CHAPTER – 3
FRAMING OF THE NEW CONSTITUTION: RETROSPECTS AND PROSPECTS

INTRODUCTION
The withdrawal of the non-cooperation movement and subsequently the abolition of the Khilafat left the Indian Muslims high and dry. This created a vacuum and the nationalist fervour petered out into latent divisions and communal tensions. A spirit of frustration developed leading to disastrous Hindu-Muslim riots in the wake of Shuddhi and Sangathan movements of the Hindus and the Tabligh and Tanzim movements among Muslims.

Swami Shraddhanand; who had bared his chest before machine guns at Delhi and had been asked to address the Muslims from the Jama Masjid, now organised the Shuddhi movement with a view to bring back within the Hindu fold those who had earlier renounced Hindu faith and were converted into Islam. Lala Lajpat Rai, a stalwart of nationalism, was now one of the big champions of communalism; and took active part in the reconversion of the Malkhana Rajputs in the United Provinces, who were converted Muslims.

On the other hand, the Muslims leaders like Dr. Kitchlew organised Tanzim movements. He was reported to have said, “if you put an obstacles in the path of our Tanzim and do not give us our rights, we shall make common cause with Afghanistan or some other Musalman power and establish our rule in the country.” Khuda Baksh openly condemned Hinduism. Jamiat-ul-Ulema regarded these communal movements to be “the

1 Uma Kaura, Muslims and Indian Nationalism, Manohar, New Delhi, 1977, p.23.
3 Mushirul Hasan (ed.), Muslims and the Congress, Manohar, New Delhi, 1979, p.xxi.
4 D.Keer, Savarkar and His Times, Bombay, 1962, Ch.9.
5 Shanti Prasad Varma, Problem of Democracy in India, S. Chand & Co., Delhi, 1946, p.55.
8 Mushirul Hasan (ed.), op.cit., fn.2, p.73.
9 Quoted by Moin Shakir, From Khilafat to Partition, Kalamkar, Delhi, 1970, p.73.
worst enemies of India” and “condemned those activities which are likely to weaken the basis of (Hindu-Muslim) unity and considered their promoters as enemies of the nation.” These communal conflicts reached a high-tension point and resulted in the outbreak of violence at a number of places in Punjab, U.P., Ajmer, Sind, Delhi, Calcutta, Gulburga etc.

KOHAT TRAGEDY
The most serious riot broke in Kohat, NWFP on 9 and 10 September 1924. The problem arose over the publication of a pamphlet by Jiwan Das, Secretary of Sanatan Dharma Sabha containing an anti-Islamic poem. The Muslims resented this and district authorities were approached. But when their appeals failed, they turned to looting, raiding and burning the Hindu shops in the bazaar. In response to the wanton firing which killed one Muslim boy and wounded another, the Muslims made a number of breaches in the mud walls of the city and committed wholesale plunder and incendiarism including damaging temples, breaking idols and murdering two Hindus who refused to accept Islam the next day.

Gandhi was aggrieved and fasted for twenty-one days at Mohammed Ali’s residence at Delhi. Gandhi’s reaction and statements made the Muslims feel that he was partial towards the Hindus which also created a chasm between him and the Muslims. The statements like “the Musalman as a rule is a bully and the Hindu as a rule is a coward” and advised the Hindus to retaliate and not to be “seized with fear” annoyed the Muslims. Mohammed Ali, who till now was a staunch henchman of Gandhi, was taken aback. The Ali Brothers parted with Gandhi and the Congress for all times to come. There were but more outstanding Muslims like- Maulana Azad, Dr. Ansari, Hakim Ajmal Khan, Choudhary Khaliquzzaman, T.A.K. Sherwani and others who continued to adhere to the nationalist stand. Jamiat-ul-Ulema, which had been founded in 1919 by Maulana

10 Indian Annual Register, 1923, Supplement, p.192.
12 Ibid, p. 443.
13 Young India, 2 April 1925. Also in Collected Works of Mahatma Gandhi, Vol. 26, p. 442.
Mohammed-ul-Hasan and had given its famous fatwa in 1921, asking the Indian Muslims to stand by non-cooperation with the British, had ceaselessly carried on its activities, under the guidance of Mufti Kifayatullah, in favour of nationalism. Even the Muslim League took a little time in going over to communalism.  

EFFORTS FOR HARMONY

The Kohat tragedy formed a subject of discussion in the Indian National Congress, the Muslim League and the Hindu Mahasabha, and it was felt that steps should be taken to fortify the Hindu-Muslim unity. In January 1925, Gandhi called for an all parties conference in which the representatives of the Congress, the Muslim League, the Hindu Mahasabha, the Justice Party and the Liberal Federation participated.

A sub-committee consisting of 40 members was appointed in order to: (a) frame such recommendations as would enable all parties to join the Congress; (b) to frame a scheme for the representation of all communities on the legislative and other elective bodies and to frame a scheme for Swaraj.

The sub-committee was divided into two small committees. While the first of these committees was asked to frame a report on the Constitution, submitted its report; the other which was asked to devise a scheme of communal representation met only once and adjourned sine die without coming to any conclusion.

The Hindus under Lal·Lajpat Rai wanted to postpone its discussion till communal harmony was restored and a favourable atmosphere was created for an agreement. This was resented by the Muslim leaders who argued that disputes and differences over the question were solely responsible for the communal riots, and a settlement on this issue must precede talks of communal harmony. This Muslim opinion sprouted because

16 S.P.Varma, op.cit., p.56.
17 Indian Quarterly Register, 1925, Vol.I, p.77.
18 R.C.Majumdar, op.cit., p.434.
communalism had also resulted in a struggle between different religious communities for share in political power, government jobs and other economic means.19

The differences continued to embitter the situation with no less than 16 riots in 1925. Motilal Nehru and Maulana Azad issued a Manifesto in July 1926, proposing to establish a non-communal association. But neither the Muslims nor the Hindus welcomed the move. Swami Shraddhanand became its vehement opponent. As such the praiseworthy effort of Motilal and Maulana Azad bore no results.

The year ended with an ever-expanding web of communalism. In the same regard, Swami Shraddhanand, who was himself engaged in entangling the communal web, was caught by it. A Muslim fanatic, Abdur Rashid, murdered him on 23 December 1926.20 This tragic murder aggravated the communal frenzy. The Statutory Commission, which was appointed by the government, records no less than 112 riots since 1923 with 31 riots only in the year 1927.21

In the wake of communal unrest another Hindu organisation, Rashtriya Swayam Sevak Sangh (RSS) was established in 1925 by Dr. Hedgewar; in order to bring about "an all round regeneration of the Hindu Samaj."22 Later, it developed into a militant Hindu organisation and explicitly began to declare, "the Sangh had been started not only for combating Muslim aggression but for completely extirpating that disease."23

The necessity for an immediate rapprochement was felt at the time of the 1926 General Elections to the Legislative Assembly and the Provincial Councils.24 Madan Mohan Malaviya and Lala Lajpat Rai had become too skeptical and suspicious of the Congress that they formed the Nationalist Party with the object of opposing the Congress

19 Asghar Ali Engineer, op.cit., p.83.
23 Cited in Bipin Chandra, Communalism in Modern India, Vikas Publication, New Delhi, 1984, n.21, p.117.
24 Home (Public) 6, 1927, NAI.
candidates and defeating the Congress programme. Malicious propagandas against Motilal Nehru, who was portrayed as “beef-eater and destroyer of cows, an opponent of prohibition, of music before the mosque and one man responsible for stoppage of the Ramlila procession in Allahabad”\textsuperscript{25}, were spread. With the effect that Motilal became disillusioned - though he won the election.\textsuperscript{26} He stringently missed C.R.Das who had died a few days earlier. Losing the guiding hand and the dynamism, which C.R.Das had been providing, Motilal lost confidence in himself and the will to fight for his beliefs and politics.\textsuperscript{27}

But things could not be left as they were India could not remain in slavery forever, and if she want to become free, she had first of all to settle the Hindu-Muslim question. It was against this background that fresh efforts for a rapprochement between the Hindus and the Muslims were made in 1927-28.

**SIMON COMMISSION**

When these types of discussions were going on in India regarding the question of the future constitutional frame work of India; Lord Irwin, the Viceroy on 8 November 1927 announced the arrival of the Indian Statutory Commission under the Chairmanship of the Liberal Party’s member of the House of Commons for the discussion of the same. It was consisted of seven members, all of whom were the Members of the British Parliament. The Indians were angered and felt insulted by the elimination of all Indians in the Commission; which displayed the true nature of the foreign rule.

The announcement of the arrival of the Commission to India inflamed the Indian opinion and ushered in the Hindu-Muslim unity. The unity conferences had been held and the All India Congress Committees endorsed its resolution.\textsuperscript{28} The Council of Bengal Presidency Muslim League could not afford to keep quiet at this hour of national upsurge. It expressed its deep and emphatic indignant protest against the deliberate exclusion of

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\textsuperscript{25}Jawaharlal Nehru Papers: Motilal to Jawaharlal, December 1926, NMML.

\textsuperscript{26}Ch. Khaliquzzaman, *Pathway to Pakistan*, Longmans Green, Lahore, 1961, p.87.

\textsuperscript{27}Saad R. Khairi, *Jinnah Reinterpreted - The Journey from Indian Nationalism to Muslim Statehood*, OUP, Karachi, 1995, p.20C.

Indians from the Statutory Commission and considered it an insult to the country and a menace to its political future.²⁹

The All India Khilafat Conference assembled under the Presidentship of Maulvi Mohammed Shafee Daoodi. Among that present were the Ali Brothers, Yakub Husain, Abdur Rahman, Maulvi Abdul Bari, Saifuddin Kitchlew, Syed Mahmud and others. Others who were unable to be physically present at the meet sent messages against the Commission. The President urged for a boycott of Simon Commission that he characterized as a wanton affront to Indians and emphasized the need for a national constitution.³⁰ The Punjab Khilafat Committee met at the house of Dr. Muhammad Alam in this regard and urged a complete boycott of the Commission which the Committee thought, had been appointed in “utter disregard of the national demands.”³¹

M. A. Jinnah publicly expressed his adherence to the boycott programmers.³² When he received a telegram from G.B. Clarkes and A. Fenner Brockway, the two prominent member of the Labour Party, he telegraphed to them saying that the exclusion of Indians from the Statutory Commission was fundamentally wrong and amendments proposed, so far as reported, were equally improper.

He opined that no self-respecting and accredited representative of India would associate himself or serve on the Commission, unless invited on absolutely equal terms and with equal rights. He appealed to the members of the Labour Party to demonstrate their sympathy with the Indian feelings, in response to the Indian public opinion, at least to refuse to allow any member of their Party to serve on the Commission which excluded Indians and was calculated to humiliate and wound the self-respect of the people of India.³³

A protest gathering against the Commission was held, which was represented by prominent Indians like Dinshaw Petit, H.P. Mody, B.G. Horniman, Chimanlal Setalvad,

²⁹ Tribune, 20 November 1927.
³⁰ Tribune, 27 December 1927.
³¹ Tribune, 22 November 1927.
³² Bombay Chronicle, 9 November 1927. Also in Home (Public), 112, 1928, NAI.
³³ Tribune, 16 November 1927.
Jamnadas Mehta, M. A. Jinnah, Pheroze Sethna, M.R. Jayakar, Sarojini Naidu etc. All of them gave vent to their feelings of resentment against the attitude of the British Government towards Indian problems. Jinnah emphatically recorded the resolution that it was not a question of having a few Indians on the Commission, but it was a question of how far Indians were prepared to stand together and how much they would sacrifice for their honour. He felt confident that whatever might be the differences among themselves, the Hindus and Muslims would not accept a proposal, which was an affront and insult to India.\footnote{Bombay Chronicle, 18 & 19 November 1927. The Times of India, 18 & 19 November 1927.}

Interviewed by a special representative of \textit{Tribune} in connection with the Viceroy’s announcement regarding the Commission, Mohammad Iqbal said that it was a great mistake not to allow Indians to participate in the Royal Commission which was going to decide the future constitution of India. “I am ashamed to say that the fault is largely ours and not theirs. If we are really in earnest about the ideal that we have set before us, the only way to convince Parliament of the justice of our claim is that we make ourselves a single self conscious nation.”\footnote{Tribune, 11 November 1927.}

An extraordinary meeting was held outside Mori Gate in Lahore, in connection with the appointment of the Simon Commission, under the auspices of the City Congress Committee. It was reminiscent of the non-cooperation days. Representatives of various communities and classes were seated on the platform and much enthusiasm was in evidence. Malik Barkat Ali moved the final resolution. He resolved that “this public meeting of the citizens of Lahore consisting of all classes and creeds places on record its sense of great indignation at the complete exclusion as well as at the procedure proposed, and calls upon all communities, at this supreme crisis in the constitutional affairs of the country, to sink all their differences and join in organizing a complete boycott of this Commission.”\footnote{Tribune, 6 December 1927.}

The eastern region of India including Bihar and Orissa joined the boycott movement. A well-attended special conference of the people of Bihar and Orissa drawn from all
communities and parties was held at Dilkusha in Patna to consider the political situation created by the appointment of the Commission. Syed Ali Imam presided. Prominent amongst those who attended the meeting were T.B. Sapru, Dr. Rajendra Prasad, Shafee Daoodi, Dip Narayan Singh, Braj Kishore Prasad, Sri Krishna Singh, Syed Abdul Aziz and Mahendra Prasad.37

Syed Ali Imam refused to accept Lord Birkenhead’s statement that the Committees of the Legislature in India would be no more witnesses before the Commission, but their colleagues, and that the status given to the Committee of the Central Legislature which would have the privilege of sitting was unprecedentedly generous. He opined that the status of the Committee of the Legislature was only that of a petitioning body and it was only camouflaging the issues to say that they would be colleagues of those sitting in authority.39

The Statutory Commission was vehemently criticized at the forty second session of the Indian National Congress held in Madras in December 1927. Its President Dr. M. A. Ansari endorsed upon the communities to sink their differences and believed the contemptuous way of the appointment of the Statutory Commission was “an eye-opener even to the most confirmed optimists among us.” But he clarified that he was inconsistent with the opinions expressed on the issue.

He said, “Much has been said and written on the Commission, but little as it seems to me touches the heart of the matter. Keen disappointment and surprise have been expressed at the exclusion of Indians from its personnel. I must confess I do not share any of these feelings...I am neither disappointed nor surprised. This was exactly what I had anticipated. It is not a question whether Indians should participate in its work as member, assessors and advisors. The principle involved is totally different. It is basic and fundamental…”40

37 Ibid.
38 Irwin Papers: Birkenhead to Irwin, 9 February 1928, (Microfilm), NMML.
39 Bombay Chronicle, 6 December 1927.
40 Presidential Addresses, 42nd Session, AICC, Madras, 1929.
"The advent of Statutory Commission should not divert our attention from the work of framing constitution for India for India... A constitution of this nature would remove suspense and doubt from the minds of different communities regarding their position and status in the political decision of the country. It would rally the different political parties round the Congress..."\(^{41}\)

Maulana Azad, who attended the Madras session of the Indian National Congress thanked God for sending the Simon Commission because it had made Indians realize that they could no longer place trust in the British Government, but in themselves; the Hindus in the Muslims and Muslims in the Hindus.\(^{42}\) The resolution on Hindu-Muslim unity was put before the Congress in two parts. First dealing with the political rights and second, with religious and other rights. Sarojini Naidu moved the resolution Maulana Azad seconding the resolution said that it was a great improvement on the Lucknow Pact and they had attained a great point in as much as Muslims had agreed to accept the principle to joint representation.\(^{43}\) Ali Brothers also attended the Madras Session of the Congress.\(^{44}\)

The Subjects Committee of the Indian Industrial and Commercial Congress met under the Presidentship of Ibrahim Rahmatullah. It passed a resolution boycotting the Statutory Commission and calling upon the constituent bodies likewise to decline to tender evidences before it as a protest against the non-inclusion of Indians on its personnel.\(^{45}\)

The All India Muslim League was split on the boycott issue.\(^{46}\) While the members under the leadership under Muhammad Shafi considered it highly unsafe for the interests of the Muslim community to invite upon itself the wrath of the British rulers by being a part of the boycott movement. Its members under the leadership of Jinnah regarded it cowardice to abstain from taking firm steps at the time of national crisis. The League members of Jinnah's group held its annual meeting in Calcutta on 30 December 1927. Maulvi Muhammad Yakub who was also the Deputy President of Legislative Assembly presided

\(^{41}\) Ibid.
\(^{42}\) Tribune, 30 December 1927.
\(^{43}\) Ibid.
\(^{44}\) Tribune, 2 January 1928.
\(^{45}\) Tribune, 31 December 1927.
\(^{46}\) Prabha Arun, Pathway to Pakistan, p.26.
over the meeting. Annie Besant, Sarojini Naidu, Graham Pole, T.C. Goswami, S.C. Mitter and N.R. Sarkar attended it. It moved a resolution declaring that the Commission and its procedure were unacceptable to his party as it was denying India’s right to participate on equal terms with the Englishmen in framing the constitution of the country. It called upon the Muslims of India not to have anything to do with it in any form and at any stage.

At this session, Mohammad Yakub and Ali Imam strongly supported the principle of joint electorates. This was strongly opposed to by Mujibur Rahman and Mohammad Shafi who held forth on the blessings of separate electorates and expressed their determination not to give them up. Shafi asserted that the separate electorates had nothing to do with the communal tension.

The Muslims under Shafi’s leadership presented a memorandum to the Statutory Commission emphasizing the need for a separate identity and special favours for the community. They claimed that only they could call themselves as a nation in India. They were afraid that giving away the right of the separate electorate “will be killing the Muslim representation and placing the important Muslim minority at the mercy of the Hindu majority.”

To express their resentment against the Commission, a largely attended meeting of the citizens of Lahore was held in the evening of 29 October in the Municipal gardens outside Mochi Gate under the Presidentship of Sheikh Siraj-ud-Din Paracha. A number of prominent leaders from outside Lahore, including L. Bodh Raj of Multan, Raizada Hans Raj of Jullunder, Syed Ataullah Bukhari, Lala Duni Chand of Ambala and others attended.

Simon and Company landed at Bombay on 3 February 1928. That day all the major cities and towns observed a complete hartal, and people were out on the streets participating in
mass rallies, processions and black flag demonstrations. Everywhere that Simon went-Calcutta, Lahore, Lucknow, Vijayawada, and Poona-he was greeted by a sea of black flags carried by thousands of people.

The youths of Poona took advantage of the fact that for a long stretch between Lonavala and Poona, the road and the rail-track ran within sight of each other. They climbed into a lorry and drove alongside the train that was carrying the members of the Commission, waving black flags at them all the way from Lonavala to Poona. Similarly, in Lucknow, Khaliquzzaman executed the brilliant idea of floating kites and balloons imprinted with the popular slogan 'Go Back Simon' over the reception organized in Kaiserbagh by the *taluqdars* for members of the Commission.52

The Commission arrived at Lahore on 30 October 1928.53 Enthusiastic scenes were witnessed in the town on this day. When the Commission arrived at Lahore Railway Station, he met a protest demonstration that was non-violent. Lala Lajpat Rai led this demonstration. Many Muslims like Abdul Qadir Kasuri, Dr. Muhammad Alam, Maulana Zafar Ali etc. took active part in the anti-Commission demonstration. When Lajpat Rai was assaulted, these Muslims daringly tried to shield him and were battered. Dr. Satyapal and Dr. Muhammad Alam received blows on their arms.54

A few days later due to the effects of the cowardly assault, Lala Lajpat Rai died. His death made the agitators more stringent-Dr. Muhammad Alam said, "we must boycott such a farcical enquiry"55 M.A Jinnah, A. Rahim, M.A. Ansari, S.D. Kitchlew, Syed Mahmud and others openly advised their countrymen to abstain from helping the Commission in any way.56

**DELHI PROPOSALS**

The Gauhati Session of the Congress in 1926 focussed its attention on the question of consultation with Hindu and Muslim leaders to devise measures for the removal of

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53 *Tribune*, 1 November 1928.
54 *Tribune*, 2 November 1928.
55 *Tribune*, 10 November 1928.
present deplorable differences between Hindus and Muslims and submit their report to
the All India Congress Committee not later than 31 March 1927.57 Similarly prominent
Muslim leaders most of whom were the members of central legislature, met on March 20,
under the Presidentship of Jinnah58 and took an agreed significant step by showing their
willingness to give up separate electorates if:

(i) Sind59 was separated from the Bombay Presidency and constituted into a separate
province;
(ii) Reforms were introduced in North-West Frontier Province and in Baluchistan on
the same footing as in any other provinces in India;
(iii) In the Punjab and Bengal the proportion of representation was made in
accordance with the population;
(iv) In the Central Legislature, Muslim representation would not be less than one-third
and ‘that also by a mixed electorate’. The Muslim leaders came to the conclusion
that if all these demands were accepted, the Muslims would be prepared to accept
joint electorates in all the provinces so constituted and to make Hindu minorities
in Bengal, Punjab and North West Frontier Provinces, the same concessions that
the Hindu majorities in other provinces were prepared to make to the Muslims.60

These proposals were published on 20 March 1927. Three days later the Hindu members
of the Central Legislature met and issued the following proposals61 in reply to the Muslim
formula:

(i) There should be joint electorates for all legislatures throughout India.
(ii) Seats should everywhere be reserved on the basis of population.
(iii) Specific provisions in the constitution should safeguard religious and quasi-
religious rights.

58 Leader, 23 March 1927.
59 Sind was annexed by the British in 1843 and attached to the Bombay Presidency. Dalhousie, North Brooke and Lytton tried to
merge Sind with Punjab but due to its common geographical, ethnic, cultural and historical interests, it remained an integral part of the
Bombay Presidency.
The question of the rearrangement of provinces ‘should be left open for the present.’

The Delhi proposals were strictly based on *quid pro quo* and as such were quite reasonable. According to these proposals, the Muslims would have got majority in the legislatures of five provinces of which no fewer than three – Sind, NWFP and Baluchistan – which contained an over-whelming Muslim majority. “I am not, as is well known, one of those who are enamoured of separate electorates and separate representation.” Jinnah said, “But the Muslim opinion is so strong on this question that we might take it as a settled fact for the time being...The percentage, the ratio of the population, can only be fixed by mutual goodwill and consent...I, therefore, hope that Hindus will not misunderstand me...if the Muslims ought to be organised it is not with a view to prejudicing national advance or national interests but, on the contrary, to bring them into line with the rest of India.”

Again, stressing the same, Jinnah remarked: “Mussalmans should be made to feel that they are secure and safe-guarded against any act of oppression on the part of the majority and that they need not feel that during the transitional stage towards the fullest development of National Government the majority would be in a position to oppress and tyrannise the minority as majorities are prone to do in other countries.”

**APPRECIATION OF DELHI PROPOSALS BY THE CONGRESS**

The Congress Working Committee appreciating the willingness of the Muslim leaders to accept joint electorates and at its Bombay Session on 15 May, passed a lengthy resolution on the Hindu-Muslim question, which was more or less similar to the Delhi Proposals. The principal change suggested was that Sind should not be separated on communal ground alone but on general grounds as applicable to all provinces especially the

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64 *Home (Public) 6*, 1927, NAI.
financial ground. This was unanimously agreed to.\textsuperscript{65} For a few months the matters were allowed to simmer.

The left wing of the Muslim League met in its annual session in Calcutta a few days later and authorised the League Council to appoint a sub-committee to confer with the Working Committee of the Congress and other such organisations. But the sub-committee was asked to keep the Delhi Proposals before it during its deliberations and negotiations. It was, however, made clear by the Muslims that separate electorates would be abandoned only on the condition that the proposals about Sind, Baluchistan and the NWFP were accepted and implemented.

Simultaneously, the right wing of the Muslim League meeting in Lahore under Sir Mohammed Shafi, Firoz Khan Noon and Dr. Iqbal demanded the retention of separate electorates, the separation of Sind from Bombay, and the extension of reforms to Baluchistan and the NWFP.\textsuperscript{66}

M.C. Chagla and Maulana Azad praised the Delhi Proposals. Chagla considered them a triumph for Jinnah.\textsuperscript{67} Maulana Azad described them as opening “the door for the first time to the recognition of the real rights of Mussalmans in India”; a “great step” towards the recognition of their “numerical strength”, towards giving them five provinces thus guaranteeing them “a proper share in the future of India”, and as “a new weapon...for the assertion of Muslim rights.”\textsuperscript{68}

The Madras Session of the Congress held in December 1927 accorded its approval to the Delhi Proposals and gave full assurance to the Muslims that “their legitimate interests should be secured...by the reservation of seats in joint electorates on the basis of

\textsuperscript{65} Ibid, p.15.
\textsuperscript{66} K.K.Aziz, op.cit., p.2-3.
\textsuperscript{67} Quoted by Saiyid, op.cit., p.370.
\textsuperscript{68} Quoted by B.R. Ambedkar, Thoughts on Pakistan, Bombay, 1944, p.97.
population in every province and in the central legislature...” Similarly it also agreed to other proposals regarding Sind, NWFP and Baluchistan.69

Sir T. B. Sapru at the Madras Session Congress pleaded for the acceptance of Jinnah’s demands. He stated, “Speaking of myself I would like you to picture Jinnah whom I have known intimately for 15 years...give him what he wants and finished with it. I am going to ask him to be reasonable but we must, as practical statesmen, try to solve the problem and not be misled by arithmetical figures.”70

G.B. Pant appreciated the Madras resolution “as the best and most suitable arrangement which carried with it the largest amount of support from both the communities.” He added that though reservation of seats was not “compatible with the complete independence”, it has been accepted by the Hindus at a meeting of the All-India Committee with the full concurrence of M.R. Jayakar and Madan Mohan Malaviya, both of whom had been the Presidents of the Hindu Mahasabha.71

Dr. M. A. Ansari, the Congress President, expressed the gratitude of the Congress for the Muslim leaders in the following words: “I would be lacking in my duty if I did not place on record the deep appreciation of the Indian National Congress of the spirit of patriotism and statesmanship displayed by the Muslim leaders who rose above prejudice, suspicion and narrow communal outlook and boldly came forward with the proposals which presage a new orientation on Muslim policy in India.”72

ALL PARTIES CONFERENCE

In pursuance of its Madras resolution the Congress issued invitations to all political groups to cooperate in preparing a ‘Swaraj Constitution’ for India. The Jinnah’s section of the League accepted this offer; Shafi’s group decided to keep away. This All Parties’ Conference first met at Delhi on 12 February 1928, but serious difference of opinion and

70 The Proceedings of the All-Parties National Convention, Allahabad, n.d, p.84.
71 Report of the INC, 42nd Session, Madras, 1927, p.75.
72 Ibid, Appendix 1, p.9.
approach appeared between the Congress and the Hindu Mahasabha. The Hindu Mahasabha had expressed opinion that it was against the principle of reservation of seats in favour of any majority community in any province.\textsuperscript{73}

The Muslim leaders felt offended by the Mahasabha's stand on this issue. Further, Mahasabha also let it be known that it was inflexibly opposed to the creation of new Muslim Provinces as a price for securing joint electorates. Its attitude made it clear that it considered separate electorate lesser evil than the creation of new provinces.\textsuperscript{74} When delegates failed to convert one another, a solution was found in the appointment of two sub committees, one to inquire into the financial implications of the separation of Sind from Bombay, and the other to investigate the feasibility and suitability of the system of proportional representation for India. The Conference adjourned in March after asking the sub-committees to report their findings to it at Bombay in the following May.

When the Conference reassembled at Bombay it found, to its horror, that no progress at all had been made. Delegates preserved in their old opinion and prejudices; differences refused either to be resolved or to be wished away; and the spirit of compromise failed to emerge. The Sub-Committees had no reports to present. It appeared quite likely that the Conference would end in mutual recrimination and political disorder.

But it was saved from such ignominy by the efforts and enthusiasm of some members who, in a last bid to avoid a final and complete breakdown, initiated the appointment of a small 10-members committee charged with 'viewing the communal problem as a whole and its relation to the Constitution.'\textsuperscript{75} The only achievement of the meeting was that a unanimous resolution was passed on NWFP and Baluchistan placing them on the same footing in respect of their form of government and judicial administration as any other province.\textsuperscript{76}

\textsuperscript{73} The Leader, 13 February 1928.
\textsuperscript{74} Purshottamdas Thakurdas Papers, NMML.
\textsuperscript{75} K. K. Aziz, op. cit., p. 3-4.
\textsuperscript{76} Uma Kaura, op. cit., p.33.
The Motilal Nehru Committee kept on striving sincerely to resolve the communal problem and the controversial aspects of the question of electorates. Motilal Nehru was prepared to ignore the opposition of the Mahasabha on the question of separation of Sind and the grant of equal status to NWFP and Baluchistan.77

But the deadlock occurred over the reservation of seats in the Punjab and Bengal.78 The Committee itself remained divided. Shoaib Qureshi was adamant on this question and M. S. Aney was not prepared to yield, it led to an impasse and no agreement was reached.79

However, at an informal conference held on 7 July, which had some non-members of both the communities, Motilal's effort bore some fruits and the Muslims were partly satisfied, as their demand for the reservation of seats in majority provinces was conceded for ten years.80 The Committee however laid down ex cathedra81 and the first part of the above resolution was modified the next day.82

The reservation of seats for minorities in both central and provincial legislatures was permitted83, but the Muslims felt 'humiliated'.84 The Muslim leaders argued that while considering the question of reservation of seats in provincial legislatures in Punjab and Bengal, seats must be reserved for Muslims in proportion to their population.85 Their argument was based on the fact that in these two provinces the Muslims were very poor and backward while the Hindus were prosperous and well organized minority controlling

77 Motilal Nehru Papers: Motilal to Purshottamdas, 23 May 1928, NMML.
78 The Hindustan Times, 16 May 1928.
79 Motilal Nehru Papers: Shoaib to Motilal, 24 June 1928, NMML.
81 K. K. Aziz, op.cit., p. 4.
82 All Parties Conference, op. cit., Appendix. A.
83 Ibid.
84 Uma Kaura, op. cit., p. 37.
85 Prabha Arun, op. cit., p. 13.
commerce and banking in both the provinces. This had resulted in the majority being reduced to minority in the legislatures of the two provinces. 86

This view was also shared by other Congress Muslims like Maulvi Mohammed Shafee Daoodi, T. A. K. Sherwani etc. Even those who were in the committee refused to sign the final draft. Sardar Mangal Singh lost his Secretaryship of the All India Sikh League within a week of the publication of the Report and the Sikhs disclaimed the participation of their spokesman. The Indian Christians refused to have anything to do with the draft constitution. The Hindu leader M.R. Jayakar refused to sign the Report. Moreover Subhas Chandra Bose and N. M. Joshi too declined to sign it.

On 7 September 1928, the Indian Legislative Assembly passed a resolution finding the Report impossible to accept. The Muslim members of the provincial Legislative Councils repeated this on 10 September. In early October, the All India Muslim Federation characterized it as highly injurious to Muslim interest. The Jamiat-ul-Ulema-i-Hind, staunch nationalists, too refused to acknowledge the report. 87 Sir Ali Imam had attended only one meeting and signed the Report "because at that stage he could hardly do otherwise" 88 while Shoaib Qureshi refused to append his signature. 89

On 11 March 1929, the Muslim members, such as Mian Mohammed Shah Nawaz and Maulvi Mohammad Yakub challenged the Report in the Central Legislative Assembly. Even Jinnah, the propounder of the Report assailed it. 90 The Congressite Muslim Shafee Daoodi sided with the Muslim views. The only Muslim member Mr. Sherwani opted not to further embarrass the Congress and the Report. On 3 November, the AICC accepted the Nehru Report in toto and extended its heartiest congratulations to the Committee.

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86 Motilal Nehru Papers: Shoaib to Motilal, 2 July 1928, NMML. At that time the franchise was based on educational and financial status and not on adulthood. Muslims of Punjab and Bengal being much poorer and backward, a very small minority of them was entitled to vote. Thus, the number of seats won by the Muslims was less than that of the Hindus, although numerically speaking they were in majority. (Census of India Report, 1931, Vol. 1, p.181.)


89 Saad. R. Khairi, op.cit., p.220.

90 Tribune, 8 October 1928.
Maulana Azad signed it. Gandhi, who since 1925 made no attempt to breakdown the communal impasse, on 31 December, accepted the Report. Choudhary Khaliquzzaman believed it to be “more meaningless and vague.”

However, in August, the Muslim representatives from the Punjab accepted joint electorates without reservation of seats. This was signed by S.D. Kitchlew, Zafar Ali Khan, Abdur Rahman Ghazi, Mohammed Alam, Afzal Haq, Abdul Qadir, M. Daud Ghazanavi, Lajpat Rai, S. Kharak Singh, Gokul Chandra Narang, Shaikh Sirajuddin Piracha, Satyapal and Mangal Singh. This was largely the result of the efforts made by a group of nationalists in Punjab belonging to both the communities. The Punjab agreement read as follows:

“The Punjab Muslims directly with the introduction of the scheme recommended by the Nehru Committee report accept its recommendations on the communal representation including joint electorates without reservation of seats for any community in the Punjab, provided that franchise is based on adult suffrage.”

**JINNAH’S FOURTEEN POINTS**

However, this was insufficient for the Muslims to be satisfied with. Jinnah came forward with a fourteen points proposal, which were more or less similar to the Delhi proposals. Jinnah wanted the residuary powers to be vested in provinces, while advocating a federal constitution for India. The Legislatures and the other elected bodies were to be constituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majorities in any province to a minority or even equality.

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91 Ansari Papers: Shaukat Ali to Ansari, 26 September 1928, JMI.
93 Khaliquzzaman, op. cit., p. 99.
94 All Parties Conference Report, op. cit., p.164.
95 Uma Kaura, op.cit., p.49.
The representation of Muslims in the central legislature was to be not less than one-third. On the communal basis, the Muslims were to be given adequate share in all the services. This was the proposed ground on which Jinnah was willing to consider joint electorates. Sarojini Naidu arranged for a meeting between Gandhi and Jinnah to come to a settlement on the communal issues. The Mahasabha was afraid Gandhi would accept the amendments made by Jinnah and Jayakar wrote a letter to Gandhi pressurizing him not to yield to Muslim demands.

A meeting of the Hindus was held in Bombay in August 1929, which sent a memorandum to Gandhi stating not to accept the Muslim demands, which were unacceptable to them. In these circumstances, the Gandhi-Jinnah meet bore no results. Motilal suggested to Gandhi to accept Jinnah's proposals and to make Hindu Mahasabha agree to the Muslim demands.

But this could not be achieved and the Congress and the country as a whole had to pay a heavy price for this decision. The failure confirmed Jinnah in his belief that the disorganized condition of the Muslims had encouraged the Congress to ignore their demands that they had once accepted but the want of unity did not die. Motilal Nehru also withheld himself from making concessions over the head of common people whom he presumed would never succeed.

**ROUND TABLE CONFERENCES**

On 31 October 1929, the Viceroy, Lord Irwin, in a statement announced that His Majesty's Government's intention was eventually to confer Dominion Status upon India.

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96 Indian Annual Register, 1929, Vol 1, p.360 ff.
97 M.R. Jayakar Papers: Jayakar to Malaviya, 3 August 1929, NAI.
98 Jayakar Papers: Jayakar to Gandhi, 25 July 1929, NAI.
99 Ibid.
100 Motilal Nehru Papers: Gandhi to Motilal, 23 August 1929, NMML.
101 Ibid, Motilal to Gandhi, 14 August 1929, NMML.
102 Uma Kaura, op. cit., p.51.
104 Ansari Papers: Motilal to Annari, 17 February, 1930, NMML.
He also added that a Round Table Conference of the representatives of British India, Indian States and British political parties would assemble in London so that adequate expression of Indian views could be obtained before for the proposals of the future constitution of India before the British Parliament.\(^{105}\) It seemed as if the Viceroy was trying to pacify the Indian aspirations by announcing the Dominion Status but neither date nor modalities were specified.\(^{106}\)

On 2\(^{nd}\) November, prominent Indian leaders like Gandhi, Motilal Nehru, Tej Bahadur Sapru and Annie Besant manifested their intention to co-operate in the settlement of Indian political problems. But when an Indian delegation consisting of Mahatma Gandhi, Sapru, Motilal Nehru and Jinnah met Irwin on 23 December to discuss the date and the personnel of the Conference, it became quite evident that sharp differences of opinion existed among the Indian delegates and the Viceroy.

Gandhi requested the Viceroy to accept his eleven points demand\(^{107}\) and grant immediate Dominion Status. But Viceroy played ‘evil’\(^{108}\) by reminding the Indians their internal disunity that he wanted first to be resolved. Gandhi now showed unwillingness to participate the Round Table Conference while India was disunited.\(^{109}\)

This pained Jinnah whose sole desire was a solution of the communal problems, which for him was the national problem, without which there can be no advance in India.\(^{110}\) But he was “disillusioned” with the “Congress brand of nationalism”\(^{111}\) and though he himself had no faith in the word of Great Britain, he preferred to participate in the Round Table Conference which he considered to be the only practical way to break the

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\(^{105}\) Halifax Collection: Lord Irwin Dominion Status Declaration, 31 October 1929, (Microfilm) NMML.


\(^{107}\) Ibid, p.162.

\(^{108}\) K.K. Aziz op. cit., p.2.

\(^{109}\) Motilal Nehru Papers: Minutes of Conversation Amongst Gandhi, Motilal, Tej Bahadur Sapru, Jinnah and the Viceroy, 23 December 1929, (Microfilm), NMML.

\(^{110}\) Sapru Papers: Jinnah to Sapru, 14 December 1929, (Microfilm), NMML.


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communal deadlock. Tej Bahadur Sapru also thought in this line. He opined that unless a generous and broad-minded view was taken of the communal question no solution was possible. Both Jinnah and Sapru felt it compulsory to arrive at a communal solution before going to London. They realistically felt that it would be derogatory and embarrassing to have it settled before the British officials in England with their help.

The Executive Board of the All India Muslims Conference met in January 1930 and advised the Muslims not to close the doors to negotiations. But again emphasis was given to the issue of adequate safeguards to the Muslim interests. Similarly, the Muslim League at its Council meeting on 9 February 1930 at Delhi appreciated the "most timely" announcement and Muhammad Ali expressed similar views at the All India Muslim Conference. He wrote to Jinnah stressing two points:

1. "We are really getting freedom, or Swaraj or full responsible government, whether with or without the British connection, by whatever name people call it and that
2. "The Mussalmans are getting an adequate and effective share in the governance of India as defined in the points which you and we formulated last year."

Tej Bahadur Sapru met various parties and groups, which responded favourably with the idea of uniting Indians on a common platform. But the Hindu Mahasabha refused to cooperate. Dr. Moonje described Sapru's attempt as nothing but "a leap in the darkness and wanted that these should be given up until the Muslims, being disillusioned by the bureaucracy, themselves began to desire rapprochement."

Gandhi too thought likewise and wished to first sterilize "the evil British power" before proceeding to the Hindu-Muslim problem which was "the problem of problems."
Gandhi meanwhile asked the Viceroy to accept his eleven points, declining which he would take to *Satyagraha* and Civil Disobedience.\(^{120}\)

At this juncture, even the Congress Muslims like Khaliquzzaman, T.A.K. Sherwani, R.A. Qidwai, Ansari\(^{121}\) and Shoaib Qureshi disliked the Congress attitude.\(^{122}\) Even Sarojini Naidu, Rangaswami Iyengar, Pt. Harkaran Nath Mishra etc. shared this view.\(^{123}\) It was a misjudgment of the Congress to have completely neglected the solution of the communal problem at this time.

Having failed to achieve unity at a time of the All Parties Convention it had given up even pretence of dealing with it. Motilal Nehru was not even prepared to subscribe to the views of the Muslims and Liberals as to why the Congress leaders failed to achieve unity and the direction in which further efforts should be made. Although, he acknowledged that the path which the Congress had till then followed had been fundamentally wrong and that Hindu-Muslim unity cannot be achieved by preaching it.\(^{124}\)

A desperate Khaliquzzaman who till now was thinking “the Hindu-Muslim unity was the pillar over which the super-structure of the constitution of free India was to be laid” began to feel that the national leaders like Gandhi did not “consider it *sine qua non* for a fight for Independence.”\(^{125}\)

Nevertheless Sapru and Jinnah, who fully approved of the idea that the Muslims should be given safeguards for their representation in the central and provincial legislatures, limply warned against selfish attributes by various communities at the Round Table Conference. Thereby both along with Mrs. Annie Besant, Raja of Mahmudabad, Sir Ali Imam, Sultan Ahmed, Mohammed Ali, Sir Sikandar Hayat Khan, Yakub Hasan, Zulfiqar

\(^{120}\) Shan Muhammad, op.cit., p.162.
\(^{121}\) Ansari Papers: Ansari to Mahatma Gandhi, 13 February 1930, (Microfilm), NMML.
\(^{122}\) Uma Kaura, op.cit., p.55.
\(^{123}\) Ansari Papers: Ansari to Mahatma Gandhi, 13 February 1930, (Microfilm), NMML.
\(^{124}\) Ansari Papers: Motilal to Ansari, 17 February 1930, (Microfilm), NMML.
\(^{125}\) Ansari Papers: Khaliquzzaman to Ansari, 1 March 1930, (Microfilm), NMML.
Ali Khan, Nawab Mohammed Ismail, A.H. Ghazanavi, C.P. Ramasuamy Aiyar, Col. Gidney and Col. Crawford etc., considered the clauses of the safeguards of minority, which they deemed important.126

But Mohammed Ali wanted the Jinnah's Fourteen Points proposal to be the Magna Carta of Muslim India.127 The Hindu Mahasabha kept a stringent stance and let it known that any agreement which might be arrived at which the Muslims would not be binding upon the representatives of the Hindu Mahasabha.128 This attitude was enough to show what it was going to do at the Round Table Conference.

**FIRST ROUND TABLE CONFERENCE**

The First Round Table Conference opened on 12 November 1930, without Congress. Among its fifty-seven delegates from British India was such Hindu stalwarts as Dr. B.S. Moonje, Mukand Ramrao Jayakar, Tej Bahadur Sapru, V.S. Srinivas Shastri, C.P. Ramasuamy Aiyar, Chimanlal Setalvad, Diwan Bahadur Ramaswami Mudaliyar etc. The Muslim contingent included M.A. Jinnah, Muhammad Shafi, Mohammed Ali, Zafrullah Khan, Nawab Aga Khan, etc. Aga Khan was chosen as the leader of Muslim delegation.129

At the Conference, the idea of an All-India Federation was mooted130 which, was opposed by Jinnah.131 Speaking in the Federal Structure Sub-Committee on 1st December, he voted against the ambiguous Federation and insisted upon the sovereign status of the provinces. He wanted provinces to be modelled according to the princely states - "sovereign and autonomous."132

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126 Ansari Papers: A Note by Sapru on All Parties Conference, 30 February 1930, JMI.
128 Sapru Papers: Moonje to Sapru, 5 May 1930, (Microfilm), NMML.
129 Indian Round Table Conference, Proceedings, 12 November 1930-19 January 1931, p.331. (cmd. 3778, 1931.)
132 Indian Round Table Conference, Proceedings, op.cit., p.172.

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He argued that if the provinces were made sovereign they would come to the Federation in the same way as the Indian States; which will be one Federation instead of “Federation within Federation or two Federations.”

It sounds astounding because everybody at the Round Table Conference – Princes, British, and Hindus – wanted a Federation. Even the Muslims had been demanding the self-governing provinces; Aga Khan played upon the idea of independent provinces based on then pre-war German Model. The Muslim Conference had laid stress on ‘complete autonomy’ of the ‘Constituent States’. This would have served the golden opportunity and a major step towards Pakistan. Yet, Jinnah did not press it because he was a staunch nationalist and still played with the idea of Hindu-Muslim unity. He is reported to have said, “I am a nationalist first a nationalist second and a nationalist last.”

Attempts were also made to bring about a solution to the Hindu-Muslim question. The Muslim demands were based upon the Fourteen Points proposal of Jinnah and Aga Khan assured that if these were agreed upon by all then the Muslims were ready to consider the joint electorates. Setalvad, Sapru and Shastri readily accepted this, however, Jayakar and Moonje displayed a disappointing attitude.

Moonje came to attend the Round Table Conference fully armed with the determination to maintain his opposition to the Muslim demands until the end. In fact the Hindu Mahasabha had sent strict instructions to him to be a die hard Hindu. He was empowered to concede one-third seats to the Muslims in the Central Legislature only on the condition that along with provincial autonomy there was a provision for a strong central government with residuary powers. He was challenged by Sardar Ujjian Singh, C.Y.

133 Ibid, p.171.
136 Jayakar Papers: Moonje to Jayakar, 8 September 1930, NAI.
137 Jayakar Papers: “An Appeal to the Hindu Delegates of the Round Table Conference”, n.d, NAI.
Chintamani, and Chimanlal Setalvad on his right to speak on behalf of the entire Hindu community.\textsuperscript{138}

It is true that the Hindus being the majority community were bound to take a national stand. It also has every right to rebuke the reactionary and anti-national Muslims but it has no right to crush the Muslim aspirations and close every avenue of opportunity to them. Their hedging and hesitation dragged the discussions on and on. They were soon to be followed by the reactionary Muslims\textsuperscript{139} which bounded the hands of all those who wished to resolve the deadlock.\textsuperscript{140} Shafi and Aga Khan though fell in line with Jinnah, who consistently urged and pleaded for joint electorates, they could not be satisfied and his attempts failed.\textsuperscript{141} Thus, a great opportunity was lost.

If a joint electorate had been agreed upon at the Round Table Conference, the subsequent political history of India would have taken a different turn.\textsuperscript{142} It is also contended if the Congress had adopted a policy of cooperation and had participated in the First Round Table Conference, it "would have been a great success and India would have had responsible self-government with Dominion Status through a new Government of India Act passed by the British Parliament by 1932."\textsuperscript{143}

Another important issue raised at London Conference was the separation of Burma from India. Speaking on this question, Jinnah as a representative of the British India stressed that no Indian had any objection to it provided the Burmese people themselves desire it.\textsuperscript{144}

The First Round Table Conference ended on 19 January 1931. All that emerged out of it was a kind of broad agreement on two things viz. India should be a federation, and there

\textsuperscript{138} Indian Round Table Conference, Proceedings of the Minorities Sub-Committee, p.108.
\textsuperscript{139} Hailey Collection: Fazli Husain to Hailey, 20 May 1930, (Microfilm), NMML.
\textsuperscript{140} Setalvad, op.cit., p.359.
\textsuperscript{141} Khairi, op.cit., p.257.
\textsuperscript{142} Setalvad, op.cit., p. 359.
\textsuperscript{144} Indian Round Table Conference, Proceedings, op.cit., p.349.
should be safeguards for the minorities; but both meant different things to different people. The Hindu-Muslim differences were the main stumbling block, and it was felt that if the Congress had participated in it, a solution might have been found. The British Prime Minister exhorted both the communities to settle their differences and said. "We sitting here cannot impose pains and penalties. We sitting here can declare rights and hand over to you the political power to see that those rights are enforced and respected."\(^{145}\)

CIVIL DISOBEDIENCE MOVEMENT

While Jinnah was fighting for the Hindu-Muslim unity and for joint electorates so as to achieve Dominion Status for India at the Round table Conference in London, Gandhi launched Civil Disobedience Movement. Before attempting a movement, Gandhi had sent a letter to the Viceroy\(^ {146}\) which the Viceroy, as was expected, ignored. On 12 March 1930, Gandhi with his 79 disciples set on a historic Salt March to Dandi.\(^ {147}\)

He declared that "he was committing just a technical breach of the Salt Law and not launching a full fledged movement, and that it was open to his followers, to commit the technical and ceremonial breach of law, by manufacturing salt and risk prosecution, according to their own conscience."\(^ {148}\) Again he said, "This is the first fight undertaken in the name of God and for the sake of the millions of the paupers of this country."\(^ {149}\) The movement received widespread support from different classes and communities\(^ {150}\) and it spread to many cities including Calcutta, Delhi, Madras, Lahore, Allahabad, Bombay, and Peshawar.

At Bombay, the “Gujaratis have thrown themselves into it with all their hearts, and by their activities and demonstrations have created the belief among themselves, which is

\(^{145}\) Indian Round Table Conference, Proceedings of the Minorities Sub-Committee, p.321.
\(^{147}\) Shantimoy Ray, Freedom Movement and Indian Muslims, PPH, New Delhi, 1979, p.61.
\(^{148}\) D.G. Tendulkar, Abdul Ghaflar Khan – Faith is a Battle, Gandhi Peace Foundation, New Delhi, 1967, p.63.
\(^{149}\) Young India, 3 April 1930.
not without its effect upon others (Maharashtrians, Parsis and even Europeans), that a national movement has been started which will prove irresistible. The success of the movement, the wide and intense support it is receiving, has surprised every one. The Congress House openly directs the movement of revolt against the Government; Gandhi caps fill the streets, volunteers in uniform are posted for picketing with the same regularity and orderliness as police constables...It is not surprising that all this intense feeling, with its open and apparently successful defiance of Government, has produced a profound impression in Bombay as a whole. Nothing, perhaps, has done more to deepen that impression than the series of processions that have been organised by the Congress. Their numbers, the discipline, the organisation and the brushing aside of the ordinary functions of police control of traffic have combined to produce a vivid impression of the power and the success of the Congress movement.”

In Calcutta about 80,000 persons defied salt law, 50,000 in Madras and 20,000 in Lahore. The “entire population of Peshawar broke that salt law.”

**ROLE OF KHUDAI KHIDMATGARS**

The demonstrations at the Frontier Provinces became threatening and violent which urged the Government to put the area under martial law from August 1930 till January 1931. The Khudai Khidmatgars under Khan Abdul Ghaffar Khan convened a meeting at Utmanzai on 18 and 19 April 1930 and passed a resolution favouring participation in the Civil Disobedience Movement. On 23 April, Abdul Ghaffar Khan exhorted people to participate in the Gandhian Movement.

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151 Home (Poll.) V, 257-330, May 1930, NAI.
152 D.G.Tendulkar, op.cit., p.66.
153 Ibid. p.73.
154 Khudai Khidmatgars was a pan-Pakhtun organisation founded in November 1929 at Utmanzai, NWFP. It had two aims one to create awakening among the Pakhtuns and thereby freedom of the country and secondary to feed the hungry and clothe the naked. It worked in close association with the Congress and Badshah Khan declared “Do not rest until freedom is won. It does not matter if you are blown up with guns, bombs etc... Congress is a society against the English. The English are, therefore, the Common enemies of the Congress and Pathans. For that reason I have joined the Congress.” (Abdul Ghaffar Khan, Aap Bittu (Autobiography), Rohtas Books, Lahore, p.102.)
Initially there were only five hundred Khudai Khidmatgars, but inspired by the Civil Disobedience Resolutions of the Congress, the recruits swelled to 50,000. The movement engulfed the settled districts and reached the tribal territory.\textsuperscript{156} This unarmed non-violent army of Khudai Khidmatgars lent their relentless support to the civil disobedience movement.\textsuperscript{157}

Badshah Khan had toured many places and in course of his tour, he had made political speeches under the guise of religious meetings in mosques to arouse intense racial hatred. All this had been in deliberate defiance of the orders in force under section 144, criminal procedure code, and as a direct challenge to government’s authority. The aggressive and militant spirit of the Khudai Khidmatgars had been accomplished by organizing large camps in Peshawar districts at which parades and manoeuvres in military formations had been held.

Abdul Ghaffar Khan also had pursued his campaign for the non-payment of revenue and water rates and for the refusal to take government canal water.\textsuperscript{158} In a part of Peshawar district, a ‘Red Shirt’\textsuperscript{159} tehsil was opened to which Zamindar made contributions. Revenue payers were instigated to refuse payment of their dues on the plea of not being able to pay and intimidation of revenue-officials was practised. An instance of this may be taken from a village called Gumbat in the Mardan sub-division where a number of revenue defaulters appeared supported by a band of Khudai Khidmatgars, who threatened the authorities with dire consequences if the individuals were arrested for non-payment of water rates.

Each district and jirgas in the NWFP was affected by the Khudai Khidmatgar’s campaign. Despite every effort at conciliation made by the government including personal appeals by the Chief Commissioners, Abdul Ghaffar Khan consistently had given the unyielding proof of his hatred and contempt of government and of his

\textsuperscript{156} D.G.Tendulkar, op.cit., p.63.
\textsuperscript{159} The Khudai Khidmatgars used red shirts for economic reasons and are therefore also referred to as Red Shirts.
determination to subvert it by all means in his power. He used to say, “If the Hindus, in an independent India really want to dominate the Muslims, then we will fight the Hindus. But first, we must unite with them to fight the British.”160 “Their role during the days of struggle for freedom is an inspiring saga of sacrifice, suffering and hardship for the cause of freedom.”161

REPRESSION OF THE KHUDAI KHIDMATGARS

When appeals and other propositions failed, the government arrested the Frontier Gandhi162 along with Mian Ahmed Shah, the Secretary of Afghan Youth League, Abdul Akbar Khan, the President, Salar Sarfaraz Khan and Shah Nawaz Khan, the organizers, Lal Badshah and Mufti Kifayatullah. The arrests led to an uprising and the police had to open fire in which many people died. Jail going had become fashion and the whole country seemed to be in jail. The number of Muslims in jail in February 1931 for civil disobedience was 1152 men, 359 women and juvenile under 17 years was 2050.163

At jail, the Khudai Khidmatgars had to undergo unspeakable sufferings.164 In the month January the arrested volunteers were made to take off their clothes and dip in ice-cold water. In Haripur prison alone there were twelve thousand volunteers who were deliberately kept ill-fed and ill-clad. They were made to sit on thorns and got worst treatment.165 Each frontier person who was found wearing red shirt - whether volunteer or not - was arrested and punished.166

A martial law had been imposed in the NWFP especially in Peshawar district and the most stringent censorship was imposed on the frontier and for weeks, the rest of India remained unaware about the happenings in the region. However, the repressive measures culminated in more patriotism. They extended full support to the Gandhian programmes

160 Quoted by S.P. Varma, op.cit., p.58-59.
161 The Times of India, 3 September 1997.
162 M.S. Korejo, op.cit., p.16, 18, 33.
164 Shan Muhammad, op.cit., p.171.
165 Home (Poll.) V, 40, 1932, NAI.
166 Home (Poll.) 11, 1934, NAI.
and picketed foreign cloth and liquor shops. About 4000 foreign cloth shops were
picketed and 3 liquor shops were shut down.\textsuperscript{167} The government, being helpless to control
the situation, resorted to impose heavy fine.\textsuperscript{168} Not only this, the zeal displayed by the
Khudai Khidmatgars even inspired the \textit{Afridis}, the beyond border Islamic brethren to
wage war against the British and as many as 6617 \textit{Afridis} were arrested.\textsuperscript{169} It was during
this movement that the Garhwali troops refused to open fire on unarmed crowd of
Muslims of Peshawar and many of them were court-martialled.

\textbf{ROLE OF OTHER MUSLIM ORGANIZATIONS}

Another important Muslim organisation was the \textit{Majlis-i-Akrar} Party of Punjab which
was founded in 1930 and worked hand in hand with the Congress during the civil
disobedience movement and, had a full share in the nationalist sacrifice.\textsuperscript{170} Working
steadily, fervently and inspiredly\textsuperscript{171}, the \textit{Ahrars} played their noble part in the struggle.\textsuperscript{172}

The \textit{Jamiat-ul-Ulema} was among the first to jump into the fray fearlessly and offered
cooperation to the Congress inspite of the difference with it on Nehru Report.\textsuperscript{173} Apart
from this there was All-India Momin Conference, Shia Political Conference, Jammu and
Kashmir Conference etc. which unreservedly and openly supported the Civil
Disobedience.

In Bihar, the National Muslim party and the Provincial Congress that began enrolling
volunteers took the Salt Satyagraha with great enthusiasm. Zahir-ul-Hasan Hashmi, Prof.
Abdul Bari, Moulvi Zakaria and Shah Mohammed Uzair campaigned for it. Dr. Syed
Mahmud and Moulvi Mohammed Ismail toured important places and encouraged and
inspired the masses to participate in the non-violent Civil Disobedience Movement. The
police told the Muslims to go off to offer Friday prayer, but none of the volunteer moved.

\textsuperscript{167} Shan Muhammad \textit{op.cit.}, p.170-1.
\textsuperscript{168} \textit{Home (Poll.) V, 40, April 1932}, NAI.
\textsuperscript{169} Ibid.
\textsuperscript{170} S.P.Varma, \textit{op.cit.}, p.58.
\textsuperscript{171} Shan Muhammad, \textit{op.cit.}, p.166.
\textsuperscript{172} Ram Gopal, \textit{op.cit.}, p. 223-4.
\textsuperscript{173} Shan Muhammad, \textit{op.cit.}
As a result the volunteers were assaulted. Dr. Rajendra Prasad and Prof. Abdul Bari got severe injuries. A meeting was called on 22 April 1930 by Hasan Imam to protest against police brutalities, which was attended by ten and thousands of both communities. Moulvi Ataullah Bukhari visited Bihar and inspired the Muslims by saying “Muslims of Bihar had their own history of courage and sacrifice, while 20 crores of people were fighting against the British rule, the Muslims cannot remain aloof.”

Swadeshi was openly preached and foreign cloth was declared haram. A Swadeshi League was formed with Syed Ali Imam as its President. Hasan Imam and his whole family took to Swadeshi. Thus the “Muslims of Bihar had shown firm faith in Gandhiji’s leadership and guidance.”

In Bengal, the Krishak Praja Party with Fazl-ul-Haq, Tamizuddin and Humayun Kabir as its leader supported Gandhi’s movement. The President of the Nationalist Muslim Party, Maulana Azad exhorted the Muslims to support enmass the Congress programmes. The Bengal Muslim Political Conference met at Chittagong on 21 April 1930 and gave their ungrudging support to the movement. It appealed to their co-religionists to come forward and join the movement for the independence of India.

The leaders of Jamiat-ul-Ulema toured almost every district of Bengal and told the Muslims to join the movement. It had a wider effect. Moulvi Mujibur Rahman preached the Civil Disobedience in Jessore. Students of Dacca University marched on the streets of Dacca and celebrated 26 January 1930 as the day of independence by hoisting the national flag with loud slogans of Bande Mataram, Gandhiji ki jai, Allah-o-Akbar. Peaceful picketing and distribution of proscribed literature by the student was also common.

175 Hasan Imam, Indian National Movement, New Delhi, 1999, p. 188-213.
176 S.R. Bakshi, Gandhi and Civil Disobedience Movement, New Delhi, 1985, p. 76.
In UP, Maulana Hasrat Mohani and Moulvi Riyasat Husain concerted attacks on the Government and did their utmost for the success of the civil disobedience movement.\textsuperscript{177} Mohammed Noman claims that “a large section of Mussalmans were opposed to the idea of Civil Disobedience movement and did not support it”\textsuperscript{178}; this was true initially with even Congress-Muslims like Dr. M.A.Ansari\textsuperscript{179}, Choudhary Khaliquzzaman\textsuperscript{180}, Rafi Ahmed Qidwai, T.A.K. Sherwani\textsuperscript{181} etc. were skeptical when the salt Satyagraha began.\textsuperscript{182} But Maulana Azad although he favoured the Congress’s participation at the Round Table Conference\textsuperscript{183}, had no misgivings in the matter, and threw his whole weight on the side of the Congress.\textsuperscript{184} His optimism and pursuasion took Dr. Ansari into the movement.\textsuperscript{185}

Dr.Ansari’s concurrence brought the other opposing Congress Muslims into the civil disobedience whirlpool. The government took to the repressive methods and immediately declared the Congress “an unlawful organization”\textsuperscript{186} and arrested its President Jawaharlal Nehru on 14 April.\textsuperscript{187} Gandhi was arrested on 4 May\textsuperscript{188} and Abul Kalam Azad, the acting President of the Congress about the same time.\textsuperscript{189} But his vacant place was soon filled by Dr. Ansari.\textsuperscript{190}


\textsuperscript{178} Mohammed Noman, \textit{Muslim India: Rise and Growth of the All India Muslim League}, Allahabad 1949, p.47.

\textsuperscript{179} Ansari Papers: Ansari to Mahatma, 13 February 1930, (Microfilm) NMML. He felt that as the Hindu-Muslim unity had reached its lowest watermark it would be a folly to launch civil disobedience.

\textsuperscript{180} Ansari Papers: Khaliquzzaman to Ansari, 1 March 1930, (Microfilm), NMML. He was afraid “Mahatmaji’s civil disobedience programme... is doomed to failure.”

\textsuperscript{181} Ansari Papers: Sherwani to Ansari, 3 Mar 1930, (Microfilm) NMML. He was disappointed by the Mahatma’s “utter indifference to the feelings to those (for attending the Round Table Conference for solving Hindu-Muslim problem) who stood by him in his movement just like soldiers.”


\textsuperscript{183} Ibid, p.20


\textsuperscript{186} Ibid, p 12.

\textsuperscript{187} Santimay Ray op.cit., p.61.

\textsuperscript{188} Shan Muhammad, op.cit., p.162.

\textsuperscript{189} A.K.Azad, op.cit., p.13.

\textsuperscript{190} M.Desai, op.cit.

Everyone of them suffered imprisonment ranging from six months to seven years. Besides, there were thousands of Muslims who at the first call of Mahatma joined him and suffered gallows and without whose sacrifice India’s independence would have been a distant dream. But they did not waste their time in jail rather a parliament was formed of the nationalist to train them in administration under the guidance of a senior man as they thought of that because of their sacrifices Indian independence was in the offing and very soon they would have to take charge of major responsibilities.  

It is estimated that during 1920-22, 30,000 arrests were made. While in 1930-31 they increased to 60,000. Between January 1932 and March 1933, 120,000 Satyagrahis were arrested. Thus, the vision of the Muslims was fixed primarily on the goal of the country and they offered themselves for Gandhi’s Civil Disobedience Movement. During the course of salt Satyagraha, 12,000 Muslims were arrested. The way thousands and thousands of men heroically bore lathi-charges and the women bore brutal

191 Shan Muhammed, op.cit., p.162-163.
193 Ram Gopal, op.cit., p.223.
assaults who willingly even laid their lives, ashamed the Government. Their brute strength was unable to extinguish the zeal of the unoffending millions. The First Round Table Conference had been a fiasco without Congress. It was an empty pageant, a marriage without the bridegroom. 195

GANDHI-IRWIN PACT
Writing to the Secretary of the State Lord Irwin hoped that: “If Congress were to decide to co-operate on acceptable conditions the position would be made easier in several directions. But present indications are unfavourable and if Congress decides to carry on civil disobedience movement, we may be faced with a situation of great difficulty and even danger.” 196 The correspondence of the Viceroy makes it clear that everything depended on the attitude of the Congress.

The Muslim League members who began to pay more attention to bridging the gulf between the two communities also felt this. 197 Gandhi and the members of the Congress Working Committee were released 198 and on 5 March 1931 Gandhi-Irwin Pact was signed. 199 Lord Irwin promised to release all Satyagrahis and withdrawal of ban on Congress meetings 200 if Gandhi was willing to participate in the Second Round Table Conference.

SECOND ROUND TABLE CONFERENCE
At the Karachi Session held on 25 March 1931 201 in spite of opposition from the leftist groups like Jawaharlal and S.C. Bose 202 the resolution approving the Gandhi-Irwin agreement was passed. 203 Thereby the Civil Disobedience was withdrawn. Emphasizing

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195 Dr. Rajendra Prasad, At the Feet of the Mahatma, Hind Kitabs, Bombay, 1955, p.215.
197 Bombay Chronicle, 24 February 1931.
201 R.C. Agarwal, op.cit.
202 B.N. Pande, op.cit., p. 430.
203 Bipin Chandra, Modern India, NCERT, New Delhi, 1990, p.250.
on the need of the Congress to attend the Round Table Conference, Mahatma Gandhi on 30 November 1931 said: “Congress alone claims to represent the whole of India, all interest. It is no communal organization; it is a determined enemy of communalism in any shape or form. Congress knows no distinction of race, colour or creed; its platform is universal...

“The Congress is the only all-India-wide national organization, bereft of any communal basis; that it does represent all the minorities...” But Gandhi did not want to go alone as the sole representative of the Congress. Therefore, he tried to persuade the British Government to have M.A. Ansari along with him.

But the government whose interest deliberately wanted the Nationalist Muslim Party to remain underrepresented at the Round Table Conference turned down every appeal of the Mahatma. But it allowed a meek Sir Ali Imam to represent Nationalist Muslims as the Viceroy did not want to take risk of foiling the agreement on this ground.

Even before attending the Round Table Conference, Gandhi began organizing meets and talked about the need for an early solution of the communal questions. He was optimistic that through this ‘real opening’ could be made. He even began to show his preparedness to agree to the Muslim demands.

He said, “...as a Congressman and as a Hindu, I say that I wish to give the Muslims what they want. I do not wish to act like a Bania. I wish to leave everything to the honour of the Muslims. I would like you to put down whatever you want on a blank sheet of paper and I shall agree to it.” These kind of irresponsible statements prompted the nationalist to restrain Gandhi. A.M. Khwaja wrote a very strong letter to Gandhi imploring him not

205 M.A. Ansari Papers: Ansari to Shaukatullah Ansari, 28 September 1931, JMI.
206 Ibid.
207 Prabha Arun, op.cit., p.15.
209 The Times of India, 3 March 1931.

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to accede to the demand for separate electorates and ‘betray’ the Muslims on the issue which was not an all India concern.210

Efforts were also made to influence the members of Muslim League and Muslim Conference not to insist upon separate electorates and pointed out that if such demands were raised by each community it would spell doom for the nation.211 Agreements were at last reached on 14 February 1931 when for “the best interests of the country and community”212 the Muslim Conference offered for conducive settlement. Ansari and Shafi acknowledged this settlement. A similar conference was convened at Simla on 18 April213 but it failed to register any success.214

The supporters of the separate electorates wanted to keep the same status for the first elections under the new constitution and thereby after the expiry of the tenure of the legislature, consider for the joint electorates. This formulae was unacceptable to the Nationalist Muslims. Gandhi disliked this disagreement.215 Though, he himself did not expect anything out of the Round Table Conference216, he hated the idea of division and dissention on foreign soil, and was prepared to “pay the cost whatever it may be for gaining freedom.”217

But the tussle between the Congress Working Committee and Gandhi instead of satisfying and inspiring the Muslim viewpoint further alienated them. They felt that Congress was manifesting the Hindu Raj mentality and Shaukat Ali threatened to launch a civil war.218 But Jinnah who was full of poise disregarded the attitude of the Congress because he only desired a solution of the Muslim problem.219

210 A.M. Khwaja Papers: A.M. Khwaja to Gandhi, 21 March 1931, NMML.
212 The Leader, 15 April 1931.
216 Ibid, p.397.
217 Indian Round Table Conference, Second Session, 7 September 1931 – 1 December 1931, Appendix 1, p.57.
218 The Times of India, 5 September 1931.
219 Asghar Ali Engineer, op.cit., p.93.
He decided “I am an Indian first and a Muslim afterwards and I agree that no Indian can ever serve his country if he neglects the interests of Muslims, because it is by encouraging them that you will be able to serve your country.”220

When the Second Round Table Conference met in London on 7 September the difficulties before it were as formidable as they were in December last. Gandhi who attended the Round Table Conference as a sole Congress representative221 in the spirit of co-operation strived to find points of agreement.222 But he had to tackle the twin forces of the communalist Hindus and Muslims as well as, the other minority delegates like - the depressed classes, Sikhs, the Europeans, Indian Christians and Anglo Indians, which had turned the communal issue more complicated.223

Speaking as the representative of the depressed classes, Dr. B.R. Ambedkar declared, “any negotiation which takes place between one minority on the one hand and the Congress or any other people…without taking into consideration the claims which have been put forward by the other minorities can have no chance of success.”224 He got a supporter in Col. Henry Gidney, who challenged the Congress asking, “…if the Congress on one hand makes a settlement with the Mohammedans…where do the other minority community come in.”225

While Gandhi began stressing upon the question of constitution making and stated that he was not interested in a scheme for merely sharing power with the bureaucracy but to get responsible government, an Indian federation.226 However, Moonje who began questioning, why Hindus who were minority in the provinces of Punjab and Bengal and

223 Prabha Arun, op.cit., p, 15-16.
224 Indian Round Table Conference, Proceedings of Federal Structural Committee and Minorities Committee, p.526.
had therefore to look after their own interests should not be included in the Minorities Committee, swamped him.²²⁷

OUTCOME OF THE ROUND TABLE CONFERENCE

The Muslim deputation rested in the hands of conservatives like Shafat Ahmed Khan and Zafrullah Khan, who had been so chosen by the government to provide counterweight to the Nationalist demands, opposed the weightage for the states in the central legislature and stuck to their old demand for reservation of one-third of the seats in the central legislature.

Aga Khan made it clear that the Muslims would not consent to discuss responsibility at the centre in the federal structure till they know where they are and insisted that the centre’s power of interference in the provinces in case of emergency should rest with the Governor-General and not with the federal cabinet or federal legislature. He wanted that the administration of law and order should be made a provincial subject and defence a Crown subject, not to be allotted to the Federal Government.

He observed: “Unless the Moslem provinces have some such protection, their position in the majority provinces will become one of absolute dependence on the Federal Government in which they will be always a smaller party.”²²⁸ Though the Muslim leaders and Gandhi talked upon various issues and to devise a scheme for agreement²²⁹, no agreement could be arrived at because the representatives of the various communities including Congress could not take any unilateral decision.²³⁰

It seemed as if the Conference would fail to bore any results and on 2 October, Sir Samuel Hoare wrote to Willingdon giving him his impressions about the Conference to be much further off than the last year and he was afraid that the Conference would fail.

²²⁷ Indian Round Table Conference, Proceedings of Federal Structural Committee and Minorities Committee, p.530.  
²²⁸ Uma Kaura, op.cit., p.72-3.  
²²⁹ Nawab of Chhatari Papers: Shafaat Ahmed to Nawab of Chhatari, 6 October 1931, NMML.  
²³⁰ Jawaharlal Nehru Papers: Devdas to Jawaharlal, 2 October 1931, NMML.
He was also anxious to avoid an open rupture, which would align Great Britain against the United India.  

Gandhi, moreover, shocked the Muslims by observing “I cannot in truth say that I have any feelings of paternal love for Muslims. But if you put the matter on grounds of political necessity, I am ready to discuss it in a co-operative spirit. I cannot indulge in any form of sentiment.” The Muslim and the minority leaders showed their reluctance to agree to the proposals made by Gandhi and his suggestion to adjourn the Minority Committee and the work on the constitution making.

He believed “that the iceberg of communal differences will melt under the warmth of the sun of freedom.” The minorities – depressed classes, Indian Christian, the Anglo-Indians and the European Community - evolved a pact embodying an agreement with regard to inter-communal problems, pledged themselves to support each other and agreed to separate electorates and weightage to all communities. It also conceded all the Muslim demands including the claim for a majority to be guaranteed by statute in the Punjab and Bengal.

At the Second Session of the Round Table Conference no agreed plan could be evolved because the contending parties were too intransigent about their own schemes to appreciate the worth of other schemes. Even the Congressmen at home were disgusted with the working of the Round Table Conference and Sardar Patel sent a telegram to Gandhi asking him to return back.

The Prime Minister in his concluding speech at the final plenary session on 1st December reaffirmed his belief in an All-India-Federation. But, he announced that owing to the

233 Indian Round Table Conference, *Proceedings of Federal Structural Committee and Minorities Committee*, p.530.
absence of the settlement of the key question of how to safeguard the minorities under a responsible central government, the Conference would not proceed further with the consideration of the nature of federal executive and its relationship with the legislature. As a Chairman of the Minorities Sub-Committee, he offered to arbitrate on the communal problem if all parties undertook to abide by the decision.\footnote{Indian Round Table Conference, Proceedings of Federal Structural Committee and Minorities Committee, 18 November 1931, p.546.}

Self-seekers under Madan Mohan Malaviya agreed to it.\footnote{Daily Mail, 21 November 1931.} Although, Gandhi did not sign the agreement yet he gave his verbal assent.\footnote{Collected Works of Mahatma Gandhi, Vol.70, p.318.} Thus, the Indians played into the hands of the British by their failure to submit an agreed plan and the British on their part sought to maintain the gulf between the two communities. On 16 August 1932, the British Prime Minister devised up a scheme and announced the Communal Award.

**ALLAHABAD UNITY CONFERENCE**

The outcome of Communal Award as a consequence of failure of the Second Round Table Conference was inevitable. The Communal Award was so framed as pointed out by Willingdon, “not to alienate us from Muslim support, not merely in Bengal but throughout India” because “If they are seriously disappointed...I fear that their temper is such, that they will be swept into opposition...”.\footnote{Templewood Collection: Willingdon to Hoare, 6 March 1932, (Microfilm), NMML.}

According to this plan, the Muslim demands for the provision of a majority in Punjab and Bengal was conceded. Separate electorates were also retained. Large weightage was given to the Europeans so that they could maintain a balance between the two Indian communities. Although the announcement pleased the Muslims, it appalled the Hindus. Besides, the Muslim demands for a share in representation in the federal chambers and the demand of separation of Sind was accepted. In short, the government accepted all the fourteen points of Jinnah, which the Congress failed. Thereby, the cleavage widened between the Congress members and the Muslims.

\footnote{Indian Round Table Conference, Proceedings of Federal Structural Committee and Minorities Committee, 18 November 1931, p.546.} \footnote{Daily Mail, 21 November 1931.} \footnote{Collected Works of Mahatma Gandhi, Vol.70, p.318.} \footnote{Templewood Collection: Willingdon to Hoare, 6 March 1932, (Microfilm), NMML.}
Towards the end of September, efforts were made for the revival of negotiations between the Hindus and the Muslims with a view to bringing about an agreement and substituting it for the Award. Malaviya took the lead and met Shaukat Ali in order to discuss with him the question of communal unity and to secure "a permanent honourable agreement between the two communities."\(^{241}\)

The nationalist Muslims like Maulana Azad, Ansari and Sherwani supported these endeavours\(^{242}\), while Gandhi sat still and simply prayed for the communal discord the wave away by itself.\(^{243}\) Both Ansari and Sherwani, who were in Germany, sent cables to Shaukat Ali appealing him to settle the communal differences. Maulana Azad, Khaliquzzaman, Syed Mahmud, Nawab Ismail Khan, H.S. Suhrawardy, Feroz Khan Noon, Shafee Daoodi, Abdullah Haroon etc. reached Allahabad in November on the invitation by Shaukat Ali to participate in the unity talks.\(^{244}\) Even the members of the Muslim League displayed their willingness to cooperate.\(^{245}\)

Maulana Azad became a member of the unity committee and discussed the communal questions with the Hindu and Muslim leaders and tried to arrive at agreed recommendations for a settlement.\(^{246}\) The Hindus, who were now keener on the unity, agreed to the provision for Muslim majority in the legislatures of the Punjab and Bengal. It was decided that in Bengal the Muslims would get 51 percent of the seats and the Hindus and others included in the general electorates would get 44.7 percent. The reservation of seats in all special constituencies were to cease automatically after ten years. In the Punjab also, the percentage of Muslim seats remained the same; Sikhs were given 20 percent, while the Hindus got 27 percent.

\(^{241}\) *The Leader*, 10 October 1932.
\(^{242}\) Uma Kaura, op.cit., p.87.
\(^{243}\) *Home (Poll.)* 3-6 March 1934, NAI.
\(^{244}\) *M.S. Aney Papers: Committee of the Unity Conference, Allahabad, 3-17 November, NMML.*
\(^{245}\) *The Times of India*, 17 October 1932.
\(^{246}\) *M.S. Aney Papers: Draft Report of the Committee of the Unity Conference, Allahabad, 3-17 November, NMML.*
The Unity Conference Committee also arrived at an agreement on the question of the separation of Sind with certain conditions. The resolution stated that “Sind be constituted into a separate province enjoying the same measure of autonomy as the other major provinces of British India with safeguards for minorities smaller to those agreed to in the case of other provinces.”

In return, the Muslims agreed to surrender their right of separate electorates and the percentage of seats in the Central Legislature. The method of election was suggested for tenure of next ten years. It stated that out of the candidates who had secured at least 30 percent of the votes polled of their own community, the candidates who secured the highest number of votes polled on the joint electoral roll would be declared elected. In case, there was no candidate who had secured 30 percent of votes polled of his own community, then that candidate would be declared elected who secured the highest number of the total votes polled.

At the end of ten years, this rule of 30 percent was to cease automatically. In the Central Legislature, out of the total elected seats allotted to British India, 32 percent were reserved for Muslims and 14 percent for Sikhs. The Committee was adjourned till 3 December, so that meanwhile its members could have the agreement ratified by their respective organization.

Malaviya, who felt very much enthused with the results of the Conference, sent a telegram to London, informing the British government about the success of the Conference. But, the British officials refused to recognize any such conference that would induce them to modify the thirteenth clause of the fourteen points. Though, Jinnah was not an important leader in their eyes, they objected to his absence in the Unity Conference and without consulting Jinnah and other leaders came to the conclusion that they were wholesale opposed to such endeavour. All the Muslim leaders who were

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247 M.S. Aney Papers: Text of Agreement arrived at by the Committee of the Unity Conference, 18 November 1932, NMML.
248 Ibid.
present at the Unity Conference resented this. But, gradually, some Muslim leaders who had kept high hopes on the Third Round Table Conference began to back out. Had the Hindus accepted the Delhi proposals, they would not have to suffer humiliation and neither would be there any communal conflict which made the British Government a sole authority empowered to recognize or not the unity settlements made by the Indians?

**THIRD ROUND TABLE CONFERENCE**

At the Third Round Table Conference neither the Congress nor Jinnah were invited because the British Government had always felt it uncomfortable in dealing with the uncompromising nationalism, the ruthless logic and the clear-cut analysis with which both exposed the imperialist game. If a united Indian front were presented, the British would have to concede Dominion Status with the composition of the Parliament, which the British avoided.

Those present at the third session of the Round Table Conference disregarding the Allahabad Unity Conference started to play the same communal tunes as earlier. The Muslims, to whom the Government had conceded a representation of 33 1/3 percent of the British Indian seats, presented a memorandum for one-third seats in an all-India centre. They demanded a share of 33 seats out of one hundred in either House, 25 should be guaranteed to them out of the British Indian quota, and the remaining eight should form the Indian States’ quota. They were but opposed to the grant of any weightage to the states because this would be a further handicap to the Muslim minority.

In addition, they expressed their strong dislike for joint electorates and insisted that for the lower chamber, the Muslim representatives should be chosen by direct election through separate Muslim constituencies. For the upper chamber also, they wanted that their representative from British India should be elected through separate constituencies, i.e. by the Muslim members of the various provincial legislatures and by them alone.

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249 *The Leader*, 26 December 1932.
Besides, they attached great importance to the vesting of residuary powers in the provinces both in regard to legislation and taxation.\textsuperscript{250}

The Hindu delegates, on the other hand, vexed at the Communal Award tried to convince the government of its being detrimental to Hindu interests. In a memorandum submitted on behalf of the Sikhs and the Hindus, they pleaded for a revision of the Award and make it more fair and just from their point of view. They regretted the exploitation of the communal differences for denying the claims of Indians on matters concerned with political issues relating to the transfer of power and responsibility from the British Parliament to the Indian people.\textsuperscript{251}

The Hindu representatives of Punjab submitted another memorandum, where the Hindus had been denied representation even according to their population minus the weightage. The memorandum “resented the anti-Hindu prejudice which has been created in the minds of the authorities by the Congress activities, the non-cooperation movement, civil disobedience and other movements of like nature.” Opposing the separate electorates, provided to the Muslims, the memorandum continues “the absolute majority of a community based upon separate electorates – unchangeable, unalterable – is opposed to all canons of fair play and justice.” It further added that the Hindus of Punjab were worried that “a religious, fanatical majority of Muslim rule should not be based upon separate electorates, situated as the Punjab is close to the frontiers and close to Afghanistan and other Mohammedan countries.”\textsuperscript{252}

The differences between the Hindus and Muslims could not produce any fruitful result. The only demand conceded by the Government was that on the question of the separation of Sind “His Majesty’s Government have accepted (it) in principle subject to the discovery of satisfactory means of financing the new province.”\textsuperscript{253} The experiment in constitution making came to an end without any result. Thereafter, the British

\textsuperscript{250} Indian Round Table Conference, Proceedings of the Third Session, November-December 1932, p.193-194.
\textsuperscript{251} Ibid, p.179-181.
\textsuperscript{252} Ibid, p.166-68.
\textsuperscript{253} Ibid, p.57-8.
government decided to follow the procedure of the preparation of an official scheme. A White Paper outlining British proposals for constitutional reform was published in March 1933.254 On the Indian front, Viceroy, Lord Willingdon, arrested all the important leaders including Maulana Azad. Maulana Azad was detained in the Delhi jail.255 After their release, the Civil Disobedience was suspended and the Congressmen began to show their leniency towards legislature "in order to prosecute the [Congress] programme."256

254 Evidence of the Joint Committee on Indian Constitutional Reform, Vol.II, 1932-33, p.1383.
256 Ansari quoted by M.Desai, op.cit., p.95.