Chapter V

THE PROBLEM OF ACCESSION TO THE PROPOSED INDIAN FEDERATION 1935-39

During 1934-35, the Government of Lord Willingdon was going ahead with its reactionary policies to suppress completely the civil disobedience movement and revolutionary terrorism in India. Subsequently the Government seemed to have realized that the sheer force of military strength would not low down the patriotic impulse of the people of India, and that no useful purpose would be served by the repressive measures. The British authorities taking advantage of the new situation, but giving the impression that they were interested in the advancement of India towards constitutional and liberal institutions, began to move cautiously in the direction of urgent political reforms, and the result was the Government of India Act, 1935. This Act, for the first time in the constitutional history of India, opened the way for the princely States to be brought into the all India federation.

The Government of India Act of 1935 contemplated a federation of British Indian provinces and Indian states. The Act provided for provincial autonomy and a federal government at the Centre, which in its outer form presented all the normal characteristics of a federal set up.
The accession to the federation, in the case of the provinces, would be automatic, but it would be voluntary in the case of the Indian states. An Indian State ruler would accede to the federation by executing an Instrument of Accession which have to be accepted by His Majesty and the federation would be brought into existence by the issue of Royal Proclamation.

Under the Government of India Act 1935, the special powers were reserved to the governors to declare a state of emergency, and once a governor proclaimed so, he could suspend the constitution and assume all the powers to himself. Actually, in real sense, the provinces whose governments were to derive their powers directly from the Crown; on the other hand, the Crown Representative exercised his functions over the states through the agency of the Political Department, local Residents and Political Agents. The powers of the Crown with respect to the Indian states


were divided between two functionaries, the Governor-General and the Crown Representative. While functions of the Crown in relation to the British India and the federation were to be exercised by the Governor-General, its functions relating to the states, including that of Paramountcy, were to be exercised by the Crown. In the field of the legislative, executive, fiscal and judicial authority, the power of the federal government was very wide, uniform and direct with regard to the provinces; however, it was relatively limited and variable in the case of the states, and Paramountcy was the ultimate sanction for the enforcement of the federal authority in the federated states. The existence of federal units with unequal status and power in the federal field as well as the emergence of Paramountcy as the super power so far as the states were concerned was bound to create many discrepancies in a federal form of constitution. This led Lord Meston to think that the scheme was like 'mixing of oil with water'.

3. Ibid, Section 3.

The Government of India Act 1935 was conceived in an atmosphere of suspicion and distrust, repression and reaction. It did not obtain the sanction of any section of the Indian people or the princes or even of the conservative element in England. Rejecting the Government of India Act, 1935, Jawaharlal Nehru said that it would only strengthen the hands of the imperialist domination and intensify the exploitation of the masses. In the opinion of Sitaramayya the main objection to the Act was that it was the product of neither self-determination nor even of joint determination, but of 'other determination'. In addition, the scheme of government labour under the clear disability - want only and deliberately planned - of the body politic being so shaped as to have trunk without a head and therefore of its activities remaining uncontrolled or uncoordinated.' The square reactions against the Government of India Act, 1935, had come from the sides of the princes; eventhough, the federal scheme provided for provincial self-government or autonomy. The Government of India Act 1935, also failed to win the hearts of the princes;

in fact, it limited the legislative, executive, judicial
and fiscal powers of the rulers in their relationship
with the Central Authority. Some of the princes were
afraid that their extra-territorial rights and
privileges would be restricted; on the other hand, the
main object of the rulers was to increase the sphere
of their own sovereignty and at the same time compel
the Crown to guarantee protection of their rights. In
1932-33, the Chamber of Princes came out with certain
conditions and safeguards on which the federal scheme
would be acceptable to the states. But the safe­
guards demanded by the Chamber of Princes were turned
down by the Government of India.

Lord Linlithgow's mission to convince the
rulers failed. His Special Emissaries reported to him
that the rulers appeared to envisage a federation less
organic than that embodied in the Government of India
Act.

6. Report of the Constitutional Committee of
the Chamber of Princes (Delhi: Hindustan Times Press,

7. Foreign Department, Political File No. 91,
1934, NAI, New Delhi.

8. V. P. Menon, The Story of the Integration
of the Indian States (New Delhi: Orient Longmans, 1956),
p. 36.
Studying the attitude of the princes towards the all-India federation, the Political Department revised the Draft Instrument of Accession; however, the Committee of the Chamber of Princess headed by Akbar Hydari rejected the same. Ultimately, it was resolved in a meeting of the rulers and ministers held in Bombay on April 13-14, 1939, that the terms on the basis of which accession was offered to them were unacceptable. As the princes came to realize that Britain would not bargain away Paramountcy in return for their cooperation with the federal scheme, and that any all-India federation involved diminution of their sovereignty and the revision of their treaty rights, their reluctance to accede became increasingly manifest. Thus on the eve of the Second World War, their substantial rejection of the federal offer was apparent; consequently, the outbreak of the War in September 1939 made the British Government abandon the idea of issuing such a White-Paper, and on September 11, 1939, Lord Linlithgow announced in his address that, while the federation remained, as before, the objective of His Majesty's Government, 'The compulsion of the present internal situation, and the fact that, given the necessity for concentrating on the emergency that confronts us, we have no choice but to hold in
suspend the work in connection with preparation for federation while retaining federation as our objective.  

The question of Manipur's accession to the proposed federation under the Government of India Act, 1935, became highly controversial and was hotly debated in the State. The Central Government was anxious to persuade all the 'native states' to join the proposed federation. It was assumed that Manipur would be joining it if the Chamber of Princes hinted to a definite instrument of accession acceptable to the rulers of the states.

The Chamber of Princes had, even after the publication of the White Paper on the federation, in 1932, resolved that unless and until some important guarantees were made, the question of accepting the federation would be out of consideration. In April 1932, at a plenary session the Chamber expressed their views on the federal idea. In the following session, next year, after the publication of the white paper on the federation, it stipulated that the entry of the princes into the federation was fundamentally

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dependent upon the inclusion in the scheme of the constitutional reforms of the essential safeguards for which the states had consistently pressed. The Chamber was of the firm view that some of the indispensable rights of the princely rulers should not be restricted. After the publication of the white paper, it was obvious that their proposed terms and conditions of joining the federation were not acceptable to the paramount power and would not be incorporated in the federal statute. The Chamber of Princes thereupon resolved that the native states were free to decide individually whether to join the federation or not.

In the case of Manipur, the Maharaja was of the view that the Government of India should preserve some of the most essential rights of the ruler. In 1932, the Maharaja visited Shillong to exchange views with Laurie Hammond, the Governor of Assam, on the question of the federation. Like other princes of different states, Sir Chura Chand Singh, the Maharaja

10. Foreign Department, Political File No. 91, 1934, NAI, New Delhi.

11. Foreign Department, Political File No. 235, 1932, NAI, New Delhi.
of Manipur, was naturally apprehensive that his rights would be curtailed if he joined the federation. The Viceroy wanted a local Political Officer should be employed to convince the Maharaja that the federation scheme would incorporate, as far as practicable, the reservations put forward by his Government. The Maharaja complained to the Chancellor of the Chamber of Princes that he would be unwilling to attend the Council of State unless one seat allotted for Manipur. Although he understood that this would not be considered. According to the administrative rules of 1919, Manipur was not qualified, in strict sense, to become a member of the Chamber of Princes, even if her Ruler was a possessor of the dynastic salute of eleven guns, as the Maharaja and the Durban had no full measure of authority and control within the State itself. For instance, the funds of the State were remained in the Government Treasury and the State accounts audited by the Assam Comptroller. Nevertheless, the Deputy Secretary, Political Department, suggested that the Maharaja, if he

wished, might exercise his right to attend the inaugural meeting of the Chamber of Princes. This indicated the attitude of Maharaja towards the federal scheme even though he was supposed to be well aware of the impending re-increase of Manipur's tribute to the Central Government from Rs5,000 to a huge amount of Rs50,000. This was the amount fixed against the Manipuris as a penalty for their rebellion in 1890-1891, against the British. However, it was reduced to Rs5,000 taking into consideration the poor economic condition of Manipur.

The Assam Government was asked to give its opinion whether the Central Government should increase the tribute to Rs50,000, when the period of reduction lapsed, if the Maharaja did not accept the proposed federation. The Foreign Department very wisely answered that this was not a threat to force the Maharaja to join the federation. The fact was that the period of reduction

13. Home Department, Political File No. 221, 1936, NAI, New Delhi.

14. Foreign Department, Political File No. 62, 1930, NAI, New Delhi. The question of reduction was taken after the Kuki Rebellion of 1917-19, on the condition that the remaining Rs45,000 out of the total amount of Rs50,000 would be fully utilized by the state government for the development of hill administration. Foreign Department, Political File No. 191-196, 1919, NAI, New Delhi.
was likely to lapse and, therefore, the re-imposition of the full amount would take effect from April 1, 1937. The Foreign Department felt that it would not be able to justify further continuance of reduction as the financial condition of Manipur had improved during the course of the years. 15

The Maharaja was disinclined to join the proposed federation as he felt, probably rightly, that his powers and privileges would be undermined by the extension of the Government of India Act, 1935, to the Manipur State. But after a thorough consideration, he decided to discuss and negotiate the issues involved with the representatives of the Government of India.

Manipur's Conditions for Accession

At a meeting held in Calcutta, on January 2, 1937, the question of the federation was thoroughly discussed between the State delegation led by the Maharaja and his second son Maharaj Kumar Priyabarta Singh, and the (British) Indian delegation including

15. Home Department, Political File No. 359, 1936, NAI, New Delhi.
A.C. Lothian, Additional Secretary, Foreign and Political Department, Government of India, and C. Gimson, Political Agent in Manipur. C. Gimson attended the conference at the request of the Maharaja on behalf of the State as well as at the instance of the Assam Government. In the meeting the ruler of Manipur agreed that the State would join the federation provided that the Government of India accepted and/or the following:

1. As regards the administrative matters:
   
   (i) the administration of the hill tribes of Manipur should be handed over to the State authority;

   (ii) the appointment of the Durbar President should be placed in the hands of the Ruler;

   (iii) the British Reserve, with the possible exception of the Residency grounds and an area required for the Assam Rifles (if they remain), should be returned to the state;

   (iv) the keeping of the Assam Rifles should be according to the wishes of the Ruler;
(v) the Political Agent's power of control over the hill administration and the financial matters of the State should be restricted. Further, his magisterial jurisdiction should be restricted;

(vi) the federal excise staff should not be necessarily maintained;

(vii) the past treaties and sanads should not be superceded.

2. In regard to financial matters, the Maharaja posed a few problems:

(i) whether the ruler of the State would be liable to income-tax and the duties in respect of succession to property, and whether a reservation against the income-tax would be accepted by the Government of India;

(ii) whether the State would be legally unrestricted in the introduction of the import and the export duties. If the Mao-Imphal section of the road is maintained by money, other than the State money, would this in any way restrict the power of the State with regard to the imposition of taxes on
goods carried to and from Imphal by road. Further, the State would like to be clarified, if she joined the federation, would the Mao-Imphal road be maintained by the federal government;

(iii) the State authority should not be restricted to the imposition of the forest duties;

(iv) the State authority had been getting Rs2,000 per annum by leasing the salt-wells. This product was particularly used for the religious purpose. The State Government wanted to know a clear cut about the salt revenue if it came under the federal supervision;

(v) there should be complete remission of the tribute payable by the State, if the State joined the federation;

(vi) with reference to Section 147 of the Government of India Act, 1935, whether His Majesty would consider a complete remission of the tribute payable by the State. If the remission was
conditional, the thing should be explained clearly. 16

Besides concluding the questionnaires and the demands the State Government referred also to the issue of Kabaw Valley which was ceded from Manipur and transferred to Burma under the treaty of 1834. However, the matter was dropped as it might be discussed later. In the opinion of A.C. Lothian, Additional Secretary and Special Representative, Foreign Department, the foregoing conditions applied partly for information about the legal position of the State under the federation, and partly for information with regard to the Government of India's intentions. When the matter came to the knowledge of the Assam Governor who, analysing the ins and out of the stated conditions of the Manipur government expressed his opinion mostly in negative.

The plea for the transfer of the hill administration to the State Government was rejected on historical reasons. From the time immemorial the hillmen were dependent on the administration of the

16. Ibid.
Valley where the Hindu Meiteis were the majority. The British administrators never believed that the Manipuris would do good for the tribals. The boundaries were not fixed at all. There was no cultural unity between the hillsmen and the Manipuris (the plains). Whenever the ruler wanted to extract a tribute from the hillsmen, he did it. The Manipuris what they thought of the tribals as in their eyes 'a hillsman is on altogether a lower plane of human life.'\textsuperscript{17} If anyone failed to pay the taxes to the State authority, the ruler used to arm some other village to suppress the defaulters. Sometimes, the rulers advised the village-men to kill the non-tax payers.

The British Government saw no reason to give up the administration of the hill areas in favour of the Maharaja. That would be tantamount to the betrayal of the tribals. It was learnt that the Maharaja had collected a huge amount of money from the hill people till 1891. The hill administration had to be taken over by the Englishmen after the Kuki rebellion of 1917-19, and put under

\textsuperscript{17} \textit{Ibid.}
the charge of a British Officer. It was a fact that even after the uprising of 1891, there had been no proper provision for the hills in the State budget. Only one-fourth of the full amount extracted from them was spent on them. The British Government blamed the native State authorities for neglecting them, which, according to the British viewpoint, was the principal cause of the rebellion. As a result of the Kuki rebellion, the Government of India had to cost nearly twenty lakhs of rupees. 19

Analysing the past history of Manipur's relationship with the tribals, the Governor of Assam decided that the British control of the hills should not in any way be loosened. 'It is fact, if a regrettable one, that neither His Highness nor his Darbar is interested in the good government of the hill tribes, while they grudge the expenditure of money on them'. 20 On the other hand, the warlike hill people would not tolerate the re-imposition of

18. Ibid.

19. Foreign Department, Political File No. 535-556, NAI, New Delhi.

20. Home Department, Political File No. 359, NAI, New Delhi.
the old system of the Manipuri domination by a method of periodical massacre. Therefore, the question of relaxation on the administration should be dropped at present.

Once, when the hill sub-divisions were abolished a problem of open clash between the Nagas and the Kukis arose. Afterwards it led to the turmoil of 1930s in the hill areas of Manipur (and the Naga Hills). However, the timely tackling of the situation by the State Governments saved Manipur from a disastrous fate. As a matter of fact, 'History shows that the Manipuri cannot and will not give the hills an administration of the standard to which they are both entitled and now accustomed and that it can only be maintained by the control now exercised. We (Englishmen) are under an obligation to the hills tribes to maintain to them a decent administration'.

Secondly, the Governor took the question of the authority of the appointment of the Durbar President. It was in the hands of the Governor of Assam on behalf of the Governor-General. The Durbar President was always a British Officer from the Indian Civil Service.

21. Ibid.
 cadre. The Maharaja desired that he should be a Manipuri from Manipur, *Prima facie*, the Governor of Assam pointed out that this might be practicable provided that the valley administration was confined to the Durbar, and the hill administration to the Political Agent appointed by the Government of Assam and approved by the Government of India.

Thirdly, it concerned with the British Reserved Area in Imphal. The Government of India's opinion was to maintain the status quo, as recommended by Sir Michael Keane.\(^\text{22}\) The withdrawal of the Assam Rifles stationed in Imphal in the near future would be too risky. The tribals were wild by nature, so, in anytime they might revolt against the government. The British officers doubted that any considerable relaxation of their control would inevitably lead to the head-hunting. Above all the past history of Manipur was turbulent and the treacherous murder of the Assam Chief Commissioner in 1891 was still afresh in the memory of the British administrators.\(^\text{23}\) Besides, according to

\(^\text{22}\) Foreign Department, Political File No. 198, 1934, NAI, New Delhi.

\(^\text{23}\) Foreign Department, Political File No. 13, 1936, NAI, New Delhi.
the sanad the Maharaja and his heirs were really supposed to be safeguarded by the British Government. And the Assam Rifles' first duty was to represent the Government in order to ensure the safety of the Political Agent, which was important, and secondly to help the Government in case of trouble in the hill areas. The removal of the force would be justifiable only when the new lines were provided elsewhere after the abandonment of the old ones. Moreover, it would not be advisable on the geographical grounds. The Governor thought over the matter and decided that "... in the event of His Highness joining the Federation, mention of the British Reserve should be made in the Instrument of Accession as an area to which it is expedient that the provisions of Sub-section (1) of Section 294 of the Act should apply."

The Governor of Assam recognised that the desire of the Maharaja and his Durbar for the return of the site of the old palace and fort was a genuine and natural one, and he would readily accede to it

24. Foreign Department, Political File No. 7, 1936, NAI, New Delhi.

25. Home Department, Political File No. 359, 1936, NAI, New Delhi.
but for the consequences entailed.

Fourthly, the financial control of the State was in the hands of the British Officers since the advent of the British rule in Manipur. When the Maharaja was a minor, the whole administration was in charge of a Superintendent. The Governor considered that a right time had come to relax the financial control over the Manipur Administration. But he was of the opinion that all the financial authority be taken over if there was a threat of financial disorder. This policy could ensure a sound monetary condition in relation to the hill administration, salaries of the officers lent to the State, etc.

Previously, considerable financial control was exercised by the British Authority. The budget of the State was prepared by the President of the Durbar and the Maharaja. Then it was forwarded to the Political Agent for submission to the Governor of Assam, who would approve the budget after minute scrutiny and with some slight modifications, if desirable. After his approval, the Durbar would make reappropriations only with the sanction of the
Political Agent. Any appointment to a post which carried an amount of one hundred rupees per month as salary would necessarily require the previous sanction of the Governor of Assam, as in the case of reappropriations. And for major changes, the sanction of the Governor was essential.

Fifthly, the Maharaja was in favour of strict control on the entry of the non-State subjects in his State. The power of issuing entry pass was exercised by the Political Agent with the approval of the Maharaja. He never favoured the relaxation in the prevailing system. From the side of the Governor also, nothing short of the relaxation was recommended.

Sixthly, the Governor advocated that the control of the arms and ammunition in the State should not be relaxed as there was a potential possibility of a sudden political uprising which would disturb the peaceful atmosphere of the State. The Manipuris were disarmed after the rebellion of 1891. The arms licences were not even issued to the relatives of the Maharaja and the members of the Durbar. The

Political Agent granted licences whereas the Durbar President controlled the issuing of licences to the hill people. The British Officers were doubtful if licences were issued freely to the Manipuris, the arms might be passed on to the hill people or Assamese, or Burmese for business sake, as the high price of a muzzle might tempt the Manipuri licence holders. The British administrators were well aware of the Angamis' attitude towards them and inter-tribal conflicts that used to take place till **pax Britannica** was extended to the region. The Angamis ravaged many times their weaker neighbours, and on several occasions they stiffly opposed them with arms which they obtained from the Manipuris. 27

It also reminded that the Manipuris had passed on many guns to the hill people, when they were disarmed after 1891. The same arms were used against the British during the Kuki rebellion. Understandably, it was held that there should be

27. In one incident of 1879, Khonoma men admitted that those were the guns received from the Manipuris, with which they shot the Deputy Commissioner of the Naga Hills and almost plundered his force.
no relaxation of the control of the arms, otherwise the State might be faced with similar problems of law and order, even anarchy. 28

It was thus unmistakably clear that the Assam Government was not in favour of further relaxing control over the administration of the State except in minor matters. However, the Assam Government favourably considered the suggestion for relaxation of financial control, and the appointment of the Durbar President by the Maharaja. The Governor assured the Maharaja that these two suggestions might be given effect to without further delay. But to the Maharaja, the two concessions were nothing but too inconsequential to satisfy his ambition to be a real ruler of the State.

In a separate letter, in reply of the Political Agent's letter, the Maharaja further communicated with him explaining the final terms and the conditions on which he wished to join the federal scheme. But he asserted: '... I write to say that before finally deciding whether I shall accede to the Federation, I shall prefer to wait

28 Home Department, Political File No. 359, 1936, NAI, New Delhi.
until the results of the present deliberations conducted by the Chamber of Princes are known. To increase his importance and safeguard his status he put forth the following conditions (including the previous ones):

With regard to the Federal Legislative List:

(a) item 12 (Federal agencies and institutions, etc.): The establishment of such agencies and institutions should be left to the Maharaja's discretion;

(b) item 29 (Arms): The power now exercised by the Political Agent over the arms and ammunitions should be entrusted to a State officer;

(c) item 42 (Offences against laws under the federal legislative list): The items to the extent to which such were accepted in the instrument of accession should come under the federal laws through the courts of the Manipur State;

29. Ibid.
(d) item 47 (Salt): The Local salt-wells should be reserved. If the Government of India accepted such reservation it would mean that an immunity to be set off against the proposed remission of the tribute, would be calculated on the figure of the production with regard to the federal rate of tax;

(e) item 48 (State lotteries): The Maharaja wanted a complete reservation in the local lotteries;

(f) item 50 (Migration): In the matter of migration, there should be sole reservation. However, it might affect the entry rules for the non-State subjects;

(g) item 54 (Income-Tax): This item should be wholly reserved;

(h) item 55 (Taxes on the Capital value, etc.): This item should be reserved completely.

(i) item 56 (Succession duties): It should be reserved wholly.

Negotiations Cut Short by World War II

The British apprehended that the Maharaja by setting forth conditions of all sort, was using delaying tactics to evade joining the federation. His attitude was incompatible with the aims of the Government of India. The Government of India did not see any reason in meeting all the demands and the reservations put forth by the Maharaja. The question of immediate concern was whether to ask Manipur formally to join the federation. The higher officials, after considering the Maharaja's demands and reservations, were of the view that he should be invited to join the federation.

Most importantly, the Maharaja demanded complete reservation on arms and ammunition. The British Administration was not disposed to accede to this demand which conformed to Entries 29-30 of the Federal List I, which provided that no federal law could prohibit or restrict the possession of swords, spears, axes, bows and arrows, or muzzle-loading shot guns, and black gun powder, percussion caps and shot.\(^{31}\) Unrestricted possession and move-

\(^{31}\) Foreign Department, Political File No. 218, 1936, NAI, New Delhi.
ment of arms in the State would be potentially
dangerous and might lead to troubles in the border
areas. Therefore, strict control over the issue of
arms and amunition both to the Manipuris of plain
and to the hill tribes in the State was essential.

The Political Department suggested that
Entries 29 and 30 of the Federal Legislative List 1
should not be shown to the Manipur Government at
the first stage of the first schedule of the Draft
Instrument of Accession. And it suggested that
before taking up a definite step, the Governor
should be consulted. This was accepted by the
Governor-General of India.

In the meantime, a controversy arose as to,
whether the Manipur State would only be confined to
the valley under section 311(1) of the Government of
India Act, 1935, as an Indian State. The
Political Agent did not consider the hill areas as

32. Home Department, Political File No. 143,
1938, NAI, New Delhi.

33. According to section 311(1) of the
Government of India Act, 1935, the Indian State
meant any territory not being part of British India
and whether described as a State, an Estate, a
Jagir or otherwise which His Majesty recognised as
being such a state. Home Department, Political File
No. 24, 1938, NAI, New Delhi.
an integral part of the Manipur State although this was never declared view of the Raj.

The separation of the hill areas from the valley was not at all acceptable to the Maharaja of Manipur, who did not see any compelling reason for separating the surrounding hilly area of 7000 square miles from the total area of 8000 square miles, although he conceded that this might lead to better administration in the hills. Whether the case of Manipur represented in different ways the result of the goal should not be a division of the hill areas from the valley itself. But the Secretary of State was not of the opinion that a line of division should be drawn between the valley and the hills. The control of the Political Agent and the Durbar President over the hill administration would in any case be affected by the federal scheme. The Governor of Assam pointed out that the maintenance of law and order both in the valley and the hills was necessary owing to the peculiar circumstances of the state as the bulk of which consisted of the hill areas sparsely inhabited by the uncivilised

34. Home Department, Political File No. 359, 1936, NAI, New Delhi.
Therefore, the administration of Manipur which was in practice controlled by the British local officers should not in any case be lessened at the cost of Entries 29 and 30 of the Government of India Act, 1935. The Governor-General was also afraid that the peace and tranquility of the State might be threatened at any time, and states neighbouring Manipur might also be affected. This may also once again result in the domination of the plains over the hill people and lead to conflicts. He added that 'Past history and existing conditions convince me that any considerable degree of surrender of control to Ruler and his own officers would mean neglecting hill tribes punctuated with occasional assertion of Darbar's authority over them by violent methods with result that peace which at present exists in this wild frontier area would be endangered with further possibilities of serious repercussions in Assam and Burma.' Further, with

35. Home Department, Political File No. 24, 1938, NAI, New Delhi.

36. Telegram No. 1654 from Secretary to the Governor of Assam, to Secretary of State, 15 December 1938, Home Department File No. 143/38-Poll and Fed. 1938.
reference to Entries 29-30 of the Federal Legislative List, a strict control over the plains and the tribals in the matter of arms would be highly essential.

On the other hand, according to section 125 of the administrative agreement the question of using arms, licences would fall in the hands of the Ruler, or officers designated by the Ruler, so, the Paramount power however would naturally be debarred by section 294(2) from interference with the State administration. However, the Governor-General felt that Manipur's accession to the proposed federation should not be foreclosed on the ground that the Ruler was adamant in claiming control over arms and ammunition in accordance with the Entries of the Federal List.

The Governor of Assam and the British officers in Manipur could not arrive at a conclusion on the Manipur question. The matter was eventually referred to the Secretary of State. Here, the Government of India again raised the issue whether the case of Manipur was not similar to that of other Indian states under British Suzerainty, for instance, the Eastern States Agency in which a large proportion of the primitive people would make the control of the
Paramount Power over the supply of the fire-arms and the explosives essential in the public interest.37 Ultimately, the Secretary of States dismissing the argument of the British Indian officers approved that Manipur should be invited to accede to the federation without full freedom in accordance with Entries 29 and 30 of the Federal Legislative List.38

The dream of the Government of India to bring the Manipur State within the Federal Union under the Act, 1935, was, however, not realized. But the hopes of the Viceroy that federation would be established by 1938, i.e., as year after the inauguration of the Provincial Autonomy were never fulfilled because of the stiff opposition from all the quarters. The Government of India Act, 1935 failed to attract the people of India. The Indian National Congress, at its Haripur session in 1938, resolved that the 'imposition of the Federation will do grave injury towards India, as it excluded from the sphere of responsibility vital functions of

37. Telegram No. 2164 from Secretary of State, to Secretary to the Government of Assam, 29 December 1938, Home Department file No. 143/38-Poll and Fed. 1938.

38. Secretary of State, to Secretary to the Governor of Assam, 23 December 1938, Home Department File No. 24/38-Poll and Fed. 1938.
government. The federal scheme was also denounced by the Muslim League.

A fresh problem was brought by the Government of India Act, 1935. The Central Government was keen to bring all the Indian princely states still in relations with the local Government of India. But a number of difficulties were found, in the case of Manipur, to stand in the way that it was decided that when the new Act came into force relations with the State should be conducted by the Assam Governor in his personal capacity as Agent of the Crown Representative. In fact this had led to no practical change in the procedure. The scheme of federation in terms of Part II of the Government of India Act, 1935 and all the complicated questions connected with it, was the subject of prolonged correspondence and political discussions between 1936 and 1939 and one of the

39. A.C. Banerjee, Indian Constitutional Documents, Vol. II (1949), p. 327. In the words of Krishnamurti, 'The Government of India Act was conceived in an atmosphere of suspicion and distrust, repression and reaction. It is acknowledgedly imperfect and has not obtained the sanction of any section of the Indian peoples or the princes or even of the conservative elements in England. From the British Indian point of view, it has been attacked because it makes the representatives of the states privileged members of the legislatures with semi-contractual rights, with power to delay the future constitutional development.

'The units which compose the federation are unequal in status and power and the motive of the

(...continued...)
principal issues of the controversy was, of course, the administration of the hill areas. Though they cover some 7,000 square miles out of the State's total area of 8,000 square miles with a population of about 1,50,000, it had never been adjudged safe to leave the hill administration in the hands of the Manipuri ruler. In the words of A.C. Lothian of the Political Department, the Maharaja's only concern with the federation was to regain his direct control over the hill affairs. A.C. Lothian who was in 1936-37 on special duty in connection with the federal scheme, added that the Maharaja's struggle was to free himself from the political domination of the British officers. In this respect the Government of India accepted the views of the Governor that the hill administration should not be necessarily handed over to the Maharaja. After a gap of two years the Maharaja raised once again the question of the hills when the details of the federation were being

(Footnote continued from previous page)

British government in introducing such an anomalous constitution is obviously to strengthen the reactionary and conservative elements in order to postpone the grant of responsible government' Y.G. Krishnamurti, Indian States and the Federal Plan (Bombay: Ratansey Parker & Co., 1939) p. 78.

40. Home Department, Political File No.359, 1936, NAI, New Delhi.
framed. This time he agreed to federate on the terms which included the exclusion of the hill administration from his direct control.

With the outbreak of the Second World War in September 1939 the question of the federation was relegated to the background. The Women's Bazar Agitation added to the confusion created by the war. The question of Manipur's accession was not taken up before India became independent in August 1947.