Chapter IV

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The Communal Award was an inevitable outcome of the repeated failures of the Hindus and Muslims to resolve the deadlock on the quantum of representation of the various communities in the legislatures. When the question of the settlement of the communal problem was taken up for discussion after the resumption of the meeting of the Consultative Committee of the Round Table Conference held in Delhi in February 1932, the Muslim leaders brought up the same argument that they would not take part in any discussion on the establishment of responsible government at the centre unless they knew whether the British were going to safeguard their rights and interests. They particularly asked for a definite undertaking that His Majesty's Government would finally take a decision on the communal question. In the Consultative Committee, Zafrulla Khan acting as the spokesman of the Muslims, made a request to Willingdon in the following words:

...as our own efforts have failed, Your Excellency might well press upon the British Government the necessity of giving a decision upon those questions which were before Minorities Committee in order to facilitate and accelerate the work of this Committee and of other committees.2

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1 Willingdon to Samuel Hoare, 26 February 1932, Templewood Collection.

2 Wellington to Samuel Hoare, 6 March 1932, Templewood Collection.
Willingdon, who was always distrustful of the Congress, was very keen to help the Muslims representing the Muslim Conference and succumbed to their pressures. The British were in need of Muslim support as the civil disobedience movement had been in full swing since the return of Gandhi from London. He was feeling concerned with the growing restiveness of Muslims and feared that they might join the civil disobedience movement if no assurances were given to them. Apart from the Congress propaganda, Muslims were becoming uneasy because of the action taken by the government against the Red Shirt Movement in the North West Frontier Province. Shafi Daoodi and Mazhar-ud-din visited that province to watch the conditions there on behalf of the Working Committee of the Muslim League. A Resolution was passed by the Working Committee of the Muslim Conference held at Delhi on 31 January 1932 condemning the activities of Government in the N.W.F.P. and asking the Muslims of India to observe the last Friday of Ramzan as Frontier Day for demonstrating their sympathy with their brothers of that province and showing their abhorrence for the methods adopted by the government to crush the spirit of the Frontier people.

Willingdon considered it imperative that no ground should be given for suspicion that Muslim interests were going

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3 Ibid.
4 Home Department, Political File No. 123, 1932. NAL, New Delhi.
to be neglected and they would not be fairly treated in future. He was fully conscious of the fact that a belief of this kind would arouse suspicion in Muslim minds regarding the ultimate intentions of the government. He sent numerous letters to Hoare, pleading the case of the Muslims and conveying their desire for an early announcement to be made by the Prime Minister. From the Muslim side, the Aga Khan was constantly corresponding with Hoare and making an appeal to him to meet the Muslim demands. Thus in March 1932 he sent a memorandum to Hoare for the perusal of the Prime Minister where he formulated a convincing case on behalf of the Muslims. Here he observed:

...Just as the future existence of England can be assured if she has both her co-operation with her children in the great Dominion as well as her influence and trade in other countries, so our continued existence as a Moslem individuality depends on two facts: the permanence of the real authority of the Imperial Crown throughout India and the minimum safeguards laid down by us at the Delhi Conference of 1929. One without the other will prevent us from being submerged and absorbed by the Hindu majority ... It is our inherent interest to work hand in hand with Great Britain but also to see that the result of their co-operation is not our being handed over by Great Britain to Hindu domination.5

Eventually the Government issued a statement on 19 March 1932. It did not go beyond the reiteration of the Prime

5 Memorandum sent by the Aga Khan to Samuel Hoare, 9 March 1932, Private Office Records, L/PO/49.
Minister’s pledge at the end of the second session of Round Table Conference. It did not even indicate the time by which His Majesty’s Government’s decision would be given and only conveyed to the Indian people that the Government had assumed the responsibility for deciding the communal question. The impression was given that the announcement was being made as a consequence of the recommendations of the Consultative Committee and His Majesty’s Government was forced to take decision only after an agreement was beyond the reach of the parties concerned. It stated:

His Majesty's Government have taken note of the inability of the Consultative Committee of the Round Table Conference to undertake settlement of the communal problem.... They have been informed that the absence of a communal agreement is now impeding progress with the programme indicated in the Prime Minister's statement of December. In these circumstances His Majesty's Government think it well to reiterate the pledge which the Prime Minister gave in the same statement that in the event of the failure of the communities to present a settlement acceptable to all parties as the foundation upon which to build, His Majesty's Government were determined that even this disability should not be permitted to be a bar to progress; and that they are compelled to apply a provisional scheme.

Willingdon had exercised his influence upon the Secretary of State and Prime Minister in favour of an early announcement. From his correspondence with Hoare, it is not difficult to conclude that he was very anxious that some declaration

Statement issued by the Government of India on 19 March 1932, India Office, Templewood Collection.
should be made before the Muslim Conference was held in Lahore on 20 March 1932. It was an apparent move to prevent non-co-operation by Muslims which he anticipated would result from the Conference. Willingdon was determined to have his say as far as the Government's policy on the communal problem was concerned. That he put as much pressure as possible on the Government is evident from Hoare's remark to Anderson (Governor of Bengal) that "the Prime Minister and the Cabinet Committee were averse to making any further statement on the communal decision at all. Delhi, however, pressed us very much in connection with the Lahore Conference, and we therefore authorized the statement that you have already read." Indeed Hoare had informed Willingdon that he was not very keen on a fresh announcement regarding the policy of the Government on the communal problem. He also expressed his doubt whether the British would derive any advantage from a statement which fell short of an announcement of the actual terms of that decision.

Willingdon also saw to it that when the award was issued, the Muslims should be treated liberally. What the latter desired of the Viceroy was an assurance of the best possible bargain and if that was granted, they promised "not to cavil at the remainder of the decision". This involved

7 Hoare to Anderson, 22 March 1932. Templewood Collection.
8 Hoare to Willingdon, 17 March 1932. Templewood Collection.
9 Hailey to Willingdon, 2 April 1932, Hailey Collection.
decision on the crucial question of Muslim representation in the Punjab and Bengal. Less than a month before the Communal Award was announced, two Muslim leaders from Bengal, A. H. Ghuznavi and Nazimuddin, had a discussion with Anderson and urged that Muslims should have 51 per cent of seats in the Bengal legislature. Nazimuddin admitted that as a matter of strict equity, the Muslim share could be fixed at less than 50 per cent, but he also added that "...if that view were taken it did not conclude the matter. The British had surely a responsibility for seeing that Bengal was provided with a constitution which offered a reasonable prospect of stable Government and peaceful conditions for the next few years." Nazimuddin also told Anderson that it was a matter of psychology and that "rightly or wrongly the Muslims had set their heart on 51 per cent." He further pointed out that if their demands were not satisfied and they were disheartened, the Muslims might break into groups and "the strong section which has always favoured joint electorates without reservation of seats" would again assert itself and the position would in all possibility be captured by Congress. Hoare, however, favoured a smaller allotment for Muslims and preferred the decision to be based on the Government of India's Despatch of 1930. Basing himself on

10 Anderson to Willingdon, 20 July 1932. Templewood Collection.

11 Ibid.
that despatch, he suggested that the scope and nature of the communal decision should be based on the following lines:

(1) His Majesty's Government was not prepared to abolish any existing separate electorates against the wishes of the community concerned. This meant the continuance of separate electorates for the Muslims in all the provinces, for the Sikhs in the Punjab, for the Indian Christians in Madras, for Europeans in Madras, Bombay, Bengal, the United Provinces and Bihar and Orissa and for Anglo-Indians in Madras and Bengal. (2) The Hindus would be entitled to separate electorates in any province in which they were in a minority and desired separate electorates. The Sikhs would be entitled to separate electorates in the North West Frontier Province.

(3) In the Punjab, His Majesty's Government might adopt a scheme of redistribution on the lines of that indicated in the Government of India's Reform Despatch, the principle of which was to give a statutory majority in the Council to no community. (4) In Bengal, the existing proportion which members representing special interests and communities other than Muslims and Hindus bore to the whole council should be retained. The balance of seats should be divided between Hindus and Muslims in proportion to their population.

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12 Extract from para II of Note of 9 December 1931 by the Secretary of State (R.T.C. (31) II), Appendix to Memorandum by Hoare for the Cabinet Policy Committee, March 1932, Templewood Collection.
Anderson also preferred a distribution of seats which would be more favourable to Hindus as he felt that Muslim attitude would not be affected by a few more seats which would still leave them without clear majority though he admitted that this had "unfortunately become an obsession with them." He feared that if the Hindus were unfairly treated they might well say that the plan was "obviously designed to hold them down in the hope that Muslims may eventually gain a sufficient proportion of special constituencies to give them a permanent statutory majority."

Hailey (Governor of U.P.) also cautioned Willingdon not to antagonize the Hindus and directed his attention to the fact that the Government had no definite scheme for the constitution at the centre. The Viceroy was advised not to 'purchase' Muslim support by making a decision of "such a range as would be likely to drive Hindus at large into immediate non-co-operation with the constitution."

Willingdon however, did not see any contingency of Muslim capturing enough special seats to acquire an absolute majority in Bengal because any Commerce and Industry seats lost to eventually by European would pass to Hindus,

13 Anderson to Willingdon, 29 July 1932, Templewood Collection.

14 Hailey to Willingdon, 7 April 1932, Private Office Records, L/P0/48.
thus depriving the Muslims of a statutory majority. He thought that even if the British decision fell a little short of Muslim demands, it would be accepted by them, for he had already communicated to the leading Muslims the substance of the proposed decision and had found many of them, including Fazli-Hussain, satisfied with them. This was because it guaranteed to Muslims a 'satisfactory minimum'. His contention was that if the plan chalked out by him was not accepted, it would "alienate from us Muslim support not merely in Bengal but throughout India. The consequences at present political juncture might be disastrous." As he explained his thinking further:

...We are dealing with people emotional, suspicious, apprehensive of their future and apt to be hasty in opinion and violent in action. If the Muslims are now carried away into opposition, we shall be faced with a situation in this country which almost certainly will demand measures more drastic than we have yet taken. We should have the whole forces of the country against us, Hindus and Muslims. The Hindu liberals feel themselves affronted by decision not to continue Round Table Conference. We cannot afford to be wholly without friends. I would therefore very earnestly beg you not to reject the proposals which I have made for the Muslims in Bengal or in the Punjab.  

It was in the teeth of opposition of Ramsay MacDonald, Hoare, Anderson and other cabinet members that Willingdon argued

15 Willingdon to Hoare, 9 July 1932, Templewood Collection.

16 Willingdon to Hoare, 10 July 1932, Templewood Collection.
for safeguarding the Muslim position. The Prime Minister, in particular, was most distressed at the way the Muslims were sought to be placated. He wrote to Hoare:

...I am sorry to see that the Bengal position is not more harmonious, and also that the consideration has to be used that Moslems should get special privileges in order to be kept quiet. While I fully recognize that any serious rupture between the Moslems and the Bengal Government at this moment should be avoided, this way of doing it keeps troubles going and the price is paid not only today but through a long time. 17

But Willingdon refused to be impressed by such arguments and retorted to the criticism of his scheme in the following words: "...I don't anticipate much, for my firm belief is that in this country the hookum is the thing which is accepted by the people, and that after a certain amount of boisterous behaviour in the press and on the platform ... they will accept what we have laid down." 18

The contents of the Communal Award, announced on the 16th August 1932, reveal that Willingdon's views had finally prevailed. The Award conceded most of the Muslim demands. In the Punjab, Muslims were given 89 seats, an obvious majority of two. In Bengal the Muslims were allotted 119 seats, a majority of the Indian seats. Large weightage was given to Europeans so that they could maintain a balance between the two Indian

17 Prime Minister to Hoare, 21 July 1932, Private Office Records, L/P0/49.

18 Willingdon to Hoare, 6 August 1932, Templewood Collection.
communities. The Muslim demand for separate electorates were also continued.

The announcement of the Communal Award appalled the Hindus. They felt that they were denied the minority rights where these were due to them. For although they were given separate electorates against their will, they failed to secure at least the number of territorial seats which they should have got on population basis. An essential feature of the electoral system in the past was to allot to the minority community seats in excess of its population. This was not done for Hindus in the Punjab and Bengal as it would have deprived the Muslims of their majority.

Muslims, on the other hand, were quite pleased with the Award, particularly those from the Punjab who had secured a statutory majority. In Bengal, the reaction was somewhat different. A statement issued by Fazl-ul-Huq and thirty Muslims, including several members of the Legislative Assembly, regarded the Award as a "distinct advance", though they demanded statutory majority for the Muslims in the whole Council. While apprising Samuel Hoare about the reception accorded to the Communal Award, Willingdon wrote: "Muslims generally privately well pleased in all provinces though publicly offering some protests as offset to Hindu demands."
Towards the end of September, efforts were made for the revival of negotiations between Hindus and Muslims with a view to bringing about an agreement and substituting it for the Award. Malaviya took the lead in urging the Muslims to reconsider their attitude on the communal question. After the Poona Pact, he met Shaukat Ali in order to discuss with him the question of communal unity so as to secure "a permanent honourable agreement between the two communities". The Hindus were more keen to accommodate Muslim interests as the failure at the Round Table Conference had convinced them of the necessity of uniting Indian communities. It was decided by them that in the interests of both the communities as well as the country as a whole they should once again convene a unity conference to arrive at a definite understanding.

The Nationalist Muslims also gave their full cooperation to these endeavours. Ansari and Sherwani (both of them were in Germany at that time) sent a cable to Shaukat Ali, appealing to him to settle the communal differences while safeguarding Muslim interests "without hampering the country achieving responsible national self-government". Invitations were sent by Shaukat Ali to Azad, Khaliquzzaman, Syed Mahmood,

21 By Poona Pact, Gandhi agreed to 30 out of 80 seats in the Bengal Legislative Council being given to the Depressed Classes.

22 Leader, 10 October 1932.
Nawab Ismail Khan, H. S. Suhrawardy, Feroze Khan Noon, Shafee Daoodi, Abdulla Haroon to reach Allahabad by November to take part in the Hindu-Muslim conversations.

The Muslim League was prepared to co-operate with the proposed idea of the Conference. Its Secretary Mahomed Yakub issued a statement to the Press where he reaffirmed his belief in communal unity. He said: "It is my firm belief and conviction that the salvation of our dear Motherland depends entirely upon an honourable settlement between Hindus and Muslims and therefore I consider that Mr Shaukat Ali's latest pose has a laudable object as its background."

A conference of leading Muslims was held at Lucknow in October where the Nationalist Muslims also fell in line with other Muslims as far as their demand for Muslim majority in Bengal and Punjab was concerned. The agreement further declared:

Whereas agreement and unanimity among the Indian Muslims of different shades of opinion is a condition precedent to the realization of the legitimate aspirations of the Muslims of India and an agreement between the various communities of India is essential to the attainment of responsible government and whereas the Conference has reached complete unanimity regarding the Muslim demands as embodied in the All Parties Conference in Delhi on January 1, 1929, other than on the question of the system of separate electorates, this Conference declares that subject to definite acceptance of Muslim demands the method of elections in the Provincial and Central Legislature may be made the subject of

23 Times of India, 17 October 1932.
negotiations with the other communities preferably on the basis of principles contained in Maulana Mohamed Ali's formula or otherwise on any other satisfactory basis, subject to ratification by a representative conference of the Muslims. 24

It is not surprising that the Punjab and Bengal Muslims should have expressed strong disapproval of the conference and refrained from attending it. Having secured a majority of 51 per cent in the Punjab and a majority of the Indian seats in Bengal, they were not prepared to surrender their privileges. The position secured by the Communal Award was a political lever in their hands which they exploited to the full in their dealings with the Hindus. Mohammad Iqbal expressed their feelings by saying that by reopening the communal question some leaders were doing disservice to the Muslims as well as to the country. He further stated that they would not be prepared to adhere to any substitute for the Communal Award which "materially and substantially" did not improve the position of the Muslims. 25

Notwithstanding the opposition of a section of Muslims, the Unity Conference met in Allahabad on 3 November 1932 and appointed a committee with the following as members, with power to co-opt: C. Vijayaraghavachariar, Malaviya, Moonje,


25 Leader, 22 October 1932.
Ramanand Chatterji, C. Rajagopalachari, Narendranath, M. L. Chabiani, Azad, Shaukat Ali, Raja Saheb Salempur, Maulana Zafar Ali Khan, Maulana Daud Chuznavi, Sunder Singh Majeethia, Jodh Singh, Ujjal Singh, Gopal Singh and Syed Mahmud. Mahmuddullah Jung and Malaviya were the general secretaries. The Committee was asked to discuss the communal problem and to arrive at agreed recommendations for its settlement.

The various resolutions adopted by the Committee show that Hindus now waived their opposition to the provision for Muslim majority in the legislatures of the Punjab and Bengal. There is no doubt that they had been forced to recognize the validity of the Muslim demands which had been before them for years. It was decided that in Bengal the Muslims would get 51 per cent of the seats and the Hindus and others included in the general electorates would get 44.7 per cent. All reservations of seats and 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 per cent, while the Hindus got 27 per cent.

The Unity Conference Committee also arrived at an agreement on the question of separation of Sind with certain conditions. The resolution stated that "Sind be constituted into a separate province enjoying the same measure of autonomy.

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as other major provinces of British India with safeguards for minorities similar 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 now suggested for the next ten years was a modified form of Mohammad Ali's formula. It was stated that out of the candidates who had secured at least 30 per cent 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 per cent of votes polled of his own community, then out of the two candidates who secured the highest number of votes of their own community, 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 per cent was to cease automatically. In the Central Legislature out of the total elected seats allotted to British India, 32 per cent were reserved for Muslims and 14 per cent for Sikhs. The Committee was adjourned to 3 December, so that in the meanwhile its members could have the agreement ratified by their respective organizations.

Malaviya felt so much enthused with the results of the

Text of the agreement arrived at by the Committee of the Unity Conference, 18 November 1932, M. S. Aney Papers.
conference that he even sent a telegram to London, informing the British Government about the success of the conference. The British officials in India refused to be swayed by the Conference; they thought it was impossible that "it would arrive at any decision on which further action can be based."

There is no doubt that the Hindu leaders were making very serious efforts to secure the support of their Muslim counterparts. But it proved to be of no avail because the Muslims who participated in the Conference were practically all of the nationalist group. Hailey who was in Allahabad at that time remarked: "... The Muslims who really count are those who were not at the Conference itself.... I have seen letters from Muslims in the Punjab and elsewhere which take the line that the Muslims appearing at the Conference were not authorized to make any agreement which modified the original demand of the 13 remaining points of Jinnah." He also asserted that those Muslims had informed him that "nothing will induce them to give up separate electorates even if the Hindus now accept the whole of Jinnah's 14 points."

An All Parties Muslim Conference was held in Allahabad to consider the proposals hammered at the Unity Conference on 11 December. The delegates numbered about 200, among them being eleven members of the Muslim Conference and seven of the Muslim League. The Khilafat Conference, the Nationalist

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Muslim Party, the Shia Political Conference, the Ahrar Party, the Jamiat-ul-Ulema of Cawnpore and Delhi were also represented. Khaliquzzaman, the Chairman of the Reception Committee, condemned the activities of those Muslims who had dissociated themselves from the Conference and said that they were "prepared to barter away the interests of the community for the sake of unadulterated separate electorates." In his opinion these were wholly detrimental to the interests of Muslims in provinces where they were in a minority and 'not very desirable in provinces where they were in a majority'. Zulfiqar Ali Khan in his presidential address stated that the Unity Conference had demonstrated to the world that "Indians, Hindus and Muslims were capable of solving their differences in a decent manner." He also denounced the activities of those "Muslim cliques working in India, who for their own selfish ends were sacrificing the interests of the country and the community."

In spite of these laudable sentiments, the fate of this Unity Conference was not different from the previous conferences of this nature. The majority of the Muslim leaders were not prepared to whittle down their demands. The acceptance of the Allahabad decisions by the Muslims would have meant the abandonment by them of the much coveted right of separate

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electorates without any compensating concession. Another factor responsible for the Muslim opposition was the fact that they had their eyes fixed on the session of the third Round Table Conference which was opened by the Prime Minister on 17th November 1932. Besides, the only two demands of the Muslims which were not tackled by the communal award (representation in the centre and separation of Sind) were also conceded by the Government while the Unity Conference was still in session. On 24 December, Hoare announced that the Muslim community would have a representation of 33-1/3 per cent of the British Indian seats in the Federal Chambers. On the question of separation of Sind, he reiterated that "His Majesty's Government have accepted [in] in principle subject to the discovery of satisfactory means of financing the new province." This amounted to the acceptance of all of Jinnah's Fourteen Points by the Government. Whatever hope still remained of the success of the efforts initiated at the Allahabad Unity Conference was finally extinguished now. The new situation was clearly reflected at the Round Table Conference. The Muslim delegates presented to it a memorandum expressing their dissatisfaction with the Muslim position in the centre. The government had conceded a representation of 33-1/3 per cent of the British Indian seats, therefore it was emphasized in

Abstract of the Secretary of State's Statement to the Conference on 6 December 1932, Indian Round Table Conference, Third Session, November-December 1932, pp. 57-8.
the memorandum that they should have one-third of the seats in an all-India centre. They demanded 33 seats out of every hundred in the Lower House and 33 seats out of every hundred in the Upper House. They also insisted that out of their 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 also opposed to the grant of any weightage to the states because this would be a further handicap to the Muslim minority. They also 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 representatives from British India should be elected through separate constituencies, i.e. by the Muslim members of the various Provincial Legislatures and by them alone. They also attached great importance to the vesting of residuary powers in the provinces both in regard to legislation and taxation.

The Hindu delegates at the Conference, on the other hand, were feeling very sore over the Communal Award and tried to convince the Government of its being detrimental to Hindu interests. In a memorandum submitted on behalf of the

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Sikhs and the Hindus, they pleaded for the revision of the Award in order to make it more fair and just from their point of view. They also regretted that the differences between the Hindus and Muslims was being exploited by the Government 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. Another memorandum was submitted by a Hindu representative from the Punjab where the Hindus had been denied representation even according to their population minus the weightage. Nanak Chand, the author of the memorandum, did not criticise the Government but reminded it of the constant alignment of the Punjab Hindus with the Government and characterised the Communal Award as the result of "anti-Hindu prejudice which has been created in the minds of the authorities by Congress activities, the non-cooperation movement, civil disobedience and other movements of like nature." He also gave reasons for the opposition of his community against a grant of statutory majority to Muslims by saying that "the absolute majority of a community based upon separate electorates - unchangeable, unalterable - is opposed to all canons of fair play and justice." He further added that the Hindus of the 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 Muhammadan countries".

After the final session of the third Round Table
Conference, a White Paper, embodying the proposals of the
British Government for constitutional reforms was issued. Later
a Joint Select Committee consisting of members of both Houses
of Parliament was convened to discuss the whole question. The
scheme put forward by the Committee was in two parts - one
proposing a federation of Indian States and British Indian
Provinces, the other conferring autonomy on the Provinces.

Differences between the Hindu and Muslim points of
view were again reflected in the evidence presented before the
joint select committee. The general substance of the memo-
randum submitted by the Hindus implied a fundamental objection
to separate electorates and dissatisfaction with the Communal
Award. Nanak Chand was the spokesman of the Hindus and he
argued that if the Muslims were entitled to receive excessive
representation in the Legislative and local bodies of the
U.P., why should the same concession be denied to the Hindu
minority in respect of the Legislative and local bodies in the

33 "The Communal Award: Statement of Reasons against
its acceptance by the Hindu of the Punjab", submit-
ted by Pandit Nanak Chand, ibid., pp. 166-68.

34 Joint Committee on Indian Constitutional Reform,
Punjab, Bengal, the North West Frontier and Sind. Also with regard to services in the Punjab, he stressed that minorities should receive the same treatment as the Muslim minority in U.P. did. B. C. Chatterjee, on behalf of Bengal Hindus also urged the introduction of joint electorates which he characterized as the "solution of the whole difficulty."

The views of the All-India Muslim Conference and the All India Muslim League on the White Paper proposals were placed before the committee in a memorandum which pointed out that "the scheme outlined in the White Paper will not be a complete success until the Muslim community is assured of those rights which the White Paper has ignored." Particular stress was laid on the point that there should be no delay in the introduction of provincial autonomy. It was also pointed out that there were great difficulties in working out an All-India Federation where the Indian States were bound to influence British Indian policy while British India would be debarred from interfering in the internal affairs of the states. It was urged, therefore, that as many subjects as possible should be transferred to the provinces and very few retained for the Muslims, that they should be guaranteed one-third of the total number of seats in the whole House and therefore slightly increased proportion of seats in the British Indian share over

36 Ibid., p. 1475.
the one-third promised to them by the Communal Award. It is to be noted here that while the Muslim leaders expressed their disappointment with the scheme of reforms outlined in the White Paper as they felt that they had not been properly treated, the Hindu representatives in all those provinces where the Muslims were in a majority, did not hesitate to admit that they preferred the autocratic rule of British Government to that of an autonomous Indian legislature.

The timely criticism of the Hindu Mahasabha, which was most vociferous in its condemnation of Communal Award, by Nehru did a lot to soothe the Muslims. It was the first open attack made against the Mahasabha since 1928 when the two communities had started drifting away from each other. While denouncing the Mahasabha as communal, anti-national and reactionary, he also made the Congress stand on Communal Award very clear:

...It is true that Communal Award is an utter negation of nationalism and is meant to separate India into communal compartments and give strength to disruptive tendencies and thus strengthen the hold of British imperialism. But it must be borne in mind that nationalism cannot be accepted only when it profits the majority community. The test comes in the provinces where there is Muslim majority and in that test the Hindu Mahasabha has failed. Nor is it enough to blame Muslim communalists.... The point is that a special responsibility does attach to the Hindus in India because they are the majority community and because economically and educationally they are more advanced.38

37 Ibid., p. 1476.
38 Leader, 1 December 1933.
The Congress had also condemned the Award as "anti-national, undemocratic and intrinsically bad". Despite such criticism, now, out of a desire to accommodate Muslim interests, it adopted an attitude of neutrality towards the Award. It seemed to have realized the fact that the lack of a united front had operated as an effective barrier hindering India's advance in every direction. In a letter to Madan Mohan Malaviya, Gandhi wrote: "...I have given it as my opinion that there is no escape from the Communal Award if we are to secure Musalmans' co-operation and if we are to secure any advantage for the nation. The other alternative is retention of the status quo." In a statement to the Press on 21 May 1934, Ansari explained the Congress policy:

...The Congress knows that while a large number of Hindus and Sikhs have taken strong exception to the Communal Award, a considerable section of Mussalmans, Harijans and Christians have accepted it for so long as an agreed substitute is found. The Congress will always strive to help to find a national solution of the question, but in my opinion such a solution of the question cannot be found except by a Constituent Assembly convened to frame a national constitution. Until then the question of acceptance or rejection of the made or proportion of representation as continued in the Award does not arise.40

The Working Committee at Bombay on 17 June 1934 also reiterated that it could neither reject nor accept the Award given the

39 Gandhi to Madan Mohan Malaviya, 1 April 1934, Syed Mahmud Papers, N.M.M.L.

40 Indian Annual Register, 1934, vol. 1, p. 296.
sharp division of opinion among the different communities in India.

This attitude of Congress led to a split in its ranks. When the Award was discussed by the Working Committee on 21 July 1934 both Aney and Malaviya resigned from the Congress because the Working Committee had decided that no nationalist who would be elected on the Congress ticket as a member of the Legislature could vote against the Communal Award if a resolution on this subject was brought forward. He was also bound to abstain from making any representation against the Award to the British Government and there was to be no propaganda by Congressmen against the Award. Such an attitude on the part of the Congress seemed to jeopardize the position of Hindu minority in the Punjab. Aney and Malaviya, now formed a new Party called the National Party to organize a campaign throughout the country against the Communal Award as well as the White Paper and to set up in Punjab and Bengal candidates for election to the Assembly scheduled to be held in the same year. The Nationalist Party held that there should be no tampering with the Lucknow Pact except with the consent of the parties concerned. The Hindu Mahasabha announced its whole-hearted support to the Nationalist Party.

41 Ibid., p. 300.
42 "Congress and Communal Award", Correspondence between Nehru and Jagat Narain Lal, 30 October 1936, A.I.C.C. Papers.
43 Moonje to Ganpat Rai, 9 August 1934, Hindu Mahasabha Papers.
In the Assembly Elections held in October 1934, though the Congress lost 2 seats in the Punjab and 3 seats in Bengal to the Nationalist Party, it captured all the general seats in Madras, Orissa, U.P. and C.P. On a suggestion made by some members of the Nationalist Party in Bengal for a reconsideration of its attitude on the communal problem, in view of the verdict of the Hindu electorates in the Punjab and Bengal, the Working Committee reiterated its opinion:

The policy of the Congress in the matter of Communal Award is already recorded in a resolution passed at the Bombay session of the Indian National Congress. The fact that in some constituencies, some Congressmen have chosen to differ from the Congress policy on this matter...does not and cannot affect the Congress policy until the same is reconsidered and revised by the Congress, particularly when the said policy has been overwhelmingly endorsed in the country at large. Until then all Congressmen and Congress organizations are expected to abstain from working against the policy of the Congress as solemnly decided.44

The attitude of the Congress undoubtedly contributed to a considerable lessening of tension between the Hindus and the Muslims in the political field, at any rate for the time being. The crux of the whole issue, which had led to disagreement between the two communities was that the Muslims had asked for assurances that the safeguards to which they attached importance should be embodied in the future constitution of India. The Government had acceded all their demands and the Congress had also not denied them unequivocally. After his arrival

from Europe in 1934, Jinnah voiced his unequivocal condemnation of the entire constitutional scheme. On the question of the Communal Award also, the League did not rule out the possibility of modifying it. The Council of the League which met at New Delhi on 1 April 1934 passed the following resolution: "Resolved that they accept the Communal Award as far as it goes until a substitute is agreed upon by the various communities and on that basis expressed their readiness for cooperation with other communities and parties to secure such future constitution for India, as would be acceptable to the country."

Giving his impression of the above-mentioned session of the Council of the Muslim League in an interview to the Associated Press, Jinnah said that the Muslims would not lag behind any other community in serving the best interests of India. He also expressed his deep interest in opposing the White Paper proposals being foisted upon India. He, however, felt that opposition could be effective only if there was unity between the Hindus and Muslims. He said: "...nothing will give me greater happiness than bring about complete cooperation and friendship between Hindus and Moslems and in this desire my impression is that I have the solid support of Mussalmans. ...On my return to India, I have seen abundant

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45 *Indian Annual Register*, n. 40, p. 318.
evidence that public opinion both Hindu and Moslem, thinks alike in terms of the political evolution of the country."

At a meeting of the Working Committee of the All-India Muslim Conference held at Aligarh on 23 December 1934, Nawab of Chhatari, the President, also remarked that the constitutional advance proposed by the Joint Parliamentary Committee was disappointing as it fell short of the aspirations of Indians. As for the Communal Award, he pointed out that it formed the basis of co-operation among the communities in the absence of any settlement among them.

Opening the All-Bengal Muslim Young Men's Conference held in Calcutta in October 1934, Fazl-ul-Huq, who presided, urged the Muslims to end communal strife and jealousy which might "shatter all hopes of the future of India." He said:

...We are on the threshold of momentous constitutional changes. ...Great as our hopes of political advancement are, we cannot shut our eyes to the fact, that flitting across our vision of the future, there are sinister phantoms of communal jealousy and strife.... If we have not made ourselves fit for the changes that are coming we will be pushed to the wall despite all the provisions contained in the White Paper or the momentary Communal Award. The besetting sin of Muslim politics has all along been the unfaltering faith in the sense of justice of the British officials.48

With the dawn of the year 1935, negotiations were started between the Hindus and Muslims for the substitution of the Communal

46 Ibid., p. 319.
47 Indian Annual Register, n. 44, pp. 310-11.
48 Ibid., p. 311.
Award by agreement. They got an early start particularly because Jinnah had expressed his readiness to accept an honourable compromise. On 1 January 1935, after receiving a letter from Jinnah, Iqbal wrote to Ansari, "...I think the time has come for Hindus and Muslims to work together. ...If this opportunity is lost, present tensions will only stiffen more and more making co-operation impossible." Rajendra Prasad, the President of the Congress, wrote to Jinnah on 23 January that the only way for progress was "to jointly formulate some proposals which you and I could put before our respective organizations as jointly emanating from us." For him, the sorest point in the Award was separate electorate and he wrote to Jinnah that no progress was possible if this was retained. He put forward a formula which was based on the Working Committee's resolution adopted at Bombay in 1931, which included joint electorates, reservation of seats on population basis with freedom to minorities to contest more seats, the franchise being so arranged as to reflect the proportion of population of various communities in the electorate.

Jinnah also was very keen that they should arrive at a settlement and ask the government to accede it because such

49 Iqbal to Ansari, 1 January 1935, Ansari Papers.

50 Notes of conversation held between M. A. Jinnah and Rajendra Prasad on 28 January 1935. Rajendra Prasad Papers, National Archives of India.
"a settlement would remove the cloud of suspicion and we would work together with confidence". He was prepared to accept joint electorates and expressed his readiness to proceed on that basis. He pointed out that in the formula under discussion, there would be difficulties in Bengal where a large proportion of the seats had been reserved for Europeans. Rajendra Prasad pointed out that it was argued by the Hindus that both in the Punjab and Bengal, although the Hindus were in a minority, weightage was given to Europeans not only at the cost of the majority party but also at the cost of the Hindus which was most unfair to them. Talking about the chances of an agreement on the communal question, Jinnah said that if the Congress did not insist on its demand for complete independence and sat down with others to define the demand in terms of transfer of power regarding Defence, Foreign relations and Finance, there were good chances of a formula being evolved which would be acceptable to the Liberals and the Muslims. Rajendra Prasad's conclusion was that "if the Congress insisted on demanding 14 annas, and Mr Jinnah felt that we should not demand more than 12 annas, he would not press his views to a breaking point and fall in line with us." He proceeded to suggest a formula for Bengal and said that if as a result of joint efforts some seats were secured from Europeans they might be divided on population basis.

51 Ibid.
In their next meeting on 30 January, Jinnah, while talking about the Resolution which might be tabled in the Central Assembly about Report of the Joint Parliamentary Committee, assured Rajendra Prasad that if the Congress tabled a resolution rejecting it, the Muslims would not vote for it as they held that the rejection of the Report included rejection of the Award also. In his opinion the foundations of the provincial constitution with an extended franchise, transfer of all departments to responsible Ministers and a wholly elected House were all sound. The objectionable features were the Governor's special powers and powers relating to the police. As regards the Centre, the scheme was fundamentally wrong and no changes would make it acceptable.

Jinnah also suggested to Prasad that in place of separate electorates, something should be given to Muslims as compensation. He added that (1) they should have the electoral register so framed as to reflect the proportion of their population, if necessary by a different franchise, (2) that the constituencies should not be overlapping, and (3) that in the Punjab when the constituencies were demarcated, he would give the Sikhs, being the smallest community the first chance to select those they liked and then the Hindus would be given a similar chance and lastly what would be left would be given to the Muslims. So far as Bengal was concerned, he was prepared
to accept the proportion of seats allotted in the Award but wanted that joint efforts should be made to secure some seats from Europeans. He admitted that caste Hindus in Bengal had suffered a double blow - one in the Award which gave them less than their population and the other by the Poona Pact. He wanted the seats obtained from the Europeans to be distributed among Upper Class Hindus and Muslims.

As a result of the conversation the following formula was drafted as a basis for further discussion and it was decided to ascertain the reaction of Hindus, Muslims and Sikhs:

1. Franchise should be so framed and adjusted as to reflect the proportion of population of the various communities in the electoral rolls for the provinces and the centre and for that purpose differential franchise should be adopted wherever necessary.

2. There should be no overlapping of electorates of different constituencies.

3. In the Punjab the Sikhs should choose the number of constituencies for the seats allotted to them in the Award and thereafter the Hindus would have the choice to fix on such constituencies as they might desire for the number allotted to them and the remaining constituencies would be allotted to the Muslims according to the number of fixed in the Award, excluding the seats allotted to Europeans, Anglo-Indians,

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52 Ibid.
Indian Christians and special constituencies.

4. In Bengal it was agreed between the Hindus and Muslims that if any seats were obtained from Europeans, the same would be divided between the Hindus and Muslims in proportion to their population in that province. Joint efforts would be made by the Hindus and Muslims to persuade the Europeans to release as many seats as they possibly do from the quota allotted to them by the Award. Subject to this, the seats allotted to the Muslims under the Award were to remain reserved for them excluding the seats given to Europeans, Anglo-Indians, Indian-Christians and special constituencies.

5. Similar seats allotted to Muslims for the Central Legislature by the Award were to remain reserved for them.

6. On the basis it was agreed that joint electorates would replace separate electorates in all the provinces and in the Centre.

In substance, it meant that seats were given to Muslims as in the Award but elections were to be held on the basis of joint electorates formed on the basis of a franchise which would reflect the population of various communities. Prasad preferred a reduction of seats for Muslims in the Centre as they had got more than 33-1/3 per cent of the seats in British India. He also wanted a time limit to be fixed on the reserva-

53 Notes on conversation between Jinnah and Prasad held on 13-14 February 1935. A.I.C.C. Papers.
tion of seats. But on both these points Jinnah argued that it would be hard for him to get Muslim acceptance if they reopened the question of seats along with that of electorate. Prasad was quite convinced with Jinnah's arguments as is clear from his remark: "...If we consider the allotment of seats, we notice that a majority of seats is not reserved for them [Muslims] even in Bengal and the Punjab. They may get a bare majority only if they capture some of the special constituency seats". He gave more weight to securing joint electorates and felt that on the whole the formula "furnished a fair basis of agreement." He was prepared to "pay some price" in order to secure joint electorates.

Maulana Azad had also requested Prasad to take full advantage of the situation as he had found Jinnah in a conciliatory mood and considered him as a person who could deliver the goods on behalf of Muslims. He also desired that if joint electorate could be obtained by the Congress acceding to Muslim demands for reservation of seats, the Congress should not hesitate to go for it. He was conscious of the fact that the Award had turned the scales in favour of Muslims, but since the Congress had always attached great significance to joint electorates, it should not fail to secure them. Jinnah had

54 Prasad to Sardar Patel, 14 February 1935, Rajendra Prasad Papers, microfilm copy, Nehru Memorial Museum and Library.

55 Azad to Prasad (Urdu), 18 February 1935, Rajendra Prasad Papers, N.A.I., New Delhi.
also given an assurance to Prasad that if the communal problem was solved, the Muslims would be prepared to join in any national demand or struggle. Personally, Prasad had no objection to points put forward by him.

Prasad now started conversations with Bengal and the Punjab Hindus to ascertain their views on the draft formula. He had already received telegrams from Bengal Hindus exhorting him not to commit to any scheme without consulting them. Malaviya had also adopted a very stiff attitude and made it plain to Prasad that if the seats given to Muslims in the Centre which were more than 33-1/3 per cent were not reduced, he would not accept any settlement. He also desired that while Muslims in Bengal should get 51 per cent, the Hindus should get 44.5 per cent, and not in proportion to their population, as that would amount to perpetuating their unfavourable position. When Prasad argued that the Muslims had the Award in their favour and that the Hindus should "make the best of a bad position", Malaviya replied that only if he pressed the Hindu viewpoint they would accept a reasonable settlement.

56 Prasad to Tushar Kanti Ghosh, 29 March 1935, Rajendra Prasad Papers.
57 Telegram from Indra Narayan Sen to Prasad, 15 February 1935, Rajendra Prasad Papers.
58 Daily Notes taken by Prasad, 20 February 1935, Rajendra Prasad Papers.
59 Ibid.
When Prasad asked Jinnah to reconsider his attitude on 20 February, he expressed his inability to do so as he had already faced difficulties in persuading his colleagues to give up separate electorates. He pointed out to Prasad that the Congress should recognize that "what may have been possible some years ago was not possible to-day and those who made such suggestions ignored the basic fact of the Award being in favour of Mussalmans."

Confronted with the opposition of the Hindu Mahasabha leaders, Jinnah started insisting that Prasad should try to get the signatures of Malaviya and other leaders. This demand was not unreasonable, because so far the Unity Conferences and talks between the Hindu and Muslim leaders had proved abortive because of the stubborn refusal of Hindu Mahasabha to yield to Muslim demands. In the meanwhile an Anti-Communal Award Conference had met at Delhi on 23 February 1935 and was carrying on an intensive campaign against the Award. It also sent a memorial to Zetland signed by the Hindu leaders of Bengal, including the members of Bengal Legislative Council to make an amendment to the following effect:

(a) that the method of choosing the members of the legislature in Bengal should be by Joint Electorates in which the Hindu minority of Bengal believed as a matter of principle

60 Ibid.
and not by forcing upon them separate communal electorate which was a negation of responsible government;

(b) that the composition of the Legislature should be so altered as to restore to the Hindu minority their due share of representation on the basis not merely of their population strength but also of their established culture, economic, political and administrative importance, on the basis of which they had been granted their existing representation and on no account should this be curtailed;

(c) they protested strongly against the unfair and unprecedented provision to protect a majority community by conferring upon it a position of permanent and statutory predominance in the Legislature and making that position unalterable by any appeal to the electorate. In conclusion they submitted that pending decision on their claims to a larger amount of weightage in representation, the status quo should be maintained in the matter of communal representation in the Legislature in the absence of any fresh communal agreement.

In view of such divergence of opinion, Prasad and Jinnah could not achieve anything. On 1 March, they issued a joint statement announcing their inability. It read as follows:

61 The memorial of the Hindus of Bengal including the Hindu members of the Bengal Legislative Council, Hindu Mahasabha Papers.
We had made an earnest effort to find a solution of the communal problem which would satisfy all the parties concerned. We regret that in spite of our best efforts we have not been able to find such a formula. We realize that communal harmony and concord are essential for the progress of our country and we can only hope that forces will arise which will make a future attempt more fruitful. 62

At its twenty-fourth session held in Bombay on 11 April 1936, the All India Muslim League formally defined its attitude towards the Constitution and falling in line with the Congress, it decided to utilize its provincial part. In his presidential address Syed Wazir Hasan accused the Government of forcing a constitution upon India and described it as "anti-democratic". This session of the League is significant because, in marked contrast with the previous sessions, there did not figure any remarks hostile to the Congress or any advocacy of communal interests. Instead, more emphasis was laid on achieving unity. Currimbhoy Ebrahim, chairman of the Reception Committee observed: "Unity is the bedrock of nationhood as it is also the essence of all religions. And no constitution, however advantageous from our point of view, can work well or survive in the absence of inter-communal goodwill and harmony." 63

62 Joint Statement by Rajendra Prasad and Jinnah, 1 March 1935, Rajendra Prasad Papers.

In moving the resolution regarding the constitution, Jinnah said that there was only two per cent responsibility and 98 per cent safeguards and special responsibility of the Governor-General. He severely criticized those reactionary conservative Muslims whose sole aim was to secure office and places for themselves and who had received every encouragement and support from the Government. They were accused of being the main hindrance in the way of independence. The main principles of the election manifesto issued by the League's Parliamentary Board on the basis of which Muslim representatives in various legislatures were supposed to work were defined as follows: (1) The provincial constitution and proposed central constitution should be replaced by full self-government on democratic lines, (2) and that in the meantime representatives of the Muslim League in the various Legislatures should utilize the Legislature in order to extract the maximum benefit out of the constitution for the uplift of the people in the various provinces. The Muslim League Party must be formed as a corollary so long as separate electorates existed but there would be free co-operation with any group or groups whose aims and ideals were approximately the same as those of the League Party.

The Manifesto also laid down the following programme for the ensuing election: to protect religious rights of Muslims in which connection, for all matters of religious
character, due weight should be given to the opinion of the Jamiat-Ulema-i-Hind and Majrahids to make every effort to secure the repeal of all repressive laws; to reject all measures which were detrimental to the interests of India, which encroached upon the fundamental liberties of the people and led to economic exploitation of the country; to reduce the heavy cost of administrative machinery, central and provincial and allocate substantial funds for nation-building departments; to nationalize the Indian army and reduce military expenditure; to encourage development of industries; to work for social education and the economic uplift of the rural population to sponsor measures for the relief of agricultural indebtedness; to make elementary education free and compulsory; to protect and promote the Urdu language and script; and to devise measures for the amelioration of the general condition of Muslims.

This programme was not fundamentally different from that of the Congress, except that some emphasis was laid on Muslim interests. This augured well for the future, but as we shall see in the next chapter, fate ordained otherwise. To that we now proceed.

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64 Indian Annual Register, vol. 1, 1936, p. 301.