CHAPTER VII

CABINET MISSION PLAN AND INTERIM GOVERNMENT
(1946)

As declared by Attlee on February 19, 1946, the special mission of Cabinet Ministers, including Pathick Lawrence, the Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade, and A.V. Alexander, First Lord of the Admiralty, landed in Karachi on March 23, 1946, mainly to explore the following objectives:

(i) Whether Indians would like to associate with the Commonwealth or would be completely independent; and

(ii) to find out means for the transfer of power to the Indian hands.

The Cabinet Mission arrived in New Delhi on March 24, 1946, and the Secretary of State at a press conference at Delhi on March 25, declared:

"We have now to work out in cooperation the means by which Indians can themselves decide the form of their new institutions with the minimum of disturbance and the maximum of speed".

To clear the misgivings of the Muslims that the minority can not be allowed "to place a veto on the advance of the majority", he observed:

"... while the Congress are representative of larger numbers it would not be right to regard the Muslim League as merely a minority political party - they are in fact majority representatives of the great Muslim community".

The Secretary of State also declared that "the Viceroy, while

5. V.P. Menon, n. 2, p. 236.
continuing to carry the full load of his normal responsibilities, will join with us as our colleague in the discussions with Indian leaders.

The announcement of the Mission created great hopes for solution of the communal tangle and break of the constitutional deadlock, as a result it was welcomed all over the country. The Congress was happy at the arrival of Cripps, who, as Wavell said on February 12, 1946, was "sold to the Congress point of view" and was not quite "straight" in his "methods". The League hoped some favour as Major Woodrow Wyatt, an old and close friend of Jinnah, had returned to India as Cripps' assistant. He was the first member of the Mission to meet Jinnah on March 27, at his home in New Delhi. Wyatt reported to Cripps on March 28: "The Muslim League seems to be solidly behind Jinnah". Cripps met Jinnah on March 30, and found him "calm and reasonable but completely firm on Pakistan".

As a result of conversation with Cripps, Jinnah agreed to invite Gandhiji and meet him. Jinnah at this stage did not know that Lawrence and Cripps had confidential negotiations with Gandhiji, Nehru and Patel through Sudhir Ghosh who acted as their emissary not only before but also while the Cabinet Mission was in India.

From April 1 to 17, 1946, the Mission interviewed 742 leaders in 182 sittings, covering every shade of opinion, mainly that of the Congress and the Muslim League, and the negotiations and interviews lasted for over seven weeks.

On April 3, first, Maulana Abul Kalam Azad, pleaded the case of the Congress "on the basis of independence and on the assumption that the future constitution would be determined by a constitution-making body". Regarding the composition of the Central Government, "in an interim

6. Ibid.
10. Note by Cripps, Ibid., pp. 59-60.
11. Azad writes: "that the Centre should have a minimum list of compulsory subjects and an additional list of optional ones"; see Maulana A.K. Azad, India Wins Freedom (Calcutta: Orient Longmans, 1959), p. 141.
government, of, say, fifteen members, there might be eleven provincial representatives, and four places might go to representatives of the minorities". He suggested a new idea of federation to solve the communal problem: "with a limited number of compulsory federal subjects such as defence, communications and foreign affairs, and autonomous provinces in which would vest the residuary powers". Azad admitted that under this proposal, the "Muslims would not get more than two or three seats in the Executive Council, but arrangements could be made to give them more". The Congress President, Azad, stated that on the completion of the work of the constitution-making body, the provinces should have three choices: "(1) to stand out of the constitution; (2) to enter the constitution by federating for the compulsory subjects only and (3) to federate for the compulsory as well as for the optional subjects."

Regarding the League demand, Azad said that the Congress would never agree to the partition of India. He urged that the provincial legislatures should be taken as federal colleges to choose the constitution-making body and agreed that "it was not possible to compel the Indian States to come, but the proposition could be made attractive to them".

After Azad, Gandhiji was interviewed. He stated in his personal capacity that he never appreciated Jinnah's Pakistan demand. He said that Pakistan meant independence of culture and satisfaction of illegitimate ambitions and urged that Rajagopalachari's formula should be put into shape. He reasoned that Pakistan was an 'untruth'. Denouncing Jinnah's two-nation theory as most dangerous, he calculated that all the Muslims, except 'a microscopic minority' were converts, the descendants of India-born people. Therefore, he argued for one-constitution-making body instead of two as demanded by Jinnah. Gandhiji made, as it seems, a very realistic suggestion that for the interim period, "Jinnah should be asked to form the first Government with the ministers chosen from amongst the elected members of the legislature. If he refused, the offer should be made to the Congress". Gandhiji added that "The Interim Government must be absolutely national". Mr. Jinnah could choose whom he liked for his Government. They would be subject to the vote of the Assembly from which they were drawn. The Secretary of State

13. Ibid., p. 239.
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13. Ibid., p. 239.
interrupted and pointed out that as Jinnah's party would be in minority in the assembly, he would be asked to provide over a government, most of whose ministers would belong to the Congress majority party in the assembly, to which Gandhiji replied that it was "inescapable". Further, in that case Jinnah's government would have to be predominantly Hindu.

The Mission interviewed Jinnah on April 4, 1946. Jinnah narrated the history of India from the days of Chandragupta to the British raj arguing that "there had never been any Government of India in the sense of a single government". The British rule made the country 'partly united'. In view of the separate and sovereign Indian States, Jinnah said that "India was one, but this was not so. India was really many and was held by the British as one". He recalled that Hindu-Muslim tension began when the British partitioned Bengal in 1906 to give a small amount of power to Muslims in East Bengal the Muslims were granted separate electorates. He referred to the Montagu-Chelmsford Reforms, the Communal Award, separation of Sind from Bombay and making the NWFP a Governor's province, which decision were taken by the British to safeguard the interest of the Muslim minority in India. Pleading the case for demand of Pakistan, he argued in favour of the two-nation theory as follows:

"The differences in India were far greater than those between European countries and were of a vital and fundamental character. Even Ireland provided no parallel. The Muslims had a different conception of life from the Hindus. They admired different qualities in their heroes; they had a different culture based on Arabic and Persian instead of Sanskrit origins. Their social customs were entirely different. Hindu society and philosophy were the most exclusive in the world. Muslims and Hindus had been living side by side in India for a thousand years but if one went into any Indian city, one would see separate Hindu and Muslim quarters. It was not possible to make a nation unless there were essential uniting factors".

"How could His Majesty's Government put 100 millions of Muslims together with 250 millions whose whole way of life was so different? No Government could survive unless there was a dominant element which could provide a 'steel frame'."

17. Ibid.
"There were in India two totally different and deeply rooted civilizations side by side, and the only solution was to have two 'steel frames', one in Hindustan and one in Pakistan".

Jinnah agreed that common railways, customs and so forth would be convenient, but questioned which government would control those services. He meant to say that the matter could be settled only after "the fundamentals of Pakistan were agreed".

Jawaharlal Nehru was, in those days, on a visit to Malaya. A British official reported to the India Office about Nehru on April 4, 1946, as follows:

"He was a little scornful of Jinnah and doubted very much whether he had either the intention or the power to start a revolt in India if he did not secure Pakistan ... Jinnah rather reminds me of the man who was charged with the murder of his mother and father and begged the clemency of the Court on the ground that he was an orphan".

Dr. Ambedkar, the leader of the Scheduled Castes Federation, opposed a constituent assembly, which would be dominated by Caste Hindus and suggested instead of two ad hoc committees — one for constitutional and other for communal questions. Claiming constitutional guarantee to the Scheduled Castes, he urged that in case of joint electorates, his community voters and candidates would be ignored being in absolute minority. Therefore, he demanded separate electoral college for the Scheduled Castes.

Jagjivan Ram, the leader of the All-India Depressed Classes, League, supporting Dr. Ambedkar, demanded that "the Scheduled Caste members of the Provincial Legislatures should form an electoral college for selecting their representatives in the Central Government".

The Sikh leader, Giani Kartar Singh, demanded a separate sovereign State, Khalistan, comprising Jullundur and Lahore Divisions, together with Hissar, Karnal, Ambala and Simla Districts of the Ambala Division, and the Montgomery and Lyallpur Districts, while Baldev Singh pleaded for

a united India demanding 45% seats to the Muslims and the rest divided between the Sikhs and the Hindus. Master Tara Singh and Hernam Singh demanded separate State for the Sikhs with the right to federate either with the Hindustan or Pakistan.

Sapru and Jyakar, the Liberal leaders, suggested immediate formation of an interim government, strongly opposed Pakistan, and suggested equality of Muslims and caste Hindus in the Central Government. The Hindu Mahasabha leaders, Shyamaprasad Mookerjee and I.B. Bhopatkar decried the idea of parity between the Hindus and the Muslims in the Central Government. The State rulers were prepared to join an all-India federation.

On April 15, the Communist Party, in a Memorandum to the Cabinet Mission, stated:

"We suggest the setting up of a Boundary Commission to redraw the boundaries... so that the re-demarcated Provinces become as far as possible linguistically and culturally homogeneous National Units, e.g., Sind, Pathanland, Baluchistan, Western Punjab etc. The people of each such Unit should have the unfettered right to self-determination, i.e., the right to decide freely whether they join the Indian Union or form a separate Sovereign State or another Indian Union".

ML Legislators' Convention

On April 9, when the Mission was carrying on the interviews, Jinnah called in Delhi a Convention of over 400 members of the various legislature recently elected on the ML ticket. The League leaders solemnly pledged "in the name of Allah, the Beneficent, the Merciful" that for achievement of Pakistan they would undergo any danger, trial or sacrifice which may be demanded of them, while the Quaid-i-Azam said "while we hope for the best, we are prepared for the worst". Bengal's Suhrawardy said that the

22. Ibid.
23. Ibid., p. 732.
Muslims of Bengal wanted a land to live in peace, were ready to fight and lay down their lives. Khaliquzzaman said: "Muslims will now decide their own destiny". The Nawab of Mandot (Punjab) said that "if stalwart soldiers of the Punjab could defend Britain against Nazi aggression, they can also defend their own hearths and homes". The NWFP Pathan leader Khan Abdul Qayyum shouted: "Thank God, we have one flag, one leader, one platform and one ideal, Pakistan, to fight for". Sardar Shaukat Hayat Khan said: "three-quarter million demobilized soldiers in the Punjab are pledged to achieve Pakistan". Sir Firoz Khan Noon said: "Neither the Hindus nor the British know yet how far we are prepared to go in order to achieve Pakistan. We are on the threshold of a great tragedy".

However, the Convention in a lengthy resolution stated that the Hindu dharma and philosophy had degraded 60 million human beings to the position of untouchables and threatened to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically. They were "convinced of the futility and ineffectiveness of the so-called safeguards provided in the Constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a united Indian Federation, if established the Muslims, even in majority provinces would meet with no better fate and their rights and interests could never be adequately protected against the perpetual Hindu majority at the Centre". To save the Muslim India from domination of the Hindus, they emphasised the necessity of a sovereign Pakistan and declared that they would "never submit to any Constitution for a United India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem:"

27. Ibid., pp. 516-20.
28. Resolution of the All-India Muslim League from January, 1944 to December, 1946 (published by Llaquat Ali Khan, Honorary Secretary, All India Muslim League), pp. 45-47.
29. Ibid.
1. That the zones comprising Bengal and Assam in the North-East and the Punjab, North-West Frontier Province, Sind and Baluchistan, in the North-West of India, namely, Pakistan zones, where the Muslims are in a dominant majority, be constituted into a sovereign independent State and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay;

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

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

4. That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the sine qua non for the Muslim League co-operation and participation in the formation of an Interim Government at the Centre.

The Convention threatened that "any attempt to impose a constitution on a united India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand, will leave the Muslims no alternative but to resist such imposition by all possible means for their survival and national existence".

The resolution of the Convention and Jinnah's viewpoint were discussed by a large number of the Congress and other party leaders, while the Cabinet Mission was also devising its own scheme to find out a common formula to bring the Congress and the League together. To explore possibilities of compromise, the Mission decided to interview Jinnah and Azad again.

Jinnah's Interview

On April 16, 1946, Jinnah reiterated his demand for Pakistan, but the Mission felt it difficult to accept as much of the proposed territories of Pakistan as inhabited by non-Muslims. The Mission believed that progress might be possible in one of two ways: (1) acceptance of a separate state of Pakistan including Muslim majority districts of Bengal, Punjab and Assam, or (2) establishment of Union Centre for essential subjects - defence, foreign affairs and communications, forming a federation including the proposed territories of Pakistan with equal Congress and League representation, with provision to secede after 15 ye

30. Ibid.
31. V.P. Menon, n. 2, p. 249.
The question of federation of the Indian States regarding their joining the Centre would be considered later. In both these cases, Pakistan was sure to be created. The Secretary of State stated two propositions:

1. "a small Pakistan with sovereign rights and a treaty relation, and a larger Pakistan which would function together with Hindustan on terms of equality within an all-India Union for the essential purpose of defence and foreign affairs";

2. "there would be two federations linked by a Union Centre. The Indian States would come in either at the Union or at the federation level and there would be equal representation of Hindustan and Pakistan at the Union level. The communal balance would be retained at the Centre by some means even if the Indian States came in".

Cripps explained that there would be no Union Parliament and the Union Executive would be formed by the federation choosing the members, with the equality of two component parts. Jinnah replied that "no amount of equality provided on paper would work. Equality could not exist between the majority and a minority within the same governmental system". Jinnah, thus, did not agree to the idea of Indian Union as domination of the Muslims by the Hindus could not be prevented under the proposal. Further, Jinnah persisted that first the principle of Pakistan should be conceded, then he would be prepared to discuss the area to be included in it, but he would not in any event accept the exclusion of Calcutta.

The Secretary of State pointed out that in case Jinnah's demand for inclusion of six provinces and Calcutta into Pakistan are accepted, there will be "a large internal element of Hindu population, as well as external opposition from a hostile Hindustan" and that India in between the two parts of Pakistan will create a very dangerous and hostile position. Jinnah replied that it was an exaggerated statement as "all the non-Muslims could not be counted as Hindus". The Secretary of State said that a settlement without agreement would lead to chaos. Jinnah retorted that this argument should be put before the Congress. Jinnah, preferring the matter to be considered on the basis of sovereignty and a small area, said:

32. Ibid.
33. Ibid., p. 250.
34. Ibid., p. 251.
35. Ibid.
"If the Congress would say that on that basis they wanted
certain defined areas taken from Pakistan, he was willing
to discuss whether what they proposed was reasonable; fair
and workable. He would try his best to reach agreement with
the Congress; but if what they proposed struck at the heart
of Pakistan, or if the principle of Pakistan was not
accepted, it was no use pursuing the matter".

Thus, there were three contestants in the field of acquiring power
from the British, the Congress, the Muslim League and the Indian States.

Azad, interviewed on April 17, also reiterated that there should
be two lists of central subjects - Compulsory including foreign affairs
and defence, and Optional covering the remaining central subjects, under
the existing constitution. The Secretary of State said, in this case,
there would be sub-divisions of the Centre into two parts dealing with:
"(a) the provinces that had opted for the full range of subjects and
(b) the provinces that were federated for the compulsory subjects only",
which would ultimately "work out in practice as separate centres for
Pakistan and Hindustan". Azad said that it had to be discussed with the
CWC. In the meanwhile, Gandhi and Nehru informed Sir Stafford Cripps
in Kashmir that "the proposal for an all-India Union on a three-tier
basis would not be acceptable to the Congress". But Azad on April 26,
agreed to the three-tier proposal, that is, a single federation broken
up into two parts. Jinnah also reluctantly accepted this proposal, but
demanded a letter. On April 27, the Secretary of State sent letters to
Jinnah and Azad with the identical terms asking to send four negotiators
for discussing the possibility of agreement, and recommended adoption
of either of the following two resolutions on the fundamental constitu-
tional problems:

Section A

There should be a loose federation in the form of a "Union of
All-India" consisting of three principal parts, the Hindu-majority
provinces, the Muslim-majority provinces, and the States, with defence,
foreign affairs and communications minimally in the hands of the Union
Government, but with a wider range of optional powers that might, by
agreement, either be exercised by provinces cooperating as groups, and
thereby constituting a third tier in the pattern of Government, or be
transferred to the Centre.

36. Ibid.
37. Ibid., p. 252.
38. Ibid., p. 253.
39. Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi:
Section B

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

Second Simla Conference

The Congress, in reply to the Secretary of State's letter, wrote that there was no mention of India's independence and withdrawal of British troops from India. However, to discuss the future of India or any interim arrangement, the Congress send Azad, Nehru, Vallabhbhai Pate and Abdul Ghaffar Khan. The Muslim League stated that there were several important matters, which required elucidation and clarification, and sent Jinnah, Mahommed Ismail Khan, Liaquat Ali Khan and Abdur Rab Nishta. These representatives met at Simla between May 5 and 12, 1946.

On May 5, Jinnah refused to shake hands with Azad. The discussion was controversial. The Congress wanted the centre to have "powers of direct taxation and to be self-supporting, while Jinnah advocated that it should be given a lump sum and should have to go to the groups if it wanted more". On the question of central legislature, the Congress insisted on having one, while Jinnah opposed it. The basic differences were that the League advocated the two-nation theory, while the Congress pleaded for a unitary government. On May 6, Jinnah cross swords in most deadly duel in Indian history. Nehru said:

"The Union of India, even if the list of subjects was short, must be strong and organic. Provinces would not be prevented from co-operating among themselves over such subjects as education and health; but they would not need a Group Executive".

Jinnah refusing the invitation said:

"But if the Congress ... would accept the Groups, the Muslim League would accept the Union".

42. Ibid.
On May 8, the Secretary of State sent Jinnah and Azad identical copies of nine suggested points of agreement stating "There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, fundamental rights and having the necessary powers to obtain for itself the finances it requires for these subjects"; secondly, vesting of "All the remaining powers in the Provinces" and, thirdly, "Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common". Jinnah replied on the same day that it was a fundamental departure from the original formula embodied in his letter of April 27, which was already rejected by the Congress. Gandhiji rejected the formula because 90 million Muslims would enjoy "parity" with over 200 million Hindus and, hence, termed it "really worse than Pakistan".

As the matter could not be settled, Nehru, on May 9, proposed an umpire to settle their differences. On May 10, Nehru wrote to Jinnah that for choice of a suitable umpire it would "probably be desirable to exclude Englishmen, Hindus, Muslims and Sikhs". The Congress drew up a considerable list including Americans. On 11th, the Conference learnt that "Jinnah had refused to accept the decisions of an umpire", as a result the Congress and the League were asked to submit their statements on the points still outstanding. The League and the Congress submitted their memorandum on May 12, which represented their respective stands taken earlier.

As Jinnah agreed to enter into a common Union Centre provided the Muslims were granted the right to frame their own group and provincial constitutions for the 'six Muslim provinces' through a separate constitution-making body i.e. the virtual recognition of Pakistan and the Congress did not agree to it, the Secretary of State closed the Conference on May 12, and returned to Delhi on May 14, and published his own scheme on May 16, 1946. It was unfortunate that though the Cabinet Mission

43. See Appendix IX
45. Ibid., p. 502.
46. V.P. Menon, n. 2, p. 259.
47. See Appendix X.
48. See Appendix XI.
exerted their utmost to bring the parties to an agreement and the Congress and the League also made considerable concessions, but no final agreement could be reached.

The Cabinet Mission Plan

The Plan may be divided into three parts:
(I) examination of the proposals for creation of Pakistan;
(II) setting-up of an Interim Government (Short-Term Plan); and
(iii) a long-term settlement i.e. application of the Mission Plan.

(i) Creation of Pakistan

The Muslim League had claimed the formation of Pakistan including six provinces (Assam, Bengal, the Punjab, Sind, NWFP and Baluchistan), which was not acceptable to the Mission. An alternate proposal that Pakistan should consist of only the Muslim majority areas was not acceptable to the Muslim League. Therefore, the Mission rejected the claim of Pakistan on the following grounds:

1. The number of Muslims in British India and Non-Muslims in Pakistan will still remain considerable.
2. The inclusion of districts in Pakistan pre-dominated by Non-Muslims was inconsistent.
3. The partition of the Punjab and Bengal was contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces.
4. The division of Punjab would necessarily divide the Sikh community, which was unfair.
5. The creation of Pakistan was not feasible considering the administrative, economic and military conditions of India.
6. The defence of the two contemplated sections of Pakistan – East and West – would be insufficient.
7. There would be greater difficulty for the Indian States in associating themselves with India and Pakistan, and lastly,
8. the two halves of Pakistan would be separated by hundreds of miles and the communication between them, both in war and peace, would be dependent on the goodwill of India.

49. See Appendix XII. (Statement of Cabinet Mission and the Viceroy, 16 May 1946), V.P. Menon, n. 2, pp. 470-75.
(ii) **Short-Term Plan**

The Short-Term Plan envisaged immediate establishment of an Interim Government joined by all the major political parties to carry on the administration while the constitution-making was in progress in view of the Long-Term Plan. The Interim Government, having fullest measure of co-operation of the Government, was to comprise of only Indian Ministers.

(iii) **Long-Term Plan**

Summarily, the Plan recommended:

1. a Union of India;
2. a central executive and legislature;
3. residuary powers vested in the provinces;
4. the States retained all subjects and powers other than those ceded to the Union;
5. Provinces to be free to form groups with executives and legislatures;
6. the term of the constitution could be reconsidered after an initial period of ten years;
7. the constitution-making body to be constituted immediately through direct election;
8. the representatives would meet in New Delhi as one body to create a constitution-making body.
9. the Constituent Assembly to have three sections:
   (i) **Section A**: Madras, Bombay, U.P., C.P., Bihar and Orissa;
   (ii) **Section B**: Punjab, NWFP and Sindh; and
   (iii) **Section C**: Bengal and Assam;
10. each section would decide its provincial constitution;
11. the groups would assemble to settle the Union Constitution; and
12. the Union Constituent Assembly would negotiate a treaty with the United Kingdom for transfer of power.

The Mission also announced that an Interim Government would be formed at the centre under the British supervision following the elections of Union Legislative Assembly and that if any party did not accept the Mission Plan of May 16, it would be excluded from the Interim Government. As Jinnah and Liaquat Ali Khan belonged to provinces which had a majority.

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50. Ibid.
of non-Muslims, Wavell gave green signal that they could be elected from another Provincial Assembly. The Mission proposed that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislative Assembly (General, Moslem or Sikh) electing its own representatives by the method of proportional representation with single transferable vote:

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The states under Group A were the Congress dominated provinces. In Group B, the Congress could form its ministry using influence over few Muslim members, as there were 12 Non-Muslim and 16 Muslim seats, and

there was no such principle that they will not defect the party from they were elected. In Group C, in Assam the Congress had the dominating position, but was grouped with the Muslim majority province of Bengal. The Muslim League, however, was in a dangerous position as the non-Muslims were to play the game of influencing the Muslim members, which could tip the balance.

The Mission Plan accepted the Congress demand of a United India, while the Muslim League commented that it offered a weak Central Government unable to take any decision without the help of the major communities. The Plan accepted also the League demand of compulsory grouping of the provinces on communal lines, and the Congress demand that India should not be partitioned.

Gandhiji's Statement on the Plan

On May 17, Gandhiji was the first to release his comments: that, "if the statement of the Mission was genuine, as he believed it was, it was in discharge of an obligation they had declared the British owed to India, namely, to get off India's back. It contained the seed to convert this land of sorrow into one without sorrow and suffering". On the 18th morning, Pethick-Lawrence and Cripps met with Gandhiji, who questioned "whether the procedure laid down for the Constituent Assembly was subject to alteration ... whether it was open to Congress representatives in the Constituent Assembly at the opening meeting to deal with procedure to raise the question whether the Assembly should in fact divide into the three sections, or whether it should decide the Union's constitution first". The Viceroy replied that it had first "to get power at the centre in the Interim Government" and then could "at any time torpedo the Constitution-making Body by raising some crucial communal issue". Gandhiji also said that the Plan was not an award and the Constituent Body could not be a sovereign body. The Constituent Assembly could abolish the distinction of Muslims and non-Muslims and no province

53. Harijan (Ahmedabad), May 17, 1946.
could be compelled to belong to a group against its will. Gandhiji, however, wrote that his first attempt would be to wreck the Groups of Provinces and on May 20, wrote that Interim Government should be formed immediately. Lord Alexander was convinced that Gandhiji intended "to humiliate the British Government and to promote a policy of scuttle, and secondly, to secure power without a constitution coming into being and so to abandon the just claims of the Muslim League".

Maulana Azad’s Contention

On May 20, Maulana Azad complained to the Secretary of State that the grouping had compelled the provinces to sit in a section and the dominating province "may even conceivably lay down rules, for elections and otherwise, thereby nullifying the provision for a province to opt out of a group". He said that the constituent assembly would be a sovereign body and would be free to vary 'in any way it likes' the recommendations and the procedures suggested by the Mission.

On May 20, the Mission wired to Attlee that the "situation had taken a turn for the worse ... Congress proposes to make an attack on the grouping proposal and ... they object to parity in the interim Executive. These two points may be crucial in securing Muslim co-operation"

Jinnah's Statement on the Plan

On May 22, Jinnah regretted that "the Mission should have negatived Muslim demand for the establishment of a complete sovereign state of Pakistan" which he held was the "only solution of the constitutional problem of India" and charged that the Mission had done so "simply to appease and placate the Congress". Commenting on the operative part of

57. Ibid., p. 638.
60. N. Mansergh and E.W.R. Lumby, n. 1, p. 644.
61. Dawn (Delhi), May 23, 1946.
the Plan, Jinnah said that they had divided Pakistan into two zones under Sections B and C; and instead of two, only one constitution-making body was devised. There was no indication as to how the Union will be empowered to raise finances required for Foreign Affairs, Defence and Communications, while the League wanted that the finances should be raised only by contributions and not by taxation. The Plan laid down that any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting while the League's view was that (a) there should be no Legislature for the Union, (b) there should be parity of representation between the Pakistan Group and the Hindustan Group in the Union Executive and Legislature and (c) no decision should be taken by the Union in regard to any matter except by a majority of three-fourths. These three terms were omitted from the Plan. The League's proposal that the Pakistan Group should have a right to secede from the Union after an initial period of ten years was omitted from the Plan. How the representative of British Baluchistan was to be elected was not indicated in the Plan. Jinnah calculated that in the constitution-making body, there will be an overwhelming majority of Hindus. In a House of 292, for British India the Muslim strength will be 79, and, if the number allotted to the Indian States (93) was taken into account, it was quite obvious that the Muslim proportion was further reduced, as the bulk of the States representatives would be Hindus. The Plan suggested that opting the Provinces out of their Group would be decided under the new Constitution by the new Legislature of the Provinces, while the League had demanded referendum of the people. Lastly, there was the door open in the Plan to include more subjected vested in the Union Government, which destroyed the basic principle that the Union was to be strictly confined to three subjects.

CWC Resolution on the Plan

On May 24, 1946, the Congress Working Committee regretted to find that the Plan was different from their objectives i.e. "independence for India; a strong though limited central authority; full autonomy for the provinces; the establishment of a democratic structure in the Centre and in the units; the guarantee of the fundamental rights of each individual so that he might have full and equal opportunities of growth, and, further, that each community should have the opportunity to live the life of its

62. Ibid.
choice within the larger framework. They also found that the provision for initial grouping was inconsistent with the freedom promised to the provinces in this respect. The Committee interpreted paragraph 15 that "the respective provinces will make their choice whether or not to belong to the section in which they are placed. Thus, the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up a constitution and giving effect to it."

They also criticised the inclusion of Europeans in the electorate for the Constituent Assembly for the group comprising Bengal and Assam in spite of their very small numbers and that too one member for one million of population. Thus, they enjoyed a weighted representation in the Bengal and Assam Assemblies. However, the Congress deferred their decision on the Mission Plan till the complete picture was available.

Reaction in Punjab and Bengal

While the Mission waited for the League's decision, news of favourable reaction from Punjab was received and, at the same time, widespread communal riots kept mounting in Karachi. On May 24, the Bengal Governor informed the Mission that both the Bengali Hindus and Muslims were much "relieved" as they hoped that their province would not be partitioned if the plan were accepted. He warned also that rejection of Jinnah's proposal would lead to resignation of the League ministry and would also serve as a "signal for a Jehad", as there was "a serious situation in Chittagong started by students protesting against the rejection of Pakistan". On May 24, Woodrow Wyatt met Jinnah secretly. Wyatt observed that Jinnah wanted to tell the Mission that "the British should remain as the binding forces in the Indian Centre for some 15 years and deal with defence, and foreign affairs of Pakistan and Hindustan consulting the Prime Ministers of each State". This seems a very sensible solution, but, Jinnah did not tell it to Cripps and Lawrence as he did not believe in their sincerity and was desperate due to his lungs requiring surgical operation.

63. See The Indian Annual Register, January–June, 1946, pp. 162–64.
66. Record Meeting, Ibid., pp. 675–78.
67. Ibid., pp. 685–86.
Wyatt asked whether Jinnah would agree that the League's Working Committee pass a resolution on the following lines:

"The British had exceeded their brief in pronouncing on the merits of Pakistan. They had no business to turn down what millions of people wanted. Their analysis of Pakistan was outrageous. But the Muslims had never expected the British to give them Pakistan. They had never expected anyone to give them Pakistan. They knew that they had to get it by their own strong right arm. The scheme outlined in the Cabinet Mission's Statement was impracticable and could not work. But nevertheless in order to show that they would give it a trial, although they knew that the machinery could not function, they would accept the Statement and would not go out of their way to sabotage the procedure - but they would accept the Statement as the first step on the road to Pakistan".

Jinnah was delighted at this statement and completely convinced.

On May 25, the Mission issued a supplementary statement. "Once the Constituent Assembly is formed and working on this basis there is no intention (of the Government) of interfering with its discretion or questioning its decisions" and HMG "will recommend to Parliament such action as may be necessary for the secession of sovereignty to the Indian people subject to ... adequate provision for the protection of the minorities (paragraph 20 of the statement) and willingness to conclude a treaty with HMG to cover matters arising out of the transfer of power (paragraph 22 of the statement)". The statement went on to say that the grouping "is an essential feature of the scheme and can only be modified by agreement between the parties". It further said that "all portfolios including that of the War Member will be held by Indians and that the members will be selected in consultation with the Indian political parties". These changes were a long step towards independence. The Statement also said that there was "no intention of retaining British troops in India against the wish of an independent India under the new Constitution", but it was necessary during the interim period for the security of India.

Sikhs Reaction to the Plan

Since its publication, there was a wave of dejection, resentment


69. Papers Relating to the Cabinet Mission to India, n. 58, pp. 24-25.
and indignation throughout the Sikh community, because Sikhs were entirely thrown on the mercy of the Muslims. Having only four seats in Group B, the Sikhs had "genuine and acute anxiety" due to being subjected to a perpetual Muslim majority rule. The Sikhs, on May 25, threatened to take measures against it. They argued that the Mission recognised "the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu majority rule", and this principle should apply to them also. Secondly, the Mission put the non-Muslim areas of Punjab, Bengal and Assam, where the non-Muslims were in overwhelming majority, under the Muslim domination to placate and to protect the Muslims from non-Muslims. The Sikhs claimed that they should also be treated in the same way against Muslim domination. They resented that the Sections 15(2) and 19(7) provided that the majority of both the Hindus and Muslims were necessary for certain purposes, while the Sikhs were entirely ignored. They put forward three questions:

"(1) What is the significance of recognizing the Sikhs as one of "the main communities"?

(2) Suppose the majority of Section B frames a constitution under Section 19(5) but the Sikh members do not agree. Does it mean deadlock or does the opposition of the Sikh members mean simply dissociation?

(3) Is there any hope of obtaining for the Sikhs the same right as is given to the Muslims and the Hindus under Sections 15(2) and 19(7)?"

The Secretary of State, on June 1, 1946, replied that "of the various alternatives open to us the best one from the Sikh point of view was chosen". He wrote that the Mission would not agree "to issue any addition to, or interpretation of, the Statement" and assured that the Viceroy would discuss the position of the Sikhs with the leaders of the main parties when the Constituent Assembly was formed.

Viceroy's Assurance to Azad and Jinnah

On May 25, Azad wrote to the Viceroy suggesting that "in informal conversations the Viceroy had stated that it was his intention to function as a constitutional head of the Government and that in practice the interim Government would have the same powers as a Dominion cabinet".

The Viceroy replied that he had never stated like this. The Viceroy, however, assured that the HMG "will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of the country."

Jinnah returned to New Delhi on June 2, and Wavell met him on June 3. Jinnah asked what would happen if the Congress refused to accept the Plan. Wavell, on June 4, replied that "we shall go ahead with the plan laid down in the statement so far as circumstances permit if either party accepts; but we hope that both will accept."

ML Council on the Plan

On June 5, the ML Council met and Jinnah declared that the Viceroy had replied that if the Congress "decided against acceptance (of the plan) he would hand over the interim government to the Muslim League and give them all the support they required."

"It is now up to you as the Parliament of the Muslim Nation to take your decision ... I repeat ... that delay is not good either for the British Government or the Hindus. If they love freedom, if they love the independence of India, if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan."

The Council observed that "the conclusions recorded in paragraphs 6, 7, 8, 9, 10 and 11 of the Statement concerning the Muslim demand for the establishment of a fully sovereign Pakistan as the only solution of the Indian constitutional problem are unwarranted, unjustified, and convincing" and the language of these paragraphs shows that the Mission was promoted to appease the Hindus in utter disregard of the Muslim sentiments. The Council, however, in view of the foundation of Pakistan inherent in the Plan by virtue of the compulsory grouping of the six Muslim Provinces in Sections B and C, desired to cooperate

73. Papers Relating to the Cabinet Mission to India, n. 58, p. 36.
76. Resolutions of the All-India Muslim League from January, 1944 to December 1946, n. 28, pp. 49-51.
with the constitution-making machinery" in the hope that it would ultimately result in the establishment of a completely sovereign Pakistan, and in the consummation of the goal of independence for the major nations, Muslims and Hindus, and all the other people inhabiting the vast subcontinent". Thus, the Muslim League accepted the scheme by a large majority. Wavell noted, "Now the real battle begins, and the great question is whether the Delegation will stand up to Congress or not. Parity in the Interim Government may be the main issue". The Council authorised Jinnah to negotiate with the Viceroy and to take such decision and action as he deemed fit and proper.

Jinnah met with the Viceroy on June 7, and wanted the "Defence Portfolio for himself, and Foreign Affairs and Planning for two of his followers". This was the first and last Jinnah's expression in his own interest. Stanley's observation that it was "personal interest" is a charge without evidence and is based on conception, which he should have avoided. A person who fought in the interest of Muslims throughout his whole life and even during most of his ailing days may be regarded to have demanded office keeping in mind the idea for doing some good to the Muslims. By saying so he has tried to unknowingly inject hatred against Jinnah in his readers' mind and seems a champion of separatism infused by Francis Robinson. Jinnah was assured that he would remain "President of the Muslim League if he came into the Interim Government".

'The Statesman' on the ML Acceptance of the Plan

The paper reported on June 7, that the League "has not given up its hope of a sovereign, undivided Pakistan, and intends to work for it during the next ten years" and "it has sturdily adopted the Cabinet Mission's scheme as second best". The paper wrote:

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77. Ibid.
83. The Statesman (Calcutta), June 7, 1946.
84. Ibid.

"The League dislikes the division of predominantly Muslim areas into two zones, still somewhat dislikes the notion of a Union Centre at all, dislikes more the arrangement for one Union Constituent Assembly, and especially dislikes the powers given to the chairman of that body".

Regarding the admirable leadership of Jinnah, the paper said: "He has fought a long, often bitter battle; his tactics have been at times so harsh that he has seemed irreconcilable; but with fine strategic judgment he has realized the right moment for an end to quarrelling, and this time has taken the initiative in boldly constructive courses". The paper regarding the Mission Plan opines:

"The Simla Conference having failed, the Cabinet Mission's plan provides the only direct and unbloodily road to Indian self-government. Chaos and bitter suffering for the common people lie along all other discernible paths. To the ordinary man, Hindu, Muslim, Sikh, Scheduled Caste, whatever he may be, the May 16 proposals present a ready way out of frustration which had threatened to become permanent".

On June 8, Jinnah wrote to the Viceroy seeking confirmation of his assurance that there would be 12 portfolios, namely, 5 League, 5 Congress, 1 Sikh and 1 Indian Christian or Anglo-Indian, and that the most important portfolios "will be equally divided between the League and the Congress in the distribution thereof, further details being left open for discussion". Jinnah warned that "any departure from this formula, directly or indirectly, will lead to serious consequences and will not secure the co-operation of the Muslim League". The Viceroy, on June 9, replied that he had not assured but had told what he had in mind. He hoped to reach an agreement on this point.

On June 10, Nehru and Azad vigorously argued before the Mission against 'parity'. Cripps suggested "two Vice-Presidents" on the Interim Government Cabinet - Jinnah and Nehru rotating office. Cripps met Jinnah on 12th night. Jinnah said: "he was not prepared to discuss parity with anyone". He had made the ML Council and Working Committee to accept the proposal promising that "he would not join the Interim Government unless the Muslim League had parity with Congress". He said that the moment

85. Ibid.
86. Papers Relating to the Cabinet Mission to India, n. 58, pp. 37-38.
87. V.P. Menon, n. 2, p. 274.
88. Papers Relating to the Cabinet Mission to India, n. 58, p. 38.
the Congress would accept the proposals, he would put before Nehru and Wavell the names of his nominees with the suggested portfolios.

On June 12, Nehru brought a list of 15 names for the Interim Council (4 League, 5 Congress Hindus, 1 non-Congress Hindu, 1 Congress Scheduled Caste and 1 Congress woman), which Wavell said would be unacceptable to Jinnah. On the 13th morning, Jinnah gave the Viceroy "some names for the Government if the League came in". Nehru returned the same day in the afternoon and indulged into an "outburst about Jinnah's refusal to meet Azad and described Jinnah as a wrecker". Later that evening Patel came to the Viceroy and without listening any argument began to "sung a continuous hymn or hate against Jinnah and the League" and declared that no Government formed by the Viceroy would be acceptable.

Wavell charged Gandhiji for the failure of the negotiations. London Times observed that the Congress might have avoided the inclusion of a Muslim to its quota for formation of the National Government at the Centre, while the Congress circle felt that the rejection was impossible because by avoiding nomination of a Muslim, the nationalist character of the Congress would have been destroyed.

After meeting the Secretary and the Viceroy, Gandhiji wrote to the Viceroy on June 12, that in the event of failure in reaching an agreement, he (the Viceroy) should announce the names of the Interim Government. On June 13, Gandhiji wrote to the Viceroy again:

"You must make your choice of one horse or the other. So far as I can see you will never succeed in riding two at the same time. Choose the names, submitted either by the Congress or the League. For God's sake do not make an incompatible mixture and in trying to do so produce a fearful explosion. Anyway, fix your time limit and tell us all to leave when that limit is over".

90. Ibid., p. 866.
93. Home Poll, 18/6/46, Fortnightly Report from Madras for the second half of June, 1946, NAI.
94. L.A. Sherwani, n. 51, p. 169.
95. Ibid., p. 170.
On June 13, Gandhiji wrote to Cripps:

"... the Mission is playing with fire ... you will not be able to have your cake and eat it. You will have to choose between the two - the Muslim League and the Congress, both your creations ... Coquetting now with the Congress, now with the League and again with the Congress, wearing yourself away, will not do ... Only stick to the programme. Stick to your dates even though heavens may fall".

Wavell invited Nehru and Jinnah for joint consultation. Jinnah said that until the Congress had given its decision on the long-term plan of May 16, their discussion would be meaningless.

The Interim Government Proposed

On June 13, Maulana Azad wrote to the Viceroy that as his proposed composition of the cabinet involved parity between Hindus, including the Scheduled Castes, and the Muslim League, the position of Hindus had become "very unfair" eliminating the Non-League Muslims. The Congress position was thus worse than it was in June, 1945. Hence, the CWC was unable to accept the proposal. Azad said that a convention, along with parity, would deadlock the working of the Government. Azad suggested 15 members to the Interim Government. As a result the Viceroy suggested a formula of 13 members (6 Congress including a member of the Scheduled Castes; 5 Muslim League and 2 representatives of the minorities). Jinnah proposed to place it before the ML Working Committee, if the Congress approved of it, but the Congress turned it down, and a complete deadlock ensued. To break the deadlock, the Mission and the Viceroy issued their own formula on June 16, 1946, according to which the reformed Council was to include 6 Congress (including a representative of the Scheduled Castes), 5 Muslim League, 1 Sikh, 1 Indian Christian and 1 Parsi, totalling 14 members. The Statement, under Clause 8, stated that "Should this proposal be accepted the Viceroy will aim at inaugurating the new Government about the 26th June". The Statement said:

98. Ibid.
99. Ibid., pp. 43-44.
"In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the Statement of May 16th".

The Viceroy invited the following to form the Interim Government:

1. Sardar Baldev Singh  
2. Sir N.P. Engineer  
3. Mr. Jagjivan Ram  
4. Pandit Jawaharlal Nehru  
5. Mr. M.A. Jinnah  
7. Mr. H.K. Mahatab  
8. Dr. John Matthai  
9. Nawab Mohammad Ismail Khan  
10. Khwaja Sir Nazimuddin  
11. Sardar Abdur Rab Nishtar  
12. Mr. C. Rajagopalachari  
13. Dr. Rajendra Prasad  
14. Sardar Vallabhbhai Patel

Jinnah on June 19, regretfully wrote to the Viceroy that the five Muslim Leaguers were invited without calling a list from the ML leader; that parity between the Congress and the League was substituted by parity between the League and the Caste Hindus; that the fourth representative, 'Parsi' was added; and that minority representative, Jagjivan Ram, the Congressman, was included to add to the strength of the Congress; that proportion of Muslims were affected; that in view of serious changes it was not possible for the ML Working Committee to arrive at any decision; and that the distribution of portfolios should be finally decided. Jinnah desired the Viceroy to elucidate the following points:

1. whether the proposals were final or were still open to any change or modification;
2. whether the total number of 14 members would remain unchanged;
3. whether the Muslim League would be consulted for filling a vacancy;
4. whether the proportion of members (community-wise) would be maintained; whether representation of the four minorities viz. the Scheduled Castes, the Sikhs, the Indian Christians and the Parsi, will be adhered to without any change; and, lastly,
5. whether, in view of the change in the original formula "there will be a provision, in order to safeguard Muslim interests, that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim Members are opposed to it".

100. Ibid.  
101. Ibid., pp. 44-46.  
102. Ibid.
In reply, Wavell stated on June 20:

"(1) Until I have received acceptance from those invited ... the names in the statement cannot be regarded as final. But no change in principle will be made in the statement without the consent of the two major parties.

(2) No change in the number of 14 Members of the Interim Government will be made without the agreement of the two major parties.

(3) If any vacancy occurs among the seats at present allotted to representatives of minorities, I shall naturally consult both the main parties before filling it.

(4) (a) and (b) The proportion of members by communities will not be changed without the agreement of the two major parties.

(5) No decision on a major communal issue could be taken by the Interim Government if the majority of either of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.

(6) If you agree, I will send copies of the questions in your letter and of paragraphs 4 and 5 of this letter to the President of the Congress".

The contents of Jinnah's letter leaked out to the Press as a result the Viceroy sent the gist of the correspondence to Azad. However, the Viceroy, on June 22, in spite of strong Congress feeling, did not agree to include a Muslim of the Congress choice in the Interim Government, and referring to paragraph 5 of the 16th June statement, which assures that no precedent would be established, appealed to the Congress not to press their demand. However, Azad, on June 25, wrote a long letter criticising almost every point raised and replied by Wavell.

Further, the CWC at Delhi on June 25, recording its grievances regarding the 'unjust parity' and power of 'veto' of a 'communal group' rejected the proposals for an interim Government as per 16th June scheme. The Committee, objecting to the 16th May Statement (Long-Term Proposal) felt that it fell short of immediate independence, limitation of the central authority, system of grouping and unfair structure of NWFP and Assam and inadequate treatment of minorities notably the Sikhs, however, decided to join the proposed Constituent Assembly with a view to framing the constitution of a free, united and democratic India. Wavell, on the
same day, wrote to Jinnah that "the Congress had accepted the Statement of May 16th, while refusing to take part in the Interim Government proposed in the Statement of June 16th", and that "Since the Congress and the Muslim League have now both accepted the Statement of May 16th, it is the intention to form a Coalition Government including both those parties as soon as possible".

Azad wrote:

"The acceptance of the Cabinet Mission Plan by both Congress and Muslim League was a glorious event in the history of the freedom movement in India. It meant that the difficult question of Indian freedom had been settled by negotiation and agreement and not by methods of violence and conflict. It also seemed that the communal difficulties had been finally left behind. Throughout the country there was a sense of jubilation and all the people were united in their demand for freedom. We rejoiced but we did not know them that our job was premature and bitter disappointment awaited us."

However, Wavell's letter, of June 25, reached in Jinnah's hands in the late night. Meanwhile, the election and summoning of a Constituent Assembly as laid down in the Statement of May 16th, were going ahead.

The ML Working Committee immediately met on the same day and resolved "to agree to join the Interim Government on the basis of Statement of 16th June" and objected to the Congress adherence "to its interpretation of some of the provisions" in the statement of May 16. The resolution was communicated to the Viceroy the same night.

On June 27, Jinnah, with regards to the Cabinet Delegation's Statements of 16th May and 25th May, urged that the "long-term plan and the Interim Government formula together formed one whole, and this formula regarding the Interim Government was an integral part of the whole scheme", according to which the AIML had taken decision on June 6. Thus, Jinnah concluded that by rejecting a part of the scheme the Congress had rejected the whole plan, and regretted the postponement

106. Papers Relating to the Cabinet Mission to India, n.58, pp. 52-53.
108. Resolutions of the All-India Muslim League from January 1944 to December 1946, n. 28, pp. 53-54.
of the formation of the Interim Government for some "mysterious reasons". He said that the Delegation and the Viceroy "were in honour bound to go ahead with the formation of the Interim Government". He, in the light of League's winning 90 per cent of the total Muslim seats in the various legislatures in the recent elections, repudiated the Congress claim as bogus that it represented the 'national character and charged it as a Hindu organization with "a handful of Muslim henchmen for the purpose of window-dressing" on whom they keep on harping. He also charged that the Congress refusal for the formation of the Interim Government was based on sinister motives, as they wanted to break the parity between the Muslims and the Caste Hindus and insisted on nominating a Congress Muslim to strike at the fundamentals of the League and its Muslim national representative character. Therefore, he said:"Muslim League cannot be a party directly or indirectly to any course of action which is calculated to prop up this bogus claim".

Regarding the safeguards, Jinnah, in view of the Viceroy's assurance that "no decision on any major communal issue could be taken if the majority of the main parties were opposed to it", said that, as the number had been increased from 12 to 14, "the Muslims will be in a minority of little over one-third in the whole Executive"; and, hence, it was absolutely necessary to protect their interests. Referring to Clause 4(a and b) of the 20th June letter from the Viceroy, he warned that "if there is any departure made in the principle of parity or if the Congress is allowed to nominate a Muslim, in either case it will be impossible for the Muslim League to agree to it..." Jinnah concluded that "it was undesirable to proceed with one part i.e., the elections to the Constituent Assembly, and to postpone the other". The Viceroy replied that he had not gone back on their words and arrangements for elections were put into operation. The Statesman commented that the Mission's and the Viceroy's move was an "error".

Care-Taker Government

Wavell was most disappointed at the Congress acceptance of the

110. Ibid.
111. Ibid.
112. Ibid.
113. V.P. Menon, n. 2, p. 279.
114. The Statesman (Calcutta), June 28, 1946 (Long article).
Cabinet proposals. On June 25, he wrote: 115

"The worst day yet ... Congress has accepted the statement of 16 May ... Cripps having assured me categorically that the Congress would never accept the statement of May 16th. The Congress manoeuvres have now put us in a very difficult position. Both with Mr. Jinnah and the formation of an Interim Government ... Unless we decide that the Congress is dishonest, as it is in fact, and refuse to regard it an acceptance".

Hodson writes: "The Viceroy was not prepared to carry on if they gave way to the Congress demand". Wavell stated in his diary: "We then discussed the Congress letter of acceptance which is really a dishonest acceptance, but it is cleverly worded so that it had to be regarded as an acceptance".

The same evening (June 25), the Mission and Wavell met with Jinnah. They showed him the Congress resolution. Wavell informed Jinnah that he would appoint a "Care-taker Government" for a "short interval" and they could "go ahead with the Constituent Assembly and constitution-making" and that the Cabinet Mission would be returning to England. Jinnah was shocked to hear and said:

"Did he understand that the Delegation did not now wish to form an Interim Government? He had understood that if one party rejected the offer of June 16th we should go ahead with the other ... The Muslim League had accepted".

Wavell noted that Jinnah was in a thoroughly evil mood accusing them of "bad faith and of giving way to the Congress and considered that he should be given the opportunity of entering the Government".

On May 9, the Viceroy's Executive Council, including the C-in-C, had resigned in order to facilitate the arrangements for an Interim Government. The Viceroy, on June 26, announced that until an Indian Government was framed he would set up a temporary "Caretaker Government

of officials to carry on the interim period. This government continued to work up to August 25, 1946, when the Interim Government was formed.

On June 28, Gandhiji left Delhi, which marked the end of his dominant part played by him in Indian politics as differences between him and the Congress during the negotiations with the Mission had grown and he had lost influence over the decisions of the Congress Working Committee and was even not informed of the causes of events.

On June 29, 1946, the Mission left India leaving an atmosphere of uncertainty, but "both the Congress and the Muslim League, had, indeed, accepted the long-term plan although each party had its own reservations and interpretations of almost all the controversial issues".

Impolitic Nehru's Stand on the Cabinet Plan

The CWC resolution of June 25, was ratified by the AICC on July 6. At this session Jawaharlal Nehru was elected President and he took over the presidency from Maulana Azad, who was President since 1940. At the winding up of the proceedings of the Committee, Nehru said that they would remain in the Constituent Assembly so long as they thought it was for India's good and they would come out when they thought it was injuring their cause. He also said, "We are not bound by a single thing except that we have decided for the moment to go to the Constituent Assembly".

Nehru decided to guide the country in his own way. Disregarding Jinnah's qualities, he did not consider him "really a Muslim at all" and thought him an "opportunist", who had no business to demand the partition of India. On July 10, addressing a press conference, with regard to the Congress acceptance of the Cabinet Mission Plan in toto, he said as Congress President he "had every intention of modifying the Plan". With regard to the grouping, he stressed that "the constituent assembly was a sovereign body and that in all probability there would be no groups at all. The non-Pakistan provinces (Section A) would decide against

120. V.P. Menon, n. 2, p. 279; see also M.L. Gwyer and A. Appadorai, n. 52, Vol. II, pp. 611-12.
121. Ibid., p. 280.
grouping and so would the NWFP and Assam, leading to the collapse of the other groups as well. Agreeing to the election of candidates and going into the Constituent Assembly, he said, "but what we do there we are entirely and absolutely free to determine". Regarding the Mission's arrangement for the minorities and the treaty between India and England, Nehru said that the problem of the minorities was domestic and "we shall no doubt succeed in solving it" and he would have no treaty with England. He said that these two limiting factors to the sovereignty of the Constituent Assembly were not acceptable to the Congress.

It is amazing that the 57-year old Nehru, out of deep enthusiasm for freedom for an undivided India, failed to "read the writings on the wall"; to appreciate the strength of the Muslim League and Jinnah, who had won 90 per cent of the Muslim seats in the last elections; to estimate the depth of demand of Sikhs leader, like Master Tara Singh, for an independent State - Khalistan for themselves; to recognize the hold of Dr. Ambedkar upon the Untouchables, who pinpointed the interests of minorities other than the Musalmans; and to understand the opposition of Indian Princes, who were unwilling to reconcile to an independent and a united India, and whose Chamber of Princes emphasized separation and vested interests. The Chancellor of the Chamber, the Nawab of Bhopal, along with other Maharajas, Rajas, Nawabs and Jagirdars, was asserting that if the British decided to quit India, the Princely States "would not automatically be transferred to the newly independent State", while a few bigger States, like Hyderabad, who did not join him, wanted complete independence after the British left India. In view of these disintegrating forces, he could have thought of a federated India to bring all the factions together for immediate independence, and to calm down the rioting elements to save life and property in India. But his overambitiousness marred the progress of the whole mass of community. Thus, Nehru's statement of 10th July were "most unwise, impolitic and untimely". Maulana Azad writes that the "statement was wrong". Nehru's

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biographer, Michael Brecher, described it "a serious tactical error" as "one of the most fiery and provocative statements in his forty years of public life". It was, perhaps, the worst of all indiscreet statements that were ever made by any politician.

Jinnah's Reaction on Nehru's Statement of July 10, 1946

Jinnah exploited Nehru's remarks fully in the interest of the League's demand for Pakistan. It was the best excuse and an opportunity to withdraw from the agreement of joining the Interim Government. He made an uproar against the statement. Pethick-Lawrence in the House of Lords and Cripps in the House of Commons reiterated the Mission's interpretation and rejected the Nehru's and Congress interpretation. Jinnah convened the AIMI Council in Bombay on July 27, and told the 450 followers, who were packed into a sweltering hall crowded with members of the press, both foreign and domestic, as well as delegates from every province.

"The Cabinet Delegation and the Viceroy ... had gone back on their plighted word and abandoned what was announced as their final proposals ... Congress really never accepted the long-term plan. Its conditional acceptance was communicated to the Cabinet Mission by the Congress President on June 25 ... The Cabinet Mission like a drowning man ready to catch hold of a straw treated this conditional acceptance ... as genuine ... Pandit Jawaharlal Nehru as the elected President ... at a Press conference in Bombay on July 10, made the policy and attitude of the Congress towards the long-term proposal clear ... that the Congress was committed to nothing ... What is the use of imagining things and dreaming".

Jinnah continued to say:

"All these facts prove clearly beyond a shadow of doubt that the only solution of India's problem is Pakistan. So long as the Congress and Mr. Gandhi maintain that they represent the whole of India ... so long as they deny true facts and the absolute truth that the Muslim League is the only authoritative organization of the Muslims, and so long as they continue in this vicious circle, there can and will be no compromise or freedom ... Mr. Gandhi now speaks as a universal adviser. He says that the Congress ... is the trustee for the people of India ... We have enough experience of one trustee that has been here for 150 years. We do not want the Congress to become our trustee. We have now grown up. The only trustee of the Muslims is the Muslim nation".

129. Leonard Mosley, n. 122, p. 27.
On July 28-29, the ML Council considered over a dozen of resolutions. Sir Firoz Khan Noon urged that they made a mistake in accepting a Union and "The path of wisdom lies in the total rejection of the constitutional proposals ... let there be one guiding beacon before us - a fully sovereign, separate State of Pakistan". Maulana Hasrat Mohani, amidst cheers, shouted: "If the Quaid-i-Azam will only give his word, the Muslims of India will rise in revolt at a moment's notice", which was reiterated by other Maulanas, Khans and Mullahs. Raja Ghazanfar Ali said: "If Mr. Jinnah gave the call, Muslims from all walks of life would come forward to carry on the struggle for the attainment of Pakistan".

On July 29, the Working Committee in a resolution, withdrawing the League acceptance of the Mission's May proposals, and declaring direct action, stated:

"... and whereas it has become abundantly clear that the Muslims of India would not rest contented with anything less than the immediate establishment of an Independent and fully sovereign State of Pakistan ... the time has come for the Muslim nation to resort to Direct Action to achieve Pakistan to assert their just rights, to vindicate their honour and to get rid of the present British slavery and the contemplated future Caste-Hindu domination".

After the resolutions were adopted, Jinnah declared:

"... Today we have said good-bye to constitutions and constitutional methods. Throughout the painful negotiations, the two parties with whom we bargained held a pistol at us; one with power and machine-guns behind it, and the other with non-co-operation and the threat to launch mass civil disobedience. This situation must be met. We also have a pistol".

**Elections to the Constituent Assembly**

While the Congress-League differences on partition versus unity were undecided, Lord Wavell wrote to Jinnah and Nehru separately on July 22, to replace the Caretaker Government by an Interim Government as soon as possible, and placed the following for their consideration:

"(a) The Interim Government will consist of 14 members."
(b) Six members (to include one Scheduled Caste representative) will be nominated by the Congress. Five members will be nominated by the Muslim League. Three representatives of Minorities will be nominated by the Viceroy; one of these places will be kept for a Sikh. It will not be open to either (the) Congress or the Muslim League to object to the names submitted by the other party, provided they are accepted by the Viceroy.

(c) Distribution of the portfolios will be decided after the parties have agreed to enter the Government and have submitted their names. The Congress and the Muslim League will each have an equitable share of the most important portfolios.

(d) The assurances about the status of the Interim Government which I gave in my letter dated 30th May to Maulana Azad will stand.

The Congress and the League, attracted to the invitation, agreed to contest the elections. By the end of July, the elections to the proposed Constituent Assembly were completed in all the provinces. The Congress won all the general seats (209) except nine while the League won 73 Muslim seats except 5, out of a total of 296 seats allotted to British India. The election campaign followed heated and endless arguments among the leaders.

Soon after the elections, Jinnah realized (in the light of Nehru's speech of July 10; Congress arguments during the elections that the Congress would leave no chance to suppress the League's demand for Pakistan and disagree to the Muslim majority provinces deciding their future constitutional set up) that the Assembly would be Pakistan's graveyard since the Congress majority in the Assembly would favour a united sovereign India.

Direct Action Day

Due to the Congress opposition, an exasperated Jinnah decided to achieve Pakistan by force and to settle the dispute in the streets. It was Jinnah's unwise action to force the Congress and the British to accept League's demand at the cost of flesh and blood of the masses. Jinnah rejected the Mission Plan and, on July 29, called upon the Muslims throughout India "to renounce the titles conferred on them by the British Government" and to observe Friday, the August 16, as 'Direct Action Day'.

Jinnah claimed:

"I do not think that any responsible man will disagree with me that we were moved by a desire not to allow the situation to develop into bloodshed and civil war ... In our anxiety to try to come to a peaceful settlement with the other major party, we made this sacrifice of giving three subjects to the Centre and accepted a limited Pakistan ... But this has been treated with defiance and contempt. Then are we alone to be guided by reason, justice, honesty and fair play, when on the other hand there are perfidious dealings by the Congress?"

Jinnah pointed out that the Day would not be observed to enforce the Pakistan demand but to explain to the Muslims all over India the contents of the League's July 27th resolution, and called upon the Muslims to maintain peace and "not to play in the hands of their enemy".

A correspondent of Daily Telegraph asked as to what did he mean by 'Direct Action'. Jinnah replied:"there would be a mass illegal movement", but later he changed the word 'illegal' from the text shown by the correspondent before cabling home, to 'unconstitutional'. In the meanwhile Pethick-Lawrence urged Wavell to meet Jinnah and press him to permit the League members to join the interim coalition government, but Wavell, knowing Jinnah's anger, wired on August 1, to leave him "alone" and he remained unperturbed, mistakenly believing that "J. has no real idea what to do".

On August 5, Shaheed Subrawardy, a prominent member of the MLWC and a very influential leader of Bengal Muslims, wrote to The Statesman "Bloodshed and disorder are not necessary evils in themselves, if resorted to for a noble cause. Among Muslims today, no cause is dearer or nobler than Pakistan". The Muslim urchins shouted in the streets and lanes:

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142. Pethick-Lawrence to Wavell, Ibid., p. 162.
143. Wavell's Minute, Ibid., p. 175.
144. Leonard Mosley, n. 122, p. 32; see also The Statesman (Calcutta), August 5, 1946.
"Lar ke Lenge Pakistan : But ke Rahega Hindustan"
(We shall have Pakistan by fighting; India shall have to be partitioned).

As directed by the Secretary of State, Wavell, on August 6, invited Nehru to submit proposals for the formation of an Interim Government. Nehru replied from Gandhiji's Ashram at Wardha accepting the "responsibility" offered, and wrote to Jinnah on August 13. Jinnah replied on August 15, 1946:--

"If this means the Viceroy has commissioned you to form an Executive Council ... and has already agreed to accept and act upon your advice ... it is not possible for me to accept such a position ... However, if you care to meet me, on behalf of Congress, to settle the Hindu-Muslim question and resolve the serious deadlock, I shall be glad to see you today at 6 p.m."

Nehru met Jinnah at 6.00 p.m. on August 15, at Jinnah's Malabar Hill estate, and assured that no major communal issue would be acted upon in the Assembly except by a majority of both parties and disputed points would be referred to the federal court for decision and that "while Congress did not like the idea of grouping and preferred autonomous provinces under the Centre they would not oppose grouping by provinces if the provinces wished it". Nehru also offered five Muslim League seats on a cabinet of fourteen, but Jinnah refused to participate in the interim government and deferred "all action ... for six months". As Nehru returned, India's bloodiest civil war began.

The Direct Action Day, commemorated on August 16, was led by H.S. Subrawardy, who declared it a Government policy and declared official holiday to arrange peaceful official demonstration as the Muslims in Bengal were in minority. He did not anticipate communal riots. In the evening of that Day riot broke out. The Muslims ignited the spark, the Hindus poured oil, and the Sikhs created havoc holding up their taxis, resulting into thousands of funeral pyres.

On August 16-20, 1946, in the Great Calcutta Killing, as Wavell informed the Secretary of State on August 21, there were 3,000 dead and

145. N. Mansergh and E.W.R. Lumby, n. 141, Vol. VIII, p. 188.
146. Ibid., p. 238.
147. August 18, 1946, Ibid., p. 248.
17,000 injured. The latest estimate of casualties was that "appreciably more Muslims than Hindus were killed". The troops were confined to their barracks, but in view of the mounting and rotting piles of human bodies, the Government offered to pay troops "five rupees for each body collected".

The cause of the riot was that a large number of goondas from the suburban areas began killing, looting and burning, when Suhrawardy told the "immense Muslim crowd" to return home early, speaking enthusiastically that "the Cabinet Mission was a bluff, and that he would see how the British could make Mr. Nehru rule Bengal. Direct Action Day would prove to be the first step towards the Muslim struggle for emancipation". The riots spread to other parts - Naokhali and Tipperah (East Bengal). The Hindu and Muslim workers' transient families fled to their homes in Bihar and told the frightful stories, often exaggerated. Murder and arson spread to other parts of the country - Garhmukteshwar (Western U.P.), Dasna, Meerut City where the Congress pandal was burnt, Bombay and Ahmedabad also. Thus, the British communal policy reached a climax, while the Hindus and Muslims sharpened their blades to slit each others' throats.

Jinnah was informed about the Great Calcutta Killing by a foreign news agency in August. Jinnah replied:

"If Congress regimes are going to suppress and persecute the Musalmans, it will be very difficult to control disturbances ... In my opinion, there is no alternative except the outright establishment of Pakistan ... We guarantee to look after non-Muslim and Hindu caste-minorities in Pakistan, which will be about 25 millions, and ... That is the quickest way to India's real freedom and to the welfare and happiness of all the peoples inhabiting this sub-continent".

The Congress and the League charged each other for the riots. The Direct Action Policy was not anti-British but it was a Muslim struggle...
against the Congress. The League propagated that the Congress was a Hindu party and that all powers and responsibilities would be usurped by the Hindus from top to bottom of the administration. It may be concluded that the people were not fighting on political issues, but they were pitched in the battle in the wave of enthusiasm without anticipating the dangerous consequences, while the League proved to the world that Hindu-Muslim co-existence had become impossible and partition was the only course left.

**Interim Government**

During the course of proceeding for setting up an interim government, Jinnah insisted that no Muslim other than the League should be appointed to the interim government and if Nehru did not abide by this, he would not conciliate. On this issue the entire agreement had broken down and the demonstrations were held.

Wavell wrote to the Secretary of State that the Congress should not be allowed to form the Government by itself. The Secretary of State replied that since the Muslim League had reversed its decision regarding the 16th May proposal, they could not be allowed to enter the Cabinet, and further instructed that, if essential, Jinnah should be approached through Nehru.

On August 24, Wavell announced that Nehru and thirteen nominated persons would form the new interim government in early September. A week later, two young Muslim Leaguers stabbed Sir Shafaat Ahmed Khan seven times in Simla on August 25, 1946, but he survived. Jinnah announced that the Viceroy "has struck a severe blow to the Muslim League and Muslim India ... the step he has taken is most unwise and unstatesmanlike and is fraught with dangerous and serious consequences and he only added insult to injury by nominating three Muslims who, he knows, do not command either the respect or confidence of Muslim India. On August 26, Wavell once again invited the Muslim League to join the Interim Government.

In his Id message from Bombay on August 29, Jinnah appealed to his followers:

"Let us stand as one united nation under our flag and on one platform and be determined and prepared to face the worst as a completely united and great people with our motto: unity, faith and discipline. God is with us and we are bound to succeed".

On September 1, on the eve of the Congress taking over the interim government, Muslim houses hoisted black flags of mourning, which caused communal rioting in Bombay and by September 10, more than 200 Hindus and Muslims were dead. There was also violence in Karachi. In Sind "both communities were busy surreptitiously arming themselves". However, on September 2, interim government was formed. Gandhiji, after prayer in Birla House in New Delhi, said: "door to Purna Swaraj has at last been opened". Nehru took oath of office as Vice-President (virtual Prime Minister), Patel as incharge of Home Affairs (Police) and Baldev Singh of Defence (of War) and a Provisional National Government with 12 members (3 being Muslims), leaving two places for the League to represent Bengal and Sind, on the basis of 6-5-3 formula i.e.6 Congressmen, 5 Muslim Leaguers and 3 representing other minorities.

The Viceroy on September 8, sought permission from the Secretary of State to announce his plan before January 1, 1947, to make the Indians know that the British were ready to pull back their troops and leave India. Approximately 100,000 European civilians and 100,000 British troops had to be evacuated from India.

The country became a stage of demonstrations, processions, meetings and hartals and the people clashed on the roads and streets and even within their own families, as Nawa-e-Wakt had already declared:"... this is going to be a total war which shall be fought on every front, in every city, town, street and house" against the Congress Government. Throughout the country, the Leaguers hoisted black flags on their residences, places of business and mosques. Despite the League's violence,

159. Dawn (Delhi), August 3, 1946.
Gandhiji advised the Congress ministers to work for the Hindu-Muslim unity. On the other hand, the League newspapers severely criticised the formation of the Interim Government. Dawn termed the Government action as betrayal and Roznama-i-Khilafat wrote:

"It is not a Government, but a Fascist gang. It is not a message of peace but a red flag of danger, not a ladder to progress but an axe for destruction".

Jinnah called the Viceroy's action as double betrayal for its ignoring and by-passing the Muslim League.

On September 7, Nehru invited Jinnah to participate in the Interim Government to settle all controversial issues, but Jinnah declined. Simultaneously, the Viceroy was also negotiating with Jinnah for League's involvement in the interim government. Nehru complained that the approach to the Muslim League to form the Interim Government, had been made over his head. On September 28, the Daily Mail reported Jinnah's statement that Nehru had made no definite proposals to him. In reply to Jinnah's letter dated October 3, 1946, containing a 9-point proposal, Lord Wavell wrote on October 4, categorically, offering the following terms:

1. The total number of the Executive Council would be 14.
2. Of the 6 Congress nominees, one would be a Scheduled Caste representative and it would be ultimate responsibility of the Governor-General and the Viceroy in that behalf.
3. Each party would be equally free to nominate its own representatives.
4. In a Coalition Government it is impossible to decide major matters of action proposed. It would be fatal to allow major communal issues to be decided by vote in the Cabinet.
5. Arrangement of alternative or rotational Vice-Presidents would present practical difficulty. However, arrangement would be made to nominate a Muslim League member to preside over the Cabinet in the event of the Governor-General and the Vice-President being absent. A Muslim League member would also be nominated as Vice-Chairman of the Co-ordination Committee of the Cabinet.

162. Home Poll. 18/8/46, Fortnightly Report from Poona, NAI.
163. The Hindustan Times (New Delhi), October 20, 1946.
6. Both major parties would be consulted before filling a vacancy in any of these three seats.

7. The minority representatives cannot be excluded from a share of the major portfolios and Jagjivan Ram would continue as Labour Minister. There would be equal distribution of the most important portfolios between the Congress and the Muslim League. Details would be a matter for negotiation.

8. These arrangements would not be changed or modified unless both the major parties - the Muslim League and the Congress - agree.

9. Since the basis for participation in the Cabinet was, of course, acceptance of the statement of 16th May, Wavell assumed that the League Council will meet at a very early date to reconsider its Bombay resolution.

Gandhi and Jinnah on Communal Violence and Pakistan

Gandhiji, then 77 year old, witnessed the communal violence and toured Noakhali and Bihar to pacify the people. He wrote on October 6, against the partition of the country:

"I would have no hesitation in conceding the demand of Pakistan if I could be convinced of its righteousness or that it is good for Islam. But I am firmly convinced that the Pakistan demand put forth by Muslim League is un-Islamic and I have not hesitated to call it as sinful. Islam stand for the unity and brotherhood of mankind, nor for disrupting the oneness of the human family. Therefore, those who want to divide India into possibly warring groups are enemies alike of India and Islam. They may cut me to pieces but they cannot make me subscribe to something which I consider to be wrong".

Gandhiji felt in private that "the League President supported the violence out of a desire to restore Muslim supremacy in India". However, he had no objection to a separate Muslim state. Discussing the nature of the state, which was not clear, he stated "If a Muslim state implied freedom to make unfriendly a treaty with the foreign powers to the detriment of the country as a whole, then obviously it could not be a matter of agreement. No one could be asked to sign an agreement granting freedom to another to launch hostilities against himself; it would be a suicidal policy".


Jinnah, speaking against the Bihar violence, in a statement said:

"... that in Pakistan minorities will enjoy the fullest security of life, property and honour just as the Musalmans themselves - may be even greater. If the Musalmans lose their balance and give vent to the spirit of vengeance and retaliation and prove false to the highest codes of morality and preachings of our great religion Islam, you will not only lose your title to the claim of Pakistan but also it will start a most vicious circle of bloodshed and cruelty, which will at once put off the day of our freedom".

During September 16 to October 12, the Viceroy had protracted discussions with Nehru, Rajagopalachari, Gandhiji and Jinnah. On the other hand, there was continuous negotiation between Jinnah and Nehru, more or less on the aforesaid nine points. On October 13, Jinnah wrote to Wavell that the League had decided to join the Interim Government. The Muslim League was allowed to join the Interim Government, provided that it would withdraw his decision against the proposal of the Cabinet Mission. The Muslim League bit its tongue and abandoning the Pakistan proposal agreed to join the Government of Indian Federation.

On October 14, Jinnah submitted five names and the ML members joined the Interim Government without accepting the long-term plan of May 16, 1946. The five League members joined the Interim Government on October 15, as Jinnah calculated that a Nehru-led Congress Government would further endanger the prospects of Pakistan. Jinnah, in an interview with Miss Cummings of Christian Science Monitor at New Delhi said:

"It would have been fatal for our interests if they had been left there in sole charge of the administration. We were, therefore, forced to nominate our five sentinals to watch over and safeguard Muslim interests".

Jinnah nominated a Scheduled Caste in the Muslim League quota to undermine the solidarity of the Hindus. He selected those who could put up a fight against the Congress.

Ghazanfar Ali Khan, according to League's policy considered the Interim Government as part of the Direct Action Campaign. On October 19,

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171. Dawn (Delhi), November 10, 1946.
"We are going into the interim government to get a foothold to fight for our cherished goal of Pakistan, and I assure you that we shall achieve Pakistan ... The disturbances which have occurred in many parts of the country after the installation of the purely Congress government at the Centre have established the fact beyond any shadow of doubt that the ten crores of Indian Muslims will not submit to any government which does not include their true representatives ... In the interim government all our activities shall be guided by two considerations, that is, to convince the Congress that no government in India can function smoothly without the cooperation of the Muslim League and that the League is the sole representative organization of the Indian Muslims. The Interim government is one of the fronts of the direct action campaign and we shall most scrupulously carry out the orders of Mr. Jinnah on any front that we are called upon to serve ... There can be no peace and no progress in India without a settlement between the Congress and Muslim League on the basis of Pakistan".

The statement made quite clear that the League had decided to wreck the Interim Government. When Nehru pointed it out to Wavell and to call the Assembly in session, he said that Jinnah had assured him that the League would cooperate with the Interim Government fully. Hodson says:

"Jinnah had undertaken, in reply, to call a meeting of the Muslim League Council and to reverse its decision against the statement of May the 16th ... The Working Committee Meeting was not summoned until more than three months later, and then they declined to call the League Council to reconsider their decision of July, 1946".

**Wavell's Stand**

Why Wavell did not accept Nehru's request? Wavell was not happy with Nehru and did not like his Government despite severe reprimands from Pethick-Lawrence. He avoided the summoning of the Assembly in session because in doing so the last part of the Plan would have been implemented and the entire control had gone into the hands of the Assembly and once the State Legislative Assemblies had been commissioned, it meant that the Government had accepted India's federal polity, to which Wavell was

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173. The Hindustan Times (New Delhi), October 20, 1946; see also A.M. Zaidi, Evolution of Muslim Political Thought in India, Vol. 6: Freedom At Last (New Delhi: S. Chand, 1979), p. 470.

174. Home Poll. 18/10/46, Fortnightly Report from New Delhi for the first half of October, 1946, NAI.

opposed. He felt that if he would not agree to the Congress demand he would lose their cooperation than go ahead with constitution-making on a one-party basis. He saw the partition in the British interest. Hence, he created a political impasse in order to facilitate the collapse of the constitutional machinery and forced the Government to ask him to implement his Breakdown Plan. Wavell was perturbed about the titled Muslims, who lacked moral courage and could align themselves with the Congress for personal gain and believed, "he who pays the piper calls the tune".

Distribution of Portfolios

However, the tussle started over the allocation of portfolios. The Viceroy desired to give External Affairs, Defence and Home Affairs to the League, to which Nehru strongly opposed and warned on October 24, that if there were any change (i.e. External Affairs to the Congress, Home to Patel and Defence to Baldev Singh), the Congress would resign, "leading to termination of this Government". Azad supported Wavell that the League be given the Home Department, but Patel did not like to part with it. The League yielded and, therefore, the Viceroy gave Finance, Commerce, Communication, Health and Law to the League and they took office on October 26, 1946. Finance was given to Liaquat Ali Khan, who introduced a budget allegedly designed "to harm the industrialists and businessmen, the majority of whom were Hindus". This crisis was later considered by Lord Mountbatten in March, 1947. Further, the Finance Department was the life-blood of all Departments. Due to rivalism, modifications became frequent and complete rejections also became common, as a result the Congress Ministers felt seriously handicapped. At last, the British Government and the Congress became almost convinced that any attempt to bring about a lasting cooperation and harmony between the Congress and the League would end in failure.

As apprehended, the 'Congress bloc' and the 'League bloc' began functioning under separate leaderships and became rivals of each other. They neither possessed a common policy nor any effective power in the explosive situation, when Jinnah, on November 12, hammered:

"The Bihar tragedy has no parallel or precedent in this record of cold-blooded butchery of the Muslim minority in various parts of the country committed by the majority Hindu community".

Further, as the Garhmukteswar riot also shattered the hope of Hindu-Muslim co-existence and even sober and thoughtful minds painfully accepted the partition as indispensable, Jinnah, on November 14, declaring boycott of the Assembly asserted that only "the creation of Pakistan and Hindustan would bring about a solution of the present communal situation". He called the decision to summon Constituent Assembly (scheduled on December 9) as a "blunder of a grave and serious character" and stated that the Viceroy was "blind to the present serious situation and the realities facing him" and also charged that he was "playing into the hands of Congress" (while in reality Wavell took the League's side as stated earlier) and did not won him that the Direct Action Day was also the direct action against their own government, as the League had become part of the Government. However, the Muslim League ratified, on November 21, to boycott the Constituent Assembly. On November 25, Jinnah suggested the Central and Provincial Governments to consider an exchange of population as the best means for settling the communal strife, and rejected the Mission Plan, after which it became impossible for the Muslim League to remain part of the Government. Wavell, sending the complete report to London, said that if the Congress proposal was accepted the country would be plunged in a civil war.

To break the deadlock and to streamline the working of the Assembly peacefully, the Viceroy, Nehru, Baldev Singh, Jinnah and Liaquat Ali Khan went to London on November 30, to meet the British Prime Minister, Attlee, but their discussion from December 3-6, 1946, ended in failure. The main upshot was the British Government's statement of December 6, which urged the Congress to accept the Mission's interpretation of the grouping. The last para of the said statement described:

"There has never been any prospect of success for the Constituent Assembly except upon the basis of the agreed procedure. Should a Constitution come to be framed by the Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty's Government could not, of course, contemplate forcing such a Constitution upon any unwilling parts of the country".

The League members held that the Constituent Assembly had no right to alter the structure of Plan and any change in the grouping would alter the basis of agreement, while the Congress representatives, opposing the grouping arrangement, asserted that the Constituent Assembly had the power to make necessary changes in the Cabinet Mission Scheme. Though the British participants in the parleys agreed to the League's view, but could not heal their wound. The leaders returned to India without any agreement and their attitude towards each other hardened still further.

Wavell's Breakdown Plan

The Congress suggested to bring their differences in the Federal Court on the Proposal of May 16, but Jinnah, as usual rejected Nehru's suggestion. Wavell noted:

"They (Congress) were apparently, prepared to agree that the question of whether the sections make the constitution for the provinces or the provinces make their own, should be referred to the Federal Court, but this Jinnah would not accept".

However, while Wavell was leaving for India, Churchill had said: "Keep a bit of India", which ranged in Wavell's ear and consequently led to his Breakdown Plan. On December 3, in England, Wavell stated in the Cabinet that since there was no conciliation between the Congress and the League, the British Government has the confrontation with the Congress. To meet this combat, Wavell offered his Breakdown Plan, which envisaged that the provinces with Congress majority should be given autonomy, and the British, accompanied by their entire army, should move to the Muslim majority provinces. The Breakdown Plan was a two-fold device. It sought to reduce the Congress claim of independence to provinces of Section A, and, on the pretext of protecting the Muslims and other minorities in the Muslim majority areas - Sections B and C - prolong the lien of the British Raj, to meet any offensive from the USSR in the West and China in the East. Wavell returned. His Secretary, George Abel, telegraphed him that the Cabinet at home had refused to have anything to do with the Breakdown Plan.

182. Ibid., January 8, 1947.
However, the British Government announced that they accepted the League's demand of individual status of provinces i.e., the groups would make collective decisions. For instance, Punjab, having a greater number of seats, was given the responsibility of Group B, and NWFP and Sind, having the lesser number of seats, were given the secondary status. In the like manner, in the East, Bengal became responsible while Assam became a political non-entity.

On the above principle, the Constituent Assembly was convened on December 9, 1946, for the first time in New Delhi, "with dignity and decorum". Dr. Satchidananda Sinha was the Convening President till the Assembly elected Dr. Rajendra Prasad. The Muslim League boycotted the Assembly, with 79 of their seats remaining empty in the Assembly Hall, while almost 300 Congressmen and women took their places. However, the Congress articulated its policy regarding the Provinces and the Princely States, and with the exception of three Central Departments, gave all the other rights to the provinces. They also formed Committees for various departments, leaving a seat for the Muslim League candidate.

On December 11, Attlee appealed "to all the communities in India to cooperation in framing a Constitution". Winston Churchill suggested a debate, which lasted for two days. Churchill said:

"I warned the House as long ago as 1931 ... that if we were to wash our hands of all responsibility, ferocious civil war would speedily break out between the Muslims and Hindus ... more people have lost their lives or have been wounded in India by violence since the interim Government under Mr. Nehru was installed in office four months ago by the Viceroy, than in the previous 90 years ... These frightful slaughters over wide regions and in obscure uncounted villages have, in the main, fallen upon Muslim minorities.

"... any attempt to establish the reign of a Hindu numerical majority in India will never be achieved without a civil war ... This war will, before it is decided, lead through unaccountable agonies to an awful abridgment of the Indian population ... The Muslims, numbering 90 million, ... comprise the majority of the fighting elements in India ... the word "minority" has no relevance or sense when applied to masses of human beings numbered in many scores of millions ..."

Churchill's statement encouraged Jinnah to take a more tough line vis-a-vis the Congress. Nehru, sensing the danger of fall of the Assembly, as the Muslim League had not joined, declared on December 13, 1946:
"This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic ... Wherein all power and authority ... are derived from the people".

On December 10, Attlee called Lord Louis Mountbatten to 10 Downing Street, and invited him to succeed Wavell and on December 19, said:

"If we were not very careful, we might well find ourselves handing India over not simply to civil war, but to political movements of a definitely totalitarian character. Urgent action was needed to break the deadlock, and the principal members of the Cabinet had reached the conclusion that a new personal approach was perhaps the only hope".

After much hesitation Mountbatten accepted Attlee's invitation.

The CWC on December 22, 1946, decided to abide by the verdict of the federal court and referred the matter to the AICC, which at its meeting in Delhi on January 5-6, 1947, advised action in accordance with the interpretation of the British Government, but added: "It must be clearly understood, however, that this must not involve any compulsion of a Province and that the rights of the Sikhs in the Punjab should not be jeopardized. In the event of any attempt at such compulsion, Province or a part of a Province has the right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned". Further, the Sikh Pratinidhi Panthic Board at its meeting at Amritsar on December 24, 1946, resolved: "The statement of December 6, has been made to placate the intransigence of the Muslim League and is to be detriment of the minorities, especially the Sikhs" and decided to "carry on their struggle until satisfactory provision is made for safeguarding their interests in the future constitution of India". The Sikhs observed an
Anti-Pakistan Day on March 11, and organized mass rallies throughout Punjab and several deaths in the ensuing disturbances were reported. In Multan, Amritsar, Rawalpindi, Sialkot, Jallundur death-toll was high.

However, the ML Working Committee, which met at Karachi on January 29-31, 1947, regarded the above AICC interpretation as yet another qualified acceptance and demanded the Government to dissolve the constituent assembly. The deadlock continued and once again the Congress members demanded resignation of the League members, who argued that since the Congress on December 9, 1946, itself did not accept the rule 63, which assumes control of the sections, they could not ask them to do so later. The Viceroy wrote to the Secretary of State to issue a statement in that regard. Soon the Congress members threatened that if the leaguers would not resign they themselves would. Wavell was stuck and could see no way out.

Menon's Proposal of Dominion Status

Towards the end of December, 1946, and the beginning of 1947, V.P. Menon "had lengthy discussion with Vallabhbhai Patel suggesting that power should be transferred to two Central governments on the basis of dominion status". Since Patel agreed, Menon sent an outline of his proposal of dominion status.

191. K.M. Munshi had elaborated the rule 63, that "if properly framed, the Rules would enable the Constituent Assembly as a whole to exercise control over the Sections and Provinces so as to safeguard the rights of the minorities in each of them". See K.M. Munshi, Pilgrimage to Freedom (Bombay: Hindustan Cellulose, 1955), pp.117-18.

192. See for details letter from Liaquat Ali Khan to Lord Wavell on the Congress Demand for the Resignation of Muslim League Members from the Executive Council, February 8, 1947, in L.A. Sherwani, n. 51, pp. 207-10. The AICC resolution "In the view of the Muslim League this resolution of the Congress is in no way different in effect from the Congress resolution of June 25; rather it makes the position worse in so far as it confers a right of veto not only on a province but also on a part of a province and the Sikhs. The Muslim League is convinced ... that the Congress has not accepted the Cabinet Mission's statement of May 16 as interpreted by their statement of May 25 and as further interpreted by HMG's statement of December 6 ... It clearly indicates that the Congress had never intended nor does it intend to abide by the terms of the Mission's Plan", Ibid., p. 209.

193. V.P. Menon, n. 2, p. 337.

plan to the Secretary of State. Proposing his own thesis for communal settlement, he argued: "A united India under the Cabinet Mission Plan was ... an illusion; the three-tier constitutional set-up envisaged was unwieldy and difficult to work", and "Jinnah showed no sign of resiling from his demand for a separate, independent sovereign State for the Muslims - a demand in which the League had the sympathy, if not the support, of a large section of British opinion" and "the sympathy of most of the British elements in the Services". Describing these facts, Menon expressed his personal view that "it was better that the country should be divided, rather than that it should gravitate towards civil war". Menon hoped that the Congress would accept this arrangement, which would prohibit the League to claim those portions of the Punjab, Bengal and Assam which were predominantly non-Muslim.

For implementation of the scheme, Menon emphasised three advantages to the Congress: First, a peaceful transfer of power; secondly, Britain would welcome such a move; and thirdly, the civil service, army, navy and air force would continue to function during the transitional period, which would avoid endless trouble at the time of transfer of power. After the transition of power, Menon suggested:

"After all, the test of sovereignty was the power to amend one's constitution, which remained unaffected by the acceptance of Dominion Status. India could at any time, if she so desired, walk out of the Commonwealth. Moreover, the Princes, with their past associations with the British Crown, would be reassured and be more willing to negotiate".

As the proposal was not made by any leader, Pethick-Lawrence shelved it for he could not believe that the Congress, which had since long been fighting for complete independence, would agree to Dominion Status for immediate transfer of power. However, Lord Mountbatten, who was preparing himself for the difficult assignment of Viceroyship of India and was studying all the material relevant to Indian political situation, studied Menon's proposal carefully.

Failure of Interim Government

On December 22, 1946, Jinnah returned home (Karachi) "a sick man.

195. V.P. Menon, Ibid.
196. Ibid.
197. See for details Ibid., pp. 358-59.
198. Ibid., p. 359.
199. Ibid.
too exhausted to say anything, lacking energy even to meet with his Working Committee before January 200. Pethick-Lawrence wrote to Wavell on January 2, 1947, "I hope that Jinnah does not interpret our Statement of December 6th to mean that if he only sits back and does nothing he will get his Pakistan". The letter drew Jinnah's attention.

In the meanwhile, the AICC met in Delhi and endorsed the statement of Working Committee of December 22, and passed a resolution on January 6, rejecting "the procedure laid down in the December 6 statement and declared that it was for the Constituent Assembly alone to give interpretations of the State Paper of May 202."

On January 29, 1947, the League Working Committee met in Karachi and called upon the Government to declare that the Plan of 16th May had failed, and demanding that the constituent assembly should be dissolved, 203 resolved:

"The Working Committee of the Muslim League is, therefore, emphatically of the opinion that the elections to, and thereafter the summoning of the Constituent Assembly, in spite of strong protests and most emphatic objections on the part of the League, were ab initio void, invalid and illegal as not only the major parties had not accepted the statement but even the Sikhs and the Scheduled Castes had also not done so and that the continuation of the Constituent Assembly and its proceedings and decisions are ultra vires, invalid, and illegal and it should be forthwith dissolved".

On January 31, 1947, Jawaharlal Nehru's 9-point Objective Resolution proclaimed India as an Independent Sovereign Republic; the territories and States forming the Indian Union; the territories "shall possess and retain the status of autonomous Units, together with residuary powers, and exercise all powers and functions of government and administration, save and except such powers and functions as are vested in or assigned to the Union ..."; the powers shall be derived from the people; the people shall be guaranteed 'justice', 'equality' and 'freedom'; adequate safeguards shall be provided for minorities...; integrity and sovereignty

of the territory of the Republic shall be maintained, and this ancient land shall promote world peace.

On February 5, 1947, "the Viceroy received demand from Congress and minority members for resignation of League representatives from interim government".

On February 6, the Viceroy saw Liaquat Ali. On February 8, Liaquat Ali Khan wrote a long letter to the Viceroy stating that "the Congress had never intended nor does it intend to abide by the terms of the Mission's Plan" and that "the Muslim League originally accepted the Cabinet Mission's statement of May 16 in letter and in spirit and in its correct interpretation" and thus "in the circumstances it is extremely presumptuous on the part of the 9 non-League members of the Executive Council to demand that their Muslim League colleagues should resign".

On February 13, 1947, Nehru wrote to the Viceroy and again demanded resignation of the League members from the Interim Government, but the Viceroy did not agree. Vallabhbhai Patel, on February 14, wrote to the Viceroy that "Things have been made worse by a clear hint that matters might take a violent turn" in view of the Finance Minister's statement in the Dawn regarding Punjab atrocities. He enclosed the cutting from the Free Press Journal of February 7, 1947, containing speech of Ghazanfar Ali Khan at Lahore and drew his attention to the following passage:

"Mohammed Bin Kassim and Mahmud of Ghazni invaded India with armies composed of only a few thousands, and yet were able to overpower lakhs of Hindus; God willing, a few lakhs of Muslims will yet overwhelm crores of Hindus".

Vallabhbhai Patel concluded that "the Central Government had ceased to exist and that the sooner the present state of affairs is put to an end the better", and subsequently threatened on February 15, that Congress "would withdraw from interim government if League members remained".

208, Ibid.
209, Ibid.
CONCLUSION

The Cabinet Mission arrived in India in March, 1946, and interviewed the Indian leaders. Jinnah urged the two-nation theory and advocated the demand for Pakistan, to which Nehru resented. The Congress and the League leaders differed on the question of central and state powers. The Congress wanted a unitary government and the League advocated Pakistan. The Mission Plan of June 16, 1946, did not include the six provinces demanded by the Muslim League to be called Pakistan and rejected the claim of Pakistan. However, the Mission Plan under group (ii) - Punjab, NWFP and Sind, and group (iii) - Bengal and Assam gave the regions the right to make their own constitution, to which the Congress opposed. While rejecting the formation of an interim government, the Congress decided to join the proposed Constituent Assembly. Contrarily, the League decided to join the interim government and concluded that the Congress had rejected the whole plan. In consequence, the League withdrew its acceptance of the Plan and observed Direct Action Day on August 16, 1946. Elections were held and the Congress and the League won majority of seats, but they differed on the question of distribution of portfolios, which could not be settled to the desire of the contestants, as a result it caused the breakdown of the Cabinet Mission Plan.