APPENDIX I.

SALIENT FEATURES OF SCHEME OUTLINED BY SIKANDER HYAT KHAN
in 1937

"(1) Instead of bringing British Indian Provinces and Indian States into the Federation as two distinct components, it provided for their entering it together on a regional basis which would be conducive to the solidarity of the country and the stability of the central government.

(2) It would encourage collaboration between contiguous units, including British Indian Provinces and Indian States, whose geographical proximity, common language and affinity of economic and other interests formed natural ties to bind them together. For instance,

(a) In administrative matters, particularly those pertaining to law and order, this scheme would encourage the various units in a zone to make reciprocal arrangements and when necessary to devise a common line of action.

(b) In the economic field it would enable the units to share in common arrangement for the establishment of institution for industrial and agricultural research, for experimental and demonstrative forms and other similar matters.

(3) By thus encouraging collaboration between British Indian Provinces and Indian States it would tend to reduce causes and occasions for friction which would otherwise be constantly present if British Indian and Indian States units were kept in two watertight compartments.

(4) By confining the jurisdiction of the Federal Executive and Legislature to a few specified subjects of common concern, it would enable both the British Indian units and the Indian States to enter the Federation on a uniform basis. At the same time it would allay the doubts and misgivings of the units by eliminating the possibility of undue interference by the Centre in their internal affairs.

(5) It would ensure the willing and loyal co-operation of the units with the Federal Centre and thus avoid the growth of any fissiparous tendency among the units.

(6) It would effectively safeguard the integrity and autonomy of British Indian and Indian States units; and

(7) It would give to the Minorities a greater sense of security.

For the establishment of an All-India Federation on a regional basis, the country was to be demarcated into seven 'zones' as under:-

Zone 1: Assam and Bengal (minus one or two Western Districts in order to reduce the size of the 'Zone' with a view to approximate it to other zones) Bengal States and Sikkim.

Zone 2: Bihar and Orissa (plus the areas transferred from Bengal to Orissa). This would benefit Orissa which was handicapped to some extent on account of its limited resources and area.

Zone 3: United Provinces and U.P. States.

Zone 4: Madras, Travancore, Madras States and Coorg.

Zone 5: Bombay, Hyderabad, Western Indian States, Bombay States, Mysore and C.P. States.

Zone 6: Rajputana States (minus Bikaner and Jaisalmer), Gwalior, Central Indian States, Bihar and Orissa States, C.P. and Berar.

Zone 7: Punjab, Sind, NWF Province, Kashmir, Punjab States, Baluchistan, Bikaner and Jaisalmer.

"... there would be a regional legislature for such zone consisting of both British Indian and Indian States units. One-third of the total number of members of the various regional legislatures were to constitute the Central Federal Assembly".

1. Henry Craik to Linlithgow, June 5, 1938, Linlithgow Collection, NAI.
APPENDIX II

SALIENT FEATURES OF SCHEME OUTLINED BY SYED ABDUL LATIF OF HYDERABAD in 1939

"He contended that India was not a composite nation and Hindus and Muslims belonged to two distinct social orders and prescribed the division of India into four cultural zones for the Muslims and eleven zones for the Hindus. The Indian States were to be distributed between the different zones in accordance with their natural affinities. Each zone would form a homogeneous State with a highly centralized form of government. The following zones were demarcated to be assigned to the Muslims:

1. North-West Block: There was a great Muslim block in the North-East consisting of Sind, Baluchistan, the Punjab, North-West Frontier Province and Kashmir, the Indian States of Khairpur and Bahawalpur. This area might be converted into a single autonomous state formed on the basis of federal relationship between the six units thereby allowing over 25 million of Muslims a free home of their own.

2. North-East Block: Right on the other side of India, the North-East, there was also a solid block of Muslims in Eastern Bengal and Assam of over 30 millions, who might be assigned a free political existence.

3. Delhi-Lucknow Block: In between the two blocks mentioned above the Muslims were unevenly distributed. Those of this area living close to each of the two blocks should be attracted for neutralization to the one nearer to them. The rest, the great bulk, belonging to the United Province and Bihar numbering about 12 million might be concentrated in a block extending in a line from the eastern border of Patiala to Lucknow and rounding up Rampur on the way. The block was carved out to allow the Hindu nationality to keep within its zone all its great religious centres like Banares, Hardwar, Allahabad and Mathura. To shift it on to any other part of the North would defeat that purpose.

4. The Deccan Block: The case of the Muslims below the Vindhyas and Satpuras called for a special consideration. They were scattered all over the South in colonies of varying size and exceeded 12 million in number. From them a zone was to be carved. The Dominion of Hyderabad might provide such a zone with a strip of territory in the South running through the districts of Kurnool, Cuddapah, Chittoor, North-Arcot and Chingleput down to the city of Madras. Such a strip with an opening to the sea would be found absolutely necessary to settle the large Muslim mercantile and marine community living for ages on the Coromandel and Malabar coasts.

According to this scheme, exchange of population was also desired "to assure Hindus and Muslims freedom to live their own cultural lives in homelands of their own and to promote the cause of India's unity".

Source: Uma Kaura, Muslims and Indian Nationalism, op.cit., pp.157-58

The scheme "aimed at the division of the country into Hindu India and Muslim India". The principles on which it was based were as follows:

1. The Muslims of India were a nation by themselves. They had a distinct national unity wholly different from the Hindus and other non-Muslims. Indeed, they were more different from the Hindus than the Sudetan Germans were from the Czechs.

2. The Muslims of India had a separate national future and had to make their own contributions to the betterment of the world.

3. The future of the Muslims of India lay in complete freedom from the domination of the Hindus, the British, or for the matter of that, any other people.

4. The Muslim majority provinces could not be permitted to be enslaved into a single All India Federation with an overwhelming Hindu majority at the Centre.

5. The Muslims in the minority provinces should not be allowed to be deprived of their separate religious, cultural and political identity and should be given full and effective support by the Muslim majority provinces.

The scheme envisaged the division of India into several wholly independent and sovereign states:

1. **Pakistan** comprising the Punjab, NWFP, Sind, Baluchistan and the States of Kashmir and Jammu, Mandi, Chamba, Saket, Sumin, Kapurthala, Malerkotla, Chitral, Dir, Kalat, Loharu, Bilaspur, Simla Hill States, Bahawalpur etc.
   
   Population - 3,92,74,244
   Muslims - 2,36,97,538; 60.3 per cent

2. **Bengal** (excluding Howrah and Midnapore districts), Purna district (Bihar), Sylhet division (Assam):
   
   Population - 5,25,19,232
   Muslims - 3,01,18,184; 57.0 per cent

3. **Hindustan** comprising the rest of India and Indian States (excluding Hyderabad, Pakistan, Bengal and the States included therein):
   
   Population - 21,60,00,000
   Muslims - 2,09,60,000; 9.7 per cent

APPENDIX III

SALIENT FEATURES OF THE ALIGARH SCHEME PROPOSED BY SYED ZAFRUL HASAN AND MOHAMMAD AZUL HUSSAIN QADRI IN 1939.

The scheme "aimed at the division of the country into Hindu India and Muslim India." The principles on which it was based were as follows:

1. The Muslims of India were a nation by themselves. They had a distinct national unity wholly different from the Hindus and other non-Muslims. Indeed, they were more different from the Hindus than the Sudeten Germans were from the Czechs.

2. The Muslims of India had a separate national future and had to make their own contributions to the betterment of the world.

3. The future of the Muslims of India lay in complete freedom from the domination of the Hindus, the British, or for the matter of that, any other people.

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<table>
<thead>
<tr>
<th>Population</th>
<th>Muslims</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,92,74,244</td>
<td>2,36,97,538; 60.3 per cent</td>
</tr>
</tbody>
</table>

2. **Bengal** (excluding Howrah and Midnapore districts), Purane district (Bihar), Sylhet division (Assam):

<table>
<thead>
<tr>
<th>Population</th>
<th>Muslims</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,25,19,232</td>
<td>3,01,18,184; 57.0 per cent</td>
</tr>
</tbody>
</table>

3. **Hindustan** comprising the rest of India and Indian States (excluding Hyderabad, Pakistan, Bengal and the States included therein):

<table>
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<tr>
<th>Population</th>
<th>Muslims</th>
</tr>
</thead>
<tbody>
<tr>
<td>21,60,00,000</td>
<td>2,09,60,000; 9.7 per cent</td>
</tr>
</tbody>
</table>

4. **Hyderabad** comprising Hyderabad, Berar and Karnata (Madras and Orissa):

<table>
<thead>
<tr>
<th>Population</th>
<th>2,90,65,098</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muslims</td>
<td>21,44,010; 7.4 per cent</td>
</tr>
</tbody>
</table>

(a) **Delhi Province** including Delhi, Meerut Division, Rohilkhand division and the district of Aligarh (Agra division):

<table>
<thead>
<tr>
<th>Population</th>
<th>1,26,60,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muslims</td>
<td>35,20,000; 28.0 per cent</td>
</tr>
</tbody>
</table>

(b) **Malabar Province** consisting of Malabar and adjoining areas i.e. Malabar and South Kanara:

<table>
<thead>
<tr>
<th>Population</th>
<th>49,00,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muslims</td>
<td>14,40,000; 27.0 per cent</td>
</tr>
</tbody>
</table>

The author of this scheme also desired that the three States of Pakistan, Bengal and Hindustan should enter into a defensive and offensive alliance on the following basis:-

1. Mutual recognition and reciprocity.

2. That Pakistan and Bengal be recognized as the homeland of Muslims and Hindustan as the homeland of Hindus to which they could migrate respectively if and when they wanted to.

3. In Hindustan the Muslims were to be recognised as a nation in minority and part of a larger nation inhabiting Pakistan and Bengal.

4. The Muslim minority in Hindustan and the non-Muslim minority in Pakistan and Bengal would have:

   (i) representation according to population, and

   (ii) separate electorates together with effective safeguards guaranteed by all the three States.

   (iii) separate representation according to population might be granted to all considerable minorities in the three states, e.g., Sikhs, non-caste Hindus, etc.

5. An accredited Muslim political organization would be the sole official representative body of the Muslims in Hindustan.

Each of the three independent states of Pakistan, Hindustan and Bengal was to have separate treaties of alliance with Great Britain and separate Crown representation. There would be a joint court of arbitration to settle any dispute that might arise between the different states or between them and the Crown. Unlike the other schemes which treated Hyderabad also as one of the Indian states, it claimed for it a sovereign status.

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Appendix IV

Extract from M.A. Jinnah's Presidential Address at the Twenty-seventh Annual Session of the All-India Muslim League, Lahore, March 22-24, 1940. (elucidating 'Two Separate Nations in India)

... The British Government and Parliament, and more so the British nation, have been for many decades past brought up and nurtured with settled notions about India's future, based on developments in their own country which has built up the British constitution, functioning now through the Houses of Parliament and the system of cabinet. Their concept of party government functioning on political planes has become the ideal with them as the best form of government for every country, and the one-sided and powerful propaganda, which naturally appeals to the British, has led them into a serious blunder, in producing a constitution envisaged in the Government of India Act of 1935. We find that the most leading statesmen of Great Britain, saturated with these notions have in their pronouncements seriously asserted and expressed a hope that the passage of time will harmonise the inconsistent elements in India.

A leading journal like the London Times, commenting on the Government of India Act of 1935, wrote that "undoubtedly the difference between the Hindus and Muslims is not of religion in the strict sense of the word but also of law and culture, that they may be said indeed to represent two entirely distinct and separate civilizations. However, in the course of time the superstitions will die out and India will be moulded into a single nation'. (So according to the London Times the only difficulties are superstitions). These fundamental and deep rooted differences, spiritual, economic, cultural, social and political have been euphemised as mere 'superstitions'. But surely, it is a flagrant disregard of the past history of the sub-continent of India as well as the fundamental Islamic conception of society vis a vis that of Hinduism to characterise them as mere 'superstitions'. Notwithstanding thousand years of close contact, nationalities which are as divergent today as ever, cannot at any time be expected to transform themselves into one nation merely by means of subjecting them to a democratic constitution and holding them forcibly together by unnatural and artificial methods of British Parliamentary statutes. What the unitary government of India for 150 years had failed to achieve cannot be realised by the imposition of a central federal government. It is inconceivable that the fist or the writ of a government so constituted can ever command a willing and loyal obedience throughout the sub-continent by various nationalities except by means of armed force behind it.

The problem in India is not of an intercommunal character, but manifestly of an international one, and it must be treated as such. So long as this basic and fundamental truth is not realised, any constitution that may be built will result in disaster and will prove destructive and harmful not only to the Mussalmans, but to the British and Hindus also. If the British Government are really in earnest and sincere to secure peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by

Source: All-India Muslim League Lahore Session, March, 1940; Presidential Address by Mr.M.A. Jinnah and Text of Resolution on the Future Constitution of India and the Position of Mussalmans under it Together with Brief Summary of Speeches Delivered on the Occasion (Delhi:1940), pp.19-25.
dividing India into 'autonomous national states'. There is no reason why these states should be antagonistic to each other. On the other hand, the rivalry and the natural desire and efforts on the part of one to dominate the social order and establish political supremacy over the other in the government of the country will disappear. It will lead more towards natural goodwill by international pacts between them, and they can live in complete harmony with their neighbours. This will lead further to a friendly settlement all the more easily with regard to minorities by reciprocal arrangements and adjustments between Muslim India and Hindu India, which will far more adequately and effectively safeguard the rights and interests of Muslim and various other minorities.

It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religious in the strict sense of the word, but are, in fact, different and distinct social orders and it is a dream that the Hindus and Muslims can ever evolve a common nationality, and this misconception of one Indian nation has gone far beyond the limits and is the cause of most of our troubles and will lead India to destruction if we fail to revise our notions in time. The Hindus and Muslims belong to two different religious philosophies, social customs, literature. They neither intermarry, nor interdine together and, indeed, they belong to two different civilisations which are based mainly upon conflicting ideas and conceptions. Their aspects on life and of life are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, different heroes and different episodes. Very often the hero of one is a foe of the other and, likewise, their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state.

History has presented to us many examples such as the Union of Great Britain and Ireland, Czechoslovakia and Poland. History has also shown to us many geographical tracts, much smaller than the sub-continent of India, which otherwise might have been called one country but which have been divided into as many states as there are nations inhabiting them. Balkan Peninsula comprises as many as 7 or 8 sovereign states. Likewise, the Portuguese and the Spanish stand divided in the Iberian Peninsula, whereas under the plea of unity of India and one nation which does not exist, it is sought to pursue here the line of one central government when we know that the history of the last 12 hundred years has failed to achieve unity and has witnessed, during these ages, India always divided into Hindu India and Muslim India. The present artificial unity of India dates back only to the British conquest and is maintained by the British bayonet, but the termination of the British regime, which is implicit in the recent declaration of His Majesty's Government, will be the herald of the entire break up with worse disaster than has ever taken place during the last one thousand years under Muslims. Surely that is not the legacy which Britain would bequeath to India after 150 years of her rule, nor would Hindu and Muslim India risk such a sure catastrophe.

Muslim India cannot accept any constitution which must necessarily result in a Hindu majority government. Hindus and Muslims
brought together under a democratic system forced upon the minorities can only mean Hindu Raj Democracy of the kind with which the Congress High Command is enamoured would mean the complete destruction of what is most precious in Islam. We have had ample experience of the working of the provincial constitutions during the last two and a half years and any repetition of such a Government must lead to civil war and raising of private armies as recommended by Mr. Gandhi to Hindus of Sukkur when he said that they must defend themselves violently or non-violently, blow for blow, and if they could not they must emigrate.

Mussalmans are not a minority as it is commonly known and understood. One has only got to look round. Even today according to the British map of India, out of 11 provinces 4 provinces, where the Muslims dominate more or less, are functioning notwithstanding the decision of the Hindu Congress High Command to non-co-operate and prepare for civil disobedience. Mussalmans are a nation according to any definition of a nation and they must have their homelands, their territory and their state. We wish to live in peace and harmony with our neighbours as a free and independent people. We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals and according to the genius of our people. Honesty demands and vital interest of millions of our people impose a sacred duty upon us to find an honourable and peaceful solution, which would be just and fair to all. But at the same time we cannot be moved or diverted from our purpose and objective by threats or intimidations. We must be prepared to face all difficulties and consequences, make all the sacrifices that may be required of us to achieve the goal we have set in front of us ...
APPENDIX V

HIS MAJESTY'S GOVERNMENT'S DRAFT DECLARATION ON THE FUTURE OF INDIA
(March, 1942)

His Majesty's Government, having considered the anxieties expressed in this country and in India as to the fulfilment of the promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which they propose shall be taken for the earliest possible realisation of self-government in India.

The object is the creation of a new Indian Union which shall constitute a Dominion, associated with the United Kingdom and the other Dominions, by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any respect of its domestic or external affairs.

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

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

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

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

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

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

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

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

Source: The Civil and Military Gazette (Lahore), 30 March 1942.
(d) The constitution-making body shall be composed as follows, unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of the hostilities:

Immediately upon the result being known of the provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of the Provincial Legislatures shall, as single electoral college, proceed to the election of the Constitution-making body by the system of proportional representation. This new body shall be in number about 1/10th of the number of the electoral college. Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of representatives of British India as a whole and with the same powers as the British Indian members.

(e) During the critical period which now faces India and until the new constitution can be framed, His Majesty's Government must inevitably bear the responsibility for and retain the control and direction of the defence of India as part of their World War effort, but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the people of India.

His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.
APPENDIX VI

CRIPPS MISSION SCHEME
(March, 1942)

The Object

"The object of His Majesty's Government is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and other Dominions by a common allegiance to the Crown but equal to them in every respect and in no way subordinate in any aspect of its domestic or external affairs".

The Terms of the Declaration

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

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

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

(i) the right of any Province of British India or princely States that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession if it decides so. With such non-acceding provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution giving them the same full status as Indian Union, and arrived at by a procedure analogous to that here laid down;

(ii) the signing of a Treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This Treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with the undertaking given by His Majesty's Government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in the future its relationship to the other Member States of the British Commonwealth. Whether or not an Indian state elects to adhere to the Constitution, it will be necessary to negotiate a revision of its Treaty arrangements, so far as this may be required in the new situation.

Source: The Civil and Military Gazette (Lahore), March 30, 1942.

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(e) During the critical period, which now faces India and until the new constitution can be framed His Majesty's Government must inevitably bear the responsibility for and retain control and direction of the defence of India as part of their world war effort but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the cooperation of the peoples of India. His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations". 2

RESOLUTION OF THE MUSLIM LEAGUE WORKING COMMITTEE ON THE
DRAFT DECLARATION ANNOUNCED BY MR. CHURCHILL, THE BRITISH
PRIME MINISTER IN THE HOUSE OF COMMONS ON 11 APRIL 1942.

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

The Committee, while expressing their gratification that the
possibility of Pakistan is recognised by implication by providing for
the establishment of two or more independent Unions in India, regret
that the proposals of His Majesty's Government, embodying the fundamen-
tals, are not open to any modification and therefore no alternative
proposals are invited. In view of the rigidity of the attitude of His
Majesty's Government with regard to the fundamentals not being open to
any modification, the Committee have no alternative but to say that the
proposals in their present form are unacceptable to them for reasons
given below:

(1) The Musalmans, after 25 years of genuine efforts for the recon-
ciliation of the two major communities and the bitter experience of
the failure of such efforts, are convinced that it is neither just nor
possible, in the interest of peace and happiness of the two peoples,
to compel them to constitute one Indian Union, composed of the two
principal nations - Hindus and Muslims which appears to be the main
object of His Majesty's Government, as adumbrated in the preamble of
the Draft Declaration, the creation of more than one Union being relegated
only to the realm of remote possibility and is purely illusory.

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

Besides, the machinery which has been proposed for the creation
of the constitution-making body, namely, that it will consist of members
elected by the newly elected Lower House of the eleven provinces, upon
the cessation of hostilities, as a single Electoral College by the
system of proportional representation, is a fundamental departure from

Source: Resolutions of the All India Muslim League from April 1942
to May 1943 (published by (Nawabzada) Iiaqat Ali Khan, M.A.
(Oxon.), M.I.A.(Central), Barrister-at-Law, Honorary Secretary,
All-India Muslim League, Delhi, pp. 1-6.
the right of the Musalmans hitherto enjoyed by them, to elect their representatives by means of separate electorates, which is the only sure way in which true representatives of Musalmans can be chosen.

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

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

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

In the Draft proposals no procedure has been laid down as to how the verdict of the province is to be obtained in favour of or against accession to the one Union; but in the letter dated the 2nd of April from the Secretary of Sir Stafford Cripps, addressed to the President of the All India Muslim League, it is stated that "a province should reach the decision whether or not to stand out of the Union by a vote in the Legislative Assembly on a resolution to stand in. If the majority for accession to the Union is less than sixty per cent, the minority will have the right to demand a plebiscite of the adult male population." In this connection it must be emphasised that in the provinces where the Musalmans are in a majority, as in the case of the major provinces of Bengal and the Punjab, they are in a minority in the Legislative Assemblies, and in the Assemblies of Sind and the North-West Frontier Province, the total number, namely sixty and fifty respectively, is so small and weightage given to the non-Muslims so heavy that it can be easily manipulated, and a decision under such conditions cannot be the true criterion of ascertaining the real opinion of the Musalmans of those provinces.

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

(4) With regard to the Indian States, it is the considered opinion of the Committee that it is a matter for them to decide whether to join or not to join or form a Union.
(5) With regard to the treaties to be negotiated between the Crown and the Indian Union or Unions, the proposals do not indicate as to what would happen in case of disagreement on the terms between the contracting parties; nor is there any provision made as to what would be the procedure when there is a difference of opinion in negotiating a revision of treaty arrangements with the Indian States in the new situation.

(6) With regard to the interim arrangement, there is no definite proposal except the bare statement that His Majesty's Government desire and invite the effective and immediate participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth, and of the United Nations. The Committee are, therefore, unable to express their opinion until a complete picture is available. Another reason why the Committee are unable to express their opinion on the interim arrangements for participation in the counsels of the country is that Sir Stafford Cripps has made it clear that the scheme goes through as a whole or is rejected as a whole, and that it would not be possible to retain only the part relating to the immediate arrangements at the Centre and discard the rest of the Draft scheme; and as the Committee has come to the conclusion that the proposals for the future are unacceptable, it will serve no useful purpose to deal further with the question of the immediate arrangements.
The Working Committee of the All India Muslim League, having given their deep and anxious consideration to the present political development in the country, deplore the decision arrived at by the All-India Congress Committee on August 8, 1942, to launch an 'open rebellion' by resorting to a mass civil disobedience movement in pursuance of their objective of establishing Congress-Hindu domination in India, which has resulted in lawlessness and considerable destruction of life and property.

It is the considered opinion of the Working Committee that this movement is directed not only to coerce the British Government into handing over power to a Hindu oligarchy and thus disabling them from carrying out their moral obligations and pledges given to the Mussalmans and other sections of the peoples of India from time to time, but also to force the Mussalmans to submit and surrender to the Congress terms and dictation. Ever since the beginning of the war and even prior to that the sole objective of Congress policy has been either to cajole or coerce the British Government into surrendering power to the Congress - a Hindu body with a microscopic following of other communities - in utter suppression of one hundred millions of Mussalmans, besides millions of other peoples of this vast subcontinent of India. While claiming the right of self-determination for 'India', which is a mere Congress euphemism for a Hindu majority, it has persistently opposed the right of self-determination for the Muslim nation to decide and determine their own destiny.

On May 1, 1942, the All-India Congress Committee, by their resolution emphatically repudiated the Muslim League demand for the right of self-determination for Muslims and thus closed the door for the settlement of the communal problem, which is a condition precedent to the attainment of the freedom and independende of India. The Congress had also recognised this as an indispensable condition and had, therefore, made it a prominent plank in the Congress programme for over 20 years, but by their recent decisions have suddenly thrown it overboard and substituted the fantastic theory that the solution of the Hindu-Muslim problem can only follow the withdrawal of British power from India.

The negotiations of Sir Stafford Cripps with the Congress broke down not on the issue of independence but because of the refusal of the British Government to hand over the Muslims and the minorities to the tender mercies of the Congress. Any acquiescence in this on the part of the British would have been strenuously resisted by the minorities and particularly by the Muslim nation, with memories of tyranny in the Congress governed provinces still fresh and vivid in their minds.
Baulked in their effort to cajole Sir Stafford Cripps to agree to the transfer of power to the Congress caucus, they decided upon a slogan - 'Quit India' - accompanied by the threat of mass civil disobedience. This slogan is a mere camouflage and what is really aimed at is supreme control of the Government of the country by the Congress.

The Muslims are not a whit less insistent on freedom for the country and the achievement of independence of the people of India, which is the creed of the All India Muslim League. They are, however, firmly convinced that the present Congress movement is not directed for securing the independence of all the constituent elements in the life of the country but for the establishment of a Hindu Raj and to deal a death blow to the Muslim goal of Pakistan.

... The Muslim League, as it has been repeatedly made clear, stands not only for Pakistan and the freedom of Muslims, but also for the freedom and independence of Hindustan and Hindus.

The Muslim League has been and is ready and willing to consider any proposals and negotiate with any party on a footing of 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 successful prosecution of the war provided the demands of Muslim India, as indicated above, are conceded unequivocally.

In these circumstances, the Working Committee of the All India Muslim League, after anxious and careful consideration, call upon the Muslims to abstain from any participation in the movement initiated by the Congress and continue to pursue their normal peaceful life. The Working Committee hope that no attempt shall be made from any quarter to intimidate, coerce, molest or interfere in any manner with the normal life of the Muslims, otherwise the Muslims would be compelled to offer resistance and adopt all such measures as may be necessary for the protection of their life, honour and property.
APPENDIX IX

SUGGESTED POINTS FOR AGREEMENT BETWEEN THE CONGRESS & THE MUSLIM LEAGUE PUT FORWARD BY THE CABINET MISSION,
May 8, 1946

1. There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights and having the necessary powers to obtain for itself the finances it requires for these subjects.

2. All the remaining powers shall vest in the Provinces.

3. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

4. The groups may set up their own Executives and Legislatures.

5. The Legislature of the Union shall be composed of equal proportions from the Muslim-majority Provinces and from the Hindu-majority Provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The constitutions of the Union and the groups (if any) shall contain a provision whereby any Province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10-yearly intervals thereafter.

For the purpose of such reconsideration a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided upon.

8. The constitution-making machinery to arrive at a constitution on the above basis shall be as follows:-

A. Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that Assembly on the basis of 1/10th of their numbers.

B. Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India.

C. The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi.

D. After its preliminary meeting at which the general order of business will be settled it will divide into three sections, one section representing the Hindu-majority Provinces, one section representing the Muslim-majority Provinces and one representing the States.

E. The first two sections will then meet separately to decide the Provincial constitutions for their group and, if they wish, a group constitution.

F. When these have been settled it will be open to any Province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the constitution for the Union on the lines agreed in paragraphs 1-7 above.

H. No major point in the Union constitution which affect the communal issue shall be deemed to be passed by the Assembly unless a majority of both the two major communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.
APPENDIX X.

TERMS OFFERED BY THE MUSLIM LEAGUE AS A BASIS OF AGREEMENT
May 12, 1946

1. The six Muslim Provinces (Punjab, North-West Frontier Province, Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications, necessary for Defence, which may be dealt with by the constitution-making bodies of the two groups of Provinces - Muslim Provinces (hereinafter named Pakistan Group) and Hindu Provinces - sitting together.

2. There shall be a separate constitution-making body for the six Muslim Provinces named above, which will frame constitution for the Group and the Provinces in the Group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces.

3. The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group.

4. After the constitutions of the Pakistan Federal Government and the Provinces are finally framed by the constitution-making body, it will be open to any Province of the Group to decide to opt out of its Group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint constitution-making body as to whether the Union will have a Legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two constitution-making bodies, but in no event shall it be by means of taxation.

6. There should be parity of representation between the two Groups of Provinces in the Union Executive and the Legislature, if any.

7. No major point in the Union constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body of the Hindu Provinces and the majority of the members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

9. In Group and Provincial constitutions fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

10. The constitution of the Union shall contain a provision whereby any Province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the constitution, and will have the liberty to secede from the Union at any time after an initial period of ten years.

APPENDIX XI

TERMS OFFERED BY THE CONGRESS AS A BASIS OF AGREEMENT
May 12, 1946

1. The Constituent Assembly to be formed as follows:-

(i) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth of the number of members of the Assembly and they may be members of the Assembly or others.

(ii) Representatives from the States on the basis of their population in proportion to the representation from British India. How these representatives are to be chosen is to be considered later.

2. The Constituent Assembly shall draw up a constitution for the Federal Union. This shall consist of an All-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the power to raise revenues in its own right. The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

3. All the remaining powers shall vest in the Provinces or Units.

4. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

5. After the Constituent Assembly has decided the constitution for the All-India Federal Union as laid down in paragraph 2 above, the representatives of the Provinces may form groups to decide the Provincial constitutions for their group and, if they wish, a group constitution.

6. No major point in the All-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present in Assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue, the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

7. In the event of a dispute arising in the process of constitution-making, the specific issue shall be referred to arbitration.

8. The constitution should provide machinery for its revision at any time subject to such checks as may be desired. If so desired, it may be specifically stated that this whole constitution may be reconsidered after ten years.

Source: Papers Relating to the Cabinet Mission to India, 1946, pp.22-23.
APPENDIX XII
THE CABINET MISSION PLAN
May 16, 1946

1. On the 15th March last, just before the dispatch of the Cabinet to India, Mr. Attlee, the British Prime Minister, used these words:

"My colleagues are going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision ..."

"I hope that the Indian people may elect to remain within the British Commonwealth. I am certain that she will find great advantages in doing so ..."

"But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible."

2. "... This statement is made with the full approval of His Majesty's Government in the United Kingdom.

3. "We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India, and an Interim Government may be set up at once to carry on the administration of British India until such time as a new constitution can be brought into being ..."

4. It is not intended in this statement to review the voluminous evidence which has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire, outside the supporters of the Muslim League, for the unity of India.

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule. This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion and economic or other interests.

6. We therefore examined in the first instance the question of a separate and fully independent sovereign state of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas: one in

The North-West consisting of the provinces of the Punjab, Sind, North-West Frontier and British Baluchistan; the other in the North-East consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a separate state of Pakistan was based, first, upon the right of the Muslim majority to decide their method of government according to their wishes, and, secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six Provinces enumerated above would be very considerable as the following figures show:

<table>
<thead>
<tr>
<th>North-Eastern Area</th>
<th>Muslim</th>
<th>Non-Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>16,217,242</td>
<td>12,201,577</td>
</tr>
<tr>
<td>North-West Frontier Province</td>
<td>2,788,797</td>
<td>249,270</td>
</tr>
<tr>
<td>Sind</td>
<td>3,208,325</td>
<td>1,326,683</td>
</tr>
<tr>
<td>British Baluchistan</td>
<td>438,930</td>
<td>62,701</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22,653,294</strong></td>
<td><strong>13,840,231</strong></td>
</tr>
<tr>
<td><strong>(62.07%)</strong></td>
<td><strong>(37.93%)</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>North-Eastern Area</th>
<th>Muslim</th>
<th>Non-Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengal</td>
<td>33,005,434</td>
<td>27,301,901</td>
</tr>
<tr>
<td>Assam</td>
<td>3,442,479</td>
<td>6,762,254</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36,447,913</strong></td>
<td><strong>34,063,345</strong></td>
</tr>
<tr>
<td><strong>(51.69%)</strong></td>
<td><strong>(48.31%)</strong></td>
<td></td>
</tr>
</tbody>
</table>

The Muslim minorities in the remainder of British India number some 20 million dispersed amongst a total population of 188 million.

These figures show that the setting up of a separate sovereign state of Pakistan on the lines claimed by the Muslim League would not solve the communal minority problem; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan can equally, in our view, be used in favour of the exclusion of the non-Muslims areas from Pakistan. This point would particularly affect the position of the Sikhs.

7. We, therefore, considered whether a smaller sovereign Pakistan confined to the Muslim-majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (a) the whole of the Ambala and Jullundur Divisions in the Punjab; (b) the whole of Assam except the district of Sylhet; and (c) a large

1. All population figures in this statement are from the most recent census taken in 1941.
part of Western Bengal, including Calcutta, in which city the percentage of the Muslim population is 23.6 per cent. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces. Bengal and the Punjab each has its own common language and a long history and tradition. Moreover, any division of the Punjab would of necessity divide the Sikhs, leaving substantial bodies of Sikhs on both sides of the boundary. We have, therefore, been forced to the conclusion that neither a larger nor a smaller sovereign state of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative, economic and military considerations. The whole of the transportation and postal and telegraph systems of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian Armed Forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally, there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British India should be handed over to two entirely separate sovereign States.

12. This decision does not, however, bind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which provinces would have full autonomy subject only to a minimum of Central subjects, such as Foreign Affairs, Defence and Communications.

Under this scheme provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some ministers, who dealt with compulsory subjects, were responsible to the whole of India while other ministers, who dealt with optional subjects, would be responsible only to those provinces who had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central
Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their provinces were not concerned were under discussion. Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose. This would indeed be no more than the exercise of their autonomous powers in a particular way.

14. Before putting forward our recommendations we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new government. This fact has been fully recognized by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their cooperation will take must be a matter for negotiation during the building up of the new constitutional structure and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow.

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties and would at the same time be most likely to bring about a stable and practicable form of constitution for all India.

We recommend that the constitution should take the following basic form:

(1) There should be a Union of India, embracing both British India and the States which should deal with the following subjects: Foreign Affairs, Defence, and Communications; and should have the powers necessary to raise the finances required for the above subjects.

(2) The Union should have an Executive and a Legislature constituted from British Indian and States' representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as majority of all the members present and voting.

(3) All subjects other than the Union subjects and all residuary powers shall vest in the provinces.

(4) The States will retain all subjects and powers other than those ceded to the Union.

(5) Provinces should be free to form groups with Executives and Legislatures, and each group could determine the provincial subjects to be taken in common.
(6) The constitutions of the Union and the groups should contain a provision whereby any province could be a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten-yearly intervals thereafter.

16. It is not our object to lay out the details of a constitution on the above programme but to set in motion machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary, however, for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery, which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18. In forming an assembly to decide a new constitutional structure the first problem is to obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise, but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new constitution. The only practicable course is to utilize the recently elected Provincial Legislative Assemblies as electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of Provincial Legislative Assemblies do not bear the same proportion to the total population in each province. Thus, Assam, with a population of 10 million, has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly, owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the province. Thus the number of seats reserved for Moslems in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent of the provincial population. After a most careful consideration of the various methods by which these points might be corrected, we have come to the conclusion that the fairest and most practicable plan would be:

(a) to allot to each province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage;

(b) to divide this provincial allocation of seats between the main communities in each province in proportion to their population;

(c) to provide that the representatives allocated to each community in a province shall be elected by members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognize only three main communities in India, General, Moslem and Sikh, the 'General' community including all persons who are not Moslems or Sikhs. As smaller minorities would upon a population basis have little or no
representation, since they would lose the weightage which assures them seats in Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to minorities.

19. (i) We therefore propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislative Assembly (General, Moslem or Sikh) electing its own representatives by the method of proportional representation with single transferable vote:

<table>
<thead>
<tr>
<th>Section A</th>
<th>Provinces</th>
<th>General</th>
<th>Muslim</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madras</td>
<td>45</td>
<td>4</td>
<td>49</td>
<td></td>
</tr>
<tr>
<td>Bombay</td>
<td>19</td>
<td>2</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>United Provinces</td>
<td>47</td>
<td>8</td>
<td>55</td>
<td></td>
</tr>
<tr>
<td>Bihar</td>
<td>31</td>
<td>5</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>Central Provinces</td>
<td>16</td>
<td>1</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Orissa</td>
<td>9</td>
<td>0</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>167</strong></td>
<td><strong>20</strong></td>
<td><strong>187</strong></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Section B</th>
<th>Provinces</th>
<th>General</th>
<th>Muslim</th>
<th>Sikhs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>8</td>
<td>16</td>
<td>4</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>North-West Frontier Province</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Sind</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9</strong></td>
<td><strong>22</strong></td>
<td><strong>4</strong></td>
<td><strong>35</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section C</th>
<th>Provinces</th>
<th>General</th>
<th>Muslim</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengal</td>
<td>27</td>
<td>33</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td>7</td>
<td>3</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>34</strong></td>
<td><strong>36</strong></td>
<td><strong>70</strong></td>
<td></td>
</tr>
</tbody>
</table>

Total for British India 292
Maximum for Indian States 93
Total 385

Note:—In order to represent the Chief Commissioners' Provinces there will be added to Section A the member representing Delhi in the Central Legislative Assembly, the member representing Ajmer-Merwara in the Central Legislative Assembly and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan.

(ii) It is the intention that the States would be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculation of population adopted for British India, exceed 93; but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a negotiating committee.
(iii) Representatives thus chosen shall meet at New Delhi as soon as possible.

(iv) A preliminary meeting will be held at which the general order of business will be decided, a chairman and other officers elected and an Advisory Committee (see paragraph 20 below) on rights of citizens, minorities and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into three Sections shown under A, B and C in the Table of Representation in sub-paragraph(i) of this paragraph.

(v) These Sections shall proceed to settle provincial Constitutions for the provinces included in each Section and shall also decide whether any group constitution shall be set up for those provinces and if so with what provincial subjects the group should deal. Provinces should have power to opt out of groups in accordance with the provisions of sub-clause (vii) below.

(vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union constitution.

(vii) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities. The Chairman of the Assembly shall decide which, if any, resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(viii) As soon as the new constitutional arrangements have come into operation it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the Legislature of the province after the first general election under the new Constitution.

20. The Advisory Committee on the rights of citizens, minorities and tribal and excluded areas will contain due representation of the interests affected and their function will be to report to the Union Constituent Assembly upon the list of fundamental rights, clauses for protecting minorities, and a scheme for the administration of tribal and excluded areas, and to advise whether these rights should be incorporated in the provincial, the group or the Union constitution.

21. His Excellency the Viceroy will forthwith request the provincial legislatures to proceed with the election of their representatives and the States to set up a negotiating committee.

It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.
23. While the constitution-making proceeds the administration of India has to be carried on. We attach the great importance therefore to the setting up at once of an Interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy tasks of day-to-day administration, there is the grave danger of famine to be countered, there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future and there are important international conferences in which India has to be represented. For all these purposes a government having popular support is necessary. The Viceroy has already started discussions to this end and hopes soon to form an Interim Government in which all the portfolios, including that of the War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognizing the full significance of the changes, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

24. To the leaders and people of India, who now have the opportunity of complete independence, we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new Constitution under which they will live. Despite the labours which we have shared with the Indian parties and the exercise of much patience and goodwill by all, this has not been possible. We, therefore, now lay before you proposals which, after listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognize with us that, at this supreme moment in Indian history, statesmanship demands mutual accommodation and we ask you to consider the alternative to the acceptance of these proposals. After all the efforts which we and the Indian parties have made together for agreement, we must state that, in our view, there is small hope of a peaceful settlement by the agreement of the Indian parties alone. The alternative would, therefore, be a grave danger of violence, chaos and even civil war. The gravity and duration of such a disturbance cannot be foreseen, but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen and the world as a whole. We, therefore, lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend their vision beyond their own common interest to the interests of the whole 400 millions of Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope, in any event, that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be, we look forward with you to your ever-increasing prosperity among the greatest nations of the world and to a future more glorious than your past.
INTRODUCTION

1. On 20th February, 1947, His Majesty's Government announced that their intention of transferring power in British India to Indian hands by June, 1948. His Majesty's Government had hoped that it would be possible for the major parties to co-operate in the working-out of the Cabinet Mission's Plan of 16 May, 1946, and evolve for India a constitution acceptable to all concerned. This hope has not been fulfilled.

2. The majority of the representatives of the Provinces of Madras, Bombay, the United Provinces, Bihar, Central Provinces and Berar, Assam, Orissa and the North-West Frontier Province, and the representatives of Delhi, Ajmer-Merwara and Coorg have already made progress in the task of evolving a new Constitution. On the other hand, the Muslim League Party, including in it a majority of the representatives of Bengal, the Punjab and Sind, as also the representatives of British Baluchistan, has decided not to participate in the Constituent Assembly.

3. It has always been the desire of His Majesty's Government that power should be transferred in accordance with the wishes of the Indian people themselves. This task would have been greatly facilitated if there had been agreement among the Indian political parties. In the absence of such an agreement, the task of devising a method by which the wishes of the Indian people can be ascertained has devolved on His Majesty's Government. After full consultation with political leaders in India, His Majesty's Government have decided to adopt for this purpose the plan set out below. His Majesty's Government wish to make it clear that they have no intention of attempting to frame any ultimate constitution for India; this is a matter for the Indians themselves. Nor is there anything in this plan to preclude negotiations between communities for a united India.

1. It is not the intention of His Majesty's Government to interrupt the work of the existing Constituent Assembly. Now that provision is made for certain Provinces specified below, His Majesty's Government trust that, as a consequence of this announcement, the Muslim League representatives of those Provinces, a majority of whose representatives are already participating in it, will now take their due share in its labours. At the same time, it is clear that any Constitution framed by this Assembly cannot apply to those parts of the country which are unwilling to accept it. His Majesty's Government are satisfied that the procedure outlined below embodies the best practical method of ascertaining the wishes of the people of such areas on the issue whether their Constitution is to be framed -

(a) in the existing Constituent Assembly; or

(b) in a new and separate Constituent Assembly consisting of the representatives of those areas which decide not to participate in the existing Constituent Assembly.

Source: Manmath Nath Das, Partition and Independence of India, pp.311-16.
When this has been done, it will be possible to determine the authority or authorities to whom power should be transferred.

**BENGAL AND THE PUNJAB**

5. The Provincial Legislative Assemblies of Bengal and the Punjab (excluding the European members) will therefore each be asked to meet in two parts; one representing the Muslim majority districts and the other the rest of the Province. For the purpose of determining the population of districts, the 1941 census figures will be taken as authoritative. The Muslim majority districts in these two Provinces are set out in the Appendix to this Announcement.

6. The members of the two parts of each Legislative Assembly sitting separately will be empowered to vote whether or not the Province should be partitioned. If a simple majority of either part decides in favour of partition, division will take place and arrangements will be made accordingly.

7. Before the question as to the partition is decided, it is desirable that the representatives of each part should know in advance which Constituent Assembly the Province as a whole would join in the event of the two parts subsequently deciding to remain united. Therefore, if any member of either Legislative Assembly so demands, there shall be held a meeting of all members of the Legislative Assembly (other than Europeans) at which a decision will be taken on the issue as to which Constituent Assembly the Province as a whole would join if it were decided by the two parts to remain united.

8. In the event of partition being decided upon, each part of the Legislative Assembly will, on behalf of the areas they represent, decide which of the alternatives in paragraph 4 above to adopt.

9. For the immediate purpose of deciding on the issue of partition, the members of the Legislative Assemblies of Bengal and the Punjab will sit in two parts according to Muslim majority districts (as laid down in the Appendix) and non-Muslim majority districts. This is only a preliminary step of a purely temporary nature as it is evident that for the purposes of final partition of these Provinces a detailed investigation of boundary question will be needed; and, as soon as a decision involving partition has been taken for either Province, a Boundary Commission will be set up by the Governor-General, the membership and terms of reference of which will be settled in consultation with those concerned. It will be instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. It will also be instructed to take into account other factors. Similar instructions will be given to the Bengal Boundary Commission. Until the report of a Boundary Commission has been put into effect, the provisional boundaries indicated in the Appendix will be used.

**SIND**

10. The Legislative Assembly of Sind (excluding the European members) will at a special meeting also take its own decision on the alternatives in paragraph 4 above.
NORTH-WEST FRONTIER PROVINCE

11. The position of the North-West Frontier Province is exceptional. Two of the three representatives of this Province are already participating in the existing Constituent Assembly. But it is clear, in view of its geographical situation, and other considerations, that, if the whole or any part of the Punjab decides not to join the existing Constituent Assembly, it will be necessary to give the North-West Frontier Province an opportunity to reconsider its position. Accordingly, in such an event, a referendum will be made to the electors of the present Legislative Assembly in the North-West Frontier Province to choose which of the alternatives mentioned in paragraph 4 above they wish to adopt. The referendum will be held under the aegis of the Governor-General and in consultation with the Provincial Government.

BRITISH BALUCHISTAN

12. British Baluchistan has elected a member but he has not taken his seat in the existing Constituent Assembly. In view of its geographical situation, this Province will also be given an opportunity to reconsider its position and to choose which of the alternatives in paragraph 4 above to adopt. His Excellency the Governor-General is examining how this can most appropriately be done.

ASSAM

13. Though Assam is predominately a non-Muslim Province, the district of Sylhet which is contiguous to Bengal is predominately Muslim. There has been a demand that, in the event of the partition of Bengal, Sylhet should be amalgamated with the Muslim part of Bengal. Accordingly, if it is decided that Bengal should be partitioned, a referendum will be held in Sylhet district, under the aegis of the Governor-General and in consultation with the Assam Provincial Government, to decide whether the district of Sylhet should continue to form part of the Assam Province or should be amalgamated with the new Province of Eastern Bengal, if that Province agrees. If the referendum results in favour of amalgamation with Eastern Bengal, a Boundary Commission with terms of reference similar to those for the Punjab and Bengal will be set up to demarcate the Muslim majority areas of Sylhet district and contiguous Muslim majority areas of adjoining districts, which will then be transferred to Eastern Bengal. The rest of the Assam Province will in any case continue to participate in the proceedings of the existing Constituent Assembly.

REPRESENTATION IN CONSTITUENT ASSEMBLIES

14. If it is decided that Bengal and the Punjab should be partitioned, it will be necessary to hold fresh elections to choose their representatives on the scale of one for every million of population according to the principle contained in the Cabinet Mission's Plan of 16th May 1946. Similar elections will also have to be held for Sylhet in the event of its being decided that this district should form part of East Bengal. The number of representatives to which each area would be entitled is as follows:-

<table>
<thead>
<tr>
<th>Province</th>
<th>General</th>
<th>Muslims</th>
<th>Sikhs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sylhet District</td>
<td>1</td>
<td>2</td>
<td>Nil</td>
<td>3</td>
</tr>
<tr>
<td>West Bengal</td>
<td>15</td>
<td>4</td>
<td>Nil</td>
<td>19</td>
</tr>
<tr>
<td>East Bengal</td>
<td>12</td>
<td>29</td>
<td>Nil</td>
<td>41</td>
</tr>
<tr>
<td>West Punjab</td>
<td>3</td>
<td>12</td>
<td>2</td>
<td>17</td>
</tr>
<tr>
<td>East Punjab</td>
<td>6</td>
<td>4</td>
<td>2</td>
<td>12</td>
</tr>
</tbody>
</table>
15. In accordance with the mandates given to them, the representatives of the various areas will either join the existing Constituent Assembly or form the new Constituent Assembly.

ADMINISTRATIVE MATTERS

16. Negotiations will have to be initiated as soon as possible on administrative consequences of any partition that may have been decided upon:

(a) Between the representatives of the respective successor authorities about all subjects now dealt with by the Central Government, including Defence, Finance and Communications.

(b) Between different successor authorities and His Majesty's Government for treaties in regard to matters arising out of the transfer of power.

(c) In the case of Provinces that may be partitioned as to administration of all provincial subjects such as the division of assets and liabilities, the police and other services, the High Courts, provincial institutions, and c.

THE TRIBES OF THE NORTH-WEST FRONTIER

17. Agreements with tribes of the North-West Frontier of India will have to be negotiated by the appropriate successor authority.

THE STATES

18. His Majesty's Government wish to make it clear that the decisions announced above relate to British India and that their policy towards Indian States contained in the Cabinet Mission Memorandum of 12th May, 1946, remains unchanged.

NECESSITY FOR SPEED

19. In order that the successor authorities may have time to prepare themselves to take over power, it is important that all the above processes should be completed as quickly as possible. To avoid delay, the different Provinces or parts of Provinces will proceed independently as far as practicable within the conditions of this plan, the existing Constituent Assembly and the New Constituent Assembly (if formed) will proceed to frame Constitutions for their respective territories; they will of course be free to frame their own rules.

IMMEDIATE TRANSFER OF POWER

20. The major political parties have repeatedly emphasised their desire that there should be the earliest possible transfer of power in India. With this desire His Majesty's Government are in full sympathy, and they are willing to anticipate the date of June, 1948, for the handing over of power by the setting up of an independent Indian Government or Governments at an even earlier date. Accordingly, as the most expeditious, and indeed the only practicable, way of meeting this desire His Majesty's Government propose to introduce legislation during the current session for the transfer of power this year on a Dominion Status basis to one or two successor authorities according to the decisions taken as a result of this announcement. This will be without prejudice.
to the right of Indian Constituent Assemblies to decide in due course whether or not the part of India in respect of which they have authority will remain within the British Commonwealth.

**FURTHER ANNOUNCEMENTS BY GOVERNOR-GENERAL**

21. His Excellency the Governor-General will from time to time make such further announcements as may be necessary in regard to procedure or any other matters for carrying out the above arrangements.

**APPENDIX**

Muslim Majority Districts of Bengal and the Punjab according to the 1941 Census:

1. **BENGAL**

   **Chittagong Division**
   - Chittagong
   - Noakhali
   - Tippera

   **Dacca Division**
   - Bakarganj
   - Dacca
   - Faridpur
   - Mymensingh

   **Presidency Division**
   - Jessore
   - Murshidabad
   - Nadia

   **Rajshahi Division**
   - Dogra
   - Dinajpur
   - Malda
   - Fabna
   - Rajshahi
   - Rangpur

2. **THE PUNJAB**

   **Lahore Division**
   - Gujranwala
   - Gurdaspur
   - Lahore
   - Sheikhupura
   - Sialkot

   **Rawalpindi Division**
   - Attock
   - Gujarat
   - Jhelum
   - Mianwali
   - Rawalpindi
   - Shahpur

   **Multan Division**
   - Dera Ghazi Khan
   - Jhang
   - Lyallpur
   - Montgomery
   - Multan
   - Muzaffargarh
BENGAL

10. ... The demarcation of the boundary line is described in detail in the schedule which forms Annexure A to this award ... 

New Delhi
The 12th August, 1947

The Schedule - Annexure 'A'

1. A line shall be drawn along the boundary between the thana of Phansidewa in the district of Darjeeling and the thana Tetulia in the district of Jalpaiguri from the point where that boundary meets the Province of Bihar and then along the boundary between the thanas of Tetulia and Rajganj; the thanas of Pachagar and Rajganj; and the thanas of Pachagar and Jalpaiguri, and shall then continue along the northern corner of the thana Debiganj to the boundary of the State of Cooch Behar. The district of Darjeeling and so much of the district of Jalpaiguri as lies north of this line shall belong to West Bengal, but the thana of Patgram and any other portion of Jalpaiguri district which lies to the east or south shall belong to East Bengal.

2. A line shall then be drawn from the point where the boundary between the thanas of Haripur and Raiganj in the district of Dinajpur meets the border of the Province of Bihar to the point where the boundary between the districts of 24-Parganas and Khulna meets the Bay of Bengal. This line shall follow the course indicated in the following paragraphs. So much of the Province of Bengal as lies to the west of it shall belong to West Bengal. Subject to what has been provided in paragraph 1 above with regard to the districts of Darjeeling and Jalpaiguri, the remainder of the Province of Bengal shall belong to East Bengal.

3. The line shall run along the boundary between the following thanas:

Haripur and Raiganj; Haripur and Hemtabad; Ranisankail and Hemtabad; Pirganj and Hemtabad; Pirganj and Kaliganj; Bochaganj and Kaliganj; Biral and Kaliganj; Biral and Kushmuni; Biral and Gangarampur; Dinajpur and Gangarampur; Dinajpur and Kumarganj; Chirirbandar and Kumarganj; Phulbari and Kumarganj; Phulbari and Balurghat.

It shall terminate at the point where the boundary between Phulbari and Balurghat meets the north-south line of the Bengal-Assam Railway in the eastern corner of the thana of Balurghat. The line shall turn down the western edge of the railway lands belonging to that railway and follow that edge until it meets the boundary between the thanas of Balurghat and Panch bibi.

4. From that point the line shall run along the boundary between the following thanas:

Balurghat and Panchbibi; Balurghat and Joypurhat; Balurghat and Dhamairhat; Tapan and Dhamairhat; Tapan and Patnitala; Tapan and Porsha; Bamangola and Porsha; Habibpur and Porsha; Habibpur and Gomastapur; Habibpur and Bholahat; Malda and Bholahat; English Bazar and Bholahat; English Bazar and Shibganj; Kaliachak and Shibganj; to the point where the boundary between the two last mentioned thanas meets the boundary between the districts of Malda and Murshidabad on the river Ganges.

5. The line shall then turn south-east down the river Ganges along the boundary between the districts of Malda and Murshidabad; Rajshahi and Murshidabad; Rajshahi and Nadia; to the point in the north-western corner of the district of Nadia where the channel of the river Mathabanga takes off from the river Ganges. The district boundaries, and not the actual course of the river Ganges, shall constitute the boundary between East and West Bengal.

6. From the point on the river Ganges where the channel of the river Mathabanga takes off, the line shall run along that channel to the northern-most point where it meets the boundary between the thanas of Daulatpur and Karimpur. The middle line of the main channel shall constitute the actual boundary.

7. From this point the boundary between East and West Bengal shall run along the boundaries between the thanas of Daulatpur and Karimpur; Gangani and Karimpur; Meherpur and Karimpur; Meherpur and Tehatta; Meherpur and Chapra; Damurhuda and Chapra; Damurhuda and Kishanganj; Chudanga and Krishnanagar; Jibannagar and Krishnanagar; Jibannagar and Hanskhali; Maheshpur and Hanskhali; Maheshpur and Ranaghat; Maheshpur and Bongaon; Jhikargacha and Bongaon; Sarsa and Bongaon; Sarsa and Gaighata; Gaighata and Kalaroa; to the point where the boundary between these thanas meets the boundary between the districts of Khulna and 24-Parganas.

8. The line shall then run southwards along the boundary between the districts of Khulna and 24-Parganas, to the point where the boundary meets the Bay of Bengal.

SYLHET

10. Out of 35 thanas in Sylhet, eight have non-Muslim majorities; but of these eight, two - Sulla and Ajmiriganj (which is in any event divided almost evenly between Muslims and non-Muslims), are entirely surrounded by preponderantly Muslim areas, and must therefore go with them to East Bengal. The other six thanas comprising a population of over 530,000 people stretch in a contiguous line along part of the southern border of Sylhet district. They are divided between two subdivisions, of which one, South Sylhet, comprising a population of over 515,000 people, has in fact a non-Muslim majority of some 40,000; while the other, Karimganj, with a population over 568,000 people, has a Muslim majority that is a little larger.

11. With regard to the district of Cachar, one thana, Mailekandi, has a Muslim majority and is contiguous to the Muslim thanas of Badarpur.

and Karimganj in the district of Sylhet. This thana forms, with the
thana of Katlichara immediately to its south, the sub-division of
Hailakandi, and in the sub-division as a whole Muslims enjoy a very
small majority being 51 per cent of the total population. I think that
the dependence of Katlichara on Hailakandi for normal communications
makes it important that the area should be under one jurisdiction, and
that the Muslims would have at any rate a strong presumptive claim
for the transfer of the sub-division of Hailakandi, comprising a popula­
tion of 166,536 from the Province of Assam to the Province of East
Bengal.

12. But a study of the map shows, in my judgment, that a division on
these lines would present problems of administration that might gravely
affect the future welfare and happiness of the whole district, not only
would the six non-Muslim thanas of Sylhet be completely divorced from
the rest of Assam if the Muslim claim to Hailakandi were recognised,
but they form a strip running east and west whereas the natural division
of the land is north and south and they effect an awkward severance
of the railway line through Sylhet, so that, for instance, the junction
for the town of Sylhet itself, the capital of the district would lie
in Assam, not in East Bengal.

13. In those circumstances, I think that some exchange of territories
must be effected if a workable division is to result. Some of the non-
Muslim thanas must go to East Bengal and some Muslim territory and
Hailakandi must be retained by Assam. Accordingly I decide and award
as follows:

A line shall be drawn from the point where the boundary between
the thanas of Patharkandi and Kulaura meets the frontier of Tripura
State and shall run north along the boundary between those thanas, then
along the boundary between the thanas of Patharkandi and Barlekha, then
along the boundary between the thanas of Karimganj and Barlekha, and
then along the boundary between the thanas of Karimganj and Beani Bazar
to the point where that boundary meets the river Kusiyara. The line
shall then turn to the east taking the river Kusiyara as the boundary
and run to the point where that river meets the boundary between the
districts of Sylhet and Cachar. The centre line of the main stream or
channel shall constitute the boundary. So much of the district of Sylhet
as lies to the west and north of this line shall be detached from the
Province of Assam and transferred to the Province of East Bengal. No
other part of the Province of Assam shall be transferred.

New Delhi
The 13th August, 1947

PUNJAB

7. The demarcation of the boundary line is described in detail
in the schedule which forms Annexure A, to this award, and in the map
attached thereto, Annexure B2. The map is annexed for purposes of
illustration, and if there should be any divergence between the boundary
as described in Annexure A and as delineated on the map in Annexure B,
the description in Annexure is to prevail.

1. Reports of the Members and Awards of the Chairman of the Boundary
Commissions (Alipore: Superintendent, Government Printing, West
12. I am conscious too that the award cannot go far towards satisfying sentiments and aspirations deeply held on either side but directly in conflict as to their bearing on the placing of the boundary. If means are to be found to gratify to the full those sentiments and aspirations, I think that they must be found in political arrangements with which I am not concerned, and not in the decision of a boundary line drawn under the terms of reference of this Commission.

New Delhi
The 12th August, 1947

The Schedule - Annexure 'A'

1. The boundary between the East and West Punjab shall commence on the north at the point where the west branch of the Ujh river enters the Punjab Province from the State of Kashmir. The boundary shall follow the line of that river down the western boundary of the Pathankot Tehsil to the point where the Pathankot, Shakargarh and Gurdaspur tehsils meet. The tehsil boundary and not the actual course of the Ujh river shall constitute the boundary between the East and West Punjab.

2. From the point of meeting the three tehsils above mentioned, the boundary the East and West Punjab shall follow the line of the Ujh river to its junction with the river Ravi and thereafter the line of the river Ravi along the boundary between the tehsils of Gurdaspur and Shakargarh, the boundary between the tehsils of Batala and Shakargarh; the boundary between the tehsils of Batala and Narowal, the boundary between the tehsils of Ajnala and Narowal, and the boundary between the tehsils of Ajnala and Shadara, to the point on the river Ravi where the district of Amritsar is divided from the district of Lahore. The tehsil boundaries referred to, and not the actual course of the river Ujh or the river Ravi, shall constitute the boundary between the East and West Punjab.

3. From the point on the river Ravi where the district of Amritsar is divided from the district of Lahore, the boundary between the East and West Punjab shall turn southwards following the boundary between the tehsils of Ajnala and Lahore and then the tehsils of Tarn Taran and Lahore, to the point where the tehsils of Kasur, Lahore and Tarn Taran meet. The line will then turn south-westward along the boundary between the tehsils of Lahore and Kasur to the point where that boundary meets the north-east corner of village Theh Jharolian. It will then run along the eastern boundary of that village to its junction with village Chatianwala, turn along the northern boundary of that village, and then run down its eastern boundary to its junction with village Waigal. It will then run along the eastern boundary of village Waigal to its junction with village Kalia, and then along the southern boundary of village Waigal to its junction with village Panhuwan. The line will then run down the eastern boundary of village Panhuwan to its junction with village Gaddoke. The line will then run down the eastern border of village Gaddoke to its junction with village Nurwala. It will then run along the southern boundary of village Gaddoke to its junction with village Katluni Kalan. The line will then run down
the eastern boundary of village Katluni Kalan to its junction with villages Kals and Mastgarh. It will then run along the southern boundary of village Katluni Kalan to the north-west corner of village Kals. It will then run along the western boundary of village Kals to its junction with village Khem Karan. The line will then run along the western and southern boundaries of village Khem Karan to its junction with village Maewala. It will then run down the western and southern boundaries of village Maewala, proceeding eastward along the boundaries between village Mahaidenur on the north and villages Sheikhu pura, Kuhna, Kamapuran, Fatehwala and Mahewala. The line will then turn northward along the western boundary of village Sahjra to its junction with villages Mahaidepur and Machhike. It will then turn north-eastward along the boundaries between villages Machhike and Sahjra and then proceed along the boundary between villages Rattoke and Sahjra to the junction between villages Rattoke, Sahjra and Mabbuke. The line will then run north-east between the villages Rattoke, Mabbuke and Gajjwal. From that point the line will run along the boundary between villages Mabbuke and Gajjal, and then turn south along the eastern boundary of village Mabbuke to its junction with village Nagar Aimanpur. It will then turn along the north-eastern boundary of village Nagar Aimanpur, and run along its eastern boundary to its junction with village Masteke. From there it will run along the eastern boundary of village Masteke to where it meets the boundary between the tehsils of Kasur and Ferozepore.

4. The line will then run in a south-westernly direction down the Sutlej River on the boundary between the districts of Lahore and Ferozepore to the point where the districts of Ferozepore, Lahore and Montgomery meet. It will continue along the boundary between the districts of Ferozepore and Montgomery to the point where this boundary meets the border of Bahawalpur State. The district boundaries, and not the actual course of the Sutlej River, shall in each case constitute the boundary between the East and West Punjab.

5. It is my intention that this boundary line should ensure that the canal headworks at Sulemanke will fall within the territorial jurisdiction of the West Punjab. If the existing delimitation of boundaries of Montgomery District does not ensure this, I award to the West Punjab so much of the territory concerned as covers the Headworks, and the boundary shall be adjusted accordingly.

6. So much of the Punjab Province as lies to the west of the line demarcated in the preceding paragraphs shall be the territory of the West Punjab. So much of the territory of the Punjab Province as lies to the east of that line shall be the territory of the East Punjab.