Round about 1944-45, Jinnah was vigorously supported by the intellectuals of the Aligarh Muslim University, who produced considerable literature and propaganda material in favour of Pakistan and to make the Hindu-dominated India weak at the centre "suggesting all sorts of divisions, cutting the country into various bits and pieces". Secondly, the "generality of Muslims began to entertain the comforting feeling that the Hindus would now be cut down to size, in no position to lord it over them, compelled to share power on a basis of parity". Thirdly, the Muslim officials "were secretly sympathizing with the Pakistan concept as they saw opportunities for wider employment in the highest offices without having to compete with the Hindus". On the other hand, the Congress, which was fighting a war for democracy and self-determination, was confident that it could run the country themselves. On May 6, 1945, Germany surrendered. By the end of the War, the great majority of Indians wanted the British to leave the country. Thus, the league demanded for Pakistan and the Congress demand for immediate transfer of power to it, polarized their politics. The League, which in 1940, regarded Pakistan as anything but a pipe-dream, by 1942-43, was toying with the idea, but by 1945, many were in favour of it.

Lord Wavell Plan

Lord Wavell had realized that proper administration would be impossible without cooperation of the Indian people. Therefore, he had initiated an Indo-British settlement and wrote to Churchill to enlist India as a member of the British Commonwealth. On March 21, 1945, he left India and reached England on March 23, along with V.P. Menon and Sir Evan Jenkins. On March 26, the Cabinet Committee of India did not approve the Wavell's proposal. Churchill favoured "partition (of India) into

2. Ibid.
3. Ibid.
Pakistan, Hindustan and Princestan 4.

The Russian Government pressurised the British Government for ending the deadlock and to transfer power into the hands of the Indians. Meanwhile, the coalition government of the United Kingdom, formed by Churchill on May 11, 1940, broke down and Churchill resigned on May 23, 1945, and general elections were proclaimed to be held on July 5, 1945, but he was still the head of the "Caretaker Government", while his Conservative Party was losing its influence and the Labour Party getting strengthened. While Churchill was being lauded for his achievement in winning the War, he was being severely criticised by the Labour Party for his wrong handling of the Indian problem and continuing the imprisonment of the CWC members. Therefore, Churchill changed his attitude towards India due to the forthcoming elections in England and, on May 31, 1945, made a strong appeal to the Cabinet meeting and got approved the Wavell's proposal. Wavell left London on June 6, and reached India on June 14, 1945. On the eve of Wavell's departure, Amery, in the House of Commons, announced that the Viceroy had been empowered to make proposals on the composition of an interim government in India, which created a good deal of expectation as political life in India was at a standstill. Lord Wavell broadcast his speech in India on June 14, 1945, and on the same day, Amery, in London, also made an announcement in Parliament. They declared a new solution to break the political deadlock as authorised by His Majesty's Government.

Wavell's Broadcast

Wavell on June 14, 1945, in a broadcast from Delhi said "to ease the present political situation and to advance India towards her goal of full self-government" offered a plan of an interim arrangement, to end the communal deadlock, giving right to the Indians for framing their own constitution, which envisaged:

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1. Executive Council of the Governor-General consisting of equal number of Caste Hindus and the Muslims.

2. All the members of the Executive Council were Indians except the Viceroy (who was also the Governor-General) and the Commander-in-Chief, who retained the responsibility for defence of India.

3. The war portfolio was retained by the Government.

4. A British High Commissioner was to be appointed to look after the Commercial interests on the lines of the Dominions.

5. The new Executive Council was to work within the framework of the 1935 Act, and the Governor-General retained the power of veto against a majority decision of the Councillors.

6. The interference of the Secretary of State was to be decreased to the minimum.

7. The portfolios of External Affairs, Finance and Home Affairs were placed in the charge of an Indian Members of Council. The Members were to be elected by the Governor-General after consultation with political leaders. They had to work under the Government of India Act, 1935.

8. The Interim Government would in no way prejudice the final constitutional settlement, and that the proposals intended to make a long-term solution easier.

To achieve the above objectives, he declared to hold a political conference at the Viceregal Lodge in Simla on June 25, 1945, and suggested to invite the following twenty-one leaders of different shades of opinion, except the Hindu Mahasabha:

1. Premiers of Provincial Governments; or, for Provinces then under Section 93 Government.

2. Persons who last held the office of Premier in the provinces administered by Governors;

Note 6 continued

3. The leader of the Congress Party and the Deputy Leader of the Muslim League in the Central Assembly.

4. The leaders of the Congress and the League in the Council of State.

5. The leader of the Nationalist Party and the European Group in the Central Legislative Assembly.

6. Gandhiji and Jinnah, as the recognized leaders of the two main political parties; and

7. A representative of the Sikhs; and

8. A representative of the Scheduled Castes.

Lord Wavell described three main tasks of the new proposed Executive Council: "first, to prosecute the war against Japan; secondly, to carry on the government of British India (with its manifold tasks of post-war development) until a new permanent constitution could be agreed upon and come into force; and thirdly, to consider (when the members of the Government thought it possible), the means by which such agreement could be achieved". The third task was most important. Wavell said that neither the British Government nor he himself "had lost sight of the need for a long-term solution, and the present proposals were intended to make such solution easier".

Amery's Declaration of Wavell Plan

The same plan was broadcast by I.S. Amery, the Secretary of State for India in England, on June 14, 1945. Amery said that the Viceroy had been empowered to make proposals on composition of interim government in India. The main features of Amery's speech were the following:

1. The Executive Council would be reconstituted by the Viceroy, the nominated members would be selected from among the leaders of Indian political life giving a balanced representation to the main communities i.e. the Muslims and the Hindus.

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9. R.C. Majumdar, Ibid.

2. The Viceroy would call a conference of leading Indian politicians to get a list of names from which he would make recommendations for appointments, but he would have unrestricted freedom of choice in doing so.

3. The members of the Executive Council would be Indians, with the exception of the Viceroy and the C-in-C; the latter would retain his present position as war Minister, which was essential so long as the defence of India was a British responsibility. External affairs would be in the charge of an Indian member.

4. The relations between the British Crown and the Indian Princes would not be affected, and the Viceroy of India would have the veto power although he would not use it unsparingly and would act on the advice of the Council.\textsuperscript{11}

The Secretary of State also stated that the Cripps Offer of 1942 still stood in its entirety, which contained two main principles: "first, that no limit was set to India's freedom to determine her own destiny, whether within the Commonwealth or outside it, and secondly that this destiny could only be achieved by a constitution or constitutions framed and agreed to by Indians.\textsuperscript{11} He said that so long as there was no Indian constitution, the Governor-General's over-riding power over a majority decision was necessary to protect the minorities, to safeguard the Indian interests and the interests of the Indian States. With regard to the appointment of a British High Commissioner, he said that it was necessary for reasons of practical convenience. He further said that through the members of the then Executive Council rendered great service, but they could not cooperate for reconstruction; hence, there was no way better than their agreement to join the Executive Council. He acknowledged Wavell's "deep sympathy with India's aspirations and to his firm belief in India's future greatness.\textsuperscript{12}

Referring to the new proposals of Amery and Wavell, the King in a speech in the British Parliament on June 15, 1945, expressed hope that "the invitation extended to the Indian political leaders would be accepted, so that the immediate tasks might be undertaken with the full co-operation of all sections of Indian public opinion.\textsuperscript{13}

Release of the Congress Leaders

As the press and the public welcomed the proposals and there was

\textsuperscript{11} V.P. Menon, n. 7, p. 184.
\textsuperscript{12} Ibid.
\textsuperscript{13} Ibid., pp. 184-85.
general acknowledgment of the Lord's sincerity and his earnest desire to end the political deadlock, the Viceroy on June 15, unconditionally released all the former Presidents of the Congress including Nehru, Patel and Azad from the jail, except the representatives of the Hindu Mahasabha, so that they could consider his proposal and participate in the proposed conference to be held at Simla on June 25.

Reaction of Gandhiji

The Viceroy, soon after the broadcast (between June 14 and 15) issued invitations to all political leaders and carried on correspondence with Gandhiji and Jinnah. Wavell did not invite Azad as he thought that Gandhiji would represent the Congress and also as Azad's inclusion could offend Jinnah. Gandhiji protested that he would be representing no institution and it was only the Congress President (A.K. Azad), who could represent the Congress. Therefore, Wavell issued invitation to Azad also. Azad informed the Viceroy that he would place the invitation before the CWC on June 21, and would send his reply thereafter.

Wavell wrote to Gandhiji that he needed his help and hoped that he would attend the Conference. Wavell invited Gandhiji for a preliminary talk on June 24, and expressed his hope that Gandhiji would participate in the proceedings of the Conference. Gandhiji assured that he, in his personal capacity, shall always be at his service during and even after the Conference.

In his letter of June 16, 1945, Gandhiji raised the objection relating to "India's goal of independence and the question of parity of representation between Caste Hindus and Muslims". Regarding the 'goal of independence', Gandhiji pointed out that the broadcast seemed "rigorously to exclude the use of the word 'independence'" and, therefore, demanded revision of the declaration to bring it in line with the Indian aspirations.

The Viceroy, referring to Amery's statement of June 14, that "there was no limit set to India's freedom to decide her own destiny, whether as a free partner in the Commonwealth, or even outside", replied that any change in the terms of the broadcast was not practicable. On June 18,

15. Ibid.
16. Ibid., p. 184.
Gandhiji, in a press interview on the question of his satisfaction with the clarification offered by the Viceroy and the Secretary of State, said he did not want to express his opinion, which might influence the opinion of the Congress Working Committee.

Regarding the 'parity of representation between the Caste Hindus and Muslims', Gandhiji wrote to the Viceroy that it was untrue and offensive as the Congress represented all the Indians and even the Hindu Mahasabha, which was only representative of Hindus, would disclaim representing "Caste Hindus". The Viceroy replied that the term 'Caste Hindus' was used without any intention of being cause of offence but merely to express equality between the Hindus and the Muslims other than the members of the Scheduled Castes. The Viceroy also said that the exact number of members of the Scheduled Castes would be decided after discussion at the Conference. The Viceroy refused to effect any change in the draft of his broadcast to eliminate the term, 'Caste Hindus', as requested by Gandhiji in a telegram expressing apprehension that "unless a change was made to meet the objection taken on the question of parity between Caste Hindus and Muslims, religious division would become officially stereotyped on the eve of independence". Gandhiji personally refused to subscribe to the explanation of the Viceroy, and stressed that by maintaining the parity between Caste Hindus and Muslims, the Viceroy would "surely defeat the purpose of Conference". He threatened to advise the Congress members not to participate in the Executive Council in case the principle of parity remained the same. The Viceroy expressed his inability to change his broadcast and desired not to discuss its details before the Conference as before it no party or person was expected to either accept or reject the plan. He only wanted an answer to the effect whether his proposal was worth discussing at the Conference. Gandhiji replied if change in the 'parity clause' was impossible, he would advise the Congress members not to participate in the formation of the new Executive Council. He wrote:

18. Ibid. Telegram from Gandhi to Viceroy, dated June 17, 1945, p. 22.
19. Ibid., p. 22.
"Congress has never identified itself with Caste or non-Caste Hindus and never can, even to gain independence, which will be one-sided, untrue and suicidal. Congress to justify its existence for winning the independence of India must remain for ever free to choose the best men and women from all classes and I hope always will. That it has for the sake of conciliating the minorities chosen men to represent them, though they have been less than best, redounds to its credit, but that can never be pleaded to justify or perpetuate distinctions based on caste or creed. The Hindu Mahasabha is the only body claiming to represent solely Hindu interests".

Expressing his views on the possibility of a settlement, Gandhiji, in a statement on June 15, approved the Desai-Liaquat Ali Pact, which could be useful if set in proper political setting. He said that in the light of Bhulabhai Desai-Liaquat Ali pact, he anticipated the forthcoming Viceregal Conference to be purposive.

On the question of omission of the Hindu Mahasabha, Gandhiji made it clear that if it meant treating the Congress as a sectional or Hindu body, the Congress would not take part in the Conference. Gandhiji was satisfied if the Viceroy had invited only political parties and avoided the parties based on religious distinctions. He assumed that due to this reason the Muslim Majlis and similar bodies were not invited to take part in the Simla Conference.

Reaction of Jinnah

On June 15, the Dawn, the League's official organ, protested that "with regard to the Muslim moiety, the Musalmans will tolerate no infiltration of non-League stooges to humour any party". On the same day, Jinnah telegraphed the Viceroy that he would like to seek some clarification, so that he could consult the MI Working Committee and decide about his participation in the Conference and requested that the Conference should be postponed for a fortnight for this purpose. The Viceroy advised Jinnah to arrange for his Working Committee to meet at Simla. Jinnah replied that without complete knowledge of the Viceroy's proposals, it would not be possible for the Working Committee to decide. The Viceroy said that Jinnah could consult his Working Committee when the proposals were fully known to him at the Conference. The Viceroy also said that long adjournment of the Conference would be very inconvenient and suggested

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21. Ibid., p. 198.
that the MI Working Committee should meet at Simla before the end of June. Jinnah replied that he would decide after discussing with the Viceroy on June 24, 1945.

Reaction of Hindu Mahasabha

The members of the Hindu Mahasabha were much aggrieved at their not having been called to participate in the Simla Conference. However, it vigorously opposed the proposal of parity between the Caste Hindus and the Muslims in the Executive Council. To express its resentment, it passed a strongly worded resolution, organised demonstrations and observed hartal on July 8, 1945.

CWC Meeting

Meanwhile, the Congress Working Committee held its meeting at Bombay on June 21 and 22, 1945, to consider the Viceroy's proposal and for attending the Simla Conference on June 25, and issued instructions to the party participants for their guidance. First, the Viceroy's suggested arrangements were to be considered on an interim and temporary basis, especially in regard to communal parity, which principle was not acceptable and applicable in the provinces and the arrangements had to be related to the Centre only. Secondly, if the communal parity was agreed upon, it should not mean that "all the Muslim members of the National Government will be nominated by the Muslim League" and that "names may be proposed for Hindus, Muslims, Scheduled Classes, etc., by all groups in the Conference and to be adopted by the Conference as a whole". Thirdly, the decisions taken were to be confirmed and ratified by the AICC (which was not possible as the AICC and other Congress Committees were still banned). Fourthly, they had to keep in mind the large number of detenus and Congress prisoners and they had to plead for their release; and finally, they had to seek clarification regarding External Affairs Department; financial implications of defence, nationalist character of the Indian army; discontinuation of Indian support for the imperialist control of any of the S.E. Asian countries depriving them of their freedom; removal of barriers between the States, peoples, the Princes and members of the National Government for their amalgamation with the Federal India; establishment of coalition government in the provinces; and nonacceptance of foreign recruitments.

Viceroy's Meetings

The Viceroy, on June 24, separately invited and had interviews with Azad, Gandhiji and Jinnah.

Azad, the Congress President, accompanied by Govind Ballabh Pant, former Congress Premier of the United Provinces, met with the Viceroy. Complaining about the unprincipled behaviour of the League, Azad asserted that 'they were under the impression that they had the support of the government and therefore they would not accept any reasonable terms'. The Viceroy assured him that the government would not support the members of the League and that the government would remain neutral. He accepted the general principle of the Viceroy's proposals and agreed to cooperate with the Viceroy in the prosecution of the war against Japan and that the members of the Council should be first-class men having confidence of their party and able to take decision independently. Azad contended that the Conference was being held at a short notice and should be adjourned and all the Congress prisoners should be released. The Congress President said that he "was more interested in the end than in the means, and wanted to be clear that the proposals were intended to facilitate and not to obstruct a final settlement". On the question of the Viceroy's overriding powers, Wavell said that "this was part of the chain of responsibility through him to the Secretary of State for India and to Parliament, and that the power must remain". Regarding the defence portfolio, Azad said that he had no objection to the C-in-C retaining the portfolio, but he would like that the British army became a real national army. He urged that the countries liberated from Japan should not be subjugated. Finally, he emphasised that the Congress "would not fight on the principle of parity between Hindus other than Scheduled Castes and Muslims, but it would fight on the method of selection" and the Congress "must have a say in the representation of communities other than the Hindu community, and would not agree to Muslim names being put forward by only one communal organization".

24. Ibid.
25. V.P. Menon, n. 7, p. 189.
26. Ibid.
27. Ibid., p. 190.
28. Ibid.
Gandhiji also demanded release of all Congress political prisoners. He mainly objected to the term 'Caste Hindus' and preferred to call them 'Non-Scheduled Hindus'. About coalitions in provinces, he said that "the minorities should be represented in the provinces only by members of their body belonging to the Congress", to which the Viceroy replied that "the minorities should be represented by someone they trusted". On the question of the position of the Secretary of State's Services, the Viceroy said that "the Indian Civil Service could be trusted to carry out the instructions of the Executive", and on the method of selecting the new Council members, he said that he would ask for panels of names. On the parity issue, the Viceroy reiterated its answer given to Azad.

As according to 1935 Act, the smaller minorities had to vote with the Hindus, Jinnah said that the Muslims would always be in a minority under the Viceroy's scheme. Therefore, he suggested "if the majority of the Muslims were opposed to any measure, it should not go by vote" to which the Viceroy said that it would be undemocratic. Jinnah urged that the Muslim League had the right to nominate the Muslim members and expected that they would have a fair share of the key portfolios. He was opposed by the Punjab Unionists or Congress Muslims. He, like Azad, preferred the possibility of adjournment of the Conference as he had to consult his Working Committee.

On the basis of the discussions, Wavell formulated the following main problems likely to be discussed at the Conference:

1. Congress opposition of parity between Muslims and Hindus other than Scheduled Castes in the new Executive Council.
2. League's demand for nominating the entire Muslim members of the Council.
3. Punjab Unionists apprehended that a Congress-League coalition at the Centre would lead to political instability in Punjab.

Simla Conference Proceedings

The twenty-one invitees assembled in the Viceregal Lodge, Simla, on June 25, 1945, at 11.00 A.M. There were equal number of Hindus and

29. Ibid.
30. Ibid.
Muslims, besides European, Scheduled Caste and Sikh representatives. The Viceroy said that what he proposed was not a final solution of India's constitutional settlement and that they could pave the way for a settlement. He said their wisdom, statesmanship and goodwill was on trial and they should rise above the old prejudices and enmities and think for the benefit of the four million people of India.

Lord Wavell said that the participants should believe him as a sincere friend of India and he would endeavour to guide the discussions to the best interest of the country. He announced himself and Sir Evan Jenkins as Secretaries to the Conference and said that the proceedings of the Conference should be kept confidential and a note approved by the Conference would be released to the press. He gave them copies of his statement and that made by Amery and placed the following two points for consideration:

"(A) If we could reach agreement on the composition of the Council, were the general principles under which it would work - programme outlined in my broadcast, parity of Hindus and Muslims, present constitution etc. acceptable?

(B) if above principles were acceptable, could we reach an agreement on composition of Council and names to be recommended".

The Conference met on June 26, and discussed, point by point, the various issues relating to the proposed Executive Council of the Governor. The Viceroy explained the term, 'Caste Hindus' meaning Hindus not belonging to the Scheduled Castes, and said the phrase "so far as the interests of British India are concerned" meant that "relations with Indian States were a matter for the Crown Representative and that the Governor-General-in-Council had nothing to do with them". The Viceroy observed that as the 1935 Act underlined that three members of the Executive Council must be persons who had been in the service of the Crown for at least ten years, it would not be possible for the new members to take office in the new Executive Council and, hence, it required amendment, which, due to dissolution of Parliament, was not possible before August. Kher proposal for amendment by an Order in Council was not accepted by Wavell. Wavell said that the purpose of appointment of a British High Commissioner was

32. Penderel Moon (ed.), n. 4, op. 146-47.
33. V.P. Menon, n. 7, p. 193.
"to safeguard the British interests which impinged on Indian problems, it could only be done through the Governor-General, which meant a step forward on the road to Dominion Status or Independence. With regard to external affairs, the Viceroy said that this portfolio would be under charge of an Indian Member instead of the Governor-General. Regarding the overriding power of the Governor-General-in-Council, the Viceroy said that "this was part of the chain of responsibility to Parliament". The Viceroy also said that instead of establishment of an interim government, they may consider any long-term solution also.

Lord Wavell described three main tasks of the new proposed Executive Council: first, to prosecute the war against Japan; secondly, to consider a future constitution of India (when the members of the Executive Council after some experience constitute a body to study the various constitutions of the world e.g., the USA and Canada); and thirdly, though his proposals did not affect the Indian States, but in case of a long-term solution, the Indian States would be associated in framing a new constitution. The Viceroy also explained that in the provinces where there were ministries, the holding of a fresh election would be at the discretion of the provincial governments. After this, the morning session on June 25, closed. The evening session started at 2.30 F.M. with discussion on general principles.

Maulana Azad, the Congress President, asserted that the Congress would not accept the interim settlement, that prejudice the national character of the Congress reducing it to the level of a communal body. He emphasised that the proposals meant attainment of Independence for India and sought explanation of the following points:

1. the scope and functions of the proposed External Affairs Department;
2. the giving of a national character to the Indian Army and the removing of barriers isolating it from the national Government and the people;
3. the policy with regard to the liberated countries in South-East Asia after the war; and
4. the relations between the national Government and the Indian States and States' people".

34. Ibid., p. 194.
35. Ibid., p. 195.
Jinnah said that he could not understand Azad's view and desired the Viceroy to elucidate these points. The Viceroy said that the External Affairs Department comprised relations with foreign countries, the tribes on the north-west and on the north-east of India, the administration of British Baluchistan, and the affairs of certain frontier States, which would be transferred to the new Indian Member. He opposed that the Indian Army should be brought into politics, but agreed that it should be "a truly national army, efficient and contented". He expressed his inability to commit with regards to the future of the occupied territories in South-East Asia, in which several countries were interested. He said that the Indian States were not under jurisdiction of the Governor-General in Council and only a federal constitution, embracing both British-Indian provinces and States could enable the central government to exercise control over the States. Regarding the Congress goal of independence, the Viceroy referred to Amery's statement of June 14, and assured that "there was nothing in the proposals to brand the Congress as a communal body".

On the question of representation, Jinnah said that the Congress represented only Hindus. Dr. Khan Sahib, the Premier of the NWFP, objected to it. The Viceroy observed that the Congress represented its members, to which Jinnah agreed. The members of the Congress included both Hindus and Muslims and Jinnah could not deny it. P.N. Banerjee (Nationalist leader in the Central Assembly) deplored the absence of the Hindu Mahasabha, the Krishak Proja Party, Mominis etc. and Madan Mohan Malaviya. He condemned the parity between Hindus, other than the Scheduled Castes and Muslims and urged immediate release of political prisoners. Sir Henry Richardson supported the proposals. Khizar Hyat Khan said that the short-term plan would affect the future. The Maharaja of Parlakimedi said that "the interests of person who had supported the war effort should not be neglected". Master Tara Singh approved the proposals but did not identify the Sikhs with the Congress though they were in sympathy with it. Sivaraj asked for safeguard and protection of his community i.e. Scheduled Castes.

36. Ibid., p. 196.
37. Ibid.
38. Ibid.
39. Ibid., p. 197.
Sir Mahomed Saadullah opposed the inclusion of Hindu Mahasabha. The Viceroy said that he had made the Conference as representative as he could and sincerely wished to cooperate.

Jinnah said that the proposals envisaged a stop-gap arrangement and did not affect the Congress demand for independence here and now and the League's demand for Pakistan not immediately. He said the League would not agree to any constitution on any basis other than that of Pakistan, and recalled Government's proclamation that future constitution would be framed by agreement and would not be imposed on the country. Opposing the Congress demand for a common central Government, Jinnah read the resolution of ML Working Committee of August 20, 1940. He conceded that the Congress represented 90 per cent of the Hindus and not many Muslims, Sikhs and Scheduled Castes, while the Muslim League represented 90 per cent of the Muslims; hence, it can not be concluded that the Congress represented all the communities. He, therefore, supported the proposals subject to decision taken on the basis of communal parity. The Viceroy split up the proposals for discussion under two heads:

"(a) those primarily for agreement between the parties and the Viceroy; and

(b) those primarily for settlement between the parties themselves".

On June 26, the Viceroy gave the participants a copy of statement, which stated as follows:

"(A) Subject to agreement under B, is the Conference prepared to agree to an Executive Council:

(i) publicly committed to the three tasks set out in the Viceroy's broadcast;

40. The resolution declared that "the Muslim League has been, and is, ready and willing to consider any proposals and negotiate with any party on a footing or equality for the setting up of a provisional Government of India in order to mobilize the resources of the country for the purpose of the defence of India and the successful prosecution of the war" provided that the demand for Pakistan was conceded unequivocally.

41. V.P. Menon, n. 7, p. 198.

42. Ibid.
(ii) consisting of men of influence and ability recommended by the Conference, and prepared to take decisions and the responsibility for them;

(iii) with all portfolios (including external affairs) held by Indian Members, except the war portfolio which would be held by the Commander-in-Chief;

(iv) having within it an equal number of Muslims and Hindus other than Scheduled Castes; and

(v) working in all respects under the present constitution, including the constitutional provisions for control by the Secretary of State and the Governor-General.

(B) Subject to agreement under A, is further agreement possible on:

(i) the strength and composition of the Executive Council by parties and communities; and

(ii) the method by which panels of names will be submitted to the Viceroy to enable him to make his recommendations for appointment to the new Executive Council”.

The Conference considering the items under group A, agreed to the clauses (i), (ii) and (iii), but differed on clause (iv) relating to communal parity. P.N. Banerjee opposed parity between Muslims and Caste Hindus and division of Hindus between two sections - Caste and non-Caste Hindus, which, he said, was illogical, absurd and antiquated. He accepted that the Scheduled Castes were not fairly treated and were likely to be squeezed out. He declared that the Executive Council “should be selected on the basis of ability and capacity” either wholly consisting of Muslims or Scheduled Castes, 'if they had confidence of the people'. In other words, he meant to say that on this principle in every circumstance the Congress being a majority party would dominate the Executive Council having widest area of influence. However, the Viceroy justified that though communalism was deplorable, but then it was a standing fact and there was no escape.

Sivaraj objected to the grant of parity to Muslims with Caste Hindus neglecting the rights of other minorities and, disagreeing with Banerjee, demanded that the Scheduled Castes should also be considered separately from the main Hindu community as he thought that the system of parity in the Executive Council might lead to League's claim for parity also in

43. Ibid., p. 200.
services and the army and he wanted to share the benefit for his community.

G.B. Pant, opposing the communal parity, said that a "national government formed on a communal basis was really a contradiction in terms. The Congress did not worry much about the number of places in the Council assigned to one community or another, but was concerned with the parties to which the members belonged". Rajagopalachari treated "the Hindus and Muslims as two electoral bodies rather than as two communities". Dr. Khan Sahib said that "only a revolution would cure the communal problem". The other members, more or less, agreed to the communal parity.

While discussing on item (v), Lord Wavell opposed the suggestion of Banerjee that from the very outset it should be ensured that the Viceroy would not overrule the decision of the Executive Council and would not use his veto power. The Viceroy referred to Amery's declaration of June 14, in this context, which emphasized protection of minorities. Sivaraj asked for making a law for protection of the position of the Depressed Classes. Pant hoped that the Viceroy would not use his veto as in the present Council. Kher did not like to reply on the Viceroy.

Referring to Part B, the Viceroy laid down three possible methods for reaching an agreement: (1) private discussion and, if necessary, discussions between the leaders and himself; (2) appointment of a committee by the Conference to suggest an agreement; and (3) adopting the two methods together. At the suggestion of Rajagopalachari, supported by Jinnah and Azad, the Conference was adjourned and the next meeting held on June 27, 1945, which lasted for about an hour, in view of the conversations between Pant and Jinnah, which they had begun on June 26. He asked the Congress to submit names for selection to the Executive Council and then the Conference adjourned till June 29, 1945.

On June 27, Jinnah said to the Viceroy that though he did not agree to the appointment of the Executive Council of the Muslims not belonging

44. Ibid., p. 201.
45. Ibid.
46. Ibid.
to the League, but he would place any formula, suggested by the Viceroy, before the MI Working Committee. On the same day, Jinnah told the Viceroy to constitute the Council of fourteen members – five Hindus, five Muslims, one Sikh and one Scheduled Caste and the rest others, and insisted to retain the right of nominating all the Muslim members of the Council from amongst the Muslim League. On the other hand, the Congress claimed to nominate members of all communities including Muslims. If Jinnah's proposal was accepted, even the Congress President, Maulana Abul Kalam Azad could not be a member of the Executive Council, and it had been the most derogatory position of the Congress, to which the Congress never agreed. If, in the light of the fact that it was not necessary that the Congress President would always be a Muslim, the Congress had agreed to Jinnah's terms, there could have been any possibility of agreement. However, the Viceroy felt that the Congress-League confrontation in the Council would not help to solve problems.

The Conference met for the fourth time on June 28. As the Patel-Jinnah discussion produced no agreement, the Viceroy intervened. He proposed that all the interests should send him a specified date, lists of the persons containing more names than seats in the Council whom they would like to be included in the Executive Council and he would try, by adding some more names of his choice, to form a list of members acceptable to all. He desired the parties to send the lists of persons in the following manner: Azad (Congress) and Jinnah (League) – between 8 and 12 each; Shivaraj (Scheduled Caste - 3; Banerjee (Nationalist Party), the Maharaja of Farakhamed; Khizar Hyat Khan and Master Tara Singh – 3 each. Azad pressed for inclusion of members of all communities, particularly the Scheduled Castes and Christians, in their Congress list, although Shivaraj had objected to the Congress claim "to nominate representatives of the Scheduled Castes, and insisted that the number of its members should bear the same ratio to their population as the Muslim members bore to theirs". He meant to say that if the Muslims were recognised on the basis of Jinnah's two-nation theory, they were also a separate element in the national life of India.

48. Fenderel Moon, n. 4, p. 149.
49. V.P. Menon, n. 7, p. 203.
50. R.C. Majumdar, n. 8, p. 718.
Maulana Azad went so far to suggest that the League should accept in principle the Congress right to nominate whosoever it liked but in practice the Congress would not nominate a Muslim. Jinnah still refused to sit with him on the same table to discuss the names unless the Congress explicitly declared that it had no right to nominate a Muslim. As desired by Khizar Hyat Khan and Maharaja of Parlakimedi, the Viceroy assured that the lists would be kept secret. Master Tara Singh suggested that if the final agreement could not be arrived, there should be general elections. Sivaraj objected to the Congress claim and insisted that the Scheduled Castes should have the representation in the Council bearing the same ratio as the Muslim members have to their population. He did not press for parity. Sivaraj and Jinnah said that they would send the list after consulting their Working Committees. The Viceroy assured that he would not impose the settlement but he would like to prevent the breakdown and adjourned the Conference till July 14, 1945.

Jinnah on June 30, insisted that behind the disputes about representation lay the bigger question of "whether we are to have a constitution or constitutions" and that must "be settled first". Jinnah, explaining the representation in the Councils, said: "the combination consisting of Gandhi and Hindu Congress, who stand for India's Hindu national independence as one India" had been reinforced by the exponent of geographical unity, Lord Wavell. Jinnah also said that Gandhiji had said, in 1940, that "Pakistan cannot be worse than the foreign domination". Jinnah replied, "But Hindustan could and would be worse". Therefore, Jinnah was prepared "to let independence wait upon division, while the

Congress was not prepared to let independence wait upon unity. Jinnah, further, criticising Gandhiji for having withdrawn from the negotiations and advising the Congress President, demanded that the Congress should give up its national character and function as a communal organisation and if Gandhiji accepted the demand of Pakistan in principle, there was no need of any Conference and they could hold another conference of their own. Jinnah also proclaimed that India's freedom cannot be resolved until the Congress agreed to the division of the country first. Jinnah vehemently said: "Mr. Gandhi is an enigma ... How can we come to a settlement with him.

The Congress Working Committee met on July 3 and selected a panel of the following names and submitted it to the Viceroy:

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Organization</th>
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<tbody>
<tr>
<td>1.</td>
<td>Maulana Abul Kalam Azad</td>
<td>Congress Muslim</td>
</tr>
<tr>
<td>2.</td>
<td>Asaf Ali</td>
<td>Congress Muslim</td>
</tr>
<tr>
<td>3.</td>
<td>Pandit Jawaharlal Nehru</td>
<td>Congress Hindu</td>
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<td>4.</td>
<td>Sardar Vallabhbhai Patel</td>
<td>Congress Hindu</td>
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<td>5.</td>
<td>Dr. Rajendra Prasad</td>
<td>Congress Hindu</td>
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<td>6.</td>
<td>M.A. Jinnah</td>
<td>Muslim League</td>
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<td>7.</td>
<td>Nawab Mohammad Ismail Khan</td>
<td>Muslim League</td>
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<td>9.</td>
<td>Dr. Shyamaprasad Mookerji</td>
<td>Hindu Mahasabha</td>
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<td>10.</td>
<td>Gaganvihari Mehta</td>
<td>Hindu</td>
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<td>11.</td>
<td>Rajkumari Amrit Kaur</td>
<td>Woman, Indian Christian</td>
</tr>
<tr>
<td>12.</td>
<td>Muniswami Pillay</td>
<td>Scheduled Class</td>
</tr>
<tr>
<td>13.</td>
<td>Radhanath Das</td>
<td>Scheduled Class</td>
</tr>
<tr>
<td>14.</td>
<td>Sir Ardeshir Dalal</td>
<td>Parsi</td>
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<tr>
<td>15.</td>
<td>A Sikh member</td>
<td>name to be submitted later</td>
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56. L.A. Sherwani, n. 6, p. 91.
60. Jamil-ud-Din Ahmad, Some Recent Speeches and Writings of Mr. Jinnah (Lahore: Ashraf, 1952), Vol. II, p. 192.
It may be observed that the most important leaders, like Sivaraj (Scheduled Caste) and Pandit Madan Mohan Malaviya (Hindu Mahasabha) were not nominated by the Congress due to their open opposition of some of the Congress policies. The other members were old associates of the Congress.

The ML Working Committee met on July 6, and the next day, Jinnah made three suggestions to the Viceroy: "first, that the Muslim League should not be asked to submit a panel, but that its representatives should be chosen on the basis of personal discussion between the Viceroy and himself; secondly, that all the Muslim members of the Council should be chosen from the League; and, thirdly, that some effective safeguard, other than the Viceroy's veto, should be provided to protect Muslim interests from majority decisions of the Council". On July 8, Jinnah had a prolonged discussion with the Viceroy and emphasised that "None except himself as head of the Muslim League could nominate the Muslims on the new Council". On July 9, the Viceroy regretted his inability to guarantee to the League that the Muslim members would be selected exclusively from the League's list. The Viceroy pleaded for a fair play between the parties, not only in the composition but also in the working of the Council. Jinnah, on the same day, replied that as the required assurances were not forthcoming, he would not submit any list. On the other hand, the Viceroy found the Congress list disappointing because a great proportion of them were stooges for Congress from the minorities. Meanwhile, he received the lists from other delegates and made his provisional selection and intended to send it to His Majesty's Government for approval, provided it was approved by all the parties. For this purpose, the Viceroy met Jinnah on July 11, 1945. Meanwhile The Tribune commented:

62. V.P. Menon, n. 7, p. 205.
64. Ibid.
66. Wavell to Jinnah, July 9, 1945, Ibid., p. 503.
"Ridicule and laughter are provoked everywhere by Jinnah's claim that the Muslim League is the sole representative of the Muslim community. It has been clearly demonstrated that it is false and comic. No political party in the world, however brazen faced it may be, can after getting 4 per cent or 6 per cent of the votes in a general election assert that it constitutes the exclusive mouthpiece of the electorate. But the Muslim League has done so".

**Wavell-Jinnah Meeting**

Wavell sent a list of provisional selection for approval to the Home Department, but, interestingly enough, the Home Department asked him again to persuade Jinnah and show him the list to confirm that it did not include the name of any Congress Muslim so that he could put forward the Muslims' names for selection. Therefore, Lord Wavell met Jinnah on the afternoon of July 11, 1945, and expressed his willingness to include in a 14-member Council, four members of the Muslim League and one member (Punjab Muslim of the Unionist Party) not belonging to the League and giving him the four names desired Jinnah's suggestion, which he assured, would be based on parity not only between Hindus and Muslims but also between the Congress and the League. He said also in secrecy that he had not shown the list to the Congress, who might possibly raise objection to the arrangement. Jinnah, at once, said that it was impossible unless:

"(a) all five Muslim members of the Council were taken from the League, and

(b) the Governor-General's power of veto was reinforced by a special safeguard for the Muslims within the Council e.g., a provision that no decision objected to by the Muslims should be taken except by a clear two-third majority, or something of the kind".

The Viceroy was puzzled for he could not neglect the Punjabi Muslims Unionist Party, which was a dominant body in Punjab, and which was broken away from the League. Further, the position of the Muslim League was at a low ebb in other provinces also. In the NWFP, the Congress under Dr. Khan

69. Penderel Moon (ed.), n. 4, p. 154; see also Nicholas Mansergh, n. 6, pp. 1224-25.
70. V.P. Menon, n. 7, pp. 206-07.
Saheb had taken control. In Bengal, Nazimuddin was defeated in the Assembly and the province was being administered by the Governor. Only in Sind and Assam, the League ministries were in power. In spite of all these deficiencies, the Muslim League claimed that "it was the League and the League alone, that represented the Muslims". However, here Jinnah committed a mistake. He should have accepted the Wavell proposal for inclusion of one member of the Unionist Party. He could bring him in his favour in future. The Viceroy had included in his list the following:

1. Liaquat Ali Khan - Muslim League
2. Ch. Khaliquzzaman - Muslim League
3. Khwaja Nazimuddin - Muslim League
4. Essak Sail - Muslim League
5. Sir Muhammad Nawaz Khan (Landlord) Unionist Party
6. Jawaharlal Nehru - Congress (Caste Hindu)
7. Vallabhbhai Patel - Congress (Caste Hindu)
8. Dr. Rajendra Prasad - Congress (Caste Hindu)
9. Dr. M.S. Aney - Congress (Caste Hindu)
10. Sir B.N. Rau - Congress (Caste Hindu)
11. Master Tara Singh - Sikh
12. Dr. Ambedkar - SC Untouchable.
14. Dr. John Matthai - Christian
15. Viceroy
16. Commander-in-Chief

However, blatantly obstinate position taken by Jinnah despite League's weak electoral position and the support given to him by the Home Office and the Viceroy, beyond all limits of reason can be directly related to the League's and Jinnah's posture of a dependable friend of the British in war as well as in peace. The Viceroy, however, expressed his inability to accept either of the two conditions of Jinnah, who, in turn, said that "if that were so, the Muslim League could not co-operate". Thereupon, the Viceroy reluctantly informed him that in the circumstances his efforts were evidently futile and that he would make his statement on July 14, accordingly.

Wavell desired to carry out the interim arrangement including members of other Muslim organizations or independent Muslims, in place of the Muslim League, and sought Amery's opinion in this respect, but the

71. Ibid., p. 205.
72. Ibid., p. 206.
Secretary of State directed that the proposals should not be proceeded with. Wavell informed Sir Francis Mudie (the Home Member), Sir Evans Jenkins and Menon. Menon was terribly disappointed as he was pleading with the Viceroy that League's claim that it represented all the Muslims of India was untenable, that the Unionist Party could not be let down, and that no compromise should be made with the League and he should go ahead with his plans, so that Jinnah's claim for Pakistan could be avoided. But as the decision of the Secretary of State was final, they had to act accordingly. On the same day (July 11), Wavell informed Gandhiji that due to Jinnah's terms, the Conference has failed. Gandhiji was not surprised and said, "as the Congress and the League, Hindus and Muslims, were irreconcilable, it would be necessary at some time for the British to decide between them". On July 12, Wavell explained the position to Khizar Hyat Khan, Maulana Azad and Pant, who expressed indignation at the League's attitude.

Maulana Azad made a long statement and said:

"The Muslim League claimed the right to nominate all Muslim members of the Executive Council. This was a position which the Congress could not accept. By accepting it, the Congress would have reduced itself to a sectarian and Hindu organization, and thrown away the work of half a century. This was the Congress view and, as a Muslim, he agreed with it wholeheartedly. As a Muslim he was convinced that the Congress must carry the Muslims of India with it ... The Viceroy was right in rejecting its (League's) claim as he had apparently done. There was no doubt where the responsibility lay ... The communal problem had become so acute that, in the opinion of the Congress, it could only be solved by some final and just decision".

There appears to be a lot of wisdom in Rajagopalacbari's analysis who said that the failure of the Conference was an understandable policy. He doubted the sincerity of the British Government, which proved true in future. He thought that the League's demand should not be allowed to stand in the way of constitutional development and the Viceroy could have declared a short-term solution on a territorial or administrative

73. Proposal regarding inclusion of one member of the Unionist Party (Malik Khizar Hyat Khan) in the group of five members claimed by the Muslim League.
74. V.P. Menon, n. 7, p. 207.
75. Ibid., p. 209.
basis. The League was adamant to apparently untenable demands, the inability of the Viceroy in all fairness to agree to them and the dictate of the Home Department to close down the talks all appear to be inter-related plots of drama produced and directed by the imperial masters. In the context of this intrigue sincere efforts and pleadings of the Congress were just irrelevant. For Jinnah the situation was quite happy and he exploited it to the fullest benefit.

As Azad and Rajagopalachari held the League responsible for the failure of the Conference, Jinnah stood to remind the Conference that the League and the Congress had entirely different angle of vision and in the Council every matter was taken up by them according to their own policies, which, according to Jinnah could create problems in the working of the Council. He made it clear that the League's demand for Pakistan and the Congress demand for a united India were quite contradictory and "Musalmans of India were determined to have Pakistan", and, thus, any conciliation between them was impossible. In the circumstances, it was better that the British Government were to carry on the government. Jinnah repeatedly said that the League was determined to have Pakistan and could agree to any agreement for an interim provisional government subject to two conditions: "first, a declaration by His Majesty's Government giving Muslims the right of self-determination; and, secondly, the grant to Muslims of any equality with all other communities in the interim government".

Banerjee deplored that the League had obstructed the progress and suggested that the Viceroy could go ahead without the League. Khizar Hyat Khan claimed one seat for himself on the basis that "there were different schools of thought among the Muslims and he did not think any party should have a political monopoly". Master Tara Singh considered Pakistan a danger to the Sikhs and suggested that "the differences between the Congress and the Muslim League should be put to arbitration" and agreed to Pakistan "if Jinnah on his part would agree to a separate State for the Sikhs". Sivaraj, referring to the number of his Scheduled

76. Stanley Wolpert, n. 68, p. 245.
77. V.P. Menon, n. 7, p. 211.
78. Ibid., p. 212.
79. Ibid.
Caste community as sixty million, claimed to be treated at par with the Muslim League and the Sikhs.

Wavell, having no way of settlement, however, declared the failure of the Conference in the last sitting of the Conference on July 14, 1945, accepting full responsibility of his own. The Conference, thus, came to an end.

Amery wrote to Wavell:

"So all our plans have for the moment broken down in the face of Jinna's intransigence ... that it is the Muslim League and not you or I who stand in the way of their aspirations ... They must now either acquiesce in Pakistan, or realise that they have somehow or other to win over Muslim support against Jinnah, and that a mere facade of tame Congress Muslims does not help them".

Amery also suggested to hold the elections that winter and argued that "It by no means follows that Jinnah will sweep the board in the Muslim Provinces ... On the other hand, if he really does, then this claim that the Muslim members should all be members of the League could not so well be resisted".

In reply Wavell admitted:

"The immediate cause of the failure of the Conference was Jinnah's intransigence about Muslim representation and Muslim safeguards ...".

The leaders gave statements at a press conference on July 14, 1945, expressing their viewpoints.

Jinnah regretted that though the first issue had oblique reference in the statements made by Amery and Wavell, but it was not mentioned in the proposals. Regarding the second condition, Jinnah said, that the proposals reduced the Muslim League's representation to one-third. He feared that the other minorities, which were unable to organize their own independent States, were helpless to join the Congress in the Council keeping it always in majority. He did not believe in the Viceroy's power of veto, which depended at his will and the League had no provision to

81. Stanley Wolpert, n. 68, pp. 245-46.
force the Viceroy to take steps against any proceedings against the
interest of Muslims. Therefore, he wanted that the League should have
some form of power to veto the proceedings. Jinnah also referred that
as the composition of the Council was based on communal basis, it was
but natural that the Congress were to act prejudicially. Therefore, the
League had to secure sufficient safeguard through membership of five
League members selected by the Muslim League itself on the basis that
the League was the only representative of all the Muslims in India.
Jinnah calculated that the proposal envisaged representation of five
Muslims, of them two were Congress Muslims and one from the Unionist Party
of Punjab; thus, the League was left with two members only. Jinnah also
objected strongly to the Viceroy's determination to select the Muslim
members (League or Non-League) himself out of the panel suggested by the
Muslim League and considered by himself. Rajagopalachari also advised
the Viceroy that in any interim arrangement the Congress and the League
would be in conflict due to their different angle of vision and the
League's fear was undeniable that "the Congress would make use of any
interim arrangement to consolidate its position and gradually to strangle
Pakistan".

Azad blamed both the Muslim and the League for the failure of the
Conference. Menon writes that "Azad said that the blame for failure
rested mainly on the Muslim League, but he could not altogether absolve
the British Government". He blamed the Viceroy for giving the right of
veto to the Muslim League and having failed to declare the members of the
Council due to Jinnah's opposition to its composition. Azad meant to say
that the Muslim League's claim was not proper as the League's position in
the provinces was miserable and it was running its government in only two
provinces, Assam and Sind, that too depended upon the Congress support.

Jinnah said that under the Wavell Plan the Pakistan issue was to
be shelved indefinitely as the interim government could have lasted for
an unlimited period with the assistance of the British, which had a strong

83. V.P. Menon, n. 7, p. 212.
84. See for details A.C. Banerjee, The Making of the Indian Constitution,
see also Jagdish Saran Sharma, n. 6, p. 625.
85. V.P. Menon, n. 7, p. 212.
86. Ibid.
inclination for a united India. Further, the interim government could have been transformed into a permanent unitary government securing Hindu national independence of India. Jinnah expressed the fear that the other minorities ethnically and culturally very close to the Congress had to be associated with the Hindu society favouring the Hindu Raj and voting against them. Jinnah reiterated that since Wavell's proposal did not entitled the League to nominate all the Muslim representatives as its chosen spokesman, the League "would have emerged out of this conference minus everything and we would have entirely betrayed our people. It would have been an abject surrender on our part of all we stand for, and it would have been the death-knell of the Muslim League. This was the position which faced us and we found that it was impossible for us to accept this arrangement". Jinnah later said:

"There was the combination consisting of Gandhi and the Hindu Congress, who stand for India's Hindu national independence as one India, and the latest exponent of geographical unity, Lord Wavell, and Glancy-Khizr who are bent upon creating disruption among the Muslims in the Punjab, and we were sought to be pushed into this arrangement, which, if we had agreed to, as proposed by Lord Wavell, we should have signed our death warrant".

Jawaharlal Nehru said that "Muslim League represented mediaeval conceptions and fear complexes". Hossain Imam, who attended the Conference in his capacity as leader of the Muslim League Party in the Council, knew that Jinnah was being backed by the British for taking a firm stand. Just before the Viceroy declared his final decision, Hossain Imam said to V.P. Menon that "the Viceroy was not aware that a member of his own Executive Council was advising Jinnah to stand firm". This view finds strength due to attitude of Liaquat Ali Khan. Menon discussed with Liaquat Ali Khan in the evening of July 13, for reaching an agreement. Liaquat Ali said that the "crucial issue with the League was the insufficiency of the Viceroy's veto to protect the Muslim interests" and stressed that "no decision objected to by the Muslim members should be taken by the

88. V.P. Menon, n. 7, p. 213.
89. Ibid.
90. Ibid., p. 214.
Executive Council except by a clear two-third majority. Menon proposed to devise a formula acceptable to all parties and Liaquat Ali Khan promised to inform him after discussion with Jinnah, but he never returned. It may be said that Jinnah and Liaquat Ali Khan considered further negotiations out of vein.

The statement of Menon that Hossain Imam "gave me the impression that the members of the Working Committee of the Muslim League were far from unanimous in rejecting the Viceroy's offer", on way to Cecil Hotel, before the Viceroy communicated his final decision, on July 14, 1945, seems quite incorrect. Menon has used the word 'impression' and not a word carrying authenticity. If the matter was a fact he could have quoted directly. The doubt is confirmed in view of the statement of Choudhary Khaliquzzaman, who writes that in the meeting of July 14, of the Muslim League at the Cecil Hotel at 6.00 P.M., the whole correspondence of Jinnah with Wavell was reconsidered and, at last, it was decided that (1) the Muslim League would not send list of more than five names of Muslims and (2) of the 12 seats in the Executive Council, five should be reserved for the Muslim League and there would be no right to any Muslim Party to be included in it. On these two demands, there was no disagreement between the members of the Muslim League. If no member of League had any objection to it, it is difficult to believe that Hossain Imam and Liaquat Ali Khan, the most trusted companions of Jinnah, had stated in confidence with Menon, as above. It is surprising that R.C. Majumdar has also interpreted it in more clear words: "According to V.P. Menon, Husain Imam, the leader of the Muslim party in the Council of State, and Liaquat Ali Khan did not endorse the views of Jinnah".

However, the Congress and the League could not agree even though the Hindus in India constituted 70 per cent and the Muslims were only 30 per cent, and the Congress had accepted the equal number of representatives in the Executive Council only to come to terms with the Muslim League so as to win self-government for India at any cost. Their differences became severe because Jinnah objected to the Congress proposal to nominate one or two Muslims out of its quota of five. However, the

91. Ibid.
93. R.C. Majumdar, n. 8, p. 720.
Conference revealed that Jinnah would not be satisfied with anything less than Pakistan, as he was being encouraged by the British Government and his arrogance had reached the summit with the backing of the British imperialism. Durgadas reported that Jinnah was assured by the British Government that if he "stepped out of the talks, he would be rewarded with Pakistan".

Jinnah, like Ch. Khaliquzzaman, had also realized that the national government if formed with the ratio of representation of Hindus, Muslims and other minorities as 5+5+2, 5+5+3 or 5+5+4, in all cases the League had to remain in the Council and had to face all the consequences as feared by the Muslim League. With this view, the League should not have accepted to participate in the Simla Conference and they should have made it clear in the very beginning (1940 Lahore Resolution) that they would neither participate in any national government nor allow to form any such government and that they would agree only on the division of the country establishing Pakistan. If the League had adopted this policy and assisted the British war aims openly, they might be considered more favourably and had obtained the Pakistan along with Jamuna.

On the other hand, the Congress was determined to establish a unitary government and make the Jinnah's plan for Pakistan unsuccessful without giving any safe corner to the Muslim League. To settle the differences, the Viceroy, as directed by the Home Department, decided to call a conference of all parties while they were well aware of the fundamental differences between the Congress and the League viewpoints. The decision reveals the intention of the British Government to prolong the British rule in India and to make final decision later in the face of the war in the Far-East. The conference served this purpose well. Secondly, the Churchill government had viewed the Muslim League as a proper instrument for utilising it in the interest of the British Government and, hence, did not like the formation of the Executive Council which did not include the representatives of the Muslim League sufficiently. Wavell knew this British policy before summoning the conference. But when he was trying and was on the verge of reaching an agreement while talking with Jinnah

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94. Jayakar Papers, File No. 816-B, Letter No. 264 from Jayakar to Jagdish Prasad, dated July 6, 1945, NAI.
on July 11, making him agree to five seats for Muslims including one for Khizar Hyat Khan, the Secretary of State directed him not to go much ahead. Thirdly, there was black sheep in Wavell's existing Cabinet, who excited Jinnah not to accept the proposal. However, Wavell failed to adopt a firm attitude and allowed the AIML veto to prevail.

Choudhry Khaliquzzaman sarcastically says that the Congress several times opposed the inclusion of Hindus (Non-Congress) chosen by the British Government, because the Congress could not depend on them. Similarly, the League could not depend on the Non-League Muslims. But when the Maulana was proud of supposed seven Muslim members in the Council, had he not in his mind that he would leave the Congress and join the Muslim League and, thus, he was inflicted with communal mentality.

In the light of these facts, it may be admitted that the Simla Conference "was a fraud upon the public as well as upon its members". Its impact was also not good. It gave strength to the demand of creation of Pakistan and confirmed a power of veto on Jinnah in deciding any future constitutional development in India. Jinnah fully exploited this situation created by Wavell and it was apprehended that the League's claim that it was the sole representative of Muslims of India would be conceded in fact or in theory in the near future. Therefore, the "waver and middle-of-the-road Muslim politicians tended to gravitate to the Muslim League". Jinnah welcomed this development.

Later, Maulana Azad, maintaining that the Conference was a turning point in the history of national movement, wrote:

"The Simla conference marks a breakwater in Indian political history. This was the first time that negotiations failed, not on the basic political issue between India and Britain, but on the communal issue dividing different Indian groups".

96. AICC File No. 6/1947, NMML.
97. AICC File No. G-58/1945, containing letter from Azad to Wavell, dated July 14, 1945, NMML.
99. R.C. Majumdar, n. 8, p. 719.
100. Ibid., p. 720.
Political Change in England

After the Simla Conference, two important events took place. First, the general elections in England, which results came out on July 20, 1945, returned the Labour Party to power securing a clear majority in the House of Commons and Churchill's 'Caretaker Government' was replaced by the Labour Government, with Clement R. Attlee as Prime Minister and as Amery, the Secretary of State for India under the Conservative Government, lost the election, Penthick Lawrence became the Secretary of State for India. Secondly, as Japan was not surrendering unconditionally, atom bomb was dropped by the United States on August 6, 1945, on Hiroshima and the other on August 9, on Nagasaki, as a result the Japanese unconditionally surrendered. The Congress President cabled to Attlee:

"Hearty congratulations to the people of Great Britain on the results of the election which demonstrates their abandonment of the old ideas and acceptance of new world".

King's Declarations

The Congress expressed jubilation as Churchill had given veto power to the Muslim League while the ML members feared that Attlee would not accept the demand of Pakistan. Sir Stafford Cripps, who had opined after the failure of the Simla Conference for granting free self-government to India, emphasised to expedite permanent settlement giving place to the question of Pakistan as a major issue. He also urged to hold new elections and to form a constituent assembly with the representatives so elected "to work out a new free self-governing constitution for British India, or such part of it as was ready to consent to such a constitution". The last elections to the Central Assembly were held in 1934 and to the Provincial Legislatures in 1936. The elections were postponed due to war and there seemed no justification for putting off the elections any longer. The Congress, the Muslim League and all the parties favoured the general elections. The Viceroy was also in favour of it. In the first week of August, 1945, he held a meeting of the Provincial Governors, who also agreed for holding the elections as early as possible.

102. V.P. Menon, n. 7, p.216.
103. Ibid., p. 217.
In the opening session of the Parliament, the King declared:

"In accordance with the promises already made to my Indian peoples, my Government will do their utmost to promote in conjunction with leaders of Indian opinion early realization of full self-government in India".

The Government invited Wavell to London in order to consult with him the whole situation. Wavell, on August 21, announced that the elections would be held in the cold weather. Wavell left India for London on August 24, accompanied by Sir Evan Jenkins and Menon, and reached there on August 25, 1945.

Azad's Proposal for Communal Settlement

While Wavell was in England and a number of Congressmen were in jails and all hopes of communal settlement between the Congress and the League had failed, Abul Kalam Azad produced his own plan before Gandhiji for settlement. Menon writes about Azad:

"It was useless to enter into the causes of the communal problem or to apportion blame for it. Muslim fears could only be removed by devising a scheme under which they would feel secure. Any attempt to form a unitary government at the Centre would fail. Partition was against the interests of the Muslims themselves. As an Indian Muslim, he regarded partition as a defeatist policy and could not accept it. He suggested to the Congress that the future constitution of India must be federal with fully autonomous units; that the central subjects must only be of an all-India nature and agreed upon by the constituent units, and that the units must be given the right of secession. There must be joint electorates both at the Centre and in the provinces, with reservation of seats and such differential franchise as might be needed to make electorates reflect the strength of population of the communities. There must be parity of Hindus and Muslims in the central legislature and the central executive till such time as communal suspicion disappeared and parties were formed on economic and political lines. There should also be a convention by which the head of the Indian federation would, in the initial period, be Hindu and Muslim by turn. Hindu friends were exhorted to leave entirely to the Muslims the questions of their status in the future constitution of India. If Muslims were satisfied that the decision was not being imposed on them by a non-Muslim agency, they would drop the idea of partition and realize that their interests would be best served by a federated and united India".

105. V.P. Menon, n. 7, p. 221.
Wylie's Proposals

Sir Francis Wylie, the Governor of the United Provinces (1945-47), who was against the partition of the country, proposed the following solution to break the constitutional deadlock. He writes:

"I circulated a paper arguing that means simply must be found to avoid the carving up of the country. A complete rearrangement of the map of India was necessary I wrote to create federal units based on linguistic, cultural and religious affinities. The federal concept was still capable of all sort of extensions. Why should not the Muslim units, once their limits had been established, be allowed to maintain their separate armed forces, fly the flag of the union with some added emblem that would satisfy their susceptibilities etc., etc. Always provided that the federal government had effective control at least of defence, foreign affairs and, if possible, communications. The Indian states should, I suggested, be left alone for the time being, but should be told straight away that their future lay with the Indian union and that, when this was established, their special relationship with the British Crown would be terminated. The rearrangement of provincial boundaries should, I wrote, be entrusted to a Royal Commission consisting exclusively of Indian members. It will not be forgotten that the creation of linguistic provinces was an old demand of the Indian National Congress".

Though the intention of Francis Wylie was fair enough, Jawaharlal Nehru, with whom Wylie discussed the idea of a Royal Commission, was very cold about it because he thought it to be a means for delaying the transfer of power and "he boggled particularly at the notion of a separate flag for a federal unit". Wylie met with many prominent Muslims, who were not so many in the twilight of the raj, and expressed his opposition to the partition of the country. They all agreed, but it did not mean that "they enjoyed the prospect of living under a perpetual Hindu majority but that, if Jinnah had his way, their community, in what was left of the country, would be so weakened that in the end it might be completely submerged".

Declarations of Wavell and Attlee

In England, the Labour Party leader and Prime Minister Clement Attlee


107. Ibid.

108. Ibid.
carried out far-reaching reforms and took revolutionary decisions in respect of overseas British territories. He had often declared that he would work for the liberation of India and when Wavell was called by him to England it was expected that some useful solution would come out. During the long discussions with the Secretary of State and the India Committee of the Cabinet (which included Clement R. Attlee, the Prime Minister, and Sir Stafford Cripps, then President of the Board of Trade also, and which was chaired by Attlee), Wavell explained that "Jinnah spoke for 99 per cent of the Muslim population of India in their apprehension of Hindu domination ... The real strength of Mr. Jinnah's position was the widespread and genuine fear among Indian Muslims of Hindu domination and Hindu raj". He was inclined favourably towards the Muslim League, which, he anticipated, "might prove to be his only allies in the coming struggle for power". It was decided that the Cripps proposals for 'provincial option' should be retained and the question of framing the future constitution of India would best be left to be taken up after consulting the Indian leaders returned at the conclusion of the elections. Lord Wavell returned to India on September 16, and made an announcement on 19th on behalf of His Majesty's Government:

"As stated in the gracious speech from the Throne at the opening of Parliament, His Majesty's Government are determined to do their utmost to promote in conjunction with the leaders of Indian opinion the early realisation of full self-government in India. During my visit to London they have discussed with me the steps to be taken.

"An announcement has already been made that elections to the central and provincial legislatures, so long postponed owing to the war, are to be held during the coming cold weather. Thereafter His Majesty's Government earnestly hope that ministerial responsibility will be accepted by political leaders in all provinces.

"It is the intention of His Majesty's Government to convene as soon as possible a constitution-making body, and as a preliminary step they have authorised me to undertake, immediately after the elections, discussions with the representatives of

110. Stanley Wolpert, n. 76, p. 250.
111. Ibid.
112. V.P. Menon, n. 7, pp. 218-19.
the Legislative Assemblies in the provinces, to ascertain whether the proposals contained in the 1942 declaration are acceptable or whether some alternative or modified scheme is preferable. Discussions will also be undertaken with the representatives of the Indian States with a view to ascertaining in what way they can best take their part in the constitution-making body.

"His Majesty's Government are proceeding to the consideration of the content of the treaty which will require to be concluded between Great Britain and India.

"During these preparatory stages, the Government of India must be carried on, and urgent economic and social problems must be dealt with. Furthermore, India has to play her full part in working out the new World Order. His Majesty's Government have therefore further authorised me, as soon as the results of the provincial elections are published, to take steps to bring into being an Executive Council which will have the support of the main Indian parties".

Lord Wavell, in a personal message, emphasised the importance of the announcement, which conveyed the Government's decision to go ahead, and that the new Government in Britain took up the issue of India at its first opportunity. He said that after the elections the Indian leaders and the representatives of the States would be consulted to determine the form of constitution and for this purpose a constitution-making body would be set up.

On the same day (September 19), Attlee, in his broadcast reiterated the Wavell declaration adding that the 1942 Declaration (Cripps Proposals) still "stands in all its fullness and purpose" and that the Declaration "envisaged the negotiation of a treaty between the British Government and the constitution-making body". The British Government was considering the contents of such a treaty, and in that treaty nothing would be provided which would be "incompatible with the interests of India". He appealed to all the Indians to make a united effort to help evolve a constitution which would be accepted by all parties and interests in India.

Reaction of the Congress

The statements of the Viceroy and the Secretary of State were not favourably received by the main Indian parties. The AICC, meeting in Bombay

on September 21, characterised Wavell's proposals as "vague and inadequate and unsatisfactory" and pointed out that there was no reference of immediate change at the Centre or independence, and that the Declarations only spoke of "alterations" and "modifications" in the Cripps scheme and did not clarify whether those "representatives of the Indian States" would represent the princes or they would be the spokesmen of the people. They demanded release of political prisoners but decided to contest the elections to demonstrate the will of the people on the issue of immediate transfer of power. The AICC passed a resolution reiterating the Congress policy of independence and unity in the following terms:

"Nevertheless, the Committee declares also that it cannot think in terms of compelling the people in any territorial unit to remain in an Indian Union against their declared and established will. While recognising this principle, every effort should be made to create conditions which would help the different units in developing a common and co-operative national life. Acceptance of the principle inevitably involves that no changes should be made which result in fresh problems being created and compulsion being exercised on other substantial groups within that area. Each territorial unit should have the fullest possible autonomy within the union, consistently with a strong National State".

Though this resolution was put aside, but on the right of secession, very strong speeches were made and it was declared that the Congress would not make more approaches to the League but "would contact the Muslim masses direct and would try to reassure them by appropriate means through the election manifesto.

Reaction of the Muslim League and Nationalist Muslims

Jinnah and Liaquat Ali Khan reiterated their earlier statements that no solution would be acceptable to the Muslim League except on the basis of Pakistan and acceptance of the Muslim League as the sole representative of all the Muslims in India. The Muslim League, which had by then created a strong press and had become a people's party, claiming the loyalty of almost every Muslim, demanded that the provinces of the

114. V.P. Menon, n. 7, p. 220.
115. Ibid., p. 222.
116. Ibid.
Punjab, Sind, the NWFP, Baluchistan, Bengal and Assam in their entirety should be formed into a separate sovereign State of Pakistan. The Muslims had realised that their interests lie only with Jinnah and the League as a result many Muslims, who were earlier in the Congress, joined the League and Jinnah "welcomed them like lost sheep". For instance, Abdul Qaiyum Khan of NWFP, the Deputy Leader of the Congress Party in the Central Assembly, changed his allegiance to the Muslim League. However, the nationalist Muslims found themselves in a difficult position because they knew that the Muslims would not vote for them until and unless they were assured of some protection from the Congress.

I.N.A. Trials

The Indian military personnel, who, while warring on the British side, were captured by the Japanese, were turned into the Indian National Army founded by Subhas Chandra Bose. At the conclusion of the war, over 20,000 of them were rounded up, repatriated to India and charged for waging war against the King and inducing the fellow prisoners to join them. The first batch of three accused officers included a Hindu, a Muslim and a Sikh to be tried by a Military Tribunal in the Red Fort, Delhi. Desai, Sapru and Nehru set up a panel of defence. The trial evoked a strong enthusiasm and when the League joined them, the agitation spread throughout the whole India. These trials provided much material for an anti-British propaganda. "Wild demonstrations were held over a wide area, from Calcutta to Lahore and Bombay, and from Lakhnau to Madura, occasionally accompanied by popular violence and firing by the police". The British Government realized that if they would attempt to prolong their rule in India, the people would be more restive and violent as they had become conscious of their country's plight and backwardness due to century-old British exploitation of their land and resources. Therefore, the British Government, which had become weak, economically and politically after the war and was unable to manage its distant territories, thought it proper to transfer power to the Indians in a respectable manner at the earliest.

Attlee, on September 23, 1945, made a statement, which clarified

117. Ibid., p. 221.
118. See for day-to-day account, AIR, 1946, Part I, pp. 269-84.
some "misunderstanding" created by Wavell's statement, and assured that a constitution-making body would be urgently set up, by which the Indians will decide their own future. On November 8, Jinnah said that the "Government was groping in the dark" and asserted that the constitution-making body should be formed only after the question of Pakistan was settled and suggested that, to solve this issue, "there should be two separate constitution-making bodies for the two parts into which India should be divided".

Meanwhile, a million or more Indian soldiers, recruited during the war, began to return to India with a new political consciousness. They had fought for democracy and it was but natural that they wished to see democracy in India as well. Further, the sepoys had become accustomed to somewhat good standard of life and disliked to live in a miserable condition in the villages, to which they mostly belonged. They also resented the discrimination in emoluments, treatment and standard of life between themselves and the British soldiers. They had proved themselves as good soldiers as the British and had realised that the British were not superior to them; hence, they argued that "there should be equality of treatment among soldiers of the Commonwealth without regard to their country of origin, complexion or creed".

The Congress threat for another struggle, the trials of the INA soldiers, widespread demonstrations, demand of British Indian soldiers returning home and severe strains on British economy created a very dangerous and tense situation compelling the British Government to re-state their policy. Consequently, Attlee, on December 4, 1945, declared in the House of Commons that a Parliamentary Delegation would shortly visit India to meet leading political leaders, to learn their views and to convey that "India should speedily attain her full and rightful position as an independent partner State in the British Commonwealth". It was the first announcement of the British Government with respect to India's independence, which was widely appreciated.

119. V.P. Menon, n. 7, p. 224.
120. Humayun Kabir, n. 109, pp. 396-97.
The CWC at its Calcutta session held on December 7, 1945, reaffirming its faith in non-violence, asserted that it does not include "burning of public property, cutting of telegraph wires, derailing trains and intimidation".  

Wavell found support and felt relief from the long drawn resolution of Gandhiji on December 7, and addressing the Associated Chambers of Commerce on December 10, 1945, in Calcutta, he assured the Indian people of "political freedom and a government or governments, of their own choice" and unless some reasonable settlement was reached between the Congress, the minorities, "of whom the Muslims are the most numerous and most important", and the rulers of Indian States, the British could not abandon their responsibility of governing India. He said that India's problem was difficult and "would not be solved by repeating a password or formula. 'Quit India' would not act as the magic 'sesame' which opened Ali Baba's cave. It could not, and would not, be solved by violence. Disorder and violence were the very things that might check the peace of India's progress". He further said:

"We are going through a very difficult and testing time, and it will need coolness and wisdom if we are to avoid calamity. In so far as I can help by personal contact, I am always prepared to do so".

Wavell announced that the life of the Assembly would expire on October 1, 1945, and the new members would take their seats at the budget session of 1946. As the electoral rolls were not ready, the life of that Chamber was extended up to May 1, 1946, and elections were required to be held as early as possible.

The Punjab Governor, Glancy, on August 1, 1945, had argued: Unless the Muslim League could be steered away from the crude version of Pakistan, there would be civil war in the Punjab; and immediate Central elections might consolidate the Muslim League position". Casey thought that Jinnah

122. V.P. Menon, n. 7, p. 224.  
123. Ibid., p. 225.  
124. Ibid.  
had no real successor and the "Pakistan idea might go to pieces without him.

The Viceroy had announced that the elections to the central legislature would be held first; then would follow the elections to the provincial legislatures where ministries were functioning, and the legislatures in provinces where ministries were not functioning. However, the Congress and the Muslim League announced to contest the elections and began preparation for it. The Akali Sikh Congress, the Working Committee of the All-India Scheduled Castes, the National Liberation Federation, and the Communist Party of India also announced to contest the elections.

Jinnah, to establish the firm position of the League, began to oppose Gandhiji strongly. On August 6, in his first public speech at Bombay, Jinnah had restated: "There are only two major parties in this country. Invitations issued to Mr. Gandhi and myself were on the basis that Mr. Gandhi was the recognised leader of one of the parties and myself the leader of the other. The British called them parties, but in fact they are two major nations".

At one occasion, Jinnah argued that 'every vote in favour of the Muslim League candidate meant Pakistan, and every vote against the Muslim League candidate meant Hindu Raj'. At another meeting, he said:

"The Hindus and Muslims are different in everything. We differ in our religion, our civilization and culture, our language, our architecture, music, jurisprudence and law, our food, society, dress - in every way we are different. We cannot get together only in the ballot box. The Hindus want the Unitary Government because in that case they have a perennial majority of three to one and thus they rule over the Muslim nation because the Muslims would be in a minority always".

On November 1, 1945, Jinnah predicted that the Muslim League would 'sweep' at the polls and informed a reporter from the Associated Press that he did not care about the critics of his Pakistan plan.

Jinnah charged the nationalist Muslims that they were neither

127. Ibid., p. 235.
nationalists nor true Muslims because if they were honest Muslims and felt that the League was doing against the interest of Muslims, they would have joined the League and guided it.

Addressing the ML Conference, Jinnah, expressing his feeling towards the Government and the Congress, said:

"We have no friends ... Neither the British, nor the Hindus are our friends. We are clear in our minds that we have to fight against both of them. If both (being Banias) are combined against us, we shall not be afraid of them. We shall fight their united might and, Inshallah, win in the end".

When Jinnah asked the crowd, whether they wanted Pakistan or not, he was loudly and repeatedly cheered by the slogan, "Allah-o-Akbar" (God is Great). He said that to win Pakistan, they had only to "vote for the League candidates". Jinnah became defensive, sarcastic and irate towards Gandhiji, when he said:

"They (Hindus) ask: 'What are the sacrifices of Mr. Jinnah and the Muslim League?' It is true that I have not been to jail. Never mind, I am a bad person. But I ask you, 'Who made sacrifices in 1920-21:'. Mr. Gandhi ascends the gaddi (throne) of leadership on our skulls".

The above statement reveals that Jinnah felt Gandhiji's ascendancy to the throne of Congress leadership as his step on his 'skull' as the former did not tolerate the latter's inclination towards Congress domination over the Muslims reducing them to the status of an ignorable citizen without having any power of 'check' on the working of the Congress government and thus amending the constitution against the interest of the Muslims. Thus, Jinnah's uncompromising attitude was a measure of safeguard of Muslim interests.

Jinnah's hectic propaganda, the position accorded by the British to the Muslims at Simla and the British acceptance of the League's demand for Pakistan made the people realize that the communal voting would clear the way for success of the League.

On December 3, 1945, Casey, the Bengal Governor, told Gandhiji that what was "standing in the way of self-government for India" was not the

130. Ibid.
British but the Muslim League, which was "suffering from Hinduphobia" and urged that the Congress should announce "a substantial list of safeguards" for Muslims for inclusion in the new constitution to "blunt the edge" of League's fears and suspicions. Gandhiji replied that he had "conceded safeguard after safeguard", but Jinnah "constantly raised his price" until he demanded Pakistan. Gandhiji also said:

"... he believed Jinnah to be a very ambitious man and that he had visions of linking up the Moslems of India with the Moslems in the Middle East and elsewhere and that he did not believe that he could be ridden off his dreams".

The uncanny accuracy of Gandhiji's assessment of the position of Jinnah and his party is amazing.

Attlee's Declaration

On December 4, 1945, Attlee declared in the House of Commons that a Parliamentary Delegation would shortly visit India to envisage means for solving communal problem so that independence could be granted. Wavell, on December 10, 1945, had made clear that independence would be granted only after settlement reached between the Congress and the Muslim League, that is, the Muslims. However, according to Wavell's statement of September 19, 1945, on elections and his plans for summoning constitution-making body, elections held in December, 1945.

Elections to the Central Legislative Assembly

The elections to the Central Legislative Assembly were held and the results were announced on December 31, 1945 - January 1, 1946, which showed the elected members as follows:

134. V.P. Menon, n. 7, p. 226.
135. R.C. Majumdar, n. 8, p. 724; V.P. Menon, n. 7, p. 226.
<table>
<thead>
<tr>
<th>S.No.</th>
<th>Party</th>
<th>Elected</th>
<th>Previous members of dissolved Assembly</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Congress</td>
<td>56(57)</td>
<td>36</td>
</tr>
<tr>
<td>2.</td>
<td>Muslim League</td>
<td>30</td>
<td>25</td>
</tr>
<tr>
<td>3.</td>
<td>European Group</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>4.</td>
<td>Independents</td>
<td>5</td>
<td>21</td>
</tr>
<tr>
<td>5.</td>
<td>Akali Sikhs (represented for the first time)</td>
<td>2</td>
<td>10 (Nationalists)</td>
</tr>
</tbody>
</table>

Nominated on January 4, 1946

1. Official 26 - -
2. Non-official 14 - -
Total 40 101(102) 100

The results confirmed that the "Congress won an overwhelming success in the General constituencies, the Hindu Mahasabha and other opposing candidates preferring in most cases to withdraw rather than risk defeat. The Muslim League won every Muslim seat, the Nationalist Muslims forfeiting their deposits in many instances. The Congress secured 91.3% of the votes cast in non-Muhammadan constituencies and the Muslim League 96.6 per cent of the total votes cast in Muhammadan constituencies". The results proved that the Congress and the Muslim League were the only major parties that counted in the Indian politics. The Congress Central Election Board in its bulletin issued on January 6, 1946, declared that "the Congress stood vindicated; it was the biggest, strongest and most representative organization in the country", while the Muslim League also celebrated its victory on January 11, 1946, and Jinnah on that occasion "congratulated the League on winning all the Muslim seats in the Central Assembly".

Elections to the Provincial Legislatures

Elections to the eleven Provincial Legislatures lasted for three and a half months, commencing on January 9, 1946, in Assam and ending in various provinces up to the middle of April. The results are given below:

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137. Ibid.
138. Ibid.
## Results of Elections of Provincial Legislatures - 1946

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Seats won by Congress</th>
<th>Seats won by Muslim League</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assam</td>
<td>58 out of 108</td>
<td>35 (All Muslim seats)</td>
</tr>
<tr>
<td>Sindh</td>
<td>21 (joined by 7 others)</td>
<td>27 (joined by 1 independent)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>35* (All Muslim seats)</td>
</tr>
<tr>
<td>NWFP</td>
<td>30 (plus 19 Nationalist Muslims)</td>
<td>17 out of 38</td>
</tr>
<tr>
<td>Punjab</td>
<td>51 (joined by 22 Akali Sikhs, Unionists 20)</td>
<td>75 (79 out of 86*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7 Independents</td>
</tr>
<tr>
<td>Bengal</td>
<td>87 out of 250</td>
<td>113 out of 119</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(116 out of 119 Muslim seats*)</td>
</tr>
<tr>
<td>Bombay</td>
<td>Absolute majority</td>
<td>All Muslim seats</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(30 out of 30*)</td>
</tr>
<tr>
<td>Madras</td>
<td>Absolute majority</td>
<td>All Muslim seats</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Similar results*)</td>
</tr>
<tr>
<td>Orissa</td>
<td>Absolute majority</td>
<td>All Muslim seats</td>
</tr>
<tr>
<td>U.P.</td>
<td>Absolute majority</td>
<td>54 out of 66.</td>
</tr>
<tr>
<td>Bihar</td>
<td>Absolute majority</td>
<td>34 out of 40</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(43 out of 50*)</td>
</tr>
<tr>
<td>C.P.</td>
<td>Absolute majority</td>
<td>13 out of 14</td>
</tr>
</tbody>
</table>

(* Ch. Khaliquzzaman, Pathway to Pakistan (Urdu), pp. 970-72)

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The results of the elections showed that in Assam the Congress won all the General seats and the League almost all the Muslim seats. The Congress formed the ministry. In Sind, though the Congress coalition had the "majority of one over the Muslim League, the leader of the League was asked to form a ministry by the Governor", which was severely criticised as being unconstitutional. In the NWFP, the Congress having absolute majority formed the ministry. In the Punjab, the Congress, forming a coalition with the Akali Sikhs and the Unionists, formed the ministry. In Bengal, the Muslim League being in absolute majority formed the ministry. In Bombay, Madras, U.P., Bihar, Orissa and C.P., the Congress won absolute majority and formed the ministry. The Congress offered two seats to the Muslim League in Assam in the ministry, but the League rejected the offer because of inclusion of one Nationalist Muslim. In Punjab, the Congress invited the Muslim League to form ministry, but the latter did not agree to the alliance. In Bombay, Madras, U.P., Bihar, Orissa and C.P., the Congress invited the League to join the Congress ministry, but the negotiations failed. It may be noticed that, first, the Congress and the League emerged as the two important parties. Secondly, the Muslim League had claimed to form Pakistan including Assam, Bengal, Sind, NWFP, Punjab and Baluchistan, but it could come into power in only two - Bengal and Sind, where the League formed the ministry and, that too, in Sind with the favour of the Governor. Thirdly, majority of the Scheduled Castes supported the Congress. In total, the Congress won 930 seats with absolute majority in eight provinces and in three provinces the Congress became the second largest party. The Congress failure in winning the majority in these provinces was due to the League propaganda fomenting religious sentiments and communal passions. However, the League's capture of 428 seats indicated its increasing influence in Indian politics. It also showed an emergence of the Panthic Akalis in Punjab, the disappearance of the Hindu Mahasabha and Justice Party in Madras and decline of the Unionist Party in Punjab, which won only 20 seats. The following figures of the votes cast shows that the Congress polled 80 per cent of the General votes and the League 74 per cent of the Muslim votes cast:

140. R.C. Majumdar, Ibid.
141. V.P. Menon, n. 7, p. 229.
142. R.C. Majumdar, n. 8, p. 726.
<table>
<thead>
<tr>
<th>Party</th>
<th>Votes Cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress Party</td>
<td>11,683,053</td>
</tr>
<tr>
<td>Muslim League</td>
<td>4,530,538</td>
</tr>
<tr>
<td>Communists</td>
<td>653,489</td>
</tr>
<tr>
<td>Scheduled Castes Federation</td>
<td>509,217</td>
</tr>
<tr>
<td>Punjab Unionists</td>
<td>413,815</td>
</tr>
<tr>
<td>Hindu Mahasabha</td>
<td>285,567</td>
</tr>
<tr>
<td>Akali Sikhs (mainly Punjab)</td>
<td>178,509</td>
</tr>
<tr>
<td>Krishak Praja Party (mainly Bengal)</td>
<td>132,581</td>
</tr>
<tr>
<td>Jamiat-ul-Ulema (non-League Muslims)</td>
<td>132,190</td>
</tr>
<tr>
<td>Nationalist Muslims (mainly U.P.)</td>
<td>125,434</td>
</tr>
<tr>
<td>Radical Democratic Party</td>
<td>118,661</td>
</tr>
<tr>
<td>Ahhrars</td>
<td>67,461</td>
</tr>
<tr>
<td>Mominis (Bihar)</td>
<td>29,168</td>
</tr>
<tr>
<td>Khaksars</td>
<td>21,100</td>
</tr>
</tbody>
</table>

The success of the Muslim League, on the one hand, "loaded the dice heavily in favour of Pakistan", while that of the Congress, on the other, "held out a fair hope that the Congress would be able to hold together the rest of India even after the creation of Pakistan and to thwart the Muslim League's design to include the predominantly non-Muslim areas of Assam and Bengal and of the Punjab within Pakistan".

**Parliamentary Delegation**

The Secretary of State, on November 8, 1945, had cabled the Viceroy to ask: "But can Jinnah be induced to accept a modified form of it (Pakistan) which it might be possible to concede?". On November 19, 1945, Cripps had advised the Cabinet Committee to send a parliamentary delegation to India and to urge the Viceroy to meet Gandhiji, whom he understood was "willing to influence Indian opinion towards moderation". Wavell, in depression, wired an "immediate, top secret reply: "I do not think it advisable that I should invite Gandhi to see me".

To assess the depth of the Congress-League confrontation on the communal problem - constitutional development and independence, the

147. Wavell to Pethick-Lawrence, November 23, 1945, Ibid., p. 524.
British Government decided to send a parliamentary delegation to India. Pethick-Lawrence, on December 21, 1945, wrote to Jinnah and Azad asking whether they would like to meet the delegation to "discuss matters with him". Having elicited a positive response, the Parliamentary Delegation, consisting of ten members - eight from the House of Commons and two from the House of Lords, headed by Professor Robert Richards, arrived in India on January 5, 1946. The Secretary of State wrote to the Congress and the League Presidents that the basic purpose of the Delegation was "to make personal contacts".

The political leaders received the Delegation - which toured the country for about a month - with cordiality and friendliness. Jinnah, on January 10, 1946, reiterated that "he would take no part in an interim Government without a prior declaration accepting the principle of Pakistan and 'parity' with all other parties" and also insisted "on two constitution-making bodies" leaving India and Pakistan to settle their boundary through negotiations without envisaging predominantly non-Muslim areas. Jinnah made it clear:

"Any attempt to impose a unified constitution, or to accept a majority decision by a single constitution-making body, would be resisted, if necessary by force. ... that Pakistan would remain within the Empire with a British Governor-General. Relations with Hindustan would be purely diplomatic; there would be no common currency, transport system, army etc."

Jawaharlal Nehru, during talks with the Delegation, conceded that the Government "might have to declare for Pakistan, but that there would have to be a plebiscite in border districts to confirm it". He thought that the results to the Central Assembly were insufficient to ascertain the consensus of the people as the Muslims, according to him, "did not know what they were voting for". Miss Muriel Nichol, one of the members of the Delegation said: "Without rancour or bitterness, and in a clear yet firm way, Pandit Nehru stated the Congress case for India's freedom. ... I have really met a great man". Richards, the leader of the Delegation

149. V.P. Menon, n. 7, p. 227.
150. Ibid.
151. Ibid.
152. Ibid., p. 228.
at a press conference, stated:

"There are deep divisions among you, but those divisions disappear in the unity with which you, in my opinion, very rightly demand a measure of self-government at this time. There are several views on that particular question, but I do say that we are all conscious of the fact that India has at last attained political manhood; and it will be the privilege of the Government in England, I hope, to extend and further that confidence which India has in herself and in her ability to take her place among the free nations of the world."

On January 28, 1946, the Viceroy, addressing the newly elected central legislature in a seven-minute speech, said that the British Government was determined to establish a new Executive Council and to set up a constitution-making body as soon as possible. Patel, welcoming the speech, said: "The ship has reached the shore ... The freedom of India is near at hand", but Jinnah, opposing the speech, reiterated that "the Muslim League was not prepared to consider anything short of immediate recognition of the Pakistan demand".

Parliamentary Delegation Report

The Parliamentary Delegation returned to 10 Downing Street in the middle of February and reported that Pakistan would have to be conceded - and the sooner the better. Mrs. Muriel Nichol, on February 13, 1946, maintained that she found the Punjab 'explosive' as the Muslim population there was "all worked up in favour of Pakistan"; hence, Pakistan must be conceded. She believed that Jinnah would agree to modify his demand, if it was acceded "at an early stage". Brigadier Austin Low felt that the HMG should not make a declaration in favour of Pakistan as he feared that "Pakistan is not a viable proposition". M.P. Reginald Sorensen regarded "Pakistan as wholly irrational - he was not sure that Mr. Jinnah could be regarded as a rational person - but, in his view, necessary". Arthur Bottomley "did not like Pakistan but thought it would be necessary" ... (a) to avoid widespread bloodshed, (b) to preserve our own trade interests, for whereas the strong tendency in the Congress majority provinces was to boycott trade with the United Kingdom, the Muslims were

153. Ibid.
154. Ibid.
eager to do business with us".

Francis Turnbull, the Private Secretary of Pethick-Lawrence stated in his note of February 13, 1946, on the "viability of Pakistan": "There is bound to be an economic price to pay for the satisfaction of the Moslem demand for political independence" and warned:

"The division of India will be born in bitter antagonism and it will certainly be rash to assume that this will not be reflected in the efforts necessary to regulate the machinery of communications and of economic intercourse between the Pakistan States and the rest of India ... It is hard to resist the conclusion that taking all these considerations into account the splitting up of India will be the reverse of beneficial so far as the livelihood of the people is concerned".

Jinnah reiterated that the League would not be prepared to co-operate in any interim arrangements until this principle had been accepted beyond all doubts that there would be two constitution-making bodies -"one for the Pakistan areas and the other for the rest of India". In a press interview, Jinnah also said that if the Government would call a single constitution-making body, the Muslims would revolt throughout India.

Wavell, sensing a country-wide disturbance, wrote to the Secretary of State regarding the future programme and communicated his two important observations: "First, that if Jinnah refused to participate in the interim Government, the Government should go ahead without him. Secondly, though Pakistan had to be conceded, the large non-Muslim populations (in the East Punjab and West Bengal) could not be forced to remain in Pakistan against their will". Meanwhile, the provincial election campaign and the "poisonous propaganda" had caused Hindu-Muslim riots, especially in the Punjab. Therefore, Pethick-Lawrence, in consultation with the British Cabinet, concluded that it would be useless to leave another round of political negotiations to the Viceroy alone, and a Cabinet Mission

156. Ibid., pp. 949-50.
158. Ibid., p. 955.
159. V.P. Menon, n. 7, p. 228.
160. R.C. Majumdar, n. 8, p. 726.
could only break the Hindu-Muslim "deadlock". Therefore, the Cabinet on February 19, 1946, decided to send in March a three-member Mission to conduct, in association with the Viceroy, negotiations with the leaders. The announcement came as follows:

"In view of the paramount importance, not only to India and to the British Commonwealth but to the peace of the world, of a successful outcome of discussion with leaders of Indian opinion, the British Government have decided with the approval of His Majesty the King to send out to India a special mission of Cabinet Ministers consisting of the Secretary of State for India (Lord Pethick-Lawrence), the President of the Board of Trade (Sir Stafford Cripps) and the First Lord of the Admiralty (Mr. A.V. Alexander) to act in association with the Viceroy in this matter".

The Cabinet thought the mission as its "final card in the game of British India spinning so swiftly to its tragic finale". The Cabinet realised that if the negotiations failed, civil disobedience and disobedience of the army would follow. Further, by that time the total number of Europeans in all official services was rapidly dwindling as they had opted for retirement on their pensions back home and there was precious little time left to break the deadlock for transferring the power.

**Bombay Sailors' Revolt**

Another significant occurrence which highlighted the compulsive situation for the British was the sailors' revolt on February 18, 1946. The sailors in the Royal Indian Navy in Bombay harbour demanded higher wages and on February 19, 3000 of them marched around the Bombay calling themselves members of the Indian National Navy in emulation of Bose's I.N.A. Later, they captured the ship and threatened fire. On the persuasion of Vallabhbhai Patel, they surrendered unconditionally, while the elections continued.

**Attlee's Declaration**

On March 15, 1946, the Prime Minister Attlee, in the House of Commons, declared that to solve "the problem of the development of India

161. N.N. Mitra (ed.), The Indian Annual Register, n. 121, p. 129; see also Sir Maurice Gwyer and A. Appadorai, n. 121, p. 571.
into a completely self-governing nation" has been very difficult and "it would be a great mistake to stake out the claims of rival communities". In the rather fluid position, he did not like "to tie down those who are going out too rigidly". He said that the Cabinet Mission was being sent to help India to attain her freedom "as speedily and fully as possible" and the form of Government had to be decided by the Indians. He also said: "India herself must choose what will be her future constitution; what will be her position in the world" and hoped that Indian people would like to remain within the British Commonwealth. He desired an Interim Government to be set up and assured that he "would not like to fetter the Viceroy's discretion in any way with regard to the allocation of portfolios". He also hoped that "the statesmen of British India and of princely India will be liable to work out a solution of the problem of bringing together, in one great policy, these desperate constituent parts". Referring to the protection of Minorities, he said: "we cannot make Indians responsible for governing themselves and, at the same time, retain over here responsibility for the treatment of Minorities and the power to intervene in their behalf". He was sure that "everyone will wish them (Cabinet Ministers) Good-Speed".

The announcement of the Prime Minister made the Indians to believe that Independence of India was certain and it would not be delayed after making necessary preliminary arrangements. This belief was further strengthened in the light of the Prime Minister's statement reading - "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of the majority", which "served as 'open sesame' to the closed doors of the solution of Indian problem". Had this principle been adopted by Churchill, the problem of constitutional deadlock could have been solved long ago, and, perhaps, without partition of India. However, this statement did not please Jinnah, who demurred to the declaration and reasserted that the Muslims were not a 'minority' but a 'nation' and repeated his usual threat that

163. See for details A.C. Banerjee, n. 84, pp. 104-10.
164. Ibid., p. 110.
165. V.P. Menon, n. 7, pp. 234-35.
166. R.C. Majumdar, n. 8, p. 728.
if only a single constitution-making body be set up, the Muslim League would not cooperate with it. However, all the other political leaders welcomed Attlee's declaration to send the Cabinet Mission.

CONCLUSION

Wavell on June 14, 1945, declared a plan to end communal deadlock giving right to the Indians for framing their own constitution. Gandhiji objected the parity between the Caste Hindus and the Muslims, to which the Hindu Mahasabha supported. The leaders met at Simla Conference but they could not reach a settlement. Azad's and Wylie's proposals also could not be accepted by the Congress and the League. On September 19, 1945, Wavell declared for an early realisation of full self-government and to hold elections for the Central and Provincial legislatures. The Congress and the League won majority of seats. The Parliamentary delegation recommended creation of Pakistan in February, 1946, while some opposed. In consequence, Attlee declared to send Cabinet Mission to institute India's freedom as early as possible. He asserted that the minority would not be allowed to veto on the advance of the majority. The leaders of all parties, except Jinnah, welcomed the declaration.