

## Meerut Conspiracy Case\*

Meerut is an ancient city in western Uttar Pradesh, in India. It is recognized both mythologically and historically. The first war of Indian Independence also known as the Great Indian Mutiny of 1857, started from Meerut.

A lesser known reason for its prominence on the British colonial map is a controversial case in the years 1929-1933.

In the Judicial annals it is commonly and popularly known as 'The Meerut Conspiracy Case'.

It attracted the attention of people in Great Britain so much so that a Manchester street theater group, 'The Red Megaphones' in 1932 enacted a play titled 'Meerut' in England.



Clock Tower, Meerut

An organization, Communist International commonly known as 'Comintern' was operating in Russia and was slowly spreading its tentacles in other parts of the world. Its main aim object was to cause the downfall of all existing forms of governments of all nations of the world, by means of armed uprising and organizing general strikes. It created trade unions, youth leagues, workers and peasants parties etc. to achieve its objectives. The Communist Party of Great Britain was also formed to foster these aims. In 1921, its branch was established in British India by few communists. Two Britishers, Philip Sprat and B.F. Bradley were sent out to India by the Communist International to carry out its design and to strengthen its movement. They, together with persons of communist convictions formed a Workers and Peasant Party and held its conference at Meerut.

This worried the Britishers. They raided and arrested persons connected with Workers and Peasants Party, some trade unions and All India Congress. In all 32 persons were charged and 31 of them were arrested including the two Britishers.

The accused were put to trial under Section 121-A of the Indian Penal Code of 1860 for depriving the King Emperor of the sovereignty of British India and for using methods and carrying out programmes and plans of campaign outlined and ordained by Communist International.

The trial commenced with the filing of complaint by Dr. R.A. Horton (OSD under the Director, I.B. Home Deptt. Govt. of India) on 15th March, 1929 and on a supplementary complaint dated 11th June, 1929 against one of the accused. The preliminary proceedings before the Magistrate at Meerut took seven months. Thereafter, the case was committed to the Court of Sessions on 14th January, 1930. The prosecution took thirteen months to complete the evidence. The recording of statements of the accused consumed another ten months and their defence lasted for about two months. The parties advanced arguments for over four and half months. Mr. R.L. Yorke the then District and Sessions Judge, Meerut took five months to write and pronounce the judgment.

On 17<sup>th</sup> January 1933, the sessions court acquitted five of the accused, one having died, and convicted 27 others with stringent sentences; one was transported for life; five others for 12 years; three for 10 years; three others for 7 years; four for 5 years; six for 4 years; and the rest five for 3 years.

The convicts filed appeals in the Allahabad High Court. The last of them was filed on 17th January, 1933. The paper books were printed and made ready within no time and 10th April, 1933 was fixed for hearing. However, on account of ensuing long summer vacation and on the request of the accused themselves, the hearing was adjourned to 24th July, 1933. The hearing commenced as scheduled before the bench presided over by Chief Justice Sulaiman and Justice Young and it lasted for 8 working days. Sir Tej and Sri K.N. Katju and others represented the convicts. The Crown was defended by Mr. I. Kemp and J.P. Mitter.

The Judgment was delivered by the Chief Justice and all the conviction were upheld, but with considerably reduced sentences.

The Bench classified the convicts into four different groups. The first group of 12 were all members of the Communist Party of India. The second group comprised of Sprat and Bradly who were members of Communist Party of Great Britain. The third group consisted by six who were communist by conviction but not members of the Communist Party. The fourth group comprised of seven persons who were neither communists nor members of any communist party but were simply political workers.

The High Court held that the evidence exfacie proved that the members of the communist party who subscribed to the programme of 'Comintern' had undoubtedly formed a revolutionary body with the professed object of over throwing the present order of society to bring about complete Independence of India by armed uprisings.



Portrait of 35 of the Meerut prisoners taken outside the jail. Back row (left to right): K. B. Sahgal, S. S. Joshi, H. L. Hutchings, Shankar Dasani, B. F. Bradley, A. Prasad, P. Spratt, G. Adhikari. Middle Row: R. R. Mitra, Gopas Chakravarti, Kishori Lal Ghosh, L. R. Kaulan, D. R. Thorge, Ganga Shankar S. Banerjee, K. N. Jughkar, P. C. Joshi, Nazim Ahmad. Front Row: M. G. Doshi, D. Gowans, R. S. Nallal, S. A. Marjkar, S. A. Dasg, S. Y. Ghate, Gopal Dasg.

This trial and the judgment acquired significance and importance primarily for the following three reasons.

The trial was an outspring of the British Governments fear for the growth of the communist idea in India. It was aimed to nip the movement in the bud. The accused were branded as Bolsheviks. Though the trial resulted in conviction of almost all the accused but it ended in publicising, launching and strengthening the communist movement in the county in a gigantic way. During the trial, the courtroom was turned into a public platform for espousing the communist cause.

Secondly, it indicated the pace with which the justice delivery system in those days used to dispense justice despite enormous and voluminous evidence which was dealt with minute precision. However, the time consumed in trial was frowned upon by the superior Court observing that it could have been reduced with some care on part of both the accused and the Court.

Lastly, it laid down that the magnitude of punishment or sentence was dependent upon three basic principles i.e. (i) protection of the people; (ii) prevention of the crime; and (iii) reformation of the offender. The punishment awarded by the Sessions Court when tested on the anvil of these principles, was held to be too harsh and severe particularly looking at the fact that all the accused had already remained in jail during the entire trial except for short period of time when some of them were admitted to bail.

The bench, while reducing the sentence, observed that the trial was political and any severe punishment would result in confirming the belief of the people in the political movement which was sought by the government to be checked by the government and in creating more offenders causing greater evil and danger to public.

The Meerut conspiracy case is a milestone that goes a long way in defining the history of communist movement in India.

*Note:-The writer Justice Pankaj Mithal is a native of Meerut and he is grateful to Sri Abhishek Jain, a law student of New Law college, Bharati Vidyapeeth deemed University, who had worked as an intern with him and had prepared a synopsis on the case.*

*\*(Ref: A.I.R. 1933 Alld. 690 S.H. Jhabwala and others Vs. Emperor)*