

Bengal Under Communal Award And Poona Pact

BY

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Errata:

Page 16, line 22—In place of the words “Or in other words”, read “In respect of 216 Communal seats”.

Page 42, line 12—Read “as” for “or”.

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PREFACE

As the result of the Communal Award and the Poona Pact, Bengal Hindus have been successfully squeezed out of the proposed Legislature in Bengal. Whether they have a genuine grievance, and a strong case for more equitable treatment, will appear from the facts and contentions contained in this pamphlet.

I appeal to the great Mahomedan community, as well as to the Depressed Classes, to consider the representations made here, to enable them to judge, what offers they should be prepared to make, for a settlement, which will do justice to the interests involved. Nothing but an agreed settlement can satisfactorily solve the difficult problem facing us.

Not from the point of view of Caste Hindus alone, but from the point of view of the Depressed Classes, it is worthy of serious consideration whether the attempt to inflate their number, and the clamour of well-organised politically advanced and numerically strong castes for reverting to "Depressed Classes" will not inevitably end in retarding that levelling up, which has been steadily going on for over thirty years at least.

Are any Reforms worth having if mutual distrust will compel incessant application of "Safeguards", for protecting us from one another?

The acknowledged leader of a very large section of Hindus, Mahatma Gandhi, has repeatedly said, "If we cannot solve the Communal problem, let us not talk of responsible Government." Will his followers practise what this precept involves?

N. N. SIRCAR.

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INTRODUCTION.

Communal quarrels and jealousies have come to be the despair of Indians, and they are the most coveted assets for the die-hards in England, who are opposed to constitutional advance of India.

Communal quarrel held up all progress during the second Round Table Conference, and completely overshadowed all other questions. The facts which are set out in this pamphlet will show the history of the Communal Award, and how, with the best of intentions, the Premier has come to a decision, which, in fact, is unfair to Bengal Hindus.

It must be acknowledged, that whatever the defects of the Award may be, and whatever injustice it may have caused to some parties, yet but for some decision, no advance of any kind in constitutional discussions could have been achieved. Any attempt, at this stage, to reopen the whole communal question may throw into the melting pot, whatever has been so far achieved. It may be asked, what then is the object of discussing the Award? The answer is:—

- (1) To demonstrate how, *having regard to this Award, if the Poona Pact is allowed to stand*, the most influential community in Bengal will have little or no voice in the new Constitution, and that
- (2) The Poona Pact should not be allowed to affect the Communal Award, inasmuch as it does not comply with the conditions laid down in the Award, for its modification.
- (3) Without questioning, for the present, the allocations of seats to Europeans, Christians, Anglo-Indians, Labour, Landlords and other special constituencies, some partial and inadequate relief can be given to Bengal Hindus, by correcting what is an obvious error, in favour of Mahomedans—a correction which is not mixed up in any way, with the arrangements in the other provinces.

If the claim of Bengal Hindus for more equitable treatment is just, this very fact should be a strong reason, for providing in the constitution, fairly elastic provisions for subsequent modification, with Parliamentary sanction or otherwise.

If the conditions introduced for alteration at subsequent times are too stringent, the injustice operating on Bengal Hindus will be perpetuated, and will for ever prevent the securing of an atmosphere in which the new constitution will have fair conditions for working smoothly.

The Award provides that—"Provision will be made in the Constitution itself to empower a revision of this electoral arrangement, *after ten years with the assent* of the Communities affected, for ascertainment of which suitable means will be devised."

If a community, whether Hindu, Mahomedan, or any other, has obtained too advantageous an Award, why should it "assent" to its modification?

The original Award is a decision, consequent on the parties failing to agree. The history of the Award, hereafter narrated, and the subsequent abortive attempts for amicable settlement, all make it but too apparent, that "assent" is not to be expected.

It may be legitimately asked, if the original decision is not based on "assent" and has its origin in dissensions, why should its modification depend on assent?

His Majesty's Government has often got to decide where parties are unable to agree. As examples, reference may be made to the fact, that there was no agreement on the number of seats in the Legislature, on the basis of franchise, on joint and separate electorates, on many matters relating to Federal Finance; but has such lack of "assent" stood in the way of decisions on these matters? Conversely, His Majesty's Government has not been always prepared to concede, whatever has been "assented" to by all parties.

Why then this insistence on assent of parties, in case of modification of the Award?

An idea of what may be done to perpetuate the Award may be gathered from the fact that at the third R.T.C. the spokesman of the Mahomedan delegation insisted on a note being taken, exactly as dictated by him "So that there may be no misunderstanding as to Muslim opinion." The purport of this dictated note is, that there will be no change in the Communal Award, unless such change is required by a three-fourths majority, which will include at least three-fourths of the Mahomedans.

This is a roundabout way of saying that the Award is not to be modified at all—and there is little doubt that efforts will be made on similar lines to perpetuate the position created by the Award.

As regards the Depressed Classes, it may be equally inexpedient to raise, at this stage, general questions relating to them, and thus intensify that bitterness which, thanks to the Temple entry question, has divided the already disunited Hindus into two warring camps.

The Poona Pact, however, does not comply with the conditions, under which alone, the Premier's Award can be modified—and that Award should be allowed to remain unaffected by it.

Supporters of the Poona Pact have always claimed for it binding character, on the acquiescence of Bengal Hindus—their "default" in not protesting for some time.

At the eleventh hour, a very feeble suggestion has been made that Bengal Hindus assented to the Pact. The very statement of this case shows its unreality—and in any case whether Bengal Hindus assented or not is a question of fact, which it will not be difficult for His Majesty's Government to ascertain. This enquiry cannot take any considerable time, and if it does, "Wretches hang that Jurymen may dine"—should not be the working maxim, when the interest of the most influential Community in Bengal is concerned—and if their fate depends on the ascertainment of a fact—the same cannot be shirked.

That the case against Bengal Hindus is based on default will appear from the telegrams set out in the letter from the writer to the Prime Minister, a copy of which is printed as Appendix A.

Even during discussions in Bengal Council in the middle of March, 1933, the representatives of Depressed Classes never suggested any assent, on the part of Bengal Hindus, and accepted the statement of the mover of the resolution, Mr. J. L. Banerjee, to the contrary.

It is now said that one Mr. Satish Das Gupta was sent by the Congress to represent Bengal Hindus. That he was not present at the time of the Pact, and that he did not go to Poona, are admitted by him; he is supposed to have authorised somebody else—a non-Bengali belonging to the Congress—to deal with the question. There was no meeting of the Bengal Congress Committee to authorise him. If he had been authorised by any War Council, declared illegal by Government, it is a travesty of reason to suggest that Congress, which has throughout ignored and non-co-operated with the proposed Reforms, should be thought of as the agency which did or could bind Bengal Hindus to the Poona Pact.

An inference of agreement, drawn from want of protest for some time, can not comply with the conditions laid down in the Award for its modification.

Whatever acquiescence there has been, the same was the result of threat of Mahatma Gandhi's fast. The fact that according to Mahatma, his "Fast unto death" was not meant as intimidation is immaterial, as the fact remains that, whether intended or not, it operated as very effective coercion on Bengal Hindus.

The question relating to Depressed Classes has been artificially exaggerated into a size out of all proportion to its reality. However that may be, there is no bar to the Pact holding good in other Provinces, because it is inapplicable to Bengal Hindus by reason of their want of "assent."

The Communal Award does not proceed on the footing of treating India as a whole, and in fact para. 4 of the Award, which deals with the future modification of the Award, contemplates "alteration" either in the whole of British India, or in respect of any one or more of Governors' Provinces.

HISTORY OF THE COMMUNAL AWARD.

Before considering the Communal decision of the Premier and its effect, it is necessary to state shortly the facts leading to it.

In connection with the first R.T.C., the Minorities Sub-Committee made a report which was approved by the Committee of the whole Conference on 19th January, 1931.

The following opinion was recorded unanimously :—

“That in order to secure the co-operation of all communities which is essential to the successful working of responsible government in India, it was necessary, that the new constitution should contain provisions designed to assure the communities that their interests would not be prejudiced, and that it was particularly desirable that some agreement should be come to, between the major communities, in order to facilitate the consideration of the whole question.”

In these circumstances, it recommended that “the Conference should register an opinion that it was desirable that an agreement upon the claims made to it, should be reached, and that the negotiations should be continued, between the representatives concerned, with the request, that the result of their efforts should be reported, to those engaged in the next stage of these negotiations.”

During the deliberations of the second R.T.C. a Minority Committee was appointed, consisting of 51 members—including Mahatma Gandhi, Mrs. Naidu, Pandit Malaviya, Dr. Moonje, Sir Sultan Ahmed, Sir P. C. Mitter, Mr. Srinivasa Sastri, Mr. G. D. Birla, Sir Sayed Ali Imam, Mrs. Subbarayan and others.

The Committee on 28th September, 1931, reported that informal proceedings were going on ; and it was adjourned to 1st October, to enable negotiators to come to an agreement.

The writer was not a delegate to the second R.T.C. but was in London throughout September, October and part of November, 1931. He is well aware of, and was in touch with, the protracted negotiations going on. Meetings of the negotiators at the Ritz Hotel where H. H. the Aga Khan was residing, and where Mahatma would be often attending, as also at other places, were taking place almost daily.

No agreement was arrived at between 28th September and 1st October, and on the latter date Mahatma Gandhi moved for adjournment till 8th October. Endless informal discussions between various persons, including Mahatma Gandhi, were continued between the 1st and 8th October.

On 8th October, Mahatma Gandhi reported that "negotiations which had taken place had unfortunately proved entirely abortive." On this date the meeting was adjourned and there was no further meeting till 13th November; but hours were spent daily during the intervening period over negotiations. At the meeting of 8th October, a scheme prepared by the Indian National Congress for the solution of the communal problem was referred to by Mahatma Gandhi, and this was circulated at his instance. Even the Hindus were not agreeable to accept this scheme; and the Hindus never succeeded in having an agreed scheme of their own. Memoranda by Dr. Moonje, Raja Narendra Nath and others, were circulated, and the situation was one of complete impasse. The Mahomedans were united, and in the discussions a single spokesman would speak for the community.

The attempt to find a common formula for the whole of India, while every Province has its own problems, was another factor which led to the failure of the negotiations. Surprising as it may seem, for many of the informal conferences no notices were given to the Hindu representatives of the Punjab and Bengal.

At the plenary meeting of 30th November, 1931, Mahatma Gandhi said—"And that mention of the 'Mussulman' brings me to the baffling problem of minorities. Believe me, that problem exists here, and I repeat what I used to say in India. I have not forgotten those words—that without the problem of minorities

being solved, there is no Swaraj for India, there is no freedom for India."

When concluding the second R. T. Conference, the Prime Minister warned the parties of the consequences of failure to come to an amicable agreement. He said:—

"We must all, however, realise that there stands in the way of progress, whether for the Provinces or the Centre, that formidable obstacle, the communal deadlock. I have never concealed from you my conviction that this is, above all others, a problem for you to settle by agreement amongst yourselves. The first of the privileges and the burdens of a self-governing people, is to agree how the democratic principle of representation is to be applied—or, in other words, who are to be represented and how it is to be done. This Conference has twice essayed this task; twice it has failed. I cannot believe that you will demand that we shall accept these failures as final and conclusive.

"But time presses. We shall soon find, that our endeavours to proceed with our plans are held up (indeed they have been held up already) if you cannot present us with a settlement acceptable to all parties, as the foundations upon which to build. *In that event His Majesty's Government would be compelled to apply a provisional scheme*, for they are determined that even this disability shall not be permitted to be a bar to progress. This would mean that His Majesty's Government would have to settle for you, not only your problems of representation, but also to decide as wisely and justly as possible, what checks and balances the constitution is to contain, to protect minorities from an unrestricted and tyrannical use of the democratic principle expressing itself solely through majority power. *I desire to warn you*, that if the Government have to supply, even temporarily, this part of your constitution which you are unable to supply for yourselves, and though it will be our care to provide the most ample safeguards for minorities, so that none of them need feel that they have been neglected, *it will not be a satisfactory way of dealing with this problem*. Let me also warn you that if you cannot come to an agreement on this amongst yourselves, it will add considerably to the difficulties of any

Government here, which shares our views of an Indian Constitution, and it will detract from the place which that Constitution will occupy amongst those of other nations. I therefore beg of you once more to take further opportunities to meet together and present us with an agreement."

This warning, however, was of no avail ; and ultimately the Communal decision or Award was made by the Prime Minister, dated August, 1932.

In the intervening period, *i.e.*, from 1st December, 1931 to about August, 1932, all attempts made in India for agreement hopelessly failed.

Since the publication of the Award, attempts at settlement through a Unity Conference were seriously made. Immediately before the sitting of the third Round Table Conference, telegrams were published in London, stating that the parties had arrived at an agreement—but subsequent events did not justify these statements—and the position is that parties are yet unable to compose their differences, and a deadlock has been prevented by the Communal Award.

The results of the Premier's Communal Award will be found summarised in the statements on pages 9 to 13.

Result of the Communal Award in the Major Provinces and C. P.

Serial Number	Community and Province	Population of the Community divided by Total Population of the Province	and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (including Special Seats)	and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (excluding Special Seats)	and Percentage
1	2	3		4		5	
1	Christians in Bengal ...	$\frac{180,299}{50,114,002}$	or 0.36%	$\frac{17}{250}$	or 6.8%	$\frac{17}{216}$	or 7.9%
2	Christians in U. P. ...	$\frac{205,006}{48,908,768}$	or 0.42%	$\frac{5}{228}$	or 2.2%	$\frac{5}{215}$	or 2.3%
8	Christians in Bihar & Orissa	$\frac{841,894}{87,677,576}$	or 0.96%	$\frac{5+2 (a)}{175}$	or 4.0%	$\frac{5+2 (a)}{161}$	or 4.8%
4	Christians in Bombay Proper	$\frac{299,664}{17,916,818}$	or 1.67%	$\frac{8}{175}$	or 4.6%	$\frac{8}{158}$	or 5.1%
5	Christians in the Punjab ...	$\frac{414,788}{28,580,832}$	or 1.46%	$\frac{4}{175}$	or 2.3%	$\frac{4}{165}$	or 2.4%
6	Christians in Madras ...	$\frac{1,774,276}{46,740,107}$	or 3.8%	$\frac{14}{215}$	or 6.5%	$\frac{14}{166}$	or 7.1%
7	Mahomedans in C. P ...	$\frac{682,854}{15,507,728}$	or 4.4%	$\frac{14}{112}$	or 12.5%	$\frac{14}{104}$	or 13.5%

(a) At least 2 out of the 8 seats allotted to Backward Tracts in Bihar and Orissa are likely to be secured by Christians

Result of the Communal Award in the Major Provinces and C. P.—Contd.

Serial Number	Community and Province	Population of the Community divided by Total Population of the Province	and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (including Special Seats)	and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (excluding Special Seats)	and Percentage
1	2	3		4		5	
8	Tribal Religions in Bihar & Orissa	2,048,609	or 5.46%	8-2 (b)	or 8.4%	8-2 (b)	or 8.7%
		87,677,576		175		161	
9	Mahomedans in Madras ...	3,805,937	or 7.1 %	29	or 18.5%	29	or 14.8%
		46,740,107		215		196	
10	Mahomedans in Bombay Proper	1,588,250	or 8.8 %	80	or 17.1%	80	or 19.0%
		17,916,818		175		138	
11	Mahomedans in Bihar and Orissa	4,264,790	or 11.8 %	42	or 24.0%	42	or 26.1%
		87,677,576		175		161	
12	Sikhs in the Punjab ...	8,066,144	or 13.0 %	82	or 18.8%	82	or 19.4%
		28,680,832		175		163	
18	Mahomedans in the United Provinces	7,181,927	or 14.0 %	66	or 29.0%	66	or 30.7%
		48,498,768		228		215	
14	General in the Punjab ...	6,828,588(c) + 85,284(d)					
		+ 899,807(e) + 5,723(f)					
		+ 546(g) + 12(h)	or 28.8%	48	or 24.6%	48	or 26.7%
		28,580,852		175		165	

15	General in Bengal ...	$\frac{21,570,407(c) + 1,520(g) + 916,081(f) + 528,087(i) + 9,167(d) + 7,820(j) + 1,780(e) + 1,857(h)}{50,114,002}$ or 44·8%	$\frac{80}{250}$ or 32·0%	$\frac{80}{216}$ or 37·0%
16	Mahomedans in Bengal ...	$\frac{27,497,624}{50,114,002}$ or 54·8%	$\frac{119}{250}$ or 47·6%	$\frac{119}{216}$ or 55·1%
17	Mahomedans in the Punjab	$\frac{13,882,460}{28,580,852}$ or 56·5%	$\frac{86}{175}$ or 49·1%	$\frac{86}{165}$ or 52·1%
18	General in Bihar & Orissa ...	$\frac{81,011,474(c) + 5,658(j) + 8,784(d) + 919(f) + 241(g) + 24(h) + 88(e)}{37,677,576}$ or 82·8%	$\frac{99+7(l)}{175}$ or 60·6%	$\frac{99+7(l)}{161}$ or 65·8%
19	General in United Provinces	$\frac{40,905,586(c) + 66(h) + 46,500(j) + 67,954(d) + 780(f) + 991(g)}{48,408,768}$ or 84·7%	$\frac{182+12(l)}{228}$ or 68·2%	$\frac{182+12(l)}{215}$ or 67·0%

(b) Vide explanation (a) above.

(c) Hindus; (d) Jains; (e) Minor Religions; (f) Buddhists; (g) Zoroastrians; (h) Jews; (i) Tribal Religions; (j) Sikhs

(l) Special Seats for Depressed Classes.

Result of the Communal Award in the Major Provinces and C. P.—Concl'd.

Serial Number	Community and Province	Population of the Community divided by Total Population of the Province } and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (including Special Seats) } and Percentage	Seats allotted to the Community divided by Total Seats in Provincial Legislature (excluding Special Seats) } and Percentage
20	General in Madras ...	$\frac{41,277,870(c) + 129(e) + 848,678(i) + 81,206(d) + 587(j) + 1,859(f) + 507(g) + 28(h)}{46,740,107}$ or 89·0%	$\frac{184 + 18(l) + 1(m)}{215}$ or 71·2%	$\frac{184 + 18(l) + 1(m)}{196}$ or 78·1%
21	General in Bombay Proper ...	$\frac{15,602,982(c) + 171(e) + 198,670(d) + 128,831(i) + 85,662(g) + 12,608(h) + 2,878(j) + 2,048(f)}{17,916,818}$ or 89·5%	$\frac{109 + 10(l) + 1(m)}{175}$ or 68·6%	$\frac{109 + 10(l) + 1(m)}{158}$ or 75·9%
22	General in Central Provinces	$\frac{18,888,228(c) + 158(h) + 1,851,615(i) + 77,895(d) + 50,584(k) + 2,092(g) + 4,241(j) + 66(f)}{15,507,728}$ or 95·6%	$\frac{77 + 10(l) + 1(m)}{112}$ or 78·6%	$\frac{77 + 10(l) + 1(m)}{104}$ or 84·6%

- (c) Hindus ; (d) Jains ; (e) Minor Religions ; (f) Buddhists ; (g) Zoroastrians ; (h) Jews ; (i) Tribal Religions ; (j) Sikhs.
 (k) Indian Christians included in "General" in the Central Provinces.
 (l) Special Seats for Depressed Classes.
 (m) Special Seats for Backward Tracts.

POSITION OF MAHOMEDANS AND HINDUS
(*Bengal treated Separately*)

Province	MAHOMEDANS				HINDUS ('General', practically Hindus)			
	Percentage of Population	Percentage of Total Seats	Percentage of Seats excluding Special Seats	Excess or Deficit	Percentage of Population	Percentage of Total Seats	Percentage of Seats excluding special Seats	Excess or Deficit
C. P.	4'4	12'5	18'5	+9'1	95'6	78'6	84'6	-11'0
Madras ...	7'1	18'5	14'8	+7'7	89'0	71'2	78'1	-10'9
Bombay Proper ...	8'8	17'1	19'0	+10'2	89'5	68'6	75'9	-18'6
Bihar & Orissa ...	11'8	24'0	26'1	+14'8	82'8	60'6	65'8	-16'5
Punjab ...	56'5	49'1	52'1	-4'4	28'8	24'6	26'7	-1'6

[Note (1)—The deficit of Mahomedans in the Punjab to the extent of 4'4 p. c. is due to the weightage of 6'4 p. c. given to the Sikhs.]

[Note (2)—Weightage given to the Mahomedans is 108 p. c. in Madras, 117 p. c. in Bombay, 180 p. c. in Bihar and Orissa and 200 p. c. in C. P.]

ALLOCATION OF SEATS IN BENGAL.

Out of the total of 250 Seats, 2 are kept for Indian Christians, 4 for Anglo-Indians, 11 for Europeans, 19 for Commerce, Industry, Mining and Planting (out of which 14 are for Europeans), 5 for Landlords, 2 for Universities, 8 for Labour. In respect of these 51 seats, 31 are not available to Hindus or Mahomedans, and Europeans are given 11 plus 14 *i.e.* 25 seats out of 250, the total.

Provision of as many as 31 seats for Christians who form only 0.36 per cent. of the population and are, on basis of population alone, entitled to one seat only, make it impossible for Hindus and Mahomedans to get the percentage to which they may feel themselves entitled. Obviously the excess of 30 seats given to Christians must come from out of the Hindu and Mahomedan seats.

Of the 34 non-communal seats (*viz.* 19 for Commerce &c., 8 for Labour, 5 for Landlords and 2 for Universities) as many as 14 are, as noted above, reserved for Europeans, leaving only 20 to be fought out between the others.

Assuming that none of these 20 seats are captured by Europeans or Anglo-Indians or Indian Christians, a reasonable estimate will be :—

5 Landlord seats will go to	4 Hindus: 1 Mahomedan.
2 University seats will go to	2 Hindus:
8 Labour seats will go to	2 Hindus: 6 Mahomedans.
5 Seats for Commerce and Industry will go to	3 Hindus: 2 Mahomedans.
	<hr/>
	11 Hindus: 9 Mahomedans.

Note :—"Hindus" in the above statement and in following lines includes also "Others."

A difference of one or two, for or against Mahomedans, or Hindus, can make no difference in the result, when the total number out of which one Community can secure an excess over the other is only 20.

Consequently Mahomedans get 119 plus 9 seats=128 seats.

Hindus get 80 plus 11 seats= 91 seats.

If this total, 219 (*i.e.*, a total of 250 seats minus 31 seats for Europeans, Christians, etc.), is now divided on population basis the result will be—

On the basis of total population :—

121 Mahomedans : 98 Hindus.

On the basis of adult population :—

113 Mahomedans : 106 Hindus.

Thus on the total population basis, the Mahomedan excess over Hindu seats ought to be 23 and on the adult population basis it should be 7 only.

They have been given an excess of 39 seats.

Comment is unnecessary ; facts speak for themselves. The more reasonable way of looking at the matter is, that by reason of 51 special seats being carved out of 250 (of which 31 cannot be touched by Hindus or Mahomedans) only 199 seats are available for Hindus and Mahomedans.

If the 199 seats are divided on population basis the result will be :—

On the basis of total population :—

Mahomedans 110 : Hindus 89.

On the basis of adult population :—

Mahomedans 102 : Hindus 97.

In the first case the Mahomedan excess ought to be 21, and in the second such excess should be 5 only.

The awarded excess is 39. Again comment is unnecessary.

The following propositions emerge from the above-mentioned facts :—

(1) In the case of Europeans, on population basis they should get 1 seat.

They have, however, got 25, no doubt on account of their position, education, interest in trade, etc.

(2) All such factors have been ignored in the case of Hindus. As between Hindus and Mahomedans, a different principle is applied, *viz.*, counting of

heads—but even on this basis Hindus have got much less than their proper quota.

- (3) As between Hindus and Mahomedans, if only the principle of counting heads is to be followed, Mahomedans should have an excess of 21 seats on total population basis, (heads of babies being included in the counting) and they should have an excess of either 7 or 5, if only heads of Adults are counted, whereas they have been awarded an excess of 39 seats.
- (4) The special seats, including 31 seats for Europeans, Anglo-Indians, and Indian Christians, have been carved out of the share of the Hindus.

Again comment is unnecessary.

- (5) Christians have been allowed 31 seats while they should get one, their percentage of total population being 0.4.

To allow extra seats being given to Christians, Hindus (and others) give up 21 seats out of 112 or 18.8 per cent. Mahomedans give up nine seats out of 137 or 6.6 per cent.

~~Or in other words,~~ Muslims with their percentage (total population) of 54.8 get 55.1 per cent. while "General" *i.e.* Hindus and others with its percentage of 44.8 gets 37, *i.e.* 7.8 less than its share, provision being made for 31 Christian seats.

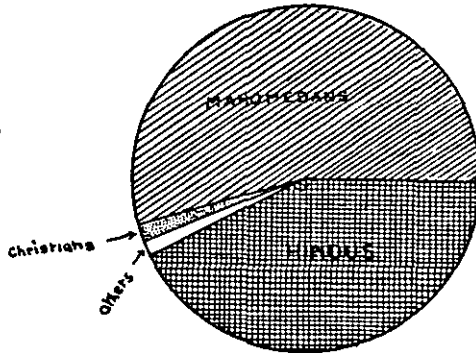
The Mahomedans have not to give up a single seat; whatever is necessary for permitting extra seats to be given to Christians has been met entirely from the share of the Hindus.

The diagrams on the following pages comparing the respective positions of Hindus, Mahomedans and others in different walks in life in Bengal will be interesting in this connection. The diagrams relating to Employment in Banks, &c., the Medical and Legal Professions and Employment in Agriculture are based on the Census figures for 1921, as only very incomplete Occupation Tables were compiled for the Census of 1931; all the other diagrams are based on figures for 1931.

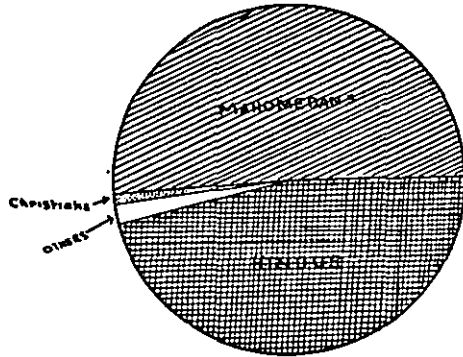
RESPECTIVE POSITIONS OF MAHOMEDANS AND HINDUS IN BENGAL.

Total Population :

	per cent.
Mahomedans	54.8
Hindus	... 43.1
Christians	... 0.4
Others	... 1.7

*Adult Population.*

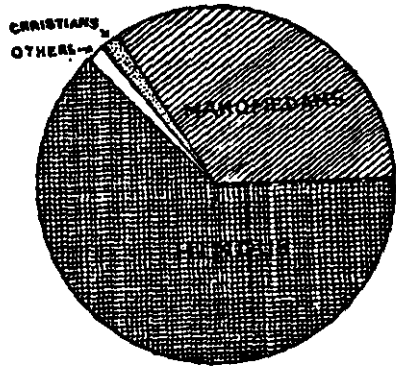
	per cent.
Mahomedans	51.3
Hindus	... 46.6
Christians	... 0.4
Others	... 1.7



(*Note.*—Figures classified according to age are given in the Census, as below 20, 25, etc. In calculating Adults the number for persons below 20 has been omitted.)

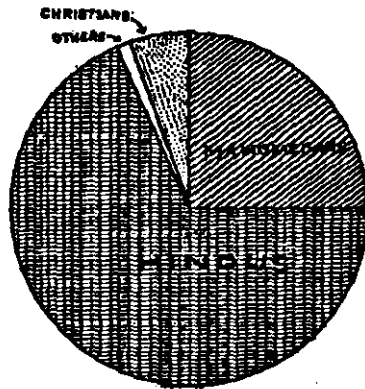
Literacy.

	per cent.
Mahomedans	83.6
Hindus	... 64.2
Christians	... 1.5
Others	... 0.8



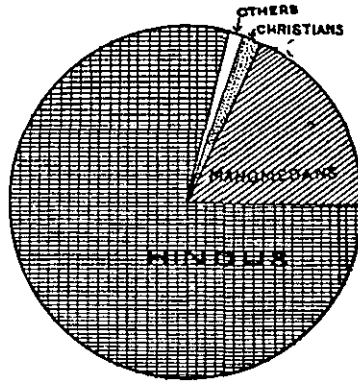
Literacy in English (both sexes).

	per cent.
Mahomedana	24.9
Hindus	... 69.6
Christians	.. 4.9
Others	... 0.6

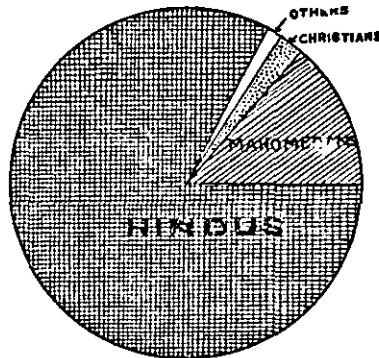


Students in High Schools (both sexes).

	per cent.
Mahomedans	17.9
Hindus	79.6
Christians	1.8
Others	0.7

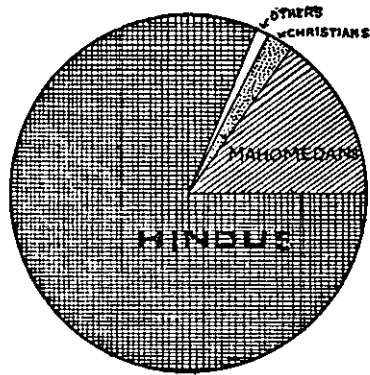
*Students in Intermediate Colleges.*

	per cent.
Mahomedans	13.6
Hindus	83.6
Christians	2.2
Others	0.6

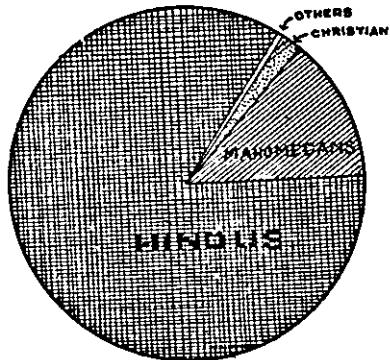


Students in Degree Classes.

	per cent.
Mahomedans	14.2
Hindus ...	82.8
Christians ...	2.2
Others ...	0.8

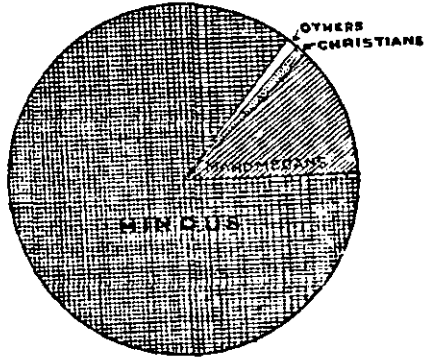
*Post-Graduate and Research Students.*

	per cent.
Mahomedans	13.0
Hindus ...	85.7
Christians ...	1.2
Others ...	0.1

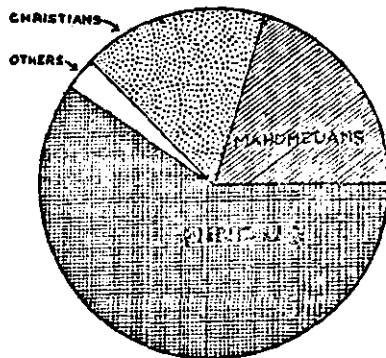


Medical Schools.

	per cent.
Mahomedans	12.1
Hindus	... 86.2
Christians	... 0.8
Others	... 0.9

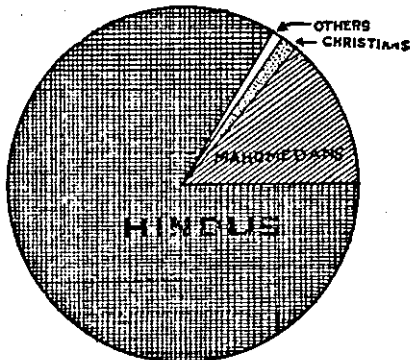
*Technical and Industrial Schools.*

	per cent.
Mahomedans	19.9
Hindus	... 61.3
Christians	... 15.7
Others	... 3.1



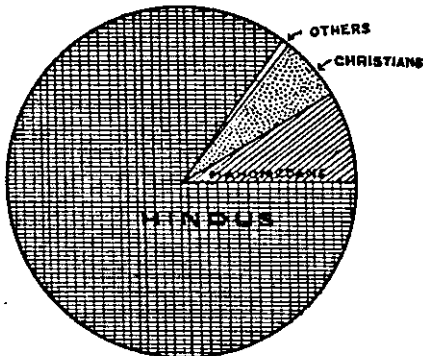
Engineering and Survey Schools.

	per cent.
Mahomedans	13.0
Hindus	... 85.5
Christians	... 0.6
Others	... 0.9



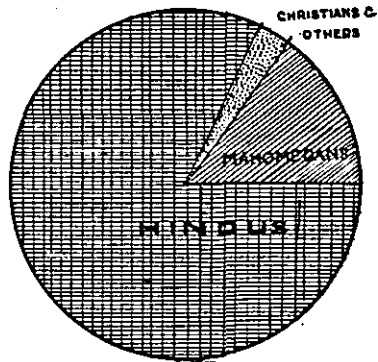
Commercial Schools.

	per cent.
Mahomedans	7.8
Hindus	... 86.0
Christians	... 6.0
Others	... 0.2

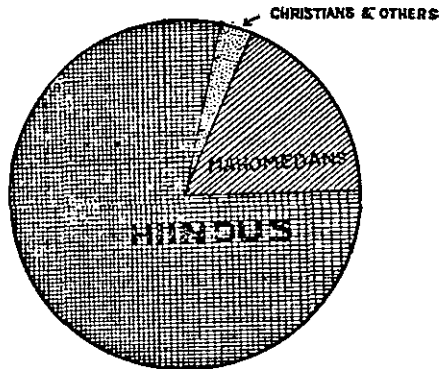


Employed in Banks, Exchange, Insurance, etc.

	per cent.
Mahomedans	14.9
Hindus	... 83.0
Christians & Others	... 2.1

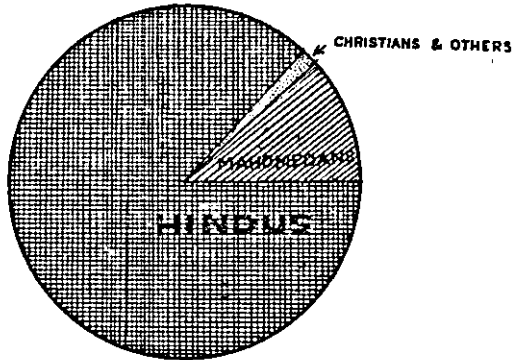
*Medical Profession.*

	per cent.
Mahomedans	17.0
Hindus	... 79.7
Christians & Others	... 2.4

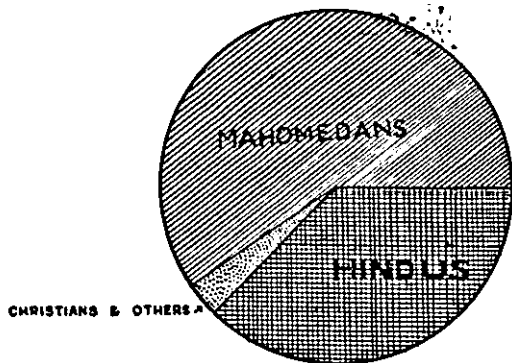


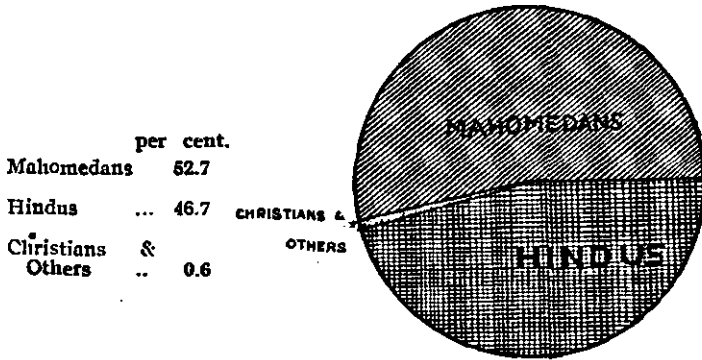
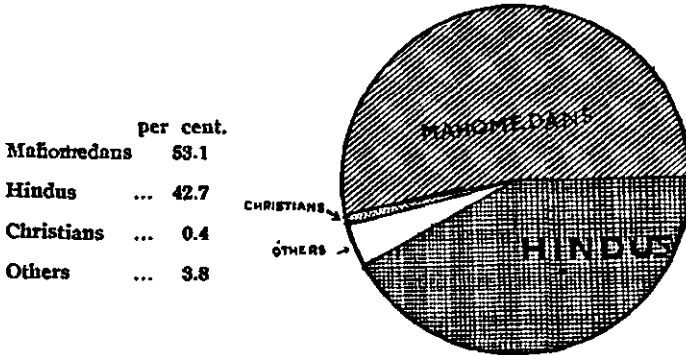
Legal Profession.

	per cent.
Mahomedans	11.6
Hindus	... 87.6
Christians & Others	... 0.8

*Employed in Agriculture.*

	per cent.
Mahomedans	62.7
Hindus	... 34.7
Christians & Others	... 2.6



Beggars and Vagrants.*Jail Population.*

These figures are based on those in the Annual Report on the Administration of Jails in the Presidency of Bengal for the year 1931. It was a somewhat unusual year for the Hindu population in jails on account of the Civil Disobedience movement, in which Hindus chiefly participated.

CONTRIBUTION TO PROVINCIAL REVENUE.

The exact quota are difficult to ascertain, but it is not difficult to form a fairly accurate estimate. Taking the figures for 1927-28, it will be found that Rs. 10 Crores 73 Lakhs odd, is the gross income of the Province.

Out of this, Rs. 9 crores 91 lakhs odd is derived from the principal heads, *viz.*, Land revenue, Excise, Stamps, Forest, Registration and Scheduled taxes.

Excise Revenue was Rs. 23,07,500 and Land Revenue Rs. 3,14,62,000.

The contribution of Mahomedans to Excise revenue is negligible.

In Land Revenue, while the direct payment is overwhelmingly from Hindus, Mahomedans contribute indirectly as tenants.

Here again Mahomedans vastly preponderate in East Bengal, but Land Revenue and rate of rent are higher in West Bengal.

Thus the highest Land Revenue is for Burdwan and the lowest is for Chittagong.

Judicial Stamps yielded Rs. 2 Crores 21 Lakhs. In Bengal 54 per cent. of litigation consists of rent suits, and about 37 per cent. of money suits, and an overwhelmingly large proportion of Court fees is paid by Hindus.

Some writers in the *Modern Review* have entered into details, and considered the figures for payment of Cess, etc., and have arrived at the conclusion, that the Mahomedans contribute about 15 per cent. only of the Provincial Revenue. As there is some margin of error in these calculations, an estimate of 20 per cent. will err on the side of generosity to Mahomedans.

If for the sake of peace, and of avoiding the ripping up of the Communal Award, generally, the numbers of seats for Christians, Anglo-Indians, and all other special constituencies are not disturbed, there can be no difficulty in dividing the seats

on the basis of the highest claim which can be made for Mahomedans, *i.e.*—

- (i) On the basis of counting heads including the heads of infants and—
- (ii) Paying no attention in case of Hindus to any of the factors which justify giving seats to Christians on a basis other than that of counting heads.

Accepting every contention which can be legitimately put forward the Mahomedan seats should be reduced by at least 7.

As the seats should be on the basis of adult population, the Muslim seats should be reduced by 15.

THE POONA PACT.

Out of the 80 seats for Hindus and others, 30 will be allowed to the Depressed Classes as the result of the Pact. This leaves 50 seats.

In addition to 30 reserved seats, the Depressed Classes will gain some seats in certain districts, by reason of their overwhelming number.

The net result is that the most advanced community in Bengal, from the point of view of education, influence and all other considerations which apparently have been considered in the case of Europeans and Anglo-Indians in Bengal—the community which contributes at least four-fifths of the Provincial Revenue, can expect no more than 40 or 45 seats in a House of 250, and this situation is intended to be perpetuated by making modification dependent on “assent” of Mahomedans and the Depressed Classes. Having regard to what the Communal Award has done, such “assent” can never be expected.

What part can Bengal Hindus expect to play in the proposed Constitution? It is not at all probable that the Mahomedans and the Depressed Classes will go out of their way to give up anything for the sake of allowing a more equitable treatment of the Hindus in Bengal. If they do, an agreement becomes immediately possible.

The Bengal Hindus are thus faced with the prospect of not having any controlling voice in the new Constitution not only when it is introduced, but always and for all time.

THE CONCLUSIVENESS OF THE COMMUNAL AWARD.

The Award was an inevitable necessity for removing the communal deadlock, which had been blocking progress at the second R. T. C. The Prime Minister gave repeated warnings that if parties failed to agree, he would have to decide because even the communal deadlock could not be allowed to stand in the way of the R. T. C. proceeding with its deliberations for making its report.

The Prime Minister warned the parties that his own decision might not be satisfactory.

We know that the parties could not agree. Without trying to apportion blame between the different Communities, it may be pointed out that, if only one of the parties was unreasonable and extravagant in its demands, no agreement could be possible ; and if all the parties were more or less unreasonable, the result would be doubly sure.

For purposes of the final report of the R. T. C., the Communal Award has been taken as conclusive, in all subsequent stages of its deliberations.

The R. T. C. has made its report.

That report enables His Majesty's Government to decide what proposals would be embodied in the "White Paper." The character of the agreements at the Round Table Conferences is shown by the following extract from the second Report of the Federal Structure Committee :—

"It must be clearly understood that though agreement has been reached by a majority, on many important matters, such agreement is only provisional."

and every member followed the example of Lord Reading who said :

“Understanding has been from the outset, that it would
 “be open to all members, when they come to consider
 “the complete proposals for the Federal Constitution
 “to modify or change any provisional assent they
 “might have hitherto given.”

So far as Parliament is concerned, its hands are free. It is not committed to the allocation of Provincial Seats proposed in the “White Paper”—or to any other proposal contained in it.

The proposal about Provincial Seats based on the Award, is not more sacrosanct than any other proposal in the “White Paper”—though it will be inexpedient for any Community to enter into protracted wrangling, because a meticulous examination of the situation may end in its gain of a few seats.

If Bengal Caste Hindus can establish that the proposal is to give them less than two-thirds of the seats, which should come to them in any event,—they cannot allow their political future to be throttled, if not extinguished, by the proposals contained in the ‘White Paper.’

For the sake of peace, for shortening enquiry, and for avoiding more disturbance of the proposals than is absolutely necessary for their self-preservation, the Bengal Hindus should be prepared :—

- (a) Not to raise any question about the seats proposed for Europeans, Anglo-Indians, Labour, Commerce or any other constituency.
- (b) To raise as against Mahomedans, no question about the weightage they have received in other Provinces. The sole prayer is that the seats available to Hindus plus Mahomedans, may be shared between them on the basis of populations, total or adult.
- (c) To raise no question against the depressed classes in respect of any matter outside Bengal—but Bengal Hindus contend that in Bengal either the original

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- (c) To raise no question against the depressed classes in respect of any matter outside Bengal—but Bengal Hindus contend that in Bengal either the original

Communal Award should stand, unmodified by the Poona Pact or that allocation should be made on some equitable basis after Parliament has given a definition of "Depressed Classes" in its application to Bengal. They do not intend to dispute the tests of untouchability adopted by the Franchise Committee.

CAPTURE OF BENGAL LEGISLATURE BY HINDU . "EXTREMISTS."

It is necessary to recognise that certain sections labour under an undefined dread of the devastating powers of mischief of "extremists." It may be pointed out, that if the prayers of Bengal Hindus are allowed, they will still form about one-third of the whole House. This itself should be convincing as to their innocuous position.

When it is further remembered that, judging by past experience and probabilities, it is not possible that all Bengal Hindu seats can go to 'extremists'—one can realise that this dread of capture of the Council by them is a bogey which should not frighten any thinking person.

Past experience shows that in the hey-day of Swarajist influence, with the commanding personality of the late Mr. C. R. Das as their leader—in every case when Government was defeated, or the Ministry overthrown, or a situation approaching a deadlock was created, it was done with the help of Mahomedan members of the Bengal Legislative Council. But for their help, the Congressmen who never formed more than a fourth of the house, could not have done what is regarded as 'mischief' for purposes of argument.

This point is amplified with particulars in Appendix C.

APPENDIX A.

*St. James Court
Buckingham Gate
London
S. W. 1
14th December, 1932.*

My dear Prime Minister,

I am forwarding to you as requested, certain telegrams. The first telegram from 25 Members of Bengal Legislative Council reads as follows:—

“Representation from twenty-five members of Bengal, Legislative Council. Poona Depressed Classes Pact made without consulting Bengal Hindus. No Depressed Classes problem in Bengal as elsewhere in India, as found on careful examination by Lothian Committee. Ambedkar and others had no direct knowledge of Bengal conditions, where alleged depressed classes suffer no political disability. Poona Pact introduces revolutionary change, cutting at root of normal progress of Hindu society in Bengal. Earnestly urge necessity for modifying Poona Pact as affecting Bengal, as Lothian Committee Scheme meets Bengal situation fairly. Show this Premier”.

“B. C. Chatterji, S. M. Bose, Maharaja Dinajpur, Maharaja Cossimbazar, Rajabahadur Nashipur, Narendra Kumar Basu, Syamaprosad Mukerji, Rai Bahadur Kamini Kumar Das, Satyendrakumar Das, Keshabchandra Banerji, Haridhan Dutt, Satishchandra Mukerji, Saratchandra Mitra, Anandamohan Poddar, Satishchandra Roychowdhury, Hanumanprosad Poddar, Kishorimohan Chowdhuri, Satyakinkar Sahana, Khetramohan Roy, Debrai Mohashai, Santisekhareswar Roy, Saratkumar Roy; P. Banerji, Surendranath Law, Saileswar Singhroy”.

2. I showed the above telegram to Dr. Ambedkar, who in his turn received a telegram, copy of which reads as follows:—

"Regarding Bengal, Hindu friends cable for revision Poona Pact for Bengal. *They defaulted twice*, once before Lothian Committee when they failed to give list of depressed classes. *Second when invited to Bombay September Conference nobody responded*. Now they raise false cry, besides they are unjustifiably afraid of Namasudras appropriating all seats. Further Bengal Government depressed population figure is 103 Lacs, vide Lothian Volume II, page 263, while we assumed for calculation of seats 75 lacs, vide Lothian. Poona Pact follows closely Lothian recommendations. Refer Mullicks note—Lothian Volume II page 251. In Calcutta Thakkar found general Hindu feeling in favour of Pact. Hence Pact approved by Cabinet can't be revised".

"BIRLA & THAKKAR."

3. I have received two further telegrams, viz. :—

"Birlas cable to Ambedkar. Birla not acquainted with conditions in Bengal and has absolutely no representative character there. Poona Pact in allowing thirty seats to depressed classes in Bengal, number being equal to seats allowed to Madras, cannot be justified. Question of depressed classes in Bengal is certainly not at all acute and is absolutely different from that in other Provinces. Premier's Award on this question is utmost that Bengal can accept".

"Satischandra Sen, Bijoykumar Basu, Satyendrachandra Ghosh Maulik, Amarnath Dutt, Satyendrachandra Mitra, Satyacharan Mukherjea, Satyendranath Sen, Jagadishchandra Banerjee, Naba Kumar Singh Dudhoria, Bengal Non-Mahomedan Representatives present in Central Legislature".

"AMARNATH DUTT."

"Bengal M.L.C.s who wired previously state Birla Thakkar cabled misrepresentations. Bengal Representative not invited to Conference leading to Poona Pact. Its terms astonished Bengal. Not being agreed, according

Premiers formula, settlement cannot bind Bengal. Lothian Committee made enquiries which castes are untouchable and unapproachable in Bengal. Provincial Franchise Committee consisting Hindus Mahomedans correctly answered. Report Volume 2 page 230. Mullicks Note not placed before Committee, but prepared secretly. Mullicks classification of Bengal depressed different from other provinces covering Subarnobaniks Sahas Mahishyas admittedly outside depressed category. Also England-returned Indians, Brahma Samaj people, even Baidyas, Kayasthas contrasted against Brahmans. Bengal Public life free from caste consideration. High caste Hindus elected a Namasudra against Chatterjee 1923 at Madaripur. Deshbandhu disregarded orthodoxy marrying Brahman's daughter, but his following included all High caste people. Distribution of Namasudras *vide Calcutta Gazette* fourteenth July ensures their securing twenty reserved seats. Non-Namasudras alarmed at prospect. Namasudras Rajbansis rigidly exclude other depressed castes from social communion, and have less right to represent them, than high caste people who have worked for generation for their uplift. Poona Pact introduces political division Hindu Bengal, where none hitherto existed. Show Premier".

"CHATTERJEE AND OTHERS."

4. As I left India in August last, I have no personal knowledge relating to the Poona Pact.

5. In your "Communal decision" it was stated, "His Majesty's Government wish it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to revision of their decision and will not be prepared to give consideration to any representation aimed at securing modification of it which is not supported by all the parties affected".

6. Under your decision, the Hindus (including all alleged depressed classes) have been given 80 seats whereas Mahomedans get 119 seats, *i.e.*, 50 per cent. more than

Hindus. The European interests get 25 seats, *viz.*, 10 per cent. of the total seats, while they do not form any appreciable fraction of even one per cent. of the population. Factors of position, influence, education, etc., have apparently been considered, and legitimately considered in case of Europeans—but apparently no principle beyond the counting of heads has been considered between Hindus and Mahomedans. The latter claim to constitute 54 per cent. by inclusion of infants below 21 years, for, if adults are counted, Mahomedans have no appreciable majority, if at all.

7. Even if Mahomedans form 54 per cent. of the population, their getting 50 per cent. more than Hindus is explained by the fact of carving out of the special seats, 51 in number, in disproportionately large share from the Hindus.

8. The nature of the Special Seats, which include 25 for Europeans, 4 for Anglo-Indians, 8 for Labour, clearly does not lend itself to the suggestion that Hindus can make up their proper share in the total, from these seats.

9. I fully realise that having regard to the wording of your decision, arguments, however forcible, cannot be listened to, by you, but with the best of intentions, the decision operates very unfairly on Hindus—and that is all the greater reason why Bengal Hindus other than the Depressed Classes object to the whittling down of what has been given to them by your decision. I may be permitted to add that if for the sake of argument it is assumed that one community has got nearly 50 per cent. more than its share, it is idle to expect that it will give up its unjustified gain from any abstract considerations of justice.

10. The matter involved relates solely to a question of fact, *viz.*, did the people now complaining agree to the modification of your decision? The laboured argument about agreement by alleged “defaults”, it is submitted, has no force. In any case, it remains to be determined whether there has been any such default, from which it can be concluded that Bengal non-depressed classes have agreed to alter your Award.

11. It is submitted that the matter is too important to be dealt with on the footing, that the telegram of Birla and Thakkar represent facts correctly—facts which have been disputed. Nor does any agreement follow, even if these facts are taken to be substantially correct.

12. In the interest of the party aggrieved, an enquiry as to the fact of the non-depressed classes in Bengal being parties to, or being bound by the Poona Pact, should be made—whether through the Government of India or Bengal, or any other responsible and neutral Agency, is a matter of detail.

I am forwarding a copy of this letter to Dr. Ambedkar for information. As I have to leave England very soon, any acknowledgment of, or reply to this representation may be kindly directed to be forwarded to:—

MR. NARENDRA KUMAR BASU, M.L.C.,
Bar Association,
High Court,
Calcutta.

Yours truly,
(Sd.) N. N. SIRCAR,
Member, Indian Round Table Conference.

APPENDIX B.

A Note on the Depressed Classes.

At a time when the Depressed Classes could dictate whatever terms they liked, by holding over the Hindu head the sword of Mahatma Gandhi's threat of "fast unto death", the Poona Pact was arrived at on the footing of the claim asserted by them, that the Depressed Classes in Bengal amounted to $7\frac{1}{2}$ millions. The figure was provisionally mentioned in the Franchise Committee's Report *on the basis of "Untouchability."*

The Lothian Committee asked the Local Government to "*examine the varying figures*"—but all figures were based on "Untouchability".

The Depressed Classes may be made to appear at any figure between .07 millions to 11 or 12 millions or more, depending on the definition of the term "Depressed Classes."

In the Census Report of 1921 Mr. Thompson made the following observations:—

"The expression 'Depressed Classes' has, however, attained a political significance, enhanced recently, by the provision for their special representation in the Legislative Council. What are the depressed classes does not seem to have been defined when the Reformed Legislature was constituted and this step was taken."

"Up to this time, many of the more advanced among the backward classes had been trying to raise their status, by changing the nomenclature of the castes. Thus the Chandals became *Namasudras* and wanted to be *Brahmans*. Many including the *Rajbanshis* became *Kshattriyas* and so on. The tide began to turn as soon as it was fully realised that there were to be substantial special privileges for the depressed classes. Those who were trying to rise up, hastily commenced climbing down. The *Rajbanshis* all along had resented being classed as backward, but now they want to be included in the Depressed Class list, but up to

1921 they had made no such claim, and they still maintain that they are backward, but not depressed."

The Franchise Committee discussed in detail the various definitions and ultimately accepted two tests, *viz.* :—

- (1) Those who are denied access to the interior of ordinary Hindu Temples ;
- (2) Those who cause pollution—
 - (a) by touch,
 - (b) within a certain distance.

Other definitions, including that suggested by Mr. B. C. Mallik on behalf of the Depressed Classes in Bengal, were rejected by the Committee. This will be discussed later.

The Franchise Committee specifically stated that "Depressed Classes should *exclude* Mahomedans and Christians and *those Hindus who are economically poor and in other ways backward, but not regarded as untouchables.*"

In Para. 9 of the Communal Award the Prime Minister stated :—

"The precise definition in each Province of those who, (if electorally qualified) will be entitled to vote in the special Depressed Class Constituencies, *has not yet been finally determined.* It will be based as a rule on the general principles advocated in the Franchise Committee's Report. Modification may, however, be found necessary in some Provinces in Northern India, where the application of the general criteria of untouchability might result in a definition unsuitable in some respects to the special conditions of the Province."

It is clear the Prime Minister intended at some time to come to a precise definition, and he had indicated that in some Provinces, the definition based on the general criteria may have to be modified.

Attention is drawn to the exclusion of "otherwise backward but not regarded as untouchables". In fact, but for this, there would be no reason for excluding from Depressed Classes, sections of Mahomedans who are politically backward.

The Mahomedans might be kept in two compartments, marked "forward" and "backward," e.g., *Syeds* in the first, and *Jolahas* in the second.

The Government of Bengal on the strength of Para. 9 of the Award, have published not a list of Depressed Classes, on the principles laid down by the Franchise Committee, with or without modification, but ignored the criteria altogether, they have now divided the Hindus into "socially and politically backward" and its negative. For brevity they may be loosely described as "Backward" and "Forward." This list has been entered in the "White Paper" as a 'Provisional' list.

The Hon. Mr. Prentice in answer to a question in the Bengal Legislative Council on 27th March, 1933, stated *inter alia* :—

(i) "Government have not found it necessary to adopt any definition of "Untouchability", or of the "Depressed Classes" in connection with impending Constitutional changes (*Note*—Though Prime Minister contemplated a final precise definition, based on the general criteria accepted by the Franchise Committee, with modification, if necessary, of those criteria in some Provinces).

(ii) It is a fact that the Franchise Committee asked the Government to supply a list of castes and sub-castes which it considered to be depressed, applying the criteria of Untouchability and Unapproachability (including such disabilities as refusal of entry to public eating houses).

(iii) The test of Untouchability has not been adopted by the Government of Bengal in selecting the Scheduled Castes.

The justification for the Government of Bengal, of proceeding in direct contravention of its instructions, and entering into an investigation, not within its jurisdiction, is based on the ground that the criteria suggested by the Franchise Committee "would not be suitable for this Province."

This, as a finding of fact, is erroneous. The criteria have been set out above, and reference to witnesses examined before the Franchise Committee, on behalf of the Depressed Classes, will show, that every one of them was relying on these criteria

and these criteria alone. They led evidence to show to whom the criteria applied, and their cross-examination was directed to reduce the number to which the criteria were applicable. What has happened is that not only have the general criteria been ignored, but what was specifically directed to be excluded (*viz.* Castes poor and otherwise backward, but are not regarded as Untouchables) has been included.

Modification of the criteria may be permissible if the facts justify it ; but the Government of Bengal admit that it did not concern itself with the criteria of Untouchability, or with any definition.

With the highest respect that a considered opinion of the Government commands, it is submitted that the same is erroneous.

On the merits of the provisional decision by the Government of Bengal, it will suffice to test them by the two Scheduled Castes which supply the largest numbers, *viz.* the Namasudras, and Rajbansis, who together nearly make four millions.

The writer, being a Hindu of Bengal, is discarding opinions of his own community, which are likely to be biassed. He will rely on opinions of responsible European Government officials, and refers to some of them.

NAMASUDRAS.

(1) Paras. 828 and 832 of the Census Report of Bengal show that in 1911 they claimed to be Brahmins. The *District Gazetteer* shows that they still claim-descent from Brahmins.

(2) "It is a progressive caste in more than one way. It has grown steadily and largely, while other Hindu castes had only slight increases. Its members have also done much to improve both their economic and social status. Formerly a man of this Caste, when asked, replied Chandal or Charal, and they are generally known as Chandals.

"As their circumstances and education improved, they began to adopt the more honorific name of Namasudra, which received official recognition, for, on account of the resentment which the name Chandal aroused, they were entered in the Census Table

of Castes as Namasudras or Chandals in 1891, as Namasudras in 1901, 1911 and 1921. For some generations they have shown sturdy independence. In 1873 they proclaimed a general strike, refusing to serve any of the upper classes in whatever capacity, unless a better position in the hierarchy of Castes was accorded to them. . . . They have also taken up education as a means of advances with real earnestness, and are steadily progressing in that respect."

(*District Gazetteer of Faridpur by O' Malley*).

"The Namasudra is in fact proud of his Caste. No Namasudra would be likely to conceal his caste from the enumerator. . . . The awakening of political consciousness among the Namasudras is a recent phenomenon which is likely to have a considerable political importance in the future. Already Namasudra members have been returned to Bengal Council, and the Namasudra candidate has been in evidence at the elections in this District."

MR. FAWCUS—*Settlement Report of Khulna*—(1908).

"It should be stated, as a Community, the Namasudras show considerable aptitude for organisation, and that the ideals pursued by the better classes among them seem praiseworthy. As an instance of this may be mentioned a Conference recently held (March 1908), which was attended by Namasudras from Khulna, the adjoining districts and some districts of Eastern Bengal. From the published reports it appears that its objects were the spread of education, the establishment of a permanent fund and the removal of social evils."

O'MALLEY'S *District Gazetteer of Khulna*—(1908).

"The Namasudras are very particular as regards caste prejudices. They never allow a European to stand or walk over their cooking place, on board a boat, and if any one inadvertently does so while food is being prepared, it is at once thrown away."

O'MALLEY'S *District Gazetteer of Jessore*—(1912).

"In Jessore and Khulna the Namasudras now claim Brahman descent" (*Ibid*).

“The Namasudras are not only the most numerous, but also one of the most interesting castes in Jessore, owing to their independence and self-reliance and their efforts to rise in social state.”

(*Ibid.*)

“More recently there has been considerable bad feeling between Namasudras and Mahommedans, which has culminated in serious riots over a considerable area. While the Namasudras have become *more self-respecting*, they have become *more self-assertive* and the resultant friction between them and other communities has led to a good deal of turbulence.”

(*Ibid.*)

RAJBANSIS.

(1) “A most persistent agitation was carried on by the Rajbansis of North Bengal with the object of being recognised as Khattryas by descent.”—Para. 835, Census Report of 1911.

(2) Since the inauguration of the Reforms in 1919 they have succeeded without interruption to get themselves returned to the Legislative Council.

In 1920, of the two Hindu Members elected, one was a Rajbanshi.

In 1923 election, in spite of Swarajist opposition, one Rajbanshi (Roy) was returned, and another (Rai Saheb Barma) was defeated by a very narrow majority.

Since then in every election, both the Hindu seats in Rungpore were captured by Rajbanshis, to the exclusion of so-called higher castes.

In Local Boards too they are getting returned. They call themselves Barman which is the surname for Khattryas, and generally wear the sacred thread. They are finding occupations as Pleaders, Mukhtears and Tehsildars in Zemindary estates. Education is spreading among them and they are well-organized. They are represented both by election and nomination in local and Union Boards, throughout the district of Rungpore.

(3) The Franchise Committee stated as follows:—

“This total includes the Rajbanshis numbering 1,804,371, who have themselves asked for exclusion and who, it is generally agreed, should be excluded.”

. . . (Note.—They subsequently submitted a representation to the Local Government challenging the statement and now, they with the sacred-thread round their necks, have been promoted (?) to the position of “Depressed Classes.”)

The writer is not aware whether the Prime Minister had before him the information that different castes of “Untouchables” observe untouchability *inter se*. A “Muchi” is as much an untouchable for a “Namasudra” ^{as} a “Rajbanshi” is for the Brahmin.

The following words of the Simon Report may be referred to:—

“But we are averse from stereotyping the difference between the Depressed Classes and the remainder of the Hindus, by such a step (special electorates) which we consider would introduce a new and serious bar to their ultimate political amalgamation with others.” (Vol. II, p. 65).

It may be desirable to remember that the really depressed classes in Bengal like the Muchi will have no interest in the 30 seats which will go to Rajbanshis and Namasudras.

“As early as 1901 the Rajbanshis were reported as to some extent *Jalchal*, that is, considered of sufficiently elevated social status to offer water to the higher castes and their position has by no means deteriorated since then. It is certain that no caste can be depressed which is *Jalchal*. The claim to be included within the Depressed Classes is clearly incompatible with an insistent demand to be given the consideration of the second twice-born *Varna* and can only be interpreted as evincing a desire to run with the hare and hunt with the hound.

* * * * *

“Both their present social position and their numbers in the areas to which they are practically confined justify their exclusion.” (Census Report of 1931, Vol. 5, Part I, pp. 500-01).

ASCERTAINMENT OF "DEPRESSED CLASSES"
BY THE GOVERNMENT OF BENGAL.

That the Bengal Hindus have a genuine grievance on account of mistakes made by the Government of Bengal will be apparent from the following summary of events.

In recent times, the Simon Commission were the first authoritative body to enter into this question. They were of the opinion that untouchables in Bengal did not suffer so severely or so universally as in the South. (Vol. I of Report, p. 39).

In Volume I, para. 58 they laid down that the main tests for deciding untouchability should be "causing pollution by touch, or by approach within a certain distance" and also equal rights in the matter of water, schools and the like.

It was observed by them, that in the provinces of Bengal, the U. P. and Bihar and Orissa "the connection between theoretical untouchability, and practical disability is less close, and a special investigation might show, that the number of those who are denied equal rights in the matter of schools, water and the like, is less than the total given for the depressed classes in these areas."

They concluded, that there was for these reasons a wide margin of possible errors in the figures quoted in the Report.

The Local Government did not hold any special investigation of the nature indicated by the Simon Commission, and replying recently to a question in the Bengal Council, the Hon. Home Member stated that the special enquiry suggested by the Simon Commission was made by the Indian Franchise Committee.

The Indian Franchise Committee examined the question minutely, but the Local Government was unable to help the Committee in arriving at a final decision.

The Committee issued a questionnaire and question 11B (page 197, Vol. 2) was as follows:—

"The castes and sub-castes which in your opinion are depressed in your Province, *applying the criteria of un-*

touchability (including disabilities as refusal of entry to public eating houses) and the population thereof.”

The reply of the Government of Bengal will be found on pages 214-15 of the same Volume and the list at pages 220-21.

While the Committee wanted by their question a list of Depressed classes, which satisfied the tests laid down in the question, the Bengal Government in reply to it gave a list which had not been prepared on that basis at all.

It will be seen that there was no explanation in the Government's reply, that the list was not of Depressed Classes answering the tests. The Franchise Committee and the Government of Bengal were never *ad idem*. The Government list gave a total of 8,071,201.

That the Franchise Committee possibly took this list to be a list of Depressed Classes as defined by them, and as required by them, will be apparent from paragraph 297 of the Report which is as follows:—

“We asked the Local Government, and the Provincial Committee, to give us a list of the castes and sub-castes together with an estimate of their numbers which in their opinion are depressed in Bengal, *applying the criteria of untouchability and unapproachability*. The Government of Bengal stated that the list of castes to be included in the Depressed Classes was under revision but forwarded a list of those castes which are at present classed as depressed, with a corresponding list taken from the 1931 Census, indicating the omissions and additions which have been proposed.”

The Bengal Franchise Committee did not answer this question at all and did not supply a list. They only noted “this question is left to the Government to answer” (Vol. 2, pp. 235).

Mr. M. B. Mullick, a representative of the Depressed Classes, was not satisfied with the criteria of untouchability suggested by the Committee and submitted a long Minute (pages 251-59, Vol. 2), in which he suggested the following additional criteria:—

(a) Castes from whose hands three high castes or even the Nabasaks—*i.e.*, caste Hindus, would not accept water, and whose presence either in the kitchens or in the room where water and cooked food are kept, would pollute the same according to their estimation.

(b) Castes who would not be allowed into a public temple and whose presence in the same would defile articles of worship.

(c) Castes who would not be allowed to enter or have their meals inside the dining-room of a hotel or eating house run by the aforesaid caste Hindus.

(d) Castes at whose social and religious functions Srotriya Brahmins (*i.e.*—the priests) officiating in such functions in the house of the caste Hindus, would not officiate.

(e) Castes who would not be served by the Srotriya Napits (*i.e.*—Barber) whose services are necessary in various social and religious functions of the Hindus.

* * * *

Mr. Mullick submitted a long list of 86 castes based on these wider criteria, *which criteria were not accepted by the Franchise Committee.*

It is a curious coincidence that this long list, based on 5 additional criteria, is almost identical with that supplied by the Government of Bengal. The only important omission was the "Rajbanshi," and the total number of castes in his list was 86 as against 85 of the Government list. This slight discrepancy the Bengal Government proceeded to rectify, by including the Rajbanshis as the following extract from Para. 297, Vol. I of the Report, will show:—

"A few days before our Report was signed, we received a telegram from the Local Government to the effect that up to the date of the telegram the revised figure of the *depressed classes* in the provinces was 10.3 millions. This includes the Rajbanshis numbering 1,804,371 who have themselves asked for exclusion, and who it is generally

agreed should be excluded. Certain hill tribes should also be excluded. The balance will number $7\frac{1}{2}$ millions."

This telegram is capable of leading the Franchise Committee to think that 10.3 millions was the number of "Depressed Classes" as defined by them.

The definition finally adopted by the Franchise Committee has already been quoted.

In the last Census the Santals and other tribes had been enumerated separately under Hindus, Tribals, Christians, etc., and the Hindu portions of these tribes had been included in the list of Depressed Classes. These primitive tribes also are thus being split up, and portions included in the Depressed Class list ; although so far as Bengal is concerned, the Committee had recommended that they should be excluded.

Another serious mistake in the lists supplied by the Bengal Government to the Franchise Committee is, that the figures of population quoted against each caste is not the total population for the British territory alone but the total population including States.

As regards the provisional list recently published by the Government of Bengal comments have already been made. Government has been flooded with objections from castes who insist on exclusion.

The Census Superintendent has rightly pointed out that the inclusion of influential and well-organised castes in the list, who are not really depressed, creates the danger that they may swamp the general interests of the genuine depressed classes. (See para. 18, Appendix I, Chapter 12, p. 500, Vol. 5, Part I, Census Report for 1931).

This is one of the reasons why the Census Commissioner has strongly recommended the exclusion of the Rajbanshis from the list, remarking that they cannot be allowed to hunt with the hound and run with the hare, and that their exclusion is justified by reason of their present social position, and their numbers in the areas to which they are practically confined.

The castes which have no claim to be included in the Depressed Classes list may be broadly divided into two classes :—

- (a) Those who claim to belong to the twice-born, namely, Brahmins, Khatriyas, and Vaisyas,
and
(b) The aborigines whom the Franchise Committee directed to be excluded.

Those coming under the first category are easily distinguished by the nomenclature adopted in the Census Schemes, such nomenclature showing that they are regarded as Khatriyas or Vaisyas.

The 10 Castes which are entered as Khatriyas or Vaisyas are:—(1) Bagdi, (2) Bhuimali, (3) Jhatomalo, (4) Kapalik, (5) Kochh, (6) Namasudra, (7) Patni, (8) Koli Pundari, (9) Rajbanshi, (10) Sunri.

Eighty-six castes have been scheduled by the Bengal Government. The total of these will be 9,336,624. If the ten castes stated above are excluded the balance of the scheduled castes will be 4,438,695. If this is objected to, in any case the Namasudras (2,086,192) + the Rajbansis (1,485,450) + the aboriginal tribes (1,281,844) should be excluded. This will leave 4,853,486 as the total of the scheduled castes—but here again numerous castes have sent in written objections to inclusion in the schedule.

If the general criteria of the Franchise Committee, or the tests which found favour with the Simon Commission are applied, it will be difficult to make out more than three and a half or four millions of "Depressed Classes" in Bengal.

The Premier's Award left no discretion with the Local Government to prepare a list other than the list directed by him. In preparing such a list it was obligatory of the Local Government to adopt some definition of Depressed Classes but they admit not having done so. Such definition must be in conformity with para. 9 of the Communal Award.

For adopting a definition, the Local Government had not been given any power to deviate from the principles laid down in the Award.

Lastly, the facts stated above will show, that the highly inflated figures which have been erroneously put forward by

the Government of Bengal, and its action in including castes who do not satisfy the criteria laid down in the Franchise Committee's Report with or without any legitimate modification, and the inclusion of hill tribes who were directed to be excluded, are calculated to produce an incorrect view of the position and number of the Depressed Classes.

APPENDIX C.

Deadlock Created by "Extremists."

It was in the year 1924 and the years immediately following, that Ministers were repeatedly turned out and the constitutional machinery broke down.

Among the Hindus, the Swarajists under the leadership of the late Mr. C. R. Das were in large majority, and there is a general impression that Mr. C. R. Das and the Hindu extremists had "captured" the council and played havoc with it. This is a misleading half-truth.

The total number of members in the Bengal Legislative Council was, as it is now, 140. Of these, 114 were elected. Of the 114 elected members, 16 were Europeans, 2 Anglo-Indians, and 39 Mahomedans. It has to be remembered that the elected European and Anglo-Indian members always voted with the Government.

On March 24, 1924, a motion for refusal of Ministers' salaries was carried in the Legislative Council. The Ministers, 2 in number, were Mahomedans.

The mover was a Mahomedan.

63 members voted for the motion, 62 against.

Out of 39 elected Mahomedans, 19 voted for the motion and only 15 voted against it. 3 Mahomedans were absent.

(*Vide* pp. 183, 184, Vol. XIV, No. 5 of 1924 of Official Reports of Bengal Legislative Council Proceedings).

Again on August 26th, 1924, Mr. Akhil Crandra Dutt brought a motion for "refusal" of Ministers' salaries in the Council, and it was carried.

68 members voted for the motion and 66 (including officials and nominated members) against it.

Out of 39 elected Mahomedans, 21 voted for the motion, and only 16 against it. (*Vide* pp. 68, 69, Vol. XVI (1924) of Official Reports of Bengal Legislative Council Proceedings).

On March 23, 1925, a motion was carried in the Council for refusal of Ministers' salaries.

69 voted for the motion, 63 against. Out of 39 elected Mahomedans, as many as 27 voted for the motion and only 10

Mahomedans voted against it. One Mahomedan remained absent. (*Vide* pp. 192, 240-41, Vol. XVII, No. 4 (1925) of Official Reports of Bengal Legislative Council Proceedings).

Even in petty matters like disallowing money for Governor's Band, an action prompted not merely by reasons of economy, but by another obvious motive, the Hindu extremists had their way only on account of Mahomedan support.

The division lists given above point to two cardinal facts:—

(1) The extremists by themselves, without substantial Mahomedan help, were never able to turn the Ministers out of office, or create any mischief.

(2) A large number of elected Mahomedans were as much out for wrecking the constitution, as any Swarajist.

It is not intended here, either to condemn, or to approve the action of Hindus or Mahomedans, but to remove the illusion that the Council was wrecked by Hindu "extremists". In the proposed Legislature, if the claim of Hindus to larger representation is allowed in full, even then, they will be comparatively few in number, and if they want to do any "mischief," they must depend upon help from the Mahomedan camp.