle. I have also read many books on the Russian Revolution. I know who Lenin was, I did not know that Lenin ever ran a paper. What I knew was that he

was a Prince who turned Communist. I had read a book by Michael Farman and also Lenin and Gandhi by Rene Fullop-Miller. I read them when they appeared and I should say before this talk with Desai, about the name for his paper. I cant name off hand any other book on Russia or Lenin I had read. I am not aware that Lenin ever had anything to do with a paper called the Spark. Desai accused has never told me what the point was in this case about his editorship of the Spark and I dont know yet what the point is. The passage on page 64 in D. 302 Lenin and Gandhi by R. Fullop-Miller (the whole of the last para on that page) was read by witness who said : I skipped a lot of this and never read that passage (about Iskra (or spark.) I did not read the first number of Desai's Spark I'm afraid. My paper did not comment on it. I did not see it commented on in any other paper. He did not ask me and I did not offer to write anything for his paper. I have sometimes read Sunday Worker and Inprecorr. I dont know if they are prohibited. I gathered they must be prohibited because they did not come to the office for the last 2 years. They did not come regularly at any time. No one else was present at either of my 2 conversations with Desai accused. They took place in my personal office in the Chronicle office. I was then Assistant Editor and had a private room. I mentioned these conversations to Mr. Brelvi. I dont know if he is coming as a witness. He is in prison. Mr. Dhairyawan has been in the Chronicle some 12 years. Desai told me he had enough means to start a paper. He did not say he did not mind if it failed. I dont know when he was finally out of a job. I did not keep in close touch with him. About April I learnt that he had left the Herald I think; I learnt that there was some quarrel between him and the Herald people. He had had the quarrel before he came to me the second time. I had heard it. He said to me that he was not satisfied with the Herald people. I asked him why and he said it was a question of money or something, some financial trouble. I saw Desai accused when he came to Bombay on bail. He said he wanted some files of the Daily and Sunday Bombay Chronicle. He did not see Mr. Brelvi, he could not. Mr. Brelvi was under detention and Desai could not see him. I did not ask him (Desai) how he was getting on in his case. I did not see him again till I saw him here. I arrived here last Thursday and have seen him at my hotel. I did not talk to him about the case. I told him I was quite comfortable in the hotel and asked him to go away as I had a lot of work to do which I have brought with me. I am afraid I have not read any number of Desai's Spark.

I first met Spratt accused at the beginning of December 1927. I get the date by remembering that we were writing comments on the Miners' Strikes in Britain and their cost of living then. Desai had just been taken on at the end of November as a permanent member of our staff. The conversation with Spratt was also in my private room and no one else was present except Mr. Desai who happened to come in. On Spratt's second visit no one at all was present. I don't know what Desai's objection was to the name 'Torch'. I would not be prepared to say that for the newspaper boys 'Torch' was easier to shout than 'Ishpark.' I don't know anything about any articles contributed by Desai accused as a Correspondent from England to the Chronicle. I don't know the Mr. Field mentioned in D. 760.

(No accused claims any right to cross examine the witness). I never had any letters from Desai or came across him except 4 or 5 times when I sent for him for some mistake, or something.

REXXX. (Question asked of witness "To what political party do you belong" disallowed as not arising in REXXN). I have no sympathy at all with Communism and very little interest in it.

Read and admitted correct.

Sd. R. L. YORKE.

15-2-32.

D.W. 22.

Mr. K. P. Khadilkar, on S. A. Journalist, Bombay, 60. I am the proprietor of Sri Dattatraya and of 2 daily newspapers Nawakal a Marathi daily and Swadhin Bharat a Hindu daily. I pay supertax on an income exceeding Rs. 50,000 per annum. I have been a journalist since 1926. I am a dramatist since 1894.

I began my journalist career with the Kesri of Poona, as Sub-Editor under the late Lokmaniya Tilak. I also acted as Chief Editor of the paper, and was connected with the paper till his death in 1920. Kesri's normal circulation was about 30,000 but it rose at times to 50,000. After Tilak's death I came from Poona to Bombay and became Editor of a Marathi daily called Lokman, for about 2 years. Its circulation was 8,000 to 10,000. I left it owing to difference of opinion among the directors.

In 1922 Tilak's followers fell into 2 camps, one under N.C. Kelkar of Poona being for Responsive Cooperation and the other for Gandhi's full programme. I was one of the strong advocates of the Gandhi policy. For that purpose I started my own paper the Nawakal, as a daily. I also founded my own press. I was editor of the Nawakal till February 1929. Since then my son is the editor. I know Desai accused. I came to know him at the beginning of 1928. He was working on the National Herald staff. One of my sub-editors introduced him to me. As he was newly returned from England and said he had journalistic experience and I was wanting to start an English monthly then I asked him if he would like to serve on my staff. I did not actually start that monthly. I know Desai's paper the Spark. It was printed at my press. Desai first spoke to me about the middle of 1928 and asked for quotations. He was getting quotations from other places also. After a few weeks he came back to me and said that as he was sure to incur loss I should encourage him by giving him certain concessions. I advised him to issue as small a paper as possible, as so that the loss might not exceed Rs. 500 to 600 per annum. He then asked me to give quotations for the present size of Spark at concession rates. He said he would start it at the end of January or beginning of February 1929 as he was on the staff of National Herald till the end of 1928. I asked him the policy of his paper. He said it would be a Socialist paper conducted on the line of the Daily Herald of London. I did not ask for any security because I knew he came from a well-to-do family. This arrangement was made complete in about November or December 1928. Desai used to come many times in the week on business after that to my office. The date fixed for starting the paper was the 1st week of February. It actually started the last week of January. I had suggested to him that it would be better if it started then for publicity, as there were the Bombay municipal elections. They were on the 29th of January. He accepted my suggestion. Nimbkar accused had approached me for giving publicity to his views because he wanted support in his candidature in the elections. He wanted it for the Labour Party candidates. I had said to him that as the Congress had rejected the Labour Party candidates and I was a member of the Congress I would not be able to give him full support in my paper the Nawakal. But I would give second place to the Labour Party candidates in my paper. I suggested to him that if he approached Desai he would get proper support, as the new English weekly was a Labour weekly. Nimbkar said he was not acquainted with Mr. Desai, and asked me to induce Desai to advocate their cause. He left Manifestoes and other literature with me for Desai's use. I gave that literature to Desai and suggested his having his 1st

issue in the last week of January. I did give some support to Nimbkar and the Labour Party candidates in my paper. (As the Congress had not put in the full number of candidates for all the seats I advised my readers in an editorial of Nawakal to give support to the Labour candidates after giving their first support to the Congress candidates). My paper also published the manifestoes of the Labour Party candidates. I supported the candidature of Nimbkar and the other Labour candidates because during the 1928 Textile strike they had worked very energetically in the cause of the workers. I knew Nimbkar as a Congress worker from before. P. 1262 (1st issue of Spark) Shown the note in italics at the top of column 3 of page 1 and asked if he remembers anything about it witness said: Yes. When the 1st issue was ready for publication I happened to see Desai in the Press and asked him if anything had been put in explaining why the paper was appearing a week earlier and the 2nd issue would not appear for a fortnight. Desai said he would make arrangements immediately to put in the necessary explanation. I know Mr. Dhairyawan. He is a journalist working on the Chronicle staff and related to Desai accused. Desai had told me that he himself would look after the whole business of the Spark and that in his absence none else but Mr. Dhairyawan should be allowed to do it. Mr. Dhairyawan used often to come to my press in connection with the Spark.

(No other accused examines Mr. Khadilkar as his witness).

This piece of evidence is objected to as proof of contents of a document. The objection is clearly sound and the evidence stands as struck off the record.

Sd. R. L. YORKE.

15-2-32.

XXN. No accused wishes to cross examine witness.

By Crown Counsel. I know the Daily Herald of London and have seen and read it. It bears a resemblance to the Spark in Policy. I know of the existence of the Workers' and Peasants' Party. I knew Dange and Nimbkar as the leaders of that party, also Joglekar. I had heard of Mirajkar but was not well acquainted with him. I may have seen his photograph or even published it in Nawakal but I cant remember him. I have not seen any of the literature of the Workers' and Peasants' Party of Bombay. I believed their policy to be on the same lines as the Daily Herald of London. It was not Desai who told me. I got it from reading the reports of the meetings such as strike

meetings in the daily papers of Bombay. I was arrested on 14-2-29, and charged under section 124 A and convicted in connection with an article on the causes of the Bombay riots. I got 1 year's simple imprisonment and fine of Rs. 2000. Prior to my arrest I was closely in touch with Congress activities in Bombay not with all that was going on. Almost all the meetings to which I referred above as those from which I got the policy of W.P.P. were connected with Congress. Some of them may not have been. I cant give an instance. I know of a public meeting in celebration of the anniversary of the Death of Lenin. I did not attend it and dont know if it was under Congress auspices. I did not see the account of that meeting in Spark. I only saw the 1st number of Spark. I looked at the paper to see what its policy was and whether what Desai had told me was realised. I did not notice the column headed Lenin is dead, not Leninism. I did not notice that there was an account of this Lenin Day meeting. I know C. G. Shah by name. I did not read the article on page 6 over his name entitled Storm in Heaven. In the editorial I just read a few sentences where the policy of the paper was enunciated. I did not read the whole editorial. I stopped before I came to the end. I did not read the Article entitled Dominion Status appearing over the name M. G. Desai. I read no subsequent issue of Spark. Mr. Dhairyawan is a cousin of Desai on the sister's side. I did not attend any Lenin Day meeting apart from 1929. Important events in Bombay are recorded in my paper. An account of a Lenin Day meeting might have appeared. I dont remember I cant say if any account of the meeting to celebrate the Anniversary of the Russian Revolution appeared in my paper.

(No accused claims any right to cross examine on the above.)

REXXN. Nil.

Read and admitted correct.

Sd. R. L. YORKE.

15-2-32.

Crown Counsel, by request.

The card P 658 may be of Mr. Dhairyawan but I dont know. I kept accounts of Spark. It did not go out direct from my office: the copies were taken by Dhairyawan or Desai who themselves distributed. I dont know the writing of Dhairyawan or Desai. I had no register of subscribers to Spark.

Read and admitted correct.

Sd. R. L. YORKE.

15-2-32.

REXXN. There is a man called Bagwe in my office not in my employ who is a newsagent and contractor for distribution of newspapers, mine and others.

Read and admitted correct.

Sd. R.L. YORKE.

15-2-32.

D.W. 23.

V. K. Tawde witness for Alwe, Clerk. Bombay, on S. A. (Ghose accused acts as mouthpiece for Alwe accused): 31. I have been acting as a clerk the last 12 years and was in the Prahladi Mill. I am not working there now. I left the mill in March 1929 because I was elected General Secretary of the Girni Kamgar Union, on 23-3-29. I have known Alwe since 1920. His brother used to live near my place and Alwe used to come there and so I came to know him. I had heard his name before as a person working with Baptista, Jhabwala and others, attending meetings and taking part in Labour agitation. I became connected with a Union in 1923. It was the Girni Kamgar Mahamandal, of which I was a member since its foundation. I was a member of its managing Committee from the beginning. In the beginning Mr. Bhatwarkar was President and afterwards Alwe, who became President a few months after the foundation. The original Mahamandal existed as such till in May 1928. I came to know that there was a Union registered the Girni Kamgar Union was registered as the G. K. Mahamandal, with Mr. Mayekar as Secretary. Alwe was its President at the time of registration. The G. K. Union was also registered and Alwe was its President. He was not President of the Mahamandal after it was registered.

There was a Textile workers' strike in 1923, over the stopping by the owners of the bonus which the workers used to get. It was a general strike of all the mills. I attended meetings during that strike. Some handbills were issued then. Alwe accused addressed some meetings then and I saw him. The G. K. M. was founded while that strike was going on. I was a member of a deputation which waited on the Governor during that strike along with Alwe, Mayekar, Parulekar and others, 14 or 15 in all. In consequence of something said by the Governor then we held a public meeting and founded the G. K. Mahamandal. An Inquiry Committee of 3 persons afterwards sat and the strike ended the Committee refusing to give the bonus. I don't remember anything in the strike line happening in 1924. In 1925 there was another General strike of all the mills because of a notice about a wage cut. The strike was conducted by the G. K. M. A strike committee was formed after the strike had started. Messrs Joshi, Bakhle and others were on behalf of the Social Service League and Mayekar, Alwe etc represented the G. K. M. Help was received in that strike from British Labour Union.

In 1926 there was strike in 2 mills of the Sasson Group, no it was in 1927. It arose out of the introduction of the 3 looms and 2 sides system. The millowner Sasson invited representatives of the G.K.M. to discuss settlement. Alwe, Mayekar and some others, strikers, went. They were all members of the G.K.M. The strike was settled on the condition that the system would be confined to those mills where it had been introduced already. In 1928 there was again a strike in the Sasson group in January probably, 10 or 11 mills being affected. It was because the new system was extended to all the mills of the Sassoon group. The G.K.M. conducted this strike. There was a Committee of the Mahamandal to do it. D 439 (33) is a handbill which I with others issued. I was the Secretary and Mayekar General Secretary of the G.K.M. I know of a resolution removing Mayekar from the post of General Secretary. After his removal I did the work. At first Mayekar and afterwards Alwe took the steps necessary for printing the handbills of the G.K.M. In the G.K.M. strike committee were Alwe, Mayekar, myself and some strikers. G. R. Kadam was a member of it. A strike fund was formed for the relief of the workers, handbills were issued and meetings held. Relief started a month after the strike began. The strike ended about the middle or end of February. Notice was given of a lockout and then after a few days the strike came to an end. The scheme was withdrawn from some mills. The strikers had approached the G.K.M. before

going back to work, to ask for advice about that notice. The G.K.M. left it to the men to go back to work or not. After this there was a strike in the Bombay Textile Mill of Wadia. It was in March. The owners acceded to the strikers' demands and the strike ended. It was through the efforts of the G. K. M. After 2 or 4 days there was again strike in the Textile Mill. There was also a strike in the Kasturchand Mill of the Karrimbhoy group. It was in 1st week of April, and at the same time as strike in Textile Mill. It was over a wagecut. A few days later there was a strike in the Simplex mill, also over wagecuts. Then the 3 looms 2 sides scheme was started in 2 mills of the Finlay group of 3, and men were reduced in some other mills, in the Karimbhoy group. Meetings were held by the G. K. M. to explain to the people the condition of the mills and the complaints of the strikers. It was suggested by the workers that a general strike should be called. The G. K. M. called a public meeting of all the workers and took their votes after explaining the situation and then after that decided to call a general strike. D 439 (30 to 37) are handbills issued by the G. K. Mahamandal. D. 765 (1 to 6) shown to me were also issued by the Mahamandal. (Note. No translations of these have been made. Accused must furnish a translation, otherwise they will be treated as irrelevant.) That decision was taken about the middle of April, and was communicated to the workers by means of a handbill. 8 or 10 days afterwards the general strike began. After it began a strike committee was formed, about the end of April. It was after that that the G.K.U. was registered. The strike committee consisted of 30 members. I know Joglekar, Nimbkar, Dange, Ghate, Mirajkar, Bradley accused since 1927 or 1928. I knew Joglekar before 1927. I came to know Nimbkar when I was a member of the Bombay Provincial Congress Committee and Nimbkar was its Secretary. Joglekar used to come into the G.K.M. with Mayekar. I became a member of the B.P.C.C. in 1926-27. I was not a member of it in 1928. I met Dange after he came into the strike Committee in 1928. Mirajkar and Bradley the same. After Mayekar either I or another Secretary Satam used to write the minutes of proceedings of the G.K.M. I can recognise Satam's handwriting. D. 420 is the Minute book of the G.K.M. In it page 9 back, 10 front and back, and 11 front are in my handwriting. 13 back and 14, 15 & 16 front and back are in Satam's handwriting. I dont know anything about the Workers' and Peasants' Party.

P. 953. I dont know either the original handwriting or that in which the pencil corrections are made. I recognise the red pencil signature of Alwe. I was a member of the Managing

Committee of the G.K.U. from its foundation as one of its Secretaries. I was present at a meeting of that Committee when a question came up about relief to the Bauria strikers. It was decided to send them help. Bradley accused who was in the Committee told us about the strike. Bradley spoke in English and either Dange or Nimbkar explained it and it was decided to send them Rs. 1000. A resolution was passed and it was decided to send Rs. 500 as a first instalment. The President Alwe moved the resolution. It was decided that the General Secretary G.K.U. should send the money to the Secretary of that Union. I dont remember if anything was said as to whom the money should be sent to if there was no secretary of that Union. I dont remember anything else about that money. I have seen a banner like D. 766 before. It was carried during the Sassoon strike.

(No accused wishes to examine the witness as his witness.)

XXN. By Dange accused. It was the practice in the G.K.U. Managing Committee that the proceedings of one meeting were sanctioned (confirmed) at the next meeting. It was also the practice that during these meetings either a Secretary or the General Secretary used to take rough notes of the proceedings. Any mistake which was found in the wording of a resolution at the time of confirming the minutes used to be corrected. I think that the fact that the money for the Bauria strikers was to be sent to the Secretary of the Union was a part of the resolution. Resolution number 5 on page 17 of P. 958 is that resolution. I see that in that resolution there is no mention about who the money is to be sent to. The minutes of that meeting are signed by Alwe as President. I dont remember particularly a meeting of the Managing Committee in March 1929 but meetings were being held. Being shown P. 960 pages 10 and 14 witness said. Meetings were held on 5th and 8th March, I remember. On page 7 is a resolution about Bauria and on page 9 is a signature of Alwe and date 16-1-29. These are the rough notes of the meeting of 16th January. I dont remember if the Managing Committee of the G.K.U. was against cooperating with N. M. Joshi and his group in the Textile Trade Union activities. It was decided that in the Joint strike Committee 15 men should be taken from Mr. Joshi's Union but I cant say if it was done. I was not in Bombay throughout the General Strike of 1928 as I fell ill after the formation of the Joint strike Committee and was away at my village for a month. I was not at any time a member of the joint strike Committee. Dange, Nimbkar, and 2 or 3 others were on the strike committee representing the Millworkers' Union. A resolution was passed in the

Managing Committee of the G. K. M. appointing Dange, Nimbkar, Jhabwala as advisers of the G. K. M. I dont think I was present at the meeting of 15th May 1928 whose minutes have been shown to me, or at the meeting of 2nd May. What I said about Dange etc. representing the Millworkers' Union on the strike committee was only hearsay.

By Nimbkar accused. I remember a resolution in the Girni Kamgar Mahamandal that only workers should be its office-bearers. I do remember that there was a practice of appointing outsiders as advisers of the G. K. M. I remember advice being taken from Joglekar accused in 1927. He continued to do so occasionally until he went to the G. I. P. R. Union. I dont remember the part Joglekar played in the fight between Alwe and Mayekar. I attended one or 2 meetings in Apollo mill strike and heard Joglekar speak at them. The information about the deputation to Sassoon in 1927 I got from Alwe and Mayekar who told us. I attended most of the Managing Committee meetings of the G. K. M. during that strike. Alwe and Mayekar were members of that strike and Joglekar used to do much work for the strikers but I dont know if he was a member of the strike committee. Joglekar was adviser to a Committee which inquired into the G. K. M. accounts at end of 1927 or beginning of 1928. The Committee produced a report D. 420 Minute Book of G. K. M. proceedings; I see that the proceedings of 4-2-28 which are signed by Alwe contain a resolution about that report. The minutes of 15-5-28 are also signed by Alwe accused. I dont remember if I was present at a public meeting of workers at Nagu Sayaji Wade on 18-4-28. I did not attend a meeting at DeLisle Road called by Mr. Ginwala that day. I may possibly have been present at a meeting of the strike committee elected then held in the G. K. M. office. I was not elected on the strike committee. I dont know personally about the negotiations between this strike committee and Mr. Joshi. I dont know the composition of the Joint strike Committee from my personal knowledge.

Sd. R. L. YORKE.

16-2-32.

Continued on S. A. The Millworkers' Union is mainly composed of the mechanics' class I have heard. I dont remember if Joglekar was ever a member of the G. K. M. after January 1928. I recognise the handbill P. 1452 and I was one of those

who signed and issued it, on behalf of the G. K. M. It was issued towards end of Sassoon strike in 1928. I dont remember whether I personally read it before signing it. I can say that as far as I remember the account in P. 1462 of the activities of Joglekar in the G. K. M. is correct. Mayekar had not returned the papers of the G. K. M. after the quarrel in 1928. I dont remember about Joglekar but Nimbkar used to come occasionally to the public meetings during the strike in the Kasturchand and Textile Mills. I dont remember a meeting of the G. K. M. Managing Committee after Mayekar had deserted to which Nimbkar was invited.

XXN. By Crown Counsel. Nil.

REXXN. By Alwe (through his mouthpiece Ghosh accused.) The G. K. U. had a General Secretary and 3 Secretaries. The General Secretary used to take notes of most of the G. K. U. Managing Committee meetings. The pukka minutes were written either by me or by the General Secretary. The rough notes in P. 960 of the meeting of 16-1-29 were written by some other Secretary or by Joglekar or Mirajkar. The 3 Secretaries were myself, Satam and Joglekar, but Satam was succeeded by Mirajkar, I dont remember when. Mirajkar was I think a Secretary at the time of this meeting. In P. 958 the writing on pages 16 to 19 is mine (Note: the Bauria resolution is on page 17). I wrote those proceedings from the notes in P. 960. I wrote the pukka report 4 to 7 days after the meeting.

Read and admitted correct.

Sd. R. L. YORKE.

17-2-32.

Note: statement of this witness and P.W. 24 were interpreted to them by the Court Interpreter and subsequently read over in Court in English and admitted by the witnesses to be correct.

Sd. R. L. YORKE.

17-2-32.

D.W. 24.

M.R. Jadhao on S.A. Residence Kirkee.

I was employed in the Kirkee Arsenal till the year 1928. I know of the Kirkee Arsenal Workmen's Union. I was a member in 1925 and 1926. The Union was founded in 1922 by D. G. Pandit. I know Messrs N. M. Joshi and Kirk. They came to see how the Union was working in 1926. They held a meeting of the workmen there, and gave advice in regard to the systematic conduct of the Union. They suggested the name of D. R. Thengde of Poona in order to conduct the Union properly. In 1927 a labourers' Conference was held at Kirkee, an annual meeting of the members of the Union. N. C. Kelkar of Poona presided over it, and office bearers were elected. Thengde was elected President. I was elected General Secretary. We continued in office for 2 years. I know Mr. Roderick. He also came to Kirkee to inspect the working of the Union. He came with Mr. Kirk, I cant say at what time of year. I was General Secretary at the time. There was a strike in the Arsenal in 1928. It lasted 10 to 12 days and arose out of the imposition of a trial test on old employees and reduction of staff and wages. The strike was started by the labourers. Thengde accused the President was at Poona at the time and before the strike advised the men not to go on strike. I was present at a meeting at which he did that. Thengde did not have anything to do with the strike. After the strike the Union ceased to function. The papers of the Union remained with me but it is now 6 months since Thengde's son took them away with me. The file D. 767 shown to me is one of those taken away. Handbills D. 767 sub-numbers 1 to 6, 9 and 10 were issued by the Union through me and the Managing Committee. D. 767 (7) is a bill for a handbill issued by the Union which Mr. Kirk got printed and hence the Union paid the bill. The handbill referred to is D. 767 (9). I cant read English. I cant read the document shown to me (marked D. 768 for reference) but I can recognise it. Forms like that were filled up. D. 769, Marathi document shown to me, is from the same file. I dont know the handwriting, but I am sure it is the same document which I handed over with others to Thengde's son.

No accused wishes to examine or cross examine the witness.

XXN. By Crown Counsel. I used to keep the file D. 767 and keep these papers in it. I never filed the papers in it but merely used it something to keep the papers in. I never filed

anything in it. I only remember to have kept subnumber 1 in it. I cant read English so I cant say whether subnumbers 1, 5, 7, and 8 were really in that file. I say they came from the file because they were pinned together. Thengde accused did take some part in the Arsenal strike. He asked the people to go to work, and to break, the strike. When the strike was on he asked the men to go back to work saying that they did not stand to gain anything by the strike. I am speaking of the strike of October 1928. (P. 815 English statement found in Thengde's possession interpreted to the witness). In spite of that I say that Thengde asked the men to go back to work. I cant explain why he issued this notice. The wording that the men are of good cheer does not mean that Thengde was pleased that they were holding out. Though it was read out I cant say if there is anything in it suggesting that the writer was telling the men to go back because I cant understand English. Document interpreted again: there is nothing in that suggesting that he was sorry the men were on strike. I fully understand that document now. (Mr. Sinha objects to the question about there being anything in the document suggesting that the writer was sorry the men were on strike.) I dont know who that Mirajkar was named in P. 815. I was not present at a meeting addressed by Mirajkar and Bhuskute.

REXXN. Nil.

Read and admitted correct.

Sd R. L. YORKE.

17-2-32.

D.W. 25

D. Y. Pathak on S.A. Residence Poona, Mechanical Engineer. (For Thengde accused).

I am a member of the Mechanical Engineers' Association. I was its 1st Secretary. Thengde accused was the chief man in that association, and was once President and for a long time Vice President. I cannot say exactly if I received the notice D. 666 page 85. I did not attend the meeting to which it relates. I was present at the search of Thengde's house on March 20, 1929 and I signed the following documents which were recovered at

that search: D 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, I have known Thengde accused for a long time, and know his English handwriting. The writing in D. 655 and D. 665 is all Thengde accused's. The Mechanical Engineers' Association was affiliated to the A.I.T.U.C.

(No other accused examines this witness as his.)

XXN. By Crown Counsel. Nil.

By accused. Nil.

Read and admitted correct.

Sd. R. L. YORKE.

17-2-32.

D W, 26.

G. R. Kadam, Millworker Bombay on S. A. (Witness for Alwe).

I know Alwe accused since 1925. We were working together in the Crown Mill. In 1925 I was a member of the Girni Kamgar Mahamandal. In 1926 I became a member of the Managing Committee of the G. K. M. I was a member up to 1928, till April or May when I became a member of the G. K. U. I am still a member of the G. K. U. I was a member of the Managing Committee up to November or December 1929. I was also Secretary of the Sewri Centre of the G. K. U. I know about the 1928 General Textile Strike. There was a Joint Strike Committee formed, of 3 Unions. It was called Sanyukta Sampa Committee, and called Joint because it was of 3 Unions, the Girni Kamgar Sangh, G. K. M., and Millworkers' Union. The G. K. S. was also known as the Textile Labour Union and was Mr. Joshi's. N. M. Joshi was its President. I do not know its name exactly in English. Jhabwala was President of the Millworkers' Union. Alwe was President of my Union, the G. K. M. There were 30 members of the Joint Strike Committee. 15 were from the Sangh, Joshi's Union, 10 from the G. K. M. and 5 from the Millworkers' Union. The representatives of the G. K. M.

were Alwe, Kasle, Tahmanekar, Bhagwan Pednekar, Krishna Ausekar, Khanderao Desai, Gadkari, Triambakrao, Baburao and myself. I can name only some of those who came from the Sangh. Joshi, Asole, Ginwala (witness said Jhabwala first but corrected himself), Parulekar, Saiyid Munawar, Umar Rajab, Mr. Deo, Hafiz Mohammad, and others whose names I forget. The representatives of the Millworkers' Union were Jhabwala, Dange, Nimbkar, Bradley and Mirajkar. Nimbkar and Sayid Munawar were the Secretaries of the Joint Strike Committee. Parulekar and Bradley were the Treasurers. There was no permanent Chairman, one being elected at each meeting of the Committee but generally Joshi was elected.

Alwe was President of the G.K.U. He complained on several occasions in the Managing Committee against other members of the Managing Committee, Dange and others. The complaint was about a handbill. Alwe asked Dange why the handbill was issued without showing it to him. That handbill was shown to the Managing Committee at the time of the complaint. P. 966 is that handbill. Alwe said that if the handbill had been shown to him before issue he would have substituted some word like Volunteers for the words Red Army. He said he knew what Army meant because he had himself served in the Army. The word Volunteer was in common use since the foundation of the G.K.M. There was a good deal of discussion over this matter. It was decided that every handbill must bear the signature of the President first and then the Secretary. I did not like seeing Alwe's name low down in the list of signatories of this notice and not at the head of them. Alwe on another occasion complained that the correspondence which was conducted in English ought to be explained to him. He moved a resolution that he should be given a clerk. The clerk was not given at that time but a resolution was passed that a clerk should be appointed. The resolution was carried out. That was in December 1928 or January 1929. I mean that it was decided that the Committee should select a candidate. But no candidate was ever selected. The G.K.U. used to have a red flag. It was hung outside the office above the signboard. It was first hung 4 or 5 months after the foundation of the G.K.U. It was to distinguish the G.K.U., as there were offices of other Unions close by so that workers should not pay their subscriptions to the wrong Union. The red colour was selected because it was easy to see from a distance. P. 962 are pattas or sashes (badges) of volunteers of Joint Strike Committee or G.K.M., or G.K.U., or for Shivaji anniversary which was celebrated by the G.K.M.

I was a member of the B. P. C. C. in 1927 and 1928. So was Alwe. I first came to know Nimbkar accused in 1927-28 when he was Secretary of the B. P. C. C. Joglekar also I came to know in 1927-28.

(No accused examines the witness as his witness).

XXN. By Nimbkar accused. Asked if he was a personal friend of Alwe: We were working in one mill so we were personal friends. I might have received a few letters from Alwe since he came to Meerut. I cannot say how many I have received. I did not receive as many as 50 letters from him before his release on bail. I was not looking after Alwe's family after his arrest but I used to take my meals with them. I met Alwe in Bombay in the street about 2 months ago. I stopped taking meals with Alwe's family because his wife came here. I have not read Alwe's statement, nor do I know what he has said in it. I did not meet Alwe a number of times when he last visited Bombay. I was not told here in the Court Compound what evidence I should give. I have seen Ghosh accused here. I have never had a talk with him.

Men of 2 or 3 Unions gathered together and they settled the names of the members of the Joint Strike Committee. They met in the yard at the back of Damodar Thackersey Hall. I cannot remember the date. Nor can I say whether or not that meeting was an informal meeting of the Joint Strike Committee at which secretaries were elected. I do not remember who called those men together. Alwe called me there. I do not remember that the composition of the Joint Strike Committee was decided at a public meeting at Nagu Sayaji Wadi, or that the names were selected by Joshi, Nimbkar, Alwe and Jhabwala. I cannot say in what year Triambakrao was a member of the G.K.M., or Baburao. I do not remember whether I had met them in the G.K.M., before the strike. I do not know in what mills they were working, or what work they were doing. It is not false that Triambakrao and Baburao represented the G.K.M. I do not know if it is a fact that when the strike was on Baburao was a Secretary of Jhabwala's Millworkers' Union, and Triambakrao a Vice President of that Union. I do not remember whether I ever saw his name in any G.K.M., handbills.

Sd. R. L. YORKE.

17-2-32.

Continued on S.A. I worked for 6 months with the members of the Strike Committee. I cannot say definitely about a Strike Committee of 85 members elected at a meeting at Nagu Sayaji's Wadi on 18-4-28 and later confirmed by a meeting held by Mr. Ginwala at DeLisle Road the same day. I do not remember whether I worked as a member of such a strike Committee. It might have been elected, I do not remember. I have not been told to say I do not remember in answer whenever an inconvenient question is asked. I do not know whether a Strike Committee of eleven was elected by the Bombay Textile Labour Union on 19-4-28. I did not know anything about the negotiations in regard to the Strike Committee till I was called by Alwe to the meeting behind the Damodar Thackersey Hall. I do not remember that the Joint Strike Committee was so called because it was a joint Committee of the 2 Strike Committees just mentioned and not of 3 Unions as I said yesterday. I know the G.K.M. was registered but I do not know the date. So also for G.K.U. I cannot say if the G.K.U. was registered before Jhabwala's Union. Jhabwala was Vice President of the G.K.U. for some days. I do not remember it being said in the Joint Strike Committee that the Governor and the General Member had told us to get our unions registered. I cannot say when Triambakrao and Baburao became members of the G. K. U. Those who paid subscriptions to the G. K. U. at time of its foundation became its members. It is not correct, if someone else has said it, that in the Joint Strike Committee there were 10 from Joshi's Union, 15 from the G. K. M. and 5 from Jhabwala's Union. It is wrong even if Kasle accused has said it (Kasle's statement on page 1006 of the accused's statements shown to witness). (Alwe's statement on page 960 shown to witness). It is not a fact as stated by Alwe that the 5 accused Jhabwala, Bradley, Nimbkar, Dange and Mirajkar were outsider representatives of the G. K. M. as well as of the Millworkers' Union of Jhabwala. I have not been in the habit of going to see Joglekar at his place since 1925. I did not meet Nimbkar at Joglekar's place in 1926. I do not remember the date but Joglekar was taken on as an adviser of the G.K.M. with no right to vote. I do not know if he was working at the time of the Apollo and Manchester Mills strike. I did not attend any meeting of strikers during the strike in the Textile Mill in March 1928, or during the strike in the Kasturchand Mill. I did not participate in any processions taken out, (if there were any), by the G. K. M. during those strikes. I have no personal knowledge about the Millworkers' Union of Jhabwala. I do not know directly that Nimbkar, Dange, Bradley and Mirajkar belonged to the Millworkers' Union. I do not remember the date of the handbill P 966. I do not remember if after the settlement

on 6th October 1928 the Sassoon men were dissatisfied. Alwe's complaint in the Managing Committee about the Handbill P 966 was in October or November. I cannot say why the decision to which I have referred is not in the Minute Book P 958. The decision that every handbill must bear the signature of the President first and then the Secretary was also in October or November. I cannot say why it does not appear in the Minute Book. I cannot remember if any handbills were issued over the signature of the President and Secretary after that decision. I cannot say if P. 929 was issued by the G.K.U. nor do I remember distributing it nor seeing it on the day of the Lalbagh firing. I see it is signed by the General Secretary. In P. 951 (D Nimbkar) I see that a number of notices issued after beginning of 1929 are signed by General Secretary only. I do not remember if the General Secretary was censured for this. There were more than 10 clerks in the G. K. U. Head office and centre offices. I do not remember if on the same occasion as Alwe asked for appointment of a translation clerk he also suggested that extra clerks should be dismissed. I do not remember the names of the Committee which was to appoint the translation clerk. Even after hearing the names from the Minute Book. I do not remember if those were the persons. Tahmanekar is a worker in the mills and was then Vice President of the G.K.U. He has come here and I have seen him here. I cannot say who is Ganpat mentioned in the Minutes. I cannot say if Ganpat on the Managing Committee was a millworker or an outsider. The Managing Committee consisted of one or 2 members from each of the Mill Committees. I used to visit the Head office daily in the evening. Kandalkar's name is Ganpat I know. He was a worker. There might have been more than one English knowing clerk in the head office.

I do not remember whether I attended a May Day meeting on DeLisle Road in 1927, or in 1928 behind the Gokhale's hotel. I might have taken part in the procession and meeting for Simon Commission on 3-2-28. but I cannot remember. I do not remember a flag above the board of the G.K.M. in those days. I do not remember there being a flag above the Board of the G.K.U. head office from its beginning. I might have gone in one of the parties to collect subscriptions during the strike but I do not remember. I never went out with other volunteers with a red flag. I do not remember if other volunteers had red flags. The G.K.U. of which I am still a member has still got the Red Flag. Its President is Ganpat Kandalkar. I have not seen whether the signboard of the Union is inscribed Girni Kamgar Union (Red Flag Union). I attended some of the

meetings during the General Strike. I do not remember the Red Flag of the Union being referred to there as the flag which was soiled red with the blood of Parasram Jadhao. I have written letters to Meerut to Nimbkar accused also, cannot say how many. I asked for information about the welfare of all the accused and not Alwe only. The 5 postcards D. 770 (1) to (5) were sent by me and also a telegram like D. 770 (6).

(No other accused wishes to cross examine the witness.)

By Crown Counsel. The Joint Strike Committee was formed before the foundation of the G.K.U. (Shown D. 420 G.K.M. Minute book); It is correct as appears from the resolution No. 2 of 30-4-28 that as Joglekar the original adviser was away Dange was elected in his place and Jhabwala and Nimbkar also. On 15th May as the same exhibit shows other persons were added as advisers. I put forward the resolution for appointing them and it was passed unanimously, as the minutes say. I cannot say if the resolution is correctly recorded as it is long ago. It is merely my memory. I have no other reason for being unable to say whether it is correctly recorded. I see the names are Jhabwala, Nimbkar, Dange, Mirajkar, Ghate, Bradley, Thengde and Joglekar. Shown D. 498: I do not know whether any members of the Joint Strike Committee were members of the Workers' and Peasants' Party. (Reference page 3 of typed translation of D 498 Marathi original shown to witness). No members of the Strike Committee were elected as being representatives of the Workers' and Peasants' Party. (P 966 shown to witness and it is pointed out that the word Volunteer is there already). It is true as I said before that Alwe said he would have substituted the word Volunteer. I cannot give any reason for thinking that P 966 is later than P 967 (which is shown to witness). I used to read the Kranti occasionally to see what it published about the workers. Asked whether it came out in 1928 as a strike bulletin and told him about the strike. I did not see it daily but occasionally. Shown issue of 5th October P 996T, I do not remember reading the portion enclosed in black leading on page 1 of that issue. I do not know that Alwe wrote articles in Kranti. I do not remember Alwe complaining about the publication of that Notice in Kranti, of 5th October. I cannot say now that the relations between Alwe and Dange were not cordial in October. When the G. K. U. was founded I do not remember whether Satam was a Secretary. I cannot say when Mirajkar was appointed Secretary. I do not remember whether Dange proposed that Alwe should get an allowance of Rs 50 per month. P 958 meeting of 25th October

1928 Minutes : Resolution No. 1. shown. I do not remember it, but on seeing this I think that was so. From reading what Dange said I do not think relations could have been strained between them. I do not remember exactly so how can I say whether Dange accepted an amendment raising the amount to Rs 60. I am still a member of the G. K. U. There might have been recently difference of opinion in the Managing Committee but I am not on it now, and cannot say. I ceased to be a member soon after the ending of the 1929 strike, or rather in 1930. There might be difference of opinion in the Managing Committee in 1930 but I do not remember. I know a man Deshpande. He was something like an adviser and Secretary but he is no longer in that Union to which I pay subscription. I do not know how he came to leave it. I did not attend the annual meeting at which election took place. There are now separate unions, one at Lalbagh and the other at Poibaodi. I pay my subscription at Lalbagh. One Randive was once adviser of the G. K. U. like Deshpande. He is not now in my Union. He is no longer in that Union. I do not know if he is B. T. Randive or Balchandra Timbak Randive.

REXXN. I do not know any language except Marathi. I can read and write Marathi. I read newspapers occasionally. I went to school, and read up to 6th standard in Marathi.

(Read over in Court in English and also interpreted to witness who says the statement is correct.

Sd. R. L. YORKE.

18-2-32.

D.W. 27.

P.C. Bose on S.A. 35, Jharia (witness for Ghose accused.)

I am Secretary of the Colliery Employees association, Jharia, since 1925. I have also been a member of the Executive Council of the All India Trade Union Congress since 1926. I was an adviser to the Workers' Delegation to Geneva and was elected for that purpose in the Cawnpore Session. The delegate was

Dewan Chaman Lal. There was another adviser Mr. Mahbubulhaq of Calcutta. I went to Geneva in 1928. I attended the British Commonwealth Labour Conference held in London in July 1928. I went as a delegate from the A.I.T.U.C. I did not attend the 1928 Session of the British Trade Union Congress.

I invited the A.I.T.U.C. on behalf of my association to hold their annual congress at Jharia in 1928. The invitation was given at the Cawnpore Session. The Jharia Session began on the 18th December 1928. It was originally announced for November 24th, 25th and 26th. It was changed to suit the convenience of delegates and enable them to go on from Jharia to the Indian National Congress Session at Calcutta. The letter P. 84 is signed by me. Mr. Johnstone mentioned in that letter first came to my office on the 25th November. I asked him if he had gone to the Bombay A.I.T.U.C. office. He told me he had not because he thought he was a day late already. By 'other comrades' in that letter I meant other friends in the Labour Movement. I had in mind other persons whom I knew such as Mrinal Kanti Bose, Daud and so on. By "other things" I must explain that Johnstone wanted me to write letters of introduction to National Congress leaders and also to suggest how he could see the Labour areas. I thought Ghosh accused would be the best man to help him in this matter as Secretary of the Bengal Trade Union Federation, so I wrote this letter. I remember the passing of a resolution at the Cawnpore Session boycotting the Simon Commission. In the Open Session of the Congress it was moved by Ghosh accused. It was seconded by Mr. Daud. I attended the Executive Council meeting of the A. I. T. U. C., at Delhi in February 1928. Mr. Andrews attended that meeting but did not preside at the Session of that year. I remember the appointment of a Committee at that meeting to inquire into the conditions of Labour Unions in Bengal. It was appointed because the General Secretary complained that a large number of Unions were not paying their affiliation fees. 2 committees were appointed one for Bengal and one for Punjab. Ghose accused as Secretary of the Bengal Provincial Committee said there was really a number of Unions which existed on paper only, and that an inquiry by the Executive Council was necessary. The Bengal Committee appointed consisted of Ghosh and Spratt accused. I dont remember who suggested Spratt's name. It was Mr. Joshi who suggested Ghosh's. Diwan Chaman Lal was present and took part in the discussion. I know Muzaffar Ahmad accused. I dont remember

if I saw him at Jharia. At Jharia Session Pt. Jawahar Lal Nehru was elected President for the coming year. So far as I remember Ghosh and Dewan Chaman Lal were canvassing for him at Jharia, and Chaman Lal proposed and Ghosh seconded his election. N. M. Joshi was elected General Secretary for 1929. 2 Assistant Secretaries were elected Mr. Bakhle and Dange. The latter was elected by a majority after contest. The other candidate was Joglekar. I cant say who proposed him. Some one suggested that Dange should continue in office and Joglekar perhaps said that Dange would not be in a position to accept. Bakhle then said he had had a talk with Dange and he (Dange) might accept the post. So Dange's name was proposed and he was elected. I voted for Dange. It was simply because he was doing well in the office. Bakhle has told me he was doing well.

Sd. R. L. YORKE.

18-2-32.

Continued on S. A. I remember a resolution being moved at the Open Session of the A. I. T. U. C., at Jharia about a Socialist Republic. It was moved by Dewan Chaman Lal and seconded by Ghosh, who made a short speech. I also remember his making an appeal on behalf of the Bauria workers in the Executive Council meeting. It was probably on the 3rd day of the Executive Committee Meeting. He made it after a lengthy resolution about a general one-day strike all over India had been passed drawing a contrast between that resolution and the subject on which he was appealing, that is the A. I. T. U. C., was passing high sounding resolutions while strikers were actually suffering and nothing being done for them. After that appeal a number of delegates offered monetary assistance then and there. It was suggested that the money be sent to the A. I. T. U. C. Ghosh suggested it. Ghosh was staying at Dhanbad with the Chairman of the Reception Committee G. N. Roy, Advocate of the Patna High Court. Mr. Ramanad Chattarjee, Mrinal Kanti Bose and Mrs Kamla Debi Chattopadhaya were also staying there. I remember the meeting of the Executive Council at Delhi being addressed by Messrs Purcell and Hallsworth. They addressed it twice. In P. 274 with reference to the statement that Messrs Purcell and Hallsworth offered valuable suggestions the first thing was that Mr. Purcell suggested organising the Railway workers and laid special emphasis on it. Asked why special emphasis was laid (witness having desired to give this in

answer to the previous question) said: he said that Railways were spread all over the country and successful organisation of the Railway workers would greatly influence other industrial workers as industrial centres are all situated close to Railway lines.

My Union sent a contribution to the Bauria Workers. I received a letter from Mr. N. M. Joshi relating to my appointment to a Committee to inquire into Jamshedpur conditions. I was however not able to go.

(No accused will examine the witness as his witness).

(No accused wishes to cross examine the witness).

XXN. By Crown Counsel. I dont know anything about who the husband of Mrs. Kamala Debi Chattopadhaya is.

Read and admitted correct.

Sd. R. L. YORKE.

19-2-32.

D.W. 28.

B. Kiran Shankar Roy on S.A. Ex-M.L.C. Calcutta, Barrister-at-Law. Witness for Banarjee.

I have been connected with the Indian National Congress since 1921, and have been a member of the Bengal P.C.C., since 1921. I was its Secretary off and on 5 times for nearly 4 years in all. I do not remember anything about a Labour Board of the 24 Parganas. I know one Mr. Satya Narain Chattarjee who was a member of the B.P.C.C. I do not remember if he had any connection with any Labour Board under the Congress. The B.P.C.C., had a Labour Board or Sub Committee elected almost every year. I cannot be quite definite without records but to the best of my recollection we had such a Labour Board in 1927 and 1928. I know Dr. K. L. Ganguli. I think one year he was the Secretary of the Labour Board. I know Mr. Lal Mohan Ghosh. He was either Secretary or a member for one year. Its function was to work in co-operation with such Labour people as

were willing to work in co-operation with the Congress, and to look after Labour interests. I know Shib Nath Banarjee accused for 4 or 5 years. He was working in the Labour area and was I believe connected with the Congress in Khulna. I am not quite sure but I believe he was a member of the Labour Sub-Committee. I remember the E. I. Railway Lillooah Strike in 1928 and was in Calcutta at the time. The Congress (B.P.C.C.) organised a relief Committee, for giving relief to the strikers. I cannot say the time of year when it was organised. I do not know who was President of that Committee. Hemant Kumar Bose was Secretary. The B.P.C.C., was approached by some people connected with the workers for help. I remember meeting Banarjee accused during the strike. I met him often. I think he came to me about supply of rice for the workers. He approached Mr. Subash Bose more than he did me. Subash Bose was President of the B.P.C.C., As far as I remember this was the first time that the B.P.C.C., organised relief work for workers on strike. The B.P.C.C., in cooperation with other bodies organised demonstrations in regard to the boycott of the Simon Commission in Calcutta. The B.P.C.C., must have written to those bodies to get their co-operation. That is the general method. I am thinking of a procession organised by the B.P.C.C. The labour people formed a part of that procession. The programme for that procession was laid down by the B.P.C.C. D. 42 (4) is a circular issued by me. Such circulars were issued to the District C.C's. and to such bodies as co-operated. I know Subash Bose's signature. That on D. 30 (16) looks like his signature. The B.P.C.C., issued circulars like this in connection with the Simon Commission Boycott. I was an officebearer of the Reception Committee of the Indian National Congress at Calcutta in 1928 and was Secretary of the Pandal Committee and the Finance Committee. I know the report D. 163. It was prepared by the Reception Committee. I did not take any actual part in its preparation. It is generally done by the General Secretary. I do not know who wrote the introduction.

I did all duties which fell on the Reception Committee inside the Pandal. I attended the Congress Open sessions mostly. Some 300 speeches were delivered and I do not remember them. I saw the report after it was printed. I do not remember how long that was after the Congress. I did not read the report. I do not read Hindi. I was generally in the Pandal during the session and was presumably there on the 30th December. A meeting of workers was held there that day. I remember receiving orders from the President Pt. Moti Lal Nehru through a volunteer to allow the

labour conference to be held in the Pandal. I accordingly allowed it. That Conference lasted a couple of hours. I have no idea if any time was given to me during which it was to be held. It was to be a short affair. I do not follow the question whether I had any difficulty in connection with this conference. It was held peacefully. I was inside the Pandal while it was being held. I think Pt. Jawahar Lal presided. He also made a speech. I do not remember if any other prominent person spoke. I think but am not quite sure that Pt. Moti Lal Nehru was there. He may have spoken.

I have seen a paper called Sramik, but do not know who is the Editor.

The B. P. C. C., did provide rice for the Lillooah strikers, worth about Rs 2000. I know Lal Mohan Ghosh's signature but do not recognise it in D 18 (1). D 88 (2) bears my signature. D 44 (9) is in Lal Mohan Ghosh's handwriting and bears his signature.

By Ghosh accused. Mr. H. K. Bose was Secretary also of the North Calcutta D.C.C. I know his signature. D. 21 and D. 16 (1) both bear his signature. D. 19 bears the signature of Subash Bose which I recognise. D. 11 bears a rubber stamp of my signature. I know Dr. K. L. Ganguli's signature. I believe the signature in D. 235 is his.

In connection with Simon Commission Boycott a large number of meetings were held under the auspices of the B.P.C.C. It is possible that some notices were issued over my signature. Ghosh accused was one of the usual speakers at such meetings but my recollection is somewhat vague. I do not remember a meeting held with J. M. Sen Gupta presiding under the auspices of the B.P.C.C., and the B.T.U.F., at Albert Hall, in connection with the Public Safety Bill and Trade Disputes Bill.

No accused wishes to examine this witness as his witness or to cross-examine him.

XXN. By Crown Counsel. I may have been outside the Pandal on 30-12-28 for a minute or two but generally I was inside. I cannot say what arrangements if any had been made for the Labour procession and Conference. The General Secretary of the Reception Committee would be able to say. This arrival of the workers in the Congress did I know create rather a sensation in Calcutta. I can tell the Court anything which happened outside the Pandal in connection with their arrival. I do not

remember the time fixed for the Congress sitting that day. It seldom sits punctually. The order I got was that the Labour people were to be admitted and the Congress would sit later. I heard there was a commotion outside prior to that. My reason for saying that Jawahar Lal presided over the Labour Conference is that he was on the Rostrum and was the first to speak. Birendra Nath Sen Gupta was Secretary of the Publicity Committee of the Reception Committee. I do not remember having seen the paragraphs P. 2616 (1) and (2) in Forward of 30-12-28. I did not read the papers next day. I generally read Forward. I did not hear what Jawahar Lal said. All the speeches were in Hindi and I was far away from the rostrum. I did not have any talk with Pt. Jawahar Lal afterwards about this procession and conference. Before the orders came I heard rumours for about half an hour but I did not actually hear any commotion myself. I knew by face most of the speakers in that conference. I do not remember whether Banarjee spoke, or Nimbkar, or Joglekar, or Thengde. I do not remember anything about banners. They might have had little red pieces of paper. I heard from Jawahar Lal Nehru that he had had a bad fall from his horse that day outside the Pandal.

REXXN. Nil.

Read and admitted correct.

Sd R. L. YORKE.

19-2-32.

Narain Malhar Joshi on S: A. Brahmin. Residence Bombay
witness for a number of accused

For Thengde, Banarjee and Desai.

I am a life member of the Servants of India Society. I have been a nominated member of the Legislative Assembly representing Labour since 1920. I have also represented India at several conferences of the International Labour Conference at Geneva. I was also a member of the Royal Commission known as the Whitley Commission. I was also a delegate to the Round Table Conference re-presenting Labour. I have been connected with the All India Trade Union Congress since it was started I think in 1920. I was General Secretary from 1924 up to 1929 end. I attended all the annual sessions of the A.I.T.U.C., in that period except the 2 sessions at Jharia. I am connected with various Trade Unions in Bombay and other parts of India. Up to March 1929 the A.I.T.U.C., made no distinction between Communists and Non-Communists so far as work was concerned. It did not pass any resolution excluding Communists from any of its affiliated bodies in that period. I dont think I discriminated between Communists and Non-Communists so far as Trade Union work was concerned. (Witness is asked if any question arose during the period in question, in the A.I.T.U.C., or any affiliated body, of excluding anyone from Trade Union work on the ground that he was a communist. Question is objected to as useless and irrelevant. It does not appear to me that the prosecution case has ever been so put and I therefore rule the question out.) Reports of the annual Congress of the A.I.T.U.C., are published by the A.I.T.U.C., office. D. 367, 368, 305 and 393 are such reports. I was the officer responsible for their publication. They are printed on the basis of notes taken down by the office-bearers or the staff. When necessary, I send the report or any portion of it to the Union or person concerned before publishing it, for the purpose of verification. D. 367, 368 and 383 are reports of sessions which I myself attended. I published them because I thought them to be correct. The accounts published in these reports are prepared by the Treasurer and passed by the Auditor and submitted to the Executive Council and also to the Open Congress. D. 771 is the report of the 1925 Bombay Congress which I attended and about it what I have said above is true. I got a letter at Delhi a couple of days ago asking me to produce the originals of some documents. I have not got any documents belonging to the T.U.C., in my possession. So

far as they are personal documents I dont preserve personal letters at all. D. 489 (26) is a document which I remember sending to members of the Executive Committee (Minutes of meeting of Executive Council dated 4-6-26), With reference to item 7, I remember that a Committee was appointed with Thengde as Convening Secretary to draft proposals for the formation of a Labour Party in India. I think I received some letters or circulars from Thengde as Secretary of that Committee. I have not got those circulars. D. 489 (25) is such a circular which I remember receiving (office copy from Thengde's file shown to witness.) D. 489 (24) is a document which I sent to Thengde accused. The original letter I had sent to the Govt. of India. (Note. Re-appointment of Giri as delegate at Geneva and Thengde and others as advisers). D. 489 (21) is the letter I sent to Thengde with the enclosed copy of resolution about the Negotiations Committee. It is signed by me. D. 489 (20) is also signed by and was sent by me with its enclosure. (Note. Re-appointment of Thengde as Administrative Secretary of the T.U.C.) D. 489 (19) dated 7-4-27 bears my signature. I sent it with the enclosed copies of cables. I must have sent those telegrams. So far as I remember the occasion was the appointment of a Unity Committee for bringing about unity between Amsterdam and Moscow. D. 489 [18] is an original copy sent to Thengde of a letter which I sent to Ginwala. D. 489 [17] shown to witness: I remember receiving a letter in these terms signed by Thengde. I can recognise L. Lajpat Rai's signature. I cant say if I can recognise his stamped signature. The stamped signature in D. 489 [16] looks like his signature. D. 489 [14] bears my signature: it and its 2 enclosures were sent by me. Enclosure No. 2 is a correct report of the proceedings of the Executive Council at Delhi in March 1927. I know of the Mechanical Engineers' Association. Thengde accused was connected with it. It was affiliated to the T.U.C., for some years. I believe that the Kirkee Arsenal Workmen's Union was affiliated to the T.U.C. D. 489 [13] bears my signature, and so does D. 489 [9] and 489 [8]. I received the originals of D. 489 [7] and [5a] and 2. D. 489 [6] bears my signature and so does 489 [1] which I sent.

I visited the Kirkee Arsenal Union twice or thrice but I cant say what the years were. I think Thengde accused went with me. Kirk I think went with me once. Thengde was connected with the Union.

The Bengal Juteworkers' Association was affiliated to the A. I. T. U. C. I cant say in what years, perhaps from 1925 or

even 1924. When anyone comes to the T. U. C., he generally brings a signed resolution or letter of credentials. I can't say exactly what is done with these but we generally take the letter. I think I must have received the news of the Lillooah strike from K. C. Mitra. I also received a telegram purporting to be from him, like that at page 3 column 1 of D 146 [10]. I tried to get an Adjournment Motion in the Assembly, and interviewed persons in authority. I corresponded with K. C. Mitra about the strike. I think the T. U. C., gave financial assistance to the strikers. The T. U. C., also secured money for them from Great Britain. I issued D 208 [14] to Ghosh accused and sent the original to K. C. Mitra.

I know of the Calcutta Tramwaymen's Union. It was affiliated to the T. U. C. I think the T. U. C. sent them a sum of Rs 80. D 29 (2) (3) (6) & (7) are bulletins of T. U. C., issued by me. The accounts in (6) and (7) were audited and passed by the E. C. D 61 (2) is a pamphlet written and published by me. D 62 is a true account of a speech delivered by me at Madras. D 96 was edited and issued under my instructions. D 145 (33) was written and published by me, also (34). D 207 (5) is a telegram I sent to Ghosh accused. D 272 and 273 are T. U. C., Bulletins issued under my instructions. I have received some letters from Rt. Hon. Tom Johnston and to that extent know his handwriting and signature. D 118 (1) is in his hand and bears his signature. D 686 is in Mr. C. F. Andrews' handwriting which I know and bears his signature. I don't think I can identify writing or signature of Mr. Lindsay Trade Commissioner or of Lord Ollivier. I have had some correspondence with Graham Pole and D 690 is in his hand. I know the handwriting and signature of Mr. Brailsford and can identify them in D 694 and 695. I know the writing of Mr. William Gillies Secretary of the International Dept. of the Labour Party and D 693 is his. There is nothing in the rules to prevent a man being a delegate of 2 Unions at the A. I. T. U. C., Session but he would not have 2 votes. In practice it is not done. I cannot recall a case of its being done.

I know accused M. G. Desai, and have known him many years. D 578 bears the signature of Mr. C. S. Deole of the Servants of India. I know his handwriting. I know Mr. Fenner Brockway of the Indian Labour Party. He visited Bombay in 1927 or 1928. I met him several times then. I saw Desai accused in connection with that visit. I met them together both in my office and at the Hotel Majestic where Fenner Brockway was staying. On that occasion Desai talked to me about his

desire to do some journalistic work. He asked me to help him in that work and to give him some work in that line. At end of 1928 and beginning of 1929 I was ill and confined to bed, and under medical advice not allowed to go out or to receive visitors. D 4E looks like the handwriting of Col. Wedgwood. D 4 is certainly his. I did appeal to some organisation in Russia for financial help during a strike in India. I have also received money from there for help of strikers in India.

By Mukherjee. In D 190 subnumbers 11, 32, 48, 49, 50, 53, 55, 59, 76, 84, 89, 106 & 108 bear my signature and were issued by me. In the same exhibit subnumbers 19, 21, 23, 35, 39, 42, 56 with 57 & 58, 62 with 63, 68, 87, 93 with 94 and 95, 96 & 97 are printed circulars issued by me, as General Secretary of the A. I. T. U. C. You can say I am a 2nd Internationalist. I dont say that the 2nd International is against a Socialist Republic. I have known Mukerjee accused many years I saw him at the Calcutta A. I. T. U. C., Conference in 1924, at Bombay 1925 Conference where Thengde presided, at Cawnpore in 1927. I have also often seen him at the Servants of India Society office at Bombay. The occasions on which I saw him were meetings either of the A. I. T. U. C., or its Executive Council. I knew Mukherjee as a Trade Unionist. It was probably I who proposed Mukherjee as a Vice-President at the Cawnpore Session. I generally proposed the Vice-Presidents.

By Ghosh accused. I took part in May Day celebrations in India. I did so at Bombay in 1927. D 281 (equals 190 (42)) and D 207 [7] were both issued by me in regard to May Day celebration of 1928. I think there was a notice issued also in 1927. I used often to receive F. F. T. U. Press reports in my office. I remember receiving those shown to me D 220 and D 254. I know the handwriting and signature of Mr. Ginwala. The letter shown to me D 772 bears his signature as also do D 208 [2] and (19.) I know Mr. K. C. Roy Chowdhri and his handwriting and signature : D 207 [8] bears his signature. D 208 [13] and [17] are my letters and bear my signature. I used to send to Ghosh accused during the Lillooah strike copies of the letters which I wrote to Mr. K. C. Mitra because he was the Secretary of the B. T. U. F. I remember writing to K. C. Mitra a letter of which D 208 [16] which I sent to Ghosh is a copy. The fact that this copy is addressed to Mr. Giri is probably due to a mistake in my office which sent his copy to Ghosh and Ghosh's copy to Giri. I had asked the British T. U. C., for money for the Juteworkers. It might be in February 1929 or about that time. I had asked Ghosh accused for information what the situation was in order

that I might be able to make that request. He sent me a report. On that report I made my request and some money came. (Court refuses accused to put his 2 office copies D 285 (1) and (2) to witness as no notice has been served on the person in whose possession these documents should be). D 208 (6) an appeal on behalf of the Bauria strikers was issued by Bakhale Asst. Secretary under my instructions. The facts contained therein were obtained from Ghosh's reports and letters. I know Bakhale's signature and recognise it on D 208 (11). He and I live together. I saw the report referred to there. The action I took on receipt of the report was taken immediately and not after delay. Letters D 208 subnumbers 4, 5, 12, 13, 15, 17, 18, 20, 22, 25, 26, 27, and D 209 (1) all bear my signature. I know the handwriting of Mr. G. Sethi. D 234 bears his signature. D 208 (21) was issued by me. I have received many letters signed Jos Sassenbach. D 165 [2] I recognise as his signature. I know him personally. I know Mr. Citrine personally and his writing. D 165 (1) bears his signature stamped. I know Mr. D Hallsworth's writing and signature, and recognise them in D 166 on the first page. I recognise Sassenbach's signature in D 236. Seeing D 208 (12); I must have suggested Ghosh's name for this Committee. I think Daud was a member of that Sub-Committee, and G. Sethi. I must have suggested both of them. I think it might be Chaman Lal who originally drafted that Resolution at Cawnpore.

Sd. R. L. YORKE.

20-2-32.

Continued on S.A. D. 145 [24] bears my signature. A copy of the resolution was attached to that letter. It is correct. D. 145 [22] was issued on my authority with the 2 enclosures attached. I do not think the Sub-Committee ever met. I think I received a Draft Constitution prepared by Spratt accused as convener of the Sub-Committee. P. 78 is that Constitution. I dont think I expressed any views on the draft. If I did not express my views no one could say I approved of it. D. 145 (23) bears my signature. The P.S. was written by my clerk at my dictation. The enclosure attached was also sent by me. D. 145 (25) bears my signature. The resolution referred to was I think passed at Delhi at the Executive Committee Meeting on 26-2-28.

D. 146 (29) bears my signature. I think the Council of Action resolution referred to was put from the Chair. I was consulted by the mover as to the personnel. I myself suggested the names of Kishori Lal Ghosh, Daud, Giri, Bakhale and others.

I was a member of the editorial board of the A.I.T.U. Bulletin. I must have verified the portion in D. 274 which relates to the minutes of the Cawnpore E.C. meeting. I think the account of the proceedings in regard to the Council of Action is correct. There is another portion relating to the making of appeals by affiliated unions to the international movement only through the A.I.T.U.C. I found that also correct. I know Mr. A. N. Bose. He is Assistant Secretary of the All India Railway Federation. I may know his handwriting and signature. D. 226 is signed by him. D. 207 [10] is signed by P. Ramchandra Rao whose signature I know. He is Secretary of the Bengal Nagpur Railway Indian Labour Union. I think Pt. Jawahar Lal Nehru was present at that Delhi E.C. Meeting. I dont think he was connected with any affiliated organisation at that time. He may have represented the Indian National Congress. I remember that at that E.C. Meeting 2 Committees were appointed to inquire into the condition of Unions in Punjab and Bengal. For Bengal Ghosh and Spratt were the members. I dont know who suggested Spratt's name but it was not I. I suggested Ghosh's name I think. I think I paid Spratt Rs. 100 in connection with his travelling expenses for this inquiry. D. 190 [57] was issued by me. At the meeting certain sums were sanctioned for organisation work. A report was received from the B.T.U.F., in that connection. I think a sum was granted to the B.T.U.F., for the purpose. It was on the basis of the report. I stayed at Calcutta with a friend at the time of the E.C. of the A.I.T.U.C., in December 1926. Ghosh and M. K. Bose and K. C. Roy Chowdhri and Daud came and others to see me there the day before the meeting. There was a reference made to a Mr. Donald Campbell by one of these gentlemen, with reference to the dispute, in the federation. Ghosh said he (Campbell) was making efforts to make a settlement. I think a final result was communicated to me then by Ghosh namely that there was no settlement. I met Donald Campbell at the E.C. meeting next day. He attended on behalf of the E.B. Railway Union. That E.C. Meeting settled a dispute in the India Seamen's Union. It was between Daud on one side and Aftab Ali on the other. Ghosh and K. C. Roy Chaudhri and M. K. Bose and others supported Daud, whose side's claim was upheld by the Council. I think it was after the dispute was settled that the B.T.U.F., of which Ghosh was secretary was recognised by the A.I.T.U.C. I first met Spratt some time before the Cawnpore Trade Union Congress. I dont remember the year. I was a member of a Committee set up to arrange for the defence of Spratt, at Bombay. We issued an appeal for funds. I sent copies to all people. I must have sent one to Ghosh. I think Spratt came

to me first with an introduction from the Labour Research Department. D. 209 (3) is the resolution referred to by me in D. 208 (4). I recognise the signature of Jawahar Lal Nehru in D. 209 [2] I received a letter in reply to my letters to Ghosh about Jamshedpur. I received a copy of P. 36. I dont object to anything in this letter. I use the terms solidarity, and class consciousness. I also use the slogan, Workers of the world unite.

I visited Jamshedpur in the middle of July 1928, and met Ghosh accused there. He wanted me to go to Bauria but I could not do so. Ghosh accused sent me a cutting from the Forward of 7th March 1929. I remember that I received the letter of which D. 251 is a copy. I have not got the original any longer. (Accused tenders D. 775 a copy of the Forward of 7-3-29). I recognise the signature of R. R. Bakhale in D. 208 (23). D. 238, 239 and 240 are circulars issued by me. The A. I. T. U. C. Circular in D. 208 (28) was issued by me. In D. 282 I recognise the signature of Naidu of Jamshedpur. I recognise the handwriting from Dear Mr. Campbell Forrester to K. C. Roy Chowdhri on back of D. 283 as that of K. C. Roy Chowdhri. I received a letter of which D. 285 (1) is a copy from K. L. Ghosh. I received it in my capacity as Secretary A. I. T. U. C., and the original was filed by me in my A. I. T. U. C. records. The pamphlet shown to me was written by me, and published recently. (Ordered that it be struck off.) D. 61 (1) is the Constitution of the B. T. U. F. D. 289 is the delivery copy of a telegram which I sent to Ghosh accused. D. 285 (2) is a report of which I received a copy from Ghosh accused. D. 218 is a draft of a letter of which I received a copy.

I believe Kadam accused wrote me a letter before the Cawnpore T. U. Congress. I met him at the Congress. I dont remember what we talked about except that I think he wanted to organise labour. He was connected with the G. I. P. people.

No accused wishes to examine Mr. Joshi as his witness.

No accused wishes to cross examine Mr. Joshi.

XXN. By Crown Counsel. I think I was a delegate of a Union before I became General Secretary. That was prior to 1924 or 1925. I cant say exactly which Union I represented. It was probably some Union in Bombay. I remember a Mr. Gladding at the 1925 Bombay A.I.T.U.C., Conference session. I dont know when he left India. I dont say a man cant be a delegate for 2 Unions but it is not necessary. I dont remember Mr. Gladding's face. I cant say who the man is sitting as No. 3

from the left of the photograph in D. 623. This photograph shows a large number of delegates to the A.I.T.U.C., but some may be visitors. I say a man cannot vote for 2 Unions. I dont know definitely whether there is a rule to that effect but I think it is not done. Voting on resolutions is generally done by show of hands in the first instance. If a division is claimed voting is done by Unions who are entitled to votes in proportion to their numbers. In that case they are entitled to count those votes whether they have one 2 or 3 delegates present, or more. If on a division 2 Unions are represented by the same man one of those 2 Unions will have to go without its vote being recorded. The reason is that we did not allow it to be done. I cant say whether it has ever occurred. I would not have allowed it because I would have considered it to be wrong. (Objection by Dange overruled.) The reason of considering it to be wrong is that we would not get the benefit of several minds sitting together and discussing. If the rules allow it the position would become so bad that a change in them would be necessary. D. 305 Appendix page 67 following shown to witness. If a man seeks to represent 2 Unions on a division there is no definite rule preventing it, then said, preventing his attempting to do it. I think it is correct to say that I think if it were to happen it would be a bad thing and it would be better to prevent it. We expect delegates to bring with them letters as credentials, that is letters signed by the President or Secretary of their Union. I dont know whether there is any rule about it. The only rule on the point is rule 10 in the Constitution which requires affiliated Unions to send names of delegates a fortnight before the date fixed for the Congress. I was at the Delhi Congress in March 1927. I dont remember how the credentials were gone into at the Delhi Congress. As regards the remark in P. 1828 to the effect that there was no Reception Committee which usually acts as a credentials Committee that is not correct inasmuch as I was myself the Reception Committee. As to the statement that there is no record of the number of delegates or of those represented I am not prepared to say either that it is correct or that is not correct. I dont remember whether there was trouble about the credentials at that Congress. I have a faint memory but I dont really remember if anything occurred.

I think Mukerjee's Union had suggested that he should get some office in the A. I. T. U. C. It might have been partly responsible for my nominating him. D. 190 (89), (88), (84), (83), (82), shown to witness. I am prepared to admit that this correspondence was a reminder that I should consider Mukerjee's claims.

I cant say when I first met Desai accused. I have not had

very much to do with him. I did not see much of his journalistic work. I dont think he wrote to me about it, or saw me particularly about it. I think I only met him in the streets but I dont think there was really any special talk between us. I dont think we have met much socially but I have known him. P. 526 (4) : I cant say if this is his signature. I dont know his writing at all.

In saying that I did not discriminate between Communists and Non-Communists in T. U., work I meant in my capacity as General Secretary of the A.I.T.U.C. Referring to D. 274 and the list of those present at the E. C. meeting at Delhi it is possible that accused Spratt was there though perhaps not representing any Union.

REXXN. For Desai, etc. I dont find anything in the rules definitely permitting a delegate to present the votes of more than one Union on a division. Had an instance arisen of a delegate trying to give the votes of more than one Union I should as General Secretary have taken steps to prevent it. The object of letters of credentials is simply to enable the delegate to be identified, that is why we require them. The fortnight limit prescribed in rule 10 is not always observed. In my experience it has often not been observed and the delegates have brought the letters with them showing that they have been appointed delegates.

Read and admitted correct.

Sd. R. L. YORKE.

27-2-32.

D W. 30.

B. Kanhaiya Lal on S. A. Witness for Mukherjee accused, Service, Residence Gorakhpur, Jafra Bazar. (Deposes in Urdu).

D 193 (3) and (4) are all in my handwriting and they and (6) are signed by me as Secretary on behalf of the President of the Divisional Kisan Mazdur Sabha, Gorakhpur. D 193 (5) was received by me in the ordinary course of my work as Secretary. The file containing these and other papers was maintained by me. The file D 195 was also maintained by me and it was I who

received and filed the letters in it. The file D 194 was also maintained by me as in my capacity of Secretary Kisan Mazdur Sabha.

Before I worked in the Kisan Sabha office I was employed in the B. N. W. Railway Audit Office, as proof reader. I am now working in the Dinapur Press at Gorakhpur. I worked in the Kisan Sabha from 1925 to March 1929. D 773 (1) to (7) are documents printed and published under the auspices of the Kisan Sabha and drafted either by me or by Mukherjee accused. They were printed under Mukherjee accused's orders and the proofs corrected by him. Notices used to be distributed 2 weeks in advance for all meetings held by the Sabha. The Kisan Sabha work and the Congress work used to be done together. D 196 is the latest rules of the Sabha. There was no office of the Workers' and Peasants' Party in Gorakhpur. I do not know of any meeting held at Gorakhpur in 1929 or any other time described as Lenin Day meeting. I am a Congressman. I recognise D 197. I sent a copy of it for publication and it was published in 1926 or 1927 in a newspaper. The same is the case with D 198 (7).

No accused will examine this witness as his witness or cross examine him.

XXN. Nil.

Sd. R. L. YORKE.

23-2-32.

By Crown by permission. In 1929 I was not doing any work except that of Secretary of the Union. I used always to go to meetings of the Congress or Kisan Sabha. I attended all their meetings without exception. No record was kept in the office of my doing so. There is not in my office any list of meetings held. My office and the Congress office were in the same room. The Congress Secretary was someone else. It was not the practice for him to see my papers and I his.

REXXN. Nil.

Sd. R. L. YORKE.

23-2-32.

D.W. 31.

Dr. D. R. Dhar, on S.A. Witness for Banarjee. Residence Calcutta.

I am M.B. Calcutta, D.T.M., of School of Tropical Medicine Calcutta and M.R.C.P., of London. I worked in many hospitals in London, and also in Berlin. I returned to India by the end of 1927 (in reading over says: the middle of 1927), and worked for 2 years as a Professor of Infectious diseases in the Carmichel Medical College. I have been practising as a Consulting Physician since my return. I was in London in 1924 and 1925. I know Shib Nath Banarjee accused. I met him in London by the end of 1924, at 21 Cromwell Road at the Government Hostel for Indian students, where he was residing. He told me he was stranded and asked me if I could help him with money to return to India. I raised some money amongst our friends for him. He subsequently came and told me he had received some help from the High Commissioner's office so at his request I gave it back to the donors. He on that occasion showed me some correspondence which he was carrying on with the High Commissioner's office. I think Banarjee accused returned to India by the beginning of 1925 or end of 1924. I knew Mr. Lindsay Indian Trade Commissioner and know his handwriting. He used often to come to the Cromwell Road hostel where he had some official position. I often met Mr. Lindsay during the time Banarjee accused was there. I know there was correspondence going on between Banarjee and Lindsay. I know that Mr. Lindsay helped Banarjee accused. Mr. Lindsay told me so himself, (i.e., his knowledge is hearsay). I recognise Mr. Lindsay's signature on D. 691 and 692 and his writing and signature in D. 694.

(No other accused will examine the witness as his witness).

XXN. No accused wishes to cross examine.

By Crown Counsel. I knew Mr. Lindsay for about a year. I first met him in October 1924 in Cromwell Road. I met him there once a week or fortnight after that. I have not had any correspondence with him. I have seen notices issued by him about socials and debates. I have never seen him writing. My knowledge of his signature is based on notices which purported to be signed by him and that is all. I first met Banarjee when we were in the same school in Jessore in 1908. I am aged 33.

He was senior to me in the school. We were together for 3 or 4 years at school. Then I lost sight of him. I saw him once or twice in Calcutta casually in the streets before I went to England. It might be in 1917 or 1918. The next time was in 1924 in Cromwell Road. I asked him where he had been since I last saw him. He said he had just come from Russia. I have not been to Russia. He did not tell me what he had been doing there and I did not ask him. All I knew was that he wanted to get back to India. I met other Indians in Berlin. My brother was there from the Indian Educational Service on study leave. I met others too, a Dr. Gangoli who was a special friend of mine. I did not meet S. N. Tagore in Berlin. I was in Paris on my way back to India when I heard he was coming. I did not hear it from him. It was in July 1927 not the end of it. I think he came to Berlin later. I did not meet any of his friends in Germany. I do not know V. N. Chattopadhaya. I know Mrs. Sarojine Naidu but none of her family.

REXXN. Nil.

Read and admitted correct.

Sd R. L. YORKE.

23-2-32.

D.W. 32.

Mr. N. C. Kelkar on S. A. Residence Poona, Journalist Witness for Thengde accused.

I was a member of the Legislative Assembly for some 6 or 7 years, and have been a Journalist for some 35 years. I have been connected with 2 newspapers the English paper called Maratha and the vernacular Kesari. I have been connected with the Indian National Congress since 1897. For 2 or 3 years till about 1923 or 1924 I was a member of the Working Committee. I did not again offer myself for election owing to difference of opinion, about Council entry etc. After that I established the Responsive Co-operation Party, and was its leader. I was associated with Mr. Tilak for a long time and belonged to his party. Our creed is to seek to reconcile the interests of capitalists and labourers and landlords and tenants. That is the creed of the

Tilak party and the Responsive Co-operation Party. I know D. R. Thengde accused of this case and have known him for the last 20 or 25 years. He was one of the prominent members of Tilak's Nationalist Party at Nagpur. Dr. Moonje and Mr. Ogle are others. Thengde has I think continued to be a member of that party all along until he came to Poona. I met him occasionally at Poona. He used to come to me as a friend and a party man. He was also I think a member of the Responsivist Party. He has all along been holding our views, up to the time of his arrest. I know the Fabian Society. Thengde has been a member of that society and a student of its literature, which he used to receive. I also am a member of that society. It was he who introduced me to it and signed my introduction form. I think he took interest in Trade Unions. He used to discuss things with me, trade union matters. I know there was such a thing as a Kirkee Arsenal Trade Union. I remember to have attended a meeting at Kirkee but not any meeting of the Union. Shown D. 767 (5): I do not remember seeing this document but I probably attended such a meeting as is described in it. The cutting shown to me (D. 774) appears to be a cutting from the Kesari. I was then the editor of the Kesari and must have read this report of the proceedings so far as it goes and my speech, within 3 days. I think I found it correct. I know the 3 gentlemen named in D. 767 (1). Paranjpe is a journalist with his own paper, Gokhale was an assistant on my staff and Vaze a member of the Servants of India Society of Poona. I attended an annual conference at Poona of the Postal and R.M.S. Unions probably in 1928. I cannot remember the fact but Thengde must have attended it. At several public meetings in 1928 and 1929 at which I was presiding or speaking Thengde accused was also one of the speakers. At most public meetings police and government reporters are present and also of course press reporters.

By Ghosh accused. I know Mr. G. S. Khaparde, and his handwriting. D. 165 (5) is in his hand and bears his signature.

No accused wishes to examine this witness as his witness or cross examine him.

XXN. By Crown Counsel. I have been in Nagpur several times. It was there I first met Thengde. He came to Poona some 5 or 7 years ago. I did not know he was a member of the Workers' and Peasants' Party. I had heard of the existence of that party in Bombay. I had no knowledge whether Thengde had any connection with it. I had heard of the existence of the W.P.P., through the newspapers. I had not I think seen their

paper the Kranti. I was editor of Kesari in 1908 to 1909 and then again from 1910 to 1928, January. I took it up again in the beginning of 1929 after a year's leave spent in India. I do not remember whether the Kranti was advertised in the Kesari. It may have been. It might have been advertised there without my being aware of it. The policy of the W. P. P., may have been commented upon in the Kesari but not I think by me personally. At this moment I am not aware of any comments in the Kesari on the W. P. P., policy. I cannot say if Thengde ever wrote to the Kesari. He might have contributed to the Kesari on a subject he knew, about the Trade Unions or something of that kind. It is correct that what I have said about Thengde's views was expressed in ignorance of the fact that he was a member and President of the W.P.P. I know nothing intimately of the policy of the W.P.P. I know that they stand for asserting their rights as workers and peasants as against their masters either landlords or capitalists as the case may be. That is generally all I know. I do not remember offhand anything which appeared in the Kesari that rather perturbed Thengde or about which he came to speak to me. I do not know Thengde's signature. P 820 shown to witness. I know Joglekar accused. The mention in it of editorial note No. 6 in the Kesari of 24th April 1928 does not remind me of anything. I do not remember that he had any grievance against the Kesari such as is suggested there. I know Dange accused and have seen him but very rarely in Poona. He addressed a meeting at which I was I think President. I have also seen him rarely in Bombay. Nor do I remember anything about the incident mentioned in P 819 about the Kesari. I know Dattaram and Co., who are one of our Bombay advertising agents. I am not prepared to deny that the Kranti was advertised in the Kesari (witness was shown P 1348 (10a) and (10b). I began to subscribe to the Fabian Society about 4 or 5 years ago. I know accused Spratt and Bradley by name but not as members of the W.P.P. I never knew whether they were members of it (W.P.P.) by personal knowledge. I am not prepared to connect Dange or Joglekar with that party. I did connect Spratt and Bradley with it. I do not remember making up a little poem about them. I do remember making it now, after it was read out from Legislative Council reports.

REXXN. Nothing that has been shown to me in cross examination alters my statement about Thengde's views. [There is not apparently anything shown]. My statement about his views is based on personal conversation with him. [Ghosh asks for permission to ask further questions which he says arise out

of the Cross-examination. He has evidently no such right and has exercised his right of examining the witness already. Permission is not granted].

Read and admitted correct.

Sd. R. L. YORKE.

26-2-32.

D.W. 33.

Mr. D. Chaman Lal, on S.A. Barrister-at-Law. I have been connected with the A.I.T.U.C., since its inception in 1920. I was its founder and General Secretary for 3 years from 1920 to 1923. I attended the International Labour Conference at Geneva as adviser to the Indian Delegate in 1925 and as Delegate in 1928. I was present at the Labour and Socialist International Conference in I think July 1928, or it might have been August. I have seen volumes similar to D. 776 and 777 as reports of that Conference. [tendered as authoritative expositions of the current of thought of the 2nd International].

I was present at the Lahore Session of the A.I.T.U.C., presided over by Mr. C. R. Das in 1923. I cannot possibly say what was the central idea of his speech. (Ghosh seeks to elicit Mr. Das, ideas as to the future constitution of India. Ruled out as too far removed, from the matter in issue). I was not a member of the Independence League.

I was present at the A.I.T.U.C. Executive Council meeting held early in 1928 at Delhi in the Assembly Committee room. I remember 2 Committees being appointed to look into the condition of Unions in Bengal and Punjab. For Bengal I think Spratt was one of them. I think that must have been my suggestion. I first saw D. 393 a year or a year and a half after I delivered my Presidential address. I recognise the signature in D. 208 (1) as that of Mr. N. M. Joshi. I know of a News Service called the Orient Press Service in London. I know a Mr. Pulin Seal. He was running that service. The resolution passed at the Cawnpore A.I.T.U.C., regarding the Boycott of the Simon Commission as passed was I think my draft.

For Desai and Banarjee accused (by Mr. Sinha). In D. 691

and 692 I recognise the signature of Mr. Lindsay Indian Trade Commissioner and in D. 690 his writing and signature. I know him very well. I know his writing as I have often had correspondence with him. In D. 778 I recognise the signature of Sadanand Proprietor of the Free Press. He has written to me off and on during the last few years and I have written to him. About D. 689 I can only say that I think it bears the signature of Lord Olivier but I have only had a few letters from him in reply to letters written by me.

By Mukerjee. Accused wishes to put P 1414B to witness and examine him as an expert to give an opinion whether this programme is in accordance with the creed of the 2nd International. I do not accept him as an expert on the evidence already given by him.

By Gauri Shankar accused. I appeared as Counsel in the Sessions Court in appeal on behalf of persons convicted in the Garhmuktesar Riot case in 1928. It was Gauri Shankar accused who engaged me.

No other accused wishes to examine witness as his witness.

XXN. No accused wishes to cross-examine the witness.

By Crown Counsel. D 190 (95) shown to witness. I remember very well receiving this circular because it was a matter I had dealt with myself previously in London. In July 1927 I was at Lahore and Spratt accused was I think staying with me. I do not actually recall a discussion with him on this subject but we discussed many matters and I might have discussed this with him. Some time that Summer I went to Peshawar to defend one Fazl Elahi. I did not charge fees for that but I got my expenses. I went to England in 1925. I do not think I met Desai accused in 1925 but I think I did so in 1926 when I was in England for about 3 weeks. He came to me as a correspondent of the Bombay Chronicle. Added: it might quite easily have been 1925. I know Arthur Field. Witness asked about East West Conference in 1925, and shown P. 1843C: I do not remember actually signing such an invitation but I remember being consulted about it and asked to support it. I do not remember what happened about it finally.

I know Shapurji Saklatwala very well. I do not remember his trying in 1925 to arrange for me to go to Russia. I and Messrs Goswami and Joshi wanted to visit Russia in 1925 and it

is possible that we may have spoken to Saklatwala about it. I do not know anything about any arrangements being made or not.

I do not know anything about Evelyn Roy except that in Paris in 1925 on my way back from Geneva I was told by someone, that a lady called Evelyn Roy was waiting downstairs and would I like to meet her. I said I had no intention of meeting her or Mr. M. N. Roy. (Dange objects to this as hearsay. No hearsay evidence is contained in this statement. Objection overruled). It was not Mr. Joshi to whom I referred as the person who told me. He was with me in Geneva but not with me in Paris. We met again in London.

(Witness shown P. 2375). Volunteers. I wish to say that I took Spratt accused with me to Peshawar in order that he should take notes of the case and for no other purpose.

REXXN. Nil.

Sd. R. L. YORKE.

29-2-32.

D.W. 34.

— S. Sadanand. on S. A. Brahman. Residence Bombay. I am Managing Editor of the Free Press of India News Agency. I am also Editor of the Daily paper called the Free Press Journal. I have known Desai accused since some time in 1928 soon after his return from England. When I first knew him he was employed in the Bombay Chronicle. I think some member of my staff introduced him to me. I knew Desai's paper called the Spark. I first heard of it in the latter half of 1928, some time before it was started. If I remember correctly Desai was then on the Herald staff. There was some trouble on the Herald and after that I remember there was some discussion between me and Desai and some friends in my office about starting the Spark. He asked me advice on the business and financial aspect of the paper. My recollection is that I was in favour of his starting the paper and gave the advice that if it was economically run it ought in due time to pay its own way. I dont

remember anything more then. I think we sent out a small news paragraph that a paper entitled Spark would appear shortly. I forget the exact terms. The file of that period does not now exist. I also remember sending out as a news paragraph an extract from the 1st editorial of the Spark stating its aims. I gave my new service to Desai. The arrangement was that the service should be given free for some time and after that at concession rates. It was only to be given for the night preceding publication. The service was given free after the first issue appeared. I was a regular reader of the Spark. It is my impression that I gave the service free for a number of weeks but I cant say if it was for the whole life of the Spark. D. 778 is a letter from me to Desai and bears my signature. D. 780 bears the signature of Mr. B.G. Horniman which I recognise. I have often received articles in manuscripts in his hand and exchanged correspondence with him. The Indian National Herald continued to appear till the 1st week of April 1929. I dont remember circulating through my news agency a statement of Mr. Saklatwala's views about Mahatma Gandhi, without seeing the statement. I do not possess files of the year 1929. I cant remember if the para 'What Sak thinks' in Spark No. 6 page 1 was issued from my Agency. I remember some opinions of Saklatwala on Gandhi's arrest in connection with bonfire at Calcutta were wired but I cant say if this was that paragraph. I have no files of the messages sent by my agency at the time of the Communal riots in Bombay in 1929. I was at the time in charge of messages on that subject sent from my office. I remember distinctly sending the first message quoted on page 1678 of Desai's statement shown to me and can say that messages similar to the 2nd and third were also issued.

By Ghosh accused. I have known Ghosh accused for 7 years. I think I met him at Calcutta in his capacity of Assistant Editor of the Amrita Bazar Patrika. I know of Miss Agnes Smedley by correspondence only. She was the correspondent of the Free Press Agency for some time. I had read her articles in the Modern Review, Forward and another paper before I appointed her as correspondent. I had also recommendations of her from Jawahar Lal Nehru, and others. I remember discussions with Ghosh at Calcutta about the establishment of an Eastern News Service for news from China and Japan. Ghosh was representing the Indian Journalists' Association. I was at Delhi in February 1928. I know Mr. N. C. Chandra an M.L.A. at that time. I think I met Ghosh at his house in Delhi then. More discussion about this News Service took place then.

No other accused examines Mr. Sadanand as his witness.

No accused wishes to cross-examine the witness.

XXN. By Crown Counsel. I dont remember anyone called Nambiar who had an agreement with the Free Press Agency unless I have more particulars. Nambiar is a common name. I know of Mr. A.C.N. Nambiar of Berlin. (Note: in reading over witness says it should be A.C. Nambiar and not A.C.N. Nambiar). My impression is there was correspondence with him about his being correspondent for the Free Press but that it came to nothing. I conducted the correspondence. (Item No. 120 in searchlist P 1240 is shown to the witness). I dont remember the address of Nambiar in no. 21 in that notebook but the name and initials A. C. Nambiar are correct. No. 38 gives correctly the name and address of my London correspondent referred to in D 778. I dont know whether these names and addresses are in Desai's writing. I dont know Desai's writing. I cant say definitely that I have never received a letter from Desai. I dont even know his signature. I dont remember ever to have written to him, or to have ever seen any of his manuscripts. I cant remember the details of the conversation about the financial prospects of the Spark. I have heard of No. 19 in this same notebook Singaravelu Chetty but not of no. 20 (Krishnaswamy Iyengar) or his address. I cant say whose is the other handwriting in this note-book referring to subscribers nos. 41 to 47. (Mr. Sinha objects that the note-book which is marked P 2617 is not properly proved. Crown Counsel will argue that it is from Desai's search and in his hand. Noted). I know one Mr. Dhairyawan of the Bombay Chronicle but don't know his initials or address. Witness is shown P870. I cant identify the pencil writing in this, as my impression is that Nambiar's letters were generally typed and only signed. I think they were seized when the Free Press office was searched on 20-3-29.

From 1923 I am associated with the Free Press. Before that I was with the Associated Press in 1919 and 1920. In 1921 I was Manager of the Independent at Allahabad, and in 1922 doing some other work, and in 1923, I was Editor of the Rangoon Mail. I was convicted under section 124A in Rangoon and sentenced to 2 years R. I., but sentence was suspended after some 4 months on an expression of regret by me.

Copies of news messages which are broadcast are usually kept for about a year or in some cases 18 months and then destroyed. I received no payment in respect of the 2 messages relating to the Spark.

REXXN. For Desai. We are usually paid by the Newspapers who receive news messages and not by the persons mentioned in those messages. Such messages are sent according to their public interest.

Read and admitted correct,

Sd R. L. YORKE.

9-3-32.

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D. W. 35.

Mr. R. R. Bakhale on S.A. For Banerji and Desai.

I am one of the 3 Labour members of the Bombay Legislative Council. I am now the representative of Labour on the Indian Franchise Committee. I have been connected with the A.I.T.U.C. from 1925 to 1929. I was Assistant Secretary all that time. Most of that time Mr. N. M. Joshi was General Secretary. I was also working with him in some of the Trade Unions in Bombay. I attended most of the Sessions of the T.U.C. between those dates. I attended the Jharia Congress in 1928. Mr. Joshi was not present at that congress. I acted as the Secretary there. For most of the proceedings it was I who took down notes. D. 305 the official report was printed by me as keeper of the Press. It was also prepared by me. I think it is a correct report of the proceedings. Generally I issued the delegation cards for the Jharia Congress. With a view to issuing these cards I used to obtain from the Unions concerned letters of authorisation containing the names of the delegates they had appointed. These letters used to come by post or if it was too late were handed to me by an official of the Union concerned at the Congress itself. I used to keep these letters in my file and issue the delegate's tickets. After the session was over the file used to be taken to the Bombay office. I think that representatives of the East Indian Ry. Union attended the Jharia congress. There was a contest that year for the post of President between Mr. Jawahar Lal Nehru and so far as I remember Mr. D. B. Kulkarni. I opposed Mr. Nehru and I cant say whether I supported or opposed Mr. Kulkarni. If I remember aright I think the E. I. Ry. Union representative voted in favour of Pt. Jawahar Lal. The message from Mr. Andrews which appears on page 54 to 58 was either given to me by him in England or sent by him to me.

I was in Bombay in January 1929. I know Desai accused.

I remember to have met Desai once probably in January 1929. I think he came to me and asked me to give him the names of foreign labour periodicals as he wanted them for his own use as he was editing a paper at that time. I know a Mr. Gokhale who was Mr. N. M. Joshi's Secretary then. I think Desai asked me to contribute an article or two periodically to his paper and I replied that I was busy at that time but I would try.

By Ghosh. I attended the 3rd Congress of the Labour

and Socialist International at Brussels in August 1928. I think Mr. Chaman Lal was also there with me representing the A.I.T.U.C. D. 776 and 777 are the reports of that congress. The first time I saw these reports was some time early in 1929. I sent those reports to Ghosh accused. I also attended the 60th Session of the British T.U.C. at Swansea in 1928 as Fraternal delegate of the A.I.T.U.C. I spoke there. I sent the report of that congress to Ghosh accused. I dont remember if there was another Assistant Secretary at the Jharia Congress besides myself. There was another Assistant Secretary elected at Jharia along with me, namely Dange accused. The election was contested. The contest was between Dange and Joglekar. I remember to have had some conversations with Mr. P.C. Bose and Ghosh accused about that election. I think I told Bose and Ghosh that we should support Dange because I had had talk with Dange before leaving Bombay and he had agreed to act if he were elected. I also gave the reason that Mr. Joshi and I had pulled on very well with Dange as Assistant Secretary. I also made a public statement in the Executive Council to the effect that Dange had stated his willingness to act. It is a fact that Dange was entrusted by Mr. Joshi with the task of preparing a revised edition of the Trade Union Directory. I think he also paid Mr. Dange some money in advance from the T.U.C. funds for that work.

I was in Calcutta in the first week of January 1929. I then remember calling on Ghosh at his house with Mr. Shiva Rao. I think Mrinal Kanti Bose was with Ghosh at the time of the call. We had some talk on the Jharia T.U.C. Congress and the future of the T.U.C. It was general talk in regard to what took place there. I cant recollect anything particular about what Ghosh said. I think I remember Ghosh showing me a newspaper article. I think it related generally to what took place at Jharia and the meeting. I dont remember by whom that article was written. We did discuss the steps to be taken for the future. I think some reference to the organisation of Trade Union groups was discussed but I forget the details. I think the suggestion was made by Ghosh accused. I agreed with Ghosh in regard to his suggestion.

D. 208 (7) and (8) telegrams were both sent by me.

I was in editorial charge of the A.I. Trade Union Bulletin. D. 208 (6) was issued by me. I received the appeal from Pt. J.L. Nehru which is part of it. D. 208 (11) was written by me. There is a reference to a report about Bauria which was received from Ghosh. D. 285 (2) is that report. I was an editor of the T.U. Bulletin from 1924 to 1928 except for the period I was in

Europe in 1928. All those issued while I was editor will bear my name on them. D. 208 (23) bears my signature. I think 12 Dalhousie Square Calcutta was the office of Mr. Mukund Lal Sircar for some time. I have not read Leninism by Stalin.

By Mukherjee accused. I can recognise the handwriting of Mr. Citrine and his signature but that on D. 190 (20) is not his, though the postcard is from the T.U.C. I say this because my experience is that when Mr. Citrine himself does not sign a letter a gentleman Mr. H.W. Lee signs his name and writes initials H.W.L. below, as appears here. D. 781 (1) with enclosures, (2), (3), (4), (5), all bear my signature and were issued by me. Note. Papers of 1925.) D. 190 (98) was issued along with D. 781 (5). D. 190 (100) bears my signature as also (103). (104 was sent along with (103). D. 781 (6) bears the signature of Mr. N. M. Joshi.

No other accused will examine Mr. Eakhle as his witness.

XXN. By accused Nil.

By Crown Counsel. When I was asked the question which side the E.I Ry Union Representative voted in the contested election for President between J. L. Nehru and Kulkarni I looked through the report D. 305 and gave my answer. The reason for my answer was that on looking through the list on page 38 of affiliated T.U's to 41 of the Appendix. I had some faint recollection that some important unions from some province voted for J. L. Nehru. I found that there 3 Unions from Bihar and Orrissa and I recollected that these 3 Unions voted for Jawahar Lal. I can only remember a few important delegates such as K.L. Ghosh, K. C. Mitra and Joglekar accused. K. C. Mitra was from E.I.Ry., Joglekar was from some Bombay Union, G.K.U., or some other union, and Ghosh from Press Employees Association Bengal. (after consulting report.) I can give a few names of Unions which supported Jawahar Lal, such as Press Employees Union, Bombay Textile Labour Union (myself and others.) Madras Labour Union (Mr. Shiva Rao and some others). I forget whether it was a close fight in the voting but it was a hard fight. I cant say why I remember that about the Bihar and Orrissa Unions. The way it strikes my memory however is that Mr. Jawahar Lal Nehru had some Trade union connections with certain unions statement which voted in his favour such as the Jamshedpur Labour Association and the E.I. Ry. Union. I seem to remember some correspondence regarding grievances of the E.I. Ry. workers between K. C. Mitra and Pt. Jawahar Lal that is the T. U. connection with E. I. R. U. to which I refer,

D 285 (2) is not the original report I received but appears to be a copy of the report which I received. The original should be in the A.I.T.U.C. files.

REXXN. By Mr. Sinha. Contradiction about his voting in the Presidential election pointed out to witness who says: what happened was that when the 2 names were proposed I was in favour of neither but in my speech I opposed the candidature of Pt. J. L. Nehru. I believe I suggested some other 3rd name being put up. When the actual voting came I had to make a choice only between those 2 candidates as there was no other in the field and I voted in favour of Pt. Jawahar Lal as against Mr. Kulkarni. I had no specific person in view for the 3rd candidate, and did not suggest any.

By Ghosh. I dont know where the papers of the A.I.T.U.C. are at present.

Read and admitted correct.

Sd. R. L. YORKE.

21-3-32.

D.W. 36.

Mr. C. F. Andrews, on S.A.

By Ghosh accused. I was in Calcutta in April 1928. I presided over a meeting at Wellington Square then. I think I was invited by the Bengal Federation of Labour. It had to do with the Lillooah Strike. I wanted to put before the meeting terms on which I would advise men to go back to work. I think also it was to collect funds for the strikers but I am not quite certain. I dont remember if I saw the Englishman the next day, with a report of the meeting. I attended a Send-off given by the Federation to Mr. Haq; and Mr. Bose when they were going to Geneva. I remember receiving an invitation card similar to D. 759. I dont remember whether Ghosh accused showed me a letter from the Agent E. I. Railway in regard to those terms. I remember that Ghosh and I were closely associated in the

matter of those terms but I don't remember any details. I remember that I went to an interview with the Agent. I cannot say if it was before or after the Wellington Square meeting. My only impression is that the Agent was unfavourable to the terms we proposed. I remember presiding over an Executive Committee meeting of the A.I.T.U.C., at Delhi in 1928. I was President. It was early in the year. One and I think the main question was that of the affiliation of the A. I. T. U. C. to the Amsterdam International. My attitude was that we should not affiliate the Indian T.U. Movement with either of the Internationals at that time. The E. C. accepted that view. I left Calcutta to go to Europe some time early in May 1928. Throughout April and up to I think May 4th, the date I left, Ghosh accused was active with me in working for a settlement of the strike. D. 207 (4) shown to witness. I remember to have seen this document before I left Calcutta then.

For Banarjee. I know Shib Nath Banarjee accused in Court. I cannot remember when I first met him. If I remember right he came to me with an introduction from Major Graham Pole. D. 698 is that letter of introduction. I don't know what happened to it after I saw it. The time I met Banarjee frequently was in the end of 1927. I cannot be sure whether I saw him in the interval between 1925 and then. I know of the Calcutta Tramwaymen's Union. Banarjee came to me to ask me to help in settling the strike on the Tramways and to get the men who had been dismissed reinstated. It was in Calcutta he came to me then. D 686 is a letter I wrote to Banarjee in connection with that strike. We tried to bring about a settlement of that strike. Banarjee was working with me to that intent. I remember trying to get up some subscription for the men to help them. I cannot remember if we succeeded. I asked the T.U.C. for help for the Tramwaymen and they give us some small amount. I was President of the Jamshedpur Labour Association at that time. It give I think Rs. 200 for the help of the men, at my instance. I think it was Banarjee who first came to me for help for the Lillooah workers. I was in Calcutta when he came to me. He wanted me to help to bring about a settlement of the strike. We discussed possible terms of settlement and I suggested certain terms on which I was willing to help and to approach Mr. Colvin the Agent. So far as I can recollect he agreed to the terms I suggested. Otherwise I would not have gone. I visited the office of the Lillooah Union. I think Banarjee took me there. I think we talked over the terms at the Union Office. By we I mean Shib Nath and I and one or two others. I knew K. C. Mitra of the E.I. Railway Union at that time. I met him

at the Union office and probably discussed with him. I feel fairly certain he also agreed. I think we went on with the negotiations on the terms I proposed without alteration and went to the Agent with them. I think but am not sure that I interviewed the Agent only once. I met the Magistrate of Howrah, Mr. G. S. Dutt, many times in connection with the strike, nearly every day. I don't know if Banarjee approached him or not. I cannot remember that I ever went to him with any of the office bearers of the Union. My negotiations with the Agent were unsuccessful. I saw the Agent's letter D 207 (4) just before I left Calcutta for Madras and did not carry on the negotiations. I stayed in South India for about a month and then went abroad. I remember a strike at Jessop's and Burn's connected with the Lillooah strike. Banarjee and others asked me to negotiate for a settlement and I went to both companies I think. I was not successful in those negotiations also. I did suggest terms in those cases also. They were accepted by the workers who authorised me to propose them. I met Banarjee frequently in the course of these negotiations. He helped me all the while more than anyone else. These negotiations means those in the Lillooah and Jessop's and Burn's strikes. I was absent from India and therefore unable to preside over the Jharia Session of the A.I.T.U.C. I sent a message to the Congress, which has been correctly reproduced in the report of the Jharia Congress D. 305 at page 54 to 58. Banarjee at once told me he had been to Russia when I first met him.

No other accused examines Mr. Andrews as his witness.

XXN. No accused wishes to cross-examine the witness.

By Crown. Nil

Read and admitted correct.

Sd. R.L. YORKE.

21-3-32.

This closes the evidence of defence witnesses. The Court adjourns for the Holi and Easter Holidays and will sit again on Tuesday March 29 when the accused or their counsel will sum up their case (vide Section 200 C.P.C.).

Sd. R.L. YORKE.

21-3-32.