Whatever the reservations about office acceptance, the Congress intended to take legislative activity rather seriously. There was a broad consensus amongst Congressmen on the basic purposes of Ministry formation. Primarily, work within the legislatures was being taken up so as to wreck the 1935 Act "from within". The success of the Congress experiment would lie in the Ministries' ability to stretch provincial autonomy beyond the parameters of the 1935 Act and to thereby show the limitations of a partial transfer of power. In practical terms, the test of this would lie in Congressmen's ability to take up defiant positions vis-a-vis the British Government and to force a break on an issue which embarrassed the colonial authorities. The speech of Rafi Ahmed Kidwai, Minister of Revenue in the U.P. Cabinet, in the opening session of the U.P. Legislative Assembly is a pointer to this:

We are determined to use every ounce of our strength, every single ounce... to create a power of resistance which will induce our people not to remain subject to this Act any longer than is possible... We have come to work it not for the purpose of carrying on this creaky machine for any length of time; we have come here either to improve that machine out of existence or
to walk out of the Assembly if we cannot do that....

The Congress Ministries were expected not to "govern" as much as to generate public enthusiasm for the nationalist cause, i.e., acts of legislation would emanate from mass movements which would be generated by activities in the legislatures. In this context, Jawaharlal Nehru, as President of the Congress, had argued that agrarian legislation must assume priority for the Congress Ministries as "the masses will realise by this, as by nothing else, that a new spirit moves the new cabinets and provincial governments". The creation of a "new order" in the countryside so as to give the ultimate objective of gaining independence a concrete reality, was an important objective of Ministry formation. It was also hoped by some, if not all Congressmen, that the period of Congress in office, however short-lived, would make possible the


3. "We want to create a new heaven and a new earth so far as we can", Kailash Nath Katju, Minister of Justice in Legislative Assembly, 6 Sept. 1937, UPLAD I, pp.265-71.
enactment of some ameliorative legislation for the people. 4

In the early months of the Congress in office, the main thrust of legislative activity seems to have been the realisation of the third objective, i.e., the creation of a "new order" in the Province. Respect for civil liberties was an important priority and, immediately on assumption of office, the new Ministry made a declaration that all organisations under a ban since the Civil Disobedience days would now be allowed to function freely. This enabled groups like the Hindustani Seva Dal and the Youth Leagues to openly resume their activities. 5 All securities demanded from presses under section 108 Cr.P.C. were cancelled and henceforth all presses were released from security. 6 The U.P. Ministry also decided to give up

4. See for instance, Rafi Ahmed Kidwai's comments while placing the Tenancy Bill before the Select Committee on 27 April, 1938: "I accept that a lot of people in our Party do not find this Bill up to their expectations. I also accept that there were a lot of provisions that we wished to incorporate within this Bill but were unable to....But I hope that the main provisions of this Bill will be accepted, given the present situation in which we are placed." (Translated from Hindi), UPLAD, VI (1-27 April 1938) pp.1333-34.

5. Home Poll 18/6/37, F.R.U.P. ii for second half of July 1937. It may be recalled that both the Hindustani Seva Dal and the Youth Leagues had been formed in 1928.

the practice of reporting political speeches as a general rule, though reserving the right to report them in special cases. This was all very well in the initial period, but the consequences of an unrestrained exercise of civil liberties over a longer period could be problematic as we shall see later in this chapter.

It was also decided to do away with some of the trappings of colonial legitimacy. Thus the practice of conferring titles and decorations, which had hitherto been used "in order to encourage people in their resistance to the nation in her onward march" was to be discontinued. There was much talk of the abolition of the posts of honorary magistrates and assistant collectors, yet another set of institutions created by the British Government in order to gratify the loyalists. The decision to depart from the earlier practice of conducting all legislative proceedings in English and to encourage the use of Hindustani was a step towards

7 The Premier's speech in the Legislative Assembly on 19 January 1938, UPLAD, III, p.393.
8 The Premier's speech in the Legislative Assembly on 11 Jan.1938, UPLAD, III, p.393.
indigenising the administration. 10

These measures, symbolic as they were, had a far reaching impact. They set the mood for popular Congress activity in the countryside. While on the one hand local Congressmen could express their views freely, without any restraint, they were also able, on the other hand, to promote anti-British propaganda. Attacks on, and defiance of the police, attempts to set up Congress panchayats as an alternative to the colonial judicial structure and intervention in other levels of district administration were reported from several parts of the Province. 11 It is no small wonder then, that the administration was visibly shaken after the constitutional experiment. 12

10. In support of this step the Premier pointed out that aims of legislative activity could not be realised if "our vehicle of expression is to be confined to a language which many of the members of this House had never cared to cultivate." Speech in Legislative Assembly on 28 Sept. 1937, UPLAD II, p.1301.


12. The Governor, Sir Harry Haig referred to a certain "loss of authority" suffered by the administration, with the police being worst affected. Haig’s Memorandum on the Existing Political Situation, 19 Dec.1938, Haig Papers, Roll 1.
The Release of Political Prisoners

While the administrative steps mentioned above were minor and largely symbolic in nature, the release of political prisoners created a new mood of freedom of thought and expression. While the decision to release the prisoners itself was an outcome of popular pressure, its actual implementation generated such popular enthusiasm in the Province that it assumed the proportions of a mass movement. (As we have seen elsewhere in this thesis, the impact was greatest on the youth and certain sections of the peasantry). At the same time, it was this issue which brought the Ministry to a point of confrontation with the Governor -- a point at which the whole constitutional experiment was threatened with breakdown.

We must now examine the specifics of the case. At this time the term "political prisoners" referred primarily to revolutionary terrorists and some Communists who had been convicted in the 1920s or even earlier. An inventory of these prisoners in the U.P. revealed that they were broadly divisible into three categories:

(1) the five prisoners involved in the Kakori Conspiracy case and convicted for life imprisonment (in all there were seven Kakori prisoners in jail but two were outside the
Province);

(2) those serving shorter sentences for "miscellaneous offenses of revolutionary violence or possession of bombs or arms"; and

(3) persons convicted or under prosecution for seditious or communist speeches. 13

In all, the release of political prisoners was to be a major campaign and at one time the Governor believed that about 10,000 prisoners were involved.

Release of political prisoners had been an integral part of the Congress Election Manifesto for the 1937 elections. 14 After the elections and prior to Ministry formation, this matter had figured prominently in the public mind especially when, in June 1937, one of the prisoners, Sachindra Nath Bakshi, had undertaken a hunger strike in Naini Central Jail to protest against jail conditions. Practically every Congress speaker at political meetings in the Province had subsequently taken up the

13. U.P. Governor to Viceroy, 16 July 1937, Haig Papers, Roll.3.

refrain and expressed solidarity with Bakshi.\textsuperscript{15} Ram Krishna Khattri, a Kakori Conspiracy case prisoner who had been released earlier, had formed an All-India U.P. Political Prisoners Relief Committee and set up a library for the released prisoners at the Ganga Prasad Memorial Hall in Lucknow.\textsuperscript{16}

After the assumption of office by the Congress, speeches calling upon the Ministry to release all political prisoners were frequently made.\textsuperscript{17} The Ministry responded within days of assuming office with a declaration that all those convicted for seditious speeches under Section 124A IPC or asked to furnish security under Section 108 would be released and all cases under this section, pending in courts, would be withdrawn.\textsuperscript{18} This took the Governor by surprise since he was expecting to have his say in the matter prior to a public declaration.\textsuperscript{19} When the

\textsuperscript{15} \textbf{PAI U.P.,} Nos 25, 26/1937, 19-26 June and 26 June-3 July, pp.474, 486, 488.

\textsuperscript{16} \textbf{PAI U.P.,} No.26/1937, 26 June - 3 July, p.486.

\textsuperscript{17} On 15 August, Andaman Day was observed in Kanpur and Kumaun. Speeches were made asking for release of prisoners incarcerated there. \textbf{PAI UP No.32/1937,} 7-14 Aug., p.548; No.33/1937, 14-21 Aug., p.550.

\textsuperscript{18} See Haig to G.B. Pant, 20 July 1937, and Pant's reply on the same date. \textbf{Haig Papers,} Roll 3.

\textsuperscript{19} Haig's Letter to Pant, 20 July 1937, \textbf{Haig Papers,} Roll 3.
matter of the release of the Kakori Conspiracy case prisoners came up, Premier G.B. Pant, felt that their release ought to be considered since they had already served a ten-year period. However, he agreed to the Governor's suggestion that each prisoner's case be examined individually.20 On two further gubernatorial suggestions, i.e., that the police be consulted on the matter and that an assurance of good conduct be obtained from the prisoners, the Premier refused to relent. Regarding assurances, Pant argued that such declarations would mean very little and would, moreover, detract from the "grace of the act".21

Ultimately, six revolutionary terrorists, including four from the Kakori Conspiracy case, were released from Naini Jail on 24 August 1937. Their comrades who had been released earlier, as well as a 500-strong crowd waited to receive them at the prison gates.22 In the following

20. Telegram from U.P. Governor to Viceroy, 5 August 1937 about his conversation with Pant. Haig Papers, Roll 3.


22. PAI U.P., No.34/1937, 21-28 Aug., p.559. The prisoners released were: Sachindra Nath Sanyal, Mammath Nath Gupta, Mukandi Lal, Jogesh Chatterji, Subimal Kumar Roy and Kashi Ram. Of these the first four were Kakori prisoners.
days, they were welcomed with such joy and enthusiasm wherever they went that Mahatma Gandhi remarked with some alarm that such a reception implied support for terrorist methods.\textsuperscript{23} The Ministry too found itself in an awkward position, especially since the speeches of these ex-terrorists flouted and even attacked the spirit of non-violence. Soon speeches critical of the Ministry's style of functioning also began to be made.\textsuperscript{24} Nevertheless, the Ministry pressed the Governor to agree to the release of the two remaining Kakori prisoners.\textsuperscript{25} But when the Governor suggested that further releases of this nature be postponed for a few months until conditions improved, the Ministry acquiesced. Instead the focus was shifted to the release of those prisoners who were serving short terms of up to one year or those who were "shortly due for release". These were 2500 in number and the Governor felt that he could not really object to their release.\textsuperscript{26}

\begin{enumerate}
\item\textsuperscript{23} Gandhi also called the large public demonstrations in support of the prisoners a "political mistake", \textit{The Harijan}, 4 Sept.1937, \textit{CWMG}, Vol.LXVI, p.102.
\item\textsuperscript{25} Haig's telegram to Linlithgow, 14 Sept.1937, \textit{Haig Papers}, Roll 3.
\item\textsuperscript{26} Haig to Linlithgow, 13 Oct. 1937, \textit{Haig Papers}, Roll 2.
\end{enumerate}
November 1937, another Kakori prisoner, Vishnu Saran Dublis, was also released.27

Throughout the concluding months of 1937 and in early 1938, constant pressure was put on the Ministry to release the remaining categories of political prisoners.28 Following a spate of hunger strikes by political prisoners in Bihar in early 1938 and fearing a similar development in U.P., the Ministry renewed its request to the Governor to sanction further releases.29 But the Governor was reluctant to change his mind. He pointed out that the uproarious reception that these ex-prisoners had received seemed to provide justification for their methods. He charged the Ministry with "treating them with leniency".30 However, he did consult the Viceroy on the matter, explaining that a refusal of the Ministry's request


28. PAI U.P., No.45/1937, 6-13 Nov., p.630; No.49/1937, 4-11 Dec., p.653; No.50/1937, 9-16 Dec., p.662; No.7/1938, 5-12 Feb., p. 47.

29. Note by Haig on file relating to release of political prisoners, 11 Jan. 1938, Haig Papers, Roll 2. See also Haig to Linlithgow, 20 January 1938 in which he mentions the case of 12 prisoners the Ministry wanted to release. Of these Haig had objections to the release of 6. Haig Papers, Roll 2.

30. Ibid.
would place the latter in an awkward position since it
would have to explain its stand at the Haripura Congress
session which was to take place shortly.\textsuperscript{31} The Vice-
roy's answer was an emphatic no to further releases,
his stand being:

\begin{quote}
I am doubtful whether any ministry will resign on this
issue and in any case if we accept risk and decide to
stand firm we must be prepared to see matter through
whatever the consequences may be. If on the other hand,
we give way on this issue, there is, I think, an
increased possibility that Congress Ministries will
think they can force our hand on other issues.\textsuperscript{32}
\end{quote}

Consequently, the Governor stated that under instruc-
tions issued to him under section 126(5) of the Government
of India Act he was unable to accept the advice of the
Ministry on further release of political prisoners.\textsuperscript{33} Con-
trary to Lord Linlithgow's expectations, the U.P. and Bihar
Congress Ministries resigned in protest on 15 February 1938,
thus bringing the matter to a climax.\textsuperscript{34}

\begin{flushleft}
\textsuperscript{31} Haig to Linlithgow, 10 Feb., 1938 \textit{Haig Papers}, Roll 3.
\textsuperscript{32} Telegram from Viceroy to U.P. Governor, 11 Feb.1938, 
\textit{Haig Papers}, Roll 2.
\textsuperscript{33} From statement by G.B. Pant on late Ministerial crisis
in U.P. Legislative Assembly on 1 March 1938, \textit{UPLAD},
IV, p.45.
\textsuperscript{34} The resolution at Haripura on the Ministerial crisis
stated: "Experience of Office by the Congress Minis-
tries in the provinces has shown that at least in 2
provinces, the United Provinces and Bihar, there has in
fact been interference in the day to day administration
\end{flushleft}
With these resignations, the British Government was again faced with a threat to its constitutional experiment. But there was little reason for jubilation in the Congress camp either. The abrupt decision to move out of the sphere of constitutional activity created a political vacuum for the Congress. The suddenness of the resignation left the people in the two Provinces too bewildered to react sufficiently.35 (In this sense there was a difference between this resignation and the political context in which the final resignations occurred in October-November 1939). Hence, both the British Government and the Congress were keen on a settlement. After lengthy discussions between the Premier and the Governor, an agreement was arrived at whereby the Governor agreed to remit the unexpired portion of the sentence in the case of certain political prisoners, whose records had been individually examined under section 401 of the Code of Criminal Procedure. As for the cases of other prisoners, they would be individually examined by the Minister concerned and appropriate action taken shortly.36

35. "The crisis was evidently brewing for some time. But it was allowed to burst on us suddenly. The country was not prepared for it." Editorial in The Congress Socialist, 5 March 1938, p.165.

While the incident strengthened the hands of the Congress Ministry by silencing those critics who had been alleging that the Ministry was betraying the people, it also marked a change in the "wrecking tactics" of the Congress. It was realised that an untimely resignation of the Ministries would lay the Congress open to the charge of having achieved nothing by accepting office. No small wonder then that in the ensuing months there was a change in the quality of rhetoric from Congress benches in the U.P. legislature. In place of lengthy speeches on the Government of India Act and British imperialism, there ensued a series of proposals for what we may broadly term as "constructive legislation".

The U.P. Tenancy Act

The best example of such constructive activity was the U.P. Tenancy Act of 1939. It is no exaggeration to say that the Tenancy Bill was the crowning achievement of the U.P. Congress Ministry. Of its twenty-eight months in office, some twenty-two were spent in deliberations on the Tenancy Bill, either in specialised committees or on the floors of the Legislative Assembly and Council.

The Premier, in his policy statement to the Legislative Assembly on 2 August 1937, had announced the formation of
two committees -- one to examine the existing tenancy laws and to suggest improvements and the other to do the same for debt laws.\textsuperscript{37} The Premier also added: "The Government are anxious to take the opposition into confidence at every stage."\textsuperscript{38} Accordingly, the Tenancy and Land Revenue Committee had representatives from the National Agriculturists' Parties of Agra and Oudh, the Muslim League and Independents, besides Congressmen who constituted the majority. This Committee, whose membership varied from 21 to 25 members, began its deliberations on 8 November 1937 and concluded them in April 1938.\textsuperscript{39} (For some days during February and March 1938, there were no sittings).

On 29 April 1938, the draft Bill was placed on the table of the Legislative Assembly amidst much fanfare. But there were some sections of the Bill on which the Committee had been unable to reach a consensus and the Revenue Minister placed the Bill before a Select Committee of the U.P. Legislative Assembly on 27 April 1938.\textsuperscript{40} After a nearly


\textsuperscript{38} \textit{UPLAD}, I, p.31.

\textsuperscript{39} \textit{Tenancy and Land Revenue Committee Proceedings, Revenue File 458(1)/1937 Uttar Pradesh State Archives (henceforth UPSA)}

\textsuperscript{40} \textit{UPLAD}, VI, 1938, 1-27 April, pp.1333-34.
five-month long deliberation period, the Select Committee presented its final version of the Bill in October 1938. But the landlords, feeling that the Select Committee had overruled many of their objections, appealed to the Governor and the Parliamentary Sub-Committee of the Congress to intercede on their behalf. The Governor expressed his inability to help. 41 The Parliamentary Sub-Committee, on the other hand, was willing to mediate but since the landlords were unable to compose their mutual differences and present a joint front, the offer came to naught. 42

In the Legislative Assembly, deliberations on the Bill began on 10 November 1938 and continued with interruptions until 24 April 1939, when the Bill was finally passed after its third reading. But the end was not yet in sight. A new chapter unfolded when the Bill reached the landlord dominated Legislative Council and was faced with almost certain rejection. The months of June-July 1939 were spent in hectic parleys between the Premier and landlord

41. Haig informed the taluqdar who met him that "in my opinion, there was no possibility of the Governor, the Governor General or the Secretary of State intervening in connection with this Tenancy Bill..." Haig to Linlithgow, 8 Nov. 1938, Haig Papers, Roll 1.

42. See letters from Vallabhbhai Patel to the Nawab of Chhatari, 26 Sept., 15 Oct., 2 Nov. and 10 Nov. 1938, Nawab of Chhatari Papers. Correspondence with Vallabhbhai Patel.
representatives from the Legislative Council. The latter insisted on the Bill being referred to another Select Committee -- this time of the Legislative Council. This demand had to be conceded. Thus it was in late August 1939 that the Bill obtained clearance from the Legislative Council. And when the Ministries resigned from office in November 1939, the Bill still awaited the Governor's assent.

Such preoccupation with a single piece of legislation is an obvious indication of its importance. Indeed, alleviation of the tenants' miseries was a priority of the U.P. Congress. Yet, one feels that the Tenancy Bill could have been enacted sooner. Was it necessary, for instance, to have had two preliminary Committees deliberating on the draft Bill? The protracted discussions only seemed to have given the landlords endless opportunities to object to its provisions. Perhaps the Ministry hoped, through protracted discussions, to obtain a consensus on the Bill. A section

43. Haig to Linlithgow, 24 June 1939, Haig Papers, Roll 1.
44. Donaldson (Secretary to Governor) to Laithwaite, Secretary to Viceroy, 28 Aug. 1939, Haig Papers, Roll 1.
45. Their objections ranged from the specific to the ludicrous. At one moment the Ministry was accused of having failed in their duty to the minority -- in this case the landlords. At another the Ministry was accused of trying to introduce Soviet conditions in the Province. See The Leader, 11 Dec. 1938, p.10.
of the Agra zamindars as also some Independent members were indeed gradually brought round to grudgingly accepting the Bill, if only by way of remaining silent and not raising serious objections during the final readings. The Oudh landlords, however, remained hostile until the bitter end, railing against the Ministry for infringing on the special privileges hitherto granted to them.46

Lack of haste in the passing of the Tenancy Bill was also typical of the Pant style of functioning. As an individual, he was known for his unhurried, almost lethargic manner, singularly aggravating for his colleagues. This made the Ministry rather unpopular with the kisan activists who imputed all kinds of motives to Pant and his colleagues.47 As the months wore on, there was a gradual falling off of public interest as well. This was unfortunate given the high level of popular involvement with the Bill in its early stages.

In 1938 the enthusiasm for this proposed Bill had been

46. An Oudh taluqdar tried to raise a constitutional objection by declaring that the Bill violated certain rights to taluqdar in the sanads by an authority superior to the local Government. The Leader, 22 December 1938, p.11.

47. Most often the Ministry was accused of bowing to zamindari pressure.
immense. Tenants opposed landlord atrocities with a new confidence and learned to mobilise collectively for their rights. As rumours about the main clauses of the Bill began to circulate, the landlords too panicked and open class warfare was unleashed in several areas. Even on 10 November 1938, when the Bill finally came up for discussion in the Legislative Assembly, the visitors' galleries were packed to capacity. The Speaker requested the members to use Hindustani rather than English during the deliberations. But as the discussion dragged on endlessly, with one weary month following another, public enthusiasm waned. It seemed as if, by 1939, the Tenancy Bill had become a veritable non-issue outside the Legislature -- it was seldom discussed even at kisan meetings. The outcome of the Bill also seemed predictable, despite the persistence of landlord opposition.

Act XVII of 1939 (as the U.P. Tenancy Bill finally came to be known) was an interesting piece of legislation with far-reaching consequences. At one fell stroke it ironed out the differences in tenancy laws between Agra and Oudh. It also sought to tilt the agrarian balance heavily in favour

48. See Kisan Sabha chapter for attacks on zamindars in Rae Bareli, Azamgarh, Allahabad, Ballia, Jalaun and retaliatory violence by zamindars.

49. The Leader, 12 November 1938, p.11.
of the tenurial class. The grant of hereditary rights to all statutory tenants was only one aspect of this endeavour. By making the ejectment process less arbitrary, by reducing the area of *sir* owned by large *zamindars* and thereby releasing more lands for the accrual of hereditary tenant rights, by declaring all landlord's exactions other than rent illegal and liable to court action and by making the rent payment procedure more favourable to tenants, their hands were strengthened.50

As for the landlords (those paying up to Rs.250 land revenue had their *sir* lands left untouched), the Ministry treated the smaller ones with some consideration while the more affluent ones were subjected to rather rough treatment. As will be seen below, the *sir* restriction clause hit them hardest. Within the class of tenants, however, the Ministry refused to make such a distinction despite suggestions. Two proposals, one from a landlord member for placing a ceiling on the amount of land owned by prosperous tenants and the other from a left wing Congressman to grant hereditary rights to sub-tenants of tenants with large holdings,

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50. The U.P. Tenancy Act had 16 Chapters and 296 Sections. Chapter II related to *sir*; Chapter III to the grant of hereditary rights; Chapter VII to payment and recovery of rent; and Chapter VIII to ejectment.
were both turned down unceremoniously. However, the Ministry did not honour its election promise to exempt marginal tenants from payment of rent, nor was it able to effect substantial reductions in rent. All it could do in this matter was to first stay and then write off all arrears of rent accruing to landlords.

The important sections of the U.P. Tenancy Act merit separate and more careful scrutiny in order to understand fully the considerations that went into their formulation.

Sir lands

One of the most contentious Chapters of the 1939

51. The former member was Rai Govind Chandra an Independent but a prime spokesman of the Oudh landlords. The suggestion was put in the Assembly on 9 Dec. 1938, *The Leader*, 11 Dec. 1938, p.11. For the latter, see Mohanlal Gautam's speech in the Assembly on 14 Nov. 1939, *UPLAD*, IX, pp.344-5.

52. There was at first a UPCC proposal to reduce all rent by 50 per cent. The Premier in his discussions with the PCC pleaded that a reduction of more than 28-29 per cent would cause serious dislocations in the Provincial Budget which was already faced with a deficit of Rs.2 1/2 crores. Finally, the PCC passed a resolution calling upon the Ministry to effect a 33 per cent reduction which would amount to Rs.8 crores. *The Leader*, 10 July 1938, p.12; 11 July 1938, p.10; 12 July 1938, p.17; 13 July 1938, p.3.

53. The recovery of arrears of rent was stayed by a Bill in 1937. In July 1938, the Stayed Arrears of Rent Remission Bill was passed.
Tenancy Act was that relating to sir lands. This provision was intended to put an end to the unlimited acquisition of land as sir by landlords and to give tenants on such lands some surety of tenure. All previous legislations -- the 1921 Oudh Rent Act and the 1926 Agra Tenancy Act in particular -- had provided for the acquisition of vast tracts of land as sir by the landlords. The 1939 Act thus made a significant departure in this respect.

What distinguished sir land from the rest of a landlord's holding? Quite simply, the landlord had to pay only a nominal rate of revenue on these lands and had unobstructed rights of cultivation on them. Even if a zamindar lost his proprietary rights for some reason, he could retain possession of his sir as an exproprietary tenant at a favourable rate of rent. Until 1939, tenants on sir land could not obtain statutory or occupancy rights. These lands, described as the "peculiar property of the


landlords" appear to have been intended as shock absorbers for the zamindars. In the Province as a whole, prior to the enactment of the tenancy legislation, there was an estimated 56.3 lakh acres of sir land. Of this Agra had 49.1 lakh acres and Oudh 7.3 lakh acres. Together this constituted 11.7 per cent of the total cultivable land in the Province.

In its Agrarian Enquiry Committee Report of 1936, the UPCC had recommended that lands not under the actual cultivation of the zamindar should cease to be classed as sir and tenants on such lands should enjoy the same rights as tenants on ordinary land. When the Congress Ministry was formed, the question of sir was first raised in the Tenancy and Land Revenue Committee. Bishambhar Dayal Tripathi set the ball rolling by a resolution on 9 November to the effect that all tenants who had cultivated sir lands for five years and more should be given hereditary rights. Such lands

58. D.O. from Revenue Secretary, 23 October 1939, Revenue, 511/1939 (UPSA).
59. Information provided in UPLA during Question Hour on 29 Nov. 1938, UPLAD, IX, p.828.
would henceforth cease to be known as *sir*. The scope of this rather limited proposal was widened when other Congressmen put forward ancilliary resolutions. Mohanlal Gautam proposed restriction of a *zamindar's sir* to a maximum of 50 acres. Choudhary Khushi Ram (Congress MLA from Meerut) suggested that for landlords paying up to Rs.100 land revenue, there should be no *sir* restriction. Thakur Singhasan Singh's (Gorakhpur Congress MLA) was a more conservative proposal -- that landlords paying up to Rs.1000 as land revenue should not be placed under any *sir* restriction. As for landlords paying more than Rs.1000, they should be allowed to retain 50 per cent of their existing *sir* lands.

The landlords were utterly flabbergasted by these proposals. The first reaction of NAP members on the Committee was to put up a spirited defence of *sir*. (It may be recalled here that it was the landlord dominated Legislative Council of the '20s which had, through legislation, allowed the unlimited acquisition of *sir*). While several members

62. Ibid..
63. Ibid.
64. Ibid.
maintained that sir land was the only surety for a zamindar if his holding dwindled or he was reduced to penury, one landlord even tried to make out a case for the perpetuation of sir on the grounds that it kept landless agricultural labour in employment and asked where these labourers would go if tenants were given hereditary rights on sir land.65

But when they found that Congressmen, who had a majority in the Committee, were singularly unimpressed by these arguments, they changed their tactics. Instead of defending sir in toto they began participating in discussions on limitation of sir. The idea was to try and salvage as much as they could. They bargained with Congressmen on three counts: (a) on the classification of landlords; i.e., they supported Singhasan Singh's suggestion that the dividing line should be at Rs.1000 land revenue; (b) on the rights to be given to sir tenants, the landlords proposed that statutory and not hereditary rights should be granted and, if the landlord wanted the land for his personal cultivation, or the tenant did not pay his rent on time and in full, the tenant could be evicted; (c) on the criterion for

65. The Nawab of Chhatari (NAPA), Nawab Sir Muhammad Yusuf (NAPA), Nawab Jamshed Ali Khan (NAPA), Raja Durga Narayan Singh (APZA) and Sheikh Habibulla (NAPO) all put forward the former argument. Ibid, p.5. The latter argument was that of Nawab Sir Muhammad Yusuf. Ibid.
giving hereditary rights to tenants the landlords felt that only tenants who had cultivated the land for a minimum of 10 years should be given hereditary rights.66

Independent members like Kr. Sir Maharaj Singh took a half way position proposing that landlords paying upto Rs.500 land revenue should be treated as small zamindars and not subjected to restriction of sir.67

The Congress rejected most of these proposals and declared its commitment to recognising and safeguarding the interests of genuine cultivators of the land. If, on sir lands, the tenant was the actual cultivator, he should be given his due.68 Discussions on the matter went on for days. The final outcome was the following: the first 15 acres of a landlord's sir were to be left untouched, tenants in cultivation of sir lands beyond that limit for more than five years would get hereditary rights and those in cultivation for a period ranging from two to five years would get

66. For (a) see Sheikh Habibulla on 13 Nov. 1937, Ibid., p.12; and Raja Durga Narayan Singh, 22 Nov., Ibid., p.14. For (b) see Raja Durga Narayan Singh as cited above, Begum Aizaz Rasul, 11 Nov. 1937, Ibid., p.16. For (c) see Sheikh Habibulla, Ibid., 22 Nov. 1937, p.16.

67. Ibid., p.15.

68. Remarks by the Premier in the Committee, 23 Nov. 1937, Ibid., p.16.
statutory rights. 69

Two or three points may be noted about the debate: (a) Congressmen made no attempt to compromise with the landlords and (b) though, within the Congress camp, there were varying opinions on the matter, the final proposal was more in accordance with the suggestions of left-wingers like B.D. Tripathi and Mohanlal Gautam. (c) Muslim League members remained silent throughout the discussion and abstained from voting.

The Committee's proposals were, however, modified by the Select Committee which drew up the final draft of the Bill.

Chapter II was devoted to *sir* and the proposals now ran as follows:- (a) *sir* of landlords paying upto Rs.250 land revenue would be left untouched, (b) no landlord would be allowed more than 50 acres as *sir*, (c) lands acquired as *sir* after the Agra Tenancy Act of 1926 and the Oudh Rent Act of 1921 would not be recognised as thus and (d) henceforth no acquiring of *sir* would be permitted. 70 These proposals were slightly more favourable to *zamindars* than the earlier provisions. As the Parliamentary Secretary to the Revenue


Minister explained, only a rough 10 per cent of the zamindari class, amounting to some 44,000 landlords, would be affected.\textsuperscript{71} Meanwhile the UPCC, at its meeting of 8-11 July had recommended that zamindars paying over Rs.1000 land revenue should be allowed no sir at all.\textsuperscript{72}

Despite the modifications, the sir clause continued to disturb the landlords greatly. They hoped to get the Parliamentary Sub-Committee of the Congress to intercede and get the provisions amended.\textsuperscript{73} However, since the Parliamentary Sub-Committee did not ultimately intervene, the landlords were left to fight their losing battle on the floor of the Legislative Assembly. There, the debate on sir continued for days. A landlord member declared that the proposals amounted to "nothing short or political vengeance".\textsuperscript{74} Another accused the Government of having failed in its duty

\textsuperscript{71} Parliamentary Secretary to Revenue Minister, A.P. Jain's statement in the Legislative Assembly, 12 Dec. 1938. \textit{The Leader}, 14 Dec. 1938, p.10.

\textsuperscript{72} \textit{The Leader}, 13 July 1938, p.18.

\textsuperscript{73} Sir, along with provisions for ejectment and the right of tenants to plant trees on their holding were the three items of the Tenancy Bill which the Parliamentary Committee had agreed to negotiate on. Nawab of Chhatari to Vallabhbhai Patel, 18 Oct.1938, \textit{Chhatari Papers}, p.23.

Meanwhile, the Muslim League, in a half-hearted attempt, suggested that the category of small zamindars exempted from sir restrictions be enlarged to include those paying upto Rs.500 land revenue. This suggestion was not in keeping with the radical pose that the Muslim League sought to strike on the Tenancy Bill at this juncture, however.

By doing away with the concept of sir for the future, the Congress Ministry had ended one of the greatest privileges enjoyed by the U.P. landlords with full legal backing since 1902.

Ejectment

This was a less spectacular aspect of the U.P. Tenancy Bill. Unlike the sir clause, this section involved only changes of a modifictory nature. Even though radical Congressmen like

75. Ibid.


77. On the opening day of the Winter session of the U.P. Legislative Assembly in 1938, when discussion on the Tenancy Bill began, Muslim Leaguers reportedly “tried to prove themselves much more forward than members of the Congress and exhorted Congress Socialists to come forward with amendments.” The latter reacted to this exhortation with great indignation. The Leader, 12 Nov. 1938, p.11.
Mohanlal Gautam pressed for doing away with the ejectment process altogether, the larger body of Congressmen, including Revenue Minister Rafi Ahmed Kidwai, did not think that it was possible or just. As will be shown later in this section, they were not opposed to ejectment per se — indeed, given the number of opportunities they provided to zamindars to discuss the ejectment clause, it appeared that they were anxious to ensure that landlords were not deprived of this means of exercising control over the tenants.

Why was an amendment in the ejectment procedure sought to be made by the Congress Ministry at all? In the Congress Agrarian Enquiry Committee Report, it was pointed out that the existing ejectment clause was being misused by zamindars to evict tenants from their lands so as to admit new tenants who paid a substantial entrance fee or nazrana. The Committee felt that zamindars should not be able to evict tenants so easily. As the Report put it:

Apparently it is not the business of the courts to pay any attention to the wretched condition of the peasantry. No sooner is an ejectment suit decreed the processes of ejectment begin. Without due warning in accordance with the law, ejectment processes are carried out and the tenant is dispossessed.78

The Committee also felt that the tenants were in a position to repay the arrears, if they were given some time

but the zamindars would usually turn a deaf ear to their requests, since they had already received a larger amount as nazrana from a new tenant. This state of affairs must be remedied, the Committee felt.79

Accordingly, at the deliberations of the Tenancy and Land Revenue Committee, the Minister for Revenue, on 13 November 1937 brought forward two proposals to end arbitrary ejectment. Both proposals hinged on the intervention of Revenue courts in the ejectment process. These courts would, on the zamindar's application, decide on the action to be taken against defaulting tenants. The first proposal recommended ejectment if the tenant did not pay his arrears as per the court's orders. The second alternative proposal recommended auction of the holding by the court. However, if the tenant was able to repay the arrears within a month, the auction would be cancelled. If he paid up the arrears within a year he could still get back his holding.80 The latter proposal was obviously more favourable to tenants and evoked loud protests from the zamindars.81 But what really

79. Ibid. Recommendations, pp.x.
81. Ibid. p.13. The Nawab of Chhatari opposed the second proposal.
alarmed the latter was the stand taken by the more extreme Congressmen, Mohanlal Gautam and B.D. Tripathi. They demanded that ejections be ended altogether. While Gautam went to the extent of declaring that no substitute clauses for recovery of rent arrears were necessary, Tripathi had some alternative suggestions. In his view, the zamindars could apply to the Revenue Court in the case of non-payment of rent only for the previous crop. The court could order the sale of the holding "in lots" if the arrears were not paid within a month. Tripathi, like Kidwai, suggested that if within one month of the sale the tenant paid the rent with interest, the land must be restored to him.82

Discussions in the Committee on ejectment which began on 13 November, were laid aside for several days and resumed on 26 November. No consensus could be arrived at with as many as four proposals being put to vote and negatived.83 It was, however, decided that distraint of crops for non-payment of rent should be abolished.84 However, whether distraint should be permitted or not remained a contentious issue between landlords and Congressmen. The Select

82. Ibid.
83. Ibid., p.28.
84. Ibid., p.29. Twelve members voted for it and nine against.
Committee of the U.P. Legislative Assembly bowed to landlord pressure and allowed the distraint clauses to remain. But when the matter came for general discussion in the U.P. Legislative Assembly, the Revenue Minister proposed that the whole chapter on distraint be deleted. Despite landlord protests this was carried through.\textsuperscript{85} Practically all the members of the Committee were opposed to the arrest of a tenant for non-payment of rent.\textsuperscript{86}

Chapter IX of the draft Tenancy Bill contained all the Select Committee's recommendations on the ejectment clause. It stated that if a \textit{kisan} did not pay his arrears within one year, the \textit{zamindars} could go to court and file a suit for ejectment. The court would serve a show-cause notice to the tenant who would have to appear in court within 30 days. The tenant could obtain leave to pay the amount in court within 120 days. On failing to do this, the court would order his ejectment from the holding. Yet, if the \textit{kisan} paid the arrears within one month, the ejectment order would be invalidated. A tenant would only be ejected from that portion of his holding the rent from which approximated to

\textsuperscript{85} N.N.Mitra, \textit{Indian Annual Register}, 1939 Vol.1, p.217. \textit{Proceedings of the U.P. Legislative Assembly on 7, 8 February 1939).}

\textsuperscript{86} \textit{Tenancy and Land Revenue Committee Proceedings}, p.14.
1/6th of the amount due from him. 87 Once he was thus ejected his arrears of rent would be automatically cancelled.

This was the final form of the ejectment clause as laid down in the U.P. Tenancy Act of 1939. 88 It left the radicals somewhat discontented. Mohanlal Gautam, in a speech in the U.P. Legislative Assembly, drew attention to the Congress Election Manifesto which promised to do away with ejectment completely and suggested that arrears of rent be recovered in the same way as debts. 89 However, the ejectment clause of the Tenancy Bill could have been less favourable to the tenants if the suggestion for negotiations with the landlords had materialised, for ejectment was one of the discussable items at the proposed talks between the Parliamentary Sub-Committee and the landlords in October-November 1938. 90

Even after the Bill was placed before the Legislative Assembly in December 1938, the Premier in his introductory remarks on 16 November expressed willingness to arrive at a

90. See f.n. 73.
compromise with the zamindars on this clause.\footnote{\textit{The Leader}, 18 Nov. 1938, p.11.} Presumably, the matter came up for discussion at the talks between the Premier, G.B. Pant, and landlord representatives at Naini Tal in June-July 1939, which ended in a stalemate. In August 1939, however, there was a more real danger of the ejectment proposals being tampered with. The Select Committee of the Legislative Council had demanded a change and proposed that if within 3 years a tenant did not pay his arrears, he could be ejected from his entire holding. The Government, desperate to get the long-delayed Tenancy Bill through the Council, was reported to be seriously considering accession to this demand.\footnote{\textit{Sangharsh}, 6 Aug. 1939, p.10.} It even came up with two proposals of its own which both the Governor and the Revenue Secretary pronounced as being more favourable to the landlords.\footnote{Haig to Linlithgow, 9 Aug. 1939, \textit{Haig Papers}, Roll.1.} But the latter failed to seize the opportunity and when the Legislative Council met on 21 August 1939, the Tenancy Bill sailed through rather incredibly, on account of a split in the landlord votes.\footnote{Donaldson to Laithwaite, 28 August 1939, \textit{Haig Papers}, Roll 1.}

The Government's extreme willingness to entertain

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landlord suggestions on the ejectment clause caused considerable heart burning among the radicals and formed one of the grounds for the charge that the Ministry was anti-kisan. Indeed, the eagerness of the Congress Government to arrive at an agreement with the landlords on the ejectment procedure remains baffling. It contrasts with the firm refusal to compromise on the sir clause once it had been drawn up by the Select Committee of the Legislative Assembly. Perhaps the Ministry felt responsible for the regular and prompt payment of rent by the tenants to their landlords. Such a feeling of responsibility seems to have been more evident in the second half of the Ministry period. The pressure of the Parliamentary Sub-Committee may also have made the Ministry more amenable to changes in the ejectment clause.

Hereditary Rights for Tenants

All the agrarian legislation of the 1920s (Oudh rent Act of 1921 and the Agra Tenancy Act of 1926) had a clear landlord bias. That was predictable, given the landlord majority in the U.P. Legislative Council at that time. The Congress Ministry's job was to remove that bias -- in fact it went further and devised a piece of legislation which had a clear tenant bias. This is best seen in the decision to grant hereditary rights to all statutory and other category-
Prior to this enactment, tenants of U.P. suffered from extreme insecurity of tenure. Landlords exploited the growing land hunger and frequently removed tenants from their lands so as to give these lands out on higher rates. The Oudh and Agra legislations of 1921 and 1926 had created a new class of tenants known as statutory tenants. Such tenants had security of tenure for their lifetime and for an additional five years after death. On the face of it, this seemed a progressive measure, but there was a catch. The grant of this statutory right was not to be made by any governmental authority but by the landlords. Landlords obviously granted the statutory right to tenants only when it suited their purpose. Moreover, as pointed out by B.R. Misra, life tenancy, even where granted, was inadequate incentive for a tenant to make improvement:

The possession of land for a single life is not sufficient in India, where people have more regard for their

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95. The other classes of tenants to get hereditary rights were permanent tenure-holders, fixed-rate tenants, tenants holding on special terms in Oudh, expropriatory tenants and non-occupancy tenants. See B.R. Misra, Land Revenue Policy in the United Provinces under British Rule, p.171.

sons and grandsons than for themselves, to induce them to invest any considerable amount of capital and labour in the improvement of land.97

Statistics reveal that security of tenure was far rarer in Oudh than in Agra, thanks to the special rights enjoyed by talugdars. In 1937, only 6.8 per cent of land in Oudh was cultivated by tenants with occupancy rights as against 49 per cent in Agra.98

U.P. Congressmen were unanimous in their determination to grant hereditary rights to all possible categories of tenants. The proposal was first mooted by Bishambhar Dayal Tripathi in the Tenancy and Land Revenue Committee on 9 November 1937.99 That this was the first issue to be considered by the Committee underscores its importance. Fourteen members (practically all Congressmen) voted in favour of the proposal. Landlord and Muslim League members were cautious in raising objections. The former proposed that only those statutory tenants with economic holdings should be given hereditary rights.100 The Muslim League suggestion

100. Ibid., pp. 2-3.
put forward by Choudhary Khaliquzzaman was a more complicated one: on the first 2½ acres of a statutory tenant's holding, he should be granted hereditary rights; as also on 2/3rds of the remaining portion. One-third of the remainder would remain statutory. Both the proposals were turned down by Congressmen on the grounds that they would introduce unnecessary complications: the former involving problems of definition of economic holdings, the latter being obviously too cumbersome.101

Yet, the Muslim League proposal intrigues -- was it made simply because of a need to be different from the Congress, or was it indicative of a pro-landlord bias?102 In our view, both these factors were involved.

The landlord lobby was unable to put up more than a weak objection to this recommendation. This was because, during the interim Ministry period, they had been sufficiently prevailed upon by the Governor to agree to grant some security of tenure.103 When the Bill was brought

101. Ibid.
102. Interestingly in 1946 Ch. Khaliquzzaman made a statement before the Cabinet Mission that to strike at the zamindari in the U.P. was to strike at the root of Muslim existence. See Anita Inder Singh, The Origins of the Partition of India 1936-1947, p.23.
103. Haig to Linlithgow, 23 April 1937 and 7 May 1937, Haig Papers, Roll 3.
before the Legislative Assembly, however, all the weapons in
the landlord armoury were brought out. Raja Bisheshwar
Dayal Seth, unflagging in his oppositional zeal, tried to
raise an objection on constitutional grounds and wanted to
know whether the Congress Government and Legislature had
sufficient powers under the 1935 Act to grant hereditary
rights to tenants, disregarding the sanads given to taluq-
dars by a superior authority.\textsuperscript{104} He was unable to muster
adequate support for his contention, however. Even the Agra
zamindars failed to back him up. From the latter camp, the
Nawab of Chhatari tried to bring forward an amendment to the
clause laying down that only tenants who had paid three
years' rent in full to their landlords should be given
hereditary rights,\textsuperscript{105} hoping thereby to disqualify a section
of the tenantry. There was also a bid to prevent accrual of
hereditary rights on lands situated within a municipality,
notified town area and on lands owned by educational insti-
tutions, but this was negatived by the Assembly.\textsuperscript{106}

Thus the proposal to grant hereditary rights to several

\begin{itemize}
  \item \textsuperscript{104} This matter was raised on 20 December, 1938, \textit{The Leader}, 22 Dec.1938, p.11.
  \item \textsuperscript{105} Debate in U.P. Legislative Assembly on 3 January 1939, \textit{Indian Annual Register}, 1939, Vol.1, p.212.
  \item \textsuperscript{106} Debate on 4 January 1939, \textit{Ibid}.
\end{itemize}
categories of tenants was carried through without accepting any of the amendments by the landlords or the Muslim League. At no stage did Congress offer to negotiate on the matter. This section of the Tenancy Bill was not on the agenda for discussions between the Parliamentary Sub-Committee and landlord representatives either -- nor did it figure in later discussions between the Premier and landlords. As stated earlier, there were no differences within the Congress camp on this issue, which had far-reaching implications for Oudh.

Finally, we are faced with a rather ticklish query. Given the willingness of the landlord-based interim Ministry to bring forward a proposal to grant security of tenure, what was so different and revolutionary about the Congress proposal? The main difference lay in the fact that the Congress was actually able to carry this measure through with virtually the unanimous support of its members. The interim Ministry's proposal, which had its origins not in any deeply-felt conviction, but in the hope of taking the wind out of the Congress sails, fell through almost immediately. While the Agra zamindars were in favour of it, the Oudh Talugdars and the British India Association would have

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107. On 7 May 1937, the Governor informed the Viceroy that Raja Maheshwar Dayal Seth, the Revenue Minister in the interim Ministry, had come up with a proposal to grant hereditary rights to occupancy tenants. Haig Papers, Roll.3.
none of it.\textsuperscript{108} On the other hand, implementation of this measure was fundamental to the Congress tenancy programme for the Province.

As mentioned earlier, the Tenancy Bill was the major achievement of the Congress in office in the 1937-39 years. The Bill was not perfect and in the following years certain anomalies did come to light.\textsuperscript{109} But the Bill had come to stay and there was no question of the Governor withholding his assent to it even after the Ministry had resigned.\textsuperscript{110} The Bill was instrumental in bringing about a realignment of class forces in the countryside. The landlords lost the privileged position they had enjoyed since the advent of British rule and the tenants became more powerful in the rural areas. The legislation paved the way for the

\textsuperscript{108} \textit{Ibid.}

\textsuperscript{109} For instance, Section 180 of the Tenancy Act made a tenant who had held the land for even 12 years, but who had no written lease, liable for ejectment. This, it was feared would cause extreme havoc, especially in certain parts of Gorakhpur as well as in other places, where it would give landlords "a very deadly weapon to use against a tenant..." U.P. Governor to Viceroy, 5 March 1940, \textit{Linlithgow Papers}, F.125/103, p.39.

\textsuperscript{110} "Sir Harry Haig's action in giving assent to the Tenancy Bill, though criticised by some die-hard zamindar politicians, has been generally recognised as wise and as having deprived agitators of one ground on which agrarian agitation could be worked up." \textit{Home Poll}, 18/12/39, F.R.U.P. i.
abolition of zamindari, which finally came about in the Province in 1949.

By not compromising with the landlords on any of the major provisions in the Bill, the Congress defeated the expectations of the British that an alliance between the Congress right-wing and the landlords would emerge in the course of the passage of tenancy legislation.\(^{111}\)

The Tenancy Bill was equally important for the contribution that it made to the growth of a nationalist consciousness. It provided the context for a large-scale agrarian movement and gave tenants, especially in the more backward districts, a definite assurance that they would succeed in their struggle with the landlords for their rights. Since the landlord was popularly perceived as an ally of the British, it was felt that it was the authority of the Raj which was actually being undermined through the enactment of the U.P. Tenancy Bill.

Debt Legislation

The problem of indebtedness in U.P was as pressing as that of securing tenant rights. If pressure on land accounted for insecure tenant rights and infinite sub-letting,

the high rent rates and the fall in prices during the Depression contributed to increased indebtedness among the peasants. When the Ministry assumed office, it had announced the formation of two committees -- one of which would examine the tenancy question, while the other would go into the problem of indebtedness.112 And yet, even at the end of twenty months in office, the Ministry had not achieved any tangible results on the debt front. The Cabinet sought to explain this by stating that other preoccupations had taken up so much of their time and energies that they had little time for debt legislation.113 Presumably, the main preoccupation had been the Tenancy Bill.

In January 1938, Zahirul Hasnain Lari, a Muslim League member had sought to introduce a Debtor’s Relief Bill, but it was turned down by the Government on the grounds that a more comprehensive piece of debt legislation was on the anvil.114 However, even as late as October 1938, the Ministry had nothing to show by way of debt legislation. When it sought a further extension of the Temporary Postponement of

Decrees Bill, there was much criticism from the opposition benches.115

Finally, a Bill titled the U.P. Agriculturists and Workmen's Debt Redemption Bill was introduced in the Assembly in April 1939. The Bill was applicable to the following categories of people:

(1) proprietors paying not more than Rs.500 as land revenue;
(2) tenants paying not more than Rs.500 as rent; and
(3) wage-earners whose wages did not exceed Rs.60 per month.

The Bill laid down that on all loans incurred before 1 January 1938, the creditor would have to sue within one year of the coming into force of the Bill, for the realisation of outstanding debts. The Court would then apply the provisions of the Bill designed to reduce debt. If the creditor did not go to the court, the debt would be deemed to have been discharged.116


As for rates of interest, it proposed that interest on unsecured debts must not exceed 8 per cent per annum and 5 per cent per annum on secured debts.\footnote{\textit{Ibid.}} (It may be mentioned here that the Muslim League Member's Bill had proposed that the rates be fixed at 12 per cent for unsecured debts and 8 per cent for secured debts.\footnote{\textit{U.P. Gazette}, 23 April 1938.}) Sale of land for the realisation of debts was not to be permitted -- land could, at best, be transferred at a valuation to the creditor. In the case of agricultural produce, only 1/4th of the produce would be liable to attachment at any one time.\footnote{\textit{Statement of Objects and Reasons....} \textit{op. cit.}} Though the terms of the Bill seemed rather fair to the debtor (a 5 per cent rate of interest being extremely moderate even by present standards), it did not escape censure from the Socialists. Mohanlal Gautam alleged that when the Bill was formulated, no attempt was made to understand the paying capacity of the debtor.\footnote{Gautam's speech on 15 March 1939, \textit{UPLAD}, XVIII, pp.394-7.}

When the Ministry resigned from office, the Bill was not yet ready for enactment. Having passed through the
Legislative Assembly, it was yet to come up before the Council.\textsuperscript{121} This was also the situation as regards the U.P. Moneylenders Bill, introduced and passed by the Assembly in July 1939. It sought to control moneylending by providing for the registration and licensing of professional money lenders, for the cancellation of a license on grounds of fraud, etc., and giving only to duly licensed moneylenders access to courts for the recovery of their debts.\textsuperscript{122} A third piece of legislation, the Regulation of Agricultural Credit Bill, introduced in the Assembly on 18 July 1939, was only with the Select Committee when the Ministry resigned.\textsuperscript{123}

However, the failure of the Ministry lay not in a lack of imagination regarding the debt proposals, but in its tardiness in carrying the legislation through. To introduce debt legislation so late in the day when most Congressmen knew that the Ministries would not remain in office for much longer than two years, was indeed a lapse. Why was the Ministry less concerned about the issue of debt than of tenancy rights? Were its hands tied on this matter? Could it not afford to antagonise the moneylender class, whose

\textsuperscript{121} Hallett to Linlithgow, 23 May 1940, \textit{Linlithgow Papers}, F.125/103.


\textsuperscript{123} \textit{UPLAD}, XIX, pp.480-1.
representatives gave support to agrarian measures in the Legislative Council? The U.P. Governor reported that the Congress had arrived at an agreement with this lobby whereby the latter would back the Tenancy Bill if the debt legislations were soft-pedalled. The support of this class was necessary for other Bills as well -- such as the Employments Tax Bill, which sought to tax the salaried class, and which was opposed by several categories of vested interests.

Thus debt legislation was one of the casualties of the constitutional phase of the Congress. When it entered office, the conciliation of certain vested interests became necessary -- something they could dispense with when they were engaged in a mass movement. Moreover, because of the nature of the franchise in U.P. with rich and middle

124. "A Party of about 14 Banias seems to have been formed (in the Upper House) which is likely to support the Ministry in return for concessions about the debt legislation", Haig to Linlithgow, 24 June 1939, Haig Papers, Roll 1.

125. Ibid.

126. Such as the Chambers of Commerce and industrialists like Sir J.P.Srivastava, who spearheaded the campaign against this Bill, UPLAD, XVI, pp. 749-758 and Haig to Linlithgow, 8 March 1939, Haig Papers, Roll 1. The Muslim League and the landlords were also opposed to it. See speech by Mubashir Husain Kidwai, UPLAD XIV, pp.155-7. According to the U.P. Governor, the Bill also caused considerable uneasiness amongst the middle classes and shopkeepers. Haig to Linlithgow, 8 March 1939, Haig Papers, Roll.1
peasants constituting a sizeable chunk of the new electorate, the Ministry came to be identified with this class of propertied peasants. This set the Ministry apart from the larger Congress organisation in U.P. which sought to represent other sections of the peasantry as well.

Rent Reduction

The UPCC’s Agrarian Enquiry Committee Report of 1936 had recommended a 50 per cent reduction in rent. It pointed out that an unusual increase of rents had occurred from 1901 onwards, placing a great strain on the peasants. This situation had been worsened after 1929 when there was a slump in grain prices, lasting until the preparation of the Report.127 As the Report explained:

The rent has steadily increased at a rapid rate during the last 50 years, but the Government has never thought of intervening. It has left this as a matter mainly to be settled by the zamindar and the tenant.... This rigid adherence to a so-called policy of *laissez-faire*... has produced a disastrous situation...128

After the formation of the Pant Ministry, the matter was not raised until July 1938, when a resolution was passed

128. Ibid, p.57.
in the UPCC calling for a 50 per cent reduction in rent.\textsuperscript{129} But the Premier pointed out that such a high level of rent reduction was not viable in fiscal terms, as it would leave the Province with a deficit of Rs.2\textfrac{1}{2} crores.\textsuperscript{130} He suggested a 28-29 per cent reduction. This led to a stormy debate in the PCC on the matter with some members claiming that it was improper for decisions of the Committee to be turned down in this way.\textsuperscript{131} However, the UPCC did reconsider the issue and, after a heated two-hour discussion, passed a resolution rescinding the previous resolution and calling for a reduction of Rs.8 crores in the total rental, which would amount to a 33 per cent reduction.\textsuperscript{132} The fact that this resolution was passed by an extremely narrow margin reveals the unhappiness of many Congressmen with the scaling down.\textsuperscript{133}

In early December 1938, the Revenue Secretary was approached by the Ministry to work out proposals for

\textsuperscript{129} \textit{The Leader}, 11 July 1938, p.10.

\textsuperscript{130} \textit{The Leader}, 12 July 1938, p.17.

\textsuperscript{131} \textit{The Leader}, 13 July 1938, p.3.

\textsuperscript{132} \textit{Ibid}.

\textsuperscript{133} \textit{Ibid}. The resolution was passed by a mere 5 votes, with 70 voting for it and 65 against.
reducing the rent-roll by 6½ crores. It was pointed out that this would involve amending the clause relating to fixation of rent in the Tenancy Bill. This must have deterred the Ministry, given the already existing problems and delays in the passing of the Tenancy Bill. By 25 December, the Governor reported that neither the Premier nor the Revenue Minister was contemplating "any large general reduction in rents" and "they are manoeuvring to hold off the proposals that are doubtless being pressed upon them by the left wing." Finally, it was decided to settle for much less - a remission of all suspended arrears of rent in the preceding years.

Before winding up our discussion on the agrarian policy of the Congress Ministry, we may pause to look at two other measures which did not attract the kind of attention that the Tenancy Bill did but which were, nevertheless, significant. One was the U.P. Agricultural Produce Markets Bill,

134. Haig to Linlithgow, 6 December 1938, Haig Papers, Roll 1.

135. Ibid.


137. The Bill was introduced in the Assembly in July 1939 (19 July), UPLAD, XIX, p.567.
introduced by the Minister of Justice on 13 April 1939. According to this Bill, certain areas were to be delineated as market areas and in such areas a market committee would be appointed to regulate the market. No market could be commenced, carried on or continued in a market area without obtaining a license from the Provincial Government. The zamindars, who, until now, had their own arrangements for buying the tenant's produce at lower rates, stood to lose by this measure. Hence they tried to stymie the Bill, not by opposing it outright but by suggesting amendments. One such amendment proposed by Raja Bisheshwar Dayal Seth was to the effect that licenses should be made necessary only for markets in municipal areas and town areas and not for rural areas run by zamindars.

The other measure was the Sugar Factories Control Bill -- one of the earliest pieces of ameliorative legislation enacted by the Ministry. It was to solve the problem of overproduction that sugarcane growers in parts of the

138. UPLAD, XVI, p.714.

139. Ibid. From speech of Minister of Justice while introducing the Bill.

140. Raja Bisheshwar Dayal Seth's speech on 13 April 1939, UPLAD, XVI, p.721.
Province were faced with in early 1937, leading to their impoverishment. In January 1938, the Government introduced the Sugar Factories Control Bill, which stipulated that factories should obtain licenses and buy their sugarcane in reserved areas, directly from cane-growers or from co-operative societies. The objective of this measure was:

to encourage factories to enter into direct relations with growers and to take an interest in the development of cane cultivation within the reserved area.

A minimum price for sugar cane was also fixed and could be varied by the Provincial Government if it thought it fit to do so. These measures seem to have effectively resolved the sugarcane problem by the ensuing year, when it was reported that:

On the whole sugarcane growers have been able to sell their cane to factories and there is no excess in the market. In fact, the important Gorakhpur Division reports an excess of demand over supply.

141. Shibbanlal Saxena reported that in Gorakhpur, there was an excess production of 117 lac maunds of cane in 1937. Since the factories could only crush a limited amount, there were at least 111 lac maunds of cane still standing in the fields and "the poor farmers are now being forced to burn the standing crop in the fields to save the labour of cutting in." Letter to Nehru, dt. 17.6.37, AICC/L-17/1935, pp.5-6.


This was indeed remarkable, and may be compared with the serious proportions that the problem once again assumed in 1940 largely due to administrative indifference.\textsuperscript{144}

If the Congress Ministry's record on the agrarian front, then, was a mixed bag of achievements and shortcomings, it had a clearer record with programmes such as the development of literacy, rural development and, to some extent, prohibition.

The Literacy Programme

The Ministry's programme of literacy fitted into the larger literacy campaign of the Indian National Congress during these years. The Congress viewed the prevalent system of education as having had a deadening rather than a stimulating effect on the human mind.\textsuperscript{145} The new system of

\textsuperscript{144}. By March 1940 Gorakhpur was again facing a problem of overproduction of sugarcane and unwillingness on the part of millowners to crush the cane. The Hallett Government was unwilling or unable to persuade the millowners to accept additional stocks of sugarcane for crushing. Nor did they accept Rajendra Prasad's suggestions for removing the glut in the sugar market by (a) lowering the internal market price of sugar and (b) by exporting sugar, \textit{Rajendra Prasad Papers} F.ix/1940, No.27, Roll 18. See also Jawaharlal Nehru's article 'In Gorakhpur', 13 October 1940, \textit{SWJN}, Vol.II, pp.331-5.

education which the Congress sought to introduce was worked out at the Wardha Educational Conference of October 1937.\textsuperscript{146} Doubtless it was hoped that at least in the area of education, this limited constitutional experiment would afford scope for reform. As the Minister of Education in U.P. put it: "We propose to examine the whole system of education with a view to remodelling it and bringing it more in line with requirements of the country."\textsuperscript{147} Consequently, the Ministry took its time over formulating the proposals for promoting literacy in the Province. It was only in the Budget of 1938-39 that large-scale allocations were made for this purpose. Thirteen per cent of the total budget, amounting to Rs.26,87,887 was earmarked for university education, which was sought to be reorganised, with emphasis on certain subjects for which special opportunities for specialisation were offered.\textsuperscript{148} As many as six committees were appointed to revamp the Education Department.\textsuperscript{149} Basic education under the Wardha Scheme of the Education (embody-
ing Gandhi's proposals for national education) was proposed to be started on an experimental basis in a few districts. Initially those districts were chosen where there were very few schools of the existing kind and where there was a "strong Congress atmosphere" and where some field-work in rural reconstruction had already been done.150 The new system of education would be more relevant to the people's lives -- education was to be of a practical type which fitted children for their hereditary occupations.151 All children of seven and above would have to attend school compulsorily. It was also felt that, in the districts, the educational system had been functioning inadequately owing to the dual control which prevailed. Hence an amending Act sought to transfer control of education directly to the district boards.152

For the adult literacy campaign, it was proposed to


151. Gopinath Srivastava, When Congress Ruled, p.69. It further elaborated: "If the time spent were not generally devoted to book-work and daily indoor routine and if they were engaged for considerable portion of their day at school in out-door daily activities... then much of the objection of the parents in sending them to schools would disappear."

152. Speech by Minister for Local Self-Government, introducing the U.P. District Boards (Second Amendment) Bill, 21 July 1939, UPLAD XIX, pp.784-5.
spend over two lakhs of rupees. A network of adult schools was set up.\textsuperscript{153} The Ministry intended to have as many as 768 libraries and 960 schools set up for the purpose.\textsuperscript{154} Literacy Day was celebrated in December 1938 through posters and poems and slogans such as 'Teach One Person or Pay Rs.2', 'Not a Single Thumb impression in UP', etc.\textsuperscript{155} Night classes were begun and often they were inaugurated by prominent Congressmen.\textsuperscript{156} A vast number of people were involved in the campaign through the taking of the Literacy pledge to "make at least one man or woman literate within one year or to pay Rupees Two to the District Literacy Association to do the work on my behalf."\textsuperscript{157} Yet, it is this seemingly harmless campaign which has been cited as contributing to the communal divide in the Province.\textsuperscript{158} While the choice of

\begin{flushleft}
\textsuperscript{153} The \textit{National Herald}, 18 January 1939, p.8.
\textsuperscript{154} Reply of Minister of Education to a question put by a Congress member on 9 Feb.1939, \textit{UPLAD}, XIX, pp.803-4.
\textsuperscript{155} AICC/P-20(i)/1938-39, p.215 & \textit{The National Herald}, 21 March 1939, p.7.
\textsuperscript{156} \textit{The National Herald}, 17 Jan. 1939, p.8.
\textsuperscript{157} AICC/P-20(1)/1938-39, p.215.
\textsuperscript{158} See Mukul Kesavan, 'Congress and the Muslims of UP and Bihar 1937-39', \textit{Occasional Papers, Nehru Memorial Museum & Library}, second series no.27, p.27. "With a man like Sampurnanand as Educational Minister any Congress sponsored scheme of education would have drawn Muslim fire, but as it happened the Wardha contd...."
words such as "Vidya Mandir" was indeed unfortunate, it cannot be seen as part of a preconceived design to Hinduise education.

Rural Development

The literacy mission was linked to a larger campaign for rural development. Unlike the literacy programme and prohibition, which were started on a trial basis in a few districts, rural development was to be organised simultaneously in all the districts of the Province. The whole project was to be headed by a Rural Development Officer. In early 1938 Shri Krishna Dutt Paliwal, an MLA and newspaper editor, was appointed to the office in an honorary capacity.

At the district level, there were to be Advisory Rural

fn.158....contd....

Scheme had gaffes enough to feed the flames". Such as "by making vernacular languages the media of instruction, it was undermining Urdu's national role". The Scheme's textbooks were "too concerned with Hindu heroes and divinities." Objections were also raised to the schools being called Vidya Mandirs.

159. According to the Raja of Pirpur, "The Word Mandir in common parlance means a place of idol worship. As such the very name goes against the grain of Islamic tenets and becomes repulsive to a Muslim . . ." Pirpur Report, p.54.

Development Associations: under each such Association, there would be some twenty rural development centres. Each centre would comprise of 20-30 villages. 161

At the village level a comprehensive programme of rural development or 'Better living' was sought to be implemented. It included the setting up of panchayats, village hospitals, dispensaries and veterinary centres, schools, libraries and seed-centres, and digging of wells and educating kisans on better agricultural methods. In order to augment the income of rural dwellers, small-scale industries such as toy-making or tanning units were also to be set up. 162 Cooperative societies for the marketing of village produce such as milk and sugarcane were started. 163 Intensified drives to promote the Rural Development campaign took the form of celebrating Rural Development Weeks at the district level. 164

Rural Development, though not an original Congress

161. Ibid.
162. Ibid. p.43.
163. Ibid., p.48.
164. The National Herald. 2 Nov. 1938, p.12.
idea,\textsuperscript{165} was undertaken with a new sincerity, vigour and imagination during the Ministry period. In the 1938-39 budget a sum of Rs.41.36 lakhs was set aside for it though what was actually spent was only Rs.22.47 lakhs. Nevertheless the budget of 1939-40 allocated Rs.40.31 lakhs for the purpose and later it was reduced to Rs.37.62 lakhs when the budget was recast.\textsuperscript{166} That it was an important legacy of the Pant Ministry is revealed by the decision of the Hallett administration, in the post-resignation phase, to continue with the scheme leaving the Congress proposals practically untouched.\textsuperscript{167} The budget allocation for rural development in 1940-41 was Rs.32.41 lakhs.\textsuperscript{168} However, as will be noted later, Muslim Leaguers vehemently opposed certain activities

\begin{itemize}
\item \textsuperscript{165} There was a Government of India Scheme for rural development, which was already in existence when the Ministries assumed office. Gopinath Srivastava, \textit{op. cit.}, p.41.

\item \textsuperscript{166} Stephenson, Secy to UP Governor to Laithwaite, Secy to Viceroy, 16 April 1940, \textit{Linlithgow Papers}, F.125/103, p.50.

\item \textsuperscript{167} This is what Hallett had to say about the rural development scheme: "I do not share the somewhat cynical view that is sometimes expressed that all this work is mere eyewash, or that it has been undertaken by the Congress Govt. for merely political motives. We must do what we can to encourage this work, for it undoubtedly tends to improve the condition of the village population" to Linlithgow, 6 Jan 1940, \textit{Linlithgow Papers}, F.125/103, No.6.

\item \textsuperscript{168} Stephenson to Laithwaite, 16 April 1940, \textit{Linlithgow Papers}, F.125/103, p.50.
\end{itemize}
under this programme -- such as the hoisting of Congress flags during Rural Development Camps.

Prohibition

A more controversial effort was the one to introduce prohibition in the Province. While abstemiousness was an important Gandhian value and its encouragement through legislation considered necessary, prohibition had another objective as well. It was well-known that under the British, the drink habit had been greatly encouraged, since excise duties on liquor were an important source of revenue for the Raj. A reversal of this phenomenon was eminently desirable from the Congress point of view, since it would be for the moral and material benefit of the Indian people.

Yet, when the Pant Ministry got down to the task of implementing prohibition by ordering the closure of liquor shops, it found the going far from easy. The loss of revenue that large-scale prohibition in the Province would entail was sizeable. No wonder, then, that the Ministry chose to introduce prohibition very gradually: the whole scheme was to be completed within four or even five years.169 A beginning was made in 1938 with the two western

169. Speech by Minister of Justice, while discussing the Budget proposals, 18th March, 1938, UPLAD, IV, p.688.
U.P. districts of Etah and Mainpuri -- districts which, the Opposition was quick to point out, were insignificant from the liquor excise point of view.\textsuperscript{170} The Government's justification of this choice was that since the officers concerned had no previous experience of implementing prohibition heretofore, it was "far more desirable to start with two districts which should be least administratively difficult."\textsuperscript{171}

The adjoining districts of Farrukhabad and Budaun were brought on to the prohibition map in 1939. Besides this, state-managed agencies for the sale of liquor were started at various towns and industrial centres such as Bijnor, Kanpur, Hathras, Jhansi, Agra, Chandausi, Gorakhpur and Jaunpur.\textsuperscript{172} But, as opposition members pointed out, this pace of implementation would not enable the Ministry to

\begin{flushleft} \textsuperscript{170} See Speech by K.B. Lieut. Sultan Alam Khan on 18 March 1938, \textit{UPLAD}, IV, p.627. Kunwar Sir Maharaj Singh, an Independent MLA remarked: "I think that it would have been a better test of the success or otherwise of the experiment if they had chosen at least one of the most difficult districts, such as Rae Bareli, or if they took two contiguous difficult districts and two adjacent easy districts", Speech on 18 March 1938, \textit{UPLAD}, VI, pp.660-1. \end{flushleft}

\begin{flushleft} \textsuperscript{171} Speech of Minister of Justice, 18 March 1938, \textit{UPLAD}, IV, p.628. \end{flushleft}

\begin{flushleft} \textsuperscript{172} From the Premier's speech on 17 March 1939 in the course of discussions on Budget Grants Provincial Excise, \textit{UPLAD}, XIV, pp.475-6. \end{flushleft}
achieve total prohibition within five years. The Ministry was accused of paying mere lip service to this Gandhian principle, of dislocating the entire fiscal arrangement of the Province and of imposing additional tax burdens on the public to cover the deficit.173

The Employments Tax Bill

Of all the new financial proposals of the Congress Ministry, it was the Employments Tax Bill which caused the greatest furore. The idea of imposing an income-tax on the Indian people was no new one -- it had been first introduced for a spell after the Mutiny and subsequently imposed and withdrawn on at least two occasions in the 19th century. From 1886 onwards, income tax was imposed for good.174 In March 1939 the Pant Ministry came up with a new proposal to cover budgetary deficits by levying an Employments Tax. The tax was to be on a scale: for those earning between Rs.2,500 and Rs.3,000 per annum, the tax would be Rs.90, for those

173. "...the fact of the matter seems to be that you do not really believe in it. You have only got to somehow or other satisfy the electorate and that is why you are making an effort, a show of keeping your promise." See J.P. Srivastava’s speech during the Budget discussion, 17 March 1939, UPLAD, XIV, p.500. Speech of Capt. S.R. Pockock on 13 March 1939 during discussions on the Budget, UPLAD, XIV, p.65.

earning between Rs.3,500 and Rs.4,000 it would be Rs.150 and so on. The Premier justified this proposal on the grounds that the common man, with his meagre income, had long been making such a contribution:

A man who tills the soil, who cultivates the fields, is paying his share towards the provincial exchequer out of his hard earned produce of the soil even though his total income is not more than Rs.25 a year and he is expected to pay and contribute something like Rs.5.175

Landlords, capitalists and Muslim Leaguers were all critical of the measure, arguing that the Ministry did not require the additional finances that would accrue from this Bill and that the Province was being unduly bled of its surplus.176 The Bill also made the Governor and the Viceroy rather uneasy. They mainly feared that it would have an adverse impact on the Services' morale.177 Lord Linlithgow also feared the prospect of other Provinces taking the cue from the U.P. and enacting similar legislation.178 But the


177. As Linlithgow observed to Haig on 29 March 1939: "I am very glad indeed that pressure from the commercial interests has been so strong ... It diverts attention from the service aspect of the matter...." Haig Papers Roll 2.

178. Ibid.
Ministry was determined to push the measure through even if they had to pay a price for it. By dint of some rather astute bargaining, they were able to break the unity of the opposition camp in the Legislative Council and steer the Bill through this House.

The enactment of the Employments Tax Bill was finally prevented by a resort to constitutional safeguards: it was first reserved by the Governor for the consideration of the Governor-General under Section 75 of the Government of India Act. And the latter was able to withhold assent for the Bill after the passing of the India & Burma (Miscellaneous Amendments) Act of 1940.

Thus the efforts of the Congress Ministry in this direction were all wasted but the Bill, like the Tenancy Bill, did serve to polarise opinion in the Province -- and once again this polarisation was not within the Congress but

179. "The landlords have been told that if they withdraw their opposition to the Employments Tax Bill, they will have a better chance of getting a compromise on the Tenancy Bill. The Banias have been told that at the same price they will receive some concessions in connection with the debt bills now before the legislature." Haig to Linlithgow, 24 May 1939, Haig Papers, Roll 1. U.P. Administration Report. 1939, p.20.


between the Congress and the vested interests, much to the disappointment of the British authorities.

The Ministry and Labour

Any discussion of the working class in U.P. tends to be dominated by Kanpur textile labour which had a relatively high degree of political consciousness and had been exposed to different shades of working class ideology since its inception. From 1931 onwards, however, the Communists had been steadily gaining ground in Kanpur and the effects of this phenomenon were evident in the early months of the Ministry's existence.

Industrial workers were in the forefront of the popular upsurge generated by the formation of the Congress Ministries. Expectations from the new Ministry were high especially since millowners had, in the previous few years, been reducing industrial wages on some pretext or the other either directly or by curtailing allowances and bonuses. Retrenchment of labour on the pretext of rationalisation was also frequent.182 Wage rates in Kanpur did not compare at all favourably with those prevalent in Bombay or Ahmedabad.

This was despite the fact that a steady expansion of industry had been taking place since 1935.\textsuperscript{183}

The problems of Kanpur industrial labour were one of the first to impinge on the new Ministry both within the portals of the Legislative Assembly as well as outside it. In July 1937, a number of mills in Kanpur were already on strike and there was talk of a general strike call by the Mazdoor Sabha.\textsuperscript{184} The strikes were to obtain an increase in wages (bearing in mind the fact that over the previous few years employers had reduced wages from time to time directly and indirectly) and to secure a general improvement in conditions of employment. It may be mentioned here that until this time neither the Mazdoor Sabha nor any other trade union organisation in the Province had been accorded recognition by the employers or the Government.

The Pant Ministry's attitude towards this strike wave was a mixture of conciliation and repression. While on the one hand announcing the appointment of a Labour Officer to "get in touch with the workers", it also resorted to Section 144 Cr. P.C. to prevent the gathering of persons at street corners and mill-gates. On 6 August, the police had to

\textsuperscript{183} Ibid, pp.34-38.

\textsuperscript{184} PAl UP, No.29/1937, 17-24 July, p.528.
"charge and disperse crowds". Action was also taken against some Mazdoor Sabha leaders under Section 107 Cr.P.C.\textsuperscript{185} In the Legislative Assembly, an adjournment motion on the Kanpur labour situation was moved by a Muslim League member on 6 September 1937.\textsuperscript{186} The new Government was even accused of "apathy towards the aspirations of labourers".\textsuperscript{187}

This charge was not really justified. Even as the Communists intensified the labour agitation in Kanpur, the Ministry accorded recognition to the Mazdoor Sabha and announced the appointment of a Labour Enquiry Committee to look into the grievances of workers.\textsuperscript{188} The Committee was to be headed by Dr. Rajendra Prasad and was initially to consist of five members. After the withdrawal of representatives of the employers and of labour (Sir Tracy Gavin Jones and Harihar Nath Shastri), the Committee's composition was reduced to three.\textsuperscript{189} But these moves were not enough to mollify the workers who demanded that all dismissed workers

\begin{tablenotes}
\item \textsuperscript{185} Home Poll, 18/7/37, F.R.U.P.\textsuperscript{ii}. CLEC Report, p.3. PAI UP 31/1937, 1-7 August, p.543.
\item \textsuperscript{186} The member was Zahirul Hasnain Lari, UPLAD, I, pp.281-9.
\item \textsuperscript{187} Ibid.
\item \textsuperscript{188} Congress Socialist, 14 Aug. 1937, p.4; Home Poll 18/8/37, F.R.U.P. ii.
\item \textsuperscript{189} Gazette of 23 April 1938, UP Gazette, January-July 1938, Part VIII, p.331.
\end{tablenotes}
be reinstated unconditionally. Despite Rajendra Prasad's best efforts, the employers refused to reinstate any worker dismissed for insubordination in the course of the strike.190

However, the visits of Rajendra Prasad and Jawaharlal Nehru to the Province in September 1937 did have their effect -- some workers withdrew their strike unconditionally, while in other cases employers agreed to take back dismissed workers.191 At least temporarily, the workers were willing to await the results of the Enquiry Committee's efforts. Militant labour leaders were also alarmed by the entry of communal forces into the labour agitation.192

Peace was soon disturbed, however. The last days of October and the first three weeks of November 1937 witnessed a resurgence of strikes in Kanpur. It all began with a strike in the Elgin Mills on 21 October in protest against the dismissal of some 25 workers,193 and then spread five

192. PAI UP No.41/1937, 9-16 Oct. reported that "Mazdoor Sabha leaders are growing steadily more apprehensive of the influence of Muslim League and Ittehad-i-Millat among Muslim labourers.", p.601.
days later to the Cawnpore Cotton Mills and two days later to Messrs Bevin & Co. 194 Since the issue in practically every case was the dismissal of workers, it seemed that the millowners were getting their own back on the workers.

This time visits by Jawaharlal Nehru and the Premier to the city did not have the desired effect. 195 Instead, the strike spread to more factories; but there were also reports of violent clashes between those wishing to return to work and the militants. 196 Ultimately the former prevailed and by the end of November, workers were returning to work in several factories. 197 In this strike, the Government seems to have been more restrained in its attempts to quell the disturbances. The Governor was distressed to note that the Ministry was only "taking the minimum action to preserve order". 198 However, in late November-early December 1937 the District Magistrate of Kanpur did order a two-month ban

198. Haig to Linlithgow, 2 Nov. 1937, Haig Papers, Roll 2. As Haig put it, "Everyone, both employers and labour, is tired of the present conditions, but at the moment there is no policy."
on public speeches by several prominent labour leaders. Some arrests were also made.199 (Nevertheless, a week later, prohibitory orders at least 10 labour leaders were revoked in view of an improvement in the situation.)200

The opening months of 1938 were rather quiet ones for Kanpur labour -- workers were obviously biding their time until the publication of the Enquiry Committee Report. While hopes ran high of the Report producing some tangible benefits, labour leaders were under no illusions about the likelihood of employers accepting the recommendations of the Committee. Hence speeches advising workers to be prepared for a general strike were made frequently in the months of January, February and March.201

The findings of the Rajendra Prasad Committee were published in early April 1938. The Committee recommended an increase in workers' wages with the minimum monthly wage being fixed at Rs.15 202 the recruitment of labour for all mills, not by mistries but by a Labour Exchange;203 the formation of an arbitration board to decide

200. PAI UP No.49/1937, 4-11 Dec., p.656.
201. Police Abstracts of Intelligence for these three months.
203. Ibid, pp.57-58.
whether dismissals were justified or not; the grant of certain social privileges, such as housing and sick leave and the employers' recognition of the Mazdoor Sabha.

A month later, the employers announced their rejection of the recommendations of the Committee. Within two days a flash strike broke out in ten textile mills of Kanpur and soon all the textile mills in the city were brought to a standstill. In all, some 40,000 workers struck work. Though the recommendations of the Rajendra Prasad Committee were only applicable to textile factories, workers from other factories also joined the strike in sympathy with the textile workers.

The strike was extremely spontaneous: even the Mazdoor

204. Ibid., p.63.
205. Ibid., pp.76-78.
206. Ibid., pp.73.
209. Ibid.
210. Ibid. On 17 May the strike had spread to the Kanpur Tannery. On the next day, it was feared that the strike would spread to workers in the Power House and Water Deptt. The Pioneer, 19 May 1938, p.1.
Sabha leaders' advice to wait and be cautious had been impatiently pushed aside by the workers. This strike put the Ministry in an extremely awkward position: it was obvious that the workers, without waiting for the Ministry's response to the Report, had decided to take the initiative in their own hands. While the Ministry chose to adopt an attitude of "benevolent neutrality", Congress workers in Kanpur openly sympathised with the strikers. It was clear to Pant and his colleagues that, unless they managed to persuade the employers to accept the recommendations of the Enquiry Committee Report, they would lose the goodwill of the workers.

It was after a month and a half of industrial unrest that the Kanpur crisis was finally resolved. The Ministry succeeded in persuading the employers to accept the principal recommendations of the Labour Enquiry Committee. Thus it did succeed in playing the role of intermediary

211. "The decision was taken despite the unanimous opposition of the Mazdoor Sabha, Congress and some Muslim League leaders who were refused a hearing at the meeting and were shouted down", The Pioneer, 17 May 1938.

212. Balkrishna Sharma, President of the Kanpur city Congress Committee, gave an assurance that the local Congress organisation would support 50,000 workers for one month. The Pioneer, 19 May 1938, p.1.

between capital and labour; but at the cost of revealing some of the contradictions in the Congress position. Despite all its good intentions on the civil liberties front, it had had to sanction fairly strong punitive action against the labour activists time and again. Critics and opponents of the Ministry never failed to remind them of that action. The strike also revealed a conflict of interests within the Congress camp -- at one end of the spectrum, there were Congress millowners who condemned the strike, at the other end there were the labour leaders, Congress Socialists and Communists, who gave consistent support to the strikers. Indeed, in terms of labour mobilisation the Congress record was not wholly satisfactory. There was a tendency to give priority to peasant issues and to overlook labour interests. In the elections to the Mazdur Sabha in Kanpur, a few months after the 1938 strike, the Communists were able to win more seats than the more moderate Congress.

214. In July 1939, the Government issued a letter warning the Mazdoor Sabha that unlawful picketing and inflammatory speeches would not be tolerated. *Home Poll*, 18/7/39, F.R.U.P. i.

215. The Kanpur Congress Committee took disciplinary action against Mr. Ramratan Gupta, a millowner and also Vice President of the Congress Committee, for "failure to support the strikers", *The Pioneer*, 24 June 1938, p.1.
Socialists. The Communists chose to capitalise on this victory by urging the workers to resort to strikes more often and by January 1939 labour unrest and imposition of Section 144 was once again resorted to.217

Labour militancy, combined with an uncertain communal situation in the city, led capitalists to think twice about the viability of continuing production in Kanpur.218 The Governor reported that millowners were also dissatisfied with the Ministry because of its inability to prevent strikes, which had led to substantial losses in production.219 They believed that the Ministry's liberal

216. *Home Poll*, 18/9/38, F.R.U.P. i. "All the officers (of the Mazdoor Sabha) except Raja Ram Shastri, Vice President and Suraj Prasad Awasthi, one of the seven joint secretaries, are believed to be Communists."


218. *Home Poll*, 18/4/39, F.R.U.P. ii. In the New Victoria Mills it was announced that from the following week the mill should only be open for three days a week. In the Swadeshi Cotton Mill the management warned that unless the "Standard of work improves", the night shift would be closed down.

219. Haig to Linlithgow, 6 Dec. 1938, *Haig Papers*, Roll 1. See also Speech by Zahirul Hasnain Lari in the UP Legislative Assembly on 5 Aug. 1938, when the UP Trade Union Recognition Bill was introduced by the Congress: "You go to the share markets and you will find that the shares of the mills in the province are at a low ebb since these labour troubles. We have heard that some industrialists are thinking of opening out in Indian States.", UPLAD, VII, p.512-3.
policy had aggravated the labour problem by helping Commu-
nism to thrive. This drove the capitalists into the arms
of the landlords of the Province at one stage. Given
this evidence in combination with the alienation of land-
lords and the salaried classes referred to earlier, the
Ministry could hardly be accused of having become an agent
of vested interests during the constitutional phase.

The Ministry and the Communal Problem

Any assessment of the Congress Ministry's performance
in the 1937-39 period would have to take cognisance of the
fact that these years saw an aggravation of the communal
problem and the emergence of the Muslim League as a powerful
force in Indian politics. That this phenomenon was espe-
cially pronounced in the U.P. makes it necessary for us to
grapple with the problem, however inadequately.

The growth of communalism is a complex phenomenon and
one has to steer clear of moral positions and simplistic
statements. It would, for instance, be convenient to point

220. Haig to Linlithgow, 6 Dec. 1938, Haig Papers, Roll 1. "The employers were very critical of Government and
said that it would require very little action on their
part to put down the Communist agitation."

221. See headlines in The Pioneer, 31 May 1938, p.1 "New
Coalition in UP... Landlords and Industrialists to
Unite... Congress Failure to Protect Rights."
an accusing finger at the Congress for making concessions to communal forces by (a) recognising the existence of the Muslim League and, at times, even entering into negotiations with it, (b) not reversing the status quo regarding separate electorates or community-wise representation in services, (c) harbouring within its ranks Hindu communal forces which alienated the Muslim League and enabled it to project the Congress as a Hindu party to the Muslim masses. While each of these charges has its own validity, it is only a partial rendering to the truth. Nor, when taken together, do they provide a satisfactory answer to the basic problem. In fact, they tend to distort the reality or present an exaggerated picture. To take the third factor for instance: while it is true that some local level U.P. Congressmen were active in Hindu communal organisations, that Congress MLAs like Radha Kant Malaviya made communally provocative statements in the U.P. Legislature,222 it must be noted that these individuals were marginal to the Congress and could never hope to influence its general policy. Nevertheless, such individuals did provide grist to the Muslim League propa-

222. As for instance on 6 Sept. 1937, UPLAD I, p.259. On 1 Aug.1938 when, after enquiring about the percentage of Muslim representation in the various services he proceeded to query, "what step does the Government propose to take to reduce the percentage of Muslims in the services... in which they are in excess of the population...", UPLAD VII, pp.39-41.
Regarding the first allegation -- if a recognition of the existence of the Muslim League by the Congress brought trouble, then why is it so often argued that the Congress Ministry in U.P. made a fatal mistake in not forming a coalition with the Muslim League? In my view, such a coalition would have been disastrous. The Congress would have found its hands tied on every piece of legislation, especially the Tenancy Bill. Moreover, there is no guarantee that by coopting the Muslim League the latter would have been less stridently anti-Congress. If the Muslim League were to grow at all, it would have to set itself up as a rival to the Congress and undercut its

223. Another example of such rhetoric was Ch. Vijaypal Singh's query in the Legislative Assembly: "Will the Government be pleased to state what steps they are taking to lower the overrepresentation of Muhammadans in the police and other government services?", on 8 May 1939, UPLAD, XVIII, pp.151-2.

224. The historiography of this argument ranges from Reginald Coupland in the 1940s to Khaliquzzaman and Maulana Azad in the 1950s, to historians like Ayesha Jalal and Mushirul Hasan in recent times. See their writings referred to in the bibliography.

225. It must be recalled that the Muslim League election manifesto had no agrarian programme to speak of. See Chapter 1.
base. The election results in U.P. had not been so favourable to the League as to enable it to claim the position of a party representative of the Muslims in the Province. Its very survival in the ensuing years depended on its ability to launch a powerful campaign and what could be a better rallying point than "Islam in Danger"? This was done effectively by creating conditions of near-hysteria and panic among the Muslims in the Province, by propagating the idea that the Congress Raj was a Hindu Raj and that, under it, Islam and adherents to the Islamic faith were in danger of neglect and subsequent extinction. When Congress launched its Muslim mass contacts campaign, the League became even more anxious to promote itself against the Congress.

This is not to say that the Congress had no strategy to

226. "I have already mentioned the moribund condition of the Muslim League... Tactically, I thought that by downright opposition to Congress in the Assembly, we might be able to put life not only into the Muslim League organisation, but also into masses...." Ch. Khaliquzaman, *Pathway to Pakistan*, (Lahore, 1961), pp.163-4.

227. For instance the League vehemently opposed the Congress educational scheme. Since it was known as the "Vidya Mandir Scheme", the League declared that it was exclusively Hindu in its orientation. Quarterly Report for 1 Feb.-30 April 1938, *Linthgow Papers*, F 125/142, Vol.3, p.8.

counter the growing communal menace in the Province. When the riot situation took a turn for the worse during the Holi-Muharram season of 1938, Congress leaders resorted to the following strategies: (1) entering into negotiations with the Muslim League in a joint effort to resolve the conflict;\textsuperscript{229} (2) employing the Seva Dal or Congress volunteer force in places torn by communal strife to help restore peace through non-violent methods;\textsuperscript{230} and (3) changing the nomenclature of Muslim mass contact committees which made reference to the Muslims as a separate community to be wooed by the Congress and which thereby, in fact reinforced the communal category.\textsuperscript{231}

Along with all these, the Government strained every nerve to reassure the Muslims that it was not opposed to their interests.\textsuperscript{232} Hence it was important for the Congress

\begin{itemize}
\item \textsuperscript{229} The Pioneer, 2 June 1938, p.10.
\item \textsuperscript{230} This was mentioned by Nehru in his letter to P.D. Tandon, 4 April 1938, SJIN, Vol.8, p.231.
\item \textsuperscript{231} AICC/P-20(i)/1938-39, p.314.
\item \textsuperscript{232} See for instance, the Premier’s statement in the course of an adjournment motion to discuss the communal situation in the Province on 22 March 1938: “...It is my aspiration and I consider it a privilege to serve the Muslims as well as other people of this Province. They may disown me but I am not going to disown my claim to serve them on that account...” UPLAD, IV, p.1042. Again on 30 March 1939: “This Government has used the contd...
not to make abolition of separate electorates a major issue, nor to do away with communal representation in the services if the Muslims were to feel more vulnerable as a result of changes in these procedures. Besides, it was not really in the hands of the Ministry to make such fundamental changes, given the restrictions imposed by the 1935 Act.

Nevertheless, it is a fact that even as the Congress hegemony grew as a result of provincial autonomy, it failed to take the Province's Muslim population along with it. There was something in the popular Congress effort to create a new order in the countryside which made the Muslims...

\[fn.232...contd...\]

appropriate sections of the Criminal Procedure Code in order to ban pamphlets which hurt Muslim susceptibilities. We have made use of Section 153 A of the Indian Penal Code to run in a man who had spoken against Muslims. "UPLAD, XV, pp. 61-4.

233. The U.P. Ministry was willing to concede separate electorates for elections to the proposed Constituent Assembly if the Muslim League so desired. See statement by Minister of Justice in reply to Ch. Khaliquzaman's objections to the Constituent Assembly Resolution, 6 Sept.1937, UPLAD, I, pp.265-71.

234. On 28 March 1938, the Premier stated in the Legislative Assembly: "In theory the best method of recruitment is that which does not take into account considerations other those of efficiency and fitness.... But here we are not concerned with academic discussion on the subject.... In the circumstances, I think that the question of communal representation in the services cannot be overlooked. It is there and it cannot be discarded at a moment even if it be imperfect or unsatisfactory." UPLAD, V, p.454.
susceptible to the Muslim League propaganda that Islam was in danger. It was also unfortunate that the Congress compromised on debt legislation which would have benefitted U.P. Muslims, especially in the towns, more substantially than the Tenancy Bill.

This often found expression in a growing incidence of communal riots in the Province. Figures provided by the Government showed that there had been a virtual doubling in the number of police cases relating to riots between 1936

235. The singing of Bandemataram in district board schools in Agra was cited as undesirable by Zahiruddin Faruqi, a Muslim League member. 5 March 1938, UPLAD, IV, pp. 252-3. On 30 March 1939 another Muslim League member Z.H. Lari complained: "It is the belief of the Musalmans that everywhere Congressmen try to avail of their position to influence the policy of the local authorities... in all places where there is a rural organisation camp the daily routine work of the organisers begins with salutation of the Congress flag...." UPLAD, XV, p.647. Besides the Muslim League propaganda was sometimes so powerful to make the Muslims feel that to identify themselves with the Congress would be a betrayal of their faith. Mushirul Hasan, op. cit., pp.22-23.

236. According to the 1931 Census, while one-third of the Muslim population resided in the towns, only one-thirteenth of the Hindu population did so. Census of India 1931, Vol.1, Part II, Imperial Tables, p. 45, 514-17. Muslim League members were in the forefront of members in the Legislative Assembly asking for debt legislation. See speech of Zahirul Hassain Lari while moving a Bill to "Provide Relief for Debtors Generally", UPLAD, III, pp.611-12 on 21 Jan. 1938. See also speech of Tahir Husain in the Assembly on 19 Oct. 1938, asking for relief to be given to urban dwellers, UPLAD, VIII, pp. 292-3.
and 1938. The figures for 1939 could only have increased dramatically with more towns of U.P. coming on the communal map. While the Premier pointed out that the areas most prone to communal riots were also the centres of greatest Muslim League activity, Muslim Leaguers accused the Government of discriminatroy action against the Muslims: of prohibitory orders against Urdu newspapers alone, of firing on "peaceful and unresisting Muslims" and of generally "terrorize[ing] the Muslim community in the

237. The figures were as follows:

<table>
<thead>
<tr>
<th>Riots</th>
<th>1936</th>
<th>1937</th>
<th>1938</th>
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<td></td>
<td>1,464</td>
<td>2,053</td>
<td>2,750</td>
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Statement in answer to question no.80, on 28 March 1939, UPLAD, XV, Appendix 7.

238. In February 1939, communal friction was reported from Aligarh, Basti, Mainpuri and Etah. By March 1939, the situation was reported to be bad in Allahabad, Benares and Kanpur as well. Home Poll, 18/2/39, F.R.U.P. ii & 18/4/39 F.R.U.P. i.

239. Speech in the Course of a Budget Discussion, 30 March 1939, UPLAD, XV, p.651.

240. Question by Md. Ekram Khan on an order served to the Benares-based Urdu paper, Awaz, 17 April 1939, UPLAD, XVII, p.4.

241. This was in the context of the communal riots in Kanpur in June 1939. Motion proposed by Md. Ishaq Khan, 12 July 1939, UPLAD, XIX, p.37.
Province." 242 What was obviously being referred to was the Government's decision to take firm action against provocateurs -- in this case the Muslim Leaguers and Khaksars. 243 Indeed, in the final months of its existence, the Pant Ministry seems to have arrived at the conclusion that a policy of conciliation would only give strength to communal forces and that firmness was required in the handling of communal riots. Consequently, it resorted to rather firm action in the aftermath of the Kanpur riots. Police firing had been resorted to both at Kanpur and in the Shia-Sunni riots at Lucknow. 244 A punitive tax was imposed on the people. 245 Punitive police were stationed in areas of communal violence. Action under Section 107 Cr.P.C. was also taken against the Khaksars who were playing a leading


243. On 2 May 1939, the Chief Secretary issued a circular to the district authorities calling for the taking of strict action against those indulging in communal violence. Sangharsh, 16 July 1939, p.10.

244. The Kanpur firing took place on 19 June 1939 and the Lucknow firing on 6 July 1939. See UPLAD, XIX, 12 July 1939 discussion on a motion of adjournment to discuss the Lucknow and Kanpur firings.

role in the communal agitation at this time.246

The Ministry resorted to firm action not only against communal riots but also with respect to extreme speeches and activity by kisan and labour leaders from June 1939 onwards.247 In this month the Government sent a letter to the Mazdur Sabha expressing its disapproval of lightning strikes and picketing at mill gates.248 In the following months there were arrests of peasant and labour leaders preaching violence.249 Securities of Rs.500 were obtained from two publications.250 The ex-revolutionary terrorists,

246. Pai, UP No. 36/1939, 26 Aug.-2 Sept., p.233. The Khaksar movement, begun in Punjab by Inayat Ullah Khan in 1931 had confined its activities largely to Punjab until 1935. By 1939, however, the organisation had 8 branches in UP and its leaders toured the Province making provocative, anti-Hindu speeches. 'Note on Khaksar Movement', Home Poll 11/1939; Telegram from UP Chief Secretary to GOI and all Provincial Governments, 1 Sept. 1939, Home Poll, 120/39.

247. The 2 May circular cited above mentioned that similar action should be taken against those causing class hatred, especially the Communists. Action under Sections 107, 108 & 153 was recommended. In July 1939 we have evidence of action having been taken under Sections 108, 124 A & 143 A against socialist, labour and kisan leaders. Sangharsh, 30 July 1939, p.16.


249. In Kanpur action was taken against Randulare Triwedi and Haldar Bajpai, in Unnao against Balganganadhar Tripathi and in Fyzabad against Devendra. Sangharsh, 30 July 1939, p.16.

250. The newspapers were Azadi from Benares and Aandhi from Fyzabad.
who were responsible for a large volume of pro-violence-
speeches, were not spared either. Manmathnath Gupta's book
*A History of Revolutionary Terrorism in India* was pro-
scribed.251 Youth League organiser Rajdeo Singh was arrested
in Jaunpur on 20 June and searches were conducted all over
the district.252 On 29 August 1939, two revolutionaries
were arrested in Fyzabad and cartridges and revolvers recov-
ered from them.253

Can we conclude from these acts then that there had
been a contraction of the space for civil liberties in the
course of the Ministry's tenure? In fact, if we were to
trace the beginning of such a contraction, we will have to
cast back to the cases instituted against kisan workers
under Section 107, 108 and other sections as early as in
January 1939, even before the Government circular referred
to above.254 Still earlier, in mid-1938, Government had
resumed the practice of engaging reporters to cover speeches

likely to have dangerous implications. And there was the firing on Kanpur workers in August 1937 referred to earlier.

Was it inevitable that such a situation would arise? Any government, when faced with the pressures of maintaining law and order would find it difficult to refrain from such measures. In the case of the Congress, the problem was more complex: non-violence being an integral part of the Congress strategy would it be desirable to allow speeches and actions favourable to violence while a Congress government was in office? Indeed, the problem seems to have been anticipated by the Premier very early in the day. In a letter to Nehru on 7 August 1937 in which he informed the latter that police reporting in public meetings had been stopped, he went on to ruminate:

We have declared our determination to protect and promote the civil liberties of the people, but if violence is preached, whether openly or otherwise, or people are asked to defy the laws or ignore them... it will create another grave puzzle for us. We have already declared that we will not take action for sedition nor ban institutions or speeches, but if violence is countenanced even by a few Congressmen and if there happen to be stray outbursts here and there where we will stand then?

255. "Wherever anything which was likely to foment violence or breach of peace or communal animosity or communal friction is likely to be the subject of an utterance then the reporter will be deputed." The Premier's reply to a question by Raja Bisheshwar Dayal Seth on 10 Aug. 1938, UPLAD, VII, pp. 803-4.

In actuality, violence was countenanced not just by "a few Congressmen" "here and there" but in a fairly substantial measure. We have discussed the erosion of the Gandhian tenets elsewhere in this thesis and seen how the Ministry phase was perceived by groups of left Congressmen as providing an ideal opportunity for popularising alternative forms of struggle to the known Gandhian one. Matters reached a head when the murder of a zamindar took place in Gorakhpur\textsuperscript{257} and similar incidents were reported from other districts.\textsuperscript{258} Moreover, the kind of communal hatred preached by Muslim Leaguers, Khaksars and Hindu Mahasabhaites culminated in escalation of communal riots. Indeed, crime statistics for the Province as a whole registered an alarming increase in the Ministry years. The number of police cases for dacoities increased from 412 in 1936 to 496 in 1937 to 702 in 1938. Burglaries had increased from 28,316 cases in 1936 to 34,745 in 1938. Cases of murder rose from 862 in 1936 to 1,013 in 1937 to 1,135 in 1938.\textsuperscript{259}

\textsuperscript{257} This was in the Maharajganj tahsil of Gorakhpur district. A group of 200 villagers "marched two miles, attacked and broke open the chavni of a small zamindar who had at one time been the Karinda of the zamindar of their own village and deliberately murdered him". Haig to Linlithgow, 14 May 1938, \textit{Haig Papers} Roll 2.

\textsuperscript{258} \textit{Home Poll}, 18/7/39, F.R.U.P. ii.

\textsuperscript{259} These figures were placed before the Legislative Assembly by the Congress in reply to a question put on 28 March 1939, \textit{UPLAD}, XV, Appendix P, p.605.
Offences under various categories rose by 2,614 cases in urban areas between 1937 and 1938. The corresponding figure for the rural areas was 6,557.260

It was to control the alarming situation indicated by these figures that the Ministry had to tighten the reins in the latter half of 1939. The Governor too had been stressing the need for firm action and was pleased to notice, in April 1939, that "they are much more prepared to accept guidance from me than they were some months ago."261

Was this the point at which the Congress intentions of wrecking the 1935 Act were given a decent burial? The left wing certainly held this view. Even Acharya Narendra Dev, the most reasonable leader in the left wing camp felt in June 1939 that the time had come for Congress Ministries to resign.262 The left-right polarisation in the Province at this time was a source of much delight to the Viceroy, Lord

260. These figures were cited in an answer to a question by K.D. Malaviya on 27 March 1939, UPLAD, XV, p.374.
261. Haig to Linlithgow, 26 April 1939, Haig Papers, Roll 1.
262. PAI UP, NO.25/1939, 10-17 June, p. 151.
Doubtless the Bose-Gandhi rift at Tripuri had polarised the Congress and the fact that the Premier, G.B. Pant, was so closely associated with Gandhian camp made him the special target of left-wing attack. However, in the Governor's perception, left-wing pressure on the Pant Ministry had begun even earlier. In December 1938 he remarked that "the Premier is finding it difficult to stand up to left wing pressure." What distressed him greatly was the fact that, at that stage, Pant was giving in to these forces. There were several indications of this according to the Governor. One was Pant's unwillingness to check the growing volunteer movement in the Province which was developing "along military lines" and could resort to methods other than non-violence "if the majority changed their views". The other was "a series of proposals" such as abolition of the posts of all commissioners, appointment of advisory committees for district officers (which the Governor feared would amount to Congressmen being "a controlling

263. "...the split (into Right and Left wings), I suspect, is deeper than it has been before in our experience, and based, I suspect too, more on a real difference of approach than necessarily on a difference between leading personalities.", Linlithgow to Haig, 13 May 1939, Haig Papers, Roll 2.


influence over the district administration"), establishment of village panchayats which would be given "very extensive powers" and rent reduction. These proposals do not seem particularly radical to us -- in fact they formed part of mainstream Congress activity at this time. But, in the eyes of the British authorities, they were sufficiently dangerous to merit the use of the term "left wing".

This brings us to the question of what really was radical and what was reactionary in the Congress Ministry's programme. One definition was provided by the Communists and other like minded individuals: namely, that all activity which would promote a revolutionary overthrow of British rule in India was "radical". For this the working class would have to be energised, through frequent resort to strikes, since the working class would play the same role in the overthrow of British rule as its Russian counterpart had in the overthrowing of Tsarism. The kisans also had a supportive role to play in this task -- and their con-

266. Ibid.

267. "...the central task in India today is similar to that which faced the Russian Bolsheviks before the overthrow of Czardom..." statement by P.C. Joshi and others in New Age, July 1939, cited in Bhagwan Joshi, Struggle for Hegemony in India 1920-47, Vol.II,(Delhi 1992), p.142. Numerous were the references to a Russian revolution being reenacted in India in the public speeches of radical Congress men in UP.
consciousness would be aroused through non-payment of rent, physical attacks on zamindars and their agents and processions, often to the Council Chamber. Anyone who criticised such activities was branded "reactionary". Another definition was that internalised by most Congressmen for whom all peaceful activities which would erode the fibre of British rule in India and would undermine its legitimacy were radical. Basic compromises with British rule were detrimental to Congress interests and therefore reactionary. A third definition was that of the British authorities, in whose dictionary, however, the word "reactionary" obviously did not figure. Instead they used the word, "desirable" and all activity which proceeded along constitutional lines was "desirable", all activity which promoted hatred of British rule and amongst classes and communities was "left wing." Since it is the Congress that we are here concerned with, we shall adhere to the second definition and see how radical the Congress was.

This section will basically summarise and draw conclusions from the evidence provided earlier in this chapter. To begin with the civil liberties issue itself, since that is the most contentious. The fact that such a wide

268. See Chapter V on U.P. Kisan Sangh.
range of political activity (including communal activity) was opened up during the Ministry period is the best proof of the Ministry's respect for civil liberties. Much of this activity was, indeed, corrosive of Gandhism, as has been recorded elsewhere in this thesis. Yet it was countenanced and in this respect the record of the Pant Ministry was indeed better than that of all the other Provincial Congress Ministries at this time.269 As for legislation, the Tenancy Bill, with all its drawbacks, irrevocably changed the power balance in the countryside. Gone was the special status enjoyed by the landlords since 1857 and the tenant was now secure. Industrial labour had obtained a minimum wage and recognition for its organisation, the Mazdur Sabha. The people of U.P. had become more literate and living conditions in the villages had improved.270 More significantly, an indigenous element was introduced into the administra-

269. The most "reactionary" Ministry in this sense was the Rajagopalachari Ministry of Madras Presidency. The B.G. Kher Ministry in Bombay had also taken a stiff stand vis-a-vis the labour agitators. The Bihar Ministry is often accused of having a pro-landlord bias and was harsh in its treatment of the Kisan Sabha.

270. Reginald Coupland a British observer and constitutional expert noted that the Congress Ministries had a "genuine zeal for social reform". While prohibition and the "new departures in education" were novel schemes, even where the Congress Ministries were "working on foundations already laid." "they were able to take a much bolder course" R. Coupland, The Constitutional Problem in India Part II Indian Politics, 1936-42., (Oxford, 1946), p.156.
tion, whether through the use of Hindi in the legislatures or the voluntary wearing of khadi by some policemen and others of the revival of the panchayat structure or the prohibition of liquor.\textsuperscript{271} Ordinary people got a chance not only to see what their Government could do for them, but also to actively participate in the Congress programme through joining the literacy campaign or the Qaumi Seva Dal or the marches and processions organised so frequently by the Kisan Sabha or simply by attending the numerous political and kisan conferences that were a regular feature at this time. Above all this, providing a protective umbrella was the Ministry itself.

But just as an umbrella has to bear the brunt of the rains, so too the Ministry had to take a great deal of battering. Indeed, it was not only an umbrella providing protection to the people from the severity and oppressiveness of British rule in India, but it was also a horse that was being constantly goaded to action. Fully cognisant of the fact that it was in office for a limited period

\textsuperscript{271} Pant's speech in the U.P. Legislative Assembly on the use of Hindustani in the Legislature on 28 September 1937, \textit{UPLAD}, II, p.1301. For the good work being done by the Congress Panchayats see Haig to Linlithgow 8 April 1938, \textit{Haig Papers}, Roll.3. & for further Congress plans refer Haig's appreciation of the existing political situation.19 Dec. 1938, \textit{Haig Papers}, Roll 1.
and that it would have to achieve much if office-acceptance were to be justified, it raced from one piece of legislation to another. The tempo was quickened in the months after March 1939 when the Tenancy Bill was being pushed through, three pieces of debt legislation were being pressed forward, a Stayed Arrears of Rent Remission Bill and the Employments Tax Bill were before the Legislature, the Local Self Government Bill and a Village Panchayat Bill were being introduced, etc. No wonder then that at least three of the leading Congress members of the Assembly -- Pant himself, Revenue Minister Kidwai and P.D. Tandon, the Speaker of the Legislative Assembly -- were reported to have collapsed from exhaustion in the concluding months of the Ministry period.\(^{272}\) And it was not only physically that the Ministry had run out of steam, it was worn and battered by the left-wing attack, by the action and rhetoric of the Muslim League, Khaksars and Hindu communalists and the ire of landlords, capitalists and pro-British loyalists.

Thus the Ministry had expended itself in the course of the constitutional experiment. But the legacy of this brief

\(^{272}\) Nehru to Dr. Rajendra Prasad, 17 May 1939, *SWJN*, Vol. 9, p. 339 about the illness of both Pant and Kidwai. Officiating Secretary to the UP Governor, Donaldson, refers to Tandon's illness and consequent absence from the Legislative Assembly from March 1939 to July 1939. Note dated 5 January 1940, *Linlithgow Papers*, F 125/103, No. 3.
period was indeed impressive. When the new Governor, Sir Maurice Hallett assumed charge in 1940, he was greatly impressed by the record of the Ministry. We have already noted his favourable comments on the Rural Development Scheme. As for the literacy campaign, this is what he had to say:

In the schools which I have visited the impression that I formed was that the boys trained under this new system were more alert and far more interested in their work than the pupils in the ordinary old-fashioned primary schools. There is little doubt that our system of primary education resulted in a great amount of wastage and that many pupils dropped their education at a very early stage.273