

C. R.

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.....Political.....BRANCH  
.....A.....Controlling Agency

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.....October.....  
.....Nos. 53 - 55.....

Previous reference

Later reference

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**CALCUTTA RECORDS 1.****1907.****GOVERNMENT OF INDIA:  
HOME DEPARTMENT.****PUBLIC**  
**Political** — **A.****Proceedings, October 1907, Nos. 53—55.**

Proposed prosecution of certain persons who molested the police reporters at a meeting held at Bhiwandi (Bombay Presidency) on the 23rd June 1907 in honour of Shivaji's coronation.

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**PREVIOUS REFERENCES.**

Pub. B., Augt. 1907, nos. 5—90.  
Poll. „ Dep., Augt. 1907, no. 2.

**LATER REFERENCES.****RETURN TO  
NATIONAL  
ARCHIVES OF INDIA**

# NOTES.

PUBLIC  
Political—A., OCTOBER 1907.

Nos. 53—55.

## PROPOSED PROSECUTION OF CERTAIN PERSONS WHO MOLESTED THE POLICE REPORTERS AT A MEETING HELD AT BHIWNDI (BOMBAY PRESIDENCY) ON THE 23RD JUNE 1907 IN HONOUR OF SHIVAJI'S CORONATION.

EXTRACT FROM THE NOTES IN PUB.  
POLL. B., AUGT. 1907, NOS. 5—90.

It is clear that there is still a good deal of political unrest in the country. The fire is still smouldering and we must stand by with the hose ready to extinguish any flame that may burst out. Khare's speech \* was clearly seditious, and as Government reporters were present it ought to be possible to prosecute him with success. He is a most persistent sedition-monger and I recommend that Bombay should be asked whether they propose to institute proceedings.

\* *Vide* Director of Criminal Intelligence's report, dated the 20th July 1907.

PUB.  
POLL. B., AUGT. 1907, NOS. 5—90.

2. The people who threw red powder in the eyes of the official reporters should also be prosecuted for assault, if no grave charge can be established.

3. The reports of all seditious meetings in Bombay during the past month should be obtained from the Director of Criminal Intelligence in order that it may be seen whether there is any case for suggesting the application of the Ordinance to certain districts of that Presidency.

4. These papers should be seen by His Excellency.

H. A. STUART,—23-7-07.

Khare's speech is not quite strong enough to support us in asking the Government to prosecute unless they see fit to do so of their own accord.

This is correct.

H. A. STUART.

If I remember rightly, the Ordinance cannot be applied anywhere except in the Punjab and Eastern Bengal and Assam.

H. A. [DAMSON],—23-7-07.

I agree with what I believe is Honourable Member's views that we should not ask a local Government to prosecute except in a very strong case.

At the same time we have adopted a policy of prosecution and I cannot but think that local Governments have occasionally shown a lack of initiative in that policy, which we expected them to carry out. Without asking for any action in this case I think we may quite naturally ask Bombay what they mean to do, and if they have done anything as to the throwing of red pepper in reporters' eyes.

M[INTO],—27-7-07.

H. A. [DAMSON],—29-7-07.

A draft letter to Bombay is put up.

C. C. S.,—30-7-07.

G. FELL,—30-7-07.

I understand His Excellency to mean that we are to inquire as to whether any action is proposed in respect of seditious speeches as well as against the persons who threw the red powder. I have modified the draft accordingly.

H. A. STUART,—30-7-07.

H. A. [DAMSON],—31-7-07.

54 LETTER FROM THE GOVERNMENT OF BOMBAY, NO. 118-P., DATED THE 19TH AUGUST 1907.

Submitted for information. His Excellency may see with reference to the note on page 1.

A. L.,—23-8-07.

G. FELL,—24-8-07.

I want the report about the interview which the District Magistrate had with Khare and also any report we may have of Khare's subsequent conduct. If we have not the information, the Director of Criminal Intelligence should be asked for it at once.

H. A. STUART,—25-8-07.

We have received no information about the interview the District Magistrate had with Khare, nor does he appear to have made any public speeches since the one of the 23rd June. On the 25th June the Superintendent of Police, Nasik, reported that Khare "was keeping his movements rather quiet" and the District Magistrate added that his popularity seemed to be vanishing, but the Bombay Criminal Investigation Department information does not bear out the District Magistrate's remark.

A. B. BARNARD,—28-8-07,

*Deputy Director, Criminal Intelligence.*

Submitted for information. His Excellency may see with reference to the note on page 1.

A. L.,—29-8-07.

G. FELL,—30-8-07

Will the Director of Criminal Intelligence please send us the information upon which his report of the throwing of red powder was based? If that was really done I think the culprits should be prosecuted, and I think it is the duty of the Bombay Government to see that they are prosecuted.

H. A. STUART,—31-8-07.

The information regarding the throwing of red powder was contained in the note to paragraph 598 of the Bombay police abstract, dated 13th July 1907. The abstract contains three separate reports of the proceedings so that corroborative evidence as to what occurred at the meeting is presumably available; one of the reporters was a Criminal Investigation Department officer, not therefore subordinate to the Superintendent of Police, in whose hands the matter is left by the Bombay Government.

The only account of an interview between the Magistrate of Nasik and W. S. Khare which I have seen will be found in paragraph 28, Bombay newspaper selection, dated the 17th August.

C. J. STEVENSON-MOORE,—5-9-07,

*Offg. Director, Criminal Intelligence.*

Submitted for information and orders.

A. L.,—9-9-07.

The Bombay Government apparently resent what they regard as interference in their domestic affairs. The meeting, at which the incident of the red powder throwing is alleged to have occurred, took place on June 23rd, and if the local police authorities intended to take any action they would have done so long ago. We inquired whether the Governor in Council had taken or proposed to take any action against the persons who were said (in the Bombay police abstracts) to have assaulted the police reporters. The only reply we are vouchsafed is that the Sub-Inspector or District Superintendent of Police will no doubt take notice of the incident if he considers his men to have been so far interfered with that they could not perform their duties, but that the intervention of the Governor in Council is unnecessary.

2. It is for orders whether we should express disagreement with this view, and whether we should go further and say that the persons who assaulted the reporters should be prosecuted. I venture to think that it would not be much use suggesting the latter course. Nearly three months have now elapsed and witnesses would probably be very difficult, if not impossible, to secure. I think that, if any action is to be taken, we should confine ourselves to remarking that if the note to paragraph 598 of the Bombay police abstract, dated 13th July 1907, page 454 (a), is correct, the Government of India consider that it was incumbent upon the Bombay Government to see that action was taken to bring the persons responsible for these assaults to trial, whether their assistance was invoked by the local authorities or not. If the statements contained in the 'note' were incorrect, they should not have been included in the police abstract which is published under the authority of the local Government.

G. FELL,—10-9-07.

I agree entirely. The Bombay letter is almost discourteous in tone and the principle of Government it enunciates by suggestions is altogether wrong. I would explain that the policy of the Government of India is one of resolute enforcement of the law against the seditious movement and that this must be uniformly pursued throughout the country. The letter should be carefully and temperately worded, but we must make it quite clear that control and supervision, both by the local Government and by the Government of India in such matters as this, are essential. The crime of sedition is on quite a different footing from ordinary crime.

His Excellency the Viceroy should see.

H. A. STUART,—14-9-07.

I fully agree. The last paragraph of the Bombay letter deals with the question that was asked by the Government of India in a manner that is tantamount to disrespect, and I would plainly say so in the reply. The letter is all the more reprehensible inasmuch as it comes from an acting Governor who is a member of the Indian Civil Service, though this of course we cannot say in our reply.

H. A. [DAMSON],—15-9-07.

I entirely agree.

What we must impress upon Bombay is that the policy of the Government of India is one of "resolute enforcement of the law" and that therefore control and supervision by the local Government and the Government of India is essential. Bombay does not seem at all to have grasped the position? Our letter can be quite temperately worded, but I cannot think this reply is what we had a right to expect, and we should explain our views to them clearly.

M[INTO],—22-9-07.

H. H. RISLEY,—23-9-07.

H. A. [DAMSON],—23-9-07.

A draft letter to Bombay is placed below.

A. L.,—26-9-07.

I understand that we are to tell Bombay that their letter is disrespectful and I have added a paragraph to that effect.

His Excellency should perhaps see the draft before issue.

G. FELL,—26-9-07.

His Excellency should see.

H. H. RISLEY,—30-9-07.

H. A. [DAMSON],—1-10-07.

Draft as amended approved. I have altered the last paragraph, for though it is strictly in accordance with my note (22nd September 1907), it looks somewhat too stiff when set down in black and white? I cannot bring myself to believe that Bombay meant to be intentionally disrespectful, though certainly the wording of their letter is far from what it should be. I think on the whole it is better to give them the benefit of the doubt on that point, and simply to deal with their mistaken line of action and want of initiative, as to which there can be no doubt.

M[INTO],—5-10-07.

H. H. RISLEY,—7-10-07.

H. A. [DAMSON],—7-10-07.

LETTER TO THE GOVERNMENT OF BOMBAY, NO. 37, DATED THE 9TH OCTOBER 1907.

Pro. No. 55

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PROCEEDINGS OF THE  
HOME DEPARTMENT, OCTOBER 1907.

**Proposed prosecution of certain persons who molested police reporters. [ Pro. No. 53**

**PROPOSED PROSECUTION OF CERTAIN PERSONS WHO MOLESTED THE  
POLICE REPORTERS AT A MEETING HELD AT BHIWNDI (BOMBAY PRESI-  
DENCY) ON THE 23RD JUNE 1907 IN HONOUR OF SHIVAJI'S CORONATION.**

No. 2010, dated the 1st August 1907 (Confidential).

No. 53

From—G. B. H. FELL, Esq., Deputy Secretary to the Government of India, Home Department,

To—The Chief Secretary to the Government of Bombay.

I am directed to refer to the report of a meeting held on the 23rd June 1907 at Bhiwandi, Thana district, in honour of Shivaji's coronation, at which several seditious speeches were made, particularly by Mr. W. S. Khare. It is stated that throughout the meeting the police reporters were persistently annoyed and molested, one of the means adopted being to throw red powder into their eyes.

2. I am directed to inquire whether the Governor in Council has taken, or proposes to take, any action in respect of the seditious speeches or against the persons who are said to have assaulted the police reporters in the fashion mentioned above.

No. 118-P, dated the 19th August 1907 (Confidential).

No. 54

From—H. O. QUIN, Esq., Acting Secretary to the Government of Bombay, Judicial Department,

To—The Secretary to the Government of India, Home Department.

In reply to Mr. Fell's confidential letter no. 2010, dated the 1st August 1907, I am directed to state, for the information of the Government of India, that the speech delivered by Mr. W. S. Khare at Bhiwandi in honour of Shivaji's coronation on the 23rd June last had already been noticed by this Government. Mr. Khare, being a resident of Nasik, has since had an interview with the District Magistrate of that district regarding his speech in question, and His Excellency the Governor in Council proposes to take no further action in the matter at present.

2. As regards the molestation of the police reporters at that meeting, I am to say that the Sub-Inspector of the taluka or the District Superintendent of Police of the district will no doubt take notice of the incident if he considers his men to have been so far interfered with that they could not perform their duties, but His Excellency the Governor in Council considers any intervention by him unnecessary in such a matter until the District Superintendent of Police applies for assistance.

No. 37, dated the 9th October 1907 (Confidential).

No. 55

From—Sir HERBERT RISLEY, K.C.I.E., C.S.I., Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Bombay, Political Department.

I am directed to refer to paragraph 2 of your letter no. 118-C., dated the 19th August 1907, regarding the molestation of certain police reporters at a meeting held on the 23rd June 1907 at Bhiwandi in the Thana district in honour of Shivaji's coronation. You observe that the Sub-Inspector of the taluka or the District Superintendent of Police of the district will no doubt take notice of the incident if he considers his men to have been so far interfered with that they could not perform their duties, but that His Excellency the Governor in Council considers any intervention by him unnecessary in such a matter until the District Superintendent of Police applies for assistance.

PROCEEDINGS OF THE  
HOME DEPARTMENT, OCTOBER 1907.

Pro. No. 55 ] Proposed prosecution of certain persons who molested police reporters.

2. The Government of India do not desire, in this particular case, to press for the prosecution of the persons who molested the police, especially as a considerable period has now elapsed since the incident occurred. I am, however, to explain that the policy of the Government of India is one of resolute enforcement of the law against a widespread seditious movement and that this policy must be uniformly pursued throughout India. The crime of sedition is not on the same footing as ordinary crime and the measures taken to suppress it require active control and supervision both by local Governments and by the Government of India.

3. The Governor General in Council therefore cannot in any way accept the views expressed in paragraph 2 of your letter as to the line of action you are prepared to approve, and regrets that the Government of Bombay did not exercise in connection with this incident the initiative and supervision which are so absolutely essential in dealing with the present seditious movement.

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