On 15 June 1945 Rajendra Prasad, along with rest of the political prisoners, was released from the jail after the Quit India Movement. The background for this appears to have been set by the two fold objectives of the British. First it was to counter the Japanese threat on the eastern frontiers of India, and secondly it was also the desire on the part of the British for a fresh attempt, as admitted by the new Viceroy, Wavell, "to make progress towards a final settlement of India's future".\(^1\) The Viceroy had announced on 5 June 1945 that the future constitution of India would have to be framed by Indians themselves and as an immediate assurance he had offered to reconstitute his Executive Council so that all the members except the Viceroy and the Commander-in-Chief would be selected from Indian political leaders, half of them from the Muslims and half from the caste Hindus. "I want to make it clear", the Viceroy had also added "that neither I nor His Majesty's Government have lost sight of the need for a long term solution, and that the present proposals are intended to make a long-term solution easier."\(^2\) This announcement, indeed, set the thaw in the impasse which had developed after the Quit India call by the Congress and the consequent brutal repression let loose by the Government. It had, however, a highly disturbing note also: "His Majesty's Government had hoped that the leaders of the Indian parties would agree amongst themselves on a settlement of the communal

\(^1\) RPCSD, Vol. 6, pp. 327-8.
\(^2\) Ibid.
issue, which is the main stumbling-block; but this hope has not been fulfilled."

The Viceroy, after his announcement, had issued invitations to leaders to attend a conference at Simla for this purpose on 25 June.

"Progress Towards a Final Settlement of India's Future"

In order to consider the new development, created by the Viceroy's declaration, the Congress decided to hold the meeting of the Working Committee in Bombay on 21 and 22 June. As the Working Committee members had been inside the jails it was meeting after a gap of three years. Also Gandhiji was quite anxious to meet them after their release.

Rajendra Prasad, who had been in Patna after his release from the prison, immediately left for Bombay to attend this CWC meeting. In the midst of the Working Committee meeting, Gandhiji, "as the recognised leader" of the Congress and Maulana Azad, as Congress President, received invitations from Lord Wavell, to proceed immediately to Simla. The Working Committee decided to participate in the Simla Conference with an understanding that the suggested arrangements would be "on an interim and temporary basis only". It was also very clear in its position before participating in the Simla Conference that communal parity should not mean that all the Muslim members of the

3 Ibid., p.326.
4 The invitees to the Simla conference included: Premiers of British Provinces, or who last held the office of the premier, the Leader of the Congress Party, Deputy Leader of the Muslim League in the Central Assembly, the leaders of the Congress Party and Muslim League in the Council of State, the leaders of the Nationalist Party and the European Group in the Assembly. Gandhiji and Muhammad Ali Jinnah as the recognized leaders of the two main political parties. Besides, Rao Bahadur N. Siva Raj and Master Tara Singh were to represent Scheduled classes and Sikhs respectively. Ibid, pp. 327-8.
5 A Telegram dated 16 June 1945, from Gandhiji to Rajendra Prasad, shows how anxious he was to meet the members of the Working Committee after their release from Jails. Gandhiji himself had been released earlier on 5 May 1944 on health grounds and subsequently had turned down a British proposal to discuss the question of India's future with him. Gandhiji had said in reply that the Congress, and not he, was the proper authority for the purpose and that he could not commit himself to doing anything without consulting the Congress leaders. RPCSD, Vol. 6, P. ix.
National Government will be nominated by the Muslim League alone. "The congress cannot recognise the sole right of such nomination by a communal organisation, nor can it reduce itself as a consequence to a limited communal field".7

While both Gandhiji and Maulana Azad left for Simla Rajendra Prasad decided to return to Patna. But two days later he received a telegram to be available at Simla for a meeting of the Congress Working Committee from 3 July. As the Viceroy proceeded with holding separate discussions with the leaders prior to the Conference he convinced that the British wanted now to ascertain Indian's views on the matter. The Congress was represented by Gandhiji, Maulana Azad and Jawaharlal Nehru. On the other hand Jinnah, Liaquat Ali Khan and some others represented the Muslim League. The conference on 25 June remained inconclusive and so it was adjourned to meet again on 14 July. Meanwhile Rajendra Prasad and other members of the Working Committee stayed there for almost two weeks, carrying on consultations among themselves. The Conference met again on 14 July, after an adjournment for a fortnight, and took up the discussions again on the plan suggested by Wavell. The Wavell plan, for an interim arrangement, suggested reconstitution of the Central Executive Council in such a way that all its members, except the Governor General and the Commander-in-Chief, should be leaders of Indian political life, there being a balanced representation of the main communities, including equal proportions of Muslims and caste Hindus. The Congress in a way agreed to the proposals and even sent a list of names for the members of the proposed Executive Council. Rajendra Prasad thought that as war was still on and conditions in the country were not

7 Ibid., pp. 322-3.
good “we might be able to improve them by accepting the new proposals”.8 In the words of Rajendra Prasad:

Lord Wavell’s proposals, in a nutshell, were: The Cripps offer still stood and Indians alone would work out the new Constitution of India. As an interim arrangement, acknowledged leaders of Indian political opinion would be invited to constitute the Executive Council, on the basis of parity between Caste Hindus and Muslims. All members of the Council, except the Viceroy and the Commander-in-Chief, would be Indians....The Congress in a way accepted the proposals, so much so that we even proceeded to select our nominees on the Government.9

The Congress suggested a Cabinet of 15 ministers besides the Viceroy and the Commander-in-Chief, to be composed of five Caste Hindus, five Muslims and three to represent the Sikhs, Christians, Parsis and other communities. It accordingly submitted 15 names, including those of five Muslims, out of whom three were Leaguers, one Congress man and one independent. The Muslim League, however, was free to suggest any changes in the list of its representatives. But Jinnah put up the claim that only the Muslim League had the right to choose Muslim representatives. Lord Wavell, thought Rajendra Prasad, was in a quandary. He did not mind, according to Rajendra Prasad, leaving out a Congress Muslim but he could not exclude Muslims like Khizr Hyat Khan who did not belong either to the League or the Congress. “We did not know”, reminisced Rajendra Prasad, “whose inclusions in the Cabinet Lord Wavell favoured but it would

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8 Rajendra Prasad, Autobiography, p. 566.
9 Ibid.
appear that he wanted to take four nominees of the League and one of the Unionist Party of the Punjab”. 10 But because of intransigence of the attitude on the part of Jinnah the conference ended in a failure. Jinnah wanted the Muslim League to be recognized as the sole representative body of Indian Muslims and insisted that the League “alone had the right to choose the Muslim representatives”. 11 Not content with this Jinnah came out with another argument which made his position appear as if he wanted “parity with all other parties combined”. 12 He made a new point that the Muslims with only five seats in a ministry of 15 would “always be pitted against the combined strength of the Caste Hindus and representatives of the other minorities who, he thought, would always side with the Hindus because of the community of ideas between them and the Congress”. 13 This would reduce Muslims to a one-third minority, which the League could not accept.

Wavell was highly peeved and he noted with anger: “If he really meant this, it shows that he had never at any time an intention of accepting the offer, and it is difficult to see why he came to Simla at all”. 14 Indeed Jinnah had no remorse over the failure of the Simla Conference. Rather he celebrated the failure of the Simla Conference when in a public meeting in Bombay, a couple of weeks later on 17 August, said that “we are determined not to submit to any scheme of an All India Union, interim or otherwise, and we will

11 Ibid. Rajendra Prasad’s observations regarding Jinnah’s intransigence is also corroborated by Wavell: “He refused even to discuss names unless he could be given the absolute right to select all Muslims and some guarantee that any decision which the Muslims opposed in Council could only be passed by a two-thirds majority-in fact a kind of communal veto. I said that these conditions were entirely unacceptable, and the interview ended”. Pendrel Moon, ed., Wavell: The Viceroy’s Journal, London, 1973, p. 154.
12 Ibid., p. 155.
14 Pendrel Moon, ed., op. cit., p. 155. In the concluding session of the Simla Conference on 14 July Wavell said: “I did not find it possible, however, to accept the claims of any party in full. When I explained my solution to Mr. Jinnah, he told me that it was not acceptable to the Muslim League and he was so decided that I felt it would be useless to continue the discussion”. The Indian Annual Register, Vol. II, 1945, p. 128.
resist any attempt to impose such a union upon us".\textsuperscript{15} He further had added that "we cannot agree to any arrangement, which means freedom for Hindus and establishment of 'Hindu Raj' and slavery for the Muslims-transfer of Muslim India from British Raj to Hindu Raj."\textsuperscript{16}

Jinnah had intriguingly taken a position which was contrary to his claim of being champion of all the minorities and castigating the Congress as a party of caste Hindus. To quote Rajendra Prasad:

Such a statement was palpably untenable because the various minorities in their conferences had always opposed the idea of partition of the country and expressed sympathy with the Congress. Very often Jinnah had claimed to be a protector of Harijan rights. Now the cat was out of the bag. In the most unambiguous language, he said that the League could depend only on Muslims and that too only on Muslims nominated by itself, while all the other minorities were at one with the Hindus and the Congress. It was now clear that what Jinnah wanted was not parity between Hindus and Muslims but between Muslims and all the communities put together!\textsuperscript{17}

Though Rajendra Prasad was not involved in the actual negotiations, and his voice and suggestions were limited only to the working Committee or to his associates, he was highly anguished over the attitude of Jinnah on the communal issue. In \textit{India Divided}, published around this time he had stated his position very clearly that he was against any partition of the country. He had argued that even if it be assumed that the Musalmans were a

\textsuperscript{15} \textit{JAR}, Vol. II, 1945, p.159.
\textsuperscript{16} \textit{Ibid.}
\textsuperscript{17} Rajendra Prasad, \textit{op. cit.}, p.567.
separate nation, the solution of Hindu-Muslim problem in India should be sought in the formation of a multi-national state in which a powerful political union guaranteed cultural autonomy to different national groups. To him the solution to this vexed problem did not lie in the creation of national states which would not only leave the problem of national minorities unresolved but would rather create more new problems.  

He, therefore, was convinced that position of Jinnah was not only ridiculous but it also demonstrated his overstatement of the actual reality regarding the strength of the League. The Congress ministries having gone out of office, Governor’s rule was in force in six out of the eleven provinces. In the two principal Muslim majority provinces, the Punjab and Bengal, the League ministries had fallen. In the Punjab, Khizr Hyat Khan had formed a separate ministry after severing his connection with the League and Shaukat Hyat Khan, son of the former Chief Minister, the late Sir Sikandar Hyat Khan, had gone over to the League and started a forceful agitation against Khizr Hyat Khan. In Bengal, the League ministry had been defeated. If the opposition had been given a chance, thought Rajendra Prasad, to form a ministry, a non-League ministry would have come into being. In the North-West Frontier Province, the League had formed a ministry after the resignation of the Congress Government, but it had earned such a bad name that, a few days before the release of the Congress leaders, it was defeated in the Assembly and a Congress Government had taken its place. Sind was the only province where a League Government was in existence at the time of the Simla talks. In Assam also, which the League counted as a Muslim-majority province although Muslims formed less than one-third of the population, a Leaguer had formed a ministry after the Congress had quit office and during the Simla talks, according to Rajendra

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Pra. Sad, the unpopular Government was on its last legs. "In these circumstances, it was only a Jinnah", ridiculed Rajendra Prasad, "who could claim that the Muslim League was the sole representative of Indian Muslims and demand that its representatives alone among Muslims, be included in the Government and given parity with all other communities".\(^{19}\) However, the Muslim League and Jinnah apart, he also held the British attitude as responsible for the failure of the Conference:

Again, it was a British Government alone which could have accepted failure of the conference on account of the demands made by Jinnah. Churchill was still the Prime Minister of Britain and L.S. Amery was still the Secretary of State for India.\(^{20}\)

Though dismayed over the failure of Simla Conference Rajendra Prasad felt a sigh of relief as, much against his wishes, his name had been included in the Congress list of ministers. He did not want to be associated with the government as war was still going on. It was only at the insistence of Gandhiji that he had relented to join the government. He had also been quite unhappy at the exclusion of Bhulabhai Desai from the Congress list of the proposed Central Executive Council. Bhulabhai Desai had been Leader of the Congress Party in the Central Assembly before the Congress boycotted it and had, in his words, "earned a great reputation for himself in that capacity". He had also been an active Congressman since the days he joined the party during the Bardoli Satyagraha in 1928. In Rajendra Prasad’s words:

It is neither proper nor necessary for me to give the reasons for Bhulabhai’s exclusion but, personally speaking, I was not

\(^{19}\) Rajendra Prasad, Autobiography, p. 568.  
\(^{20}\) Ibid.
myself satisfied with the list though there seemed to be no other alternative. Bhulabhai was very much attached to me and had great faith in me, about which he often spoke to people. Sometime later, when he was seriously ill, I met him in Bombay when he expressed his great disappointment to me....I cannot but regret that despite his great services to the Congress and the country he should have been excluded from the list of ministers submitted to Lord Wavell....When ultimately, therefore, the negotiations broke down, although from the national point of view I regretted it, for personal reasons I heaved a sigh of relief.21

The Quit India movement had generated a massive and frequently violent rebellion in Bihar22 and several other parts of the country and the British Government's response to it had been brutal, effective and quick.23 Sufferings of people had been enormous and Rajendra Prasad was intolerably stirred by their plight once he had come out of the Jail. After the failure of the Simla conference, therefore, Rajendra Prasad decided to devote his efforts for their cause. To quote him:

The sufferings of our companions in Bihar during the 1942 agitation, particularly those who were under trial or had been sentenced to long terms of imprisonment, had been causing a lot of worry. Defence of such people meant expense and had been normally arranged by people outside jail. Many Congressmen were released in broken health and it was necessary to arrange for their treatment. In many cases, the only bread-earning members of families were arrested and their people passed through hard days. There were the cases of families whose heads had been executed by the Government. On my release I came to know more about the magnitude of the

21 Ibid., p. 569.
23 Ibid., p. 4.
plight of our comrades, so I decided to collect funds to help them.\textsuperscript{24}

In his noble effort Rajendra Prasad received enthusiastic support of the people across the country. "The collection started unexpectedly one day in Pilani”, he reminisced in his Autobiography.\textsuperscript{25} Encouraged by the response he then decided to tour the whole of Bihar and expedite the process of collecting the fund. He advised the district Congress committees of his tour programme in this regard and fixed targets for contributions from each district. Wherever he went he noticed enthusiastic response to the appeal for funds to help the political sufferers. On the way to his home to Zeradei\textsuperscript{26}, which he was visiting after four years, he came across occasions which made him deeply moved and at the same time convinced him about righteousness of his mission to render help to the prisoners and their families. To quote him:

I alighted from the steamer at Pahleza Ghat and was walking to the railway station to take a train to Zeradei when I saw a big crowd waiting to see me. Spontaneously I spoke to them of what was uppermost in my mind. Among the crowd were the workers of Pahleza Ghat who had already heard about my plans and had already made their collections and brought their contribution to be presented to me. Immediately after their presentation, the rest of the assembled people made an on-the-spot collection and handed over a considerable sum to me. Encouraged by this enthusiastic

\textsuperscript{24} Rajendra Prasad, Autobiography, p.571.
\textsuperscript{25} Ibid., pp. 571-2. In Rajendra Prasad's own words: The collection started unexpectedly one day in Pilani. I casually mentioned the problem to S.D. Pande, Principal of the Birla College, without calling for a collection. One or two days later, on August 9, 1945 to be exact, the Principal convened a meeting in the College premises and asked me to address it. To my pleasant surprise, the students and staff of the College presented me with a purse of Rs.1,000. In response to long-standing invitations I visited places like Suryagarh and Fatehgarh in Rajasthan. Everywhere purses were presented to me. I came back to Pilani with Rs.16, 000 in my pocket." 
\textsuperscript{26} The name of his village near the district headquarter town of Siwan in Bihar.
response, I appealed to people at every wayside station on my trip to Zeradei and contributions poured in. At Zeradei, the people had arranged a big reception for me on the occasion of my visit after a lapse of four years. At the reception, a purse was presented to me. This put heart into me and made me confident of the success of my mission.  

After a brief stopover at his village he started on a six week tour of Bihar to raise collection for the fund. Though quite a strenuous tour, requiring Rajendra Prasad to be constantly on the move and addressing several meetings a day, it was on the whole quite rewarding and satisfying to him. The Government’s repressive policy had incensed the people and they were, therefore, enthusiastic in their response to the appeal for funds to help the political sufferers. “Money poured in and wherever I went I collected large sums.” In fact, most of the districts exceeded the quota he had fixed. He had proposed to raise three lakhs of rupees in Bihar and two lakhs in commercial centres like Bombay and Calcutta, but when Bihar alone contributed the total amount of Rs.5 lakhs he abandoned the idea of visiting elsewhere for collection. The popular response people came forth with was, indeed, a manifestation of the determined will of the people to see an end to the British rule the beginnings of which was to start very soon after the world war had come to an end on 14 August 1945 after Japan’s surrender.

28 He went to his village for living in rest for some time but rest eluded him there as well. In his words: “I went to Zeradei for rest but I could not have it. People came in every day and poured out their tales of woe, but they brought in also their contributions to the fund. I visited the people in Zeradei and in the neighbouring villages whose houses had been burnt down by Government officials. I met families whose members had been shot dead in the agitation. Among them was a family with whom we were intimate which had lost a young man in the Patna Secretariat firing incident. In Zeradei itself, there was police firing, claiming one victim. All this gave me an insight into the atrocities perpetrated by the authorities on the people out of the funds I had collected; I gave some help to the families of the distressed”. Ibid., pp. 572-3.
29 Ibid., p.573.
Meanwhile political developments in Britain also underwent a decisive turn in favour of India’s cause. The Labour Party came to power in July 1945 which was in hurry to settle the Indian problem and resolve the political deadlock in India. After Japan’s surrender Prime Minister Attlee thought that the time had come to restore normal conditions in India. Subsequently on 19 September he announced that a constitution making body consisting of the representatives of the people of India would soon be setup and that elections to the central and provincial legislatures would be held and the Viceroy’s Executive Council reconstituted. As a result of this the ban on the Congress was lifted and elections declared in India. The Congress was ill prepared for these elections. According to S. Gopal its popularity among the masses was greater than ever, but its party machinery was out of gear, many of its supporters among the narrow electorate – about 30 percent of the adult population – had not been registered, and its leaders at every level were tired, unenthusiastic and pulling in contrary directions. The contrast with the vigour and dash of 1936-7 was complete.30

**Loss of British Imperial Prestige after World-War II**

Around this time two important incidents took place which were quite damaging for the British prestige in India and, indeed, were an extension of the earlier nationalist activity with which the Congress was integrally associated.31 In November 1945, three ex-officers of the Indian Army - a Hindu, a Muslim and a Sikh (P.K. Sehgal, Shah Nawaz, and

30 Gopal opines that the elections of 1945 were in a sense unreal, as they could not reflect the despair and intense dislike of the Government among the people. On the other hand, the League improved its position as a result of the assiduous nursing of the separate electorates in the years when the Congress was outlawed. Sarvepalli Gopal, Jawaharlal Nehru A Biography, Vol. 1, p. 305.
Gurbaksh Singh Dhillon) were tried in the historic Red Fort in Delhi for waging war against the King.\textsuperscript{32} A strong Committee of Defence was constituted by all parties to help the prisoners. The congress had already taken up the issue and the AICC, at its first post-war session held in Bombay from 21 to 23 September adopted a strong resolution declaring that “in view of the termination of the war, it would be a tragedy if these officers, men and women were punished for the offence of having laboured, however mistakenly, for the freedom of India”\textsuperscript{33}

Bhulabhai Desai, Tejbahadur Sapru and Nehru appeared for the defence (the latter putting on his barrister's gown after 25 years) and Muslim League also joined the countrywide protest.\textsuperscript{34} Jawaharlal Nehru voiced the opinion of the people when he pleaded for generous treatment of these prisoners on the ground that, whatever their failings and misgivings, their dominating motive was love for India's freedom.\textsuperscript{35} Bhulabhai Desai, whose name had earlier not figured in the list sent by the Congress for Viceroy's Executive Council at the time of Simla Conference, causing a deepest anguish to Rajendra Prasad, put up a very able defence for the prisoners. The Government argued that the officers had broken their oath of allegiance to the British Crown. Bhulabhai Desai took his stand on the right of a subject race to wage war for its liberation and argued that the question of allegiance was irrelevant. “Legal allegiance cannot be a matter of perpetuity. If it is, no subject race will ever attain freedom”.\textsuperscript{36} The accused were convicted, but because of the force of the public opinion, they were released immediately.

\textsuperscript{32} These three were officers of the Indian national Army formed out of the Indians taken prisoners-of-war in Malaya. Out of the sixty thousand prisoners, one third had joined the I.N.A under the leadership of Subhas Bose. Subhas Bose, who had proclaimed a provisional Government on 21 October 1943, himself as the Head of the State, had declared its objective to liberate India from the rule of the British.


\textsuperscript{34} Sumit Sarkar, \textit{Modern India1885-1947}, New Delhi, 1986, p.418.

\textsuperscript{35} K.L. Panjabi, \textit{op. cit.}, p. 122.

\textsuperscript{36} \textit{JAR}, Vol. II, 1945, p. 277.
by the order of the Commander-in-Chief. I.N.A. trials also aroused popular passions in Calcutta on 21-23 November 1945 and again in February 1946.\footnote{For details see Sumit Sarkar, \textit{op. cit.}, p.419-20.} The trial of the prisoners and the consequent stimulus it created, nevertheless, was a landmark development which questioned very seriously the hegemony of the British.\footnote{According to Sumit Sarkar the decisive shift in the British policy came about under mass pressure in the autumn and winter of 1945-46- the months which Penderel Moon described as 'The edge of a Volcano'. \textit{ibid.}, p. 418.}

Another incident, appearing to seriously erode the British hegemony, was the naval mutiny (Royal Indian Navy) in Bombay on 18-23 February 1946 and the sympathetic strikes by ratings in Madras, Visakhapatnam, Calcutta, Delhi, the Andaman's and Bahrein and by some RIAF and Indian Army units.\footnote{Sucheta Mahajan, \textit{op. cit.}, pp. 92-3.} On 18 February 1100 naval ratings on the HMIS Talwar went on strike in protest against racial discrimination, abuse and unpalatable food served to them. By 19 February the number of striking ratings was 7,000 and rating's on the shore, in the castle and Fort Barracks, joined the ship’s ratings, many of whom went around Bombay city in lorries flying the Congress flag, threatening Englishmen and policemen, breaking shop windows and shouting slogans.\footnote{\textit{The Hindustan Times}, 20 February 1946; Colville, Governor, Bombay to Wavell, Extract, 27 February 1946, \textit{TP}, Vol. 6, pp. 1079-80; Bombay \textit{FR} for the second half of February 1946, Home Poll 18/2/46, cited in Sucheta Mahajan, \textit{op. cit.}, p. 93.} The ratings at Karachi struck when the news of the Bombay strike reached on the 19 February. The HMIS Hindustan, another ship and three shore establishments were involved. There was a gruesome end to the episode when troops encircled the ships. The ratings fired the ship’s guns but they were clearly outmatched and six ratings were killed and the others arrested.\footnote{\textit{The Hindustan Times}, 22 and 23 February 1946; Banerjee, \textit{RIN Strike}, p. 83, cited in Sucheta Mahajan, \textit{op. cit.}, p. 93.} The RIN revolt remains a legend to this day. When it took place, it had a dramatic impact on popular consciousness. A revolt
in armed forces, even if soon suppressed, had a great liberating effect on the minds of people.\textsuperscript{42}

**The Elections of 1945 and the Aftermath**

This was the scenario prevailing around in the country after the failure of the Simla conference and the Congress had decided to contest the elections “for nothing else than to demonstrate the revolutionary will of the people of India to utilize the elections for furthering the struggle for the Independence of India”.\textsuperscript{43} For necessary work in this connection, the Congress constituted a Central Election Committee comprising of Abul Kalam Azad, Vallabhbhai Patel, Rajendra Prasad, Govind Ballabh Pant, Asaf Ali, Pattabhi Sitaramayya and Shankarao Deo. Rajendra Prasad was of the opinion that the Congress would “contest those seats which it thought it could win, both in Muslim and non-Muslim constituencies”.\textsuperscript{44} In course of an interview in Calcutta on 4 October 1945 he observed that “Quit India” means that ‘Quit Asia’\textsuperscript{45}. He elaborated this by adding that “If India comes out of the British Empire, no other part of Asia can remain under any European power for any length of time”.\textsuperscript{46} The elections the Congress was going to fight, he argued, was on the “issue of complete Independence and immediate transfer of power to Indians” and hence on the issue of Quit India.\textsuperscript{47} The Congress election manifesto also stated: “On the 8\textsuperscript{th} of August 1942, the All India Congress Committee passed a resolution, since then famous in India’s story. By its demand and challenge the Congress

\textsuperscript{42} Sucheta Mahajan, op. cit., p. 97.


\textsuperscript{44} *IAR*, Vol. II, 1945, p. 19.

\textsuperscript{45} *The Hindustan Times*, 6 October 1945.

\textsuperscript{46} Ibid.

\textsuperscript{47} Ibid.
stands today. It is on the basis of this resolution and with its battle-cry that the Congress faces the election. 48 Rajendra Prasad and other national leaders of Bihar undertook tours in Bihar to mobilise for elections. In the same month, he toured the saran district and Chhotanagpur Division and then moving on to Bhagalpur Division in the next month. 49

In the elections to the Central Assembly in 1945, the Congress won an overwhelming majority of the non-Muslim seats, while Muslim seats generally went to the Muslim League. The provincial elections followed, and the pattern was the same. For the Muslim constituencies in Bihar, the Congress aligned itself with three Muslim parties – Jamait-ul-Ulema, Jamait-ul-Momin and the Independent Party, in the words of Rajendra Prasad, “to give fight to the Muslim League” 50. The Independent Party did not have, as Rajendra Prasad thought, much of a following but the Momins had a widespread and well-knit organization. Therefore in the allocation of seats the Congress gave the largest number of seats to the Momins. The contest was very keen. Out of 40 Muslim seats, 34 were annexed by the League, five by the Momins and only one was filled by a Congress Muslim, Dr. Syed Mahmud. 51 The Muslim League, Rajendra Prasad held the view, had spent money very lavishly during the campaign. 52 In the elections, however the biggest setback for the Congress was the defeat of Prof. Abdul Bari, a prominent and important Congress leader from Bihar. 53 No Jamait candidate won and the defeat of the Jamait in a constituency of devout followers of its candidate came as a big surprise to

49 KK Datta, op. cit., p. 216.
51 Ibid.
52 Ibid.
53 Professor Abdul Bari, a fearless and devoted congressman of outstanding integrity was most unfortunately murdered under tragic circumstances by a member of the anti-smuggling force on 28 March 1947. A man like Prof. Bari, Gandhiji remarked, never died and it behaved those who survived to continue “the noble work he had left behind”. The Harijan, 13 April 1947, cited in K.K. Datta, History of the Freedom Movement in Bihar, Vol. 3, p. 358.
Chapter Six

Rajendra Prasad and to the congress.\textsuperscript{54} Undoubtedly Muslim league had entrenched its position since 1937.

In the non-Muslim constituencies, however, the Congress had not to face much opposition, except in Ranchi and Singhbhum districts in Chota Nagpur division. The main opposition to the Congress in these areas was from an organization called Adivasi Mahasabha\textsuperscript{55} which was both reactionary and communal. The Adivasi Mahasabha entered into an alliance with the Muslim League and raised pro-Pakistan slogans in the campaigns. The Muslim League, on its part, took advantage of the situation and indulged in to a virulent propaganda by openly accusing the Congress of murdering Adivasis and went to the extent of alleging that Congressmen had killed more than a hundred Adivasis.\textsuperscript{56} To Rajendra Prasad’s satisfaction the vilification campaign of Adivasi Mahasabha and the Muslim League propaganda did not have much impact on the outcome of the elections.\textsuperscript{57}

In the elections the Congress also received opposition from the M.N. Roy’s Radical Democratic Party and the Communist Party who put up candidates against the Congress. Rajendra Prasad had not the slightest doubt about the Congress success against them but what he was worried about was their attempts to vitiate the campaign. “I am

\textsuperscript{54} Ibid.

\textsuperscript{55} The Adivasi Mahasabha had been working for some time among the tribal people of Chota Nagpur and Jaipal Singh of Ranchi district was the leader the Mahasabha. The Adivasi Mahasabha contested not only the reserved constituencies but also the non-reserved constituencies, as the Adivasis were allowed under the Constitution to do so. Rajendra Prasad, Autobiography, p. 575.

\textsuperscript{56} They also resorted to not non-violent methods. Many Congress candidates and their supporters were beaten up. Some of the victims had to remain in hospital for a long time. At one place, five Adivasis were murdered. In the words of Rajendra Prasad:” When I visited Ranchi district I saw proof of the violent methods being used and made a complaint to the Government, giving detailed information on these excesses but it turned a deaf ear’. Ibid.

\textsuperscript{57} But for all its trouble the Adivasi Mahasabha won only five seats. To crown it all, Jaipal Singh himself was defeated. Ibid., P. 576.
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sorry to say”, he observed, “that the elections vitiated the atmosphere to an extent in which our principles received some setback”\(^{58}\) and he held the Royists and the Communists responsible for this. Both the parties put up candidates against the congress in Monghyr and Shahabad districts and in the labour constituencies, with no chances of victory considering, in the words of Rajendra Prasad, “their background but they exercised their right to contest”.\(^{59}\) Both the parties lost everywhere to the Congress, in some cases even losing their deposits. The propaganda and virulent attacks over the Congress made Rajendra Prasad quite bitter towards them. In his own words:

The record of the Radical Democratic Party and the Communists during the years of the war was not a happy one. During the 1942 agitation they denounced the Congress. The maligning campaign was carried on not only in India but in other countries also, particularly in America. These parties called on the Government to crush the Congress, but the Government hardly needed to be told to do so for they were already on the job. Nevertheless, the advice helped it justify its policies and provided food for its propaganda against the congress. The Government even surreptitiously subsidized the two parties. In reply to a question in the Central Assembly some time later, the Government had to admit that the Radical Democrats were getting a monthly subsidy of Rs.13,000. This monthly grant became a bone of contention in the party itself. A split manifested itself in the Radical Democratic Party, one section favouring participation in the Congress agitation and the other, headed by M.N. Roy, opposing it.\(^{60}\)

\(^{58}\) Ibid.
\(^{59}\) Ibid.
\(^{60}\) Ibid., pp. 576-7.
Regarding the Communists, he was convinced that that “they were no less inscrutable”. Before the outbreak of war in Europe the Russo-German Pact was signed and the Communists, Rajendra Prasad thought, usually looking to Russia for guidance, were vociferous in their support of the pact. When later the Germans invaded Poland and the Russians marched into that country from the east, partitioning Poland according to their pact, the Communists continued to be supporters of the Germans and attacked the British. Consequently they were declared an unlawful organization in India and they went underground. To quote him:

When finally Hitler turned on Russia and Britain and Russia became Allies, the Communists changed their coat again and came out in support of Britain. They called the war a “people’s war” and preached that it was everyone’s duty to help Britain in her war effort. They, therefore, opposed the congress agitation along with the Radical Democrats. It was because of this attitude of the Communists and the Radical democrats that the Congress, and in particular the Congress Socialists, came to have a feeling of extreme dislike for these parties. ⁶¹

In the elections the Congress won fifty six seats in the Central Assembly, constituting ninety one percent of the general seats, and 930 seats in the provinces. The Muslim League on the other hand won all the thirty seats in the Central Assembly and 427 out 507 Muslim seats in the provinces. ⁶² Particularly striking was its success in provinces like Bombay and Madras, which till now had been relatively free of the communal fever but where now the League captured all the reserved seats. Interestingly

⁶¹ Ibid., p. 577.
in the provinces where Muslims formed majority, the League did not secure a majority of votes. Its vote in Punjab was 46.56 per cent, in Sind 45.75 per cent and in the NWFP 37.19 per cent. Nevertheless the seats won by the League were far more than were warranted by its vote. Despite its electoral successes in the reserved constituencies the League suffered from a tactical disadvantage that in no province with a Muslim majority was it able to form a ministry with unquestioned backing in the Assembly. These election results, undoubtedly, were symptomatic of the extent to which the Muslim League had entrenched itself after the Quit India Resolution when the Congress was outlawed and its party machinery rendered out of gear. The Leagues success was in fact, as S. Gopal puts it, "result of the assiduous nursing of the separate electorates in the years when the Congress was outlawed, the ill timed tactics of Rajagopalachari and Gandhi, the partisanship of Linlithgow and Wavell, and the support of the Communist Party". The election results had given the cause to the Muslim League to rejoice. It had demonstrated that the League had a considerable following, especially in the urban areas. However the impractical concept of partition and imprecise the notion of Pakistan as yet had, as S. Gopal puts, "had struck a response in the minds of many middle-class Muslims". The results of the elections "greatly strengthened the arguments for pandering to the League". While insisting on the departure of the British and the summoning of a Constituent Assembly for free India, the Congress reluctantly recognized the right of any area to secede provided this was the clearly established will of the inhabitants of that area.

63 Sarvepalli Gopal, op. cit., p. 305
64 Ibid.
65 Ibid., p. 306.
66 Ibid.
and it did not result in the compulsion of any group or community in that area. Rajendra Prasad held very clear views on the issue of self determination:

The Congress cannot compel any one by force to secede. The congress will not use force or prevent any province from seceding. But it must be applicable to all, so that you cannot take a province as it is constituted today and apply to itself determination, when a big portion of that province wants to secede from that province and not to go with it.

For example, if the Punjab wants to secede, then only that portion of the Punjab can secede which wishes to secede and not the whole of the Punjab. The eastern districts of the Punjab have a large non-Muslim majority whereas western districts have a large Muslim majority. You cannot take the Punjab as a whole and apply to it the principle of self-determination so as to force the eastern districts to secede along with the western districts when they do not want to do so. Similar is the position in Bengal. 67

The Congress decided to form the ministries in the provinces where it had won majority. "Now that the war had ended the reason for which the Congress ministries had gone out of office", thought Rajendra Prasad, "was no longer there". 68 Also he felt that "the people were fed up with the existing regimes and expected the Congress to assume power". 69 Most of the Congressmen were also in favour of accepting the office and consequently in eight provinces where the Congress had clear majorities Congress ministries were formed. Of the remaining three provinces in the Punjab a coalition of the

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67 The Hindustan Times, 6 October 1945.
69 Ibid.
Congress, the Unionists and the Akalis took office. In Bengal the League ministry was dependent on European support while in Sind where the League was outnumbered by the Congress and its sympathizers it could form the government only because of the unconcealed partiality of the Governor of Sind.70

The outcome of elections had, indeed, far reaching consequences as regards the League's demand for Pakistan and its prospects. It seems, as has been pointed out by Sarvepalli Gopal,71 that Pakistan had never been more than a battle cry to Jinnah himself and he never expected the British to leave.72 He exploited the demand for a separate state to secure leverage against the Congress. However his followers, eager for power and excited by the prospect of a new state of their own, believed that it might now be theirs for the repeated asking and, and far from subduing their demand, inflamed opinion in its favour. Indeed, it was not possible to have a sovereign Pakistan which consisted of more than a part of the Punjab and a part of Bengal. Independent Pakistan appeared, indeed, a fantasy.73 But all these equations appear to have changed around this time after the elections. No wonder, by the spring of 1946 all the hopes of a free and united India had disappeared owing to the Government of India encouraging the League and the Congress reconciling to the principle of secession.

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70 Sarvepalli Gopal, op. cit., p.306.
71 Ibid.
72 In January 1946, Liaqat Ali Khan told the Viceroy that the British would have to stay in India for many years, and the Muslims were not all anxious that they should go. Pendrel Moon, ed, Wavell the Viceroy's Journal, pp.206-7.
Volatility of Communal Resurgence

Rajendra Prasad viewed these developments with a deep sense of agony and distress. He was convinced about the British complicity in encouraging the League in its designs nonetheless he was hopeful that there would not be a divided independent India after the British had quit. Always a strong believer in communal harmony, which he thought had developed historically over centuries in India, he always visualized a united India and forcefully rejected the two nation theory. He had expounded his ideas in a booklet, *Pakistan*, edited by Yusuf Meherally and published in September 1940, *India Divided*, published in January 1946 and numerous articles he wrote which were published in newspapers. He argued, in one of such articles, published in *The Hindustan Times* on 4 February 1946 that "the personal nationalities of Hindus and Muslims may differ but that does not constitute them into separate states". A long quotation is unavoidable here from what he wrote in this article.

In considering whether Hindus and Muslims of India consists two separate nations, it is necessary to have a clear idea as to what is meant by the word nation. Confusion is caused because the word is used to denote two distinct and indeed two fundamentally different sentiments, which spring from different causes and which are capable of being directed towards different objectives. One of the two which has been called the sense of personal nationality of individual, is founded on characteristic which are personal often inherited and usually objective. These characteristics are covered by what has been described as the ‘Trinity of the Minority-

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74 This booklet was a reprint of the article by Rajendra Prasad which appeared in The Hindustan Times in its annual number under the caption: “Schemes for Dividing India.”

75 Rajendra Prasad, ‘Hindus and Muslims do not form two Nations nor can Pakistan solve minority problem’, in *The Hindustan Times*, 4 February 1946.
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Treaties of the League of Nations—namely, race, language and religion. In themselves these characteristics are absolutely devoid of political significance, says C. A. Macartney. A German of Austria, Czechoslovakia, Brazil or Honolulu is every bit as much a German as is a citizen of Berlin. Entirely different from this is the concept of a nation as a State.

The State is the organ by means of which the common affairs of a number of people are administered. The extent to which their affairs fall within the competence of the State to regulate varies enormously not only from age to age but from country to country—in some cases hardly covering anything beyond defence and in others most aspects of life beyond purely private relationships. It is worth remarking, however, that the attributes which make up personal nationality are among the very last to which States turn their attention and are even today largely considered as being beyond the pale of State control, most of the duties performed by a State being entirely unrelated to questions of personal nationality. Thus, race, language and religion, which very largely constitute the characteristics of personal nationality, can hardly come under the control of State. The state is primarily and very largely concerned with the defence of a common home, the maintenance of public order, the prevention and punishment of crime, the construction of communications, the imposition and collection of taxes and so on. These are matters of equal concern to every inhabitant of the State whether he claims to belong to one racial stock or another, speaks one language or another and follows the tenets and dictates of one religion or another.76

76 Ibid.
Rajendra Prasad, on the basis of this understanding, totally rejected the notion of the Hindus and Muslims of India as forming two nations in the political sense. The personal identities of the Hindus and the Muslims may differ but that did not render them into two separate states. Elaborating this notion in highly cogent manner he further said:

If we take the criteria of race, language and religion and the resultant of their action and reaction which is described by the word culture, we find that Hindus and Muslims belong to the same race. Whatever it is, speak the same language which differs from province to province territorially and not according to the religion of the speaker. The Hindus and Muslims and Sikhs of the Punjab speak Punjabi those of Sind speak Sindhi, those of the NWFP Pushto and those of Baluchistan speak Balochi or Pushto. Similarly the Hindus and Muslims of Bengal and of that part of Assam where the Muslims are in majority speak the same language, Bengali. These languages differ considerably from one another and there is no such thing as a common and exclusive language of the Muslims of India any more than there is a common race to which they can trace their origin. On the other hand, they share with the Hindus their race and language and possess a common culture. They differ only in religion. 77

The intermingling of the Hindu and the Muslim and their association with each other in India, Rajendra Prasad argued, extended well over eight centuries. It had resulted in the creation and development of a common culture, a joint Hindustani culture, which was neither purely Hindu nor purely Muslim. This was what distinguished Indian,

77 Ibid.
whether Hindu or Muslim from a European or American and from Japanese or Chinese.

To quote him:

The joint contribution of Hindus and Muslims to music and dancing, painting and architecture, and the creation and development of common languages, the free and liberal borrowing from each other and existence in common of many rites and customs connected with birth, marriage and death, the influence of saints and mystics of each on the life of the other and the attempt made from time to time by such saints and mystics to reconcile and assimilate the fundamental teachings of the two religions—have all contributed to the evolution of this common culture and the creation of an Indian nation comprising Hindus and Muslims and all others inhabiting this country. 78

That the British were going to quit India had become a foregone conclusion after July 1945 after the Labour Party came to power in Britain but when was as yet not clear. In September 1945, Lord Wavell had made a declaration reiterating the intention of his Majesty's Government to convene as soon as possible a Constitution-making body. Again on 1st January 1946 the secretary of State for India, Lord Pethick-Lawrence, in a broadcast to India, said that 1946 would be a crucial year in India's history. He stated that the whole of the British people earnestly desired to see India rise “to the free and full status of an equal partner in the British Commonwealth.” 79 To quote him: “There is no longer any need for denunciations or organised pressure to secure this end. If there was a

78 Ibid.
79 IAR, Vol. 1, 1946, p. 27.
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time when there was a cause for that, it is so no longer." In January only a British parliamentary delegation visiting India had found the situation in the country explosive and full of anti-British feeling and subsequently had urged the British Prime Minister for an early action to resolve the Political deadlock. The new British Government subsequently announced in February 1946 that Lord Pethick-Lawrence, Sir Stafford Cripps and A.V. Alexander, three Cabinet Ministers, would come to India to hold talks with Indian leaders and the Viceroy to settle the country’s problem. Clement Attlee, Prime Minister, gave the assurance that, while every effort would be made to safeguard the interests of the minorities, no minority group would be allowed to stand in the way of India’s political progress. Britain was prepared to give freedom to India and would like her to remain within the Commonwealth but on that issue also India would be free to decide. Rajendra Prasad found the announcement apparently satisfactory.

Cabinet Mission and the Interim Government’s Formation

On 24 March 1946, the Cabinet Mission arrived in India and after preliminary discussions with the Viceroy, Lord Wavell, and his Executive Council; they began a series of talks with the various Indian political parties so that an interim Government could be set up. They found that the leaders of the Muslim League, while insisting on

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80 Ibid.
81 K L Panjabi, op. cit., p. 123.
82 According to Sarvepalli Gopal it was not a cohesive and happy team. Cripps was easily the ablest of the three, having the long experience of the Indian problem and a commitment to the future, while Pethick-Lawrence, though old, was, as even Wavell described him, ‘a sort of saint’ with a sentimental attachment to India. The third member, A. V. Alexander was basically an imperialistic in outlook, detested the idea of losing India, and was irritated by the feeling that he was being ignored by Cripps and not taken seriously by the Indian public. Sarvepalli Gopal, op. cit., p. 313.
84 On 15 March 1946 the Prime Minister Clement Attlee explained in the House of Commons the British Government’s policy behind their decision to send a Cabinet delegation to India. “Our first duty is to get
the creation of Pakistan, had no clear idea as to what this involved. M. A. Ispahani and
the Raja of Mahmudabad, who were first to meet the Mission, could not explain how they
could do without a central government for at least a small list of reserved subjects such as
external affairs, defence, communications and customs. Later Jinnah also was unable to
give a precise answer as to what he meant by Pakistan. Even his supporters in Bombay,
U.P., C.P., and Madras—provinces where Muslims were in a minority—could say in favour
of Pakistan was that they would then be treated better in India because of Hindu fear of
reprisals on Hindu minorities in Pakistan.

If Jinnah and his followers were not clear about Pakistan the leaders of the
Congress also declined to face up to issue as they did not discuss any long term plan with
the Mission. When Gandhiji met the mission, he pressed as a test of its sincerity, for the
release of all political prisoners and immediate repeal of salt tax, and suggested that
Jinnah be invited to form an interim government. But Gandhiji did not claim to speak
for the Congress. Maulana Azad, as president of the Congress, in his talks with the

Machinery of decision set up and that is the main purpose of the Ministerial Mission and the Viceroy."
85 Sarvepalli Gopal, op. cit., p. 313.
86 Alexander diary, 4 April 1946, quoted in ibid., p. 313.
87 Alexander diary, 8 April 1946, quoted in ibid.
88 The refusal on the part of the Congress to discuss any long term plan was probably deliberate.
Immediately after the elections, Rajagopalachari had suggested that it would be wise to devolve the
initiative to the provinces. A resolution should be tabled in each of the eleven provincial Assemblies that
the province was willing to join an Indian federation on certain basic principles and a minimum federal
list. The positive answer of the NWFP and Assam would unsettle the League's position; and if Bengal
also agreed, that would finish the battle. Rajagopalachari to Jawaharlal, 28 February 1946, quoted in
Sarvepalli Gopal, op. cit., p. 315.
90 Patel had a feeling that Gandhiji was out of touch with the Congress policy and Azad could not be trusted
314. Sarvepalli Gopal feels that such suggestions as Gandhiji made had no practical bearing on the
immediate issue and were regarded as characteristic of Gandhiji, p.315.
Mission laid emphasis not on the Constitution making but on the transfer of real power to an interim government.91

In a situation like this the Cabinet Mission put forward its own proposals. Jinnah in the meanwhile, on 26 April, had expressed a preference for a three tier federal union rather than a Pakistan with a reduced area.92 The Missions formulations, “one further attempt to obtain agreement between the League and the Congress”93, suggested a establishment of Union Government dealing with foreign affairs, defence and communications; two groups of provinces, one predominantly Hindu and the other predominantly Muslim which would deal with all other subjects which the provinces desired should be dealt with in common; and vesting of all residuary powers in the provinces.94 Subsequently the Mission called a conference, 5 to 12 May 1946, of the leaders of the two parties at Simla to consider its proposal.95

Before the conference the Congress communicated its position through a letter written by Maulana Azad wherein it stated that basic issue was “Indian independence and the consequent withdrawal of the British army from India. It is only on this basis that we can discuss the future of India or any interim arrangement”.96 Further it questioned the basis of formation of groupings of Provinces on the basis of religious or communal considerations. It stated that “Any sub-federation within the Federal Union would weaken

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92 Alexander diary, 26 April 1946, quoted in ibid., p. 316.
the Federal Centre and would be otherwise wrong.97 It also reiterated its conception and position regarding a free and Independent India. To quote:

As you are aware, we have envisaged a Federal Union of autonomous units. Such a Federal Union must of necessity deal with certain essential subjects of which defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right. Without these functions and powers it would be weak and disjointed and defence and progress in general would suffer. Thus among the common subjects in addition to Foreign Affairs Defence and Communications, there should be Currency, Customs, Tariffs and such other subjects as may be found on close scrutiny to be intimately allied to them.98

On the other hand the Leagues position was as usual recalcitrant. Jinnah in his reply to lord Pethick-Lawrence invited his attention “to the position taken up by the Muslim League since the passing of the Lahore Resolution in 1940, and, thereafter, successively endorsed by the All India Muslim League sessions and again by the convention of the Muslim League legislators99, as recently as the 9th of April 1946.”100

97 Ibid., p.133.
98 Ibid.
99 The Muslim League Legislators’ Convention at Delhi passed a resolution, demanding a sovereign independent State of Pakistan and declared that implementation of the demand without delay was a sine qua non for League participation in an interim Government at the Centre. IAR, Vol. I, 1946, p. 49. Jinnah while addressing this convention on 7 April had declared: “So far as Muslim India was concerned, the conception of a united India is impossible. If any attempt is made to force a decision against the wishes of the Muslims, Muslims in India will resist it by all means and at all costs”. Ibid. Suhrawardy declared: “Muslims were not a dead nation, and the resistance would not be by mere words.” Ismail Chundigar of Bombay said that the British had no right to hand over the Muslims to a subject people over whom they had ruled for 500 years. Mohhamad Ismail of Madras declared that the Muslims of India were in the midst of a Jihad, a holy war. One Shaukat Ali Khan asked to be given a
The Congress and the League with these mutually antagonistic and hostile perspectives attended the conference. Jinnah thinking "surely the poor Mohammedans were entitled to one quarter of India" went to the conference. Implicit in his thought was the idea that he was not very hopeful and thinking in terms a sovereign State. Agreements regarding a united India still could be worked out. The Congress, on the other hand, had already objected to compulsory groupings or sub-federations, and felt it would be wholly wrong to compel a province to function against its wish. There were Congress ministries in Assam and NWFP, and it possibly thought, that this would virtually mean abandoning their supporters and handing these provinces over to the League.

However Nehru’s assurance at the conference not to exercise compulsion on the units to stay in an all India federation coupled with Jinnah’s implicit idea of not having a sovereign State appears to have encouraged the Cabinet Mission draw up on 8 May ‘Suggested Points for Agreement’ between the two parties. There should be an all-India government and legislature, both composed of equal proportions from the Muslim-majority and Hindu-majority provinces, and dealing with foreign affairs, defence, communications and fundamental rights. ‘Groups of provinces may be formed’ and such groups could determine the provincial subjects they desired to take in common and set up their own executives and legislatures. Any province could after ten years call for a reconsideration of the terms of the constitutions of the Union and the groups. The constituent Assembly would be elected by the provincial assemblies and the Assembly

chance and they would 'show a rehearsal now when the British army is here.' Sir Feroz Khan Noon declared that if they were driven to fight a “Central Government or Hindu Raj”, then the “havoc which the Muslims will play will put to shame what Chengiz Khan or Halaku did.” Ibid., p. 113-4.

100 Ibid., p. 134.
101 To Alexander, 29 April 1946, Alexander diary, quoted in Sarvepalli Gopal, op. cit., p. 316.
‘will divide in to three sections’, representing the Hindu-majority provinces, the Muslim majority provinces and the States. The first two sections would meet separately to decide the provincial constitutions for their group, and if they wished, a group constitution; and thereafter it would be open to any province to change its group or remain outside any group. The three sections would then join to draft a Union constitution, but every major point affecting the communal issue would require a majority of each of the two communities.102 The Mission no longer insisted on groupings.

In the new “suggestions” the question of grouping of provinces was left exactly as the Congress desired. The Constituent Assembly should divide into sections, but the provinces might form groups. Wavell, the Viceroy felt unhappy about it: “I sympathise with the Muslims rather than with the Congress, and I am not convinced that our document is quite fair to them.”103 Jinnah also understood it and promptly protested. ‘In the new “suggestions” the question of grouping of provinces is left exactly as the Congress spokesman desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.’104 Pethick Lawrence rejected this interpretation and contended that the Mission had done no more than slightly simplify the original formula as a reasonable compromise between the views of the Muslim League and those originally expressed by Congress against grouping.105 The Congress however reiterated its position that all groupings should be optional and this should be left open to the decision by the Constituent Assembly and the Constitution-making should begin with

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the Federal Union. If an agreement with the League favourable to the growth of a free and united India could not be achieved, an interim government should be formed at once and matters in dispute referred to an independent tribunal. Jinnah also appears to have agreed for arbitration as suggested by Cripps letter to Jawaharlal Nehru on 10 May 1946. The Congress prepared a list of possible umpires who were neither English nor Indian, and Cripps made various proposals.

Jinnah however retracted from his earlier commitment to the principle of arbitration and declared that the question of partition had been settled by the Muslim vote at the elections, but he was willing to agree to the sovereignty of Pakistan being ‘delegated’ to a Union for three subjects provided that sovereignty was recognised in the form of a group. The position of the congress and the League were thus completely opposed to each other. The congress wanted to have a strong centre with wide powers and control of many more subjects than the three suggested by the League. The conference ended in a whimper without making further progress. That Jinnah or the Muslim League were hardly interested in solving the tangle and rather their attempts were simply an attempt to avoid any solution within a framework of a united and Independent India is quite obvious from forgoing discussion. The Muslim League Legislators’ Convention at Delhi had already started vitiating the communal atmosphere in the country.

106 Azad to Pethick-Lawrence, 8 May 1946, Papers relating to Cabinet Mission, pp. 17-19, cited in ibid.
107 Cripps wrote: “I felt inordinately proud of my friendship with you yesterday afternoon and I do congratulate you and your colleagues upon their most statesmanlike attitude. I pray that success may come to your labours that you two may be hailed as the savours of India as indeed you will be if you succeed in coming to an agreement.” Cripps to Jawaharlal, 10 May 1946, with the enclosed note, cited in Sarvepalli Gopal, op. cit., p. 318.
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The Cabinet Mission, acknowledging the breaking-up of the conference, issued subsequently its own plan which was released to the press on 16 May 1946. It rejected Partition, on the basis of either a large or small Pakistan. It gave, thought Rajendra Prasad, “cogent reasons for declaring the Muslim League demand for Pakistan as impracticable”. To quote him:

The Plan was divided into three parts. In the first part, they gave cogent reasons for declaring the Muslim League demand for Pakistan as impracticable and said that it could not be conceded. They proposed instead a Federal Constitution for India which the Princely States could also join. The Central Government would have three subjects under its jurisdiction, namely, Defence, External Affairs and Communications, with power to raise revenue to meet the expenses incurred under these heads. All other subjects would vest in the provincial Governments, as also all residuary powers not specifically mentioned. In the second part, the details of the Constituent Assembly which would frame the Constitution for the country were given. The third part related to the immediate reconstitution of the Government of India. It also stated that India would be free to remain within the British Commonwealth or secede from it.\textsuperscript{110}

According to the plan now India was to be a federation, embracing both British India and the States. The Indian Union would deal with foreign affairs, defence, and communications with powers, necessary to raise the finances for these subjects. The idea of parity at the centre had been dropped, but any major communal issue in the central legislature would require a majority of each community, as well as an overall majority.

Rest of the subjects and powers would vest in the provinces, which would be free to form groups, and each group could determine the provincial subjects to be taken in common. Further any province after ten years could call for a reconsideration of the Union and group constitutions by a majority vote of its assembly. The Constituent Assembly was to be elected by the provincial assemblies with each province being allotted seats proportional to its population, one member for every one million of its population, Muslims and Sikhs electing their nominees on the basis of separate electorates. All these members would discuss with representatives of the Indian Princes on States' representation in the Assembly. The basis of one member for every one million people was to be maintained in the case of States also. The British India would thus have in all 292 members, of whom 210 would be non-Muslims, 78 Muslims and four Sikhs. The members so elected would divide up into three sections – Section A comprising Madras, Bombay, the U.P., Bihar, the C.P., and Orissa; Section B Punjab, the N.-W.F.P., Sind and Baluchistan while Bengal and Assam would be in Section C. After that, members of all the three groups would sit separately and frame Constitutions for their respective groups. Each group would decide whether it wanted to have a common Constitution for the country and, if so, what would be its form and what would be the subjects under its control. Finally, the Constituent Assembly would meet again jointly, with representatives of the Princely States also participating, and would frame the Constitution for India. A separate committee would be constituted to consider ways and means to safeguard the rights of the minorities and its recommendations would be incorporated in the Constitution. Then, in accordance with the new constitution, elections to the provincial

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111 The Cabinet Mission thought it sufficient to recognize only three main communities in India: General, Muslim and Sikh, the “General” community including all persons who were not Muslims or Sikhs. *JAR*, Vol. I, 1946, p. 147.
assemblies would be held, each province having the right to remain in the group in which it had been placed or to break away from it. For the time being, the Viceroy would reconstitute his Executive Council on which, as far as possible, representatives of all Indian Parties would be appointed. Although the Government of India Act, 1935 would continue to be in force and though, according to that Act, all powers would vest in the Viceroy, every possible effort would be made to carry on the work in consultation with, and according to the wishes of, the Executive Council.\textsuperscript{112} Lord Wavell on 17 May declared that it was a "blue-print for freedom, an outline of which your representatives have to fill in the details and construct the building."\textsuperscript{113}

Rajendra Prasad saw in the entire plan an attempt to please all the parties by conceding something to each. "Although the Muslim League demand for Pakistan had been rejected as such the authors of the Plan hoped that the three-tier Constitution, consisting of a Union Centre, an intermediate authority representative of groups of contiguous provinces and finally, the provinces themselves, which permitted grouping of provinces and reduced the number of subjects with the Union to the barest minimum, would largely satisfy the Muslim demand of Pakistan."\textsuperscript{114} Indeed, to make the plan palatable to the League, sections B and C, comprising the five Muslim majority provinces, were created in the constituent Assembly. It made "possible for the Muslims to secure the advantages of a Pakistan without incurring the dangers inherent in the division of India."\textsuperscript{115} However there were problems inherent in the plan, thought Rajendra Prasad, as "the whole of the Punjab, Bengal and Assam had been placed in two

\textsuperscript{112} The full text of the plan is available in \textit{ibid.}, pp. 144-150.
\textsuperscript{113} Lord Wavell's broadcast, 17 May 1946, \textit{ibid.}, p. 157.
\textsuperscript{114} Rajendra Prasad, \textit{op. cit.}, p. 583.
groups likely to secede from the Centre, though parts of the Punjab and Bengal were Hindu majority areas and, in Assam, Muslims formed no more than one-third of the population.\textsuperscript{116}

Gandhiji thought that the plan was a recommendation to the Constituent Assembly which could vary, reject or improve upon it.\textsuperscript{117} No province could be forced to belong to a group. The Congress working Committee considered these proposals for several days (17 to 24 May) and took the position that the provinces should not be compelled to join the groups in which they had been placed. “Although the Plan permitted any province to break away from its group after the Constitution had been framed”, says Rajendra Prasad, “the Working Committee insisted that the provinces should have the freedom of secession even while the Constitution was being framed.”\textsuperscript{118}

In his own words:

The North West Frontier Province and Assam were opposed to joining the groups in which they had been placed and, on their behalf, the Working Committee claimed freedom to keep out of their groups from the very start. It thought that this was, after all, in consonance with the purpose of the Plan as a whole.\textsuperscript{119}

Maulana Azad, as the Congress president, accordingly wrote to the Pet hick-Lawrence that the Constituent Assembly, being “a sovereign body for the purposes of drafting the constitution unhindered by any external authority” could “vary in any way it likes the recommendations and the procedure suggested” and “its final decisions will

\textsuperscript{116} Ibid.
\textsuperscript{117} Tendulkar, Mahatma, Vol. 7, p. 117.
\textsuperscript{118} Rajendra Prasad, op. cit., p. 583.
\textsuperscript{119} Ibid.
automatically take effect. The only limitation the Congress recognized was that the decisions on certain major communal issues should be by a majority of each of the two communities. The Congress also wanted India to be considered independent from the moment National Provisional Government was established. However, the Mission rejected the Congress interpretations and assertions and stated that independence “cannot precede the bringing into operation of a new constitution.” “But the Working Committee”, according to Rajendra Prasad, “stuck to its view and decided that it would implement the proposals only according to its own views.” The Muslim League, on the other hand, criticized the proposals because the demand for Pakistan had not been accepted unequivocally, he thought, but it saw in the Plan the seeds of Pakistan in the grouping of provinces, and so, as a step towards its final objectives, accepted the proposals.

Meanwhile discussions on the Mission Plan regarding the formation of an interim government continued. The Viceroy proposed a Cabinet of 12 members composed of five Hindus, five Muslims and two representatives of minorities. The Congress rejected this and insisted on 8 Hindus, including a non-Congressman, and 5 Muslims, including a non-

121 Ibid., p. 162.  
122 Pethick-Lawrence to the Congress President, 22 May 1946, ibid.  
123 Rajendra Prasad, op. cit., p. 584.  
124 Ibid.  
125 In his talks with Jinnah, Wavell committed himself to Congress-League parity and also not just to ‘Caste Hindu’-Muslim parity. Nor was the Viceroy now thinking of including the Muslims other than the nominees of the League. Both at Simla in may and again in Delhi on 3 June, he informed Jinnah that the interim government would consist of 12 members- 5 Congress, 5 League, one Sikh and one Indian Christian or Anglo Indian. Jinnah to Wavell, 8 June 1946, Papers relating to Cabinet Mission, pp. 37-38, cited in Sarvepalli Gopal, op. cit., p. 324.
The Congress opposition to it was, thought Rajendra Prasad, because first it meant parity between Hindus and Muslims although Hindus were three times more numerous than Muslims; secondly, the representation for the minorities had been reduced from the quota he had conceded during the Simla talks when a Cabinet of 15 had been proposed with five Hindus, five Muslims and five minority representatives, including two Harijans. It was, therefore, not merely a question of Hindu-Muslim parity. The Congress had accepted the earlier proposals of Lord Wavell, thought Rajendra Prasad, in view of the war situation, but now the situation and changed and it could not accept the new proposals which were worse than the earlier ones. The Congress thought that the representatives of the minorities could be accommodated to their satisfaction only if the Cabinet consisted of 15 members.  

The Viceroy then increased the strength of the proposed Council to 13-6 Congress (including a scheduled caste representative), 5 League and 2 minority representatives. This was again rejected by the Congress. Rajagopalachari told the Mission on 15 June that the limit of the Congress concession would be 7 Congress Hindus (including a Scheduled Caste representative), 5 Muslims and 2 minorities. Cripps was willing to accept it but Wavell and Alexander insisted that the ‘Caste-Hindu’-Muslim parity should be maintained.

Subsequently on 16 June 1946 the Viceroy announced a list of 14 persons who had been invited to form his new Cabinet expected to start functioning from 26 June.

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126 Sarvepalli Gopal, *ibid.*
127 Rajendra Prasad, op. cit., p. 584.
128 Sarvepalli Gopal, op.cit.
129 The proposed list consisted of following names: Sardar Baldev Singh, Sir N. P. Engineer, Mr. Jagiivan Ram, Pandit Jawaharlal Nehru, Mr. M. A. Jinnah, Nawabzada Liaqat Ali Khan, Mr. H. K. Mahtab, Dr. John Mathai, Nawab Mohammed Ismail Khan, Khwaja Sir Nazimuddin, Sardar Abdur Rab Nishtar, Mr. C. Rajagopalachari, Dr. Rajendra Prasad, and Sardar Vallabhbhai Patel. The viceroy was to arrange
1946. In case either party or both refused, the Viceroy would form an interim government representative of those who had accepted the Mission Plan. The list included 6 Congress (including a Scheduled Caste representative), 5 Muslim Leaguers, and 3 minority representatives (one Sikh, one Christian and one Parsi). According to Rajendra Prasad, the list conformed generally to the list of 13 names given casually by Jawaharlal during discussion with the Viceroy except for the substitution of a non-League Muslim by a Leaguer, and a Congress Hindu by another. The name of a Parsi was added by the Viceroy.\(^{130}\) This proposal also got jeopardised because of the hobnobbing of the Viceroy with Jinnah. In the words of Rajendra Prasad:

> While we were considering the latest proposals, the Viceroy started consultations with Jinnah, some of whose suggestions were accepted by him. The newspapers somehow got wind of the story and when we read it we were started by this development. When we referred the matter to the Viceroy, he sent us the portion of his letter sent to Jinnah accepting his suggestions. There, the Viceroy agreed not to increase the strength of the Cabinet of 14, to fill the seats of the minorities only in consultation with the Muslim League and to see that the new Government would not do anything to alienate the majority opinion in the League. It was thus clear that the Muslim League consent was to be sought not only in the formation of the Government but also in its day-to-day working. As the Viceroy had scored out the name of the non-League Muslim and replaced it by a Muslim Leaguer, saying that the Leaguers could not be less than five, the Congress began thinking of suggesting the

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\(^{130}\) Rajendra Prasad, *op. cit.*, p. 585.
name of a nationalist Muslim to be included in the quota of Hindus. But the Viceroy forestalled us by sending us a letter asking us not to suggest any Muslim names as that would not be acceptable. The Working Committee could never accept such a position as it would amount to an admission that the Congress was a Hindu organization and that the League was the sole representative of the entire Muslim community. The Congress, therefore, decided to reject these proposals. 131

The position of the Working committee appears to be fully justified as Wavell, in a letter to Jinnah, had tacitly conceded the latter's request that the Scheduled Castes be treated as one of the minorities in the selection of whose representatives of the league should be consulted. This seems to have been done, as Gopal points out 132, on his own initiative and in the process gave recognition to the claim, which upset Gandhiji that the Scheduled Castes formed a minority and were not Hindus. Wavell had already made it clear that the Congress would not be allowed to nominate a Muslim. It is, therefore, not surprising that the Congress had refused to join the interim government.

Meanwhile, the Working Committee met in Delhi and continued discussion of the Constituent Assembly proposals. 133 Mahatma Gandhi vigorously advocated acceptance of the May 16 proposals. With the exception of two or three members, according Rajendra Prasad, the Committee was in favour of acceptance, although with some conditions. That the Working Committee was treading the whole issue in an extremely cautious way is

131 Ibid.
132 Sarvepalli Gopal, op. cit., p. 325.
133 Meetings of the Working Committee were held at Delhi from 12 to 18 April, 25 to 30 April, 17 to 24 May and 9 to 26 June 1946 and were devoted primarily to negotiations with the Cabinet Mission with regard to the setting up of the Constituent Assembly and establishment of an interim government. Gandhiji was generally present at the afternoon sittings of the Committee. IAR, Vol. II, 1946, p. 98.
evident from the attention it gave to a telegram sent by an Assam Congressman.\textsuperscript{134} The Assam Congressman had interpreted the rule to mean that it demanded a commitment from every candidate in advance on the grouping proposal. The discussions were postponed to the next day while the study was in progress. Gandhiji said that the Assam telegram had caused him concern. Gandhiji took up the matter with the Mission and got a specific assurance that the grouping was not an essential part of the scheme. Eventually, on 26 June the Congress Working Committee decided to accept the May 16 proposals with reservations, while rejecting the June 16 plan for an Interim Government and emphasized the imperative need for setting up ‘a representative Provisional National Government’ at the earliest possible date.\textsuperscript{135} Gandhiji also gave his blessings and fullest support to the Congress decision to enter the Constituent Assembly for the purpose of framing a new Constitution for a free and independent India.\textsuperscript{136} The Congress had declined the offer to form the Government the Cabinet Mission on 26 June 1946 announced that its plan had failed.

The Muslim League, on the other hand, had already accepted the long-term plan on 6 June and was awaiting the Congress decision on the Interim Government plan before it could announce its own. The Viceroy met Jinnah the day he received the decision of the Congress and showed him the Working Committee’s letter. He told him that he would continue his efforts to form an Interim Government with the help of the representatives of such parties as had accepted the May 16 plan. Muslim League’s hopes that that if the

\textsuperscript{134} In the words of Rajendra Prasad, “we received a telegram from a Congressman in Assam drawing our attention to one of the rules framed for the election of the Constituent Assembly of the eastern group according to which every candidate would have to sign a declaration agreeing to accept the grouping plan along with the other parts of the proposals.” Rajendra Prasad, Autobiography, pp. 585-6.

\textsuperscript{135} \textit{IAR}, Vol. I, 1946, p. 64.

\textsuperscript{136} \textit{Ibid.}
Congress were to reject the June 16 plan it (League) would get all power in its hands and dominate the Interim Government were totally frustrated by the Viceroy's intention to continue his efforts to form an Interim Government. League decided to accept the June 16 plan regarding the interim government.\textsuperscript{137} The Cabinet Mission left India on 29 June and a caretaker government composed of some officials was formed. However Jinnah felt cheated and he resented the decision of the Viceroy and the Cabinet Mission. He thought his plans had been wrecked and he held the Congress responsible for this.

The Cabinet Mission had left leaving it to the Viceroy to negotiate the formation of an interim government. Jawaharlal Nehru took over as president of the Congress in succession to Azad.\textsuperscript{138} He secured approval of the AICC for the negotiations so far carried out by the Congress leaders with the British Government. At the AICC and at a press conference few days later he reiterated, in sharp and emphatic terms, the working committee's interpretation of the Cabinet Mission Plan: "We are not bound by a single thing except that we have decided to go in to the Constituent Assembly."\textsuperscript{139} Further at a public reception in New Delhi he explained the Congress position and said that the Congress was entering the Constituent Assembly with the object of working it out and if they found that they were unable to achieve their purpose they would withdraw from it and wreck it.\textsuperscript{140}

The Muslim Leagues acceptance of the Mission plan did not mean that the League had undergone any ideological transformation. Its unhappiness and bitterness still

\textsuperscript{138} Jawaharlal Nehru took over from Maulana Azad, who had been the Congress President since Ramgarh session in 1940, on 6 July at AICC meeting (6-7 July 1946) at Bombay. As two other Presidential candidates Vallabhbhai Patel and J. B. Kripalni had withdrawn their candidatures Nehru had been declared elected as president on 16 May 1946. \textit{IAR}, Vol. II, 1946, pp.100-2.
\textsuperscript{140} \textit{IAR}, Vol., II, 1946, p. 7.
continued because the demand for a Pakistan had been rejected by the Mission. Rajendra Prasad reminisced:

After the conclusion of the elections, the Muslim League Council met and decided to reverse its earlier stand and reject both the May 16 and June 16 proposals. It also decided in favour of direct action for the attainment of Pakistan. As a protest against the British attitude, it enjoined on its members to surrender all titles awarded by the British Government. Speeches in the Council were so intemperate, so full of fulmination against both the Congress and the Government that we thought the League Council was preparing to fight both.\(^{141}\)

It appears that Jinnah, who had never been happy about his commitment to accept the Cabinet Mission Plan\(^{142}\), seized upon these statements and withdrew League’s acceptance of the Plan both with regard to the interim government as well as the Constituent Assembly on 29 July 1946 and decided to go for direct action for the achievement of Pakistan.\(^{143}\) Nehru’s utterances, though uncalled for, provided an excuse

\(^{141}\) Rajendra Prasad, op. cit., p. 587-8.
\(^{142}\) It is said that Jinnah began to fret within hours of giving his acceptance. M.A. H. Ispahani, Qaid-e-Azam Jinnah as I knew him, Karachi, 1967, p. 209, cited in Sarvepalli Gopal, op. cit., p. 327.
\(^{143}\) Jawaharlal Nehru had been castigated for putting Jinnah back to his normal obstructionist road. Azad wrote in his memoirs: Now happened one of those unfortunate events which change the course of history. On 10 July, Jawaharlal held a press conference in Bombay in which he made an astonishing statement …he stated that that the Congress would enter the Constituent Assembly ‘completely unfettered by the agreements and free to meet all situations as they arise’. Azad, India Wins Freedom, (the complete version), Orient Longman, Madras, 1988, p. 164. “Sixteen August 1946 was a black day not only for Calcutta but for the whole of India. The turn that events had taken made it almost impossible to expect a peaceful solution by agreement between the Congress and the Muslim League…I have to say with deepest of regrets that a large part of the responsibility for this development rests with Jawaharlal. His unfortunate statement that the Congress would be free to modify the Cabinet Mission plan reopened the whole question of political and communal settlement.\(^{393}\)
for the League to withdraw from its earlier position of accepting the Missions plan. That
the League's motives were different from the day it accepted the Cabinet Mission
Scheme on 6 June was obvious from its position then that it would keep in view the
opportunity and the right of secession of provinces or groups from the union which was
provided in the Missions Plan by implication. Nehru. Nehru's utterances only provided
this opportunity to the League. The league also, like the Congress, accepted the plan on
its own interpretations so as to be in a better position to work for a full Pakistan. It
seems out of place to suggest that Nehru's statements "changed the course of history."
Meanwhile elections to the Constituent Assembly followed in July 1946 in which
the Congress secured an overwhelming majority. A day after the publication of the results
of the elections the League had withdrawn its acceptance of the Cabinet Mission Plan and
announced direct action for the achievement of Pakistan. Jinnah declared that the
constitutional methods would now be discarded by the League and called for 'direct
action' to begin on 16 August. As a protest against the British attitude, it enjoined on its
members to surrender all titles awarded by the British Government. "Speeches in the
Council were so intemperate, so full of fulmination against both the Congress and the
Government that we thought the League Council was preparing to fight both." On 16
August, which had been declared a public holiday by the Muslim League Ministry,

Mr. Jinnah took full advantage of his mistake and withdrew from the Leagues early acceptance of the
Cabinet Mission Plan". Ibid., p. 170. Patel also expressed his unhappiness: "With childlike innocence,
which puts us all in great difficulties quite unexpectedly...acts of emotional insanity and it puts
tremendous strain on us to set matters right. His mind has been exhausted by overwork and strain. He
feels lonely and acts emotionally and we have to bear with him in the circumstances. Opposition
sometimes drives him mad, as he is impatient. To D. P. Mishra, 29 July 1946, Sardar Patel’s
144 Jawaharlal later commenting on Azad’s book said this was too much to think in individual terms and
not in terms of the historical forces at work. Statement at press conference, 7 February 1959, The
Hindu, 8 February 1959, cited in Sarvepalli Gopal, op. cit., p. 328. According to Sarvepalli Gopal,
Pakistan was not made inevitable by two statements of Jawaharlal. They, at the most, provided Jinnah
with an opening. Ibid.
Calcutta blood-bath started, in which Armed Muslim communal groups in Calcutta looted and murdered while the administration watched and the governor took no action to call in the army. "This was perhaps the bloodiest carnage witnessed in India since the sacking of Delhi by Nadir Shah, although I am not sure that his armies could really have massacred so many people."\(^{146}\) It was only after three days, when the Hindus and Sikhs took the law into their own hands and indulged into savage reprisals, that the Army took charge. "Fracases did occur in some other places like Dacca, Banaras, Allahabad, Raniganj and Delhi on the protest day but they were completely eclipsed by the Calcutta massacre."\(^{147}\) The trouble subsequently spread to Bihar as well where however a firm handling by the Congress ministry brought the situation under control. The obvious answer to all these serious communal development would have been to dismiss the League ministry in Bengal but Wavell did nothing of that sort.

The situation in the country had taken a serious turn because of the communal frenzy. However negotiations were going on for the formation of an Interim Government. "The Viceroy and Jawaharlal made up their minds that the Calcutta happenings should not come in the way of their efforts to set up a Government at an early date."\(^{148}\) Wavell, because the Muslim League had rejected the Mission Plan on 29 July, called upon Nehru to form a representative Government in consultation with Jinnah, to deal with the situation. Rajendra Prasad along with Azad and Patel, members of the Congress Parliamentary Committee reached Delhi to finalise the names for the interim government. Rajendra Prasad at that time was in Jaipur taking rest. Nehru failed to secure the

\(^{146}\) Ibid., p. 590.

\(^{147}\) Ibid. Rajendra Prasad was greatly unnerved by these happenings and he devoted a whole chapter in his biography describing the horrors during these riots.

\(^{148}\) Ibid., p. 591.
participation of the League and finally, in consultation with the Parliamentary Committee, submitted a list of 12 members to the Viceroy. The Viceroy accepted the list and the interim Government with Jawaharlal Nehru as Vice-President took office on 2 September 1946.\textsuperscript{149}

Rajendra Prasad expected that the ministry would function in a full-fledged manner and not merely as a stopgap arrangement till the League had joined it. Accordingly the Congress ministers visualised their position as a cabinet, representative of the people, and accordingly devoted themselves to their assignments. "We had decided that we would function as a cabinet with joint responsibility, which meant that the whole cabinet would be responsible for the doings of every minister and that if even one of the ministers had to leave, the whole cabinet would resign. Ministers would not act independently but jointly."\textsuperscript{150} This was to be a departure from the functioning of the former members of the Viceroy's Executive Council who were appointed separately and dealt with one another only through the Viceroy.

Rajendra Prasad, who had been assigned with the portfolio of Food and Agriculture\textsuperscript{151}, got with all dedication in tackling the food crisis and preventing a

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\item The interim Government consisted of twelve ministers, namely, Jawaharlal Nehru, Sardar Vallabhbhai Patel, Sarat Chandra Bose, C. Rajagopalachari, Asaf Ali, Dr. John Matthai, Jagjivan Ram, Shafat Ahmed Khan, Baldev Singh, C.H. Bhabha, Ali Zaheer and Rajendra Prasad. The inmates of Birla House, where Sardar Patel, Jagjivan Ram and Rajendra Prasad were staying, gave them a ceremonial send-off that morning. They went then to Gandhiji and took his blessings along with other colleagues and then proceeded to Viceroy's House to be sworn in. \textit{Ibid.}, p. 593.
\item \textit{Ibid.}, p. 597.
\item Rajendra Prasad remained as Minister of Food and Agriculture for about 16 months until 15 January 1948. After becoming the President of the Constituent Assembly on 11 December 1946 he adroitly carried on the dual responsibilities of his ministry as well as the work of the Constituent Assembly. But after India became independent on 15 August 1947 and as the Constituent Assembly was required to function also as a Dominion Legislative Assembly of India he became conscious about the impropriety of continuing both in the Government and presiding over the Constituent Assembly. Therefore he constituted a Committee to suggest a way out and accordingly on the suggestion of this Committee G. V. Mavalankar was elected as Speaker of the Dominion Legislature while Rajendra Prasad continued to preside over the Constituent Assembly. \textit{RPCSD}, Vol. 7, p. xviii.
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starvation like situation because of the acute shortage of food in the country at that time.

Service of the people and country were above everything for him. He had not desired to
join the Cabinet but had to bow before the wishes of the Congress Working Committee,
which wanted him to be a minister in the Cabinet. He was very candid in this matter:
"But if I may state my preference, either of the alternatives of Congress Presidentship and
Chairmanship of the Constituent Assembly would have been more to my liking than a
ministership."¹⁵² Unsure of the League’s future action and political developments he
thought it best to serve the people sincerely and impartially. Habits die hard. All along his
life had fought against the British Empire and so at the time of swearing he felt tormented
by incongruity of his colleagues swearing loyalty to the British King. "All our lives we
have been busy struggling against British imperialism. How far then was it right for us to
swear loyalty to the British King?"¹⁵³ He overcame this dilemma by reminding himself
about the working of the British Constitution in England where everything was carried in
the name of the British Crown but yet id did not mean anything beyond that. This thought
convinced him that work of furthering the cause of India’s independence at that time was
not incompatible with such an oath. In Rajendra Prasad’s own words:

The fact is that taking an oath of this nature is an essential part of
the British Constitution, just like carrying on the administration in
a democratic manner according to the wishes of the people. The
King cannot do anything without the mandate of the people and the
people’s views are known through Parliament. The Premier is
guided by those views. The king does not interfere in the working
of the Government and carries out the wishes of the Cabinet and
reads out speeches prepared by it… that the British King has to

¹⁵³ Ibid.
sign whatever paper is put up before him by the Premier, so much so that he cannot refuse to sign even his own death warrant. The instance of Edward VIII having to abdicate in accordance with the advice tendered by his Prime Minister, Stanley Baldwin, was still recent. If Baldwin could advise the King to abdicate, Jawaharlal Nehru could advise him to transfer power into Indian hands despite his oath of loyalty. 154

As a minister of Agriculture and Food he had serious problems staring before him. There was an acute food shortage in India caused by a general dislocation in the economy during the War. However, by virtue of his abilities and suave nature he could secure the active cooperation of the officers and others of his department and also of the people in carrying out his food policy successfully. He was able to tide over the acute crisis to a large extent, so much so that not even a single person died of starvation. His experiences in handling the situation strengthened his conviction that an agricultural country like India should be self-sufficient in respect of food. He laid, therefore, great emphasis on achievement self-sufficiency in food production, which later on the Government of independent India laid stress on.

Lord Wavell, in the meantime, was trying to persuade the Muslim League to join the Interim Government. The British thought that the League had to be brought into the interim government and the Constituent Assembly at any rate and accordingly they put pressure on the Congress and "a time came when Nehru also had to join in the negotiations." 155 Nevertheless the negotiations proved futile and no agreement could be

154 Ibid., pp. 593-4.
155 Wavell started discussions with Jinnah, who insisted that the Congress should not nominate a Muslim in the government, and accordingly Wavell appealed to Gandhiji and Jawaharlal to waive its right to do so for the sake of a settlement. To this appeal was added a threat that if the Congress declined, the
reached between Jawaharlal Nehru and Jinnah. It is at this juncture that Wavell accepted Jinnah nomination of five members in the interim government, but without securing a commitment on the part of the League to abide by the Cabinet Mission Plan, or a renunciation of the League's policy of direct action and a pledge to co-operate in the interim government. Five nominees of the League accordingly were sworn in on 26 October 1946. Rajendra Prasad felt "that in the course of our working the Congress and League would somehow come together and that it might lead to a final understanding." But he was mistaken as the sole aim of Jinnah was to share power and disrupt the interim government. Wavell became a party to Jinnah's nefarious intentions.

The Congress-League government did not start off well and was characterised by League's perpetual opposition to the Congress. "Immediately on joining the cabinet, the leaguers said that they had not made any commitment to withdraw their rejection of the May 16 plan and that they did not subscribe to the principle of joint responsibility." They also turned down Jawaharlal Nehru's invitation to join daily meetings of the Cabinet to discuss all important problems and take decisions jointly. "They joined us only when the Viceroy called a meeting of the Cabinet." Wavell also encouraged the

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Viceroy doubted if he could allow the interim government to continue as it was. Pethick-Lawrence backed up Wavell and added that the League would have to be brought into the Constituent Assembly if that body was to be of any use. Cited in Sarvepalli Gopal, *op. cit.*, pp. 334-5.

157 League's representatives in the interim government were Liaquat Ali Khan, Raja Ghazanfar Ali Khan, Sardar Abdur Rab Nishtar, I. I. Chundrigar and Jogendra Nath Mandal. The last-named was a Harijan and the choice was made by Jinnah to show that the League was the repository of minority interests. *Ibid.*, p. 597.
Leaguers in their obstructive attitude by referring every major issue to the two sides for opinion rather than insisting on the government functioning as a team.161

On the other hand the League's joining of the interim government had failed to ease the communal riots in the country. The partisan attitude of Wavell was very much obvious as regards the provinces of Bengal and Sind, where the League had its ministries, and he refused to take any action on the pretext of the provincial autonomy. The Muslim League as yet had not announced its position on the Constituent Assembly which was scheduled to meet in December. Meanwhile in London also opinion favourable to League built up. Attlee had now decided to intervene and accordingly invited the representatives of the Congress, the League and the Sikhs in London Conference held on 5 December 1946. "The British Government made changes and additions in the May 16 plan on the plea of further clarifications despite the fact that the Cabinet Mission and the Viceroy had assured us that there would be no change in that plan."162 The British Government declared that that the decisions in the sections would be by a simple majority. They urged the Congress to accept this interpretation and suggested that it could be referred to the Federal Court by the Constituent Assembly. Indeed the British Government took an unfavourable position and pressed the Congress to abandon its position and accept an unfavourable interpretation of the plan so that the League could be persuaded into joining the Constituent Assembly. Jinnah was quite upbeat as Pakistan seemed to be in sight. "There was no doubt that new points had been added that were not in the original statement."163

163 Ibid.
Chapter Six

The Constituent Assembly meanwhile met as scheduled on 9 December 1946, without the members of the League, and elected Rajendra Prasad its permanent President on 11 December 1946. Rajendra Prasad reiterated the Congress interpretation of the Constituent Assembly and said "the Assembly is self-governing, self-determining, independent body with the proceedings of which no outside authority can interfere, and the decisions of which no one else outside it can upset or alter or modify." At the same time he expressed his hope, referring to unoccupied seats in the Assembly, that "our friends of the Muslim League will soon come to occupy these places." Subsequently in a statement in the Constituent Assembly on 20 January 1947 he refuted the allegations of some British statesmen like Churchill and Simon that the Constituent Assembly represented a "body of Hindus" or was a meeting of "caste Hindus" and boldly declared that it was a complete travesty of facts.

He was still hopeful of an undivided India and accordingly he ensured that the Constituent Assembly avoided taking controversial decisions or broke up into sections and resorted to adjournments so that the Muslim League could have in the meantime made up its mind favourably to join the Assembly. The Congress nevertheless expressed its disapproval of the action of the British Cabinet regarding alteration in the interpretation of the Cabinet Mission Plan. Under duress it accepted the new interpretation but in dismay it gave up its earlier proposal of a reference for interpretation of other questions relating to the Cabinet Plan to the Federal Court by the Constituent Assembly. It however stipulated that there should be no compulsion of a province to join the groping. If such compulsion were attempted, a province or a part of a province should

165 Ibid.
have the right to take whatever action was required to give effect to the wishes of the people concerned.\textsuperscript{167} "We made it clear, however, that we would not tolerate any unfair manoeuvring in the case of any province, and that, if such manoeuvring did take place, we would consider ourselves free to do what we thought proper."\textsuperscript{168} The Muslim League on the other hand declined to reconsider its decision and instead asked the British Government to dissolve the Constituent Assembly.\textsuperscript{169}

The Muslim League had gained the lost ground where from Pakistan appeared a certainty by the end of January 1947, with any further scope of negotiations and compromises between the Congress and the Muslim League disappearing. Wavell had a fair amount of responsibility for the discomfiture of the Congress and the League’s resurrection to glory. He held a strong sympathy for Jinnah whom he regarded ‘straighter, more positive and more sincere than the most of the Congress leaders.’ Jinnah had missed, he thought, the opportunity of having of having a more favourable share in the interim government.\textsuperscript{170} However Wavell’s pro-League and anti-Congress biases were looked upon unfavourably by Attlee who perceived “Indian problem entering on a new phase, which will be very exacting and may be prolonged” and consequently asked Wavell to relinquish his office.\textsuperscript{171}

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\item \textsuperscript{168} Rajendra Prasad, \textit{op. cit.}
\item \textsuperscript{169} The League in its Working Committee Meeting on 31 January- 1 February 1947 had adopted the following resolution: “The working Committee of the All India Muslim League are, therefore, emphatically of the opinion that the elections to and thereafter the summoning of the Constituent Assembly, in spite of strong protests and most emphatic objections on the part of the Muslim League, \textit{was ab initio} void, invalid and illegal as not only the major parties had not accepted the Statement but even the Sikhs and the Scheduled Castes had also not done so and that the continuation of the Constituent Assembly and its proceedings and decisions are \textit{ultra vires}, invalid and illegal and it should be forthwith dissolved”. \textit{IAR}, Vol. I, 1947, p. 151.
\item \textsuperscript{170} Lord Wavell’s letter to H.M. the king, 8 July 1946, Pendrel Moon, \textit{ed.}, \textit{Wavell The Viceroy’s Journal}, Appendix IX, p. 497.
\item \textsuperscript{171} Attlee’ Letter, 31 January 1947, \textit{ibid.}, p. 497.
\end{itemize}
Meanwhile the Congress had realised the futility of the League's participation in the interim government. The League had merely used it to harass the Congress, and with the Viceroy's assistance, raised the communal issue at every step. Consequently the Congress pressed for the resignation of the League members from the interim government.\textsuperscript{172} Jawaharlal Nehru followed this up eight days later by stating that if a quick decision were not taken he and his colleagues would leave the government.\textsuperscript{173} In response this and unable to resolve the deadlock, indeed a major crisis, Attlee announced in the House of Commons on 20 February 1947 that power would be transferred to responsible Indian hands by a date not later than June 1948. If there were no government established by a fully representative assembly, the British Government "will have to consider to whom the powers of the Central Government of British India should be handed over, on the due date, whether as a whole to some form of Central Government for British India or some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people."\textsuperscript{174} British powers and obligations \textit{vis-à-vis} princely states would also end with transfer of power, but these would not be transferred to any successor government in British India. Attlee's statement also announced replacement of Wavell by Mountbatten.

The Congress welcomed this challenging statement\textsuperscript{175} because it presented a definite possibility. Despite a clear hint that a Constituent Assembly without the representatives of the League would not be recognized it seemed to show a way out of the

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\item Nehru and others to Viceroy, 5 February 1947, in P. N. S. Mansergh, ed., \textit{TP}, Vol. 9, p.622.
\item Sarvepalli Gopal, \textit{op. cit.}, p. 340.
\item This was a challenging statement because it offered united and Independent India if the Congress and the League could agree on its form otherwise it offered a division into sovereign and independent states in case the two failed to agree. \textit{Ibid.}
\end{enumerate}
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deadlock. Gandhiji reacted favourably to the statement. The statement put the burden on the various parties of doing what they thought well. It was up to them to make or mar the situation.\textsuperscript{176} The Congress Working Committee meeting on 8 March 1947 welcomed the fixing of the date for the final transfer of power. It urged that the transfer should be preceded by the recognition of the Interim Government as a Dominion Government with effective control over services and the administration and with Viceroy as its constitutional head. It accepted the essence of the policy statement. The Constituent Assembly could function for the areas represented in it and without the limitations imposed by the Mission Plan. It also implied a partition of the Punjab and Bengal because eastern Punjab and western Bengal were represented in the Assembly and had no intentions of being cut off from the Indian Union. The Working Committee invited the Muslim League representatives to meet the Congress representatives in order to consider the new situation and devise means to meet it.\textsuperscript{177}

Jinnah refused to respond to the Congress working Committee invitation to discuss even on the basis of partition.\textsuperscript{178} Liaqat Ali Khan, on the other hand, who held the finance portfolio, presented a wide ranging budget without any discussions with Jawaharlal Nehru or other Cabinet colleagues. The League’s policy, however, remained as usual of non cooperation inside the government and inciting direct action outside. It rejoiced at the fact that at last the power would not necessarily be transferred to a single government for the whole of India. The statement had enough to hint that Pakistan could


\textsuperscript{178} Jinnah embarked on a cruise in the Arabian Sea, while his henchmen continued to clamour for direct action. The League further carried out its nasty designs in the Punjab by bringing down anti-League ministry in the Punjab and fomented an agitation in the frontier province. Sarvepalli Gopal, \textit{op. cit.}, p. 341.
be won with British acquiescence. No wonder it continued with its communal diatribe unabated. Lahore, Amritsar, Multan, Rawalpindi, and other towns suffered grievously from the ravages of the rioters. The League also organized violence in the North-West Frontier Province and the border districts. Dera Ismail Khan, Hazara, and Banu districts were seriously affected.\textsuperscript{179}

Stalemate and uncertainty, the League's antipathy towards the Congress and the Congress's inability to manage the League coupled with 'threatening symptoms of a general collapse'\textsuperscript{180} were the markers of the time when Lord Mountbatten was sworn as the new Viceroy on 24 March 1947. The Congress working Committee also had reconciled itself to the partition of the Punjab and recognized that the same principle would also be applicable to Bengal. By 10 March 1947, Nehru was telling Wavell in private that though 'the Cabinet Mission Plan was the best solution if it could be carried through – the only real alternative was the partition of the Punjab and Bengal.'\textsuperscript{181} Jawaharlal and Patel seem to have come to the conclusion that that there was no alternative to at least temporary secession. Even a very loose union seemed out of question.\textsuperscript{182} Rajendra Prasad, though deeply distressed over the developments appears to hold a similar view. On April 5 1947, presiding over a meeting of the Bihar Provincial Political Conference at kisanganj, he observed that the dispute between the Hindus and the Muslims were product of their desire to have a share in the power they were going to acquire in India. There was nothing wrong in such a desire. Every community must have its due share in free India. They should all enjoy equal rights and privileges. But the

\textsuperscript{179} Tara Chand, \textit{op. cit.}, p. 502.
\textsuperscript{180} TP, Vol. X, p. 349
\textsuperscript{181} \textit{Viceroy's Journal}, pp. 426-7.
\textsuperscript{182} Sarvepalli Gopal, \textit{op. cit.}, p. 343.
trouble arose out of the desire of lone community to grab more power at the cost of others. For all these, however, creation of a Pakistan was not a solution.\textsuperscript{183} Then after a couple of days in an interview with Mountbatten on 10 April in New Delhi, he expressed inclination for acceptance of a partition. Dr. Rajendra Prasad enlarged on the disastrous consequences of the break-up of Indian unity; and I expressed agreement with his sentiments and his reasoning. I then asked him whether he considered that those reasons were strong enough to override the objection that there would almost certainly be a civil war if I were to enforce it against the wishes of the Muslim League.

He agreed that the position now reached made civil war very likely if I were to try and enforce a decision against the wishes of any large section of the people.

I then asked him if he thought that congress would accept voluntarily a decision which virtually abandoned the idea of Indian unity if that were the only way that I could transfer power without a risk of civil war. He said that if that were the position, he was inclined to agree that it might be accepted; since he did not see how I had any alternative but to transfer power in any manner which would not involve civil war.

We both eventually agreed that if it were possible to introduce a time element into the stages by which partition was implemented, that this would give some prospect of reason prevailing over communal emotional sentiments.\textsuperscript{184}

\textsuperscript{183} The Hindustan Times, 7 April 1947.
\textsuperscript{184} Record of Interview between Mountbatten and Rajendra Prasad, Mountbatten Papers, Viceroy's Interview No. 44, 10 April 1947, TP, Vol. X, pp. 179-80.
Two days later on 12 April at a reception given to him by the Indian Merchants’ Chamber in Bombay he elaborated on the idea of partition, underlining his personal conviction that it will not solve the problem:

The time is now for us go ahead. When we are on the threshold of independence, conditions in the country are so bad that we have lost confidence in ourselves. We have become blood-thirsty and want to kill each other. This is the misfortune of our country.

For centuries we have lived together. We have relations with each other. But today there is a demand to vivisect the country. This is a major question. Nobody can say what the result will be. But one thing is certain, no problem can be solved by dividing the country. The problems which now face us will remain even if Pakistan as demanded by the Muslim League is granted.185

By the end of April Rajendra Prasad was convinced that the contemplated Indian Union would not comprise of all the provinces and a division of not only India but a division of some provinces was on the horizon. On 28 April accordingly he advised the members of the Constituent Assembly to be prepared for it.

Whatever the nature of the constitution that may have to be drafted whether for one undivided India or only parts of it, we shall see to it that it gives satisfaction to all coming under its

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185 The Hindustan Times, 14 April 1947.
jurisdiction. While we have accepted the Cabinet Mission's statement of May 16, 1946, which contemplated a union of the different provinces and States within the country, it may be that the Union May not comprise all the provinces. If that unfortunately comes to pass, we shall have to be content with a constitution for a part of it.

In that case we can and should insist that one principle will apply to all parts of the country and no constitution will be forced any unwilling part of it. This may mean not only a division of India but a division of some provinces.

For this we must be prepared and the Assembly may have to draw up a constitution based on such division.186

Gandhi however still held the dream of a united India. But by now he had departed in to the shadows.187 His suggestion had started appearing as impractical. His proposal to the Cabinet Mission and later to Mountbatten that Jinnah should be offered the Indian Prime Ministership with the British remaining for some time to protect the interests of the majority community, did not however command the consent of the Congress.188 Consequently he also agreed that "if the Muslim League were completely intransigent, partition might have to come".189

186 Ibid., 29 April 1947.
187 Sarvepalli Gopal, op. cit.
188 Sumit Sarkar, op. cit., p.437.
Mountbatten Plan and the End of Political Stalemate

Mountbatten’s arrival had accelerated the process of the transfer of power and independence, already begun by his predecessor Wavell. No doubt Mountbatten was endowed with a personal charm and a habit of quick decisions yet he does not deserve the kind of aura created in Collins and Lapierre’s journalistic best seller *Freedom At Midnight*. If Mountbatten proved more decisive in taking decisions than previous Viceroyys, this was because he had been informally given much greater powers to decide things on the spot by the British Government than his predecessors. Behind this again lay the firm decision of the British to quit at the earliest because of their own considerations. An alternative of prolonging their stay here was not desirable as that would have required a total repression and stationing of large numbers of British troops in India for years. Cripps made it clear during the Commons debate on Attlee’s statement, ‘it is certain that the people of this country (Britain) - short as we are of manpower, as we all know –would not have consented’, and which ‘would be politically impracticable, from both national and international point of view, and would arouse the bitter animosity of all parties in India against us’. As regards withdrawal date Wavell had already suggested a total withdrawal by 31 March 1948. The suggestion of freedom with partition had increasingly been looked upon as a possibility by the Congress leaders before Mountbatten’s arrival. The one major innovation-immediate transfer of power on the basis the grant of the Dominion status, obviating the necessity for an agreement with the Constituent

Chapter Six

Assembly- was also suggested not by Mountbatten, but by V. P. Menon to the Secretary of State in January 1947.192

Mountbatten's instructions were to devise a unitary Government for British India based on the Cabinet Mission Plan of 16 May and begin negotiations with individual states for adjusting their relations with the Crown. In case this was not achieved by 1 October then he had to report to the Government in England the steps considered necessary for handing over of power by June 1948. He held a series of interviews with political leaders of India between 24 March and 6 May and came to the conclusion that the Cabinet Mission framework had become untenable. He felt that stage for transfer of power must set immediately; otherwise the situation would deteriorate leading to chaos and civil war. His perception of the situation as grave and inability of the British to manage the situation gracefully any more appears to be the reason which explains as to why the British advanced their departure from India from the deadline of June 1948 to 15 August 1947.

Though propagating that the Cabinet Mission Plan 'represented the ideal solution' Mountbatten had also been thinking in terms of other possible plans 'in case of continued non-acceptance of it'.193 He along with his advisers, which did not include V. P. Menon, drew up a 'Plan Balkan', without concurrence of the Congress, sent it to London on 2

193 On 31 March 1947 he mooted the idea of a form of partition in view of the continued non-acceptance of the Cabinet Mission Plan. The essence of the plan would be a form of partition with a central authority with reserved subjects and three units Hindustan, to include the predominantly Hindu provinces; Pakistan, to include the predominantly Muslim provinces; and the States. About three months before June 1948, a decision would be made as to whether or not the Central authority would remain in being after that date. Minutes of Viceroy's Sixth Staff Meeting, Mountbatten Papers, TP, Vol. X, pp. 49-50.
May for the approval of the Cabinet. It appears strange that on the one hand he was busy interviewing the political leaders between 24 March to 6 May to with a view to making the Cabinet Mission Plan acceptable while on the other hand he and his advisers had been preparing the ‘Plan Balkan’. His intentions thus rather appear not very fair regarding an undivided India. He appears rather having a prejudiced view with intent to divide India from very start. His ‘Plan Balkan’ envisaged transfer of power to separate provinces (or to confederations, if formed before the transfer), with the Bengal and Punjab assemblies being given the options to vote for partition of their provinces. The various units, thus along with princely States rendered independent by the lapse of paramountcy, would then have choice of joining India, Pakistan or remaining separate. This plan however had to be abandoned halfway despite the fact that it had been approved by the British Government. Jawaharlal Nehru strongly objected to it. He made it clear that the Congress would not accept the break-up of the Indian Union and the transfer of sovereignty to the provinces. Any plan should start with the Union and opting out of certain areas rather than a number of sovereign units coming together if the so desired. To jettison the basic conception of India and denude the Constituent Assembly of its significance was to yield to the League and ignore the views of all other sections of opinion in India. The inevitable consequences would be to invite the Balkanization of

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194 The Congress was not aware about the details of the plan and Jawaharlal knew only the general outlines. This is evident from what Jawaharlal Nehru wrote to Mountbatten on 1st May: “Neither I nor my colleagues of the interim government who were present at our meeting know the full extent of the proposals that Lord Ismay is taking with him to London. But you have been good enough to keep me informed of the broad outlines of these proposals and I placed these before the (working) Committee...I have not entered in this letter into any detailed consideration of all your proposals as we have not got them before us in their final form”. Sarvepalli Gopal, op. cit, p.346.

195 Sumit Sarkar, op. cit., p. 448.

196 On 10 May the Viceroy had received back the plan approved by the Cabinet, with certain modifications, which he wanted to discuss in a conference with Nehru, Jinnah, Patel, Liaquat Ali Khan and Baldev Singh on 17 May. This conference, however he immediately postponed, once Nehru’s ideas were known to him. Tarachand, op. cit., Vol. IV, p. 512. On same night in Simla he gave Nehru the complete text of the Plan Balkan as revised by the Cabinet. Sarvepalli Gopal, op. cit, p. 348.
India, provoke civil conflict, and add to violence and disorder, ensure a further breakdown of the central authority and demoralize the army, the police and the civil service. The States would also declare themselves independent kingdoms, probably in subordinate alliance with Britain. Nehru’s outburst and objection appear not out of context in as much as the Congress had accepted the Mission Plan. The ‘Plan Balkan’ was highly prejudiced also possibly because the Viceroy’s staff was dominated by pro-Pakistan officers like Ismay and Abbel, and had none who could strongly press the Congress point of view.

Mountbatten consequently abandoned the ‘Plan Balkan’ and started on a fresh plan by asking his advisors to recast the whole plan to meet Nehru’s main objection. Among his advisors he had for the first time included V. P. Menon, then reforms Commissioner, and who also had a close proximity with Nehru and Patel. Menon was critical of the features of the ‘Plan Balkan’. He believed that under it unity of India was unrealisable and, therefore, favoured the division of India in to two states and the formation of two governments on the basis of Dominion Status. He had discussed his opinion with Nehru, while the latter was in Simla to stay with the Viceroy, and had found his opinion on the whole favourable. With the New Plan Mountbatten left for London on 18 May, accompanied by Menon, the author of the Plan, for consultations with the Prime Minister and the Indian Committee of the Cabinet.

Mountbatten returned to India, with the New Plan approved by the British Government, on 31 May and on 2 June he held a meeting with seven leaders of the Congress, the Muslim League and the Sikhs to apprise them of the new plan. The leaders

invited were Nehru, Patel, Kripalani, Jinnah, Liaquat Ali Khan, Abdur Rab Nishtar and Baldev Singh. He briefed the leaders about the plan and after taking their formal consent announced the Plan next day on 3 June 1947. The plan envisaged that the Constituent Assembly would continue to meet but the constitution framed by it would not be applicable to parts of India unwilling to accept it. There would be a second Constituent Assembly for those areas which decided not to participate in the existing Assembly. The Punjab and Bengal would be partitioned if the representatives of either the Muslim majority districts or the rest of the province desired it. Though the Legislative Assembly of a province would decide which Constituent Assembly to join, however there would be referendum in the NWFP and the district of Sylhet in Assam. In Baluchistan the Governor-General would prescribe the method of ascertaining the will of the people there. So far as States were concerned British policy would continue as before. After the British would cease to exercise the powers of paramountcy, the rights surrendered by the States would return to them. It would then be open to them to enter into political relations with the successor Governments. The statement ended with an expression of willingness to advance the date of June 1948 to even an earlier date.

In the plan the most glaring injustice had indeed been meted out to the NWFP, the majority of whose representatives were already participating in the Constituent Assembly and had expressed desire to remain in India. No doubt democratic principles were set aside to facilitate the formation of a Pakistan. Nevertheless the plan was acceptable to the

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199 Nehru told the Viceroy that though he could not agree completely he accepted the plan. The Congress Working Committee’s acceptance was communicated in writing that evening. Jinnah however was reluctant. He relented only when he was given Churchill’s message that if he did not accept the plan, it would spell the death-knell of his Pakistan dream. Tarachand, op. cit., Vol. IV, p. 517.

Congress because, as Gopal puts it, it accepted the premiss that India was a continuing entity, with the separation of those areas the majority of whose inhabitants desired it.201

The council of the Muslim League on 9 June put its seal on Jinnah’s acceptance of the Plan. The AICC in its 14-15 June session endorsed the decision of the working Committee on 2 June and accepted the plan. This finally ended a sad chapter which the British themselves had written over the years. The helplessness of the Congress leaders was understood by Gandhiji when in the AICC session on 14 June 1947 he said:

I criticise them, of course, but afterwards what? Shall I become

a Nehru or Sardar or a Rajendra Prasad? Even if you put me

into their place I do not know what I should be able to do.202

The partition, however even at this juncture, was considered a temporary phenomenon by many. Rajendra Prasad, as Gandhiji, Nehru and Patel and many others thought, strongly held this conviction.203 “We do not yet know”, he wrote in a letter to S. Radhakrishnan on 6 May, “what is going to happen but we are not without hope that after some time reunion may become possible.”204 On 5 June he wrote to Sachchidananda Sinha, “I am feeling (sic) that Pakistan will soon discover the utility of a union with India and will reconsider its position, and when that happens, we shall be happy, but whether that comes about or not, we have to go ahead with the present plan.”205 Deeply convinced that the partition was not desirable, as it was not going to solve Hindu-Muslim problem,

205 Rajendra Prasad to Sachchidanand Sinha, 5 June 1947, *ibid.* 6-1/45-6-7, serial no. 51.
Rajendra Prasad accepted it as the logical outcome of the events preceding it. Both in India and Pakistan a large minority would still be left, and whatever could be done to protect it in the two parts could as well be done in India as whole. The experience of the working of the interim government had been hugely disastrous and it had shown that there was no possibility of a common approach evolving between the Congress and the League. No wonder the working Committee, and particularly such of its members as were represented on the interim government agreed to the scheme of partition. In his own words:

But those who accepted partition did so because they had become disgusted with the situation then obtaining in the country. They saw that riots had become a thing of everyday occurrence and would continue to be so; and that the Government, in which Congressmen were also participating, was helpless and incapable of preventing them because the Muslim League Ministers would cause obstruction everywhere, while in the provinces in which the Muslim League was in power, Government were acting as a law unto themselves regardless of the consequences of their action on the country as a whole. They were bent upon strengthening their party organization and would not hesitate to oppose Hindus wherever

Later he reminisced that partition was solely caused by the League’s intransigent attitude. “We had, accordingly, no alternative but to accept partition.” Contrary to what appears highly plausible idea that Mountbatten cannot be absolved from the responsibility of partitioning India, he did not held Mountbatten responsible for the scheme of partition. “When Lord Mountbatten had gone to London, he had secured and taken with himself the agreement of both the Congress and the League to this scheme of partition; the British Government had merely given effect to that agreement.” See Rajendra Prasad, At the Feet of Mahatma Gandhi, Bombay, 1961, p. 303.
they could. It had thus become impossible to carry on the administration. We thought that, by accepting partition, we could at least govern the portion which remained with us in accordance our views, preserve law and order in greater part of the country and organise it in such a way that we might be of the greatest service to it.\textsuperscript{207}

In a letter written to S. Sinha on 5 June 1947 he had given similar reasons for his acceptance of the partition.

Considering all that was happening and viewing the future we felt that there was no escape from division unless we were determined to have long period not only of uncertainty and instability but of strife, conflict and even bloodshed spread over large tracts of the country. We hope however that we shall be able to carry on the great constructive work of nation building in an atmosphere of peace, if not goodwill.\textsuperscript{208}

In order to provide a legal basis for the plan an Indian Independence Bill was hurried through the British Parliament. In a span of just twelve days (4 to 16 July) it was passed and rendered into an Act on 16 July 1947. It envisaged the territorial division of India into two Dominions of India and Pakistan and fixed 15 August 1947 as date for transferring the power to the two. The two Dominions were to have their separate

\textsuperscript{207} Ibid.
\textsuperscript{208} Rajendra Prasad to Sachchidanand Sinha, 5 June 1947, Rajendra Prasad Papers, 6-I/45-6-7, serial no. 51.
Governor Generals and legislatures with full authority to make laws unhindered by the British Parliament. His Majesty’s Government’s responsibility in India was brought to an end and also the suzerainty of His Majesty over the Indian States lapsed on 15 August. The two Constituent Assemblies were given the status of Parliaments for the respective Dominions. However the Governor General could issue temporary orders for making provisions, necessary or expedient, in order to bring the Act into effective operation.

The die had been cast. Rajendra Prasad knew that it virtually gave independence “and as soon as we are able to frame the Constitution of our own, we can do whatever we like with our country.” He was aware of the responsibilities. “That gives us power but, more than that, it places heavy responsibility on us.” His preoccupations with the works of the Constituent Assembly, apart from his ministry’s affairs, continued. Reverse counting towards 15 August had begun. The Viceroy got a small calendar prepared in which below the date the number of days still remaining between the date and 15 August was mentioned and placed these on the table of officers in all the departments to give urgency to the transfer. The problem of administration which partition involved was numerous and had to be resolved on an urgent basis. A Partition Council with Rajendra Prasad, Sardar Patel, Jinnah and Liaquat Ali Khan as members and Mountbatten as Chairman was constituted on 5 June. It engaged itself with the actual work of partition of

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209 Under the Indian Independence Act 1947, the Central Legislative Assembly and the Council of States ceased to exist on 15 August 1947 and the Constituent Assembly became also the Central legislative Assembly of the Dominion of India. The Constituent Assembly was thus assigned with the dual responsibility of framing the Constitution for Independent India as well discharging the role of a legislature. Rajendra Prasad continued to preside the Assembly in its both roles till 17 November 1947. Later the legislative and Constitution-making roles of the Assembly were separated and it was decided to have a Speaker to preside over the Assembly when it functioned as the legislative body for the country. See RPCSD, Vol. 7, p. xviii. Also see letter of Rajendra Prasad to Jawaharlal Nehru, 28 November 1947, RPCSD, Vol. 7, pp. 398-9.


211 Rajendra Prasad to Sachchidananda Sinha, 26 June 1947, ibid, p. 62.
the assets and liabilities of the Central Government in Delhi as between India and Pakistan and of the Governments of Bengal and the Punjab as between the two provinces in which each had been divided.²¹² Rajendra Prasad’s legal training enabled him to go in to nitty-gritty of the problem and ensure a fair play. This Committee ‘divided everything – the assets and liabilities of the Government of India, the army and military stores and equipments and buildings, railways, etc.; so much so that tables, chairs and typewriters and even Government servants were divided to be shared between India and Pakistan.’²¹³

Rajendra Prasad was also conscious of the fact that as freedom was approaching Gandhiji was getting more and more alienated from the Congress. As he had grown under the shadow of Gandhiji he felt sad about it. He therefore tried to take Gandhiji into confidence as much as possible regarding the partition matters. Every day he would go to meet him during his morning walk and brief him about the developments inside the partition council. Gandhiji would say: ‘Try, as far as possible, to prevent injustice.’²¹⁴ The significance of these words were not lost on him as in his letter to Sachidananda Sinha, the other venerable figure from Bihar, barely a week after the independence day, he would write that though they had got the opportunity to serve, he was convinced that “this constructive work is even more difficult than the fight which we had to wage against the British so long and to which we had got used”.²¹⁵ Sixty two years later the words sounds so true.

²¹² Rajendra Prasad to Satish Chandra Mukherji, 5 July 1947, ibid.
²¹³ Rajendra Prasad, At the Feet of Mahatma Gandhi, op. cit., p. 304.
²¹⁴ Ibid.