

INDIA

(Lord Privy Seal's Mission)



INDIA

(Lord Privy Seal's Mission)

Statement and Draft Declaration by
His Majesty's Government with correspondence
and Resolutions connected therewith

*Presented by the Secretary of State for India to Parliament
by Command of His Majesty
April, 1942*

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh, 2;
39-41 King Street, Manchester 2; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

1942

Price 6d. net

Cmd. 6350

TABLE OF CONTENTS.

	Page
Statement by the Prime Minister in the House of Commons on 11th March, 1942	3
Draft Declaration by His Majesty's Government for discussion with Indian leaders, dated 30th March, 1942	4
Correspondence between Sir Stafford Cripps and Maulana Abul Kalam Azad and Mr. M. A. Jinnah	5
Resolution of the Indian States Delegation, and resolutions and statements by representative bodies in British India :—	
Indian States Delegation	16
Congress Working Committee	16
Muslim League Working Committee	18
Hindu Mahasabha	20
Depressed Classes	22
Sikh All-Parties Committee... ..	23
Sir T. B. Sapru and Mr. M. R. Jayakar	27

STATEMENT BY THE PRIME MINISTER IN THE HOUSE OF
COMMONS ON 11TH MARCH, 1942.

The crisis in the affairs of India arising out of the Japanese advance has made us wish to rally all the forces of Indian life, to guard their land from the menace of the invader. In August, 1940, a full statement was made about the aims and policy we are pursuing in India. This amounted, in short, to a promise that, as soon as possible after the war, India should attain Dominion status, in full freedom and equality with this country and the other Dominions, under a Constitution to be framed by Indians, by agreement among themselves and acceptable to the main elements in Indian national life. This was, of course, subject to the fulfilment of our obligations for the protection of minorities, including the depressed classes, and of our treaty obligations to the Indian States, and to the settlement of certain lesser matters arising out of our long association with the fortunes of the Indian sub-continent.

However, Sir, in order to clothe these general declarations with precision and to convince all classes, races and creeds in India of our sincere resolve, the War Cabinet have agreed unitedly upon conclusions for present and future action which, if accepted by India as a whole, would avoid the alternative dangers either that the resistance of a powerful minority might impose an indefinite veto upon the wishes of the majority or that a majority decision might be taken which would be resisted to a point destructive of internal harmony and fatal to the setting-up of a new Constitution. We had thought of setting forth immediately the terms of this attempt, by a constructive British contribution, to aid India in the realisation of full self-government; we are, however, apprehensive that to make a public announcement at such a moment as this might do more harm than good. We must first assure ourselves that our scheme would win a reasonable and practical measure of acceptance, and thus promote the concentration of all Indian thought and energies upon the defence of the native soil. We should ill serve the common cause if we made a declaration which would be rejected by essential elements in the Indian world, and which provoked fierce constitutional and communal disputes at a moment when the enemy is at the gates of India.

Accordingly, we propose to send a member of the War Cabinet to India, to satisfy himself upon the spot, by personal consultation, that the conclusions upon which we are agreed, and which we believe represent a just and final solution, will achieve their purpose. My right hon. and learned Friend the Lord Privy Seal and Leader of the House has volunteered to undertake this task. He carries with him the full confidence of His Majesty's Government, and he will strive in their name to procure the necessary measure of assent, not only from the Hindu majority, but also from those great minorities, amongst which the Moslems are the most numerous and on many grounds pre-eminent.

The Lord Privy Seal will, at the same time, consult with the Viceroy and the Commander-in-Chief upon the military situation, bearing always in mind the paramount responsibility of His Majesty's Government by every means in their power to shield the peoples of India from the perils which now beset them. We must remember that India has a great part to play in the world's struggle for freedom and that her helping hand must be extended in loyal comradeship to the valiant Chinese people, who have fought alone so long. We must remember also that India is one of the bases from which the strongest counter-blows must be struck at the advance of tyranny and aggression.

My right hon. Friend will set out as soon as convenient and suitable arrangements can be made. I am sure he will command in his task the heartfelt good wishes of all parts of the House and that, meanwhile, no word will be spoken or Debates be held, here or in India, which would add to the burden

he has assumed in his mission, or lessen the prospects of a good result. During my right hon. and learned Friend's absence from this House, his duties as Leader will be discharged by my right hon. Friend the Foreign Secretary.

**DRAFT DECLARATION FOR DISCUSSION WITH INDIAN LEADERS
PUBLISHED 30TH MARCH, 1942.**

The conclusions of the British War Cabinet as set out below are those which Sir Stafford Cripps has taken with him for discussion with the Indian Leaders and the question as to whether they will be implemented will depend upon the outcome of these discussions which are now taking place.

His Majesty's Government, having considered the anxieties expressed in this country and in India as to the fulfilment of the promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which they propose shall be taken for the earliest possible realisation of self-government in India. The object is the creation of a new Indian Union which shall constitute a Dominion, associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any aspect of its domestic or external affairs.

His Majesty's Government therefore make the following declaration:—

(a) Immediately upon the cessation of hostilities, steps shall be taken to set up in India, in the manner described hereafter, an elected body charged with the task of framing a new Constitution for India.

(b) Provision shall be made, as set out below, for the participation of the Indian States in the constitution-making body.

(c) His Majesty's Government undertake to accept and implement forthwith the Constitution so framed subject only to:—

(i) the right of any Province of British India that is not prepared to accept the new Constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides.

With such non-acceding Provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution, giving them the same full status as Indian Union, and arrived at by a procedure analogous to that here laid down.

(ii) the signing of a Treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This Treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with the undertakings given by His Majesty's Government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in the future its relationship to the other Member States of the British Commonwealth.

Whether or not an Indian State elects to adhere to the Constitution, it will be necessary to negotiate a revision of its Treaty arrangements, so far as this may be required in the new situation.

(d) the constitution-making body shall be composed as follows, unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities:—

Immediately upon the result being known of the provincial elections which will be necessary at the end of hostilities, the entire

membership of the Lower Houses of the Provincial Legislatures shall, as a single electoral college, proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about one-tenth of the number of the electoral college.

Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of the representatives of British India as a whole, and with the same powers as the British Indian members.

(e) During the critical period which now faces India and until the new Constitution can be framed His Majesty's Government must inevitably bear the responsibility for and retain control and direction of the defence of India as part of their world war effort, but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the peoples of India. His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.

CORRESPONDENCE BETWEEN SIR STAFFORD CRIPPS AND MAULANA ABUL KALAM AZAD AND MR. M. A. JINNAH.

(1)

Letter from Sir S. CRIPPS to MAULANA AZAD dated 30th March, 1942.

I had the opportunity of a short talk with His Excellency the Viceroy last night, during which he discussed with me his views as to the implementation of Clause (e) of the draft Declaration. It must be clearly understood that the final definition of the division of responsibilities between His Majesty's Government and the Government of India is as stated in paragraph (e) of the Document. I propose to make the position as to this as clear as I can in my broadcast to-night. The Viceroy would be prepared to consult with Indian leaders on this basis to see whether it were possible to designate an Indian to some office connected with the Government of India's defence responsibilities, without in any way impinging upon the functions and duties of the Commander-in-Chief, either in his capacity as Supreme Commander of the Armed Forces in India or as the Member of the Executive Council in charge of defence. I give you this information as you put the question to me when last I had the pleasure of seeing you.

(A similar letter was sent to Mr. M. A. Jinnah.)

(2)

Letter from Sir S. CRIPPS to MAULANA AZAD dated 1st April, 1942.

I understand from the Press that difficulties are still in the mind of Congress as to the question of the responsibility for the defence of India. I have done what I could to clarify this point but as I think it would be a tragedy if negotiations were to break down upon any misunderstanding of the position I should like to suggest that I should ask the Commander-in-Chief to meet yourself and Pandit Jawaharlal Nehru with myself in order that he may explain fully to you the technical difficulties of the situation and in order that you may make to him any suggestions you wish as to the division of

responsibilities in this sphere of Government. Unfortunately he is at the moment away in Calcutta but he is expected back on Saturday next at the latest (and possibly earlier). If you consider this a helpful suggestion—as I hope you will—I will ask him the moment he returns whether he will be prepared to attend such a meeting and I do not anticipate that there will be any difficulty about it. I am sure you will realise that I do not want to be met with an impasse if there is any reasonable way out.

(3)

Letter from MAULANA AZAD to Sir S. CRIPPS dated 1st April, 1942.

I have your letter of to-day's date for which I thank you. If you so desire it I shall gladly meet the Commander-in-Chief and Pandit Jawaharlal Nehru will I hope be able to accompany me. My Committee have already arrived at a decision in regard to the proposals communicated by you to us. It was my intention to send this to you this evening or possibly to take it over in person in case you wished to discuss any point contained in it. This decision naturally covers other points also apart from defence. I hope to send it to you some time to-day. If you wish to meet me again in regard to this I shall gladly meet you.

(4)

Letter from Sir S. CRIPPS to MAULANA AZAD dated 2nd April, 1942.

Mr. Jinnah has asked me to give him a clear picture of the method by which I have proposed that a Province should decide whether it will or will not join an Indian Union set up in accordance with the procedure laid down in His Majesty's Government's draft declaration. I have told him in reply that the proposition which I have put orally to him and to the other leaders is that a Province should reach its decision by a vote in the Legislative Assembly on a resolution that the Province should join the Indian Union and that, if the majority for accession is less than 60%, the minority would have the right to demand a plebiscite of the adult male population. I explained this to you at our first meeting but as I have written to Mr. Jinnah in this sense I thought it desirable to give you a similar letter.

(5)

Letter from Sir S. CRIPPS to MAULANA AZAD dated April 3rd, 1942.

I have now been able to see His Excellency the Commander-in-Chief and he will be very glad to meet you and Pandit Jawaharlal Nehru to discuss the position regarding defence. Subject to your convenience 6 o'clock to-morrow evening would suit General Wavell, and if you can manage this I suggest that you should come here at 10 minutes to 6 p.m. and I will go up with you to the Commander-in-Chief's office. If there are any specific points of detail about organisation which you wish to raise I should be very much obliged if you could let me have a note of them to-night or first thing to-morrow morning, so that the Commander-in-Chief can consider them before the meeting.

(6)

Letter from MAULANA AZAD to Sir S. CRIPPS dated 4th April, 1942.

Thanks for your letter of to-day's date. From our talk yesterday I had gathered the impression that we were likely to meet the Commander-in-Chief some time to-day and we had arranged our programme accordingly, but as this is not convenient to him we shall meet him to-morrow at 6 p.m. as suggested and reach your house at 5.50 p.m. I do not think it is necessary

for me to send a note about organisational details. We are interested as you know in the political aspect of the problem, the full popular control of defence as well as all other departments of administration. We consider such control essential before responsibility can be undertaken. Our views on this subject and others are embodied in the resolution I gave you yesterday and it is with that background that we should like to consider the subject of defence. Problems of higher strategy may well be controlled by inter-Allied Cabinets or Councils, but the effectual control of the defence of India should rest with the Indian National Government.

(7)

Letter from SIR S. CRIPPS to MAULANA AZAD dated 7th April, 1942.

I have as I promised when I last saw you consulted His Majesty's Government as to what further step could be taken in order to meet the criticism of your Working Committee, that under clause (e) of the draft declaration the defence of India would not fall to be administered by a representative Indian. Although, as the Working Committee have fully understood, it is impossible to make any change in the existing constitution during the period of hostilities, His Majesty's Government are anxious to give representative Indians the maximum possible participation in the Government during that period. In accordance with the principle laid down in clause (e) of the draft declaration I have explained to you the technical difficulties with regard to the position of the Commander-in-Chief and will not here reiterate them. I have also pointed out that all those main aspects of the defence of India which at present fall under the care of other members of the Executive (e.g., civil defence, supply, home affairs, communications, etc., etc.) will, if the scheme is accepted, be administered by representative members in the new National Government. His Majesty's Government are however anxious to do their utmost to meet the wishes of the Indian people and to demonstrate their complete trust in the co-operative effort of the two peoples, British and Indian, which they hope may reinforce the defence of India. They also appreciate the force of the arguments that have been put forward as to the necessities of an effective appeal to the Indian peoples for their own defence.

I am therefore authorised to propose to you as a way out of the present difficulties that (a) the Commander-in-Chief should retain a seat on the Viceroy's Executive Council as War Member and should retain his full control over all the war activities of the armed forces in India subject to the control of His Majesty's Government and the War Cabinet, upon which body a representative Indian should sit with equal powers in all matters relating to the defence of India. Membership of the Pacific Council would likewise be offered to a representative Indian. (b) An Indian representative member would be added to the Viceroy's Executive who would take over those sections of the Department of Defence which can organisationally be separated immediately from the Commander-in-Chief's War Department and which are specified under head (I) of the annexure. In addition this member would take over the Defence Co-ordination Department which is at present directly under the Viceroy and certain other important functions of the Government of India which are directly related to defence and which do not fall under any of the other existing departments, and which are specified under head (II) of the annexure.

His Majesty's Government very much hope, as I personally hope, that this arrangement will enable the Congress to come into the scheme, so that if other important bodies of Indian opinion are also willing it will be possible for His Excellency the Viceroy to embark forthwith upon the task of forming the new National Government in consultation with the leaders of Indian opinion.

(A similar letter was sent to Mr. Jinnah).

Annex (I).—Matters now dealt with in the Defence Department which would be transferred to a Defence Co-ordination Department:—

- (a) Public relations.
- (b) Demobilisation and post war reconstruction.
- (c) Petroleum officer whose functions are to calculate the requirements of and make provision for all petroleum products required for the Army, Navy and Air Force, and for the civil departments, including storage and distribution.
- (d) Indian representation on the Eastern Group Supply Council.
- (e) Amenities for and welfare of troops and their dependants including Indian soldiers' boards.
- (f) All canteen organisations.
- (g) Certain non-technical educational institutions, *e.g.*, Lawrence schools, K.G.R.I.M. schools, and the Prince of Wales's Royal Indian Military College.
- (h) Stationery, printing, and forms for the Army.
- (i) Reception, accommodation, and social arrangements for all foreign missions, representatives, and offices.

Annex (II).—In addition the Defence Co-ordination Department would take over many major questions bearing directly on defence but difficult to locate in any particular existing departments; examples are denial policy, evacuation from threatened areas, signals co-ordination, economic warfare.

(8)

After further consideration of the formula contained in the second paragraph of letter No. (7), a new formula was evolved and submitted to the Congress leaders.

Draft Alternative Formula on Defence.

- (a) The Defence Department shall be placed in the charge of a representative Indian Member, but certain functions relating to the conduct of the war will be exercised by the Commander-in-Chief, who will control the armed forces in India, and who will be a Member of the Executive Council in charge of the War Department.
- (b) This Department will take over such functions as are to be exercised by the Commander-in-Chief as War Member. A list of such functions has been prepared and is attached.
- (c) The Defence Member shall be in charge of all other matters relating to Defence in the Defence Department and those now dealt with by the Defence Co-ordination Department, in addition to other important matters closely related to Defence.
- (d) In the event of any new functions falling to be discharged in relation to Defence or any dispute arising as to the allocation of any old functions it shall be decided by His Majesty's Government.

The following is the list referred to in (b) above:

The War Department will be responsible for the governmental relations of General Headquarters, Naval Headquarters and Air Headquarters, which include:

- (1) examining and sanctioning all proposals emanating from General Headquarters, Naval Headquarters and Air Headquarters;
- (2) representing the policy of Government on all questions connected with the war which originate in or concern General Headquarters, Naval Headquarters, or Air Headquarters;
- (3) acting as the channel of communication between the Government of India and His Majesty's Government on all such questions;
- (4) acting as liaison between these Headquarters and other Departments of the Government, and Provincial Governments.

(9)

Letter from MAULANA AZAD to SIR S. CRIPPS dated 10th April, 1942.

On April 2nd I sent you the resolution of the Working Committee* of the Congress containing their views of the tentative proposals put forward by you on behalf of the British Government. In this resolution we expressed our dissent from several important and far-reaching proposals for the future. Further consideration of these proposals has only strengthened us in our conviction in regard to them and we should like to repeat that we cannot accept them as suggested. The Working Committee's resolution gives expression to our conclusions relating to them, which we reached after the most earnest consideration.

That resolution however emphasized the gravity of the present situation and stated that the ultimate decision that we might take would be governed by the changes made in the present. The over-riding problem before all of us, and more especially before all Indians, is the defence of the country from aggression and invasion. The future, important as it is, will depend on what happens in the next few months and years. We were therefore prepared to do without any assurances for this uncertain future, hoping that through our sacrifices in the defence of our country we would lay the solid and enduring foundations for a free and independent India. We concentrated therefore on the present.

Your original proposals in regard to the present, as contained in Clause (e) of the proposed Declaration, were vague and incomplete, except insofar as it was made clear that His Majesty's Government must inevitably bear the full responsibility for the defence of India. These proposals in effect asked for participation in the tasks of to-day with a view to ensure the future freedom of India. Freedom was for an uncertain future, not for the present; and no indication was given in Clause (e) of what arrangements or governmental and other changes would be made in the present. When this vagueness was pointed out, you said that this was deliberate so as to give you freedom to determine these changes in consultation with others. In our talks you gave us to understand that you envisaged a National Government which would deal with all matters except Defence.

Defence at any time, and more particularly in war time, is of essential importance; and without it a National Government functions in a very limited field. Apart from this consideration, it was obvious that the whole purpose of your proposals and our talks centred round the urgency of the problems created by the threat of the invasion of India. The chief functions of a National Government must necessarily be to organize defence, both intensively and on the widest popular basis, and to create mass psychology

* Reproduced on pages 16-18 *infra*.

of resistance to an invader. Only a National Government could do that, and only a Government on whom this responsibility was laid. Popular resistance must have a national background and both the soldier and the civilian must feel that they are fighting for their country's freedom under National leadership.

We pointed this out to you. The question became one not of just satisfying our national aspirations, but of effective prosecution of the war and fighting to the last any invader who set foot on the soil of India. On general principles a National Government would control defence through a Defence Minister, and the Commander-in-Chief would control the armed forces and would have full latitude in the carrying out of operations connected with the war. An Indian National Government should have normally functioned in this way. We made it clear that the Commander-in-Chief in India would have control of the armed forces and the conduct of operations and other matters connected therewith. With a view to arriving at a settlement, we were prepared to accept certain limitations on the normal powers of the Defence Minister. We had no desire to upset in the middle of the war the present military organization or arrangements. We accepted also that the higher strategy of the war should be controlled by the War Cabinet in London, which would have an Indian Member. The immediate object before us was to make the defence of India more effective, to strengthen it, to broaden it on the popular will and to reduce all red tape delay and inefficiency from it. There was no question of our interfering with the technical and operational sides. One thing of course was of paramount importance to us, India's safety and defence. Subject to this primary consideration there was no reason why there should be any difficulty in finding a way out of the present impasse in accordance with the unanimous desire of the Indian people, for in this matter there are no differences amongst us.

The emphasis on defence led you to reconsider the matter and you wrote to me on April 7th suggesting a formula for defence.

In this letter you said "as the Working Committee have fully understood, it is impossible to make any change in the existing constitution during the period of hostilities." The Working Committee's attitude in the matter has been completely misunderstood and I should like to clear this up. Although we are not immediately concerned with it, the Committee do not think that there is any inherent difficulty in the way of constitutional changes during the war. Everything that helps in the war not only can be but must be done with speed. That is the only way to carry on and win a war. No complicated enactments are necessary. A recognition of India's freedom and right to self-determination could easily be made if it was so wished together with certain other consequential but important changes. The rest can be left to future arrangements and adjustments. I might remind you that the British Prime Minister actually proposed a Union of France and England on the eve of the fall of France. No greater or more fundamental change could be imagined and this was suggested at a period of grave crisis and peril. War accelerates change. It does not fit in with static conceptions.

The formula for Defence that you sent us was considered by us together with its annexure which gave a list of subjects or departments which were to be transferred to the Defence Department. This list was a revealing one as it proved that the Defence Minister would deal with relatively unimportant matters. We were unable to accept this and we informed you accordingly.

Subsequently a new formula for Defence was suggested to us but without any list of subjects. This formula seemed to us to be based on a more healthy approach and we suggested certain changes pointing out that our ultimate decision would necessarily depend on the allocation of subjects. A revised

that la was then sent back to us together with an indication of the functions of the War Department. This was so widely and comprehensively framed that it was difficult for us to know what the actual allocation of subjects and departments as between the Defence Department and the War Department would be. A request was made on our behalf that illustrative lists of these subjects might be supplied to enable us to consider the matter. No such lists were supplied to us.

In the interview we had with you yesterday we discussed the new formula and expressed our viewpoint in regard to it. I need not repeat what I said then. The wording of the formula is after all a minor matter and we would not allow that to come in our way unless some important principle is at stake. But behind that wording lay certain ideas and we were surprised to find that during the past few days we had been proceeding on wrong assumptions.

When we asked you for illustrative lists of subjects for the two Departments you referred us to the old list for the Defence Department which you had previously sent us and which we had been unable to accept. You added that certain residuary subjects might be added to this but in effect there was not likely to be any such subject as the allocation was complete. Thus you said that substantially there was no change between the old list and any new one that might be prepared. If this was so and we were to go back ultimately to the place we started from then what was the purpose of our searching for new formulae, a new set of words meaning the same thing made no difference.

In the course of our talks many other matters were also cleared up. Unfortunately to our disadvantage you had referred both privately and in the course of public statements to a National Government and a Cabinet consisting of Ministers. These words have a certain significance and we had imagined that the new government would function with full powers as a Cabinet with the Viceroy acting as a constitutional head; but the new picture that you placed before us was really not very different from the old, the difference being one of degree and not of kind. The new government could neither be called, except vaguely and inaccurately, nor could it function as a National Government. It would just be the Viceroy and his Executive Council with the Viceroy having all his old powers. We did not ask for any legal changes but we did ask for definite assurances and conventions which would indicate that the new government would function as a free government, the members of which act as members of a Cabinet in a constitutional government. In regard to the conduct of the war and connected activities the Commander-in-Chief would have freedom and he would also act as War Minister. We were informed that nothing could be said at this stage even vaguely and generally about the conventions that should govern the new government and the Viceroy. This was a matter in the Viceroy's sole discretion and at a later stage it could be discussed directly with the Viceroy. Ultimately there was always the possibility of the Members of the Executive Council resigning or threatening to resign if they disagreed with the Viceroy. That sanction or remedy is of course always open but it is curious that we should base our approach to a new government on the probability of conflict and resignation at the very outset.

The picture therefore placed before us is not essentially different from the old one. The whole object which we and I believe you have in view, that is to create a new psychological approach to the people to make them feel that their own National Government had come, that they were defending their newly won freedom, would be completely frustrated when they saw this old picture again with even the old label on. The continuation of the India Office which has been a symbol of evil to us would confirm this picture. It has almost been taken for granted for some time past that the India Office

would soon disappear, as it was an anachronism, but now we are told that even this undesirable relic of a past age is going to continue.

The picture of the Government which was so like the old in all essential features is such that we cannot fit into it. Normally we would have had little difficulty in disposing of this matter for it is so far removed from all that we have striven for, but in the circumstances of to-day we were prepared to give full consideration to every proposal which might lead to an effective organization of the defence of India. The peril that faces India affects us more than it can possibly affect any foreigner and we are anxious and eager to do our utmost to face it and overcome it. But we cannot undertake responsibilities when we are not given the freedom and power to shoulder them effectively and when an old environment continues which hampers the national effort.

While we cannot accept the proposals you have made, we want to inform you that we are yet prepared to assume responsibility provided a truly National Government is formed. We are prepared to put aside for the present all questions about the future, though as we have indicated we hold definite views about it. But in the present the National Government must be a Cabinet Government with full power, and must not merely be a continuation of the Viceroy's Executive Council. In regard to Defence we have already stated what in our opinion the position should be. At present we feel that such an arrangement is the very minimum that is essential for the functioning of a National Government and for making the popular appeal which is urgently needed.

We would point out to you that the suggestions we have put forward are not ours only but may be considered to be the unanimous demand of the Indian people. On these matters there is no difference of opinion among various groups and parties and the difference is as between the Indian people as a whole and the British Government. Such differences as exist in India relate to constitutional changes in the future. We are agreeable to the postponement of this issue so that the largest possible measure of unity might be achieved in the present crisis for the defence of India. It would be a tragedy that even when there is this unanimity of opinion in India the British Government should prevent a free National Government from functioning, and from serving the cause of India as well as the larger causes for which millions are suffering and dying to-day.

(10)

Letter from SIR S. CRIPPS to MAULANA AZAD dated 10th April, 1942.

I was extremely sorry to receive from you your letter of April 10 expressing the rejection by the Congress Working Committee of His Majesty's Government's draft declaration.

I will not deal with those points which are covered by the original resolution of your committee which you sent me, as they were clearly not the reason for your decision.

Nor need I go into the question of the division of duties between the Defence Minister and the Commander-in-Chief as War Member with which you deal at length. This division allotted to the Defence Minister all functions outside those actually connected with the General Headquarters, Navy Headquarters and Air Headquarters which are under the Commander-in-Chief as head of the fighting forces in India.

In addition to these functions in the narrow field of "defence" it was suggested that all other portfolios relating to that subject such as:

- Home department: internal order, police, refugees, etc.,
- Communications department: railways, roads, transport, etc.,
- Finance department: all war finance in India,
- Supply department: supplies for all forces and munitions,
- Information and broadcasting department: propaganda, publicity, etc.,
- Civil defence department: air raid precautions, and all forms of civilian defence,
- Legislative department: regulations and orders,
- Labour department: man power,
- Defence department: administration of Indian personnel, etc.,

should be put in the hands of representative Indians as members of the Executive Council.

Nothing further could have been done by way of giving responsibility for defence services to representative Indian members without jeopardising the immediate defence of India under the Commander-in-Chief. This defence is as you know a paramount duty and responsibility of His Majesty's Government, while unity of command is essential in the interest of the allied help to India.

The real substance of your refusal to take part in a National Government is that the form of Government suggested is not such as would enable you to rally the Indian people as you desire.

You make two suggestions. First that the constitution might now be changed. In this respect I would point out that you made this suggestion for the first time last night, nearly three weeks after you had received the proposals, and I would further remark that every other representative with whom I have discussed this view has accepted the practical impossibility of any such legislative change in the middle of a war and at such a moment as the present.

Second, you suggest "a truly National Government" be formed which must be "Cabinet Government with full power".

Without constitutional changes of a most complicated character and on a very large scale this would not be possible as you realise.

Were such a system to be introduced by convention under the existing circumstances the nominated cabinet (nominated presumably by the major political organisations), responsible to no one but itself, could not be removed and would in fact constitute an absolute dictatorship of the majority.

This suggestion would be rejected by all minorities in India, since it would subject all of them to a permanent and autocratic majority in the cabinet. Nor would it be consistent with the pledges already given by His Majesty's Government to protect the rights of those minorities.

In a country such as India where communal divisions are still so deep an irresponsible majority Government of this kind is not possible.

Apart from this, however, until such time as the Indian peoples frame their new Constitution His Majesty's Government must continue to carry out its duties to those large sections of the Indian people to whom it has given its pledges.

The proposals of His Majesty's Government went as far as possible, short of a complete change in the Constitution which is generally acknowledged as impracticable in the circumstances of to-day.

While therefore both I and His Majesty's Government recognise the keen desire of your Working Committee to carry on the war against the enemy

every means in their power, they regret that your Working Committee not seen its way to join in the war effort upon the conditions sincerely offered, the only conditions which could have brought together all the different communities and sections of the Indian people.

(II)

Letter from MAULANA AZAD to SIR S. CRIPPS dated 11th April, 1942.

I have just received your letter of April 10th and I must confess that my colleagues and I were considerably surprised to read it. I am sending you this reply immediately and can only deal briefly here with some of the points you have raised.

The points covered by our original resolution are important and represent my Committee's well-considered views on the British proposals as a whole; but we pointed out to you that so far as the proposals relate to the future they might be set aside, as we were anxious to assume responsibility for India's Government and defence in this hour of danger. This responsibility could only be undertaken, however, if it was real responsibility and power.

As regards the division of functions between the Defence Minister and the War Minister, you did not give an illustrative list as requested by us, and referred us to the previous list of the Defence Minister's functions which as you know we had been wholly unable to accept. In your letter under reply you mention certain subjects directly or indirectly related to the war which will be administered by other departments. So far as the Defence Minister is concerned it is clear that his functions will be limited by the first list that you sent.

No one has suggested any restrictions on the normal powers of the Commander-in-Chief. Indeed we went beyond this and were prepared to agree to further powers being given to him as War Minister. But it is clear that the British Government's conception and ours in regard to Defence differs greatly. For us it means giving it a National character and calling upon every man and woman in India to participate in it. It means trusting our own people and seeking their full co-operation in this great effort. The British Government's view seems to be based on an utter lack of confidence in the Indian people and in withholding real power from them.

You refer to the paramount duty and responsibility of His Majesty's Government in regard to defence. That duty and responsibility cannot be discharged effectively unless the Indian people are made to have and feel their responsibility, and the recent past stands witness to this. The Government of India do not seem to realise that the war can only be fought on a popular basis.

Your statement that we have for the first time after three weeks suggested a change in the constitution is hardly correct. In the course of our talks reference was made to it, but it is true that we did not lay stress on it as we did not want to introduce new issues; but when you stated explicitly in your letter that we had agreed that no constitutional changes could be made during the war we had to deny this and correct your impression.

It is the last part of your letter that has especially surprised and pained us. It seems that there has been a progressive deterioration in the British Government's attitude as our negotiations proceeded. What we were told in our very first talk with you is now denied or explained away. You told me then that there would be a National Government which would function as a Cabinet and that the position of the Viceroy would be analogous to that of The King in England vis-à-vis his Cabinet. In regard to the India Office you

told me that you were surprised that no one had so far mentioned this important matter, and that the practical course was to have this attached or incorporated with the Dominions Office.

The whole of this picture which you sketched before us has now been completely shattered by what you told us during our last interview.

You have put forward an argument in your letter which at no time during our talks was mentioned by you. You refer to the "absolute dictatorship of the majority". It is astonishing that such a statement should be made in this connection and at this stage. This difficulty is inherent in any scheme of a mixed Cabinet formed to meet an emergency, but there are many ways in which it can be provided for. Had you raised this question we would have discussed it and found a satisfactory solution.

The whole approach to this question has been that a mixed Cabinet should be formed and should co-operate together. We accepted this. We are not interested in the Congress as such gaining power, but we are interested in the Indian people as a whole having freedom and power. How the Cabinet should be formed and should function was a question which might have been considered after the main question was decided: that is the extent of power which the British Government would give to the Indian people. Because of this we never discussed it with you or even referred to it.

Nevertheless you have raised this matter for the first time in what is presumably your last letter to us and tried most unjustifiably to side-track the real issue between us.

You will remember that in my very first talk with you I pointed out that the communal or like questions did not arise at this stage. As soon as the British Government made up its mind to transfer real power and responsibility, the other questions could be tackled successfully by those concerned. You gave me the impression that you agreed with this approach.

We are convinced that if the British Government did not pursue a policy of encouraging disruption, all of us to whatever party or group we belonged would be able to come together and find a common line of action; but unhappily even in this grave hour of peril the British Government is unable to give up its wrecking policy. We are driven to the conclusion that it attaches more importance to holding on to its rule in India as long as it can and promoting discord and disruption here with that end in view, than to an effective defence of India against the aggression and invasion that overhang it. To us and to all Indians the dominant consideration is the defence and safety of India and it is by that test that we judge.

You mention that you propose to publish your letter to me. I presume that you have no objection now to our publishing our original resolution, your letters to us, and our letters to you.

RESOLUTION OF THE INDIAN STATES DELEGATION, contained in letter to SIR STAFFORD CRIPPS from His Highness the Chancellor of the Chamber of Princes, dated 10th April, 1942.

MY DEAR SIR STAFFORD,

The Indian States delegation unanimously adopted the following resolution in respect of the proposals of His Majesty's Government which you discussed with them:—

" The attitude of the Indian States in general on the Mission of the Lord Privy Seal is summed up in the Resolution on the subject which was adopted unanimously at the recent Session of the Chamber of Princes. The Indian States will be glad as always, in the interest of the Motherland, to make their contribution, in every reasonable manner compatible with the sovereignty and integrity of the States, towards the framing of a new Constitution for India.

The States should be assured, however, that in the event of a number of States not finding it feasible to adhere, the non-adhering States or group of States so desiring should have the right to form a union of their own, with full sovereign status in accordance with a suitable and agreed procedure devised for the purpose."

Yours sincerely,

(Signed) DIGVIJAYSINHJI MAHARAJA JAM SAHEB OF NAWANAGAR.

The following is the text of the Resolution referred to:—

(a) That this Chamber welcomes the announcement made in the House of Commons on March 11th, 1942, by the Prime Minister and the forthcoming visit to India of the Lord Privy Seal and leader of the House of Commons, and expresses the hope that it may help to unite India to intensify further her war effort and to strengthen the measures for defence of the Motherland.

(b) That this Chamber has repeatedly made it clear that any scheme to be acceptable to the States must effectively protect their rights arising from Treaties, engagements and Sanads or otherwise and ensure the future existence of Sovereignty and autonomy of the States thereunder guaranteed, and leave them complete freedom duly to discharge their obligation to the Crown and to their subjects; it therefore notes with particular satisfaction the reference in the announcement of the Prime Minister to the fulfilment of the Treaty obligations to the Indian States.

(c) That this Chamber authorises its representatives to carry on the discussions and negotiations for Constitutional advance of India with due regard to successful prosecution of war and interests of the States, and subject to the final confirmation by the Chamber and without prejudice to the right of the individual States to be consulted in respect of any proposals affecting their Treaty or other inherent rights.

RESOLUTION OF THE CONGRESS WORKING COMMITTEE: issued on 11th April, 1942.

The Working Committee have given full and earnest consideration to the proposals made by the British War Cabinet with regard to India and the elucidation of them by Sir Stafford Cripps.

These proposals, which have been made at the very last hour because of the compulsion of events, have to be considered not only in relation to India's demand for independence but more especially, in the present grave war crisis, with a view to meeting effectively the perils and dangers that confront India and envelop the world.

Congress has repeatedly stated, ever since the commencement of the war in September 1939, that the people of India would line themselves with the progressive forces of the world and assume full responsibility to face the new problems and shoulder the new burdens that had arisen, and it asked for the necessary conditions to enable them to do so to be created. The essential condition was the freedom of India, for only the realisation of present freedom could light the flame which would illuminate millions of hearts and move them to action.

At the last meeting of the All-India Congress Committee, after the commencement of the war in the Pacific, it was stated that:—"Only a free and independent India can be in a position to undertake the defence of this country on a national basis and be able to help in the furtherance of the larger causes that are emerging from the form of war."

The British War Cabinet's new proposals relate principally to the future upon the cessation of hostilities. The Committee, while recognising that self-determination for the people of India is accepted in principle in that uncertain future, regret that this is fettered and circumscribed and that certain provisions have been introduced which gravely imperil the development of a free and united national government and the establishment of a democratic state. Even the constitution-making body is so constituted that the people's right of self-determination is vitiated by the introduction of non-representative elements.

The people of India have, as a whole, clearly demanded full independence, and Congress has repeatedly declared that no other status except that of independence for the whole of India could be agreed to or could meet the essential requirements of the present situation.

The Committee recognise that future independence may be implicit in the proposals, but the accompanying provisions and restrictions are such that real freedom may well become an illusion.

The complete ignoring of ninety millions of people in the Indian States, and their treatment as commodities at the disposal of their Rulers, is a negation both of democracy and self-determination. While the representation of an Indian State in the constitution-making body is fixed on a population basis, the people of the State have no voice in choosing those representatives, nor are they to be consulted at any stage while decisions vitally affecting them are being taken. Such States may in many ways become barriers to the growth of Indian freedom, enclaves where foreign authority still prevails, and where the possibility of maintaining foreign-armed forces has been stated to be a likely contingency and a perpetual menace to the freedom of the people of the States as well as of the rest of India.

The acceptance beforehand of the novel principle of non-accession for a Province is also a severe blow to the conception of Indian unity and an apple of discord likely to generate growing trouble in the Provinces, and which may well lead to further difficulties in the way of the Indian States merging themselves into an Indian Union. Congress has been wedded to Indian freedom and unity and any break of that unity especially in the modern world when peoples' minds inevitably think in terms of ever larger federations would be injurious to all concerned and exceedingly painful to contemplate. Nevertheless the Committee cannot think in terms of compelling the people of any territorial unit to remain in an Indian Union against their declared and established will. While recognising this principle, the Committee feel that every effort should be made to create conditions which would help the different units in developing a common and co-operative national life. Acceptance of this principle inevitably involves that no changes should be made which would result in fresh problems being created and compulsion being exercised on other substantial groups within that area. Each territorial unit should have the fullest possible autonomy within the Union consistently with a strong National State.

The proposal now made on the part of the British War Cabinet encourages and will lead to attempts at separation at the very inception of the Union and thus create great friction just when the utmost co-operation and goodwill are most needed. This proposal has been presumably made to meet the communal demand, but it will have other consequences also and lead politically

reactionary and obscurantist groups among the different communities to create trouble and divert public attention from the vital issues before the country.

Any proposal concerning the future of India must demand attention and scrutiny, but in to-day's grave crisis it is the present that counts and even the proposals for the future in so far as they affect the present. The Committee necessarily attached the greatest importance to this aspect of the question and on this ultimately depends what advice they should give to those who look to them for guidance. For this the present British War Cabinet's proposals are vague and altogether incomplete, and there would appear to be no vital changes in the present structure contemplated. It has been made clear that the defence of India will in any event remain under British control. At any time Defence is a vital subject; during war-time it is all-important and covers almost every sphere of life and administration. To take away Defence from the sphere of responsibility at this stage is to reduce that responsibility to a farce and nullity, and to make it perfectly clear that India is not going to be free in any way and her Government is not going to function as a free and independent Government during the pendency of the war.

The Committee would repeat that the essential fundamental prerequisite for the assumption of responsibility by the Indian people in the present is their realisation as a fact that they are free and are in charge of maintaining and defending their freedom. What is most wanted is the enthusiastic response of the people, which cannot be evoked without the fullest trust in them and the devolution of responsibility on them in the matter of Defence. It is only thus that even in this grave eleventh hour it may be possible to galvanise the people of India to rise to the height of the occasion. It is manifest that the present Government of India, as well as its Provincial agencies, are lacking in competence and are incapable of shouldering the burden of India's defence. It is only the people of India, through their popular representatives, who may shoulder this burden worthily. But that can only be done by present freedom and full responsibility being cast upon them. The Committee are, therefore, unable to accept the proposals put forward on behalf of the British War Cabinet.

RESOLUTION OF THE ALL-INDIA MUSLIM LEAGUE WORKING COMMITTEE ISSUED ON 11TH APRIL, 1942.

The Working Committee of the All India Muslim League have given their most earnest and careful consideration to the announcement made by Mr. Churchill, the British Prime Minister, in the House of Commons on March 11th 1942 and the Draft Declaration of the War Cabinet of His Majesty's Government regarding the future of India, and also the interim proposals during the critical period which now faces India for the immediate participation of the Leaders of the principal sections of the Indian People in the counsels of their country.

The Committee appreciate that the British Prime Minister in his pronouncement made it clear that the draft Declaration embodied only the proposals of His Majesty's Government and not their decision, and that they are subject to agreement between the main elements in India; thus maintaining the validity of the Declaration of August 8th 1940, which had promised to the Moslems that neither the machinery for the framing of the Constitution should be set up, nor the Constitution itself should be enforced, without the approval and consent of Moslem India.

The Committee, while expressing their gratification that the possibility of Pakistan is recognised by implication by providing for the establishment of

two or more independent Unions in India, regret that the p. been recognised Majesty's Government embodying the fundamentals are notages, and even modification and therefore no alternative proposals are invited. periods of this the rigidity of the attitude of His Majesty's Government with ish rule, the fundamentals not being open to any modification, the Committ has always alternative but to say that the proposals in their present form ar esides, India able to them for the following reasons:—

(1) The Mussalmans, after 25 years of genuine efforts for the reco stimulate of the two major communities and the bitter experience of the failure the non-efforts, are convinced that it is neither just nor possible, in the inter in view peace and the happiness of the two peoples, to compel to constitute one ithreats Union composed of the two principal nations—Hindus and Moslems: enance this appears to be the main object of His Majesty's Government as ad ntry. brated in the preamble of the draft Declaration, the creation of more th than one Union being relegated only to the realm of remote possibility, and ion purely illusory. 'a-

(2) In the draft Declaration a constitution-making body has been proposed with the primary object of creating one Indian Union. So far as the Muslim League is concerned, it has finally decided that the only solution of India's constitutional problem is the partition of India into independent zones: and it will therefore be unfair to the Moslems to compel them to enter such a constitution-making body whose main object is the creation of a new Indian Union. With conditions as they are it will be not only futile but on the contrary may exacerbate bitterness and animosity amongst the various elements in the country.

The machinery which has been proposed for the creation of the constitution-making body, namely that it will consist of members elected by the newly elected Lower Houses of the eleven Provinces upon the cessation of hostilities as a 'single electoral College by the system of proportional representation, is a fundamental departure from the right of the Mussalmans hitherto enjoyed by them to elect their representatives by means of separate electorates, which is the only sure way in which true representatives of the Mussalmans can be chosen.

The constitution-making body will take decisions by a bare majority on all questions of the most vital and paramount character involved in the framing of the Constitution, which is a departure from the fundamental principles of justice and contrary to constitutional practice so far followed in the various countries and Dominions; and the Mussalmans by agreeing to this will, instead of exercising their right and judgment as a constituent factor, be at the entire mercy of the constitution-making body in which they will be a minority of about 25 per cent.

(3) The right of non-accession to the Union as contemplated in the draft Declaration has been conceded presumably in response to the insistent demands by the Mussalmaans for the partition of India: but the method and procedure laid down are such as to negative the professed object; for in the draft proposals the right of non-accession has been given to the existing Provinces which have been formed from time to time for administrative convenience and on no logical basis.

The Mussalmans cannot be satisfied by such a Declaration on a vital question affecting their future destiny, and demand a clear and precise pronouncement on the subject. Any attempt to solve the future problem of India by the process of evading the real issue is to court disaster.

In the draft proposals no procedure has been laid down as to how the verdict of the Province is to be obtained in favour of or against accession to the one Union, but in the letter dated April 2nd from the Secretary of Sir Stafford Cripps addressed to the President of the All-India Muslim

actionary anded that " a Province should reach the decision whether or not to create trouble for the Union by a vote in the Legislative Assembly on a resolution in the country.

Any proposal for accession to the Union is less than 60 per cent. of the adult male population, but have the right to demand a plebiscite of the adult male population. In the connection it must be emphasised that in the Provinces where the Mussalmans are in a majority, as in the case of the major Provinces of the Punjab, they are in a minority in the Legislative Assemblies, those of the Assemblies of Sind and the North-West Frontier Province the weightage (namely 60 and 50 respectively) is so small and the weightage appears to the non-Moslems so heavy that it can be easily manipulated, and a plebiscite under such conditions cannot be the true criterion of ascertaining the real opinion of the Mussalmans of those Provinces.

As regards the suggested plebiscite in the Provinces in which the Mussalmans are in a majority, in the event of the requisite majority not being available in the Legislative Assemblies, the procedure laid down is that reference shall be made to the whole adult population of the Provinces and not to the Mussalmans alone; which is to deny them the inherent right to self-determination.

(4) With regard to the Indian States, it is the considered opinion of the Committee that it is a matter for them to decide whether to join or not to join or form a Union.

(5) With regard to the Treaties to be negotiated between the Crown and the Indian Union or Unions, the proposals do not indicate as to what would happen in case of disagreement on the terms between the contracting parties; nor is there any provision made as to what would be the procedure when there is a difference of opinion in negotiating a revision of treaty arrangements with the Indian States in the new situation.

(6) With regard to the interim arrangement there is no definite proposal except the bare statement that His Majesty's Government desire and invite the effective and immediate participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth, and of the United Nations. The Committee are therefore unable to express their opinion until a complete picture is available. Another reason why the Committee are unable to express their opinion on the interim arrangements for participation in the counsels of the country is that Sir Stafford Cripps has made it clear that the scheme goes through as a whole or is rejected as a whole, and that it would not be possible to retain only the part relating to the immediate arrangements at the centre and discard the rest of the draft scheme; and as the Committee has come to the conclusion that the proposals for the future are unacceptable, it will serve no useful purpose to deal further with the question of the immediate arrangements.

RESOLUTION OF THE HINDU MAHASABHA, ratified by the Working Committee of the Mahasabha on 3rd April, 1942.

There are several points in the Declaration which are more or less satisfactory but according to the statement unfortunately made by Sir Stafford Cripps, the scheme of His Majesty's Government is to be accepted or rejected *in toto*. As some essential features of the scheme are wholly or partially unacceptable to us, the Hindu Mahasabha has no other alternative but to reject the scheme.

1. One of the cardinal points in the scheme which Sir Stafford Cripps has put forward on behalf of the War Cabinet is the right which has been conferred on the provinces of British India to keep out of the Indian Union or Federation. The basic principle of the Hindu Mahasabha is that India is one

and indivisible. In the religious and cultural aspect there has been recognised the fundamental unity of India by the Hindus throughout the ages, and even unity in the political sphere was an accomplished fact in many periods of this country's history. Even during some two centuries of British rule, the political unity of India has been recognised and fostered and this has always been claimed by Britain herself as her finest achievement. Besides, India has been treated as one political and constitutional unit under the Constitution Act of 1935. The right to step out of the Indian Federation will stimulate communal and sectional animosities. The other option given to the non-acceding provinces to set up a rival Pakistan Federation constitutes, in view of such Moslem movements as Pakistan and Pathanistan involving threats of joining hands with Afghanistan and other Moslem nations, serious menace to India's security and unity, and this may lead to civil war in the country. The Mahasabha cannot be true to itself and to the best interests of Hindusthan (India) if it is a party to any proposal which involves the political partition of India in any shape or form. The Hindu Mahasabha therefore has fundamental objections to the proposal.

The right of non-accession of any province to the " Indian Union " cannot be justified on the principle of self-determination and no such right can be imposed by any outside authority. India has already been one unitary State, and the existing provinces are constituted as administrative units. The analogy of sovereign States entering into a Federation and surrendering a portion of their sovereignty for certain common purposes cannot apply to Indian Provinces.

2. According to the scheme of Sir Stafford Cripps, a treaty will be signed between His Majesty's Government and the Constituent Assembly, and such a treaty will implement the undertakings given by His Majesty's Government for the protection of racial and religious minorities. In the framing of this treaty all parties and sections will have an effective say. Such a treaty ought to completely satisfy the minorities.

If, however, any minority is not satisfied with the safeguards in the proposed constitution, then the question of such safeguards can be referred to a tribunal or arbitration to be appointed by the Constituent Assembly in consultation with disputing parties. We want to take our stand on justice and fair play, and we do not ask for any rights or privileges which we are not prepared to extend to any community.

3. The Hindu Mahasabha is not so much concerned with a declaration as to the future, but the real question is whether England is willing to transfer immediately real political power to India and, if so, to what extent. It notes with regret that the scheme which Sir Stafford Cripps has announced is nebulous, vague and unsatisfactory with regard to the interim arrangements. The Government of India Act of 1935 still maintains the bureaucracy in power with the Governor-General and the Governors as their powerful protagonists. But for successful prosecution of the war it is essential to transfer real power to Indian hands and to set up conventions whereby Indian ministers can formulate and execute a policy of national defence, including the formation of national militia and the arming of the Indian people for the defence of the country.

4. It has been the demand of the Hindu Mahasabha that India should be immediately declared an independent nation with free and equal status in the Indo-British Commonwealth. The Declaration promises full national sovereignty in the future, but the constitutional position and status of India during the interim period have not been made at all clear.

5. Particularly in regard to defence, the scheme of His Majesty's Government is unacceptable to us.

It is urgent and imperative that if India is to be an effective partner in the struggle for freedom, her defence policy must be determined and her defence arrangements must be made on the responsibility of her own Defence Minister enjoying the confidence of all sections of the people. The tragic experiences of Malaya and Burma have demonstrated that, apart from the deplorable failure of military strategy, the apathy and hostility of the people who were deliberately kept unarmed, contributed to the British reverses. The psychology necessary for full and willing co-operation in the present war amongst the Indian people cannot be created unless, and until, the defence of India is put in Indian hands.

6. We note with satisfaction that this scheme provides for a constitution-making body for framing the future constitution of India, and that the Constituent Assembly may begin its work with the declaration of India's independence. But the principle on which it will be constituted is vicious. The constitution-making body will be elected on the basis of the communal award which is not only anti-national but runs counter to the essential principles of democracy.

7. Unless, and until, the scheme of His Majesty's Government is radically altered and readjusted on the vital issues mentioned above, the Hindu Mahasabha cannot be a party to the acceptance in as much as the scheme is to be accepted or rejected *in toto*.

THE DEPRESSED CLASSES: Letter to SIR STAFFORD CRIPPS from DR. B. R. AMBEDKAR and MR. M. C. RAJAH, dated 1st April, 1942.

We told you when we met you on the 30th March that the proposals of His Majesty's Government relating to Constitutional development of India will not be acceptable to the Depressed Classes for the reasons which we placed before you at the interview. Since then we have had consultations with many of the Depressed Classes' representatives in the various Provincial and Central Legislatures and all of them have unanimously endorsed the view we placed before you regarding the proposals.

We are all of us absolutely convinced that the proposals are calculated to do the greatest harm to the Depressed Classes and are sure to place them under an unmitigated system of Hindu rule. Any such result which takes us back to the black days of the ancient past will never be tolerated by us, and we are all determined to resist any such catastrophe befalling our people with all the means at our command.

We request you to convey to His Majesty's Government our deepest anxiety regarding the future of the Depressed Classes and to impress upon them that we must look upon it as breach of faith if His Majesty's Government should decide to force upon the Depressed Classes a Constitution to which they have not given their free and voluntary consent and which does not contain within itself all the provisions that are necessary for safeguarding their interests.

In the end we want to thank you for assuring us that you called us in our representative capacity and that His Majesty's Government did not regard the Depressed Classes as a minor party—points upon which some doubt had arisen in our mind and about which we asked you for a correct definition of our position.

THE SIKH ALL-PARTIES COMMITTEE: *Letter to SIR STAFFORD Cripps dated 31st March, 1942, with note appended.*

DEAR SIR STAFFORD CRIPPS,

May we begin by stating that after giving careful consideration to their proposals which have now been published from the point of view of (1) India's integrity and (2) the Sikh position, we find them unacceptable because (1) instead of maintaining and strengthening the integrity of India specific provision has been made for separation of Provinces and constitution of Pakistan and (2) the cause of the Sikh community has been lamentably betrayed.

Ever since the British advent our community has fought for England in every battlefield of the Empire and this is our reward, that our position in the Punjab, which England promised to hold in trust and in which we occupied a predominant position, has been finally liquidated.

Why should a Province that fails to secure a three-fifths majority of its Legislature, in which a religious community enjoys statutory majority, be allowed to hold a plebiscite and be given the benefit of a bare majority? In fairness this right should have been conceded to communities who are in permanent minority in the Legislature.

Further, why should not the population of any area opposed to separation be given the right to record its verdict and to form an autonomous unit?

We are sure you know that Punjab proper extended up to the banks of the Jhelum excluding Jhang and Multan Districts, and that the Trans-Jhelum area was added by the conquest of Maharaja Ranjit Singh and retained by the British for administrative convenience. It would be altogether unjust to allow the extraneous Trans-Jhelum population, which only accidentally came into the Province, to dominate the future of the Punjab proper.

We give below the figures which abundantly prove our contention. From the boundary of Delhi to the banks of the Ravi river the population is divided as follows: Muslims forty-five lakhs five thousand, Sikhs and other non-Muslims seventy-six lakhs forty-six thousand.

From the Delhi boundary to the banks of the Jhelum river excluding Multan and Jhang districts: Muslims eighty-two lakhs eighty-eight thousand, Sikhs and other non-Muslims ninety-three lakhs forty-eight thousand.

To this may be added the population of the Sikh States of Patiala, Nabha, Jind, Kapurthala and Faridkot, which is about twenty-six lakhs. Of this the Muslims constitute barely twenty per cent. and this reduces the ratio of Muslim population still further.

We do not wish to labour the point any more. We have lost all hope of receiving any consideration. We shall resist however by all possible means separation of the Punjab from All-India Union. We shall never permit our Motherland to be at the mercy of those who disown it.

Yours sincerely,

(Signed) BALDEV SINGH, President, Sikh All Parties Committee.

TARA SINGH.

JOGENDRA SINGH.

UJJAL SINGH.

MOHAN SINGH (ex-Adviser to the Secretary of State for India).

5. Pappend herewith a note which gives some particulars of the position of the Sikh Community in the Punjab.

It

NOTE.

the defence of the Sikhs we wish to place the claims of the Sikh community before the proposed scheme of His Majesty's Government for the governance of India. We begin by giving a historical background of our case. The Sikhs are an important and distinct community mainly concentrated in the Punjab of which they were the Rulers until 1849. Sikhism recognises no caste and strictly enjoins upon those who profess it to treat all human beings as equal.

Sikhs play an important role in the economic and civic life of the country and a leading part in its defence. In the British Punjab with their 3½ million population (13.5 per cent. of the whole) the Sikhs pay 25 per cent. of the land revenue and 40 per cent. of the land revenue and water rates combined, the main source of the Provincial Exchequer. They maintain at their own expense over 400 schools and 4 colleges open to all communities and classes without distinction. The percentage of literacy among the Sikhs is higher than in any other community in the Punjab. They have got a large number of Sikh shrines with big landed estates attached to them which are the centres of Sikh culture and tradition.

The authors of the Montford Report recognised the importance of the Sikhs and "the difficulty of denying to the Sikhs in the Punjab a concession which is granted to Mohammedans".

The Simon Commission states: "Sikhism remained a pacific cult until the political tyranny of the Mussalmans and the social tyranny of the Hindus converted it into a military creed. It is a striking circumstance that this small community contributed no less than 80,000 men" (actually 89,000 combatant recruits in addition to 32,500 already serving when the war broke out) "to serve in the Great War, a larger portion than any other community in India".

With a population of over 6,000,000 in India the share of Sikhs in the defence forces of the country has always been out of all proportion to their population. The Sikhs are perhaps the only community which is making an organised war effort by the establishment of the "Khalsa Defence of India League" to maintain its glorious traditions in the Army. We do realise that with our past traditions and the excellent fighting material that can be found in the Sikh districts, we should have done still better in mobilising our manpower, but we are constrained to remark that nothing has been done by Government to rouse the enthusiasm of the Sikh community in the way of recognition of its status in the sphere of the Central Government or of providing effective safeguards for it in the Punjab, to which it was entitled on account of its unrivalled position, historical, political and economic.

The Sikhs were deeply disappointed at the differential treatment meted out to them under the so-called "communal award" of 1932. In spite of their unique position in the Punjab they were not given the same weightage in the Legislature as the Moslem minorities were given in other Provinces. By way of illustration it may be stated that Muslims with 14.8 per cent. population in the United Provinces were given 30 per cent. seats in the Provincial Assembly as against 18.8 per cent. seats to the Sikhs in the Punjab with their 13.5 per cent. population. Their influence in the administration and political life of the Punjab was further weakened in the formation of the Provincial Cabinet. Whereas in the days of dyarchy out of three Punjabees appointed as Ministers and Members of the Governor's Council there was one Sikh from 1921 to 1926 and one Sikh out of four Punjabees from 1926 to 1937, since the advent of the Provincial autonomy there has been only one Sikh out of a total of

six Ministers. It will thus be observed that in the sphere of the supreme Executive of the Province, the representation of the Sikhs was reduced from 33 per cent. in 1921 to 25 per cent. in 1926 and to 16 per cent. in 1937.

This progressive deterioration of the share of Sikhs in the Punjab Cabinet is strongly resented by the community as it has led to encroachment of their religious and cultural rights and the waning of their influence on the political and economic life of the country.

We submit that under the existing constitution the strength of the Sikhs in the Punjab Cabinet should be maintained normally at 33 per cent. and in no case below 25 per cent. so that there may always be at least two Sikh Ministers in the Cabinet. We also feel that so long as communal electorates continue to be the method of representation in the Legislature, Cabinet should be formed on a coalition basis in the true sense of the word. We may here point out that when ministries were functioning in all Provinces, in the United Provinces where the percentage of the Muslim population is nearly the same as that of Sikhs in the Punjab, there were two Moslem Ministers in a Cabinet of six.

In the sphere of the Central Government, the Sikh Community in spite of its important stake in the country, its sacred shrines scattered all over India and the valuable services that the Sikh soldiers and technicians are rendering, has been unjustly treated. The Sikhs have suffered a great disillusionment by the deliberate neglect of their claims and omission of any reference to the Sikh minority by British statesmen and the Viceroy of India in their statements made from time to time during the last ten years on the Indian question. It seems as if in their opinion, Muslims alone or the depressed classes sometimes, constitute the important minorities of India.

Although for seventeen years a Punjabee has been appointed on the Viceroy's Council, no Sikh has ever been considered for such an appointment. Even at the time of the last expansion of the Executive Council, the claims of the Sikhs were entirely ignored.

In this connection we should like to invite attention to the decisions of the Allahabad Unity Conference which were arrived at between Hindus Muslims and Sikhs in November, 1932. Resolution number 4 regarding Cabinets read as follows:—I. "In the formation of the cabinet of the Central Government, so far as possible, members belonging to the Muslim, Sikh and other minority communities of considerable numbers forming the Indian Nation shall be included by convention." 2. "Further during the first ten years in the formation of the Central Government, a seat shall be offered to a member of the Sikh community."

Resolution No. 7 reads as under: II. "It is agreed that in the Central Legislature out of the total elected seats allotted to British India 33 per cent. shall be reserved for Muslims, 4½ per cent. or 14 seats out of 300, for Sikhs."

It will thus be observed that leading Indians of different communities recognised the importance of the Sikh minority and agreed to accommodate it in the Central Cabinet, and also to give it nearly 5 per cent. representation in the Central Legislature.

We favour immediate transfer of power to Indian hands, entrusting all portfolios including defence to Indians with experience of public life.

We feel that in this way alone, the moral and material resources of India can be tapped to the fullest extent and Indians can participate in the war with full vigour and enthusiasm.

The Sikhs stand for national unity and the integrity of India. They would like the provinces to enjoy as wide a measure of autonomy as may be compatible with good government in the country as a whole but they also feel that any weakness at the centre will expose India to internal and external dangers.

They are strongly opposed to the vivisection of India into two or three rival dominions or sovereign states as is contemplated in the British proposals. They feel that such a step would lead to a state of perpetual strife and civil war in the country.

If the object is to give self-determination to the provinces in the matter of accession to the "Union of India," the right to stand out and break the unity of India should not be exercised by a bare majority but by at least 65 per cent. of Indian members present at the meeting of the provincial assembly when the resolution is considered. A plebiscite on the issue of secession is certain to lead to intercommunal riots of a most serious character and magnitude and should in no case be resorted to.

We are constrained to remark that the proposed scheme does not make any provisions for safeguarding the interests of the Sikh minority. The decisions of the constitution-making body are to be by a bare majority and no provision is made for recourse to arbitration by the aggrieved party as was even assured by Mahatma Gandhi in his statement on the Congress scheme of Constituent Assembly.

The Treaty which is proposed to be negotiated between the constitution-making body and His Majesty's Government for protecting the religious and racial minorities in accordance with undertakings given by the British Government, will have no sanction behind it. Besides, we are not sure how political rights which relate mainly to a share in the Legislature and the administration of the country will be incorporated in the Treaty. The Treaty might cover the cultural religious and linguistic rights of minorities as such Treaties in European countries after the last Great War did. But the undertakings given to the Sikhs by His Majesty's Government from time to time relate to the position and status of the Sikhs in the governance of the country and not merely regarding the exercise of their religious or cultural rights.

The Sikhs therefore feel that they cannot attain their rightful position or effectively protect their interests unless the Punjab is re-distributed into two Provinces with the river Ravi roughly forming the boundary between them

We might invite attention to the All-India Moslem League Resolution of the Lahore session held in March, 1940, which is popularly known as the Pakistan Resolution, "that no Constitution would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principle, viz., that geographically contiguous units are demarcated into regions which should be so constituted *with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in a majority*, as in the north-western and eastern zones of India, should be grouped to constitute independent States in which the constituent units shall be autonomous and sovereign."

A careful reading of the Resolution discloses the fact that the Muslim League itself visualised the re-adjustments of areas and the inclusion in their separate state of only those areas in which the Muslims were in a majority.

The population of the Punjab is so distributed that the two western divisions of Rawalpindi and Multan are predominantly Muslims and the two eastern divisions of Ambala and Jullundur area predominantly non-Muslims. The three central districts of Amritsar, Gurdaspur and Lahore have a balanced population. The separate figures of population for each district of the Punjab are attached* as appendix to this statement. If a new Province of a contiguous area of the two divisions of Ambala and Jullundur *plus* the three districts of Lahore, Gurdaspur and Amritsar is carved out, it will have a total population of 12,151,000 (according to 1931 census) with non-Muslims forming 63 per cent. and Muslims 37 of the population. The other Province to the

* Not printed.

west of the river Ravi comprising the Multan and Rawalpindi divisions *plus* the three districts Sheikhupura, Sialkot and Gujranwala will have a total population of 11,429,000, with Muslims forming 77.3 per cent. and non-Muslims 22.7 per cent. of the population.

The Sikhs do not want to dominate but they would certainly not submit to the domination of a community which is bent upon breaking the unity of India and imposing their personal laws and culture on the other sections of the population.

We submit that in any interim arrangement or in the permanent scheme the following safeguards should be provided either in the Treaty which might be enforceable or in the Constitution itself:—

No. 1. By delimiting the present Provincial boundaries of the Punjab, a new Province comprising of Ambala and Jullundur divisions with the three districts of Amritsar, Gurdaspur and Lahore be constituted.

No. 2. The Sikh minority in the Provinces be given the same weightage and measure of protection as the Muslim minority.

No. 3. So long as communal electorates exist, Provincial Cabinets should be formed on a coalition basis.

No. 4. The Sikhs should be given 5 per cent. representation in the Central Legislature.

No. 5. A Sikh should always be given a seat in the Cabinet of the Central Government.

No. 6. A Defence Advisory Committee should be set up for advising the Indian Defence Minister and a Sikh should be given a seat on that Committee.

No. 7. The position of the Sikhs in the Defence Forces of India should be maintained in keeping with their past traditions and strength in those forces.

No. 8. The share of the Sikhs should be fixed in Provincial and All-India Services on the lines it has already been provided or may be provided for the Muslims.

No. 9. Religious laws of Sikhs enacted may only be amended by the votes of majority of the Sikh members in the Legislature.

No. 10. No restrictions should be imposed by the State in the exercise of the religious rights of the Sikhs in the matter of eatables and religious performances.

No. 11. The State should provide for the teaching of Punjabi in Gurmukhi script where a certain fixed number of scholars is forthcoming.

(Signed) BALDEV SINGH, President.

MEMORANDUM BY SIR T. B. SAPRU AND MR. M. R. JAYAKAR:
published on 5th April, 1942.

We observe from the Draft Declaration that excepting clause (e) there is very little in the Declaration about the changes to be introduced in the constitution of the Government of India during the period of the war. It may be that instructions have been or may be issued to His Excellency the Viceroy to bring about the necessary changes in the composition and the constitution of the executive government.

If any such instructions have been issued we are not aware of them but we must point out that Indian opinion attaches the greatest importance to the transfer of real power in the Central Government at the present moment and it is for this reason that we emphasize the necessity of the complete non-officialization of Government without the reservation of any portfolio during the interim period.

We have considered the terms of clause (e) as originally given to us and as subsequently amended by Sir Stafford Cripps. In the amended clause we find it stated that while His Majesty's Government must inevitably bear the responsibility for and retain the control and direction of the defence of India as a part of their world war effort the task of organising to the full the military, moral and material resources must be the responsibility of the Government of India with the co-operation of the peoples of India. We have carefully considered the terms of this amended clause particularly in the light of the speech of Sir Stafford Cripps at the press conference, a summary of which appeared in the press on March 30th, 1942. It is stated therein that Sir Stafford Cripps was emphatic that handing over political control and direction of defence in the midst of the war to the Indian Government would be fatal, and, further, that if Indian leaders insisted on absolute control over defence before accepting the scheme then the scheme would fall through.

We realize that the transfer of absolute control over defence at the present juncture, when it is necessary that there should be unity of direction and control of military policy, would not be in the best interests of England and India. But we fail to see how this end will fail to be achieved by the appointment of an Indian Defence Member who, we presume, will be a man possessed of a due sense of responsibility and would be only too willing to accept expert advice and to work in the closest co-operation with the War Cabinet.

While we appreciate the necessity of unity of policy and control in matters of Defence we think, in common with most of our countrymen, that the appointment of an Indian member in charge of Defence working in close association and co-operation with the War Cabinet and willing to accept expert advice will be taken at this stage as an unmistakable token of the reality of the transfer of such power and as a symbol of the confidence of His Majesty's Government in the people of this country. We have no doubt that the object of His Majesty's Government is that the people of this country should feel that this is their own war, but we feel that the requisite sense of responsibility for the defence of the country can best be stimulated by an appeal to their sense of pride and self-esteem, and by the two countries, England and India, completely identifying themselves with each other in the common cause of defending this country. We strongly hold that it would be a mistake to ignore the strength of the sentiment of the people on this subject.

We desire to state unequivocally that we are strongly in favour of the Indian people rendering every possible help in the successful prosecution of the war. At the same time we feel equally clearly that, in order to achieve that end, it is necessary that during the period of the war there should be an Indian Defence Member of the Council of the Governor-General. We are fully aware of the arguments to the contrary, and we do not wish to overlook or minimise them, but we feel that the arguments in favour of the adoption of this step are overwhelming.

The adoption of an Indian Defence Member will have a great effect on Indian psychology. It will inspire the people with confidence and materially help in altering the present mentality of the people, which in our opinion is not adequately zealous in the successful prosecution of the war. We do not in the slightest degree desire that there should be any conflict between his powers and those of the Commander-in-Chief in technical matters or in decisions about the movements or disposition of the troops or similar other matters. We think that the presence of such a Member will, far from weakening the military position in India, strengthen it, and the political effects of this step will be very wholesome.

Besides, there are in our opinion large and inexhaustible resources of manpower remaining untapped in the youth of the country, which can be mobilized by methods which a Defence Member drawn from the people can alone effectively employ.

His approach to this storehouse of strength will be by methods vitally different from those which the British official mind has hitherto employed with such little effect. The successful way in which the people of China, Russia, and even the small Philippine Islands, have resisted the overwhelming forces of Japanese aggression contrasted with the debacle in Malaya, Singapore and Rangoon, graphically illustrates the difference between a struggle carried on by the people of a country under the direction of their own leaders and another pursued with the aid of a professional army guided and directed by officers who are drawn from a different race. We venture to suggest that at this critical time, when the danger is daily approaching, the old world ideas of keeping Indians in the perpetual position of unarmed helplessness, and also the feelings of distrust and suspicion which have led to this policy, should be forthwith abandoned and a new era of hope and confidence inaugurated, leading to a joint effort by England and India on terms of mutual reliance, association and truthfulness. It is only such an association that would be productive of the maximum effort of this country, resulting eventually in a victory based on the self-esteem, honour and willing sacrifice of a proud people.

On all these grounds we desire strongly to press the inclusion of an Indian Defence Member in the Executive Council, as otherwise the Declaration, whatever its other merits may be, will fail to achieve the object it is intended to serve. It should not in our opinion be difficult to define the spheres of activity of the Defence Member and of the Commander-in-Chief so as to avoid conflict, nor should it be difficult to secure close co-operation and co-ordination between the two.

The second point to which we desire to advert relates to clause (c) of the proposed Declaration. While we recognise the justice of allowing any Province of British India the liberty of remaining out of the new constitution and of retaining its present constitutional position, we are not free from considerable doubt and anxiety about the wisdom of the further provision which makes it possible for another Federal Union being established. Such a Federal Union may in certain conceivable circumstances be a rival or hostile union. But apart from this we cannot favour any step which may have the effect of breaking up the integrity of the country fostered by a long succession of Hindu and Muslim Emperors and a galaxy of British administrators. We are convinced that the creation of more than one union, howsoever consistent in theory with the principle of self-determination, will be disastrous to the lasting interests of the country and to its integrity and security.

In the Draft Declaration which has been handed over to us we do not find any indication of the precise majority of votes which will be required in a Provincial Legislature to carry a resolution as to whether the Province will or will not adhere to the Union. We are however of the opinion that in a matter of this momentous character the method of bare majority cannot be adopted, and that the majority required for any decision on this question should not be less than 65 per cent. of the Indian Members of the Lower House at which the resolution is passed. We do not think that a decision in which the Indian population is primarily interested should be allowed to be influenced by the votes of European Members, to whom the question of remaining in one Federation or another cannot be of the same importance as it is to the Indian Members.

We are also strongly of the opinion that once this principle of a prescribed majority of votes in a Legislature is accepted, it would not only be superfluous but might easily lead to grave social disorder if resort were to be had to the further device of a plebiscite of the adult population of the Province. We feel that in the existing circumstances of the country such a plebiscite, howsoever democratic in theory, is bound to lead to serious consequences gravely disturbing peace and tranquillity, not only in the Province concerned but in other areas to which the contagion may easily spread, leading to violent communal or religious conflicts. For these reasons we cannot conceal our grave concern as to the wisdom and expediency of provisions making it possible for some Provinces to combine into a separate Union.

We attach importance to the possibility of the leaders of Indian opinion in the principal communities coming to some mutual agreement before the cessation of hostilities, an agreement which may secure and safeguard the interests of all minorities by providing for (a) their representation in the Legislature, (b) in the Government to be established, and (c) reservation to them of the fullest liberty in matters of conscience, religion and culture. If the contending parties begin to work together in a common cause during the interim period they will, we hope, learn to appreciate one another's point of view, and a spirit of tolerance and confidence may be generated conducive to a final settlement which will secure the position of the minorities in the fullest measure without causing a disruption of the well-established integrity of the country.

If however all attempts during the intervening period to secure one Federal Union unhappily fail and the overwhelming wishes of the Provinces to have a separate Union are indicated through their Legislatures and the evils pointed out above of having a separate Union are prevented or mitigated, we have no objection to the experiment suggested in the Draft Declaration being made, subject of course to what we have stated above.

Lastly we desire to call attention to the necessity of the restoration in the Provinces of a popular form of Government. There is no reference to this question in the Draft Declaration probably because it is intended to leave it for decision by the new Government which is to be established at the Centre. We consider however that the rule which at present prevails in so many Provinces under Section 93 of the Government of India Act should be brought to an immediate end and their administration restored once more to popular control. If for the successful working of the Provincial Governments it should be necessary to establish coalition Governments we would indeed welcome such an arrangement.

On all other points arising out of the Draft Declaration of Sir Stafford Cripps we do not wish to say anything more than that we are in general agreement with the line adopted by His Majesty's Government.