CHAPTER SIX

THE SIMLA CONFERENCE AND THE CABINET MISSION PLAN

The war in Europe ended with the victory of the Allies on May 7, 1945, and the British policy in India took a new turn. On June 14, 1945, Wavell in a broadcast from Delhi offered the following plan of an interim government to end the communal deadlock:

(1) Executive Council of the Governor-General was to consist of equal number of caste Hindus and Muslims.

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

(3) The war portfolio was to be retained by the Government.

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

(5) The new Executive Council was to work within the frame work of the 1935 Act, and the Governor-General retained the power of veto against a majority decision of the councillors.
(6) The interference of the Secretary of State was to be decreased to the minimum.

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

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

On the same day, Amery also in a broadcast in London said that the Viceroy had been empowered to make proposals for formation of an interim government and that "No limit was set to India's freedom to determine her own destiny, whether within the Commonwealth or outside it, and secondly, this destiny could only be achieved by a constitution framed and agreed to by Indians."


As announced by Wavell on June 14, important Congress leaders like Pandit Jawaharlal Nehru, Maulana Azad, Sardar Vallabhbhai Patel, Dr. Rajendra Prasad and others were released three years after facing great hardship in jail. This paved the way for a conference at Simla.

Wavell invited twenty-one eminent leaders of different communities at the Viceregal lodge in Simla, on June 25, 1945, for discussion. Wavell invited Abul Kalam Azad (Congress President), Bhulabhai Desai (Congress), G.S. Motilal (Congress), M.A. Jinnah (League President), Hussain Imam (Muslim League), Liaquat Ali Khan (Muslim League), P.N. Banerjee (Leader of the Nationalist Party), Sir Henry Richardson (Leader of the European Group), Master Tara Singh (Sikh leader), N. Sivaraj (Leader of the scheduled castes) and Premiers and Ex-Premiers of the provinces, etc. etc. The whole basis of the Wavell proposal was an agreement on the principle of 'parity' between Muslims and caste Hindus and representation was given to the main communities and not to the parties. But the Unionists in Punjab were a party and had offered support

to the war effort. They hoped to secure, at least, one seat in the Executive Council, because Sir Bertrand James Glancy had encouraged their expectations. Therefore, Wavell counted the Unionists as Muslims.

On June 25, 1945, Wavell invited Azad and agreed that the Congress could nominate Muslims and scheduled castes, but said that "the principle of parity must be maintained." This was opposed by Jinnah who said that since other minorities will support the Congress, the League would be in minority in the council. The Viceroy did not agree to Jinnah's proposal that all the Muslim members should be nominated by the Muslim League. The Viceroy told Jinnah to keep in mind that he had to nominate a Unionist Muslim to which Jinnah reacted sharply. Jinnah interjected that the Congress represented only Hindus, to which Dr. Khan Sahib vehemently objected. However, Wavell concluded that the Congress represented its members and both Congress and the Jinnah accepted this.

On June 26, the conference discussed point by point the various issues relating to the proposed Executive


Council of the Governor General. The Viceroy explained "caste Hindus" meaning Hindus not belonging to the scheduled castes. Wavell said that the purpose of appointment the British High Commissioner was to safeguard the British interests in India. Regarding the Congress goal of independence, the Viceroy referred to Amery's statement of June 14, and assured that "there was nothing in the proposals to brand the Congress as a communal body."

Sir Henry Richardson supported Wavell's proposals, Khizr Hayat Khan said that the short-term plan would affect the future. The Maharaja of Parlakimedi said that "The interests of persons who supported the war effort should not be neglected." Master Tara Singh did not identify the Sikhs with the Congress. Sivaraj asked for safeguard of the interest of his community i.e. scheduled castes. Jinnah asserted that the League would not agree to any constitution on any basis other than that of Pakistan and recalled Government's proclamation that future constitution would be made by agreement and would not be imposed on the country. Jinnah said that since the League represented

8. V.P. Menon, op.cit., p. 196.
9. Ibid., p. 197.
90 per cent of the Muslims and the Congress represented 90 per cent of the Hindus, the Congress could not claim to represent all the minorities and thus, insisted that decisions should be taken on the basis of communal party.

On June 28, Jinnah-Patel discussion produced no agreement. Hence, the Viceroy proposed all the interests to send him by a specified date list of the persons containing more names than seats in the council whom they would like to be included in the council and he would finalise the same by adding or excluding some names from his own side. Azad pressed for inclusion of members of all communities, particularly the scheduled castes and Christians, in his Congress list. Sivaraj objected to it and "insisted that the number of its members should bear the same ratio to their population as the Muslim members bore to theirs." By this he meant that if the Muslims were recognised on the basis of Jinnah's two nation theory, the scheduled castes were also a separate elements in the national life of India. Sivaraj and Jinnah said that they would send the list after consulting their working committees. The Viceroy adjourned the conference till July 14, 1945.

10. R.C. Majumdar, op.cit., p. 718.
The Congress Working Committee met on July 3 and selected a panel of the following names and submitted it to Wavell.

On July 6, the Muslim League Working Committee met and, the next day, Jinnah made three proposals to the Viceroy: (a) the Muslim League should not be asked to submit a panel, but its representatives should be chosen on the basis of personal discussion between the Viceroy and himself; (b) all the Muslim members of the Council should be chosen from the League; and (c) some effective safeguard, other than the Viceroy's veto, should be provided to protect Muslim interests from majority decisions of the council. Since the Viceroy did not guarantee these terms, Jinnah refused to submit any list. On the other hand, the Viceroy found the Congress list disappointing as it included stooges for Congress from the minorities. Meanwhile, he received lists from other delegates and made his provisional selection. Wavell met Jinnah on July 11.

12. V.P. Menon, op.cit., p. 205.
and asked him to include in a 14 members council, four members of the Muslim League and one member of the Unionist party, to which Jinnah did not agree and demanded that all the five Muslim members should be nominated by the League and that it may be guaranteed that no decision objected to by the Muslims should be taken except by a clear two third majority, or some thing of the kind. However, Wavell did not agree to these two proposals.

His provisional list contained the following:

**Muslim League**
4 + 1 Liaquat Ali Khan, Khaliquzzaman, Nazimuddin and Essak Sait and Sir Mohammad Nawaz Khan (Unionist).

**Congress (Caste Hindu)**
5 Nehru, Patel, Rajendra Prasad Dr. M.S. Aney, and Sir B.N. Rau.

**Sikhs**
1 Master Tara Singh

**Scheduled Caste**
2 Dr. Ambedkar and M. Pilai

**Christian**
1 Dr. John Matthai

Viceroy and Commander-in-Chief.

On July 11, 1945, Wavell informed Gandhi that due to Jinnah's harsh terms, the conference had failed.

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Khizr Hayat Khan, Maulana Azad and Pant expressed indignation at the League's attitude. Jinnah said that the Congress and the League took entirely different measures according to their policies. Congress wanted a United India and the League wanted Pakistan. It may be concluded that the Simla Conference "was a fraud upon the Public as well as upon its members."

Meanwhile there was also a change of Government in England. As a result of elections held on July 20, 1945, the Labour party assumed power. Churchill's caretaker Government was replaced by Attlee's Government, and Amery was replaced by Lord Pethick Lawrence, as Secretary of State for India.

The new Government in England visualised the boiling situation in India, while the Muslim League was afraid of Attlee's rejection of its demand of Pakistan the Congress was happy as Churchill had given veto power to the Muslim League and was antagonistic to the Congress. After the failure of the Simla Conference, Cripps opined to held early elections, to which the Muslim League, the Congress

15. Ibid., p. 245.
and other parties agreed. In August 1945, Wavell held a meeting of the provincial Governors, who unanimously favoured the elections.

On August 24, Wavell accompanied by Sir Evan Jenkins and Menon, left India and reached London on August 25, 1945. On September 11, Attlee declared that the "broad definition of British policy contained in the Declaration of 1942 ..... stands in all its fullness and purpose."

Wavell returned to India on September 16, and made an announcement on September 19, 1945, on behalf of His Majesty's Government, that the Government in consultation with the leaders of the Indian opinion, would work for the early realization of full self-government in India and also convene as soon as possible a constitution making body after the elections to Central and Provincial Assemblies in winter, 1945.

Wavell announced that the term of existing Assembly would expire on October 1, 1945 and the new members would take their seats at the budget session of 1946. As the

electoral rolls were not ready, the life of the chamber was extended up to May 1, 1946. Wavell announced that elections to the Central Legislature would be held first and then elections to the provincial legislatures would take place. The elections to be held on the basis of 1935 Act, with restricted franchise.

The elections were a trial of Muslim League to prove that it was the representative body of the Muslims who favoured the creation of Pakistan in spite of opposition of the Congress off-shoots – the Nationalists, Ahrar, Jamiat-ul-Ulama-e-Hind, Muslim Majlis, Momin Conference and Azad Board. It was very easy for the Congress to win the elections, as far as the general seats were concerned in view of its strong organisation, long experience, better financial resources and strong support of the Nationalist party, while the Muslim League had the experience of 1937 elections, had little financial backing, and had no English Press to support it, except the Dawan in Delhi, Star of India in Calcutta and Deccan Times in Madras. But the League had established its strong hold on the Muslim voters all over India. As a result many Muslims, who were earlier in the Congress joined the League and Jinnah welcomed

18. V.P. Menon, op.cit., p. 221.
them like lost sheep. For instance, Abdul Qaiyum Khan of NWFP, the Deputy leader of the Congress party, in the Central Assembly changed his allegiance to the Muslim League and 30 Unionist Muslims joined the League since 1944. In 1945, Major Mumtaz Tiwana, the biggest Tiwana land-owner, joined the League. He was followed by Firoz Khan Noon.

Further the nationalist Muslims found themselves in a difficult position as they knew that Muslims would not vote for them until and unless they were assured of some protection from the Congress.

However, the Muslim League declared to fight the elections on the issue of Pakistan and its title to represent all the Muslims. But the Congress came out to disprove it. The Parliamentary Board of the Muslim League guided by Liaquat Ali Khan and Choudhry Khaliquzzaman selected the League candidates. There was a heavy rush

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22. Quarterly Survey of the Political and Constitutional Position of the British in India, Nos. 34 and 35 W/IR/1/1459.
of Muslim Leaguers and politicians for the League ticket and for every constituency there were three or four candidates which indicated the success of the League. Since G.M. Syed's group in Sind was not given League ticket, they put up their own candidates.

On August 6, in his first election speech at Bombay Jinnah said "there are only two major parties in this country. Invitations issued to Mr. Gandhi and myself were on the basis that Mr. Gandhi was the recognised leader of one of the parties and myself the leader of the other. The British called them parties, but in fact they were two major nations." At another speech, Jinnah said that every vote in favour of the Muslim League candidate meant 'Pakistan' and every vote against the Muslim League meant 'Hindu Raj.' Jinnah advocated the two nation theory on the basis of differences in religion, civilizational culture, language, architecture, music, jurisprudence, law, food, society and dress. On November 1, he said that he

23. The Statesman, January 3, 5, 9, 1946 and February 1, 1948. The majority of Syed's candidates were defeated and it was a personal triumph for Jinnah.

24. Jamil-ud-Din Ahmad, Speeches and Writings of Mr. Jinnah op. cit., p. 387.

25. See for details Ibid., p. 235.
would 'sweep' at the polls and did not care about the critics of his Pakistan plan. He charged the nationalist Muslims that they were not true Muslims because they did not join the League. The election results were announced on December 31, 1945. January 1, 1946 showed the elected members as follows:

<table>
<thead>
<tr>
<th>Party</th>
<th>Election Results</th>
<th>Previous members of dissolved Assembly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress</td>
<td>56(57)</td>
<td>36</td>
</tr>
<tr>
<td>Muslim League</td>
<td>30</td>
<td>25</td>
</tr>
<tr>
<td>European Group</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Independents</td>
<td>5</td>
<td>21</td>
</tr>
<tr>
<td>Akali Sikhs (Represented for the first time)</td>
<td>2</td>
<td>10 (Nationalists)</td>
</tr>
</tbody>
</table>

Nominated on January 4, 1946

Official

Non-Official

Total

The results revealed that the Congress won an overwhelming success in the General Constituencies and

Muslim League won every Muslim seat, while the Nationalist Muslim forfeiting their deposits in many instances. The Congress secured 91.3% of the votes cast in non-Mohammadan constituencies and the Muslim League 96.6% of the total votes cast in Mohammadan constituencies. On January 11, 1946, Jinnah celebrated the League's Victory and "congratulated the League on winning all the Muslim seats in the Central Assembly." The result proved that the Muslim League had full control over the Muslim masses and that there were two major parties the Congress and the League.

Meanwhile election to the Provincial Legislatures were also to take place. Elections commenced on January 9, and lasted up to the middle of April 1946. The Muslim League formed Parliamentary Boards in every province with President of the League as the President of the Board. The All-India Board scrutinised the recommendations of the Provincial Boards, under the supervisions of Liaquat Ali Khan. However, fissiparous tendencies had developed

29. Ibid.
and there was a keen competition amongst the League leaders for the League tickets, although the League's position in the provinces was not so good.

In Punjab Khizr Hayat Ministry was in power and encouraged by Congress it was trying its best to secure as many Muslims seats as possible. In Sind, G.M. Syed had broken away from the League and was running a rival organisation. In NWFP, Dr. Khan Sahib was using his position for the defeat of the League. In Bengal, due to group struggle, which could cause harm to the League, Khwaja Nazimuddin retired himself, giving the leadership to Shahid Suhrawardy.

The results of the elections were as follows:

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Seats own by Congress</th>
<th>Seats own by League</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assam</td>
<td>58 out of 108</td>
<td>35 (All Muslim Seats)</td>
</tr>
<tr>
<td>Sind</td>
<td>21</td>
<td>27 (35 All Muslims)</td>
</tr>
<tr>
<td>NWFP</td>
<td>30 (19 Nationalists Muslims)</td>
<td>17 out of 38</td>
</tr>
<tr>
<td>Punjab</td>
<td>51 (22 Akali Sikhs)</td>
<td>79 out of 86</td>
</tr>
<tr>
<td>Bengal</td>
<td>20 (Unionist)</td>
<td>116 out of 119</td>
</tr>
<tr>
<td>Bombay )</td>
<td>87 out of 250</td>
<td></td>
</tr>
<tr>
<td>Madras )</td>
<td>Absolute Majority</td>
<td>All Muslim Seats</td>
</tr>
<tr>
<td>Orissa )</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bihar )</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.P.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Congress won 930 seats and the Muslim League 428 seats. The result also showed an emergence of the Panthic Akalis in Punjab and disappearance of the Hindu Mahasabha and Justice party in Madras and decline of Unionist Party. In brief, the Congress secured 80 per cent of the general votes and the League 74 per cent of the Muslim votes cast.

Thus the Congress and the Muslim League formed their ministries in the following manners.

<table>
<thead>
<tr>
<th>Province</th>
<th>Ministry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assam</td>
<td>Congress Ministry</td>
</tr>
<tr>
<td>Sind</td>
<td>League Ministry</td>
</tr>
<tr>
<td>NWFP</td>
<td>Congress Ministry</td>
</tr>
<tr>
<td>Punjab</td>
<td>Coalition Ministry (Congress, Akalis and Unionists)</td>
</tr>
<tr>
<td>Bengal</td>
<td>League Ministry</td>
</tr>
<tr>
<td>Bombay</td>
<td></td>
</tr>
<tr>
<td>Madras</td>
<td></td>
</tr>
<tr>
<td>U.P.</td>
<td></td>
</tr>
<tr>
<td>Bihar</td>
<td></td>
</tr>
<tr>
<td>Orissa</td>
<td></td>
</tr>
<tr>
<td>C.P.</td>
<td></td>
</tr>
</tbody>
</table>

On April 7, 1946 Jinnah convened a convention of Muslim League Legislators at the Anglo-Arabic College Delhi, which lasted for three days, and which was unparalleled in the political history of Muslim India. The
convention, attended by 500 members of the Central and eleven provincial Legislatures, supported the League demand for Pakistan. Its importance may be assessed by the fact that there were 200 journalists representing the world press and among the eminent visitors were some Akali Leaders, including Giani Kartar Singh. Jinnah addressing the gathering said:

"It is heavy and sacred responsibility that we bear as elected and chosen representatives of our people. The convention is going to lay down once for all in unequivocal terms as to what we stand for and I have no doubt that we are of one and one opinion that we stand for Pakistan, and we shall not falter or hesitate to fight for it, to die for it if necessary, and achieve it we must or else we perish."

Referring to the elections, Jinnah said that the League fought "against heavy odds, powerful organisations and all the manoeuvres, and machinations of our enemies. We have routed our opponents. He added:

30. The Dawn, April 8, 1946.
"We can not accept any proposal which would be in any way derogatory to the full Sovereignty of Pakistan. Our formula gives to the Hindus three fourths of this sub-continent....Hindustan will be a state bigger than any other state in the world, both in area and population except China, and we shall have only one fourth."

The Convention adopted the following resolution amidst thunderous cheers and shouts of Allah-o-Akbar.

"This Convention of the Muslim League Legislators of India, Central and Provincial, after careful consideration, hereby declares that the Muslim Nation will never submit to any constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the people of India, which does not conform to the following just and equitable principles, calculated to maintain internal peace and tranquility in the country, will not contribute to the solution of the Indian problem.

(1) That the zones comprising Bengal and Assam in the north-east and the Punjab, North-West Frontier Province,

31. The *Dawn*, April 8, 1946.
Sind and Baluchistan in the North West in India, namely Pakistan zones, where the Muslims are in a dominant majority, be constituted into a sovereign independent state and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

(2) That two separate constitution-making bodies be set up by the people of Pakistan and Hindustan for the purpose of framing their respective constitutions.

(3) That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on March 23, 1940 at Lahore.

(4) That the acceptance of the Muslim League demand for Pakistan and its implementation without delay are the sine qua non for Muslim League cooperation and participation in the formation of an interim government at the Centre.

The British Government sent a Parliamentary Delegation consisting of ten members, headed by Prof. Robert Richards, "to make personal contacts" with the Congress.

32. See Latif Ahmad Sherwani, op.cit., p. 98.
and the League leaders to assess the depth of Congress-League confrontation on communal problem, constitutional development and independence. On January 28, 1946, the Viceroy, addressing the newly elected Central legislature said that the Government was determined to establish a constitution-making body and a new Executive Council as soon as possible. While Patel welcomed the speech, Jinnah opposed it and reiterated that "the Muslim League was not prepared to consider any thing short of immediate recognition of the Pakistan demand." The delegation toured India and returned to Delhi in the middle of February and reported that Pakistan would have to be conceded and the sooner the better.

In the General Election of 1945 in Britain the Labour Party came to power. With the success of the Labour Party there was a dramatic change in Indo-British relationship. At the conference of the Labour Party prior to elections, Mr. Bevin declared:

"If we are returned, we will close the India Office 33 and transfer this business to the dominions."

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With conditional surrender of Japan in August after the bombing of Nagasaki and Hiroshima it was not difficult for the British to postpone the issue of Indian Independence for an indefinite period. But the Labour Government could not commit themselves to a definite course of action without a stock-taking of the Indian situation. The new Government had also to correct the mischief done by British in encouraging the disruptive elements in India's national life. In these respects the policy of the Labour Government recorded an appreciable change. It invited Lord Wavell for consultations and on his return from Britain on 19th September, he declared that the elections of the Central and Provincial legislatures which were held up because of war, would soon take place and on the basis of the results of the election, the British Government would convene a 'Constituent Assembly.' In the declaration it was also pointed out that the Government proposed to converse with the representatives of the Legislative Assemblies to ascertain if the proposals contained in the Cripps Draft were acceptable or some alternative scheme was to be made (though it was well-known that the Cripps proposals were unacceptable by the Congress). Discussion were also to be taken with the Indians for their representation in the Constituent Assembly.

While the elections were in progress the British Government decided to send a Parliamentary Delegation drawn from different parties on a good-will mission to India. The new year message from Lord Pethick Lawrence, Secretary of State, was also very encouraging. He made it plain that the British Government had decided to grant India freedom and 1946 would be a fateful year. "If we all bend our minds and wills to this high endeavour", he said, "we can do something in 1946 for the greatness of India, for the future of peace and prosperity of Asia and the world."

The Parliamentary Delegation reached India on January 5, 1946. It toured throughout the country, contacted the Indian leaders and registered their impressions of the Indian situation. Jinnah made it plain that without a declaration on the part of British accepting the principle of Pakistan and of Muslim parity with all other parties he would not take part in an Interim Government. He would resist all attempt of a single constitution-making body to impose a constitution on the Muslims. He wanted

35. V.P. Menon, op.cit., p. 227.

two constitution-making bodies and did not contemplate pre-dominantly Non-Muslim areas like the Ambala division in the Punjab to stay in Pakistan. The demarcation of the frontier between Pakistan and Hindustan could be settled by negotiation.

The election results to the Legislative Assembly at the centre were available by the end of 1945. Congress turned victorious at polls in general constituencies and there was a complete rout of nationalist Muslims for Muslim seats, because of the Muslim League's opposition. The figures for 102 elected seats were as follows:

<table>
<thead>
<tr>
<th>Congress</th>
<th>Muslim League</th>
<th>Independent</th>
<th>Akali</th>
<th>European</th>
<th>Sikh</th>
</tr>
</thead>
<tbody>
<tr>
<td>57</td>
<td>30</td>
<td>5</td>
<td>2</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

In the elections to the Provincial Assemblies the Congress had a notable success in the North-West Frontier Province where Muslims formed 95% of the population. In other provinces the general seats mostly fell to the Congress and Muslim seats to the Muslim League. The Congress formed ministry in eight out of eleven provinces and

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37. Ibid., p. 256.
in the Punjab it entered into a coalition with the Unionist Party. In Sind and Bengal the Muslim League formed ministries.

On February 19, 1946, Lord Pethick-Lawrence, Secretary of State for India, announced in the House of Lords that the Government had decided to send a Cabinet Mission to assist the Viceroy in these deliberations. The Cabinet Mission was to consist of Lord Pethick Lawrence, the Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade, and Mr. A.V. Alexander, First Lord of the Admiralty.

The situation on the eve of the Cabinet Mission was grim. The national movement in India was at its height and it had taken its inspiration from the national movements of Ceylon, Burma, Indonesia, Indo-China, and Malaya, which were also agitating for their independence. The risings of the Royal India Navy in Bombay, Karachi and Madras had alarmed the Britishers. The strike of the Indian Air Force at Ambala was initiated at other centres of Air Force and British felt it. The trial and acquittal of the

leading officers of the Indian National Army (INA) emboldened the people of India. Above all it was realised everywhere that the British position notwithstanding their victory had weakened and it would not be able to withstand the Indian revolutionaries.

The Cabinet delegation landed in Karachi on March 23, 1946 to explore whether Indians would like to associate with the Commonwealth or would be completely independent and to find out the means for transfer of power to the Indian hands. On March 24, 1946, the Secretary of State said that the delegation intended to help the Indians to decide their own constitution themselves "with the minimum of disturbance and the maximum of speed." The delegation made it clear that the Muslim League would not be allowed to place a veto on the advance of the majority," which encouraged the Congress. From April 1-7, 1946, the Mission interviewed 742 leaders in 182 sittings, covering every shade of opinion in the country. The Cabinet Mission did

40. V.P. Menon, op. cit., p. 236.
not think justifiable to renew the Cripps proposals. It "put aside the right of provinces to opt out of an Indian Union if 60 per cent of the population voted in a plebiscite, as the balance of Hindu and Sikh votes would probably turn the verdict against Pakistan." Therefore, the Mission thought to form a constitution-making body and then to consider the principle of Pakistan. They were convinced that no settlement was possible on the basis of a Union Government, and that if Pakistan was conceded, the Hindu population could not be forced to stay in Pakistan, against their will. On the other hand, the racial sentiment was very strong and the loyalty of the armed forces was doubtful. Therefore, the British aimed to avert the Indian unrest through constitutional means. In view of it, Attlees had declared that the Indians will have "full control of their own destiny and the formation of a new interim government." The cabinet was afraid also that if the armed forces had to be called to suppress any rebellion of the Congress and the League in case of the failure of the Mission, it was possible that they would

43. Ibid., pp. 980-82.
obey, in view of the mutinees of the Royal Indian Air
Force and Royal Indian Navy in January and February, 1946.
Therefore, the Mission concluded that their "negotiations
must succeed" and they must refuse to permit a breakdown."

Further, they wanted to transfer power to a United India
to keep the army undivided so that, in case of war, they
may use India for operational and administrative purposes.
They knew that the Congress would not like to stay in the
Commonwealth at all and Pakistan would be economically and
militarily unviable. They preferred a settlement between
the Congress and the League, and if there was no agree-
ment the British would produce a settlement. Jinnah had
declared that he would boycott the interim government. They
thought, if they would allow the Congress alone to form
the government, it would mean suppression of the Muslim
League, which they wanted to avoid because the Muslims
had supported them in their war efforts and wished to
join the Commonwealth. However, the cabinet decided to
"secure their long term aim of maintaining India within

45. Note of meeting between Cabinet delegation and

46. Note by Abell discussed by Mission and Navell on
May 16,1946, N.Mansergh, Transfer of Power, Vol.VII,

47. Note by Craft and Turnbull, Ibid., p. 337.
the imperial security system; and therefore made every effort to achieve it."

Further the British were anxious due to civil war situation in India. In Punjab, the Sikhs feared Muslim domination in the form of Pakistan. In NWFP Muslim League volunteers, had been carrying spears in their processions. Liaquat Ali Khan inspired the Muslims in his speeches declaring "Pakistan or death." Sikandar Hayat Khan had called the Muslim ex-military personnels to command the force of Muslim League National Guards. In U.P., there were deteriorating communal relations. In Sind, the RSS was playing a sinister role in every violent communal incident, and had given a slogan "Hindustan only for Hindus."

50. Fortnightly Report for NWFP for second half of March 1946, Home Department, Political File No. 18/3/46.
51. The Civil and Military Gazette, March 26, 1946.
52. The Eastern Times, May 11, 26, 29, 1946.
53. Fortnightly Report for Sind for first half of May 1946, Home Department, Political, File No. 10/5/46.
In these circumstances, the Mission invited Azad to meet them on April 1, 1946. Azad pleaded for indepen-
dence and after it, for the formation of a constitution-
making body to draw the constitution of United India. He
said that the constitution-making body should consist of
fifteen members. (11 provincial representatives and 4
places for ministers). He suggested a federal consti-
tution (Central Control over Defence, Communications and
Foreign Affairs; and provincial control over other sub-
jects). He suggested that after the constitution was made,
the provinces would either (1) stand out of the consti-
tution; or (2) enter the constitution by federating for
the compulsory subjects only, or (3) to federate for the
compulsory as well as for the optional subjects. He urged
that the provincial legislatures should be taken as fed-
eral colleges to choose the constitution-making body. He
rejected the partition proposal of Jinnah.

After Azad, Gandhi was interviewed, Gandhi urged
that Rajagopalachari’s formula should be implemented. He
denounced Jinnah’s two nation theory and urged for one
constitution-making body. He suggested that Jinnah may be

55. V.P. Menon, op. cit., p. 238.
asked to form the Government for the interim period and if he refused, the offer should go to the Congress. The Interim Government must be absolutely national. The Secretary of State said that in this case, Jinnah's Government would be predominantly Hindu as there would always be majority of the Congress. Gandhi said it was "inescapable."

Jinnah was interviewed on April 4, 1946. Narrating the history of India from the days of Chandragupta to the British Raj he proved that India was never one. He demanded Pakistan on the basis of his two nation theory.

Dr. Ambedkar and Jagjivan Ram opposed the Constituent Assembly and demanded separate electoral college for their communities. Giani Kartar Singh demanded a separate sovereign state-Khalistan. Baldev Singh demanded a United India. Sapru and Jayakar, the Liberal leaders, suggested immediate formation of an interim Government.

56. R.C. Majumdar, op. cit., p. 729.
57. See for details V.P. Menon, op. cit., pp. 240-41.
58. Ibid., p. 241.
opposed Pakistan and suggested equality of Muslim and caste Hindus in the Central Government. The leaders of the princely states expressed their willingness to join an All India Federation.

On April 26, 1946, Jinnah reiterated his demand for Pakistan and the Mission concluded that constitutional settlement was possible in one of these two ways: (1) Acceptance of a separate state of Pakistan including Muslim majority districts of Bengal, Panjab and Assam, and (2) the establishment of a union at Centre for essential subjects. Defence, Foreign Affairs and Communications forming a federation including the proposed territories of Pakistan with equal representation of Congress and League with provision to secede after 15 years.

Cripps proposed that there should be no Union Parliament, but instead an Union Executive should be formed by the federation choosing the members with equal rights to the Congress and the League, but Jinnah said that it was not possible within the same Governmental system, and opposed the Indian Union, because in this case

59. Ibid.
60. Ibid., p. 49.
61. V.P. Menon, op. cit., p. 250.
the Muslims always had to remain under the domination of the Hindus. The Secretary of State said that if the six provinces and Calcutta, demanded by League, are accepted as Pakistan, the Hindu population would internally, and India externally would oppose it and thus, it would be a very hostile and dangerous situation. Jinnah said that it was an exaggeration as “all the non-Muslim could not be counted as Hindus.

There were three contestants in the field of claiming Power from Britain (1) Congress (2) Muslim League and (3) the States.

On April 17, Azad had proposed two lists of Central subjects compulsory and optional. The Secretary of State explained that it would involve sub-divisions of the Centre into two parts: (a) “the provinces that had opted for the full range of subjects, and (b) the provinces that were federated for the compulsory subjects only,” which would “work out in practice as separate centres for Pakistan and Hindustan” though the Congress refused to

62. Ibid., p. 251.
63. Ibid., p. 252.
accept the three tier basis agreed to by Jinnah. Azad on April 26, agreed to it, and hence on April 27 the Secretary of State sent letters to Jinnah and Azad to send four names of negotiators for discussing and adopting either of the following:

Section A

There should be a loose federation in the form of a "Union of all India" consisting of three principal parts, the Hindu majority provinces, the Muslim majority provinces, and the states, with Defence, Foreign Affairs and Communications nominally in the hands of the Union Government, but with a wider range of optional powers that might, by agreement, either be exercised by provinces cooperating as groups, and thereby constituting a third tier in the pattern of Government, or be transferred to the Centre.

Section B

There should be two India Hindustan and Pakistan. The Pakistan element consisting only of the majority Muslim Districts that is roughly Baluchistan, Sind, North-West Frontier Provinces and Western Punjab in the North West and Eastern Bengal without Calcutta, but with the
Sylhet District of Assam in the North East. The two divided parts would have a treaty of alliance offensive and defensive but nothing in the way of an actual executive centre and, therefore, no common defence of the sub-continent.

The Congress sent Azad, Nehru, Patel and Abdul Ghaffar Khan and the Muslim League sent Jinnah, Mohammad Ismail Khan, Liaquat Ali Khan and Abdul Rab Nishtar. They met at Simla between May 5 and 12, 1946. The main point of difference between the two groups was that the Congress wanted a United India and a unitary national government and the League opposed it and wanted creation of Pakistan on the basis of two nation theory.

On May 6, Jinnah said "if the Congress would accept the Groups the Muslim League would accept the Union. Gandhiji had rejected the Viceroy's formula saying that it was worst than Pakistan.

As the matter could not be settled, Nehru on May 9, proposed an umpire to settle the differences including

64. Sandhya Chaudhri, op.cit., pp. 159-60.
66. Ibid., p. 466.
Americans. But Jinnah refused the proposal of an umpire. Since no settlement could be reached the Viceroy asked them to submit their statements. The League and the Congress, therefore, submitted their memorandum on May 12, representing their stand taken earlier. The League in its ten points memorandum (May 12, 1946) said that the six Muslim Provinces (Punjab, NWFP, Baluchistan, Sind, Bengal and Assam) should be grouped together in one and would deal with all the subjects except Foreign Affairs, Defence and Communication. A separate constitution making body for six provinces would frame the constitution etc., etc. While the Congress stood for one Constitution-making body and after the Constituent Assembly has decide the constitution for the All-India Federal Union, the representatives of the Provinces may form groups to decide the constitution for their group. Thus both the parties had different approach. The Viceroy closed the conference on May 12 and returned to Delhi on May 14, and published his own scheme on May 16, 1946.

67. V.P. Menon, op. cit., p. 259.
The Plan may be divided into three parts: The first part envisaged examination of the proposals for creation of Pakistan; the second, setting up of an interim Government (short term); and the third, a long term plan i.e. application of the cabinet scheme.

With regard to the first part, the League claimed the formation of Pakistan including the six provinces - Assam, Bengal, Punjab, Sind, NWFP and Baluchistan to which the Cabinet did not agree. The Cabinet proposed that the Pakistan should consist of the Muslim majority areas which was not acceptable to the Muslim League. However, the Mission rejected the claim of Pakistan on certain grounds such as, the number of Muslims in India, and non-Muslims in Pakistan would remain considerable; predominated Hindu areas in Pakistan was inconsistent; the partition of Punjab was against the wishes of Sikhs; it would be very difficult for the Indian states to join either India or Pakistan and so on.

The second part, related to the short term plan, which meant establishment of an interim Government, compr-

70. Ibid.
71. V.P. Menon, op.cit., pp. 263-64.
rising of only Indian Ministers, having fullest cooperation of the British Government, which later became operative.

The third part regarding long term plan envisaged a union of India, residuary powers vested in the Provinces; states retaining all powers, except Defence, Foreign Affairs and Communication ceded to the union, freedom to provinces to form groups with executives and legislatures, terms of constitution to be reconsidered after 10 years, and mainly, Constituent Assembly to have three sections:

(i) Section A - Madras, Bombay, U.P., C.P., Bihar, Orissa
(ii) Section B - Punjab, NWFP and Sind, and
(iii) Section C - Bengal and Assam

The plan also envisaged that each of the above three sections would decide its provincial constitution; the groups would settle the union constitution, and the union Constituent Assembly would negotiate with the British for Transfer of Power.

The Mission announced that elections to the union Legislative Assembly would be held and, the party not

72. Ibid., pp. 470-75.
accepting the plan of May 16, would be excluded from the Interim Government. This forfeited the veto power of the Muslim League. The Mission opened a list of number of representatives to be elected by each provincial Legislative Assembly in the following manner:

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

<table>
<thead>
<tr>
<th>Section B</th>
<th></th>
<th></th>
<th>Sikhs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>8</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>NWFP</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Sind</td>
<td>1</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>9</td>
<td>22</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section C</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengal</td>
<td>27</td>
<td>33</td>
<td>-</td>
</tr>
<tr>
<td>Assam</td>
<td>7</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>34</td>
<td>36</td>
<td>-</td>
</tr>
</tbody>
</table>

Grand Total: 210, 78, 4, 385

Max. for Indian States 93.
In Group A the states were Congress dominated provinces. In Group B, the Muslim League could form the Ministry using influence over other Muslim leaders. In Group C in Assam the Congress had dominated position.

The above plan, accepted the Congress demand of a United India, and also the League demand of compulsory grouping. Thus making the creation of Pakistan. Though Gandhi expressed to wreck the compulsory grouping of provinces but on May 20, 1946, wrote that the Interim Government should be formed immediately.

On May 27, 1946, Jinnah complained that Pakistan was divided into groups B and C; that instead of two only one constitution-making body was devised; that there was no indication how the Union would raise finances, either by contribution as desired by the League, or by taxation as desired by the Congress; that in the Legislature there would always be the majority of Hindus; that there was no provision that Pakistan might secede after 10 years from the Union; that how the representatives of Baluchistan

would be elected; and that there was provision of adding more subjects to the Union Government against the principle of three subjects. However, since the Congress proposed to make an attack on the compulsory grouping and opposed the "parity" in the Interim Executive, which the League demanded to be retained.

On June 12, Nehru had given a list of 15 members for the Interim Council (4 League, 5 Congress Hindus, 1 Non-Congress Hindu, 1 Congress Scheduled caste and 1 Congress women), which was unacceptable to Jinnah. Thus, the constitutional deadlock continued. To break it, the Viceroy suggested 13 members (6 Congress including a member of scheduled caste, 5 Muslim League and 2 minorities). Jinnah proposed to place it before the League Working Committee, but the Congress turned it down. Therefore, the Viceroy submitted another formula on June 16, 1946 (6 Congress including scheduled caste, 5 Muslim League, 1 Sikh, 1 Indian Christian and 1 Parsi). The Viceroy declared that if the Congress and the League had failed to form a coalition Government, he would invite those to form the government who would be willing to accept the statement of May 16. The Mission left India on June 29, 1946.

74. For details see The Dawn, (New Delhi), May 23, 1946.
75. Papers relating to the Cabinet Mission to India, Delhi, Manager of Publications, Publications Division Government of India, 1946, pp. 43-44.
The Viceroy invited the following to form the Interim Government:

1. Sardar Baldev Singh
2. Sir N.P. Engineer
3. Mr. Jagjivan Ram
4. Pandit Jawaharlal Nehru
5. Mr. M.A. Jinnah
7. H.K. Mahtab
8. Dr. John Mathai
9. Nawabzada Mohammad Ismail Khan
10. Khwaja Sir Nazimuddin
11. Sardar Abdul Rab Neshtar
12. C. Rajagopalachari
13. Dr. Rajendra Prasad

Jinnah said that the names of five Muslim League members were included without calling a list from the League leaders; that Parity between the Muslim and caste Hindus had not been devised; and that Jagjivan Ram would add strength to the Congress. However, he requested for the distribution of portfolios.

76. Paper Relating to the Cabinet Mission to India, op.cit., pp. 43-44. See also Jamiluddin Ahmad, Historic Documents, op.cit., pp. 517-18.
The Viceroy did not agree to the Congress demand to include a Muslim of the Congress choice. However, on June 25, 1946, Nehru became President of the Congress Working Committee in place of Azad and in reply to a correspondent who asked about his future plan Nehru said that he had "every intention of modifying the plan" and the "Constituent Assembly was a sovereign body and that in all probability there would be no groups at all. The non-Pakistan provinces (Section A) would decide against grouping and so would the NWFP and Assam, leading to the collapse of the other groups as well." He said that he would solve the minorities problem as a domestic problem.

Nehru's statement touched the heart of Muslims and Jinnah exploited it for boycotting the Interim Government. On July 27, 1946, he convened the All-India Muslim League Council at Bombay and, addressing a gathering of 450 followers from every provinces, said that Pandit Nehru on July 10, in Bombay had said that "the Congress was committed to nothing (Long-term plan) ... What is the use of imagining things and dreaming." He also said that

79. Jamiluddin Ahmad, Speeches and Writings of Mr. Jinnah op.cit., pp. 408-11.
Gandhi had begun to talk like a Universal adviser, who said: "The Congress ..... is the trustee for the people of India ..... we have enough experience of one trustee that has been here for 150 years. We do not want the Congress to become our trustee. We have now grown up. The only trustee of the Muslims is the Muslim nation."

The Muslim League ultimately on July 29, 1946, withdrew its acceptance of the Mission's May 16, proposals and declared to resort to Direct Action. Jinnah said:

"Throughout the painful negotiations, the two parties with whom we bargained held a pistol at us; one with power and machine-guns behind it, and the other with non-cooperation and the threat to lunch mass civil disobedience. This situation must be met, we also have a pistol."

By the end of July election results for the Interim Government were declared and the Congress won 209 seats and the Muslim League 73, out of a total of 296 seats allotted to British India. Jinnah realised that the

81. Ibid., p. 560.
82. Manmath Nath Das, Partition and Independence of India (New Delhi, 1982), p. 75.
Congress would use every possible means to suppress the Leagues demand for Pakistan and the Assembly would prove the graveyard of Pakistan since the Congress would always be in majority in the Assembly.

Jinnah called upon the Muslims throughout India to observe Friday, August 16, 1946, as 'Direct Action Day' as a protest and in token of their deep resentment of the attitude of the British."

In Calcutta, riots broke out on August 16, and lasted up to August 20, 1946, leaving 3,000 dead and 17,000 injured. More Muslims than Hindus were killed. The cause of the riot were goonda elements. However, the riot proved that Hindu-Muslim co-existence was impossible.

The Viceroy invited Nehru to form Interim Government on the formula of 6-5-3 i.e. 6 Congress mahajans, 5 Muslim Leaguers and 3 others minorities. On September 2, the Interim Government was inaugurated. The portfolios were distributed as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pandit Nehru</td>
<td>Vice President (Virtual P.M.)</td>
</tr>
<tr>
<td>Sardar Patel</td>
<td>Home Affairs (Police)</td>
</tr>
<tr>
<td>Baldev Singh</td>
<td>Defence (War)</td>
</tr>
<tr>
<td>Muslims</td>
<td>3 (Nominated by Viceroy)</td>
</tr>
<tr>
<td>Muslims</td>
<td>2 (Left for Muslim League members)</td>
</tr>
<tr>
<td>Members</td>
<td>6</td>
</tr>
</tbody>
</table>

The Leaguers led demonstrations, processions, meetings and hartals and hoisted black flags on residences, place of business and mosques and there was going to be a total war in every city, town, street and house. Jinnah called the Viceroy's action as double betrayal for its ignoring and by passing the Muslim League.

Gandhiji being much grieved due to riots, toured Noakhali and Bihar to pacify the people though he was then 77 years old.

On October 13, 1946, Jinnah wrote to Viceroy that the League had decided to join the Interim Government, and agreeing to the Cabinet Mission Plan, abandoning the Pakistan proposals, as conditioned by the Viceroy. On

86. The Dawn (Delhi), August 3, 1946.
87. The Hindustan Times (New Delhi), October 20, 1946.
October 14, 1946, Jinnah proposed five names of Muslim League members, who joined the Interim Government on October 15, without accepting the long-term plan on May 16, 1946. Jinnah nominated a scheduled caste in the Muslim League quota and decided to wreck the Interim Government. The five League members were: (1) Liaquat Ali Khan (2) I.I.Chundrigar (3) Sardar Abdur Rab Nishtar (4) Raja Ghazanfar Ali Khan and Joginder Nath Mandal (SC), who were given Finance, Commerce, Communication, Health etc. Azad had proposed to give Home Department to the League, but Patel did not like to part with it. Azad knew that if Home will be given to League it would satisfy it. He wanted Finance to be with the Congress. But Patel opposed this. He wanted to keep Home and give Finance, Maulana Azad knew that such an arrangement would not be congenial due to one reason or the other but he had to accept it. Liaquat Ali Khan introduced such a budget which harmed the industrialists, businessmen and majority of Hindus. Further the budget handicapped the Congress Department,

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89. Fortnightly Report from New Delhi for the first half of October 1946, Home Department, Political, File No. 18/10/46.

which almost paralysed them and the Congress realised that the Interim Government would not be workable for want of cooperation between the Congress and the League. In consequence, the Congress bloc and the League bloc became rival without caring and national policy. The Viceroy declared to summon the Constituent Assembly on December 9, 1946. Jinnah, on November 21, declared to boycott the same.

On November 25, 1946, Jinnah proposed to the Viceroy for exchange of population as the best means for settling the communal tangle and also rejected the Mission Plan, and thus it could not remain part of the Interim Government. To break the deadlock, the Viceroy, Nehru, Baldev Singh, Jinnah and Liaquat Ali Khan went to London on November 30, 1946, to discuss the matter with Attlee, but their talks ended in failure, and attitude of the Congress and the League towards each other still more stiff. The Congress suggested to bring their differences in the Federal Court on the proposal of May 16 but Jinnah rejected.

However, on the principle of individual status of provinces, the Viceroy convened the Constituent Assembly on December 9, 1946. League's 79 members boycotted the

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Assembly. On December 11, Attlee appealed "to all the communities in India to cooperate in framing a constitution" which encouraged Jinnah and he took more tough line against the Congress. On the other hand, Nehru on December 13, 1946, declared "This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent sovereign Republic, wherein all power and authority are derived from the people. The Muslim League continued to frustrate the Interim Government from outside and almost a civil war position dominated in all parts of India.

Attlee, the Prime Minister was convinced that the Viceroy, Lord Wavell, had failed to bring about an agreement between the Congress and the League. He realised that the only solution lay in the partition of India into two sovereign states - Hindustan and Pakistan. Therefore, on December 10, 1946, Attlee called Lord Louis Mountbatten and offered him the Viceroyalty of India. After much hesitation, Mountbatten accepted Attlee's invitation.