

# ANTI-HINDI TRIALS

## ELATHU SIVANANDA ADIGAL CASE

### MR. K. M. BALASUBRAMANIAM'S SPEECHES FILED IN COURT

#### CASE AGAINST MESSRS. PONNUSWAMI, C. D. NAYAGAM & SHANMUGANA DA ADJOURNED TO MONDAY NEXT

Madras, July, 16.

The case against Elathu Sivananda Adigal under Sec. 7, 1-a, Criminal Law Amendment Act was taken up by Mr. Madhava Rao, Acting Third Presidency Magistrate, Egmore, for further hearing on Monday, July 11.

Sub-Inspector Seshagiri Rao, Crime Branch was examined for the prosecution. He deposed that he searched the house of Mr. C. D. Nayagam in connection with the Anti-Hindi agitation on 4-6-38 and recovered some letters addressed to Sivananda Adigal, the accused and a telegram addressed to Sivananda Adigal.

Mr. J. S. Athanasius, Counsel for the accused, objected to that telegram going in as evidence against the accused.

Another Counsel, Mr. Allah Pitchai, said that the case was not one of conspiracy and so such things should not be filed.

Counsel requested the Court to make a note of the objection.

Magistrate:—I want a specific objection. The objection is not relevant. Well, note what?

Counsel:—The prosecution must prove that it is relevant.

Magistrate:—The relevancy is that this man was putting up with Mr. Nayagam and that the letters have been confiscated.

Counsel:—I may go and stay with a friend. I am receiving some letters. How far will that help the case in which the accused stands charged?

Magistrate:—I note your objection. The prosecution want to file letters and other documents seized from Mr. Nayagam addressed to the accused, c/o C. D. Nayagam, Mahalakshmi Road, Theyagaroyanagar, where he was living.

Continuing his evidence, the Sub-Inspector said the telegram ran thus: "Money collected. Start immediately, Ramaswami."

Magistrate:—Who is this Ramaswami? Where does he come from?

A:—From Udumalpet.

The Prosecution next filed a number of letters written by those interested in the Anti-Hindi agitation offering their services for the Anti-Hindi Movement.

Cross-examined by the Counsel for the accused, witness deposed that he did not know as to who were the authors of those letters. He did not know the circumstances in which the letters were written. He had not in his possession any letters written by the accused by way of reply.

The Magistrate addressing the accused said: What have you got to say?

The accused, a graduate of the Oxford University, said in Tamil—

The following is the statement:—

"I have not instigated any volunteer to loiter before the house of the Premier. Our Committee has not, by that time, i.e. 11-6-38, decided to offer satyagraha before the house of the Premier. Volunteers who offered Satyagraha before the house of the Premier between 4-6-38 and 11-6-38, did so in their own personal discretion.

impression when you saw so many people gathered there?

Witness:—When I was asked by the office to report about the shed, I came to know on inquiry that they were carrying on a campaign against Hindi.

Cross-examined by Mr. J. S. Athanasius, counsel for the accused, witness stated that he paid three or four visits to the shed. The inmates of the shed were over twenty years in age and they were not schoolboys.

The Magistrate next asked the witness whether he tried to find out what happened in the shed.

Witness stated that it was not his duty to find out what was happening in the shed. His duty was only to issue license.

Magistrate:—Supposing the shed was used for making bombs, will you allow it to be so used? You ought to have made inquiries of what was happening in the shed. If I were your superior, I would have you sacked.

#### Witness Expresses Regret

The Magistrate, referring to the statement of the witness that it was his duty only to issue licenses, and not to make enquiries about what was happening, said the witness should not have spoken in the manner he had done in the Court.

Witness expressed regret and stated that he did not mean to offer any insult.

The examination of the witness for the prosecution was concluded.

Magistrate:—What are the facts to show that the accused has abetted?

Prosecuting Inspector:—The speeches and the letters which had been filed in the court.

Mr. Allah Pitchai, counsel for the accused, submitted that the allegation against the accused was abetment, and not conspiracy. In a conspiracy case there must be a common intention which must be proved. Before proving that, letters of the kind referred to by the Prosecution must be proved.

In this particular case there was no use of words like "war" or "violence" as in the case against Swami Arunagirinathar.

It was not fair on the part of the prosecution to say that the very presence of the accused at some of the meetings, and his making speeches, amounted to abetment. What they had to prove in this case was that the accused had instigated some persons to offer Satyagraha before the Premier's house.

**Not Declared Unlawful Association**  
There was one other point, and that was that the Anti-Hindi League, had not so far been declared as an unlawful association by the Government. The Magistrate observed that those arguments had been advanced in the other case.

The Magistrate continuing said that he had repeatedly told them that what was required, was an assurance that the accused would not associate himself with the Anti-Hindi Movement. If the accused felt that he had not done anything and if he assured the Court that he was not going to violate the law or associate himself with such activities.

#### "Accused Did Not Violate Law"

Counsel:—The accused did not violate the law as he did not instigate any person to offer satyagraha. If the accused were to give an undertaking, it will mean that he has committed the offence with which he is charged. The offence with which the accused had been charged was that he had instigated persons to offer Satyagraha.

The Prosecuting Inspector said that what they were concerned with was abetment, and not with conspiracy.

Further hearing of the case stands adjourned to Saturday the 16th inst.

The case against Sivananda Adigal stands adjourned to 18th.

#### Case Against Mr. K. M. Balasubramaniam

Mr. Kesava Menon, C. I. D. Sub-Inspector, examined for the prosecution, deposed that the Department of Education and Public Health of the Madras Government had issued an order

introducing Hindi in certain secondary schools in Forms, I, II and III. An agitation was started to oppose the introduction of Hindi, an Anti-Hindi League was formed with the purpose of carrying on propaganda to coerce the Premier to cause the cancellation of the G. O. The Headquarters of this League was established in Venkatanarayana Road, Theyagaroyanagar. There was a 'dictator' of the League. Mr. C. D. Nayagam was the first 'dictator'. The accused was an advocate residing in Meeran Sahib Street, Mount Road, and was one of the committee members of the League. In the month of May, a number of meetings was held. Leaflets were issued announcing the accused as a speaker at those meetings. Witness had seen the accused visiting the Headquarters on many occasions. The accused was visiting Mr. Nayagam's house, where one Mr. Stalin Jagadeesh was fasting unto death, and who was exhibited at the meetings. Witness had seen the accused conferring with Mr. C. D. Nayagam, Sivananda Adigal, Swami Arunagirinathar and others. There were other office-bearers also. Elathu Sivananda Adigal was the second 'dictator', and Swami Arunagirinathar, the third. Witness had seen volunteers residing in the accused's house. He remembered one Muslim volunteer named Yakub Khan who later loitered in front of the Premier's house and who was convicted. The accused delivered propaganda speeches in the mofussil. On 1-6-38, Ponnuswami came and loitered in front of the Premier's house. Volunteers came from the headquarters and among those was Yakub Khan. Witness attended the meeting held at the High Court Beach on 5-5-38. The meeting was attended by about 5000 people. The accused attended the meeting. Swami Arunagirinathar sang some songs from a pamphlet.

Defence Counsel, Mr. S. G. Rangaramanujam, requested the Court to make a note that he raised objection to the pamphlet being filed since it was not concerned with the accused. Continuing, witness stated that the accused was present when the song was sung, and it was after the song was sung, the accused began to speak. The accused incited the people to loiter near the Premier's house. The accused was arrested on 16-6-38. On 11-6-38, a meeting was held at Spur Tank grounds. Witness had pamphlets announcing the meetings to be held in Peddunainkenpet and other places.

Cross-examination by the Defence was reserved.

Mr. Gopal Rao, Shorthand Sub-Inspector, was next examined. He said that he attended the meeting held in front of the Mallikewarar Temple on 4-6-38 at which the accused spoke. The Tamil transcription of the speech recorded in shorthand by the witness was filed in the Court.

The Prosecuting Inspector read some portions of the speech delivered on the occasion of the meeting held on June 4 last, marked as offensive. The following is the English rendering of the speech delivered by the accused in Tamil, according to the prosecution:—"To-day, two comrades have begun fasting. I know that all of you would get enrolled in the list of persons who are fasting. If I were to speak about it, this meeting can be prolonged till 12 o'clock. The warriors that are now before us are those who say that instead of starving and dying, let us kill our enemies and die. I am asking whether the persons who have assembled here are true Tamilians or courageous Muslims. If Tamilians were to lose this soul (Mr. Stalin Jagadeesh's), thousands of the opposite party will have to die. To-day, two brothers have gone to jail and have come out. One is still in jail. Do not think that we are afraid of going to jail. We are ready to go to jail. I am asking you, who is ready for the war to-day? Who are true Tamilians? Who are true Muslims? Danger is imminent to both of you. If Muslim, have come to-day. I request them to fast and offer satyagraha to-morrow. If Muslims could

realise that danger is threatening their Urdu language, they should also join in this war. Realising that to-day's Minister would be a pauper, I request our Brahmin brethren to co-operate with us or at least not to hinder us. If, on the other hand, out of pride they think that Rajaji and Police Officers should be able to protect them and start doing harm....."

Magistrate:—Who is this "Rajaji"?

The Prosecuting Inspector:—Rajaji is Rajagopalachari. My friend might say it is not this Rajaji, but that it is another Rajaji.

Accused:—There is only one Rajaji.

Continuing, the Prosecuting Inspector said: ".....to Hindi opposition, harm will certainly befall them. To crown all, I request you to come forward to go to jail."

Witness next stated that he attended the meeting held at the High Court Beach on 5-6-38. The shorthand notes of the speech delivered by the accused were filed along with a Tamil transcription of the same. Some of the portions of the speech were marked as offensive by the prosecution. They read thus when translated into English "Comrade Ponnuswami said, 'I shall fast unto death. Even if I am released from the jail, I shall fast unto death in front of the Premier's house.' If Jagadeesh would die, knowingly or unknowingly, thousand lives must go. If so, by means of the flood of blood, Tamilians will be inspired with courage. True Tamilians, Valiant Muslims, I ask you one thing: 'Are you not prepared to offer Satyagraha in a body in front of Rajaji's house? If, at least, 500 of you would get into jail by the 17th, we are sure of victory. If I am imprisoned for having instigated you, I am ready for it. For doing all these, at least, 500 youths should come forward. Standing before schools, you must tell them (students) not to do so. If it is said that Hindi will be introduced in the schools of the city, there can only be 5 teachers here. The neighbours of the teachers should keep a close watch over them. If the teacher goes to the rice bazaar, the seller should not give them rice, the dhoby should not wash his clothes. No one should shave them. (Laughter). We are carrying on this agitation. This is not restricted to Hindi. This war will smoulder till this Congress reign, this Rajaji's reign, is rooted out completely. First, we must hoist our flag of victory in the opposition to Hindi. Don't think that Rajaji is a courageous man. I say that he is coward No. 1."

There was no cross-examination of this witness.

Mr. Aravamuda Iyengar, Shorthand Sub-Inspector, examined next, said that 6-6-38, witness had attended a meeting held by the Anti-Hindi League at Sivagnanam Park. The speech delivered by the accused in Tamil when translated, runs thus:—

"The seed which we sowed at Soundary Mahal, grew up day by day, ripened into a fruit of the arrests of those men, and dropped as three fruits. The Tamilians should taste these fruits and such of them who did so, should go to jail. If, before attaining this, if anybody could prevent it, my humble opinion is that we are doing harm to Tamil. It is not under the directions of Committee but, in my individual capacity, I request that at least some persons should stand in front of Comrade Rajagopalachari's house and do satyagraha. In consequence of that, three warriors have gone to that place to-day. Their names have been entered into the police books. Mr. Nayagam was arrested for supporting Ponnuswami. I say that for the matter of my requesting you in my individual capacity to offer satyagraha, I may also be honoured in a similar way. Comrades, arise! I shall tell you one thing. If I ask you to shed your blood, it is not my tongue that says it or feeling. It is only with a view to prove the truth of it, three persons have offered satyagraha to-day

in front of Rajaji's house. If the three persons go to jail, I request you to resolve that on the same day, three other persons should go and sit in the same place. Mr. Nayagam did not consider fasting a necessity. Fasting is not an offence under that Act. For doing that work, a meeting should be organised to-morrow. If the students go to school, a set of persons must be ready to go in front of the school and obstruct. If any of the students will go we must go even to the length of falling at their feet and ask them not to learn Hindi and not to go to that school. We must attain victory by doing this kind of satyagraha. Tell them not to go. If they would refuse, organise a meeting of all the bazar-keepers and come to an understanding. It should be said that betel and nut should not be given to the Hindi teachers. If he goes to a coffee hotel, you must say, 'Hindi teacher' 'Hindi teacher' Ten or twelve persons should be shadowing the Hindi teachers. If, for that, the police arrests us, let them do so. There are five or six methods of getting rid of Hindi. You must all be united and undertake such of the methods which are in your power to do so. If they obstruct something may happen and the consequences will have to be borne by them. This is my warning."

The Prosecuting Inspector requested the Court to adjourn the case to enable him to examine one other witness for the prosecution, as he was a Sub-Inspector and had to come from Vellore.

His Worship accordingly adjourned the case.

#### Case Against Mr. P. Ponnuswami And Others

Madras, July 16.

The case against Mr. P. Ponnuswami and Swami Shanmugananda for picketing and loitering in front of the Premier's house in Theyagaroyanagar under Sec. 7, 1-a, Criminal Law Amendment Act and Mr. C. D. Nayagam for abetment under Sec. 109 and 117, I.P.C., was taken up for hearing by Mr. K. Kunnikrishna Nair, Acting Chief Presidency Magistrate, Egmore, on Monday, July, 11.

Continuing his evidence for the prosecution, Mr. Kesava Menon, C. I. D. Sub-Inspector, said that Mr. Nayagam's house was searched by Sub-Inspector Seshagiri Rao on 4-6-38. The letters were addressed to Elathu Sivananda Adigal, c/o Mr. Nayagam. Before Sivananda Adigal came to the shed, he was living with Mr. Nayagam. After 3-6-38, A-1 was arrested, volunteers were sent in batches of two and four from the camp to loiter in front of the Premier's house and it was still going on.

A number of reports appearing from time to time in the columns of "Viduthalai" relating to the Anti-Hindi agitation, gifts, lists of the names of volunteers for the Anti-Hindi Movement, resolutions passed at the Trichy Tamil Conference, proceedings of committee meetings, and reports of the fast undertaken by Ponnuswami in front of the Premier's house, were read by the Prosecuting Inspector and filed in the court.

Further hearing of the case was adjourned to Wednesday, July, 13.

#### WEDNESDAY'S PROCEEDINGS

Madras, July 16.

The hearing of the case against Mr. Palladam Ponnuswami, Mr. C. D. Nayagam and Swami Shanmugananda was resumed on Wednesday, July 13.

Mr. Krishna Iyer, Shorthand Sub-Inspector, examined for the prosecution, said he was present at a meeting held under the auspices of the Anti-Hindi Propaganda League, at Trevelyn Basin on May 10. The second accused spoke on the occasion.

Witness next filed the shorthand notes of the speech delivered by the accused, along with the Tamil transcription of the same.

(Continued on page 6)

# ANTI-HINDI TRIALS

(Continued from page 5)

The following is the English translation of the speech according to the prosecution:

"To prevent Hindi being made compulsory the time for beginning the agitation should be started two months later. Yet, in order to rouse the sleeping people, he (referring to Mr. Stalin Jagadeesh) commenced fasting in Theagaroyanagar. To help him in his efforts, Sivamanda Adigal has collected some people in Madras for attempting to picket near the house of Mr. Rajagopalachariar and Dr. Subbaroyan. Apart from the question of Hindi opposition whether good will result from it or not, the only duty is to the man who is fasting and is about to die, and that is by preventing the students from attending the Hindu Theological High School.

Referring to Mr. Jacob, the Headmaster of the Christian College School, the speaker stated, "We must also tell him that the pupils will not be sent to his school and prevent Hindi being introduced into that school. We must make him say that he will not agree to introduce Hindi in his school. If you want to save the life of Jagadeesh, you must see that the education of our children is not spoilt by Hindi. It is clear that the present day slavish Tamilians are unfit for anything. For the last fifty years the Tamil Nad did not produce any eminent warrior.

Referring to the probable death of Stalin Jagadeesh, the speaker said, "He is going to die. If you want to prevent this, you must start work now, and your first duty is to prevent children going to school. The next duty is that you should come to Theagaroyanagar for setting fire to the corpse. You must work with the intention of getting success in our efforts, so as to keep him (Mr. Jagadeesh) with us alive, so that, he may also enjoy the fruit of the success."

Witness, at this stage, said: That is what he (the accused) means.

The Prosecuting Inspector:—We are not concerned with what he meant. We are only concerned with what he said.

Cross-examination of the witness by the Counsel for the accused was reserved.

Mr. Swaminatha Sastri, another Shorthand Sub-Inspector said he attended a meeting held under the auspices of the Anti-Hindi Propaganda League in Sivagnanam Park on 8-5-38. The second accused spoke at that meeting.

The speech recorded in shorthand and along with the Tamil transcription was filed in the Court.

The following is the English rendering of the speech said to have been delivered by the accused:—

"Mr. Stalin Jagadeesh is a man of Tiruvarur. A comrade has written to me that he is coming to Theyagaroyanagar to 'give up his life. I said this need not be done. Is it not enough if picketing is done? If picketing is done, the present insolvent Government have no money. They have sent away those who committed murders and thefts from prison for the reason that they have no money to feed them. Therefore, if we picket, they will not send us to jail. If you are truthful, go to the parents of pupils and ask them to get rid of Hindi and tell them that if Hindi is introduced into the schools, they should not send their children to the schools. After that, we shall see if the Theological High School can get on. Chettiars it must be said, should refuse to give any rice. You must tell them that obstruction would be caused to their trade.

The Prosecuting Inspector, (after reading the marked por-

tions of the speech) in Tamil said:—The accused finished his speech in English which runs thus:

"If you do not do this, you should all come to Theyagaroyanagar and attend this Stalin Jagadeesh's funeral. He is only living in my house, and I know that he is going to die. You will bring also Brahmins. They can receive "Seruppu", "Thadi Kambam" and "Thanam," (alms):

Witness next stated that the audience was five hundred strong and listened to the speech with attention.

Counsel for the accused submitted then to the Court that the accused meant when he said "Seruppu", "Thadi Kombu" and "Thanam" only funeral gifts.

Continuing, the witness deposed that he had also attended a meeting held at Moolakothalam on 18-5-38, at which A 3, Swami Shanmugananda spoke. The shorthand notes of the speech and the transcription in Tamil were filed in the court by the witness. Witness also stated that he saw A-2 at that meeting.

The Tamil speech alleged to have been delivered by Swami Shanmugananda at that meeting was read by the Prosecuting Inspector, and the following is the English rendering of the same:—

"If I see Rajagopalachari before me, I will rip his throat. If Tamilians are to prosper and if Mr. Stalin is to remain alive, the proposal to introduce compulsory Hindi should be dropped. Otherwise, Mr. Jagadeesh will have to die. If all these Tamilians will it, we can destroy Rajagopalachariar's body and his progeny. We are going to conduct this meeting in front of Mr. Rajagopalachari's house also. Tamilians cannot prosper unless Mr. Rajagopalachari's rule is got rid of. We shall trample under our feet the person who does not respect us. Mr. Rajagopalachari is a very evil minded person. I know to which persons the Congress leaders are born. Tamils should be prepared for adopting both the methods. If Mr. Rajagopalachari honourably drops the proposal, all will be well. Otherwise, some among the Tamilians should be prepared to perish. It is stated in Bhagavat Gita that you can kill a person who comes to kill you. You, Tamils, should render full help. Mr. Rajagopalachari has lacerated my heart. I do not wish to say what will happen if Mr. Jagadeesh's life is, in any way, endangered. What will happen will certainly happen."

Witness stated that the audience numbered about a hundred. They listened to the speech with attention. There were cries of "shame" in the middle.

Cross-examination of this witness by the Counsel for the accused was reserved.

The Prosecuting Inspector, at this stage, represented to the court that Mr. Nayagam's speech had not been transcribed, and that he would file it, if necessary on another date.

Some more witnesses yet remain to be examined, and His Worship posted the case to Monday, July, 18.

Mr. S. G. Rangaramanujam, assisted by Messrs S. V. Rajan and Murugesan, appeared for the accused, and Mr. Manickam Pillai, assisted by Inspector Arunagiri Mudaliar, conducted the case for the prosecution.