

APPENDIX

INDIGO LABOUR IN BEHAR.

WHAT THE COMMISSIONER THOUGHT.

Copy of the letter from the Commissioner, Tirhut Division, to the District Magistrate of Champaran, dated Muzaffarpur, the 13th April, 1917 :

Sir,

Mr. M. K. Gandhi has come here in response to what he describes as an insistent public demand, to inquire into the conditions under which Indians work on indigo plantations, and desires the help of the local administration. He came to see me this morning; and I explained that relations between the planters and raiyats had engaged the attention of the administration since the sixties, and that we were particularly concerned with a phase of the problem in Champaran now; but it was doubtful whether the intervention of a stranger in the middle of our treatment of the case would not prove an embarrassment. I indicated the potentialities of disturbance in Champaran, asked for credentials to show an insistent public demand for his enquiry, and said that the matter would probably need reference to Government

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I expect that Mr. Gandhi will communicate with me again before he proceeds to Champaran, but have been informed since our interview that his object is likely to be agitation, rather than a genuine search for knowledge, and it is possible that he may proceed without further reference. I consider that there is a danger of disturbance to the public tranquillity, should he visit your district; and I have the honour to request you to direct him by an order under Sec. 144, Cr. P. C., to leave at once, if he should appear.

I have the honour to be, etc.,

(Sd.) L. F. MORSHEAD,

Commissioner of Tirhut

Division.

MR. GANDHI'S REPLY.

Mr. Gandhi's reply to the District Magistrate, Motihari :

Sir,—With reference to the order under Sec. 144 Cr. P. C., just served upon me, I beg to state that I am sorry that you have felt called upon to issue it; and I am sorry too that the Commissioner of the Division has totally misinterpreted my position. Out of a sense of public responsibility, I feel it to be my duty to say that I am unable to leave this district, but if it so please the authorities, I shall submit to the order by suffering the penalty of disobedience.

I most emphatically repudiate the Commissioner's suggestion that "my object is likely to be agitation."

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My desire is purely and simply for "a genuine search for knowledge" and this I shall continue to satisfy so long as I am left free.

I have, etc.,

16th April, 1917.

(Sd.) M. K. GANDHI.

IN COURT

Mr. Gandhi appeared before the Deputy Magistrate on Wednesday, the 18th instant. He read the Statement printed below, and being asked to plead and finding that the case was likely to be unnecessarily prolonged, pleaded guilty. The Magistrate would not award the penalty but post-poned judgment till 3 P. M. Meanwhile, he was asked to see the Superintendent and then the District Magistrate. The result was that he agreed not to go out to the villages pending instructions from the Government as to their view of his mission. The case was then postponed up to Saturday, April 21.

MR. GANDHI'S STATEMENT

The following is the text of Mr. Gandhi's Statement before the court.

With the permission of the Court, I would like to make a brief statement showing why I have taken the very serious step of seemingly disobeying the order made under Sec. 144 of the Cr. P. C. In my humble opinion, it is a question of difference of opinion, between the local administration and myself. I have entered the country with motives of rendering humanitarian and national service. I have done so in response to the pressing invitation to come and help the raiyats, who urge they are

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not being fairly treated by the indigo planters. I could not render any help without studying the problem. I have therefore, come to study it with the assistance, if possible, of the administration and the planters. I have no other motive, and I cannot believe that my coming here can in any way disturb public peace or cause loss of life. I claim to have considerable experience in such matters. The administration, however, have thought differently. I fully appreciate their difficulty, and I admit too, that they can only proceed upon the information they receive. As a law-abiding citizen, my first instinct would be as it was to obey the order served upon me. I could not do so without doing violence to my sense of duty to those for whom I came. I feel that I could just now serve them only by remaining in their midst. I could not, therefore, voluntarily retire. Amidst this conflict of duty, I could only throw the responsibility of removing me from them on the administration. I am fully conscious of the fact that a person, holding in the public life of India a position such as I do, has to be most careful in setting examples. It is my firm belief that, in the complex constitution under which we are living, the safe and honourable course for a self respecting man is, in the circumstances such as that face me, to do what I have decided to do, that is, to submit without protest to the penalty of disobedience. I have ventured to make this statement not in any way in extenuation of the penalty to be awarded against me, but to show that I have disregarded

the order served upon me, not for want of respect for lawful authority, but in obedience to the higher law of our being—the voice of conscience.—*Leader*.

Government Committee of Enquiry.

MR. M. K. GANDHI TO SIT AS MEMBER

Bankipore, June 1917 :—

The Local Government have to-day issued a resolution regarding the appointment of a committee to enquire into the relations between landlord and tenant in the Champaran district, including all disputes arising out of the manufacture and cultivation of indigo. The committee, as was stated in a previous message, is fully representative, appointed with the approval of the Government of India and consists of the following :—
President: Mr. F. G. Sly, Commissioner, Central Provinces; Members: Mr. L. G. Adami, Legal Remembrancer, Behar and Orissa, the Hon. Raja Harihar Prashad Narayan Singh, a landlord, the Hon. Mr. D. J. Reich a member of the planting community, Mr. G. Rainy, Deputy Secretary, Finance Department, Government of India, who had been in the Champaran District formerly and Mr. M. K. Gandhi, Secretary; Mr. E. L. Tanner, Settlement Officer, South Behar. Mr. Tanner, it may be stated, was the Sub-Divisional Officer of Bettiah, when indigo riots broke out in that sub-division in 1908.

The committee's duty will also be to examine the evidence on those subjects already available, supplementing it by such further enquiry, local and otherwise,

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as they may consider desirable, and to report their conclusions to the Government, stating the measures they recommend in order to remove any abuse or grievances, which they may find to exist. The Lieut. Governor in Council has left a free hand to the Committee as to the procedure they will adopt in arriving at the facts. The committee will assemble about the 12th July and will it is hoped, complete their labours within three months.

GOVERNMENT RESOLUTION

The resolution, appointing this Committee, says:—
On various occasions during the past fifty years, the relations of landlords and tenants and the circumstances, attending the growing of indigo in the Champaran District, have been the cause of considerable anxiety. The condition under which indigo was cultivated when the industry was flourishing, required readjustment when it declined simultaneously with a general rise in the prices of food grains, and it was partly on this account and partly owing to other local causes that disturbances broke out in certain indigo concerns in 1908. Mr. Gourlay was deputed by the Government of Bengal to investigate the causes of the disturbances, and his report and recommendations were considered at a series of conferences presided over by Sir Edward Baker, and attended by the local officers of the Government and representatives of the Behar Planters' Association. As a result of these discussions, revised conditions for the cultivation of indigo, calculated to remove the grievances

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of the raiyats, were accepted by the Behar Planters, Association. In 1912 fresh agitation arose connected not so much with the conditions under which indigo was grown as with the action of certain factories, which were reducing their indigo manufacture, and taking agreements from their tenants for the payment, in lieu of indigo cultivation, of a lump sum in temporarily leased villages or of an increase of rent in villages under permanent lease. Numerous petitions on this subject were presented from time to time to the local officers and to Government, and petitions were at the same time filed by raiyats of the villages in the north of the Bettiah sub-division, in which indigo had never been grown, complaining of the levy of abab or illegal additions to rent by their lease-holders, both Indian and European. The issues raised by all these petitions related primarily to rent and tenancy conditions, and as the revision settlement of the district was about to be undertaken, in the course of which the relations existing between landlords and tenants would come under detailed examination, it was thought advisable to await the report of the Settlement Officers before passing final orders on the petitions. The revision settlement was started in the cold weather of 1913. On the 7th April 1915 a resolution was moved in the Local Legislative Council asking for appointment of a mixed committee of officials and non-officials to enquire into the complaints of the raiyat and to suggest remedies. It was negatived by a large majority including 12 out of the 16 non-official members

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of Council present on the ground that the appointment of such a committee at that stage was unnecessary, as the settlement officers were engaged in the collection of all the materials required for the decision of the questions at issue, and an additional enquiry of the nature proposed would merely have the effect of further exaggerating the relations of landlord and tenant, which were already feeling the strain of the settlement operations. The settlement operations have now been completed in the northern portion of the district, and are approaching completion in the remainder, and a mass of evidence regarding agricultural conditions and the relations between landlords and tenants has been collected. A preliminary report on the complaints of the tenants in the leased villages in the north of the Bettiah sub-division, in which no indigo is grown, has been received, and action has already been taken to prohibit the levy of illegal cesses, and, in the case of the Bettiah Raj, to review the terms of the leases on which the villages concerned are held. As regards the complaints of the raiyats in other parts of district, the final report of the Settlement Officer has not yet been received, but recent events have again brought into prominence the whole question of the relations between landlords and tenants and in particular the taking of agreements from the raiyots for compensation or for enhanced rent in return for the abandonment of indigo cultivation. In these circumstances and in deference to representations which have been received from various quarters that the time has

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come when an enquiry by a joint body of officials and non-officials might materially assist the Local Government in coming to a decision on the problems, which have arisen, the Lieut.-Governor in Council has decided without waiting for the final report of the Settlement operations, to refer the question at issue to a committee of enquiry on which all interests concerned will be represented.