

# Committal Order

PASSED BY

**R. MILNER WHITE**  
Esq. I. C. S.

ADDITIONAL DISTRICT MAGISTRATE

IN THE

MEERUT

**CONSPIRACY CASE**

MEERUT.

## Order

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A charge has been brought under section 121-A  
I.P.C. against the following 33 accused.

### BENGAL.

1. Philip Spratt
2. Dharani Goswami
3. Muzaffar Ahmad
4. Shamsul Huda
5. Kishori Lal Ghosh
6. Gopendra Chakravarty
7. Radha Raman Mittra.
8. Ajudhya Prasad
9. Gopal Basak
10. Shib Nath Banerji

### PUNJAB.

11. Sohan Singh Josh.

12. M. A. Majid alias Abdul Majid.
13. Kedar Nath Sehgal.

**UNITED PROVINCES.**

14. P. C. Joshi.
15. Gauri Shanker.
16. L. R. Kadam.
17. Dr. V. N. Mukherji.
18. Ch. Dharamvir Singh.

**BOMBAY.**

19. Benjamin Francis Bradley.
20. Sripad Amrit Dange
21. Saehhidanaud Vishnu Ghate.
22. Keshav Nilkant Joglekar.
23. Shantaram Savalram Mirajkar.
24. Raghunath Shivram Nimbkar.
25. Gangadhar Moreshwar Adhikari.
26. Motiram Gajanan Desai.
27. Shaukat Usmani
28. Arjun Atmaram Alve.
29. Gobind Ramchandra Kasle.
30. S. H. Jhabwala
31. Dhondi Raj Thengdi.
32. H. L. Hutchinson
33. Amir Haidar Khan (absconding).

These have been arranged roughly according to the areas in which they mainly worked. Amir Haidar Khan is still absconding and evidence under section 512 has

been taken against him.

Associated with these accused according to the prosecution case are several bodies and individuals resident out of India. A full list of these is given below:—

1. The Third International or Comintern and affiliated bodies.
2. The Krestintern.
3. The Red International of Labour Unions.
4. The U. S. S. R. Society for Cultural Relations with foreign countries
5. The Communist Party of Great Britain.
6. The National Minority Movement.
7. The Workers' Welfare League of India.
8. The Labour Research Department.
9. The Young Communist League of Great Britain
10. The India Seamen's Union.
11. The Pan-Pacific Trade Union Secretariat.
12. The League against Imperialism.
13. George Allison alias Donald Cambell.
14. R. P. Arnot.
15. T. Bell.
16. Bhaduri.
17. R. Bishop.
18. L. C. Bradley.
19. E. H. Brown.
20. H. R. Brown.
21. V. Chattopadhyaya.
22. Bombal.

23. C. P. Dutt.
24. R. P. Dutt.
25. A. Glyn Evans.
26. Fazl Elahi.
27. Arthur Field,
28. Percy Glading.
29. J. S. Garden.
30. E. J. Horsman.
31. Harry Howell.
32. A. Inkpin.
33. I. Jusefowitsch.
34. J. W. Johnstone.
35. C. L. Lesse.
36. Karl Lesse.
37. Bob Lovell.
38. A. Lozovsky
39. Luhani.
40. L. C. Mellonie.
41. Willi Munzenberg.
42. A. C. N. Nambiar.
43. Orloff.
44. W. Paul.
45. Graham Pollard.
46. H. Pollitt.
47. J. Potter Wilson.
48. H. P. Rathbone.
49. R. W. Robson.
50. M. N. Roy

51. William Rust.
52. J. Ryan.
53. S. Saklatwala.
54. Khushi Muhammad alias Muhammad Ali alias Sipassi.
55. R. C. L. Sharma.
56. Agnes Smedley.
57. S. V. Sovani.
58. S. N. Tagore.
59. Julius Trosin.
60. N. J. Upadhyaya.
61. Voronoff.
62. A. Vozneciensky.
63. Max Ziesse.

Among these No. 25 Fazl Elahi is or was at the beginning of the case actually in Jail in India. The rest are resident in Russia, Berlin, Paris and England.

The charge brought against the accused is one under the second part of section 121-A I. P. C., namely that they conspired to deprive the King of his sovereignty of British India. The complaint filed by Mr. Horton makes the head of the conspiracy the Communist International, which is the central body of all communist organizations throughout the world. Subordinate to the Communist International and its various sections are other bodies, such as, the Red International of Labour Unions commonly called Rilu, and the League against Imperialism; and there are many other bodies which include the Workers' Welfare League in India and the Labour Research Department in England, although these two bodies are not specifically mentioned in

the complaint. The object of the Communist International, also known as the Comintern, is to stir up revolution in every country with a view to the establishment of the Workers' Government on the same lines as that which has been established in Russia.

Naturally a design so far reaching in its effect cannot be accomplished easily. A regular plan of campaign has to be inaugurated and the peoples concerned have to be prepared for revolution and shown the best way of bringing it about. This is generally to be done through the organisation of Communist Parties in the countries concerned, but even without such Communist Parties the work can start and continue with certain definite methods of action. These include constant propaganda with a view to antagonising Capital and Labour; the establishment of bodies under different names such as the Workers' and Peasants' Party, Youth League and so on, which will organise the working classes and the agricultural classes on the same lines; the formation of Trade Unions, not primarily for the immediate improvement of the workers' lot, but to train them in solidarity and united action and in this connexion to instigate them to strikes, both for educative purposes and also as a training in strike methods, leading on eventually to the general strike which is intended to paralyse Government and create a revolutionary atmosphere and a favourable opportunity for a complete revolution; propaganda of all kinds by speeches, newspapers, literature, study circles, all directed to the same end, are also to be used freely. This is in brief the plan of campaign laid down by the Communist International. Among the countries to be dealt with in this way is India; and for this reason a constant effort has been made under the direction of the Communist International to create the necessary revolution in India. The

accused are said to have acted under the direction of the Communist International in carrying out the various steps which are to lead up to a revolution. It is alleged that they have acted in concert with one another and with the Communist International and its subsidiary organizations and in this way they formed a conspiracy in India with the aforesaid bodies to create a revolution; one of the objects of which is to destroy the present Government of the King, secure complete independence for India, and set up a Workers' Republic on Soviet lines. It is said that with this object they have, among other things, created Workers' and Peasants' Parties in various parts of India and among other places at Meerut. This is one of the important steps of the conspiracy. In the course of their conspiracy they have not only acted under the direction of the Communist International and its subsidiary organizations but have been constantly helped by them financially and otherwise. They have freely corresponded with one another and with bodies and persons outside India in the course of and for the purpose of the conspiracy.

This is very briefly the essence of the alleged conspiracy. This case is not concerned with the ultimate object of the conspiracy. One of the intermediate steps, though indeed it must come very near the end, is the overthrow of his Majesty's Government in India. A Conspiracy to achieve this object clearly comes under section 121—A. What happens after this object is achieved does not concern this court nor the Government of His Majesty. It has been argued that the conspiracy, if it exists at all, is one which can more suitably be treated under the law of sedition, that is under section 124—A. than under section 121—A. I cannot agree. English Law in this respect is of no help. So long as one object



of the conspiracy is to create a revolution which will render India completely independent of the British connexion and will definitely deprive the King of his sovereignty of British India the case must fall under section 121-A.

It is obvious from what I have said above that the case concerns what may generally be called a Communist Conspiracy. It appears however from arguments used during the course of the case that a good deal of misconception has arisen as to the exact nature of the case. It has sometimes been alleged that the accused have been prosecuted for holding communist views. This is entirely wrong. They are charged not for holding communist views, but with performing communist activities. To some people this may seem a distinction without a difference. Mr. M.N. Roy, whose name has appeared frequently in the case, would certainly be of this opinion. In writing about the Cawnpore conspiracy case (Ex. P. 377 (i)) he writes

“In Edward’s opinion, “They were condemned not as communists but for making preparations to wage war against the King.” The conclusion of this argument is obvious. A Communist Party can exist legally in India if it abstains from the preparation to wage war against the King, that is, legality can be had at the expense of the very *raison d’etre* of the C.P.”.

In other words, he is of opinion that to have communist views must imply the performance of communist activities: therefore any prosecution for the latter is equivalent to a prosecution for the former. This is a point of view which it is impossible for a layman to controvert. It may however be added that, from his own statement a little lower down in that same letter, it appears that so long as the Communist Party did nothing, the police paid no attention

to it. There is no objection to the holding of communist views: the objection is to putting those views into practice. Of course, if the holding of communist views involves communist practice as well, then in that sense only is this a prosecution for views. In any case however he has a somewhat onesided view of the position. It is quite conceivable that an individual should not hold communist views and yet indulge in communist activities. One of the tactics frequently advocated by communist writers is that of the "united front". This means that communists may on occasion ally themselves temporarily with those who do not hold their views, partly in order to gain a victory over a common enemy and partly in the hope of gaining control over an organization which at present does not belong to their party, so that in future it may be controlled by them and work with them. Communists have no monopoly of tactics like this. Other people may similarly desire to work with communists without agreeing with all their aims. They recognize the value of their organization and hope to use it up to a point, and then to discard the communists. If a person with this idea were to join a communist conspiracy it is quite possible that he too would be guilty under this section, and in this case, even though he were not actually a communist. If his ultimate object were the overthrow of the sovereignty of the King in British India and with this object he joined this conspiracy, hoping that when this aim has been achieved he could then mould the future constitution of India according to his own ideas and not those of the communists, he would certainly be equally guilty with the communists under this section. A nationalist for instance, as distinct from a communist, could not save himself, if he has in fact joined the conspiracy, by saying that he believes

in non-violence or that he wants to set up a Bourgeois Republic. For the purpose of this case the crux of the matter is the joining of a conspiracy to deprive the King of his sovereignty.

At the same time it is clear that nationalism by itself is not being attacked in this case. A nationalist may desire complete independence of India, which in itself implies the cessation of the King's sovereignty, but this does not necessarily render him liable to prosecution under this section. The word deprive implies forcible dispossession. If a nationalist asks through the usual civil channels with a view perhaps to inducing the British Parliament on behalf of the King to give complete independence to India he cannot thereby be said to be planning to deprive the King of his Sovereignty. He is seeking perhaps to persuade the King to give it up, but that is not an offence under section 121—A. I will go even further and say that, as far as this case is concerned, even a desire to deprive the King of his Sovereignty forcibly will not justify a conviction unless it is also proved that the individual in question has definitely joined the conspiracy of the communists. The prosecution is levelled against a Communist conspiracy alone, and it could only include a nationalist if the latter deliberately joined the Communists in their conspiracy. It has also been alleged at times that the case is an attack upon Trade Unionism. This again is a misconception. The prosecution have very fairly stated that any of the accused who may be found to be a genuine Trade Unionist and not a communist conspirator should be discharged. The misconception has arisen from the fact that most of the accused are connected more or less intimately with Trade Union activities. As will be

seen from the brief sketch which I gave above of the methods of the conspiracy one of the most important methods is the formation of unions and creation of strikes. Consequently a good deal of evidence has been produced bearing on the activities of the accused with regard to Trade Unions. It is perhaps only natural that a casual observer should think that the formation of Unions and the leadership of strikes are in themselves being attacked, but this is not the case. A definition of the term "genuine Trade Unionist" is perhaps difficult. In my opinion a "genuine Trade Unionist" is one who is primarily concerned with the improvement of the existing conditions of the workers with which his Union is concerned: he is connected with politics only in so far as he aims at getting legislation for such improvement; he creates strikes for the same object. A communist, on the other hand, has a different objective. He hopes to improve the condition of the working classes not in the immediate future, but in the more distant future, not by the conciliation of the employers or by favourable legislation but by the destruction of the employing class and the abolition of the existing system of Government. But like this the difference is obvious, but in practice it is not so apparent. Communists and genuine Trade Unionists may work side by side and do work side by side in the formation of Unions and in the conduct of strikes. The mere fact that a man has participated in these activities does not prove him to be either one or the other. It is necessary to look to the surrounding circumstances and to the views expressed by him. Again, however, it must be said that the criterion must be whether there is definite proof of joining this particular conspiracy or not. Without such a proof even the enunciation of extreme views would not justify conviction in this case, although it might render

the speaker liable to prosecution under section 124-A. On the other hand if a man is proved to have joined the conspiracy his Trade Union activities may be taken as a corroboration of the other evidence relating to the conspiracy, even though he is careful enough in his published speeches and writings to avoid making his real objects too obvious. Once more Trade Unionism like nationalism is not being attacked, nor indeed communism by itself. One definite conspiracy is alleged, predominantly communist. Only those who are shown to have taken part in this one particular conspiracy can be legitimately convicted or even committed to Sessions in this case.

## II

Before turning to the evidence designed to prove the conspiracy it is convenient to make a few general remarks about the nature and character of the evidence. The volume of evidence is enormous. 320 witnesses have been examined and exhibits number over 3000. Both evidence and exhibits have been printed: the depositions cover more than 500 printed pages, and the exhibits cover more than 6000 printed pages: and this latter figure does not include the vernacular exhibits nor the many books pamphlets and other documents which it has not been considered necessary to reprint. Evidence has been given mainly in English but also in French, Urdu, Hindi, Bengali, Marathi, Gurmukhi, Goanese and Tamil, while some of the exhibits are in German as well. Other difficulties have confronted both the court and the defence. The exhibits were put in at such a rate that it was impossible, without prolonging the inquiry inordinately, to examine each exhibit as it was put in.

As a matter of fact in spite of devoting one day in a week, and often more, to the examination of exhibits, the examination was barely finished before the defence were called upon to argue. Most of the accused understood English or were represented by counsel who understood English one, however, G. R. Kastle, knows only Marathi and he is not represented. Mr. Kedar Gupta who attended the court with the defence counsel kindly volunteered to act as interpreter, but as a matter of fact he was very seldom called on by Kastle to act as one and consequently Kastle's idea of the whole case must be extremely vague. Again some of the speeches produced were originally spoken in Marathi; some of them were taken down in Marathi shorthand and transcribed direct into English. In other cases they were mentally translated by a shorthand writer as the speech went on and taken down in English shorthand. In this case the defence naturally have little opportunity of checking the correctness of the English version produced: and much the same kind of difficulty has been experienced by me.

The evidence falls under two heads, (1) Oral and (2) Documentary. The oral evidence is largely formal in character; the witnesses are mainly concerned with proving either the discovery of certain documents or their interception in the post or the delivery of certain speeches. Only a few testify to definite facts bearing on the conspiracy apart from the documents which they prove. There was very little cross-examination and what there was was in general not designed to testing or challenging the correctness or credibility of the witnesses. At the present stage thereof, their evidence is unchallenged and I can accept it in full without further discussion.

The documentary evidence is more valuable and more difficult. It consists, as I have said, partly of documents, books etc. found during the searches of the houses and offices of the accused and other connected persons. Then the activities of the accused have been watched by the police for a long time and much of their correspondence has been intercepted in the post. In some cases the letters intercepted were detained and the originals are now produced. In other cases the letters were copies either by hand or by camera and then reposted. This secondary evidence of the contents of such letters has therefore been produced. Notes (which include shorthand notes of speeches) made by the police in course of their duties have also been produced. The case of conspiracy is almost entirely built upon all these documents combined. It was practically impossible for the defence to scrutinize and if necessary to challenge the admissibility of each document as it was put in and very early in the case it was agreed that arguments on admissibility should be reserved until the conclusion of the evidence. Unfortunately, as I have said, the defence were not able to conclude their examination of the exhibits till a very late date and were practically unable to the end to argue about the relevancy or admissibility of any particular documents. They therefore contented themselves with putting in a formal objection to every document and since no reasons for this objection were given it is obviously unnecessary to pay any attention to it now. It is quite possible that some documents have crept in which are not strictly relevant. It would however be superfluous for me to go over every exhibit and come to a definite finding on each, the more so as either side can again raise the question of admissibility in the Sessions court. Naturally during

the course of my order I shall have occasion to refer to many documents. I shall of course take care to refer to nothing which is not in my opinion entirely admissible and relevant.

During the course of arguments a few objections were raised which can be dealt with now. Objections to particular documents can be more conveniently dealt with if and when I deal with those documents. Mr. Sinha's arguments were directed more against the weight of the evidence than against its admissibility Mr. Chakravarti, however, made a determined general attempt to challenge the applicability of section 10 of the Indian Evidence Act to this case. Possibly he was under the impression that all the evidence produced was produced under this section. This is certainly not the case. Probably there has been some confusion of thought about this section

Section 10 does not affect the general admissibility of documents relating to conspiracy or say what evidence can or cannot be produced in a conspiracy case; rather it extends the relevancy of such evidence by laying down that when produced it can be used against members of the conspiracy whom at first sight it does not affect. Even if section 10 does not apply there is still no reason why the bulk of the evidence should not be admissible against the accused to which it ostensibly refers and there is no reason to say, as Mr. Chakravarti suggests, that if section 10 does not operate the whole of the voluminous evidence will be excluded. It is as well however to see whether this section does apply or not. The argument is that all the evidence taken together may suggest a



conspiracy, but it is all produced under section 10. Section 10 necessitates the production of reasonable ground to believe in a conspiracy before actual evidence as to the conspiracy is produced under the section. As a conspiracy cannot be proved in the present case without reference to the evidence produced under section 10, therefore, no evidence at all can be produced. As I have said the purport of this section seems to be somewhat misunderstood. I cannot believe that the law really does adopt the attitude which Mr Chakravarti supposes, which put briefly is that it is impossible to produce evidence of a conspiracy until the conspiracy is proved. However, leaving that aside I can point out that there is ample evidence to suggest a conspiracy which does not in any way depend on the application of section 10. The absence of an approver is lamented, but even without an approver the prosecution have proved quite enough; for instance, though there is no approver to speak of secret meetings in dark cellers there are equally significant traces of a conspiracy, such as the use of invisible ink in letters (P 1007) use of ciphers (P 1829, 1009) (1671, 674) as well as the use of obviously cryptic language and of a transposition code. Those who are corresponding use obviously false names for themselves and for one another. Letters are addressed to them under cover addresses with one or more envelopes inside. All this is significant and prima facie suggests a conspiracy. We find that the figure cipher referred to is used both by Spratt and by Bradley. Spratt sends a letter to C P Dutt in England (P 2328 (2) through Ghate. This connects Spratt and Ghate. Ghate uses a cover address: Bradley gives the same cover address in a letter written a few days after his arrival in India (P 1671). This connects Bradley with Ghate as well.

One of Spratt's letters P 1009 containing a figure cipher deals with the question of finance; this question is referred to in P 377 (i) which was addressed to Muzaffar Ahmad in Calcutta. Here we have a connection between Muzaffar Ahmad and Spratt, Bradley and Ghate. All these are corresponding in the same secret manner with the same persons in Europe. This is, at any rate, sufficient ground to believe that two or more persons were conspiring together and when the conspiracy is traced a little further there can be no doubt as to the object of it. Many more such instances of conspiracy can be adduced from the evidence without invoking the aid of section 10. This particular objection obviously has no force.

Mr. Chakravarti however finds another ground of attack on section 10—it is necessary that the conspiracy must be to commit an offence or an actionable wrong. The object in this case is clearly, from the prosecution complaint, the deprivation of the King of his sovereignty in British India, but this he claims is not an offence. According to section 40 of the I.P.C. he is perhaps technically correct. There is in the Penal Code no offence of depriving the King Emperor of his sovereignty for the simple reason, as Mr. Chakravarti points out, that such an offence cannot possibly be made punishable. Once the King is deposed the King's law no longer applies and therefore if any one succeeds in committing this act he cannot be punished for it under a law which will no longer apply. In spite of this however I consider that the act of depriving the King of his sovereignty is really a legal offence though it may not be a punishable one. A conspiracy need not necessarily be illegal. It is only illegal if its object is an offence. A conspiracy to deprive the King of his sovereignty is an offence and therefore the object of the conspiracy must in

itself be an offence. Mr. Chakravarti cites the very similar case of suicide. This also is not punishable because when the act is complete there is no one left to punish. At the same time I consider that this also is an offence. An attempt to commit an act or abetment of an act is not and cannot be an offence unless the act itself is an offence. It is an offence to abet suicide or to attempt suicide. It must all the more be an offence to commit suicide. In the same way I am convinced that though it is not punishable it is definitely an offence to deprive the King of his sovereignty and therefore section 10 can apply in the case of conspiracy to commit such an offence.

This argument also disposes of a further attempt to cut out all evidence relating to strikes or Trade Union activities under section 17 of the Trade Unions' Act XVI of 1926. If it is proved that the object of the Trade Union members of the conspiracy in all their Trade Union activities was to deprive the King of his sovereignty section 17 cannot apply. The object in question is not included in the objects given in section 15 and indeed the object is in itself an offence and cannot be protected by the Act.

Generally speaking therefore it can be taken at this stage that all the documents put in are relevant and admissible. There are, it must be said, a few which were apparently signed or written by certain persons whose hand-writing has not yet been definitely proved. In a vast majority of cases the writing has been proved, but apparently some escaped the notice of the prosecution. Even in such cases the prosecution profess to be able to bring evidence as to the writing and propose to do so in the Court of Sessions. In order to avoid the necessity of recalling the handwriting witnesses in this preliminary inquiry I shall in general

assume that the letters and documents produce are signed or written by the persons purporting to have signed or written them. It is sufficient for my present purpose to take them at their face value, merely indicating, if necessary in any particular case that the authorship of such and such document has not been formally proved.

Allegations of forgery have been made at various times during the case, but only one document has been specifically attacked on this ground. This is the so-called Assembly letter from M. N. Roy. The history of this letter as shown by evidence is interesting. It was given to a lascar of a B. I. boat in London by Upadhyaya for delivery to Muzaffar Ahmad. This lascar, Mohd. Abdul Hakim, P. W. 45, was to deliver the letter personally to Muzaffar Ahmad on his arrival in Bombay. But when he arrived in India he forgot the letter and did not remember it again until he opened his writing case at the beginning of his next voyage, between Columbo and Aden. He then decided to post the letter from Aden. The letter was posted and intercepted at Bombay. It was not passed for delivery. It was detained and nothing was heard of it until it was quoted by the Home Member during the discussion in the Legislative Assembly on the Public Safety Bill. Its publication apparently caused a good deal of excitement in the ranks of the alleged conspirators. It was discussed in the meetings of the workers' and Peasants' Party, Bombay and it was then decided to stigmatise it as a forgery (P1344, page 96) and a statement to this effect was issued by Ghatge as Secretary of this party (P. 549 (19)). A reference to the same exhibit will show that the Communist Party of India made the same allegation of forgery. Letter on M. N. Roy. himself wrote to the Farward at Calcutta and

the Chronicle at Bombay (P. 1888 and 1887) stating that this letter was not his and challenging Government to produce the original with his signature. The point of this challenge is that the letter is unsigned. Mr. Stott, handwriting expert, (P. W. 207) however, has examined the letter carefully and come to the conclusion that the typewriting of Ex. P. 377 (1) was done on the same machine as that used by M. N. Roy in various signed documents. There is no reason whatever to disbelieve the evidence of Abdul Hakim. If the letter was forged it must have been forged in England, or elsewhere, by some of those connected with conspiracy in England, such as C. P. Dutt, who sent the letter with a covering note, P. 377. The evidence of Mr. Stott puts the matter beyond any reasonable doubt. Moreover the character of the letter and its general style corresponds exactly with similar letters signed by Roy at earlier dates. All the evidence points to the fact that this is a genuine letter and that it was written by M. N. Roy and that the allegations that it is a forgery are entirely baseless.

In this connexion it has been argued by the defence that the signatures of M. N. Roy have not been definitely proved to be those of the genuine M. N. Roy. It has been proved by the handwriting expert that the documents ascribed to M. N. Roy were written or signed by some one who signs himself M. N. Roy, but admittedly there is nothing to show who this M. N. Roy is, nor to connect him positively with the M. N. Roy who has for some time been notorious for his communist activities on the Continent. The question seems to me one of very little importance. It is rather reminiscent of the school boy's well known description of the Shakespeare controversy.

that, it is a question whether the plays were written by Shakespear or by some one else of the same name. I may assume that there is some one of the name of M. N. Roy who may be called the genuine Roy. This is the Roy presumably who has written various books which are proscribed; and who has attended several meetings of the Communist International at Moscow. Naturally about the genuine M.N. Roy, as contrasted with the M N. Roy of the evidence, there is very little on the record. From various reference to him however in argument etc. I understand that the genuine M. N. Roy was an absconding accused in the Cawnpore Conspiracy case in 1924, resides on the Continent, and conducts communist propaganda from there; visits Moscow occasionally; and works in close collaboration with Palme Dutt and Rathbone (Imprecor Special No. page 1226 of 4th October 1928); attended the Sixth world Congress of the Communist International at Moscow in 1928; was there attacked by Kuusinen on the subject of de-colonization and apparently relieved of his official positions as a consequence. That is the genuine M. N. Roy. The M. N. Roy who appears in the present case resides on the Continent (P. 2380 (1)). He is particularly interested in the arrangements of the communist Party with regard to work in India and was practically in control of all these operations (P. 2379 (i)). A warrant of arrest had been issued against him by the Government of India some time in 1924 or in 1925 P.2385). He wrote many letters to communists in India laying down, apparently in the authority of the Komintern, the lines on which the Indian movement should progress. He was in Moscow in August 1928 just after the 6th World Congress (P 1887). He was associated with C. P, Dutt who sent P. 377 (1) with a covering letter P. 377) and finally

has recently suffered a considerable diminution of his powers and duties (P. 1676 second paragraph)—“You know I have been happily relieved of the administrative responsibility of our affairs and therefore I am not in a position to be of much practical assistance”—also P. 1174, which appears to be addressed to him. It is presumably the genuine M. N. Roy who visited China in 1927 (P. 2487), but the other M. N. Roy also visited China and wrote a book on this subject (P. 1512). I think that after seeing these points of resemblance no reasonable person can have any doubt that the two M. N. Roys are the same person. But even if the doubt remains, it is, as I have said, entirely immaterial. Whoever the man is who wrote, under the name of M. N. Roy, the articles and letters produced in this case, there can be no doubt at all that he was a communist agent acting under the direction of the Communist International in conjunction with certain communists in England, regulating Indian affairs from the communists point of view, directing their activities, and laying down their policy and methods of action.

This concludes all the examination necessary of the evidence produced, as regards its genuineness and admissibility. Discussion on each individual document would be superfluous. After all my duty in these proceedings is merely to see whether a sufficiently strong case has been made out against the accused to justify committal to the court of sessions and for this purpose it will be unnecessary to quote all the documents. The prosecution have left nothing to chance. Many things they have proved many times over and I shall have occasion to refer only to comparatively few of the exhibits. Those to which I do refer are in my opinion undoubtedly admissible and relevant.

Of course, a further question must arise as to the weight to be attached to any particular piece of evidence and as to the extent to which any such evidence can be used to prove any particular fact or can be used against any particular accused. This can most easily be dealt with if and when any such question arises in any particular case. There has been somewhat of a tendency in argument to confuse admissibility with weight. Many of the documents appear to me to have little effect on the case in general, but this does not mean that they are necessarily irrelevant. The question of weight can best be dealt with, as I have said, when the evidence in question is being used to prove some particular fact.

### III.

I now turn to the prosecution case and to the construction of the evidence which has been produced to support it. Early in the proceedings an application was made to the Allahabad High Court and was disposed of by the Chief Justice. In the course of his order dated 24/7/29 the Chief Justice has mentioned 14 questions which he said the magistrate presumably would ask himself before there can be any question of committal to the Sessions. I shall not find it possible to discuss the case exactly in the other suggested by the Chief Justice, but when I have finished there will be no difficulty about supplying the answers to these 14 questions.

The difficulty in this case is to know where to start. It is probably best to follow the example of most legislative enactments and begin with definitions. Most of the evidence is documentary and many terms are used which could bear different meanings. To avoid misconception it is desirable to show what meanings are generally attached to some particular words which will occur very often. This



is all the more necessary because some of the accused have made statements attempting to assign to certain words, which they use, meanings of their own. Thus Desai stated that when speaking of independence he meant freedom from want and hunger. Jhabwala gave a meaning to revolution which in effect comes to little more than evolution. In some cases too the meanings generally attached to words are not those given by the dictionary. One favourite word in communist literature is ideology. According to the dictionary this, as a term of political science means any impractical system of theories. The communist means by it the theoretical basis of his science of politics and it is not intended in any way to be impracticable. The following are some of the terms which will occur frequently:

(1) Communism.....The word has a respectable antiquity and so has the theory. There have been communists from the early stages of recorded history. Mr. Sinha in his arguments mentioned a communist as King of Sparta about 300 B. C. and the early Christians were also communists in a certain sense. But most of this early communism had a religious basis. Marx, however, in his famous Communist Manifesto of 1843 gave a new meaning to the term. With him communism became entirely materialistic and denoted the theory of revolution for the establishment of the power of the proletariat; but even Marx's theories were developed later, especially by Lenin. The modern communist is not so much a Marxist as a Leninist. According to Stalin, who is Lenin's successor, "Leninism is not merely a revival of Marxism but is a step forward. Leninism is a development of Marxism adapting it to the new conditions of capitalism and to the class struggle of the proletariat." (Leninism, by Stalin Ex. P. 8

page 80 ). According to Spratt the distinguishing feature of communism is "the attainment of socialism by revolution and the maintenance of the dictatorship of the proletariat." ( P. 527 (4) ). A full description of this communism can be found in three volumes which frequently occur among the exhibits.....The *A. B. C. of Communism*, by Bukarin ( P. 942 ). *The State and Revolution*, by Lenin ( P. 1092 ) and *Leninism*, by Stalin ( P. 8 ). It is not necessary to give a description of what Leninism really is: it will appear quite fully during the course of this order. This is the communism with which this case is concerned.

(2) *Independence*. It would be inconceivable that there can be any doubt as to what this term means, were it not for Desai's explanation. However the Workers' and Peasants' Party have left no doubt on this subject. In the Political Resolution ( P. 56 ) submitted to the 1st. All India Workers' and Peasants' Party Conference, I find

"There must be left no doubt as to the meaning of independence; it involves the destruction of imperialist political and military control, and economic penetration, and hence necessitates revolution."

A letter to the Independence League of Bengal, apparently from the Workers' and Peasants' Party of Bombay, implies the same thing.

"The Independence League, that is the Party standing for an "all-round" national revolution, should, in the first place, be clear about its social composition. It must be ascertained which sections of the Indian people can never and in the least be accommodated inside the British Empire, and, therefore, must fight for its complete and unconditional overthrow."

( Ex. P. 1348 (37) ). And the Ganavani, the organ of the Workers and Peasants' Party of Bengal states frankly that

"Full independence implies revolution, while Dominion Self Government means nothing else than peaceful evolution. Independence means severance with British capitalists, while Dominion Self Government means self-surrender to their authority."

And again,

"To work for independence means a firm, stern, incessant, revolutionary struggle on the part of the masses of the whole country."

( P. 593-T ). And finally,

"Repudiation of India's "indebtedness" to Britain; confiscation of British capital invested in India, . . . these are the elementary conditions for the real independence of the Indian people."

( P. 1348 (27) ). Many other quotations to the like effect could be made. Indeed as a matter of fact it is very difficult to separate the definition of Independence from that of

(3) *Revolution*. There is no hint in the voluminous literature that revolution is used in any other sense than that which is generally understood by the term. Marx defined it as—

"More or less a rapid transformation of the foundations of the juridical and political superstructure of society arising from a change in its economic foundations."

( P. 727 ). The accused are not so technical in their

phraseology. In some notes by Spratt for a lecture on "Revolution in India" he says,

"The point is that India is in a revolutionary condition. Not in the mere ordinary sense that important changes are occurring or are imminent. That debases the conception of revolution. The meaning of the word I have in mind is one of violent upheaval of a political and military character...revolution in the good old fashioned sense."

( P. 1979 )—Again.

"That statement of the All Parties Conference if it is seriously meant can only be achieved by armed rebellion. An armed rebellion can only take place with a revolutionary participation of the toiling masses."

( P. 1207 (5) ). In a Suggested Syllabus for study ( P. 1013 ) the "revolutionary crisis" is defined as.

"War, general strike, armed uprising, seizure of power—attitude to the State ( destruction of the state machine and erection of a new one )"

This is in fact the sense in which it is generally understood by the public and throughout this literature it is used in this good old fashioned sense.

(4) *Imperialism*. Imperialism is used generally in the accepted sense of the word. Occasionally however I find quotations such as this.

"Imperialism is Capitalism in that phase of development in which the domination of monopolies and finance—capital has established itself ; in which the export of capital has acquired very great importance ; in which the division of the world among the big international

trusts has begun, in which the partition of all the territories of the earth among the great capitalist powers has been completed." . . . . . "all these have given birth to those destructive characteristics of imperialism which oblige us to define it as parasitic or decaying capitalism. We must define it as capitalism in transition, or more precisely, as dying capitalism."

( P. 526 (25) ) quoted from ( Lenin's works ). This however is rather a description than definition. Imperialism is of course the system by which one country holds other countries as colonies or dominions within the Empire. It is important to realise the reasoning through which Imperialism is looked on with such hatred by the communists. Their theory is that when capitalism has completed the industrialisation of the home country, the capitalists look for new fields in which to invest their money. They can only find it by going to hitherto backward areas. For their own ends they establish a financial and political control over such areas which thereupon become Colonies or part of the Empire. These Colonies are developed industrially by the Capitalists with the result that the working classes are again exploited. The scramble for territory suitable for exploitation among the various nations of the world resulted in war, which again brings further misery to the proletariat. The time must come presently when all the available area has been exploited and no more remains to be obtained. This is said to be the final stage of Capitalism for two reasons. First, because there are no new available fields for exploiting the workers, and secondly because when the workers all over the world are exploited and "ground down in misery and oppression" their "international class-conscious-

ness" makes the possibility of a world revolution extremely great.

(5) Labourer or Worker.

"Every man who maintains himself by labouring with his hands, feet and mind, is a labourer, whether he is a peasant, a labourer, an artisan, a clerk, a schoolmaster, a postman, a railway Babu or a Government servant".

(P. 288—T) But this definition is unfortunately narrowed down later to those who do productive work. This in the end becomes those who actually work with their hands to make something. It is somewhat of a question whether any mental worker can strictly be included in the category, but apparently petty clerks are included so long as they agree to be considered a part of the working classes (P. 577 (8)).

(6) Peasant.

"By the word peasant is meant one who does agricultural work with his own hand, and whose acreage does not exceed 60 Bighas of land, (20 acres). Field labourers, small artisans and menials in the villages and the fishermen are also to be organized along with peasants".

(P. 344: Appendix N to the Proceedings of the All India Workers' and Peasants' Party conference 1928.

(7) *The State.*

"What is the State? . . . Essentially an organ of a class, used against the classes, which it suppresses. This is the Marxian view, as opposed to all sorts of variants of the view that the State is above classes, an impartial controlling arbitrating force. Experience shows that

dynamically, i. e. for periods of rapid social change and class action, the Marxian view is correct, and provides a sound guide to action. The state is a class-weapon."

(P. 1013). It may be noted that this definition is apparently applied to all States except the U. S. S. R. Once more it is more a description from a particular point of view than a definition.

(8) In connexion with this reference is often made to Colonies and semi-Colonies or sometimes to Semi-Colonial States. The term Colonies presents no difficulty. Semi-Colonial States are those which though nominally independent have a certain amount of political pressure put upon them from their Imperialist neighbours, which in most cases they find difficult to resist. Examples of such States are Mexico and Nicaragua (P. 1634).

(9) Seizure of Power. This is a phrase constantly used and some of the accused have attempted to suggest that it refers to the constitutional gaining of political power in the State in the way in which the Labour Party has gained control in the British Parliament. It is not the sense in which the word is usually used. M. N. Roy explains this clearly,

"The working class must capture something more than a parliamentary majority. They must capture political power which is not vested in the parliament, but in the key-positions of banks, industry, transport and the state-apparatus (army, navy, police, courts etc): the first series of these positions (namely banks, industry and transport) must be expropriated, which cannot possibly be done by the so-called constitutional means. Nothing short of an armed struggle will do. The second series

of positions (namely, the state-apparatus) must be totally destroyed—(P. 1888).”

(10) Dictatorship of the Proletariat.

“To put it briefly the dictatorship of the proletariat is the rule of the proletariat over the bourgeoisie, a rule unrestricted by law, based upon force, enjoying the sympathy and the support of the labouring and exploited masses.”

(Stalin's *Leninism*—page 115): and.

“The dictatorship of the proletariat is a revolutionary authority forcibly imposed upon the bourgeoisie.”  
(Page 114).

As regards its initial aims I may refer once more to M. N. Roy's treatise contained in P....1888.

“A new type of state-apparatus the working class state (the dictatorship of the proletariat) should be created. The object of the new state is to defend the conquest of the revolution and to break down the resistance of its opponents. For, simple expulsion of the bourgeoisie from the economic and political key-position will not eliminate them from existence. They will naturally try to regain their positions. So the bourgeoisie (and other social elements identified with private property) must be completely exterminated before Socialism can be realised. There cannot be real democracy as long as the society is divided into classes with antagonistic interest. The Dictatorship of the proletariat (the exploited and expropriated majority of the society) has for its historic mission the abolition of classes—the establishment of real democracy.”

As I said earlier it is unimportant for the purpose of this case what happens after the King is deprived of his



sovereignty, whether a new state is established or the Dictatorship or the proletariat or any other form of government or mis-government. The phrase however "Dictatorship of the proletariat" occurs so often and the activities of a communist are directed so entirely to the ultimate establishment of this Dictatorship that it is necessary to notice, briefly, the exact operations which this entails.

Some of the quotations just given suggest without undue circumlocution that it is a part of the general plan to use violence and that revolution implies violence. This aspect of communism is referred to in the complaint as armed revolution. It is put forward that this is a misconception and that it is absurd to talk of armed revolution particularly in India where the Arms Act is strictly in force. This argument is possibly based on a remark in an essay by Spratt (P. 526 (25)).

"Terrorism, the policy of seizing power by means of a secretly prepared armed revolt or coup d'etate, is again hardly a serious one."

From which it is argued that revolution does not necessarily imply armed revolt or violence. The important word in this quotation is "terrorism" and I will show later that a communist has nothing to do with terrorism. As regards the argument itself Stalin is distinctly sceptical.

"No doubt in the distant future, if the proletariat has triumphed in the chief countries that are now capitalist, and if the present capitalist encirclement has given place to a socialist encirclement it will be possible for a "peaceful" transition to be effected in certain capitalist countries where the capitalist, in view of the "unfavourable" international situation will deem it advisable "of their own accord" to make extensive

concessions to the proletariat. But this is to look far ahead and to contemplate an extremely hypothetical possibility. As concerns the near future there is no warrant for any such expectations. That is why Lenin is perfectly right when he says : "the proletariat revolution cannot take place without the forcible destruction of the bourgeois state machine and its replacement by a new machine."

(*Leninism* page 117). Some at least of the accused are under no delusion on this point. Thus Hutchinson in some notes, on what his counsel described as an "innocuous" lecture to be delivered by him says,

"By all means let us try to win freedom without bloodshed but when capitalists interests are threatened then they will be the first to offer violence, to try and crush the workers revolution, and we must be prepared."

(P. 1586). The capitalist is, like the Frenchman's tiger, the wickest of creatures: quand on l' attaque, il se defend, Spratt talks on similar lines in a lecture on "Revolution and India", (P. 1941).

"Although revolution was not synonymous with bloodshed yet a strictly non-violent atmosphere was a far off cry. Every revolution in history was attended with bloodshed. The very idea that some blood would have to be shed ought not to deter India from launching the programme of civil disobedience."

He is however more outspoken in a speech which he delivered in Malda at a Young Mens' Conference:

"Considering all this, it seems to me that we who are communists need not apologize. We need not be careful to disguise the brutal blood-thirsty side of our proposal.

We say these things are inevitable. Modern society is based on brutality and if we want to get rid of it we have to use fierce brutality. We shall not also disguise the fact that in the course of attainment of our aim and the establishment of communism we shall have to indulge in brutal dictatorial methods. We shall have to indulge in civil war in most countries."

(P. 1916). Dange in a Lenin Day speech at Bombay 1929 puts the matter in a nutshell.

"Then, coming to the communists,—communism is this: "if the state is based on violence it cannot but be overthrown but by violence."

(P. 1690). The Kirti the official organ of the Punjab Workers' and Peasants' Party, edited by Sohan Singh Josh, carefully explains away the suggestion that violence is not desirable.

"We are wedded neither to violence nor to non-violence. Complete independence is what we want whether it be obtained by means of violence, non-violence or by any other method. If it can be possible, we should become free by non-violence, and if need be by violence or by any other method; but anyhow we must get free....at present when we have neither any war munition at our disposal nor made any preparation to resist the materialistic forces of the Government, violence is not an appropriate weapon. Yes, if preparations are made, the programme of violence can then be laid before the country."

(747-T) P. This suggestion that violence is impossible at the present time is emphasised by several of the Bombay

group. Thus Alve writes in the *Kranti*, the organ of the Workers and Peasants' Party Bombay,

"If the enemy possesses great strength, we should not face him like fools in his own house. First try to possess as much strength as he has got and then begin the warfare. The warfare of the workers is of a very terrible nature. It does not last for a day but continues for several years"

(P. 930). Nimbkar in a speech says,

"It is my wish that there should be no riot amongst you. I am not against the riot, but it must be committed on such day when we shall be able to kill more men of our enemy than they kill ours. If we were to commit a riot today we shall be killed and the police will remain arrogant and strong as they are now. I wish from the bottom of my heart that there should be no trouble till our condition is improved and the volunteers are well trained."

(P. 1706). Mirajkar speaks similarly.

"We must do all things systematically and till we get discipline amongst us peace must be strictly observed.... When confusion, disturbance and struggle are to be done they are to be done systematically. If an affray were to be committed, then 200 men are to be selected and sticks are to be given in their hands, and then the affray is to be committed."

(P. 1720). Dange says.

"We can fight with Government in two ways. Constitutionally and by revolution. You can not get success by revolution because we have no arms and ammunition. We have only lathis. By lathis you can kill a few people and also by strength of arms you can murder a few men.

But this is not success.... Therefore until you get and win over Indian army on your side you must go on constitutionally. In police and in army our Indian people only abound. We must try to win our people on our side and then throw away the Government. I shall be the first man, when that day arrives, to throw away the government."

(P. 2445). This is the cautious and eminently wise policy of the men on the spot. Conspirators outside India have less reason to counsel prudence than those who are subject to the law of India. M. N. Roy's opinion contained in P. 1888 has already been quoted. It may be reinforced by quotations from an article on International affiliation (P. 1994).

"The communists advocate violent overthrow of the class-ridden society, in order to put an end to the perpetual regime of violence.....The Communists propose to abolish the social order which is maintained by perpetual violence and will not shrink from temporarily adopting violent measures to end violence once and for all."

Chattopadhyaya in a letter to Jawahar Lal Nehru deprecates the apparent squeamishness of India on the subject of violence.

"If you are organizationally prepared by that time, you will be able to strike a blow, just as Gandhi was able to strike a blow, just as Gandhi was able to do in 1921. But I hope that this time there will be no sentimental nonsense about the shedding of a few litres of blood, and that the revolutionary movement will be led on purely materialistic lines by trained Marxian revolutionaries."

(P. 1645). Jawahar Lal Nehru indeed seems to be ideologically very unsound and is attacked, by the W. P. P., for his insistence on the possibility of avoiding violence, thus:

“Speaking to the Delhi Provincial conference at Meerut Jawahar Lal Nehru declared that with organised masses tremendous pressure can be brought, and any Government will give in. This is a grievous error for a leader of a revolutionary movement to fall into. In support of his theses the speaker asserted that in Europe the main methods of developing sanctions and of seizing power are based not on violence, but peaceful organization of workers, peasants and others’. This is the most distorted view of the European situation that one could give.”

(1348 (37) ). And finally, to go back, as I began, to the supreme authority of Lenin, I may cite “*State and Revolution*” ( P. 1092). The whole book might be quoted, but one passage will suffice.

“We have already said above, and say so more fully at a later stage, that the teaching of Marx and Engels regarding the inevitability of a violent revolution refers to the capitalist State. It cannot be replaced by the proletariat State ( the dictatorship of the proletariat), through mere ‘withering away’, but in accordance with the general rule can only be brought about by a violent revolution.”

Then after referring to the Communist Manifesto “with its proud and open declaration of the inevitability of a violent revolution”, he goes on to say:

“The necessity of systemetically fostering among the masses-this, and only this, point of view about violent

revolution lies at the root of the whole of Marx's and Engles' teaching.....the substitution of a proletarian for the capitalist State is impossible without a violent revolution."

(pages 128-129. Vanguard Edition.) After this I do not think that further discussion on this point is needed.

#### IV

In justice to communism however it must be emphasised that this violence is in no way allied to anarchism or terrorism. It cannot be denied that communism is, when once its premises have been granted, ruthlessly logical. No permanent advantage can be gained from sporadic murders, and therefore political murders and anarchist outrages are not only deprecated but forbidden. Dange in a speech already referred to ( P. 1690 ) makes this clear with abundant iteration;

"Communism says, the State is based on violence and it has to be overthrown by violence, but it does not advocate a murder. The communists make a distinction between violence and anarchy. There is no humbug with the communists. The murder of an individual officer is the creed of violence as advocated by anarchism, and is not the creed of violence as advocated by Communism."

Sohan Singh Josh is equally emphatic:

"I would like to point out that our Naujawan Sabha does not repose confidence in terrorism. We understand that "individual terrorism" has not succeeded anywhere. We can murder a few persons by this method, but they can be replaced by other tyrants. In this way this system cannot be changed; nor can any injustice and oppression

be ended. Hence our object is to change the system and not to murder individuals."

( P. 1905-T ). Again while discussing the Saunder's murder he says:

"I want to declare in clear words on behalf of the Sabha that we do not believe in individual terrorism. We believe in 'revolutionary mass action' only and this is the only method with us by which we can secure complete independence."

( P. 207-T. ) A large part of an article ( P. 527 (8) ) drafted by Spratt is directed against a group of dissidents whom he castigates under the name of anarchists. Stalin as usual puts the question beyond doubt.

"Let me reiterate the fact, which should be known to every civilized human being unless he is an utter ignoramus or a paid agent. Let me explain that communists never have had, and never will have, anything to do with the theory and practice of individual outrages, that communists never have had, and never will have, anything to do with the theory and the practice of conspiracies against individual persons. The theory and practice of the Comintern is based upon the idea of organizing a revolutionary mass movement against capitalism. That is the true task of the communists."

( *Leninism*, page 378 ). After this it is barely necessary to quote M. N. Roy, but I do so in order that any communists who may be entangled in this case may realise that every credit is being given to them for their virtues as well as for their faults.

"We have registered our opinion unmistakably against the futile terrorism advocated by the nationalist secret



societies, which are numerically negligible and politically of no importance. Even the letters and public documents produced to establish the "guilt" of the accused in the Cawnpore case, testified to our opposition to "terrorist conspiracies". Unfortunately the defence failed to take advantage of this weakness of the prosecution—a weakness which, firmly seized upon, would have cut the ground from under the feet of the prosecution."

( P. 1138 ). I pass on the hint for what it is worth.

In connexion with this mention of the Cawnpore Conspiracy case I ought to say that it has been impossible to avoid knowing in the course of the present case that certain of the accused were involved in the Cawnpore case. Further, another accused was in Jail when he was arrested and one is still undergoing, nominally, a sentence of imprisonment. Two more accused were prosecuted in Bombay and were acquitted, while a third was also prosecuted there for another offence and convicted. These convictions and prosecutions are not by themselves relevant against the accused concerned and no adverse conclusion of any sort has been or should be drawn from them. Nor, as far as I am aware, has any evidence produced in this case been previously used against any of the accused in any other case. I cannot help knowing the previous history of the accused concerned, but this history will not influence me in coming to a conclusion on the facts of the present complaint.

## V.

I have not of course made any attempt to give a full description of the purpose of communism, but the quotations given above should bring out some of its salient features which are of special importance in the present case.

I will now turn to the alleged conspiracy, and see how far these purposes have been put into practice. I shall endeavour to give a connected narrative based on documents exhibited in the case. For ease of reference I shall confine myself as far as possible to those which find a place among the printed exhibits, but in view of the necessity of going to the highest authority I shall when dealing with the Comintern and its general policy refer also to exhibits which have not been reprinted, official reports, reports on the World Congresses contained in *Imprecor* and elsewhere, and also to certain standard works of reference such as the three books already mentioned, namely "*The State and Revolution* by Lenin, *Leninism* by Stalin and *the A. B. C. of Communism* by Bukarin. There is no need to deal on the authority of any book issued under the name of Lenin. Stalin's name (his real name is Joseph Vissarianovitch Dzhugashvili, but, fortunately for the comfort of the world outside Russia, he elected to be known as Stalin) carries almost equal weight. Stalin has been the dominating figure in communist circles since the death of Lenin and it is not too much to say that though he occupies high official position in the U. S. S. R. he is the real dictator of Russia. Bukarin has, I believe, recently suffered an eclipse which may cause him to follow into political exile the equally wellknown Trotsky, Tomsky, Zinovieff and others; but from the 1917 Revolution right up to the conclusion of the Sixth World Congress of the Comintern in July and August 1928 (at which he played a leading part) his authority to voice the policy and aims of the Communist Party was unquestioned. Every page of the *Imprecor* bears witness to this.

## VI

The head of the alleged conspiracy, as has been

said before, is the Communist International, known also as the Third International or the Comintern. The First International was also a Communist International in some respects, but it was not predominantly revolutionary and eventually a controversy with the anarchists led to its break up (P. 719). The Second International succeeded it in 1889. The Second International is still in existence and has its headquarters at Amsterdam. This International has become identified with what may be called constitutional socialism. It has cast off the revolutionary tendencies with which perhaps it started and while having for its object the transference of political power to the working classes it has deliberately aimed at an evolutionary rather than revolutionary programme. Members of the present Labour Government of the United Kingdom and indeed most of the Labour Party of Great Britain belong to it and the fact that there is at present a Labour Government in power in Great Britain might be considered a triumph for this International. But evolutionary motion does not satisfy the extremists of the Labour Parties of the world. Lenin in particular wished for something more rapid and the Russian revolution, largely inspired by him, gave him an opportunity of founding an organization more in accordance with the revolutionary principles of Marx which he had adopted and developed. The Russian revolution and the establishment of the proletariat Government in Russia in November 1917 gave to Russian leaders a peculiarly important position in the ranks of the revolutionaries. They were able to point to the fact that their theories, for the time being at any rate, had proved successful and they had established a Government of the workers. It is unnecessary to discuss whether the workers' lot was improved or not by the change. At any rate, the outside

world began naturally to look to Russia as the principal exponent of that form of Marxism to which the name of Communism is now generally applied. In 1919 the Third International was formed with its headquarters at Moscow and this International has taken upon itself the direction of all the revolutionary movements in the world. The International works mainly through its Executive Committee the E.C.C.I. Periodically it holds world Congresses which act as the general meetings of the International. These Congresses should be held every two years, but actually the spacing is more irregular: The Sixth World Congress was held in 1928. The object of the Comintern is given in its constitution

“The Communist International—the International workers’ Association—is a union of Communist Parties in various countries; it is a World Communist Party. As the leader and organiser of the world revolutionary movement of the proletariat and the bearer of the principles and aims of Communism, the Communist International strives to win over the majority of the working class and the broad strata of the property-less peasantry to fight for the establishment of a World Union of Socialist Soviet Republics, for the complete abolition of classes and for the achievement of Socialism—the first stage of Communist society.”

(1208 (3) ) There can be nothing clearer than this, that the object of the International is to create a world revolution with the subsequent establishment of Soviet Republics. This definition of the Comintern aims is corroborated in many places, in fact in all Communist literature. To take a few examples at random from the exhibits—Bukarin speaks of the “Bolshevik reliance on the International

revolution " ( P. 1220 ) page 35). R. P. Dutt in a discourse of communism (P. 719) quotes the following:—

"The Communists disdain to conceal their aims and intentions. They declare openly that their ends can only be attained by the forcible overthrow of every obtaining order of society." And later on at page 49 "There is no way out save the complete ending of the system of imperial capitalism that compels these results, and its replacement by the world organization of production on the basis of the workers.....In the midst of this world upheaval there is need of a strong revolutionary power that can alone form the coherent force to carry through the necessary change and establish the new system "

The proceedings of the Sixth World Congress of the Communist International which are on the record tell the same tale on almost every page. It may be of interest to quote from the remarks of one Comrade Sikandar, a representative from India, who, according to the prosecution in none other than the accused Shaukat Usmani.

" Comrades. It is needless to emphasise that the ultimate aim of the Communist International is the establishment of Communism throughout the world..Comrades, the pre-requisite for the establishment of Communism is the capture of political powers by the proletariat. "

( Imprecor for 25th. September 1928, page 1175 ). Then again, with the accused Hutchinson were found some manuscript notes for preparation of a lecture or article. This is how he deals with the Communist International.

## 7 Communist International ( Comintern )

( 1 ) Not Russian but International.

( 2 ) Delegates from C. Ps of all countries.

( 3 ) Object World revolution and the ultimate establishment of Communist Society. " ( P.1589 ).

These examples could be multiplied indefinitely. I do not suppose that any one will care to deny that the object of the Communist International is to establish Soviet Communist Republics throughout the world by means of a world Revolution.

Of course, it is not necessary or even likely that this world revolution should take place at one definite moment. The revolution will occur at different times in different places. As Bukarin says in the article already quoted:—

" Our Bolshevik Party has fully justified itself in placing its reliance on the international revolution, because the international revolution is not something that will occur in the future, but is something that is proceeding now. "

( P. 1220 ). He then goes on to give a list of revolutions which have occurred in various countries in the last few years. All these are phases of the world revolution. It is something which, starting perhaps with the Russian revolution of 1917, continues piece by piece without interruption and does not become complete until, sooner or later, every country has had its revolution, and in the whole of the world no Government exists except the Government of the proletariat. Each country naturally has its own particular problems. The economic or social development of each country differs from that of its neighbour, the strength and ability of the revolutionary party working

within any particular state may be inferior or superior, active or quiescent, the Government in power may be strong or weak. All these factors affect the time when a revolution may occur; but in the end, if the Communist International can attain its object, each of these states or Kingdoms will be brought to a stage at which a revolution is possible and desirable. When this happens a revolution will naturally break out and one more brick will be added to the edifice which the Comintern is building. Actually it is some times alleged that the Comintern has no desire to create revolution. R. P. Dutt says:—

“ It is the conditions of society that are producing chaos and revolution; it is the object of the communists to end these conditions by giving conscious direction to the instinctive forces of revolt, instead of vainly seeking to stem them. No error in fact could be greater than to suppose that the communists are out to ‘make’ a revolution in order to impose their system upon mankind. ”

( P. 719 ) Theoretically this may be so. It is difficult to say how far instinctive feelings of revolution exist. What can be said is that, like the prosecution, the Communist International leaves nothing to chance. In order to direct these instinctive forces it first of all awakens them. Where no feelings of class consciousness exist it deliberately sets itself out to arouse them. It preaches revolution in places where the idea of revolution had never previously penetrated. It may be of course that left to themselves the workers would in time develop class conscious feelings and would in time become revolutionary. The Communist International hastens the process by the use of propaganda and education designed to lead the workers to the path of

revolution by the shortest possible road. Without class consciousness for instance, organization is impossible. Hence come the orders from the Foreign Bureau:—

“ Action and propaganda among the proletarian masses are vitally necessary for the building up of the working class party. The programme of the party must be popularized. The class consciousness of the masses must be awakened. This will be done through the party press, public meetings, workmen’s clubs proclamations, leaflets etc.”

( P. 2323 (1) ) The masses do not perhaps want revolution, but they must be taught to want it:—

“ The communists will become the trusted leaders of the masses by giving concrete form to the latter’s unconscious demands. In the earlier stages of the class struggle the workers and peasants do not know clearly what they want. The struggle for the freedom of the working class cannot be postponed till every worker has acquired class consciousness, which can be developed only in actual struggle ”.

( P. 377 ( 1 ) ) In other words it is no use waiting for instinct to develop, as it may develop in the wrong direction: it is best to tell the masses what they want, and if you say it often enough they will gradually begin to believe, it and all will be well but dont let them think for themselves. That might be disastrous for the Party: for the Party wants revolution.

The reason for this insistence on the necessity for a world revolution is not far to seek. It is mainly a measure of self preservation. Lenin makes this clear.

“ The second crucial problem is that of the world



revolution. International imperialism; which wields all the forces of united capital and all the acquirements of military technique, is a mighty power, and a very real power. In no circumstances, under no possible conditions, can it live at peace with the Soviet Republic. The objective situation of the capitalist imperialists, the economic interest of the capitalist class (incorporated, as they are, in international imperialism), the various commercial treaties between the capitalist nations, and all their international and financial relations, combine to make this impossible. A conflict with international imperialism was inevitable. Here is the greatest difficulty of the Russian revolution, its supreme historical problem the need to solve international problems, the need to promote the world revolution."

(Quoted from *Leninism*, page 22). Stalin repeats the arguments.

The final victory of socialism will provide full guarantees against attempts at intervention and therefore against the restoration of the old regime; for no serious attempt at such a restoration can be made without extensive foreign support, without the support of international capital. Consequently the support of our revolution by the workers of all lands, and (even more than this) the victory of the workers in a few countries at least, are indispensable preliminary conditions, without which there can be no adequate guarantees against intervention in the first land where the workers have been victorious and against a restoration of the old regime there, and without which the final triumph of socialism cannot be assured."

*Leninism* (page 55) and again

“ Having consolidated its power and having secured the support of the peasantry, the victorious proletariat can and must proceed to upbuild a socialist society. Does this mean that there by the victorious proletariat will achieve the final victory of socialism ? Does this mean that the workers in one country alone, unaided, can definitively instal socialism guaranteed against intervention, guaranteed against a restoration of the old regime ? No, certainly not. For that, the victory of the revolution, if not every where, at least in several countries, will be requisite. That is why the fostering of revolution; the support of revolution, in other countries is incumbent upon the country where the revolution has triumphed. That is why a country in which the revolution has triumphed must not look upon itself as an independent magnitude, but as an auxiliary, as a means for hastening the victory of the proletariat in other lands. Lenin expressed this idea pithily as follows:—

In any country, the victorious revolution must do its utmost to develop, support, and awaken the revolution in all other countries. ”

( *Leninism*, page 109 ).

It may be noted that in the chapter on Strategy and Tactics in the same volume ( page 148 ) Stalin defines the aim of the Russian proletariat, after the revolution of November 1917, as

“ The consolidation of the dictatorship of the proletariat in one country, where it could be used as a fulcrum for the overthrow of imperialism in all countries. This revolution transcends the limits of one country, and begins the epoch of the work revolution. ”

## VII.

This idea of using the establishment of the dictatorship of the proletariat in Russia as a fulcrum for the overthrow of imperialism in all countries raises a question of the relationship between the U. S. S. R. and the Comintern. I would not touch on a matter which is essentially a question of international relationships were it not that there has been a good deal of misunderstanding on the point. The defence have repeatedly assumed that the Comintern and the U. S. S. R. are identical, and have, on more than one occasion, pressed the argument that the participation of an independent state in a conspiracy against the British Empire is a matter to be dealt with by International and not by ordinary courts of justice. It has also been asserted that now that Great Britain has established friendly relations with the U. S. S. R., by the exchange of ambassadors, the present proceedings are illegal and must be dropped. I cannot agree either with the premises nor with the conclusions of the argument. Even were the premises correct, there is no bar to the trial of persons who according to the complaint, have conspired with one another within the local limits of the British Empire to overthrow the British Empire, even if they were acting under the direction of a foreign power. Nor does it make any difference in law whether that foreign power is friendly or unfriendly. But the premises are not correct. The U. S. S. R. and the Comintern are not identical. This was, I believe, stated definitely by the U. S. S. R. some years ago when the question of propaganda by the Comintern was in issue. They clearly asserted that the Comintern was an independent body and they had no control over it. This reply was literally correct.

But it led some people to believe that the Comintern has even less organic connexion with the U. S. S. R. than is actually the case. The Comintern was conceived as analogous to the Salvation Army, which has in essence no connexion with any particular Government, or to the second (Amsterdam) International, which in no way interferes with the Government of Holland. This conception again is erroneous. The truth lies mid-way. It can be asserted without fear of contradiction that the Government of the U. S. S. R. is in the hands of communists. All these communists must belong to the Communist Party of Russia and must obey its dictates. All Communist Parties form actions of the Comintern and must abide by all the decisions of the Comintern ( see rules 3 and 5 of the Constitution and Rules of the Communist International, P. 1208(3). It is clear that the Comintern controls the Communist Party of Russia which in turn controls the Government of Russia. The Collector of a district controls the Sub Divisional Officer: the S.D.O. controls the tahsildar; but no one contends that the Collector and a tahsildar are one and the same person. The U. S. S. R. is bound to carry out the decisions of the Comintern conveyed to it direct or through the C. P. of Russia and it was perfectly right in saying that it had no control over the Comintern. In fact any undertaking given by it to stop propaganda by the Comintern would be entirely valueless unless it had received the previous sanction of the Comintern to make such a promise. It goes without saying that as the Comintern has its headquarter at Moscow and the E. C. C. I. is predominantly Russian in composition (*Imprecor*, for 21. 11. 28, page 1547) the connexion is very close; but that does not mean identity. The Comintern has wider interests than the

U. S. S. R. which, naturally, is more concerned with governing Russia than with outside politics, except when the latter concern its relations with other Governments and its own safety. Stalin (speaking in the name of the C. P. of Russia and not of the Comintern) puts the position with his usual lucidity.

“ This must not be supposed to imply that our Party is identical with the State. Nothing of the kind. The Party is the leading energy of our State. It is very foolish to maintain, as some comrades maintain, that the Political Bureau is the supreme organ of the State. This is not so. The assertion confuses the issues, and can only play into the enemy's hands. The Political Bureau is the supreme authority of the Party, and not the supreme authority of the State. Nevertheless, the Party is the supreme guiding energy in the State. The Central Committee and the Political Bureau are Instruments of the Party. The State authorities must not be identified with the Party, although, in all fundamental question alike of home and of foreign policy, the Party is the guide.”

(*Leninism*, Page 418).

## VIII

The Comintern then is shown to have pledged itself to the accomplishment of a world revolution. Methods naturally vary with varying conditions, and it is not necessary to examine any except those relating to the colonies in general and India in particular. This is easier because India is recognised as “the Classical Colonial country” and special attention is directed to it. There is in Russia an institution called The University of Peoples of the East, founded in 1921 with the object of training

Communists for work in oriental lands. Stalin visited it in 1925 and delivered an address on the political tasks of the University. In it he dealt specifically with work in India. This whole section of the address repays reading. It is found in Stalin's *Leninism* (P. 8) and is also reproduced as P. 1203. I need only quote his summing up.

“ To sum up. The immediate tasks confronting the revolutionary movement in colonial and vassal lands where capitalism is well developed are as follows:—

- (1) To win over the best elements among the workers to the cause of communism and to form independent communist parties.
- (2) To set up a nationalist and revolutionary coalition of workers, peasants, and revolutionary intellectual, as a counterpoise to the coalition of the great bourgeoisie with the imperialists.
- (3) To guarantee that the leadership of the revolutionary coalition shall be in the hands of the proletariat.
- (4) To free the urban and rural petty bourgeoisie from the influence of the reformist native bourgeoisie.
- (5) To secure the linking up of the national liberationist movement with the proletarian movement of advance countries.”

(Leninism, page 279).

Later, in July and August 1928, the Sixth World Congress of the Communist International was held at Moscow and in the course of it the colonial position was discussed. Kuusinen presented a draft these to serve as a basis of a formal pronouncement by the Comintern and in

the course of his introductory remarks he dealt specially with India. (Imprecor for 4th. October 1928 page 1228). Apparently colonial work had been neglected by the D. C. C. I. with the result that at that time there existed practically no real communist party in any colony (page 1231), though a certain amount of mass organization had been achieved. In his speech he outlined some of the imminent tasks in India.

“ One cannot simply deny the fact that the national reformist parties have the greatest influence over the masses in India, not so much among the workers, but certainly among the petty bourgeoisie and the peasantry. To under-mine this influence, to overcome it, to get away the masses from the national-reformist and the treacherous bourgeois opposition, such is our most important immediate task”

(Page 1229). Again,

“ This danger of giving a communist label to parties which are in reality not communist parties at all, would exist if we wanted to replace in India the construction of an independent Communist Party by any labour and peasant parties. Modestly, and yet perseveringly, must we begin in India with work in Trade Unions and during strikes, with education of party workers..... The task of educating our party cadres assumes enormous importance.

(page 1232). A little later on the same page he defines the work to be done in Trade Unions:—

“Exposure of the Indian reformists and Trade Union leaders is the most important immediate task of the Left Wing of the Indian Trade Unions. It is only by

drawing wide masses of workers into the Unions, especially from the textile, engineering and mining industries and from the transport service, by energetic participation of the Left Wing in the everyday struggle of the masses and by organizational utilization of these struggles, that this Left Wing can secure a leading position in the Trade Union movement. The Indian Trade Union movement must be connected with the International Red Trade Union movement through the Pan Pacific Trade Union Secretariat. Struggle against British Imperialism and its tools and allies, exposure of bourgeois international reformism and agitation among the peasantry for the agrarian revolution, construction of independent political and Trade Union organization of the revolutionary workers.... such are the most important immediate tasks of the Indian Communists."

He was followed in the discussion by Comrade Sikandar who, it is suggested, is Shaukat Usmani. He is mainly concerned with attacking the nationalists, about whom he says:

"This party advocates the complete independency of India by non-violent methods. In this century of machinery and iron, neither India nor any other country can be free by nonviolent or nonaggressive means. So long as this Party facilitates our way to the masses and offers us the chance of developing our revolutionary movement, we can utilize it, but it would be harmful to think that these people can be utilized to a great extent for our cause. This is impossible."

He ends with the somewhat significant words:

"The necessity at present is to form a strong communist Party in India. There exist already many small groups which should be welded into a well disciplined



single party. In conclusion, I will say that there is a great deal of misunderstanding about the situation in India. Comrades who have been here for about ten years cannot properly deal with the situation. They therefore grope in darkness and formulate such absurd theories as decolonization (page 1248).

The decolonization theory (which need not be described here) was ascribed to M. N. Roy, who, for most excellent reasons, has been unable to visit his native land of late years. There is evidence to show that Roy and Shaukat Usmani did not get on well together. For instance Roy warned Adhikari against him (P. 1174).

## IX

The thesis was eventually passed, the Indian delegates voting for it after some hesitation. That portion of the finally accepted thesis which relates to India has been found with Several of the accused and is printed as the first portion of P. 334. In its present form it may fairly be said to present the up-to-date policy of the Comintern in an authoritative form and to have received the assent of the representatives of India. It is thus of great importance and I fear I shall have to quote extensively from it. The first two sections deal with conditions in India, particularly in respect of the growth of Imperialism and the collapse of the national revolutionary movement against it. With the third begin the detailed instructions.

The third section begins.

"The general basic task of the bourgeoisie democratic revolution in the colonies and semi colonies.

- (a) A shifting in the relationship of forces in favour of the proletariat. . emancipation of the country from the yoke of imperialism, establishment of national unity of the country, overthrow of the power of the exploiting classes, organization of the soviets of workers and organization of the Red Army establishment of the dictatorship of the proletariat and peasantry, consolidation of the hegemony of the proletariat.
- (b) the carrying through of the agrarian revolution.
- (c) In correspondence with the further development of industry, transport, etc. .strengthening the Communist Party and its conquest of a firm leading position among the toiling masses; the achievement of the 8 hour day.
- (d) Establishment of equal rights for nationalities and of sex equality (equal rights for women); separation of the church from the state and the abolition of caste distinction, political education and raising of the general cultural level of the masses in town and country etc.

Along with the national emancipatory struggle, the Agrarian Revolution constitutes the axis of the bourgeoisie democratic revolution in the chief colonial countries."

It may be noticed that these demands represent more of the ultimate aims than the immediate tasks which are dealt with later. Before leaving this section however I may quote some remarks as regards tactic

"The correct tactics in the struggle against such parties as the Swarajists during this stage consists in the successful exposure of their real national reformist character. . . . . If the communists do not already succeed in this stage in shaking the faith of the toiling

masses in the bourgeois national-reformist leadership of the national movement then this leadership in the coming upward growth of the revolutionary struggle will represent an enormous danger to the revolution. It is necessary to reject the formation of any kind of bloc between the Communist Party and the national reformist opposition; this does not exclude the formation of temporary agreements and the coordinating of separate activities in connexion with definite anti-imperialist demonstrations provided that these demonstrations of the bourgeois opposition can be utilised for the development of the mass movement, and provided that these agreements do not in any way limit the freedom of the communist parties in the matter of agitation among the masses and among the organisations of the latter. Of course, in this work the communists must know how at the same time to carry on the most relentless ideological and political struggle against bourgeois nationalism, and against the slightest of its influence inside the labour movement.

It is absolutely essential that the Communist Parties in these countries should from the very beginning DEMARCATE THEMSELVES IN THE MOST CLEAR CUT FASHION, both politically and organisationally from all the petty bourgeois groups and parties. In so far as the needs of the revolutionary struggle demand it, a temporary cooperation is permissible, and, in certain circumstances, even a temporary union between the Communist Party and the national revolutionary movement, provided that the latter is a genuine revolutionary movement, that it genuinely struggles against the ruling powers and that its representatives do not put obstacles in the way of the communists educating and organising in a revolutionary sense the peasants and wide masses of the exploited."

Section 4 is "The Immediate Tasks of the Communist Parties" which are given as follows:—

"(1) Formation of the Communist Party.

(2) Work in the Trade Unions.

(3) Wherever peasant organisations exist, entirely irrespective of their character, as long as they are real mass organisations the Communist Party must adopt measures to penetrate into these organisations. One of the immediate tasks of the party is the correct formulation of the agrarian question in the ranks of the working class, explaining to the latter the importance of the decisive role of the agrarian revolution and acquainting members of the party with the methods of agitation, propaganda and organizational work among the peasantry. Special "Workers and Peasants Parties", whatever revolutionary character they may possess, can too easily at particular periods be converted into ordinary petty bourgeois parties, and accordingly communists are not recommended to organize such parties. The Communist Party can never build up its organization on the basis of a fusion of two classes, and in the same way also it cannot make its task to organize other parties on this basis, which is characteristic of petty bourgeois groups. The fighting bloc of the masses of workers and peasants can find expression in carefully prepared periodically convened joint conferences and congresses of representatives of revolutionary peasant unions (or their committees) and of trade unions etc."

Section 6 develops these immediate tasks in great details. After repeating the ultimate aims of the communists and the thesis remarks.

"These are the tasks which can be successfully carried

out only when there will be created a powerful Communist Party.....The union of all communist groups and individual communists scattered throughout the country into a single, illegal, independent and centralised party represents the first task of the Indian Communists. While rejecting the principle of the building of a party on the two class basis the communists must utilise the connexion of the existing workers' and peasants' parties with the toiling masses for strengthening *their own party*, bearing in mind that the hegemony of the proletariat cannot be realised without the existence of a consolidated, steadfast communist party armed with the theory of Marxism. The agitational work of the Communist Party must be bound up with the struggle for the immediate demands of the workers, at the same time explaining to them the general aims which the Communist party sets out to achieve and the methods which it applies for their realisation. It is essential to establish nuclei in the various industrial and other enterprises, and these must take an active part in the labour movement, in the organisation and conduct of strikes and political demonstrations. The Communist organisations from the very beginning devote special care to the training of Party leaders from the ranks of the workers.

In the Trade Unions, the Indian Communists must mercilessly expose the national reformist-leaders and carry on a decisive struggle for the conversion of the Trade Unions into genuine class organisations of the Proletariat and for the replacement of the present reformist leadership by consistent revolutionary representatives from the mass of the workers.....The levers for party work in the Trade Unions must be the communist fraction as well as groups founded by the communists and sympathising with them. It is

necessary to utilise the present strike wave in order to organise the unorganised workers.....The Indian communists must unmask the national reformism of the Indian National Congress and oppose all the phrases of the Swarajists, Gandhists, etc. about passive resistance, the irreconcilable slogan of the armed struggle for the emancipation of the country and the expulsion of the imperialists.

In relation to the peasantry and peasant organisations.... the party must work out an agrarian programme of action."

It is interesting to compare this programme with the programme outlined by Comrade Raza, an Indian delegate to the Sixth world Congress.

"I am convinced that in India we must have a strong Communist Party whose business will be to organize the working class and peasantry, capture trade Unions, utilize the auxiliary forces, create the revolutionary youth movement and direct them properly and, also, exploit the antagonism existing between the nationalist and foreign bourgeois, and expose the national bourgeoisie on every step they take against the interests of the toiling masses, and finally organize propaganda work in the army with the ultimate view of shattering to pieces the foreign domination and usher in its place democratic proletarian dictatorship."

(*Imprecor*, for 3rd. August 1928, page 783).

This thesis was followed up in December 1928 by a letter addressed direct to the All India Conference of Workers and Peasants, Calcutta, by the Communist International. This is equally important, but not so comprehensive, as it is addressed, not to a definitely com-

munist body but to the workers and Peasants Party. This letter (which forms the second part of P. 334) develops at greater length the question of the relationship between the Workers and the Peasants. It advocates,

"The formation of a real revolutionary bloc of workers and peasants, under the leadership of the proletariat, not in the form of a united workers' and peasants' party, but the basis of cooperation in deeds between the mass organisations of the proletariat on the one hand, and peasant leagues and committees on the other, for the overthrow of the imperialists etc."

It attacks once more, the influence of "opportunist bourgeois" nationalism which it describes as "the main obstacle to the victorious organized struggle against British Imperialism; "and specially it attacks "the organization and groups of prominent petty bourgeois intellectuals actually influenced by the bourgeois nationalists Independence League," whose programme it unkindly describes as "confusion and twaddle." It drives home again and again the point

(1) that the peasantry must act with and under the leadership of the proletariat workers and

(2) that the two classes must not be fused into one party. The proletariat must be one party, the peasants another both of course under the leadership of the Communist Party. I need not quote extensively from this letter as I have sufficiently emphasised its main thesis. To put it briefly the Communist International has-laid down the following immediate tasks to be performed in India:—

(1) Formation of a strong illegal Communist Party.

(2) Organization of the workers through Trade Union.

(3) Organisation of the peasants.

These last two classes are to be organized separately but to act together when need arises: and

(4) Merciless criticism of reformist nationalism whether in the field of politics or in the Trade Unions. This is the programme which prevails from the beginning of 1929.

To what extent this programme was carried into effect in India will be seen later. Very little time elapsed between the arrival of this programme at the end of 1928 and the arrest of the accused in March 1929. But two points in the programme need some further explanation.

## X

(1) The question of the workers and peasants party. The — 1925 programme visualises the formation of a Nationalist and revolutionary coalition of workers and peasants and revolutionary intellectuals" in one party. This is clearly explained in the body of the lecture.

"The coalition may (there are alternative possibilities) take the form of a single, united party of workers and peasants voicing a joint programme. But the advanced communist elements will need to insist upon the independence of the Communist Party in such lands, for the proletariat cannot be prepared for its task as leader, nor can the proletarian leadership be realised, by any other than the Communist Party."

(*Leninism*, page 279). But in the 1928 programme the idea of one party containing these two elements is anathema—there must be separate parties.



The steps leading to this radical change of policy can be traced from correspondence emanating from M. N. Roy representing the Foreign Bureau. The foreign Bureau, it will be seen later, was the foreign section of the Communist Party of India (C. P. I.) composed of Indians living abroad. It is defined as "the representative of the Central Committee and the organ through which international relations of the party will be maintained" (P. 2169). In other words it was a liaison office between the Communist International and the communists in India and Roy's directions may be taken as inspired. In January 1926 the scheme outlined by him was a legal nationalist party with a radical republication programme (Peoples' Party) and an illegal Communist Party inside it. (P. 2320). The Peoples' Party obviously corresponds to Stalin's coalition and it is to be on broad nationalist lines with the C. P. I. controlling it secretly from within. The next letter is P. 2169 (1) dated March 20, 1926. It deals chiefly with the C. P. I. which he suggests should have a dual organization and an illegal organization should be built up side by side with the legal apparatus. The post script of this letter implies that the idea of a Peoples' Party has not been given up, but the general wording suggest that this party would be the legal side of the C.P.I. It is significant that, when giving one of the minimum demands as complete national independence obviously in order to attract the nationalist, he adds it is not necessary to stipulate anything about the means." Clearly he did not wish to frighten any one at that stage. In October 1926 however the plan was changed. The Communist party was practically to be dropped—the word communist frightened people who might otherwise help them. In its place there would be

"a broad working class party, say Workers' and Peasants'

Party.....This proposition is not the same as that for the formation of a Peoples' Party. They are two entirely different things. One is a veiled Communist Party, while the other is a revolutionary nationalist Party."

(P. 2323). The aims of this new party are defined in the manifesto accompanying the letter (P. 2323 (1) ). It will have a minimum programme to attract revolutionaries of all kinds and a maximum programme which is to be the real aim of the organization.

"The minimum programme will contain immediate demands of the working class and will be broad enough to rally around the working class all the other social elements whose interest demands national independence and complete democratization of the country. Democratic republic universal suffrage, protection for minorities etc etc.—these will be the main features of the minimum programme.....The maximum programme of the working class party is the programme of victorious class-struggle of Social Revolution, of Socialism."

(P. 2323 (1) ). The manifesto remarks a little later.

"The minimum programme of the working class party goes very close to the maximum."

The accuracy of the description "a veiled communist party" is obvious. The plan therefore which was in October 1926 in favour and was supported by "Leading International Comrades" was to have a Workers and Peasants Party only and nothing called a Communist Party at all. This, at any rate, is the general impression given. This plan held good until the end of 1927 and this may account for the remarkable inactivity of the C. P. I. during that period.

On the last day of December 1927 Roy wrote another letter (P. 377 (1)). His former instructions had been obeyed too literally and the Workers' and Peasants' Party was swallowing up the C. P. I. it was now relegated to the second place. The C. P. I. was to be resuscitated but in an illegal form. He points out that legality can only be obtained at the expense of the *raison d'être* of the party.

"Every little act of a real communist is a blow to imperialism, and the imperialist knows it; therefore if the communist does not act illegally he must pass his life in prison."

(Page 5 of the letter): therefore

"fight for legal existence, but build the party illegally. Remain a legal body as long as possible, but build a powerful underground organization. Preserve your legality as long as you can, but don't have it at the expense of activities, essential for the growth of the party".

But as legality is necessary for effective propaganda among the illiterate workers and peasants the Workers' and Peasants' party must also be built up not merely as a cover for the illegal Communist Party, but also as a rallying ground for all kinds of revolutionary elements. The C.P.I. must not be openly associated with it.

"The present form of its organization obstructs the development of the W. P. P. It is too openly identified with the C. P. This keeps away from it many revolutionary elements who would join it on the above programme. It is publicly known that practically all the members of the C. C. of the C. P. are the leaders of the W. P. P. Of course, in fact it should be so, but the cat has been unnecessarily let out of the

bag by publishing the list of the C. C. of the C. P.  
This mistake must be rectified as soon as possible."

(Page 7 of the letter). But in essence it must become increasingly communist and must have international connexions.

"The international nature of class & anti-imperialist struggle should be recognised, and on this basis the W. P. P. should declare its affiliation to the League against Imperialism."

(Page 9.)

"As far as the W. P. P. is concerned the question is answered; it should affiliate itself with the League against Imperialism. That will serve our purpose. Through that you will have the relations and aid you need, but you will not be condemned of having connexion with M."

(Page 10). The policy has now developed. The C. P. takes its place again at the head of things as with Stalin, but the coalition mainly national has given place to an international Workers' and Peasants' Party with drastic political, social and economic demands barely to be distinguished from complete communism." From this it is but a short step to the formula of 1928, when the fundamental basis of organization is prescribed, but the classes are still further separated so as to conform more completely to Marxian ideology. It will be seen later that the development of organization in India follows the steps faithfully.

## XI

(2) The question of nationalism. Never from

the very beginning of the period with which this case is concerned (that is 1925) has nationalism, pure and simple, found any favour with the framers of the policy, but in the earlier stages a closer cooperation with nationalism was deemed possible. While Stalin's fourth aim was to free urban and rural petty bourgeoisie from the influence of the reformist native bourgeoisie his fifth aim was to secure linking up of the national liberationist movement with the proletarian movement of advanced countries (*Leninism* page 280). Thus in the scheme of 1926 the Peoples' Party was to include the radical elements, revolutionary of course inside and outside the existing nationalist parties (P. 2320). In March 1926 the relations with nationalism are,

"The nationalist movement is composed of classes which will never be represented by the communists. Our relation with those classes (engaged in struggle against the foreign rule) will be that of united front in common fight. The suitable way of penetrating into the Congress will be the organization of a republican wing of the Nationalist movement."

(P. 2169) By October 1926 Roy is beginning to distrust not only the bourgeois nationalist leaders but also the militant intellectuals and

"their wish to capture the masses, in other words to use the masses as so many pawns in the struggle.....  
The slogan of a real working class party must be : *Not the masses for the revolution, but revolution for the masses.*"

(P. 2323 (1) ). This somewhat cryptic epigram (which frequently occurs) seems to mean that the masses are to be the leaders of the revolution and not merely the instruments by which other people can effect the revolution for their

own ends. He also points out that their anxiety to keep within the law is fatal and renders them useless as allies.

“The movement for the notional independence of an oppressed people is bound to violate imperialist legality. The principle and programme of the political party of the Indian working class must inevitably entail the commission of two sets of illegal acts—violation of imperialist laws, for the party must stand for national independence, and violation of capitalist law, for a working class must stand on the ground of relentless class struggle until class-ridden society is replaced by social commonwealth.”

(P. 2323). In P. 377 (1) the hostility has deepened.

“The party of the working class is not the same as the nationalist parties which are amorphous organizations of agitation, but not fighting organs”,

and the only petty bourgeois nationalist leaders to be allowed in the workers' and peasants' party are those “with revolutionary outlook and with influence on the masses and subscribing to our programme.” (page 9 of the letter). It is also of interest to note that Roy suggested convening “a congress for the formation of the W.P.P. on a national scale. The agenda of the Congress will deal with—(1) the political situation” (page 9). This Congress was actually held in December 1928 and a thesis entitled “Political resolution” (P. 56) was adopted which breathes throughout a spirit of uncompromising hostility to the congress, the chief nationalist movement, and the Independence League, its most extreme wing.

The attitude of the 6th World Congress is equally plain. I need not repeat the quotations already given

from the speeches of Kuusinen and Sikandar on the colonial report. In the discussion on the draft programme of the Comintern, Sikandar puts forward the possibility of using the nationalist party, though he includes in his suggestions a warning against the Gandhi policy (Imprecor, for 25th December 1926), (page 1175).

Comrade Narain, India, however, is against even a limited amount of cooperation. Discussing the declaration in the draft programme, "Temporary agreements with the national bourgeoisie may be made only in so far as they will not hamper the revolutionary organization of the workers and peasants and will genuinely fight against imperialism", he remarks,

"I consider this formulation to be fundamentally wrong. After our experience in India in 1922 when the bourgeoisie betrayed the great mass movement which shook India from one end to the other, it is high time now to formulate it more clearly to show that the bourgeoisie can never fight imperialism genuinely. . . . The Indian bourgeoisie is fighting on the same old constitutional issue and that is for its own benefit. It is clearly seen in all its programme and tactics, through every phase of its struggle. Even partial alliance with the bourgeoisie means the abandonment of the slogan of agrarian revolution, which means the virtual abandonment of revolutionary struggle in the colonial countries, specially in such a predominantly agricultural country as India is".

(Imprecor, page 1203), Kuusinen in summing up the discussion on the colonial thesis comes to the following conclusion:—

"We should neither have nor spread any illusions about any kind of revolutionary role of the national bourgeoisie

rather we must spread knowledge in our ranks and among the proletariat that the reformism of the national-bourgeoisie is the greatest obstacle in the way of acquiring mass influence. It would not be a good thing for our party or the revolutionary movement in a colony if in certain circumstances the reformist bourgeoisie were to join the national revolutionary front for a time (*Imprecor*, for 21-11-28 page 1527)."

I have already quoted the final conclusions of the Comintern P. 334.

The general conclusion is that the party may on occasion join nationalists on a united front in opposing imperialism but such a combination has grave dangers and it is better to avoid it in general and devote the party's activities to undermining the influence of the nationalist leaders, mercilessly exposing their policy, drawing away their adherents. Nothing can be clearer than that the nationalists and communists having nothing in common and their real aims are diametrically opposed. If proof were needed of my assertion earlier in this order that this case is in no way directed against nationalism, the above quotations will supply it.

## XII.

This concludes the sketch of the policy of the Communist International as regards India. It has been seen that it is paying special attention to India and that it has laid down a general plan of action. As a representative of workers it has one general enemy "capitalism", but capitalism has two aspects:—

(1) as an embodiment of the employers who have to be fought on the economic field, that is in the factory and



- (2) as equivalent to imperialism; it has to be fought in the political field.

These two aspects cannot be kept entirely distinct. Both battles will be fought out largely in the Trade Unions as soon as Trade Unions are given a political direction. The means in both cases is mass organization. But the dual aspect enables at any rate two sets of agencies to be used; and the second of them could undertake the organization of the peasants whose aid is needed in the political arena, but who have no entry into the Trade Unions. These agencies are given in the list of conspirators outside India. It is unnecessary to describe every name in that list or show exactly for which act each is responsible. But a short general description of some of the more important agents is necessary before entering into the subject of the foreign correspondence through which the Comintern issued its orders and discussed the problems which confronted the workers in India.

To take the Trade Union side first, the most important is obviously the Red International of Labour Unions, usually known as the Rilu. The Rilu was founded in 1921 by the Comintern as the International of Trade Unions (P. 1135). Just as the Comintern is the Communist counterpart of the second (Amsterdam) International—and its deadliest enemy—so is the Rilu the Communist Trade Union counterpart and enemy of the Amsterdam International Federation of Trade Unions (I. F. T. U.). The Amsterdam internationals stand for socialism, for ordered progress on constitutional lines; and for the improvement of the workers' condition by legislation, arbitration and conciliation. The Moscow Internationals stand for communism and the formation of Workers' States

by means of revolution and the extermination of capitalism and capitalists. (see P.1136). Obviously there can be no peace between them. Obviously too the Comintern can count on the Rilu as its representative in all matters pertaining to Trade Unions. Consequently we can expect to find and do in fact find that the Rilu wants to get control of the Indian Trade Union movement in order to further the aims of the Comintern. Unfortunately for it the Trade Union movement in India is still in the hands of what they describe as reformists and has a distinct preference for the I. F. T. U. The T. U. C. has on several occasions attempted to affiliate to the I. F. T. U. In the Delhi Congress 1927 a certain group in the T. U. C. was strong enough to defeat this attempt only by means of a compromise to affiliate to neither International. This group consisted mainly of the Trade Union section of the Workers' and Peasants' Party, Bombay (P. 826). The same thing happened at the Cawnpore Congress at the end of 1927 and again at the Executive Committee meeting at Delhi at the beginning of 1928. On the last occasion the proposal of affiliation to the I. F. T. U. was on the agenda and the Workers' and Peasants' Party Bombay issued a counter-manifesto urging affiliation to the Rilu. The draft of this is in the writing of Spratt, Dange and Mirajkar (P. 37). The meeting still postponed the question of affiliation to the I. F. T. U., but it succeeded in severing connexion of the T. U. C. with the Workers' Welfare League of India, an act which caused much distress to many of the accused and also to the Rilu. But though the Rilu had no official connexion with the T. U. C. it did not relax its efforts to get a footing in it. It addressed a letter to the All India Trade Union Congress, 1928, held at Jheria, urging affiliation to the Rilu (P. 2215 (1)), and

at the same time sent private letters to Ghate, Jhabwala, Dange and Spratt whom obviously it thought to be its allies urging the formation of a Trade Union list wing with the same object. (P. 2215). At the same time a long telegram was sent by the Central Committee Trade Unions U. S. S. R., urging revolutionary activities on the part of the T. U. C. (P. 2086).

Finally so far as this case is concerned the Rilu sent a letter in November 1928 to the Bombay Workers' and Peasants' Party among other bodies with suggestions for the organization of propaganda for the revolutionary Trade Union movement. (P 1633). It is certainly most anxious to establish relations with India and make the Trade Unions there really revolutionary on the lines laid down by the Comintern.

But the Rilu suffers from the same disadvantage as the Comintern. Its headquarters are at Moscow and it is therefore suspected by many who have no spiritual home in that city. It is realised that this proves a handicap in the work of capturing the Trade Unions' movement in India. Moreover, Government, does not look with favour on communications from Moscow and in fact very little of the foregoing literature actually reached its destination. Accordingly it is prepared to work through some of its subordinate bodies, of which the two most favoured are the Pan Pacific Trade Union Secretariat and the Workers' Welfare League of India.

“With regard to the International relations the Left Wing must maintain contact with the Rilu direct and also through the medium of the Workers' Welfare League of India and of the Pan-Pacific T.U. Secretariat.... Every effort must be made to reinstate the Workers' Welfare

League of India as the official representative of the A. I. T. U. C. in England. The Left wing must continue and intensify the campaign for close contact with the workers in the colonial and semi-colonial countries, and in the furtherance of this policy must make every endeavour to have a resolution for affiliation to the Pan Pacific Trade Union Secretariat placed on the agenda of the A. I. T. U. C and adopted at the coming session of the Congress." (P. 2215).

I will take these two bodies separately. The Pan Pacific Trade Union Secretariat was founded in 1922 as a federation of Trade Unions of countries bordering on the Pacific. India does not border on the Pacific, but the P. P. T. U. S. is perfectly willing to include any of the "oppressed nations of the East". Its close connexion with the Rilü can be seen from the fact that the R. I. L. U. has urged all Trade Unions in the East to affiliate to it; and Kuusinen at the 6th. World Congress, in a passage already quoted, urges that

"The Indian Trade Union movement must be connected with the International Red Trade Union movement through the Pan Pacific Trade Union Secretariat. (*Imprecor* for 4th October, p, 1232).

Among its affiliated bodies is the C. C. T. U. U. S. S. R. and the British Minority Movement (P. 1636 (a)). These facts and its programme, which will be found in P. 1384 (2), leave no doubt as to its sympathies. The Rilü and the Comintern are on sure ground when they suggest that from their point of view it is desirable for the Trade Unions of India to establish connexions with the P. P. T. U. S. So far however very little success has been achieved in this direction and therefore I need not dilate further on it.

The Workers' Welfare League of India, though a smaller body, is still more important for this purpose. It started with the initial advantage of being the representative in England of the A. I. T. U. C. The decision of the Delhi meeting of the Executive Committee in 1928 to sever relations with it was recognised by the Rilu as a blow (P. 2. 15) and by Saklatwala as a tragic calamity (P. 1171). Indeed its character is sufficiently shown by the fact that its Indian Secretary is the well known communist ex-M.P., Saklatwala. The London Secretary is C. P. Dutt, whose correspondence with Spratt forms one of the features of the case. C.P. Dutt is a member of the Foreign Bureau of the Communist Party of India (P. 377 (1)) and is in constant correspondence with Moscow. For instance it is to him that they turn when copies of Shaukat Usmani's book, Peshawar to Moscow, is wanted by people "from the place it describes" (P. 1348 (34)). He also takes orders from "Arcos and the delegation" (P. 2346). As regards the League there is no doubt as to its politics. It was in close touch with the Sunday Worker (P. 1659), which has been described by Detective Inspector Norwood (P.W. 301) as an organ of the Communist Party of Great Britain. It regarded it as a compliment and a fine advertisement when the Morning Post called it a Bolshevik Organisation (P. 1814). It conducts propaganda among Indians in England (P. 1658) using as its basis the official organ of the W. P. P. Bombay, the Kranti (Revolution), the contents of which live up to its name (P. 986, 987, 1375 etc.) The Communist Party of Great Britain admittedly influences the League and considers it extremely valuable. (P. 2377 (1)). When the Comintern wished to collect exhibits for an exhibition to celebrate their 10th. Anniversary in March 1929, it was through C. P. Dutt that the request for exhibits was sent to

Dange and the material collected was to be sent to the Workers Welfare League "marked" specimen. "(P. 1665). When Dutt was in Moscow and was meeting the Indian delegates to the 6th. World Congress, he made inquiries from Spratt about the credentials of two of them, Orm and Massel (Shaukat Usmani and Nasim) (P. 2189). This telegram he sent through the office of the Workers' Welfare League of India (P. 2402). It is significant that the reply to this telegram though addressed to the Labour Research Department (P. 2190) found its way to the Workers' Welfare League office without any delay. It was thus obviously communist body which paid Bradley his salary for his Trade Union work in India.

With this body was closely connected the Labour Research Department, which paid Spratt's salary (P. 2191, 2192 etc.) The Director of the Department is R. Page Arnot. He too is a wellknown Communist and at one time was a member of the Executive of the C. P. G. B. (P. W. 301, Detective Inspector Norwood). The Labour Research Department shared an office building with Workers' Welfare League and on at least one occasion when Dutt went away Arnot took charge of his work (P. 2346). The National Minority movement (which ought to know) bracketted the Labour Research Department and the C.P.G.B as likely sources of books required by Mirajkar, the self-styled communist. (P. 1350 (2)). It was again bracketted with the National Minority Movement as a possible address for George Allison, alias Donald Campbell, who was deported from India after serving 18, months' imprisonment for coming to India with a forged passport (P. 526 (16)). It was Arnot who sent Spratt £40 to pay the expenses of sending a representative to Manchester (Moscow) (P. 1530),

and the department is on the mailing list (P. 394) of the Ganavani (the Calcutta paper referred to by Roy in P. 377 (1) and other papers. Spratt's correspondence with 'Robin' (or Page Arnot) is voluminous and important. It formed a, valuable channel of communication between the Communist activities in India and the higher authorities in England and Moscow.

On the political side the most important agent is the League against Imperialism which was founded in 1927 on the ruins of an older body "The League against Oppression in the Colonies" (P. 1355 (1)), of which Jhabwala was the General Secretary for India. As I said before, the division between political and Trade Union activities is a thin one and frequently tends to disappear entirely. Thus every effort was made by the League to secure the affiliation of Trade Union movements and it has been successful in securing the affiliation of the Central Committee of Russian Federation of Trade Unions (P. 1644). It may seem strange that the "ten million members of Russian Trade Unions" should want the support of a League against Imperialism, when Imperialism does not exist in their country. But this Federation (which is affiliated to and controlled by the Rilu) has catholic sympathies. It is even affiliated, as mentioned before, to the P. P. T. U. S., although their work does not lie on the shores of the Pacific. And the financial support thus gained is valuable to the League.

The League is not Communist. It said so three times... twice in their press service of September 5th 1928 (P. 1604) and once in their report of the resolutions passed at the General Council held at Brussels in December 1927 (P. 1634).

"The Executive Committee declares once more that the League against Imperialism is not a section of the Comintern, not is it a section of the Communist Party, but that it is a non-party organization which all men and women, regardless of their political and social outlook, can join on the condition that they acknowledge the principles of the League."

(P. 1604). This statement must therefore be accepted on the well known principle "what I tell you three times is true." What then are the principles which must be acknowledged by members? I will quote from the resolutions of the General Council already mentioned.

"The task of the League is to intensify its activities with the object of mobilising, in a world-wide resistance to the imperialist offensive, all the revolutionary forces fighting for freedom and democracy in the oppressed colonial countries." "While supporting and organizing every form of resistance to imperialist domination the League must base itself primarily on those classes that must conduct the revolutionary struggle for complete national freedom, namely the workers, peasants and democratic petty bourgeois masses", and again, "The General Council resolves to create a powerful organisation of the League embracing militant mass organisations in the imperialist and colonial countries to face the offensive of imperialism "

( P. 1634 ). A further reference to its aims can be found in another press service.

"The anti-imperialist fight for freedom in the colonial and semi-colonial countries can never end in victory if the broad masses of the workers and toilers are not brought into the imperialist struggle. The Trade Unions could and must fulfil a special role in this fight."



( P. 1650 ). These quotations are all from official publications. Further light is shed by its correspondence. In this connexion it is important to notice that the policy of the League is dictated almost entirely by its Secretariat. In the statute of the League it laid down;

“In order to deal with its current work the Executive Committee shall appoint an International Secretariat consisting of the secretaries. The International Secretariat shall also issue a periodical as an official organ of the League. The International Secretariat shall also publish literature within its own discretion showing the ruinous consequences of national and social oppression in order to support the general struggle for emancipation of the oppressed peoples,”

( P. 1647 ). As the Executive Committee meets at most once in three months the Secretaries have practically full power to carry on the business of the League according to their own ideas and it is therefore extremely necessary for the League to appoint men who represent the views of the League. The two secretaries are Willi, Munzenberg and Chatopadhyaya ( P. 1680 ), of whom the former is described as a Communist, while the latter represents the national revolutionary movement. This arrangement is considered the most convenient, the most efficient and the most representative. Their communications, under the terms of the constitution of the League, are authoritative, and they work in perfect harmony such harmony indeed that it is difficult to see where the national revolutionary ends and the Communist begins. This can be exemplified from the correspondence with Jawahar Lal Nehru, who is now the League's chief representative in India ( P. 1633 ). No one who has watched this gentleman's public career

can fail to admire the skill with which he maintains his balance on the summit of the precipitous ridge which separates the camps of nationalism and Communism. This case is not concerned with his deviations to one side or the other, but it is instructive to see exactly what those deviations are which cause alarm in the hearts of his friends in Berlin who are naturally anxious that as regards the League against Imperialism, he should not stray from the right path. The All Parties' Conference report, which drafted the eminently nationalist Nehru constitution, was not unnaturally disliked by the League which stands for out and out independence and some disappointment was felt at the absence of any mention of opposition by Jawahar Lal Nehru ( P. 1649 ). But when he apparently committed himself to a statement that "once India secured independence it could chose its own constitution even if it so wished Dominion Status", "Chatto" is really very pained (P. 1645). Apparently "Chatto" and not India is to choose the ideal state for India after the yoke of Imperialism is thrown off. What this ideal state is likely to be is clear from the fact that propaganda for it is to be carried on by publishing short pamphlets dealing with the current superstitions regarding private property, religion, caste, family, the cow etc. ( P. 1644 ). What ideas the Communist has about the cow I do not know, but it is well known that he has no use for private property, religion, caste or family, things which are in no way foreign to the ideals of Indian nationalism. On the other hand the communist has a fondness for the unusual word "ideological", which occurs in Chatto's next sentence. The impression conveyed by these is emphasised in another letter in which Chatto asks Jawahar Lal Nehru to secure more publication for his denial of the inaccurate report which attributed to him a grossly untrue

statement "I do not believe in Communism as an ideal of society". ( P. 1644. ) Elsewhere Jawahar Lal Nehru is warned against the dreadful crime ( in communist eyes ) of humanitarianism.

"I hope that this time there will be no sentimental nonsense about the shedding of a few litres of blood"

( P. 1645 ); and toleration.

"There should be no sentimental toleration for all kinds of views".

( P. 1649 ). I think it will now be clear what Chatto means when he says.

"What I think is that all elements that stand for absolute independence and some amount of "democracy" should be drawn into the League, but the Central Committee should, in my opinion, consist only of those who are theoretically so sound that they cannot become traitors in practical life."

( P. 1649 ). He recognized the difficulty of getting such sound men, and suggests the establishment of a school for training in social revolutionary principles and tactics.

"As regards the school it will be a difficult matter to establish it without the help of European Comrades well-trained in the theory and practice of the revolution."

( P. 1649 ). I might add that men trained in the *practice* of revolution are difficult to find anywhere in Europe except in Russia.

It is now not surprising that the League should wish to secure the affiliation of the P. P. T. U. S. ( P. 1634 ) and that Chatto should write to Dange.

"It seems to us absolutely necessary that the T. U. C. should become an affiliated member of the League, since in the present phase of the movement and under the difficulties created by the Government it is not easy for the T. U. C. to affiliate to the Rilu"

( P. 16 10 ). The difference between the policy of the League and that of the Rilu is indeed minute and so it seems only natural to read that.

"The Communist International has charged all its sections to support the League against Imperialism."

Or that.

Without taking up any attitude towards the different theses and decisions of the third International on the Colonial question the Executive Committee declares that the decisions and resolutions on the Colonial question at the Congress of the third International correspond entirely to the aims and purposes of the League against Imperialism."

( P. 1604 ). It is to this peculiarly non-communist body that the All India Workers' and Peasants' Party resolved to apply for affiliation ( P. 334 ), doubtless in obedience to M. N. Roy's inspired instructions already quoted.

"As far as W. P. P. is concerned the question is answered. It should affiliate itself with the League Against Imperialism. That will serve our purpose. Through that you will have the relations and aid you need, but you will not be condemned of having connexion with M."

( P. 377 (1) ).

### XIII.

The importance attached by these various bodies to capturing and guiding the Trade Unions needs little explanation. It is practically impossible from their point of view to separate political work and Trade Union work. Spratt has put the matter concisely in some notes for an instructional lecture.

“The Trade Union movement is the chief mass organization of the working class, leading the members class discipline and class interests, instructing them in Politics, being in fact, as Lenin summed it up “School of Communism.” How far can they be active factors in the struggle? To a very large extent, e. g. General Strike, Councils of Action etc. In Britain and indeed elsewhere the organisational basis of the dictatorship will be a trade Union one. . . . . The Trade Unions are of enormous importance. They are at once active instruments of struggle, and fields for propaganda, the two aspects being closely inextricably intermingled . . . . . Here we are confronted with the task of being not merely the agitators and galvanisers, but the originators, almost of the movement. This makes our task harder, but also easier. If we organise the unions we have them under our influence.” (P. 1932).

Elsewhere in discussing a clause of the Trade Disputes Bill he bitterly complains that”

“That inability which this clause imposes upon the movement to strike for purposes of demonstration etc. etc. involves the loss of a valuable means of propaganda and organization.”

(P. 514(2)). This he develops in some more lessons”

“What are Trade Unions? Organizations of the mass of workers mainly for fighting individual employers or groups, for immediate demands. Not directly political organs, and not well suited for political struggle. But capable of disciplining mass of even backward workers’ and at decisive moments of bringing them into political action. Hence extremely important for us to strengthen, permeate, and lead. Give us one of the best means of getting real contact with the masses.”

(P. 527 (4)). The Trade Union resolution adopted by the All India Workers and Peasants Party is quite definite as to the object of the work”

“Its (the party’s) object is to organise federation of Trade Unions, with Peasants and other organisations, primarily for the purpose of a political struggle for the independence of the country, but also for the general improvement of the position of the masses.” and again “It is practising gross deception upon the workers to tell them, as many leaders do, that the object of Trade Unionism is to preserve peaceful relations between employers and employed. The object of Trade Unionism is to fight employers for improvements.....No strike in spite of any immediately disastrous result it may have, can be looked upon as a loss. Its lessons to those who take part, and to the working class generally must be utilised to the advantage of the movement. The workers are now prepared to realise that if small strikes fail, they must have big strikes. The general strike is an extremely powerful weapon, which the Trade Union movement must not shrink from using. The strike, including the general strike can also be used for political purposes,”

And later, in connexion with the Trade Dispute Bill

“The slogan of a general strike of protest must be put forward, and the opportunity used to make the workers familiar with the political general strike.

(P 51) These utterances echo the views of Moscow. I have already quoted Kuusinen's opinion at the 6th World Congress

“Modestly and yet perseveringly, must we begin in India with the work in Trade Unions and during strikes with the ducation of Party workers.”

(*Imprecor*, for 4th October 1928, page 1232) On the same occasion Losovsky, representing the Rilu, quoted Lenin.

“The ultimate aim of strike movement under capitalism is the destruction of the state apparatus, the overthrow of the class which holds the power of the state” And he also quoted with approval from the resolution on tactics adopted by the Third World Congress of the Comintern:— “Under capitalism there can be no lasting amelioration of the conditions of the proletariat. . . . . nevertheless this does not mean to say that the proletariat should give up fighting for its vital and urgent interests, until the very moment of the achievement of the Dictatorship. The Communist International is in favour of the struggle for the concrete demands of the proletariat which, taken together, tend to destroy the power of the bourgeoisie and to organize the proletariat, constituting a stage of struggle for Dictatorship.

(“*Imprecor* for 25th September 1928, page 1193). After developing his views on the whole subject of the immediate and ultimate aims of the Trade Union movement for several pages on the same lines, he concludes

"In order to win new millions of workers over to our side, in order to educate them in the communist spirit, it must be stated with full clearness that as regards the reformists who have turned the Trade Unions into a school of capitalism, it is our aim to turn the Trade Union movement into a school of communism, into the chief weapon in the struggle for power and for the establishment of the Dictatorship of the proletariat."

(page 1196 Comrade Witkoviski, also representing the Rilu, speaking of the war of imperialists against Russia (which is so confidently anticipated in all communist literature that it would be heresy to doubt the reality of their apprehension) adds one more touch.

"It will be our task to direct the economic struggle of the working class on the basis of the conflicts inevitably created by the war, to organize strikes for daily demands & to tie them up with the struggle against the war. To the extent that these strikes develop and that contradictions are sharpened we shall have to extent them, striving to transform them in the proper moment of the struggle into a general strike, which will be the introduction to an armed uprising"

(*Imprecor* for 11-9-28, page 1061)

The stages are clear

- (1) The formation for capture of Unions.
- (2) The teaching of communism.
- (3) The creation of strikes for immediate benefits for the purpose of propoganda and organization whether the strikes are successful or not is comparatively immaterial.



- (4) Strikes for demonstration etc.
- (4) Strikes for political purposes
- (6) The general strike. leading to .
- (7) An armed uprising, and
- (8) The Dictatorship of the Proletariat.

This is why I emphasised earlier in this order the fact that this case is not directed against ordinary Trade Unionism any more than it is directed against nationalism. But whereas the Communist has no affinity whatever with the nationalist and will scarcely unite with him on any occasion, in the Trade Unions his attitude is different. He will unite with the genuine trade unionist on all occasions simply because their immediate object is exactly the same...strengthening of the Trade Union organisation. Thus in the Bombay strikes men who admit themselves to be Communist were found on the same platform and in the same committee as N. M. Joshi and others whom they constantly stigmatised as "Yellow". This makes it difficult sometimes to distinguish between them. However I am not strictly concerned with this at the moment. What I wish to point out is the extreme importance attached to the work of organising the Trade Unions and affiliating them to communist bodies. It is the easiest and the most practical method of mass organisation and therefore is perhaps the most vital part of the general scheme leading to the seizure of political power by the proletariat. That is why most of the efforts of these outside bodies, whether in origin political or Trade Union organisations, concentrated mainly on the Trade Union movement in India.

#### XIV.

Other names on the list of conspirators outside India scarcely need a detailed reference. The name of the Communist Party of Great Britain speaks for itself. It is of course a section of the communist International. It had a colonial department which maintained some connexion with India. But it will be easier to deal with the activities of this department than speaking of the Foreign Bureau.

The Indian Seamen's Union was founded under the auspices of the Minority Movement and is run by Upadhyaya ( P. W. 3021 Detective Segeant Renshaw ). Its chief importance lay in its organisation of a postal service between England and India, which will be dealt with later.

Of the rest the only name which need be mentioned is that of Khusbi Mohammad alias Mohammad Ali alias Sipasi. This man at one time (1924) was expelled from Pondicherry as he was carrying on propaganda there in company with R. C. L. Sharma, a communist, who resides in Pondicherry in order to avoid arrest in India (P. W. 289, Mani Pillai). After leaving Pondicherry he went to Europe and several letters were written by him to communists in India from a French address (such as P. 2324). The contents of the letters make it clear that he was in close touch with the European group and was engaged in supplying money and making arrangements for the despatch of Spratt and Fazl Elahi to India. He was obviously "Comrade in Paris" mentioned by Roy in P. 377 (1) as one of the 3 members of the Foreign Bureau. He wrote under several names such as M. N. S., Dr. Nair, M.A.

and used a cryptic style of writing, obviously designed to be unintelligible to the police, whom he designates "The dogs" (P. 2324). A part of his duties seems to have been the sending of interim replies to questions from India which were afterwards confirmed and discussed at great length by M. N. Roy (for instance P. 2169 (1)).

## XV.

This concludes the examination of a small part of the evidence relating to the direction of the alleged conspiracy from abroad. There is much more evidence to the same effect, but what I have quoted seems to me to afford reasonable ground for believing that the Communist International has taken upon itself a plan for the creation of Workers' States in all the countries of the world; that it has directed its attention specially to India and has discussed and originated measures which it hopes will lead to "armed insurrection" and an "armed struggle".... or in other words "violent revolution".... against the existing state; that it intends by this means to overthrow the Government of the King in India and substitute for it after obtaining complete independence a Workers' State on communist lines free from all taint of capitalism or connexion with the British Empire; that its members are obliged to carry out these plans to the best of their ability and that actually special bodies and persons have put themselves under its direction and have adopted its ideals and began propaganda in India in pursuance of its aims. It has also become apparent what means it has decided to adopt in order to convert the Indian public and particularly the workers and peasants to Communism and to the achievement of the revolution: for instance, the formation of a strong communist party to take the lead; the building

up of a Workers' & Peasants' Party as a veiled communist body, to secure that legality for its propaganda which it recognises no communist party could possibly enjoy under the law; the organisation and permeation of Trade Union by party workers so as to teach the labouring class solidarity and bring them to a high state of organisation by means of strikes and incessant propaganda till at length they become fit for the revolution at which stage a general strike would form a most valuable weapon for paralysing the forces of Government. There is ample evidence on the record unrebuted to prove these facts and I have quoted from it freely in order to show there is no shadow of a doubt about these aims, methods and activities of the Communist International and its agents; the intentions of the head of a conspiracy are naturally extremely important in judging the criminality of the conspiracy and the acts of its subordinate agents or co conspirators. On the evidence produced I have no doubt that the existence of a conspiracy to deprive the King of his Sovereignty of British India has been established. It remains to see what acts were taken in India in pursuance of the conspiracy, what persons, specially among the accused, took part in it in India and under the jurisdiction of the Indian courts, and what evidence there is to connect such persons or acts with the conspiracy and the conspirators outside India from the Comintern downwards.

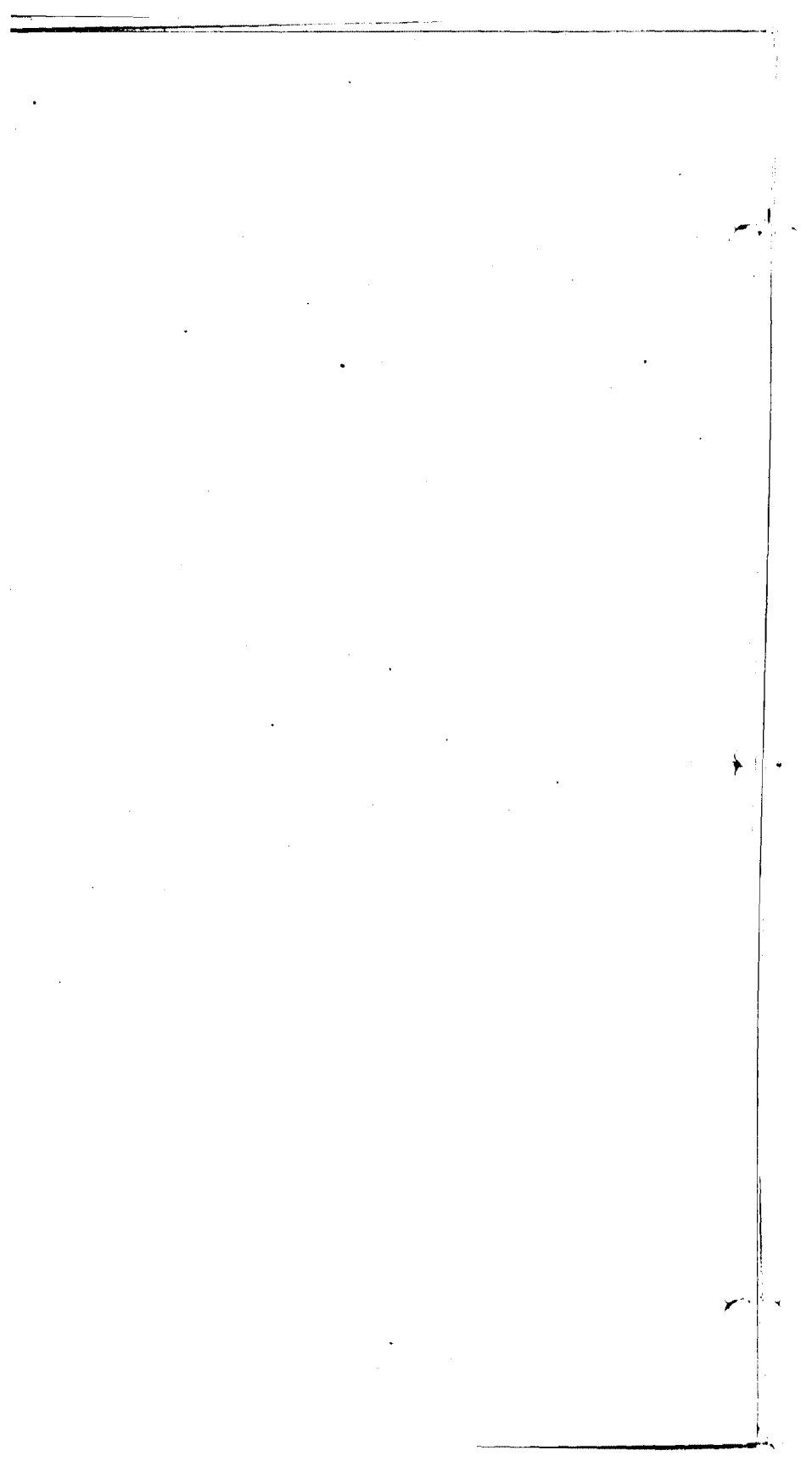
It has been argued that a conspiracy is a secret thing and that the Comintern has made no secrets of its aims, hence it cannot be said to be conspiring. Secrecy is a common element in criminal conspiracies, because few people wish to give notice beforehand that they are about to break the law. But it is not an essential ingredient.

A conspiracy is an agreement between two or more persons and the agreement may be secret or open. Moreover, as will be seen later although the Comintern is willing to give as wide publicity to its aims as the Governments it attacks will permit, it has no aversion to secrecy in the carrying out of its aims. In fact I think it can safely be said that a great deal more evidence would have been secured had it not been for the elaborate arrangements made to secure secrecy for its communications.

It has also been argued that a conspiracy must be between persons....there cannot be a conspiracy between bodies. This is a verbal quibble.....body such as the Comintern, Rilu, or League against Imperialism is a collection of individuals who all agree on one course of action and appoint one or more individuals to represent or carry out their views. Roy, for instance, received instructions in Moscow. He did not speak with that disembodied entity, the Comintern. He spoke to a person who for the time being represented the views of those who form the Comintern. In other words he conspired with that person. But officials change, the political mortality in Communist circles has been heavy of late years, and it is sometimes difficult to keep account of those who are saviours of society one day and traitors the next. It is therefore convenient to use the name of the body, whose views have suffered little change; but the persons who gave directions or who discussed the plan of action are those who actually conspired and it is they who, were they under the jurisdiction of the law in India, would be brought before the court not the body which they were representing. It can of course be presumed that those

who belong to a certain body agree generally with the views of that body; at any rate, if they take steps to carry them into effect.

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## Part II

### XVI

The first part of the conspiracy is now complete and I turn to the events which show the actual working out of it in India and the connexion between the conspirators within and without India. The most convenient way of doing this is to show so far as the evidence permits.

(1) the arrangements in Europe for carrying on the conspiracy in India.

(2) the various ways in which connexion was maintained by correspondence, visits, sending out of emissaries and advances.

(3) the movement in India itself, how it was organised and what has done.

I take first the organisation in Europe. A good deal of the evidence on this point is produced by the witnesses who came from Scotland Yard. On the 14th. of October 1926 there were several searches of buildings connected with certain communists in England who were eventually prosecuted for sedition. In the course of these searches



several papers were found which have a direct bearing on the present conspiracy. Further more, in England, as in India, the police in conjunction with the post office make certain arrangements for studying the correspondence of those whom they suspect of seditious activity, and in the course of this interception several letters, telegrams etc. relating to transactions between England and India and England and Moscow were photographed. The evidence of these Scotland Yard witnesses has been extremely valuable as they gave details of conspiracy which could hardly be supplied in any other way.

In 1924 at the 5th. World Congress of the Comintern it was resolved to pay special attention to the Colonies and to intensify the activities in them. The Communist Party of Great Britain already, it appears, had a Colonial Bureau, but there was no co-ordinated plan of work. There were on the continent several Indians who could not return to India, such as Roy and Sipasi. Roy was in direct touch with the Comintern at Moscow and he also corresponded direct with India. He worked as far as possible in co-operation with the Colonial Bureau of the C. P. G. B. but was not, it appears, subordinate to them, nor were they bound to take his advice. Indeed when at the beginning of 1925 the C. P. G. B. sent out Percy Glading to examine the conditions in India and establish connexions there (P. 2377 (1) ), this was done in opposition to Roy's wishes (P. 2375). The 5th. World Congress however had determined that each country should take more interest in its own colonies and that the Communist Party of the Imperialist country should direct the movement in the colonies. "This" said Roy, "smacks of Imperialiam." But, at any rate, whether Roy wished it or not, the orders of the Comintern had to be carried out

and it appears that a good deal of friction developed. Before coming to this, however, it may be remarked that the Colonial Bureau, C. P. G. B., was, at any rate on paper, fairly active. A report of its doings appears in P 2377 (1). In particular it worked in conjunction with an Indian group composed of Indian residents in England. These men were not necessarily communists, but they seem to have been very much inclined that way. Work was done among the Indian Seamen and a good deal of attention was devoted to the Indian students at the Universities. There is on record a series of reports on the work done at Oxford (P. 2389, 2391 etc.) and it was arranged that Saklatwala should interview any of the Indian students at Oxford, who showed any tendency towards Communism, on the eve of their return to India (P. 2373). Mention is made in the report of the value of the influence of the Workers' Welfare League of India as an agent of the C. P. G. B.

Acting under the terms of the Comintern's instructions the C. P. G. B. had now taken entire control of the colonial movement in India. This did not suit Roy, who found his position impossible. As an Indian, long in close touch with Moscow, he felt himself entitled to a great deal more consideration and trust than he was receiving. Glading had been sent out to India in opposition to his wishes and letters addressed to Roy by Indians in England through the C. P. G. B. were opened and even altered before despatch. Eventually a meeting was held at Amsterdam in July 1925 between certain members of the Communist Party from Holland and England, and of the Indian groups both in England and the Continent. The proceedings were recorded by the British representative, whom I believe to have been Graham Pollard, the man who

eventually recommended Spratt to India as a book-seller P. 1950). The report is P. 2375. It is apparent from it that friction arose not only between Roy and the C. P. G. B. but also between the members of the Indian group themselves. The most important point however was the question of the control of the C. P. G. B. and Roy ended by saying that the matter must be left to the decision of the E. C. C. I. This apparently was eventually done, as in September 25 Roy communicated the decisions of the Colonial Bureau Communist International to the C.P G.B. [P. 2385]. This was preceded by a letter from Roy in Moscow to the Indian group in England which lays down the position clearly :—

“The Indian Communist Group in Britain will, therefore, carry on the programme outlined in your communication in conjunction with the Colonial Commission of the C.P. G. B. It will be politically guided by the European Bureau of the C. P. of India as well as the Colonial Commission of the C. P. G. B.”

[P. 2379-1]. In other words Roy had now a definite standing with regard to the political guidance of the movements in India, and the Comrades on the Continent were to be formed into a European Bureau of the C. P. I. This Bureau afterwards was renamed the Foreign Bureau. In the letter P. 2385 it is again asserted that the centre of the activities of the C. I. in the colonies should be in the respective imperialist countries and “until we can legalise ourselves in India the centre of our work must be England, for technical as well as political reasons”. At that time it was suggested that Roy himself should come over to England, presumably to direct the work in India. But this plan appears to have come to nothing.

“Another important point in the programme of the Bureau is to create in each party in the imperialists countries a cadre of workers to take up colonial work. This cadre should be trained theoretically and practically by means of work in the colonial department of the party. Some of the best members should be given to this cadre which, unfortunately, has not been the case up till now.”

[P. 2385]. Apparently this advice was taken to heart with the result that, in the course of the next two years, Allison, Spratt and Bradley arrived. About the first named of these there is little evidence in this case. The other two have amply justified the trust reposed in them.

## XVII

After that there is no evidence of any friction, and the Foreign Bureau on the Continent and the Colonial Bureau C. P. G. B. in England worked in perfect harmony. This was helped by the fact that C. P. Dutt was a member of both. The Foreign Bureau, it may be mentioned, was not an adjunct of the C. P. G. B. It was composed of “the Comrades who are not in a position to work inside the country,” (P. 2169 (1)), and was a section of the C.P.I. In one way the position was somewhat anomalous. The C. P. I. was not affiliated to the Communist International, but this emigrant section, the Foreign Bureau, was affiliated to it, and it was owing to this affiliation that the C.I. was able to control the movement authoritatively. At the end of 1927 the Foreign Bureau was composed of M. N. Roy, C.P. Dutt and Sipasi (“The Comrade in Paris”) (P.377 (1)).

The functions of the Foreign Bureau, as defined in that letter, were

- (1) to publish the Masses.
- (2) to produce Marxist literature particularly for India.
- (3) to educate party workers and
- (4) to act as the organ through which the C. I. guides the activities of its Indian Sections.

In the evidence in this case the Foreign Bureau is represented chiefly by correspondence from Roy, but on one occasion, October 13th. 1926, it addressed an important letter to the Central Committee, Communist Party of India, with a draft manifesto. "How to organize a working class party" (P. 2323, 2323 (1)). This letter has already been dealt with earlier, in connexion with the developments of the policy as regards the formation of a Workers' and Peasants' Party. But, as Roy had previously remarked, it had become very difficult to direct activities in India from the Continent in consequence of the strict vigilance exercised by Govt. (P. 2385). The fact that Dutt, a member of the Foreign Bureau, was resident in England and was connected with the Workers' Welfare League, gave him greater facilities for corresponding with India, and there was no difficulty about keeping in touch with the Continental group. Consequently most of the ordinary routine correspondence was henceforth sent to India from England and it was only when a question of special importance had to be discussed that Roy directly intervened, as in the case of P. 377 (1); and even this important letter was sent through C.P. Dutt. As a matter of fact, as will be seen later, the arrangements for correspondence between India and the Continent were highly organised and it is not necessary to assume that, because few letters between

Germany and England have been traced of late years, no such letters were sent.

## XVIII

It is one thing, however, to have a complete organisation in Europe for controlling the work in India and another thing to establish contact with the bodies in India. It was not that the bodies in India were unwilling to accept the control, but there were great difficulties in the way of establishing permanent communications. The police were vigilant and any literature deemed to be subversive was stopped, and many letters were intercepted in the post and detained. Consequently the question of communication was one which throughout the period covered by this case occupied a good deal of the attention of the parties on both sides of the water. One of the very first documents on the record, the report of the Colonial Department of the C. P. G. B of the work in 1924—25, mentions difficulty in communicating with Australia:—

“Contact with Australia where it is good has the disadvantage of the great lapse of time owing to the great distance & the post is by no means secure and our most reliable contacts are via the medium of seamen.

(P. 2377 (1)). And in one of the very last documents, the agenda of a meeting of the re-organised Communist Party of India in Bombay, one of the items for discussion is the question of communications (P. 1305).

The difficulty was met in various ways. One way was to send the letter by two or three routes in the hope that at least one would arrive. Thus M. N. Roy on the Continent would send a message in three ways to the

Communist Party in Great Britain (P. 2380 (1)). That this method was used on other occasions is borne out by the fact that the letter from the E. C. C. I. of the Comintern to the All India Workers' and Peasants' Party in December 1928 most certainly arrived, as copies of it were found with several accused, for instance with P. C. Joshi (P. 324), although one original letter addressed to Kishori Lal Ghosh was intercepted in the post and detained. Probably the same is true of Roy's Assembly Letter (P. 377 (1)). This was an important letter and is hardly likely to have been trusted entirely to a new man unless duplicates were sent in other ways: the covering letter (P. 377) shows that the sender, C. P. Dutt, was not certain of the reliability of the seaman, Abdul Hakim (P. W. 45).

The main means of communication, as suggested by P. 2377 (1), was through the medium of seamen. I have just mentioned Roy's Assembly letter. This was sent through Abdul Hakim, a seaman on S. S. Mercara; its subsequent history I have already related while discussing the Assembly letter. There is also the evidence of another seaman, Abid Ali (P. W. 284), who was searched on his arrival at Bombay and was found to have a letter addressed first to R. K. Karanth, with an envelope inside for Ghate, which again had an envelope for Jack (P. 1686). Both these two letters were given to the seamen concerned by Upadhyaya in London. Apart from these actual instances there are numerous references in letters to this method of sending letters. Sipasi writing on 29th December 1926 says

"Please write in details about these things (addresses) and have such friends in Bombay as might have connexion

with sailors. We shall send newspapers and literature through sailors”.

(P. 2121-T. (Urdu)). A resolution adopted by the RILU at the instance of an Indian Delegation determined immediately to

“Strengthen international connexions by organizing exchange of literature through couriers and seamen etc. between India and England, India and China, Japan etc.”

(P. 1208 (1)). Sipasi writing is June 1927 mentions “ The two addresses I gave are no more good. I mean the addresses of those on board the boats. ”

( P. 2327 ) and again at the beginning of 1926.

“ It has been necessary that there should be somebody to replace N. G. in Col. You know these boats do not go to Madras. It is only Col. which they touch on their way to the Far East. ”

( P. 2321 ). And a letter from Germany found with Amir Haider Khan gives very detailed instructions for the procedure which seamen, used as messengers, should adopt to make sure that their letters reach the right hands. The writer, who gives his name as Carl, wants two or three good men for communication work, so that they could have about one ship every month: the men were to have a definite number and those in Hamburg were to have another number, so that each party could be sure of the bonafides of the other. The men had to ask for Carl or Walter or Julius. ( P. 1065 ). This letter leaves no doubt at all about the method of communication. In addition to this there are complaints in several letters of Spratt of the time which letters take to reach him.



Writing on the 15th of August 1927 he says: "I have just received your letter of May the 25th." ( P. 2329 (1) ). In England C. P. Dutt writes on August 9: " I received your letter dated 14. 6. not two weeks ago." ( P. 1008 ) Obviously these letters were not sent by the post. It may be noted that Spratt's letter ( P. 2329 (1) ) was obviously going to be sent via Columbo or Madras. It was destined for " elder brother " ( i. e. M. N. Roy ) and, as noted above, boats from Germany to the Far East and vice versa touched generally at Columbo. The letter in question was sent by George ( who is Ghate ) to an address in Madras which was used as a cover address for Iyengar, at that time an active communist. Apart from these indirect references there is actually no doubt that one accused Ajudhiya Prasad played an active part in the establishment of communications. The evidence on this point will be dealt with in detail later when I am considering the cases of the individual accused: the references in the letters, compared with the dates and the entries in the shipping register, leave no doubt at all that Ajudhiya Parsad, under the name of Abdul Hamid, made several voyages to and from England, bearing letters and verbal messages from conspirators in England to those in India and vice versa.

Another means of securing safety of letters was the utilisation of cover addresses. C. P. Dutt suggests one for himself when writing to Spatt in July 1927 ( P. 1012 ) and Sipasi gives some cover addresses in Paris in December 1926 ( P. 2324 ) and promises more addresses in a short time. Sipasi also demands some safe addresses in India where papers can be sent safely. ( P. 2321 ). The address on the letter seized on Abid Ali ( P. 1086 ) was a cover address, and the same address is given in a letter

posted by Bradley in Bombay a few days after his arrival ( P. 1671 ). The address in this letter is given in cipher. In August 1927 Spratt sent another cover address, also in cipher, to C. P. Dutt ( P. 1009 ). It is unnecessary to multiply instances.

A further point arises from this letter, P. 1009. In the course of it, when speaking about money arrangements, Spratt writes:

“ Actual sending is extremely difficult and each time some one has had to travel from Lahore. ”

This appears to suggest that communications in addition to coming by sea occasionally travelled overland via Afghanistan and the Punjab. Such a route has obvious advantages when money is sent from Russia. That such a route is practicable is shown by the fact that Shaukat Usmani originally made his way from India to Moscow overland as described in his own book *Ishawar to Moscow*, which is on the record ( P. 906 ).

Communications sent personally by lascars etc., in this way would obviously be difficult to intercept and it is not surprising, when the service had reached the pitch of organization shown in P. 1065, that comparatively few letters have been traced. Without a rigorous search of every seaman that comes into an Indian port it is only by the merest chance that such letters can be discovered. Letters sent to cover addresses might also escape detection until something happened to arouse the suspicions of the police. But safety of communications was ensured not only by these methods but also by other methods. In several cases a figure cipher was employed, for instance, in P. 1009, 1671, 1829 and 2312/1. Though the cipher was

used by Fazl Elahi, Spratt, Bradley, and some one in Europe: writing to Fazl Elahi, it is significant that the same system was used in each case and the key-poem was taken from the same volume "Palgrave's *Golden Treasury*." Besides the use of ciphers, invisible ink was also employed, for instance, in P. 1007 and 1859; and the draft letter P. 1009 contains some interlinear sentences which apparently were sentences to be written in invisible ink. Besides this, a simple transposition code was used for the names of persons and places referred to. Thus Cunfa equals Dange, Lujec equals Majid, Fhusa equals Ghate, Nuddx equals Paddy which again equals Upadhaya and so on. Again the letters were frequently written in a cryptic manner resembling a sort of grotesque correspondence between two clergymen: there are references to the Church and the Methodists and the Y. M. C. A. ( which all refer to various aspects of the work in India ), the Universities, which mean Trade Unions, and so on. It is perfectly obvious that the letters did not mean exactly what they say. The interpretations given above as suggested by the prosecution, at any rate, make sense. It may of course be possible for the accused to explain their meanings differently; but whether they do so or not, the fact remains that it was considered necessary to write in this remarkable cryptic manner. The fact that there was correspondence of this nature, with the addition of the cipher, invisible ink, and transposition codes, furnishes a strong prima facie case that there was a conspiracy and that secrecy was above all things essential: and this impression is intensified by the elaborate means employed to send letters by various routes other than the post so as to ensure as far as possible that they could not be seen or understood by the police.

## XIX.

Letters alone however could not do very much. Every organisation needs funds and the party in India was not in a position to supply them. Help had obviously to be given from Europe. The prosecution have not been able to prove the actual receipt of many items. If the suggestion made above is true, that money was sent direct from Moscow via Afghanistan, the failure to trace receipts is not surprising. In Spratt's letter, often referred to above, P. 1009, he speaks about the desperate position of their finances and says:—"If absolutely necessary I should try Musa". "Musa" is Ajudhiya Prasad and the suggestion obviously is that the money should be sent in the same way as literature by means of a seaman. If this method were adopted receipt would be impossible to trace. But there is ample trace in the correspondence of the fact that money was constantly being sent from abroad to India for purposes of the conspiracy. The letter which I have just mentioned shows this clearly. Spratt puts forward a sort of budget of the needs of the Indian organisation, which according to him comes to about 2400 rupees a month. He appears to suggest that this means an increase of 33½ per cent on the present allowances: so apparently they were already in receipt of about Rs. 1800/- monthly. This letter was partially answered by Roy at the end of the Assembly letter (P. 377 (1)). He mentions that during the last months there had been some disturbances. (This is corroborated by remarks in a letter from Dutt (P. 1007) and in another from him (P. 1012) of June and July 1927.) Roy however promises that things would be better in the new year, (that is, 1928), and he mentions that arrangements have

been made "to continue the aid for the three papers and also for the monthly in the North, if necessary".

Much earlier than this however it is obvious that money was being supplied from Russia for work in India. In August 1925, for instance, there was a proposal that C. P. Dutt should come to India to help in organisation. The C. P. G. B. said they had hardly got enough money to pay his fare. Roy replied that this did not matter. He had been instructed to go ahead with the question ; that Dutt was being sent to India and that he had come on behalf of the Eastern Department, of which he had been asked to take charge. He said that Dutt's deputation to India would cause no expenditure to be incurred by the British Party (P. 2375). The fact that he spoke under instructions makes it perfectly clear that the Comintern was accepting financial responsibility for Dutt's visit to India. Dutt's visit, as a matter of fact, never came off, but still money arrived to India from abroad. In February 1926 Sipasi, who, as I mentioned before, worked with M. N. Roy, wrote "You will soon get financial help. Please let us know how much (minimum) do you want," (P. 2321). In September 1926 he wrote again that one instalment of money had been sent and a letter had been sent to Begerhotta's address about further instalments. He asked for addresses for "letters, papers, money etc." (P. 2315, (1)). The money which had been sent possibly never arrived, because in a letter of December 1926 we find him writing

"It is a pity that money fell into the hands of Dogs....  
Anyhow what is lost cannot be regained. You will receive more soon. A permanent arrangement is going to be made soon."

In a post script he mentions that £50 have been sent to the editor of Ganavani (P. 2324). In the series of cryptic letters of 1927 there is frequent reference to the question of finance. Too often the complaint is that no money arrived and that the work in India is suffering accordingly. In the cryptic language employed money is usually referred to as "MS" or "MSS" and by a sort of inversion the meanings of such words as "send" and "receive" are interchanged. Thus, in a letter of June the 14th the sentence "you should receive some sort of MS by the end of August, ask Baker about it. It should not be sent directly by me or Amb". (P. 2328 (2))—means—"you should *send* some money by the end of August. Ask *Saklatwala* about it. It should not be *received* directly by me or Ambrose." Spratt in draft letter P. 1009 gives the clue to this by writing:—

"About MSS. Phusa spoke to me on the subject. I think his will be a good scheme. But finances at the moment . . . . ." Later he says "you spoke in a letter dated end of May, that I should send about 200 words to Baker. I have not done so yet. But in a month from now we shall be forced to or . . . . . if absolutely necessary I should try Musa. The general arrangements are not satisfactory yet. Actual sending is extremely difficult and each time some one has had to travel from Lahore, but Calcutta is better."

This according to the code means that he had been promised £200, to be sent about the end of May via Saklatwala. It had not come yet and was extremely necessary. If no other way suggested itself they might try Ajudhia Prasad. It was better, if possible, to send via Calcutta rather than overland, as in the latter case some

one had to travel to Lahore on each occasion to receive the money. These letters make it quite clear that apart from any money which has actually been traced other money was sent from European conspirators in the same secret and conspiratorial method as was adopted in the case of literature and letters.

But some payments have actually been traced. Thus in June and July 1928 one Max Ziese sent £60 to Ghate and another £60 to Muzaffar Ahmad. This was apparently done at the instance of Somendra Nath Tagore to subsidize newspapers (P. 76—T (Bengali)). These remittances were stopped by the post office and returned to the sender. The failure of the expected remittances to arrive caused much distress. But these were comparatively small sums. Larger sums were sent to Spratt. In some cases the sums sent probably represented his pay. But on three occasions he received sums totalling nearly 10,000 rupees from Samuel Montagu & Co., Olive N. Parsons and Douglas Parsons. Olive N. Parsons is wife of Douglas Parsons, and her father is a director of Samuel Montagu & Co. So obviously the three sums came from the same source. Douglas Parsons is a noted communist, stood as a candidate for the Westminster Board of Guardians in the Communist interest and is or was General Manager of the "Sunday Worker", the communist organ. (P. W. 300, Detective Sergeant Scutchey). The inference is that the Communist Party of Great Britain was responsible for these remittances (P. 1497, 1499 and 1501). In May 1928 Spratt was sent £200 by H. P. Rathbone (P. 2474). Rathbone is another English Communist, who has visited Moscow more than once (P. W. 305, O. J. Hubbart). At one time it was proposed that he should take up some post in the E. C. C. I. (P. 2394 (3)). About the same time

Rathbone also sent £.100 to Bradléy (P. 1504). Here again the inference is obvious. In June 1928 Rs. 527-8-0 were sent by Page Arnot to Spratt "for representative Manchester Conference" (P. 1530), and at the same time Bradley was sent the same sum "towards sending delegate" (P. 1532). The reference here is apparently to the Conference of the Young Communists International, which was to meet at Moscow immediately after the 6th. world Congress. Other sums received by Spratt & Bradley may be mainly on account of their salary, though Bradley's money orders were usually sent either by his brother or his mother. I do not think that it will be seriously contended that they represented personal gifts. In one of them indeed (P. 2423) his mother asked him to wire receipt to League i. e. Workers' Welfare League. That Bradley was in the habit of receiving money from the League is apparent from a letter of 21st August 1928 (P. 2402) in which it is mentioned that "Fred" (Bradley) had sent some letters for the W. L. L. "mostly containing receipts".

I have mentioned before that in 1925 the C. P. G. B. was unable to find much spare money for the purpose of paying Dutt's expenses to and from India. It may therefore seem surprising that either it or its subsidiary bodies, the Workers' Welfare League and the Labour Research Department, were able to find enough money to pay the salaries of Spratt and Bradley regularly in addition to sending fairly considerable sums at irregular intervals. Even the sums of which proofs have been given came to a fairly large total. As a matter of fact it appears that some difficulty was found in obtaining the money to send. The record is full of letters written by Bradley complaining of non-receipt of his salary. It is significant to find there-



fore a telegram of August 28th 1928, from Albert Inkpin to Bell in Moscow running "Tell Clemence Desmond's friend Fred writing desperately. We can do nothing" (P. 2432-2). Albert Inkpin is the Secretary of the Communist Party, G. B., Clemence is of course C. P. Dutt. Desmond is Spratt and Fred is Bradley. C. P. Dutt was the London Secretary of the Workers' Welfare League, and it is only natural that he should be informed of Bradley's writing desperately. It is curious however that "Fred's" complaint should have been made to the Communist Party and not to the Workers' Welfare League. The first inference is that the Communist Party was financing the W. W. L. There is however a second inference: that is, that the C. P. G. B., having no money, wanted Moscow to make the remittance. This might seem a far fetched conclusion if it stood by itself; but considering the continuously impecunious state of the C. P. G. B. there can be little doubt that it could not undertake responsibility for this recurring expenditure and that some other source was providing the money: so as Dutt was at the moment in Moscow it was suggested that he could arrange very conveniently for the payment.

It may also be noted that during the Bombay mill Strikes of 1928 two remittances of Rs. 20,916-12-9 and 14,101-2-0 were made direct from Moscow to Jhabwala for the relief of strikers. There was no secrecy about these remittances, which were made ostensibly by the Textile Central committee, Moscow. The significance of these remittances as regards Jhabwala can be considered later. From the point of view of this case the real significance is that the Trade Union authorities in Moscow, who, as I have shown before, are directly controlled by the Comintern,

made payments for the relief of strikers with the express object of prolonging the general strike and thereby carrying out their recognised policy.

It has been shown therefore that constant interchange of letters and periodicals took place between European conspirators and India and that money was supplied by Europe for the organisation in India. The communications were generally sent in a secret and conspiratorial manner and cipher, invisible ink and all the other apparatus of conspiracy were employed.

## XX.

Another form of connexion was by means of visits of selected representatives to and from India. Percy Gladings visit at the beginning of 1925 has already been mentioned. It was rather a failure. He left earlier than had been intended and failed to establish connexion with the most active workers (P. 2375 and 2377 (1)). C. P. Dutt was to have followed him (P. 2375). As already stated this visit was being arranged and financed by the Comintern. This appears also from a letter of M N. Roy (P. 2380 (1)) "It has been decided in Moscow to employ Dutt in a certain work". Roy was anxious to meet him in a "conspirative" fashion on his way out (P.2379). But this came to nothing and the next visitor was the well-known communist Saklatwala, who on this occasion at least succeeded in getting a passport for India. He criticised everybody a good deal and was accused of doing more harm than good. C. P. Dutt remarks to Spratt

It was agreed that he was not to make any attacks on the Methodists, so he had no business to go around criticising. I should like to hear more details of what he has

done, as he can do harm if we are not careful."

(P. 1009). The "Methodists" in this code means the Workers' and Peasants' Party and it appears from a letter of Spratt to Dutt that Saklatwala was anxious to broaden the basis of the party, "to try to get both sides in" (P. 2328 (2)). This, it will be remembered, was contrary to the policy which had been laid down in October 1926 of making the Workers' and Peasants' Party a veiled Communist Party. (P. 2323), as opposed to Peoples' Party. Saklatwala also quarrelled with Joglekar (P. 2328). However he succeeded in having an informal conference of Communists at Delhi in March 1927 (P. 1143). There is no record to show whether anything tangible arose from this meeting. After him no more visitors seem to have come direct from England. The next two visitors were Ryan and Johnstone, delegates of the P. P. T.U.S. and the League against Imperialism respectively. These two men came to attend the Trade Union Congress at Jheria in December 1928 and the 1st. All India Workers' and Peasants' Party Conference at Calcutta in the same month. Johnstone was arrested during the T. U. Congress and by his arrest achieved what perhaps would not have been gained otherwise, the affiliation of the T.U.C. to the League against Imperialism. Ryan did not secure any affiliations, but established friendly relations with many of the accused and appeared with them in some Trade Union meetings.

Of visits out of the country there is very little evidence. Thengdi, Ghate and others hoped to go to the Canton Conference of the P.P.T.U.S. in May 1928, but were unable to get passports. Shaukat Usmani succeeded in going to Russia at the time of the 3th. World Congress

with three others. There is evidence that he was there but none as regards his route.

## XXI

More important than these fleeting visits was the sending out of Colonial workers in accordance with the plan outlined in Roy's letter (P. 2385). The first of these was George Allison, who came out to India in April 1926 under the name of Donald Campbell. There is little evidence about his work. He seems to have aided a Bombay Labour Swaraj Party in preparing the way for work within the Congress, (P 1144) and on occasion made a mysterious appearance and disappearance.

"Cables will be sent on the occasion of your Conference. One Campbell of the British Communist Party is present there. He is being instructed to deliver at the Conference a speech on behalf of this party. He should not only be given a chance to do so, but care should also be taken that he does not fall into the hands of the C.I.D. He should be cleverly made to disappear after his speech."

(P. 2121). These instructions emanated from Sipasi, and leave no doubt as to the fact that he was working in India on behalf of the Communist Party and that the illegality of his task was recognised. He was arrested on 23rd. of January 1927 and after serving a term of imprisonment for having a forged passport was deported at the end of his sentence. While he was in prison applications to see him were made by Ghate (P. 1470) Thengdi (1471) and Mirajkar (P. 1472). And it is clear from many letters that he was on intimate terms with Spratt (e.g. P. 1955). The news of his arrest was considered important enough

to wire to England, for only two days after the arrest C.P. Dutt wrote expressing his concern about it to Spratt,

"It is a great pity that David is not in good health. It is a very depressing thing to be ill in a strange country. Perhaps Baker can do something for him" and in invisible ink "only just heard about Donald. Doing what we can"

(P. 1859). Baker as usual is Saklatwala, who was presumably to use his influence in Parliament on Allison's behalf. "David" invariably stands for Allison in this correspondence. On his return home after the expiry of his sentence he was welcomed by several of the prominent Communists of England (P. 2465).

He was followed on the 31st. December 1926 by Philip Spratt. His advent was announced by Sipasi in the usual cryptic fashion.

"I hope you have received a "Word" from Sh. In addition to that if a "Herald" comes from us please receive him" (P. 2315). "You know the words. It is all right. Some one will meet you. He needs a person to help him in the work. Please don't refuse his offer" (P. 2324). "It seems there is some confusion about the "man with the word". It is not one it is two as I wrote to you in a way."

(P. 2325). The second man was Fazl Elahi who returned to India about the same time. Later on in June 1927 this is made clearer.

"Great P'ty for the Indian H. What about the English H.

(P. 2327). Taking all these quotations together it appears that the two Heralds were Fazl Elahi and Spratt.

Fazl Elahi was eventually arrested in the Punjab and sentenced under section 121--A. That is why sympathy is expressed in the last letter quoted. Fazl Elahi is frequently mentioned in the cryptic correspondence under the name of Victor, which in the transposition code becomes Teb. Spratt brought with him letters of introduction from Saklatwala, who described him as belonging to the Labour Research Department (P. 1860), and from Page Arnot, who said that "Spratt has very kindly promised to devote what spare time he had to the work of the Labour Research Department" (P. 1952). He also bore with him a letter of appointment (P. 1950) from Birrell and Garnett, Publishers, as their Agent and this letter was signed by Graham Pollard, who has come to notice before as a member of the Communist Party of Great Britain (2391 (3) ). I fear that Spratt soon found his voluntary duties too exacting to allow him to do any work as a book-seller. The record of his activities is too long to be given now in detail. Some of them will come to notice when I deal with the record of work in India. A great deal of the correspondence from abroad passed through his hands and the nature of that correspondence leaves no doubt that he was actively conspiring with the European Party. His voluminous writings show clearly that he fully realised what the object of the conspiracy was.

The next emissary was B. F. Bradley who arrived in India on the 23rd. September 1927. His arrival was announced by Dutt, in his letter undated, but written about July the 25th.

"On the other hand there is an engineer who will be going to Glasgow soon, who should help the University there as you will be glad to learn". (P. 1012). And "I have

heard that there is a University Fellow going out before long."

(P. 1008 of August the 9th. 1927). In this cryptic language "Glasgow" means Bombay and "University" Trade Union. Bradley came out as an Engineer and was described on his cards as Colonial Agent of the Crab Patent Under Drain Tile Company (P. 639). The record of his business for his firm is comparable to Spratt's. At the All India Workers' & Peasants' Party Conference 1928 he was described as a member of the Communist Party of Great Britain (P. 334) and did not deny the fact. As might be expected from Dutt's letter, his work lay chiefly with Trade Unions, and particularly with the Railway Unions, where he worked first in conjunction with and later in opposition to Jhabwala. It has already been mentioned that a few days after his arrival he sent off a letter containing the figure cipher and giving a cover address which was also Ghate's cover address (P. 1671); a letter to this address was subsequently recovered from the seaman Abid Ali (P 1686). And this mishap was referred to in another letter containing cipher (P. 674) sent to him by Dutt.

"I have not seen Patrick yet but I understand there was an unfortunate contretemps over your way a little while ago when creditors descended on a concert performer and skinned him of things intended for you. I am afraid that it means also that 8/13 7/2 7/8 5/5 5/1 2/1 1/2 is no longer good."

Patrick obviously is Paddy, who is Upadhyaya. Upadhyaya from the evidence of Abid Ali (P. W. 284) and Abdul Hakim (P. W. 45) was in charge of arrangements in London for sending correspondence by lascars. The figure cipher means Karanth, the address to which the letter

P. 1686 was addressed.

Two more of these accused came on the scene before the end of 1928, Hutchinson on 17th September and Adhikari on the 10th December. The latter was vouched for by the Berlin group and certainly was in correspondence with M. N. Roy (P. 1676). Hutchinson appears to have been connected with the same group and is on obviously friendly terms with A. C. Nambiar; but the evidence as to his participation in the conspiracy rests rather on his subsequent activities than on his previous history.

## XXII.

Before leaving the subject of communications and contact with Europe it is desirable to show what sort of correspondence was carried on with all this show of mystery and intrigue. Mr. Horton (P. W. 320) showed in his evidence how the figure cipher and the transposition code can be deciphered and what the cryptic language means, and it is unnecessary to repeat this in full. The quotations I have given give an indication of their nature. Various subjects are discussed; the arrest of George Allison and the case against Fazl Elahi under section 121—A, lines on which Workers' and Peasants' Parties would be run, whether they should be broad or narrow in scope and their relationship to the Communist Party, whether there should be a Communist Party or not, the progress and the nature of work in Trade Unions, attacks on various people and their utility in the work, methods of sending letters by seamen, the use of cover addresses, the advent of emissaries from England, methods of procuring and distributing Communist literature, and the question of finance—how much was required and how it was to be sent out, the



despatch of delegates to Conferences such as the P.P.T.U.S. at Canton, the 6th World Congress at Moscow and the Young Communist Conference also at Moscow. In other words ordinary organisational work is carried on by means of this correspondence. New problems arising in the course of actual work is referred to England for instructions. Constant contact was maintained between the conspirators in Europe and those in India.

I have throughout referred to this correspondence, or most of it, as being between Spratt and Dutt. As a matter of fact the letters from England were signed in various ways, letters from India with the name Des or Desmond; but P. 1009, which is a draft to Dear Brother and is in Spratt's handwriting, is obviously an answer to P. 1012, which is in C. P. Dutt's writing and signed J. (Note for instance Spratt's reference to J's remarks "Methodists and Y.M.C.A. are becoming too much two names for the same things"). So "Desmond" is Spratt, and "Brother" and "J" are C.P. Dutt. By similar comparisons with P. 2328 (2) and its answer P. 1008 and 2329 (1) it becomes clear that Douglas, J. Dear Brother and the person who makes an illegible mark at the end of his letter are all C. P. Dutt. Des, Desmond, is obviously Spratt. Cross references give the meaning of most of the cryptic terms such as "Methodists"; and in Spratt's draft P. 1009 the identification of Y.M.C.A. with the C.P.I. is made certain by the fact that the former is written over the latter. A similar clue is given to the transposition code by the fact that where he wrote Lahore and Calcutta originally he has placed over them their code equivalents.

### XXIII.

The links in the chain of conspiracy have now reached

by devious ways from Moscow to India and a strong prima facie case has been established that a scheme for causing revolution in India had been originated in Moscow, that its policy had been fixed and arrangements for carrying it out had been made in Moscow and were communicated direct or via England and the continent to paid agents in India and that the necessary finance was being supplied from the same source. It will be remembered that the main points of policy were

- (1) The formation of a strong communist party of India.
- (2) The building of Workers' and Peasants' Parties to be veiled communist parties and to include the revolutionary elements of the country,
- & (3) An intensive campaign to get control of Trade Unions and to organise labour for strikes, in the first instance for immediate demands and eventually with the object of creating revolution.

The C. P. I. was to control the W. P. P., and W. P. P. was to control and organise the work in the Trade Unions and bring in the peasants on the side of the workers. When dealing with the work of conspiracy in India, therefore, it is natural to begin with the C. P. I.

#### XXIV

The Communist Party of India was founded in 1924 at Cawnpore by one Satya Bhakta, in the wave of enthusiasm created by the Cawnpore Conspiracy trial. (P. 1207 (1)). It stood for complete independence, but on national lines,

and Satya Bhakt's ignorance of the first principle of Communism— that it is international—was duly exposed by Ajudhiya Prasad in the 'Aj' of the 18th. June 1926 (P.2267). Long before this date however the more rigid communists in the party resented the adoption of non-Marxian ideals, and when the first Communist Conference was held at Cawnpore in December 1925, (under the presidentship of Singaravelu, whose speech itself (P 1793) does not seem to me ideologically perfect), they proceeded to capture the organisation for themselves. Begarhotta and Ghate were appointed Secretaries and Joglekar, Nimbkar, Muzaffar Ahmed, Iyenger and M.A. Majid were put on the executive with a few others including Satya Bhakta. Intrigues were soon set afoot for driving out Satya Bhakta (P. 1287 (10.)), who himself took the offensive by refusing to part with the party papers; and shortly afterwards he resigned. An office was opened at Delhi with Ghate in charge, but little seems to have been done. A manifesto on the communal question was issued (P. 769), and another addressed to the All India National Congress 1926 advocating complete independence (P. 85); and some posts in the A.I.T.U.C. were secured for Thengdi, Ghate and Joglekar. Something was done by the party members in Bengal and Bombay to organise Workers' and Peasants' Parties, but the sum total was not great. Saklatwala, during his visit to India in 1927 dealt a blow to its prestige by refusing to preside over a projected conference at Lahore on the ground that the party was not affiliated to the Communist International. This conference had been arranged by Muzaffar Ahmed and others, (P. 1844), and M. A. Majid had actually begun work as Secretary of the reception committee (P. 732). But in view of Saklatwala's attitude the conference was abandoned. Saklatwala

however relented sufficiently to hold an informal discussion at Delhi in March 1927, and urged on by him a general meeting was held at Bombay in May 1927. Ghatge continued as Secretary, Muzaffar Ahmad, Dange, Begarhotta and Iyenger figured on the presidium and Nimbkar, Majid and Joglekar on the executive.

The party now issued a report of past work from which most of the above facts are taken (P. 1207 (1)), and somewhat late in the day the constitution was framed. This confined membership to those who subscribed to the programme laid down by the 3rd. International but did not expressly declare its allegiance to the Comintern. It looked up to the Communist Parties of the World as well as to the Communist International for lead and guidance. This half-hearted allegiance seems to be a relic of Satya Bhakta's "national communism" and is pointed out by Roy as an entirely wrong conception of the appropriate attitude towards "the mightiest world organisation" (P. 377 (1)). The programme betrays similar weaknesses. The demand which it puts forward are the minimum demands and are to be achieved in partnership with radical nationalists. In other words it was forming itself into a working class party exactly on the lines laid down by the Foreign Bureau the previous October (P. 2323 (1)) except that....and it is an important exception... the name of the Communist Party was still retained. The "veiled Communist party" had lost its purdah. Small wonder that two months later C. P. Dutt complained that "the Methodists and Y.M.C.A. are becoming too much two names for the same things" (P. 1012). The only other point worth mention is that the Foreign Bureau is definitely created as an ideological centre. The Foreign:

Bureau is to maintain international connexions, but "it will not in any way work inconsistent with the party's programme and resolutions" (1297(1)). Roy would naturally not have anything to do with this impossible position and in his own definition of the work of the Foreign Bureau made it clear that it would act only "as the organ through which the C.I. guides the activities of its Indian sections". (P. 377(1)).

However at that time the only instructions before them were those of the Foreign Bureau contained in P. 2323 (1). And though the name of the Communist Party was retained, in other respects the instructions were obeyed, with the result that the C. P. I. as such did remarkably little, though in this year the organisation of the Workers' and Peasants' Parties proceeded apace. The C. P. I. made a brief appearance in September in organising a meeting to welcome Shaukat Usmani back from prison—a meeting at which Joglekar, Dange, Mirajkar, Nimbkar and Spratt spoke (P. 1684). Mirajkar was not at that time technically a member of the party, but he seems to have attended a meeting at Madras on 29-12-27 and put in his formal application for membership on that date, and it was considered on the 30th. (P. 1287 1) & (3)). In December Dange was appointed to the Presidium (P. 1285). A meeting of the Executive Committee and possibly a general meeting was held at Madras at the end of December. There does not seem to have been a conference, though one was suggested—but perhaps the opinion of the Labour Research Department representative, Spratt, was against it (P. 2101). From the agenda of the Executive Committee meeting it appears that Begarhotta's resignation was accepted and thus disappears from the

case one whose postbox has afforded much of the important documentary evidence now before me. Iyenger alias Swami alias Kannan (see addresses on envelopes P. 2320-2327) who also at one time had an extensive correspondence abroad, also ceased his communist activities about this time. (P. W. 296 K. B. Abdul Karim) and possibly it was he who was expelled under the name of Swami a year later (P. 1300). But this is anticipating. Begarhotta's resignation created a vacancy in the Presidium and Shaikat Usmani's name was proposed in his place, (P. 1287 (2), although he only applied to be admitted as a member of the party the same day (P. 1287 (5)).

But these are domestic affairs. Of real activity there is little trace. In February 1928 three members of the party, Shafiq, Nassim and Feroz uddin Mansur, issued a notice to members and sympathisers of the C. P. I. suggesting the calling of a conference at Delhi during the T. U. C meeting at the end of the month, and in it they described the party as existing but in name (P. 1891). The meeting was not held (P. 2055), but the three signatories of the appeal were none the less in earnest. Their names had appeared regularly in the proceedings of the C.P.I. Feroz uddin Mansur has appeared as a witness in this case under section 540 C P. C. He cut an inglorious figure in the witness box, but there were obviously a few truths scattered among the falsehoods, which, it may be mentioned, were designed more to shield his friends than himself. He remained in Amritsar working on the Kirti and in December came to Calcutta and helped in the rejuvenation of the party. Shafiq and Nassim formed two of the party of 4--Rhuden (Shafiq), Uke-Rhug (Ali Shah), Orm (Usmani) and Massal (Nassim)—who attended the 6th. World Congress in July

1928 and of whose bona fides inquiries were made from Spratt (P. 2189] (P. 2002). Spratt's opinion was not very favourable.

"I replied once in rather a non-committal manner as I did not know much of them. I have inquired since however, and conclude that they are probably all rogues, though one or two may be merely fools."

(P 2419) It is apparent that he had been no party to their going and that they could not claim to be accredited representatives of the party, though in fact three of them, at any rate, were members. They must however have explained the position in India to the Communist International and the C. I. in consequence had no hesitation in condemning the party in its letter addressed to the All India Workers' and peasants' conference in December,

"The existing (only on paper) communist party of India since it does not any signs of revolutionary life has no ground to consider and even call itself communist although there are individual communists among its members."

(P. 334). Indeed the only activity in 1928 seems to have been the issue of a manifesto condemning the Roy letter as a forgery (P. 549 (20)).

Things indeed had come to a desperate pass when in May 1928 Ghate actually suggested to Muzaffar Ahmed that their party (i. e. Workers' and Peasants' party) should work the C. P. I.--a strange reversal of the usual procedure (P. 2127). Reorganisation was obviously necessary and spurred on both by M. N. Roy (P. 377 (1)) and the Comintern (P. 334) a new effort was made in December when all

the interested persons had gathered together for the All India Workers' and Peasants' Party conference.

The first meeting was on the 27th December and lasted till the 29th. Notes of the proceedings are found at P. 1295, 1300, 1303, and 1310. The exact place of 1310 is a matter of some doubt. It appears to give a list of the Central Executive which differs in some respects from that given in the notes of the proceedings (P. 1295) (P. 1300). The prosecution contend that it is a revised list of the Executive Committee and therefore subsequent. My own impression is that it is only a proposed list which was afterwards modified at the meeting. The main differences are

(1) a different distribution of local representatives—in P. 1310 the distribution is three from Bombay, Calcutta and the Punjab and 2 from the U. P., while in the proceedings (P. 1295) the Central Executive is to consist of 5 from Bombay, 3 from Calcutta and 2 from the Punjab, the U.P. being left out.

(2) The central office was suggested in 1310 to be at Calcutta, while in the meeting it was decided to have it at Bombay. The next meeting was certainly held at Bombay. As regards the constitution of the C. E. the U. P. member was to be P.C. Joshi, whereas at the meeting of the 29th December it was decided to leave his application for membership of the party for the present (P. 1303 read with P. 1295), and there is no subsequent mention of his election. Lastly the list in P. 1310 makes Dharani Kanta Goswami treasurer and also a member of the C. E., while Muzaffar Ahmad is general secretary: in the list as passed Ghate is general secretary and Goswami's name does not



appear at all. Now at the A. I. W. P. P. conference, a week earlier, the first signs of a split in the party had appeared and it had become obvious that there was a party headed by Goswami opposed to Muzaffar Ahmad. The bulk of the party supported Muzaffar Ahmad and it is inconceivable that Goswami should have been elected to an important position until the quarrel was settled. At the same time it would be undesirable to jeopardise the new party by putting Muzaffar Ahmad in charge as General Secretary. This would have destroyed all chance of conciliating the dissidents. For these reasons, therefore, I consider that the list given in P. 1310 was only a proposal and was never carried into effect. The question is mainly of importance as fixing the status of P. C. Joshi and Goswami. But it has a certain interest of its own.

The meeting began by admitting Adhikari and Mirajkar as members and expelling three others. The main decisions were: -

(1) to make the party active and do propaganda in the name of the C. P. I.

(2) to affiliate to the Comintern.

(3) to adopt the thesis for (of?) the Comintern as a basis for work (this must refer to the colonial thesis, the first part of P. 334. The letter of the E. C. C. I. had probably not arrived then; the copy addressed to Kishori Lal was intercepted on December the 30th.)

(4) to send Muzaffar Ahmad as a delegate to the E. C. C.

The revised constitution was issued subsequently (P. 416 (7)). It differs on material points from the earlier con-

stitution ( P. 1207 (1) ). It begins by calling the party definitely a section of the C. I., thus complying exactly with rule 2 of the Constitution of the C. I. ( P. 1208 (3) ). It makes its object clear.

“The object of the party is the attainment of socialism through the overthrow of imperialists and capitalists rule, the seizure of power by the working class and the establishment of the Dictatorship of the Proletariat in accordance with the programme of the Communist International and policy adopted from time to time by the party with the agreement of the Communist International”.

Roy's instructions P. 377 (1) have been obeyed to the letter. This frank exposition of their aims is practically enough in itself to justify the committal to Sessions under section 121-A of those who have accepted the creed. These are (so far as the present accused are concerned) Mirajkar, Dange, Nimbkar, Joglekar, Ghate, Muzaffar Ahmad, Shamshul Huda, M. A. Majid, Sohan Singh, Adhikari, Usmani, Amir Haider Khan, Ajudhiya Prasad alias Hamid, Spratt & Bradley. The first ten were members of the C.E. The rest are mentioned incidentally in course of the proceedings in Calcutta or, in Khan's case, in Bombay, in such a way as to make it obvious that they were members or associates. D. K. Goswami also appears to have been a member from P. 1310.

The next meetings were held on the 17th. and 19th. March 1929 at Bombay. By this time the letter from the E. C. C. I. ( P. 334 second part ) had arrived and been studied and the question of the W. P. P. was taken up. It will be remembered that the E. C. C. I. was opposed to the inclusion of workers and peasants in one party. This

at first sight meant the liquidation of the Workers' and Peasants' Parties which had been formed with such trouble; but this was felt to be a mistake and it was eventually agreed that the W. P. P. should survive as a mass party and should hold joint conferences between separate Unions of workers and peasants respectively. The rest of the two meetings were concerned mainly with discussing the organisation of the party. Adhikari, as the expert in method, had already formulated some concrete proposals (whether for this meeting or not is not clear) ( P. 1172 ) and his proposals were practically adopted. The party was to be organised in five departments:—

(1) T. U.

(2) Peasant.

(3) Agit and Prop.

(4) Organisational secretariat development.

(5) Polit department ( P. 1296 )

and a sub-committee consisting of Adhikari, Khan, Usmani and Ghate was appointed to work out details ( P. 1297 ).

On the next day, 20th. March, the majority of the accused was arrested and the programme could not be carried into effect. From the time of its rejuvenation in December until March the party had done little more than before..... a manifesto had been issued on the general desirability of joining the C. P. I. and outlining its functions ( P. 527 (8) ). There is no evidence to show that application for affiliation to the comintern was actually made or if made accepted, but this is a technical point of little importance to this case. The non-Marxian C.P.I. of 1924 had been gradually transformed into a body owning full

allegiance to the Comintern and it is quite obvious from the correspondence that its developments had been supervised and guided throughout by the C.I. The formal act of affiliation would be but one step in the development of the conspiracy which so far as the members of this body as such are concerned began as far back as the capture of the C.P.I. at the first Cawnpore Conference of 1923.

But this final act of the C.P.I., in transforming itself from a somewhat dormant body into one which expressly declared its active participation in the conspiracy which the C.I. had organised to deprive the King of his sovereignty of India, throws light on the previous activities of those who had been working for this end; and the first and foremost of these activities is the formation and organisation of Workers' & Peasants' Parties. Indeed it is hardly too much to say that this includes everything. At all times the C.I. has recognised the necessity of building up a mass organisation legally, to be subordinate to the illegal C.P. and controlled by it, but broader in basis, so as to include and educate the revolutionary elements. It must be prepared to function when necessary in place of the Communist Party if and when, as so often happens, the latter is declared illegal. Consequently while the C.P. in the back ground controls and guides, the W.P.P. comes out in the open and makes the preparations for the great day when the C.P. itself can assume the leadership in open revolution. So the task of bringing the masses up to the required point is the work of the W.P.P. and no activity conducing to this end is foreign to them. More specially was this the case in India when the C.P.I. lay practically dormant, and the instructions which came from abroad, such as P. 2323, suggested that the need of the day was a

Workers & Peasants' Party as a veiled communist party, lest the word 'communist' should frighten people away.

## XXVI

The two parent bodies of the Workers' and Peasants' organisations in India were the W. P. P. of Calcutta and Bombay. The former started first. Neither started under its present name. The Bengal party began under the name of the Labour Swaraj Party in November 1925. Its object was the attainment of Swaraj in the sense of complete independence of India, based on economic and social emancipation and political freedom of men and women and the means prescribed was non-violent mass action (P. 549 (13)). This was fairly broad and vague, and there was little in it to frighten away members of the Indian National Congress, who alone were eligible for membership of the party. The policy and programme are more detailed and include as ultimate demands the nationalisation of industries and the ownership of land by village communities, but the legislatures still seem to be regarded as the main field of action. Still, even this party, according to Muzaffar Ahmad, would be able to help the C. P. I. (P. 1140). A few months later in February 1926 a change took place and the Labour Swaraj Party blossomed into the Bengal Peasants' and Workers' Party (P. 549 (8)). The object, demands and means remain the same but the membership is extended to all over 18 who subscribe to the programme. Muzaffar Ahmed appears as member of the Executive Committee. The secretary of the Peasants Sub-committee was Hemanta Kumar Sarcar who at the end of 1928 was suggested for membership of the Central Executive of the C. P. I. (P. 310). The Assistant Secretary of the Workers' Sub-Committee was

Sumendra Nath Tagore, who also appears on the Executive Committee of the C. P. I. 1927 (P. 1207 (1) ) and later went to Europe, professedly as a Communist, although M. N. Roy, whose expert judgment in such matters cannot be challenged, ridicules his claim (P.377 (1) page 12) There was thus a strong fraction on the executive of the body. The party published an official organ, the Langal, which later was transformed into the Ganavani (The Voice of the Masses). Muzaffar Ahmed was appointed editor of both papers and early in 1926 he is found to be in correspondence with the Krestintern (Moscow),(P.447(11)), and the U. S. S. R. Society of Cultural relations with Foreign Countries (P. 477 (6)) for both of which societies Voznecienski signed the letters. In 1927 he was similarly in communication with the National Minority Movement (P.448(5)) and the Labour Research Department (P.448(6)) and was ordering Communist literature from New York (P. 448 (1) ). The party was progressing undoubtedly on on the right path, and the appeal issued in October 1927 on behalf of the Ganavani shows this. This official organ of the party, it stated,

“aims at the complete liberation of India from the yoke of the British Imperialism by the masses of India..... the main object of this paper is to prepare an ideological background on a strong scientific basis for the de-classed intellectuals so that they may work with the masses in order to educate and organise them and to make them class conscious.”

(P. 549 (I) ). This is straying somewhat from the Gaudhism implied by the published “means”.....non-violent mass action. The 1927 meeting made this clearer by amending the constitution and formulating more comprehensive demands about which it remarked:—

“In view of the fact that the only means for the successful working of this programme is COMPLETE INDEPENDENCE OF INDIA FROM BRITISH IMPERIALISM the Peasants' and Workers' Party would never hesitate to work in cooperation with all parties who are in agreement with this ideal and ready to work for its realisation.”

(P. 523 appendix). At the same meeting an address was presented to Saklatvala. Gopendra Chakravarti now joins Muzaffar Ahmad on the Executive Committee while D. K. Goswami becomes sectional secretary for labour.

During the year a further step was taken and the name was changed from “The Peasants & Workers Party” to “The Workers and Peasants of Bengal” thus giving Workers the first place. At the annual meeting in 1928 a new constitution was adopted embodying the object and demands of the 1927 meeting and defining the means as “rallying the People to Mass Action” (P.549 (9)). Non-violence is now significantly omitted. This meeting at Bhatpara in March and April 1928 was an important one. The resolutions were put up in the form of theses, following the practice of the Communist International, and these were afterwards embodied in a comprehensive report published under the name of “A Call to Action” (P. 523). These theses form the basis of the theses presented to the A. I. W. P. P. conference in December 1928 and explain in detail the theoretical aims of the party and its plan of campaign. Muzaffar Ahmad, who as editor of the party organ, had for a long time guided the party's policy, now became General Secretary. He has never made any secret of his views and it will be remembered that the intercepted copy of Roy's Assembly letter (P. 377(1)), which laid down so clearly the functions of a Workers' and

Peasants' Party and its place in the conspiracy, was addressed to him.

## XXVII.

The theses presented to the Bhatpara conference were drawn up by or in consultation with the Bombay party. This party also started under the colourless name of the Congress Labour Party in November 1926 and it was aided in its efforts by George Allison alias Donald Campbell (P. 1144). The stated object was

- (a) to capture Congress machinery and
- (b) to establish federated republic of India based on universal adult suffrage. P. 1354(4).

But this name again lasted only a few months and in February 1927, probably in compliance with the Foreign Bureau's instructions (P. 2323), the name was changed to "Workers' & Peasants' Party of Bombay." The programme was expressed in a portentous document of six clauses, each beginning with the word "whereas" (P. 1017). The last clause may be quoted in full

"Whereas the exploitation and subjection of the workers and peasants cannot finally cease until economic and political power have been taken from the present rulers and transferred to the workers and peasants, it is hereby resolved that

- (a) a political party of workers and peasants be established to voice the demands of these classes within the National Congress, to promote the organisation of Trade Unions, to wrest them from their present alien control, to advance the organisation of peasants on the basis of their economic and social requirements, and to



present a determined and pertinent opposition to the Government and thus secure the social, economic and political emancipation of these classes.

- (b) Since an essential condition for the fulfilment of this programme is the attainment of Complete National Independence, the party will cooperate for that end with other organisations which profess to desire it and are willing to struggle for its realisation.
- (c) It shall therefore be the ultimate object of the party to obtain Swaraj where-in the means of production, distribution and exchange are publicly owned and socially controlled."

Some qualms were felt (and I am not surprised) as to whether this programme would deprive them of the cover of legality which they desired. So before making a public announcement they consulted a lawyer. He gave a non-committal reply. "It is both legal and illegal" (P.854), and it was therefore decided to make the announcement. In this announcement (P. 851 [1] ) clause 6 which I quoted above is reproduced in full. No one who joined this party under this programme could fail to recognise its implication. Certainly the first President, D. R. Thengdi, did not. Not only did he agree to the publication of the programme (P. 853) but he showed his appreciation of the objective when two months later he wrote to Mirajkar,

" I must congratulate you and your Peasants' & Workers' Party for being supplied with the sinews of war by the rich Marwaris of Bombay. Now we shan't be long in getting the Dictatorship of the proleteriat"

(P. 1355 [4] ).

It must be presumed that the other members of the

committee were equally intelligent, namely, Mirajkar Secretary, Jhabwala and Ghate, Executive Committee, Joglekar and Nimbkar, group-leaders.

The first annual meeting was held in March 1928. No further change in the name or the policy was made, but the Executive Committee was slightly changed. Thengdi was re-elected president, Ghate became Secretary, Joglekar, Mirajkar and Spratt were group leaders, Jhabwala, Nimbkar and Dange were elected to the Executive Committee (P. 1344).

## XXVIII.

Philip Spratt had arrived in Bombay at the end of December of 1926 and his correspondence shows that he took much interest in this party. He at least was anxious that its real objective should not be misunderstood, and he consequently drew up a syllabus for Study Circles and added a chapter on "What the Worker's & Peasants' Party Stands For". The draft of this document was found with him in 1927 and is in his writing (P. 1013). It removes any lingering doubt, if doubt there can be. The Study Circle is taken through the various stages of the struggle to which the Workers' & Peasants' Party had devoted itself, until finally it reaches:—

" No. 7 The Revolutionary Crisis..war..general strike armed uprising..seizure of power..attitude to the State (destruction of the State machine and erection of a new one) ..Beginnings of socialist reconstruction."

Then the attitude on various miscellaneous questions is to be discussed, such as religion, sex - equality, education, social reform, youth movement, petty bourgeoisie generally, art etc., and it is laid down that "the approach to each

question is.....how will it help us to make the revolution and seize power .....The list of books which *must* be read is short enough to be given in full.

Marx & Engels	Communist Manifesto
Lenin	State and Revolution. Left Wing Communism. The Proletarian Revolution Imperialism.
Stalin	Leninism.
R. Palme Dutt	Communism Modern India.

He also advises his students to read M. N Roy's books and any Third International theses, resolutions and discussions which are obtainable. Then he discussed the role of the party. He points out that the main lack in the past has been leadership;

"Non-co-operation collapsed in 1922, just as the Swaraj Party has collapsed since, and for two main reasons. The programme, good as it was, was not worked out and thorough enough, and the organisation not complete enough, so that all possible support was not brought in. And the leadership failed. Just at the critical moment, when autocracy was tottering, and Swaraj seemed within sight, the campaign was stopped on the ridiculous plea that the masses were "not sufficiently nonviolent." ..... (Page 82).

"A leadership springing from the masses themselves will not be afraid to carry the struggle through to the very end "

The party proposes to supply these needs including

such a leadership. He makes it clear that the party is not merely nationalist.

“The fight is not completed with the mere attainment of formal independence from external domination. We do not mean to minimise the importance of independence. The attainment of Swaraj will be an enormously important step in advance, probably the biggest & most difficult that we shall have to make. But it is only part of the way to complete social liberation.”.....  
(Page 83).

Was it a mere coincidence that almost as soon as Spratt arrived in Bombay the Bombay Congress Labour Party changed its name to The Workers' and Peasants' Party of Bombay, and that soon after his arrival in Calcutta the Bengal Peasants' and Workers' Party became the Workers' and Peasants' Party of Bengal? In view of Spratt's membership of, and close connexion with, both parties it is, at any rate, a legitimate inference that the exactly similar aims of the two parties mean exactly the same thing, and what that is is explained by Spratt above. The facts that at the end of 1928 the two parties joined in creating an All India Workers' & Peasants' Party and that Spratt was present to give his blessing, confirm the inference. If further proof were needed it can be found in the fact that the theses and resolutions passed at the 1928 meeting of the Bombay Party formed the basis of those adopted by the Bengal Party a few weeks later and published by them as “The Call to Action” (P. 523), which in its turn grew into the theses, “Political Resolution” (P. 136), “Trade Union Movement” (P. 137), and “Principles and Policy” (P. 138), adopted by the All India Workers' and Peasants' Conference. The policy of the two parties is given clearly in these theses.....that on the General Political

situation moved by Dange at the Bombay meeting (P. 1209) was adopted bodily by the Bhatpara conference (P. 523). A few quotations will show its nature:—

“The policy of the Party must be to carry forward the campaign for the boycott of the Commission to the utmost extent in spite of any sabotage. Strikes and hartals must be encouraged, & the masses brought into the movement by associating their demands with the national logans.” Page 75. “As opposed to the programme of the All Parties Conference, the Party must demand on behalf of the masses Complete Independence, and the establishment of democracy: Universal adult suffrage, freedom of speech, etc, the abolition of the Native States and the landlord system, and the guarantee of the economic, political and social rights which the workers and peasants as classes require.

The Party must also carry on propaganda in relation to International affairs. The League against Imperialism must be supported, and its propaganda for the alliance of the revolutionary Labour movement and the colonial revolutionary movements be assisted. Solidarity must be encouraged with the Russian and Chinese revolutions, particularly in view of the danger of war.” (Pages 75 76)

The same idea is expressed at the end:—

“It is necessary further to cooperate with organisations fighting for the freedom of the oppressed nations, and with the militant anti-imperialist working class of the imperialist countries.”..(Page 78)

The thesis on organisation (P. 832) is by Mirajkar. This was slightly modified for the Bhatpara conference, but the main points remain the same. His object is to

“have an organisation fit and capable of leading the Workers and Peasants in their struggle against capitalism and Imperialism” and first of the methods advocated is:—

“Study circles must be started forthwith in order that members may understand and correctly interpret Party Policy, and most important the application” (Page 83)

The quotations I have given above from Spratt's syllabus show what the nature of the interpretation is likely to be.

The resolution on Trade Unions (P. 831) was by Jhabwala and is practically reproduced in full in “The Call to Action.” I may quote

“The task of the party is to transform the existing organisations, so that it will give expression to real working class demands, make the leadership such that it will give a courageous militant and correct lead to the workers” and “The party places considerable importance on the Trade Union movement as a weapon in the hands of the workers in their struggle against capitalism.”

The thesis on Peasants ( P. 885 ) is by Dange and this also is unchanged in the Call to Action. He sets out the immediate demands of the peasants and ends:

“ The party makes it clear that the above are merely immediate demands, which are ultimately to lead to a Swaraj of unexploited and free peasant and worker, each working his own destiny, unhampered by Zemin-dars or money-lenders or an imperialistic Government or a capitalist investor.” (Page 85)

With these theses may be compared the theses placed

before the All India Workers' and Peasants party. Some have been quoted before in another connexion, but they may be quoted again to show

( 1 ) That the party's policy had suffered no change when the All India party was formed; and

( 2 ) That the party members after such constant repetition could have been under no misapprehension as to what the party stood for. The Political Resolution ( P. 136 ) gives the general lines of political action in relation to the Congress and other political parties:—

“ While the workers and peasants remain relatively weak and unorganised in the country it will be necessary to follow the traditional policy of forming fractions within Congress organizations for the purpose of agitation, of exposing its reactionary leadership and of drawing revolutionary sections towards the Workers' and Peasants' Party. ”

( Page 8 ) As regards the Independence League:—

“ The Workers' and Peasants' Party can only work with the Independence League in a united front, on the basis of its propaganda for independence, which in spite of its frivolous character has objectively some value. But it is necessary continually to expose the League's faults, of programme and policy, and its fundamentally bourgeois, even fascist character, and ultimately counter-revolutionary role. ” .. ( Page 9 )

“ The Workers' and Peasants' Party must emphasise the following points..... There must be left no doubt as to the meaning of independence; it involves the destruction of imperialist political and military control, and economic penetration, and hence necessitates revolution.” ..

and finally,

“ A campaign of propoganda must be conducted against the war danger, and particularly against the war preparations against Soviet Russia. The international nature of the revolutionary nationalist and working class movement must be emphasised in concrete manner. ” (Page 10).

The thesis on the Trade Union movement ( P. 137 ) deals with the policy as regards Trade Union activities and in particular strikes.

“ The policy of industrial peace, which has proved so ruinous even in prosperous and well organised countries, must be definitely thrust out of the Indian Trade Union movement. It is practising gross deception upon the workers to tell them, as many leaders do, that the object of Trade Unionism is to preserve peaceful relations between employers and employed. The object of Trade Unionism is to fight employers for improvements.

Many Trade Union leaders claim, some times as a result of bitter experience, that the policy of strike is unwise, as strikes usually fail. This utterly defeatist view cannot be accepted. Strikes can win if properly organised. And no strike, in spite of any immediately disastrous result it may have, can be looked upon as a loss. Its lessons to those who take part, and to the working class generally, must be utilised to the advantage of the movement.....The strike, including the general strike can also be used for political purposes, and on suitable occasions, if sufficient preparation is made, must be put into effect.”  
( Page 13 )-



“ The Workers' & Peasants' Party has a special responsibility towards the Trade Union movement.....Its object is to organise a Federation of Trade Unions, with Peasants and other organisations, primarily for the purpose of a political struggle for the independence of the country, but also for the general improvement of the position of the masses. ”.....  
( Page 15 )

“ The Trade Union movement must also take a clear line in the international sphere....The Trade Union Congress must affiliate with the R. I. L. U. (Moscow). It is also desirable that the Trade Union Congress is affiliated to the anti-imperialist “ Pan Pacific Trade Union Secretariat ” (Shanghai) and not to the Pan-Asiatic Federation of Labour....The T. U. C. should also be affiliated to the League against Imperialism.”..  
( Page 16 )

Finally the party defines its purpose and policy ( P. 138 )

On political and economic grounds also it is evident that participation of the masses in the Government while the British bourgeoisie remain in the country is impossible. The masses must therefore strive for independence from British rule.

From all points of view the attainment of independence is the first task of any movement which strives to improve the position of the Indian masses.....The struggle against imperialism for the complete independence of the country is thus the central item for the immediate future in the programme of the masses and of the Workers' and Peasants' Party.

The struggle, having as it does the object of destroying

the imperialist control of India, must be a revolutionary one.".....(Page 20.)

The thesis goes on to discuss the possibility of revolution in India in the face of "the very efficient autocratic Government". It comes to the conclusion that the difficulties though great are not insuperable. However,

"For the purpose of achieving the national revolution it is necessary to mobilise all forces to cooperation in a task of very great magnitude and difficulty. Contact must be established with movements directed against imperialism in other parts of the world whether colonial or purely working class in character.".... (page 21).

It then discusses methods:

"The line of action of the Party is to develop to the fullest extent the organisation and consciousness of the masses in a revolutionary direction. With the workers this is to be carried out by increasing by all means the strength and solidarity of the Trade Union movement on the basis of forward economic and political demands and a policy of direct action. The policy of reformism and the dominance of the reactionary Trade Union leaders are constantly to be attacked, and replaced by a militant policy and leadership. All occasions are to be seized to draw the workers into political action, by demonstrations, meetings, strikes, etc." (Page 23).

It concludes,

"To enforce these demands, a mass movement, using the weapons of demonstration etc. and direct action, must be organised, leading up to a general strike of workers and a mass campaign of non-payment of rent and taxes by peasants.

Only by following a programme of action such as this can sufficient force be brought to bear to achieve the revolutionary task before the country, and only in this way can the people be aroused and stirred sufficiently to develop the constructive capacity necessary for the building up of a new independent and democratic order."..... (page 24).

These are only extracts and are necessarily divorced from their context, but the theses if read in full make it quite clear that these quotations summarise the aims, objects and methods of the party both concisely and accurately. There can be no doubt that the two provincial parties were working in close alliance, united by the same ideals, the same organisation, the same activities, and acted under the same inspiration, and that they formed in fact one party even before the creation of an All India Party to which both belonged. It is no less clear that these aims and methods were exactly those laid down by the Communist International, and that the leading persons on the two parties were Ghate, Spratt, Muzaffar Ahmad, Mirajkar, Joglekar, Dange, Nimbkar and Goswami, who were also members of the C. P. I. The first three in particular were in constant correspondence with the Communist conspirators abroad as to organisation, activities and finance. There can be no doubt that both these parties, and ultimately the All India Workers' & Peasants' Party, were part of the conspiracy. M. N. Roy, in an article which he sent to Adhikari (P. 1174), evidently agrees with me.

"The Workers and Peasants' Party, whose driving force are the Communists, was objectively the most important event of the moment. The Workers' & Peasants' Party is not the Communist Party, although the Communists play in it the leading and dominating role. Several

years ago it appeared on the scene as the first sign of radicalization of the nationalist masses. As such the Communists supported it, and aided its growth. Practically all the great strikes of the last two years were led under the banner of the Workers' & Peasants' Party. The object of the Communist was to make this new party the rallying ground for all the nationalist revolutionary elements, to develop it into a revolutionary nationalist mass Party, which is a crying need of the moment. (P. 1256)

## XXIX

The activities of the party run on very similar lines and follow closely the plan of action which is laid down in so many of the theses to which I have referred. It will be sufficient to give a brief list under various headings.

### (I) DEMONSTRATIONS.

By demonstrations in this connexion is meant the calling of a mass meeting, usually accompanied by a procession, in connexion with some particular subject which gives speakers an opportunity of driving home the lessons which they wish to teach to the people in pursuance of their aims. Thus in Bombay such meetings were held on

Lenin Day	1927
Arrival of Saklatwala	do

Meeting to welcome Dange on his release from jail. 1927;

These three meetings are mentioned in the Secretary's report on the year 1927-28 (P. 826).

May the 1st 1927:—May Day (P. W. 104 Inspector Pat-

wardhan). At this meeting there were present Spratt, Thengdi, Mirajkar, Jhabwala, Nimbkar, Ghate and Joglekar.

29th. August 1927:—Sacco and Vanzetti meeting (P. 2311) Jhabwala, Dange, Nimbkar and Mirajkar were present.

7th. November 1927. Anniversary of the Russian Revolution. . (P. W 181). Dange, Ghate, Joglekar, Mirajkar and Jhabwala were present. Their speeches are given in P. 1685.

3rd. February 1928—Anti-Simon Demonstration (P. W.104) Present Joglekar, Nimbkar, Mirajkar, Ghate, Jhabwala, Alwe and Dange.

May the 1st. 1928. May Day. (P. W. 147). Jhabwala, Nimbkar, Alwe, Dange, Bradley, Mirajkar and Joglekar were present.

20th. Jan. 1929. Lenin Day—Dange, Shaukat Usmani, Bradley, and Adhikari were present. (P. 1690).

#### BENGAL.

May 1st. 1928. May Day. (P. W. 249.) Spratt, Kishori Lal Ghosh, Muzaffar Ahmad were present.

19th. January 1929—Anti Simon Demonstration (P.W.228). Radha Raman Mitra, Goswami, Gopendra Chakravarti, Muzaffar Ahmad, Shamshul Huda, Ajudhiya Prasad were present.

20th January 1929. Lenin Day—(P. W. 233).

Goswami, Muzaffar Ahmad, Spratt, Radha Raman Mitra, and Shamsul Huda were present.

Most, if not all, of those mentioned as present also delivered speeches, in all of which there is the same theme that imperialism and capitalism should be overthrown and that the workers of Russia have shown the way to the whole world of obtaining a workers' republic.

### XXX.

#### (2) PROPAGANDA

Demonstrations of course were recognised as a form of propaganda, but a more specialised and regular form consists in issuing a party newspaper. These papers were usually issued weekly. But their circulation was limited: capitalist firms naturally did not send advertisements to them and they were usually in financial difficulties. Consequently it happened in most cases that the paper had on occasion to stop for a time for want of funds. This happened both to the *Kranti* and the *Ganayani*.

The *Kranti* (Revolution) was the official organ of the Workers' and Peasants' Party, Bombay. It was published in Marathi weekly. It was decided to publish it on the 4th May 1927 and an editorial Board was appointed with Joglekar and Mirajkar as editors and Nimbkar, Dange and Ghate and three others on the Board. (P. 1344 (page 76)). It seems to have ceased publication at one time, but during the strike of 1928 it was decided to revive it as a vehicle for party propaganda, and Dange was appointed editor; Ghate was to be manager [P. 1344 page 87]. Later on at the beginning of January 1929 Adhikari was deputed to assist Dange. Among the list of subscribers were the Labour Research Department, the *Sunday Worker*, Secretary of the

Communist Party of Great Britain, the Workers' Weekly, the Worker Labour, Monthly etc. (P. 1350 (4)). When its offices were searched on March the 20th, 1929, among the papers found were manuscripts by M. N. Roy, extracts from *Leninism* by Stalin, Resolutions of the Rilu, the history and constitution of the Third International and reports of the C.P.I. These facts are significant enough. A perusal of the contents of the paper leaves no doubt as to its tone. A few of the titles or subjects dealt with are—Workers should be communists—Militant mass workers are communists—After the strike (in which the formation of a red army is advocated)—the A. B. C. of Communism—Necessity of a Workers' and Peasants' Party—Revolution is the only way—etc. etc. (930, 933, 986, 989, 1375 Marathi translations). In addition to this, Shaukat Usmani started a paper called the Pyam-i- Mazdoor in March 1929. Only three numbers were issued. The contents of this paper can be gathered from the translations (Urdu volume 3) P. 1589. It may be noticed that it quotes liberally from the Urdu Kirti, the organ of the Workers' and Peasants' Party, Punjab.

In Bengal the chief paper was the Ganavani (Voice of the Masses), which has been mentioned earlier. It was preceded by the Langal. Its objects were well defined in its appeal for help (P. 599 (1)) which I have already quoted. Muzaffar Ahmad was its editor throughout and M. N. Roy had occasion to mention appreciatively the work which he was doing in this connexion. [P. 377 [1]] Translations of its contents will be found in volume 1 & 2 Bengali Translations P. 32, 238, 369, 519, 576, 593. Typical articles are those on the Independence League (volume 1 page 48), Path to freedom (page 49), Method of

revolution, (page 78), Donald Campbell (page 80), Heralds of Freedom, (volume 2 page 31), The Russian Revolution (page 56) etc. This paper, like the Kranti, was an official organ of the Workers' and Peasants' Party and its tone was entirely communist.

Great stress was laid on the necessity of organising an efficient youth movement. It cannot be said that the efforts were really successful. In Bombay the Secretary's report for 1927-28 mentions that two youth conferences had been influenced by the party, but the youth movement is not stable yet, but ideology was being built up. Spratt was specially interested in this branch of the work. He drafted a comprehensive resolution for the youth congress (P. 1111) and two of his best speeches, Revolution in India (P. 1941), and "The Congress—what next—?". (P. 1689) were delivered at youth meetings in April and May 1927. At the first annual meeting of the W. P. P. Bombay in March 1928 a new group was added, called the youth group, and put in charge of Spratt. Unfortunately for Bombay, however, Spratt was away the greater part of 1928 and the rest of the party had little time for other activities during the general strike. Consequently in a report by Ghate to Muzaffar Ahmad about the end of 1928 he states: "The work under the youth section is conducted in the form of classes in which students have been taking part. These classes have not met with sufficient response". (P. 420). Still, the effort was made however disappointing the result.

In Bengal Spratt again took a leading part and his name is found in connexion with various youth meetings, such as Malda District Convention (P. 546 (3)). A youth section of the Workers' and Peasants' Party of Bengal was instituted and it proposed to coordinate all youth organisa-



tions in Bengal in a Federation called the Young Workers' League ( P. 516 (4) ). There is much other material on record to show that great efforts were made in this direction to win over the youth of the Presidency, but here also, as in Bombay, the results were disappointing. Spratt's letter to Miss L. C. Mellonie, who inquired from England about the work done in India in respect of the youth says that no organised work of any kind had so far been instituted. He mentions that a beginning has just been made in Bengal and a few young men had decided to establish a Young Comrades' League ( P. 546 (10) ). In the middle of March 1929 Spratt relates to Dutt the sad fate of this organisation,

“I have been thinking about the working class youth movement. There is no such thing in existence yet, even in Bombay, so far as I know. Here we formed a Young Comrades' League about 8 months ago. Unfortunately when it might have begun to make contact with the working class, it was captured by the opposition who swamped it with class-conscious young “bhadralog.” ( P. 527 (1) ).

### XXXI

#### (3) TRADE UNIONS.

Trade Union work was one of the most important features of the party's activities. It falls into two parts—the formation and capture of Trade Unions, and strikes. The Secretary's report for 1927 ( P. 826 ) gives details of some of the activities in this connexion in Bombay. Jhabwala was already connected with many railway unions; Bradley joined him in this work and together they secured control, particularly of the important G. I P. Unions which eventually they succeeded in amalgamating into one body,

under their control ( P. 1861 ). Mirajkar founded a Dock Workers' Union, of which he became Secretary, (P. 548(2)). But in this case too an unfortunate accident occurred and the Union was captured by moderate leadership, which even went so far as to suggest that Mirajkar had made away with some of the Union's money (P. 1247). Other unions for which party members were responsible were the Municipal Workmen's Union and the Press Workers' Union. But by far the most important of such unions was the Girni Kamgar Union. This originally started life as the Girni Kamgar Mahamandal with one Mayekar as Secretary and Alwe as President. Mayekar, however, was also accused of embezzlement and in any case his policy was too near that of the regular Trade Union leaders, such as N. M. Joshi, to be acceptable. Joglekar was then called in to look at the accounts. Meanwhile the general strike had started. When the Mahamandal attempted to negotiate with the owners, they refused to deal with an unregistered body. Thereupon Alwe attempted to register the Mahamandal, only to find that he had been anticipated by a few days by Mayekar. The natural thing to do was to start a new union under the name of the Girni Kamgar Union and this was duly registered. This union became the most powerful one in Bombay during the Strike (P. 2408). The Union was entirely controlled by the Workers' and Peasants' Party. The minute book of the Union shows that Alwe was president, Dange, General Secretary, Joglekar and two workers secretaries, Jhabwala, Bradley, Nimbkar and a worker vice-presidents, Ghate treasurer ; among the members were Kasle and Mirajkar. When later on Jhabwala resigned his membership Kasle was appointed Vice—President in his place. (P. 958). To all intents and purposes the Girni Kamgar Union was merely

a section of the Workers' and Peasants' Party. It may be noticed that at the beginning of 1929 this Union sent Rs 500/- to Muzaffar Ahmed in connexion with the Bauria Jute strike, which was being run by the Workers' and Peasants' Party of Bengal (P. 958).

In Bengal the report of 1927-28 shows a certain amount of substantial work. The Bengal Jute Workers' Association was affiliated to the party. The Dakeswari Cotton Mill Workers' Union and the Bengal Glass Workers' Union were being re-organised; and the Scavengers' Union was formed, directly by the party. (P. 52) Efforts were made to form a union of Dock Workers (P. 548 (10)). A list of Trade Unions in Bengal prepared by Spratt (P. 544 (3)) shows a large number of Unions, either affiliated to, or officered by members of, the party. The correspondence of Gopal Basak with Muzaffar Ahmad shows that he was making constant efforts to organise unions on party lines in the neighbourhood of Dacca.

## XXXII

### (4) STRIKES.

The Secretary's report (P. 826) shows that the Bombay party took part in at least two strikes in the Textile industry—one in the middle of 1927 and the other at the beginning of 1928. But these strikes fade into insignificance before the well-known general strike in the Textile Industry which lasted from the 16th. of April 1928 to the 4th. of October 28. A brief account of the general features of the strike is found in Bradley's report to Potter Wilson (P. 1035). I will not, however, attempt to deal with the strike in detail. It has been suggested by some of the accused that the workers had real grievances and that

the accused could not be charged with working up a strike unnecessarily. This argument misunderstands the line taken by the prosecution. It is not contended that the workers had no grievances. I have no knowledge of the facts which originally caused the strike, but I am quite prepared to accept the argument which the accused put forward frequently in their speeches, that unless the workers had been really discontented they would not have continued the strike so long merely at the bidding of agitators. What is important for this case is not the reason for the strike but the use which was made of it by the Workers' & Peasants' Party. Admittedly they were anxious for the strike. Bradley's report states that propaganda was being carried on by the Workers' and Peasants' Party, that the only effective method to stop this attack was by the united stand of the workers i. e. a general strike, although some prominent Trade Union leaders were opposing this, (P. 1035), and in their speeches they took credit to themselves for prolonging the strike. They held meetings once or twice a day, addressed by one or other of the party members. They organised a strike relief fund and arranged the conveyance of strikers back to their villages. What then was the meaning of their activity? Was it merely an attempt to carry out a strike on ordinary Trade Union lines or was it something deeper?

The attitude of communists to strikes has been made clear before and presumably the Workers' and Peasants' Party, most of whose controlling members were communists, knew what the principles were, especially in view of the thesis on the subject which had been published in March. This is not a matter of mere presumption. It has been hinted by Jhabwala and others that the strike was a legitimate

one, that strikes are not illegal and therefore cannot be taken as evidence of illegal aims. This point can be discovered best from the speeches which the accused themselves made during the strike. Over 150 pages of such speeches have been printed. There may be occasional mistakes in translation, but I cannot believe that the numerous reporters who took down the speeches really erred seriously in reporting the sense of what was said. Every speech is perfectly consistent with the rest. It will take too long to quote from these speeches. In order of frequency the speakers reported were Mirajkar, Nimbkar, Joglekar, Alwe, Kāsle, Jhabwala, Bradley and Dange. The speeches of course all concern the strike, but through them all runs the same theme, that the British must be driven out and the Labourers' Raj established, that the revolution is the only remedy for their grievances, and that peace must be maintained until they are stronger and more fit for revolution. For this purpose when the strike is over they must start at once to train for the next strike, must prepare a red army and a large strike fund and begin to educate the workers to take their due part in the leadership. In many places they frankly say that the object of a strike is not to gain a rupee or two, but to prepare the workers for the greater political struggle. They avow openly that they are teaching the principles of communism. Adhikari's brother writing to Adhikari, when the latter was still in Germany, said that the work that the Peasants' and Workers' Party at Bombay had done during the last year, particularly during the strike, was simply prodigious and he was amazed at the audacity of the leaders preaching "rank communism". (P. 1479). I agree with him. Their teaching itself and their professed object all show that they were using the strike not to further

a genuine trade dispute, but as a training ground for the revolution.....exactly indeed as is laid down in the theses of the Communist International, the Communist Party of India and the Workers' & Peasants' Party itself.

Exactly the same can be said of the Bengal strikes. The Workers' & Peasants' Party took part in a large number of strikes, none as spectacular as the Bombay general strike, but in the aggregate considerable and their speeches run on the same lines. I need only mention the most important. The Lillooah East Indian Railway strike was not started by the W. P. P. and it was not till it has been running for more than 3 months that they took a hand. They then took it up vigorously and succeeded in making it last another three months, until the 9th. of July 1928. Spratt, Kishori Lal Ghosh, Gopendra Chakravarti, Radha Raman Mitra, Shiva Nath Banerji and D. K. Goswami were very active, though possibly unscientific, and they succeeded in organising sympathetic strikes at Ondal which lasted from the 23rd. of May to the 10th. of July 1928 and at Asansol. Their object was admittedly to extend the strike, but in this they were not very successful.

The Scavengers' Union, which was mainly founded by Muzaffar Ahmad, held two strikes under his guidance, and two more strikes which lasted about three weeks were worked by the party at Chengail, Fort Gloucester Mill. Radha Raman Mitra, Kishori Lal Ghosh, Goswami and Spratt took part in these strikes.

The biggest strike, however, was the Bauria strike, which was not only worked by the party members, Spratt, Kishori Lal Ghosh, Radha Raman Mitra, Shamsul Huda,

one, that strikes are not illegal and therefore cannot be taken as evidence of illegal aims. This point can be discovered best from the speeches which the accused themselves made during the strike. Over 150 pages of such speeches have been printed. There may be occasional mistakes in translation, but I cannot believe that the numerous reporters who took down the speeches really erred seriously in reporting the sense of what was said. Every speech is perfectly consistent with the rest. It will take too long to quote from these speeches. In order of frequency the speakers reported were Mirajkar, Nimbkar, Joglekar, Alwe, Kāsle, Jhabwala, Bradley and Dange. The speeches of course all concern the strike, but through them all runs the same theme, that the British must be driven out and the Labourers' Raj established, that the revolution is the only remedy for their grievances, and that peace must be maintained until they are stronger and more fit for revolution. For this purpose when the strike is over they must start at once to train for the next strike, must prepare a red army and a large strike fund and begin to educate the workers to take their due part in the leadership. In many places they frankly say that the object of a strike is not to gain a rupee or two, but to prepare the workers for the greater political struggle. They avow openly that they are teaching the principles of communism. Adhikari's brother writing to Adhikari, when the latter was still in Germany, said that the work that the Peasants' and Workers' Party at Bombay had done during the last year, particularly during the strike, was simply prodigious and he was amazed at the audacity of the leaders preaching "rank communism". (P. 1479). I agree with him. Their teaching itself and their professed object all show that they were using the strike not to further

a genuine trade dispute, but as a training ground for the revolution.....exactly indeed as is laid down in the theses of the Communist International, the Communist Party of India and the Workers' & Peasants' Party itself.

Exactly the same can be said of the Bengal strikes. The Workers' & Peasants' Party took part in a large number of strikes, none as spectacular as the Bombay general strike, but in the aggregate considerable and their speeches run on the same lines. I need only mention the most important. The Lillooah East Indian Railway strike was not started by the W. P. P. and it was not till it has been running for more than 3 months that they took a hand. They then took it up vigorously and succeeded in making it last another three months, until the 9th. of July 1928. Spratt, Kishori Lal Ghosh, Gopendra Chakravarti, Radha Raman Mitra, Shiva Nath Banerji and D. K. Goswami were very active, though possibly unscientific, and they succeeded in organising sympathetic strikes at Ondal which lasted from the 23rd. of May to the 10th. of July 1928 and at Asansol. Their object was admittedly to extend the strike, but in this they were not very successful.

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but was also visited by Johnstone, the delegate from the League against Imperialism, during his brief stay; and Bradley came over from Bombay to lend his services as well.

One more incident may be mentioned. There had been some strikes at Jamshedpur in which the W. P. P. had taken no hand. Two labour Unions were concerned in the strike and as usual they quarrelled among themselves and after the strike was over they asked the W.P.P. to help them to unite the Unions. Spratt and Shamshul Huda went over there for the purpose. Spratt's speech is interesting. He spoke openly "I am one of those people who are called communists." He said that both the parties were wrong; one party believed in the Congress and the other believed that workers should have no interest in political questions. This gave him an opportunity for putting forward his own point of view and his lead was followed by Shamshul Huda. (P. 2206-2207).

A general report as to the strikes up to August 1928 and a candid criticism of the methods employed can be found in a letter of Spratt to Page Arnott (P. 2419). I am not however concerned with the mistakes, if any, made by the party. For this case it is only necessary to point out that, both from this letter and from the speeches, as well as from the report of the party itself (P. 52), it is obvious that the party organised or took part in the strikes as part of its normal activities and in pursuance of the plans laid down in the thesis.

These are perhaps the main activities, although there were many other forms of activities such as work in connexion with the Trade Union Congress and the All India

National Congress. In both cases the parties in Bombay and Bengal joined together and formed a solid block to elect their own representatives, if they so desired; to official positions and to influence the Congress concerned towards affiliation with the League against Imperialism, the Rilu or any other body with which they were in touch. It is however unnecessary to give these activities in detail.

### XXXIII.

But after all these two original societies were confined to limited areas, mainly indeed to the towns of Bombay and Calcutta, though the Bengal party extended its activities further afield to Dacca and other places in the Presidency. Necessarily too most of their work was among the factory workers. This is in the communist plan of action the most important class, because it is most easily organised and most concentrated. But in a predominantly agricultural country such as Russia or India they are in the minority... and mass movements depend for their effectiveness on their numbers. The "historical role" of the workers is to lead, that of the peasants is to be led by the workers to revolution. Stalin in *Leninism* has a chapter on the peasant problem, which aims at showing that the labouring masses of the peasantry are a reserve force for the proletariat; and Engels is quoted

"In order to achieve the conquest of power, this Party will have to extend its activities from the town into the countryside, will have to become a power in the rural districts....."

(*Leninism*....page 130). The E. C. C. I. says in its letter to the All India Workers' and Peasants' Party;—

“the agrarian revolution has been and will remain the pivot  
of the national revolutionary struggle in India”

(P. 334 part 2). The very name of the party implies that peasants must be drawn in. But beyond theoretical theses the parties had done little to work among them. Their attitude in 1927 is reflected by Spratt in a letter to Harry Howell;—“He differed also on the attitude to the church in the villages, but as the question was not of immediate practical importance we agreed to let it lie for the time.” (P. 1829). Later the Bengal party had made a beginning in Mymensingh with a Mymensingh Workers' and Peasants' Party, said to be a branch of the “Peasants' and Workers' Party, Bengal,” (P. 1326). In Bombay Mirajkar suggested to the workers whom they were sending back to their villages that they should begin propaganda in the villages as well (P. 1716). But in these two Presidencies little more is heard until the beginning of 1929 when under the spur applied by the E.C.C.I. a Bengal Peasants' League was formed at Kushtia. Spratt and Muzaffar Ahmad attended the inaugural meeting and Hemanta Kumar Sarkar, a member of the C. P. I., (P. 1310) was appointed Secretary. It was to be an affiliated Peasants' Union at first, but later would become the Peasants section of the Bengal party. (P. 1302)

But a wider organisation than this was needed, and for this reason as well as for the purpose of universalising the revolution it was considered desirable to hasten the formation of workers and peasants parties in the provinces, and particularly in the agricultural provinces of the Punjab and the U. P.

#### XXXIV.

The Punjab was taken first. The field was already partially prepared for the sowing of the seed. M. A. Majid lived at Lahore and so did Darveshi. Both of these were "Russian-returned" (P. 1968) and were members of the C. P. I. from the beginning (P. 1207 1). Diwan Chaman Lal was also there and some hopes of him were entertained, afterwards doomed to disappointment. In July 1927 Spratt went to Lahore and stayed with him for some time. He did little immediate good and indeed complained that the only result had been a loss of some property including books which Chamanal had kept and would not return (P. 526 (29)). He eventually got back some—in itself, he was told, a remarkable feat (526 (46))—but the loss possibly coloured his impressions, which were not encouraging. Most of the Unions seemed dead and his report to Page Arnott in July was gloomy (P 1968). He achieved contact however with what groups existed there. There were two main groups in the Punjab—one at Lahore composed of Majid, Darveshi and Ram Chandra who together owned the Labour paper *Mehnat Kash*; the other at Amritsar, where there was a *Kirti* group, mainly composed of Sohan Singh and Bhag Singh, who published a labour paper in Gurmukhi "The *Kirti*". With both of these groups the Bengal Party had already established connexions (P. 52), and Spratt soon got into touch with them. Majid and Kedar Nath Sehgal of the Lahore group naturally visited him often (P. W. 155). He also met Sohan Singh. His general impressions are summarised in a letter written to Roy in August (P. 2329 (1)): I put the interpretations of the words in brackets.

"Lujec (Majid) and Co. here are rather inexperienced but

sound. They are getting among the local University (Trade Union) men, and have especially established good relations with Lal, who supports their paper. Unfortunately their best man has just been spirited away, probably for a year or two (this refers to the arrest of Ram Chandra on a charge of sedition). There is no Methodist (Workers' and Peasants' Party) organisation here, though a young Christian Association (Naujawan Bharat Sabha) with very similar ideals was established a year or two ago. It had branches in several places and was active for a time, though like everything else it is now dead. L is trying in what spare time he has to revive it, and that is obviously a good policy....Jerse (Kirti i. e. Sohan Singh) seems to be an independent sort and though friendly is suspicious".

The visit, however disappointing it might appear at first sight, put some life into the movement. Next month Majid attended an informal conference at Bombay in connexion with an English journal (P. 1009), at which Muzaffar Ahmad also was present. Life was now breathed into the dead bones and on the 12th. April 1928 largely through the efforts of Majid (P. 526 (24)) the Workers' and Peasants Party Punjab came into being. (P. 2051). Sohan Singh Josh was appointed General Secretary.

Both the existing parties took an interest in it. On the 7th of May 1928 the W. P. P. of Bengal sent Majid a constitution of the Workers' and Peasants' Party, the report of the Executive for 1927-28 and the "Call to Action", to guide the new party on the right lines (P. 1880). A conference was arranged for September at Lyallpur, and Spratt, Bradley and Muzaffar Ahmad were especially asked

to attend and give advice, while Dange was to preside (P. 2051). In the end in spite of much pressure none of these could attend, but the speeches delivered by Sohan Singh Josh and Majid (P. 1906-07) leave no doubt as to their cooperation with the other parties and the identity of their aims. The constitution makes this quite clear under "aims and objects":—

"(1) to secure complete independence from British Imperialism by every possible means, to liberate Workers and Peasants from every sort of political, economic and social slavery and to establish their united socialist republic and

(2) to organise workers and peasants".

(P. 344 (1))—an almost exact paraphrase of the Bengal constitution. The relationship between the bodies is shown by the fact that the party joined the All India Workers' and Peasants' conference in December and formed part of the All India Workers' and Peasants' Party. That conference was presided over by Sohan Singh Josh, and Majid and Kedar Nath Sehgal would have attended it had it not been for the unfortunate accident that they were at the moment under arrest (P 334).

The activities of the party follow the same lines as those of the parent bodies. The party celebrated May day in 1928 (P. 1879). Their propaganda however was mainly confined to the Kirti which was now published both in Gurmukhi and Urdu. Agnes Smedley was a frequent contributor from Berlin and contributions were also received from Saklatwala, Mirajkar, Shaukat Usmani, Dange, Majid, Spratt, Bradley, Jhabwala, Sohan Singh himself, M. N. Roy, the League against Imperialism and

the Krestintern; and the type of articles which it printed can be judged from its own description of its nature.

“those who want to destroy the capitalists and Government must send for at least one of the Kirtis and read it,”

(page 69 Urdu translations volume 2). Roy wrote for the Kirti under the name of Abdur Rahman (P. 1897) and found the address of the publisher, Darbar and Co., a convenient one for the dissemination of his articles.

No strikes stand to its credit, but Majid had control of the Press Workers' Union of which he was the General Secretary even before the formation of the party. Among the youth its most valuable asset was its control of the Naujawan Bharat Sabha. The minute book of this youth organisation shows that it was entirely dominated by Sohan Singh Josh and no public meeting of the Sabha (and there are many meetings recorded in the evidence) was complete without a fiery speech from him (P. 1882-1883, 1884, 1903, 1905, 1910, 1911 and 1912). Majid spoke on the same lines on many occasions (P. 1883, 1884, 1902, 1913, 1914). The organisation was older than the Workers' and Peasants' Party but it began a fresh life after the foundation of the W. P. P. and on May the 1st, 1928 adopted a new constitution which speaks for itself (P. 205). The aims and objects detailed in the constitution are many, but they begin with

(a) To establish a complete independent republic of workers and peasants throughout India; and end with

(f) To organise workers and peasants.

The Workers' and Peasants' Party of the Punjab after

this could fairly claim that what had been its elder brother had become its child.

### XXXV

The next attempt was on the United Provinces. The first suggestion for work there came from Vishwa Nath Mukherji, who had for three years been controlling a divisional workers' and peasants' Sabha at Gorakhpur. He saw the notice of the proposed All India Workers' and Peasants' conference in March 1928 and thought that he might usefully join in. So he wrote to Muzaffar Ahmad and said so (P. 2105). Muzaffar Ahmad seized the opportunity and, while telling him that the conference had been postponed to December, sent him the "Call to Action", so that he could see if he could conscientiously join (P. 1414). Mukherji read the programme and agreed and promised to try to organise a provincial branch and affiliate it to the All India Party (P. 2007).

At that time there happened to be a Peasants' and Workers' Sangha at Meerut. It had held a meeting at Garhmuktesar in 1927 (P. 184, 189) and again at Nauchandi in March 1928 (P. 187). The latter is referred to by Spratt casually in a letter which at least shows that he was keeping his eyes on all associations which might be useful.

"There is a Workers' and Peasants' Sangha at Meerut. You have perhaps seen that it has invited Chaman Lal and Jinnah to preside over its conferences! Why the conferences are separate I do not know" (P. 479).

As a matter of fact Shaukat Usmani actually presided, but the proceedings of these two meetings show that they had very little in common with the Workers' and Peasants' Party of Bengal and Bombay except the name. The



Secretary was Gauri Shankar, and he became secretary of another meeting which was to be held in October 1928 at Meerut. Whether this meeting was entirely separate from the old Peasants' and Workers' Sangha or not is not quite clear.

At this stage Puran Chandra Joshi, a student at Allahabad University, comes into the picture. There is no evidence to show how he first got into touch with the Bengal group. Sometime in 1928, he was found writing to Aftab Ali of the Workers' and Peasants' Party Bengal. He has an unfortunate habit of not dating his letters, so that their sequence sometimes is uncertain, but about the middle of 1928 he was clearly an ardent communist and was thirsting to do some work for the party (P. 126). The Workers' and Peasants' Conference at Meerut was fixed for October and in alliance with his Bengal friends he was making preparations to capture it. (P. 131). Gauri Shankar, Secretary of the Conference, seconded him and not only arranged that Kedar Nath Sehgal of the Punjab Party should preside over the conference, but also paid him his expenses in coming & going (P. 1466); and so anxious was he to get a strong representation from the Bengal Party that he also paid the expenses of Spratt & Muzaffar Ahmad (P. 414). Muzaffar Ahmad was equally anxious for the success of the conference and wired to Sohan Singh Josh to come and back them up (P. 2196). The conference was duly held. Muzaffar Ahmad and Spratt attended from Calcutta, Kedar Nath Sehgal, Majid and Sohan Singh from the Punjab. From the U. P., P. C. Joshi, Dharamvir Singh and of course Gauri Shankar were present (P. W. 117 and 149). Kedar Nath Sehgal delivered an animated address (P. 172) directed against

the Government and against Capitalism and glorifying the state of Russia. Majid and Sohan Singh followed in similar strain and Muzaffar Ahmad proposed a resolution that the U. P. Mazdoor-Kisan Dal should be formed to include Delhi and to send delegates to the All India Workers' and Peasants' Party conference. The resolution was passed & the U. P. and Delhi Workers' and Peasants' Party started its existence. Vishwa Nath Mukherji was elected President, Dharamvir Singh, Vice President and P. C. Joshi Secretary. Muzaffar Ahmad returned to Calcutta and announced the news joyfully to Ghate:

"Day before yesterday Spratt and myself returned from Meerut, where we went to attend the Workers' and Peasants' Conference. You will be glad to learn that the Workers' and Peasants' Party of U. P. and Delhi has been formed" (P. 1654).

Joshi wrote in a similar strain to Dange (P. 1619).

The Party was formed and then began its activities. Joshi was indefatigable in writing for literature for his own education and that of those whom he hoped to convert, (e. g. P. 526(6)). He wrote constantly to Muzaffar Ahmad to send him what books he could (e. g. P. 341) together with advice. Advice indeed, as he himself recognised, was what he needed Muzaffar Ahmad seems to have thought that he was showing his communism too openly, & administered a mild snub (P. 2069). He asked Spratt (P. 526 (8)). G.C. Shah (P. 1620) and Dange (P. 1619) to write pamphlets suitable for propaganda work and publication in the party organ, the *Kranti-Kari*; and Spratt, at any rate, complied with his requests (P. 526 (8)). He also wrote to R. P. Dutt informing him of the formation of "an active and strong

Workers' and Peasants' Party of U. P. and Delhi" and asking him for literature, giving Spratt's name as a reference (P. 2409). He arranged to go on a tour among the peasants with Mukherji (P. 1433 and P. 321). The two parties at Calcutta and Bombay backed him up energetically. Muzaffar Ahmad wrote to Gauri Shankar giving him instructions about recruiting and demanding news (P. 213), a request which he repeated to Joshi (P. 316). He sent Gauri Shankar party forms for recruitment and party pamphlets (P. 311), while Mukerji in acknowledging the receipt of some other forms asked him for advice as to methods of work (P. 2072). Spratt wrote to Joglekar asking him to help the new party by attending the Jhansi conference (P. 1116). Later on Nimbkar, Secretary of the All-India party, asked Joshi for a report on the work done in the province (P. 1098) and obtained it (P. 1800).

Almost directly after the Meerut meeting there was a conference at Jhansi—the Bundhelkhand Workers' and Peasants' conference. Jhabwala presided and L. R. Kadam was the organising Secretary. Joshi attended. The conference, as has already been seen from Spratt's letter (P. 1116) and other correspondence, was recognised as a party one, and it affiliated itself to the party (P. 1875).

In November there was a large bathing fair at Garhmuktesar, annually attended by peasants in large numbers. Gauri Shankar opened an office there and sold party pamphlets including the "Call to Action". (P. W. 149).

Gauri Shankar and Mukerji appear to have become rather apathetic later (P. 1800) but Joshi continued his activities and concentrated largely on propaganda among students, to whom he had easy access. He formed a Young

Comrades' League and drew up a constitution for them (P. 327), the object of which was "to prepare ourselves for creating a newer, better and more useful order of society". It was essential that "every member must pledge himself to regard man as man and recognise no racial communal or caste distinctions". This in itself means little, but the object of the league is indicated by the fact that the Secretary of the Workers' & Peasants' Party of the U. P. was to be the ex-officio secretary of the League. This put the League entirely under the control of the party. The method of work was to be study circles, social service clubs and visits to foreign lands. In his Allahabad Youth League Bulletin he gives a list of books suitable for study circles (P. 1313). They include the Communist Manifesto and the A. B. C. of Communism and deal entirely with either Russia or China and with the revolutionary aspect in both cases.

Another activity must be mentioned—the indispensable party organ. This was published at Jhansi where L. R. Kadam was in a position to help it and it was entitled the *Kranti-kari* (the Revolutionary). It defines its own objects in its first number.

"Our objects: we are revolutionaries, the banner of revolt is in our hands, we have sworn to revolt and cannot but revolt",

And so on (P. 431) (Hindi translations volume 1 page 63). It ends this definition with:—

"Come, let us be prepared and blow the conch of revolution. Well, you are to remember that our revolution would be a peaceful one. We hate bloodshed."

This creed of non-violence is explained in a later article

in the same number "To kill oppressors with weapons is not violence but a virtue and a duty" (page 66). Other articles, particularly those written by Joshi, are of a style to which the Ganavani, Kranti and Kirti have already accustomed us.

In December the party formally joined the All India Workers' and Peasants' Party and this alone shows its adherence to the principles and policy of that body. Its close connection with the other provinces has already appeared from the foregoing brief description of its activities and correspondence. I may conclude with a quotation from Spratt in a letter written just after the meeting to Page Arnot (P. 2419).

"I also went to Meerut, in U. P. recently, where there was held a fairly successful Worker's and Peasant's Conference, and we saw the formal establishment of a Workers' and Peasants' Party of U. P., with branches, I think, at Meerut, Allahabad and Gorakhpur. It should make a fairly decent progress, I think."

The same letter shows that he intended to work up the party in the U. P. in 1929. Circumstances, over which he had no control, prevented the accomplishment of this plan, although they did indeed bring him to Meerut.

### XXXVI.

The party is a young one and therefore has not as yet accomplished much, but no one can doubt after seeing the correspondence which I have quoted that the party belongs to the All India Party, that that its formation was assisted by party members from Bengal and the Punjab, and that members of all the other parties helped it as far as possible in its subsequent activities. It has been argued that

that the court has no jurisdiction because there was no overt act of the conspiracy in Meerut. I cannot understand the argument. The conspiracy has for one of its objects the establishment of Workers' and Peasants' Parties all over the country, and in pursuance of this plan a party was formed in the U.P. with the direct cooperation of members of the conspiracy. The actual meeting which formally established the party was held at Meerut and Muzaffar Ahmad moved the resolution which founded it. Their participation in this meeting is certainly an act in furtherance of the conspiracy and this is sufficient to give jurisdiction under section 182 C. P. C. Conspiracy under section 121 is an offence; and even though no overt act is necessary, yet commonly it is made of a series of acts. Any one of these acts under this section is able to give jurisdiction. It has been argued that this act itself must be an offence, and that mere attendance at a meeting, the mere making of a speech or the mere proposing of a resolution is not itself an offence. The wording of the section shows that any acts which taken together make up an offence are able to give jurisdiction in the areas in which they were committed. It is not necessary that these acts should be in themselves illegal. At the same time, if a conspiracy is illegal and one of the means by which the conspiracy hopes to carry on its ends is the establishment of a particular kind of party, the establishment of that party seems to me to be in itself an offence when viewed with all the surrounding circumstances. This however is immaterial. There was a definite act in pursuance of the conspiracy at Meerut, and therefore the Meerut court is able to exercise jurisdiction.

## XXXVII.

Preliminary steps had been taken to form other parties, but none had actually arisen before the end of 1928, when the 1st. All India Workers' & Peasants' Conference was held at Calcutta. Tremendous importance was attached to this conference by all concerned, both in India and outside. C. P. Dutt, who identified himself completely with the Indian movement ( in writing to Spratt about some procedure in India he uses the expression " I think *we* are making a tremendous mistake " P. 526 (43)) stated on January 10th. 1929 that

" We (obviously in this case the European conspirators) are anxiously awaiting your account of the many different congresses in which you must have taken part recently. It is essential that you should give us a real first hand review of events, " and, "the results of the conference of the W. P. P. are awaited with the greatest expectancy" (P. 526/44 ).

The conference was duly held and attended by a large number of delegates. I have already dealt with the theses adopted as resolutions by the conference. It is unnecessary to repeat them or do more than make a passing reference to the very candid expression of the party's views to which Sohan Singh Josh gave vent in his presidential speech (P. 596)—a speech which earned for him enthusiastic applause and, printed in three languages, was found as a treasure possession with most of the accused. The proceedings followed their appointed course (P. 334). A resolution was passed establishing a Workers' & Peasants' Party of India with Bombay, Bengal, U.P. and the Punjab as provincial branches, (resolution H). Another affiliated it to the League against Imperialism, (resolution J). A

constitution was discussed and passed, ( P. 549 (15) ). It followed the usual lines and the object was stated as follows :—

“ The object of the party is the attainment of complete independence from Imperialism in general and British Imperialism in particular and thorough democratization of India based on economic, social and political emancipation of the masses.”

To carry out these aims a national executive committee was formed consisting of 4 members from each provincial party. The names of those elected were :—

Bombay	Joglekar, Nimkar, Dange and Ghatge.
Punjab	Sohan Singh, Bhag Singh, F. D. Mansur, M. A. Majid.
U.P.	P. C. Joshi, L. R. Kadam, Vishwa Nath Mukherji, Gauri Shankar.
Bengal	Muzaffar Ahmed, D. K. Goswami, H. K. Sarcar, Gupendra Chakravarti.

Of these all except Bhag Singh, F. D. Mansur and H. K. Sarcar are accused in these proceedings. Those of the accused who were present were Bradley, Thengdi, Mirajkar, Spratt, Radha Raman Mitra and Shamsul Huda (P. 334) Ajudhya Prasad (P. W. 274) Shiva Nath Banerji, Gopal Basak, Kishori Lal Ghosh (P. W. 179 and 228). Ryan of the P.P.T.U.S. was also present. The conference passed a vote of sympathy with its members, Majid and Kedar Nath Sehgal, who “on the eve of their departure for the conference had been arrested” (resolution D), with V. N. Mukherji on the injuries he had received



(resolution P), and with Shiva Nath Banerji on his being convicted (resolution R).

Two incidents must be noticed. On the 3rd day a procession of workers organized by the conference marched to where the National Congress was going to hold its session and held a short meeting at which Sohan Singh Josh and Radha Raman Mitra spoke (P. 354). Others who accompanied the procession were Goswami, Muzaffar Ahmed, Spratt, Bradley, Shamsul Huda, Ajudhiya Prasad, Kishori Lal Ghosh and Ryan (P. W. 274). This was but a rehearsal. A few days later the Party organised a monster procession and led it to the Congress Pandal, at the time fixed for the Congress session. Among them were Goswami, Shiv Nath Banerji and Radha Raman Mitra. With shouts of "Mazdur Hukumat ki jai" the crowd swept on through the barriers; the police and the Congress volunteers were powerless to stem the tide of this mass movement, and the Pandal was captured (P. W. 233). A meeting was held, and a resolution in favour of complete independence was passed (Urdu—T, II, page 38). The incident was symbolic, and as such M. N. Roy treated it.

"The climax of the situation was a huge mass demonstration in which over twenty thousand workers participated. Previously thousands of workers, particularly peasants, used to be herded into the meeting of the Congress to be lectured by the bourgeois leaders. They had nothing to say or do, but only to provide an imposing back-ground for the reformist policy of bourgeois nationalism. They are no longer satisfied with the passive role. This year the demonstration was a part of the general revolt against bourgeois leadership, and it was the most important...the

dominating factor in the revolt. The demonstration indicates the readiness of the proletariat to appear on the political scene as an independent force which is the essential condition for its ability to be the new leader in the new stage of the revolution."....

(P. 1256 page 34).

Put briefly it was a convincing and practical demonstration of the party's hostility to mere nationalism.

The other incident has its importance in the history of the party. For the purpose of this case the inferences to be drawn are more important than the actual details. At the time of the election of the national executive a serious quarrel arose as to the composition of the Bengal representatives, and it became apparent that there was a party, headed by Goswami and Chakravarti, bitterly opposed to Muzaffar Ahmad. The two former had the support of the majority of the Bengal party, the latter the support of the other three provincial parties. The quarrel led to the usual gesture—a walk out—but things were eventually patched up and a compromise was made. But this did not last long. Muzaffar Ahmad was accused of autocracy, Goswami of personal ambition. It is not for me to say which was right.....possibly both sides had some show of reason....I need only point out that, as Spratt himself has emphasised, "the quarrel developed purely on personal lines and there was no difference of policy." Eventually Muzaffar Ahmad took the offensive and expelled Chakravarti from the Bengal Party for non-payment of subscription. The dissidents took up the challenge and resigned and announced the formation of a Peoples' Party. Their letter of resignation, dated the 8th. March 1929, is on the record (P. 423). It is signed among others by Goswami both for himself

and for Gopal Basak in accordance with an authority which he had received from Basak (P. 424), but the latter was not quite happy about the way in which his authority had been used, and made a series of appeals to Spratt and others to heal the breach, in the course of which he naively remarked, "Both the groups are no doubt sincere to the cause of communism and proletarian revolution" (P. 549(19)). In a manifesto drafted by him (P. 391) he develops the theme still further that tactics such as Muzaffar Ahmad employs in keeping the Party "pure" may delay a revolution for years as things are not the same as in Russia. Incoherent as the language is, no one could make clearer the real aims and inspirations of the Workers' & Peasants' Party. Spratt gave Dutt in a letter of March the 14th 1929 the whole story of the split, about which he had been writing a pamphlet (a draft of the pamphlet is P. 527 (9)). He was very despondent about it:—

"The Bengal W P P. events are nothing short of a tragedy  
.....I feel that the work of a year has practically  
been destroyed."

He blames himself to some extent,

"I feel that if I had exercised the firmness (not to say  
brutality) of Bradley or Allison it might not have  
happened"

(P. 527 (1)). I do not think that it is too much to infer from these references that the W P. P. in essence was communist, with the communist goal of proletarian revolution, and that the attempt to win this was a common bond which united Spratt, Bradley, Allison, Dutt and both the factions in the W. P. P. Bengal; and from the last sentence in the letter I might add "the International" as well.

## XXXVIII

This brings the history of the Workers' & Peasants' parties up to within a few days of the arrests. Other bodies existed to carry on the work in India, but all of them, except the C.P.I., with which I dealt first, were in one way or another subordinate to the W.P.P. or were merely manifestations of their activities. The most important of their activities I have already touched on very briefly—the work in the Trade Unions, among the youth and among the labourers. All this and their persistent propaganda in the shape of newspapers, demonstrations, speeches and writings are from the evidence shown to be done in furtherance of the object of the party. What that object is the Party has made quite clear in its publications. No less clear is the origin of the Party and its entire control by the Communists in India acting under the inspiration of the Communists abroad.

Four Workers' & Peasants' Parties now existed—in Bombay, Bengal, the Punjab and the U.P.—all bound together by the same aims, organisation and activities, all united formally in the All-India Party and all controlled by members of the Communist Party of India. The members of the 4 parties visited one another frequently, wrote to another frequently about the work of their respective branches and their common policy, and worked with one another in their meetings and their propaganda. Spratt in particular was ubiquitous. He worked in 1927 mainly with the Bombay Group, in 1928 with the Bengal Party. He played a large part in uniting the Punjab groups into one party and in the formation of the U.P. into another; and all the time he was carrying on correspondence with the conspirators on the Continent and in

England, informing them of the progress of the work, discussing difficulties, receiving instructions; while those conspirators in turn were receiving instructions and, what is more, financial aid for India from the head of the conspiracy in Moscow. Second only to him was Muzaffar Ahmed, who, however autocratic he might be, managed through voluminous correspondence to keep in touch not only with the workers abroad but also with all the other workers in India and saw to it that none was idle. Ghate like a ghost was pervasive, but not tangible. His influence was great and his name comes everywhere, but he worked mainly behind the scenes. One gets an impression that he deliberately kept out of local activities so as to be the more free for his secretarial duties.

But I need not mention all who worked in the conspiracy. Some worked locally, some had wider fields. But their work in so far as it was for the Workers' and Peasants' Party was all actuated by the same design. There can be no doubt that every member of the W. P. P. who accepted its creed and realised its implications was aiming at the overthrow of the British Empire in India by revolution. The Party was formed and organised for this express object. Membership of the Party by itself, if taken seriously, would render a member amenable to law for conspiring with his fellow members to deprive the King Emperor of his sovereignty in British India.

But the conspiracy goes further than that. I have tried to show from the evidence the aims of the Communist International and the various ways in which it tried to achieve them. The W. P. P. after all was only a creation of the C. P. I., which in its turn is only a section of the Comintern. Though the work is to be executed in India

the policy is dictated from Russia, and a direct connexion has been traced between the councils of the "mightiest world organisation" in the Winter Palace and Moscow, and the hawker of pamphlets in a tent at a bathing fair on the banks of the Ganges. And it is not only a theoretical connexion, but an intensely real and practical one. The Comintern not only laid down the policy but chose the instruments through which it was to be carried out.....received their reports, considered their difficulties, corrected their deviations, and applauded their success. That the work was illegal was fully recognised, and that is why it was necessary to use secret means of communication. By all definitions of the word the whole scheme was a conspiracy and an agreement to perform an obviously illegal act. The scale was imposing, the conception grandiose; but none the less it was a conspiracy, and those who took part in it cannot but be held liable under the conspiracy sections of the I. P. C.

## Part III

### XXXIX

It now only remains to see which of the present accused were *prima facie* engaged in this conspiracy. It is not my task to appraise the measure of guilt of each. That is left to a higher tribunal. In these proceedings all that I am required to see is that about each accused whom I propose to commit to sessions there is sufficient ground to suppose that he has taken part in the conspiracy. Once I can find that such a ground exists, it is useless to attempt to give a detailed history of his work and activities, and I shall therefore confine myself to giving the briefest of sketches of the careers and activities of the 32 accused. Most of them have entered no defence and made no statement at present. I shall have to deal in more detail with those who have attempted to show cause why they should not be committed. I will take them in three groups:-

- (1) members of the C. P. I.
- (2) members of the W. P. P.
- (3) those who have no apparent connexion with either of these bodies.

As regards the first group the very fact of membership forms a *prima facie* case, and much the same can be said of the second group except, that as the organisation was on

a broader basis than the C. P. I., it will be more necessary to see whether the person concerned actually accepted the creed of the party, and either by word or deed proclaim his allegiance to its ideals or methods.

In this connexion objection was taken by the defence on behalf of the three English accused, Spratt, Bradley and Hutchinson, that no court in India can deal with their case under section 121 A. The argument is that this section among others is part of the law of treason in India. The law of treason in England is milder, and therefore they suffer a disadvantage in being tried in India instead of England. Under the English law a person can be tried for treason in England no matter where the act of treason was committed. Therefore these three persons could be tried in England. Therefore the Indian Legislature was not competent to apply to them the law of treason which it passed for application in India. The basis of the argument is Government of India Act section 65 sub-section 2. This lays down that the Indian legislature has no power, unless specially so authorised by an Act of Parliament, to make a law affecting any part of the unwritten laws or constitution of the United Kingdom, whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom or affecting the sovereignty or dominion of the Crown over any part of British India. As these three are subject to the British law of treason, therefore as regards them the Indian Legislature cannot lay down laws which so affect them, because that necessarily affects the basis of their allegiance. No authority has been quoted for this contention, which prima facie is not tenable. Considering the safe-guards which the Act imposes as regards legislation in respect of offences against the State, I am entitled to presume that



the necessary sanction of Parliament or any other body required was obtained before section 121-A was passed into law. Once it is passed into law it must affect all those who commit the offence within the jurisdiction of the Indian courts. I have taken the statement of law in England as given me by the defence without verifying its correctness. But even assuming it for the purpose of argument to be entirely correct, even then the only privilege given to the State. The State can, if it likes, try a man in England for an act of treason committed in India, but it does not give the offender a choice as to whether he should be tried in India or in England, nor does it make the trial in England compulsory. Assuming, as I am bound to assume, that the provisions of the Indian Penal Code were properly passed, with due sanction where sanction is required, I am bound to hold that the usual rule applies, that a person who commits an offence against the law of a country is triable in the place where the offence was committed, under the law in force in that place.

## XI

### PHILIP SPRATT.

Philip Spratt arrived in India on the 31st. December 1926, nominally as a book-seller and more than nominally attached to the Labour Research Department. I have spoken many times about his work in India, and quoted freely from his writings and his letters. His connexion with the C. P. I. is shown from the fact that, at the meeting of the 28th. December 1928, he and Bradley were deputed by the C. P. I. to look into some complaints made by Shamshul Huda. He freely refers to himself as a Communist. One example out of many is his speech at Jamshedpur (P. 2206). He was also a member of

the Workers' & Peasants' Party (P. 826). His writings are voluminous. A reference is sufficient to the numerous examples in P. 526. He toured all over India in connexion with Party work and was, as I have said before, instrumental in bringing about the formation of the Punjab and U P. Parties. But even more important than these activities was his position as "Colonial Agent". The correspondence between Europe and India passed largely through his hands. It was conducted with all the paraphernalia of a conspiracy. He was the main connecting link between the conspirators abroad and the conspirators in India, and even if he had done nothing else, the receipt of the letters sent to him taken together with his replies would be sufficient to establish against him a strong case of complicity in the conspiracy. Financially he was supported from England by the Communist Parties there, as shown by the actual money traced to him, and his letters also suggest beyond all reasonable doubt that through him also came financial support for the whole work in India from the Continental conspirators. The case against him is so strong that I will not waste time by setting it out in full.

#### **MUZAFFAR AHMAD.**

Muzaffar Ahmad's name has also appeared so frequently in the foregoing pages, that a detailed description of his activities is unnecessary. He was a member of the original Communist Party of India, and was elected to the Presidium (P. 1297 (11)). Through out the period covered by this case he was the most active member of the Bengal group. He took his share in re-organising the C. P. I. in December 1928 and was put on the Executive Committee of the re-organised party (P. 1300). He was a member of the Workers' and Peasants' Party of Bengal and for the last year or two has been General Secretary of it. Throughout its career he has

edited the Party organ the Ganavani. He has maintained connexion with the conspirators abroad, and the very important letter of M. N. Roy, P. 377 (1), was addressed to him. Numerous letters from him are on the record which show that he took an interest in the doings of all Communists or party members through out India. With Spratt he was instrumental in securing the formation of the U. P. Party. He was present at most of the demonstrations on May Day, Lenin Day, Anti Simon meeting etc., and he also took a prominent part in the conduct of strikes, and particularly the Calcutta Scavengers' strike. He has never made any secret of his views and the evidence produced leaves no doubt that he was a member of the conspiracy from its very beginning in 1925 up to the date of his arrest.

#### **BHAMSHUL HUDA.**

Shamshul Huda was elected a member of the Executive Committee of the C. P. I. in the meeting of December the 27th, 1928 (P. 1295). He had been a member before this; some disagreement with Muzaffar Ahmad had arisen in the course of previous work, and his complaint had to be referred to Spratt and Bradley at the meeting of 28th. December 1928. ( P. 1295 and 1302 ). This shows his connexion with the conspiracy. His work in Bengal followed the usual lines. He interested himself in Trade Unions. He was general secretary of the Transport Workers' Union (P. 490) and was working up the Dock Workers' Union ( P. 548 (10) ). His speech at a meeting of Dock Workers on 28-10-28 shows that his object was not to organise them on Trade Union lines, but to persuade them to join the Workers' & Peasants' Party.

“Labour Brethren. Don't forget that you have strength in you. If you want to use your strength, come with us.... The time of English Government in India has

come to an end. It is necessary that students should come forward with labourers, and make an agitation against the Government in a united front, so that we may get the Government, through which we can get our rights.. We explain to you how you should achieve your liberty, what is capitalism and how should a Government be conducted,"

and so on (P. 1929 (1) ). He visited Bauria in connexion with the strike (P. 41 and 526 (9)) with Kishori Lal Ghosh and Spratt. He was prominent in many demonstrations.....the Anti Simon meeting of 19th. January 1929 (P. W. 228), Lenin Day 1929 (P. W. 233) and took part in the first march on the Congress in December 1928 (P. W. 274),.....all in company with other accused. He was present at the All India Workers' & Peasants' Party Conference in December 1928 and moved a resolution there. His connexion with the Communist Party, Workers' & Peasants' Party and the other accused constitute a clear prima facie case against him.

#### **DHARNI KANTA GOSWAMI.**

Goswami was proposed at one time for the Executive of the re-organised C. P. I. ( P. 1310 ) and is mentioned by Gopal Basak as a member of that party, ( P. 391 ), and there can be no doubt that he was fully in sympathy with the ideals of the party. It is, however, with the W. P. P of Bengal that he was chiefly connected. While it was still only the Bengal Peasants' and Workers Party he was Sectional Secretary for Labour (P. 52). In May 1928 he was made a member of the Labour group of the W. P. P. ( 446( 1 ) ) He was secretary of the Reception Committee for the All India Workers' & Peasants' Conference (P. 105) and as such issued invitations to the following among others:—The E. C. C. I., The Communist Party of Great Britain, The National Minority Movement, The

Workers' Welfare league, The Labour Research Department, The Indian Seamen's Union, The Profintern, The Krestintern, The Communist Party of Germany, The League against Imperialism and the Pan Pacific Trade Union Secretariat ( P. 467 ( 6 ) and 467 ( 7 ) ). He was responsible for the printing of the Political Resolution, the Resolution on the Trade Union Movement and the Principles and Policy ( P. 136, 137, 138 ). He was of course present at the meeting and was eventually elected to the National Executive, but meanwhile a quarrel had arisen with Muzaffar Ahmad, which led, on March 3 th. 1929, to his resignation from the Party ( P. 423 ),.....not because of any difference of policy, but on personal grounds ( P. 527 ( 1 ) ).

He took part in most of the Bengal demonstrations, such as Lenin Day 1929, ( P. W. 233 ), the anti-Simon demonstration ( P. W. 228 ), and the capture of the Congress ( P. W. 233 ). As member of the Labour group his activities among the Unions were manifold. He took part in the founding and management of many Unions. He was organiser and secretary of the Scavengers' Union ( P. 1614 ), Vice President of the Bengal Jute Workers' Union, which was affiliated to the W. P. P. ( P. 34 ) and was on the advisory Board of the Garden Reach Workers' Union. ( P. 365 ). He had an active share in most of the strikes which stand to the credit of the party. In the two Scavengers' strikes he was associated with Muzaffar Ahmad, Spratt, S. N. Banerji, Gopendra Chakravarti, Radha Raman Mitra, ( P. W. 249 ), in the Ondal strike with Spratt and Mitra ( P. W. 252 ), and with the same two accused in the Asansol strike ( P. W. 255 ). He also did much work in the Youth movement. He is

mentioned by Spratt as a fraction in the Bengal Youth movement ( P. 546 ( 4 )), and the papers of the Young Comrades League ( P. 558 onwards ) show what a large part he took in guiding that body. The sort of guidance which he gave can be judged from a speech of his to the Malda Youngmen's Convention in November 1928, a meeting in which he was associated with Spratt:—

“ I hope that those youths who think of revolution, who think of a national movement, those who think of revolutionary movements, I think they will ponder carefully on these things, and create in this country a real revolution and a real national movement with these exploited and persecuted classes. Their revolution cannot succeed leaving out these persecuted and exploited classes. ” ( P. 1892 )

There can be no doubt that the evidence makes out a strong case against him as an active and prominent member of the conspiracy. The fact that he severed his connexion with the W. P. P. of Bengal a few days before his arrest cannot absolve him. What effect that had on his membership of the C. P. I I do not know: the resignation was from the Bengal Party only. But in any case there is ample evidence that he worked in the conspiracy for some years, that he identified himself with its policy and that when he left the party he did so from no change of policy. Even his supporter in the last quarrel, Gopal Basak, admits that ( P. 519 ( 19 )). He showed no repentance, and is liable to account for his actions of the previous years.

#### **AJUDHIYA PRASAD.**

Ajudhiya Prasad's case is one of the most interesting cases, though by reason of his fondness for assumed names

rather intricate to follow. Kayasth by caste he successfully de-classed himself and engaged in activities usually considered as foreign to that caste.

He seems to have joined the conspiracy early. He has been identified as a person who used to visit a well-known communist R. C. L. Sharma in Pondicherry in 1924-25 (P. W. 290). He also used to stay in Madras with Iyenger (P. W. 296), who in the early part of the conspiracy was a frequent recipient of letters from abroad bearing on the conspiracy, especially from M. N. Roy, via Columbo and Madras. He also wrote to Iyenger in 1926 under the name of Alakh Prakash and enclosed a letter P. 2313 to Elder (M. N. Roy) referring to an article written by himself under his own name to the Partap on the subject of Communism. (P. 2318).

In 1927 he embarked on a new adventure and became a courier of letters to and from conspirators in England and India. In this capacity he is usually known as 'the boy' or 'God's messenger' or 'Musa', but he actually travelled under the name of Abdul Hamid. The evidence on this point is convincing, as the thumb impression of Abdul Hamid signed on as a lascar in the Register of Seamen at Bombay is identical with that of Ajudhiya Prasad taken when he was admitted to the Meerut Jail. The photos correspond and Ajudhiya Prasad has also been identified by a witness as Abdul Hamid who was prosecuted in March 1928 for desertion.

On 19. 2. 27 Ghate, writing under the initials M. A. wrote to Iyenger "The Boy is quite all right. The arrangements are being completed on his behalf. (P. 2326). On 9th. of March Abdul Hamid signed on the ss Elysia, on

which boat he stayed during her voyages to and from Bombay until September the 25th., when he deserted at Marseilles. On August the 21st. the Elysia arrived at Bombay on one of her voyages. The same day Mirajkar wrote to Spratt,

“ God’s messenger has come from brother and wants to meet you here. He will go first week of the next month (5. 9. 27)”

(P. 1010). On August the 22nd. Ghate wrote to Spratt

“ I am sending some copies of the “Masses” that were sent for us through “The Boy” who returned yesterday. I am sending a letter that he brought with him”.

(P. 1011). And on the 26th. August Ghate, in his usual name of George, wrote to Iyenger

“ The Boy has returned quite in good spirits”

(P. 2329).

To go back a little, the Elysia left Manchester on the 23rd. of July. On the previous day, Friday 22nd. July, Ajudhiya Prasad wrote to Dutt asking him to meet him at Birkenhead (P. 2407). The meeting obviously took place and P. 1012, a letter from Dutt to Spratt, written hastily on a piece of paper taken from a loose leaf notebook, must have been the result. This was also the letter referred to by Ghate.

As foretold by Mirajkar, Ajudhiya Prasad left again on the Elysia on 5. 9. 27. It is not making too wild a guess to suppose that he carried with him the letter written by Spratt to Dutt on the 4th. September, the draft of which



is P. 1009. This letter answers P. 1012 and incidentally practically fixes the identity of Musa. Abdul Hamid deserted at Marseilles on the 25th. September and did not return to India till the 16th. of March 1928. There is no evidence as to what he did in the interval.

Nor after his return is there much evidence of his doings. He attended the All India Conference in December 1928 and took part in the march on the Congress (P. W. 274). He was also present at the anti-Simon demonstration on 19th. January 1929. He was referred to as a member of the C.P.I. under the name of Hamid in the meeting of 28th. December 1928, and was to be sent to Jabalpur to organise the Railway Unions. On the 20th. March 1929 he was living with Spratt, Shamshul Huda and Muzaffar Ahmed. The evidence leaves no doubt that he was an active member of the conspiracy from the beginning to the end.

#### **SACHINANDA VISHNU GHATE.**

Ghate is the outstanding figure of the Bombay group. If a distinction can be drawn between the Bombay and Bengal groups it is that the former is closer to the C. P. I., the latter to the W. P. P. It is therefore only natural to find that Ghate's connexions with C. P. I. rivals even Muzaffar Ahmad's record.

He came into the conspiracy very early and is mentioned as one of those who at the first conference in Cawnpore in 1925 helped to capture the C. P. I. from Satya Bhakt (P. 1287 (11)). He was appointed as one of the secretaries and worked as such both at Bombay and Delhi. He was again elected secretary in May 1927 (P. 1207 (1)). I have already spoken of the inactivity of the C. P. I. in 1927, 1928, and though he issued a

statement on behalf of the party about the Roy-letter (P. 549 (20)), very little more seems to have been done by him until the party was reorganised in December 1928. At the meeting of 27th December, he was appointed Secretary once more, and in March 1929 he held a meeting of the Party at Bombay at which a vigorous programme of work was taken into consideration. (P. 1296, 1297).

He has also been a member of the Bombay W. P. P. since its formation in February 1927, and in 1928 was appointed Secretary. His work was mainly confined to organisation. He rarely had a speaking part, but he was present at most of the demonstrations held by the Party e. g. May Day 1927, (P. W. 104), Lenin Day 1927, (P. W. 215), Anniversary of the Russian Revolution, November 1927, (P. W. 182), Simon Day, 3rd February 1928, (P. W. 104), and of course he was present at the C. P. I. meeting to welcome Shaukat Usmani on his return from jail, (P. W. 181).

An important part of his work in connexion with the conspiracy was his organisation of communications. He was partly responsible for the arrangements for sending Ajudhya Prasad (P. 2326). He had several cover addresses. One of them was Mr. R. K. Karanth, who has given evidence (P. W. 309). The letter recovered from Abid Ali, seaman, P. 1686, shows that this address was indeed used as the witness has stated. This was the address given by Bradley on his arrival in India in the figure cipher. (P. 1671). On some occasions he corresponded with C. P. Dutt (see for instance P. 1348/34 and its answer P. 2428).

His intimate connexion with the C. P. I. throughout the whole period covered by the case, his activities as

organiser and secretary of the W. P. P. of Bombay, and his activities in connexion with foreign correspondence furnish a strong ground for supposing that he was a member of the conspiracy.

#### **KESHAV NILKANTH JOGLEKAR.**

Joglekar is another whose connexion with the C. P. I. and therefore with the conspiracy has existed since 1925. He helped to capture the C. P. I. at the Cawnpore conference and in that year was made a member of the Executive Committee (P. 1287 (11)), a position to which he was reelected in 1927 (P. 1207 (1)). He was again appointed to the Executive at the end of 1928 (P. 1295), and the proceedings of those meetings show that he presided on several occasions.

He was also an active member of the W. P. P. of Bombay. He functioned largely in Congress work and it was to him that Allison sent some draft resolutions in 1926 (P. 1144). When the Labour Congress Party became the Workers' and Peasants' Party, Joglekar became Group Leader in charge of Trade Unions, (P.825), a position which he vacated the following year on promotion to the Executive (P. 1344); but he retained his interest in the Congress, and of course the Trade Unions as well, and many resolutions on familiar lines are found to be drafted by him, for instance P. 547 (3), which advocates the affiliation of the T. U. C. to the Rilu and P. P. T. U. S., and P. 1124, in which he asked the National Congress that

“ with a view to prepare the nation for the overthrow of British Imperialism and realising that this overthrow can only be achieved by the organised forces of workers and peasants by a resort to direct action or general

strike on the country-wide scale effecting the complete withdrawal of help from the Government, the Congress shall undertake the organisation of workers and peasants of the land through an economic programme calculated to improve their immediate every day life conditions. . . . The Congress shall further pay particular attention to the organisation of all transport workers with this set purpose."

He took part in the usual demonstrations and, presumably for the purpose he has suggested above, became organising Secretary of the G. I. P. Railway Union (P 1116). His most striking achievement perhaps was the capture of the Girni Kamgar Mahamandal when called in by Alwe in connexion with Mayekar, which was followed almost immediately by the general strike. He was tremendously active during the strike, and joined with the other members of the W. P. P. in holding daily meetings. Throughout such speeches of his, as are on the record, runs the same theme.....the overthrow of the Government, revolution, the establishment of a Workers' Government (P. 2240 (1), 1703 etc-etc).

He has not always been popular. His name has constantly occurred in Spratt's early correspondence with Dutt under the code name of 'Hig.' and not always with approbation. Sometimes it has been a quarrel with Saklatwala, sometimes the quarrel seems more general. Spratt at one time called him "undoubtedly a scoundrel" and anticipated an early rupture, "his rascality is becoming so widely recognised" (P. 2328 (2) ); but the troubles were tided over, and, whatever his character may be, there can be no doubt that from 1925 he has been whole-heartedly doing his best for the conspiracy. His words and writings

put the matter beyond question, and I need not do more than refer, in passing, to the immense mass of Communist literature found with him, in order to emphasise the source from which he received his inspiration.

#### **RAGHUNATH SHIVARAM NIMBKAR.**

Nimbkar follows on much the same lines as Joglekar. He also took part in the 1925 C. P. I. Conference at Cawnpore and was elected to the Executive (P. 1287 (11)). He was present again at a meeting on 16th. January 1926 at Delhi, where he proposed Muzaffar Ahmed for the presidentship of the proposed Lahore conference (P.782). At the meeting of May 1927 he was again elected to the Executive (P. 1207 (1)). He spoke at the meeting convened by the C.P.I. to welcome Shaukat Usmani back from jail (P. 1684). When the C.P.I. was reorganised in 1928, he was elected to the Executive (P. 1295) and at the meeting of 17th. March 1929 was apparently made a member of the Political Department (P. 1296).

He was also a member throughout of the W. P. P. of Bombay since its foundation. In February 1927, he was a Group Leader in charge of Education (P.1017). At the meeting of 1928 he was transferred to the Peasants group (P. 1344). At that meeting he was to move the resolution on organisation (P. 1355 (7) (F) which had been drafted by Mirajkar (P. 832). He naturally was present at the All India Conference as a delegate from Bombay (P. 2025) and was not only elected to the National Executive (P. 334), but also became General Secretary of the All India Party (P. 1098).

He took part in the usual demonstrations of May Day, 1927, (P.W. 104), May Day 1928 (P.W. 147), Anniversary

of the Russian Revolution ( P. 1685 ), the anti-Simon demonstration, (P. 1373 (12)), Lenin Day 1929 (P.W 200). In company with Joglekar he had many activities in the National Congress. In 1927 he moved a resolution urging the adoption of the Workers' & Peasants' programme (P. 1940). At the Congress meeting of 1928 he seconded a resolution proposed by Joglekar ( P. 550 ). This is the resolution which I have already mentioned in Joglekar's case (P. 1124).

He was one of the most frequent of speakers during the Bombay strike and was constantly preaching communism. He helped to control the Girni Kamgar Union, of which he was Vice President (P. 958). This is a very incomplete record of his activities as shown by the evidence, but it is more than enough to show that he was deeply involved in the conspiracy, from a very early date up to the date of his arrest.

#### **SHANTA RAM SUVLARAM MIRAJKAR.**

Mirajkar's record again is parallel in some respects to those of Nimbkar and Joglekar. In fact the Bombay group formed such a close corporation that the records of their individual activities is bound to tend towards repetition. Like the rest he was openly a communist. He proclaimed himself as such in a telegram to Sir John Simon ( P. 1946 ( 1 ) ), and presumably is a firm believer in heredity, as he calls his infant son a "Bolshevik babe" (P. 1010). He seemed to consider himself a member of the Communist Party at least as early as September 1927, in which month he spoke at the meeting, convened by the C. P. I., to welcome Shaukat Usmani back from jail, (P. 1684); but it was not till December 1927 that he actually

applied for admission to the Party (P. 1287 (1)), and he was not formally admitted till December 1928, when he was forthwith made a member of the Executive of the re-organised C. P. I. (P. 1295). He was present at the two meetings in Bombay, of the 17th and 19th of March 1929, and was to be on the Political Department.

He was the first Secretary of the W. P. P. of Bombay (P. 1017), and next year was made a Group Leader in charge of Education and Propaganda in place of Nimbkar (P. 1344). The resolution on organisation presented at that meeting was written by him (P. 832). In 1927 as Secretary of the new Party, he published the programme which I have quoted earlier (P. 851), first taking legal advice (P. 854), and obtaining Thengdi's permission (P. 852). These actions of his show that he was entering into the movement with his eyes open. He joined in all the usual demonstrations, May Day 1927, (P. W. 104) and 1928 (P. W. 147), Anniversary of Russian revolution (P. W. 181), Simon Day (P. W. 104) and the meeting to protest against the execution of Sacco and Vanzetti (P. 2311). In 1927 he was editor of the Kranti and in that year also he got into touch with Saklatwala: when the latter visited India, he sent him a message of welcome (P. 1235), and was invited to meet him at Delhi (P. 1232).

He was one of the most active organisers of the general strike in 1928, and the numerous speeches by him which are on the record show clearly that he was using the strike as a means of Communist propaganda and preparation for revolution. He made no secret whatever of his aims.

This again is only a small part of his proved activities

but it is enough to warrant his committal as being an active member of the conspiracy.

### **GANGA DHAR ADHIKARI.**

Adhikari arrived in India on the 10th. of December 1928, so that his connexion with the conspiracy in India itself is short; but before that he had been connected with the Continental group, among whom was a certain man named A.C. Nambiar. Nambiar has been living in Berlin for some time and has acted as a cover address for M. N. Roy (P. 1512). Nambiar's wife is in India, and in a letter to her on the 14th. November, Nambiar remarks that Adhikari is leaving shortly (P. 1311). Nambiar wrote again on the 20th. of November and said that Adhikari was leaving next day, "He is very enthusiastic and may be able to arrange some sort of class" (P. 1657). He duly arrived on the Pilsna and brought with him a letter to Mrs. Nambiar introducing him "as a valuable worker" (P. 870). A series of letters found on him from his brother, (P. 1479—1485,) shows the work in which he was particularly interested—the Workers' and Peasants' Party of Bombay. On arrival in India he lost no time in getting in touch with Mrs. Nambiar (P. 1683), and established himself at the office of the Kranti, where at the time of the search many of his belongings were found. He applied at once to be admitted as member of the C. P. I. and the W. P. P. To the former he was admitted on the 27th. of December (P. 1295), to the latter he was admitted on the 13th of January 1929, and was asked "to up" the members in party ideology. (P. 1344). He attended the Lenin Day demonstration (P. 1261). At the C. P. I. meetings of the 17th. and 19th. March 1929 he was present, and put forward his proposals, (P. 1171) for the re-organisation of the Party. Five



departments were to be formed and Adhikari and three others were appointed as a sub-committee to draw out a detailed plan of work (P. 1297). He was obviously making up for loss of time.

His correspondence is instructive. M. N. Roy wrote to him from Berlin on February the 27th. 1929, addressing the outside cover to Mrs. Nambiar ( P. 1776 ). Roy mentioned that he was getting all Adhikari's letters. As Adhikari was found with a note book, (P. 1194), containing the address of Walter Karl who is found, from P. 1065, to be in charge of the German system of communications through lascars, this is not surprising. Roy had already sent him several articles, such as P. 1255 and 1256, and in a draft letter of 15th. March 1929 Adhikari acknowledged receipt of these articles (P. 1174). Roy had also sent him a form of recommendation: "G. A. was employed in the firm here, and therefore is entitled to employment in our Indian concern" Sd. Abdur Rahman (P. 1676). It will be remembered that on 13. 1. 29 Roy had written to Darbar & Co. saying that he would write under the assumed name of Rahman ( P. 1897 ) and with that letter he had forwarded several articles signed Abdur Rahman. There can be no doubt, therefore that this certificate was given by M. N. Roy, and its meaning is too obvious to need explanation.

I have said enough to show that Adhikari was in the conspiracy with a full knowledge of all its aims. He was in close touch with M. N. Roy and with the continental group. In his possession were found many books on communism and he seems to have been regarded as a specialist in organisation and tactics. Throughout his short stay in India he has been closely allied with the

Communist Party of India and the W. P. P. of Bombay, and is obviously well aware of the conspiratorial method of corresponding through means of seamen. There can be no doubt that the case against him is a strong one.

#### **SRIPAD AMRIT DANGE.**

Dange is the only one of the accused who in his statement to the court has admitted that he is a Communist. This is in keeping with his career, as he has never disguised his sentiments. Even when on one occasion he resigned from the Workers' & Peasants' Party of Bombay, he made it clear that he was doing so because the Party, in certain actions that they took in respect of him, was not proceeding on Marxian lines, and that he did not consider that he was forsaking the principles of Leninism by resigning; and he offered himself as the first communist victim if need arose (P. 1373/13). In his speech on Lenin Day 1929 he defined communism and spoke as one who had authority (P. 1690), and he had reason to do so. Released from prison on the 24th May 1927 (P. 826), he was a week later elected to the Presidium of the C. P. I. at the Bombay meeting (P. 1207/1), and he remained a member of the Party throughout the rest of the period covered by this case. He was elected to the Central Executive at the meeting of 27th. December 1928 (P. 1295) and finally presided over a meeting of the Party at Bombay, 3 days before his arrest, and helped to discuss its re-organisation (P. 1296). His writings and speeches show an intellectual appreciation of the theory and practice of Communism. There can be no doubt that he knew precisely what he was working for.

He was of course, a member of the W.P.P. of Bombay

and was elected to the Executive in March 1928 (P.1344). In December 1928 he attended the All India Conference as a Bombay Delegate and was elected to the National Executive (P. 334). He took part with the Bombay group in most of the demonstrations. He did not always speak but when he did it was to the point, as when he gently corrected Jhabwala as to the peaceful nature of the forthcoming revolution, at the Sacco-Vanzetti meeting of 28th. August 1927 (P.2311). Witness again his lucid exposition of the principles of communism in his Lenin Day speech (P. 1690). He took part in the general strike and made a few speeches, but it was as a statistician that he was particularly useful. He worked out the standardisation scheme of wages so scientifically that apparently his own friends could not understand it (P. 1373/13). This, it may be said, casts no reflection on him or his work. In addition, he undertook to edit the Kranti during the strike and after. He was general secretary of the Girni Kamgar Union and soon after the strike he, with Nimbkar, Mirajkar Bradley, Alwe, Joglekar and Kasse, issued a Marathi leaflet urging the members of the Union to concentrate on preparation for the next strike by the formation of a strike fund of two lacs, a company of orators 100 strong and a Red army of five thousand men (P. 967). This provision of an army is an unusual feature of Trade Union propaganda but from the point of view of the revolutionary it is an eminently sound proposal. He issued a large number of other handbills of an inflammatory nature, such as P.929.

One of his fields of action was the Trade Union Congress. He went to Cawnpore soon after his release from prison in May 1927, and there laid plans for capturing the T. U. C. with the help of Chaman Lal. (P. 1965).

Cawnpore was the home of the early C. P. I., which under Satya Bhakt had been somewhat un-Marxian, and consequently in a letter to Spratt he expressed his disgust at finding several people there parading as communists, but not communists at all, and hence bringing discredit on the Party (P. 1966). In November that year he attended the Cawnpore Trade Union Congress and was elected Assistant Secretary: and he was successful in stopping the affiliation of the Congress to the Second International. Spurred on by this success he helped to draft a circular, P. 37, to all Trade Unions in favour of affiliation to the Rilu. He then attended the T.U.C. Executive Committee in Delhi, at the beginning of 1928, and sent a full description of it to C.P. Dutt, who sent it on to the Rilu (P.1607).

As a matter of fact he was in the habit of corresponding direct with such bodies and on the file there is correspondence between him and the Rilu (P. 2215), Pan Pacific Trade Union Secretariat (P.1803) and the League Against Imperialism (P.) 1610); while the Federated Russian Rural Cooperation (which curiously enough asked him to cable his reply to the League against Imperialism) invited him to send a representative to attend the celebration of the 10th. Anniversary of the Russian Revolution (P.1635). There is a mass of evidence...much more than I have quoted...to show that his activities were all directed to the same subversive end, whether in the C.P.I., the W.P.P., G.K.U, T.U.C., or in his correspondence within and without India. There is a clear prima facie case against him.

#### **BENJAMIN FRANCIS BRADLEY**

Bradley's name has appeared so much in connexion

with that part of the case which deals with the connexion between England and India, that only a summary of his case is necessary. In one of his strike speeches he denied that he was a Bolshevic. He must have used this word in the strictly correct sense and not in the loose sense often applied to it, for he was certainly a communist. There is reason to suppose that he drafted the report of the All India W.P.P. conference, as the theses (1026, 1027, 1028) are headed with the word 'appendix' in his own writing. In this report he is referred to as a member of the Communist Party of Great Britain and he has never challenged it. In the advertisement of the Lyallpur conference (P. 1393) he is given the same description. And, after his arrest, the C.P.G.B. was the English body which communicated with his relatives (P. 2404). In addition to this, at the C.P.I. meeting of 28. 12. 28 a complaint made by Shamshul Huda was referred to him and Spratt. It would hardly have been so referred had these two not been members themselves—either as permanent members, or as being attached to the C.P.I. by virtue of their residence in India, in accordance with the statutes of the Communist International (P. 2379/1).

It has already been shown, how his forthcoming arrival in India was announced in one of the series of cryptic letters (P. 1012) and that he was paid from England by the Workers' Welfare League. The money which ostensibly came from his mother and his brother really came from the League (P. 1515), and when the League had difficulty in sending out his pay regularly, his desperate plight was communicated by wire to Dutt in Moscow by the Secretary C.P.G.B., with the remark "We can do nothing" (P. 2432/2). Obviously Dutt, in Moscow, was expected to do something.

The correspondence alone leaves no doubt of his participation in the conspiracy. He is referred to as usual by a false name 'Fred' (his initial F stands for Francis not Frederick), but he signed his first letter from India "Leonard" (P. 1671). This letter, written within a week of his arrival on the 23rd. of September 1927, contained the figure cipher used by the other conspirators and gave the cover address used by Ghate. It is possible that the letter found on Abid Ali directed to this address (P. 1686) was intended for him, in which case "Jack" will have to be added to his list of pseudonyms. There can, at any rate, be no doubt about P. 674, which was discovered in an almirah used by him, and was addressed to "Fred". This letter, from C. P. Dutt, is couched in the usual cryptic strain and contains a cipher message and various references to remittances and to meetings in Moscow.

In India his activities have mainly been confined to Trade Union work, performed under the direction of the W.P.P. of Bombay of which he was a member (P. 1344). He helped to draft the circular letter already referred to, P. 37, advocating affiliation of Trade Unions to the Rilu. He took part in many of the strike meetings and made speeches. He was garlanded on more than one occasion when his departure for England under the Public Safety Bill was confidently expected, and it was said in praise of him that he had taught labourers communism. He did not deny it and pointed out that the strike was only the beginning of the struggle, and that when he got back he would enlist the sympathy of the communists in England (P. 1727, 1728, 1729).

After the strike, he was one of the signatories to the leaflet issued by the Girni Kamgar Union urging the

workers to form a Red army and prepare for the next strike (P. 967). He was of course a member of the Managing Committee of this union (P. 944).

Naturally he was present at the All India conference as a delegate from Bombay and reported the proceedings (see P. 527/1). He also sent regular reports back to Potter Wilson concerning labour affairs in India. (P. 2413 2414, 2415, 2416, 2417 etc.). The last quoted letter shows that he was in touch with The Sunday Worker.

Much else could be said about him, but this is enough to show that there exists a strong evidence for the contention that he was a member of the conspiracy, and took part in all the prescribed activities.

#### **MIR ABDUL MAJID,**

Majid is one of those who, like Usmani, has been to Russia (P. 1968). It is therefore, not surprising to find that he has been in the conspiracy from a very early date. At the Cawnpore conference of the C.P.I. in 1925 he was elected a member of the Executive (P 1287/11) and he was again elected to the Executive at the Bombay meeting of May 1927 (P. 1207/1). Between these dates, as already mentioned, there was to have been a conference at Lahore of which he apparently was the Secretary of the Reception Committee. It was he who paid for the printing of letter forms, had a rubber stamp made and registered the telegraphic address of the Secretary, Reception Committee, Communist Conference. (P.733) 732)(734). At the beginning of 1927, when Saklatwala visited India, a notice was issued calling members of the C.P.I. to meet him informally at Delhi, and Majid's signature together with the signatures of Ghate, Joglekar and Nimbkar are on the notice (P. 781).

He actually went to Delhi at that time (P. 1494) and presumably attended the conference. In December 1927 Ghaté issued a circular to C.P.I. members asking for their opinion on Singaravelu's proposal to hold a conference at Madras (P. 2101). This went to Majid among others, and he replied to it regretting his inability to go so far (P. 1287/4). Meanwhile, however, in July and August 1927 Spratt had visited Lahore and had come into touch with Majid, whom he mentioned in several of his letters under the name of Lujec. At the end of August 1927 he came down to Bombay bringing news of Spratt (P. 1010), and, while he was there, attended an informal conference of communists to discuss plans for the issue of an All India English journal (P. 1009). This project was regarded of great importance by communists both in India and abroad (cf. P. 377 (1)). It thus appears that he was in the centre of whatever small activity the C. P. I. at that time displayed. He was unable to attend the meetings of December 1928 to re-organise the C. P. I., for the same reason that he was unable to attend the All India W. P. P. Conference, i. e. that he had been arrested a few days previously. But he was elected to the Central Executive of the rejuvenated Party.

He was a member of the W. P. P. of the Punjab, which he was instrumental in forming, (P. 526/24), and he made endeavours to get the Bombay group to attend the Party's first conference at Lyalpur in September 1928 (P. 1626). He attended the meeting himself, of course, and delivered a speech (P. 1507). The next month he came to Meerut and assisted at the formation of the U. P. and Delhi W. P. P. He moved some resolutions there, in the course of which he remarked "The existing system will



give you no concession unless you change it and replace it by another. . You can lead a life like the labourers of Russia' (P. 1088. In another speech, at the same conference, he compared himself modestly with M.N. Roy, who he said, "is described as a big agent of the Bolshevics while I am only a small agent" (P. 1087).

His other activities in the Punjab have been dealt with briefly when discussing the activities of the Punjab Party. It is sufficient to mention that he controlled the Punjab Press Workers' Union (P. 740) (P. 741) and was also prominent, with Sohan Singh Josh, in managing the Naujawan Bharat Sabha and extending its activities. His speeches on various occasions give a clear idea of his point of view. He harps throughout on the happy conditions of the people of Russia and the necessity of following their example. He uses the usual phrases:

"It is my belief that so long as the capitalistic system exists in the world no evil can be obliterated from the world. If you want to reform the world, change this system which in itself is the most impure thing of all impure things"

(P. 1884 (2)). And when addressing the Punjab Workers & Peasants' Party at Lyallpur he said that. .

"We cannot improve our condition until we change this Government. Every step that we take is towards changing this Government. Therefore, the demon of Bolshevism cannot terrify us. If this is Bolshevism then each individual among us shall.....and shall necessarily....be a Bolshevic" (P. 1907).

I need not mention the other evidence which relates to him. There is obviously a strong prima facie case

against him, that he accepted the creed of communism and was acting in concert with the other conspirators.

### **SOHAN SINGH JOSH**

Sohan Singh Josh was admitted to the C. P. I. on the 29th of December 1928, but two days earlier he had been elected to the Central Executive. That is all the evidence that there is of his connection with the C. P. I. but undoubtedly he had for a long time been in sympathy with its aims and had worked together with many of its members.

Spratt seems to have met him in July or August 1927 (P. 2329/1) About that time he became manager of the Kirti (Gurmukhi translations page 25). He had previously contributed to the paper and it was remarked in the paper that he was the only suitable person in the Punjab to replace the late manager, "He has patriotism and a feeling heart for workers from the beginning and has been to jail several times in this connection." In his modest appeal for cooperation in his new work Sohan Singh subscribes himself as "servant of native and foreign workers". The Kirti has been dealt with earlier in this order. The foreign workers certainly responded to his appeal and contributed to the paper. Saklatwala, M.N. Roy, Agnes Smedley and other persons sent articles, which the manager of the Kirti gladly printed, doubtless because they represented his own views and those of his paper.

He was instrumental in forming the Punjab W. P. P. in April 1928 and was appointed General Secretary. In that capacity he made arrangements for the Lyallpur conference in September and tried to get help from both

the Bombay and Bengal parties (P. 2051). His merits were recognised by the other Parties who made him President of the first All India Workers' and Peasants Conference in December 1928. His Presidential speech on that occasion has been found with most of the accused and repays reading (P. 596). It puts his views clearly and beyond any shadow of doubt. It has a comprehensive review of the functions of Workers and Peasants Party and its points of difference with other organisations and schemes of reform. The Nehru Report meets with no favour, partly because it recognised peaceful evolution, and partly because of its reactionary proposal to retain in the Nehru scheme the presence of the King, the Governor General and Governor. Similarly he disapproves of the Independence of India League,

"Our Party is carrying on an uncompromising campaign for complete independence, our Workers and Peasants Party is an Independence Party and our slogan is Complete Independence. Then what was the need of this new Party? All people who believe in revolution and class struggle should join our party and placing before the workers and peasants a revolutionary programme should organise them to win freedom".

(page 14)

He advocates affiliation with the International of Moscow or with the Peasant's International Krestintern. "If our party decides to seek affiliation with these Internationals none will be more pleased than I" (Page 16). He also wishes to establish relations with the Pan Pacific Trade Union Secretariat and Workers' Welfare League of India (Page 17). He welcomes the epithet Bolshevik:

"Is it not a matter of pride to be called a Bolshevic? . . . .  
If our enemies call us Bolshevics, we accept the epithet  
because we know that Bolshevism stands for liberty,  
equality, and fraternity."

page 24. His peroration traces the future millennium.

"I do not want to be a prophet, but I say that the  
present century will see Socialism and Communism  
governing the world, Kingship will wholly vanish from  
the surface of the earth. . . . . Let us, comrades, then  
fight to bring about such a beautiful order of things.  
But all this cannot be achieved without revolution, for a  
revolution is the only friend of the poor and the  
helpless. It is revolution alone that can bring real  
brotherhood and liberty to mankind."

(pages 26 and 27). He then recited the International  
and finished up with the slogans..

Long Live the Proletarian Revolution.

Long live the Soviet Rule.

Long live Marxism and Leninism.

Long live the solidarity of the exploited people of the  
earth.

Long live the Workers and Peasants Party of India.

Out of his own mouth a strong prima facie case is  
established against him, and I need not touch on his  
activities in connexion with the Naujawan Bharat Sabha  
and the Youth conference or his attendance at the Meerut  
conference (P. 1090) in October 1928. His speeches on  
all these occasions show that the magnificence of his effort  
at Calcutta was not an isolated expression of his innermost  
feelings.

## SHAUKAT USMANI.

Usmani first appears on the record (apart from scattered references to his sojourn in jail) in September 1927, when the C. P. I. welcomed him in Bombay on his release from jail. Usmani modestly acknowledged their greetings and said that he was still a Communist as he was before, and would give his life to the cause of Communism (P. 1684).

Some of his previous history however is known to us from an autobiographical letter which he wrote to Dange (P. 995). He is really a resident of Bikaner; he took part eventually in the Hijrat movement and went to Afghanistan and thence to Moscow, a journey which he has described in his book *Peshawar to Moscow* (P. 906). He thus had excellent credentials for his claim to be a communist.

On his return from jail he did not immediately join the C.P.I., because of his doubts as to the genuineness of certain members; but in December 1927 he applied for admission (P. 1287 (7)) and was elected to the Presidium (P. 1287 (2)).

He then transferred his activities to Delhi, where he opened an Oriental Information and Publicity Bureau (P. 995). In May he announced his intention of going to Madras to live with Singaravelu (P. 1322, 1625), and planned out a tour which would get him there about the middle or third week of June (P. 2043). From that time no correspondence of his has been found until January 8, 1929 when he wrote to Dange and mentioned his return from Kashmere (P. 957). From that time onward he was active, once more returning to Bombay. He took part in

the Lenin Day meeting of 1923, where he announced: "Lenin is dead but Leninism has survived" (P. 1630). He was by then a member of the W. P. P. of Bombay and took an active part in their meetings (P. 1344, p. 110). In the December meeting of the C. P. I. he had been deputed to go to the Punjab to organise the N. W. Railway (P. 1295); there is no evidence that he did anything, but in January 1929 he wrote from Amritsar (P. 957). On March 17th. 1929 he attended a meeting of the C. P. I. at Bombay (P. 1296), and emphasised his opinion that the communist movement must be international. On March 19th. he presided over another meeting of the C. P. I. and was put on a sub-committee, with Adhikari, Amir Haidar Khan and Ghate, to draw up a detailed plan of work (P. 1297). Meanwhile he had started the Urdu weekly *Paiyam-i-mazdur* (P. 1987).

This is really sufficient for the purposes of this case, especially when it is added that on his person, when arrested, were found the address of Julius (P. 1561), who managed the European end of the lascar system of communication (P. 1055), and a receipt for what I am informed is invisible ink (P. 1563). The conclusion is irresistible.

But more remains to be said. I have already mentioned that there is no trace of him in India between June, 1928, when he was apparently going to Madras (P. 2043), and the beginning of January 1929, when he was in Amritsar, having reached there from Kashmere via Calcutta (P. 957). This unusual route has some significance. At the beginning of August 1928, C.P. Dutt, who was at that time in Moscow, as shown by his passport (P. W. 303) and Inkpin's telegram (P. 2432 (2)).

wired to Spratt asking him for information about "Orm Massel two others in Manchester" (P. 2189). At the same time he wrote to Spratt and asked about a couple of fellows in Manchester, Rhuden and Uke-Rhug" (P.2002) and added "There are also two more whom you are likely to know. I ran across them the other day," He had thus met four men in Manchester which in the code language is Moscow, where in fact he was then. These four were Orm, Massel, Rhuden and Uke-Rhug, or according to the code Us n, Nassim, Shafiq and Ali Shah Nassim and Shafiq were Communists and members of the C. P. I. (P. 1891). I cannot trace Ali Shah, but Usm must obviously stand for Usmani. The first syllable of well known members of the party was often used in this correspondence (cf. "Hig" is a scoundrel" (P. 2328 (2)) referring to Joglekar) and it is such a natural abbreviation that it was actually used by Ghaté when recording notes of the C. P. I. meeting of March 17th. 1929 (P. 1296). Three of the four were therefore communists and this is corroborated by a letter from Muzaffar Ahmad of September 8, 1928: "I hear that 4 or 5 men from India have gone to Europe..... we did not at all want them to go to Europe..... .. of the 4 men, one is a man of very suspicious character" (P. 1865). It thus appears that four men had gone to Moscow at the time of the 6th. World Congress, that three of them were Usmani, Nassim and Shafiq, and the fourth was Ali Shah who, not being a communist, was therefore a suspicious character.

I am concerned only with Usmani. The evidence that he went to Moscow at this time is strengthened by the fact that in June 1928 Usmani was going to Madras

( a well known route for correspondence to the continent via Colombo ) in plenty of time to get on to Moscow by July 17th, when the Congress started and that he does not appear again till January, when he was returning from Kashmir. I will not pronounce on his return route; he knew the overland route ( as is shown by his own book, "Peshawar to Moscow" ! ) which would bring him back to India quite close to Kashmir; or the fact that he returned from Kashmir to Amritsar via Calcutta suggests that Kashmir is another code name for, say, Moscow, and he actually returned via Madras and Calcutta, as he went. But the evidence overwhelmingly suggests that he did go to Moscow to attend the 6th. World Congress, and this is made certain by Adhikari's letter to Roy of March 15, 1929 (P. 1174).

"But where is the party? "Individuals like feudal chieftains form the basis of leadership here" says my friend against whom you warn. He asked me to tell you that "your men" attacked him over there without reason. But the C.I. has cut his feet as well as yours. . . Urdu paper is being edited by my friend."

As Usmani had used the phrase about feudal chieftains in a meeting of the W. P. P. (P. 1344, page 110) and had just begun to edit the Urdu paper *Fayam-i-mazdur* (P. 1987), "my friend" is obviously Usmani, and "over there" in connection with Roy and the C. I. can mean nothing but Moscow.

It is possible to go further and argue that Sikandar, who is a representative from India at the 6th. World Congress, and from whose speeches I have quoted much was really Usmani. This eminent member of the Presidium of the C. I. was opposed to Roy....



"In conclusion I will say that there is a great deal of misunderstanding about the situation in India. Comrades who have been here for about 10 years cannot properly deal with the situation. They therefore grope in darkness and formulate such absurd theories as "de colonisation"

(*Imprccor* 4th. October 1928, page 1248).....just as it appears Usmani was, from the letter I have just quoted (P. 1174). Sikandar is the Indian name of Alexander the Great, who was also known as Sikandar Shaukat (P.W. 320). Shaukat Usmani is at once suggested. Sikandar quotes Indian strike figures up to the 1st. week of June 1928 (*Imprccor* for 3rd. August, 1928, page 775); Usmani in May 1928, sent frenzied messages to Muzaffar Ahmad and Dange for strike figures : to Muzaffar Ahmad he writes:

Most Urgent. I require and require very badly facts and figures of strikes in Bengal and near-about in this year. Do please mention the causes of their occurrence. If you do not send them within a week you will be doing me an unimaginable harm. Be generous Muzaffar."

(P. 2041); and to Dange.

"Most Urgent. I require and require very badly facts and figures of strikes in Bombay Presidency and near abouts in this year. Do please mention the causes of their occurrence. Dange! I need them as badly as a man needs food. Do please send them within a week. The delay will do me unimaginable harm. And moreover all this will do you immense good if your report reaches me in due time. These are historical requests Dange!"

(P. 1625); and he obviously left India in June, so

could not give figures later than that. Why this frantic and urgent need for figures, which as far as can be seen were never used by him in India? Why is the request historic? Only extreme importance could justify the urgency of the language, and what could be more important than a speech before the Communist International World Congress?

And finally Sikandar made a mistake at the Congress: he voted against the colonial thesis (*Imprecor* for 21st. November 1928, page 1530) This was so unpalatable to the C. I. that he was compelled to withdraw his adverse vote (*Imprecor*, page 1530 above). Was it because Sikandar incurred their displeasure that Usmani's "feet were cut"? (P. 1174).

But whether Usmani is Sikandar or not, it is perfectly clear that he went to Moscow to attend the World Congress. It has also been shown that he was a member of the C. P. I., and he worked with the other accused in pursuance of their common aims. There can be no question that a case has been made out against him.

## XLI.

### **PURAN CHANDRA JOSHI.**

Joshi stands mid-way between members of the Communist Party of India and mere members of the Workers' and Peasants' Party. He applied for membership of the C. P. I., but consideration of his case was postponed at the meeting of 28th. December 1928 "for the present" (P. 1303). And except for P. 1310, which I do not consider conclusive, there is no evidence that he was subsequently admitted. The Party knows its own business best. Muzaffar Ahmad,

representing the more cautious Bengal group, had already snubbed him for his excessive frankness ( P. 2069 ) and possibly it was held that immoderate enthusiasm needed to be trained further in Party ideology before being accepted. It is Joshi's own complaint that he is " absolutely raw " ( P. 526/6 ). And he recognised himself that this is a constant danger to the Party ( P. 416/16 ).

There is no doubt, however, that he was a member of the W. F. P. and his application to become a member of the C. P. I. shows that he accepted their programme. If further proof is needed it can be supplied from his own correspondence.

Many of his activities have been described when dealing with the U. P. and Delhi W. P. P. He began to enlist the aid of the Bengal Party in forming a U.P. branch about the middle of 1928 ( P. 126 ) & his plans had matured by October ( P. 131 ) by which time he was trying to get the Bengal W. P. P. programme accepted. He succeeded in getting the U. P. Delhi Party formed at Meerut under the auspices of Spratt and Muzaffar Ahmad of the Calcutta Party, Kedar Nath Sehgal, Majid and Sohan Singh of the Punjab Party. He was made secretary. He informed R. P. Dutt at once ( P. 2409 ) and got a congratulatory letter back from C. P. Dutt ( P. 345 ). In December he attended the All India Conference at Calcutta as a delegate of the U P. branch, saw his branch safely incorporated in the All India Party, and was himself put on the National Executive. He was one of those who adopted the theses proposed at the conference and he heard Sohan Singh's speech. There is no doubt that he knew and accepted the programme and knowingly formed part of the conspiracy.

He set to work with the utmost enthusiasm. He went

at once to Gorakhpur to see Dr. Mukherji and began work himself among the railway men and among the peasants (P. 2070); As a student he thirsted for books both for himself and for his friends. He put this as a first essential in Party work :—

“Scientific training of the workers is at present the only and the greatest need here in U. P. and this is to be done as quickly as possible, so that from the green room we may come to the actual stage.”

The list of books which he wanted to study is stupendous even allowing for repetitions ( P. 342 ). Muzaffar Ahmad had hard work complying with his demands, though he sent him books on more than one occasion (P, 1097). The last list which he sent in February 1929 (P. 2155) contains about 40 books on communism and Russia and in addition demands whatever reports are available of the Communist International, Communist Party of Great Britain and the Young Communists International. If he was ideologically ill-developed, as he says, at any rate he did his best to remedy the defect.

But really his knowledge of communism seems to the layman to be quite sound or at any rate thorough. His ideas on tactics can be gathered from his letter to Mansur. He instructed Mansur to organise work among the scavengers at Delhi. He put the Delhi and Ghaziabad railwaymen in Mansur's charge.

“I am sure as a matter of strategy you will not begin with the propagation of party principles but with palpable and concrete grievances and agitate for their redress and cooperate with the managers and foremen; otherwise the fear of these will not let the workmen

even come near you. Having once organised them and won their confidence they are absolutely yours and you theirs."

(P. 1875). And then he suggests formation of study circles comprised of 4 or 5 really keen young men who need not subscribe to the Party programme: "It is not a body of party men, but a recruiting ground for future Party workers." (P. 1875). Gauri Shankar was entrusted with work in the villages

"The best policy is to go to the villages and make friends with the young peasants and school teachers.....do not converse with the Babus, you should only plunder them; let the work centre round the labourers and the peasants."

(P. 197). Spratt was consulted about work among the railwaymen.

"I have been talking to the railwaymen here. It is so hard to begin. The true base for the E. I. R. can only be Calcutta. You alone can give the push. By the way I would suggest a Party Com. to draw a programme of immediate org. We must concentrate on strategic centres and strategic industries etc."

(P. 526 (S) ). His own work lay mainly among the youth and his ideas as to suitable literature for their use are contained in P. 313. His general theories seem correct. "surely we are not social reformers" he asked Spratt (P. 526 (S) ). Dharamvir Singh is a humanitarian and hence "in the next election he will have to be chucked out" (P. 416 (16) ). He returns to this point and deals decisively with nationalism in a letter to the Naujawan Bharat Sabha about February 1929:

"Let us guard against humanitarianism all Dan and Daya as solutions of the social problem. Lenin wanted a compact band of professional revolutionaries" "Nationalism is the ideology of capitalism, we cannot say that we stand for the 98 p.c. and that is what mean by nationalism. Nationalism implies that we consider the nation a unit that we stand for all the hundred metaphysical humbug. As true Marxists we know that there are classes within the nation whose interest are irreconcilable, that is what the Red Flag stands for. Let us not unconsciously become cannonfodder for Capitalism, which nationalism in practice means. I hope you will unequivocally proclaim the ideal of the Socialist Republic of India in active cooperation with the Socialist Republics of the World."

(P. 2094). His views on the nationalist movement and the Congress can further be gathered from a paper which he read to the Allahabad Youth League on the role of the Congress (P. 346). He blames the Congress for its adherence to non-violence.

"Revolution by reason! Wait till the Greek kalends!! "Any serious and uncompromising movement of liberation ought to provide and prepare for three successive stages—mass demonstrations, non-violent disciplined direct mass action e. g. strikes etc. and finally armed mass rising." "Ideologically the Congress is a class organisation embodying class demands and even their realisation cannot make it a better place to live in."

It is interesting to note that Pandit Jawahar Lal Nehru was present and heard this condemnation of his Congress, and by an indirect attack on communists somewhat upset the impressionable youth (P. 2148). Muzaffar Ahmad is more level-headed:—

“Why do you bother so much about what Mr. Jawahar Lal has told you. What more one can expect from a timid reformist like him? In his speech he is very bold about the using of phrasology regarding the masses of the people, but he is not bold enough to go and work amongst them. We really care little for this kind of reformists.”

(P. 1097). The incident is not important, but illustrates the attitude, so often more forcibly expressed, towards the Congress and nationalists.

The only other activity of his which need be mentioned is that he started ‘the Krantikari’ for purposes of propaganda, contributed to it himself and provided money for its upkeep (P. 2148/1). The tone of this paper, although to all appearances extreme enough (see P. 431 Hindi translations) was not sufficiently communist for Joshi and Muzaffar Ahmad, but both did their best to keep it sound. (P. 416/16 and 1097).

Whether he was actually a member of the C. P. I. is quite immaterial. His ideas, his aims, his affections, were all towards that party and he joined with them in every possible activity to attain their ends. He knew what that end was, he knew under what directions the Party was working, for he had copies with him of the C. I.'s Colonial thesis and the letter from the E. C. C. I. (P. 334). There can be no doubt that, if a conspiracy existed at all, he was deeply involved in it.

#### **CHOUDHRI DHARAMVIR SINGH.**

Dharamvir Singh has two titles to fame: he is a member of the U. P. Legislative Council and he is, or was, Vice President of the U. P. and Delhi W. P. P.

He was elected to the latter position at the Meerut meeting of October, 1928. The speeches delivered at the conference—particularly Spratt's—were enough to put any man of intelligence on his guard, and as a matter of fact Dharamvir Singh himself delivered a speech at the concurrent U. P. Political Conference which might easily pass as an echo of the others. Moving a resolution on peasants and workers organisation he said:—

“No programme has been placed before you to show how independence can be obtained. If there can be any programme, it can be the one which is explained to you in this resolution....I say that if peasants organise themselves you will know what they can do. The peasants of Russia were also in the same condition as Indian peasants are now; but their leaders organised them in such a way that they are ruling that country to day....the first proposal of the Kisan Sangh will be that the land revenue should be equitable, and this Government, which is becoming strong by sucking your blood, will fall”.

(P. 1092).

On the following day Majid moved a resolution in the W. P. P. conference which he recommended in a brief speech.

“The existing system will not give you any concession unless you change it and replace it by another. You can lead a life like the labourers of Russia”.

Dharamvir Singh at once seconded it (P. 1088).

It thus appears that he was a member of the Party and gave utterance to sentiments which agreed with party doctrines. He had an opportunity of knowing what those



doctrines were, as a copy of the "Call to Action" was found in his possession.

These facts provide a perfectly good prima facie case against him. At the same time they are capable of explanation, especially as the entire absence of any evidence of subsequent activity suggests that he was not a keen worker.

This explanation he at first refused to give. In making his statement before me he denied everything—denied knowledge that he was Vice-President of the Party, that he had attended the conference for more than a minute or two, that he had seconded any resolution, that the "Call to Action" had been in his possession. This attitude was hopeless. It is possible that, with the Political Conference going on at the same time, he did not spend much time at the Workers' and Peasants' conference. But that the Meerut police officer who reported the proceedings did not recognise so prominent a resident of Meerut and made a mistake in saying that he seconded a resolution, is inconceivable; and the "Call to Action" was found in his room, and there is no evidence that he shared the room. As to his denial of knowledge that he was Vice-President, this too is incredible. A day or two after the conference he wrote to Mukherji informing him that he (Mukherji) had been made President, and Joshi Secretary (P. 1432). He must have known the name of the remaining member of the committee. In any case Joshi informed him by writing to him in December on Party note paper bearing Dharamvir Singh's name as Vice-President (P. 1388). Confronted with this he explained that when he got this letter he wrote at once to Joshi asking him to remove his name. There is no trace

of such a letter, and in February Joshi wrote to Muzaffar Ahmad:

“Yes, Dharamvir Singh accepted the Vice Presidentship. He is a humanitarian yet but very sincere. I am writing to him today and will ask you to send him some books. In the next election he will have to be chucked out. He is however harmless, a silent sincere worker but weak-kneed”.

(P. 416 (16)).

Had he left the matter there, I would have been compelled to commit him: but fortunately for himself he made another statement later. Summarised it comes to this: as a politician he joined the party just as he joined every party in his constituency which would advance his popularity, without knowing much of its aims: he thought indeed that it was merely a provincial organisation on the basis of the old and harmless Meerut Peasants & Workers Sangh; on this mistaken idea he accepted the Vice-Presidentship. Later on, when he discovered that the Party was a Communist organisation (or alleged to be), he dropped it quietly.

Now this is a plausible explanation which if accepted would absolve him. And I consider that I must accept it, simply because there is nothing in it inconsistent with the proved facts. His speeches are the frothy clap-trap which distinguishes so many political speeches in this country—“all sound and fury, signifying—nothing”. It must be admitted that his copy of “Call to Action” looks suspiciously clean and unused. There is no evidence that he associated with any of the genuine members of the Party beyond Joshi’s brilliant appreciation of his strong

and weak points - and it may that it was his association with Joshi which eventually opened his eyes.

The evidence taken by itself is *prima facie* sufficient, and fully justifies his prosecution, but taken in conjunction with his explanation -which he would have done well to give at an earlier stage—I doubt if it is sufficient to secure a conviction; and if there is not enough for conviction when unrefuted, I would not be justified in committing him for trial. He has now definitely declared his adherence to non-violence and the programme of Gandhi, which is in all respects opposed to that of the conspirators—or at any rate *was* at that time. His adherence to the conspiracy thus becomes more unlikely, and he is entitled to the benefit of the doubt. He will be discharged.

**DR. VISHWANATH MUKHERJI.**

Mukherji had long been interested in the Labour and Peasant movements, and had managed a small union of them at Gorakhpur for about three years prior to 1923. (P. 2100). His speech at Cawnpore T. U. C. has a very communistic tinge. He remarked that Government wants to suck the blood of the Indians ( P. W. 280.); and it is significant that on that occasion he was one of a group photographed together which included Muzaffar Ahmed, Shaikat Usmani, Ghate, Majid, S.N. Banerji, Kishori Lal Ghosh, Dange, Mirajkar and Goswami (P. 1383).

I have already narrated the part which he took in the formation of the U. P. and Delhi Workers' & Peasants' Party. It is only necessary to emphasise here that Muzaffar Ahmed sent him a Party Programme ( P. 1414 ) and asked him if he agreed--the essential preliminary to joining the party. Muzaffar Ahmed's insistence on full

understanding of the programme is shown also in a letter to Gauri Shankar

“ Please go on enlisting individual members of the Party as much as you can. In case of the member being an intellectual, you must be thoroughly satisfied that he is really ready to accept the programme and policy of the Party ”

(P. 213). Mukherji agreed to the programme (P. 2007) and thereby definitely entered the conspiracy.

He celebrated May Day 1928 (P. 1380), his announcement containing the communistic slogan “Workers of the World Unite”. Apparently he did not attend the Meerut meeting where he was elected President of the new Party, but he gladly accepted the position (P. 321) and suggested to Joshi that they should join in a propaganda tour. This suggestion he repeated to Muzaffar Ahmed (P. 468/3) a little later; and Joshi actually did visit him (P. 2070). He intended to visit the All India conference and get instructions as to the methods of work (P. 468/3); but was unfortunately prevented from attending (P. 416/10); nevertheless he was put on the National Executive (P. 334); and he was still anxious to work for the party, as in January 1929 he asked Joshi to chalk out a programme of work (P. 1095).

Among his literary activities have been found two books or articles written by him—one on Lenin (P. 1424) (whom he describes as Mahatma) and the other on China (P. 1421). The importance of the Chinese revolution is constantly emphasised in all the writings of the Communist Party and the lessons to be drawn from it are brought out in numerous places. It is sufficient here to quote only one

sentence from a telegram of January 1928 from the Communist Party of Great Britain:

“ to assist Indian Nationalists to learn from the lessons of Chinese revolution is duty of British Communists who will determinedly discharge this revolutionary duty ”

(P. 2433).

There can be no doubt that the whole trend of his views are towards communism and that he joined the Workers' & Peasants' Party, accepted a responsible position in it and worked for it, with full knowledge of its aims and with the set purpose of carrying them out.

#### **GAURI SHANKAR.**

Gauri Shankar has not been a very active member of the Party, but he has done something towards furthering its objects. He was originally Secretary of the Kisan and Mazdur Singh of Meerut and probably for that reason was chosen as Secretary of the Reception Committee of the Provincial Conference to be held at Meerut in Oct. 1928. He organised the conference and played a large part in determining its complexion. He secured Kedar Nath Sehgal to preside over the conference and paid his expenses (P. 1466), and he similarly sent money to Muzaffar Ahmad and Spratt to ensure their arrival (P. 2088). The speeches at the conference—the Presidential speech of Kedar Nath Sehgal (P. 193), the speeches of Majid, Sohan Singh and Muzaffar Ahmad, not to speak of Spratt's speech, (P.1457)—must have shown him the meaning of the Party. Subsequently he received further illumination. He went to the

All India Conference at Calcutta and therefore heard Sohan Singh's speech and the resolutions which were passed, and he was himself elected to the National Executive.

All this certainly suggests that he joined in the conspiracy. It has however been said in his defence that he never took it seriously and did nothing. This does him less than justice. Joshi indeed levelled such a charge himself, "It is a pity that I have not yet heard from Gauri Shankar. I have no idea of what he is doing. How indifferent". (P. 2069). But when it is realised that the conference ended on October the 15th and this letter was written on October the 19th, I think it will also be realised that Joshi was rather impatient. Muzaffar Ahmad found it difficult to get an answer from him (P. 213), but actually the answer came (P. 211), and that answer promised active work. He did not do at all badly. He opened an office at the Garhmuktesar fair in November and sold pamphlets including "the Call to Action" (P. W. 149). It is significant that Muzaffar Ahmad sent him 100 membership forms of the W. P. P. Bengal (P. 213). When his office was searched only 40 were recovered. The remainder were presumably used. These forms bore a statement of the aims of the Party—complete independence. He constantly received letters and instructions from Joshi and Muzaffar Ahmad. Whether he answered or obeyed them cannot be said, but no inference can be drawn from the lack of answers on the record. He was notoriously unbusinesslike (P. 210) and a bad correspondent (P. 195-197 etc. ).

No more of his activities can be mentioned, but he had with him the usual Party pamphlets such as "Call to Action", and his attendance at the meetings at Meerut and

Calcutta made it clear that he had full knowledge of the aims of the Party, and by becoming a member and working on behalf of it he showed that he endorsed them and was a member of the conspiracy.

**LAKSHMAN ROY KADAM.**

Kadam again does not figure very prominently but the evidence has shown not only that he was a member of the U. P. Delhi W. P. P. but also that he accepted the aims of the Party. He began by joining the W. P. P. of Bombay (P. 1350/8), and approved so much of its aims that he hoped to open a branch of it in Jhansi. This was in October 1927. In the same letter as well as in another (P. 1350/1) he expressed his appreciation of the Kranti, the nature of which I have already indicated. There can be little doubt of his anxiety to carry out the objects of the Party in that year. In 1928 he desired to fortify his knowledge by a study of Communism and wrote to Joglekar for some books on the subject (P. 1110). This also shows his knowledge of the members of the Party.

In October 1928 he was unable to attend the conference at Meerut owing to his pre-occupation with a similar conference at Jhansi. This conference was recognised by members of the Party as a Party affair. Spratt asked Joglekar to attend to help it (P. 1116), and soon after it was held Joshi wrote to Mansur;

“ At Jhansi I made up for all this. They have affiliated their party. They are 3 absolutely sincere, wholetime workers, though not very intellectual. I leave in their hands a railway union with 500 members. What is more they have started a Hindi weekly, Kranti Kari, for Jhansi, that will be the party organ.”

(P. 1875). Kadam was organising Secretary of the Conference and he obtained Jhabwala, a member of the W.P.P. Bombay, as president (P. 1630 and asked Muzaffar Ahmad also to attend (P. 2073). The conference was successful and Jhabwala's speech eminently in accordance with the views held by the Party (P.329). As soon as it was over, Kadam began work on the Kranti Kari, but he continued his connexion with the G. I. P. Railway Union and also started a Municipal Workers' Union at Jhansi (P. 1800).

His long standing connexion with the Bombay Party, his attendance at the All India conference and his connexion with the Kranti Kari all go to show that he was a genuine member of the Party and fully accepted its principles and objects.

#### **SHIAVAKSH HORMASJI JHABWALA.**

Jhabwala has defended himself at such great length that I am quite unable to give his arguments in full. His statement alone took over four days to record, and is so discursive that it is a matter of some difficulty to sift out the wheat from the chaff. As far as I can ascertain he has three main lines of defence:—

(1) that he is wholly a Trade Unionist and nothing more.

(2) that he is in character incapable of entering a conspiracy of the nature charged—i. e. he is a humanitarian, a lover of peace, a religious man, a lover of family, a hater of violence : and

(3) that his words do not mean what they apparently say.



To some extent I agree with him. Apart from his own account of himself the evidence bears record that his main sphere of activity is in the trade unions. I think it extremely probable that he is not a communist, that he has not the communist hatred of religion, family or humanitarianism. But I am also bound to say that he has chosen a very queer way of expressing his professed ideals, and very dubious methods in his trade union activities.

He appears in the case first in 1927, when he presided over a Lenin Day meeting in Bombay held under the auspices of the Labour Congress Party. In his speech he compared Lenin to Gandhi, and praised him because he was able to put his ideals into practice. He suggested the adoption of Leninism against tyranny and oppression—whether capitalistic or imperialistic. He made the cryptic remark that gradual revolution was needed to oust the present form of Government in a scientific sense (P. 1942),

The next month he joined the W. P. P. on its foundation and was made vice-president (P. 1017). He admits having read the "whereas document" (P. 1017) which puts the objective of the party perfectly clearly: and he signed the application form for membership (P. 1353) which summarises it admirably. He attended the T. U. C. Delhi meeting in March and is mentioned by Spratt, (P. 1828), who at that time had his eye on him as a useful member of the party. He was regarded as somewhat erratic and impatient of party control (P. 1348 (12)), but by June Spratt was able to report to C. P. Dutt "Huz is improving" (P. 2328 (2)). "Huz" by the code is clearly Jab, that is, Jhabwala.

The minutes of the W. P. P. (P. 1344) show that he

took an active part in the deliberations of the Party, especially when any trade union matters were discussed, and he was present at the Executive Committee meeting which decided to start the Kranti.

From that time on he was identified with all the activities of the party. He was present at the May Day meeting 1927, and helped to organise it on the previous day in company with Spratt, Thengdi, Mirajkar, Nimbkar and Ghate (P. W. 104). Similarly he was at the Sacco-Varzetti meeting of August 1927, and presided (P. 2311). On that occasion he regretted that Indians were not taking interest in the International Labour movement, and appealed to those present to become members of the W.P.P. He obviously realised the connexion. He then spoke of revolution:—

“In his opinion the exploitation and oppression to which the poor were subjected by the Capitalists and Imperialistic Governments, could only be stopped by a mass revolt.....As soon as all the workers were organised, mass revolution could be declared, but by revolution, he said, he did not mean bloodshed, aeroplanes hovering overhead, and cannon blowing, because, when workers and labourers were united, freedom could be had within 5 minutes without shedding a drop of blood.”

“This shows his peaceful intentions, but hardly absolves him from the charge of trying to overthrow the sovereignty of the King. Dange followed and left Jhabwala and the audience in no doubt as to *his* principles.

Then in November he presided again at the celebration of the 10th. Anniversary of the Russian Revolution. He

made a speech eulogising the Russian revolution, and advocated revolution for India.

“It was the duty and business of every politician, publicist, and patriot to organise the masses and to teach them to gradually rise against the Government to get what the Russians were now enjoying.”

I must emphasise once more the word “gradually” but I must also quote from a later passage:—

“The Russians could not get freedom constitutionally and similarly they also could not get it constitutionally” (P. 168c).

In 1928 he took part in the Anti-Simon demonstration and organised the workers under the banner of the W. P. P. (P. 826), and again participated in May Day (P. 147).

At the March meeting of the W. P. P. he was again elected to the Executive Committee. It was this meeting which passed the theses on the Trade Union movement, organisation etc. which were afterwards adopted as the basis for “Call to Action”: Jhabwala was responsible for that on the Trade Union movement (P. 831, 835), and he was present at the meeting himself (P. 1344). There can be no doubt that he was fully acquainted with the policy of the party.

He was in fact then a leading member of the party and his trade union energy was phenomenal. He has claimed credit for this, and says that he was connected with 49 Unions or strikes. There is no need, therefore, to quote the evidence on this point. He was at that time

cooperating in every way with the party, and in August 1928 was adopted as one of the party candidates for the municipal elections ( P. 1344 ). Naturally therefore he assisted the party in the general strike and on many occasions appeared with the other members of it in the public meetings. With them he joined the Girni Kamgar Union on its formation and became Vice President ( P. 958 ) And on two occasions he was sent " money from Moscow " for the relief of the strikers—in April Rs. 20,916-12-9 ( P. 1542 ) and in September Rs 14,101-2 0 ( P. 1551 ). The first consignment was made to him as Vice President of the Textile Labour Union, and as he had ceased to hold that office the money was actually paid to N. M. Joshi ( P. 1544 ). This caused great distress in the ranks of the W. P. P. ( P. 674 ), and when the second lot was sent it was directed to Jhabwala as President of the Bombay Mill-workers Union—a small union recently founded by Jhabwala ( P. 2408 ).

The significance of these payments has been misunderstood. I do not consider it an unpardonable offence to accept money under such conditions, whoever the donor may be. If a strike relief fund is legitimate at all, it would be asking a lot of human nature to suggest that the source from which much needed donations come should be too strictly scrutinised. Acceptance by itself, therefore, does not mean much in my opinion. But the sending of the money undoubtedly corroborates the other evidence about conspiracy: it shows the anxiety of the senders in Russia to popularize strikes and to make the strikers realise the internationalism of the labour movement. And as regards Jhabwala the significance lies not in the fact that he took it but that it was sent to him by name. The

first amount was sent to him by name, but with an erroneous description which made it rather difficult to divert it to him. As I mentioned, the diversion to Joshi caused some annoyance to the conspirators, not because the money was not used for the relief of the strikers, as in fact it was, but because it reached them through an adherent of the 2nd. International instead of through the adherents of the 3rd. International. Measures had to be taken to prevent such a fiasco occurring again: the second amount was sent to Jhabwala again, but as President of an insignificant union with an insignificant membership, while the big representative union which had been given it the first time was left out. It shows the anxiety of the senders that the money should reach the strikers through *Jhabwala*, and this implies that they regarded him as one of their own men.

I have said that he made speeches. To show his line of thought I may quote from some of them:—

“ This is not the movement of communists.....I assure you that this is not the struggle of one man or of one subject. It is the struggle of mass action and mass revolt in India, and if Government and capitalists do not give it a reply then we are going to cut the necks of them both. ”

( P. 1701 ). In another speech he shows clearly that he recognises who his associates were:—

“ Some one may come and say that it ( the strike committee ) is run by a few communists. Men like Messrs Joshi and Asawale who represent the moderates are members. There are some members who represent the extremist Party. They are ten members from both the Parties. ”

( P. 1730 ). And in the same speech he says,

“ We young men might have spoken some angry words against the Government. We must have said to vanquish the police and bring about a revolution in the administration of the country. ”

I want to be fair to him. His theme usually is the redress of grievances and the practice of “ passive satyagraha ” ( P. 1698 ) : but with it he mixes up threats of revolution, urges the labourers to take the mills into their own possession, and declares that the Government must be in the hands of labourers.

. These somewhat muddled views were being clarified. He presided in October over the Bundelkhand Peasants and Workers Conference. The conference passed resolutions that they should crush capitalism and remove imperialism, and Jhabwala congratulated them on their courage in passing such “ frightful resolutions ” ( P. 1445 ( 1 ) ). Two versions of his Presidential speech exist, one which he wrote out for delivery ( P. 292 ) and the other which he actually delivered ( P. 1093 ) : apparently he was unable to make a running translation into Hindi as he went along and so abandoned his notes. But presumably the version which he prepared and wrote out himself represents his views accurately and no allowance need be made for the excitement of the moment. It is too long to quote in full, but some extracts may be given:—

“ If India desires to be a haven of peace and prosperity, the old shackles must be broken and the millenium, for which our ancient Rishies sang in the Shastras, must be ushered by following, what Russia, in the course of the last few years, has marvellously achieved, dethron-

ing the Czarism which was a collective fountain from which all the springs of imperialism flowed over the world.....The marvellous resistance offered by one lakh and fifty thousand of Bombay textile workers for six continuous months without any money with them and any saving in their usual times, with only a crumb of Russian help to back them up, shows that at a time the workers can offer Satyagraha without anything in their belly for months together to reconstruct society and to re-organise Government. But if these very workers were helped by a little food in their belly they would form an excellent revolutionary basis for the establishment of early independence in our Country.

' We are maligned as communists, extremists, revolutionaries, etc. I do not hesitate to cheerfully subscribe to all these attributes rolled into one.'

' Keeping in view how the Chinese people developed their revolution from the ranks of working classes let each leader cultivate a militant political policy in his followers. In so doing Congress help may be invited so that in the immediate future there will be a Congress cum Labour programme before the country. Having evolved a national guarantee we may have a wider out-look in the international sphere and must soon affiliate ourselves with the League against Imperialism and Colonial oppression. I consider this organisation to be a most fitting link between the European and Asiatic interests. In these international connections India is bound to emerge a most successful and competent revolutionary helping in the establishment of a happy millenium of of Soviet Raj in the world.'

(P. 292).

His reference to the League against Imperialism is interesting. With some lack of candour he informed me that the League against Oppression in the Colonies had once addressed him and he passed the papers on through his unions and acknowledged them out of courtesy. They went on sending papers and he went on distributing them as a matter of routine; and that was all he knew about it. The record does not support this ingenuous defence. I need only cite a letter from Chattopadhyaya of May 16th. 1928.

“ My dear Comrade Jhabwala,

We are very much obliged to you for your letter of April 19th. and especially for the announcement that three more unions have declared their affiliation to the League against Imperialism. We follow your activities in the Labour movement with very deep interest and have no hesitation in expressing the appreciation of the International Secretariat for your work on behalf of the League and in the movement of freedom generally,”

(P. 1633). This clearly shows an intimate connexion with the League, even to the extent of getting some of his unions affiliated to it. It might appear that soon after this he dropped it (P. 1866); but in the Jhansi speech he advocates affiliation to the League.

In the Jhansi speech (both versions) he advocated the formation of an All India Party of Peasants and Workers, and lays down a programme for work in the congress: and to this theme he returned in an article which he wrote for the Kirti on November 3rd. 1928:

“ The Congress must accept the workers and peasants party programme, which is perhaps the only revolutionary



programme that any party in India can claim to have. The programme attempts at complete over-throw of imperialism which is the prime force that ruins our unhappy country."

(P. 1900). A week later he resigned from the Workers' and Peasants' Party (P. 421). He had already resigned from the Gini Kamgar Union on October 23rd. (P. 558).

This certainly closed his connexion with the conspiracy. He now opposed his former comrades and there are many complaints of his working against them (e. g. P. 2163). But it is doubtful how far it was a personal quarrel, due possibly to the greater influence which other members of his party were winning: it does not seem to have been due to any difference of principle. As late as February 15th, 1929, he wrote to the Punjab W. P. conference at Rohtak:

" The Workers and Peasants, the depressed, oppressed and suppressed classes of the population, hold the key of complete freedom. In our fight against capitalism, both Indian and foreign, Imperialism and caste-oligarchy, we should not allow any extraneous matters to engage our attention. Let it not be said by posterity that those who are engaged in this task frittered away the energy of the masses by ourselves being victims of plausible catchwords, blatant war cries."

(P. 1446). The reference to "plausible catchwords" etc. may be intended for the younger workers: but his heart was obviously still with the movement.

How then is this contradiction to be summed up? He attempts to explain his constant advocacy of revolution, mass revolt, independence, and the like, and his desire to overthrow imperialism, by inventing a new dictionary, by

which revolution means gradual evolution, mass revolt means a gradual scientific constitutional change, unconstitutional means constitutional, sovereignty means popularity and so on.

The evidence suggests an easier explanation. In 1926 M. N. Roy called him a "careerist" (P. 216) (1), and the following words of Lenin would suggest that he would also be called in communist jargon an "opportunist":

"The Marxist..... must not fall into philistinism and opportunism of the small bourgeois or liberal intellectual, who shrinks from the fight against religion, forgets this task of his, reconciles himself with the belief in God, and lets himself be led, not by the interests of the class struggle, but by petty, miserable considerations—to cause pain to no one, to drive away no one, to frighten no one—who guides himself by the wise rule, "Live and let live", etc."

(P. 1220, page 71). He appears to be opposed to violence and he teaches his children religion: so also incidentally does Saklatwala (P. 2418). I agree with him that he is not a Communist: I also conclude from the evidence that he has now left the conspiracy. But the evidence is overwhelming that he joined the conspiracy at the beginning of 1927, knew its principles, used its language, employed its methods. Possibly he did this in the idea that he would use the communists to compass his ends, and only left when he found that they were using him instead. Possibly he did not agree with all their methods—at any rate those which involved violence. But in this respect their theories after all were not very different. Both wanted mass organisation so as to be able to seize power: Jhabwala hoped that the very appearance of the mass forces

would be sufficient to overcome opposition without the use of violence: the others realised that when one tries to rob an armed man, one must expect resistance and that a fight may be inevitable. Even Jhabwala's non-violence (which has nothing to do with Gandhi's) amounts only to this, that he will not use violence—unless he fails to achieve his objects without it.

One aim at least they had in common, the attainment of independence; they all worked together for the overthrow of imperialism and capitalism, and he, as well as the rest, recognised that this meant the destruction of the sovereignty of the King in British India. With this object he conspired with the rest and worked with the rest, and his belated severance from them cannot relieve him of responsibility for his work of 1927 and 1928. Whether, in view of that severance and his half hearted recantation of communist doctrines, government should be asked to exercise their clemency, is not for me to decide, nor need I make any recommendation. I will only point out that he has made it difficult for them by his ambiguous statement as to his real beliefs: excessive verbiage has obscured the meaning. All I can do is to treat him as one who, on my reading of the evidence, has undoubtedly conspired, and commit him to Sessions with the other conspirators.

#### **GOBIND RAMCHANDRA KASLE.**

Kasle, like Alve, is an actual worker. He is also a member of the W. P. P. of Bombay (P. 1353). He was also a member of the Girni Kamgar Union and was made Vice-President when Jhabwala resigned in October 1928 (P. 958). His activities are confined to strikes, and in particular the general strike of 1928. There is some

evidence that he went to Calcutta for the A. I. W. P. P. and the T. U. C. at Jharia; but this he denies.

He urges that he is an ignorant millhand and that his activities in the strike were those of a genuine trade unionist, directed towards the attainment of a particular immediate object. This is a legitimate defence to the presumption that would otherwise arise from the fact of his membership of the W. P. P.

The best way of discovering his motives is to turn to his own explanation of them. He attended most of the meetings during the strike (P. W. 147), and heard without protest the "rank communism" preached by his co-workers. And he made speeches himself. I will quote from some of them.

"You have to strictly bear in mind that their struggle is not only limited to their wages. They have to carry it on until Capitalism and Imperialism is driven out of India. By Imperialism I mean that Imperial Government which oppresses and torments the people. You have to snatch away the power of this Government which harasses the people and crushes them to fill their own pockets. This agitation is to demolish this sort of Government." . . . . . "It is this Government, who have forced these conditions on us and therefore they ought to be driven out of India. All the factories and industries must be our possessions. The administration of the country must come into our hands. There must be the rule of the labourers. The capital or the wealth of the nation must be in the hands of the labourers. We have to carry on this agitation not haphazardly. We must have a strong organisation. Every labourer must be able to make speeches."

(P. 1731) (Bombay speeches, volume 3). In the same speech he refers to Nimbkar as his "Guru" and continues.

"Mr. Nimbkar has taught you the methods of the labour movement, he has convinced you of your inherent powers, and he has awakened you to acquire your birth rights."

(1731) In another speech he said.

"My brave comrades, bear in mind that there ought to be the labour rule, the labour power and labour Government. The police must be the labourers. You cannot therefore show cowardice, but you must trample them down and establish your rule."

(P. 1726). He recognises Bradley's work for what it is, just as he recognised Nimbkar's:—

"Our Man Bap Sarkar is going to send Mr. Bradley and Mr. Spratt to England, as they are afraid of them. They teach you the principles of Communism."

(P. 1727). Kastle said that he did not even understand the meaning of the word "Communism"; he seems to have understood the theories, if not the name.

These quotations show his general motives. There is one other aspect of his work to which I must refer—the particular importance of him and Alve and such as they: they are the worker leaders which the movement demands. There is constant insistence from authoritative sources on the principle that the leaders must be the workers and not the intellectual petty bourgeoisie. The 'Call to Action' (P. 523) gives it a place in its Resolution on the Trade Union movement:

"As far as possible the officers should be actual workers

and the rank and file should take a much greater part in running the trade union."

(Page 82). The Comintern's Colonial thesis lays down the same :—

"Communist organisations must from the very beginning devote special attention to the training of leaders of Party cadres from the ranks of the workers."

(P. 334). C. P. Dutt writes strongly to Spratt:

"Unless we can get committees and leaders from out of the ranks of the workers themselves, all our work will go for nothing."....."I have been rather more than unhappy, because I read in the papers, in Bombay especially, of all sorts of committees being set up, always with the old familiar names and with not even a single worker in addition. I think we are making a tremendous mistake."

(P. 526 (43)). Kastle knows all about this :—

"As long as the leaders from the labourers do not come forward, our fight will always be in suspense. For this purpose leaders ought to come forward from labourers."

(P. 1712). I close with this quotation, which shows not only Kastle's thorough understanding of the Party principles, but also his peculiar importance in the Party work. There can be no doubt that his activities were dictated not by genuine trade unionism but by the aims of the party to which he belonged, and he must therefore stand his trial with the rest.

#### **ARJUN ATMARAM ALVE.**

Alve was a member of the W. P. P. of Bombay (P. 1353) He had ample opportunity of knowing its policy, as

he had in his possession copies of the *Kranti* from November 1927 onwards: and no reader of the *Kranti* can stay long in ignorance of the Party's programme.

He was himself a mill worker and his activities were naturally directed towards the trade union work. This sometimes makes it difficult to ascertain what the real motive of the work is: in Alve's case there is no difficulty. He has carefully explained it himself in the speeches which he made during the general strike of 1928. I need only quote one or two passages:—

"If we all become united let us see what capitalism and imperialism would do. A day is to come when capitalism and imperialism will be no where (P. 1707).

"It is the fate of the labourers that they are born with poverty. We have therefore gone on strike in order to remove this poverty once for all. Our demands are very little. All the mills in India and the powers of all the capitalists and bureaucracy must come in the hands of labourers and for this purpose the strike of the labourers is going on for five months. This strike is not with the desire of obtaining 2 rupees increase. All these workshops ought to come under the ownership of the labourers. We must receive money from the workshops, money which we produce in it, to cover our expenses. Have we continued our strike for five or six months for an increase of a rupee? But it is continued for abolishing poverty in India." ..... "This strike is of great importance. You are taught day and night as to how you should behave at this time in this movement. This movement is for removing the poverty of India". (P. 1717).

These are not isolated statements, but they fit in with

all the speeches on the record made during the strike. I have already shown that the strike was controlled by members of the W.P.P.: Alve gladly worked with them, heard their sentiments, and echoed them from the same platform. He was in no doubt as to their views—who indeed could be?—for the mildest speaker of all was Bradley, and of him Alve said,

“I have learnt that Bradley is taken to be an agent of the Lancashire Capitalists but that is not a fact. He is a Communist and Government have framed a new law for his arrest. He has given us a great deal of help and he is now on his way to England.”

(P. 1726). I have said that he gladly worked with them. This can be inferred both from the fact that he did work with them so long, and also from the fact that when he formed the Girni Kamgar Union he took all of them to work there with him. The history of the G.K.U. has already been narrated. Alve was president of the old Girni Kamgar Mahamandal, but quarrelled with his Secretary, Mayekar (P. 1462) and eventually formed the G.K.U. of which again he was president. He took as his committee Dange, Joglekar, Jhabwala, Bradley, Nimbkar Ghate, with four others (P. 938). The Union was entirely controlled by the W.P.P. and presumably he intended that it should be.

He joined also with the Party in celebrating May Day, 1928 (P.W. 147) and the Anti-Simon demonstration 1928 (P.W. 104). His position as regards the conduct of the general strike has already been mentioned; it only remains to add that he advocated the general strike (P. 1464) and in this again worked in union with Joglekar and Nimbkar,



and contrary to the recognised Trade Union leaders, N.M. Joshi and Ginwala (P.W. 147).

Alve contends that he is only partially literate and therefore could not be expected to understand the full meaning of what was going on. This cannot explain either what he said himself nor his indifference (on his own showing) to what he heard. There is a clear prima facie case that his trade union activities, performed in concert with other conspirators, were directed to the same end as theirs, and that therefore he must be presumed to have entered the conspiracy.

#### **DHONDI RAJ THENGDI.**

Thengdi is the oldest of the accused, but I have seen no signs that his age has impaired his mental powers. He has been President of the W. P. P., Bombay, since its inception in February 1927. At that time, as I have shown, he had full knowledge of its programme and object. Nor only did he pass the programme (P. 851) before publication (P. 852) but he gave expression to his joy at receiving contributions, with the phrase "Now we shan't be long in getting the Dictatorship of the Proletariat" (P. 1355 (4)). I cannot find that his views have changed since, though as his home was at Poona, he did not live in bracing proximity to the Bombay group.

At this time he was certainly in touch with advanced circles. Two letters of Saklatwala's (P. 845, 846) were found with him, possibly given to him at the Delhi T.U.C. Session of 1927 (March); Thengdi attended this and so did many of the communists, who there held an informal conference with Saklatwala. At the T. U. C., Thengdi moved several resolutions, among others one inciting India

to follow the lead of China ( P. 1828 ); and he was elected Administrative Secretary, a triumph which was afterwards claimed by the C. P. I. as their own ( P. 1207 (1) ). It was only natural that they should claim him as their ally: the feeling was shared by the English branch of the conspiracy, as in January 1927 Dutt had written to Spratt suggesting (in invisible ink) that Thengdi should attend the Canton conference of the P. P. T. U. S. ( P. 1859 ). In accordance with this suggestion he applied for a passport ( P. 811 ) but it was refused ( P. 812 ). This hint of a previous connection with the English conspirators is confirmed by the fact that Donald Campbell ( Allison ) asked him to come and see him in jail; again Thengdi's attempts met with a refusal ( P. 814 (1), (2), (3) ). He also attended a May Day meeting at Bombay with the W.P.P. ( P.W.104 ); and as he had Spratt's article on the meaning of May Day with him ( P. 842 ) he must have understood its significance. The article, incidentally, ends up "Success to the workers of China! And may the workers of India quickly follow their example."

In 1928 he was again elected President of the W.P.P. He was unable to be present at the Executive Committee meeting, which considered and passed the draft resolutions ( P. 831-834 ).....afterwards the basis of the "Call to Action": copies however were sent on to him ( P. 835 ). He was also sent the draft circular to trade unions urging affiliation to the RILU ( P. 827 ); and a manifesto was issued in the name of the W. P. P. under his signature to the Bombay Youth conference, in which the youth of Bombay were urged to fight against Imperialism and Capitalism ( P. 546 (11) ). At the end of the year he attended the A.I.T.U.C. at Jharia, and was elected as the

congress delegate to the next World Congress of the League Against Imperialism to be held in July 1929 (P.650). From there he went on to the All India Conference of the W.P.P. and in one speech urged all to work for the ideal socialism, and in another supported the formation of an All India Workers' & Peasants' Party. (P. 334). The second of these two speeches was delivered on 23rd. December 1928. An entry in his writing in a pocket book found with him reads: "23. 12. 28. Object: To establish socialist Republic in India", (P. 806).

It may be mentioned that the majority of the papers cited come from a file found in his possession ( item 70 of search list, P. 795 ). This file contained correspondence regarding the Workers' and Peasants' Party, and on the back of it were marked in red pencil the words "Communist File". The verdict is his, but I do not disagree with it.

In view of his position as president of the Bombay W. P. P., the knowledge and approval of its aims obviously possessed by him, and the way in which he cooperated with the Party, there is very strong ground for presuming him to have been a member of the conspiracy.

#### **Gopendra Chakravarty.**

Chakravarti was a member of the Executive Committee of the W. P. P., Bengal, in 1928 (P. 279): he attended the All India Conference in December 1928 and was elected to the National Executive (P. 334). If the W.P.P. was in any way a part of the conspiracy, he was certainly one of the conspirators.

His activities were on familiar lines. He was connected with the Young Comrades' League of Bengal (P. 408 (4)).

He went with the W. P. P. group at the Anti-Simon demonstration on 19th January 1929 (P. W. 228). In the main however his work was with Trade Unions. He took part with many other party members in the Lillooah strike (P. W. 230, 251), Ludlow Jute Mill strike (P. W. 231), Scavengers' strike (P.W. 249), and Bauria strike (P.W. 267). He was secretary of the Bhatpara branch of the Bengal Jute Workers Union (P. 34) and of the Angus Engineering Union (P. 614).

It must be mentioned that he was expelled from the Bengal Party in February or March 1929 for non-payment of subscriptions. This does not help him. I have already mentioned the split in the party, of which this was the occasion but not the cause. The dissidents speak more eloquently than I have done as to the way in which he had worked for the Party and its cause. The dissidents write:

“Moreover you are quite aware of the fact that he devotes whole of his time to the Trade Union movement and does not find time to earn an income for himself and naturally he is not in a position to subscribe to the party in cash save and except in the way of his valuable services which really amount to an asset to the cause of the party.”

(4-3 P). Basak is more explicit still:

“No doubt there are opportunist and Social Democrat elements in our Party but they are not Comrades Chakravarty and Goswami.”

(P 475) and . . .

“Both the groups are no doubt sincere to the cause of communism and Proletarian Revolution.

(P. 549 (19)). These testimonials to his work and aims, amply corroborated by the facts mentioned above, make it clear that he was an active and conscious member of the conspiracy.

#### **GOPAL CHANDRA BASAK.**

Gopal Basak was one of the most active of the members of the W. P. P. of Bengal until his resignation in March 1929 (P. 423). It would be difficult to give a full account of his activities.

Possibly one of the most important of them was his position as the Party's depot for propaganda literature. His father is a bookseller in Dacca and he himself assisted in the business (P. 469) and he therefore had peculiar facilities for this work. A specimen advertisement of his is P. 12. Writing under the name of the Vanguard Literature Co. and giving his address as 2/1 European Asylum Lane, Calcutta (the headquarters of the W.P.P. of Bengal) he offered to the public "The Call to Action", "Two World Currents, Communism—Fascism", "Hell Found" by Dange, and a book on the forthcoming agrarian revolution: and he invited applications for his syllabus of books which contained "a clear conception of Marxist theories." Joshi, and doubtless others, found this bookshop useful (P. 2148 and 2155). Propaganda was indeed one of his main activities. He was one of those entrusted with the work of organising the youth in different parts of the country..... Goswami and P. C. Joshi were others (P. 147). He proposed the formation of study circles in various places (P. 471). And he presented a thesis, or resolution, to the first All India Socialist Youth Congress on "the formation of organisation of youths of Marxist views", in which he

advocates among other things the immediate formation of a young Communist League of India, the "main general programme task" of which would be

- "(1) to spread radical Marxist ideas among the lower middle class, workers and poor peasants
- (2) to further the trade union activities and kick out the reactionaries and imperialists agents from the trade union movement
- (3) to educate in ideas and to give military training to the workers, poor peasants and students from its study circle classes volunteer corps." (P. 145.)

He wrote a life of Lenin (P. 251) and an article "Beware of Imperialist Lie" (P. 1257). His style is not perfect: his ideas overwhelm his power of expression; but his theories from the point of view of Marxism are exceedingly clear and sound.

He did not neglect other activities. He refounded the Dhakeswari Cotton Mill Workers' Union and became Secretary (P. 261), and busied himself with their strike (P. 526 [14]); there was another strike later in the year, and again he took part and called Chakravarty, another party member, to his aid (P. 260). He took part in a Scavengers' strike at Dacca (P. 526 [14]), and helped Spratt in his activities in Atia (P. 471). In May 1928 he was proposing to form Unions of the Dacca Workshop workers, the Jute Growers and the Jute Bailers (526 [14]).

It is hardly necessary to say more, except to refer to the fact that he had with him the report of the *Imprecor* on the VI World Congress of the Communist International (P. 259), a list of Communist bodies throughout the world

(P. 255), and much other Communist literature too plentiful to mention. I have already mentioned his resignation and more than once quoted his comment on it that both parties (he was a member of one of them) were sincere to the cause of communism and Proletarian Revolution (P. 549 [19] ); his leaflet on the subject makes it perfectly clear that his one regret was that the split postponed the day of revolution (P. 549 [21] ).

The case against him is clear.

#### **KEDAR NATH SEHGAL.**

Sehgal in his statement said that he was thinking of being a Communist, but was not one yet. He has been a long time making up his mind. He was certainly in touch with Majid and others of the Lahore group as early as July 1927 when he visited Spratt with them (P.Ws. 154-157); the next year he was present at the meeting in Amritsar where the Workers' & Peasants' Party of the Punjab was formed, and was appointed a member of the Sub Committee which was to draw up the rules and regulations of the Party (P. 747 volume 2, Urdu Translations, page 67). He was therefore partially responsible for drawing up the aims and objects of the Party: "to secure complete independence from the British Imperialism by every possible means etc." (P. 344).

It was as member of the Punjab Party that he attended the Meerut Conference in October 1928 and presided over it. His presidential address is given in full in P. 172 (Urdu translations volume 1, page 1). He gave a long description of the happy condition of workmen and labourers in Russia and stated definitely "We want complete independence, we want a Labourers' & Peasants'

Government". His speech is too long to quote in full. It shows that his objects were one with those of the Party. He was unable to attend the All India Conference, as he had intended, owing to his previous arrest (P. 334). He had already attended the Lyallpur conference of the Punjab party in September 1928 and made a speech there. He seconded the resolution that the Flag of the conference should be a Red Flag and also moved a resolution, which Sohan Singh seconded, demanding that every one should be allowed to carry arms (P. 1908). Other speeches of his are on the record. When his property was searched *the A. B. C. of Communism* was found with him, and Trotsky's book entitled "*Towards Socialism or Capitalism*" (P. 755 & 757), as well as the 1926 Manifesto of the Communist Party of India (P. 769). The Minutes of the Naujawan Bharat Sabha show that he was closely associated with that body, which was dominated by Sohan Singh.

No other activity bearing on this case has been traced to him, but what I have said is sufficient to show that he was a genuine member of the W.P.P. and accepted their objects and their methods. This is sufficient ground for framing a charge against him.

## XLII

### **Radha Raman Mitra.**

Radha Raman Mitra claimed that he was not a member of the W.P.P. It may be that his claim is correct technically. He was member of the Reception Committee of the All India Conference (P. 122), but paid Re. 1/- only (P. 105), the fee fixed for non-Party members. At the same time his connection with the Party was obviously close: and it was made closer by the fact that he was Secretary of



the Bengal Jute Workers' Association, which is affiliated to the W. P. P. of Bengal (P. 511 (3)). Actually he took a large part in the proceedings of the Conference, and seconded a resolution there (P. 334). He led the procession organised by the Party which captured the Congress Pandal on 26th. December. On that occasion he carried a red flag (P. W. 233).

This connexion of his, even if it does not amount to full membership of the Party, suggests that he was prepared to work with it. This alone is not enough: it is necessary to see also what his activities were in association with the accused, and what views he held. His activities, as shown in the evidence, lie almost entirely in the labour field. I have already mentioned that he was Vice President of the Jute Workers' Union, which was affiliated to the W. P. P. He was also Vice President of the Chengail Jute Workers' Union, and very soon after its organisation he effected a strike there which he ran in conjunction with Spratt and Goswami. He was similarly active with Shib Nath Banerjee, Gopendra Chakravarty, and Spratt in the Lillooah strike (P. W. 251), in the Ondal strike with Spratt and Goswami (P. W. 252), in the Asansol strike with Spratt and Goswami (P. W. 255), in the Bauria strike with Spratt, Gopendra Chakravarty, and Shamshul Huda (P. W. 267). In connection with the Lillooah strike it is noticeable that it was not until the W.P.P. had taken it up, after it had lasted 3 or 4 months, that Mitra appeared on the scene (P. W. 230). The Bauria strike was conducted mainly by the W. P. P.: as shown before the Girni Kamgar Union sent money for it and Bradley and Johnstone came down to address the strikers. Mitra and Spratt sent a joint telegram for help to Saklatwala (P. 115)—a proceeding which considerably

upset Kishori Lal Ghosh (P. 104). And he joined with Spratt, Bradley, Ryan, Joglekar, Mirajkar, Muzaffar Ahmad, Majid, and others in holding a meeting about the strike in December 1928 (P. 107). He joined in another meeting with Muzaffar Ahmad, Goswami and Chakravarty in connexion with the Scavengers' strike in March 1928 (P. W. 249).

Apart from these Trade Union activities he celebrated Lenin Day on January 20, 1929 with Goswami, Muzaffar Ahmed and Spratt. He made a speech, in the course of which he remarked that the present Labour movement is a revolutionary movement on a scientific basis (P. W. 233). This gives the clue to his trade union activities.

He was also associated with the Young Comrades' League of Calcutta, (P. 565, 566), which has already been mentioned as under the control of the W. P. P.

His views naturally appear from his speeches. I have already quoted one remark of his. On another occasion he said that the labour agitation was not child's play and its object was not to gain increased rates. The workers would be trained as national soldiers who would be ready to fight for their country at the call of their leaders (P. 2225). His speeches about the Simon Commission showed him to be thoroughly soaked in Marxian phraseology and ideas. He shows that complete independence even is not enough: it must be complete independence for labourers, "Simon stands for imperialism" and "Simon stands for capitalism", "Whatever Simon has got, it is Capitalism, Imperialism, Landlordism, etc. etc. We want none of these," (P. 2469). In his Lenin Day speech (P. 2459) he gave a disquisition on the principles of Marx and Lenin, which showed that

he had made a complete study of the subject and had adopted its theories as his own.

There can be no doubt that he was entirely at one with the members of the W. P. P. and was considered by them as one of their workers, and that he worked with them with their methods and for their objects. A strong case is made out against him.

### **SHIB NATH BANERJEE.**

Banerjee's case presents an almost exact parallel to Radha Raman Mitra's. He too was an affiliated member of the Party by virtue of his association with the same body, the Bengal Jute Workers' Union, of which he was President (P. 34). Muzaffar Ahmad defines his status in a way which leaves no doubt as to his belief in Banerjee's actual cooperation with the party (P. 1892). He attended the All India Party Conference and was the subject of a resolution of sympathy (P. 334). In the demonstration of December 26.h., in which the Congress Pandal was raided, he was one of the leaders (P. 233). Like Mitra he began to take part in the Lilloah strike after it was taken up by the W.P.P. and delivered a large number of speeches in company with other accused, particularly Chakravarty. He accompanied Chakravarty, Spratt, Muzaffar Ahmad, and Goswami to a Scavengers' strike meeting on April 4th 1928, but was frightened away by the reporters (P. 2175). On the 11th however his courage revived and, accompanied by Spratt and Muzaffar Ahmed, he addressed the Scavengers (P.W.232). He took part in the Asansol strike also (P.W.236).

I have seldom mentioned the T. U. C. activities, important though they are, because of the difficulty of

assigning definite motives to the participants in the short reports available. I must make an exception in this case. Banerjee attended the Jharia conference and voted throughout with Spratt, Bradley, Muzaffar Ahmed, Joglekar, Thengdi, Mitra, Ghate, and Shamshul Huda (P.W. 179). In particular he spoke, with Bradley and Joglekar, against sending delegates to the International Labour Conference at Geneva...a conference which from many exhibits (P. 545(6)) is regarded with peculiar distaste by the Communists as "an Imperialist Organ". Bradley records that the opposition to the proposal to send delegates was "carried on in a definite and organised manner" (P. 650). Banerji was therefore a part of the organised group which I have already mentioned.

He joined Spratt in forming the Ishapur Ordnance Workers' Union, and became its first Vice President, with Spratt as the first president (P. 548 (9)). He was also an officer of the Tramway Workers' Union, in which Spratt took a good deal of interest (P. 525(3)).

The few speeches of his which are on the record are not very violent in tone, but the Russian theme emerges on occasion and as usual he cites with approval the fact that the Russian workers "took the kingdom in their own hands" (P. 1936). This shows at any rate his trend of thought and suggests the motives which actuated him.

Considering his very close association with the Party, his obvious agreement with their principles, his association with members of the party in their trade union activities and demonstrations, I am of opinion that there is good ground for believing that he entered the conspiracy with them.

### HUGH LESTER HUTCHINSON

Hutchinson was arrested in June 1929, some three months after the other accused. The conspiracy is, or can be, a continuing one: the work of the Comintern does not stop because some of its agents are arrested in India, and it needs no ruling to establish the proposition that any action which he may have taken after March 20th can be evidence of conspiracy against him; it cannot however be used against the other accused. It is necessary to emphasise this particularly in the case of the New Spark, a paper which he founded after the arrest of Desai, the editor of the Spark: it would be unfair to Desai to presuppose any connection between the two papers merely from the similarity of name and, it may be, of views, or even from the Editor's own announcement that he was continuing the good work of his predecessor Desai.

Hutchinson's activities therefore fall naturally into two parts—before March 20th and after March 20th. He arrived in India on September the 17th. 1928. When Allison came out to India, he came under a false name, Donald Campbell; when Spratt came out, he came under his own name, but described his occupation as that of a bookseller, whereas his main connection with books has been with prohibited literature and pamphlets of his own writing. Similarly Bradley came under his own name but as Agent for the Crab Under drain Tile Co., whereas his underground work in India has had nothing to do with tiles. Hutchinson on the other hand not only came out under his own name but apparently made no pretence of having an occupation. I have not been referred to any, and from his history it is hard to discover what, if any, legitimate work he does. I hoped that he would explain this, as

perhaps he will do later: but he only described himself as a journalist, a description which had already been appropriated by most of the other accused.

He took some time to settle down. He came out in the same boat as a Mrs. Nambiar, the wife of the A. C. Nambiar to whom I have already referred as one of the Berlin group of conspirators. He had presumably come in touch with him in 1927 when he was in Berlin (P. 1041): from this letter it appears that he was of the same school of thought as the Sunday Worker, one of the organs of the C.P.G.B. Hutchinson was on excellent terms with the family: he lodged with Mrs. Nambiar practically all the time he was in India until his arrest (P. W. 94), and A. C. Nambiar refers to him in a letter to his wife by his Christian name (P. 1811). He also wrote to Nambiar when he was anticipating arrest (P. 1810). It was this Nambiar who gave Adhikari an introduction to Mrs. Nambiar (P. 1683); and he had previously written to his wife to suggest that she and Adhikari might be able "to arrange some sort of class" (P. 1657). It is curious to notice that a little later Mrs. Nambiar and Hutchinson did arrange "some sort of class". M. N. Roy used Mrs. Nambiar as an address through which to reach Adhikari (P. 1676), just as Nambiar himself was used as a cover address for Roy (P. 1512).

It was with this connection that Hutchinson came to India. He settled at Khar, near Bombay, lodging with Mrs. Nambiar: and presently with her he took part in a performance of Tagore's "The Red Oleanders." During the rehearsals he got in touch with other youthful members of the caste and suggested the formation of a study circle, to study social, economic and political questions. The

suggestion bore fruit, and in November 1928 the Circle of Progressive Youths was formed. Hutchinson, Mrs. Nambiar and four others were members: one of the four was Liaqat Husain, who has given evidence about it (P.W. 264); and the minute books of the Circle were found with Hutchinson (P. 1030). The members were known by pseudonyms- Fraternity, Tenacity, Solidarity, Equality, Liberty, Sagacity. There is a familiar ring about these names.

A great deal has been heard during the case about the need for study circles: it is interesting to find one in operation. The use of pseudonyms was obviously meant to give an atmosphere of secrecy and (I must use the word) conspiracy. And the main work chosen for study was Stalin's *Leninism*. They continued this till they came to the chapter on "Strategy and Tactics." At this point Liaqat Husain made a startling discovery: he did not mind studying the theory, but now he was being taught the practice of Communism. This was too much for him. He promptly resigned, alleging that he was too busy with his university work. (P. 2219). But Hutchinson was not deceived: he wrote back accepting the resignation, because he did not want half-hearted comrades (P. 1030). Obviously he was trying to make them whole-hearted comrades for some cause: his choice of literature suggests what that cause was.

That this was not an instance of isolated work, which, however reprehensible, could not be brought under the head of conspiracy, is shown by the fact that a frequent visitor to the Circle, which incidentally was held at Khar was Amir Haidar Khan, the absconding accused and a

member of the C. P. I. (P. 1297). And on one occasion at Hutchinson's suggestion, the circle decided to get in touch with Bradley. This definitely links up the study circle with the communist group of Bombay

Hutchinson's earlier activities lay mainly among the youth. On February the 3rd. 1929 he addressed two meetings, one under the auspices of the Bombay Youth League, and the other, late in the evening, under the auspices of the Matunga Youth League. The first of these meetings was presided over by Shaukat Usmani, and the subject "The Road to Insurrection". The tone is what might be expected from such a title: the lecturer presupposes the necessity of a revolution, warns his audience against "the treacherous nationalist leaders", argues that the "only hope of freedom is in the unity of the Indian Revolutionary movement with the working classes of the world", and ends with an incorrect quotation from Marx (P. 1694). The second lecture was one on 'Youth and Politics'. He starts by saying "It gives me much pleasure to be here this evening to address so many of the potential revolutionaries of India". He then proceeded to make them actual revolutionaries, and ended.

"Youth all over the world, revolutionary youth, must unite and band together to get rid of these swine. . . . these people who exploit other people by torture, these people who live on the blood of the millions of the land" (P. 1693).

Then came the arrests and Hutchinson stepped out into the open. The Bombay Youth League organized a meeting to protest against the arrests and Hutchinson spoke. It would not be fair to quote what he said about



the "31 heroes of the working classes", but his advice is relevant to the case:

"I appeal to you to prepare yourselves to step into the shoes of those who are taken away. Mr. Jogiekar was last night taken away. Prepare yourselves to take the places of those who are taken away.... Now, Friends, when you have to prepare yourselves, you have got to study the policy which has sent the Comrades away. If you study that policy, you will see that it is right. You must be prepared to carry out your work, and if you are, you must understand it.... Form study circles, read, prepare yourselves for India's freedom. (P. 1692).

On April 21st he addressed the Dadar Youth League. In his speech he divided the population into five classes, of which the last two are (4) those who wish to have complete independence and severance of the British connection and (5) those who are out to achieve the full emancipation of the working classes of India. He approved only of the last class and showed what he meant when he described the Communist Party of Great Britain as "the real leadership of the Working class" (P. 1507). And on May Day 1929 he addressed the Worli Youth League (again the youth! and spoke of the Rilü, "the great revolutionary Trade Union of Europe, the only Trade Union that stands for the interest of the Workers, the Red Flag Union". His impressive peroration, marred by the audience's mistimed laughter, runs on the old lines—

"Consequently as soon as the workers of the world come together and are united, then the Ruling-Classes all over the world will be swept off away absolutely in sea (laughter). The working Classes will then have achieved victory of the Red Flag for the products of the world." (P. 1695).

His views are clear enough, and his connection with other members of the conspiracy equally clear. With regard to other evidence about him I need only mention that he had in his possession a copy of Sohan Singh Josh's speech at the All India W. P. P. conference, the theses presented at that conference, and other literature of the same nature. He also had Palgrave's *Golden Treasury*—harmless in itself but suspicious because of the way in which this book was used as the key to the figure cypher.

On March 3rd. 1928 he founded the New Spark (P. 1988); a perusal of this paper will show its nature. And he gave a practical example of the advice he had given to "take the places of those who are taken away" by becoming vice-president of the Girni Kamgar Union (New Spark, No. 6), as well as by taking up the Spark where in his opinion Desai had left it (New Spark No. 1).

His speeches show that he was working for the same objects as the other conspirators; his activities show that he was using the same methods as they, and was associated with them both in India and abroad. There is a good prima facie case that he was part of the conspiracy.

#### **Motiram Gajanan Desai.**

Desai has dissociated himself from the other accused in a detailed statement, and his case has been argued very ably by Mr. Kirtikar, to whom I am much indebted for his analysis of the evidence. I have examined all his arguments carefully and at his instance have read through the files of the Spark, Desai's paper, with special reference to his points: it is because I feel that his arguments contain only a portion of the facts that I am unable to agree with him that no case fit for committal has been made out.

The only activity with which Desai is charged is his editing of *The Spark*, a weekly paper in English published in Bombay from January 27th 1929. To connect him with the conspiracy the prosecution has to show

(1) that *The Spark*, and presumably its editor also, is communist, or at any rate propagates the views which the conspirators want to propagate and

(2) that it was published in pursuance of the conspiracy. Evidence on the first point naturally consists almost entirely of the contents of the paper itself. On the second point, the evidence must be more indirect and the point can be established only from inference derived from association etc.

Desai has given a history of his life in his statement, and though much of it remains to be proved, it can be assumed to be generally correct—that he went to England in 1924 and took up journalism there, working not only for the *Sunday Worker* (which has been proved P. 1250) but also for some other more reputable papers. He came out to India in October 1927 and worked on the staff, first of the *Bombay Chronicle*, and then of the *Indian Herald*. On the liquidation of the latter he determined to start a paper himself, and the first number duly appeared on January 27th 1929.

In its first number the editor defines the policy of the paper,

“It is almost utopian for instance to expect a socialist daily in Bombay like the *Daily Herald* in London. But if we have correctly sensed the need and adequately and courageously meet the demand, it should not be difficult

to have a self-supporting weekly that would be free to go straight Left on all questions involving vital interests of the working masses.

The Spark will be anti-capitalist, anti-zamindar, anti-communal but above every thing anti-Imperialist. There is neither Moscow gold nor moneyed interests nor a Maharaja's treasury behind it. In fact, its continued existence will be impossible without ungrudging support from the class whose cause it endeavours to champion.

We are painfully conscious of our limitations. But even a 'rag' like ours can work wonders especially when soaked in Marxian oil and ignited by a spark from the sharpening clash of class forces. If it can not move mountains, it might clear away the jungles of parasitic interests and blaze the Workers' path to Power." (P 577(1))

It has been urged that the mention of the Daily Herald, a comparatively orthodox labour paper, shows his real ambition. In the face of his definition of his aims in the latter part of the quotation, this cannot be accepted. Nor can I accept the explanation that imperialism has no reference to the suzerainty of the King Emperor, but only means "capitalism in its operations abroad." Nor, when he contrasts Dominion Status and Independence in the same issue, and declares for the latter, can I accept his explanation that "independence" to him means "freedom from hunger and cold": words must be taken to have their usual significance, and the context implies that they are intended to mean what every one else means by them. But even in this explanation the Communist definition of Imperialism as "parasitic or decaying capitalism" (P. 526 (25)) is clearly at the back of his mind.

In the same issue is the article to which I have referred,

on "Dominion Status," written by Desai himself. It has been argued, as a proof of his moderation, that he has here stated that he would be content with Dominion Status if it improved the lot of "the starving masses of India". The whole passage should be read:

"If Dominion Status can improve their lot by a fraction, it is criminal at this stage for well-fed idealists to oppose Dominion Status. But if Dominion Status only benefits a small exploiting minority while plunging the dusky millions of India into a condition worse than even today, then to bulldoze them into supporting Dominion Status is a sanctimonious fraud too mean for words "

The rest of the article attempts to show that Dominion Status means an alliance between Imperialists, Indian princes, Indian zamindars and capitalists: and

"Once this fourfold unholy alliance between all the predatory interests in the country is cemented, the exploitation of the masses will not abate but be intensified tenfold and the chances of freedom grow more remote than even today."

It is impossible to gather from this even a qualified approval of Dominion Status. In a later part of the article he mentions the "coming war"—the bogey which runs through all communist literature.

The other issues are on the same lines. The big headlines are given to communists such as Clara Zetkin the material about whom was probably supplied by Muzaffar Ahmad (P. 440), the front pages to members of the conspiracy. The news culled from other sources—press services etc.—is all selected for its communist subject or tone. A

regular feature of the paper is a column entitled "Marxism for every man". There are quotations from works of M. N. Roy, R. P. Datt, and Russian Communists. I can find no trace of any moderation. Desai admits that he is a Marxist. Leninism of course is a development of Marxism and the two are not necessarily identical: there is in this paper little sign of any divergence. The very title "Spark" is taken from Lenin's paper Iskra.

In addition to this Desai's house when searched was found to contain a large number of issues of The New Masses, The Sunday Worker, The Worker's Life, The Labour monthly, The Communist, mostly of dates subsequent to his arrival in India. It may be true as he alleges, that they came to the offices of the papers with which he was connected and were taken home by him: but his choice of what to take home has still to be explained. The *Imprecor* report of the 6th World Congress was sent to him direct, (P. 1818) but was detained by the police.

It is possible that his exposition is occasionally faulty according to the higher standards of communism, but taking the paper itself and the other circumstances into consideration I have no doubt that the paper was engaged in preaching communism, and that Desai himself was a communist, or, at the very least actuated by the desire to rouse the working classes forcibly to take the Government of the country into their own hands.

This suggests that he was a partner of the other accused who were trying to do the same thing. But before he can be charged with conspiracy some closer connection than mere similarity of purpose has to be shown. Desai

was not a member of the W. P. P. or of the C. P. I. and so proof of connection has to be shown otherwise.

When he was in England he used to visit the Labour Research Department (P. 1872), but it is quite possible that his explanation on this point is correct, that he only went there for purposes of reference. Stronger evidence is afforded by the contents of the paper itself. To begin with, it was issued a fortnight earlier than was intended, solely in order to advocate the W. P. P. members who were candidates in the Municipal election (Spark No. 1). He also gave a long notice of the W. P. P. meeting on Lenin day, and reported the speeches of Shaukat Usmani, Bradley, Nimbkar, Dange and Adhikari, with appropriate comments showing his agreement with them. In the second issue the chief article "Bombay's Blood Bath" was devoted to showing that the Bombay riots were not caused by Moscow, and that the G.K. U. had done its best to stop them: in the 5th. issue he allows Ghate to give a report of the work of the G. K. U. In an unpublished article on the Dock Workers' Union he clearly supports Mirajkar; and in another on the textile workers he hails with joy the efforts of "the extremist leaders" to create a mass force on the lines laid down in the G. K. U. leaflets such as (P. 267), issued by Dange and others of the accused.

But it is not only a question of policy. In the seven numbers of the Spark I can only find 15 signed contributions, apart from the extracts and quotations already mentioned. Of these one is by Desai himself. The rest are as follows; Adhikari (3), G.C. Shah (3), Bradley (1), Spratt (1), Coates 1) Hutchinson (2), Mehrally (1), S.V.G.

(1), B.T.R. (1). Adhikari, Bradley, Spratt, Hutchinson and S. V. G. (Ghate), are accused in this case, and I have already found them prima facie conspirators. Mehrally is the Secretary of the Youth League, and it was under his auspices that Hutchinson addressed the League on March 26, 1929, to protest against the arrest of the accused (P. 1632). G. C. Shah is a member of the W.P.P. Bombay, and was regarded by them as a useful author of propaganda pamphlets (P. 1620). B. T. R. is obviously B. T. Randive, who figures in the proceedings of the C. P. I. on 17th. March 1929 (P. 1296). Coates is the only contributor of whom I have no information: all the rest are directly connected with the W. P. P. and its activities.

Much the same can be said of the unpublished articles found with him. Apart from those by Desai himself there are 8 (and in fairness to Desai I include those shown in the search list (P. 1246) but not exhibited). Of these eight two are by M. N. Roy (P. 1255, 1256), one by Ghate (P. 1252), one by Basak (P. 1257), one by "Indian Youth" (item 152), one anonymous one (Item 150), one by Houghton (item 127) and one by Aziz and sent by Adhikari (item 124). Even this list is significant. It cannot be said that these articles had been accepted, and Desai complains that he cannot be held responsible for what cranks and faddists send him. I agree, but the fact that they do send has some significance; and as regards Roy's articles, it can be said that if he did not publish them he at any rate agreed with them. I have already quoted Roy's comment on the "capture of the Congress" in December 1928 by the demonstration held by the W. P. P. This occurs in one of the articles found with Desai (P. 1256). In his own article on Dominion Status (No. 1, Spark) Desai says, with reference to the same incident,



“Fortunately in this atmosphere of “terrible unreality” and misty idealism, flashed the lightning-like challenge of militant Labour on the second day of the meeting. Disdaining to disguise their meaning behind diplomatic phrase those thirty thousands men of action captured the pandal and in the fewest words proclaimed what they were after and how exactly they would go about the job”.

It is not pretended that one is taken from the other : but the inspiration behind both is the same.

In his possession was a copy of ‘Call to Action’ and several copies of the thesis presented to the A. I. W. P. P. Conference. Actually too he asked Spratt for his article (526 (2) ), and when sending it Spratt showed clearly that Desai was familiar both with him and with Muzaffar Ahmad (P. 2006)...“Muzaffar will no doubt be writing to you as regards sales here”. He was also known to P. C. Joshi, who wrote to Muzaffar Ahmad, “I also read Desai is to edit a weekly. Is it true? When is it to come out?” (P. 2155), as if Desai needed no introduction to either side. This was on February 14th. 1929. In March he wrote to Gauri Shanker “The weekly Spark is being published from Bombay. Did you get it? It is an organ of the party” (P. 195). Actually he probably had not seen it at that time (P. 1099), and his statement that it is an organ of the party cannot be taken as technically accurate: but it shows what he knew, or thought he knew, about it, not from the nature of its contents but from other information he had received. Dutt also knew him (P. 527 (1) )

The Party in fact assumed a semi-proprietary attitude towards it. It was not official, and no mention of it is

ound in the proceedings of the W. P. P. Bombay, while Thengdi, who lived in Poona, obviously mixed up Desai and Adhikari (P. 230). The confusion was not unnatural, considering the close connexion which existed between Adhikari and the Spark. It certainly was not the long-hoped for All-India weekly, suggested for instance by Roy (P. 377 (1)). In fact when he saw it Roy was rather disappointed (P. 1676): he had obviously expected more of it, but found it "very very welcome". One question arises: Roy's article on the W. P. P. is dated January 19th. How did he know of the Spark before it even came out, if it was really in no way connected with the conspiracy? If on the other hand, the article was sent later, Desai's argument that, he had deliberately not used it, though he had had it some time, falls to the ground.

The fact that the spark was regarded as semi-official is shown by the haste with which copies of it were sent to Roy and others. Bradley sent a copy almost at once to Potter Wilson with the remark "it has got to be improved" (P. 2417). He obviously regarded it as a vehicle for conspiracy. And finally Adhikari writing to Roy seems to have summed up the position accurately: "*Iskra* is in other hands but we control it to a certain extent; if we could finance it, we could get guaranteed control of English material" (P. 1174). As I mentioned before '*Iskra*' was Lenin's paper, and the word is Russian for spark.

Putting all these things together, the tone of the paper, the fact that it was anticipated and welcomed by other conspirators in Bombay, Bengal and U.P., that its columns were filled by them, followed their policy, and advertised their organisations and that they helped in its sales, the conclusion is obvious that the paper was being used by

them for purposes of the conspiracy. Desai is not unintelligent: he knew these men and both as a journalist in connection with the general strike and as a reporter to his own paper on Lenin Day, he must have known their objective. His own articles show that he agreed with that objective and, whatever were the motives with which he started the paper, by lending it & himself to their campaign he joined them in the conspiracy. There is good ground for committing him with the rest.

### **KISHORI LAL GHOSH**

Kishori Lal's case presents some difficulties. He is not a member of the W. P. P. of Bengal, yet he has acted in several matters with members of the Party. As Secretary of the Bengal Trade Union Federation he has a natural connexion with strikes: as a vakil he had a professional connexion with Campbell; and as a journalist on the staff of the Amrit Bazar Patrika, he had access to document which, if in the possession of a private individual would justify the drawing of an adverse inference. This in essence is his defence: and the difficulty is that there is so little to throw light on the real motives for his actions, and some of what there is is so contradictory.

The case against him can be put under three heads—  
(1) Trade Union and other activity ; (2) Opinions and  
(3) Association with other accused. I will take them in order.

Trade union activity apart from that carried on in conjunction with the W. P. P. does not concern this case. It is proved, and he does not deny it, that he took part with the other accused, or rather some of those from Bengal, in the Lillooah strike ( P. W. 230, 234 ), the two

Chengail strikes (P. W. 69, 231), and the Bauria strike (P. W. 267). He also took part with some of them in a meeting of May 1928 (P. W. 249), the object of which is not clear, in the May Day meeting 1928 (P. W. 249), and in the demonstration which was taken out by the A. I. W. P. P. conference on 23rd. December (P. W. 274). He was also present at the A. I. W. P. P. conference (P. 179). He was not present at any of the other meetings or demonstrations held by the Party.

All these meetings, except the A. I. conference were clearly occasions on which a genuine Trade Unionist might be present. May Day, whatever its significance has become of late years, is in essence a labour day. The Secretary of the Bengal T. U. F. might find nothing strange in attending such strikes and meetings: and of course it is not suggested that the accused were the only speakers or persons present. In particular he might legitimately go to the meetings in connexion with the Chengail and Bauria strikes, because in both cases he was an office bearer of the Unions concerned and the unions were founded under a direct mandate from the Congress (P. 24): the Bauria union was affiliated to the B. T. U. F. in opposition to the wishes of the W. P. P. (P. 2419). It must however be brought out that he did not attend any of the strike meetings at Lillooah until the W. P. P. had taken up the strike, more than 3 months after its inception, (P. W. 230).

As regards his attendance at the A. I. W. P. P. conference, and his participation in the procession, I cannot regard it as entirely unnatural for one who had an official position in the Trade Union movement and had personal friends among the leaders of the Party. I do

not think that these things taken by themselves show such a close connexion with the W. P. P., that he must necessarily be assumed to have accepted their aims. Strikes and labour meetings are in themselves legitimate: they only become illegitimate when indulged in for an illegitimate purpose. It is not possible to assume that because certain persons use a strike for unlawful purposes, every one who also assists in the strike, thereby becomes a criminal. In other words participation in such activities can, in the present case, only form proof of conspiracy if there is other evidence to show that the participant shared the views of the conspirators.

It is therefore necessary to show a closer connection than this. Often in this case the published views of an accused, or his public speeches, have been used to show this connexion. In Kishori Lal's case, several speeches are on the record but do not elucidate the question. He speaks throughout as a trade unionist concerned only with the immediate issues. He specially says so on one occasion: "It is to remove these ordinary human wants that we have to-day gone on strike and if this humble purpose is fulfilled, it will be enough for us." (P. 1893 (3)). And he goes on to say that it is evolution which is wanted, not revolution: though he hints that if demands are not granted, it might turn out to be revolution. This is unlike the frank utterances of party members. In some other speeches he defends the use of "Moscow gold", and praises the R.I.L.U. which sent money without asking, as compared with the I. F. T. U. which sent grudgingly though asked (P. 2264). But these are only hints of leanings towards Moscow.

His only literary effort was an appeal to the workers

of Jamshedpur (P. 36). I have previously mentioned the Jamshedpur problem...the workers and their leaders had quarrelled and two unions had been formed in place of one with disastrous results (P. W. 261). The appeal is one for unity, and states that Kishori Lal, under the instructions of Jawahir Lal Nehru and N. M. Joshi, would visit Jamshedpur to see if a reconciliation could be effected. The circular is of interest only for its language which is, as Kishori Lal admits, inspired by the *Imprecor*; it contains the well-known slogan "Workers of the world unite", and speaks of solidarity and so on. This again is significant but not conclusive.

It was however unnecessary to bring in the *Imprecor*, which Kishori Lal says he got from the office of the Amrita Bazar Patrika. The issues of that paper possessed by him are very old, and it is possible that his explanation in respect of them is correct: though even this fails to account for the interest which induced him to take them. But he had more modern books to which he could refer.... Stalin's "*Leninism*", "*Russia's Path to Communism*" (Zinovief), "*Ten days that shook the World*", "*Lenin as Marxist*" (Bukharin), "*The Revolutionary Movement in the Colonies*" (P. 87-91). These were all found with him, and are a selection which needs more explanation than he has given. In a note book of his he has written the names of some of Marx' books and other communist literature (P. 46). There is certainly a suspicion that he was, as suggested by the prosecution, flirting with communism, and this is apparent too in his Appeal and perhaps his speeches: but possession of the books, or even knowledge of the subject, does not imply approval. The possession of this literature, taken for what it is worth, and his cooperation with the

W.P.P. in strikes deepens the suspicion: but more than suspicion is still required.

The next point is his association with the accused in other ways. He acted for Donald Campbell when the latter was prosecuted: and it would not be fair to bring that up against him. But before that he was in touch with Campbell, who wrote to him (P. 77) about some T.U.C. matters: and Campbell also gave Spratt an introduction to Kishori Lal, and suggested that Kishori Lal would be a good man to go to the P.P.T.U.S. conference at Canton in May 1927 (P. 38). This presupposes a greater intimacy between the two men than is explained by Kishori Lal in his statement.

Johnstone and Ryan were two more visitors to Calcutta, representing the League against Imperialism and the P.P.T.U.S. respectively. Again it may have been in his official capacity that Kishori Lal met them; but he obviously got on well with Johnstone (P. 1999); and he got members of the W.P.P. to meet Ryan (P. 26) But little importance need be attached to this. More significant is his note book with the addresses in it, of Kedar Nath Sehgal, M.A. Majid, the Indian Seaman's Union, and Sumendra Nath Tagore.

His correspondence with the last named is again suspicious. Tagore went to Berlin as a professed communist—he was on the executive of the old C.P.I.—and there joined forces with the Berlin group such as Nambiar (P. 2008). He corresponded with Kishori Lal on such subjects as the affiliation of the T.U.C. to the Internationals; he informed him that he had sent money to Muzaffar Ahmad and Dange to subsidise labour papers and offered

to get some money for him for the same purpose—the exposure of the exploitation of the masses and the repression practised by Government (P. 76). The very fact that Tagore had to give an accommodation address (P. 72(1)), c/o Agnes Smedley, should have seemed remarkable.

He also corresponded with Agnes Smedley herself in connexion with a press service between India and Berlin. (P. 72, 79).

He thus had connexions with the continental group and the address book shows a connexion with the Lahore group. The latter do not come much into contact with him as far as the record goes: it is naturally with the Calcutta group that he was most in contact. And from the beginning of 1928 the most important of these was Spratt, who, as has been mentioned before, was sent to him by Donald Campbell.

There can be no doubt at all that he was on very intimate terms with Spratt in particular, and with most of the Bengal accused. He allowed spratt to make use of his address for letters. It should be made clear that it was not a cover address—in general letters were addressed to Spratt c/o Kishori Lal Ghosh, and the explanation he gives that Spratt's movements were so erratic that he wanted to be able to give a permanent address, is in itself plausible: there was no attempt, say, to deceive the police. But it betokens close intimacy; and on, at any rate, two occasions C.P. Dutt used him as a real cover address for Spratt (P. 2001, 2002,—in both cases to ensure the safe delivery of a very important letter. It is obvious from his diary (P. 43) that Spratt came in and talked over important events in the life of the W.P.P. He had no



hesitation in deputing Spratt to make some inquiries for him (P. 24).

Spratt too had hopes of him. After his first meeting with him (apparently) at the beginning of 1928, he described him to Dutt as

"an honest man and very intelligent.....he is rather inclined to be "statesmanlike" like Joshi, but is improving"

(P. 526 (29)). It may be remembered that he made a similar remark about Jhabwala "Huz is improving" (P. 2328 (2)); and the meaning is obvious. He was an affiliated member of the Labour Research Department late in 1928, and presumably had been earlier, as in October 1923 Spratt wrote to Page Arnot:

"About Research Work, I am afraid I have to record a complete blank, Dange has done nothing in Bombay, on account of the strike, and Kishori has the same record here, for less tangible but equally formidable reasons"

(P. 2419)—If Kishori works in a team with Dange and Spratt under the Labour Research Department, very little more is wanted. In addition to this, Kishori Lal was in correspondence with Harry Pollitt and the National Minority Movement, and quite clearly approved of the literature issued by the movement, and of *The Worker* and the *Sunday Worker* (P. 30). He agreed to become an honorary correspondent on trade union matters.

This is a formidable connection, all the more so because he knew Spratt's views perfectly well: in December 1928 he compared Saklatwala, Spratt and Campbell

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favourably, as Communists, with the "so-called communists" of the W. P. P. ( P. 24 ). It is made the more serious by the letters from Dutt to Spratt which I have already mentioned. The first was sent in an envelope addressed to Kishori Lal without any covering letter or enclosed envelope, and it contained Dutt's obviously code enquiries about " Rhuden and Uke-Rhug " ( P. 2002 ). Such a letter could hardly strike the reader as innocent: yet it was sent in such a way that the addressee, for whom it was not intended, was very likely to read it through. It is almost impossible to believe that a letter of such importance would be sent exposed to the gaze of a casual acquaintance of Spratt's who was not in the conspiracy.

The other letter was the E. C. C. I. letter to the W. P. P. Here there was a covering letter asking Kishori Lal to pass it on, but again there was no inside envelope ( P. 2001 ). The same remarks apply, with the addition that Dutt addresses him as " Dear Comrade " and signs himself " yours fraternally " with the usual " squiggle " as his signature. The use of this signature alone suggests that Dutt is writing to an accomplice.

This view is confirmed by the way in which Kishori Lal voted with the Party bloc in the T. U. C. especially in connexion with Dange's election as assistant Secretary ( P. 86. ). It must also be noted in connexion with the T. U. C. that he was on a sub-committee of nine, consisting of Spratt, Dange, Kishori Lal, Thengdi, Jhabwala, and four others, to draft a constitution for India, ( P. 545 ( 1 ) ). Spratt drafted a pamphlet entitled " Labour and Swaraj " with a subsequent appendix on the Nehru constitution ( P. 78 ), which was circulated to all the

members. There is nothing to show that the sub-committee accepted it; there is equally nothing to show that anyone criticised it—the reverse is implied. No one who reads this lucid pamphlet can fail to recognise its open communism: it is indeed one of the best and clearest expositions of the principles on which the conspiracy was working which is on the record. Kishori Lal's copy was found with him.

So also were the usual theses of the A. I. W. P. conference, the C. I. P. manifesto to the Gauhati Congress 1926, the W. P. P. manifesto to the Madras Congress, 1927, and many other similar papers, including the Langal and Ganavani. He certainly must have known the party's objects and connexions. His strike activities in company with party members assume a more sinister hue, and his advocacy of the R. I. L. U., his defence of Moscow money, and his use of Imprecor language acquire significance.

It must be said that his relations with the Bengal party were poor. Muzaffar Ahmad had attacked him in the Ganavani for creating Separate unions at Bauria and Chengail ( P. 593 ) and it was looked on as a retrograde step that they should be affiliated to the B. T. U. F., a " rather reactionary " body ( P. 2419 ). In spite of this, Sprait and other members of the Party helped him to conduct the strikes, and even accepted office in the unions ( e. g. P. W 69 ): and the enmity seems rather to have been a personal one between Kishori Lal and Muzaffar Ahmad, which eventually broke into an open quarrel ( P. 75 ). This possibly explains why he never joined the Party: another reason would be his delicate position in the B. T. U. F.

“ He does not like displeasing people and in any case has to go carefully, to avoid the formation of a majority bloc against him in the Bengal T. U. Federation ”

( P. 526 ( 29 ) ). His personal enmity was combined with a conviction that they were inefficient and possibly careerists:—

“ I have now begun to realise why there is such a strong feeling of hostility created against the so called Communists everywhere. From a study of their literature as also from association with Saklatwalla and Campbell ( Allison ) as also with Spratt, I had altogether different ideas about the so-called communists from what I actually found the members of the Bengal Peasants' and Workers' Party. They have hardly any initiative and dash. They are incapable of sustained work. They always delight in hampering other people in the task of organisation. They appear to have a sort of a clique of adventurers who because they are pledged to support one another, right or wrong try to dictate their own terms to other trade unionists who in most cases have to yield to them because they have no solidarity, but are rent asunder by petty personal jealousies and intrigues. Spratt is a very weak-minded man. He agrees with me on many things privately but cannot act on those views. I never came across an Englishman so absolved devoid of personality ( P. 24 ).

It may be considered that these candid criticisms are in his favour, that he would never have joined a conspiracy with such men: but it is to be noted that the criticism is of character and efficiency not of policy. And if he chose to remain aloof from such persons, it seems clear that he was all the time helping them in their labour work, was

throughout abetting Spratt, and had established connexions with other branches of the conspiracy elsewhere. His connexion with Dutt, with Saklatwala, with the National Minority Movement, with Sumendra Nath Tagore together with his close alliance with Spratt, all point in the same direction as his obvious interest in communism, and establish a prima facie case against him that he was a member of the conspiracy. The literature found in his possession explained the aims with the utmost clearness. His explanations are not sufficient to destroy the case against him, and it is therefore necessary to commit him to Sessions with the others.

#### XLIII

I have not attempted to deal with all the evidence against each accused. Indeed this order, however long it may be in itself, has not been able to deal with more than a very small part of the evidence. I have referred only incidentally to the important evidence given by the Scotland Yard witnesses; many documents of the highest importance have not been mentioned, or, like Spratt's "Labour and Swaraj", have been given the briefest of references. I have not been able to touch, save for an occasional reference, two topics which recur again and again in all communist literature and form the basis for much of their policy and their practical teaching: one is the anticipation of a war against the Soviet Republic, led by all the forces of Imperialism; the other is the Chinese revolution. On these two topics alone volumes could be...and elsewhere have been...written. I have not even mentioned any of the theses, reports and resolutions of any Congress of the Communist International prior to the Sixth, though these are of great importance in showing the aims and methods of the Comintern.

Nor in the case of most of the accused have I referred to the books and literature found with them, except in so far as the contents of such documents are required to prove some particular point. The fact that a certain accused had a large amount of communist literature in his possession is a significant fact: but its exact evidentiary value depends on other considerations.....what proportion this bears to the other literature which he had, what legitimate reasons there may be for their presence. A journalist might be sent books on communism for review: a student of economics might have some books on communism among other books on political science or political economy. And of course the police were concerned with only one type of literature; the search lists say only what was seized and not what was left behind. I have therefore preferred to rely on more positive evidence, of which there is more than enough.

I may now sum up the case. It has been definitely proved that:—

(1) The Communist International was founded in 1919, with its head quarters at Moscow, as the supreme head of all communist organizations through-out the world.

(2) Its chief aim is to establish workers' republics in every country.

(3) For this purpose it has as its fixed policy the exciting of violent revolution in all countries.

(4) In particular it has turned its attention to India and determined to cause a revolution, which has for its immediate object the overthrow of the sovereignty of the King Emperor in British India.



(5) With this object it has formed a conspiracy with persons and bodies in Europe and India and elsewhere to excite the Indian workers and peasants to revolution.

(6) These persons and bodies, whom I may call conspirators, have laid down a general plan of campaign under the direction of the Communist International.

(7) This plan includes the formation of such bodies as a Communist Party of India and Workers' and Peasants' Parties.

(8) The immediate work of these parties is to gain control of the working classes by organizing them in unions, teaching them the principles of communism, inciting them to strikes in order to educate them and teach them solidarity, and in every way to use every possible method of propaganda and instruction.

(9) The workers are thus to be taught mass organization with a view to the declaration of a general strike, followed by revolution.

(10) The peasants are to be organised in a similar manner so as to form an effective reserve force for the proletarian masses and to effect an agrarian revolution.

(11) In pursuance of these aims a communist party of India and four Workers' and Peasants' Parties.....in Bombay, Bengal, Punjab and United Provinces.....were formed.

(12) These bodies were given financial aid from Moscow, and their policy was dictated from Moscow, directly and via England and the Continent, through communications conducted in a secret and conspiratorial manner.

(13) In addition to this several persons, such as Allison, Spratt and Bradley were sent out to India for the express purpose of organizing the work and fomenting revolution.

(14) In pursuance of the directions, and with the financial help thus obtained, these bodies have organised unions, conducted demonstrations, edited papers, instituted youth movements, initiated and conducted strikes, and used all possible methods of propaganda.

(15) Their express aim in all those activities has been to overthrow the sovereignty of the King in British India, with a view to the establishment of a Socialist State under the Dictatorship of the Proletariat and the supreme command of the Communist International.

(16) In these activities all the accused, with the exception of Dharamvir Singh, are shown to have taken part with full knowledge and approval of their aims and objects, and directly or indirectly in league with the conspirators outside India.

(17) They therefore formed part of the conspiracy to deprive the King Emperor of his sovereignty of British India and are therefore liable to be tried under section 121-A. I. P. C.

I accordingly have charged,

- (1) Philip Spratt,
- (2) Benjamin Francis Bradley,
- (3) Ajodhya Prasad,
- (4) Shaukat Usmani,

- (5) Puran Chand Joshi,
- (6) Gauri Shankar,
- (7) Lakshman Roy Kadam,
- (8) Dr. Vishwa Nath Mukharji,
- (9) Dharni Goswami,
- (10) Shib Nath Banerji,
- (11) Muzaffar Ahmad,
- (12) Gopal Basak,
- (13) Shamsul Huda,
- (14) Kishori Lal Ghosh.
- (15) Gopendra Chakravarti,
- (16) Radha Raman Mitra,
- (17) Sripad Amrit Dange,
- (18) Sachhidanand Vishnu Ghate,
- (19) S. H. Jhabwala,
- (20) Dhondi Raj Thengdi,
- (21) Keshav Nilkant Joglekar,
- (22) Shantaram Savalram Mirajkar,
- (23) Raghunath Shivram Nimbkar,
- (24) Gangadhar Moreshwar Adhikari,
- (25) Motiram Gajanan Desai,
- (26) Arjun Atmaram Alve,

- (27) Gobind Ramchandra Kasle,
- (28) Sohan Singh Josh,
- (29) M. A. Majid alias Abdul Majid,
- (30) Kadar Nath Sebgal, and
- (31) Hugh Lester Hutchinson, under section 121-A, I. P. C. and commit them to the court of Sessions to take their trial there under that section.

For the reasons given in dealing with his individual case, Dharamvir Singh has been discharged.

#### XLIV

I must conclude with acknowledging the great help I have received in this complicated case from the members of the Bar on both sides. The defence counsel of course have not had much to do at this stage. Mr. Langford James, as Senior Public Prosecutor, was always ready to put his vast knowledge of the details of the case at the disposal of the court and the defence, and his lucid exposition at the beginning of the case was of the greatest assistance. Mr. Mitra was called on at a moment's notice to sum up the whole case for the prosecution and acquitted himself well under most trying circumstances. Mr. Khairat Nabi's knowledge of procedure has been tested on many occasions and has always proved sound: he too has acquitted himself very well.

I ought not to omit the investigating officer, Mr. Horton, whose patience and skill in working up and marshalling this mass of evidence are only equalled by his ingenuity

in the solving of cyphers. Occasional charges of wholesale forgery or tampering with documents were made in heated moments: I do not think that even those who made them really believed in them. For myself I can only say that after seven months' close companionship with the documents he has produced, I have not had any reason to suspect tampering or any kind of unlawful activity in a single instance. I will go further and say that I am convinced that none has taken place. It is a common thing to attack the C. I. D. I leave this case with a firmer belief than ever in their integrity and their fairness to the accused.

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