THE TRANSFER OF POWER

1942-47
Mr. Attlee, with his humble duty to Your Majesty.

He has kept Your Majesty currently informed of his views on the question of the Viceroyalty of India. There is no statutory term of office for the Viceroy and at the time of appointment, as recorded in Cabinet minutes, Viscount Wavell was only given the indication that the appointment might be for three years in order to leave it open for his resignation to be requested without any sense of disappointment on his part, if the circumstances made it desirable. The three year period ended in June, 1946.

For reasons which Mr. Attlee has explained to Your Majesty, he considers that it will soon be his duty to recommend that Viscount Wavell should be replaced by Viscount Mountbatten. It is not possible at the moment for Mr. Attlee to forecast when this change will take place, but it will probably fall during Your Majesty's visit to the Union of South Africa.

Mr. Attlee ...
CONSTITUTIONAL RELATIONS
BETWEEN BRITAIN AND INDIA

THE TRANSFER OF POWER
1942–47

Volume IX The fixing of a time limit
4 November 1946—22 March 1947

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Members of the Interim Government on a Peace Mission to Bengal following the Calcutta and Noakhali disturbances (Orient Longmans)

The Secretary of State for India receiving Indian leaders on their arrival in London, December 1946 (Orient Longmans)

The Constituent Assembly: its first meeting in The Council House, New Delhi (Illustrated London News)

Lord Wavell receiving the new Viceroy, Lord Mountbatten, on his arrival in India (Illustrated London News)
Foreword

On 9 March 1966 the Prime Minister, Mr Harold Wilson, announced in the House of Commons that the closed period for official records was to be reduced from fifty to thirty years. He stated that the Government also proposed that the range of Official Histories, which had hitherto been confined to the two great wars, should be extended to include selected periods or episodes of peacetime history and considered that there was scope for extending to other Oversea Departments the Foreign Office practice of publishing selected documents relating to external relations. The Prime Minister hoped that both of these subsidiary proposals, supplementing the reduction in the closed period to thirty years, would be acceptable in principle to the Opposition parties, who would be associated with their implementation.¹

On 10 August 1966 the Prime Minister announced that a standing inter-party group of Privy Counsellors was to be appointed to consider all such proposals² and on 8 June 1967 that its members were, for the Government and to act as Chairman, the Right Hon. Patrick Gordon Walker, Minister without Portfolio; for the Official Opposition, the Right Hon. Sir Alec Douglas-Home; and for the Liberal Party, Lord Ogmore.³

A project to publish documents from the India Office Records had been under discussion for some years and on 30 June 1967 the Prime Minister, in replying to a written question in the House of Commons, announced that the first of the new series of selected documents to be published was to relate to the Transfer of Power in India. His statement was as follows:

As I informed the House on the 9th of March 1966, the Government have decided to extend to other Oversea Departments the Foreign Office practice of publishing selected documents concerned with our external relations, subject to inter-party agreement through the Group of Privy Counsellors whose composition I announced on the 8th of June. I am happy to inform the House that the Group have agreed that in view of the great interest now being shown in historical circles in the last days of British rule in India the first selection of documents to be published under the new arrangements should be documents from the India Office records on the Transfer of Power and the events leading up to it.

The scheme will follow closely the lines of the Foreign Office series of Documents on British Foreign Policy from 1919 to 1939, and, as in that series, the editors will be independent historians who will be given unrestricted access to the records and freedom to select and edit documents for publication. Professor P. N. S. Mansergh, Smuts Professor of the History of the British Commonwealth at Cambridge, has expressed willingness to accept

³ Ibid., vol. 747, col. 1291.
appointment as Editor-in-Chief, and the scheme will be in full operation by
the end of the year.*

Mr E. W. R. Lumby was appointed Assistant Editor and fulfilled the duties
of that office until his death on 23 January 1972, by which time the first three
volumes in the Series had been published and the fourth was in an advanced
stage of preparation.

Sir Penderel Moon, O.B.E., sometime Fellow of All Souls College, Oxford,
was appointed Assistant Editor in September 1972 when Volume IV was about
to go to press and the editing of Volume V to begin.

Mr C. G. Costley-White, C.M.G., was a member of the Historical Section
from March 1968 until his retirement in December 1978. The Editors would
like to place on record their appreciation of his contribution to the work of the
Section, most particularly in the assembling of biographical detail.

Mr D. M. Blake, who also joined the Historical Section in March 1968, and
Dr L. J. Carter, who came in August 1970, have assisted since appointment in
the assembly, selection, preparation and indexing of documents for publication.

The series will cover the period 1 January 1942 to 15 August 1947. The first
Volume, carrying the sub-title The Cripps Mission was published in 1970; the
second, sub-titled 'Quit India' and carrying the documentary record forward
from 30 April to 21 September 1942, and the third on Reassertion of authority,
Gandhi's fast and the succession to the Viceroyalty and covering the period 21
September 1942 to 12 June 1943, were both published in 1971. The fourth
Volume, sub-titled The Bengal Famine and the New Viceroyalty and covering the
period 15 June 1943 to 31 August 1944, was published in 1973; the fifth on
The Simla Conference: Background and Proceedings, 1 September 1944 to 28 July
1945, in 1975; the sixth on The post-war phase: new moves by the Labour Govern-
ment, 1 August 1945 to 22 March 1946, in 1976; the seventh on The Cabinet
Mission, 23 March to 29 June 1946, in 1977; and the eighth on The Interim
Government, 3 July to 1 November 1946, in 1979.

The principles of selection, the arrangement of documents—which is in
chronological order throughout in so far as that has been ascertainable—
together with other details of presentation were explained in the Foreword to
the first Volume (pp. vi–x) with some further comments on particular points
added in the Foreword to Volume III (pp. viii–xii). There is no need, therefore,
to recapitulate what has been written on these matters here. It may, however,
be worth while restating the purpose of the Series. It is to make available to
scholars in convenient printed form the more important British historical
records relating to the Transfer of Power in India. 

N. MANSERGH
Historical Section
India Office Records
March 1979

Introduction to Volume IX

'I am rather puzzled and worried', noted the Viceroy on 4 November 1946, the
day on which this volume opens, 'about the matter of getting the Muslim
League into the Constituent Assembly' [No. 1]. This, at the least, was under-
standable. The formation of an Interim inter-party executive and the bringing
together of a representative constituent assembly had been the twofold purposes
of the Cabinet Mission, the inter-party executive to assume a share of immediate
responsibility and to ease the transition to the final transference of power, the
Constituent Assembly to fashion the constitution of the independent India to
which power was to be transferred. The Cabinet Mission of deliberate intent
had sought to make participation in the first conditional upon acceptance of
principles providing a framework and serving as guidelines for the work of the
second. But while, after fluctuating and protracted negotiations, the Interim
Government assumed its intended inter-party character with the entry of
Muslim League members on 26 October 1946 [see Vol. VIII, pp. xx–xxi],
the League had not rescinded its withdrawal, on 29 July 1946, of its earlier
acceptance of the Cabinet Mission’s constitutional proposals as set out in the
Statement of 16 May 1946, such acceptance having been, and remaining in the
view of the Viceroy and the Congress, a condition of membership of the
Interim Government [see Vol. VIII, Nos. 494–5]. It was a view in which Jinnah
seemingly also acquiesced in principle [see Vol. VIII, No. 445] without,
however, being willing to contemplate the step necessary to give it practical
effect, i.e. that of summoning the Council of the League to rescind the July
resolution, until the League had at least first obtained certain assurances
from the Congress, underwritten by the British Government, in respect of the
interpretation and application of the provisions in the Statement of 16 May,
relating to the drafting of the constitutions of Provinces within each Section
(and by each Section as Jinnah contended) and to Grouping of Provinces.
[See Vol. VIII, No. 526 and Nos. 48 and 80 in this volume.]

The Viceroy in early November 1946, was accordingly confronted with a
dilemma with three facets: League accession to the Interim Government had
been made conditional by the Viceroy, albeit in less than absolute form, upon
the League’s re-acceptance of the Statement of 16 May; such re-acceptance
was, however, in its turn made conditional by the League upon their receiving
assurances from the Congress and the British Government of their unequivocal
acceptance and support of the League’s interpretation of the provisions of that
Statement relating to Sections and Grouping; while without fulfilment of the
first condition, dependent as that had been made upon the meeting of the
second, the Constituent Assembly, due to meet on 9 December 1946, would
not, and could not, be the representative body the Cabinet Mission had
conceived.
On 5 November, the Viceroy, reflecting on the problem to the Secretary of State, said he felt that the chances of genuine agreement about the Constituent Assembly were likely to increase when the two parties had worked together for a time in the Interim Government, though he allowed that this was balanced by the risk of the Congress becoming restive [No. 8]. Overall, moreover, he had already minuted that, "... unless we can get the Constituent Assembly together at an early date, the whole situation is bound to deteriorate, and there is a serious danger of the Government splitting up ..." [No. 1].

The dialogue with the League was resumed, also on 5 November, with an enquiry from the Viceroy on lines suggested by Abell [No. 1] and following upon his (the Viceroy's) meeting with Jinnah on 30 October [Vol. VIII, No. 526], asking what precisely were the assurances required before he (Jinnah) summoned the League Council with a view to their re-acceptance of the Statement of 16 May [No. 7]. On 13 November, having received no reply, the Viceroy put the question verbally to Liaqat Ali Khan, who reacted by saying that it would be most inadvisable to summon the Constituent Assembly on 9 December in view of the disturbances in so many parts of the country [Nos. 29 and 30; for an expression of a similar view, in which the Governor of the Punjab concurred, by Khizhar, see No. 13]. The Secretary of State had already, on 12 November, been moved by the possibility that the matter might be raised in Parliament, to ask how things stood in respect of Muslim League acceptance of the long-term plan. The Viceroy replied the next day that Parliament might be told it was assumed that the League would shortly summon their Council to reconsider its July rejection of the Mission's long-term plan [Nos. 26 and 30]. A rather different note was, however, struck by Jinnah at a Press Conference on 14 November at which he asserted that 'absolute Pakistan' was 'the only solution' [No. 39], and that he could not say when the League Council would be summoned. His views on the second point were elaborated on 16 November by Liaqat Ali Khan who affirmed that the League could not enter the Constituent Assembly without a guarantee by H.M.G. in respect of Grouping and of Provincial Constitutions being framed by Sections. He further observed that the enthusiasm of the League had to be kept up, as it could not be, if there were further concessions [No. 49].

Jinnah’s remarks prompted Nehru to draw the Viceroy’s attention to the ‘very grave situation’ which had arisen ‘affecting not only the Constituent Assembly but also the Interim Government’ [No. 40] and to report the ‘very strong’ reactions of his colleagues to the delay in summoning the Assembly [No. 44, note 4]. The Viceroy felt, however, that there should be a further attempt to ensure League cooperation because of the risks of proceeding without it [No. 45]. On 17 November he warned the Secretary of State of impending crisis, with Nehru and his colleagues on the one side insistent that invitations for the Assembly should issue, coupled with an implied threat that the Congress
would resign from the Interim Government if they did not; while on the other side, it was clear that the League had no immediate intention of calling their Council and so open the way to their participation in the work of the Assembly. Without League participation the Viceroy feared ‘very grave and widespread disorder’ [No. 47].

On the assumption that the main obstacle to League participation was the lack of an unequivocal declaration by H.M.G. on how the Sections in the Assembly would work, the Viceroy regarded a clear and public statement by H.M.G. on the issue as essential [No. 47]. The same day as he made this recommendation (17 November) Jinnah himself replied to his earlier enquiry on the nature of the assurances that the League sought. To the actual enquiry Jinnah did not give a specific answer. Instead he countered by saying that the real question was, first, to get the Congress to agree to the fundamentals of the Statement of 16 May and, then, to devise means whereby those fundamentals could be implemented and, if necessary, enforced by H.M.G. But priority, Jinnah argued, in view of the massacres in Bihar, should first be given to the protection of life and property and the Constituent Assembly postponed sine die [No. 48]. In further interviews with the Viceroy on 19 November [Nos. 57 and 58] Jinnah reiterated that the calling of the Assembly would be ‘the greatest possible mistake’; Nehru that invitations should be issued ‘at once’. The Secretary of State, on 18 November [No. 53], had reported ministerial agreement that the summoning of the Assembly should not be further postponed. At the same time, in response to the Viceroy’s representations for a statement, he sent [No. 54] the text of a passage dealing with the Cabinet Mission’s intentions with respect to the procedure to be followed in the Sections which was regarded by the Prime Minister and his colleagues ‘as absolute maximum we can say’. It was suggested that this passage might be added to the letter of summons to the Constituent Assembly, but in the event the Viceroy decided not to make use of it [No. 63].

Liaqat had spoken of a civil war that had already begun [No. 49]. The Viceroy on 20 November wrote ‘we are very near [to] what will amount almost to open civil war between the communities . . .’ [No. 63]. It is understandable why they did so. In the first month covered by this volume reports of disturbance, disorder and casualties came in from many Provinces, notably Bombay, though by comparison with some other areas casualties there were light [No. 3]; Bengal, which was visited by the Viceroy and four members of the Interim Government, Nehru, Patel, Liaqat and Nishtar, engaged on a Peace Mission [No. 4; for the Secretary of State’s reactions see No. 50] and where the administration in the opinion of the Viceroy [No. 8] was ‘much too weak’ to cope with the scale of violence especially in Eastern parts of the Province [for a full account of what happened in Noakhali and Tippera see No. 51]; the U.P., with heavy casualties and dreadful happenings reported in
the Meerut district [Nos. 15 and 21, and especially No. 69]; and Bihar, also visited by the Viceroy [No. 20] and the Interim Government Peace Mission, where outrage and bloodshed were on a terrible scale with ‘almost all casualties’ Moslems, though the Governor nonetheless was able to report and the Viceroy to confirm that the morale of the troops remained high [Nos. 19, 20 and 79]. Elsewhere there was nervousness and tension, e.g. Madras [No. 74], with the Viceroy and Secretary of State preoccupied with the prevention of reprisals [Nos. 32, 42 and 77]. Representations were made to the Viceroy by Muslim League leaders on 21 November about H.M.G.’s intention to protect minorities [No. 70, see also No. 77]; there were complaints from Congress leaders especially in respect of Bengal [No. 14]; and casualty figures, so far as they could be ascertained, were sent to the Secretary of State and summarised by him in a statement in the House of Lords on 27 November [No. 102, see also general survey in No. 25 for period July–October 1946]. The Viceroy on 22 November had reported that ‘everything else in India is overshadowed by the savage outbreaks of communal violence in East Bengal, Bihar and the United Provinces’ [No. 77] and in a further review of what had happened dated 27 November, he concluded that ‘The grim truth is, I am afraid, that the communities are now in no mood to negotiate or compromise . . .’ adding ‘The absence of a definite policy on the part of His Majesty’s Government is a very serious matter indeed at a critical time like this.’ [No. 107].

The Viceroy, whose contingency ‘breakdown’ plan, sent to London on 8 September, had been critically received by the government [Vol. VIII, pp. xviii and xix and Nos. 286, 354, 370, 379], pointed out in the course of a letter to the Prime Minister on 30 October [Vol. VIII, No. 531] that he had sent home on 23 October an answer to the criticisms [Vol. VIII, No. 501] and that with the tenseness of the situation, there should be a definite policy on ‘how and when we are to leave India’. The Prime Minister replied on 6 November assuring him that discussions would take place on his proposals [No. 9]. On 13 November the Secretary of State submitted relevant papers to the Prime Minister, together with a draft reply to the Viceroy [Nos. 33 and 34]. The Prime Minister’s own notes on the Viceroy’s proposals survive [No. 35] and, while evidently in the nature of an aide-mémoire (as well as incomplete in the sense of not covering all eventualities) remain of interest. The Secretary of State’s draft reply was amended by Cripps whose revised text was further amended by the India Office [No. 60]. This India Office revision served as the text of the letter which was sent to the Viceroy on 25 November [No. 94].

This letter while stating at the outset that ‘the differences between your view and ours may not be as fundamental as might appear’ in fact served to reject the assumptions behind the Viceroy’s proposed announcement of a date of British withdrawal from India and his recommendation that authority should be demitted in stages, beginning with the Southern Provinces, on the ground
that it would involve ‘a change in our present policy,’ any premature withdrawal ‘almost certainly’ destroying ‘all chance of a peaceful transition to self-government’. The letter also re-stated the Government’s policy as a whole so as to avoid ‘any possibility of misunderstanding of our position’. The points covered included the working of the Interim Government and attitudes towards it; its cardinal importance to the development of the whole policy of orderly transfer; the need to give due weight to continuing ‘influence’ by contrast with actual exercise of power (which was admittedly in diminishing supply) as the time of actual transfer approached, and consequently disagreement with the Viceroy that withdrawal must be fixed within 18 months because of loss of power ‘to control events’; and finally a review of the circumstances in which a political breakdown might in fact occur with indications of the government’s reactions in the more likely contingencies, e.g. withdrawal of both parties, or of either one of them, from the Interim Government. All of these were ‘breakdown plans’, for the Viceroy’s confidential guidance, to be put into effect only upon the assumption that the policy hitherto envisaged, with its reliance upon Interim Government and Constituent Assembly, despite every effort had failed, and then only with express Cabinet sanction and announcement in Parliament.

Immediate happenings pressed in upon the discussion of longer-term contingencies with some indications that the distinction between the two might be growing thin. On 21 November Nehru was reported to have complained that the Viceroy had ‘failed to carry on the Government in the spirit in which he had started’, that the League was seeking to enlist the support of the British with their in-built bias in its favour and that, since the League had joined, there was neither a cabinet nor a coalition; nor yet had the League accepted the long-term plan which had been laid down as a condition of membership [No. 71, see also No. 67]. The same day Jinnah was reported as saying: ‘No representative of the Muslim League will participate in the Constituent Assembly and the Bombay resolution of the Muslim League Council . . . stands’ [No. 72]. The summoning of the Constituent Assembly for 9 December, he described as ‘one more blunder of very grave and serious character’ and alleged that the Viceroy, in so doing, was appeasing the Congress. On 23 November the Viceroy told Liaquat that he could not agree to the League staying in the Interim Government without their acceptance of the long-term plan, a conclusion in which Liaquat indicated readiness to acquiesce, saying once again that any such acceptance was conditional upon assurances from H.M.G. in respect of Sections and Grouping. The Viceroy was satisfied that such indeed was the League’s view [No. 80; for an exposition of what was involved see Minute by Mr Abell, No. 85.]

On 24 November the Secretary of State, with particular reference to the speeches by Nehru and Jinnah, referred to in the preceding paragraph, in-
dicated the great anxiety felt by himself and his ministerial colleagues—the members of the Cabinet Mission with the Prime Minister were those immediately concerned with the shaping of policy at this juncture—at developments in connection with the meeting of the Constituent Assembly and enquired whether the time had not come for two representatives each of the Congress and the League with the Viceroy to come to London for discussions to find a way of avoiding a breakdown [No. 82]. (A Sikh representative was later also invited.) The Viceroy had already decided to recommend (not for the first time) to the Secretary of State the making of a definite statement by H.M.G. giving the assurances sought by the League on the ground that this might still save the Mission’s plan, whilst ‘otherwise H.M.G. must recognise that it has in effect abandoned the plan drawn up by the Mission and has surrendered to Congress’ [No. 87]. He agreed with the proposed invitation to party leaders as ‘the best and probably the only chance of avoiding further widespread disorders and bloodshed . . .’

The decision to hold such a conference was reached at a Cabinet Meeting on 25 November [No. 90, see also No. 92]. Invitations were issued; there followed a flurry of negotiations, following first upon Congress and then, consequentially, on Sikh non-acceptance and finally on threatened League withdrawal, in which the Prime Minister more than once personally intervened, seeking to remove misgivings and so ensure an affirmative response from all parties [see Nos. 92, 98, 99, 100, 101, 103, 111, 112, 114, 117, 118, 121, 122, 123, 124, 125, 129, 130, 131, 132, 133 and 134].

The Conference met in London from 3 to 6 December, Nehru representing the Congress, Jinnah and Liaqat the League and Baldev Singh the Sikhs. Certain papers were circulated mostly in advance of its discussions, e.g. an India Office memorandum on a possible compromise between Congress and League in respect of the disputed provisions of the Statement of 16 May [No. 139]; a note by the Viceroy on the situation in India, once again advocating on the short-term reaffirmation by H.M.G. of its adherence to the Cabinet Mission’s Plan while on the long-term re-stating his view of the need for a definite decision on the policy H.M.G. proposed to follow [No. 142]; while in a somewhat different genre there was the Lord Chancellor’s opinion (which had earlier been sought) on the construction to be placed upon the provisions of the Statement of 16 May laying down the procedures for the framing of Group and Provincial Constitutions [Nos. 127 and 141], the essence of which was that ‘it is for the majority of the representatives in each section taken as a whole to decide how provincial constitutions shall be framed and to what extent, if any, they shall be grouped’.

Discussion began on a bilateral basis, the Prime Minister having talks with Nehru and with Baldev Singh [No. 151] and the Secretary of State with Jinnah and Liaqat and (separately) with Nehru [Nos. 146 and 147] all on 3 December.
There followed early on 4 December a general discussion in which the Prime Minister, the members of the Cabinet Mission and the Viceroy considered how best to proceed with the problems as now set out before them [No. 151]. The Meeting was resumed at 12.15 pm by which time the Prime Minister had had a talk with Jinnah and Liaqat and the Cabinet Mission and Viceroy with Nehru [Nos. 152 and 153]. Subsequently the Mission Ministers saw the Muslim League leaders and, with the Viceroy also, the representative of the Sikhs [Nos. 154 and 155]. The next day, 5 December, at two meetings [Nos. 157 and 159] and again on 6 December [No. 163] the Mission Ministers and the Viceroy reviewed the situation with the Prime Minister. Then there followed separate meetings with Jinnah and Liaqat [No. 164], with Nehru [No. 165], and a British session devoted to finalising the text of the Statement to be made at the conclusion of the conversations [No. 166]. At a last meeting attended by all of those participating in the Conference, [No. 167] the Statement prepared by H.M.G., in default of any agreement between the Congress and the League, was read out by the Prime Minister.

The fullness of the records enable the reader to follow closely the course of the discussions. ‘The object of the conversations,’ in the words of the Statement read out at the concluding meeting, ‘has been to obtain the participation and cooperation of all parties in the Constituent Assembly’. The main difficulty was said to have arisen over the interpretation of paragraph 19(v) and (viii) of the Cabinet Mission’s Statement of 16 May 1946, relating to Sections and, fortified by the Lord Chancellor’s opinion (see above), which upheld the interpretation placed on the passages by the League, H.M.G. confirmed that the Statement meant ‘what the Cabinet Mission have always stated was their intention’. Accordingly they urged the Congress to accept this view ‘in order that the way may be open for the Muslim League to reconsider their attitude.’

The possibility of future reference to the Federal Court in India on this (or other) issues in dispute by the Constituent Assembly was left open [Appendix to No. 166].

Jinnah reacted to the Statement, on its being read, with an enquiry about the possible role of the Federal Court: Nehru by remarking that elucidation of the Statement of 16 May created a new situation for the Congress [No. 167]. Later reactions were reported to be favourable on the part of the League [Nos. 178 and 180] with allusion to the possibility of summoning the League Council: while on the Congress side the early response was one of regret that H.M.G. had not stated its position earlier, a feeling that the onus for the next step rested with the League but a resolve to continue with the discharge of Congress responsibilities in the Constituent Assembly which had duly met for the first time on 9 December—a date, as the acting Viceroy remarked, once thought likely to ‘mark the outbreak of savage communal disturbances’ but which, due to the détente produced by the London talks and the fact that the
League considered their position vindicated, had come and gone without even a demonstration in Delhi [Nos. 180 and 182]. The Sikhs, concerned with the adequacy of safeguards for their own community in the Constituent Assembly [cf. Nos. 155 and 161], were expected to consider their position further prejudiced [No. 177].

The Prime Minister reviewed the circumstances in which the Statement of 6 December was made at a full Cabinet Meeting on 10 December, in the course of which he alluded to the risk of a civil war situation developing at a time when the strength of the British army in India was not great and in circumstances in which the Indian army could not fairly be expected to prove a reliable instrument [No. 181]. The Prime Minister also noted that Pandit Nehru had agreed to accept the decision of the Federal Court on questions of interpretation of the Statement of 16 May (this did not necessarily apply in all cases, cf. Patel’s reservations as reported in Enclosure to No. 182). Ironically the Chief Justice of the Federal Court, Sir P. Spens, reacted to this part of H.M.G.’s Statement of 6 December by observing that the Court, as a Court, was most unlikely to entertain such reference or express an opinion on the construction of any provision of the Statement of 16 May unless given appropriate statutory powers to do so [No. 183; for later discussion and decision not to seek statutory powers, see Nos. 208 and 212].

A Court in any event was a means: what remained fundamental were the actions and attitudes of the major parties. On 13 December a resolution was moved by Pandit Nehru in the Constituent Assembly to proclaim India an independent, sovereign republic [No. 190], the wisdom of which was questioned by the acting Viceroy in view of only one party participating in the work of the Assembly and without representation of the Princes who were reported to be waiting to see the reactions of the League to the Statement of 6 December [No. 207]. On 23 December the acting Viceroy reported [No. 222] that Jinnah had said he would not call the Muslim League Council until the Congress had unequivocally accepted the Statement of 6 December while on 22 December the Congress Working Committee, in a resolution critical of the Statement in respect of its further interpretation of the Cabinet Mission’s Statement of 16 May, concluded that nonetheless they were anxious to seek and obtain the largest possible measure of cooperation in the working of the Constituent Assembly provided no fundamental principle was violated and announced that a meeting of the All-India Congress Committee was being convened early in January to consider the latest developments [Enclosure to No. 222].

It was agreed by the India and Burma Committee on 11 December that should it become clear that there was no prospect of the Statement of 6 December opening the way to the participation of both parties in the work of the Constituent Assembly it would be necessary to issue a further Statement
of policy [No. 186]—a view consistently maintained [e.g. by the Prime Minister in No. 216]. At the same meeting the Committee, with the Viceroy, considered the possible content of such policy. Suggestions advanced were that it should indicate a readiness on the part of H.M.G. to accept a constitution drawn up by the Constituent Assembly as valid for the Hindu Provinces only, thereby in effect declaring in favour of Pakistan; that, as suggested by the Viceroy, it should announce a fixed and unequivocal decision to leave India by a certain date; and finally that it should approve a detailed plan for withdrawal by stages, as prepared by the Viceroy and before the Committee [Vol. VIII, Nos. 286 and 501]. There were objections to all of these proposals and the Prime Minister invited the Secretary of State and the Viceroy to prepare a first draft of the projected further statement of policy in the light of them [No. 186]. On 14 December the Viceroy circulated a paper replying to criticisms of his breakdown proposals, in which inter alia he objected strongly to the idea of a separate Constituent Assembly for the Muslim-majority Provinces and concluded with the reflection 'that this must be treated largely as if it were a military plan made in time of war, and that execution must follow immediately on the heels of the announcement.' [No. 193]. There followed alternative draft statements prepared by the India Office and by the Viceroy [Nos. 195 and 196] with consideration of them at meetings of the India and Burma Committee [Nos. 199, 209, 210 and 213] on 17, 19 and two on 20 December, at the second of which the Committee agreed to recommend to the Cabinet that H.M.G should make a statement of their plans in regard to India on the lines indicated in a draft submitted by Cripps and annexed to the minutes. Also circulated were further memoranda [Nos. 201, 203, 204, 205 (a revised draft announcement by the Viceroy), and 206 (by the Secretary of State for Dominion Affairs who remained sceptical as to the need for a further statement and opposed to one in the terms contemplated by the Viceroy)].

While, however, the Cabinet and Viceroy were agreed on the need for a further statement of policy as soon as it became clear that the Muslim League would not enter the Constituent Assembly, the disagreement between them on content was frequently pronounced. The nature and source of such disagreement was implicit at the India and Burma Committee meetings and in the papers already alluded to: they were made rather more explicit in a memorandum reporting the India Committee's recommendations to the Cabinet which was circulated by the Prime Minister on 24 December, to which was attached the proposed draft statement on policy. This document went some way towards meeting the Viceroy's views, most notably by the inclusion of an announcement that it was H.M.G.'s intention 'to recommend Parliament to hand over power in India by March 31st 1948' [Annexure to No. 216]. The Prime Minister, writing on 21 December to the Viceroy who was about to return to India, commented that: 'I think that you [the Viceroy] will agree
that the recommendation which will come before the Cabinet from the Indian Committee covers the broad decisions which you asked for.' [No. 218].

Already, on 20 December, Lord Mountbatten had replied conditionally to an invitation from the Prime Minister to succeed Lord Wavell as Viceroy [No. 215].

While questions of high policy dominated the scene two topics, of which mention may now conveniently be made, came under review by virtue of their association in different ways with its application whatever might be its final form. They were compensation for the members of the Secretary of State's Services, the date for the termination of which remained to be settled, and the Parliamentary requirements in terms of statements to both Houses and/or of the enactment of such legislation by them as might be needed to approve any course of action to be adopted.

The terms of compensation for members of the Services were considered by the India and Burma Committee on 13 November in the context of a memorandum prepared at their request by the Secretary of State after discussion with his Statutory Advisers and the Treasury. The proposals were endorsed, and sent forward to the Cabinet who approved them on 19 November [Nos. 28, 41 and 55]. It was noted that the cost involved, estimated at £10 million, was by Statute a liability on Indian Revenues. The conclusions of the Cabinet were conveyed to the Governor-General in Council on 26 November [No. 96], one assumption throughout being that the early announcement of a satisfactory scheme of compensation was of first importance in sustaining the morale of members of the Services—a subject of close concern to Viceroy and Governors and one on which the Viceroy brought a paper to London, Note on Morale of the Services in Provinces, in early December, the contents of which, however, elicited critical comment from the Prime Minister [Nos. 156 and 172 and No. 255 for comment on No. 172]. On 11 December the question of compensation acquired enhanced importance with the communication of a note from the Home Member, Sardar Patel, repudiating the notion of entitlement to compensation by members of the Services, whether European or Indian, principally on the ground that the conditions and scales of service would remain the same under the new dispensation while prospects for Indian members of the Services would actually improve. He also suggested that the Secretary of State's connection with the Services should be terminated on 1 March 1947 [No. 188; see also Nos. 187 and 189].

On 13 December the Viceroy commented that if Patel's contention were to be accepted and no compensation paid it would be dishonourable not to announce the fact at once and that any such announcement would gravely prejudice the prospect of any transfer according to plan [Enclosure to No. 194], while two officials concluded that in any event the Secretary of State would be wise to assume that he would be unable to hold his Services together for more
than a short time [No. 189]. The India and Burma Committee reacted to Patel’s ‘disappointing’ line by commissioning the Parliamentary Under-Secretary of State at the India Office to undertake a tour of persuasion in India [No. 190]. The tour did not, however, achieve its principal purpose—‘I am afraid that Henderson got nowhere with Patel’ reported the Viceroy [Nos. 279 and 297]—and the question remained under discussion at the India and Burma Committee, members of which concluded on 3 January 1947 that there was a moral obligation on H.M.G. to ensure fair treatment for the Services with adequate provision made, if necessary, from U.K. funds [No. 245] while on 7 February the Committee felt it most desirable, despite Indian representations to the contrary, that the Services should remain formally in being until the termination of British authority [No. 361]. Uncertainty, however, in respect of compensation and future prospects with its impact on members of the Services remained, in the absence of public reassurance, and continued to preoccupy the Viceroy and Governors, the more so in that it was associated more than coincidentally with the testing of the new relationship with Provincial governments [cf. Nos. 285, 286, 287].

The extent and nature of the Parliamentary sanction required in any demission of power, whether partial or otherwise, was considered at the India and Burma Committee at two meetings on 20 December [Nos. 210 and 213] with the Lord Chancellor present to advise on the legal aspects at the second. The possibility of proceeding by way of enabling resolution, endorsing the statement of policy (a draft of which was circulated), was approved. The nature of the legislative provision necessary to effect a transfer of power came under consideration as a matter of some urgency in January 1947 [Nos. 317 and 329], a fundamental premise being that even though it might not be possible to carry out to the full the provisions of the Government of India Act, 1935, the constitutional framework had to be preserved until the final handing over of power [No. 245].

Certain aspects of H.M.G.’s thinking on major policy issues were clarified following the Viceroy’s return to India. On 31 December [No. 235] the Prime Minister reported to the Cabinet on the consultations the India and Burma Committee had had with the Viceroy. In the ensuing discussion consideration was given to the advantages or otherwise of a fixed date of withdrawal, the desirability of a statement of policy to be submitted to Parliament for its general approval, and the extent to which the draft of that statement circulated on 24 December [No. 216] and now before the Cabinet needed to be recast. It was decided to refer the draft statement to the India and Burma Committee for further revision in the light of the Cabinet’s discussion. On 1 January the Foreign Secretary in a memorandum critical at once of the Cabinet’s and the Viceroy’s ‘defeatist’ attitude, of the President of the Board of Trade’s pro-Congress and the Minister of Defence’s pro-Moslem predisposition, urged the
Prime Minister 'to take a stronger line and not give way to this awful pessimism' [No. 236]. In a firm rejoinder [No. 243], the Prime Minister agreed in respect of the Viceroy, adding 'I am contemplating replacing him', but argued that he himself was not defeatist but realist and for the rest challenged the Foreign Secretary to consider where the use of 'a strong hand in India', such as he (the Foreign Secretary) recommended, might lead, bearing in mind that the aim of Government policy was 'to hand over as a going concern' with responsibility being progressively placed on Indian shoulders.

Meanwhile the India and Burma Committee considered afresh the content of the draft statement on policy which had been referred back to them by the Cabinet on 31 December [No. 235]. The draft was revised in the Cabinet and India Offices by officials, with Abell, as the Secretary of State told the Viceroy, taking part in their deliberations [Nos. 241 and 242]; it was further amended at a meeting of the Committee on 3 January [No. 245]; and on 4 January the Prime Minister circulated to the Cabinet the revised draft which spoke of H.M.G.'s 'definite intention to effect the transference of power in India by a date not later than the middle of 1948' [No. 249]. This draft was before the Cabinet on 8 January [No. 262] by which date the Prime Minister was able to report that, as he put it, 'Congress had decided to accept the interpretation placed by His Majesty's Government on the Cabinet Mission's statement of 16th May' [see below p. xxv]. The Prime Minister pointed out that since the Muslim League had now to consider whether, in view of this decision, they would participate in the Constituent Assembly, there was no occasion for the immediate issue of the proposed statement for the purpose of overcoming a definite League refusal to cooperate. He also indicated his view that 'the difference between Ministers and the Viceroy was, fundamentally, one of approach', the Government aiming at a friendly transfer of power from British to Indian hands, the Viceroy viewing the process 'as a military operation of withdrawal'. He added that it seemed 'unlikely that the Viceroy's attitude could be changed by means of instructions conveyed by telegram' and he proposed to ask him 'to return to London for further personal talks with Ministers' [No. 262; see also No. 248 for an account by Lord Mountbatten, in a letter of 4 January 1947 to the King, of meetings with the Prime Minister and Sir Stafford Cripps at which, among other things and with rather different considerations in mind, the summoning home of Lord Wavell was discussed].

The Cabinet agreed that the issue of the statement should be deferred for the time being and took note that the Prime Minister would arrange for the Viceroy to return for further discussions. The same day, 8 January, the Prime Minister wrote to the Viceroy to notify him of the Cabinet's decisions [No. 266]. Replying to the points on which the Viceroy had sought assurances prior to his return to India [No. 214; and Nos. 246, 250–252 and 256 for Abell's restatement of the points the Viceroy deemed essential], the Prime
Minister explained that, though the Cabinet agreed that in the event of the Muslim League failing to enter the Constituent Assembly it would be desirable to announce a time-limit for British rule in India, 'it was considered that it would not be advisable to fix a day', and while it was considered that plans might be made for that event and troops moved, there was 'strong confirmation' in the Cabinet for the India Committee's view that 'the proposal for the abandonment of all responsibility for the four Southern Provinces was unacceptable'. Neither did the Cabinet approve of 'the approach to the problem on the basis of a military evacuation', and 'there was a feeling that withdrawal by stages was an encouragement to fragmentation'. The Prime Minister concluded with the suggestion that the Viceroy should return to London for a review of the situation [No. 266]. To this suggestion the Viceroy, after placing on record his own views in respect of the risks of indecision and his scepticism about a 'different approach', demurred, so far as the immediate future was concerned [No. 281]. After Sir Stafford Cripps had sent to the Prime Minister the terms of a possible reply [No. 307], the Prime Minister on 29 January advised the King that he would shortly be submitting a recommendation that Lord Wavell be succeeded by Lord Mountbatten as Viceroy [No. 327]. On 31 January he wrote to Lord Wavell that, in view especially of the fact that at this juncture in Indian affairs the Viceroy should be in full agreement with the policy of H.M.G., the time had come to make a change [No. 331]. Lord Wavell did not question the decision but commented that 'so summary a dismissal' was not in keeping with the dignity of the appointment [Nos. 351 and 371].

In the meantime Lord Mountbatten had also been seeking to impress on the Prime Minister the importance he attached to specifying a time limit to British rule. On 3 January he had written to him saying that 'it makes all the difference to me to know that you propose to make a statement in the House, terminating the British "Raj" on a definite and specified date', and indicating that he did not feel he could 'undertake to carry out' the Government's wishes until he had seen 'the written directive which H.M. Government propose to give to the new Viceroy, as well as the actual text of the statement' [No. 247]. He had received an offer from Sir Stafford Cripps to come with him to India but felt this would make his own position difficult, if not impossible, and countered with the suggestion that Cripps might be moved to the India Office [No. 248 for his report on the discussion to King George VI]. In further correspondence on the time-limit the Prime Minister, on 9 January, replying to Mountbatten's representations [No. 261], commented that the Cabinet felt it 'inadvisable to be too precise as to an actual day' [No. 267]. Lord Mountbatten remarked on this 'with some concern', fearing lest 'any "Escape Clause" in H.M. Government's announcement would nullify its value' [No. 271]. The Prime Minister doubted the wisdom of 'an exact day . . . so long ahead'
[No. 278]. After discussion with Cripps, Lord Mountbatten suggested on 24 January that the best compromise "was to take an actual month (say June 1948)" [No. 308].

The peaceful transfer of power at which the Cabinet aimed was thought of, whether with or without an exact terminal date, as a gradual process conditional upon the building up at the Centre of a sufficient degree of cooperation between members of the two parties in the Interim Government, together with avoidance at the least of direct confrontation between that Government and the Viceroy on major issues and in the Provinces upon the maintenance of administration at a tolerable level through what was recognised to be a difficult and, in some cases, perilous period of transition.

With regard to the Centre the Viceroy in reports and in his weekly letters offered little or no encouragement to the hopes expressed by the Secretary of State [No. 78] that after a time the Interim Government would work like a real coalition; on the contrary his refrain was the lack of the looked for degree of harmony and cooperation between the parties in the Interim Government. [For a later, perspective review of the working of the Interim Government prepared for the guidance of Lord Mountbatten see No. 561.] The reasons for it emerged clearly at meetings between the Prime Minister with his colleagues on the one hand and the Indian leaders, Nehru, Jinnah and Liaqat, and Baldev Singh on the other during the London Conference [Nos. 152, 154 and 155]. But such discussions would seem to have exposed, not resolved, underlying difficulties and the Viceroy on his return was once more complaining, on 1 January, that most of the members of the Government were not interested in administering the Country but were obsessed with politics [No. 238]. Difficulties threatened over the reallocation of Congress portfolios. On 28 December Liaqat had alleged to the Viceroy that injustice had been done to the League in the initial distribution [No. 231], a contention repudiated by the Viceroy [No. 232] who, a few days later, advised a reluctant Nehru to have some discussion with the League members before finally making a reallocation which in fact brought Azad to Education [Nos. 239 and 244]. But the immediate occasion of discord remained, as it had been from the outset of the period, whether or not the League Council would rescind its July 1946 resolution and enter the Constituent Assembly and whether, if it did not, the League members should remain in the Interim Government.

There were also potential sources of conflict between the Viceroy and the Congress members of the Interim Government of which three may be mentioned here. The first related to the future of paramountcy. On the British side the Crown Representative was said to be putting constant pressure on the States to cooperate with the Constituent Assembly, subject always, however, to the condition that Congress at the least accepted the fundamental proposition in the Statement of 16 May that paramountcy could not be transferred to a
successor Government, coupled with an understanding that the British government stood by the Memorandum on States’ Treaties and Paramountcy [Vol. VII, No. 262]. The signs, however, were that the Congress were continuing to think on other lines, Sir Conrad Corfield commenting on 30 November 1946, that Nehru and the Congress far from accepting that ‘fundamental proposition’ had clearly indicated their intention ‘to secure control of paramountcy even during interim period.’ [No. 136]. The Viceroy on 8 December, despite advice that the Congress intentions on paramountcy were ‘just as likely to bring us into conflict with Congress as the other outstanding points’, doubted whether Nehru wanted ‘a real show-down over the States just yet’ [No. 144. See also No. 143]. On 18 December a memorandum on the Attitude of Interim Government . . . towards Paramountcy was submitted to the India and Burma Committee, the Secretary of State in a covering note observing that reported aims of the Congress, not only to succeed to the eventual control of paramountcy when that was relinquished by the Crown, but further to exercise direct influence upon the conduct of relations with the States while the Interim Government was in office was contrary to the intention of H.M.G. [No. 203]. A suggestion earlier made by the Political Adviser that the London discussions should be used to secure formal Congress assent, to ‘the fundamental proposition’ was, however, dismissed as ‘quite impossible’, the Secretary of State noting that there was no action to be contemplated at that stage [Enclosure to No. 203; see further No. 204 for consideration of course best to be followed by H.M.G as and when withdrawal from contiguous Provinces was made].

A further potential source of difference between the Viceroy and the Interim Government as a whole related to the continued presence of British Forces in India. On 4 November the Viceroy had warned the Secretary of State that he was likely to be faced with early demands for the withdrawal of all British troops from India and that he presumed he would have full support of H.M.G. in overruling the Interim Government if necessary, and maintaining ‘what I consider sufficient British troops till new Constitution is approved or we finally withdraw.’ [No. 2]. The Secretary of State on 12 November concurred [No. 27]. There were indications in January that the Congress would continue to press for the withdrawal of British troops [Nos. 263 and 279] and the Secretary of State agreed that H.M.G. ‘cannot give way on the retention of British troops’ but renewed suggestions on how best the issue might be handled tactically [No. 284]. The matter continued under review by the India and Burma Committee [No. 288] and by the Interim Government, the Congress viewpoint there being that there was no need for British troops to deal with external aggression, that there was objection in England as well as in India to their being used for internal security and their continued presence on Indian soil was said by Nehru to be ‘contrary to all ideas of independence’, while the
League members also felt that British troops should be withdrawn but of their case not until a settlement was reached about the future composition in the Indian army [No. 299]. H.M.G.'s view remained, as re-stated for transmission to the Interim Government, that they could not agree 'to the withdrawal of British troops from India until the time comes when a final transfer of power can be made' [No. 323; see also No. 318].

Roughly coincidental in time was a recrudescence of earlier differences in attitude to former members of the I.N.A., the members of the Interim Government pressing for the release of those in custody and the Viceroy, with Cabinet support and their agreement that in the last resort he should overrule the Interim Government, resolute in resistance to this demand [Nos. 289, 296 and 303].

With regard to administration in the Provinces the Governor of Bengal told the Secretary of State on 3 December that the strain on Services had been very great, that uncertainty as to the future system of Government at the Centre had sapped energy at almost every level in dealing with communal strife and that unless a settlement was reached at the Centre he could not but view the situation in Bengal with 'the gravest misgiving' [No. 148]. These themes, not least that of strain on depleted Services,—'the staff of this province is ludicrously inadequate', commented the Governor of Bihar in December [No. 185],—and the testing of their morale by uncertainties [cf. No. 285 on the nature of them in the Punjab, No. 286 in Bombay, No. 287 in Madras; see also Nos. 255 and 259], were general, even where there were not special problems as in Bengal, the Punjab and to a lesser extent the U.P. where the Governor thought, as did others, that Coalition Governments in the Provinces were the most likely answer to 'combative communal organisations' and communal tension 'everywhere at breaking point' [No. 36]. Liaqat agreed in principle with this view but told the Viceroy that the Congress view was so dissimilar to that of the League that he saw no early prospect of their formation [No. 29]. After the London Conference when the India and Burma Committee were reported as feeling that 'the pressure of events was leading towards the establishment of some form of Pakistan' [No. 199] and the Sikhs, in reaction to Muslim League pressures, prepared faute de mieux to contemplate the partition of the Punjab [cf. No. 283], developments in that Province assumed a particular significance [for reports on Punjab situation in January when the Provincial Government took action against R.S.S.S. and League National Guards see Nos. 312, 313, 316 and 321; for later developments see below p. xxviii]. Comment from Madras and Bombay, while underlining the prevalence of uncertainties at 'a very difficult time' which left the Services in 'a thoroughly unsettled state', also indicated that a not unsatisfactory relationship was developing between them and the respective Provincial Ministries [Nos. 286 and 287]. [For comment on the general position in Assam see No. 282.] The Governor of Bengal in painting
what he termed ‘a very sombre picture’ on 25 January concluded ‘The Services as India has known them are passing away—it is inevitable . . . it is only that the tempo has increased beyond all expectation or experience . . . ’ [No. 305].

The All-India Congress Committee which on 22 December the Working Committee had decided to convene, met on 6 January and passed a Resolution advising action in accordance with H.M.G.’s interpretative Statement of 6 December, but adding that there must be no compulsion of a province, that the rights of the Sikhs in the Punjab should not be jeopardised and that in the event of any attempt at compulsion the province or part of a province would have the right to take action to give effect to the wishes of the people [See No. 253 for the text of the Congress Resolution, No. 263 for the Viceroy’s comments and Nos. 280 and 282 for significant provincial implications]. Liaquat, on the eve of the awaited meeting of the League Working Committee, made a public statement in which he posed questions implying that in his view this Congress Resolution did not amount to Congress acceptance of the Cabinet Mission’s Statement of 16 May in relation to Sections nor of that of 6 December interpreting it [No. 309]. On 31 January the Working Committee of the League reaffirmed this view, maintaining that neither the Congress, nor the Sikhs nor the Scheduled Castes had accepted the Statement of 16 May and called upon the British Government to declare that the Cabinet Mission Plan had failed and that the Constituent Assembly be forthwith dissolved [No. 333].

More particularly, it was contended that as the Congress as a major contracting party had not accepted the Statement of 16 May no useful purpose would be served by summoning a meeting of the League Council to reconsider its July 1946 Resolution. In the light of this the Viceroy felt he could not resist a renewed Congress demand for the resignation of Muslim League members from the Interim Government, but the Secretary of State counselled his leaving of the initiative to Nehru, with whom the Viceroy had an interview on 1 February [Nos. 334, 335 and 336 and also 342 and 343].

There followed a meeting of the India and Burma Committee on 5 February [No. 346] with a subsequent telegram to the Viceroy advising him to play for time should the Congress demand the League’s withdrawal from the Government [No. 349]. Nehru and five other members of the Interim Government wrote to the Viceroy on the same day, 5 February, claiming that it was no longer possible for the League members to remain in office [No. 350]. On 7 February the India and Burma Committee felt that the League ‘had placed themselves in the wrong’ by their refusal to join the Constituent Assembly but that it ‘could not reasonably be said that Congress were acting fully in accordance with the Cabinet Mission’s Plan’ [No. 359]. The Committee decided to send a telegram to the Viceroy to the effect that they felt strongly that ‘we should not take precipitate action to remove League Members from Government’ and that on the contrary action should follow, not precede, the issue of a
Statement by H.M.G., the final text of which now came under immediate consideration [No. 362; for Liaqat Ali Khan’s statement of the views of League Members see No. 363]. The Viceroy’s assessment was that delay was practicable, neither side being ‘really anxious for an open breach’, but he urged strongly that the right course was to concentrate on a final attempt to bring all parties into the Constituent Assembly [No. 367]. There followed telegrams from the Viceroy on the terms of a statement that might be issued by H.M.G. with this end in view [Nos. 372 and 373; for India Office minuting on it see No. 379]. On 13 February the Viceroy, commenting on the text of H.M.G.’s draft statement, reiterated his view that ‘no such statement should be made yet’ [No. 384]. On the same day the Cabinet agreed that the proposed statement (their own) should indicate the Government’s intention to transfer power in June 1948 and authorised the Prime Minister to arrange for the Statement to be made the following week [No. 385]. The reasons for continuing with this course were set out by the Secretary of State in a telegram to the Viceroy on 15 February with instructions on how to reply to representations from Nehru in the meantime [No. 397].

Concurrently discussions were proceeding with Lord Mountbatten on the related question of the directive to be given to him, which it was suggested should be in letter form [No. 365] and to which he attached high importance [Nos. 247 and 248]. Clearly the content of such a directive would be closely related to the terms of the proposed Statement on policy, a draft of which Lord Mountbatten had not seen [No. 371] when first he sketched out one of his own [Enclosure to No. 308]. On being shown it, however, he wrote on 11 February to the Prime Minister suggesting a number of amendments both to a draft directive the Prime Minister had sent and the draft Statement which ‘in its present form . . . is not at all what I expected’. He was especially critical of what he regarded as latitude in respect of date and other matters such as could suggest that the decision to transfer power might be indefinitely delayed. He urged precision, brevity and the indication of a new (and last) deal [No. 376]. On 11 February, Lord Mountbatten had a meeting with the Prime Minister at which modifications of the Statement, sufficient to meet Lord Mountbatten’s principal concerns, were made and the Prime Minister agreed to write Lord Mountbatten a letter on this basis which would serve as a directive [No. 378].

The India and Burma Committee when they met (twice) on 17 February [Nos. 413 and 414] had before them representations from the Viceroy and from General Smuts among Dominion Prime Ministers—all of whom had been informed of the impending Statement on 13 February [No. 390]—and appreciations from the Governors of Bengal and the Punjab, all either adverse to the Statement in whole, or in part, or underlining its likely and unfavourable consequences [Nos. 384, 395, 403, 408, 409 and 410]. The Prime Minister concluded that the two principal issues, namely whether the Statement should be made on 20 February, and whether a date for withdrawal should be
given in it, should be referred to the full Cabinet for decision [No. 414]. Lord Mountbatten indicated his continued support for both on 17 February [No. 415]. The Cabinet on 18 February after a discussion of much historic interest, (recorded in No. 421), decided both questions in the affirmative. The Viceroy was immediately informed [No. 423] with an explanation of the grounds for the Cabinet’s conclusion following on 19 February [No. 429; for Prime Minister’s first draft rejoinder see No. 420], and on the same day Attlee also outlined the considerations which had led to these decisions to General Smuts [No. 428]. The Prime Minister also ensured that the King, who was in South Africa, was informed of developments [No. 430]. The Statement itself was issued on 20 February with the Government’s intention of transferring power by a date not later than June 1948 as its outstanding feature [for text of Statement see No. 438]. Simultaneously the change in Viceroyalty was announced with Lord Mountbatten to assume office in March [Nos. 380, 381, 464 and 472]. There was a prospect of contention about the circumstances of Lord Wavell’s replacement which he firmly disown [Nos. 441, 442, 445 and 449].

The Statement of 20 February, with the impending change in Viceroyalty, was generally accepted as fixing the terminus ad quem to British rule in India. Immediate Indian Press reactions may be studied in Nos. 439 and 440; while on 22 February the Viceroy reported on his interviews with party leaders, Nehru describing the Statement ‘as a courageous document, which would have far-reaching effects’ and agreeing not to press for an immediate answer to the question of the League members remaining in the Central Government, Liaqat feeling that H.M.G. were right to make the challenge but not holding out much hope of the two communities ever agreeing [No. 448]. On 24 February there followed a report of Princely reactions from the Nawab of Bhopal indicating, as he was to make clear in an interview with the Viceroy on 3 March, his dislike of the Statement [Nos. 453 and 477], and on 25 February an overall summary of Indian comment with the Viceroy’s impression that while the Statement had had a good reception, the two major parties had interpreted it on contradictory lines [No. 462]. More considered Congress reactions followed first with the Meeting in early March of the Congress Working Committee. The Committee welcomed the Statement, passed certain resolutions, one of which indicated an intention to seek a meeting with the Muslim League and another envisaged the possibility of the ‘division of the Punjab into two Provinces, so that the predominant Muslim part may be separated from the predominantly non-Muslim part’, and the texts of which Nehru sent to the Viceroy with a covering letter on 9 March [No. 511]. At an interview on 10 March with the Viceroy, Nehru, who had expressed concern about interpretations of the Statement of 20 February alluding to non-coercion of provinces as against areas [Nos. 511, 514 and also Nos. 532 and 536] remarked that the only real alternative to the Cabinet Mission Plan, which he thought
the best solution, was a partition of the Punjab and Bengal [No. 515]. On 4 March the Secretary of State had circulated a Memorandum to the India and Burma Committee on the implications of handing over power to more than one authority [No. 480]. On 12 March the Viceroy reported that the evidence before him indicated that there was no inclination on the part of the League to start negotiating with Congress [No. 526] while at a Press Conference in Bombay the same day Jinnah declared there was no solution other than Pakistan [No. 526, note 3]. There was no common ground, he said, for working with Hindu organisations.

Developments in the Punjab sharply discouraged notions of cooperation at the Provincial level. On 2 February the Governor suggested to the Premier, Khizar Hayat Khan, that he review his long-term position politically [No. 339] and on 8 February in a telegram to the Secretary of State he emphasised that the effect of the League’s agitation against Khizar’s Government would inevitably be to drive the non-Muslims to demand partition [No. 366]. The announcement of a date for British withdrawal in the Statement of 20 February seemed to him to amount to an invitation to the warring parties to make real war upon one another’ [No. 408]. On 2 March Khizar resigned [No. 476]. The Governor in his discussions with the League leader warned him that, if he formed a Ministry without Hindu or Sikh support, it would be shortlived and be faced with the danger of a Sikh rising. Support from the other communities was not immediately forthcoming and on 5 March, after Khizar and his Ministers had indicated they could no longer retain charge on a caretaker basis, the Governor decided to take over the administration under Section 93 amid continuing disorder. The Viceroy, who had had talks with Patel, Liaqat and Baldev Singh, judged this inevitable in the circumstances [Nos. 481, 483, 484, 490, 491, 492, 493, 495, 498, 501; and No. 504 for the Secretary of State’s views of Section 93]. Comprehensive reviews of the situation were sent to the Viceroy by the Governor on 9 and 17 March [Nos. 513 and 540] and by General Messery to the C.-in-C. [No. 560].

In Bengal also the prospect of partition was envisaged, though the Governor’s apprehension of immediate trouble diminished with the publication of the Statement of 20 February [No. 436, and No. 395 for earlier appraisal], and on 19 March in a letter to the Viceroy he noted that the movement for partitioning Bengal was gathering momentum with Hindu opinion ‘at present very divided’ [No. 546]. In the North West Frontier Province there were demonstrations against the Congress Ministry and the Governor discussed possible courses of action with Ministers on 8 March [Nos. 450 and 510; see No. 527 for Nehru’s analysis of situation and No. 528 for Caroe’s]. On 19 March Nehru conveyed to the Viceroy his view that the Governor should retire on grounds of lack of cooperation with his Prime Minister [No. 549; for the Viceroy’s reply see No. 550 and his comments No. 551].
As the time of transfer evidently neared some thought was given to India’s future relationship with the Commonwealth. On 8 November 1946 the Permanent Under-Secretary at the India Office wrote to his opposite number at the Dominions Office, copying his letter to the Foreign and Colonial Offices, saying that it was ‘agreed on all hands that there must be a Treaty’ by which a successor Indian Government formally accepted the obligations of the existing Government, that the terms of such a Treaty had received most consideration so far in the military field, where the Chiefs of Staff deemed it to be of ‘first importance’ to retain India within the Commonwealth, though the India Office view was that it was at once unlikely and questionably desirable to try to induce India to stay, and inviting the Dominions Office to comment upon the merits or otherwise of Indian association with the Commonwealth in any of its possible forms [No. 17]. Comment in due course was received from the Dominions, Colonial and Foreign Offices [Nos. 75, 171 and 173 respectively]. Distinct deterioration in relations between the U.K. and Indian delegations over Indo-South African, South-West African and Trusteeship agreements was reported in November together with an Indian conviction that H.M.G. had given up hope of Indian membership of the Commonwealth and were therefore ‘playing up to South Africa’ [No. 138].

The Objectives Resolution submitted to the Constituent Assembly in December [No. 190] introduced a new element by recasting the question of membership in republican form.

Commonwealth links already forged with the appointment of a U.K. High Commissioner, whose duties were defined in a directive from the Prime Minister on 11 November [No. 24, see also No. 5 for agreed rulings on channels of communication with London], and whose first impressions are recorded in No. 179, were strengthened in December by the appointment of a Canadian High Commissioner to Delhi [No. 220]. Early in January a meeting of Dominion High Commissioners in London on developments in British policy was held at the Dominions Office [No. 268]. On 3 February the India Office circulated a draft Cabinet paper on Future Relations of India and the British Commonwealth which summarised arguments for and against in terms of British interests and alluded to the possibility that India might remain in the Commonwealth as a republic with an agreed written relationship [No. 338].

On 31 December 1946 the Secretary of State for Dominion Affairs underlined the importance of taking Dominion Governments into their confidence [No. 235] and on 3 January it was agreed [No. 245] that Dominion Prime Ministers should be, as on 13 February they were (see above p. xxxvi), informed of the impending new departure in British policy, being sent the text of the statement to be issued on 20 February [No. 390]. The nature and extent of consultation with the Dominion Governments was reviewed at meetings of the India and Burma Committee [Nos. 413, 414 and 426; for the reply to Smuts see
No. 428]. On the longer term the impression strengthened of Dominion interest
in continued Indian membership of the Commonwealth.

On the British side this interest was pronounced in terms of defence, planning
for which was thought of as falling into two phases, the first up to a transfer of
power and involving external defence, internal security and the employment
of British personnel in the Indian Armed Forces and the second, thereafter,
when India’s continuance in, or departure from, the British Commonwealth
would be a principal determinant in the nature of any external defence arrange-
ments [No. 487 and Annex]. It was recognised that internal factors in terms of
unity or division would be of critical importance. In a report dated 18 March
1947, the Chiefs of Staff listed three fundamental considerations to be borne in
mind in considering the future, (a) the importance of India remaining within
the Commonwealth, (b) that India should remain unified in defence matters and
(c) that Indian forces should remain modern and efficient. In the light of these
fundamentals they examined three future possibilities, (a) a unified and friendly
India, (b) a unified but non-cooperative India and (c) a divided India, and policies
in relation to each of them [No. 544]. The Report was considered at a meeting
of Ministers, with the Viceroy-designate present, at which attention was
directed particularly to the possible division of India’s armed forces and its
consequences both internal and external [No. 545].

More immediate preoccupations as the period covered by this volume drew
to its close were preparations for the new Viceroyalty. On 11 February Lord
Mountbatten named the principal members of his staff [No. 377] and on 15
February indicated the administrative and other procedures he had in mind and
the need for a special staff to handle secret communications [No. 402]. In
March the India and Burma Committee engaged in detailed discussions of two
matters immediately affecting the Viceroy-designate, namely the extent to
which it might be desirable to amend the Governor-General’s Instrument of
Instructions before Lord Mountbatten took over and the terms of the Directive
to be given to him [Nos. 517, 529 and 530]. The latter, i.e. the Directive, was
finalised on 18 March [No. 543 for text of letter; see also No. 534]. There were
also other matters that had been a source of debate and some contention about
which the incoming Viceroy was brought into the picture or on which he
made representations or indicated his views on the desirability of settlement in
principle before he assumed office. On paramountcy, policy and problems were
summarised for Lord Mountbatten by the Secretary of State on 21 March
[No. 557; see also Nos. 471 and 479] while among more immediately con-
tentious issues were compensation for members of the Secretary of State’s
(and the armed) Services on which Lord Mountbatten minuted on 7 March
‘I cannot exaggerate the importance that I attach to my having authority to
announce definite and equitable terms to the British officials and officers in
question immediately on my arrival in India’ [No. 518 and for earlier reaction
No. 502 and No. 500 for Wavell’s advice; the date of termination of those Services [No. 529]; and, in a different category, an amnesty for former members of the I.N.A. serving sentences as urged by the Indian parties. It was agreed that compensation on the basis earlier approved should be paid, if necessary from British funds and taken account of when the question of sterling balances came to be settled; that the date of the termination of the Services should be the date of the transfer of power and, in respect of the I.N.A., an amnesty for members of the I.N.A. not convicted on criminal charges, as urged by the Interim Government, should no longer be resisted in principle [Nos. 488 and 530] though in view of the advice given to the Viceroy on the exercise of his veto [No. 516] as recently as 10 March and his use of it on 19 March [No. 553], indication of this might be deferred [No. 530].

On 24 February Lord Wavell had sent the last of his periodical letters to the King [No. 460]. The volume also includes the text of Lord Wavell’s farewell broadcast to the people of India [No. 559] on 21 March and concludes with the minutes of his meeting with the Viceroy-designate at the Viceroy’s House on the last evening of his Viceroyalty, 22 March [No. 562].

By far the greater part of the hitherto unpublished documents reproduced in this volume, as in its predecessors, are drawn from the official archives of the India Office in the custody of the India Office Records, supplemented as seems necessary or desirable by material from the Wavell Papers.

The documents reproduced from the India Office Records are from the following series:

L/E/8    Economic Department Files (including Communications and Overseas Department)
L/F/7    Financial Department Collections
L/I/1    Information Department Files
L/PO    Private Office Papers
L/P & J/5    Political Department Miscellaneous (including Governors’ Reports)
L/P & J/7    Political Department Files
L/P & J/8    Political Department Collections
L/P & J/10    Political Department Transfer of Power Papers
L/P & S/12    External Department Collections
L/P & S/13    Political ‘Internal’ Department Collections
L/S & G/7    Services and General Department Collections
L/WS/1    War Staff Files
R/1    Crown Representative’s Records
R/3/1    Papers of the Office of the Private Secretary to the Viceroy

Every document in these series is referred to in the text by the appropriate

1 This series includes three files (R/3/1/176–8) from the Office of the Secretary to the Governor of the Punjab.
series notation followed by the number assigned to the particular file, collection, or volume in which the document is filed or bound. Thus the notation L/P &J/ 10/40 refers to the fortieth file in the series called Political Department Transfer of Power Papers. Each document in a file, collection, or volume is identified by a folio reference.

By courtesy of the Countess Wavell, C.I., Lady Pamela Humphrys, Lady Felicity Longmore and Lady Joan Robertson, the Historical Section of the India Office Records has been allowed to consult the relevant printed volumes of the Wavell Papers. Documents from these volumes, of which the India Office Records have otherwise no copy, have been included, their source being indicated in each instance in the heading. Furthermore, where a copy of a telegram can be found in both the Wavell Papers and the India Office Records, the two texts have been compared and any significant discrepancy between them has been annotated; but it is to be noted that in all such cases, for reasons of convenience, it is the copy in the India Office Records, whether it is the sender’s or recipient’s version, that has been reproduced.  

The Editors are indebted to the Trustees of the Broadlands Archives Settlement for the loan of their microfilms of those official Indian Papers of the Earl Mountbatten of Burma which are in their custody and for permission to make copies of documents from those microfilms. Documents from this source, of which the India Office Records have no copy, have been included in the present Volume.

The Editors are indebted to the Master and Fellows of University College, Oxford, for permission to make use of those papers of Earl Attlee which are in their custody.

Some documents, not in any of these archives, have been obtained from elsewhere, notably the Cabinet Office and the Prime Minister’s Office. The Editors have also consulted those papers of Sir Stafford Cripps which are now in the keeping of the Public Record Office and a few documents from this source have been included in the present Volume.

The most important categories of telegraphic communications between the Secretary of State and the Viceroy were classified in the following ways. One category of telegrams from the Viceroy to the Secretary of State carried the letter ‘S’, or ‘S.C.’ if the Viceroy was at Simla or in Camp i.e. on tour. Another category consisted of ‘U’ telegrams, which were reserved for the most secret and personal matters, the letter ‘U’ indicating the nature of the telegram, irrespective of whether it did, or did not, carry a ‘Secret’ or ‘Private’ prefix. ‘U’ telegrams could be enciphered or deciphered only in the Private Offices of the Secretary of State or the Viceroy. Some ‘S’ or ‘S.C.’ telegrams were

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3 Files (R/30/1/8a and g) containing copies of these documents can be consulted in the India Office Records.
marked 'Superintendent Series' which indicated to Superintendents of Telegraph branches that especial care should be taken to safeguard their security. Certain changes in the channels of communication between the Viceroy and the Secretary of State, made at the beginning of Lord Wavell’s Viceroyalty, may be studied in the Appendix to Volume IV, and a small alteration in these arrangements—made with regard to the likely wishes of members of an Interim Government—is recorded in the Appendix to Volume VIII.

It may also be helpful to mention that of the Papers and Minutes of the India and Burma Committee of the Cabinet those relating solely to Burma are excluded as treating of matters outside the scope of this Series.

In conclusion the Editors desire to acknowledge once again the friendly assistance and advice they have received from the officials at the India Office Library and Records, among whom they would like to mention Miss Joan Lancaster, F.S.A., F.R.Hist.S., Mr B. C. Bloomfield who succeeded her as Director in August 1978, and the Deputy Archivist, Mr Martin I. Moir.

N. MANSERGH
PENDEREL MOON
Principal Holders of Office

United Kingdom

Cabinet

Members of the India and Burma Committee are italicised.

Prime Minister and First Lord of the Treasury and, until 21 December 1946, Minister of Defence

Mr Clement Attlee

Lord President of the Council and Leader of the House of Commons

Mr Herbert Morrison

Secretary of State for Foreign Affairs

Mr Ernest Bevin

Mr Arthur Greenwood

Mr Hugh Dalton

Sir Stafford Cripps

Mr A. V. Alexander

Lord Privy Seal

Lord Chancellor

Viscount Addison

Secretary of State for the Home Department

Lord Jowitt

Mr J. Chuter Ede

Secretary of State for Dominion Affairs

Lord Pethick-Lawrence

Secretary of State for India and Burma

Mr J. Westwood

Mr A. Creech Jones

Mr G. A. Isaacs

Secretary of State for Scotland

Mr E. Shinwell

Miss Ellen Wilkinson

Mr George Tomlinson (from 11 February 1947)

Minister of Labour and National Service

Mr Aneurin Bevan

Minister of Fuel and Power

Mr T. Williams

Minister of Education

Minister of Health

Minister of Agriculture and Fisheries

Other Ministers Mentioned in this Volume

First Lord of the Admiralty

Viscount Hall

Secretary of State for War

Mr F. J. Bellenger

Minister of Transport

Mr Alfred Barnes
Minister of Food
Postmaster-General
Minister of State

Mr John Strachey
Earl of Listowel
Mr Hector McNeil

INDIA OFFICE

Secretary of State
Permanent Under-Secretary
Parliamentary Under-Secretary
Deputy Under-Secretary
Assistant Under-Secretaries

Lord Pethick-Lawrence
Sir David Monteath
Mr Arthur Henderson
Sir William Croft
Sir Paul Patrick
Mr G. H. Baxter
Mr R. M. J. Harris

Private Secretary to the Secretary of State

Viceroy, Governor-General and
Crown Representative

Field Marshal Viscount Wavell
Sir John Colville (acting from 1-23 December 1946)
Mr G. E. B. Abell
Mr V. P. Menon

Private Secretary to the Viceroy
Reforms Commissioner

INDIA

External Affairs and Commonwealth Relations
Defence
Home, including Information and Broadcasting
Finance
Posts and Air
Food and Agriculture
Labour
Transport and Railways
Industries and Supplies
Education and Arts

Pandit Jawaharlal Nehru
Sardar Baldev Singh
Sardar Vallabhbhai Patel
Mr Liaqat Ali Khan
Mr Abdur Rab Nishtar
Dr Rajendra Prasad
Mr Jagjivan Ram
Mr M. Asaf Ali
Dr John Matthai (from 13 January 1947)
Dr John Matthai
Mr C. Rajagopalachari (from 13 January 1947)
Mr C. Rajagopalachari
Maulana Abul Kalam Azad (from 13 January 1947)
Works, Mines and Power Commerce Law Health

Mr C. H. Bhabha Mr I. I. Chundrigar Mr Jogendra Nath Mandal Mr Ghazanfar Ali Khan

GOVERNORS OF PROVINCES

Madras

Lieutenant-General Sir Archibald Nye
Sir Andrew Clow I.C.S. (acting till 23 December 1946)
Sir John Colville
Sir Frederick Burrows
Sir Francis Wylie I.C.S.
Sir Evan Jenkins I.C.S.
Sir Frederick Bourne I.C.S.
Sir Henry Knight I.C.S. (acting till 27 December 1946)
Sir Andrew Clow I.C.S.
Sir Hugh Dow I.C.S.
Sir Olaf Caroe I.C.S.
Sir Chandulal Trivedi I.C.S.
Sir Francis Mudie I.C.S.

Bihar

North-West Frontier Province

Orissa

Sind

PRIME MINISTERS (PREMIERS) OF PROVINCES

Madras Bombay Bengal United Provinces Punjab

Mr T. Prakasam Mr B. G. Kher Mr H. S. Suhrawardy Pandit G. B. Pant

Lieutenant-Colonel Malik Sir Khizar Hayat Khan Tiwana (till 4 March 1947 after which the Province was administered by the Governor under Section 93 of the Government of India Act 1935)

Pandit R. S. Shukla
Mr Gopinath Bardoloi
Mr Sri Krishna Sinha
Dr Khan Sahib
Mr Harekrishna Mahtab
Sir Ghulam Hussain Hidayatullah

Central Provinces and Berar

Assam

Bihar

North-West Frontier Province

Orissa

Sind
### Chronological Table of Principal Events

**November**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>9</td>
<td>Gandhi begins a tour of the communally affected areas of Noakhali district</td>
</tr>
<tr>
<td>17</td>
<td>Jinnah writes to the Viceroy that the Constituent Assembly should be postponed <em>sine die</em></td>
</tr>
<tr>
<td>21</td>
<td>Nehru tells Congress Subjects Committee of the deteriorating atmosphere in the Central Government since the League's entry, mentions possible Congress resignation and declares that Constituent Assembly must meet</td>
</tr>
<tr>
<td>23</td>
<td>Jinnah, in a statement, declares that no representative of the Muslim League will participate in the Constituent Assembly</td>
</tr>
<tr>
<td>26</td>
<td>The 54th plenary session of the Indian National Congress opens at Meerut</td>
</tr>
<tr>
<td></td>
<td>H.M.G. invites Indian Party leaders to come to London for discussions</td>
</tr>
</tbody>
</table>

**December**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Wavell, Nehru, Jinnah, Liaqat Ali Khan and Baldev Singh leave by air for London</td>
</tr>
<tr>
<td>6</td>
<td>H.M.G. issues a statement on the conclusion of London talks with Party leaders</td>
</tr>
<tr>
<td>9</td>
<td>The Constituent Assembly opens in New Delhi</td>
</tr>
<tr>
<td>13</td>
<td>Objectives resolution recommending proclamation of India as independent sovereign republic moved by Nehru in the Constituent Assembly</td>
</tr>
<tr>
<td>18</td>
<td>Attlee invites Mountbatten to succeed Wavell as Viceroy</td>
</tr>
<tr>
<td>21</td>
<td>In a statement at Karachi on return from London Jinnah declares that there was no need to call a meeting of the Muslim League Council to revise its previous decisions unless the Congress unequivocally accepted H.M.G.'s statement of 6 December</td>
</tr>
<tr>
<td>22</td>
<td>The Congress Working Committee decides to convene a meeting of the A.I.C.C. to consider latest developments</td>
</tr>
<tr>
<td>23</td>
<td>Wavell returns to India from London</td>
</tr>
</tbody>
</table>

**January**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Henderson begins discussions in Delhi on Services. (Visit ends 21 January)</td>
</tr>
<tr>
<td>6</td>
<td>A.I.C.C. defines its attitude to H.M.G.'s statement of 6 December</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
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<tr>
<td>13</td>
<td>Burma Delegation begin talks in London. (Talks conclude 27 January)</td>
</tr>
<tr>
<td>24</td>
<td>Seven Punjab Muslim League leaders arrested in Lahore</td>
</tr>
<tr>
<td>28</td>
<td>Large scale Muslim demonstrations in Lahore</td>
</tr>
<tr>
<td>29</td>
<td>General Conference of Rulers of Indian States approves Resolutions reaffirming willingness of Princes to cooperate in framing an agreed constitution on basis of acceptance of certain fundamental propositions</td>
</tr>
<tr>
<td>31</td>
<td>The Muslim League Working Committee calls on H.M.G. to declare that the Cabinet Mission’s Plan has failed and to dissolve the Constituent Assembly</td>
</tr>
<tr>
<td></td>
<td>Royal Family leave London for visit to South Africa. (They return on 12 May)</td>
</tr>
<tr>
<td></td>
<td><strong>February</strong></td>
</tr>
<tr>
<td>3</td>
<td>Budget Session of the Central Legislative Assembly opens in New Delhi</td>
</tr>
<tr>
<td>20</td>
<td>Attlee announces H.M.G.’s intention to transfer power to Indian hands not later than June 1948 and that Mountbatten is to succeed Wavell as Viceroy</td>
</tr>
<tr>
<td>23</td>
<td>Jinnah declares that the Muslim League will not yield an inch in their demand for Pakistan</td>
</tr>
<tr>
<td></td>
<td><strong>March</strong></td>
</tr>
<tr>
<td>2</td>
<td>Khizar Hayat Khan tenders his resignation as Premier of the Punjab</td>
</tr>
<tr>
<td>4</td>
<td>Outbreak of communal disturbances in Lahore following ‘Anti-Pakistan’ demonstrations</td>
</tr>
<tr>
<td>5</td>
<td>Outbreak of communal disturbances in Multan and other Punjab towns</td>
</tr>
<tr>
<td></td>
<td>The Governor of the Punjab issues a proclamation under Section 93 of the Government of India Act 1935</td>
</tr>
<tr>
<td>8</td>
<td>The Congress Working Committee calls for the division of the Punjab</td>
</tr>
<tr>
<td>12</td>
<td>Gandhi begins a tour of the riot-affected areas of Bihar</td>
</tr>
<tr>
<td>18</td>
<td>Prime Minister’s letter sent to Viceroy-designate on the policy and principles in accordance with which power should be transferred</td>
</tr>
<tr>
<td>22</td>
<td>Mountbatten, Viceroy and Governor-General designate, arrives in New Delhi</td>
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### Summary of Documents

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<td>Interim Government; communal tension and rioting in many areas: 4 to 23 November 1946</td>
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<td>2</td>
<td>The London Conference and the Statement of 6 December. The Objectives</td>
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<td></td>
<td>resolution; discussions between Cabinet and Viceroy on formulation of future policy: 23 November to 21 December 1946</td>
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<td>3</td>
<td>The Viceregal Succession and the drafting of the Statement of 20</td>
<td>lxvii</td>
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<td></td>
<td>February: 20 December 1946 to 20 February 1947</td>
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<td>4</td>
<td>The Statement of 20 February. Reactions of Parties and Princes;</td>
<td>xcv</td>
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<td></td>
<td>preparations for the new Viceroyalty: 20 February to 22 March</td>
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<td></td>
<td>1947</td>
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<td>5</td>
<td>Political Crisis in the Punjab: 25 January to 22 March 1947</td>
<td>cviii</td>
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<td>6</td>
<td>The Secretary of State’s Services. Termination and Compensation</td>
<td>cxvii</td>
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<td>7</td>
<td>The Commonwealth Aspect. Consultation with the Dominions on Indian</td>
<td>cxxii</td>
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<td></td>
<td>Policy; question of India’s future membership</td>
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### SUMMARY OF DOCUMENTS

#### CHAPTER I

*The League and the Constituent Assembly.* Implications for the Interim Government; communal tension and rioting in many areas: 4 to 23 November 1946

<table>
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<th>Name and Number</th>
<th>Date</th>
<th>Main subject or subjects</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Notes by Wavell and Abell</td>
<td>1946 November</td>
<td>Wavell’s concern to get League into Constituent Assembly; he favours asking H.M.G. to issue Statement that Sections will make Provincial Constitutions; Abell considers that before approaching H.M.G. they should know the assurances Jinnah needs; he advocates letter on lines of No. 7</td>
<td>1</td>
</tr>
<tr>
<td>2 Wavell to Pethick-Lawrence Tel. 2317-S</td>
<td>1946 November</td>
<td>Warns that he is likely to be faced at early date with demands for withdrawal of Indian troops from overseas and of British troops from India; indicates his proposed line of action</td>
<td>3</td>
</tr>
<tr>
<td>3 Clay to Wavell Report 72, paras. 2–5</td>
<td>1946 November</td>
<td>Sends figures for casualties in October; cause of rise in tension was Noakhali disturbances which were grossly exaggerated by Hindu Press; says there are signs of revulsion of feeling</td>
<td>3</td>
</tr>
<tr>
<td>4 Burrows to Pethick-Lawrence Letter</td>
<td>1946 November</td>
<td>Sends copy of letter to Wavell giving account of interview with four members of Interim Govt at which he sought their assistance in forming coalition in Bengal and in issuing statements aimed at improving situation</td>
<td>4</td>
</tr>
<tr>
<td>5 Peek to Harris Letter</td>
<td>1946 November</td>
<td>Sends note on communications with U.K. High Commissioner in India on foreign affairs</td>
<td>7</td>
</tr>
<tr>
<td>6 Wavell to Pethick-Lawrence Tel. 2328-S</td>
<td>1946 November</td>
<td>Refers to Vol. VIII, No. 539; reports conversation between Wylie and Pant on 1 Nov; has told Wylie he must accept Measures' resignation; cannot agree Measures has been adequately protected</td>
<td>9</td>
</tr>
<tr>
<td>7 Wavell to Jinnah Letter</td>
<td>1946 November</td>
<td>Hopes he will summon League Council at early date to accept Statement of 16 May; asks exactly what assurance, if any, League requires</td>
<td>10</td>
</tr>
<tr>
<td>8 Wavell to Pethick-Lawrence Letter</td>
<td>1946 November</td>
<td>Refers to Vol. VIII, No. 517; Hyderabad; thanks for White Paper on Defence Organisation; Viceroy's visit to Bengal; Bengal casualties over-estimated; value of visit to Bengal by members of Interim Cabinet; Nehru prevents general strike by Hindu business; weakness of Bengal administration; interview with Patel and</td>
<td>10</td>
</tr>
<tr>
<td>Name and Number</td>
<td>Date</td>
<td>Main subject or subjects</td>
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<tr>
<td>8 (Cont.)</td>
<td></td>
<td>Liaqat on need to control Press; H.M.G.'s attitude to Measures case weakens Viceroy's ability to protect Services; Nehru and N.W. Frontier; Jinnah's attitude to League acceptance of Statement of 16 May; Nehru now unwilling to give League the Deputy-Chairmanship of C.C.C.; Interim Cabinet discussion on Joint Consultative Committee; Enclosure: Notes by Wavell of his interviews in Bengal 31 Oct.-2 Nov.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>November</td>
<td>Thanks for Vol. VIII, No. 531; says he is studying Vol. VIII, No. 501; is very conscious of potential dangers of situation</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>November</td>
<td>Refers to Vol. VIII, No. 530; sees no justification for suggestion that Congress and League should be consulted on appointment of Sikh Member of Interim Govt</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>November</td>
<td>Comments on Vol. VIII, No. 520 and Enclosure; Malakand affair; dangers of aligning tribes with political parties; importance of public support for Frontier Political Officers</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>November</td>
<td>Disposal of Records of Crown Representative</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>November</td>
<td>Agrees with Khizar's suggestion that Constituent Assembly be indefinitely postponed</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>November</td>
<td>Refers to Enclosure; is disturbed at attempt to undermine their confidence and support for Wavell; praises Wavell's efforts in forming coalition govt; does not believe Congress would have got League in if left to themselves</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>November</td>
<td>Reports outbreak of rioting, with heavy casualties, in Meerut district of U.P.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>November</td>
<td>Account of Bengal disturbances; criticises Burrows' handling of situation; objects to Wavell's haste in re-opening discussions with League on entry into Interim Govt; would not be surprised if Bengal situation caused Congress to leave Govt; is critical of Wavell's personality</td>
<td></td>
</tr>
<tr>
<td>Name and Number</td>
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<td>Main subject or subjects</td>
<td>Page</td>
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<tr>
<td>16 G. of I., Defence Dept to S. of S. Tel. 5765 via War Office</td>
<td>November 8</td>
<td>G. of I. consider that Gurkha battalions should be retained in post-war Indian Army and officered by Indians; they are opposed to use of Gurkhas by H.M.G. for Imperial purposes; they suggest holding of tripartite negotiations with Nepal</td>
<td>30</td>
</tr>
<tr>
<td>18 Pethick-Lawrence to Wavell Letter</td>
<td>8</td>
<td>Refers to Vol. VIII, Nos. 517, 534 and 541; Press reactions to reconstituted Interim Govt; Liaqat’s reference to Pakistan; requests information on background to Bengal visit by Members of Interim Govt; effect of Bihar disturbances on Nehru; possibility of India being raised in Commons debate; U.K. position on India–S. Africa dispute at U.N. and S.W. Africa case (paras. 4–7); attitude of Indian delegation at U.N.; Salisbury’s request for publication of Indian correspondence in White Paper; interview with Ambedkar; Gurkhas Sends appreciation on communal situation up to 8 Nov. 1946</td>
<td>33</td>
</tr>
<tr>
<td>19 Dow to Wavell Tel. 148–S</td>
<td>9</td>
<td>Agrees generally with appreciation in No. 19; morale of troops high and all ranks are determined to end disturbances; considers there are no immediate signs of further deterioration in situation</td>
<td>38</td>
</tr>
<tr>
<td>20 Wavell to Pethick-Lawrence Tel. 2362–S</td>
<td>9</td>
<td>Refers to No. 15 and sends further report on situation; situation in Meerut reported very tense</td>
<td>40</td>
</tr>
<tr>
<td>21 Wylie to Pethick-Lawrence Tel. GS. 83</td>
<td>10</td>
<td>Refers to Vol. VIII, No. 530; says Viceroy would not be precluded from consulting Sikh leaders if vacancy arose; he would, however, need to consult two major parties</td>
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<td>22 Abell to Tara Singh Letter</td>
<td>11</td>
<td>Reports interview with Nehru and Liaqat previous evening at which he outlined measures for dealing with present situation including formation of Provincial coalition Ministries; says Nehru complained coalition did not exist at Centre and, when reminded of constitutional position, offered resignation; Liaqat said League did not recognise Nehru as Premier, would cooperate at Centre and would discuss Provincial coalition Ministries; warns of possibility of Congress resignation</td>
<td>41</td>
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<td>23 Wavell to Pethick-Lawrence Tel. 2366–S</td>
<td>11</td>
<td>Conveys Directive to U.K. High Commissioner in India</td>
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<td>24 Bridges to Shone Despatch 1</td>
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<td>25 Cabinet India and Burma Committee</td>
<td>November 11</td>
<td>Memorandum by Pethick-Lawrence circulating summary of communal riots in India between July and Oct. 1946</td>
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<td>26 Pethick-Lawrence to Wavell Tel. 19805</td>
<td>12</td>
<td>Asks present position regarding League acceptance of long-term plan</td>
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<td>27 Pethick-Lawrence to Wavell Tel. 169</td>
<td>12</td>
<td>Refers to No. 26; suggests way he might gain time over issues involved; does not think they could break with Interim Govt over return of Indian troops from overseas</td>
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<td>29 Note by Wavell</td>
<td>13</td>
<td>Note of interview with Liaqat on management of Govt business in Legislative Assembly; prospect of coalitions in Provinces; visit of Muslim Member of Govt to Meerut; delay suggested in summoning Constituent Assembly; recommends stronger line with disorder</td>
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<td>30 Wavell to Pethick-Lawrence Tel. 2395–S</td>
<td>13</td>
<td>Refers to No. 26; says League are still stalling about long-term plan; will discuss date of Constituent Assembly with Nehru; suggests line for Parliamentary debate</td>
<td>54</td>
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<td>31 Baldev Singh to Wavell Letter</td>
<td>13</td>
<td>Finds reply in No. 22 disappointing; particularly objects to Sikh representative being subjected to League approval; feels Jinnah will use this either to disrupt Sikh solidarity or to find someone to toe his political line</td>
<td>55</td>
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<td>32 Wavell to Pethick-Lawrence Letter</td>
<td>13</td>
<td>Refers to Vol. VIII, No. 541 and No. 18 in this Vol.; Bihar and U.P. disturbances; Patel’s meeting with Press representatives; Wavell’s interview with Nehru and Liaqat (No. 23) and question of Provincial coalition Ministries; Civil Aviation Agreement with U.S.; food situation; recommendation that Indians, except from States, should be disqualified from appointment in English Orders and for Indian titles; background to visit by four Ministers to Bengal; Nehru and Congress criticised by supporters over E. Bengal riots</td>
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<td>33 Pethick-Lawrence to Attlee Minute 77/46</td>
<td>13</td>
<td>Comments on Vol. VIII, No. 501; believes essential question is whether H.M.G. can stay in India beyond point at which it has capacity to resist, where necessary, demands of Indian politicians</td>
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<td>34 Draft by Pethick-Lawrence of letter to Wavell</td>
<td>undated</td>
<td>Replies to Vol. VIII, No. 501; refers to No. 2 in this Vol.; elaborates fundamentals of Cabinet’s position on a breakdown</td>
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<td>35 Notes by Attlee</td>
<td>undated</td>
<td>Comments on issues raised by Wavell's breakdown proposals</td>
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<td>36 Wylie to Wavell</td>
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<td>League entry arouses no enthusiasm; communal tension at breaking point; need for Provincial coalition Ministries; danger of Hindu agitation taking an anti-British form</td>
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<td>37 Webb to Griffin</td>
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<td>Encloses note received from Kak envisaging possibility that Kashmir might not join Indian Union and asking for clarification of its relations with the Crown in these circumstances</td>
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<td>38 Note by Wavell</td>
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<td>Interview at which Khan Sahib said Caroe and British officials were not supporting him and the Govt</td>
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<td>39 Abell to Turnbull</td>
<td>15</td>
<td>Sends full report of Jinnah's Press Conference previous day</td>
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<td>40 Nehru to Abell</td>
<td>15</td>
<td>Complains of delay in issue of invitations to Constituent Assembly; says Congress would have to reconsider whole question if anything came in way of meeting</td>
<td>76</td>
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<td>42 Pethick-Lawrence to Wavell</td>
<td>15</td>
<td>Refers to Vol. VIII, No. 534 and No. 8 in this Vol.; E. Bengal and Bihar disturbances; gratified Party leaders have been so outspoken on Bihar situation; League attitude to long-term plan; is pleased first Cabinet meeting was success; Nehru's threatened resignation (No. 23); Patel's meeting with Press to ask for cooperation in ending disturbances; agrees Nehru's visit to N.W. Frontier was ill-judged; visit likely to increase Afghan apprehensions; Commons Questions on visit; possibility of debate on India; Honours question</td>
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<td>43 Pethick-Lawrence to Wavell</td>
<td>15</td>
<td>Refers to Vol. VIII, No. 532; agrees with definition of H.M.G.'s attitude on Berar issue but would deprecate telling parties of it at present; asks for his views on a settlement; suggests stance they might adopt</td>
<td>83</td>
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<td>44 Nehru to Abell</td>
<td>16</td>
<td>Refers to No. 40; reports strong reaction of his colleagues to delay in summoning Constituent Assembly; includes message for Wavell</td>
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<td>Abell to Scott</td>
<td>16</td>
<td>Reports interview with Liaquat on League attitude to long-term plan at which Liaquat objected to idea of Federal Court ruling on basic provisions in Statement of 16 May; suggests line of reply to Nos. 40 and 44</td>
<td>84</td>
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<td>Nehru to Caroe</td>
<td>16</td>
<td>Refers to No. 11; gives his views on differences in psychological outlook of Frontier Political Officers and Congress and on differences in attitude to Congress and League Provincial Governments; considers approach of Officers to his appointment and visit added to the general hostility; as regards violent attacks reluctant to pursue matter; leaves any action to Caroe but suggests he consults Khan Sahib</td>
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<td>Wavell to Pethick-Lawrence</td>
<td>17</td>
<td>Informs him of crisis which is likely to arise over meeting of Constituent Assembly; warns that grave and widespread disorder is certain if Assembly meets with Congress alone; feels he could probably persuade League to attend if H.M.G. made clear Statement on work of Sections</td>
<td>91</td>
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<td>Jinnah to Wavell</td>
<td>17</td>
<td>Refers to No. 7; cites various Congress statements and says they show Congress has not accepted 16 May Statement; feels it would be futile to call League Council; considers real question is to get Congress agreement on fundamentals and devise ways in which H.M.G. can enforce them; seriousness of Bihar situation such that Constituent Assembly should be postponed <em>sine die</em></td>
<td>92</td>
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<tr>
<td>Abell to Wavell</td>
<td>18</td>
<td>Gives fuller account of interview with Liaquat on 16 Nov.; considers they must make great effort to secure agreement on Constituent Assembly but if this fails H.M.G. must either (a) offer Jinnah a small Pakistan or (b) announce their own programme of withdrawal</td>
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<td>Pethick-Lawrence to Burrows</td>
<td>18</td>
<td>Thanks for No. 4; is sure visit from Members of Interim Govt did good; says they all admire calm way in which he has handled situation</td>
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<td>Burrows to Pethick-Lawrence</td>
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<td>Sends latest information on Noakhali and Tippera disturbances; gives details of various measures taken by Govt</td>
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<td>Minutes by Abell and Wavell</td>
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<td>Comments on No. 46; Wavell feels letter does considerable credit to Nehru’s honesty and good feeling</td>
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<td>53 Pethick-Lawrence to Wavell Tel. 20252</td>
<td>November 18</td>
<td>Refers to No. 47; considers Constituent Assembly should not be further postponed; sends Statement (No. 54) which might be included in summons to Constituent Assembly members; explains why he and colleagues are apprehensive of wisdom of such a Statement; suggests certain points which he should put to Jinnah in any case</td>
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<td>54 Pethick-Lawrence to Wavell Tel. 20253</td>
<td>November 18</td>
<td>Refers to No. 53; sends text of Statement reiterating H.M.G.'s intentions regarding procedure in Sections 56-57</td>
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<td>56 Abell to Wavell Minute</td>
<td>November 19</td>
<td>Argues that they should not postpone meeting of Constituent Assembly</td>
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<td>57 Note by Wavell</td>
<td>November 19</td>
<td>Interview with Jinnah on question of calling Constituent Assembly; Jinnah stated it was no use League coming into Assembly and that if British were not going at once they should draw up their own constitution and make an award; he emphasised that disasters which would follow holding of Assembly would be responsibility of Viceroy and H.M.G.</td>
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<td>58 Note by Wavell</td>
<td>November 19</td>
<td>Interview with Nehru on: (1) question of calling Constituent Assembly; (2) League acceptance of long-term plan; (3) Congress expectations for the Interim period; (4) Wavell's visit to Frontier; (5) Nehru to mention Krishna Menon's tour of European countries to Liaquat; (6) diplomatic appointments; (7) speeches of J. P. Narain and Jagat Narain Lall</td>
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<td>59 Harris to Abell Letter</td>
<td>November 19</td>
<td>Asks what Wavell's attitude would be to the ending of the practice of printing S. of S.—Viceroy private letters; Pethick-Lawrence would like to be reassured that necessary measures are being taken to prevent embarrassing documents falling into hands of independent Indian Govt.</td>
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<td>60 Revised draft letter to Wavell (extract)</td>
<td>November 19</td>
<td>Revision of paras. 11 and 12 of No. 34 on breakdown policy</td>
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<td>61 Harris to Abell Tel. 20309</td>
<td>November 19</td>
<td>Asks for background information on G. of I. Committee on Nationalisation of Indian Armed Forces</td>
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<td>62 Wavell to Nehru Letter</td>
<td>November 20</td>
<td>Thanks for copy of No. 46; thinks his decision wise that they should not consider basic changes on Frontier at present</td>
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<td>63 Wavell to Pethick-Lawrence Tel. 2442-S</td>
<td>November 20</td>
<td>Refers to Nos. 53 and 54; reports interviews with Jinnah and Nehru</td>
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<td>63 (Cont.)</td>
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<td>(Nos. 57 and 58); says he is issuing invitations to Constituent Assembly; warns they are near to almost open civil war between communities but does not think they can delay Constituent Assembly further without changing whole policy</td>
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<td>64</td>
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<td>Abell reports that Jinnah is publishing Nos. 7 and 48</td>
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<td>Wavell's visit to N.W.F.P. and meetings with tribes</td>
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<td>66</td>
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<td>Sends Resolution adopted by Standing Committee of Princes which announces personnel of States Negotiating Committee and indicates readiness of Negotiating Committee to meet representative Committee from British India</td>
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<td>67</td>
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<td>Explains his proposal for sending Krishna Menon to some European countries and says External Affairs Dept felt it might be preferable to approach Moscow now officially on question of developing diplomatic relations; considers Wavell's suggestion that he discusses proposals with Liaqat will further encourage the existence of two blocs within Cabinet; is unable to accept this procedure; feels assurances given Congress on Interim Govt have been whittled away and definite attempt made to change character of Govt</td>
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<td>Draws attention to statement in Dawn that League's participation in Interim Govt was not made conditional on acceptance of long term plan; asks him to clear matter up and consider whether he was not misled by League</td>
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<td>Aftermath of the riots at Garhmuktesar in Meerut; urgent things which need to be done</td>
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<td>Interview with League Members of Cabinet on 21 November at which Liaqat asked whether H.M.G. intended to keep order and protect minorities; Wavell outlines difficulties British now face and stresses importance of League entering Constituent Assembly; Bihar situation</td>
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<td>Discussion in Congress Subjects Committee on 21 Nov. 1946 on question of Congress remaining in Interim Govt</td>
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<td>72 Cutting from <em>Hindustan Times</em></td>
<td>November 22</td>
<td>Statement by Jinnah that League is to boycott Constituent Assembly</td>
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<td>73 Wavell to Jenkins Letter 40/5</td>
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<td>Need for understanding between League and Congress</td>
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<td>74 Nye to Wavell Letter 5/1946, para. 5.</td>
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<td>Nervousness and tension reported from all parts of Madras but careful planning a major factor in their maintenance of law and order</td>
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<td>76 Wavell to Pethick-Lawrence Letter</td>
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<td>Draws attention to fact that Lady Cripps is to stay briefly with Nehru on her way back from China</td>
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<td>77 Wavell to Pethick-Lawrence Letter</td>
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<td>Refers to Nos. 18 and 42; alarmed at scale of deaths and brutality in Bihar and U.P.; common features of disturbances; idea of appointing a Special Commissioner for Relief; tension high in U.P.; is concerned for Punjab and Assam; Wavell’s interview with League Members of Council (No. 70); sees little hope of holding his Govt together much longer; strengthening of private armies; Wavell’s visit to N.W. Frontier; Central Assembly Session has gone well but fundamental opposition between Parties unchanged; telegraphic exchanges on summoning of Constituent Assembly; Liaqat proposes postponement of abolition of salt tax; All-India Spinners Association withdraws civil suits against “1942 officers”; expansion of Bengal Cabinet; recovery of police rifles issued to I.N.A. men recruited as special constables for Congress Session at Meerut; the Shones’ arrival; unwilling to ask Govt to reconsider decision on Gurkhas; Enclosure: extracts from appreciation of political situation in U.P. for second half of Oct. 1946</td>
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<td>78 Pethick-Lawrence to Wavell Letter</td>
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<td>Refers to No. 32; improvement in communal situation maintained; Patel’s meeting with Press representatives; hopes that after a time Interim Govt will work like a real coalition; unfair that Congress Members of Interim Govt should be blamed for disturbances in E. Bengal; hopes to be able to reply soon to Vol. VIII, No. 501; their telegraphic exchanges on Constituent Assembly; Wavell right in not including statement on procedure in Summons to Constituent Assembly; early meeting of Constituent Assembly</td>
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### CH. I LEAGUE AND CONSTITUENT ASSEMBLY

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<td>November</td>
<td>Assembly essential; case for dissuading Nehru from making another visit to Kashmir; impressions formed by India Office representative of attitudes of Indian delegates to U.N.O.; note supplied to U.K. Embassy in Washington on Indian food situation; Nos. 71 and 72 do not augur well for future</td>
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<td>79 Dow to Wavell</td>
<td>22–23</td>
<td>Dow’s absence from Bihar during first days of Nov. when disturbances at their peak; only one serious disturbance since 9 Nov. but tension high; vigorous action of Ministry; rôle of troops; part played by Press and meetings to celebrate ‘Noakhali Day’ in inflaming situation; riots force Prime Minister to adopt more realistic attitude to Police; his relations with I.G. Police unsatisfactory; action of Anti-Corruption Dept; Prime Minister very adverse to suggestion of coalition Ministry</td>
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### CHAPTER 2

**The London Conference and the Statement of 6 December.** The Objectives resolution; discussions between Cabinet and Viceroy on formulation of future policy: 23 November to 21 December 1946

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<td>80 Wavell to Pethick-Lawrence Tel. 2459–S</td>
<td>November 1946</td>
<td>In light of No. 72, has told Liaquat that League could not stay in Cabinet without accepting long-term plan; Liaquat replied that League Members were prepared to resign, but League would not accept long-term plan without statement by H.M.G. on Sections; Wavell takes serious view of situation</td>
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<td>81 Wavell to Pethick-Lawrence Tel. 2462–S</td>
<td>November 1946</td>
<td>Has discussed Vol. VIII, No. 540 with Shone and Griffiths; explains why an interim commercial convention is not favoured</td>
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<td>82 Pethick-Lawrence to Wavell Tel. 20552</td>
<td>November 1946</td>
<td>Asks for his views on whether it would now be opportune for him to come to London together with two Congress and two League Members of Interim Govt;</td>
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<td>82 (Cont.)</td>
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<td>any invitations to leaders would make it clear there was no question of postponing Constituent Assembly; explains why they had excluded Jinnah from proposed invitations</td>
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<td>83 Bhopal to Corfield Letter</td>
<td>23 November</td>
<td>Says he is unhappy about everything in India; wishes to resign Chancellorship and in time abdicate; the States and Muslims betrayed by British and Princes already a lost cause</td>
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<td>84 Report of Speech by Nehru</td>
<td>23 November</td>
<td>Activities of officials in 1942; fears British Govt might be retracing its steps on constitutional issue</td>
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<td>85 Minute by Abell</td>
<td>24 November</td>
<td>Background to League’s insistence on Grouping; analyses League’s demands for assurances</td>
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<td>87 Wavell to Pethick-Lawrence Tel. 2468–S</td>
<td>24 November</td>
<td>Considers that definite statement by H.M.G. on lines of that proposed by League in No. 80 could still save Mission’s plan; could not guarantee Congress’s reactions but thinks after bluster they would accept; believes H.M.G. must either stand by Mission’s plan or surrender to Congress; after receiving No. 82 feels proposed invitation to Party leaders to London is best hope of settlement and strongly recommends idea; believes Jinnah will insist on coming; favours inviting a Sikh; suggests form of invitation; gives Jenkins’ views on situation</td>
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<td>88 Wavell to Nehru Letter 1331</td>
<td>25 November</td>
<td>Is willing to include proposal discussed in No. 67 on agenda of next Cabinet meeting; feels it is Congress, rather than himself, which has attempted to change character of Govt</td>
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<td>89 Mudie to Wavell Letter 709/FR, para. 5</td>
<td>25 November</td>
<td>Is strongly critical of Patel’s and Nehru’s speeches at Meerut</td>
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<td>90 Cabinet C.M.(46)100th Conclusions Minute 3</td>
<td>25 November</td>
<td>Agreement to proposal to invite Party leaders to London (including a Sikh)</td>
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<td>91 Abell to Harris Tel. 2471–S</td>
<td>25 November</td>
<td>Refers to No. 61 and sends background to formation of Armed Forces Nationalisation Committee</td>
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<td>92 Pethick-Lawrence to Wavell Tel. 20616</td>
<td>25 November</td>
<td>Refers to No. 87; feels invitations to leaders should be less formal and should not raise issue of postponement of Constituent Assembly; leaves to him question of inclusion of Jinnah; would like Viceroy to come to London whether or not both or only one of major Parties accept</td>
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<td>94 Pethick-Lawrence to Wavell Letter</td>
<td>November 25</td>
<td>Refers to Vol. VIII, No. 501 and No. 2 in this Vol.; elaborates fundamentals of Cabinet’s position on breakdown policy; explains why it is felt Britain must remain in India to effect a peaceful transfer of power if this is possible; does not share view that announcement of departure date would induce more realistic atmosphere; sets out principles to which a breakdown plan would have to conform; discusses three possible contingencies but says no plans would be put into operation without express Cabinet sanction; British troops must stay until withdrawal of Governors and Governor-General</td>
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<td>95 Cutting from Statesman</td>
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<td>Press Conference by Jinnah on 25 Nov. at which he discussed (1) idea of an immediate exchange of populations; (2) League’s position on Constituent Assembly; (3) speeches made at Meerut session of Congress</td>
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<td>97 Wavell to Nehru Letter</td>
<td>26</td>
<td>Refers to No. 68; reiterates the condition made to Jinnah before League’s entry into Govt; says there is no question of his having withdrawn condition or having misled Nehru</td>
<td>184</td>
</tr>
<tr>
<td>98 Nehru to Wavell Letter</td>
<td>26</td>
<td>Says Congress are unable to accept H.M.G.’s invitation to London; they fear that visit would result in a re-opening of decisions already settled since Mission’s visit and would amount to giving in to League’s intransigence; stresses importance of Constituent Assembly meeting on date fixed</td>
<td>184</td>
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<tr>
<td>99 Wavell to Pethick-Lawrence Tel. 2488-S</td>
<td>26</td>
<td>Refers to No. 92; says Congress has refused invitation (No. 98) and he considers it useless to persuade them to change their minds; Liaqat welcomed proposal but is seeing Jinnah; Baldev Singh sees no point in attending as both parties will not be present</td>
<td>186</td>
</tr>
<tr>
<td>100 Pethick-Lawrence to Wavell Tel. 20717</td>
<td>27</td>
<td>Sends message for Nehru from Attlee very much hoping Nehru will come to London; explains object of talks would be to try to ensure a successful meeting of Constituent Assembly on Dec. 9; stresses there is no intention of abandoning decisions of Assembly or Mission’s plan</td>
<td>186</td>
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<tr>
<td>101 Pethick-Lawrence to Wavell Tel. 20718</td>
<td>27</td>
<td>Says message in No. 100 should not be published unless there is leakage but he</td>
<td>187</td>
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<td>101 (Cont.)</td>
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<td>102</td>
<td>27</td>
<td>Statement by Pethick-Lawrence</td>
<td>188</td>
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<td>Statement of casualties in communal disturbances in India, 2 Sept.-18 Nov. 1946</td>
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<td>103</td>
<td>27</td>
<td>Baldev Singh to Wavell Letter</td>
<td>188</td>
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<td></td>
<td></td>
<td>Declines invitation to London; says Sikh community is considerably perturbed over increasing aggressiveness of League</td>
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<td>104</td>
<td>27</td>
<td>Wavell to Pethick-Lawrence Tel. 2500-S</td>
<td>189</td>
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<td></td>
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<td>Reports that League has accepted invitation but Baldev Singh has refused</td>
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<td>Whatever Churchill might do, Butler and Eden would not take sides with League; important that Govt should not take sides between two parties or yield to one of them; Conservative Party obliged to stress strongly claims of Depressed Classes and other minorities; Butler stresses need for H.M.G. to have bargaining counters with Congress</td>
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<td>105</td>
<td>27</td>
<td>Memorandum of points made by Butler in course of private interview with Pethick-Lawrence</td>
<td>190</td>
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<td>Sends note on political situation with suggestions on steps which might be taken; feels situation is more serious than it has ever been</td>
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<td>106</td>
<td>27</td>
<td>Griffiths to Pethick-Lawrence Letter</td>
<td>190</td>
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<td>Crisis which threatens over Jinnah’s statement that League will boycott Constituent Assembly; Garhmuktesar incident in the U.P.; offers of assistance to Bengal and Bihar made by Centre; problem of private armies; Nehru’s recent statements; communities in no mood to compromise; interview with Khizar; All-India Scheduled Castes’ Federation considering whether to boycott Constituent Assembly; invitation to London received</td>
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<td>107</td>
<td>27</td>
<td>Wavell to Pethick-Lawrence Letter</td>
<td>195</td>
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<td>Refers to No. 59; says Wavell prefers to continue printing their private letters; reports that necessary action on records has been taken or is in hand</td>
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<td>108</td>
<td>27</td>
<td>Abell to Harris Letter</td>
<td>198</td>
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<td></td>
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<td>G. of L., External Affairs Dept to S. of S. Tel. 10081</td>
<td>199</td>
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<td>109</td>
<td>28</td>
<td>G. of L., External Affairs Dept to S. of S. Tel. 10081</td>
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<td></td>
<td></td>
<td>Inform him officially of K. P. S. Menon’s visit to Moscow and roving commission given to Krishna Menon; seeks assistance for them from relevant British diplomatic representatives</td>
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<td>110</td>
<td>28</td>
<td>Minutes by Scott and Wavell</td>
<td>199</td>
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<td></td>
<td></td>
<td>Scott passes on information that Congress intended to demand resignation of League Members of Govt but invitation to London has torpedoed plan</td>
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<td>111</td>
<td>28</td>
<td>Nehru to Abell Letter</td>
<td>200</td>
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<td></td>
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<td>Refers to No. 100; sends message for Attlee which emphasises that Congress are committed to their interpretation of</td>
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<td>111 (Cont.)</td>
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<td>Mission's Statement; they would prefer visiting London after first brief meeting of Constituent Assembly; however if Attlee wishes them to come now they will endeavour to do so</td>
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<td>112 Nehru to Wavell Letter</td>
<td>28</td>
<td>Refers to Enclosure to No. 111; reiterates that Congress have considerable misgivings about London visit which have been heightened by fact that League are taking Public Relations Officer; will be sole representative of Congress but Baldev Singh will probably accompany him</td>
<td>201</td>
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<tr>
<td>113 Menon to Abell Letter</td>
<td>28</td>
<td>Sends Memorandum giving his views on present political situation</td>
<td>202</td>
</tr>
<tr>
<td>114 Pethick-Lawrence to Wavell Tel. 20880</td>
<td>28</td>
<td>Sends message for Nehru from Attlee which refers to Enclosure to No. 111; Attlee notes Nehru's views but feels a visit to London immediately would be of great value</td>
<td>208</td>
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<tr>
<td>115 Short to Cripps Letter</td>
<td>28</td>
<td>Says he had not realised how difficult Wavell had become; says Cripps should not become Viceroy as he is needed in London; explains why he feels that if Inverchapel is not available, they should retain Wavell who would probably become more amenable once a positive policy of withdrawal had been adopted as a national policy</td>
<td>208</td>
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<tr>
<td>116 Iengar to Wakefield Letter</td>
<td>29</td>
<td>Sends copies of (1) letter from him to Bhopal stating that Constituent Assembly would arrange for consultations to settle method of States' representation and asking whether States' Negotiating Committee wishes to be present at preliminary meeting; (2) reply from Bhopal repeating substance of Enclosure to No. 66 and saying that attendance at preliminary meeting is considered unnecessary</td>
<td>210</td>
</tr>
<tr>
<td>117 Wavell to Nehru Letter</td>
<td>29</td>
<td>Thanks for No. 112; recognises his doubts but is glad representative of Congress is going to London and that Baldev Singh will accompany party; Liaqat has agreed not to take Altaf Hussain; asks whether there is any way they can lessen the discomfort of the journey for him</td>
<td>212</td>
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<tr>
<td>118 Nehru to Wavell Letter</td>
<td>29</td>
<td>Thanks for No. 117; feels it is good of him to suggest special travel arrangements but would hate to go anywhere in a lying-down position</td>
<td>212</td>
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<td>119 Bevin to Attlee and Pethick-Lawrence Tel. Federal 2099</td>
<td>29 November</td>
<td>Refers to No. 120; says summary is of U.S. State Dept paper given him by Byrnes; asks to be advised if action required</td>
<td>213</td>
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<tr>
<td>120 Bevin to Attlee and Pethick-Lawrence Tel. Federal 2100</td>
<td>29 November</td>
<td>Refers to No. 119; sends summary of a paper which supplies a background to Indian situation and recommends opening of informal discussions between U.S. and U.K. Govts with a view to U.S. representative in Delhi approaching Nehru and Liaquat informally with a view to his playing a mediator’s role in the interests of world peace and prosperity</td>
<td>213</td>
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<tr>
<td>121 Wavell to Pethick-Lawrence Tel. 2531-S</td>
<td>29 November</td>
<td>Reports that Jinnah and Liaquat have decided not to come to London in view of Attlee’s message to Nehru in No. 100.</td>
<td>215</td>
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<tr>
<td>122 Liaquat Ali Khan to Wavell Letter</td>
<td>29 November</td>
<td>In view of Nehru’s and Baldev Singh’s change of mind on London visit, asks whether Congress have been given assurances or information beyond that contained in invitations</td>
<td>215</td>
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<tr>
<td>123 Abell to Liaquat Ali Khan Letter</td>
<td>29 November</td>
<td>Refers to No. 122 and says nothing further has been said to Congress beyond messages from Attlee to Nehru in Nos. 100 and 114</td>
<td>216</td>
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<tr>
<td>124 Jinnah to Wavell Tel. (unnumbered)</td>
<td>29 November</td>
<td>Refers to message from Attlee to Nehru in No. 100; says he cannot accept new position taken by Attlee; unless it is made clear that all aspects of present situation are open for discussion, he will not go to London</td>
<td>217</td>
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<tr>
<td>125 Baldev Singh to Wavell Letter</td>
<td>29 November</td>
<td>Says he has decided to join London conference; feels this will provide opportunity to discuss safeguards for Sikhs in Constituent Assembly and Group B; also wishes point raised in No. 31 cleared up</td>
<td>217</td>
</tr>
<tr>
<td>126 Minutes by Scott and Wavell</td>
<td>29 November</td>
<td>Scott argues that at London discussions Nehru should be pressed to accept League position on method of framing Provincial constitutions, all other disputed points being referred to Federal Court or the like; Scott also suggests Nehru should stay with Mountbatten but Wavell feels they can hardly ask Mountbatten</td>
<td>218</td>
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<tr>
<td>127 Pethick-Lawrence to Jowitt Letter</td>
<td>29 November</td>
<td>Asks for Lord Chancellor’s Opinion on interpretation of paras in Statement of 16 May relating to procedure for formation of Group and Provincial constitutions</td>
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<td>128 Pethick-Lawrence to Wavell Tel. 20932</td>
<td>November 29</td>
<td>Comments on programme proposed for Wavell and Party leaders for opening part of their visit</td>
<td>225</td>
</tr>
<tr>
<td>129 Pethick-Lawrence to Wavell Tel. 20947</td>
<td>November 29</td>
<td>Refers to No. 121; sends message for Jinnah from Attlee in which it was stated that there is nothing in message to Nehru (No. 100) to prejudice full consideration of all points of view</td>
<td>226</td>
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<td>130 Jinnah to Attlee Tel. (unnumbered)</td>
<td>30</td>
<td>Sends similar message to that in No. 124</td>
<td>226</td>
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<tr>
<td>131 Wavell to Mudie Tel. 2535-S</td>
<td>30</td>
<td>Sends message for Jinnah which refers to No. 124; hopes he will reconsider decision not to go to London; sends text of Enclosure to No. 111</td>
<td>227</td>
</tr>
<tr>
<td>132 Abell to Wavell Minute</td>
<td>30</td>
<td>Points out conflict in messages sent to Nehru and Jinnah; suggests arguments he might use with Jinnah if he still hesitates about going to London</td>
<td>227</td>
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<tr>
<td>133 Wavell to Pethick-Lawrence Tel. 828-C</td>
<td>30</td>
<td>Reports that Jinnah and Liaqat have agreed to go to London; says arrangements proposed in No. 128 are acceptable; considers that Liaqat should accompany Jinnah at interviews and Baldev Singh be seen separately</td>
<td>228</td>
</tr>
<tr>
<td>134 Pethick-Lawrence to Mudie Tel. 20985</td>
<td>30</td>
<td>Sends message for Jinnah from Attlee which refers to No. 130 and repeats substance of message in No. 129</td>
<td>228</td>
</tr>
<tr>
<td>135 Jenkins to Colville Letter 614</td>
<td>30</td>
<td>Communal situation still very bad; promulgation by Governor of Punjab of Public Safety Ordinance; Khizar shocked at communal outlook of members of Interim Govt; his belief Congress were in private contact with H.M.G.; his views for the future of the Punjab</td>
<td>229</td>
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<tr>
<td>136 Corfield to Patrick Tel. 2544-P</td>
<td>30</td>
<td>Summarises correspondence between Rau and Nehru on discussion by Constituent Assembly on revision of States’ agreements; considers this shows that Congress do not adhere to principles in Memorandum on States’ Treaties and Paramountcy and even wish to secure control of Paramountcy in interim period; says States cannot be expected to cooperate in such circumstances; hopes London visit will be used to secure assent to principles in Memorandum; if this is not obtained suggests Crown begins to restore States’ rights</td>
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<td>137 Pethick-Lawrence to Bevin Tel. 21003</td>
<td>November 30</td>
<td>Refers to No. 119; Attlee and he have considered idea of U.S. Chargé in London seeing Jinnah and Nehru during their visit but it is felt this would appear as concerted U.K.–U.S. move; they feel U.S. representations in Delhi may be desirable just after Nehru’s return; suggests, if he has to speak to him, he thanks Byrnes for helpful attitude but says U.S. intervention would not be timely during London discussions</td>
<td>232</td>
</tr>
<tr>
<td>138 Pethick-Lawrence to Attlee Minute 83/46</td>
<td>November 30</td>
<td>Sends tels. from Curson indicating: (1) deterioration in relations between U.K. and Indian delegations at U.N.O. Assembly because of difference in attitudes on South African issues; (2) that Krishna Menon has been disturbing influence in U.S. and is likely to influence Nehru against H.M.G. in London</td>
<td>233</td>
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<tr>
<td>139 Note by Pethick-Lawrence</td>
<td>November 30</td>
<td>Circulates India Office memorandum which sketches lines of possible compromise between Congress and League on disputed provisions of Statement of 16 May</td>
<td>234</td>
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<tr>
<td>140 Wakefield to Webb Letter</td>
<td>December 2</td>
<td>Refers to No. 37 and suggests line he should adopt with Kak</td>
<td>237</td>
</tr>
<tr>
<td>141 Jowitt to Pethick-Lawrence Letter</td>
<td>December 2</td>
<td>Refers to No. 127; sends his opinion on the interpretation of passages in Statement of 16 May; this is to the effect that majority of representatives in each Section taken as a whole are to decide on framing of Provincial constitutions and the extent, if any, to which Provinces are to be Grouped</td>
<td>238</td>
</tr>
<tr>
<td>142 Note by Wavell</td>
<td>December 2</td>
<td>Background to immediate political situation; feels League will only come into Constituent Assembly if H.M.G. states firmly it adheres to Mission’s original plan; lists options open to H.M.G. if it is unable to get Congress and League to accept original plan; commends use of his breakdown proposals in this situation; stresses need for a definite decision on policy by H.M.G.</td>
<td>240</td>
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<tr>
<td>143 Colville to Pethick-Lawrence Letter</td>
<td>December 2</td>
<td>General feeling of relief in India that both Parties were to be represented at London discussions; Nehru mentions at a Cabinet</td>
<td>244</td>
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<td>143 (Cont.)</td>
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<td>meeting the visits of K.P.S. Menon to Moscow and Krishna Menon to certain European countries; Nehru unlikely to visit Kashmir in near future but is showing interest in two other States; Congress attitude on States will need watching</td>
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<td>144</td>
<td>3–8</td>
<td>Refers to No. 136; Abell agrees with Corfield that if Congress wants paramountcy to be transferred to new Govt then H.M.G. must begin transferring back to States their independent position; Wavell feels Nehru's latest move is one in a war of nerves and doubts if he wants show-down</td>
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<td>145</td>
<td>undated</td>
<td>Notes of conversation with Jinnah on 3 Dec. 1946 in which Jinnah maintained that Congress never would accept Mission's Plan and even if they did accept it without equivocation, including grouping system in entirety, he did not think it even worth discussing the Plan; Jinnah maintained only creation of Pakistan could deal with situation and stressed need to restore law and order immediately; Wyatt thinks only hope is to frighten Jinnah badly</td>
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<td>146</td>
<td>3</td>
<td>Communal riots; question of League's entry into Constituent Assembly</td>
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<td>147</td>
<td>3</td>
<td>Communal riots; League fears as to genuineness of Congress intentions on long-term plan; possibility of compromise on procedure in Sections; Jinnah's denial that Interim Govt was a coalition</td>
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<td>148</td>
<td>3</td>
<td>Sends appreciation of communal situation in Bengal; views future with gravest misgiving unless settlement is reached at Centre</td>
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<tr>
<td>149</td>
<td>3</td>
<td>Sends text of statement by Acheson saying that U.S. awaits outcome of London talks with concern and trusts Indian leaders will go forward on basis of Cabinet Mission plan</td>
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<td>150</td>
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<td>In a talk Patel said he would stay in office even if his colleagues resigned</td>
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<td>151</td>
<td>4</td>
<td>Meeting of Attlee, Mission Ministers and Wavell on: (1) Attlee's talk with Nehru; (2) Pethick-Lawrence's talks with Jinnah and Liaqat and Nehru (Nos. 146 and 147); (3) Alexander's talk with Jinnah; (4) suggestion of Statement by H.M.G.</td>
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<td>151 (Cont.)</td>
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<td>152</td>
<td>Dec.</td>
<td>Meeting of Mission Ministers and Wavell with Nehru on: (1) question whether they could proceed on basis of Mission's plan; (2) working of Interim Govt and question of its continuance in present form; (3) procedure in Constituent Assembly</td>
<td></td>
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<td>153</td>
<td>Dec.</td>
<td>Meeting of Attlee, Mission Ministers and Wavell on: (1) Attlee's meeting with Jinnah and Liaqat; (2) the meeting with Nehru (No. 152); (3) means of getting problem of interpretation of Statement of 16 May to Federal Court at outset of Assembly's proceedings</td>
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<td>154</td>
<td>Dec.</td>
<td>Meeting of Mission Ministers with Jinnah and Liaqat on: (1) general League fears of Congress manoeuvring in Constituent Assembly; (2) rôle of British Govt and Parliament if outcome in Assembly was unsatisfactory; (3) working of Interim Govt; (4) League's likely attitude if Congress accepted Mission's interpretation of procedure</td>
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<td>155</td>
<td>Dec.</td>
<td>Meeting of Mission Ministers with Wavell with Baldev Singh on: (1) safeguards for Sikhs in Section B and general question of safeguards; (2) discipline in the Army; (3) general political situation; (4) working of Interim Govt</td>
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<td>156</td>
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<td>Note by Pethick-Lawrence circulating note by Wavell on morale of the Services in Provinces</td>
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<td>157</td>
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<td>Meeting of Attlee, Mission Ministers and Wavell on: (1) question of referring interpretation of Statement of 16 May to Federal Court; (2) idea of statement by H.M.G. on the question; (3) idea of taking Indian question to U.N.O.; (4) Wavell's breakdown proposals</td>
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<td>158</td>
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<td>Jinnah explains why he is unwilling for League to enter Constituent Assembly and stresses Mission should state firmly that Assembly could only meet on basis that Parties accepted their plan unequivocally with the interpretations Mission intended</td>
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<td>159</td>
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<td>Meeting of Attlee, Mission Ministers and Wavell on: (1) wording of draft statement (appended); (2) H.M.G.'s position in a breakdown situation</td>
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<td>160 Jinnah to Pethick-Lawrence Letter</td>
<td>5</td>
<td>Sends copy of tel. received from Secretary, Bihar Muslim Relief Committee saying that Muslims are fleeing from Province in fear and asking Jinnah to move H.M.G. for exchange of population</td>
<td>285</td>
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<tr>
<td>161 Jenkins to Colville Letter 615</td>
<td>5</td>
<td>Reports interview with Giani Kartar Singh on safeguards for Sikhs in Constituent Assembly and idea of a combination of Sikh States in Punjab</td>
<td>285</td>
</tr>
<tr>
<td>162 Pethick-Lawrence to Colville Tel. 21231</td>
<td>5</td>
<td>Sends message from Wavell giving account of London discussions and saying they are not optimistic of an ultimate agreement between Parties</td>
<td>287</td>
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<tr>
<td>163 Indian Conference in London Paper I.C.L.(46)8</td>
<td>6</td>
<td>Meeting of Attlee, Mission Ministers and Wavell which considered a revised draft of the statement to be made (revision appended); particular discussion on whether H.M.G. should agree to 16 May Statement being referred to Federal Court</td>
<td>288</td>
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<tr>
<td>164 Indian Conference in London Paper I.C.L.(46)9</td>
<td>6</td>
<td>Meeting between Mission Ministers, Wavell, Jinnah and Liaqat at which question of safeguards in connection with Mission’s scheme was further considered</td>
<td>290</td>
</tr>
<tr>
<td>165 Indian Conference in London Paper I.C.L.(46)10</td>
<td>6</td>
<td>Meeting between Mission Ministers, Wavell and Nehru on: (1) possibility of Congress reconsidering their attitude on question of interpretation of Statement of 16 May; (2) Nehru’s view of work of Constituent Assembly at its opening session</td>
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<td>166 Indian Conference in London Paper I.C.L.(46)11</td>
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<td>Meeting between Attlee, Mission Ministers and Wavell at which the text of the statement to be issued at conclusion of negotiations was agreed (text is appended)</td>
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<td>Meeting of Attlee, Mission Ministers, Wavell, Nehru, Jinnah, Liaqat and Baldev Singh at which Prime Minister read the text of H.M.G.’s statement and Indian leaders indicated their initial reactions</td>
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<td>168 Burrows to Colville Letter F.J.B–15, para. 1</td>
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<td>Governor’s visit to E. Bengal</td>
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<td>169 Pethick-Lawrence to Colville Tel. 21357</td>
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<td>Sends account of Indian leaders’ reactions when they were given H.M.G.’s statement</td>
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<td>170 Pethick-Lawrence to Bevin Tel. 2838</td>
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<td>Reports positions taken up by Congress and League representatives during London discussions and their initial reactions to H.M.G.’s Statement; feels it might be</td>
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<td>170 (Cont.)</td>
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<td>very helpful if U.S. representative in Delhi approached Congress leaders at earliest possible moment broadly on lines proposed in No. 120; seeks U.S. State Dept’s reactions</td>
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<td>172 Attlee to Pethick-Lawrence</td>
<td>7</td>
<td>Is not impressed by note in No. 156; says it seems to assume officials are always in the right when they differ with Ministers; would like more objective statement of position</td>
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<td>174 Pethick-Lawrence to Jinnah</td>
<td>7</td>
<td>Says Enclosure to No. 160 makes very grave reading and he has informed G. of I. of fears expressed; does not consider exchange of populations provides a solution to Hindu-Muslim problem generally though it might be practicable in some areas; it is not a matter in which H.M.G. can compel Provincial Govts</td>
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<td>175 Inverchapel to Foreign Office</td>
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<td>Says U.S. State Dept are instructing Merrell to see Nehru on his return and speak to him as suggested; Merrell was instructed to hand text of Acheson’s statement in No. 149 to Patel and Weightman and emphasise that Mission’s proposals provide equitable basis for settlement</td>
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<td>176 Inverchapel to Foreign Office</td>
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<td>Refers to No. 175; says State Dept acceded without hesitation to idea of making further approach to Congress; however it is not hopeful of success because it views recent attitude of Congress with misgivings</td>
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<td>177 Colville to Jenkins</td>
<td>7</td>
<td>Thanks for No. 161; fears Sikhs will consider their case to have been further harmed by London statement; does not think it right to approach party leaders about Sikhs at the moment</td>
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<td>Letter 592/63</td>
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<td>178 Note of conversation between Jinnah and Woodrow Wyatt</td>
<td>9</td>
<td>Jinnah generally pleased with H.M.G.’s Statement; his anxieties on Congress’s conduct in Constituent Assembly and his feeling that at some stage League would have to come out of it; Congress organising to seize power; concern that British delay in leaving India would be used by Congress to entrench themselves in power</td>
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<td>179 Shone to Bridges</td>
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<td>Violent language of Party leaders; intemperate criticism and abuse of U.K.; anxieties of British community</td>
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<td>Despatch 3, paras. 2-4, 7</td>
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<td>180 Colville to Wavell</td>
<td>10</td>
<td>Reports indications are Congress have decided to continue with work of</td>
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<td>Tel. 2597-S</td>
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<td>180 (Cont.)</td>
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<td>Constituent Assembly and have decided against immediate drastic action; League reactions to Statement are favourable and there is talk of summoning League Council; first meeting of Constituent Assembly took place with dignity and decorum and without repercussions in country</td>
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<td>181 Cabinet</td>
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<td>Outcome of discussions with Indian leaders; Attlee’s intention to make Statement in Commons and to speak informally to Opposition; Attlee’s lack of confidence in ability of Indian Parties to reach agreement between themselves; tentative discussion of a policy for British withdrawal</td>
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<td>182 Colville to Pethick-Lawrence</td>
<td>10</td>
<td>9 Dec. passes quietly; Party reactions to Statement; no general flare-up during Moharrum; Patel, addressing meeting, says he has no intention of resigning from Govt; first meeting of Constituent Assembly; Colville meeting Members of Interim Govt socially; he stresses need for care and patience in conversations with Congress Members; U.S. message to Nehru; Datia trouble dies down; Rajagopalachari hints that move is expected from Jinnah; Enclosure: Note of Interview between Colville and Patel on 10 Dec. on H.M.G.’s Statement</td>
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<td>183 Spens to Colville</td>
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<td>Explains his anxieties about referring disputed points of interpretation to Federal Court; if references to Court are contemplated asks (1) for conferment of appropriate statutory powers; (2) that binding effect on all parties be given by statute to the opinions it expresses</td>
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<td>184 Bourne to Colville</td>
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<td>Patel talks to University Convocation on political situation in quiet and realistic manner; signs that Ministry view Governor with less suspicion; Ministry showing more sympathy towards difficulties of Services</td>
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<td>185 Dow to Colville</td>
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<td>No further serious communal outrages since 19 Nov.; difficulties in estimating number of casualties in disturbances; inadequate number of civil servants in Bihar; effect of this on investigations into actual extent of disturbances; Governor’s visit to scenes of disturbances and relief camps in Monghyr district; League</td>
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<td>volunteers exploiting the hardships of distressed Muslims; difficulty of getting Prime Minister to take certain relief measures; effect of Nehru's remarks at Meerut on &quot;1942&quot; officers</td>
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<td>186 Cabinet India and Burma Committee</td>
<td>11 December</td>
<td>Line to be taken in Commons debate on India; agreement that new statement by H.M.G. would be needed if either Indian Party refused to cooperate in carrying out Mission's Plan; Wavell's suggestion of early announcement giving date when U.K. would leave India; Wavell's breakdown proposals</td>
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<td>Text of Objectives resolution moved by Nehru at Constituent Assembly on 13 Dec.</td>
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<td>191 Note by Pethick-Lawrence</td>
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<td>Conversation with Jinnah and Liaqat in which (1) Jinnah gives no indication of whether he will summon League Council; (2) Interim Govt situation, question of coalitions in Provinces and position in Bihar were discussed; (3) Jinnah still demanded next move should come from Congress</td>
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<td>192 Inverchapel to Foreign Office</td>
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<td>Refers to No. 175; says Nehru received Merrell's representations graciously and State Dept believe he will place them before Congress Working Committee</td>
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<td>193 Cabinet India and Burma Committee</td>
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<td>Circulates note by Wavell commenting on points raised on his breakdown proposals in No. 186 and most strongly advising against a separate Constituent Assembly for Muslim majority Provinces</td>
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<td>195 Cabinet India and Burma Committee</td>
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<td>With reference to No. 186, circulates draft statement prepared by India Office officials for issue when it was certain one of the main Indian Parties would not cooperate in implementing Mission's Plan</td>
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<td>197 Cabinet</td>
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<td>Discussion on line to be taken in Lords debate; Cripps passes on report from Rajagopalachari that Congress do not favour idea of referring disputed point of interpretation to Federal Court but might acquiesce in H.M.G.'s interpretation; idea that Provincial constitutions should be subject to confirmation by Provincial representatives</td>
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<td>undated and 16 December</td>
<td>Possibility that Indian departmental records might be used to document a book suggesting that British rule in India was one of exploitation</td>
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<td>Cabinet India and Burma Committee I.B.(46)9th Meeting Minute 1 Further consideration of Wavell's breakdown proposals; suggestion made for a less formal version of them</td>
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<td>Circular Letter issued by Maqbool Mahmud Passes on two suggestions, endorsed by Standing Committee of Princes, for selection of States representatives to Constituent Assembly</td>
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<td>Cabinet India and Burma Committee Paper I.B.(46)48 Circulates note by Wavell listing points on which he would like firm decisions at next meeting of Committee</td>
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<td>Scott to Abell Tel. 2635-S Refers to No. 183; Menon and Spence advise that Parliamentary legislation to meet Spens' request for statutory powers cannot be contemplated; they suggest Judges of Court should consider any references by Constituent Assembly on an individual advisory basis; if this were not accepted, Assembly would have to create its own forum for interpretation</td>
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<td>Cabinet India and Burma Committee Paper I.B.(46)49 Memorandum by Pethick-Lawrence on attitude of Interim Govt towards Paramountcy With reference to discussion on breakdown policy in No. 199, circulates memorandum by India Office officials on technical aspects of: (1) withdrawing S. of S.'s Services from a Province; (2) Special Powers of Governors; (3) problem of exercising Paramountcy over individual States as British administration is withdrawn from contiguous Provinces</td>
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<td>Cabinet India and Burma Committee Paper I.B.(46)50 Circulates revised draft, prepared by Wavell, of statement in No. 196 Memorandum by Addison commenting on No. 201 and suggesting lines of statement if one is necessary; Addison is opposed to Wavell’s proposed statement and considers the commitment to a departure date would be capital blunder Disquieting tendency of Constituent Assembly to carry forward Congress party programme; hints of the appointment of a political Secretary to Assembly; Bhopal indicates States are waiting to see attitude League adopts on Constituent Assembly; possibility States may split on communal grounds if</td>
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<td>207 (Cont.)</td>
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<td>League does not enter; possibility Congress may refer Grouping question to Federal Court in knowledge that Court is unwilling to entertain reference; is sorry Spens' points in No. 183 have been made at this late stage; Birla in interview says Congress are unlikely to upset Jinnah until League has decided about Constituent Assembly; Colville's address to conference of Residents; conditions in India generally quiet; small tribal incursion in N.W.F.P.; social meetings with Members of Govt; Nehru complains of Churchill's references to Bihar disturbances in Commons debate</td>
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<td>208</td>
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<td>Gives Menon's and Spence's reasons for advising against Parliamentary legislation to give statutory powers to Federal Court in connection with references from Constituent Assembly; gives Colville's views</td>
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<td>209 Cabinet India and Burma Committee 11th Meeting</td>
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<td>Consideration of Nos. 201, 204, 205 and 206; further discussion of Wavell's breakdown proposals particularly with reference to Parliamentary legislation position, evacuation of Europeans and Congress cooperation in South</td>
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<td>210 Cabinet India and Burma Committee 12th Meeting</td>
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<td>Further discussion of Wavell's breakdown proposals particularly with reference to Services, situation after withdrawal from four Southern Provinces had been completed, Parliamentary involvement</td>
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<td>211 Addis to Harris Letter</td>
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<td>Attlee would be grateful for advice from Pethick-Lawrence on reply to letter received from Baldev Singh which recommends that Auchinleck's appointment should be extended for 2-3 years</td>
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<td>212 Wavell to Pethick-Lawrence Minute</td>
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<td>Refers to Nos. 183 and 208; thinks it would be useless to legislate to give binding effect to opinions of Federal Court; proposes to see Spens and seek informal understanding that Judges will give their joint advice as eminent judges and not as Court</td>
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<td>213 Cabinet India and Burma Committee 13th Meeting</td>
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<td>Consideration of extent and nature of Parliamentary sanction needed at various stages in the demission of U.K. powers in India; agreement (with reservation from Alexander) to issue of Statement about 21 Jan. 1947 on lines of annexed draft</td>
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### CHAPTER 3

**The Viceroy's Succession and the drafting of the Statement of 20 February:** 20 December 1946 to 20 February 1947

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<td>215 Mountbatten to Attlee Letter</td>
<td>1946 December 20</td>
<td>Is deeply honoured by Attlee’s offer of the Viceroyalty in succession to Wavell; does not feel he could tackle job with confidence if manner of his appointment suggested U.K. wished to perpetuate Viceregal system; feels he could only be of use if he went out at open invitation of Indian parties in capacity they defined</td>
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<td>216 Pethick-Lawrence to Attlee Minute 93/46</td>
<td>1946 December 21</td>
<td>Sends him draft Cabinet Memorandum which gives account of discussions with Wavell and recommends that, when it is clear League will not enter Constituent Assembly, H.M.G. should issue a Statement in the terms of one which is annexed</td>
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<td>217 Text of Resolution adopted by Constituent Assembly</td>
<td>1946 December 21</td>
<td>Names Members of Committee which is to confer with States Negotiating Committee to fix (1) distribution of States’ seats and (2) method by which States’ representatives should be returned</td>
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<td>219 India Office Press Release</td>
<td>1946 December 21</td>
<td>Gandhi’s conversation with two Assam Congressmen in which he gave advice to Assam representatives to Constituent Assembly</td>
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<td>221 Alexander to Pethick-Lawrence Letter</td>
<td>1946 December 23</td>
<td>Encloses copy of letter from G. D. Birla who fears that Jinnah will not cooperate in Constituent Assembly and that they are drifting towards some sort of division</td>
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<td>222 Colville to Pethick-Lawrence Letter</td>
<td>December 23</td>
<td>Interim Cabinet agrees to adjournment of Legislative Assembly at end of Jan. 1947; no immediate prospect of League Council being called; reservations in wording of Congress Working Committee resolution on 6 Dec. Statement; Congress Working Committee decides to make no reference to Federal Court; situation generally quiet; solid League majority in Sind elections; Khan of Kalat to appoint representative in Delhi; Colville’s farewell to Interim Cabinet; Enclosure: cutting from Statesman giving text of Congress Working Committee’s resolution on 6 Dec. Statement</td>
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<td>223 Bridges to Rowan Minute</td>
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<td>Refers to draft Statement annexed to No. 213; is concerned that Statement might have too alarmist an effect on British commercial interests in India and suggests these interests should be mentioned in Statement</td>
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<td>224 Turnbull to Montearth Minute</td>
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<td>Refers to No. 223; considers it inevitable that there will be alarm in commercial circles when Statement is issued; does not see how they can do anything without changing whole character of Statement; attaches draft para. which he feels would best be used in Parliamentary speech</td>
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<td>225 Montearth to Pethick-Lawrence Minute</td>
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<td>Thinks there is a good deal of force in No. 223; considers it would not be difficult to draft a para. which would reassure commercial interests</td>
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<td>226 Dow to Wavell Letter 343-G.B., paras. 8, 9</td>
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<td>Violence of speeches of C.S.P. and other left-wing associations; J.P. Narain continuing to treat Bihar as his seedbed for revolution; Narain’s ‘plan’ for arrest and imprisonment of Governors and others who oppose coming revolution; Sahay’s alterations to I.G.P.’s administration report for 1945</td>
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<td>227 Burrows to Wavell Letter F.J.B.–16, para. 2</td>
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<td>Says anything less likely than No. 219 to promote communal harmony is hard to imagine; his concern for Gandhi’s personal safety</td>
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<td>228 Patrick to Corfield Letter</td>
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<td>Explains why he feels personally that it would be doubtful policy to contemplate surrendering to individual States now, before constitution has been devised, rights exercised in interests of India as a whole</td>
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<td>229 Wavell to Attlee Letter</td>
<td>24 December</td>
<td>Thanks him for the use of his plane to return to India; political situation quiet but it is impossible to say what Congress's or League's next move will be</td>
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<td>230 Wavell to Liaqat Ali Khan Letter</td>
<td>27 December</td>
<td>Informs him that Azad is to fill vacancy in Interim Govt; Nehru may make suggestions for certain changes in portfolios</td>
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<td>231 Liaqat Ali Khan to Wavell Letter</td>
<td>28 December</td>
<td>Thanks for No. 230; complains of injustice done to League in initial distribution of portfolios; asks that League be allocated two more important portfolios</td>
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<td>232 Wavell to Liaqat Ali Khan Letter</td>
<td>30 December</td>
<td>Refers to No. 231; cannot agree injustice was done to League; will consider any changes in portfolios from point of view of Cabinet as whole</td>
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<td>233 Pethick-Lawrence to Attlee Minute 96/46</td>
<td>30 December</td>
<td>Refers to No. 223 and fully agrees on importance of points made; submits a revised draft of paras. 5-11 of the Statement which includes references to the position of the commercial interests</td>
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<td>234 Cabinet Paper C.P.(46)458</td>
<td>30 December</td>
<td>Memorandum by Alexander in which he says he assumes it is proposed to pass resolution in Commons endorsing statement in No. 216 so that necessary authority for devolution of power in India exists; would himself prefer resolution on broader lines and attaches possible draft</td>
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<td>235 Cabinet C.M.(46)108th Conclusions Confidential Annex</td>
<td>31 January</td>
<td>Decision not to follow course proposed in No. 234; agreement that draft statement in No. 216 should be cast in wider framework; decision on timing of statement deferred</td>
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<td>236 Bevin to Attlee Minute P.M./47/1</td>
<td>i January</td>
<td>Expresses strong views on the defeatist attitude of Wavell and Cabinet; is against fixing a date for ending of British rule; is willing to support declaration saying H.M.G. is ready to hand over India as going concern but on condition that successor Govts are able to preserve law and order; cannot believe that U.K. is not able to administer India under Section 93 if necessary; implications for British overseas policy of breakdown proposals; advocates using</td>
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<td>January</td>
<td>U.S. to bring pressure to bear on Nehru and Jinnah</td>
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<td>Says Attlee would like to see Mountbatten as soon as possible on his return</td>
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<td>238</td>
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<td>Constituent Assembly adjourned until 20 Jan.; No. 190 not pressed to a division in Assembly; Congress unlikely to come to clear-cut decision accepting Statement of 6 Dec.; intends to take up with Nehru and Patel question of J. P. Narain’s objectionable speeches; Mahasabha also unwilling to compromise with Muslims; Members of Cabinet so concerned with politics that administrative decisions are not being taken; need for Cabinet sub-Committee to recommend names for India’s overseas posts; Shone’s wish to recruit 15 persons from S. of S.’s Services; Enclosure: cutting from <em>Sunday Statesman</em> giving report of J. P. Narain’s remarks to Press Conference</td>
<td>438</td>
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<td>239</td>
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<td>Interview with Nehru on: (1) redistribution of some portfolios in Interim Govt; (2) idea of Cabinet sub-Committee to recommend names for Indian posts abroad; (3) Congress attitude to League Members of Govt and H.M.G.; (4) speeches of J. P. Narain; (5) proposed programme for next meeting of Constituent Assembly; (6) lump sum grant for Afridis</td>
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<td>240</td>
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<td>Passes on report of interview between U.S. Chargé in Delhi and Liaqat Ali Khan in which Liaqat indicated there was no present prospect of League making conciliatory move</td>
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<td>241</td>
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<td>Note by Cabinet Secretariat circulating revised draft statement of policy</td>
<td>444</td>
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<td>242</td>
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<td>Cabinet discussion (No. 235) of draft statement; Cabinet Office and India Office officials prepare further draft (No. 241); discussion between Lewis Jones and Patrick (No. 240) on interview between Liaqat and U.S. Chargé in Delhi; hopes Jinnah does not interpret 6 Dec. Statement as giving him Pakistan; Amery’s projected visit to India; Shone’s first despatches</td>
<td>445</td>
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<td>243</td>
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<td>Refers to No. 236; agrees Wavell has defeatist mind but points out he has</td>
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<td>243 (Cont.)</td>
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<td>support of the most experienced officials in India; says he is contemplating replacing Wavell; Indian Army likely to be split in the event of communal strife; impossible to govern India without support of Indian officials; statement being drafted makes it clear U.K. is handing over India as going concern; U.S. initiatives have been unsuccessful; finds no practical alternative policy in No. 236</td>
<td></td>
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<tr>
<td>244 Wavell to Liaqat Ali Khan Letter</td>
<td>3</td>
<td>Says Nehru wishes to confine changes in portfolios to those held by Congress nominees; has agreed to Nehru’s recommendations; gives changes</td>
<td>447</td>
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<td>245 Cabinet India and Burma Committee I.B.(47)1st Meeting</td>
<td>3</td>
<td>Consideration of No. 241; constitutional framework set up by G. of I. Act, 1935 must be preserved during period of British withdrawal; merits of gradual withdrawal from whole of India as opposed to beginning withdrawal in Southern Provinces; wrong to press military analogy too far</td>
<td>447</td>
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<tr>
<td>246 Abell to Monteath Minute</td>
<td>3</td>
<td>Lists points which Wavell would consider essential in H.M.G.’s Statement of Policy</td>
<td>449</td>
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<tr>
<td>247 Mountbatten to Attlee Letter</td>
<td>3</td>
<td>Understands why it is not possible to secure open invitation from Indian parties for his appointment but Cripps has offered to inform principal leaders in person shortly before announcement; says proposed statement by H.M.G. specifying a definite date for termination of British Raj makes all the difference to his attitude; cannot undertake to carry out Attlee’s wishes until he sees texts of directive and H.M.G.’s statement; has told Cripps why he does not feel able to take him out to India with him but wishes to make a proposal verbally to Attlee regarding Cripps; essential he and Ismay can fly home for personal discussions; is grateful he is to be left on active Flag List of Royal Navy; intends that he and Lady Mountbatten should be easier of access than previous holders of office have been</td>
<td>451</td>
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<td>248 Mountbatten to King George VI Letter</td>
<td>4</td>
<td>Gives account of his talks with Attlee and Cripps on the Viceroyalty; Cripps’ offer to join Mountbatten’s staff in India and his suggestion Cripps should go to</td>
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<td>248 (Cont.)</td>
<td>January</td>
<td>India Office; explains why he feels he must meet Wavell in U.K. before his departure</td>
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<td>249 Cabinet Paper C.P.(47)1</td>
<td>4</td>
<td>Memorandum by Attlee circulating further revision of draft Statement of Policy</td>
<td>454</td>
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<td>250 Abell to Monteath Minute</td>
<td>4</td>
<td>Says Wavell returned to India in belief that India and Burma Committee had agreed to his proposal for withdrawal from Southern India; explains why such authority is essential for Wavell; asks how it is intended to implement a phased withdrawal without giving Wavell this authority</td>
<td>457</td>
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<td>251 Abell to Turnbull Minute</td>
<td>4</td>
<td>Considers that Wavell's reasons for advocating policy of withdrawal from Southern India should be clearly stated to India and Burma Committee; submits note elaborating these reasons which might be circulated if he, himself, is not given opportunity to speak to Committee</td>
<td>459</td>
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<td>252 Pethick-Lawrence to Attlee Minute 1/47</td>
<td>4</td>
<td>Feels that when Cabinet considers No. 249, it should take clear decision as to what Viceroy is authorised to do when Statement is made; submits draft of No. 256; feels it would be desirable to have meeting of India and Burma Committee; suggests he sees Abell after which Committee might hear his views</td>
<td>461</td>
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<td>253 Text of Resolution passed by All-India Congress Committee</td>
<td>6</td>
<td>Endorses Enclosure to No. 222; advises action in accordance with Statement of 6 Dec. with respect to procedure in Sections in Constituent Assembly; this must not involve compulsion of Provinces or parts of Provinces and rights of Sikhs must not be jeopardised</td>
<td>462</td>
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<td>254 Clow to Wavell Letter 243, paras. 2-4</td>
<td>6</td>
<td>Conversation with Bardoloi on Assam’s position in Section C; Caste Hindus of Assam Valley dominate Govt and Legislature but principle of separate representation in Section C could make their position in Assam precarious</td>
<td>463</td>
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<td>255 Pethick-Lawrence to Attlee Minute 2/47</td>
<td>6</td>
<td>Refers to No. 172; sends extracts from letters received which relate to morale of Services; has not thought it proper to correspond directly on subject with Indian politicians or I.C.S. officials; has written to Presidency Governors to ask for their opinions</td>
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<td>256 Cabinet India and Burma Committee Paper I.B.(47)3</td>
<td>January 6</td>
<td>Memorandum by Pethick-Lawrence in which he argues that Wavell should be told exactly what action Cabinet authorises him to take after Statement of Policy is made; Annexes: (1) Abell’s note in Enclosure to No. 251; (2) draft Memorandum for Wavell on the Cabinet’s decisions</td>
<td>472</td>
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<td>257 Cabinet India and Burma Committee I.B.(47)2nd Meeting</td>
<td>6</td>
<td>Consideration of No. 256; view that Wavell’s plan for withdrawal from Southern Provinces might be held in reserve for use in emergency but wrong at present stage to assume handing over power would necessarily incur Indian opposition</td>
<td>475</td>
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<td>258 Croft to Pethick-Lawrence Minute</td>
<td>7</td>
<td>Comments on the position now reached in the discussion of H.M.G.’s Statement of Policy and the implications for Wavell’s breakdown proposals and other matters</td>
<td>478</td>
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<td>259 Pethick-Lawrence to Attlee Minute 4/47</td>
<td>7</td>
<td>Refers to No. 255; quotes passage taken from letter received from Bourne which shows that relations between Ministry and Services are improving</td>
<td>480</td>
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<td>260 Note by Wavell</td>
<td>7</td>
<td>Interview with Liaquat on: (1) Budget deficit; (2) question of League’s entry into Constituent Assembly; (3) Liaquat’s wish that Indian appointments abroad should not be on party lines; (4) Liaquat’s concern at removal of British personnel from Services and Army; his view that Britain should remain for period of years or, in default of that, leave ‘fair chaos’ for both parties</td>
<td>481</td>
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<td>261 Mountbatten to Attlee Letter</td>
<td>7</td>
<td>Suggests Raj is ended on the day Wavell’s Viceroyalty would normally have ended; gives his reasons; hopes honour for Wavell is being considered</td>
<td>483</td>
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<td>262 Cabinet C.M.(47)4th Conclusions Minute 1, Confidential Annex</td>
<td>8</td>
<td>Agreement that Statement in No. 249 should be deferred for the time being; Wavell to be asked to return to London for further personal discussions</td>
<td>483</td>
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<td>263 Wavell to Pethick-Lawrence Letter</td>
<td>8</td>
<td>A.I.C.C. accepts Statement of 6 Dec. with reservations; question of withdrawal of British troops from India; Baldev Singh to demand release of I.N.A. men; differences between Congress and League Members of Cabinet evident recently; Provincial Congress Committees advised to prepare village sub-Committees for day of future struggle; Nehru unwilling to</td>
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<td>263 (Cont.)</td>
<td>January</td>
<td>consider complete re-shuffle of portfolios during discussions for filling Asaf Ali's vacancy; Nehru dislikes idea of Cabinet sub-Committee to recommend appointments to Indian overseas posts; Patel suggests Cabinet sub-Committee for the sanctioning of appointments to high posts within India; Viceroy's War Purposes Fund finally closed down; Aung San's visit</td>
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<td>264</td>
<td>8 and undated</td>
<td>In interview with Wavell, V. P. Menon reports on dissensions in Congress; Menon doubts whether any result will emerge on League's entry into Constituent Assembly</td>
<td>488</td>
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<td>265</td>
<td>8</td>
<td>League unwilling to form coalition with Congress in Sind; League leaders not hopeful that League will enter Constituent Assembly</td>
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<td>266</td>
<td>8</td>
<td>Thanks for No. 229; summarises decisions reached by Cabinet on Indian Policy; in circumstances feels it would be desirable for Wavell to come over again as soon as possible so they may review situation</td>
<td>490</td>
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<td>267</td>
<td>9</td>
<td>Thanks for suggestions in No. 261; Cabinet at present think it inadvisable to be too precise as to actual day for ending Raj; has an honour for Wavell in mind</td>
<td>491</td>
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<td>269</td>
<td>9</td>
<td>Cabinet consideration of proposed Statement on Indian Policy; A.I.C.C. resolution (No. 253) on Statement of 6 Dec.; feels resolution marks a genuine step by Congress Right Wing to meet Muslims but fears it may be difficult to maintain a working relationship with League; implementation of decision to transfer control of relations with Persian Gulf Rulers from G. of L. to H.M.G.; feels it is open to question whether States concerned will join Rajput Confederation; Indian delegates to U.N. General Assembly thank Curson for his help; suitable person to run British Council's activities in India; Amery's projected visit to India</td>
<td>494</td>
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<td>270</td>
<td>10</td>
<td>Background to passing of No. 253; League attitude to entry into Constituent Assembly</td>
<td>496</td>
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<td>271</td>
<td>12</td>
<td>Thanks for No. 267 and is pleased Attlee had an honour for Wavell in mind; does</td>
<td>497</td>
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<td>271 (Cont.)</td>
<td>January</td>
<td>not think he could overcome handicap of not having a precise date when British Raj will end; mentions possibility of Raj being extended after stated day, but only at invitation of Indian leaders themselves</td>
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<td>272 Wavell to Clow</td>
<td>13</td>
<td>Practical considerations which are likely to make the League disinclined to abuse its majority in Section C</td>
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<td>Letter 40/8, para. 2</td>
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<td>273 Wavell to Burrows</td>
<td>14</td>
<td>Gandhi’s activities; League seems unable to realise British have decided definitely to leave India; uncertainties in attitude of League and Princes to Constituent Assembly</td>
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<td>Letter 40/3, paras. 3, 5</td>
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<td>274 Jenkins to Wavell</td>
<td>14</td>
<td>J. P. Narain’s visit; undesirability of members of Central Govt making inflammatory speeches in Punjab; Khizar’s views seem to imply hazy idea of the conversion of Punjab into Dominion</td>
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<td>Letter 639, paras. 2, 11</td>
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<td>275 Wavell to Pethick-Lawrence</td>
<td>14</td>
<td>Amery’s projected visit to India; Wavell’s interview with Liaqat (No. 260); League leaders unwilling to commit themselves on Constituent Assembly question; Burrows’ interview with Nazimuddin on constitutional question; work of Govt following Party lines; if League do not enter Constituent Assembly, Congress likely to demand their withdrawal from Interim Govt; A.I.C.C. resolution (No. 253) carried in face of strong opposition; Sarat Chandra Bose resigns from Congress Working Committee; suggestion that convicted I.N.A. men should be released; tribal disturbances on Hazara border; successful conference on Damodar Valley project; Aung San Menon doubtful whether Interim Govt can stand stresses and strains of economic and industrial situation; he explains Patel’s difficult position in Congress Party</td>
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<td>Letter</td>
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<td>276 Record of Henderson’s Conversation with V. P. Menon</td>
<td>16</td>
<td>Patel complains of difficulties in running Interim Govt in face of League’s attitude; he is critical of Political Dept’s interference in States’ affairs and alleges it is arranging States’ Negotiating Committee</td>
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<td>277 Record of Henderson’s Conversation with Patel (extract)</td>
<td>16</td>
<td>Refers to No. 271; says although an exact day of the month will not be stated, there will be no ‘escape clause’ nor any doubt that hand-over will take place</td>
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<td>278 Attlee to Mountbatten Letter</td>
<td>16</td>
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<td>278 (Cont.)</td>
<td>January</td>
<td>within a definite time; feels idea of extending Raj by invitation would give rise to suspicion as to British intentions</td>
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<td>279</td>
<td>16</td>
<td>Refers to Nos. 238 and 263; withdrawal of British troops from India; sorry Wavell did not feel able to discourage Amery from visiting India; G. of I.'s Civil Aviation Agreement with U.S.; delay in supply of Burrows' 'Dove' aircraft; Pethick-Lawrence's talk with Robertson and Kearney; Shone's wish to strengthen his staff</td>
<td>506</td>
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<td>280</td>
<td>17</td>
<td>Thanks for No. 273; encloses extract from secret information received by Intelligence Branch which gives account of meetings three Bengal delegates to A.I.C.C. had with Patel and Nehru prior to passing of No. 253</td>
<td>508</td>
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<td>281</td>
<td>17</td>
<td>Refers to No. 266; believes Cabinet's attitude increases risk to British nationals and is likely to diminish chance of settlement between two parties; immediate situation a little better but seems most unlikely at present that constitution can be framed on basis of Mission's Plan; important he should know for planning purposes time limit Cabinet has in mind; explains why he sees no advantage in returning in near future</td>
<td>510</td>
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<td>282</td>
<td>19</td>
<td>Assamese interest in A.I.C.C. resolution (No. 253); believes Assam representatives may possibly enter Section C</td>
<td>512</td>
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<td>283</td>
<td>19</td>
<td>Tara Singh says Sikhs were unlikely to enter Section B without communal safeguard; he stated that if British troops were removed Sikhs would revolt and try to control Punjab so as to prevent Muslim domination; Sikhs might agree to division, but as last solution</td>
<td>513</td>
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<td>284</td>
<td>20</td>
<td>Refers to No. 263, para. 2; agrees they cannot give way on retention of British troops in the interim period but asks him to adopt tactics suggested in No. 27; if matter is pressed, thinks he should say he will refer it to H.M.G. rather than exercise veto immediately; asks for his view on whether Indian troops could control communal situation on their own</td>
<td>513</td>
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<tr>
<td>285</td>
<td>20</td>
<td>Khizar's concern over fact that S. of S.'s Officers who elect to stay will come under control of Central Govt rather than Provinces</td>
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<td>286 Colville to Pethick-Lawrence</td>
<td>January 20</td>
<td>Says there has been marked increase in uncertainty among S. of S.'s Officers many of whom seriously contemplate leaving; feels they could carry on efficiently for some time to come if there is no major political crisis</td>
<td>515</td>
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<tr>
<td>287 Nye to Pethick-Lawrence</td>
<td>Letter 20</td>
<td>Attitude of Prime Minister and his own actions have improved Police morale; many senior European members of the Services would probably be prepared to stay but few of the younger Officers; greater proportion of Indian Officers would stay on; Services have stood up to difficulties very well; Ministry have chosen not to go against his advice on a surprising number of occasions</td>
<td>516</td>
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<td>288 Cabinet India and Burma Committee</td>
<td>Paper I.B.(47)9 21</td>
<td>Note by Pethick-Lawrence circulating papers on the retention of British troops in India (Defence Dept revised summary of 10 Jan. is reprinted)</td>
<td>519</td>
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<tr>
<td>289 Wavell to Pethick-Lawrence</td>
<td>Tel. 140–S 21</td>
<td>Reports that Baldev Singh has put up for Cabinet discussion paper recommending imprisoned I.N.A. men should be released and all I.N.A. men should be paid for time they were in enemy service; Auchinleck is strongly opposed to recommendations; has refused to refer matter to Cabinet and has suggested discussion between himself, Baldev Singh, Nehru, Liaquat and Auchinleck; hopes he will have H.M.G.'s full support</td>
<td>522</td>
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<td>290 Wavell to Pethick-Lawrence</td>
<td>Tel. 141–S 21</td>
<td>Reports action taken against People’s Age in respect of leakages of official information; gives details of other action contemplated against communists</td>
<td>524</td>
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<td>291 Wavell to Pethick-Lawrence</td>
<td>Tel. 1–U 21</td>
<td>Is advised by Joint Planning Committee that he should appoint officer to his own staff who could advise on evacuation planning and all matters arising from the transfer of power; this officer would also set up organisation to handle action on civil side in emergency; wishes to know whether Knight would accept post and when he could join</td>
<td>525</td>
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<td>292 Pethick-Lawrence to Attlee</td>
<td>Minute 19/47 22</td>
<td>Sends No. 291; says issue is whether Viceroy should break new ground with his special Committee before they have had consultation with him contemplated in No. 266</td>
<td>526</td>
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<td>293 Minute by Attlee</td>
<td>22</td>
<td>Refers to No. 292; says Wavell should not proceed with his plans until they have discussed position with him</td>
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<td>294 Pethick-Lawrence to Wavell Tel. 1-U</td>
<td>January 22</td>
<td>Refers to No. 291 and conveys view in No. 293; has not, therefore, approached Knight</td>
<td>527</td>
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<td>295 Cabinet India and Burma Committee</td>
<td>22</td>
<td>Consideration of No. 289; agreement that Baldev Singh’s proposals could not be entertained</td>
<td>528</td>
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<td>L.B.(47)6th Meeting Minute 1</td>
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<td>Refers to No. 289 and agrees he should first discuss matter outside Cabinet; if case is taken to Cabinet agrees he should exercise his veto; distinguishes between this case and that of withdrawal of British troops as regards exercise of Viceroy’s veto</td>
<td>529</td>
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<td>296 Pethick-Lawrence to Wavell Tel. 1052</td>
<td>22</td>
<td>No indication of Jinnah’s attitude to Constituent Assembly; Congress High Command becoming sobered by responsibility; Constituent Assembly passes No. 190; forthcoming negotiations between Constituent Assembly and States (paras. 3–4); extension of British Council’s activities to India; discussions with French Consul-General on establishment of French Mission in India; Azad takes over education portfolio; proposal for release of I.N.A. prisoners</td>
<td>529</td>
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<td>297 Wavell to Pethick-Lawrence Letter</td>
<td>22</td>
<td>Refer to No. 254; position of Tribes and Scheduled Castes in Congress’s thinking on Assam and Section C</td>
<td>532</td>
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<td>298 Minutes by Lumby and Turnbull</td>
<td>22–23</td>
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<td>299 Wavell to Pethick-Lawrence Tel. 162–S</td>
<td>23</td>
<td>Refers to No. 284; sends account of Interim Cabinet’s discussion on withdrawal of British troops; says he pointed out there was little hope of H.M.G. agreeing to withdrawal; considers Congress would not resign on issue; asks for suitable reply to give Baldev Singh</td>
<td>534</td>
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<td>300 Cabinet India and Burma Committee Paper L.B.(47)10</td>
<td>23</td>
<td>Note by Pethick-Lawrence circulating letter from Burrows to Wavell dated 8 Jan. giving account of interview between Burrows and Naimuddin in which Burrows stressed importance of League joining Constituent Assembly</td>
<td>535</td>
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<tr>
<td>301 Pethick-Lawrence to Wavell Letter</td>
<td>23</td>
<td>Refers to No. 275; retention of British troops and release of I.N.A. men; suspects Nehru wants some gesture which will appease left wing; asks for further information on I.N.A.; Patel showing tendency to take his own path; action taken against Communist Party of India; is glad he and Burrows have taken</td>
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<td>301 (Cont.)</td>
<td></td>
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<tr>
<td>302 Nehru to Wavell Letter</td>
<td>23</td>
<td>Draws attention to deteriorating situation in many States and the repressive action being taken by States’ administrations; says he has had reports that Political Dept disapproves of substantial reforms; draws special attention to state of affairs in Kashmir as leading to a catastrophe</td>
<td>540</td>
</tr>
<tr>
<td>303 Wavell to Pethick-Lawrence Tel. 168-S</td>
<td>24</td>
<td>Refers to No. 296; gives account of his discussion with Nehru, Liaqat, Baldev Singh and Auchinleck on question of I.N.A. men; says Baldev Singh will consider how to deal with Assembly resolution in light of discussion; does not know what upshot will be</td>
<td>541</td>
</tr>
<tr>
<td>304 Abell to Harris Letter 592/59</td>
<td>24</td>
<td>Sends note by D.L.B. on the constitutional and political situation viewed from British and Indian angles</td>
<td>542</td>
</tr>
<tr>
<td>305 Burrows to Pethick-Lawrence Letter</td>
<td>25</td>
<td>Sends detailed account of the morale and condition of the Services in Bengal; believes that individual members of S. of S.’s Services are still sound but a sense of cynicism, almost defeatism, has set in; relations between members of Services and Ministry vary greatly; generally Ministry is prone to overrule advice, particularly from Hindu officers</td>
<td>544</td>
</tr>
<tr>
<td>307 Cripps to Attlee Letter</td>
<td>undated</td>
<td>Sends draft of a possible reply to No. 281</td>
<td>552</td>
</tr>
<tr>
<td>308 Mountbatten to Cripps Letter</td>
<td>26</td>
<td>Says he has told Attlee he sees point of not naming a specific day for ending the Raj but has suggested naming an actual month (e.g., June 1948); reminded Attlee that his final answer cannot be given until he has seen Statement and his directive; assumes Wavell will now give Indian leaders prior information of his appointment; encloses a draft of the Statement</td>
<td>553</td>
</tr>
<tr>
<td>309 Cutting from Dawn</td>
<td>26</td>
<td>Gives text of Press statement by Liaqat in which he says No. 253 has negativized H.M.G.’s Statement of 6 Dec.</td>
<td>554</td>
</tr>
<tr>
<td>313 Patel to Wavell Letter</td>
<td>26</td>
<td>Complains of criticisms which some League Members of Interim Govt have made about lawful actions taken by Punjab</td>
<td>561</td>
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<tr>
<td>Name and Number</td>
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<td>313 (Cont.)</td>
<td></td>
<td>Govt; suggests he impresses on them the impropriety of their conduct</td>
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<tr>
<td>314 Cutting from <em>The Statesman</em></td>
<td>27</td>
<td>Azad comments on Sections and Grouping and says certain doubts are unfounded and unfortunate</td>
<td>562</td>
</tr>
<tr>
<td>315 Note by Wavell</td>
<td>27</td>
<td>Interview with Liaqat on question of League's entry into Constituent Assembly; Punjab Govt's action over private armies; Liaqat feels parallel action should be taken against Congress and Akali volunteers; appointment of Judges to Allahabad High Court; Budget proposals; proposed Cabinet Committees on Appointments</td>
<td>563</td>
</tr>
<tr>
<td>317 Pethick-Lawrence to Greenwood Letter</td>
<td>27</td>
<td>Explain difficulties in preparing legislation relating to the transfer of power; asks for immediate employment of Parliamentary Counsel on the preparatory work</td>
<td>566</td>
</tr>
<tr>
<td>318 Wavell to Pethick-Lawrence Tel. 179-S</td>
<td>27</td>
<td>Refers to No. 284; says while official Indian view is that British troops are not required for law and order, it is difficult to limit the use of troops while they remain</td>
<td>568</td>
</tr>
<tr>
<td>319 Cripps to Mountbatten Letter</td>
<td>28</td>
<td>Will take up matter in No. 308 with Attlee; form in which No. 281 has been cast will cause delay but this is unavoidable</td>
<td>569</td>
</tr>
<tr>
<td>320 Attlee to Mountbatten Letter</td>
<td>28</td>
<td>Says Wavell's letter (No. 281) is very indeterminate and he is now considering next move with his colleagues</td>
<td>569</td>
</tr>
<tr>
<td>322 Pethick-Lawrence to Wavell Tel. 1307</td>
<td>28</td>
<td>Refers to No. 323; says he may make suggestions on the terms of the reply if he wishes</td>
<td>570</td>
</tr>
<tr>
<td>323 Pethick-Lawrence to Wavell Tel. 1308</td>
<td>28</td>
<td>Refers to No. 299; quotes H.M.G.'s position on question as given in Statement of 25 May 1946; says they cannot agree to withdrawal of British troops until final transfer is made</td>
<td>571</td>
</tr>
<tr>
<td>325 Wavell to Pethick-Lawrence Letter</td>
<td>29</td>
<td>Refers to No. 279; uncertainty as to outcome of League Working Committee session; does not feel there was need for anxiety if Amery's visit had taken place; visit of representatives of London Committee of Indian Art Exhibition; States likely to keep Constituent Assembly members in play until League attitude decided; unwise for Assembly sub-Committee to meet tribal representatives of N.W. Frontier without League participation; release of I.N.A. prisoners and future of British troops in India; Cabinet disposing only of routine matters of administration;</td>
<td>572</td>
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<td>325 (Cont.)</td>
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<td>326</td>
<td>29</td>
<td>Resolutions passed by General Conference of Rulers of Indian States</td>
<td>575</td>
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<tr>
<td>327</td>
<td>29</td>
<td>Attlee to King George VI Submission</td>
<td>577</td>
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<tr>
<td>329</td>
<td>30</td>
<td>Montech to Heads of India Office Depts Minute</td>
<td>579</td>
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<td>330</td>
<td>30</td>
<td>Wavell to Pethick-Lawrence Letter</td>
<td>581</td>
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<tr>
<td>331</td>
<td>31</td>
<td>Attlee to Wavell Letter</td>
<td>582</td>
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<td>332</td>
<td>31</td>
<td>Pethick-Lawrence to Wavell Letter</td>
<td>584</td>
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<tr>
<td>333</td>
<td>31</td>
<td>Resolution passed by League Working Committee at Karachi</td>
<td>586</td>
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<td>333 (Cont.)</td>
<td>January</td>
<td>calls for its dissolution forthwith; sees no purpose in summoning meeting of Council of All-India Muslim League to reconsider decision of 29 July 1946 (Vol. VIII, No. 86)</td>
<td></td>
</tr>
<tr>
<td>334</td>
<td>February</td>
<td>Refers to No. 333; proposes to send for Nehru and ask him to consult his colleagues on what is to be done; feels such an initiative will induce Congress to take more realistic view; does not see how he can resist Congress demand for removal of League from Govt</td>
<td>593</td>
</tr>
<tr>
<td>335</td>
<td></td>
<td>Refers to No. 334; feels it would be preferable to wait until Nehru approaches him; if Nehru formally asks for removal of League, suggests he says he must refer matter to H.M.G.</td>
<td>593</td>
</tr>
<tr>
<td>336</td>
<td></td>
<td>Sends account of interview with Nehru on consequences of No. 333; Nehru explained procedure he thought Congress would adopt in Constituent Assembly and indicated that League’s position in Cabinet would now require careful consideration</td>
<td>594</td>
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<td>337</td>
<td></td>
<td>Encloses note by his Joint Planning Committee which recommends a phased transfer of authority to Indians culminating in the withdrawal of British troops by Dec. 1948, thereby in effect transferring power; points out why Committee do not recommend announcing date of transfer; outlines advantages and disadvantages of such an announcement; feels H.M.G. must decide by June how much longer they will remain responsible for India</td>
<td>595</td>
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<td>340</td>
<td></td>
<td>Did not include any reference to Cripps’ move to India Office in draft Statement (Enclosure to No. 308); hopes that if he decided on it, he would include such a move in announcement; feels it would be impossible for Cripps to go to India, but still considers he could be of great help at London end</td>
<td>610</td>
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<tr>
<td>341</td>
<td></td>
<td>Says States’ Negotiating Committee is due to meet corresponding Committee of Constituent Assembly on 8 Feb.; Bhopal has raised question whether negotiation with only one Indian Party</td>
<td>611</td>
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<td>Name and Number</td>
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<td>341 (Cont.)</td>
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<td>342 Wavell to Pethick-Lawrence Tel. 219–S</td>
<td>4</td>
<td>While he has had no approach from Congress about situation, he is told they favour League’s removal from Govt; feels it will be difficult to resist this; in any case suggests issue of statement by H.M.G. on League resolution</td>
<td>612</td>
</tr>
<tr>
<td>343 Wavell to Pethick-Lawrence Tel. 220–S</td>
<td>4</td>
<td>Refers to No. 342; sends draft of Statement by H.M.G. which expresses view that No. 253 is an acceptance of Mission’s Plan, and urges League to join Constituent Assembly</td>
<td>612</td>
</tr>
<tr>
<td>344 East to Abell Letter</td>
<td>4</td>
<td>Sends record of Henderson’s conversation with Jinnah on 21 Jan. 1947 at which Jinnah claimed No. 253 did not amount to acceptance of Mission’s Plan and urged H.M.G. to dissolve Constituent Assembly</td>
<td>613</td>
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<tr>
<td>345 Wavell to Pethick-Lawrence Letter</td>
<td>4</td>
<td>Refers to No. 301; League resolution on Constituent Assembly (No. 333); Bhopal’s letter asking whether States should undertake discussions with Constituent Assembly; major parties seemed concerned to avoid direct encouragement of communal conflict; No. 326 amounts to statement by Princes that they will only negotiate on basis of Mission’s Plan; fears chances of agreement on Sterling Balances may be small; uncertain of his colleagues’ attitude on Legislative Assembly resolution on release of I.N.A. men; will give Cabinet message in No. 323 next day</td>
<td>614</td>
</tr>
<tr>
<td>346 Cabinet India and Burma Committee I.B.(47)7th Meeting</td>
<td>5</td>
<td>Consideration of Nos. 341, 342 and 343; agreement they should further consider issue of a Statement and in meantime send Wavell interim reply; agreement on reply to be sent to No. 341</td>
<td>617</td>
</tr>
<tr>
<td>347 Minute by Turnbull</td>
<td>5</td>
<td>Considers that (1) it is vital H.M.G. should not be drawn into admitting that Constituent Assembly meeting without League or States is Assembly envisaged by Mission; (2) H.M.G. should not deliver judgment that Congress have accepted Mission’s Plan</td>
<td>620</td>
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<td>348 Pethick-Lawrence to Wavell Tel. 1646</td>
<td>February 5</td>
<td>Refers to No. 341; sends reply to Bhopal's letter which states that H.M.G. regard Mission's Plan as the most practical means of arriving at decisions on India's future and consider that by negotiating with Assembly, States will be assisting implementation of Plan</td>
<td>621</td>
</tr>
<tr>
<td>349 Pethick-Lawrence to Wavell Tel. 1672</td>
<td>February 5</td>
<td>Refers to Nos. 342 and 343; H.M.G. see no need to issue Statement immediately but have matter under consideration; if Congress demand League's withdrawal from Govt, they would like him to play for time and refer it to them</td>
<td>622</td>
</tr>
<tr>
<td>350 Nehru and other non-League Members of Interim Govt to Wavell</td>
<td>February 5</td>
<td>Signatories consider it is no longer possible for League to remain in Govt in consequence of No. 333</td>
<td>622</td>
</tr>
<tr>
<td>351 Wavell to Attlee Letter</td>
<td>February 5</td>
<td>Refers to No. 331; says point about his term of office being for three years is immaterial as this period passed several months before without Attlee indicating wish for a change; does not question Attlee's decision but observes that 'so summary a dismissal' is hardly in keeping with dignity of appointment; asks to be retained until second week of March and to know name of his successor; accepts proposal that his name be submitted for an Earldom</td>
<td>624</td>
</tr>
<tr>
<td>352 Wavell to Nehru Letter</td>
<td>June 6</td>
<td>Thanks for No. 302; says Political Dept have instructions to encourage all proposals for greater association of people of States with the administration and for the exercise of the Ruler's powers through properly constituted channels; considers States generally are more stable than British India; believes his account of Kashmir situation is based on exaggerated reports</td>
<td>625</td>
</tr>
<tr>
<td>353 Wavell to Pethick-Lawrence Tel. 235-S</td>
<td>June 6</td>
<td>Says he told Liaqat of No. 350 that evening; Liaqat said if H.M.G. considered Congress had accepted their Statements, League would reconsider position; but in that case H.M.G. would be responsible for keeping Congress on rails</td>
<td>626</td>
</tr>
<tr>
<td>354 Baldev Singh to Wavell Letter</td>
<td>June 6</td>
<td>In letter on Punjab situation says League Members of Interim Govt should not support defiance of orders of Provincial Govt</td>
<td>626</td>
</tr>
<tr>
<td>355 Cabinet India and Burma Committee Paper L.B.(47)14</td>
<td>June 6</td>
<td>Memorandum by Pethick-Lawrence reporting on recent developments relating to procedure in the Constituent Assembly</td>
<td>628</td>
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<td>356 Cabinet India and Burma Committee</td>
<td>February 6</td>
<td>Memorandum by Pethick-Lawrence circulating two draft telegrams in reply to Nos. 342 and 343: (1) Explains why H.M.G. do not consider that they should state categorically that Congress have accepted Mission’s Plan; asks for Wavell’s views on an updated version of Statement in No. 249; (2) Gives proposed reply to P.Q. on League Resolution (No. 333)</td>
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<td>357 Cabinet India and Burma Committee</td>
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<td>Memorandum by Pethick-Lawrence on position of League in Interim Cabinet</td>
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<td>358 Pethick-Lawrence to Wavell Letter</td>
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<td>Refers to Nos. 297 and 325; delays in transmission of air bags; tempo of Indian developments has quickened in previous few days; air passages to Middle East secured for Mr and Mrs Amery</td>
<td></td>
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<tr>
<td>359 Cabinet India and Burma Committee I.B.(47)8th Meeting Minute 1</td>
<td>7</td>
<td>Agreement to defer action until letter is received from Liaquat; further modifications to draft Statement to be considered</td>
<td></td>
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<tr>
<td>360 Wylie to Wavell Letter U.P. 72, paras. 1, 11</td>
<td>7</td>
<td>Visit to Rampur; concern for position of small States like Rampur particularly if large States come to an arrangement of their own with British India; conversation with Pant on shortcomings of Ministry</td>
<td></td>
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<tr>
<td>361 Cabinet India and Burma Committee I.B.(47)9th Meeting Minute 2</td>
<td>7</td>
<td>Agreement to sending of No. 362</td>
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<td>362 Pethick-Lawrence to Wavell Tel. 1818</td>
<td>8</td>
<td>Refers to Nos. 342, 343, 350 and 353; considers League should not be removed from Govt precipitately; says H.M.G. proposes to issue Statement (Enclosure to No. 249) before replying to No. 350 and they feel this may considerably affect situation; sends amendment to para. 10 of draft Statement designed to meet possible Congress point that Constitution being framed is in accordance with Mission’s Plan even if League and States do not participate; does not feel they should publicly announce that Congress has unequivocally accepted Mission’s Plan</td>
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<td>363 Liaquat Ali Khan to Wavell Letter</td>
<td>8</td>
<td>Recounts Congress attitude to Mission’s Plan; claims that latest Congress resolution (No. 253) does not differ in effect from their resolution of 26 June 1946 (Vol. VII, Enclosure to No. 603) and indeed makes position worse in certain</td>
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<td>363 (Cont.)</td>
<td>February</td>
<td>respects; does not consider Congress or Sikhs have greater right to participation in Interim Govt than League has since they have not accepted Mission's Plan</td>
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<td>364 Caroe to Wavell</td>
<td>8</td>
<td>Is anxious about proposed visit of Advisory Committee to Tribal and Excluded Areas; sees difficulty in refusing access to Committee and seeks advice</td>
<td>651</td>
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<td>Letter 11-GH, para. 4</td>
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<td>365 Attlee to Mountbatten</td>
<td>8</td>
<td>Is not sure yet whether formal directive should be issued; sends draft which Cripps has prepared to see whether it covers what he had in mind</td>
<td>652</td>
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<td>Letter</td>
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<td>367 Wavell to Pethick-Lawrence</td>
<td>9</td>
<td>Refers to No. 362; believes neither Congress nor League is anxious for open breach; explains why he considers Statement by H.M.G. would help to bring Parties together if it indicated where Congress had, and had not, accepted Mission's Plan; strongly advises such a course before H.M.G. adopts other action; says he has never liked Statement in Enclosure to No. 249</td>
<td>656</td>
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<td>Tel. 256-S</td>
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<td>368 Mudie to Wavell</td>
<td>10</td>
<td>Ghulam Hussain has told him that League resolution (No. 333) was passed almost unanimously and Khaliquzzaman and Suhrwardy proposed League should set up its own Assembly</td>
<td>657</td>
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<td>Letter 71/FR, para. 2</td>
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<td>369 Unsigned Minute (probably by Menon)</td>
<td>undated</td>
<td>Argues it is not reasonable to hold that Congress has not accepted Statement of 16 May</td>
<td>657</td>
</tr>
<tr>
<td>370 Minutes by Abell and Wavell</td>
<td>10-12</td>
<td>Abell argues that notwithstanding No. 367 it might be a good thing if they sent comments on proposed Statement (Enclosure to No. 249); Wavell criticises proposed Statement for its indefiniteness</td>
<td>658</td>
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<tr>
<td>371 Rowan to Attlee</td>
<td>10</td>
<td>Suggests announcement of new Viceroy should be linked with Statement of Policy; suggests wording of passage relating to Mountbatten's appointment; arrangements for seeing Mission Ministers, Mountbatten and Ismay</td>
<td>660</td>
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<td>Minute</td>
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<td>372 Wavell to Pethick-Lawrence</td>
<td>11</td>
<td>In light of No. 363 feels more elaborate Statement is required from H.M.G. than one suggested in No. 343; thinks there would be a slender chance this would bring League into Constituent Assembly</td>
<td>661</td>
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<tr>
<td>373 Wavell to Pethick-Lawrence</td>
<td>11</td>
<td>Refers to No. 372; sends text of suggested Statement which says that H.M.G. has considered Nos. 253 and 333;</td>
<td>662</td>
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<td>Tel. 270-S</td>
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373 (Cont.)

February

374 Wavell to Pethick-Lawrence
Tel. 271-P

Statement expresses view that No. 253 is an acceptance of Mission’s Plan but goes on to specify passages which have given rise to doubt; H.M.G. therefore feels that Congress should publicly confirm that these passages are not intended to limit their acceptance; Statement ends by clarifying certain procedural matters

375 Wavell to Pethick-Lawrence
Tel. 272-P

Sends text of communique issued by States’ Negotiating Committee and Corresponding Committee of Constituent Assembly; this says it was decided at meetings, on 8 and 9 Feb., to take up question of States’ representation in Assembly; Secretaries were to draw up detailed proposals for the allocation of the 93 seats; also sends text of communique relating to representation of Baroda

376 Mountbatten to Attlee
Letter

Comments on communique in No. 374; feels it is encouraging that both Committees exhibited some spirit of accommodation

377 Mountbatten to Attlee
Letter

Refers to No. 365; recounts how in his correspondence with Attlee he had laid great stress on the Statement of Policy naming a date for the ending of the Raj; is concerned to find draft Statement (Enclosure to No. 249) uses phrase ‘middle of 1948’ and other points in it might give opening for indefinite delay; mentions other aspects of draft Statement which cause him concern; encloses: (1) revision of draft directive sent with No. 365; (2) draft tel. to Wavell asking him to inform principal Indian leaders of his appointment before announcement is made and to give them message from him; (3) a shorter draft Statement of Policy by H.M.G.

378 Note by Mountbatten

Informs him of his wish to take Ismay, Miéville and Brockman with him to India as senior members of his staff; wishes to retain Abell as P.S.V. at any rate for time being

Minutes of Meeting between Attlee, Mountbatten and Ismay on 11 Feb. at which No. 376 was discussed; Mountbatten indicates his dissatisfaction with draft Statement of Policy and amendments to it are agreed; terms of telegram to Wavell agreed; directive to
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<tr>
<td>378 (Cont.)</td>
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<td>take form of letter from Attlee to Mountbatten</td>
<td>675</td>
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<td>379</td>
<td>12</td>
<td>Turnbull comments somewhat critically on points in Wavell's draft Statement (No. 373); Montague assumes that Ministers consider the proposed Statement of Policy covers the immediate problems which Wavell's Statement was designed to meet</td>
<td>678</td>
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<td>380</td>
<td>12</td>
<td>Thanks for No. 351; sends text of announcement on change of Viceroy and asks which day in following week it would suit him best for it to be made; also asks him to inform Indian leaders of the change just before announcement is made; sends message for leaders from Mountbatten</td>
<td>679</td>
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<td>381</td>
<td>12</td>
<td>Refers to No. 380 and informs him of name of his successor</td>
<td>681</td>
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<td>383</td>
<td>12</td>
<td>Refers to No. 322; demand that League Members should leave Cabinet; believes parties are coming a little closer in Sterling Balances negotiations; machinery by which Interim Cabinet is to approve budget proposals; need for decision on size of India's post war armed forces having regard to availability of finance; agreed he should draft Directive to Defence Dept; has decided not to press for enquiry into Bihar disturbances; Royal Academy Delegation on Indian Art Exhibition have gone on tour; Legislative Assembly passes measure enabling Govt to control foreign exchange; big increase in serious crimes in U.P. since Congress Ministry took over; question of I.N.A. men still unsettled; no reaction yet to No. 323; Rungnadayn to be asked to resign; problem of filling his post; labour problems; discussions between States Negotiating Committee and corresponding Committee of Constituent Assembly; Enclosure: Directive to Defence Dept on situations to be provided for in future defence planning</td>
<td>686</td>
</tr>
<tr>
<td>384</td>
<td>13</td>
<td>Reiterates his view that H.M.G.'s Statement of Policy (Enclosure to No. 249) should not be made yet; sends his detailed comments on it; criticises its indefiniteness; feels para. 10 would encourage separatism</td>
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<tr>
<td>385 Cabinet C.M.(47)21st Conclusions Minute 4, Confidential Annex</td>
<td>13</td>
<td>Agreement: (1) that date for transfer of power given in Statement of Policy should be June 1948; (2) that Statement should be made following week</td>
<td>687</td>
</tr>
<tr>
<td>386 Nehru to Wavell Letter</td>
<td>13</td>
<td>Considers they are entitled to have received an answer to No. 350 by then; says a decision is required on League membership of Govt and that delay in making it, or wrong decision, will lead them to reconsider their position in Govt Refers to No. 345; delays in transmission of correspondence; fears there will be trouble later over conditions laid down by States for cooperating with Constituent Assembly; asks about position of large States such as Kashmir and Hyderabad; wording of para. on Indian Ocean commitments in British Defence Paper; asks whether point made in 1942 that H.M.G. reserved right to re-open Financial Settlement was communicated to Executive Council; Krishna Menon's visit to Continent to discuss the establishment of diplomatic relations between India and the Netherlands and Denmark (paras. 7–11)</td>
<td>688</td>
</tr>
<tr>
<td>388 Pethick-Lawrence to Wavell Letter</td>
<td>13</td>
<td>Sends full summary of proceedings of joint meeting of States Negotiating Committee and corresponding Committee of Constituent Assembly held on 8 and 9 Feb.</td>
<td>690</td>
</tr>
<tr>
<td>389 Menon to Turnbull Express Letter</td>
<td>13</td>
<td>Refers to No. 380; asks for announcement to be postponed until afternoon of 20 Feb. at earliest; will inform leaders; sends message for Mountbatten</td>
<td>694</td>
</tr>
<tr>
<td>391 Wavell to Attlee Tel. 2–U</td>
<td>14</td>
<td>Sends congratulations on his appointment</td>
<td>703</td>
</tr>
<tr>
<td>392 Wavell to Mountbatten Letter</td>
<td>14</td>
<td>Refers to No. 391; agrees announcement should be postponed until 20 Feb. but cannot postpone it longer; sends message from Mountbatten</td>
<td>703</td>
</tr>
<tr>
<td>393 Attlee to Wavell Tel. U–4</td>
<td>14</td>
<td>Says he is sending: (1) submission regarding Viceroyalty; (2) text of Statement of Policy with announcement on change in Viceroyalty; draws attention to fact that Statement names 30 June 1948 as final date for transfer of power; says he has decided to issue Statement before replying to No. 350</td>
<td>704</td>
</tr>
<tr>
<td>394 Attlee to King George VI Tel. Epoch 20 via Ministry of Defence</td>
<td>14</td>
<td>Explains why he is strongly opposed to issue of Statement giving date of British</td>
<td>705</td>
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<tr>
<td>395 Note by Burrows</td>
<td>14</td>
<td></td>
<td>706</td>
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<td>395 (Cont.)</td>
<td>February</td>
<td>withdrawal irrespective of agreement between Parties; if such Statement is made would need to have troops standing by and begin to concentrate Europeans; impossibility of governing by Section 93; likely effectiveness of evacuation measures; enquires: (1) what his position would be if Ministry declared Bengal independent state or dominion; (2) how he might distinguish between law and order measures and measures to suppress popular movement; would support Statement designed to clarify doubtful points in No. 253</td>
<td>710</td>
</tr>
<tr>
<td>396 Patel to Wavell Letter</td>
<td>14</td>
<td>Draws attention to statements by Liaqat and Ghazanfar Ali Khan relating to Punjab situation; says these are flagrant breach of rules of responsibility for Members of Govt; statements strengthen conviction that Central Govt as a corporate body has ceased to exist</td>
<td></td>
</tr>
<tr>
<td>397 Pethick-Lawrence to Wavell Tel. 2143</td>
<td>14</td>
<td>Refers to Nos. 363, 367, 372, 373, 384 and 386; explains why H.M.G. does not consider it advisable to issue Statement suggested by Wavell but wish to make their own Statement of Policy; gives details of line he should follow in replying to No. 386; asks him to see Nehru and Jinnah or Liaqat and give them copies of H.M.G.’s Statement immediately before publication; informs him of what he should say at these interviews and of the arguments he should use with the League; says he should seek further interview with Nehru and indicates argument he should use during this interview; hopes he may be able to obtain explanations of Congress position which will entirely reconcile it with Mission’s plan; important these should be in writing; indicates what he should say if Nehru presses for reply to Nos. 350 and 386</td>
<td>712</td>
</tr>
<tr>
<td>398 Pethick-Lawrence to Wavell Tel. 2144</td>
<td>14</td>
<td>Refers to No. 384 and explains why H.M.G. has not adopted some of the suggested amendments</td>
<td>715</td>
</tr>
<tr>
<td>399 Minutes by Abell and Wavell</td>
<td>15</td>
<td>With reference to Nos. 397 and 398, Abell advises Wavell to ask H.M.G. whether they have considered No. 337; Wavell does not feel this is worthwhile;</td>
<td>716</td>
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<tr>
<td>Name and Number</td>
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<td>399 (Cont.)</td>
<td></td>
<td>he is sure H.M.G.’s Statement of Policy will harden League attitude</td>
<td>716</td>
</tr>
<tr>
<td>400 Wavell to Nehru</td>
<td>15</td>
<td>Refers to No. 386; says H.M.G. have been actively considering situation and propose to issue a Statement following week; they hope reply to No. 350 will not be sought until signatories have studied Statement</td>
<td>717</td>
</tr>
<tr>
<td>401 Pethick-Lawrence to Wavell</td>
<td>15</td>
<td>Refers to No. 398 and sends amendments to draft Statement of Policy</td>
<td>718</td>
</tr>
<tr>
<td>Tel. 2145</td>
<td>15</td>
<td>Asks to be granted special staff to deal with matters of a secret and intimate character</td>
<td>719</td>
</tr>
<tr>
<td>402 Mountbatten to Attlee</td>
<td>15</td>
<td>Is sending summary of No. 395; points out that Burrows’ advice is practically identical with his own; says Colville took a similar line; is obtaining views of Auchinleck, Jenkins and Wylie</td>
<td>722</td>
</tr>
<tr>
<td>Letter</td>
<td>403 Wavell to Pethick-Lawrence</td>
<td>15</td>
<td>Refers to No. 364; says Assembly sub-Committee must certainly visit N. W. Frontier in next 3 months and that it is pointless to try to prevent this happening; Assembly is showing signs that it appreciates need to proceed slowly; considers it might be suggested to Nehru that initially sub-Committee should only meet Afridis</td>
</tr>
<tr>
<td>Tel. 290-S</td>
<td>405 Weightman to Abell</td>
<td>15</td>
<td>Gives details of background moves which took place between certain Princes and with Congress following passing of No. 326 and during discussions of 8 and 9 Feb.; agreement between Princes and Constituent Assembly clearly establishes that two of major parties concerned consider Assembly is legally constituted and competent to continue its work</td>
</tr>
<tr>
<td>Letter 622/S</td>
<td>406 Panikkar to Wyatt</td>
<td>15</td>
<td>Circumstances in which Burrows drafted No. 395; Burrows: (1) will check up numbers and distribution of Europeans; (2) is concerned at possibility of sudden émigré in Calcutta; (3) considers there is reasonable chance of protecting Europeans</td>
</tr>
<tr>
<td>Letter</td>
<td>407 Note by Christie</td>
<td>16</td>
<td>Comments on H.M.G.’s Statement of Policy; believes it is astonishingly vague and far from bringing Congress and League together is likely to have diametrically opposite effect; thinks statement makes it impossible for Punjab to take line of its own and even encourages Parties to set off all-India</td>
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<td>408 (Cont.)</td>
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<td>interests against Provincial ones; fears it may lead to great violence in Punjab; thinks attitude of police and troops to suppressing disturbances would be doubtful in interim period; considers H.M.G.'s decision to leave India by stated date is very dangerous one</td>
<td>733</td>
</tr>
<tr>
<td>410 Wavell to Pethick-Lawrence Tel. 298-S</td>
<td>17</td>
<td>Although he feels Nos. 395 and 408 may be unduly pessimistic, cannot advise H.M.G. to disregard views therein; urges most strongly that announcement should not contain date of withdrawal but be on lines of No. 373; asks whether he has received No. 337</td>
<td>734</td>
</tr>
<tr>
<td>411 Wavell to Pethick-Lawrence Tel. 3-U</td>
<td>17</td>
<td>Refers to No. 410 and urges that announcement of date of British withdrawal should not be made until Mountbatten has had week or two in office; this would not affect announcement of his own replacement</td>
<td>734</td>
</tr>
<tr>
<td>412 Wavell to Pethick-Lawrence Tel. 299-S</td>
<td>17</td>
<td>Refers to No. 410 and reports that Auchinleck considers that H.M.G.'s Statement is likely to be detrimental to stability of Indian Forces and may result in widespread indiscipline and communal trouble</td>
<td>735</td>
</tr>
<tr>
<td>413 Cabinet India and Burma Committee L.B.(47)10th Meeting</td>
<td>17</td>
<td>Preliminary consideration of Nos. 337, 395, 403, 408, 409 and 410</td>
<td>738</td>
</tr>
<tr>
<td>414 Cabinet India and Burma Committee L.B.(47)11th Meeting</td>
<td>17</td>
<td>Continuation of discussion in No. 413; consideration of whether Statement of Policy should be made at all or whether it should be made without mentioning a date for British withdrawal</td>
<td>740</td>
</tr>
<tr>
<td>415 Mountbatten to Attlee Letter</td>
<td>17</td>
<td>Thanks him for sending latest tels. from India; explains why they do not weaken his support for intention to announce definite date for transfer of power; feels that while Wavell's plan for withdrawal might be construed as sign of weakness this would be less likely to be so if British withdrew 'in accordance with a liberal and realistic policy, openly and firmly stated'</td>
<td>742</td>
</tr>
<tr>
<td>416 Cabinet India and Burma Committee Paper I.B.(47)20</td>
<td>18</td>
<td>Memorandum by Pethick-Lawrence circulating statement on the numbers and whereabouts of British civilians in India</td>
<td>744</td>
</tr>
<tr>
<td>417 Mountbatten to Wavell Letter</td>
<td>18</td>
<td>Gives account of how he was offered the Viceroyalty; sends congratulations on Wavell's Earldom</td>
<td>745</td>
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<tr>
<td>418 Wavell to Colville Letter</td>
<td>18</td>
<td>Sends text of H.M.G.'s Statement of Policy; asks him to inform his Premier</td>
<td>745</td>
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<td>418 (Cont.)</td>
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<td>as it is issued; says he may give prior warning to I.G. Police and two other officials</td>
<td></td>
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<tr>
<td>419 Wavell to Pethick-Lawrence Tel. 308-S</td>
<td>18</td>
<td>Reports that Wylie dislikes H.M.G.’s Statement of Policy but sees no alternative; he considers there is 25% chance Statement may induce realism in Party leaders if Nehru and Jinnah are summoned 48 hours before it is issued and advised to set up coalition govs; Statement should make it clear this has been done; British interests should be reduced to minimum in next three months</td>
<td>745</td>
</tr>
<tr>
<td>420 Draft by Attlee</td>
<td>undated</td>
<td>Draft reply to Wavell’s telegrams asking for deferment of H.M.G.’s Statement of Policy particularly the proposed announcement of a date of British withdrawal</td>
<td>747</td>
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<tr>
<td>421 Cabinet C.M.(47)23rd Conclusions Minute 1, Confidential Annex</td>
<td>18</td>
<td>Reaffirmation of decision to issue Statement of Policy on 20 Feb. which would indicate H.M.G.’s intention to transfer power by June 1948; note taken that Attlee would: (1) arrange for announcement of Mountbatten’s appointment to be made in same Statement; (2) communicate text of Statement in advance to opposition leaders; Pethick-Lawrence authorised to ensure increased shipping facilities were available for Europeans in following few months</td>
<td>748</td>
</tr>
<tr>
<td>422 Wavell to Pethick-Lawrence Tel. 309-S</td>
<td>18</td>
<td>Says he has urged Nehru not to commit Govt in Legislative Assembly debate on I.N.A. convicts</td>
<td>753</td>
</tr>
<tr>
<td>423 Pethick-Lawrence to Wavell Tel. 2254</td>
<td>18</td>
<td>Refers to No. 410; says Cabinet has decided to proceed with issue of Statement of Policy; sends text of further amendments to it</td>
<td>753</td>
</tr>
<tr>
<td>424 Churchill to Attlee Letter</td>
<td>18</td>
<td>Cannot give Govt any undertaking of support until he knows grounds for change in Viceroyalty, and what H.M.G.’s policy and directive are</td>
<td>754</td>
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<tr>
<td>425 Minute by Turnbull</td>
<td>18</td>
<td>Draws attention to provisions in G.-G.’s Instrument of Instructions which will be obviously inappropriate in existing circumstances; notes it can only be altered by resolution of both Houses</td>
<td>754</td>
</tr>
<tr>
<td>426 Cabinet India and Burma Committee I.B.(47)12th Meeting Minutes 1-3, 5, 7</td>
<td>18</td>
<td>(1) Consultation with Parliamentary Opposition; (2) Telegram to Viceroy; (3) Situation in Bengal; (5) Publicity</td>
<td>755</td>
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<td>426 (Cont.)</td>
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<tr>
<td>427 Pethick-Lawrence to Wavell Tel. 2293</td>
<td>18 February</td>
<td>arrangements; (7) G.-G.'s Instrument of Instructions</td>
<td>760</td>
</tr>
<tr>
<td>429 Pethick-Lawrence to Wavell Tel. 2292</td>
<td>19</td>
<td>Refers to No. 395 and says if Burrows is worried as to what may happen after Statement is made, he will no doubt give him advice and assurance of support</td>
<td>762</td>
</tr>
<tr>
<td>430 Attlee to Lascelles Tel. Epoch 29 via Ministry of Defence</td>
<td>19</td>
<td>Explains basis of decision sent to him in No. 423; says Wavell's latest recommendations have placed them in difficult position since definite date for British withdrawal was an essential feature of his original proposals and arguments he now adduces would have been equally applicable if made against those proposals; considers plan in No. 337 is totally impracticable in parliamentary terms and still feels Statement in No. 373 would not produce any useful result; impracticable to warn Leaders of Statement of Policy 48 hours in advance because of risk of leakage; asks him to proceed as in No. 397, paras. 5-8</td>
<td>763</td>
</tr>
<tr>
<td>431 Wavell to Attlee Tel. 311-5</td>
<td>19</td>
<td>Explains why Cabinet has decided to proceed with issue of Statement of Policy specifying date for transfer of power despite Wavell's most recent advice</td>
<td>765</td>
</tr>
<tr>
<td>432 Stapleton to Alexander Minute C.O.S. 207/7</td>
<td>19</td>
<td>Seeks his help in obtaining extra shipping for passages from India</td>
<td>766</td>
</tr>
<tr>
<td>433 Wavell to Caroe Letter 40/9, para. 4</td>
<td>19</td>
<td>Chiefs of Staff strongly recommend that H.M.G. should be quite certain before making Statement that Auchinleck is ready to meet such implications as it may involve; they hope he will feel able to suggest to Attlee that Wavell is consulted on point</td>
<td>767</td>
</tr>
<tr>
<td>434 Wavell to Pethick-Lawrence Letter</td>
<td>19</td>
<td>Refers to No. 364; is sure it would be wrong of him to use his special powers to refuse access to Advisory Committee; feels he should not attempt to guide sub-Committee beyond giving informal advice which is asked for</td>
<td>767</td>
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<td>Refers to No. 358; delays in transmission of air bags; Congress becoming restive about situation though Wavell has had friendly meeting with Liaqat, Nehru and Matthai on Budget proposals; Eady Mission leaves Delhi; crisis threatened in Madras Ministry; Bihar Premier agrees to enquiry into Bihar disturbances; uselessness of such enquiries; Bihar</td>
<td>767</td>
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</table>
434 (Cont.)

February

Ministry go back on their acceptance of the Damodar Valley Project; Cabinet do not wish to force issue of release of I.N.A. convicts but are under great pressure from Assembly; sends figures of I.N.A. personnel; problems of appointing a successor to Runganadhan; report that Maharaja of Nepal made contribution to Congress funds is incorrect; Patel appoints Sudhir Ghosh as Public Relations Officer for I. & B. Dept in London; Enclosure: Statement showing number of I.N.A. personnel recovered until Dec. 1946

435 Pethick-Lawrence to Wavell Tel. 2333

20 Thanks for Nos. 374 and 375; draws attention to two problems which may follow from agreements

771

436 Wavell to Pethick-Lawrence Tel. 322-S

20 Says Burrows is less apprehensive about immediate trouble now he has seen Statement of Policy

771

437 Draft by Wavell of Letter to Pethick-Lawrence

20 Refers to No. 429; says he always wanted to announce a definite date for British withdrawal if Mission’s Plan broke down but judged a final attempt should be made to bring League into Constituent Assembly on lines of No. 373; does not consider H.M.G.’s Statement of Policy will bring Parties together

771

438 Statement by H.M.G. on Indian Policy

20 Full text of Statement as published

773

CHAPTER 4

The Statement of 20 February. Reactions of Parties and Princes; preparations for the new Viceroyalty: 20 February to 22 March 1947

1947

February

438 Statement by H.M.G. on Indian Policy

20 Full text of Statement as published

773

439 Abell to Harris Tel. 53-G.T.

21 Sends text of leading article in Hindustan Times commenting favourably on Statement of 20 Feb. and hoping that League will now enter Constituent Assembly so that settlement can be achieved through that body

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<tr>
<td>440 Abell to Harris Tel. 54-G.T.</td>
<td>February 21</td>
<td>Sends text of leading article in <em>Dawn</em> which says that H.M.G. appears to have recognised that framing of agreed constitution for united India is idle dream but regrets that H.M.G. has not spelt out that this means separate agreements with Congress for Hindu majority areas and with League for Muslim majority areas</td>
<td>777</td>
</tr>
<tr>
<td>441 Wavell to Attlee Tel. 4-U</td>
<td>21</td>
<td>Is sorry that announcement of his replacement has caused contention; will do nothing to embarrass his successor</td>
<td>779</td>
</tr>
<tr>
<td>442 Attlee to Wavell Tel. U-6</td>
<td>21</td>
<td>Says No. 441 is in keeping with the high standards on which Wavell has always acted and thanks him for it</td>
<td>779</td>
</tr>
<tr>
<td>443 Pethick-Lawrence to Attlee Minute 38/47</td>
<td>21</td>
<td>Says he understands Mountbatten would like to have few days' discussions with Wavell in U.K. before leaving for India; points out difficulties of this arrangement but appreciates there are special factors involved; if Attlee favours arrangement will ask Wavell: (1) date when he will return; (2) his recommendations for acting-Viceroy and acting Governors</td>
<td>780</td>
</tr>
<tr>
<td>444 Pethick-Lawrence to Wavell Letter</td>
<td>21</td>
<td>Refers to No. 383; interview between Knatchbull-Hugessen and Krishna Menon in Brussels; Pethick-Lawrence’s conversation with Dalal on Parsees</td>
<td>781</td>
</tr>
<tr>
<td>445 Minutes by Turnbull and Monteath</td>
<td>21</td>
<td>Nature of answer to P.Q. on whether Wavell would be permitted to make statement on his dismissal</td>
<td>782</td>
</tr>
<tr>
<td>446 Henderson to Pethick-Lawrence Minute</td>
<td>22</td>
<td>Nature of answer to P.Q. on whether Wavell would be permitted to make statement on his dismissal</td>
<td>783</td>
</tr>
<tr>
<td>448 Wavell to Pethick-Lawrence Tel. 332-S</td>
<td>22</td>
<td>Reports interviews with Nehru and Liaqat on H.M.G.'s Statement; Nehru described Statement as courageous document but spoke of its lack of definition; he said League's remaining in Govt would depend on (1) whether it joined Assembly; (2) position of Govt in Interim period; Congress would not press for immediate answer on question; Liaqat felt Statement required careful consideration and asked whether Assembly would continue to function; he did not see how Parties could ever agree Fears Churchill's persistent questioning on reasons for Wavell's replacement has clouded news of Mountbatten's appointment; summarises Nos. 441 and 442</td>
<td>785</td>
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<tr>
<td>449 Attlee to Lascelles Tel. Epoch 35 via Ministry of Defence</td>
<td>22</td>
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<td>787</td>
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<tr>
<td>Caroe to Wavell Letter GH 21, para. 2</td>
<td>February 22</td>
<td>Mob besieges Khan Sahib’s house; police handling of the disturbance provides proof of their demoralisation which really set in with Nehru’s visit</td>
<td>787</td>
</tr>
<tr>
<td>Attlee to Wavell Tel. 31</td>
<td>February 23</td>
<td>Refers to No. 431; has little doubt that all necessary passages out of India could be provided as emergency operation but considers effect of immediate announcement would be to create panic; will continue to give matter personal attention</td>
<td>789</td>
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<tr>
<td>Cutting from Hindustan Times</td>
<td>February 23</td>
<td>Nehru’s reactions to H.M.G.’s Statement of Policy</td>
<td>790</td>
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<tr>
<td>Cutting from Statesman</td>
<td>February 23</td>
<td>Bhopal’s reactions to H.M.G.’s Statement of Policy</td>
<td>792</td>
</tr>
<tr>
<td>Harris to Abell Tel. 2523</td>
<td>February 24</td>
<td>Sends texts of (1) P.Q. asking whether Wavell would be permitted to make statement on his dismissal; (2) Attlee’s reply thereto</td>
<td>793</td>
</tr>
<tr>
<td>Corfield to Bhopal Letter</td>
<td>February 24</td>
<td>Refers to Vol. VII, No. 262, para. 4; points out that there are many arrangements between States and British India which depend on the functioning of Crown Representative and where, if steps are not taken to devise new arrangements, there will be administrative breakdown on the ending of Paramountcy; suggests he initiates discussions between States’ Negotiating Committee and British Indian authorities</td>
<td>793</td>
</tr>
<tr>
<td>Nehru to Wavell Letter</td>
<td>February 24</td>
<td>Draws attention to No. 452; says No. 253 is clear acceptance of Statement of 6 Dec. though he would be prepared to consider any particular points in detail; will not press for immediate answer to No. 350 but League’s attitude will have to be determined in near future so that they know lines on which they will proceed General opinion in Sind that H.M.G.’s Statement will breed discord and will increase difficulties of maintaining law and order; widespread feeling among Muslims that they should declare that they are on side of British and wish to remain in Empire</td>
<td>794</td>
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<tr>
<td>Mudie to Wavell Letter 113 FR (extract)</td>
<td>February 24</td>
<td>Mountbatten has explained that Ministers themselves would wish to have the views of Wavell before he left for India Mountbatten’s wish to discuss Indian situation with Wavell and Ministers before leaving for India; line to be taken</td>
<td>796</td>
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<td>Note by Attlee</td>
<td>February 24</td>
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<td>797</td>
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<td>Cabinet India and Burma Committee I.B.(47)13th Meeting Minutes 2–3</td>
<td>February 24</td>
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<td>459 (Cont.)</td>
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<td>460 Wavell to King George VI Letter</td>
<td>24</td>
<td>in Parliamentary Debates; Annex: Note of Replies to be given to Questions likely to be raised in Parliamentary Debates</td>
<td>801</td>
</tr>
<tr>
<td>461 Wavell to Pethick-Lawrence Tel. 349–S</td>
<td>25</td>
<td>Gives account of political developments in India since issue of Statement of 6 Dec.; summarises the ideas which lay behind his recommendations on policy and his actions as Viceroy</td>
<td>812</td>
</tr>
<tr>
<td>462 Abell to Harris Tel. 352–S</td>
<td>25</td>
<td>Is sending text of No. 456; does not consider immediate reply necessary</td>
<td>812</td>
</tr>
<tr>
<td>464 Pethick-Lawrence to Wavell Tel. 2633</td>
<td>25</td>
<td>Summarises reactions to Statement of Policy; says Wavell feels while Statement has had good reaction generally, Parties interpret it on contradictory lines</td>
<td>816</td>
</tr>
<tr>
<td>465 Wavell to Pethick-Lawrence Tel. 359–P</td>
<td>26</td>
<td>Says it is proposed Mountbatten should arrive at Karachi on 16 March and have talk with Wavell that day; aircraft would return to Karachi to bring Wavell home after it had taken Mountbatten to Delhi</td>
<td>816</td>
</tr>
<tr>
<td>466 Monckton to Patrick Letter</td>
<td>26</td>
<td>Considers it would be politic to remove restrictions on the Nizam of Hyderabad at once</td>
<td>817</td>
</tr>
<tr>
<td>467 Wavell to Pethick-Lawrence Tel. 362–S</td>
<td>26</td>
<td>Wonders whether Nizam might not be freed from restrictions on appointment of Ministers; also feels it is hard to justify restrictions on size of his army and his establishing munitions factories</td>
<td>818</td>
</tr>
<tr>
<td>468 Rowan to Attlee Minute</td>
<td>26</td>
<td>Sees no reason why he cannot have discussions with Mountbatten in Delhi and leave following morning; procedure proposed in No. 464 would be inconvenient to himself and Mudie; would prefer it if hand-over could be week later than suggested</td>
<td>818</td>
</tr>
<tr>
<td>469 Wavell to Pethick-Lawrence Letter</td>
<td>26</td>
<td>Addison reports that Opposition in Lords have withdrawn their motion on India and there has been no division; he says this was largely due to fine speech by Halifax and others in similar vein</td>
<td>819</td>
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</table>

Reactions to H.M.G.'s Statement; agitation begins in N.W.F.P. over abduction of Sikh girl; big States have not really committed themselves on method of negotiation with Constituent Assembly; need to remove restrictions on Nizam; Interim Cabinet debates question of merging External Affairs and Commonwealth Relations Depts and
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<tr>
<td>469 (Cont.)</td>
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<td>transferring control of High Commissioner in U.K. to this Dept; remarks made by Cariappa on Congress attitude to retention of British Officers in Indian Army and alliance with U.K.; enquiries by U.S. Embassy in Delhi on points arising from H.M.G.'s Statement; action taken on H.M.G.'s &quot;reservation&quot; in 1942 about possibility of re-opening discussion on War Financial Settlement</td>
<td></td>
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<tr>
<td>470 Colville to Wavell Report 79, paras. 2–3</td>
<td>27</td>
<td>Favourable reactions in Bombay to H.M.G.'s Statement; Ministry determined to handle communists and extreme left-wing elements firmly</td>
<td>822</td>
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<tr>
<td>471 Wavell to Pethick-Lawrence Tel. 369-P</td>
<td>27</td>
<td>Implications of Statement of 20 Feb. on devolution of paramountcy; asks whether approach they are adopting meets with approval; says it will involve giving maximum discretion to Crown Representative; will aim to bring about maximum devolution to States by end of 1947</td>
<td>823</td>
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<td>472 Pethick-Lawrence to Wavell Tel. 2719</td>
<td>27</td>
<td>Refers to No. 467; says Ministers and Mountbatten are anxious to meet him in every way and readily agree that Mountbatten should have discussions with him in Delhi; difficulty about later date for hand-over is that League may have taken decision by then which would affect political situation</td>
<td>824</td>
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<tr>
<td>473 Pethick-Lawrence to Wavell Letter</td>
<td>27</td>
<td>Refers to No. 434; Lords debate; hitch in arrangements for Gurkha negotiations</td>
<td>825</td>
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<tr>
<td>474 Alexander to Chiefs of Staff Note</td>
<td>28</td>
<td>Lists questions Mountbatten wishes to discuss with Chiefs of Staff or Defence Committee before leaving for India</td>
<td>827</td>
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<tr>
<td>475 Abell to Harris Tel. 386–S</td>
<td>1</td>
<td>Says Wavell's recollection of Nehru's argument at interview on 21 Feb. relating to the 'reservations' in No. 253 was that since H.M.G. had recognised that large bodies could not be compelled into a constitution against their will, this must logically apply to large minorities within a Province</td>
<td>828</td>
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<td>477 Note by Wavell</td>
<td>3</td>
<td>Interview with Bhopal on: negotiations of previous two days between States and Constituent Assembly; division among the Princes; dislike of H.M.G.'s Statement; idea of British Dominion of N. W.</td>
<td>834</td>
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<td>477 (Cont.)</td>
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<td>478 Note by Wavell</td>
<td>March</td>
<td>India; Congress dislike of Budget proposals; Interview with Ramaswami Aiyer: confirms division among Princes; H.M.G.'s Statement; question of Southern Indian Federation; spread of communism in South; method of ending Paramountcy; Nehru's unpleasantness on thoriun Agreement Memorandum by Pethick-Lawrence on proposed devolution of Paramountcy over the Indian States during the interim period</td>
<td>835</td>
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<td>479 Cabinet India and Burma Committee Paper I.B.(47)25</td>
<td>3</td>
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<td>480 Cabinet India and Burma Committee Paper I.B.(47)27</td>
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<td>840</td>
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<td>482 Wylie to Wavell Letter U.P.–74</td>
<td>4</td>
<td>Encloses copy of letter from English Collector which explains difficulties under which European officers are working and calls for immediate announcement by H.M.G. on future of Services</td>
<td>851</td>
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<tr>
<td>485 Wavell to Pethick-Lawrence Tel. 411–P</td>
<td>5</td>
<td>Sends text of joint communiqué issued on 2 March by States' Negotiating Committee and corresponding Committee of Constituent Assembly; this said there was general acceptance of recommendation regarding allocation of seats among States and agreement that at least half should be filled by some form of election; joint committee set up to consider any points of detail</td>
<td>855</td>
</tr>
<tr>
<td>486 Wavell to Pethick-Lawrence Tel. 412–P</td>
<td>5</td>
<td>Refers to No. 485; says States have not committed themselves to participation in Constituent Assembly; General Conference of Rulers in April will consider question in light of Statement of 20 Feb.</td>
<td>856</td>
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<tr>
<td>487 Chiefs of Staff Committee C.O.S.(47)36th Meeting</td>
<td>5</td>
<td>Consideration of aide mémoire on defence arrangements prepared for use by Alexander during Commons debate</td>
<td>856</td>
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<tr>
<td>488 Wavell to Pethick-Lawrence Tel. 416–S</td>
<td>5</td>
<td>Says Assembly resolution on I.N.A. convicts has been postponed and demand for restoration of forfeited payments dropped; unless he wishes him to delay the case until Mountbatten arrives he will have to permit discussion in Cabinet, and then overrule it</td>
<td>863</td>
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<tr>
<td>489 Pethick-Lawrence to Wavell Tel. 2989</td>
<td>5</td>
<td>Refers to No. 471; agrees with approach proposed towards relaxation of Paramountcy and that Crown</td>
<td>864</td>
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<td>489 (Cont.)</td>
<td>March</td>
<td>Representative should have maximum discretion; desirable Corfield should press forward negotiations for future regulation of matters of common concern</td>
<td>5 870</td>
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<td>494</td>
<td></td>
<td>Refers to Nos. 444 and 473; Ministry in N.W.F.P. may not survive very long; Liaquat's budget, which involves heavy taxation of business profits, divides Congress; budget also blow to British interests; Princes have not committed themselves yet to cooperation with Constituent Assembly; Ministerial difficulties in Madras; need to fix date for retirement and compensation for certain British Officers in Indian Army and R.I.N.; Parliamentary debates</td>
<td>6 873</td>
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<td>496</td>
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<td>Says he has heard that some Political Dept records are being destroyed and others transferred; hopes this is untrue; asks him to enquire into matter and stop any such vandalism</td>
<td>6 874</td>
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<td>497</td>
<td></td>
<td>Line to be taken in Commons debate on: (1) Indian Sterling Balances (2) future of European members of Services and Armed Forces</td>
<td>6 875</td>
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<td>503</td>
<td></td>
<td>Memorandum by Pethick-Lawrence on 'future of the Gurkhas' to be used as basis for discussion with Mountbatten</td>
<td>7 890</td>
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<td>505</td>
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<td>Refers to Nos. 434 and 469; agrees enquiries into disturbances serve little purpose; hesitancy of States in their negotiations with Constituent Assembly; Commons debate on Statement of 20 Feb.; future of Andamans and Nicobars under consideration; P.Q. on subject; future commercial relations between U.K. and India; suggestion small trade mission should visit India; Krishna Menon’s visit to Oslo</td>
<td>7 894</td>
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<td>507</td>
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<td>Refers to No. 488; says Pethick-Lawrence feels matter should be dealt with by Wavell on lines agreed in No. 293; Cripps feels issue should be reserved for Mountbatten; Pethick-Lawrence seeks talk with Attlee</td>
<td>8 895</td>
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<td>509</td>
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<td>Reports that there are two competing views held in Constituent Assembly Committee on Union Powers; one is that without League’s participation, Assembly need not be tied to Mission’s Plan but can form strong Centre; other is that</td>
<td>8 895</td>
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<td>509 (Cont.)</td>
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<td>510</td>
<td>8</td>
<td>Constitution should be made to accord with Mission's Plan; Nehru is protagonist of latter view Caroe talks to his Ministry of dangers they face with Opposition in jail at start of Assembly session; he discussed possible courses of action with them but they did not favour holding of fresh elections or releasing Opposition; instead it was decided to issue announcement saying Ministry favoured constitutional processes but was determined to maintain law and order</td>
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<td>511</td>
<td>9</td>
<td>Elaborates Congress Working Committee resolutions; draws attention to Cripps' Commons speech in which he talked of not forcing 'Provinces' into united India if not represented in Constituent Assembly; considers operative word should be 'areas'; point is of particular importance in Bengal and Punjab which will have to be partitioned if League does not join Assembly; Enclosure: Congress Working Committee resolutions of 8 March on: (1) Attlee's Declaration of 20 Feb.; (2) invitation to League to meet Congress representatives; (3) recommending division of Punjab into two Provinces</td>
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<td>512</td>
<td>9</td>
<td>Thanks for No. 511; is passing on remarks about Cripps' speech; thinks best chance for progress lies in acceptance by both Parties of Mission's plan; until results of Congress approach to League is known, thinks it premature to consider partition</td>
<td></td>
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<td>514</td>
<td>9</td>
<td>In letter on Punjab situation, Baldev Singh has drawn special attention to participation of some Members of Interim Govt in Punjab agitation</td>
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<td>515</td>
<td>10</td>
<td>Interview with Nehru on: (1) Nehru's suggestion that there should be two Ministries in the Punjab, one for the Eastern part and the other for the Western; (2) political future; (3) food problem; (4) Inter-Asian Conference</td>
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<td>516</td>
<td>10</td>
<td>Says H.M.G. wishes him to dispose of matter of I.N.A. convicts as soon as possible, if necessary overruling his colleagues</td>
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<td>517 Cabinet India and Burma Committee</td>
<td>March 10</td>
<td>Memorandum by Pethick-Lawrence arguing that no amendment of the G.G.'s Instrument of Instructions is called for at present</td>
<td>909</td>
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<tr>
<td>524 Cabinet India and Burma Committee</td>
<td>March 12</td>
<td>Note by Pethick-Lawrence circulating (1) document handed him by Sudhir Ghosh suggesting that transfer of power can be achieved through modifications of existing constitution and on a Dominion basis; (2) note commenting on (1)</td>
<td>921</td>
</tr>
<tr>
<td>526 Wavell to Pethick-Lawrence</td>
<td>12</td>
<td>Refers to No. 444; League showing no inclination to start negotiating with Congress and has given bad reception to Working Committee resolution proposing partition of Punjab; warns that there will be administrative chaos if partition or secession of Punjab and Bengal is decided on at last moment; Nehru unaware (No. 515) of administrative difficulties of Punjab partition; effects of Liaqat’s budget proposals on Congress; may become difficult to enforce any all-India price controls; Asian Relations Conference; Mountbatten receiving good Press; Corfield’s talk with Nizam</td>
<td>926</td>
</tr>
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<td>527 Nehru to Wavell</td>
<td>13</td>
<td>Agitation by League in N.W.F.P. has now taken communal turn and its demands cannot be agreed to; has decided to pay brief visit to Punjab</td>
<td>928</td>
</tr>
<tr>
<td>528 Caroe to Wavell</td>
<td>13</td>
<td>Background to League agitation in N.W.F.P. including arrest of League leaders; Ministry refused to open negotiations with League and demonstration occurred at opening of Assembly session resulting in casualties; has occupied Peshawar and imposed curfew; situation in Province has deteriorated but tribes have taken no action and are unlikely to do so if control is maintained in urban areas and food supply assured; Hindus and Sikhs in Peshawar are frightened; believes they have turned corner but warns of possible adverse influence of outside politicians and says visit from Advisory Committee would be foolish</td>
<td>930</td>
</tr>
<tr>
<td>529 Cabinet India and Burma Committee</td>
<td>13</td>
<td>(1) Joint Standing Committee on Indian Affairs; (2) Governor-General’s Instrument of Instructions; (3) Compens-</td>
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<td>529 (Cont.)</td>
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<td>sation for Members of the Indian Services appointed by the S. of S. and for Officers of the Indian Fighting Services; (4) Date for termination of British Services in India, Civil and Military; (5) Transfer of Power to more than one authority</td>
<td>940</td>
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<tr>
<td>530 Cabinet</td>
<td>13</td>
<td>(1) draft Directive to the Viceroy-Designate; (2) defence of India—future of the Andaman and Nicobar Islands; (3) future relations between India and adjacent countries; (4) redrawing of provincial boundaries; (5) Indian Army during the transitional period; (6) position of the Viceroy in relation to the Interim Govt; (7) merger of Indian States into units of more manageable size; (8) Indian National Army</td>
<td>946</td>
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<tr>
<td>Meeting of Ministers on Indian Questions GEN.174/1st Meeting</td>
<td></td>
<td>Sends note on: (1) the crisis in the Interim Govt; (2) the machinery for taking over in July 1948; (3) the Princes; (4) Indo-British relations</td>
<td>954</td>
</tr>
<tr>
<td>531 Krishna Menon to Mountbatten Letter</td>
<td>13</td>
<td>Refers to Nos. 469 and 494; danger that situation in N.W.F.P. will follow that in Punjab; H.M.G. must leave projects for federations of States to their sponsors; surprised Interim Govt did not object previously to agreement with Travancore on thorium; supposes States are coming to realise poorness of their prospects in isolation from British India; his disquiet at indications of subversive activity by communists; Liaquat's budget proposals; possible difficulties in removal of U.K. capital from India; reflections on Parliamentary debates on India; withdrawal of Force 401 from Iraq; is interested at idea of Dominion Status on a provisional basis contained in Annex I to No. 524; Krishna Menon's visit to Czechoslovakia (paras. 15-18); food supplies for India</td>
<td>958</td>
</tr>
<tr>
<td>532 Attlee to Pethick-Lawrence, Alexander and Cripps Minute M.129/47</td>
<td>15</td>
<td>Sends draft of Enclosure to No. 543 for observations</td>
<td>958</td>
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<tr>
<td>535 Wavell to Nehru Letter 1299/2</td>
<td>15</td>
<td>Refers to No. 496; explains that action is being taken in Residencies and Political Agencies to weed out and destroy records which possess no historical interest and are valueless for future reference; encloses note by Wakefield of his conversation</td>
<td>958</td>
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<td>535 (Cont.)</td>
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<td>with Sen on custody of Political Dept records</td>
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<td>539</td>
<td>March</td>
<td>Future employment of the Gurkhas in the British Army</td>
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<td>Wavell to Pethick-Lawrence Tel. 550-P</td>
<td>962</td>
<td>Refers to No. 486; says Rulers of certain States have made positive declaration of intention to join Constituent Assembly at once; does not think this will strengthen claim of Assembly to be representative, as cleavage amongst States is primarily on communal lines; breach of States' unity will remove stabilising factor in all-India situation</td>
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<td>Nehru to Wavell Letter</td>
<td>970</td>
<td>Refers to No. 535; is apprehensive that in weeding process, useful records may unknowingly be destroyed; suggests eminent historian supervises the process; best solution would be to collect all the records in Imperial Record Dept; does not see why any of the papers should be transferred to the custody of the U.K. High Commissioner</td>
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<td>Attlee to Pethick-Lawrence Minute M.134/47</td>
<td>972</td>
<td>Encloses copy of letter he has sent Mountbatten; this informs him that Statement of 20 Feb. sets out H.M.G.'s policy and principles for transfer of power; H.M.G.'s definite objective is to transfer power to unitary Govt, within Commonwealth if possible, according to Mission's constitutional plan; if by 1 Oct. 1947 there is no prospect of settlement on such basis, asks him to report on steps to be taken to hand over power by June 1948; indicates policy he should adopt towards States; also states principle that should govern his relations with Interim Govt; keynote of his administration should be closest cooperation with Indians; this should be made clear to S. of S.'s Services; he should stress importance of transfer being effected with full regard to India's defence requirements</td>
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<td>Chiefs of Staff Committee Paper C.O.S.(47)59(0)</td>
<td>974</td>
<td>Consideration of defence requirements in three cases, namely: (1) India remains unified and friendly within or outside Commonwealth; (2) India remains unified but non-cooperative outside Commonwealth; (3) power is transferred to divided India; timing of withdrawal of British Forces in India after June 1948</td>
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<td>545 Meeting of Ministers MISC/M(47)8</td>
<td>March 18</td>
<td>Consideration of No. 544</td>
<td>982</td>
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<tr>
<td>546 Burrows to Wavell Letter F.J.B.–21, para. 2 (extract)</td>
<td>19</td>
<td>Movement for partitioning Bengal gaining momentum; Hindu opinion divided on this; Suhrawardy has been saying Bengal must be independent of Centre and that Hindus and Muslims must form coalitions and work in harmony; doubts if ordinary League members realise they cannot hope to dominate Hindus</td>
<td>985</td>
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<td>547 Azad to Pethick-Lawrence Letter</td>
<td>19</td>
<td>Says growth of Indian national consciousness has led to increasing demand for repatriation of articles of historical interest in India House and the India Office; asks for reaction to this idea and for a list of the collections</td>
<td>986</td>
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<tr>
<td>548 Wavell to Pethick-Lawrence Tel. 552-P</td>
<td>19</td>
<td>Sends text of reply received from Bhopal to No. 455; this says States are anxious to settle matters as soon as possible and before end of interim period, but are uncertain with whom to negotiate; Bhopal questions representative character of Constituent Assembly and its authority and feels Interim Govt would not be in position to bind its successor; he asks for clarification of the position and wishes to know real object of negotiations; he also enquires about H.M.G.'s intentions regarding successor authorities to which it will transfer power; Wavell assumes Mountbatten will see Bhopal; in meantime Political Dept are considering certain administrative arrangements on lapse of Paramountcy</td>
<td>987</td>
</tr>
<tr>
<td>549 Nehru to Wavell Letter</td>
<td>19</td>
<td>Says he feels hurt by the request not to visit Peshawar; presumes Caroe has again objected to his visiting Frontier; cannot shoulder his responsibilities if prevented from doing his work; says it is clear there is distrust and lack of confidence between Caroe and Khan Sahib; calls for early retirement of Caroe</td>
<td>988</td>
</tr>
<tr>
<td>550 Wavell to Nehru Letter 133/15</td>
<td>19</td>
<td>Refers to No. 549; says he asked him on his own initiative not to visit Peshawar because of difficulty of providing adequate protection; Wavell himself did not go ahead with visit to Lahore on same ground</td>
<td>989</td>
</tr>
<tr>
<td>551 Wavell to Pethick-Lawrence Letter</td>
<td>19</td>
<td>Refers to Nos. 505 and 533; Reid says Jinnah has no intention of making</td>
<td>990</td>
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<tr>
<td>Name and Number</td>
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<tr>
<td>551 (Cont.)</td>
<td>March</td>
<td>response to Congress resolution (Enclosure to No. 511, item 2) until called for by Mountbatten; fortunate that N.W.F.P. disturbances have not been more serious; Nehru’s letter (No. 549) on his intended visit to Peshawar; has seen report on probability of League agitation against Assam Ministry; acute differences over Budget; doubtful if any practical results would accrue from visit by a U.K. trade mission; Indian Govt unlikely to give up Andamans and Nicobars easily; will have to overrule his colleagues on I.N.A. prisoners</td>
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<tr>
<td>552</td>
<td>20</td>
<td>Tyson to Shone Letter (extract) Explains why British community is concerned about maintenance of law and order in interim period and protection of British business interests before and after transfer</td>
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</tr>
<tr>
<td>553</td>
<td>20</td>
<td>Wavell to Pethick-Lawrence Tel. 566-S Reports that I.N.A. question was considered in Cabinet; no dissent from Baldev Singh’s proposal that men should be released and therefore Wavell overruled Cabinet; Nehru said serious issues were raised but was anxious to save Wavell embarrassment; Nehru felt issue was bound to come up again</td>
<td></td>
</tr>
<tr>
<td>554</td>
<td>20</td>
<td>Wavell to Pethick-Lawrence Tel. 567-S Reports that crisis is threatened over Budget; Congress put forward proposal in Select Committee that would have made business profits tax ineffective but were defeated; they are pressing that Cabinet should reconsider Budget to avoid exposing differences in their party in Assembly; Liaquat has agreed to try to settle matter informally but Wavell fears it will ultimately go to Cabinet</td>
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</tr>
<tr>
<td>556</td>
<td>21</td>
<td>Pethick-Lawrence to Wavell Tel. 3805 Refers to No. 548; suggests preliminary discussions might take place between States and Interim Govt with view to narrowing controversy in future discussions with Constituent Assembly; in any case, rulers might consider their desiderata; is suggesting to Mountbatten that Interim Govt should initiate preliminary discussions</td>
<td></td>
</tr>
<tr>
<td>557</td>
<td>21</td>
<td>Pethick-Lawrence to Mountbatten Letter Says he gladly agreed with line of policy proposed in No. 471 but feels they must recognise they will have to continue exercising Paramoutncy powers in some States possibly up to independence; asks</td>
<td></td>
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### SUMMARY OF DOCUMENTS

<table>
<thead>
<tr>
<th>Name and Number</th>
<th>Date</th>
<th>Main subject or subjects</th>
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<tbody>
<tr>
<td>557 (Cont.)</td>
<td>March</td>
<td>for regular surveys on retraction of Paramountcy; suggests Interim Govt initiates preliminary discussions with States on matters of common concern; may be advantage in the adherence of several large States to the present Constituent Assembly</td>
</tr>
<tr>
<td>559</td>
<td>21</td>
<td>Text of Wavell’s farewell broadcast</td>
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<tr>
<td>561</td>
<td>undated</td>
<td>The Interim Govt</td>
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<tr>
<td>562</td>
<td>22</td>
<td>Next constitutional step; claim to Premiership crux of problem in Cabinet; possibility of partition of Punjab and Bengal within Cabinet Mission plan; Indian politicians complacent and fail to realise shortness of time before transfer of power; H.M.G.’s attitude to position if League is forced to leave Interim Govt</td>
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### CHAPTER 5

**Political Crisis in the Punjab: 25 January to 22 March 1947**

<table>
<thead>
<tr>
<th>Name and Number</th>
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<th>Main subject or subjects</th>
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<tbody>
<tr>
<td>306</td>
<td>25</td>
<td>Asks for full account of circumstances in which League leaders have been arrested in Punjab and grounds for police raid on offices of League National Guard and R.S.S.S.; wishes to know whether action was taken with Khizar’s authority</td>
</tr>
<tr>
<td>310</td>
<td>25</td>
<td>Refers to No. 306; gives account of action taken against R.S.S.S. and League National Guards; says that in Lahore League leaders obstructed routine police search and were arrested; subsequently 15 League M.L.A.s were arrested after defying ban on processions and meetings; action was taken with Khizar’s authority</td>
</tr>
<tr>
<td>311</td>
<td>26</td>
<td>Continues No. 310; says Khizar has decided to issue conciliatory statement stressing that Govt has been actuated by motives of law and order and not Party considerations; Khizar hopes this will rally moderate Muslim opinion</td>
</tr>
<tr>
<td>Name and Number</td>
<td>Date</td>
<td>Main subject or subjects</td>
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<tr>
<td>312 Jenkins to Wavell Letter 642</td>
<td>26</td>
<td>Sends full account of the arrest of League leaders in the Punjab; reports his discussion on this subject with Khizar and others; feels Khizar is in for difficult time</td>
</tr>
<tr>
<td>313 Patel to Wavell Letter</td>
<td>26</td>
<td>Complains of criticisms which some League Members of Interim Govt have made about lawful actions taken by Punjab Govt; suggests he impresses on them the impropriety of their conduct</td>
</tr>
<tr>
<td>315 Note by Wavell</td>
<td>27</td>
<td>Interview with Liaqat relating to, amongst other matters, Punjab Govt’s action over private armies; Liaqat feels parallel action should be taken against Congress and Akali volunteers</td>
</tr>
<tr>
<td>316 Jenkins to Pethick-Lawrence Tel. 5-G</td>
<td>27</td>
<td>Says Khizar’s conciliatory gesture (No. 311) has not proved immediately successful; gives account of an interview with Mamdot; reports trouble outside Lahore but nowhere serious except at Amritsar and Jullundur; Khizar has decided to cancel bans on League National Guard and R.S.S.S. but will fight League on question of ordinances imposed for law and order purposes</td>
</tr>
<tr>
<td>321 Jenkins to Wavell Tel. 6-G</td>
<td>28</td>
<td>Says bans were not imposed against Congress volunteers and Akali Jathas as these are not organised bodies; object of bans was to deal with the only two active private armies</td>
</tr>
<tr>
<td>324 Jenkins to Pethick-Lawrence Tel. 8-G</td>
<td>29</td>
<td>Continues No. 316; says that in speeches previous day, League leaders made it clear that despite lifting of ban on R.S.S.S. and M.L.N.G. direct action would be continued until restrictions on processions and meetings were lifted and Ministry resigned; all important League leaders in Lahore were arrested previous night</td>
</tr>
<tr>
<td>325 Wavell to Pethick-Lawrence Letter, para. 1</td>
<td>29</td>
<td>Possibility of serious trouble in Punjab</td>
</tr>
<tr>
<td>332 Pethick-Lawrence to Wavell Letter, paras. 2–3</td>
<td>31</td>
<td>Fears action in Punjab against League may jeopardise chances of League entering Constituent Assembly; possibility of League Govt in Punjab</td>
</tr>
<tr>
<td>339 Jenkins to Wavell Letter 647, paras. 3, 8</td>
<td>3</td>
<td>Jenkins suggests to Khizar that he should begin to consider his long-term position; believes that League’s attitude to Punjab has made it difficult for them to form Govt and has advanced case for partition</td>
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<tr>
<td>Name and Number</td>
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<tr>
<td>345 Wavell to Pethick-Lawrence Letter, para. 3</td>
<td>February 4</td>
<td>Punjab situation; fears Khizar's days are numbered as Premier of Punjab</td>
</tr>
<tr>
<td>354 Baldev Singh to Wavell Letter</td>
<td>6</td>
<td>Says Punjab ban on R.S.S.S. and League National Guard was justified and League complaints were an excuse for staying out of Constituent Assembly; considers League are attempting to disrupt coalition Ministry by rousing fanatical elements, having failed by constitutional methods; explains why Sikhs are greatly agitated; considers League Members of Interim Govt should not support defiance of orders of Provincial Govt</td>
</tr>
<tr>
<td>366 Jenkins to Pethick-Lawrence Tel. 15-G</td>
<td>8</td>
<td>Says League agitation has taken normal course of Indian passive resistance movements and there has been little violence; believes most likely outcome is some form of compromise between Ministry and League; in the long-term, agitation is likely to force idea of partition on the minorities and will impair prospect of Muslim leadership in a united Punjab</td>
</tr>
<tr>
<td>382 Jenkins to Wavell Tel. 69-G</td>
<td>12</td>
<td>Considers Hindus and Sikhs will not stand Muslim agitation much longer and that their intervention in affairs is now almost certain; suggests he warns Liaquat or Nazimuddin of extremely grave communal possibilities</td>
</tr>
<tr>
<td>383 Wavell to Pethick-Lawrence Letter, para. 3</td>
<td>12</td>
<td>Clear League could not run Punjab in stable manner without support from other Parties; possibility Khizar may be defeated</td>
</tr>
<tr>
<td>387 Wavell to Jenkins Tel. 281-S</td>
<td>13</td>
<td>Refers to No. 382, para. 4; says he has seen Nazimuddin who realises danger but complained that Punjab Govt was stifling political activity to keep themselves in power; Nazimuddin offered to see Khizar</td>
</tr>
<tr>
<td>388 Pethick-Lawrence to Wavell Letter, para. 2</td>
<td>13</td>
<td>Refers to No. 345; agrees situation in Punjab has gone better than might have been feared; also agrees that League's action is encouraging demand for partition</td>
</tr>
<tr>
<td>396 Patel to Wavell Letter</td>
<td>14</td>
<td>Draws attention to statements by Liaquat and Ghazanfar Ali Khan relating to Punjab situation</td>
</tr>
<tr>
<td>404 Jenkins to Wavell Letter 648, paras. 1–5</td>
<td>15</td>
<td>Underlying League attitude is for Muslim dominance in Punjab and their failure to take Office after General Election was due</td>
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<tr>
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<td>404 (Cont.)</td>
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<tr>
<td>408 Jenkins</td>
<td>16</td>
<td>Comments on H.M.G.'s Statement of Policy; thinks it makes it impossible for Punjab to take line of its own; fears it may lead to great violence in Punjab</td>
</tr>
<tr>
<td>434 Wavell to Pethick-Lawrence Letter, para. 3</td>
<td>19</td>
<td>Punjab Ministry and Muslim League seem to be ready to consider terms for compromise</td>
</tr>
<tr>
<td>463 Jenkins to Pethick-Lawrence Tel. 21-G</td>
<td>25</td>
<td>Reports that agitation has become increasingly mischievous and violent in previous few days; Khizar is not prepared to undertake repression exercise in light of H.M.G.'s Statement of Policy and has decided to settle with League; he hopes to promote formation of All-Parties Ministry or League-Sikh Coalition; Governor feels situation has most dangerous possibilities</td>
</tr>
<tr>
<td>469 Wavell to Pethick-Lawrence Letter, para. 2</td>
<td>26</td>
<td>Punjab agitation continues; settlement reported between Punjab Ministry and League</td>
</tr>
<tr>
<td>473 Pethick-Lawrence to Wavell Letter, para. 3</td>
<td>27</td>
<td>Thinks effect of Statement has been to push Khizar towards League but agrees only real solution in Punjab is Muslim <em>cum</em> Sikh Govt</td>
</tr>
<tr>
<td>476 Jenkins to Wavell Letter 652</td>
<td>3</td>
<td>Background to Khizar's resignation; reports discussions he had with Congress leaders; has charged Mamdot with duty of forming Ministry; discusses possible situations which may arise and possible courses of action; seeks advice</td>
</tr>
<tr>
<td>481 Jenkins to Pethick-Lawrence Tel. 26-G</td>
<td>4</td>
<td>Reports outbreaks of rioting in Lahore; says Congress and Sikhs are determined to resist Muslim rule and Mamdot has made no progress in forming coalition; has told Mamdot he must convince him of firm majority before he will make him Premier</td>
</tr>
<tr>
<td>483 Wavell to Pethick-Lawrence Tel. 408-S</td>
<td>5</td>
<td>Summarises No. 476; says he is sending Abell by air to Lahore and indicates advice he will give Jenkins; is seeing Patel to ask Congress to discourage anti-Pakistan Day demonstration</td>
</tr>
<tr>
<td>484 Wavell to Pethick-Lawrence Tel. 409-S</td>
<td>5</td>
<td>Refers to No. 483; says Jenkins reports considerable disturbances; Jenkins does not believe Unionists have agreed to</td>
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<tr>
<td>484 (Cont.)</td>
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<td>support Mamdot and has asked Mamdot for list of his supporters</td>
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<tr>
<td>490 Jenkins to Wavell Tel. 27-G</td>
<td>5 March</td>
<td>Says communal rioting broke out again in Lahore that morning and trouble is expected in Amritsar; report received of heavy casualties in Multan riots; coalition Ministers have all resigned; has had inconclusive discussions with Mamdot who jibbed at idea of Section 93 when Jenkins said he could not handle situation without a Govt; Mamdot is seeing him later</td>
</tr>
<tr>
<td>491 Mamdot to Jenkins Letter</td>
<td>5</td>
<td>Refers to his interview previous day; stresses ability of Ministry he is recommending to face Legislature successfully; claims to command at least 90 votes; feels Jenkins should let him take office immediately</td>
</tr>
<tr>
<td>492 Jenkins to Mamdot Letter</td>
<td>5</td>
<td>Thanks for No. 491; says he requires list of his supporters and signed statements of support from the non-Leaguers; has proclaimed Section 93 in the interim; considers it desirable that any Govt that is formed should command the confidence of Punjabis generally; suggests leaders issue statement condemning disturbances</td>
</tr>
<tr>
<td>493 Jenkins to Wavell Tel. 28-G</td>
<td>5</td>
<td>Summarises negotiations with Mamdot; could not install League Ministry in present circumstances; says if Mamdot produces evidence of majority for purely League Ministry, he would still advocate remaining in Section 93 coupled with attempt to mediate between communities; otherwise Police, troops and himself would become involved on Muslim side in a civil war</td>
</tr>
<tr>
<td>494 Wavell to Pethick-Lawrence Letter, para. 3</td>
<td>5</td>
<td>Fall of Punjab Ministry leaves Punjab face to face with Pakistan reality</td>
</tr>
<tr>
<td>495 Pethick-Lawrence to Wavell Tel. 3021</td>
<td>5</td>
<td>Refers to No. 483; agrees with instructions given Jenkins; if League command majority in legislature even without Sikh and Hindu support, essential they be kept in office until outvoted; if driven into Section 93 Jenkins should take strong action on law and order and, if possible, reassert it before any consultations with Party leaders; desirable to avoid discussion on partition before Working Committee meetings; assumes it would only be necessary to partition Punjab if Sikhs could not</td>
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<tr>
<td>495 (Cont.)</td>
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<td>otherwise be satisfied and asks for his and Jenkins' suggestions for such a partition; best solution would be Sikh-League agreement</td>
</tr>
<tr>
<td>498 Wavell to Pethick-Lawrence Tel. 423-S</td>
<td>March</td>
<td>Refers to Nos. 493 and 495; reports talks with Patel, Liaquat and Baldev Singh on Punjab situation; is sure there was no alternative to Section 93 but fears it may be difficult to get out of; cannot recommend that Mammad be asked to form Ministry unless he can produce assured majority; agreement on partition unlikely and feels they must first explore idea of long-term assurances to Sikhs</td>
</tr>
<tr>
<td>499 Wavell to Jenkins Letter 90/13</td>
<td>March</td>
<td>Sends copy of No. 498; agrees generally with line he has taken but hopes every effort will be made to secure coalition; asks for suggestions on preliminary scheme for partition; Baldev Singh suggested to Abell that H.M.G. should tell parties they insist on Group B but will divide Punjab into two Provinces—one predominantly Muslim, the other predominantly non-Muslim; latter Province could not opt out of Group for ten years</td>
</tr>
<tr>
<td>501 Jenkins to Wavell Letter 653</td>
<td>March</td>
<td>Refers to No. 499; some signs that communities are taking more reasonable line and previous day inter-Party Peace Committee was formed; Amritsar out of control previous evening, but Lahore quieter; serious rioting reported in other districts; encloses memorandum he suggests he should give Ujjal Singh; this rejects idea of partition and propounds solution of united Punjab based on coalition govt; it indicates ground which negotiations to this end would have to cover</td>
</tr>
<tr>
<td>504 Pethick-Lawrence to Wavell Tel. 3103</td>
<td>March</td>
<td>Refers to No. 498; agrees there was no alternative to Section 93 in Punjab; also agrees it would be difficult not to place League Ministry in power if it contained at least one minority representative of some sort; discusses difficulties of situation; suggests if League Ministry purporting to command majority but not including at least one important minority representative is proposed, Jenkins should remain in Section 93 for few days in</td>
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<tr>
<td>Name and Number</td>
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<tr>
<td>504 (Cont.)</td>
<td>March</td>
<td>hope his mediation will produce results; compensation question under urgent consideration</td>
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<tr>
<td>506 Wavell to Jenkins</td>
<td>8</td>
<td>Communicates Pethick-Lawrence’s concurrence with his proposed line of action; doubts whether Jinnah will give Punjab League authority to negotiate on long-term issues; if he will not, does not think Jenkins should give written memorandum (Enclosure to No. 501) to Ujjal Singh, though Wavell agrees with its views; asks whether there is chance of securing ad hoc coalition which does not involve long-term commitments</td>
</tr>
<tr>
<td>511 Nehru to Wavell</td>
<td>9</td>
<td>Elaborates Congress Working Committee resolutions; draws attention to Cripps’ Commons speech in which he talked of not forcing ‘Provinces’ into united India if not represented in Constituent Assembly; considers operative word should be ‘areas’; point is of particular importance in Bengal and Punjab which will have to be partitioned if League does not join Assembly; Enclosure: Congress Working Committee resolutions of 8 March, the third of which recommends division of Punjab into two Provinces</td>
</tr>
<tr>
<td>512 Wavell to Nehru</td>
<td>9</td>
<td>Thanks for No. 511; until results of Congress approach to League is known, thinks it premature to consider partition</td>
</tr>
<tr>
<td>513 Jenkins to Wavell</td>
<td>9</td>
<td>Reports Conference held at Rawalpindi with senior Army and Police Officers, Commissioner and D.C. on measures being taken to deal with situation; says officials present favoured continuance of Section 93 for specified period; Jenkins considers Congress and Sikhs will meet formation of League govt by calling for instant partition</td>
</tr>
<tr>
<td>514 Nehru to Wavell</td>
<td>9</td>
<td>Has received letter from Baldev Singh expressing Sikh concern at Punjab situation; he has drawn special attention to participation of some Members of Interim Govt in Punjab agitation; Nehru feels a League Ministry will give rise to grave apprehension in minds of Sikhs, Hindus and others in Punjab and also lead to conflict; this is because League openly want to make whole of Punjab a Pakistan area; Nehru advocates partition idea as in No. 511</td>
</tr>
<tr>
<td>Name and Number</td>
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<tr>
<td>515 Note by Wavell</td>
<td>March 10</td>
<td>Interview with Nehru which covered, amongst other subjects, Nehru's suggestion that there should be two Ministries in the Punjab, one for the Eastern part and the other for the Western</td>
</tr>
<tr>
<td>519 Jenkins to Wavell Tel. 39-G</td>
<td>10</td>
<td>Has seen Mamdot, Daultana and Firoz who gave no indication they were in position, or wished, to form Ministry; they were apprehensive about attitude of Sikhs and asked Jenkins to mediate; he has received reports that Tara Singh asserts civil war has begun and threatens massive Sikh rising; believes move is on to form Hindu-Sikh Ministry with Unionists but does not believe Khizar will cooperate and League say they would not tolerate it</td>
</tr>
<tr>
<td>520 Note by Chaman Lal paras. 11 (extract), 12</td>
<td>10-11</td>
<td>Asserts Punjab Muslim League could not form Ministry having support of majority of Assembly; commends Congress partition plan; says Swaran Singh and Lahiri Singh were told by Khizar that Jenkins had been pressing him for some time to join up with League to form more stable Ministry; they deduced that rather than do this, Khizar had resigned</td>
</tr>
<tr>
<td>521 Baldev Singh to Wavell Letter</td>
<td>11</td>
<td>League has obtained collapse of Punjab Unionist Ministry by sheer hooliganism; says this has ominous implications in light of proposals in Statement of 20 Feb.; Sikhs will not join any League Ministry; urges him not to allow one to be formed; says only solution is partition of Punjab; claims that Police and administration have shown marked bias against Hindus and Sikhs</td>
</tr>
<tr>
<td>523 Jenkins to Wavell Tel. 41-G</td>
<td>11</td>
<td>Baldev Singh and Swaran Singh said in conversation that they would be prepared to join informal discussion with League under Jenkins' chairmanship provided League: (1) made open effort to stop outrages; (2) obtained authority to negotiate freely with minorities</td>
</tr>
<tr>
<td>525 Minutes by Abell and Wavell</td>
<td>12</td>
<td>Abell's conversation with Rau about the idea of two Ministries in the Punjab</td>
</tr>
<tr>
<td>526 Wavell to Pethick-Lawrence Letter, paras. 2-6</td>
<td>12</td>
<td>Punjab situation serious; Section 93 accepted as inevitable but he does not see how they will manage to get out of it; League showing no inclination to start negotiating with Congress and has given</td>
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<tr>
<td>Name and Number</td>
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<tr>
<td>326 (Cont.)</td>
<td></td>
<td>bad reception to Working Committee resolution proposing partition of Punjab; warns that there will be administrative chaos if partition or secession of Punjab and Bengal is decided on at last moment; Nehru unaware (No. 513) of administrative difficulties of Punjab partition; Baldev Singh's letter (No. 521) has decided to pay brief visit to Punjab</td>
</tr>
<tr>
<td>527 Nehru to Wavell Letter</td>
<td>13</td>
<td>Interview in which Nehru said seriously disturbed areas in Punjab should be handed over to Military Commanders but Jenkins explained difficulties; Jenkins thought certain offences must be punishable by death and principle of &quot;minimum force&quot; should be abrogated; Nehru seemed to agree; Nehru said some form of partition was inevitable but it should be within framework of existing constitution; he suggests a Muslim Area, a Central Area and a Non-Muslim Area should be recognised, each with a certain degree of autonomy</td>
</tr>
<tr>
<td>532 Note by Jenkins</td>
<td>14</td>
<td>Fears they cannot hope for solution of Punjab problem without political détente at Centre</td>
</tr>
<tr>
<td>533 Pethick-Lawrence to Wavell Letter, para. 2</td>
<td>14</td>
<td>Reports his interview with Nehru as in No. 532; Jenkins says situation is still very grave with talk of reprisals and civil war</td>
</tr>
<tr>
<td>536 Jenkins to Wavell Tel. 52-G</td>
<td>16</td>
<td>Sends approximate casualty figures for period up to evening of 14 March</td>
</tr>
<tr>
<td>537 Jenkins to Pethick-Lawrence Tel. 53-G</td>
<td>16</td>
<td>Has spent day in Attock and Rawalpindi; says attacks on non-Muslims have been organised with extreme savagery; military believe they will regain physical control within a week but feeling between communities is very bad; Ghazanfar, Mamdot and Iftikharuddin in interview seemed genuinely shocked at brutality and treachery shown by their party; Nehru in further talk seemed satisfied with progress in Multan and made suggestions for legislation</td>
</tr>
<tr>
<td>538 Jenkins to Abell Tel. 55-G</td>
<td>17</td>
<td>Gives account of his visits between 10–16 March to areas affected by disturbances; was struck by extreme savagery shown by Muslims in certain rural areas; Messervy thinks there are signs of organisation and conspiracy behind this but Jenkins believes rural outbursts due to</td>
</tr>
<tr>
<td>540 Jenkins to Wavell Letter 657</td>
<td>17</td>
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<td>Name and Number</td>
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<td>540 (Cont.)</td>
<td>March</td>
<td>the concatenation of circumstances which have occurred since 1943; dismisses idea that Muslims were influenced by rumours of Sikh army marching or were reacting against black-marketing by non-Muslims; lists problems to which disturbances have given rise; complains of visits by Members of Council</td>
</tr>
<tr>
<td>551 Wavell to Pethick-Lawrence Letter, para. 2</td>
<td>19</td>
<td>Punjab situation settling down somewhat; Hindus' and Muslims' differing attitudes to use of troops in Punjab</td>
</tr>
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<td>555 Note by Jenkins</td>
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<td>Conversations: (1) with Ghazanfar Ali Khan at which Jenkins dismissed suggestions that League Ministry should be installed and general election held; Jenkins said Army would use its new powers with discretion; he criticised League leadership and its attitude to other communities in Punjab sharply; he did not agree that all-India picture must be completed before future of Punjab could be sketched; Ghazanfar complains of distortion; (2) with Khizar who had not expected such strong Muslim reaction to his resignation and felt violence had been well-handled; he did not think League Govt with backing of a few insignificant minority representatives would work; nor did he think 'notional' partition was administratively possible</td>
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<td>558 Jenkins to Wavell Tel. 66-G</td>
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<td>Says they appear to have re-established control everywhere and indicates the problems with which they are faced</td>
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**CHAPTER 6**

*The Secretary of State's Services. Termination and Compensation*

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<td>32 Wavell to Pethick-Lawrence Letter, para. 5</td>
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<td>33 Pethick-Lawrence to Attlee Minute 77/46, para. 3</td>
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<td>Replies to Vol. VIII, No. 501 and refers to Vol. VIII, No. 527; is unable to commit himself on whether S. of S.'s Services can be ended before transfer</td>
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<td>his attitude reflects Congress pique at result of London talks</td>
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<td>188 Scott to Abell Tel. 2614-S</td>
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<td>Sends text of note by Patel commenting on No. 96 in which he argues that there are no reasons for awarding members of Services more than right to retire on proportionate pension when S. of S.’s control is terminated; Patel presses for early termination of S. of S.’s Services and suggests programme which would allow this to be done by 1 March 1947</td>
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<td>189 Scott to Abell Tel. 2622-S</td>
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<td>194 Cabinet India and Burma Committee Paper I.B.(40)45</td>
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<td>Circulates Note by Wavell commenting on No. 188 and denying its basic premise that service under independent G. of I. is the same as under S. of S.; if H.M.G. accepts Patel’s views, Wavell feels it would be dishonourable not to announce this at once</td>
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<td>199 Cabinet India and Burma Committee I.B.(40)9th Meeting Minute 2</td>
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<td>Agreement: (1) every endeavour must be made to persuade Interim Govt to accept liability for payment of compensation; (2) that Henderson should visit India after Christmas to discuss question with Interim Govt; (3) date for termination of S. of S.’s Services to be further considered</td>
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<td>204 Cabinet India and Burma Committee Paper I.B.(40)50</td>
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<td>1947 January</td>
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<td>263 Wavell to Pethick-Lawrence Letter, para. 9</td>
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<td>286 Colville to Pethick-Lawrence Tel. 401-C</td>
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<td>Says there has been marked increase in uncertainty among S. of S.’s Officers many of whom seriously contemplate leaving; feels they could carry on efficiently for some time to come if there is no major political crisis</td>
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<td>287 Nye to Pethick-Lawrence Letter</td>
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<td>Attitude of Prime Minister and his own actions have improved Police morale; many senior European members of the Services would probably be prepared to stay but few of the younger Officers; greater proportion of Indian Officers would stay on; Services have stood up to difficulties very well; Ministry have chosen not to go against his advice on a surprising number of occasions</td>
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<td>Henderson makes no progress in his discussions with Patel on compensation; need to bring compensation question before Interim Cabinet in next few days</td>
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<td>305 Burrows to Pethick-Lawrence Letter</td>
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<td>Sends detailed account of the morale and condition of the Services in Bengal; believes that individual members of S. of S.’s Services are still sound but a sense of cynicism, almost defeatism, has set in; relations between members of Services and Ministry vary greatly; generally Ministry is prone to overrule advice, particularly from Hindu officers</td>
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<td>328 Wavell to Pethick-Lawrence Tel. 187-S</td>
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<td>announcement by Pethick-Lawrence that this will be with effect from 1 April 1947</td>
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<td>361 Cabinet India and Burma Committee</td>
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<td>482 Wylie to Wavell Letter U.P.–74</td>
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<td>500 Wavell to Mountbatten Letter</td>
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<td>Sends extract from Enclosure to No. 482; urges him to get decision from H.M.G. on S. of S.’s Services</td>
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<td>Is disturbed at fresh compensation scheme proposed for S. of S.’s Services; would</td>
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help him if Services were offered terms as favourable as they had been led to expect; feels H.M.G. must be prepared to pay cost in last resort; asks to discuss matter with India Committee

Has compensation question much in mind and has pressed Attlee strongly for decision which he could announce immediately after arrival

Note by Attlee circulating minute by Mountbatten in which he stresses importance of his being able to announce definite and equitable compensation terms for services on arrival in India

Agreement: (1) that H.M.G. should adhere to compensation terms set out in No. 96; (2) that if G. of I. declined to accept the expenditure involved, it must be made clear to them that such expenditure would have to be taken into account in sterling balances negotiations; (3) date for termination of S. of S.’s Services should be date of transfer of power

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The Commonwealth Aspect. Consultation with the Dominions on Indian Policy; question of India’s future membership

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<td>Tel. 3156</td>
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<td>which he could announce immediately after arrival</td>
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<td>clear to them that such expenditure would have to be taken into account in sterling</td>
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<td>balances negotiations; (3) date for termination of S. of S.’s Services should be date</td>
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<td>173 Sargent to Monteath Letter</td>
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<td>Refers to No. 17; feels it would be of undoubted advantage if India could remain in Commonwealth; if she does not, considers it would be unwise to press or suggest any long-term political or military agreement with U.K. until position is clearer</td>
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<td>As soon as Statement of Policy had been approved by Cabinet it was desirable that Attlee should send Dominion P.M.'s personal message informing them of course of action H.M.G. intended to pursue</td>
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<td>338 Monteath to Sargent Letter</td>
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<td>Sends draft Cabinet Paper which poses the question whether India might remain in the Commonwealth as a sovereign independent republic with her</td>
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<td>obligations as a member formalised in a written agreement; paper also considers advantages and disadvantages of continued Indian membership; suggests they meet to discuss paper with Machtig and Gater</td>
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<td>390</td>
<td>13</td>
<td>Explains background to Statement of Policy about to be issued</td>
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<td>409</td>
<td>16</td>
<td>Sends message from Smuts to Attlee in reply to No. 390; in this Smuts submits that proposed timing of Statement of Policy would be very unfortunate; he feels entirely new situation has been created by failure of Indian parties to agree and further time should be taken to work out solution; he poses question whether British longer-term interests do not lie with Muslims rather than Hindus; he feels it might be advisable to have fuller consultations with Dominions and discussions with U.S. in light of No. 409, consideration as to whether Statement should be delayed a few days to enable other Dominions P.M.s to reply Further consideration of Statement of Policy, particularly with reference to Dominions aspect No comments on Statement received from any Dominion apart from South Africa; decision to proceed with issue of Statement on 20 Feb. Telegram to Smuts; agreement not to recommend Cabinet to defer Statement in order to allow Dominions more time to formulate views on it Thanks for message in No. 409; regrets urgency of situation has not permitted fuller discussions with Dominions on Indian Policy; explains factors which have led H.M.G. to make Statement; says basis of policy is that minority cannot place veto on progress of majority Evatt's comments on Statement of 20 Feb.; he stresses that if India remained in Commonwealth, she would preserve her complete self-government and independence</td>
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<td>413</td>
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<td>Williams to Addison Tel. 163 (extract)</td>
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<td>Name and Number</td>
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<td>524 Cabinet India and Burma Committee Paper I.B.(47)34</td>
<td></td>
<td>Note by Pethick-Lawrence circulating (1) document handed him by Sudhir Ghosh suggesting that transfer of power can be achieved through modifications of existing constitution and on a Dominion basis; (2) note commenting on (1)</td>
<td>921</td>
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<tr>
<td>529 Cabinet India and Burma Committee I.B.(47)14th Meeting Minute 5</td>
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<td>Consideration of No. 524; agreement that Viceroy should encourage any moves by Indian leaders in favour of continuance of India within Commonwealth</td>
<td>939</td>
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<td>533 Pethick-Lawrence to Wavell Letter, para. 14</td>
<td></td>
<td>Is interested in idea of Dominion Status on a provisional basis contained in Annex I to No. 524</td>
<td>956</td>
</tr>
<tr>
<td>543 Attlee to Pethick-Lawrence Minute M. 134/47</td>
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<td>Encloses copy of letter he has sent Mountbatten; in this Mountbatten is informed that it is H.M.G.’s definite objective to transfer power to unitary Govt, within Commonwealth if possible, according to Mission’s constitutional plan</td>
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<td>544 Chiefs of Staff Committee Paper C.O.S.(47)59(0)</td>
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<td>Consideration of defence requirements in three cases, namely: (1) India remains unified and friendly within or outside Commonwealth; (2) India remains unified but non-cooperative outside Commonwealth; (3) power is transferred to divided India</td>
<td>974</td>
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<td>Consideration of No. 544</td>
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Notes by Field Marshal Viscount Wavell and Mr Abell

R/3/1/126: ff 119-21

4 November 1946

TOP SECRET

Note for P.S.V.

I am rather puzzled and worried about the matter of getting the Muslim League into the Constituent Assembly. Time is getting on, and we cannot delay sending out invitations much longer, if the C.A. is to meet on December 9th. It will take Jinnah 15 days to call his Council, so that at the best we cannot get the agreement of the Muslim League much before the end of November, and the invitations will have to go out some time before then.

2. There are three parties to this impasse: the Muslim League (or rather Mr. Jinnah), the Congress, and H.M.G.

It seems impossible at the moment for me to move Jinnah in the matter, he professes that he could never get acceptance by the Council without further assurances, and is not willing to try. It is difficult to get at exactly what assurance Mr. Jinnah wants, but I think if it were definitely stated that the Sections will draft the Provincial Constitutions, this would satisfy him.

I do not see any possibility of persuading the Congress to give such an assurance, they are bound by frequent statements they have made, and always refer to their letter of acceptance to the Mission,¹ which the Mission so wrongly accepted. They are 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 will not accept. There is therefore an impasse also in this direction.

There remains H.M.G., who are to my mind absolutely committed to the League point of view, both by their statement of May 16th and by the assurance which Cripps and the Secretary of State gave to the Muslim League in the interview on May 16.² H.M.G. are, however, in my view, both cowardly and dishonest in this matter, and have so far refused to issue an [un-]equivocal statement. Their attitude is that they dare not do anything which may upset Congress. There is therefore also an impasse in this direction.

3. The question is how to proceed: whether to try and work on Jinnah, on the Congress, or on H.M.G. We might perhaps get B. N. Rau to approach Jinnah, or try to induce the Muslim League Members of Government to

influence him. I do not feel there is much hope in approaching the Congress. But if H.M.G. could only be persuaded to issue a clear and authoritative statement, I think that might satisfy Jinnah. I propose to send a telegram to H.M.G. to the effect that Jinnah is reluctant to call his Council until a definite assurance has been given him on this point; and that I consider that H.M.G., who are fully committed in honour on this issue, should make a statement to the effect that it was and still is an integral part of the scheme for the Constituent Assembly that a Section should make the Constitution for the Provinces inside that Section; and that a Province cannot withdraw from the Section (or Group if formed) until a later stage as laid down in the Statement.

4. The whole question is really academic, since the Constituent Assembly cannot work except by agreement; but unless we can get the Constituent Assembly together at an early date, the whole situation is bound to deteriorate, and there is a serious danger of the Government splitting up, since I shall have to bring pressure on Jinnah to call his Council or withdraw from the Government.

Y.E.'s note below [above]. I think if we are going to make a reference to H.M.G. we should try to secure precise information about the assurance or assurances that Jinnah needs (cf. my note of 22.10.46).³

2. I do not think we should leave the matter till Mr. Jinnah returns from Sind as suggested by DPSV.⁴ That would mean saying nothing till 25th November. If Y.E. were under pressure from the Congress you could not justify a refusal to make even an attempt to get the Muslim League to fulfil their promise and adhere to the programme. Any such refusal would give some excuse for the allegations that the League were brought in under a sort of conspiracy to reduce the power of the Congress.

3. I suggest the issue of the letter below to Mr. Jinnah.⁵

G. E. B. ABELL

I certainly think we should address those weak-kneed people in Whitehall. Please speak.⁶

³ Vol. VIII, No. 487.
⁴ In a minute of 31 October 1946. R/3/1/126: f 110.
⁵ Evidently a draft of No. 7.
⁶ On 3 November Mr Abell minuted: 'Spoken. H.E. approves issue of the draft as amended.' This appears to refer to a draft of No. 7 as no telegram issued to Lord Pethick-Lawrence.
2

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&E/J/10/83B: f 145

IMPORTANT
PRIVATE

No. 2317-S. I should warn you that I am likely to be faced at an early date by demands both for withdrawal of all Indian troops from abroad and of all British troops from India.

2. As to former I may be able to persuade the Government to leave troops in Burma for the time being and possibly also non-combatant troops in Middle East and Indian contingent in Japan. But I do not feel I can overrule my Government if they require total withdrawal.

3. Position of British troops in India is different. H.M.G. has always said that British troops will not be withdrawn till after new constitution. I presume that I shall have full support of H.M.G. in overruling my Government if necessary on maintenance of what I consider sufficient British troops till new constitution is approved or we finally withdraw.

3

Sir A. Clow (Bombay) to Field Marshal Viscount Wavell (Extract)

CONFIDENTIAL
GOVERNMENT HOUSE, BOMBAY, 4 November 1946
Report No. 72

2. The second half of the month in Bombay was much more disturbed than the first. The following figures of casualties give an indication of the deterioration which set in about the 18th.

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<tr>
<th></th>
<th>HINDUS</th>
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<th>MUSLIMS</th>
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<th>OTHERS</th>
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<th>Casualties per day</th>
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<tr>
<td></td>
<td>Killed</td>
<td>Injured</td>
<td>Killed</td>
<td>Injured</td>
<td>Killed</td>
<td>Injured</td>
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<tr>
<td>First 17 days</td>
<td>28</td>
<td>61</td>
<td>35</td>
<td>79</td>
<td>2</td>
<td>1</td>
<td>12</td>
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<td>Last 14 days</td>
<td>40</td>
<td>131</td>
<td>47</td>
<td>116</td>
<td>0</td>
<td>6</td>
<td>24</td>
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</tbody>
</table>

There was a corresponding increase in miscellaneous incidents e.g. arson, stone-throwing, etc. The total number killed since the trouble started to the end of the month was 480 (230 Hindus, 240 Muslims and 10 Others).

3. Various other centres have also reflected the increase of communal
tension. Ahmedabad, which has never been really quiet since the July riots, continues to report incidents, there was renewed trouble in Ahmednagar district, and there have been occasional incidents in several other districts. The most serious incidents outside Bombay have been in Kolaba district; the leading ones have been reported by wire. I spent two days there last week and give my impressions of this area later. An unpleasant feature has been the resort to acid-throwing in Bombay, Ahmedabad and Poona, especially Bombay where attacks have been made especially on or from lorries.

4. The sharp rise in tension is directly due to the reports of the Noakhali trouble. It is clear now that the extent of the trouble there was grossly and deliberately exaggerated by the Hindu press, and the result was a big wave of Hindu indignation. The picture of the murder of "thousands" and, perhaps even more, of wholesale abduction of girls and forcible conversions which the public was given, led to a widespread desire for reprisals, and reversed the trend, which was becoming apparent, towards more settled conditions. It also swamped completely any effect which the settlement at Delhi should have produced.

5. But there are some signs of a revulsion of feeling and of increased disgust at the outrages in this and other parts of India. The press has become more restrained, and the joint appeal made by the four Members of Council should have a good effect. Here, after several failures, the Prime Minister has managed to get the Congress and Muslim League leaders to combine for securing peace, and though they are still making separate appeals to their communities instead of a joint one to both, there is more common desire for peace than there has been for some time. If (and it is a fairly big if) we can get through to-morrow when the Bakr-Id coincides with a Hindu fast without a serious émeute, the prospects should be better. We are taking what precautions are possible including, with the co-operation of the military authorities, an increased display of troops in Bombay.

Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

L/P&J/8/655: ff 81-4

GOVERNMENT HOUSE, CALCUTTA, 4 November 1946

My dear Secretary of State,

As you will have gathered from the telegrams, we have recently had a most welcome visit from the Viceroy who has seen for himself the position at
Dacca and in South-east Bengal. The Viceroy left on Sunday and the same
day I gave an interview to four Members of the Viceroy's Executive Council
who were down here on what I believe to have been a genuine peace mission.
I am sending you a copy of a note of the conversation I had with them,—the
original has been sent to the Viceroy.

Yours very sincerely,
F. J. BURROWS

Enclosure to No. 4

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

CALCUTTA, 4 November 1946

Dear Lord Wavell,

Acting on your suggestion, I got in touch with Pandit Nehru and his colleagues
and saw them together for about forty minutes yesterday morning. They
were friendly and on the whole co-operative.

I commenced by saying that if the points I intended to make to them were
somewhat unorthodox and if they were matters on which they could not
help me, I should understand, but that I felt it was no use asking them to meet
me merely to discuss platitudes: if I said anything to them that was out of
place, then perhaps they would forgive it.

I then discussed the Calcutta situation with them and pointed out that the
Army had been on the streets in Calcutta for approximately ten weeks and as
it was apparent that a city of this size could only be governed by mutual
goodwill and, in effect, by the consent of the governed, armed military
force supplied no solution of the problem. Trade was stagnating and through
this stagnation of trade the workers as well as the businessmen were being very
injuriously affected. I then said that as Bengal was a Province of 33 million
Muslims and 25 million Hindus, the minority was so large that it naturally
demanded some say in the running of the Province. I therefore asked them if
they could assist in the formation of an All Party Government with the object
of bringing tranquillity to Bengal—in effect, I asked them to assist in forming
a Coalition.

The second request I made was to ask whether they could publish a statement
depreciating the hartal which it was proposed to start from the following
day—Monday the 4th November. I made clear my view that if this hartal
took place it would have a most regrettable effect and would precipitate
bitterness: indeed, I apprehended that if it took place and continued it would
be a major disaster.

The third request was that the party leaders should publish jointly or severally
an appeal for peace and the restoration of confidence.

In making my fourth request, I said that although I did not intend to touch
on events in South-east Bengal as they would no doubt be hearing the Viceroy's views on this matter. I considered a useful purpose would be served if the leaders of both communities would issue a statement condemning mass or large conversions, as I understood the Koran condemned forced conversions, and I especially asked Liaquat Ali Khan if he would or could give me some help in respect of this request and also of my first request, namely the formation of a Coalition Government in Bengal.

In reply, Pandit Nehru was very conciliatory in speech and said they had already agreed to issue a manifesto, of which he handed me a copy (and I see it has been published in the Calcutta press today), so that my request to them on this matter had already been met. I enclose a copy of the paper he handed to me.

As regards the proposed hartal, he said they could give me the assurance that that would not now take place on the 4th November.

Liaquat Ali Khan, in respect of my special request to him, said he appreciated what I had said about the desirability of restoring peace in the Province by working together, but that in the course of their very short visit that was not a matter they could deal with directly: indeed, it was an All-India matter: that it was necessary that the same kind of working arrangement should be brought about in Bombay and in the other Provinces where it did not exist at present and that would necessitate deliberations devoted to that end. (This statement was not dissented from by the other three).

In reply I said that naturally I was concerned with the only child, Bengal, for whom I was responsible: I had no experience of the other ten children of India. (The fact, however, in brief is that I received very little help from them in the matter of forming a coalition government and I formed the opinion that the possibility of a coalition here depends on similar arrangements being agreed to in the Congress Provinces).

On the question of the issue of a statement by the political leaders condemning conversions in Noakhali and Tippera, Liaquat Ali Khan said it would probably be better to have such a statement issued by prominent Muslim religious leaders. I said that I appreciated that, but I nevertheless thought that a statement by political leaders would also be of immense advantage. Patel agreed with me. Nishtar said nothing.

I concluded the interview by thanking them for the assistance they had rendered on the two issues of a manifesto appealing for peace and the avoidance of a hartal and by expressing my belief that their visit had done an immense amount of good. With a few friendly interchanges, the interview terminated.

I am sending a copy of this to the Secretary of State who will, I am sure, be interested.

Yours sincerely,

F. J. BURROWS
DRAFT STATEMENT FOR PRESS

Calcutta and Bengal have called us for a long time and our minds and hearts have been full of the tragedies that have taken place in this great city and the premier Province of India. We have come here at last on this brief visit to offer our homage to the innocent people who have suffered and to the brave spirits who have given help and succour at a time of grave peril and urgent need. We do not wish to say anything at this stage about controversial matters, for the situation is difficult and delicate and a wrong word may complicate it still further. It is our duty, as it is of all others, to do the utmost that lies in us to put an end not only to the immediate perils but also to the basic causes which have given rise to them. We shall endeavour to do this to the best of our ability.

Meanwhile we venture to make an urgent and earnest appeal to all our countrymen, not only in Calcutta and Bengal, but all over India. Much has happened in the recent past which has degraded Indian humanity and shamed us before others. Whatever our differences might be, none of us should tolerate acts which degrade and brutalize our people. That ignoble method brings no solution, and on that basis we can build no edifice of freedom. Violence against a neighbour and fellow citizen leads to counter and increasing violence and to the drying up of social and civic life. It leads to national degradation. We plead, therefore, most earnestly for a cessation of this violence and for a return to the methods of peace.

5

Mr Peek to Mr Harris

L/E/8/4870: ff 41–2

OFFICES OF THE CABINET AND
MINISTER OF DEFENCE, GREAT GEORGE
STREET, S.W.I., 4 November 1946

Dear Harris,

I attach 3 copies of a Note (in its final form)¹ of a meeting between the Prime

¹ Mr Peek had sent a draft of this note to the India Office on 27 September. The India Office suggested certain amendments to the draft which were accepted by the Cabinet Office and are incorporated in the final version. The Foreign Office seemed disposed to demur from the solution outlined in the note and a correspondence ensued between that Office and the Cabinet Office, the latter keeping the India Office informed. However, after a meeting on 31 October between representatives of the Foreign and India Offices at which Sir E. Bridges took the chair, it was agreed that the machinery envisaged for communications with the High Commissioner would work satisfactorily in practice if Departments continued, as in the past, to work together in close cooperation (Bridges to Henniker-Major, 1 November 1946). L/E/8/4870: ff 132–4, 124, 93–6, 84–8, 65–7, 49–51.
Minister, the Secretary of State for Foreign Affairs and the Secretary of State for India on Communications with the U.K. High Commissioner in India.  
Yours sincerely,  
J. D. PEEK

Enclosure to No. 5

SECRET

REF. 18/5/16

COMMUNICATIONS WITH THE UNITED KINGDOM HIGH COMMISSIONER IN INDIA ON FOREIGN AFFAIRS

After the meeting of the Cabinet on Thursday, 26th September, the Prime Minister discussed with the Secretary of State for Foreign Affairs and the Secretary of State for India the channel of communications between the Foreign Secretary and the High Commissioner for the United Kingdom in India (see Mr. Bevin’s letter of 16th September to the Prime Minister). 2

The Prime Minister explained that it had been arranged that as soon as the United Kingdom High Commissioner had taken up duty, all messages to and from him would pass from the Cabinet Office Cypher Office to the United Kingdom High Commissioner’s own cypher staff. They would not therefore pass through the India Office or through the Government of India.

The Prime Minister said that he thought that there was advantage in communications between all Departments and the United Kingdom High Commissioner passing through this channel. If any Department had its own separate channel of communication, there was some risk of one Department acting in ignorance of what the others were doing.

Some reference was made to the parallel case of information on foreign affairs sent to the United Kingdom High Commissioners in the Dominions by the Dominions Office. The Foreign Secretary said that he thought that in present circumstances the United Kingdom High Commissioner in India would require much fuller information on foreign affairs than the United Kingdom High Commissioners in the Dominions. This was generally agreed and it was understood that the Foreign Secretary saw no objection to such information and guidance being sent to the United Kingdom High Commissioner in India through the Cabinet Office channel of communication.

It was explained that so far as concerned telegrams on foreign affairs of a purely informary character (addressed to the High Commissioner for his special and exclusive information and supplementary to those “Government to Government” informary telegrams of which he would automatically receive copies from the Government of India) these would be despatched at once and there would be no question of clearing them with other Departments concerned, but copies would be sent after despatch to the India Office.
When, however, it was desired to send instructions to the United Kingdom High Commissioner in India to take action on a matter of foreign policy, there would be consultation between the Foreign Office and the India Office on the action proposed before the instructions were despatched. This would clearly be necessary so long as the Viceroy continued to exercise his present responsibilities in regard to foreign affairs. But the precise procedure in this matter was one which had best be left to be worked out between those responsible for handling these questions.

The Foreign Secretary and the Secretary of State for India expressed themselves as satisfied with the arrangements proposed.

* Vol. VIII, Enclosure to No. 327.

6

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/10/26

EXPRESS

CONFIDENTIAL

NEW DELHI, 5 November 1946, 5.40 pm

Received: 5 November, 1.30 pm

No. 2328-S. Your No. 19337 of 1st November.¹ Wylie saw Pant on 1st November and opened by telling him that he had no intention of allowing Pant to resign. Rather than that he would resign himself. After attempting to secure various compromises the Governor adjourned the discussion pending enquiries whether a post could be found for Measures under the Central Government, and referred this matter to me.

2. I have made enquiries, but we have nothing to offer Measures. If there was a suitable post, which there is not, it would be under Home Department, and Patel would certainly be unwilling to take him on.

3. I have now told Wylie that he should accept Measures’ resignation and try to secure the point of principle about the Police Regulations.

4. It is a most unfortunate business and I cannot agree that Measures has been adequately protected, or that he can be blamed for believing what the Premier told him and consequently putting in his resignation.

¹ Vol. VIII, No. 539.
7

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/126: f 122

5 November 1946

No. 592/58.

Dear Mr. Jinnah,

Before I went on my visit to Bengal and Bihar I spoke to you about summoning your Council with a view to their accepting the Statement of May 16th. I hope you will arrange to do this at an early date. I am doubtful myself whether there is any use in holding further discussions, but if you are convinced that some assurance is necessary would you please let me know what exactly it is? I suggest that it might be a good thing for you to have another talk with Sir B. N. Rau who would, I am sure, be glad to call on you.

Yours sincerely,

WAVELL

8

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICE ROY'S HOUSE, NEW DELHI,

5 November 1946

Thank you for your letter of 25th October. Before I pass on to other things, I will deal with one or two points you raise.

2. My reply about Hyderabad, to which you refer in your paragraph 7, will be sent after I have had a report from the Resident.

3. I have sent you by telegram² my views about the termination of the Secretary of State’s Services and the resolution of the Premiers’ Conference.

4. I had already seen the White Paper on “Central Organisation for Defence”, and found it very interesting. I am grateful to you for sending me a copy.

5. Thank you for your help in arranging that Felicity should travel out in the same plane as Terence Shone. I am much looking forward to seeing them both.

6. Since I wrote last I have been to Bengal, and I think you may be interested in some notes I recorded, of which I enclose a copy. The number of casualties has been very greatly exaggerated, and the way that the Congress has played
up this local breakdown of security has led to a much more serious crop of incidents in Bihar, where the number of dead is quite likely to reach four figures according to the unofficial estimates I have received. There is of course a great danger of a sort of chain reaction from these communal riots and one cannot be sure where disturbances will break out next.

7. It is however a great thing that Nehru, Patel, Liaquat, and Nishtar should have decided to go together to Calcutta and to Bihar. Nehru was able to prevent in Calcutta a thoroughly dangerous and mischievous scheme of Sarat Chandra Bose, who was sponsoring a proposal that Hindu business should close down in a sort of general strike. It was said that they intended to pay millhands a month’s wages in advance, and the result would have been that a hundred thousand millhands (labourers employed by Hindu capitalists) were on the streets of Calcutta at one time. This would presumably have led to a worse situation than the last Calcutta disturbances. The Governor and his Government were quite rightly determined to fight the strike with all resources at their disposal.

8. Burrows was as calm and collected as ever, but the Bengal administration is much too weak to stand up to these stresses, and the reaction to the beginning of the disturbances in Eastern Bengal was not nearly quick enough.

9. Nehru and Nishtar are still in Bihar, but Liaquat and Patel got back on Monday and came to see me together at once. It is at least an encouraging sign that they should come together, and they were sensible and co-operative. I spoke strongly about the need to control the Press. Patel vigorously assented, but Liaquat was more cautious because the most obvious offender recently has been *Dawn*, which has put out some really pernicious stuff. The Muslims are of course infuriated by the success of the Congress in playing up the Bengal disturbances, and since the Bihar disturbances, in which the victims are Muslims, are on a wider scale, they have some excuse. Even so, these bitterly communal articles can do nothing but harm, and I think Liaquat may be beginning to realise this though I certainly would not guarantee his willingness or ability to change the tone of the Muslim Press at once.

10. Apart from these very serious communal disturbances, we have had a series of crises, and indeed it seems to be my lot to face at least one crisis a day. You know about the Measures case. It has been a difficult business for Wylie to handle, and though one may argue that the result would have been different had he acted differently, there is no proof of this. The fact remains that a much respected, stout-hearted and efficient public servant has been compelled to resign for quite inadequate reasons. The effect on the Services in the U.P. will be lamentable, and the Congress, having succeeded in this trial of strength, will undoubtedly press me on other issues very soon. In

1 Vol. VIII, No. 517.  
2 Vol. VIII, No. 527.
the absence of a policy, and with your instructions not to let them go out of office, I am, as you realise, quite powerless in the last resort, and it is not a situation which should be allowed to continue.

11. Nehru is still very hot about his Frontier tour. He insists on the enquiry about the Malakand incident, and Caroe, who is as highly strung as Nehru himself, is determined to make Nehru realise that he has made a serious mistake which should not be repeated. I have succeeded in suppressing one letter before it reached Nehru, which might have made matters worse. I am going to the Frontier on the 14th and will try to sort things out. I think if we are patient and do not say too much, Nehru, assisted by the cooler brains in the High Command, may decide not to stir that hornets' nest further at present. I do not see how he could find Indian officials to take over immediately the heavy responsibilities that now devolve on British officials there. Not only will such men be inexperienced, but by the mere fact of their being Indians, their task will be more difficult, and of course this is particularly true in the case of Hindus. Nehru's talk of controlling these wild tribemen by "love", and saying that it is absurd that they should be paid allowances is a measure of the unreality of his outlook.

12. There is another possible crisis ahead as a result of an interview I had with Jinnah last week. He said that it was too early to call his Council to reconsider their attitude to the Statement of May 16th. He is of course fully committed to do this, and I must press him, but he wants an unqualified assurance of His Majesty's Government's attitude, to which I think he is entitled. I shall probably have telegraphed to you about this before my letter arrives. Meanwhile I am faced by a dilemma. On the one hand the chances of a genuine agreement about the Constituent Assembly are likely to increase when the two parties have worked together for a time in the Cabinet. On the other hand, the Congress are likely to become restive and suspicious if I acquiesce even temporarily in the position that the Muslim League need not at once summon their Council.

13. Another crisis may develop over the Deputy Chairmanship of the co-ordination Committee of the Cabinet. This, as the correspondence shows, I promised to the Muslim League, and I did this after showing my letter to Nehru. Nehru now wants to back out. It is going to be very difficult to keep my Cabinet together if I can never say "no" to the Congress. On this occasion, for instance, if they threaten to resign I do not propose to break my word to the Muslim League.

14. So far in this letter I have given you a number of gloomy items of news and one cheerful one, namely the joint visit of the Cabinet Ministers to Bengal and Bihar. I have one more cheerful item. Our Cabinet meeting last week really went off very well. The main item for discussion was the proposal
(of which you know) to set up a Joint Consultative Committee to deal with matters of common administrative concern to British India and the States. The discussion was keen, on the whole intelligent, and not on party lines at all. Finally it was Liaquat, at his first proper Cabinet meeting, who suggested a tentative solution that was accepted at once by everyone. Liaquat seems to me to have rather more stature than I had appreciated before.

The scheme for the Joint Consultative Committee was criticized on the ground that the decisions of such a Committee, which would be at Cabinet level on the British India side, would tend to commit the Government of India without committing any single one of the Indian States. This was regarded by my colleagues as a serious objection and I had to admit that there was something in it. Liaquat’s suggestion, which was referred back to the Political Adviser for examination, was that the States should set up their Committee of five and that this committee should deal with the Government of India as representing the States. If the subject for discussion was one, for instance, that concerned Commerce Department, the Government of India would be represented at the discussions by say the Commerce Member and the Secretary in his department. If it was a matter that concerned Finance Department, the Finance Member and Secretary would be present, and so on. In this way there would be machinery for co-operation and consultation, without involving embarrassing commitments by the Government of India as a whole.

[Para. 15, on a leaflet by the British India Commonwealth League; and para. 16, on Lord Wavell’s idea of liaison officers between himself and Lord Pethick-Lawrence, omitted.]

Enclosure to No.8

Notes by Field Marshal Viscount Wavell

SECRET

NOTE ON INTERVIEWS IN CALCUTTA, 31ST OCTOBER 1946

General Bucher.—1. He gave me his impressions of the troubles in Eastern Bengal. The trouble had been started by gangs of hooligans, obviously working to a plan and with some organisation, including a certain number of ex-soldiers,

3 This was a letter dated 29 October 1946 from the Chief Secretary N.W.F.P. (written in his capacity as Chief Secretary to the Governor as Agent for the Tribal Areas) to the Secretary, External Affairs Dept, G. of I. which Mr Weightman, the Secretary, saw could cause embarrassment and handed over to Mr Abell before circulation in the department. Mr Weightman suggested that the letter should be suppressed, and Lord Wavell instructed Sir O. Caroe accordingly. R/3/1/92: ff 82–5, 110–11.

4 See Vol. VIII, No. 526.

5 Under the scheme proposed, the Committee was to consist of five representatives of the Central Government and five representatives of Indian States. See L/P & S/13/1827: ff 167–75 for Draft Rules of Business and other details of the proposed Committee.
who went round the villages and beat up the Hindus or converted them. He thought that the total of the gangsters was probably not more than about a thousand. The number of people actually killed was comparatively small, probably not more than 300 at the outside; but there had been widespread panic and the refugee problem had been serious. The refugees were mostly of the rather better class, and he thought that most of the poorer people remained in their villages, and that they were the people who were forcibly converted.

2. He admitted that the troops had been too late on the scene, owing to defective information and misjudgment by the local Commander. The difficulties of dealing with the bands had been very great owing to the nature of the country and the weather. The gangs quickly dispersed when the troops arrived, and some of them had spread over to the islands. The troops were now widely distributed over the affected area, visiting all the villages and restoring confidence. He did not believe that the trouble was organised by the Muslim League, but the inflammatory speeches of a local Muslim M.L.A., who had been arrested, were undoubtedly a contributory cause, and also the preaching of the Maulvis. The troops were in good heart and working well.

3. He said that the people had no faith in the Police, or in the Home Minister.

4. The situation in Calcutta was tense and only the presence of the troops prevented more serious rioting. The trams were guarded by troops, who were also widely spread all over the City to give protection and confidence.

There was a threat of a general strike, organised by some of the Congress leaders, e.g. Mukherjee and Sarat Chandra Bose, which might cause a serious situation. Bucher had been to see Mukherjee and had explained to him what the result was likely to be.

There were 4 British, 2 Gurkha and 2 Indian battalions in or about Calcutta.

5. Bucher was, as usual, sensible and level-headed. He was evidently anxious to accompany me on my tour, but I had gathered that the Governor did not wish it, so I suggested that it would be better if he remained in Calcutta.

*The I.G. of Police (Taylor).*—1. He admitted that the local Police and Magistrates did have warning of the troubles in Noakhali, but misjudged the situation (Bucher had told me that he was sure the smaller officials at least knew what was going on).

2. He said that he did not think that the number actually killed was very much more than one hundred. He confirmed generally what Bucher had told me about the course of the disturbances. He said that the bands of hooligans had offered Hindus the alternatives of paying a contribution, of being converted, or of death. He was sure that the movement had not the backing of the Muslim League.
3. He was apprehensive of further trouble, said that all his Police were already engaged, and that more troops were required. He admitted that the Police morale "was only fair", and that the standard of the Police officers had considerably deteriorated in the last ten years or so. His own morale did not seem to me to be particularly high. He was apprehensive of the situation that might arise in the first week in November, when a Hindu festival was followed by a Muslim festival. The only suggestion he had for improving the situation, apart from the importation of more troops, was sterner repressive measures, especially against the bad influence of the Press.

Mr. Stevens and Mr. Martyn.—1. They were also apprehensive of the likelihood of further trouble, and spoke of the need for more troops, and the desirability of increased powers and penalties. They said that orders were being issued about stricter action to support law and order, including greater control of the Press.

2. They agreed that the only hope of peace was if the two communities came together, but said that there was no sign of an approach towards communal harmony: on the contrary both sides were arming and organising for a struggle; the Hindus were determined to show the incapacity of the Bengal Government and to cause a breakdown. They referred to the threat of a general strike, but said that they were told that Gandhi had declared against it. They agreed that loss of life, or suffering, did not have any sobering effect compared with obtaining party advantage from such suffering.

Sir Walter Gurner and Mr. Davies (Friends Ambulance).—They spoke about the refugee problem in Eastern Bengal, and said that the total of displaced persons might be as high as 200,000. They agreed that it was the result of panic rather than the result of actual casualties or damage inflicted. They said one of the main problems was the question of re-housing material. Gurner said that even private relief of sufferers from these calamities almost always had a communal motive.

His Excellency the Governor.—1. I discussed with him the constitutional position, and agreed that he could not possibly displace Suhrawardy, who commanded an absolute majority in the Assembly, even supposing the Europeans voted against him. He told me about the Cabinet meeting on measures for tightening up law and order control in Calcutta; and of his interview with Gandhi, who had apparently run quite true to form and had mixed up religious and philosophical ideas with the demand that all "British bayonets" should be removed from India.

2. The Governor had formed the same appreciation of Suhrawardy as I did long ago, and thoroughly mistrusted him, but admitted his cleverness and the impossibility of getting rid of him. He remarked that there seemed to be more difficulty in handing over India than Clive had had to conquer it; and
said that the casualties in the recent riots in Calcutta had greatly exceeded the loss of life at Plassey. He was as usual calm and confident.

Mr. K.S. Roy.—I asked what his views were on the present situation and how to remedy it; and he started off, as these people always do, with a long history of the past iniquities of the Muslim League. I stopped him before he had got into his stride at all, and told him that I was not in the least interested in the past history of the differences between the two communities, which I had heard often enough, but in any proposals he had for bettering the situation. The result was nothing but a series of diatribes against the Muslim League, of which I soon got tired; and delivered him a short homily on the need for communal harmony, and the disaster ahead for India unless they came together. He agreed of course, but it was quite obvious that he looked no further than party advantage.

Mr. H. S. Suhrwardy.—1. Suhrwardy, looking as much of a gangster as ever, described to me the measures he proposed for stricter enforcement of law and order. He diverged inevitably into a diatribe against Congress and the means they were taking to discredit the Bengal Government, and went at length into the arrest of certain Marwaris and of the distribution, by the Congress so he alleged, of pamphlets purporting to be initiated by the Muslim League.

2. He then told me of the three hours’ conversation he had had with Gandhi. He claimed that he had convinced Gandhi that he was doing his best to keep the peace; and said that Gandhi had told him that he was determined to stay in Bengal until harmony and peace between the communities was established. He said that Gandhi was going to Eastern Bengal, and that he thought that he would probably accompany him himself. He claimed that he had suggested to Gandhi that a conference of Premiers and Home Ministers should be called jointly by Gandhi and Jinnah, to make an appeal for communal harmony, and that Gandhi had approved the idea. (From what I know of Gandhi, I am quite sure that he had not committed himself in any way.)

3. I suggested to him that it might be a good thing if he consulted the Opposition Leaders on the measures he proposed to introduce for the better enforcement of law and order. He thanked me for the suggestion and said that he would certainly do it (but I very much doubt whether he will).

W.—31.10.46.

NOTES FOR NOVEMBER 1ST, 1946

The fly over the affected area showed that there had been considerable burning of property in places but not extensively in comparison with the size of the area. It also showed the difficulties of the area from the point of view of communication. The crops appeared to be extremely good.
2. After lunch I had interviews as follows:—

Bell (District Magistrate of Dacca) . . .—He had nothing particular to contribute; but said that the Muslim League had certainly of late been trying to calm the people down and to use their influence for moderation. He agreed that the relaxation of the communal tension was the only solution; the Muslims must be relieved by the Congress of their fear of Hindu domination, and the Muslim Government in Bengal must enforce law and order.

3. I then saw four local Police officers, who admitted that their police were very tired and stale and rather low in morale. They were often afraid to open fire for fear of subsequent criticism or action against them.

4. I then saw Hindu and Muslim deputations. As usual each side delivered a long tirade against the other on the usual lines. I read them both a homily on the necessity for everybody in any position of influence doing their best to relax communal tension, if a disaster in India was to be avoided. The Hindu deputation indicated that everything would be quite all right if only the principle of joint electorates was established. I said that I noticed that it was always the people with an assured majority who wanted joint electorates. The Muslims said that what they feared was the Hindu superiority in money, possession of land, education, etc., and the power of the nationalist Press.

5. I then had a talk with Holland, the Commissioner, who seemed to me to be a good, stout-hearted type. He said that lately the Muslims in Dacca had been more reasonable and that the aggression was on the side of the Hindus. He agreed that the police were tired and their morale not very high. He was hoping to get more troops.

NOTES FOR NOVEMBER 2ND, 1946

Interviews at Chandpur:—

1. Major-General Ranking and Brigadier Thapar.—They gave me an account of the work and distribution of the troops, who were in good heart and quite enjoying the work. They both said that the population had lost confidence in the police, who were communally biased. They stressed the need for more arrests and speedy punishment.

2. Deputy I. G. of Police (Evans) and Superintendent of Police Tippera (Price).—They attempted to defend the police against accusations of communal bias and lack of energy, but without bringing a great deal of conviction. They considered that a considerable number of arrests had been made and were being made, and gave a not very convincing explanation of why they had not been made earlier. They said there had been very few murders or abductions but a great number of conversions. They stressed the necessity for a special Judge and Courts to ensure speedy trials and conviction.

6 Personal comment omitted.
[Para. 3, consisting of two sub-paras. which contain personal comment, omitted.]

4. I then saw Hindu and Muslim deputations, who each harangued on the usual sort of lines, though the Muslims certainly seemed more moderate and inclined to co-operate. I gave both the delegations the same homily on the necessity for communal harmony as I had at Dacca.

I had received, just before I saw them, a telegram from Delhi to say that Nehru, Patel, Liaquat, and Nishtar, were on their way together to Calcutta to appeal for communal harmony, this is good news.

5. I had a rather hurried inspection of one of the Relief Camps, it seemed reasonably well organised, with a very poor type of refugee.

6. My general impressions of these two days are roughly as follows:—

The root cause is of course the communal tension which has been aroused by the pronouncements of leaders on both sides and inflammatory articles in the Press. The Muslims fear the superior money power of the Hindus, the Hindus are often afraid of the greater turbulence and violence of the Muslims. There is no sign at all at present of the two communities getting together.

The Police are undoubtedly demoralised and ineffective. The Sub-Inspectors and the lower ranks seem to be openly taking sides in favour of their community; and the people at large have little confidence in their impartiality, and do not expect security from them.

There seems to have been some very bad staff work at the beginning of these troubles. I cannot believe that the district officials had not a considerable amount of warning which ought to have put them on their guard; and when trouble did break out, the measures taken seem to have been quite ineffective. The failure to send information more quickly to superior authorities seems to have been inexplicable.

The troops were probably rather later on the scene than they should have been owing presumably to lack of information. Once there they undoubtedly did excellent work and have restored order and confidence wherever they have been. There is however considerable apprehension that trouble will break out again once they have left.

It seems to be generally agreed that the number of people killed has been grossly exaggerated and probably does not exceed three to four hundred at the most in both districts. The number of forcible abductions also seems to be very small, but there have been considerable numbers "converted". These conversions have sometimes consisted of little more than a Hindu village or block of houses putting up a board to the effect that they were now Muslims, but there have also been a number of conversions by force. The greatest trouble has been the refugee problem; and this has been caused mainly by the poor spirit of the Hindu population, who have fled in mass at the merest
rumour, often from localities which have not been threatened, abandoning all their property and even in some instances, I was told, their women.

7. The only immediate measures that seem possible are to accelerate the arrest and trial of offenders, and thereby restore confidence. The Police obviously require a complete overhaul, but this cannot be done all at once. The long-term remedy and the only one which will really improve matters is of course an improvement of relations between the two communities.

W.—2. II. 46.

9

Mr Attlee to Field Marshal Viscount Wavell

R/30/1/8a: f 39

TOP SECRET AND PERSONAL  10 DOWNING STREET, 6 November 1946
My dear Viceroy,
Thank you for your letter. Your letter of August 28th was in reply to mine in which I made a suggestion to you which you found unacceptable.

The more general matters which you raised were germane to the general problem which was the subject of communication between the Government and yourself. I, therefore, did not take them up with you myself. I am now studying your letter of the 23rd October and as soon as possible I shall discuss it with my colleagues in order that you may have a reply to the specific questions which you ask. You may be sure that we are very conscious of your anxieties and of the potential dangers of the situation.

Yours sincerely,

C. R. ATTLEE

1 The draft of this letter in the records of the Prime Minister’s Private Office is in Mr Attlee’s hand.
2 Vol. VIII, No. 531.
3 Vol. VIII, No. 212.
4 Vol. VIII, No. 184.
5 It was in fact in his letter of 22 July 1946 (Vol. VIII, No. 64) and not his letter of 20 August 1946 (Vol. VIII, No. 184) that Mr Attlee made the suggestion that Lord Wavell might attach to his staff someone who had practical experience of political matters. Lord Wavell replied to this suggestion on 1 August (Vol. VIII, No. 102).
IO

Sardar Baldev Singh to Field Marshal Viscount Wavell

Mountbatten Papers. Official Correspondence Files: Sikh Problem,
Part I(a): ff 74

DEFENCE DEPARTMENT, NEW DELHI, 7 November 1946

Dear Lord Wavell,
I have received copy of letter dated the 30th October 1946¹ which Master Tara Singh has addressed to Your Excellency. I myself had felt perturbed when I read the correspondence referred to between you and Mr. Jinnah² and felt that there was no justification whatever for your acceptance of Mr. Jinnah’s proposition to consult the major parties in case of the appointment of the Sikh member of Central Government. I thought of speaking to Your Excellency about the matter but owing to your preoccupations this has not been possible.

According to the Statement of May 16th, the Sikhs have been placed on an equal footing with the other two parties and it may just be that the minorities referred to in your correspondence with Mr. Jinnah do not include the Sikhs at all. This, in any case, should be the correct procedure as my community, which has established and proved its own identity will, in the present inter-communal conflicts, in no case be willing to allow itself to be exploited by a community with whose political programme it cannot agree.

Yours sincerely,

BALDEV SINGH


II

Sir O. Caroe (North-West Frontier Province) to Pandit Nehru

SECRET

GOVERNMENT HOUSE, PESHAWAR,

NO. 1214-STB 7 November 1946

Dear Pandit Nehru,
I am afraid I have taken a long time to reply to your letter of October 26th,¹ with the note enclosed. The official commentary on your tour is now going off,² and I enclose a copy of it for your personal information. As you will see I
was anxious to wait a little in order to see forward and not to look back, and an attempt has been made in the official letter both to view things in prospect and to emphasize tendencies which may make for steadiness or the reverse in our treatment of this great and difficult problem. This letter is intended to convey some personal comments in supplement to what has been said in the official letter.

2. First the question of the violent attacks on you and your party. I have been occupied in a personal investigation of the charges against Mahbub Ali and my conclusions on that matter are now ready and going off, so I will not comment at length in this letter, except to say that the charges are so grave that it seems to me necessary in the public interest, and to give the officer himself a full opportunity to defend himself, that a formal and full-dress enquiry should be held by an independent tribunal. Matters might be on an easier footing if the allegation of priviness to the assault could be publicly withdrawn. My note on the Malakand affair really deals with the general question of the violence employed, the reaction of which is likely to hang to some extent on the decision reached as to the manner of dealing with this particular case. At this stage I have only one special point to add to what is stated about the responsibility of the League organisation, and that is that information is coming in suggesting that the infamous technique of stoning was supported by some fatwas by mullahs as a traditional means of attack on non-Muslims. This, if established, is disquieting, and the less publicity it receives the better. The Yusufzais of Swat, unlike the Waziristan tribes, are prone to fanaticism, and the same applies to the Mohmands and to some extent to the Shinwaris, of whom most reside in Afghanistan but some on our side of the Line in the area around Landikotal. The Afridis are steadier and wiser, but they too have been known to flare up. Curiously enough the Wazirs and Mahsuds, despite their wildness, are far less priest-ridden and in this respect easier to deal with.

3. As often happens with Pathan tribes a fire burns up swiftly and dies down, and for the moment there is comparative quiescence. There is however every indication of a quickening tempo in the reaction of some of the tribesmen to the Indian political scene and a tendency to seek alignment with one or other political party. As has been said in the official letter I regard this tendency as unfortunate. There is real peril in stirring up the tribes now, and (it seems to me) particular peril in a vertical or even a horizontal alignment of the tribesmen.

1 Vol. VIII, No. 520. 2 R/3/1/92: ff 151-5.
3 Sir O. Caroe’s ‘Note on enquiry into incidents in Malakand on October 20th–21st 1946’ which was dated 6 November 1946 is ibid: ff 130-41.
4 In January 1947 Mr Justice R. Clark, Judge of the Madras High Court, was appointed by the Government of India to conduct a judicial enquiry into charges framed against Mahbub Ali relating to his conduct during Pandit Nehru’s visit to Malakand. Sheikh Mahbub Ali was exonerated in Mr Justice Clark’s Report, dated 28 February 1947. Its findings were that the charges against the officer were not established. R/3/1/93.
with the Indian political parties. The most dangerous appeal of all is that to religious intolerance, and everything possible should be done to avoid stimulating it. I think too that policies tending to stir up class or economic rivalries during this formative period will recoil on their authors. The real genius of the Pathan, as I see it, lies in a nationalism of his own, and if that nationalism can be aligned with India as a whole without introducing unnecessary rifts in the tribal body politic, much will have been done to produce a stable equilibrium on a vital frontier, such as will allow India to grow great behind it. We need a bulwark and not a sandbank torn by tides from without and shifted by streams from within.

4. On the economic issue it would be worth your while to examine our Five Year Development Plan, which includes the Tribal Areas. All that need be read is the Introduction on the first 14 pages—the rest is a mass of figures giving the detail of schemes. Mallam, the Development Commissioner here, is an enthusiast and the Ministry recognise his sterling value.

5. I am very glad that you are able to dissociate yourself from the general criticism which has turned on Political Officers. We shall never be able to hand over this frontier as a going concern, if the officers are not trusted and publicly supported, and this applies to officers all down the scale. This is vital.

6. There are many other points in your note which I should like to think over more fully before further discussion and I have no doubt we shall have an opportunity to do this in due course. I hope too to discuss them with the Viceroy.

Yours sincerely,

O. K. CAROE

I2

The Secretary to the Crown Representative to the Secretary,
Political Department, India Office

L/P&S/13/1807A: ff 180-1

SECRET

NEW DELHI, 7 November 1946

NO. F.63-R(S)/46.

DISPOSAL OF THE RECORDS OF THE CROWN REPRESENTATIVE

Sir,

I am directed to state that the Crown Representative has been considering how the records with which he is concerned should be disposed of on the establishment of a succession government in India.

2. Records with which the Crown Representative is concerned consist of (A) Records relating exclusively or primarily to States and
(B) Mixed Records relating to States and British India.

3. Records under (A) are at the absolute disposal of the Crown in its relations with Indian States, vide Section 173(1) (b) of the Government of India Act, 1935. These records are at present distributed between
   (a) the Imperial Record Department, New Delhi.
   (b) the Political Department Record Room at Simla.
   (c) the Political Department Record Room at New Delhi.
   (d) certain Provincial Headquarters (in the charge of Governors as Agents of the Crown Representative under Section 287 of the Government of India Act, 1935).
   (e) Headquarters of Residencies and Political Agencies.

4. The authorities in charge of these records have been instructed to take steps without delay for the weeding out and destruction, under capable supervision, of such of the records as (a) possess no historical interest and (b) are patentlv valueles for purposes of future reference.

5. It is proposed that, at the end of the interim period, remaining records belonging to the Crown Representative should be transferred to the custody of the United Kingdom High Commissioner or other diplomatic representative of His Majesty in India. The intention is that expert staff should be employed by His Majesty's representative in India to control access to these records during the stand-still period envisaged in paragraph 4 of the "Memorandum on States' Treaties and Paramountcy presented by the Cabinet Mission to His Highness the Chancellor of the Chamber of Princes on the 12th May 1946". The staff would, at the same time, make a final classification of the records into four categories:
   (a) Records which can appropriately be transferred to the Government of the Union of India.
   (b) Records of historical or other interest other than records under (a), which are likely to be required for reference in India.
   (c) Records of historical or other interest, other than records under (a), which are not likely to be required for reference in India and can therefore be shipped to the United Kingdom.
   (d) Records other than records under (a) (b) and (c) which would be destroyed.

6. The question of the disposal of "Mixed Records" i.e. records relating to States and British India, can only be decided when it is known whether the Cabinet Mission's plan for a Union of India embracing both British India and the States is, in fact, realised. I have the honour to be,

Sir,

Your most obedient servant,

E. B. WAKEFIELD

for Secretary to His Excellency the Crown Representative.

1 Vol. VII, No. 262.
13
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/126: f 128

8 November 1946, 8 pm
Received: 9 November, 2 am

No. 105—G. Khizar suggested to me this morning that first meeting of Constituent Assembly should be indefinitely postponed. Events in Eastern Bengal and Bihar have caused great uneasiness and Khizar believes that Assembly cannot long avoid controversial issues. Session in December would therefore in his opinion make communal feeling worse and maintenance of law and order even more difficult than it is now. I agree with this view and submit it for Your Excellency’s consideration.

14
Lord Pethick-Lawrence to Sir S. Cripps

Public Record Office. CAB 127/129

INDIA OFFICE, 8 November 1946

My dear Stafford,
I return the enclosed which is informative.

I confess however that I am disturbed at the signs of an attempt to undermine our confidence in and support for the Viceroy and we must be most careful to give no countenance whatever to the idea that Congress acting through Sudhir can deflect us against him. If this idea were allowed to become current it would completely destroy his power and authority.

Personally I think that the Viceroy did a great piece of work in forming the Coalition Government. I do not believe Congress if left to themselves would have got Jinnah in. If they had not, civil war would have been inevitable and even now we may not be able to avert it.

Do just as you like about sending the letter to P[ime] M[inister] and/or A. V. A[lexander]. I certainly see no objection.

Yours sincerely,

PETHICK
Enclosure to No. 14

Mr Ghosh to Sir S. Cripps

PERSONAL AND PRIVATE  TATA SONS LTD., CONNAUGHT CIRCUS,  
POST BOX NO. 68, NEW DELHI,  
31 October 1946

My dear Sir Stafford,

I wrote to you a fortnight ago.¹ I hope the letter reached you.

I have since visited the riot-affected areas in East Bengal and had a long talk with Sir Frederick Burrows, the Governor, which lasted 2½ hours! I also had a talk with Suhrwardy, the Chief Minister, whom I have known for a number of years. I then returned to Delhi and made my report to the old man and to Vallabhai and Jawaharlal. I also made a brave attempt to see His Excellency the Viceroy of India but the doors were so carefully guarded by my friend George (who along with Liaquat Ali are popularly known as joint secretaries of the Muslim League) that I could not get in!

After a talk with me Gandhiji went off to Bengal. He has seen the Governor (the interview lasted two hours!). He has also seen Chief Minister Suhrwardy.

I will tell you briefly what has happened in Bengal. There is of course great exaggeration in the reports published in the newspapers. When everybody is excited and upset there is bound to be a great deal of exaggeration and loose talk; everybody blames everybody else and people talk more emotion than reason. But even if you cut out the exaggeration what remains is bad enough. I will give you one example. I saw a report in the nationalist newspapers that one Mr. Rajendra Roy, a Hindu lawyer of Noakhali, who lived in a predominantly Muslim village was killed and along with him 400 other Hindu men, women and children who had taken shelter there had been slaughtered and the house was razed to the ground. The great Mr. Sarat Bose asserted that it was absolutely true and the whole of Bengal felt deeply outraged. I insisted on finding out the truth about this story. I visited the village and different people told me different stories, but I found that it was quite true that Rajendra Roy’s house was attacked in broad day light by the Muslims and he and his whole family were exterminated. When I discussed this story with the English District Magistrate (in point of fact he was an Irish man) he indignantly told me that these Congress people were telling lies and spreading dreadful stories of 400 people being killed in that one place, but the truth, he knew, was that only 21 people (Roy’s family consisted of 21 people) were killed and the house, of course, was burnt. As if that was not dreadful enough!

What the Muslims did was to get hold of a large number of demobilised army roughs and surround an area with a population of about 75,000 and what

¹ No letter of this date is on CAB 127/129.
exactly they did inside that area is very difficult to ascertain. As far as I can ascertain, about a thousand people were killed, several thousand houses were burnt, a large number of women were forcibly taken away from their homes and “married” to Muslims and a large number of people were “converted” to Islam. This conversion does not really mean much; they will again become Hindus when peace returns to the area. But the way women have been dis-honoured is outrageous and no civilised country should allow such things to happen.

What Suhrawardy says and the Governor and the Governor-General accept is plausible, but I know that [it] is untrue. The line that Suhrawardy takes is that it is not a problem of law and order at all. There is deep hatred among the Hindus and the Muslims of the Province and the right way to solve the problem is to try and remove the hatred and if you cannot remove the hatred, then ten armies of soldiers cannot keep peace in Bengal. This sounds very pious and plausible, but this is not true. Communal hatred and bitterness we have had in ample measure in India, particularly in Bengal where the ratio of population is 45:55, and it is also true that this hatred and bitterness have increased during the last one year. As the third party withdraws there is bound to be increased competition between the two lots of Indians for grabbing power. But that is another thing. Why should this hatred suddenly express itself in the form of mass murders and arson and loot with effect from the 16th of August when the Muslim League declared “Direct Action”? If the Governor-General and the Governor say that this kind of killing and barbarity is inevitable in the present circumstances of our country, I look upon that argument as an excuse put forward by men who have failed to do their duty. It would have been possible to avoid such a disaster in spite of the fact that Suhrawardy is not genuinely interested in stopping this lawlessness. The people who are actually doing all this mischief are hooligans, but those who are using these hooligans (it is an organised and well thought out affair) are Muslim Leaguers; Suhrawardy knows very well who they are and he could call these men and say “stop” and all this lawlessness would stop. I have no doubt about that. But I say that it would have been possible to stop it even without Suhrawardy’s wholehearted co-operation. Knowing Mr. Casey, as I did, I feel sure that he would have stopped all this lawlessness without dismissing Suhrawardy and without using his extraordinary powers. He would have said to Suhrawardy “My dear Minister, I have no desire to interfere with your affairs, but this situation has become really serious and I must have a hand in it. I only wish to help you.” He would have got into personal touch with the District officials, the police, the army, and he would have spent days in the affected areas and some how or other he would have stopped it and got away with it. It all depends on the personality of a man. Sir Frederick Burrows is slow and inadequate. He is a very good soul and I am fond of him, but I
found him really out of his depth. I have pondered over this whole affair and I have arrived at the conclusion that the appointment of Sir Frederick Burrows to a difficult Province was a mistake. Sarat Bose and his friends, of course, are very unfair to him and have said the most unkind things about him (I got into trouble with the Congress for having said publicly that I knew Sir Frederick Burrows and I knew that he was a genuine friend of Indian independence!). If you were to transfer him to Madras (where, with his determination not to interfere with the Ministry, he would be the most popular Governor) and if you sent Sir Archibald Nye to Bengal, you could probably solve this problem. I do not know Sir Archibald Nye, but Mr. Casey used to speak very highly of him. But I suppose prestige will stand in the way of such a change.

Gandhi ji is going to the affected areas in East Bengal. His presence will no doubt give some solace to the thousands of innocent people who have suffered in the reign of terror. He will no doubt do all he can to appeal to the good that is in every man—even in Suhrawardy. But I am afraid I do not see the end of this lawlessness. It may subside for a little while in this particular part of East Bengal. But lawlessness is in the air in Bengal. What has happened there is a collapse of organised government and the population has lost their faith in the Government and their sense of security has disappeared. There are indications that serious lawlessness is spreading in other provinces. As the stories of unspeakable savagery perpetrated on the Hindus of Bengal spread, Hindus of other provinces will begin to take revenge. The whole country may soon be set on fire. The tragedy is that this is a situation which could have been avoided (and can still be avoided) if the Viceroy and his advisers had the wisdom.

Old Vallabhai says that ever since the Cabinet Mission left India the Congress people haven’t had a day of peace. Even after the British Cabinet made their courageous decision to hand over the Government to the majority party and leave it to the majority party to find means of getting the Muslims into the Government, the Viceroy’s constant endeavour, day after day, has been, some how or other, to bring the Muslim League into the Government. The Congress leaders were just as anxious as the Viceroy to get the Muslims in. But the Viceroy never left them in peace to take their time over it and do it in a natural manner. When I arrived here I found that the position was that the Muslims were really dying to come in. They saw that the Government was functioning splendidly—even without their co-operation. The Cabinet used to meet informally at Nehru’s residence and make all the important decisions unanimously and promptly. In the formal meetings under the Viceroy he was presented with all unanimous decisions on all occasions which required only endorsement and no further discussion. The Viceroy had really become in point of fact an almost unnecessary institution, and the Cabinet had become
a real Cabinet and Nehru had become a real Prime Minister. If the Viceroy had the wisdom to leave them alone for some time and let them proceed in their own way, then Nehru and his colleagues could have got the Muslims in without destroying the character of the Cabinet and without spoiling the fine opportunity of securing full and whole-hearted transfer of authority to Indian hands quickly and peacefully, and to a Cabinet representing the whole of India. But Lord Wavell was in too much of a hurry (and his advisers were in a greater hurry) to get the Muslims in. Lord Wavell put all possible pressure on Nehru and his colleagues; he worried them day after day; he resumed the negotiations with Jinnah without the approval and consent of Nehru and the Cabinet. The result is that a fine opportunity of solving our problem once and for all has been destroyed. The Indian Cabinet has again been reduced to the old Executive Council. The Muslims have come in without any settlement or understanding with the Congress and their behaviour shows that they have no desire to offer genuine co-operation. Nehru invited Liaquat Ali and his colleagues to the first meeting of the new Cabinet at Nehru’s residence, but Liaquat Ali spurned the invitation. They condescend to meet only under the Viceroy who is their leader! So you see the damage that has been done is great. This could easily have been avoided if Lord Wavell showed wisdom. But who likes to make himself unnecessary? Only a great mind can cheerfully do that. It is not an easy thing for an English man to resist the temptation of presiding over the quarrels of two lots of Indians. I do not suggest that this is consciously done. But that is the position.

Now, the serious lawlessness which is going on in Bengal, is, I am afraid, going to cause serious complications in the Interim Government. How can leaders like Nehru and Patel watch the happenings in Bengal as helpless onlookers? The people of Bengal look up to them for help and protection. But they have no means of doing anything about it. Law and order in Bengal is the responsibility of the Muslim League Ministry there and it is the special responsibility of the Governor-General and the Governor. The Interim Government have no authority in the matter. They can only go to the Viceroy and beg him to use his authority to give protection to the people who are being killed and women who are being dishonoured. The Viceroy piously says he cannot possibly exercise his extraordinary authority against a Muslim League Ministry, and he preaches a sermon on the wrongness of using such powers at a time when India is becoming independent. If Nehru and Patel cannot keep the country in order during the interim period how are they going to make a constitution for 400 millions people and attend to the hundred-and-one other big problems that await their attention. The only thing your people have to say is that things could have been much worse than they are. Indeed my friend George tells me that he and his chief are surprised that worse things have not happened in Bengal. In the meantime rioting and looting and killing go on in
Calcutta and East Bengal and gradually spread to other parts. Would you like to be in the place of Nehru and Patel and watch these things happening before your eyes? I shall not be at all surprised if their patience is exhausted very soon and they decide to come out of the Government. That will be nothing short of a disaster from our point of view. It will cause great disappointment and despondency in the country, so far as we are concerned. But your position too will be difficult in the eyes of the world. Will the world believe that these Congress men went out merely because of childish impatience? If such an unfortunate thing happens, as is most likely, you will have to thank the Viceroy for it and none else.

The Viceroy of course does not believe that there is such a possibility of a crisis. He thinks, Vallabhai tells me, that power has gone into the heads of these Congress men and all this talk about resignation is mere bluff. My friend George is deeply convinced about it. The tone of letters they write to Nehru and Patel shows this conviction. By the time this letter reaches you you will have heard about the U.P. affair. Recently the Inspector General of Police in the United Provinces did something over the head of the Ministry and Govind Ballav Pant, the Chief Minister, asked for an explanation and the Inspector General handed his resignation which was accepted by the Chief Minister. Then Sir Francis Wylie, the Governor, intervened and on his advice the I.G. withdrew his resignation and pleaded that he had resigned under a misapprehension. The Minister is not prepared to let the I.G. withdraw his resignation now and the Governor insists that the I.G. must be allowed to remain. The dispute has come up before the Viceroy, who supports the Governor. The Ministry have threatened to resign and the tone of the letters which the Viceroy has written on this subject to Nehru and Patel indicates that he does not particularly mind if the Ministry resign. This attitude is based on the belief that the Congress people are bluffing. But I know that they are not bluffing; they are really in a difficult position.

I am sorry to sound so depressed, but the present position is really serious. It would have been much easier to tide over these difficulties if the Viceroy was a different personality. The whole future relationship between the British and the Indian peoples will be deeply influenced by what sort of a job the Viceroy makes of all this during the crucial period of transition.

With my love and regards,

SUDHIR

PS. What I have said above is mostly what they want me to pass on to you.

* See Vol. VIII, No. 535.
I5

Sir F. Wylie (United Provinces) to Lord Pethick-Lawrence

Telegram, L/P&J/8/573: f 132

IMMEDIATE

LUCKNOW, 8 November 1946, 9.40 pm
Received: 8 November, 8.30 pm

G. 89. Communal rioting broke out on November 6th at Garhmuktesar Fair, a Hindu bathing festival on the Ganges in the Meerut district. Small incident in an amusement side show led to overwhelming attack with arson and looting on few Moslem stallholders and carriage drive resulting in 46 dead. On November 7th mobs from the fair, mostly Punjabis, proceeded to Garhmuktesar town, three miles away, and attacked Moslem residents and burnt Moslem houses. Casualties feared heavy. Vast attendance at fair creates danger of disorder spreading. Police and military reinforcements are in disturbed area.

I6

Government of India, Defence Department to Secretary of State
(via War Office)

Telegram, L/WS/1/1023: f 152

CONFIDENTIAL

NEW DELHI, 8 November 1946, 5.15 pm
Received: 11 November, 8.15 am

5765.
1. Government of India understand that His Majesty’s Government in the U.K. have been considering the possibility of including Gurkha battalions in the Imperial forces.

2. They have considered the whole question of the future of Gurkha battalions and their views are:

(A) that Gurkha battalions should be retained in the post-war Indian Army and that they should be officered by Indian officers.

(B) that they are opposed to the employment of Gurkha troops by His Majesty’s Government for Imperial purposes. They recognise however the difficulties inherent in the situation and suggest a settlement of the question by negotiation between His Majesty’s Government in the U.K., Nepal and India.
3. Negotiations with Nepal and H.M.G. in the U.K. will be conducted by the External Affairs Department, to whom any further communications on this subject should be addressed.¹

¹ The Secretary of State replied in tel. 211441 of 9 December. He said that H.M.G. considered it should not be impossible to reconcile their own wishes on the question with those of the Gvts of India and Nepal and accordingly welcomed the suggestion for tripartite negotiations. However they preferred to discuss the subject first with the Gv of India. In tel. 10465 of 12 December the G. of I., External Affairs Dept. agreed to the direct preliminary discussions.

In tel. 211440 of 9 December Lord Pethick-Lawrence asked Sir J. Colville whether he agreed it would be more appropriate to conduct the negotiations through the U.K. High Commissioner rather than the Viceroy. In tel. 2610-S of 11 December Sir J. Colville agreed that the U.K. High Commissioner would be more appropriate. L/WS/1/1023: ff 133–6.

I7

Sir D. Monteath to Sir E. Machtig

L/P & J/10/122: ff 124–5

TOP SECRET

INDIA OFFICE, 8 NOVEMBER 1946

My dear Machtig,
We have under consideration, the question of Treaty relations between India and Great Britain after India becomes independent.¹ It is agreed on all hands that there must be a Treaty by which the new Government of India formally accept the obligations of the existing Government and such obligations of H.M.G. as are dischargeable only by virtue of their present position in India. This Treaty will be negotiated in advance, and concluded simultaneously with, the transfer of sovereignty. Ministers have not yet considered the matter in detail, but it is understood to be their conception that there should also if possible be a Treaty of Friendship and Alliance freely concluded with the new Indian Government, but no doubt discussed before the new constitution comes into being. This Treaty would cover such matters as future relations with regard to Defence, Foreign Affairs, the position of British subjects in India, and so forth.

2. Consideration of these subjects has proceeded furthest in the military field where the Chiefs of Staff have had under consideration the military aspects of such a Treaty. I enclose a copy of a paper which the Chiefs of Staff have prepared and have sent to us for consideration, and also of correspondence between myself and Hollis in regard to it.² You will see that the present view of the Chiefs of Staff is that it is of the first importance to retain India within the Commonwealth. We think that it is unlikely that India will wish to remain

within the Commonwealth at any rate as at present constituted, and we are also doubtful whether it would be in the general interests of the Commonwealth to induce India to stay in the Commonwealth if this were possible. We also doubt whether the advantages in the field of Defence which the Chiefs of Staff envisage would best be achieved by her doing so.

3. I enclose, in duplicate, a memorandum which discusses at length the various considerations which need to be taken into account in considering this very important matter.

4. The whole matter will, of course, have to be put up to Ministers but at this stage I should be very glad to have your views from the point of view of the Commonwealth as a whole. In particular, I should be glad to know what the view of the Dominions Office is on the following points:—

(a) What do the Dominions Office think would be the attitude of the four major Dominions towards the general question of India’s membership of the Commonwealth?

(b) In the light of what is said in the memorandum, do you consider that India, as a Member of the Commonwealth would be, on balance, an asset or a liability?

(c) Given the fundamental differences of the oriental Indian outlook and the Western outlook of the Dominions and ourselves, and the existing and potential sources of friction between India and the Dominions and ourselves; and bearing in mind the new type of Indian representative who would represent India at Commonwealth meetings, do you consider that in the long run and on balance the retention of India within the Commonwealth would be likely to be advantageous?

(d) What is your view on the suggestion made in para. 16 of the memorandum, that a new type of Commonwealth relationship based on written agreement might be evolved to cover, India, Burma and other Asiatic States? Do you consider such a development practicable, or do you think that it would weaken the Commonwealth as an international entity and, by departing from the principle of the common allegiance to the Crown, weaken it internally?

(e) If our relations with India are to be those of Treaty relations with a Foreign Power, do you think there is any possibility of the Dominions being willing to be parties to such a Treaty at any rate for purposes such as Defence? Certain Dominions, particularly Australia and New Zealand, obviously have as vital interests as our own in ensuring that India does not come under the domination of a hostile power; while, in the light of the Chiefs of Staff papers referred to in the memorandum, it must be conceded to be a major Commonwealth interest that this should not occur.
5. I shall, of course, be glad of any general observations you may wish to make on the problem as a whole and on the manner in which it is expounded in the enclosed memorandum. I am sending a copy of this letter to Orme Sargent and to Gater at the Colonial Office and am inviting their views.\(^4\)

6. Assuming that it were decided that our negotiators on these matters should seek to induce India to remain in the Commonwealth, it would be valuable for them to have a brief from the Dominions Office from which they could expound to Indians what are the essential obligations and advantages of the Commonwealth relationship. Could the Dominions Office provide this?

7. I realise that I am raising large questions which need a good deal of consideration but I am anxious to put the matter to Ministers as soon as possible and should be grateful if you can let me have a reply if possible within a fortnight.

Yours sincerely,

D. T. MONTEATH

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\(^3\) Not printed. This was a revised version of No. 409 in Vol. VIII. A number of the arguments in the memorandum reappear in Enclosure to No. 338 in this volume.

\(^4\) Sir D. Monteath did this the same day (8 November).

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18

**Lord Pethick-Lawrence to Field Marshal Viscount Wavell**

*L/PO/10/23*

PRIVATE AND SECRET

INDIA OFFICE, 8 November 1946

Received: 12 November

Many thanks for your letter of the 30th October.\(^1\) I certainly appreciate the photographic representation of the Interim Government on the front page of *Dawn* which you have sent me.\(^2\) Apart from Asaf Ali’s position as fourteenth man I observe that the Scheduled Caste representatives are specifically included under Minorities and not as “representing the Hindu Nation”, but all things

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\(^1\) Vol. VIII, No. 534.

\(^2\) The front page of the issue of *Dawn* for 26 October 1946 carried blocks of photographs of members of the reconstituted Interim Govt. In the top row Mr Liaqat Ali Khan, Mr Ismail Chundrigar, Mr Abdur Rab Nishtar and Mr Ghazanfar Ali were described as ‘representing the Muslim Nation’. In the next row Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Mr Rajagopalachari and Dr Rajendra Prasad were described as ‘representing the Hindu Nation’. At the foot of the page Mr Jogindar Nath Mandal, Mr Jagjivan Ram, Mr Bhabha, Dr John Matthai and Sardar Baldev Singh were described as ‘representing the various Minorities’ and in the bottom right hand corner Mr Asaf Ali was captioned as ‘the odd man’.
considered it appears that the new Government has been fairly well received in the Press and I agree that Liaqat’s statement to the Press is not too bad. It is interesting that he made no reference to Pakistan until a question was put to him on the subject and then tried to elevate Pakistan into a sort of philosophical conception as meaning freedom for Hindus and Muslims and security and justice for the Minorities. I should like to think that this was an indication that the League leaders were going in for a policy more akin to that of the Muslims before 1939, i.e. solidarity of the Muslims and other Minorities within a United India as opposed to a separate sovereign Muslim State. But this is probably too good to be true though there may be a section of Jinnah’s followers who favour a return to this policy, or at any rate giving it a trial in the interim period. But even if it is merely a conciliatory gesture by Liaqat it is to be welcomed.

2. The riots in Bengal, Bihar and elsewhere make dreadful reading. But the fact that leaders of both sections have gone together to help in quelling them appeals to most people here as a good move. I should rather like to know how the visit of the four members of the Interim Government to Bengal originated. Was it prompted by a genuine sense of responsibility or was it the result of your own decision to go there causing your colleagues to feel that they must not appear less enterprising? At any rate it is satisfactory that following on your own visit and the visit of your colleagues there has been a substantial improvement in the situation. I should imagine that the desire to make out that the Bengal trouble was all due to the partisan incompetence of the Bengal administration has been somewhat damped by the disturbances in Bihar and it looks as if, lamentable though these disturbances have been, they have not been without effect on Nehru. He is an incalculable person and I confess I was astonished to see that he had referred to the possibility of bombing the areas in Bihar where disturbances continue. On this Gandhi seems to be in conflict with him.

3. There is a possibility that the Opposition will raise India in the debate on the Address which begins on November 12th and will cover ten days or a fortnight in the Commons. This may not eventuate at all but if it does it will probably take the place of the full debate of one or two days in the latter part of this month, which had been talked of. I am asking you separately for information on certain points. If, however, you have any general advice, particularly warnings of any matters which are delicate with your colleagues at that moment, or on which you wish us to keep off any particular line, please let me know by telegram.

4. In my letter of 1st November I gave you some background to the policy to be followed by the United Kingdom Delegation to the General Assembly of U.N.O. on the question of India’s complaint against South Africa. It was
not long before the policy decided upon ran into rough water at New York. Thus, not only did it at once become clear there that the Indian Delegation would strongly resent the line to be adopted by His Majesty’s Government in the matter, but it emerged that the view that the matter was one of domestic jurisdiction which, under Article 2 (7) of the United Nations Charter, was not appropriate for discussion by the Assembly, was likely to be opposed by several leading members of the Legal Committee and that the Indian case was expected to find substantial support. The Attorney General himself, moreover, indicated that he was not convinced that the argument that the matter was “essentially within the domestic jurisdiction” of South Africa could be sustained and that, if the point were referred to them, the International Court of Justice might give a decision adverse to South Africa.

5. The matter was therefore brought up again in the Cabinet and I took advantage of this further opportunity of urging that our representatives should be instructed to remain as completely neutral as they could, not only on the merits but also on the legal issue. Once again my view was not accepted and the Cabinet decided that our Delegation should support the view that this was a matter of domestic jurisdiction and that, if this view was not accepted, they should support the claim that the question of jurisdiction should be referred for decision by the International Court of Justice.

6. In reaching this decision my colleagues felt that, as a leading member of the United Nations, the United Kingdom could not afford to remain neutral on the question of jurisdiction and that, from the point of view of the British Commonwealth, it was important to secure a decision that a matter of this kind was outside the jurisdiction of the United Nations. It was felt to be most important to avoid setting a precedent for intervention by the United Nations in matters like this, which had hitherto been regarded as being within the domestic jurisdiction of sovereign states. Once such intervention began, it would be difficult to set limits to it and all nations might be faced with investigations into their internal policy which would generate great bitterness. In India itself, moreover, there were questions of differential treatment between different communities which the Government of India would not wish to have discussed by the United Nations Assembly. There is, of course, considerable substance in this argument but I am naturally disturbed that its support is likely to lead to a clash between the United Kingdom and Indian Delegations.

3 Speaking at a Press Conference on 26 October 1946, Mr Liaqat Ali Khan said the League had ‘come into the Government with the intention of working in harmony with our other colleagues’. There was, however, under the existing constitution ‘no such thing as joint or collective responsibility’; nor was there such a thing as leadership of the Government by one individual. The Statesman, 27 October 1946; L/P & J/10/76: f 332.
4 Vol. VIII, No. 541.
5 Papers on this subject are on L/E/9/1403 and 1404.
7. The discussions in New York have thrown up a further question on which the policies of His Majesty's Government and the Government of India show a marked divergence. You will doubtless have seen press reports of the attitude of the Indian Delegation on the question of the proposed incorporation of South-West Africa within the Union and we have just received, in addition, telegraphic information as to the attitude of Sir Maharaj Singh on the matter. Apparently in discussion with members of the United Kingdom Delegation he conveyed dark hints of the steps India might take against countries which opposed her on issues of this kind and implied that he had been assured of Soviet support which he would be ready to accept despite his realization of the motives underlying it. There is nothing that can be done on this particular issue as the Cabinet have decided on the policy to be pursued by His Majesty's Government, namely, that they should express confidence in the measures taken by the Union Government to ascertain the wishes of the inhabitants, should oppose suggestions for any independent enquiry, and should support the South African case for incorporation.

8. To set against the probable reactions to His Majesty's Government's attitude on the Indian complaint against South Africa and the question of South-West Africa, there has been an optimistic letter from the India Office representative at the General Assembly. It appears that the Indian Delegation from the start made it clear that they were out to function and co-operate to the fullest possible extent as one of the Commonwealth group of nations, and that it was their intention to discuss matters with the United Kingdom Delegation before making contact with the Delegations of other countries. I gather that the Indian Delegation were at sea in regard to the Assembly business and the United Kingdom Delegation were able to do a good deal to assist them to find their bearings. As regards the personalities in the Indian Delegation, the influence of Krishna Menon, as is to be expected, is likely to be an unfortunate one, whilst his namesake K. P. S. Menon is most co-operative. Sir Maharaj Singh showed signs of being very helpful at the time the information was sent but the South-West Africa matter may put him against us.

9. I was grateful to you for your telegram No. 2324-S, about the proposed reply to Lord Salisbury and recognised the force of your criticism of the proposed statement that it was the carefully considered opinion of His Majesty's Government that the publication of the correspondence leading to the formation of the Interim Government would not be in the public interest. In case it has not reached you through other channels I enclose a copy of the full extract from Hansard from which you will see that your suggestions were accepted.

10. In my letter of 25th October I mentioned the arrival in this country of Dr. Ambedkar and that he had not yet approached me or other members of
the Government. Since the date of that letter he has been very active, both vis-à-vis the Opposition leaders and Ministers. I had a long talk with him here yesterday morning and in the evening I was present at his interview with the Prime Minister. In his interview with me he expressed the wish that His Majesty’s Government would make a declaration to the effect that the Untouchables are a Minority. He also pressed me to give further assurances regarding the statement already made that the constitution must provide safeguards for the Minorities. I did not give definite answers to any of his questions but promised to bear what he had said in mind.

11. I am interested to read what you say in paragraph 9 of your letter about Gurkhas; and I presume that the question of their employment, both by the Government of India and by His Majesty’s Government, will now be reconsidered by the reconstituted Cabinet. I am anxious to learn what their views are.

12. We have, I think, at last made some real progress towards the stage at which I shall be able to send you my proposals for the grant of compensation to members of the Secretary of State’s Services. Discussions between officials of the Treasury and the India Office revealed a serious flaw in the basis of the calculations on which the scheme previously recommended by my statutory Advisers had been based and the whole thing had to be reconsidered. A fresh scheme, which the Advisers have after full consideration accepted as being just and equitable to the Services, has now been worked out and I have every hope that I shall shortly be able to obtain the consent of my colleagues to its being put to the Interim Government for their comments. While it undoubtedly fulfills the promise that serving officers would receive treatment not less favourable than that offered to the recruits to fill war-time vacancies, I am afraid that it will give the Services substantially less compensation than they are hoping for or than they would have got under the scheme which was being considered when Williams and Price were here; but the scale rises to a figure of £8,000, as compared with the £8,500 in the scale which was origi-

6 In tel. 19328 of 31 October 1946 Lord Pethick-Lawrence informed Lord Wavell that Lord Salisbury was to ask in the House of Lords on 5 November whether further documents on India might be published as a White Paper. Lord Pethick-Lawrence sought Lord Wavell’s views on suitable correspondence for inclusion in a White Paper. In tel. 2313-S of 3 November Lord Wavell sent his recommendations but in tel. 19511 of 4 November Lord Pethick-Lawrence reported that the Cabinet had decided against the publication of a White Paper. In tel. 19512 of the same date he sent Lord Wavell the text of his proposed reply in the House of Lords (for which see Parl. Debs., 5th ser., H. of L., vol. 143, cols. 957-8) and Lord Wavell sent his comments on this in tel. 2324-S of 5 November. Lord Wavell suggested that Lord Pethick-Lawrence should omit the passage in the draft reply which read: ‘in any event it is the carefully considered opinion of His Majesty’s Government that the publication of correspondence would not be in the public interest.’ Lord Wavell felt these words were over-emphatic and might give rise to the suspicion that there was something to hide. Wavell Papers, Political Series, June-December 1946, pp. 301-4, 307.

7 Vol. VIII, No. 517.
nally put up to me from India, and I am satisfied that it represents the maximum which my colleagues will be willing to agree to my putting to the Interim Government.

[Para. 13, containing personal references; and para. 14, discussing a recommendation for an honour, omitted.]

15. I look forward with keen interest to hearing of the impressions you form during your present visit to Bihar.

I9

Sir H. Dow (Bihar) to Field Marshal Viscount Wavell

Telegram, L/P&J/8/575: f 220

PATNA, 9 November 1946, 3.5 am
Received in India Office: 10 November, 1.30 am

148-S. Your telegram 2334-S dated October [?]November] 6th. This is my appreciation of communal situation up to November 8th. The relations between Hindu and Moslem communities in Bihar began to deteriorate seriously after "direct action" resolution of the Moslem League at the end of July. They became still worse with Calcutta riots and subsequent communal disorders in East Bengal. The first serious riot in this Province was on September 27th at Beniabad in Muzaffarpur District where 14 Moslems were killed and many Moslem houses burnt. On October 25th meetings were held all over the Province to commiserate with Hindu victims of Noakhali and it was meetings in Chapra (Saran District) and in Patna which started the present widespread riots in South Bihar. Local officers wished to prevent the meeting in Patna but Ministry insisted on permission being given and violent speeches made at this meeting were proximate cause of serious and violent attacks on defenceless Moslem villages. Communal passions have been persistently fanned by newspapers of both communities within and outside the Province and Ministry, despite my constant advice over a long period, have neglected to control local press.

2. Rioting began in Chapra Town with murder of Moslems and burning of houses and spread into neighbouring countryside where Hindu mobs committed similar outrages on Moslem villagers. The situation in Saran was brought under control in a few days but in the meantime rioting spread south of the Ganges and became intense in Districts of Patna, the Southern part of Monghyr and Bhagalpur and Northern part of Gaya where it shows signs of spreading. There was one bad riot in Santal Pergunnahs. Most of the
important incidents have been reported in recent telegrams repeated to Secretary of State and need not be recapitulated. Other districts of the Province have remained comparatively quiet but atmosphere is tense and disorders may spread to other areas.

3. In Bihar the rural Moslem population is comparatively small and isolated groups have been the objects of most determined attacks. Roving Hindu mobs have sought to exterminate the Moslem population wherever they could find them. Almost all casualties have been Moslems and it is estimated that of these 75% have been women and children. Only in a few cases have Moslem victims received help from their Hindu neighbours who have exhibited a callous indifference to suffering.

4. Nine) battalions of troops are or will shortly be operating to restore order together with a squadron of armoured cars. Operations are in charge of Major-General Russell, commanding 5th Indian Division. These forces, with the police, have effected some improvement in Patna District and have prevented any serious incidents in Patna city itself. But in the Eastern parts of Patna District and in South Monghyr situation is still reported serious. Large numbers of refugees are moving into Patna and other centres and arrangements hitherto made by the Moslem League are now being partly taken over by the Government. The unsatisfactory attitude of Ministry towards the services has resulted in a natural reluctance to take drastic action in a few cases but orders have now been issued, with consent of the Ministry, to all magistrates that if mobs showed themselves unlikely to disperse they should be fired upon at once, if necessary without warning. A public order ordinance giving powers of detention without trial, collective fines and control of press will be promulgated today. Nehru has been here for some days and has addressed large meetings at several places denouncing the atrocities committed by Hindus in Bihar.

5. The Bakrid festival fell on the 5th and 6th November but very few incidents arising out of customary cow sacrifice were reported, probably because Moslems were too frightened to celebrate in the usual manner.

6. Police figures of deaths from rioting so far are just over 2,000 but it is difficult at present to say how accurate these are. In some cases casualties may have been over-estimated while in others many bodies must have been disposed of and will never be discovered.

Repeated to Secretary of State for India.

1 Not traced.
20

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&E/J/8/573: f 131

IMPORTANT

NEW DELHI, 9 November 1946, 8.5 pm
Received: 9 November, 6 pm

No. 2362-S. I have just spent two days at Patna and agree generally with appreciation in Governor’s telegram No. 148-S of November 9th. The military assistance provided is, I think, adequate and Russell is a good Commander. The morale of Indian troops is high and all ranks, irrespective of community, are determined to put down the disturbances. There are no immediate signs of situation getting worse, but we shall know better in a few days time. Feeling is extremely tense as my interviews with leaders showed. The United Provinces authorities are nervous of trouble spreading to that Province and already there has been a bad communal riot at a fair in Meerut district.

The savagery and brutality of mobs in Bihar has been by all accounts almost incredible.

1 No. 19.

21

Sir F. Wylie (United Provinces) to Lord Pethick-Lawrence

Telegram, L/P&E/J/8/573: f 128

IMMEDIATE

LUCKNOW, 9 November 1946, 9.20 pm
Received: 9 November, 6.30 pm

GS. 83. In continuation of my telegram No. 89–G dated November 8th. Garhmuktesar.1

2. Some 250 people were killed in the town on Thursday. Majority of them probably Moslems. All available troops and police have been concentrated in the area where local situation is reported to be quiet since noon yesterday.

3. Premier and Home Minister left this morning for Garhmuktesar and latter has since reported by telephone from Meerut that the situation there is very tense and that cases of stabbing have occurred in Meerut town itself and in rural area.

1 No. 15.
22

Mr Abell to Master Tara Singh

Mountbatten Papers. Official Correspondence Files: Sikh Problem,
Part I(a): f 76

No. 592/3

10 November 1946

My dear Master Tara Singh,

His Excellency the Viceroy asks me to acknowledge your letter of the 30th
October.1

2. He is sure you will agree that the present Sikh Member of the Interim
Government has the confidence of the Sikh community as a whole and he
sincerely trusts the question of filling a vacancy will not arise. If however
unfortunately the need should arise, there is no question of His Excellency
being precluded from consulting any Sikh leaders or representative body that
he may wish to consult. It would not however be in the interests of the smooth
working of the government or indeed of the Sikh community that an appoint-
ment of a Sikh should be made without any consultation with the two major
parties.2

Yours sincerely,

G. E. B. ABELL

1 Vol. VIII, No. 530.
2 Mr Abell sent a copy of this letter to Sardar Baldev Singh in reply to No. 10 above. Mountbatten
Papers, Official Correspondence Files: Sikh Problem, Part I(a): f 77.

23

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/119A: f 124

NEW DELHI, 11 November 1946, 5 pm
Received: 11 November, 2.15 pm

No. 2366–S. I had an interview with Nehru and Liaquat yesterday evening. I
urged on them the necessity for three measures to deal with the present danger-
ous situation.

(a) Effective control of Press
(b) Support by Provincial Ministries of officials and police in place of
constant criticism
(c) Formation of coalition Ministries in Provinces.
2. At mention of coalitions in Provinces Nehru suddenly blew up in characteristic fashion and denied the existence of a Coalition at the Centre since the Muslim League members declined to recognise him as de facto Premier or to attend his daily "Cabinet meetings". I reminded him of the Constitutional position, whereupon he proffered his resignation. I took no notice of this or of its subsequent repetition and told him that I was quite willing that my colleagues should meet outside the Cabinet for informal discussion as and when they liked but I could not recognise such meetings as official or his position as Vice-President as being that of a Premier. I pointed out the existence of Committees of Cabinet for discussion of business concerning several departments and suggested that they should be used.

3. Liaquat remained calm and said that Muslim League members had every intention of cooperating in Central Cabinet and that League was quite prepared to discuss coalitions in Provinces provided that it was general. But League Members did not recognise Nehru as Premier and had come in to work existing constitution.

4. Nehru eventually calmed down. I am told that he had a very rough passage from some of his supporters in Bihar and he is obviously in highly nervous condition. I do not think he meant his threat of resignation seriously. But I have had several previous threats and I think it is quite likely that sooner or later Congress may force an issue by resigning and calling out their Ministries.

5. I cannot tell yet whether the present disturbances will die down or spread but whole country is in highly inflammable state and we must be prepared for further trouble. It is therefore essential that H.M.G. should make up its mind on policy in event of a breakdown.

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24

Sir E. Bridges to Mr Shone

L/E/8/4870: ff 28–30, 37–8

SECRET STANDING COMMITTEE ON UNITED KINGDOM
DESPATCH NO. 1 REPRESENTATION IN INDIA, CABINET OFFICE,
GREAT GEORGE STREET, LONDON, S.W.1,
11 November 1946

Sir,
I have the honour, by direction of the Prime Minister, to enclose herewith the
Prime Minister’s Directive to you concerning your duties as High Commissioner of the United Kingdom in India.

I shall be glad if you will acknowledge receipt.

I have the honour to be,

Sir,

Your most obedient servant

E. E. BRIDGES

Secretary of the Cabinet.

Enclosure to No. 24

DIRECTIVE TO THE HIGH COMMISSIONER FOR THE UNITED KINGDOM IN INDIA

1. The evolution of the relationship between the United Kingdom and India now requires the establishment in India of an agency which shall negotiate directly on behalf of His Majesty’s Government in the United Kingdom with the Government of India in a wide range of matters affecting the mutual interests of the two countries. His Majesty’s Government in the United Kingdom have accordingly decided to create a new Office of the High Commissioner for the United Kingdom in India; and to invite you to be the first holder.

2. In many respects you will be carrying out functions analogous to those of the United Kingdom High Commissioners in the Dominions, but the present constitutional relationship of India to Great Britain differs from that of the Dominions in certain important respects. The relationship is, in fact, a dual one. On the one hand, the Governor-General and the Government of India for the present remain, by virtue of the Government of India Act, 1935, legally subject to the direction and control of the Secretary of State, who is answerable to Parliament, and in so far as His Majesty’s Government in practice continue to exercise that control the channel of communication will continue to be between the Secretary of State and the Governor-General or the Government of India. On the other hand, it has become the practice over a wide and increasing field (and one which recent political developments have still further enlarged) to treat the Government of India as de facto an independent Government and to deal with it accordingly by persuasion, representation and negotiation; in these activities His Majesty’s Government will now be able to avail themselves of the services of their High Commissioner. It may thus be said that you will represent in India His Majesty’s Government in all matters except those in which His Majesty’s Government continue to act through the Governor-General. The latter field will in fact be a limited

1 The text of the Directive was also circulated on 11 November 1946, under reference U.K.R.I. (46)19, to members of the Standing Committee on United Kingdom Representation in India. The covering note stated that it had been approved by the Prime Minister. L/E/8/4870: f 36.
one, but its extent will have largely to be determined by practical experience. In so far as any precise definition of it is found possible you will be duly informed; and you will likewise be informed of the broad lines of development of His Majesty’s Government’s policy.

3. It is not considered necessary to provide a precise definition of your duties. Indeed it is desirable that the duties of the post should not be too rigidly defined since they will need adjustment both in the light of the experience you will gain and in harmony with future constitutional development in India. The following will be matters with which you will be more particularly concerned:—

(a) The “representation” of the United Kingdom in India. It will fall to you to use every suitable opportunity to present to India a true picture of the United Kingdom, her achievements and aims. Periodic guidance will be supplied to you for the purpose.

(b) Economic and financial relations between the United Kingdom and India. This covers a wide field which need not be described in detail; but it will include in particular the protection and furtherance of United Kingdom economic and financial interests in India, and also for example such matters as commercial agreements, tariffs, currency relations, financial issues arising between the United Kingdom and India, and the advancement of United Kingdom trade.

(c) Exclusive of questions of the service rights of Government servants which fall to the Governor-General’s sphere of responsibility, the general protection of the interests in India of all non-Indian subjects of His Majesty and persons under His Majesty’s protection, other than those whose Governments are separately represented in India. This includes, but is wider than, the protection of the commercial interests of such persons; but where in appropriate cases they possess rights under Indian law they should be advised to seek enforcement by recourse to the Courts and not by appeal to the High Commissioner.

(d) The co-ordination of any United Kingdom agencies in India. These include the Senior Trade Commissioner in India, Burma and Ceylon (insofar as his activities relate to India) and the Chief Publicity Officer in India who will act as your Economic Adviser and Publicity Adviser respectively. Such agencies must of course be free to pursue their special activities, and will correspond direct as necessary with the appropriate Departments of His Majesty’s Government. The organisation of the Chief Publicity Officer will be under your direction. It will be the duty of the respective Heads to refer to you in any matter which is likely to affect other matters within the sphere of your functions.

(e) Supply of information to His Majesty’s Government. It will be your
duty to report to His Majesty’s Government and keep them informed generally of those aspects of the situation in India which relate to matters with which you are concerned.

4. You will appreciate that your formal relations will be with the Government of India only, and not with the Provincial Governments or with the Indian States, although informal contacts with both the latter will be natural and inevitable. It will be necessary to keep the Crown Representative informed of any contacts with the Indian States.

5. The Secretary of the Cabinet will for the time being be the formal channel of correspondence between yourself and His Majesty’s Government. You are authorised to communicate direct with United Kingdom High Commissioners in the Dominions, and also with His Majesty’s representatives abroad, the Governor of Burma and Colonial Governors, keeping the Secretary of the Cabinet informed as necessary.

25

Cabinet

India and Burma Committee. Paper I.B.(46) 35

R/30/1/9: ff 4–7

COMMUNAL RIOTS IN INDIA

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 11 NOVEMBER 1946

I circulate for the information of my colleagues the appended note on communal riots in India. This covers the period from 1st July to the end of October.

2. It is estimated that in this period 5,018 persons were killed and 13,320 persons were injured in communal riots, but these figures are very approximate estimates. The great bulk of these casualties occurred in the riots in Calcutta between 16th and 20th August, the most reliable estimate of the casualties in which is 4,000 dead and 10,000 injured. The residue of the total is mainly attributable to the riots and continued stabbing assaults in Bombay City, to further rioting and stabbing affrays in Calcutta since the end of August, and to the rioting which began on 25th October in Bihar. It does not include Eastern Bengal, for which no reliable figure is available. The Governor estimates that the total killed there will be “low in the three-figure category.”

3. The latest information is that both in Calcutta and in Eastern Bengal there is considerable improvement in the situation. This may well be the effect
of the visit of the Viceroy and of leading members of the Interim Government of both parties to Bengal last week-end. It remains to be seen whether it is permanent.

4. On the other hand in Bihar there has been a serious outbreak of rioting in which Muslims are suffering heavily. This is no doubt in part a reaction to the grossly exaggerated accounts which have been circulated in India, mainly by the Hindu Mahasabha, of the occurrences in Eastern Bengal, for which Muslims are held responsible. On 4th November the Governor reported that the situation in Bihar continued very grave. A party of 150 Muslim refugees with a police escort were attacked on 2nd November and entirely massacred, including a Muslim policeman. Widespread arson and murder is in progress in Patna District, and cases are also reported from over a wide area.

5. If the disturbances in Bihar spread to the United Provinces and the Punjab we shall be faced with a still graver situation.

P.-L.

Appendix to No. 25

The following is a summary of the more important communal riots which have occurred in India between July and October, inclusive.

BENGAL

Calcutta.—Riots of an unprecedented gravity occurred in Calcutta between 16th and 19th August. The proximate cause of the outbreak was the decision by the Muslim League Council to celebrate 16th August as Direct Action Day. The most recent estimate of casualties during the four days is given as roughly 4,000 dead and 10,000 injured. Armed police and five battalions of troops (three British, one Indian and one Gurkha) were employed to suppress the riots.

Stabbing cases continued to occur in Calcutta throughout September and October. Many of these cases are thought to have been due to personal feuds following the August riots. The police and army have succeeded between them in isolating the effects of these incidents, and a large number of arrests have been made. Casualties for the two months September and October are estimated at 207 dead and 921 injured. Governor’s telegrams at the end of October claim a distinct improvement in the situation.

East Bengal.—The disturbances in South-East Bengal during October were caused by bands of Muslim hooligans exploiting the existing communal tension. The areas chiefly affected were the west of Noakhali District, Sandwip Island and the south-west of Tippera District. The procurement of information and the restoration of order were largely hampered by bad communications. Once the disorders had broken out, tension was further increased by highly exaggerated press reports.
The activities of the hooligans consisted in attacking villages, burning and looting the Hindu quarters, forcible conversions of Hindus and abductions of Hindu women. Figures given are at least 40 villages in Noakhali and Tippera attacked, and 250–300 homesteads in Noakhali and 350 homesteads in Tippera burnt and looted. Conversions took place in large numbers; the number of abductions is not known, though they certainly occurred. Deaths amounted (latest reliable figures) to 70–80 in Noakhali, and a lower figure in Tippera.

Troops and armed police were brought in from the start of the trouble, and by the end of the month 1,800 troops and 620 armed police, in addition to 130 local unarmed police, were operating in the affected areas. Order was gradually restored and no serious incidents were reported after 20th October. Reports at the end of the month claimed that the situation was under control and hooligan bands were no longer operating.

One serious problem arising out of the disorders was the vast number of refugees, some 50,000 of whom found their way into relief camps. Special measures have been taken by the Bengal Government to divert food-stuffs to these camps, and emergency relief grants, including clothing, blankets and cooking utensils, were distributed to refugees returning to their villages.

As was to be expected, the Hindu Mahasabha have blamed the Muslim League for these disorders, which have occurred in a Muslim majority area, and in which Hindus have been the main victims. The Bengal Provincial Muslim League have, however, vigorously condemned the disorders, and reports have suggested that the outbreak was originated by a Muslim renegade from Congress, one Ghulam Sarwar, who had sought but failed to obtain admission to the League. This man was arrested on 22nd October.

Despite the publicity given to Noakhali and Tippera, communal disturbances which have occurred in Dacca and Chittagong from 20th August onwards have resulted in considerably higher verified casualties, with not less than 300 killed.

BOMBAY

Bombay City.—Riots broke out in Bombay on 1st September owing, it is believed, to the hoisting of Black Flags by Muslim Leaguers as a protest against the impending formation of an interim Government without League participation. Disorders were on a small scale compared with Calcutta, but cases of mob violence, looting and arson occurred until 7th September. Thereafter stray incidents have occurred intermittently, casualties being mainly due to stabbing. The police, with some military aid, have been largely successful in restoring order, and the Bombay Ministry have acted with firmness, promptitude and lack of communalism. Casualties for the two months have amounted to 412 killed and 1,269 injured.
Bombay Province.—Serious riots occurred in Ahmedabad early in July with upwards of 40 deaths, and stabbing cases were again reported there in the middle and at the end of September. Disorders occurred at Nasik at the beginning of September when police were forced to fire, causing six deaths. British troops were brought in from Deolali. Clashes were also reported towards the end of October at Sangamner, Ahmednagar District and at Nizampur, Kolaba District.

BIHAR

A serious communal riot broke out in Chapra, Saran District, between 25th and 28th October, and further riots have since been reported from Bhagalpur, Patna and Monghyr Districts. The number of deaths up to 3rd November was conservatively estimated at 445. Four battalions of infantry and one squadron of Royal Armoured Corps have been moved into the affected areas.

UNITED PROVINCES

A case of communal rioting occurred in Agra on 25th September and following days. Military aid was called in and a curfew was imposed. At least 13 deaths were caused and 56 persons were injured. The immediate cause of the outbreak was the stoning by Muslims of a Ramlila procession. An outbreak of disorder at Allahabad was promptly quelled by the authorities.

DELHI

An outbreak of violence occurred on 24th August following the Viceroy’s broadcast announcing the formation of an interim Government. Six deaths were caused and 70 persons were injured.

PUNJAB

A communal disturbance occurred at Ludhiana from 24th to 27th October, resulting in 8 persons being killed and 18 injured. The situation is very tense throughout the Punjab. The Coalition Ministry is weak and would be unable to control any large-scale rioting, which would almost certainly follow in the event of major interference from the Central Government.

SIND

Communal trouble broke out in Karachi on the night of 29th August when Hindus and Sikhs, armed with miscellaneous weapons, intimidated Muslims in
the streets. British troops were moved into the city and there has since been a considerable improvement in the situation.

**NORTH-WEST FRONTIER PROVINCE**

The situation is easing in Peshawar and far easier in rural areas.

**CENTRAL PROVINCES AND BERAR**

Communal relations are peaceful but not cordial. A clash at Saugor early in September, which was soon suppressed, resulted in one death.

**ORISSA**

A communal riot occurred on 24th July at Bhadrak when a Hindu procession passed a mosque playing music. The police were forced to fire, killing three Muslims.

**MADRAS**

The situation is generally quiet owing to the fact that the Muslim population is numerically small and for the most part widely distributed, and also to the conciliatory attitude of the Congress Premier and the Provincial leaders. Two riots occurred, however, during the first half of October at Salem and in the Kurnool District, resulting altogether in 3 deaths and 24 persons injured.

**STATES AND LEASED AREAS**

Reports from the States indicate that the situation resembles that in British India. In Kashmir riots and stabbing incidents took place at Jammu on 21st September and following days, resulting in 4 deaths. Police and military were called out and a curfew was imposed. In the Punjab States one death and 15 other casualties were reported in two villages in Nabha as a result of communal clashes. In Quetta disturbances occurred on 31st August resulting in 4 deaths and 17 persons injured. It is reported from Mysore that a communal clash occurred in the Civil and Military Station, Bangalore, on 11th October, in which 3 persons were killed and 6 were injured.
26

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&EJ/10/76: f 326

IMPORTANT
CONFIDENTIAL

No. 1989S. In case of Parliamentary debate on address I should be glad to know what present position is as regards Muslim League accepting long-term plan. Is there any sign of M[uslim] L[league] Council being convened?

27

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&EJ/10/83B: f 140

IMPORTANT
PRIVATE

INDIA OFFICE, 12 November 1946, 6.30 pm

Received: 13 November, 7.45 am

TOP SECRET

169. Your private telegram 2317-S of 4th November.1 If these issues are raised we think that you should say that H.M.G. made it clear during the Cabinet Mission (vide paragraph 12 of Statement of 25th May)2 that British troops must remain in India until the new Constitution had been framed. If it is still pressed you should then say that you will consult H.M.G. I have not been able formally to consult my colleagues about it, but my own view certainly is that we shall have to retain British troops in adequate numbers until our rule in India is formally wound up one way or another. The matter is very relevant of course to decisions on the matters under discussion in our top secret correspondence resting with your letter of 23rd October,3 in replying to which shortly I shall probably refer to it further.

As regards Indian troops I agree that it would be difficult for you to overrule your Government, but here again we should like you to gain time by pointing out the necessity for consultation with H.M.G. not on the basis that H.M.G. would be likely to negative the proposal but as a reciprocal part of the undertaking that H.M.G. would henceforth consult with the Indian Government in the same way as with a Dominion. Dominion Governments would always give H.M.G. adequate time to consider such a proposal, make any counter representations they wish to make, and if necessary make arrangements for the
replacement of the troops. I feel sure, however, that in the last resort we could not break with your Government on that issue.

1 No. 2. 2 Vol. VII, No. 376. 3 Vol. VIII, No. 501.

28

Cabinet
India and Burma Committee. I.B.(46) 6th Meeting, Minute 2

R/30/1/9: ff 12-14

Those present at this Meeting held in the Prime Minister’s Room at the House of Commons on 13 November 1946 at 4.30 pm were: Mr Attlee (in the Chair), Mr A. V. Alexander, Viscount Addison, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Mr Arthur Henderson, Sir Edward Bridges, Sir David Montague

Proposed Compensation Scheme for Officers of the Indian Services appointed by the Secretary of State
(Previous Reference: I.B.(46) 4th Meeting, Minute 1)¹

At their meeting on 12th September the Committee had considered proposals as to the terms of compensation which the Government of India should be invited to give to officers of the Indian Services appointed by the Secretary of State. They had invited the Secretary of State for India to have a further discussion with his statutory Advisers (whose concurrence must be obtained) regarding the principles of the scheme proposed and to arrange for them to discuss it with officials of the Treasury.

The Committee now had before them a memorandum by the Secretary of State for India (I.B.(46) 37)² reporting the result of these discussions and inviting the concurrence of the Committee in a new scale of compensation recommended by the Advisers and accepted by the Chancellor of the Exchequer.

THE SECRETARY OF STATE FOR INDIA recalled that the compensation originally proposed had been based on an actuarial calculation of the emoluments which the officers in question would lose by the early termination of their services, less an allowance to take account of the prospects of re-employment for them. The Treasury had proposed a lower scale based on similar principles. His advisers had regarded this as insufficient to satisfy the undertaking given by his predecessor, and, to cover this point, certain additions had been

¹ See Vol. VIII, No. 316, para. 6. ² R/30/1/9: ff 8-11.
made to the amounts proposed by the Treasury. The cost of the scheme which he now submitted to the Committee would be rather under £10 million, as against some £16 million for the earlier scheme.

It was proposed that compensation should be paid to all officers, whether or not they were re-employed by the Government of India or obtained other employment. At their previous discussion the Committee had suggested that lower compensation should be paid to those who obtained further employment. But the rates now proposed for all officers took account of the probability of further employment. Accordingly, if those who obtained employment were paid less compensation, those who did not would have to be paid more and the Secretary of State's Advisers considered that the net cost of such a scheme might well be higher than the cost of the scheme now proposed. Moreover, there was the practical consideration that the administrative difficulties of following up the careers of each officer of the Services would be very considerable.

The Secretary of State said that it would always be open for the Government of India, in settling the terms of reemployment, to take into account the pension and compensation which officers had received. There was in point of fact very little chance that they would re-employ any of the officers in question on the terms they were receiving at present. They had in mind much lower scales of salaries.

Sir Edward Bridges said that the Chancellor of the Exchequer accepted the scales of compensation now proposed, on the understanding that this involved no commitment on the Treasury if the Indian Government refused to accept or give effect to them. The Chancellor had had some doubt whether it was right to adopt the principle of equal compensation to all, whether re-employed or not, but he had been impressed by the arguments used by the Secretary of State for India and was prepared to acquiesce in this proposal.

Other points made in discussion were as follows:—

(a) The compensation proposed was in addition to the proportionate pension already earned. Officers of the Indian Civil Service earned their full pension of £1,000 a year when they had completed 21 years' active service and 25 years' total service. They could then ask permission to retire. They were, however, entitled to serve up to 35 years' total service if they so desired and, unless they were actually inefficient, the Government of India could not require them to retire until they had done so. During their last years they earned no additional pension, but they could expect to receive very substantial emoluments.

(b) It was argued that, if the Government of India refused to pay compensation, it would be very difficult to resist a demand that it should be paid by the United Kingdom Treasury. On the other hand, it was pointed out that the Government of India had substantial sterling assets in this
country and it might well be possible to use some part of these for the
payment of compensation.

(c) The possibility of offering officers of the Indian Services employment
in the Home Civil Service or the Colonial Service was at present being
actively considered.

(d) The Prime Minister said that the present proposals should be sub-
mitted to the Cabinet. There was general agreement with this view.

The Committee:—

Endorsed the proposals made by the Secretary of State for India in I.B.(46) 37
and invited him to submit them to the Cabinet at an early meeting for their
approval.

29

Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 143-5

SECRET

His Excellency's Note of Interview with Liaquat Ali Khan on
13th November 1946

1. I asked him how the business of the Assembly was going. He said that
things were going quite well, but the management of business from the
Government point of view was not effective. Nehru, the Leader of the House,
was much too busy with other matters to be there often enough; and the only
Government Whip was a Congress man, Sinha; there should also be a Whip
on the League side. I said that this could surely be arranged by mutual dis-
cussion.

2. I then went on to discuss the prospect of coalitions in the Provinces.
Liaquat agreed with their desirability, in fact necessity, but said that the Congress
view was so entirely dissimilar to that of the League that he saw no immediate
prospect of forming such coalitions. He did not think that the re-formation
of the Bengal Government could be held up in the hope of obtaining coalitions
elsewhere.

3. He then asked me whether I saw any objection to a Muslim Member of
the Government going to Meerut to reassure the Muslims there. He guaranteed
that no political speeches would be made or incitements given. I said that I had
no objection, but that if a combined visit could be arranged with a Hindu
Member going also to influence the Hindus that would be desirable. He
promised to discuss the matter with Nehru.

4. I then went on to the matter of the summoning of the Constituent
Assembly. Liaquat's attitude was that it would be most inadvisable to summon
the C.A. on December the 9th in view of the atmosphere in the country. The result would only be further exacerbation of the communal feeling. He said that the plan cannot work until there is a more co-operative feeling between the communities and without coalition governments in the Provinces. This sounds rather like a postponement to the Greek Kalends, and I said that His Majesty’s Government would not be able to remain indefinitely in the country until the parties agreed. Liaquat then said that what was really required was greater firmness by the British, who should take a much stronger line with disorder and a much firmer hold on the country; the prestige of the Government was weakening. I said that our power of control was naturally weakening. And that I had also to reckon with forces outside India, e.g. the present composition and political views of His Majesty’s Government, and world opinion in general. It would be quite impossible for us to remain in India indefinitely.

[Para 5, on matters connected with the Finance Department; para 6, on a reported order to General Russell from Sardar Baldev Singh; para 7, on Sardar Patel’s meeting with the Press; and para 8, on a new President for the Council of State, omitted.]

30

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/31/126: f 138

IMPORTANT

SECRET

NEW DELHI, 13 November 1946, 10.15 pm

Received: 13 November, 9.35 pm

No. 2395-S. Your 19895 of November 12th.穆 Muslim League are stalling about acceptance of the long term plan. I have pressed both Jinnah and Liaquat on the subject. Jinnah is evasive, but is certainly showing no signs of wanting to summon the Council at present. Liaquat’s attitude is that it would be most inadvisable to summon Constituent Assembly on December 9th in view of the atmosphere in the country.穆 He thinks, and this has been confirmed by a message from Jenkins穆 reporting his views and those of his Premier, that a meeting so soon would lead to further heightening of the communal tension. I told Liaquat that H.M.G. would not be able to remain indefinitely in the country while the parties made up their minds about the Constitution. Liaquat’s reply was that greater firmness by the British was required and that they should take a much firmer hold on the country.

2. I understand that Nehru would like the Constituent Assembly called on the due date, but he has not pressed the matter recently. I shall have to discuss this with him when I return from the Frontier, and will then probably remind the Muslim League again that they are expected to call their Council.
3. In debate I think you should take the line that the Muslim League entered
the Interim Government on the basis of acceptance of the Statements of May
16th and May 25th, and that it is assumed that they will shortly summon their
Council to reconsider the resolution in which they rejected the long-term
plan.

1 No. 26. 2 See No. 29. 3 No. 13.

31

Sardar Baldev Singh to Field Marshal Viscount Wavell

Mountbatten Papers. Official Correspondence Files: Sikh Problem,
Part I(a): f 79

DEFENCE DEPARTMENT, NEW DELHI, 13 NOVEMBER 1946

Dear Lord Wavell,

In reply to my letter of the 7th instant to Your Excellency, Mr. Abell has
sent me a copy of his letter of the 10th instant to Master Tara Singh. I must
confess that the reply given is disappointing and derogatory to my community.
I still hold that the question of appointment of a Sikh representative in the
Central Government has nothing to do with the other political parties. Our
interests, as you know, do not always coincide with the interests of the two
major parties; they are certainly opposed to those of the Muslim League
which is bent on establishing Pakistan in utter disregard of the Sikh position.
No Sikh representative worth the name will be prepared to subject his selection
to the choice of the Muslim League and I certainly cannot accept such a
position.

May I point out that if the agreement you have unilaterally arrived at with
Mr. Jinnah were to stand, the Sikh will be reduced to a plight little better than
that of that section of the Scheduled Castes from which Mr. Jinnah has drawn
one in the League’s five seats.

In his letter to Master Tara Singh, Mr. Abell writes:

"There is no question of His Excellency being precluded from consulting
any Sikh leaders or representative body that he may wish to consult."

But what guarantee is there that you will succeed in obtaining Mr. Jinnah’s
consent to the nominee of the Sikh community? He, I must say, has extracted
your agreement to his demand to the end that he may either disrupt Sikh
solidarity or find someone who will toe his political line. The Sikhs cannot
tolerate this and will not allow the community to be exposed to such exploita-
tion by any agreement or understanding arrived at behind their back.

1 No. 10. 2 No. 22.
As to whether this procedure would be "in the interests of the smooth working of Government" I should have thought that if the Muslim League were to have a voice in the selection of the Sikh member, for that purpose, you should have no objection to concede to the Sikhs the right to have a say in the choice of the nominees of the Muslim League as well, as that indeed would conduce to far smoother working of the Central Government.

I would request Your Excellency to give this matter your serious consideration as if the present position were adhered to, the repercussions on Sikh mind would be serious.³

Yours sincerely,
BALDEV SINGH

³ On 14 November, Mr Abell minuted: 'I think this letter is only written with an eye to its effect on Tara Singh and the Sikhs, to whom no doubt it will be shown. It would probably be enough to acknowledge it verbally at the next interview and to say that you appreciate the feeling of the Sikhs in the matter, but do not think it practical politics to reopen the question of the conditions on which parties came into the Interim Government.' On 16 November, Lord Wavell noted that: 'I have merely said I would 'consult', there is no question of Jinnah's consent being necessary.' Subsequently, on 2 January 1947, he noted that Baldev Singh 'did not raise this at interview today, nor did I.' Mountbatten Papers, Official Correspondence Files: Sikh Problem, Part I(a): f 80.

32

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

13 November 1946

Thank you for your letters of 1st November¹ and 8th November². Since I last wrote I have been to Bihar. Nehru was already there, and Nishtar who had visited Patna with him in the first place and had returned to Delhi came back with me in my aircraft. I have sent you a telegram³ which supplemented the information in the Governor's personal appreciation.⁴ Since I was there the situation has improved, and there seems to be some hope that further serious trouble may be averted. There can be no doubt that Nehru's efforts both in Patna and in Calcutta have done good and do considerable credit to his courage and energy.

Whether we can prevent reprisals for Bihar remains to be seen. You have received reports of serious trouble in the Meerut district of the U.P.⁵ and there has been great tension in Delhi itself.

I have spoken twice very strongly to Patel and Liaqat about the importance
of controlling the Press, and last Sunday Patel had a meeting with representatives of Delhi papers. I am told he made an excellent speech. He took the line that he would like the Press to enforce its own convention but that if it failed to do so Government would have to be very firm. He said that in the present interim period things were particularly difficult because the old régime was changing and getting weaker, while the new régime could only be strong when a new constitution had been framed. It was no use blaming the British who naturally wanted to get out of India without being accused of having handed over to a single party; their desire was to show that they had fulfilled their obligation and that their hands were clean. He went on to say that it was also no use to blame Provincial Autonomy; Indian nationalists had asked for Provincial Autonomy and it was no good complaining of it now that they had got it. The Editor of Dawn said that his paper would co-operate provided that—

(a) Hindu leaders condemned the excesses of Hindus in unequivocal terms, and

(b) troops used in communal disturbances were of mixed composition and not entirely of the rival community.

Patel made no difficulty about the first condition, but said he would have nothing to do with the second. Whatever happened to India in the future it must have an Army, and if communalism got into the Army that was the end of it; there must be no discussion whatever of the communal composition of military forces used on any particular occasion. Most of this might have been said by myself, and I am pleased that Patel took so realistic a line. The convention has not yet been finally agreed, but I am told a draft has been prepared. The sooner it is enforced the better. I saw Patel yesterday evening and he said that while we must give the convention a good trial, he was not very hopeful of its working. I am afraid that he is inclined to consider Dawn as the only real offender.

2. Nehru is very nearly exhausted by his efforts and his nerves are at a considerable stretch (see paragraph 9 below). I saw Liaqat and him together on my return from Bihar and asked whether coalitions could not be formed in the Provinces. Nehru blew up at once, as I have informed you by telegram, and said that there was no real coalition at the Centre, it was no use trying to repeat the farce in the Provinces, and he would resign. He has carried on calmly enough since, but I fear there is little chance of getting Provincial coalitions, though I shall try again. Patel said much the same to me yesterday though a great deal more calmly. I told him that whatever he said or thought, I should keep on trying. Matthai, who is one of the most sensible Members of the
Cabinet, told me he thought that we might get a real coalition at the Centre if we could hold the present Government together for a month or two. Even that is going to be very difficult to achieve.

3. Nevertheless we had another satisfactory Cabinet meeting on Monday evening to discuss the Civil Aviation Agreement with America. Nehru was particularly sensible and showed that he had an exact knowledge of the negotiations which have been proceeding for about a month. The Cabinet wanted a re-draft of one article in the draft agreement, but otherwise were prepared to accept the settlement negotiated. I think it is quite a satisfactory settlement from India's point of view. The Americans are allowed to operate three routes across India, but we have secured our main point which is to retain some control over the capacity of the services so that the development of Indian Civil Aviation is not hampered.

4. Thank you for all your help over food imports. Our situation is of course as critical as ever, but I am gratified at the way in which Rajendra Prasad is tackling his job. He made a most effective speech in the Assembly a few days ago.

5. I am glad to hear that there is at last some progress about the terms on which your Services can be wound up, and I hope to have very soon your reply to the telegram in which I commented on the results of the Premiers' Conference.

6. I have not succeeded in getting my way over Honours, and have telegraphed to you recommending, in brief, that Indians, except from the States, should be disqualified for appointment in the English Orders and for Indian titles. I am sorry the political parties insisted on this, but clearly one could not disregard their combined opposition. If we had gone on with the recommendations and the recipients, or many of them, had declined the honours, we should have been in a very undignified position.

[Para. 7, about recognition of the American wife of the Maharaja of Indore, omitted.]

8. You ask in your letter of the 8th November how the idea of the joint mission of four Ministers to Bengal originated. Nehru had already decided to go, and Abell rang up to suggest on my behalf that League members should go too; but it seems that while Nehru's Secretary was talking to Abell on the telephone, Nehru had already started a discussion with Liaqat at which he made the proposal—so the credit for taking the initiative rests with Nehru.

9. Nehru and the Congress have for the first time encountered strong criticism from many of their supporters over the East Bengal riots, and are rather shocked and surprised at this change from the usual adulation of all their doings. In fact they have been brought to realise that Governments are
seldom generally popular. The line taken against them is that if the Interim Government cannot prevent the happenings in Calcutta and East Bengal and suppress the Muslim League, they had better come out of office and resume the old revolutionary methods. There is of course danger in this line of suggestion, especially with an excitable creature like Nehru. But I do not think that the majority will want to give up office. For the moment the Congress leaders have taken the natural line of criticizing Burrows and myself for not at once dismissing the Bengal Ministry and taking over, in which event the Bihar riots would, they claim, never have occurred. Rajagopalachari took this line with me in a talk yesterday evening. Actually, of course, there would have been even worse disturbances if the League Ministry in Bengal had been dismissed or had resigned; and Burrows is quite clear that he could not run a Section 93 Administration in face of League opposition.

The situation is difficult, and the danger of a breakdown always present, the only thing to do is to keep on trying.

10. I am off to the North-West Frontier Province for a few days tomorrow.

* Vol. VIII, No. 527.  
* Tel. 2373-S of 11 November. L/PO/10/18.

33

Lord Pethick-Lawrence to Mr Attlee

L/P & J/10/46: ff 393-7

TOP SECRET  
INDIA OFFICE, 13 NOVEMBER 1946

Secretary of State’s Minute: Serial No. 77/46

Prime Minister.

With reference to my minute of the 4th November No. 73/46  
I now send you:—

(a) a draft reply  
(b) a copy of a telegram from the Viceroy dated 30th October  
(c) a copy of a resolution passed unanimously at a conference of Provincial Prime Ministers presided over by the Home Member, Vallabhbhai Patel, on the 21st September:

1 In this Minute Lord Pethick-Lawrence said he would like a few days to consider No. 501 in Vol. VIII and put up his views. On 8 November the Prime Minister’s Private Secretary told Mr Harris that Mr Attlee had minced: 'I must have a meeting on this as soon as the President of the Board of Trade is available.' L/P & J/10/46: ff 460-1.

2 No. 34.  
3 Vol. VIII, No. 501.

4 Vol. VIII, No. 527.  
(d) copies of a private telegram from the Viceroy dated 4th November about the withdrawal of British troops from India and of my interim reply.\(^7\)

The contents of (b), (c) and (d) are very relevant to the matters under discussion in this correspondence with the Viceroy.

2. At our last discussion\(^8\) we were, I think, agreed that there must be plans prepared and ready for use if our policy breaks down and a situation develops in which we have to withdraw from India. We thought on that occasion that the existing military plan for the withdrawal of Europeans would meet the case. The Viceroy in paragraph 10 of his letter gives his reasons why this is not so. It seems to me that the Viceroy is right in his contention that we must either accept his advice on the details of a plan for a withdrawal if it becomes necessary, or furnish him with alternative proposals. But no plan can be acceptable to us unless it meets our requirements arising from the Parliamentary position and any broad general principles that we feel it desirable to lay down.

3. The draft reply deals with a possible breakdown situation on this basis; but if I understand the Viceroy rightly his argument is that even if our policy develops satisfactorily we cannot stay in India after the point at which we can “control the situation”. I am not quite clear what he means by this phrase. Taking the best possibility it might be that the Interim Government will settle down as a Coalition, the Constituent Assembly will proceed with its work, no doubt with hitches, but without breaking down, and that there would be no overt breakdown of our policy. In that event loss of control would not produce a visibly impossible situation. The position would be that we should have lost the power to turn the Interim Government out of office because owing to the decline in the strength and prestige of the Services we should not be able, if the need arose, to administer the country in opposition to Congress. On the other hand either the administration might deteriorate to such a point that we became powerless to arrest the decline, and preferred not to be associated with it. Or our position might be finally and openly undermined by any or all of the following possible moves on the part of Congress:

\[
(a) \text{ a demand might be made for the withdrawal of British troops (as forecast in the Viceroy’s private telegram 2317 of 4th November). We could not concede this without removing the only means we have of protecting in a dangerous situation Europeans in India and of withdrawing them if necessary in safety. We are also under an obligation to the States, while paramountcy lasts, to maintain British Forces in India.}
\]

\[
(b) \text{ a demand may be made for the removal of my control of the Secretary of State’s Services. This could only be conceded if at that point the Services were wound up and compensation was granted. We should then}
\]
be deprived of the instrument on which the remaining authority of the Governor-General and Governors depends.

c) the Interim Government might decide to take action to coerce the Indian States. This would be contrary to our treaty obligations under which we are bound to protect the States against external interference from British India. We have stated that these treaties will remain in operation until the new constitution comes into being and that paramountcy will not be transferred to an Indian Government.

But these developments are not inevitable and we may be able to retain a measure of effective authority for longer than the Viceroy prognosticates, and thus to discharge what is a necessary function if there is to be anything like a smooth transition to a new regime.

It is self-evident that if we withdraw from India we must at the same time repeal the Government of India Act. Thereupon some body in India will have to be recognised as a Provisional Government. It will have full sovereign authority and the whole question of the relations of the Centre with the Provinces and with the States will be brought to boiling point before the Constituent Assembly has had time to work out a solution. This would almost certainly disrupt the Interim Government and result in civil war and the forcible seizure of power.

4. But it would appear that the Congress are deliberately whittling away the Viceroy's powers and pressing him on these essential matters with the object of obtaining full power in the interim period.

5. The essential question is therefore whether we can stay in India beyond the point at which we cease to have the capacity if necessary to resist demands of the Indian politicians. If we cannot do this a whole crop of new problems will arise. So far, it has been an indispensable condition of Moslem participation in the central government constituted as it is under the present Act and with its present wide powers, that the Viceroy should be the head of it and in possession of his special powers. On our withdrawal the continuance of a coalition would be very doubtful. We should have to try to make treaty arrangements with a Provisional Government whose authority will be disputed by the Moslems. We should probably get no satisfactory arrangements about defence. Although formally we could say that the treaties with the States had been terminated and that they were recognised as independent, in practice the sovereign Provisional Government would become the heir to paramountcy simply because time had not been allowed for new arrangements to be negotiated.

6. I think that the draft will provide a basis for the discussion with yourself and the President of the Board of Trade and the Minister without Portfolio on Friday Morning.

PETHICK-LAWRENCE

6 No. 2. 7 No. 27. 8 See Vol. VIII, No. 354.
TOP SECRET

1. My colleagues and I have given most careful consideration to your letter of the 23rd October about your memorandum on a policy for India. We think that the differences between your view and ours may not be as fundamental as might appear. In order to avoid any possibility of misunderstanding of our position, I re-state it as a whole, although at the risk that to some extent I shall be stating the obvious.

2. Our policy hitherto has been that decided upon during the Cabinet Mission’s visit to India, a basic conception of which was that we should remain in India until the new Constitution was framed and ready to come into operation. Its objects are as you describe in paragraph 3(a) of your letter, with the proviso that we see little chance of this policy being peacefully fulfilled unless we remain in India until a general political settlement covering at least the main principles of the ultimate constitution has been achieved or is in sight.

3. Although the Interim Government functions under the existing constitution it possesses in fact as a result of your letter to Azad of the 30th May a greatly enhanced liberty of action. We had always anticipated that the occasions on which your veto and the special powers of Governors could be exercised would be rare and that their overt use would be restricted to cases in which the issues were so serious as to make it necessary to face the risk of either Congress or the League withdrawing its co-operation—a development which would of course entail the breakdown of our whole policy.

4. Thus we had contemplated that so long as the policy was developing successfully both in the Executive field and in the Constituent Assembly there would in fact be an increasingly close approximation to the complete transfer of power before the new constitution came into operation; but that none the less there is a role which it is essential that we should continue to play in order that the existing constitutional structure should continue to be the basis on which co-operation between the major parties and between the Central Government on the one hand and the Provinces and States on the other is maintained, until some other, that can take its place, is at any rate agreed in principle by Indians and is within sight of realisation. We could not till then withdraw the Governor-General and Governors from India and recognise the Interim Government as a sovereign provisional authority; for that would necessarily involve the repeal of the Government of India Act; and in the
absence of anything to take its place no legal constitutional authority would exist. Consequently, the whole question of the powers of the Central Authority would be thrown into the arena as an immediate issue. Paramountcy would cease to exist and the present economic integration of India which depends upon the overriding authority of the Central Government (whether of the Governor-General in Council or of the Crown Representative) would be destroyed before anything had been put in its place. To create that situation might well be sufficient to disrupt the modus vivendi which, by your efforts, has been achieved between the two major parties, and on the continuance of which all hope of our policy developing successfully depends. For these reasons it seems to us essential that unless the pursuit of this policy for some particular reason is interrupted we should remain in India until its successful development is in sight.

5. It may be that before the end of that period the Governor-General and Governors would have become in practice almost like constitutional monarchs acting entirely on ministerial advice though possessing (as the Crown does in this country) constitutional powers which have become latent. It is not inconceivable I suppose that if that stage were successfully reached our role would be clearly discharged, and that our withdrawal could take place without the consequences envisaged in paragraph 4 above. The conditions would indeed postulate such a measure of agreement upon the principles of the future constitution that we might consider transferring authority to an Autonomous Provisional Government in advance of its final formulation and coming into operation. But this possibility is not yet one upon which we can build with any assurance: for even assuming that the Muslims were willing to accept the situation a major obstacle to its realisation would be the difficulty of inducing the States to co-operate with such a Provisional regime without, in fact, going back on our pledge not to transfer paramountcy to an Indian Government. To sum up these considerations, our policy, as we have hitherto conceived it, does certainly involve our remaining in India beyond the point at which we can control events, if by that phrase you mean the point at which we could, if necessary, restore complete British rule in the face of opposition and without the support of either major party.

But we do not think it necessarily follows that after the date at which that point has been reached the Governor-General and the Governors would be devoid of influence on the course of events. There is surely no doubt that in several Provinces at any rate the Governors do in fact have a valuable influence on the Ministers and not only in matters in which they have legally the power to intervene. The same surely applies at the centre, especially now that the Muslims have come in.

6. We are not entirely clear on the point, but we understand that it is now your view that unless success can be achieved within 18 months this policy cannot be carried through in its original form. You consider, if we understand it rightly, that we must withdraw from India at the time at which we have ceased to have the capacity (whether it is necessary to exercise it or not) to control the situation. We take this to mean the time at which we cease to be able to govern the country without the support of both major parties. As a result of this inability we should have become powerless to insist upon anything to which one or both of those parties were opposed and could not be brought to agree by reasoning. All this, you apprehend, will come about at latest in 18 months, by which time it is quite possible that the new constitution may not have been framed.

7. If this is in fact your view, it would involve a substantial change in our present policy and raise considerable political issues here. It would, we presume, mean attempting to negotiate a treaty in regard to matters arising out of the transfer of power and as regards defence with the Interim Government, and leaving that Government in the field as the only sovereign authority capable of giving effect to the recommendations of the C.A. for the revision of the existing constitution both at the Centre and in the Provinces. But in effect it would mean leaving the conflicting forces in India to work out their destiny by force if necessary.

8. We recognise that we may be driven to this course by force of circumstances and I deal with that situation below. But, for the reasons I have already given, it seems to us that, if our policy were being successfully pursued, our premature withdrawal might disrupt a peaceful transition to self-government. We cannot share your view that the notification in advance of our departure would induce a better and more realistic atmosphere in the Constituent Assembly. Apart from this as I said in paragraph 6 [8] of my letter of the 28th September we should, in order to justify to Parliament a withdrawal before the end of the interim period, require to be able to show that the position had become untenable. We certainly do not think that we could assert this with reference to a period twelve or eighteen months ahead if, in fact, the Interim Government was functioning with reasonable success and the Constituent Assembly was progressing with its task.

9. The above is all on the assumption that things go as we hope—no policy can be framed on any other assumption—and we readily admit that this is not an assumption which can be relied upon: that is what was meant by the recognition that it is attended by great risks. It would of course be another matter if our declared policy had broken down and a revision of our policy was clearly forced upon us by events. In the political field this might happen because:
(a) A break occurs with Congress
(b) A break occurs with the Muslim League
(c) Both parties withdraw from the Interim Government

While we must do everything possible to avoid these situations arising it may be that we shall not succeed. We agree with you therefore that there must be effective plans to deal with them.

10. You ask whether you are correct in assuming that we should in no circumstances be prepared to reverse our policy and continue to rule India for a further period of the order of fifteen years. We cannot answer this question on a hypothetical basis. It is certainly no part of our present policy, and we do not consider that we should refrain from any justifiable step to secure the success of that policy, in order to keep open or to make easier a reversal of it on these lines. At the same time it is, I suppose, possible that circumstances might so develop that this reversal of policy would become more justifiable in the eyes of British and world opinion than now appears likely and would even be demanded of us by substantial sections of Indian opinion. The kind of circumstances I have in mind is a general deterioration of the communal situation on an even wider scale than we have seen in recent weeks and a refusal of the two major parties to be responsible for dealing with it, accompanied by a general demand for strong measures to restore public order. We do not therefore completely exclude this possibility; but we think it most unlikely that we should wish to adopt it.

11. The only alternative in the circumstances envisaged in paragraph 9 above is withdrawal. We accept your view that the existing military plan is inadequate. We agree that it is for you as the man on the spot to advise what is the best method of withdrawal to ensure the safety of our Nationals and as to the details of such a plan. But there are certain principles to which, from the point of view of the political position in this country, it must conform. These are:

(1) Unless the position has visibly become uncontrollable and dangerous, the intention to withdraw must be announced and debated in Parliament.

(2) This announcement must be on the basis that the position in India has passed beyond our powers to control and, therefore, the withdrawal must begin immediately the announcement has been made. It can of course be phased, but only to the extent necessary to operate it effectively and with the greatest possible security for those who are being withdrawn. We cannot agree to announce in advance withdrawal on the basis that the position will have passed beyond our power to control it some months later.

³ Vol. VIII, No. 379.
(3) The plans should take account of the three main probabilities referred to in para. 9 above and be adaptable to them. Wherever possible we should hand over authority to some recognised existing body, e.g. a Provincial Ministry.

(4) The date of the original announcement must be the subject of later discussion with us, as it cannot be made until we are satisfied that there are adequate grounds on which we can justify this decision to Parliament.

12. Subject to the above we shall be glad if you will put in hand preparation of plans to meet the various contingencies. This must not, of course, in any way be regarded as a final decision to withdraw. Quite the contrary. A decision to withdraw can only be taken nearer the event. We suggest that, if Congress or the Muslim League are ready to remain in the Interim Government, it may well be desirable to retain them, and to act in collaboration with them in effecting the withdrawal. Thus it may for example be that, if the League go out, it would be better to withdraw from the N.E. and N.W. of India first, while if Congress go out it may be best to withdraw last from N.E. and N.W. India as you have suggested. If both parties go out of the Interim Government an emergency administration of officials would have to be set up and the withdrawal might have to be more nearly a military operation, possibly based on withdrawal to the Ports. We also feel strongly that to announce in advance the phases of the withdrawal would almost certainly increase its difficulties, though of course we agree that it should be planned in timed phases.

13. There are two matters on which you have addressed me separately which can clearly only be decided in connection with the matters discussed in this letter. The first is the question of the date for winding up the Secretary of State’s Services (your telegram 2269–S of 30th October), and the second the withdrawal of British troops (your private telegram 2317–S).

14. As regards the Services, I have studied the views expressed at the Conference of Provincial Premiers on 21st October under Patel’s Chairmanship, and have taken note of the resolution, passed unanimously, calling for early termination of my control of these Services. In your telegram 2269–S you recommend that 1st January, 1948 should be the date and say that you think that an earlier date is not likely to be pressed for by the Interim Government. It may be possible, or it may not, to wind up the Services before the end of the present regime. I do not see how one can commit oneself definitely one way or the other at this juncture. In any case it seems clear to me that the Governor-General and Governors could not remain long after the disappearance of my Services, because, when they ceased to be under my control and the bulk of the personnel retired or came under ministerial control, the powers of the Governors and Governor-General would in fact cease to exist even in latent form. These Services are an essential instrument for any action by Governors and for
the exercise of paramountcy (for I do not see how the Political Service could be retained for more than a short time after the others are wound up). The winding up of these Services would amount in practice to the transfer of sovereignty. I shall be prepared to consider this question further in the light of your reply to paras. 1–8 of this letter. In the meantime it seems to me that if we can get the terms of compensation settled, the Interim Government can offer terms to existing members of the Service and ascertain whether they wish to stay on or on the terms offered. This will enable the Interim Government to proceed with recruitment and training of their new Services, and, if it turns out that a large proportion of the European officers do not accept the offer, they may not be anxious to see them withdrawn at once. [14(a).] 7 In fixing a date for the termination of the Services we must indeed be influenced by what is just to them as well as by considerations of policy. It would not be right as a means of retaining them to withhold compensation beyond the point at which their conditions cease to be tolerable. It is understandable that they should find the present conditions irksome and unsatisfactory, and that many should wish to get away and make a fresh start in the near future. But we do not feel that we are yet, and indeed we hope that we never shall be, in sight of a situation in which the interests of the Services must be a governing factor in deciding our policy.

15. As regards the withdrawal of British troops it is definitely our view that they must remain until the withdrawal of Governors and the Governor-General. Their presence is required for the protection of Europeans and we must give Europeans a chance to withdraw if they wish to do so, before British troops are removed. We also have obligations to maintain British Forces in India under the Treaties with Indian States, which we have stated will continue in force until the new Constitution comes into operation. In these circumstances if your colleagues press you on this point you will no doubt remind them (as I suggested in my telegram of 12th November) 8 that the position was made quite clear while the Cabinet Mission were in India, and in the last resort you have the authority of H.M.G. to say that the demand for immediate withdrawal is one which they could not contemplate and in which they could not acquiesce. This method of approach seems to be preferable to your appearing to dispose of the matter by virtue of your authority to overrule your colleagues under Section 41 of the IXth Schedule. We shall of course wish to be kept fully informed of the specific circumstances under which the issue is likely to be raised. But we have no intention of giving way on the general

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* Vol. VIII, No. 527. 6 No. 2. 7 See Vol. VIII, No. 502.
* Para. 14(a) was not included in the original draft. It appears from a minute by Mr Harris dated 15 November 1946 that the para. was to be circulated in time for a meeting of Ministers at 10 Downing Street which was to consider the draft on 18 November. L/PO/6/118: f 50.
* No. 27.
principle. We should, however, like you to consider whether it would be feasible to arrange that British Troops should to a greater extent than at present be located where they will be available for the two purposes referred to above so that Indian troops are used for general internal security purposes.

35

Notes by Mr Attlee

R/30/1/9: ff 15-18

OFFICE OF THE MINISTER OF DEFENCE, undated

The issues raised by the letter of the Viceroy and the memorandum of his officials are:

1. In the event of a breakdown of the administration or a general alignment of the political parties against us are we prepared to go back on our policy and seek to re-establish British rule as agst the political parties and maintain it for 18 years?

   The answer must clearly be No.

   Because

   (a) In view of our commitments all over the world we have not the military force to hold India agst a widespread guerilla movement or to reconquer India.

   (b) If we had public opinion especially in our Party would not stand for it.

   (c) It is very doubtful if we could keep the Indian troops loyal. It is doubtful if our own troops would be prepared to act.

   (d) We should have world opinion agst us and be placed in an impossible position at U.N.O.

   (e) We have not now the administrative machine to carry out such a policy either British or Indian.

2. If we are not prepared to take this line what is the alternative?

   First we intend to pursue our policy. The assumption is that the Indian leaders of one Party or both leave the Government and that the plan for the assembly of the constitution making body has failed. We should not envisage failure though we are right to have a plan in reserve.

   The Viceroy suggests a planned withdrawal beginning with the south, handing over province by province to Indian Governments. He would like to announce that plan.
The objections are to an announcement.

(a) We cannot without legislation take action of this kind. We therefore cannot announce it in advance. If we were driven to it we should have to do it and ask for authority from Parliament afterwards.

(b) This announcement would in effect [have] conceded Pakistan.

(c) The announcement would be a breach of our obligations towards the minorities, which will cause great political difficulty at home and throughout the Moslem world.

3. The phrase Breakdown covers a number of alternatives.

(a) A Moslem walkout

(b) A Hindu walkout

(c) A general break down ranging from inability of the Governor General to carry out his constitutional obligations to chaos and disorder.

These require separate examination.³

(a) If Moslems walk out we still have a Government in Delhi. It is possible to continue with a constitution making body, to receive from it a constitution containing adequate safeguards for minorities making it acceptable to us, but for us to say that we can only accept it as applicable to the provinces which are prepared to accept it. We could then hand over the portion of India which accepts it, while preventing any interference by the new Central Govts with provinces which refuse to accept.

This would be something like to Irish settlement.

(b) If Hindus walk out. It would be possible to continue with a Moslem interim Government and invite Jinnah and Nehru to London. Alternatively it would be possible to say that as Hindus and Moslems have failed to agree we propose to invite some international body to propound a solution. Meanwhile we would caretake.

While it is reasonable for the Viceroy to want to have a break down plan, it is unreasonable of him to expect us to envisage failure. The next step is the calling of the Constitution making body. Until that has failed we should not despair.

¹ Mr Attlee made these notes when he received Nos. 33 and 34. (Information supplied by the Prime Minister's Private Office, 10 Downing Street.)

² Mr Attlee is evidently referring here not merely to Lord Wavell's letter of 23 October 1946 (Vol. VIII, No. 501) but also to his earlier letter of 8 September (Vol. VIII, No. 286) which covered a note by Lord Wavell's officials.

³ Mr Attlee did not make a separate examination of alternative (c) although he left part of a page blank presumably so that he could do this at a later date.
3. Everything nowadays turns on the communal situation and I will try first of all to give you an impression of the local effect of the Muslim League having joined your Executive Council. The effect I am afraid is almost nil. The Commissioner of Meerut—a shrewd and experienced person—sums it up not inadequately in the following words:—

"The peculiar circumstances of the League entry into the Interim Government have aroused no enthusiasm and no hopes. It has not allayed apprehensions—if anything the reverse."

It is a pity that this should be so, but there it is. Reports coming in from all over the Province show that the same irresponsible speeches are still being made, that combative communal organisations are on the increase and that communal tension is everywhere at breaking point. And—a sinister fact—tension is now in evidence not only in the towns but in the villages. By and large it may be said that in the central and eastern parts of this Province the Muslim population is confined to the towns and larger villages. In the west however—in the Meerut and Agra divisions—we have a considerable Muslim cultivating population. If the ferment spreads to the villages in these latter areas, we shall not be in good shape. The truth is I think that if a rapprochement between the Hindus and the Muslims is to be furthered by governmental adjustments at all, we need coalition governments in the Provinces as well as at the Centre. In my telegram No. G-91 dated 8th November¹ I have represented this view and it is I think correct. It helps our local situation hardly at all if a Muslim Leaguer is in charge of the Finance Department of the Central Government, especially of course a Muslim Leaguer who has taken office in the cagey way the Muslim League have done. The Provinces are however the places where the administration touches the people direct. If we could only get a coalition government—or at least get the Muslim League into the Cabinet which is a different and of course lesser thing—then the effect on the very much troubled services and on the police would be considerable. Incidentally looking back on it, Nehru was I think excessively unwise in bruiting all over the country his propaganda about joint responsibility of the "Cabinet", the hoisting of the Congress flag on his lawn, his daily cabinet meetings in Bhangi colony and elsewhere—too soon. There is some danger too that there may be a sinister outcome from all this. The British Government are now commonly
accused of breaking up—for their own purposes—the much vaunted unanimity of the Executive Council by their insistence on flattering the Muslim League into it. This accusation is of course part of the political game, but it is widely believed. If our communal situation deteriorates further, the whole movement on the Hindu side might easily take an acute anti-British form with consequences which I would not care to be dogmatic about.

1 Not traced.

37

Lieutenant-Colonel Webb to Mr Griffin

R/1/36/91: ff 93-4

PERSONAL AND TOP SECRET THE RESIDENCY, KASHMIR, SRINAGAR,
14 November 1946

D.O. NO. D1916-C/46

My dear Griffin,

Kak has just sent me the enclosed note with a request that it may be referred informally to the Political Department with the object of obtaining their "preliminary reactions". He added that the query, though of a general nature, was of vital importance to the Kashmir State.

2. I am inclined to think that the Maharaja and Kak are seriously considering the possibility of Kashmir not joining the Union if it is formed. On a previous occasion Kak hinted to me that Kashmir might have to stay out of the Union in view of the antagonism likely to be displayed by a Congress Central Government towards Kashmir. The Maharaja’s attitude is, I suspect, that once Paramountcy disappears Kashmir will have to stand on its own feet, that the question of loyalty to the British Government will not arise and that Kashmir will be free to ally herself with any power—not excluding Russia—she chooses.

3. I should like to discuss this case with you on my visit to Delhi during December but should be grateful for material for an earlier reply to Kak if possible.

Yours sincerely,

W. F. WEBB

Enclosure to No. 37

"C".

It is well known that the Ruler of this State has always been in favour of progress both inside and with reference to India as a whole.

Recent events have however shown that those who are likely to assume the
reins of government in India in future are not disposed to show consideration for the security of the State and are prone to interfere and coerce even in regard to purely internal affairs on the flimsiest of grounds. Not only that, agitators inside the State are encouraged if not incited to create trouble.

The State naturally does not feel happy about the future and unless satisfactory assurances are forthcoming that interference in its internal affairs in any shape or form will in future not be made, may even decide to decline to join the Indian Union should it materialise.

If such a contingency does arise, what would the nature of this State’s relations with the Crown be? Would necessary wherewithal be supplied to maintain the integrity of the State for such time as it may be able to stand on its own feet?

38

Note by Field Marshal Viscount Wavell (Extract)

Wavell Papers. Notes of Important Interviews, 1943–7, p. 229

SECRET

NOTE OF INTERVIEW ON NOVEMBER 14TH, 1946 AT PESHAWAR

5. Dr. Khan Sahib.—His whole theme was that the Governor and the British officials were not supporting him and the Government, and were making his position impossible. His accusations were completely vague, he did not name anyone, but accused them of influencing the elections against him, of not carrying out the orders of the Ministry, and so forth.

He is obviously on bad terms with the Governor but the only instance that he produced was the Governor’s attitude towards the Ministry’s desire to abolish the lambardari system. He spoke of the danger of civil war inside the province, i.e. of the Muslim League against the Congress Muslims.

I summed up his attitude as amounting to this: he obviously does not get on with the Governor, who is a different type to George Cunningham; he has been shaken by the result of Nehru’s visit and the obvious hostility to Congress that it has revealed; and he therefore attempts to throw the whole blame on the British officials.

I said that I did not know the details of the lambardari system which he wished to abolish, he may be quite right in saying that it was corrupt and inefficient, but that it was a mistake to do away with any long-established system until there was something to replace it; I thought that the Governor was only anxious to make certain of this. I said that the position he took up of making vague accusations against British officials and not trusting them was an impossible way to carry on an administration; he should either bring
definite charges against people with whom he could not work and get rid of them, or he should trust them. As regards Nehru's tour, it was a most ill-advised one, and a party approach to the Tribes—in which sense Nehru's visit was bound to be interpreted—was disastrous. I said that the Congress aim appeared to be to try and change the Constitution during the Interim period, instead of carrying on the Administration in an orderly way and making constitutional changes by the proper method in a Constituent Assembly.

Dr. Khan Sahib is obviously worried and ineffective; he is a pleasant, well-meaning person, without the necessary force of character or wisdom to run a Province; and he and the Governor are of entirely different types who are not likely to get on well together.

w.

39

Mr Abell to Mr Turnbull

L/P&EJ/10/76: ff 275–7

NO. 592/58. THE VICEROY'S HOUSE, NEW DELHI, 15 November 1946

My dear Frank,

I am desired to send for the information of the Secretary of State a full report given by the API Agency of a Press Conference of Jinnah's which took place yesterday.

Yours sincerely,

G. E. B. ABELL

Enclosure to No. 39

Extract from Dawn of 15 November 1946

"ABSOLUTE PAKISTAN THE ONLY SOLUTION"  

EXCHANGE OF POPULATION MUST BE CONSIDERED, SAYS QAED-E-AZAM  

MUSLIM MEMBERS IN INTERIM GOVT. ARE SENTINELS OF NATION  

BOYCOTT OF THE CONSTITUENT ASSEMBLY IS STILL IN FORCE

Muslim League President Qaed-e-Azam Mohammed Ali Jinnah declared on Thursday in New Delhi that in his view "the only solution" to India's present
communal situation "is Pakistan and Hindustan," and said that he meant "absolute Pakistan—anything else would be artificial and unnatural."

"As soon as Pakistan is achieved," he told representatives of the foreign press, "this tension which exists, and will continue—that one nation is going to rule the other—will cease. These minorities will then settle down as minorities. They will realize minorities can live only as minorities and not as a dominant body."

Mr Jinnah, who said he had given the press conference because of a number of individual requests by foreign correspondents, added: "at present the position is this: that the minorities in Muslim zones naturally don't want Pakistan, because, with the backing and dissension of Hindu majorities all over India, they are encouraged and are dominating Muslim majorities."

"Once they realize that they have to live as minorities, then I think you will have really a stable and secure Government in Pakistan and Hindustan. Why should there then be a national quarrel? The position is reduced to a much smaller plane, that is, how best can the minorities be protected and safeguarded in the two states.

"Unless you say we are reduced to bestiality I do not see any reason why the Muslim minority [majority] in Pakistan should not deal with the minorities in a most generous way."

Asked when the League Council would be summoned, Mr. Jinnah commented: "I can’t say." Pressed further, he said he could not discuss the matter now "for state reasons—it is not in the public interest just now."

**BOMBAY RESOLUTION**

Unless the League’s Bombay Resolution withdrawing acceptance of the Cabinet Mission Plan is removed, the League boycott of the Constituent Assembly scheduled to open on December 9 remains in force.

Of the Interim Government, Mr. Jinnah said in response to questions that the Muslim League Ministers were there "as sentinels" who would watch Muslim interests in the day to day administration of Government.

He also commented that "this Government should not be allowed to do anything administratively, by convention or conventions which would in any way prejudice or militate the problem of the future constitution of India, and we shall continue to resist every attempt which would directly or indirectly militate or prejudice our demand of Pakistan."

Asked if he favoured abandoning the Interim Government, Mr. Jinnah replied: "I have said this: It was forced upon us. The present arrangement I don't approve of."
LABOUR GOVT. BLUNDER

He made it clear that the British Labour Government "has blundered already seriously, and are blundering, living in a dream land in the policy they are pursuing, may be with the best of intentions... The British Government is groping in the dark—They think there is some other easy solution."

Mr. Jinnah dismissed Pan-Islam as "exploded bogey" and declared, "whatever others might say, I think that these two States of Pakistan and Hindustan by virtue of contiguity and mutual interests will be friends in this sub-continent."

"They will go to each other's rescue in case of danger and will be able to say 'hands off' to other nations. We shall then have a Monroe Doctrine more solid than in America."

"I am not fighting for Muslims, believe me, when I demand Pakistan", he said, adding "Pakistan and Hindustan alone will mean freedom to both Hindus and Muslims."

The Plan for Pakistan, he said, called for a popular, representative Government in which "every children[child], no matter what his caste, colour or creed, will have equal rights."

Asked what would happen in the next six months or a year when the Congress and the League are not agreed on the question of the division of the country, Mr. Jinnah said, "What happens is what you see. You have been witnessing what is happening."

EXCHANGE OF POPULATION

Mr. Jinnah made a direct reference to the present disturbances when he said, "The exchange of populations will have to be considered seriously as far as possible, especially after this Bihar tragedy."

Answering another question, Mr. Jinnah said that the Interim Government was not a Cabinet and it was not a coalition. It was, he said, the Executive Council of the Governor General formed under the Government of India Act of 1919.

"A coalition as I understand it", Mr. Jinnah said, "can only be formed when there is a sovereign Parliament composed of two or more parties, who form themselves into political parties, formulating policies that they think are in the interests of their nation, both external and internal, and when there arises a national emergency these parties concentrate on those issues which endanger national interests of the people."

"Of course, in such a coalition, there is joint and collective responsibility. They work together provisionally until the crisis or danger is averted. That is my view of looking at it constitutionally."
NEHRU'S STATUS

"In the foreign Press it is given out", said Mr. Jinnah "that Pandit Nehru is Prime Minister and that it is Pandit Nehru's Government and I also hear Pandit Nehru described as Vice President.

"There have been Vice Presidents since 1919. Under the present Constitution the Viceroy has to appoint a Vice President and his function is only to preside in case the Viceroy is unable to preside over the Executive Council."

Asked about Indian States, Mr. Jinnah said that the demand for division into Pakistan and Hindustan was confined to British India but the States at a later stage would be free to join either Pakistan or Hindustan.

"My own view is let these states develop for themselves. It is a matter now between the rulers and subjects. The States of course will have to advance. In course of time I think there will be complete self-Government in the States, quicker than we imagine because of events in British India."

DAWN'S POSITION DEFINED

Asked if he agreed with a statement made in Dawn, Mr. Jinnah replied: "It is very often said that Dawn is my paper and some times it is described that whatever Dawn says is inspired by me or the Muslim League organization.

"Let me tell you it is absolutely untrue. No doubt Dawn follows the Muslim League policy. It is a Trust, it does not belong to the Muslim League. As a trustee, no doubt, I have to manage and direct the Trust, but I assure you I have never interfered with my Editor as a trustee or otherwise. If there was any serious, fundamental departure from Muslim League policy, then naturally I would interfere." APA and API.

40

Pandit Nehru to Mr Abell

R/3/1/127: f 11

SECRET

NEW DELHI, 15 November 1946

Dear Mr. Abell,

Some days ago Sir B. N. Rau came to me to discuss the various arrangements in regard to the Constituent Assembly as the time is approaching when the Assembly is going to meet. Among the matters discussed was the form of the invitation to be issued. The form which has been suggested by the Viceroy, after consultation with the Secretary of State, had not been entirely approved
of by us at the time and I had mentioned this fact to the Viceroy. However, in order to avoid any further controversy on this issue, I asked Sir B. N. Rau to adopt that form and to issue the invitations, as soon as possible. The Assembly is to meet on the 9th December, that is to say, about three and a half weeks from today. It is highly desirable that members of the Constituent Assembly should get the invitations as early as possible.

Today Sir B. N. Rau came to see me and told me that you had asked him to delay issuing the invitations, pending the return of Lord Wavell from the Frontier. I do not know what has happened which should necessitate this delay. The date of the Assembly was fixed by the Cabinet, as far as I remember, and everything has been done thus far to fit in with this date. Any delay in issuing the invitations might even come in the way of issuing notice in proper time prior to the date fixed. When the Muslim League members joined the Interim Government it was clearly stated by the Viceroy that this was done on the explicit understanding that they would withdraw their resolution of non-participation in the Constituent Assembly. This has not only been not done thus far, but a meeting of the Muslim League Council has not been called for the purpose. This morning’s newspaper contains a press statement made by Mr. Jinnah. In answer to a question as to when the League Council would be summoned to consider this question, he said “I cannot say”. He added further that he could not discuss the matter “now”, “for state reasons... it is not in the public interest just now”. It is clear that unless the Council meets and withdraws its resolution the League boycott of the Constituent Assembly continues.

This creates a very grave situation affecting not only the Constituent Assembly but also the Interim Government which has been formed and functions on the basis of the Constituent Assembly being accepted. As you perhaps know the Working Committee of the Congress are meeting on the 19th of this month. On the 21st the Subjects Committee of the full session of the Congress meet in Meerut, to be followed by the full session itself. The Working Committee will have to consider this question and come to certain decisions about it. It is important therefore, that we should know definitely by the 19th, at the latest, what the exact position is. If anything comes in the way of the Constituent Assembly meeting on the 9th December, the Congress would obviously have to reconsider the whole question.

Will you kindly communicate with the Viceroy immediately and let me know what his answer is in the course of the next two days?

Yours sincerely,

JAWAHARLAL NEHRU

1 No. 39.
41

Cabinet Paper C.P.(46)424
R/30/1/9: ff 19–21

PROPOSED COMPENSATION SCHEME FOR OFFICERS OF THE INDIAN SERVICES APPOINTED BY THE SECRETARY OF STATE

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 15 November 1946

I circulate for the approval of my colleagues proposed scales of compensation to members of the Secretary of State’s Services in India when their appointments under the Secretary of State are terminated as a result of constitutional changes.

2. Details of the scales are set out in the statement annexed to this note. The amounts shown in them are in respect solely of loss of career and prospects due to the break in the contract with the Secretary of State, and will be additional to pension already earned by service.

3. Owing largely to the unusual pension system1 of the Indian Civil Service, the most important of the Services in question, the problem of devising compensation which, in the words of the Government of India Act, is “just and equitable”, has proved very complex. The scheme now proposed is the result of exhaustive consideration by officials of the Treasury and the India Office. It is accepted by my statutory Advisers, whose concurrence in such a matter I am required by the Government of India Act to obtain; and has been approved by the India and Burma Committee. The scales proposed are so calculated as to fulfil the pledge given to existing members of the Services by my predecessor and confirmed by me that, on termination of their appointments under the Secretary of State owing to constitutional changes, they would be granted terms not less favourable than those which, with the approval of the Cabinet (W.P.(45) 273)2 were promised in like circumstances to “war service” recruits to the Services in question. I may add that a variety of methods of calculation that have been examined produce scales approximating to those now recommended.

4. The cost involved, which is estimated approximately at £10 million, is by statute a liability on Indian Revenues. The intention is that the proposed scales shall be referred to the Viceroy to be laid before the Indian Interim Government.
Annex to No. 41

REvised Scales Of Compensation

For Officers of the I.C.S.  For Military & Police officers in the I.P.S.  For Officers of other S/S’s Services

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1 [Note in original:] An Indian Civil Servant becomes entitled to the maximum pension of £1,000 p.a. (or its rupee equivalent) on the completion of 25 years service. At that point he has before him ten years of service before reaching superannuation age, and, during those years, the prospect of holding the highest paid posts worth three or four times the amount of his pension. He cannot, however, by such further service increase the amount of pension to which he is entitled when he finally retires.

2 This refers to Volume V, Enclosure to No. 412 with the amendment given in note 3 to that document.

3 Secretary of State’s tel. 20724 of 27 November to Government of India, Home Department, stated that this figure should be £750. L/S &G/7/913: f 460.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

PRIVATE AND SECRET

L/PO/10/23

INDIA OFFICE, 15 November 1946
Received: 19 November

Many thanks for your letter of the 5th November which contains a great deal which is of much interest to me.

2. Your impressions of the Bengal troubles confirm much which I had suspected. It seems to be clear that some information was received in advance but was not acted upon and also that the local police were not effective and inspired no confidence in the local Hindu minority. On the other hand it is obvious that the Hindus, as is their custom, grossly exaggerated what happened and also magnified out of all proportion the defects of the handling of it. The depressing thing is that there seems to be no sign that the local leaders have taken the situation to heart or are doing anything except marshalling their followers for further trouble; but, as you say, it is a good thing that Congress and League leaders from your Cabinet went to Bengal together.

3. Bihar seems to have been worse than anything except the August Calcutta outbreak and the speeches of Nehru, Patel and Liaqat show a strong realisation that they must give a powerful lead to prevent a repetition. It is a very long time since party leaders were so outspoken on this subject and that at least is a good sign, though there are plenty of trouble makers like Sarat Bose and Mukherjee counteracting their efforts.

4. I am good deal disturbed by what you say in paragraph 12 of your letter and have since enlarged in your telegram No. 2395-S about the Muslim League attitude to the long-term plan. I am writing to you separately about your suggestion that we should make it plain that the basis of the Constituent Assembly is the Statement of May 25th and I do not therefore deal with that subject here.

5. I am glad to hear that your first Cabinet meeting was a success, and that Liaqat made a valuable contribution to the discussion. If you can get a few good discussions in full session of the Cabinet in which individuals function as individuals and do not align themselves purely in party blocs, it may be that Nehru’s agitation, because the League will not meet with the Congress in a shadow Cabinet before the meetings, will die down. I am not sure how far Liaqat’s idea will be satisfactory to the States but at any rate it will avoid the objection which Nehru raised.

6. I am relieved not to have had any further news of Nehru’s threatened
resignation which you reported in your telegram No. 2366-S, of the 11th November and I hope that it has blown over at any rate for the present. You told me earlier that Nehru was putting too great a strain on himself, and I have no doubt that, as you say, Bihar took a great deal out of him. He does, however, seem to have produced some effect there.

7. Meanwhile I have been interested to see a Reuter report of Vallabhbhai Patel’s appeal to the Indian Press for co-operation in putting an end to the communal disturbances. I take this to be an open threat to apply press censorship if there is not an improvement, and I expect this is a result of your intervention with Nehru and Liaquat. I only hope that if Patel does apply press censorship he will do it without discriminating against the Muslim papers.

8. Caroe’s report on Nehru’s tour of the Frontier, which you mentioned in paragraph 8 of your letter of 30th October, is of great interest and importance and I intend to bring it to the notice of my colleagues on the India-Burma Committee. I fully agree with you that the visit was extremely ill-judged. From what Caroe says, he seems to have been pretty outspoken with Nehru but the latter does not appear to realise how singularly ill-timed the visit was. I am very glad that you yourself are touring the Frontier. I feel sure that this will be warmly welcomed by the political officers, both British and Indian, who seem to have behaved admirably in a situation of great danger and delicacy. Caroe must have been greatly relieved when his unwelcome visitors got away with no more damage than they did, but the effect of the visit must give cause for anxiety about the future and may have dangerous repercussions extending well beyond the Frontier itself. As you point out in paragraph 2 of your telegram No. 2340-S it is likely to revive the apprehensions of the Afghans; this is confirmed by what the Afghan Minister in London said to Sargent at the Foreign Office on 28th October when he remarked that Nehru’s visit had created a “scandal” which made an early settlement all the more desirable.

9. You will have seen that Henderson has had to answer questions in the House both about the use of troops and the insinuations against the political

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1 No. 8.
2 No. 30.
3 This separate letter was not in fact sent; see No. 78, para. 9.
4 See No. 8, para. 14.
5 No. 23.
6 Vol. VIII, No. 498.
7 Vol. VIII, No. 534.
9 Of 7 November 1946. L/P S/12/1811.
10 In August 1946 the Government of Afghanistan had made proposals for a number of agreements with H.M.G., some relating to the Frontier tribal areas. Ibid.
officers. I hope that there may be some opportunity of making public the result of the enquiry into these allegations so as to establish beyond any doubt (though nobody seems to believe them) that the demonstrations were not engineered by any of the officers of the Political Department.

10. I see that Caroe mentioned the excellent reception Nehru got from the troops and from the R.I.A.F. and that without their help there might have been a disastrous incident.

[Paras. 11 and 12, on the grievances of certain ordnance factory personnel; and para. 13, on the British India Commonwealth League, omitted.]

14. In paragraph 12 of my last letter I informed you that I would shortly be putting before my colleagues fresh proposals for the grant of compensation to members of the Secretary of State's Services, which had been accepted by my Advisers as being just and equitable to the Services. These were approved yesterday by the India and Burma Committee of the Cabinet and are now to be submitted to the Cabinet for final approval. It is the present intention that the matter should be included on the agenda for a meeting of the Cabinet to be held next Tuesday and I, therefore, hope that I shall very shortly be in a position to communicate them to you.

15. The Cabinet considered this morning, in the light of Churchill's remarks in the Debate on the Address in the House of Commons on Tuesday (which are doubtless available to you), the question of the date for a full debate on India. This is not in the least likely to form part of the debate on the Address and I have been promised at least a week's notice in order that the necessary preparations for a debate may be completed. I will, of course, let you know the moment the date for a debate is fixed.

16. I was, of course, sorry to learn from your telegram No. 2371-S, that the Interim Government were not prepared to compromise to any appreciable extent on the question of honours. I am now laying the matter before His Majesty and seeking His pleasure.

11 See Parl. Debs., 5th ser., H. of C., vol. 428, 4 November 1946, cols. 1057-8. Mr Henderson was asked, inter alia, what British troops or other British personnel were employed in escorting Pandit Nehru on the North-West Frontier and whether he would comment on the allegation that the disturbances during the tour had been engineered by the Political Department.
12 No. 18.
13 No. 28.
14 See No. 41.
15 See Parl. Debs., 5th ser., H. of C., vol. 430, 12 November 1946, cols. 22-3. Mr Churchill intimated that the Opposition might ask for a formal debate before Christmas. He added: 'we may be forced to ask for it on account of the increasing degeneration in the life of the Indian peoples, and the bloodstains which are already appearing, in wide and numerous areas, on the Indian map.'
16 See No. 32, para. 6.
43

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/101: f 124

IMPORTANT

INDIA OFFICE, 15 November 1946, 7.15 pm
Received: 16 November, 8.45 am

No. 20140. Your telegram No. 2270–P of October 30th.¹ Berar. I agree with your definition of H.M.G.'s attitude towards this issue, and approve approach to the problem on lines you propose subject to the reservation below.

2. I should be grateful for early indication of your views on the kind of settlement you would consider not only practicable but acceptable and meantime I would deprecate use in any communication to the parties of the formula proposed in your para 2. Would it not be sufficient to indicate H.M.G.'s earnest desire that the problem should be discussed between the parties with a view to solution mutually acceptable?

¹ Vol. VIII, No. 532.

44

Pandit Nehru to Mr Abell

R/3/1/127: f 12

17 YORK ROAD, NEW DELHI, 16 November 1946

Dear Mr. Abell,

I wrote to you yesterday about the summoning of the Constituent Assembly.¹ I have since consulted many of my colleagues and their reaction to the delay in summoning the Constituent Assembly has been very strong. They feel that the invitations must be issued by the 19th November at the very latest. On the 19th the Working Committee of the Congress is going to meet.

I hope you have communicated by telegram my yesterday's letter to the Viceroy. Could you please also forward to him the following message from me?

"In view of the nearness of the date fixed for the Constituent Assembly meeting it is urgently necessary to issue invitations to members immediately. I am surprised to find that instructions have been issued on your behalf to stop or delay the issue of such invitations. Any such delay is contrary to the decisions

¹ No. 40.
already made and would upset the whole programme which we have envisaged. We hope that you will send instructions immediately for the issue of the invitations. At the latest these invitations should go out by the 19th of this month when the Congress Working Committee is going to meet to consider the situation. I shall be grateful to you for an early reply.”

Yours sincerely,

JAWAHARLAL NEHRU

45

Mr Abell to Mr Scott

Telegram (by telephone), R/3/1/127: ff 13–14

SECRET

16 November 1946, 5 pm

2420–S. I had over an hour with Liaquat this morning. He repeated his opinion that in the present state of the country it would be folly to call the Constituent Assembly.

I said it might be possible to secure agreement to a postponement provided the League clearly intended to fulfil the condition of acceptance of the long term plan which was the basis of their entry into the Interim Government. But if that was not clear the Viceroy was being put in a very difficult position indeed.

Liaquat then put across the old story about the Congress themselves not having accepted the Statement of the 16th May and about the impossibility of agreeing that interpretation of the basic provisions of that Statement should be a matter for the Federal Court. I said I thought the League could afford to run the risk and agree to enter the Constituent Assembly. If the Federal Court decided against them they could go out and be no worse off than they are now. Liaquat said they would be worse off because the passion and determination of the Muslim League would diminish if the League once accepted the proposition that they would enter the Constituent Assembly and allow the Federal Court to interpret even the most vital clauses. This is clearly the main point. The League must remain in opposition if their strength is to grow. Though they are in the government they are still effectively in opposition.

I said at least Mr. Jinnah should answer the Viceroy’s letter and say what assurances he expected from H.M.G. After some discussion he said this would be done and I pressed for an immediate answer. On this point I thought I made some impression, and Jinnah may reply tomorrow or on Monday.

I think the answer to Nehru should be on the following lines. The Viceroy
cannot agree to issue of invitations till he has returned to Delhi and tried to ensure that the invitations will be accepted by the League when issued and that the League Council will be summoned at once. To go ahead without any further attempt to secure this will be to run what may prove an unnecessary risk.¹

¹ Mr Scott was travelling with Lord Wavell.
² No. 7.
³ See Nos. 40 and 44.
⁴ Later on 16 November Mr Abell sent Pandit Nehru the following message from Lord Wavell in reply to Nos. 40 and 44.

'He [Lord Wavell] realises how much importance you attach to the matter but says he cannot agree to the invitations being sent out without his first making an effort to ensure that they will be accepted by the League and that the League Council will be called without delay. He does not want, for the sake of a day or two, to incur what may prove to be an unnecessary risk of increasing communal tension. He will be back about lunch-time on Tuesday and will take this up at once.'

R/3/1/127: ff. 115.

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46

Pandit Nehru to Sir O. Caroe

R/3/1/92: ff. 186–92

SECRET

17 YORK ROAD, NEW DELHI, 16 November 1946

Dear Sir Olaf,

I must apologise to you for the delay in replying to your letter of November 7th.¹ Ever since my return from Bihar, I have been overwhelmed with work and I have been making frantic attempts to catch up to it. I did not wish to write to you till I had seen all the relevant papers, which you were good enough to send, and had given thought to the matter. Even now I do not propose to write about the larger implications of Frontier policy.

2. In the long note² I sent you I had given some of my impressions about the Frontier policy, but I had stated that these were impressions only and I was not prepared then to say anything more definite. I propose to adhere to that resolution although inevitably I have been thinking a great deal about Frontier in spite of my other preoccupations. I feel that just at the present moment there are so many disturbing and complicating features that it would not be right to consider any basic changes in the Frontier. For my part I do feel that basic changes will be necessary some time or other, and probably sooner rather than later. But, as I have said, this is not the time to raise this

¹ No. 11.
² Vol. VIII, Enclosure to No. 520.
question when not only the Frontier but a good part of India are in a state of turmoil and extreme tension.

3. The report\(^2\) sent by the Chief Secretary to the Local Administration, North-West Frontier, gives the background of my visit to the Frontier. It is obvious that, apart from local causes mentioned in the report, the Frontier was affected by events and forces in the rest of India. I believe that this whole unfortunate situation in India has been mismanaged with the result that definite encouragement has been given, even though it might not have been intended, to forces of evil and violence. The result of this has been what we see. A certain premium has been put on violent activities and attacks for political purposes. Even if this had not been done, there would have been tension and trouble, but it would probably have been on a much smaller scale and easily dealt with. For various reasons, which are perhaps inherent in the existing situation, an impression was created all over India that methods of violence for a particular purpose will be leniently dealt with. This common impression, I take it, existed in the Frontier as elsewhere.

4. If we have to understand the real background of events, we must take into consideration the conflicts that exist in India. The communal conflict is obvious enough and nothing need be said about it. But there is also an inherent conflict between those who represent the system, political and social, which has existed in India till now, and those who represent something new which is gradually taking shape. This conflict must be separated from the merits and \textit{bona fides} of individuals concerned. Any group of persons contains good men and bad, able men and mediocrities. The question is not so much of ability and \textit{bona fides} as of the climate of opinion and belief as well as the pattern of behaviour to which the group is accustomed.

5. The higher services in India have functioned in a special kind of environment for some generations. This environment has led to authoritarian methods of government and a great deal of complacency and belief in one’s own rectitude. This belief inevitably leads to dislike and condemnation of any person who challenges it or comes in the way. There is something almost, if I may say so, religious about it in the sense that the maintenance of the group and its method of functioning become an article of faith.

6. During the past many years, these higher services have come into direct conflict with the nationalist movement in India, notably the Congress. This conflict has led to a very great deal of suspicion of each other, both as between groups and individuals. Only a very few people can get over this suspicion. There is in addition the powerful impetus of a vested interest to be protected. When the actual conflict ceases and externally co-operation takes its place, there cannot be easily a sudden sea-change in the minds and behaviour of the
parties concerned. Not only do they suspect each other's *bona fides*, but they also look in different directions and have different objectives. The senior officials belonging to the permanent services resent being ordered about by persons whom they had been putting in prison till recently and whom they consider as trouble-makers. They realise, of course, that a change must take place and is taking place, and they try to adapt themselves to it. In all honesty they endeavour to fit in with the new scheme of things, but the inner conflicts remain and colour their outlook and their activities. In some cases the conflict is obvious enough.

7. In spite of constitutional changes and popular government in the Provinces, the Civil Service considers itself as something apart from that government though it serves it in a large measure. It looks to the Governor, to the Viceroy, or to the Secretary of State, for protection, direction and leadership. It may carry out the instructions issued by a Provincial Government, but its allegiance lies elsewhere. This mere fact creates the wrong psychological atmosphere.

8. To say that the Civil Service should remain apart from politics is a perfectly correct statement. But to think or say that it is above politics, something superior which looks down upon a warring political scene, is wrong. It is easy to imagine the difference between the position today and what it would be if the services did not have a Governor or Viceroy or Secretary of State to look up to. They should even then be kept apart from politics as far as possible and it would be the function of the Government of the day to give them protection as well as direction. Today there is a hiatus which makes the position both of the Government and the services a difficult and uncomfortable one. Added to this is the fact that these services have been in continuous conflict with the nationalist movement and they cannot forget recent events, nor can the other party. There is no such conflict between the services and the Muslim League and its supporters. Without liking the Muslim League at all or its policies, they inevitably incline towards it as the safer group which should be encouraged. This Muslim League group fades off into what might be called the old loyalist group which naturally has found favour in the eyes of the old services.

9. Hence it normally happens that where there is a Congress Provincial Government, there is [are] far greater psychological and other conflicts with the services than in a Province where there is a Muslim League Government. The Congress represents a much more powerful urge for political and social change and is, therefore, disliked. Almost everywhere in India it has been obvious that Governors and others favour the Muslim League as against the Congress.

3 R/3/1/92: ff 82–5.
Some of them do it inadvertently and almost unconsciously; others do it deliberately and obviously and sometimes even twist the law to this end.

10. Perhaps if the true nature of the changes that are coming over India had been fully realised, a different attitude might have been adopted. But such understanding comes seldom, and all of us function much more in the grip of impersonal forces and subconscious desires. I remember mentioning to you, in the course of our talk, that the British Government, as represented in India, had continually backed the wrong horse. Occasionally circumstances had forced them to act in a different way, but their whole tendency was to revert to the old position. The result of this has been turmoil and conflict, for the wrong horse cannot, in the nature of things, win. It represents something that has been but not something that is going to be.

11. It is stated in the report of the Chief Secretary that it is essential that officers right down the scale should feel that they have the confidence of the higher authorities and should be publicly supported in meeting their heavy responsibilities. Of course officers should be supported. But they can only be rightly supported if an officer who errs is brought to book. Otherwise all of them are to some extent tainted. There is far too great a tendency to protect the wrong-doer for fear that the right-doer may lose prestige. This has resulted in the right-doer also losing prestige. But apart from this, the big question which I have referred to above remains. Officers who consider themselves superior to the authorities they serve can hardly expect public appreciation or support. There is too much of the old atmosphere surrounding them.

12. Reference has been made in the Chief Secretary’s report of the propaganda which has sought to saddle Political Officers of the North-West Frontier with the responsibility for the hostility with which my party was met. Much of this propaganda, I think, is misplaced and exaggerated. Yet there is no doubt that it represents a belief based on past experience. Also there is no doubt that apart from the particular circumstances in this case, there is a basic hostility.

13. Many months ago, long before the Interim Government was formed, when it was privately suggested that I should become Member for External Affairs, which included Tribal Areas, I was told that this would be unwelcome to the Tribal people. Hardly anybody even in the innermost circles of Government knew about this proposal, and it was obvious that the Tribal people could not possibly have heard of it. Nevertheless I was told that the Tribal people disliked it greatly and that there might be trouble. It seemed obvious to me that the objection, at that time at least, did not come from the Tribal people who knew nothing about it, but from certain officers of Government who disapproved of the idea. Much later I heard of some meetings or jirgas of
the Tribal people who had expressed their disapproval also. At that time too no public announcement of my appointment had been made. It was curious that the Tribal people should agitate themselves about a fact which was not publicly known and indeed which had not been finally decided upon. The inference was obvious that a broad hint had been given to them and they reacted to it. Of course they only reacted to it because the background was favourable for it.

14. I do not personally saddle Political Officers in the Frontier with responsibility for much that happened. But I do think it is legitimate for me to suggest that their basic approach to my appointment and my visit was such as to add to that hostility.

15. It would be absurd for me, or for anyone else, to condemn a group. I am not doing so. I am merely trying to understand the psychological background of the group, and this inevitably influences their actions as well as their beliefs. As a matter of fact I was considerably impressed by the ability and earnestness of some of the senior officers I met in the Frontier. I have no doubt of their bona fides. But this does not help me to get over my initial difficulty about the hiatus between their outlook and possibly my outlook. Some officers I met did not impress me, and a few produced a definitely bad impression. But it would be unfair of me to judge anyone by first impressions. As a whole I should say they were at least as good as any similar group of officers in any other part of India.

16. Also I have no doubt that these officers in the Frontier, who have specialized in their work there, know the people of the Frontier and their customs and ways of living far better than I do. Because of their knowledge and experience, their advice is valuable. But there is such a thing as losing sight of the wood for the trees and a distant observer might see much that escapes the habitual resident who gets used to his environment. It is an interesting fact to be noted that people exactly similar to the Frontier Tribes have been dealt with more successfully elsewhere. We can learn much from other experiments provided we are not too much wrapped up in our own ideas and conceits.

17. You will forgive me for this long disquisition. But I want you to know what I have in my mind and how I look at these various happenings. That might help you to understand my approach to some extent even though you might not agree with it.

18. As regards the violent attacks made on me and my party, I do not wish to say anything more at present, and I leave it to you to take such action as

* Lord Wavell minuted in the margin of his copy of Pandit Nehru’s letter: ‘It was always quite obvious that the Tribes would react strongly towards anything that suggested Hindu domination.’ R/3/1/32: f 189.
you may think proper. I would suggest, however, that in this matter it is desirable for Dr. Khan Sahib to be consulted, both because he and his brother were personally involved and feel strongly about the matter, and also in his capacity as Prime Minister of the Provincial Government.

19. In regard to Shaikh Mahbub Ali, however, I should like to say something. I have carefully considered his statement and the other statements about him. I have received many complaints about him and certain reports about his having encouraged people to misbehave towards us. I have also learnt, and you yourself mentioned this fact, that his case is being considered by the Anti-corruption Officer. His past record is not an inspiring one. But I do not think it right of me to allow such reports to influence my judgment in regard to the particular matter before us. I cannot say without far more proof that he was privy to the assault that was made upon me. But of one thing I am quite clear. His behaviour at the time was disgraceful. His car was only a few feet from my car when we came out of the gate. There was only one small car intervening and all three were bunched up together. As soon as we came out, we saw a small crowd and a bus-load of people with black flags shouting slogans and obviously threatening us. The moment I saw them I had no doubt that they were going to create a lot of trouble. Mahbub Ali’s car just passed the bus when we were held up by the bus itself. Immediately, of course, the distance between his car and our car increased rapidly as he was moving away and we were at a standstill. It is possible that he did not actually see the various assaults upon us because he was rapidly going forward and we were surrounded by this little crowd. For him to go forward then and not even to look back is inexplicable. I shall not go further into this matter except to say that I have no doubt in my mind that he could not be ignorant of what was happening to us, even though he did not see much of it.

20. I feel rather reluctant to pursue this matter as I am personally involved. I would much rather that nothing further was done so far as I am concerned, but there is a public aspect of it which cannot be ignored. It is for this reason that I wrote to you previously about him. What steps you should take against him, it is for you to determine. I am not anxious to punish him or anyone else. But in view of what has happened, he is unfit for a responsible position. Whatever rules may be applied to men in the services, they should be followed. I should have thought, however, that in a case like this the first thing to be done was to suspend him. I know of many cases where, for far more trivial offences, swift action was taken.

21. I shall certainly look into the Frontier Five Year Development Plan which includes the Tribal Areas. As you know perhaps, I am very much
interested in planning and I am anxious that the time should come when we can all devote ourselves to planning on a large scale all over India.

22. Please forgive me for this long letter.

Yours sincerely,

JAWAHARLAL NEHRU

5 Pandit Nehru appears to be referring here to a note dated 6 November 1946 which Sir O. Caroe sent Mr Abell and Mr Weightman on the Malakand incidents and which included, in an annex, a letter from Shaikh Mahbub Ali commenting on the incidents. Ibid.: ff 129-41.

6 See No. 11, note 4.

47

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: ff 17-18

IMMEDIATE PESHAWAR, 17 November 1946, 12.30 am
SECRET Received: 17 November, 1.15 am
No.177-SC. As I warned you in recent telegram,\(^1\) crisis is likely to arise over meeting of Constituent Assembly. Provisional date of December 9th had been fixed for first meeting of the Constituent Assembly. Question has now arisen whether invitations are to issue in view of the fact that Muslim League has not yet rescinded Bombay Resolution.\(^2\)

2. Nehru and his colleagues are insistent that the invitations should issue.\(^3\) Nehru has written a letter pointing out that a very grave situation has been created affecting the Interim Govt., as well as the Constituent Assembly, since former was reconstituted on the understanding that the Muslim League would reverse their decision, and participate in the Constituent Assembly. Nehru has sent me a special message that feeling among his colleagues is very strong, and that in view of Congress Working Committee meeting on 19th, invitations should issue by that date. There is the implied threat that Congress will resign if invitations do not issue.

3. It is clear that the Muslim League have no immediate intention of calling their Council, but I am certain that if the Constituent Assembly meets with only the Congress represented in it, there will be very grave and widespread disorder in India. The main obstacle in the way of Muslim League participation is the fact that there has never been an unequivocal declaration by H.M.G. as to the meaning of that part of the Statement of May 16th which refers to the manner of work of the sections. It is essential that the intention of the Mission should be publicly and clearly stated to have been that the meeting

\(^1\) No. 30. \(^2\) Vol. VIII, No. 86. \(^3\) See Nos. 40 and 44.
together in sections is compulsory, and that the constitutions of the provinces in the sections would be framed by the sections sitting as a whole, and members voting individually. If such a clear statement were made immediately the confidence of the Muslim League in the honesty of H.M.G. might be restored, and I could probably persuade the Muslim League representatives to attend the meeting on December 9th. I strongly recommend the issue of such a statement, which will in any case have to be made sooner or later if H.M.G. really mean to stand by scheme put forward by Mission which will otherwise fall to ground. Please let me have your decision by 19th morning at latest, as I shall be seeing Nehru that afternoon.

48

Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/127: ff 20–1

10 AURANGZEB ROAD, NEW DELHI, 17 November 1946

Dear Lord Wavell,

I am in receipt of your letter of the 5th of November, '46 and I thank you for it. Owing to the very grave situation created in Bihar it was not possible for me to consult such of my colleagues as would have been available in Delhi, or my Committee of Action and, in order not to delay my reply, I have consulted some and beg to inform you that the Congress have not accepted the Statement of May 16, from the very beginning. To mention only few official documents, there is the letter of the President of the Congress dated 25th of June, the Congress Working Committee's Resolution of the 26th of June and various pronouncements of the foremost Congress leaders; and thereafter the Wardha Resolution of the Congress Working Committee dated August 10. This clearly shows that the Congress never had, nor have they even now, accepted the Statement of May 16.

Even recently, in a letter to Mr. Gopinath Bardoloi, Prime Minister of Assam, published on the 30th of September, 1946 (after the Assam Legislative Assembly had given a mandate to their representatives to the Constituent Assembly in the clearest terms to defy the fundamentals of the Statement of May 16), Pandit Jawaharlal Nehru says:

"I fully appreciate the feeling in Assam in regard to the sections or grouping and I think that our position will safeguard your sentiment completely. Having accepted the document of May 16 we have inevitably to accept going into the sections, but the question is as to how we shall function in these sections. You are right in saying that I did not go into this matter in
my broadcast, because I did not wish to raise controversial issues there. But our position is clear that provincial autonomy must be maintained and a province must decide both about grouping and its own constitution. "It is true that we have accepted the Federal Court’s decision in regard to the interpretation and we must abide by that decision of ours. But in no event we are going to agree to a province like Assam being forced against its will to do anything.

"The Constituent Assembly has now been postponed to December and we do not know what development[s] might take place by that time. Whatever they might be, if Assam is strong enough nothing can happen to Assam that it does not like."

Next, Mr. Gandhi, only as recently as the 23rd of October, 1946, in one of his pronouncements, said:

"The Constituent Assembly is based on the State paper. That paper has put in cold storage the idea of Pakistan. It has recommended the device of ‘grouping’, which the Congress interprets in one way, the League in another and the Cabinet Mission in a third way. No law-giver can give an authoritative interpretation of his own law. If, then, there is a dispute as to its interpretation, a duly constituted court of law must decide it."

In the first place there is no provision in the Statement of May 16 for any Court to decide what is the true interpretation of the document. Besides, the basic and fundamental principle underlying that document is not, and cannot be made, a justiciable issue. The proposals embodied in the Statement of May 16 are recommendations of the Cabinet Delegation and yourself, which can only be carried out when both the major parties are agreed, in the clearest manner and unquestionably, upon the fundamentals.

I quite appreciate when you say that there is no use in holding further discussions and you informed me that there was no chance of the Congress budging from the position they had taken up. In these circumstances, I hope, you will appreciate that it will be futile for me to summon the Council of the All-India Muslim League.

You ask me to let you know, what exactly it is in the way of assurances that will be necessary. The question is not as you put it that if some assurances are necessary I should let you know exactly what they are. The real question is to get the Congress first to agree to the fundamentals in the clearest language and then devise ways and means by which the proposals can be implemented and enforced by His Majesty’s Government if the Congress break their word.

Apart from this impossible position that the Congress have taken up throughout and have followed up to the present moment, now we are face to face with

1 No. 7.  
3 Vol. VII, Enclosure to No. 603.  
4 Vol. VIII, No. 137.  
6 See Vol. VIII, No. 275, note 3 and No. 282.
the mass, organized and planned ruthless massacres of the Muslims in various parts of Bihar. The foul and gruesome methods adopted under the very nose of the Congress Government, the administration and the police in Bihar, show that the Congress have entirely failed to protect the life and property of innocent people, to say nothing of the small scale killings and destruction of property that are going on in various other parts of the country, where the Muslims are in minority. In this highly surcharged and explosive atmosphere even to think of the proposed Constituent Assembly or any talk about it, when we are faced with two hostile camps, with the result that killing, murder and destruction of property are going on apace, is neither advisable nor possible. It will only exacerbate the present situation.

I most earnestly urge upon you to concentrate upon the measures to be adopted and carried out first to protect life and property without delay. The entire machinery of the administration of the Government must immediately be concentrated upon establishing peace and tranquillity and succour and help those who are homeless, foodless, clothless and in need of medical help and wandering about in Bihar in thousands—the latest reliable estimates so far available are about 30,000 killed and 150,000 refugees—and further to see by every means how to avoid and prevent a recurrence of human slaughter in future. This is your sacred duty and trust and I hope you will immediately impress upon His Majesty's Government to take up this immediate task. In my opinion, therefore, you should announce immediately the postponement of the Constituent Assembly sine die and let us all forthwith concentrate every ounce of our energy upon restoring peace and order first.

Yours sincerely,

M. A. JINNAH

7 On 28 November 1946 Mr Harris sent the Private Secretaries of Mr Attlee, Sir S. Cripps and Mr Alexander copies of a telegram from the Press Information Bureau, New Delhi which gave the text of this letter and of No. 7, L/P 83/10/76: ff 229–31, 234.
2. On more general issues the conversation went as below.
Liaqat said that H.M.G. should be much more firm in their policy in India. I said that it was not possible to have a definite intention of leaving the country and at the same time to rule firmly in disregard of the opinion of those who held office in the Provinces and at the Centre. The two things just could not go together. If H.M.G. were to insist on taking their own line in all cases they would have to be prepared to face up to major troubles, to run administrations under section 93, to reinforce the Services, to have a definite long-term policy which might involve staying here for years, etc. Liaqat said “Well, stay here for years if necessary.”

I pointed out that if H.M.G.’s policy was fixed, as one was certainly entitled to assume, it meant that the period for which they could assist in preserving the balance between the parties in India was limited. When there was friction between the Viceroy and the Congress it was very largely due to the desire of H.M.G. not to let down the Muslims. This assistance to the Muslims could not be kept up indefinitely, and unless the Muslim League cooperated the period during which H.M.G. could influence events decisively might pass without anything satisfactory having been settled about the points in dispute between the Muslim League and the Congress. Was this in the interest of the League?

3. Liaqat said that even now there was very little the Viceroy could do to help the Muslims and unless H.M.G. were prepared to fulfil their responsibilities properly and, if necessary, to stay in the country, it will be far better for them to get out, and leave the parties to find their own level.

4. I disputed strongly the statement that there was nothing we could do to help now. Although it was often difficult to disregard Congress opinion the Viceroy could, if the League were sensible, prevent Congress usurping all power in the interim period. He could secure that the Constituent Assembly would meet in a far more peaceful and hopeful atmosphere than any that could be created after the withdrawal of the British power. In most Provinces, at least the illusion of the steel framework of administration which H.M.G. had built up was still there. Above all, and I stressed this point very strongly, it was only during the continuance of the present regime that the Indian Army as it is today could hold together. To this Liaqat seemed to agree. I urged therefore that the League ought to seek progress while the going was comparatively good. They should enter the Constituent Assembly relying on what H.M.G. had said in their statements of May 16th and May 25th, and they should not be afraid to accept the verdict of the Federal Court on points in dispute.

5. Liaqat said that the League could not possibly enter the Constituent Assembly unless H.M.G. themselves guaranteed that they meant what they

1 No. 45.
said about the Group Constitutions, if any, and the Provincial Constitutions being framed by the sections with each individual having a vote. I said that if Mr. Jinnah would say that this was the assurance he wanted I felt certain H.E. would press it on H.M.G., because it was quite clear that this was the intention of the two statements. Liaqat's main point however was that the enthusiasm of the Muslim League had to be kept up and this could not be done if they made another concession (like their abandonment of Pakistan at Simla) and accepted the decision of the Federal Court.

He went on to ground very similar to that covered by Mr. Jinnah in his Press Conference. He maintained that the state of the country to-day was one of civil war, and civil war had already begun. H.M.G. were not fulfilling their responsibility for India. They should have dismissed the Bihar Ministry and, if they liked, the Bengal Ministry as well. But in any case the state of the country was the evidence that there must be a settlement with the Muslim League. Liaqat had no belief whatever that the arrangement at the Centre would grow into a Coalition. He seemed determined that it should not.

6. I got the very clear impression from what Liaqat said that the League could not afford to let the communal feeling in the country die down. They regard this communal feeling as a proof of their case for Pakistan. They will want that evidence to increase and though they may not want actual physical violence on too large a scale they want the sort of atmosphere in which violence may break out any moment. The extent of the trouble has already encouraged them to go back to their pre-Simla position that they must have complete Pakistan, (cf Jinnah's Press Conference).

7. My conclusions are that a great effort must be made to secure agreement about the Constituent Assembly, and that if it fails H.M.G. must either (a) fall back on Y.E.'s original Breakdown Plan of offering Jinnah a small Pakistan, or (b) simply announce their own programme of withdrawal and hope that the shock will induce the parties to see sense. Even if (a) is adopted the offer is likely to be rejected and we shall soon be back at (b).

G. E. B. ABELL

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1 See Enclosure to No. 39.
2 Vol. VI, No. 316.
3 Lord Wavell initialled Mr Abell's minute on 19 November and drew attention to his conversation with Mr Jinnah [No. 57].
50

Lord Pethick-Lawrence to Sir F. Burrows (Bengal)

L/P & J/8/655: f 78

PRIVATE AND SECRET

18 November 1946

Thank you for your letter of the 4th November.¹ I was interested to read your letter to the Viceroy recounting your interview with the members of the Interim Government who recently visited Calcutta. If I may say so, I think you took entirely the right line with them.

I am afraid you have been having a most difficult time and my thoughts have been very much with you in the last two months. The more I read about your troubles the more intractable they appear to be. I am afraid that there is no real solution from your point of view, except in the wake of an improvement in the All-India relations of the two major parties. That is bound to take time. It does seem to me, however, that the visit of a mixed party from the Interim Government to Bengal and Bihar has done good and that it has had a sobering effect on the party leaders. But so long as there are people about in such large numbers who are prepared to exaggerate events in the way in which Eastern Bengal was exaggerated, on what must have been very slender and inaccurate information, obviously anything may happen at any time.

In any case I should like to assure you that we all greatly admire the calm way in which you have handled this most difficult situation with a weak apparatus. It is a great pity that you cannot get a Coalition and a still greater pity that Suhrawardy leads the Muslim League in Bengal. There would, I imagine, have been a better hope of a Coalition if Nazimuddin had remained Prime Minister, but it is no good crying over spilt milk.

PETHICK-LAWRENCE

¹ No. 4.

51

Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

L/P & J/5/575: ff 169–73

GOVERNMENT HOUSE, CALCUTTA, 18 November 1946

My dear Secretary of State,

In reply to your telegram of the 26th October,¹ I sent you, in my telegram No. 291 of the 29th October,² a review of the communal situation in Noakhali

¹ L/P & J/8/578: ff 83–5.
² Ibid: ff 54–6.
and Tippera districts. The absence of many thousands of victims from their homes and the reluctance of those left in their villages to make full statements still militate against our having anything like a complete statistical record of the position. I am sending you, however, a note giving the latest information available which may serve as a background for dealing with any further questions in Parliament. I have, of course, sent a copy of the note to the Viceroy.

Yours sincerely,

F. J. BURROWS

Enclosure to No. 51

1. The preliminary examination of the information available to the local officers in Noakhali in the pre-disturbance period confirms the view that the district had been in a particularly disturbed state for some time previous to the date of the outbreak of the disturbance. The preliminary reactions are that the evidence of disturbed conditions in that district should have been sufficient to provide a clear warning to the officers on the spot and would appear to have fully justified the taking of preventive and precautionary measures.

2. Information of the actual day to day course of events during the disturbances in the two districts is not yet available. The immediate occasion for the outbreak of the disturbances was the looting of a bazar in Ramganj police station following the holding of a mass meeting and a provocative speech by the person, now arrested, alleged to be the organiser of the disturbances,—Gholam Sarwar Husseini,—arrested 22.10.46. From there the trouble quickly spread to the neighbouring villages and thence over Ramganj police station as a whole. The western part of the neighbouring police station of Begumganj and to the south the northern part of Lakshmipur and part of Raipur police stations were also affected during the next few days. Disturbances as such may be said to have ended in Noakhali by the 16th (apart from the isolated incidents on the island of Sandwip) and by the 20th in the district of Tippera where they had spread to the southern part of Hajiganj police station on the 13th, following the arrival of hooligan elements from Noakhali, and from there to the neighbouring police stations of Faridganj and Chandpur to the West and Laksham and Chouddagram to the East during the next day or two. The troubles in these last two police stations, as also in Hajiganj itself, were on a minor and very much more restricted scale compared to the disturbances in Faridganj and Chandpur.

3. Though disturbances have ceased the area affected is not, as yet, in a completely orderly condition. An indication of the unsettled state of affairs has been the attacks on the police while carrying out their duties. The most spectacular of these attacks was made at the beginning of the month on a
senior I.C.S. Officer and his police party escorting Hindu refugees to a relief camp. Firing had to be opened on the hooligans who attacked the party on three occasions and seven persons were killed and ten wounded.

4. For the better coordination of Government activities in the affected areas all responsibility for directing and coordinating measures relating to relief and rehabilitation has been taken away from the Divisional Commissioner and made the responsibility of a Rehabilitation Commissioner, now appointed. The two Commissioners, who have been given wide powers in their respective spheres to direct the activities of departmental officers on the spot, will work in the closest liaison.

5. It is recognised that confidence must be restored as quickly and as effectively as possible and for this purpose the arrest and prosecution of known leaders and miscreants is essential. A determined drive to arrest such persons is now in progress and since the disturbances began evidence at present available shows that 65 hooligans have been killed and 1122 have been arrested. A spate of complaints of police and military oppression is now being received from Muslim quarters in the area. The complaints which are being investigated are the cause of very considerable embarrassment to the local officers, my Ministers and myself. The need for restraint in handling the situation on the spot is fully appreciated and it is too early yet to say how many of the complaints—of which there are over 200 against the police in the district of Tippera alone—are justified and how many, as held by senior police officers in respect of very many of these complaints, are meant to embarrass the police and hinder them in their activities.

6. Efforts to restore confidence have been greatly hampered by the presence of large numbers of Hindu volunteers from West Bengal attached to no responsible relief organizations—and of locally sponsored Muslim volunteers without status. As a speedy method of solving this problem it is proposed to give the District Magistrates powers under Bengal Act III of 1926 which will allow them in certain circumstances to extern such persons.

7. Restoration of confidence permitting the return of Hindus to their villages is particularly essential at this stage as the main harvesting season is approaching and it is essential that the crop should be reaped. As it has been recognised that all the refugees cannot possibly return in time for the harvest, an Ordinance is being promulgated to enable the crops of refugees to be cut and harvested, in their absence but with safeguards regarding their interest in the produce.

8. Though it must be some time before it becomes possible to relate the events in Noakhali and Tippera to exact statistics—and in respect of certain matters exact statistics will never be available—it is now possible, as a result

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[Note by India Office:] now 1270.
of specific enquiries undertaken by senior Judicial officers and from other sources, to form some idea of the extent of damage and dislocation to ordered life that has occurred as a result of the disturbances. Further and more detailed enquiries are still being undertaken and the present picture will undoubtedly require modification in certain respects.

9. From present information the number of villages affected by the disturbances in the two districts will be at least 350.

10. All information at present available supports the previously expressed view that the figures of deaths were grossly exaggerated by non-official Hindu sources and that the number will certainly be low in the three-figure category. Up to date the verified deaths by violence in the two districts combined for the period of the actual disturbances is 131 and I do not imagine that the figure will in any event exceed 200.

12. There can be no doubt that looting and arson was carried out on a widespread scale. The latest estimate of homesteads and shops looted and/or burnt in the two districts combined, less the figures for the Raipur police station area of Noakhali not yet obtained, is 2053.

13. As regards forced conversion the true facts will never be known because of the reluctance of Hindus to admit that they have ever been converted, but there is no doubt that forced conversion has taken place on a large scale. In Noakhali conversions took place en masse and appear to have been carried out in several forms. In some cases it appears to have been a fairly formal, perfunctory affair involving merely the reading of the “Kalma”; in other cases initial conversion has been steadily followed up and the converts have been made to say their prayers regularly as Muslims and to eat beef; in other cases, again, there have been proposals that a girl of a newly converted family should be given in marriage to a Muslim. From impressions gained during the early part of this month, it would appear that Muslims situated near the military or police posts were not daring to pursue the matter further but elsewhere threats and pressure continued. No complaint of circumcision has been made. The District Magistrate, with the active concurrence of the Secretary of the District Muslim League and the local Congress, has issued a statement emphasising that Islam does not recognise forced conversions.

In Tippera conversions have also been on a wide scale and have taken a number of forms including forcing converts to wear a cap on which has been inscribed “Pakistan”, compelling them to wear a lungi as worn by Muslims, removing the caste-marks from the foreheads of girls and women, breaking the conch-bracelets on the wrists of married women, making them recite
prayers and forcing them to eat beef. No case of circumcision has been reported.

14. As regards abductions, forced marriages and rape—all concerned are and will be extremely reluctant to make any complaint in respect of these matters. From present information available from Noakhali it would not appear that abductions and forced marriages took place on any considerable scale and in fact only one specific case of forced marriage has been brought to notice.

The exact position is equally obscure in Tippera but here also present information does not indicate that the final figures will be large. Though no verified figures have as yet been supplied, investigation by a senior Judicial officer on the spot did not result in the receipt of information pointing to women being carried away and not being heard of again. Instances, based on hearsay, were however brought to his notice of women and children being collected and taken to a homestead or school and kept there for a few days. Such persons were also reported in certain cases to have been raped during the period of restraint but these allegations could not be verified locally. In the circumstances then prevailing it is too much to hope that no such incidents occurred. No single instance of a forced marriage was brought to his notice and according to the estimate of the District Magistrate the number is likely to be very few.

15. In the earlier part of the month it was still necessary for parties of police and military to escort parties of Hindus from villages in Tippera to relief centres. In Noakhali, where there have been considerable pockets in which Hindus who had been subjected to arson, looting, conversion etc., were virtually marooned, the main areas being outlying parts of the Lakshmpur police station and some 15 villages in the Raipur police station, these operations are still in progress.

16. The following were special features of the disturbances in Noakhali—
(a) a reluctance to damage schools or post offices;
(b) numerous instances where Muslims gave shelter to Hindus;
(c) mobs seldom seriously injured or killed women; &
(d) the mobs included large numbers of Muslims belonging to the village attacked and neighbouring villages.

In Tippera the hooligans were almost invariably inhabitants of the villages attacked or neighbouring villages, except in the early stages when hooligans came across the border from Noakhali.

* [Note by India Office:] now 370.  
* [Note by India Office:] now 133.
17. Apart from the troops, the following staff and Special Armed Force (Police) have been posted to the affected areas in the two districts—

- Addl Superintendent of Police . . . 2
- Deputy Superintendent (1) and . . . 5
- Circle Inspectors (4)
- European "Reserve" Inspectors . . . 2
- Sub-Inspectors of the invest-
  ing staff . . . 27
- Asstt. Sub-Inspectors . . . 30

Including 72 officers and men of the Tippera Emergency Force and 45 of Noakhali, there are now 935 officers and men of the Armed Branch of the Bengal Police operating in these two districts. Steps are being taken to relieve and replace officers who are held to have failed in their duty during the disturbances or the subsequent operations to restore order and arrest the offenders.

\[52\]

Minutes by Mr Abell and Field Marshal Viscount Wavell

\[R/3/1/92: f 194\]

18–20 November 1946

The letter below from Pandit Jawaharlal Nehru\(^1\) may already have been seen by Y.E. in Peshawar. It represents a considerable climb-down, and will, one hopes, give some encouragement to the Governor.

2. The fact of the climb-down will not be very obvious to the Political Officers or to the public, especially if Mahbub Ali Khan is suspended which will give the opposite impression. That is a problem for the Governor to deal with. For information.

G. E. B. ABELL

18/11/46

This is a sensible letter and shows the best side of Nehru as his previous letter\(^2\) showed a difficult side. It is certainly as far as N. could be expected to go, and I think does considerable credit to his honesty and good feeling. I hope that the Governor will accept this amende honorable in the right spirit.

W.

20/11

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\(^1\) Pandit Nehru had sent Lord Wavell a copy of No. 46. \(R/3/1/92: f 185\).

\(^2\) Vol. VIII, No. 520.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: ff 296-9

MOST IMMEDIATE

INDIA OFFICE, 18 November 1946, 9.45 pm

TOP SECRET

Received: 19 November, 4.30 am

No. 20252. I have discussed your telegram 177/SC of 17th November\(^3\) with Prime Minister and colleagues.

2. We are agreed that date of meeting of Constituent Assembly should not be further postponed from 9th December. There has already been long postponement, and you have told Jinnah that Muslim League’s entry into Interim Government was on the basis that League would reconsider Bombay resolution at an early meeting of their Council. Apart from this we feel that there is great danger in drifting especially in view of the considerations you have been urging upon us in your top secret memorandum of the 7th September\(^2\) and letter of 23rd October.\(^3\) Situation about Constituent Assembly must be brought to a head sooner or later and for the reason that our power to control events is declining we feel that sooner is better than later.

3. In view of your advice that a statement of the Mission’s intentions as in your paragraph 3 gives the best hope of securing Muslim League participation in Constituent Assembly we have carefully considered how far we can go in that direction. My next succeeding telegram contains text of a statement which goes to the furthest that we think possible. We think that the most appropriate method of making this statement would be for it to be included in the letter of summons to the members of the Constituent Assembly which will no doubt either be signed by you or be stated to have been sent on your personal instructions.

4. You are directly in touch with the situation and are in best position to judge the probable reactions to this statement. We ourselves feel apprehensive that it may do more harm than good for the following reasons:

(a) It is bound to produce a sharp reaction from Congress as it flatly contradicts Congress position frequently stated and only recently re-stated in para. 4 of Nehru’s second letter dated October 23rd\(^4\) contained in your telegram No. 2228–S of 25th October. You will remember also Gandhi’s objections\(^5\) to Bengal rules for Constituent Assembly election which although taken under a misapprehension were directed at exactly what we shall now be saying if this statement is issued. It may be that

\(^1\) No. 47  \(^2\) Vol. VIII, No. 286.  \(^3\) Vol. VIII, No. 501.
\(^4\) Vol. VIII, No. 496.  \(^5\) See Vol. VII, Nos. 596, 598–9, 602.
Congress would not resign from your Government but we think they would be bound to issue a public statement saying that they do not accept the interpretation in this statement and adhere to their previous views.

(b) Result of this would be that Jinnah would come to you and ask what the position in fact was. If we understand it rightly Jinnah is seeking not an assurance about the intentions of the Mission but an assurance that those intentions will be enforced by H.M.G. This assurance we clearly cannot give. It is not possible for us to control what happens in Constituent Assembly. In theory we could if it departs from procedure laid down without agreement of both major parties refuse to implement the outcome but in view of your estimate of the length of time during which we can control events given in your top secret memorandum above referred to we may well not be in a position to make that sanction effective. You would therefore have to say to Jinnah that this statement only meant that this was what the Cabinet Mission and H.M.G. believed to be meaning of the statement of May 16th, but that if it is not adhered to Jinnah’s only remedy is for Muslim League to come out of Constituent Assembly.

(c) It is possible also that Jinnah and his followers will regard this statement as an undertaking by H.M.G. to see that the stated intention is executed or at any rate will use it to accuse us of breach of faith later. We are reluctant to risk giving the Muslim League another opportunity to make an allegation of this kind.

5. For the above reasons we are doubtful whether the statement will help to bring in the Muslim League. It will almost certainly irritate Congress and we cannot judge whether it will drive them to extremes. It may well be repudiated by Jinnah as inadequate and as another attempt to lead him up the garden so that we might end with both sides in a worse frame of mind than at present. As time is so short we feel, however, that we must leave it to you to judge whether to include statement in these terms in letter of summons. Alternative would be to make no such statement but in interview with Jinnah to tell him frankly that H.M.G. cannot make the Constituent Assembly adopt any particular course, that they have stated what is their intention in statements of May 16th and May 25th, that it is open to Muslim League to attend on the understanding that that is the intention, and that by so doing he does not lose his freedom to come out of Constituent Assembly at any stage which is only ultimate sanction.

6. Whether or not you include proposed passage in letter of summons we suggest that you should point out forcibly to Jinnah that it was on understanding that League would reconsider Bombay Resolution that his nominees
were included in Interim Government; that the longer Constituent Assembly is delayed the more completely will the Interim Government drift into becoming the provisional central Government of India; that he would put himself in an extremely weak position in the eyes of the world if League did not attend Constituent Assembly; and that by doing so they do not lose their freedom of action at a later stage. No doubt you will also try once more to get Nehru to make some conciliatory gesture. In doing so we suggest you emphasise to him that he will not secure the unity of British India let alone of a combined British India and Indian India unless he can bring the Muslim League in to the Constituent Assembly, quite apart from the possible consequences on communal situation.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: ff 300–1

MOST IMMEDIATE       INDIA OFFICE, 18 November 1946, 9 pm
TOP SECRET           Received: 19 November, 6 am
No. 20253. Following is text of passage for inclusion in letter of summons to Constituent Assembly referred to in my immediately preceding telegram. We regard this as absolute maximum we can say because in last resort we are not in a position to compel Constituent Assembly to adopt any particular procedure.

Begins. “I may remind you that the purpose of the Constituent Assembly is to frame a constitution for a Union of India on the basis and by the procedure proposed by the Cabinet Mission and H.E. the Viceroy in the official statements repeat statements issued by them during the presence of the Cabinet Mission in India. In particular I would remind you of the intention of His Majesty’s Government that the Sections of the Constituent Assembly should be free to settle their own procedure for determining the matters allocated for decision by them and that in default of agreement otherwise within each section between the representatives of the two major communities and in the case of Section B the Sikh Community, the decisions of the Sections should be taken by majority vote.” Ends.

If you feel that reference to Sikhs is better omitted we are ready to accept your judgment but we feel that for this purpose they should be recognised as a party whose agreement is required.
Cabinet C.M.(46)98th Conclusions, Minute 6

R/30/1/9: ff 23-4

Those present at this Meeting held at 10 Downing Street, S.W.1, on 19 November 1946 at 11 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr A. Creech Jones, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present during discussion of item 6 were: Mr John Strachey, the Earl of Listowel

INDIA

Compensation for Members of Indian Services

The Cabinet considered a memorandum by the Secretary of State for India (C.P. (46) 424)¹ on the scales of compensation for loss of career and prospects to be paid to members of the Indian Services when their appointments under the Secretary of State were terminated as a result of constitutional changes. The cost of these proposals, which was estimated at about £10 million, would fall on Indian revenues.

The Cabinet—

Approved the scales of compensation annexed to C.P. (46) 424, and authorised the Secretary of State for India to invite the Viceroy to lay them before the Interim Government in India.

¹ No. 41.

Mr Abell to Field Marshal Viscount Wavell

R/3/1/127: ff 38-9

19 November 1946

I have been thinking over the question whether, if it is impossible to satisfy Mr. Jinnah about the Constituent Assembly, Y.E. should insist on postponing the first meeting.

2. In a letter to Mr. Jinnah dated the 4th June 1946¹ you said "We do not propose to make any discrimination in the treatment of either party; and we
shall go ahead with the plan laid down by the Statement so far as circumstances permit if either party accepts."

3. This is only a conditional undertaking, but it certainly has to be taken into account.

4. The date for the Constituent Assembly has already been postponed from October and November, and December 9th was agreed with Pandit Nehru after he had discussed the matter with his colleagues.

5. The argument for postponement is that wild debates in the Constituent Assembly or an attempt to proceed with business in the absence of the Muslims would make the state of the country even worse than it is today.

6. Some of the arguments against postponement are as follows.
All past experience shows that if we wait for agreement, we wait for ever. The power of the British is diminishing and soon we shall not be in a position to help towards an amicable settlement. It is quite arguable that going ahead, dangerous though it is, involves less risk than standing still.

7. The real point seems to be that a postponement is desirable, but it is not desirable that postponement should be enforced by the Viceroy. H.M.G. are committed to go ahead, and if the parties cannot agree on postponement, the responsibility for holding the first meeting should rest on the major party which wants it. Otherwise, in addition to the communal feeling, on which the Muslim League relies for its evidence in favour of Pakistan, there is added an ever-growing resentment by the Congress at the tactics of the League and at the willingness of H.M.G. to postpone progress until Jinnah approves it. Thus, unless a postponement is agreed between the parties, the position is likely to be worse rather than better when the postponed meeting finally takes place; or alternatively postponement means that H.M.G.’s policy has failed finally and absolutely and the Constituent Assembly will never meet.

8. I do not think the Congress want to start a civil war. If they insist on the Constituent Assembly meeting, it is to be expected that they themselves would try to avoid an upheaval. They are likely, for instance, to go no further than a formal and innocuous agenda for the opening meeting and then agree on a postponement while possibly working out in Committee a constitution for the Section A Provinces.

9. Mr. Jinnah himself does not now ask for an assurance by H.M.G. He wants to get an assurance out of the Congress. It seems unlikely that if he fails to get this before December 9th, he will succeed in doing it later.

10. On the whole I feel sure that even if H.M.G. are unable to give Mr. Jinnah the sort of assurance he wants, Y.E. should not insist on a postponement of the Constituent Assembly. It is probable that the Congress might very well

1 Vol. VII, No. 446.
resign on this issue, and it would certainly not be a good issue on which to break with them. This is I think a most important consideration.

II. Mr. Menon is also very strongly of the view that the right policy is to let the invitations be issued.

G. E. B. ABELL

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Note by Field Marshal Viscount Wavell

R/3/1/127: ff 42-5

SECRET

19 November 1946

Note of an Interview with Mr. Jinnah

19th November, 1946.

1. I referred to his letter of November 17th, and said that I did not see how I could postpone the meeting of the Constituent Assembly any longer. There seemed to be no chance of communal tension being less in a few months’ time, and H.M.G. was clear that their policy should proceed. I said that I was sure the right policy for the Muslim League was to come into the Constituent Assembly and negotiate with the Congress. Their ultimate sanction was to leave the Constituent Assembly if they could not obtain satisfaction.

They had the guarantee that Provinces would meet in Sections; on the question of procedure the intentions of H.M.G.’s Statement were quite clear, but it was of course impossible for them to force a method of procedure on the Constituent Assembly; and all they could do would be to refuse to recognise a constitution which was not arrived at in accordance with their essential requirements. As I had told Mr. Jinnah many times before, all these matters ultimately rested on agreement between the parties concerned, the Congress could never make a constitution for the whole of India without the Muslim League; nor could the Muslim League force a constitution on Assam or any other Province in Sections B and C against their consent.

I said that the only alternative to agreement was civil war, which was likely to be disastrous for the Muslims and would lead to the break-up of the Indian Army. The British could not remain indefinitely in India until the parties had reached agreement.

2. Mr. Jinnah replied with one of his usual long statements, accusing us of putting Muslims gradually under Hindu rule, and so forth. His whole theme was that a settlement between the two communities was quite impossible, and that we should never succeed in getting it. If we were going, we had better
go at once. If we were going to stay to see a fair settlement, we should draw up our own constitution and make an award. I said that that would be of no value unless we were going to stop to see it enforced.

We went over all the old ground again, Pakistan and all. Jinnah asserted at one moment that he had never rejected the smaller Pakistan suggested by the Mission, though he had insisted on Calcutta.

3. Mr. Jinnah then went on to Bihar, and made it the subject of a lengthy tirade against the Congress. He said the massacre of Muslims had been completely organised by the Congress leaders, and so on. His theme during this part of the interview was that the whole object of Congress was not to work the present Constitution but to destroy the power and prestige of the existing method of Government. He said "They are fooling the world". (I heartily agreed with a great deal of what Mr. Jinnah said on this point, though I could hardly say so.)

4. He then went back to his theme that agreement was quite impossible, that it was no use their coming into the Constituent Assembly, that the Muslims were being ground down, and that we could not help. He thought we should give them their own bit of country, let it be as small as we liked, but it must be their own, and they would live on one meal a day, etc, etc.

5. He then enumerated the alternatives in front of the British Government, as follows:

(a) To get the two communities to agree, which was quite impossible and had better be abandoned at once.

(b) To divide the country between the two communities in any way we liked and then clear out.

(c) To continue to rule, or else to give up the task and clear out at once. He described this as "Hold the baby or throw it up".

6. I said that I could not agree that an agreement between the two communities was impossible, and instanced the Punjab Government which had governed itself for nearly ten years with a considerable degree of success.

Jinnah went back to the history of Akbar and Aurangzeb to prove that any agreement was impossible; and, as regards the Punjab, said that it had not really worked, and that the appointment of a chaprassi became a major communal issue, and so forth.

7. He then said that to call the Constituent Assembly would be the greatest possible mistake, and would lead to terrible disaster, and that it would be difficult to control events in the Muslim Provinces, which he had succeeded in doing up till then.

He then embarked on a long statement of self-justification, how he had never said anything to cause communal tension, whereas Gandhi and the

1 No. 48.
Congress leaders said it every day; he instanced the attack on himself by the Premier of the C.P. lately.  

8. We then got back to Bihar, and he tried to justify and increased the figures of 30,000 killed he had given. He said that Congress organisers had already gone to destroy all the evidence in case of an enquiry. He spoke of the refugee problem and said that the Governor should make a separate organisation quite independent of the Ministry, who do nothing.  

9. On this question he spoke about an exchange of population, but had obviously not thought it out at all. I said that an exchange of population might be a possibility, but that like everything else it could only be done by agreement and negotiation.  

10. After nearly an hour and a half of this, we were obviously going to get no further. Jinnah, who was quite friendly, said that if I must insist on calling the Constituent Assembly, the disasters that would follow would be upon my head and that of H.M.G.  

He finished by saying “You cannot even get agreement on a single matter in your Executive Council”. I said that on the contrary in all the meetings we had held so far there had been no disagreement of any kind.  

This ended an unsatisfactory interview, though I doubt if Mr. Jinnah really wants civil war any more than anyone else. I think that he is probably no longer entirely in control of events on the Muslim side.

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3 Exchanges had taken place earlier in November 1946 between Mr Jinnah and Pandit R. S. Shukla, Premier of the Central Provinces, following remarks by Mr Jinnah in which he had classed the C.P. with various other Muslim minority provinces as an area in which Muslims had been subjected to all sorts of tyranny. In the course of one statement Pandit Shukla complained of Mr Jinnah’s ‘anti-Congress and anti-national’ bias. Bourne to Wavell, 10 November 1946; L/P 8&J/5/195: f 56.

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Note by Field Marshal Viscount Wavell

R/3/1/127: ff 46-8

SECRET

19 November 1946

Note of an Interview with Pandit Jawaharlal Nehru

19th November, 1946.

1. I said that I was as anxious as anyone to get on with the Constituent Assembly, as was H.M.G. But it was important that it should meet in the right atmosphere. The Muslim League were at present very worked-up over Bihar. I had had a talk to Jinnah this afternoon, and he had advised me strongly against calling the Constituent Assembly as he said it was likely to cause further
communal trouble, particularly in the Muslim Provinces; and it did not appear that the Muslim League would attend the Assembly if called now. On the other hand we could not put it off indefinitely, and if Nehru advised me that he considered it should be called, I would issue invitations at once.

2. Nehru referred to previous postponements, and said that if the Assembly were postponed now, there was no convenient date till April, by which time everybody would have lost interest in it. He therefore recommended that invitations should be issued at once. The first session would last for about ten days, and would concern itself with procedure, the appointment of committees, and so on, and would then break up until April. In the intervening period there would presumably be discussions by the Sections. I said that I would have the invitations issued; and that I hoped that in the period before December 9th there would be informal discussions between Congress and the League, which might result in the League coming in. I said it was quite clear that Congress could not make a Constitution for India without the Muslims, any more than Section C could make a constitution for Assam without the agreement of the people of Assam.

3. Nehru then referred to the question of the Muslim League membership of the Interim Government being dependent on their acceptance of the long term issue. I agreed, but said that we had better take our fences one by one, we could leave this one until we saw what the attitude of the Muslim League would be to the calling of the Constituent Assembly. I said that Mr. Jinnah felt that to call his Council at this time might lead to further communal tension.

4. Nehru then referred to the criticism which the Congress members of the Government were getting from their own people. I said that that was partly because they had led them to expect too much and because they tried to change the Constitution during the Interim period. He demanded to know in what way they had done this, and I referred to the undermining of the authority of the Governors, officials, and Police; the result of which was largely responsible for the failure to deal effectively and promptly with the recent disturbances. I said that this Interim period was a very difficult time for everybody, and that therefore we should make it as short as possible; and that we ought to, during the period, uphold the existing authority and form of Government until there was something to put in its place.

5. I then told him of my tour to the Frontier, of my meetings with the jirgas, of the affair on the Malakand, and so forth. He did not comment much, but seemed to agree that it would be better to leave the Frontier alone for the present.

6. I then questioned the wisdom of sending Krishna Menon on his tour of European countries without first discussing the matter with the Muslim
League, since foreign relations were a Central subject, and it seemed inadvisable
to send someone who was not only a noted Congress propagandist, but had
hardly been in India at all for many years. After some talk Nehru agreed
reluctantly to mention the matter to Liaquat Ali Khan before it came before
Council.

7. He then mentioned various diplomatic appointments, said that he had
Asaf Ali in mind for the Embassy at Washington (I refrained from comment); thought that Akbar Hydari should be considered for some important post; had apparently written to Subbarayan to offer him Malaya; and had someone
whom I do not know in mind for Ceylon. He said that his sister had written
that several countries including Brazil had wished to open up diplomatic
relations with India; I said that undoubtedly India would have to develop a
Diplomatic Service, but that we need not be in too much of a hurry.

8. I finally referred to the speeches of Jai Prakash Narain in the U.P., and of
Jagat Narain Lall in Bihar. Nehru seemed to think it impossible that Jai Prakash
Narain could have said anything objectionable, and was anxious for me to
meet him. He said that he had heard Jagat Narain Lall criticised but had heard
no evidence against him.

9. Nehru was quiet and quite friendly throughout, and remained at the
shallown end of the pool.

1 In tel. 93076 of 20 November the G. of I., External Affairs Dept requested the S. of S. to obtain the
King's approval for the appointment of Mr Asaf Ali as His Majesty's Ambassador for India in the
U.S.A. After the approval had been accorded, the G. of I. intended to approach the U.S. Government
direct. L/P 8/11/10/76: f 283.

59

Mr Harris to Mr Abell

MSS. EUR. D. 715

PRIVATE AND PERSONAL  INDIA OFFICE, 19 November 1946

My dear Abell,

It recently came to the Secretary of State's notice that it is the practice for the
private letters exchanged weekly between himself and the Viceroy to be printed
in India, one set of prints being sent to us with a view to its being bound and
taken away by the Secretary of State on relinquishing office. Apart from
himself feeling some doubts as to the propriety of the Secretary of State
removing from the Office documents which, although they are in form private
letters, are exclusively concerned with official or semi-official business and
often contain references to highly confidential matters such, for example, as the
proceedings of the Cabinet here (which are, of course, covered by the Privy Councillor’s oath), the Secretary of State himself has no personal desire to retain a printed set of the letters after he relinquishes office.

2. I have discussed the matter with Miles Clauson, Frank Turnbull and Gilbert Laithwaite and understand that the printing of the letters in India and the retention of a copy by Secretaries of State (and, I presume, by Viceroy’s, too) on relinquishing office is a practice of long duration. I also understand that three copies only are printed and that the printing is done in your private press under the most stringent security precautions. I should, however, be very grateful if you would let me know what would be likely to be the Viceroy’s attitude to any suggestion that the practice of printing the correspondence should now be discontinued, the originals and carbon copies of the letters being kept for the necessary period for reference purposes.

3. The Secretary of State would, I know, also like to be assured that all necessary measures are in train to prevent documents in the archives of the Government of India that would be likely to cause embarrassment if they were to fall into the hands of a “political”, and particularly an independent, Indian Government, falling into such hands. We fully appreciate, of course, that the responsibility in this matter rests with you and that all necessary steps have probably already been taken. In fact, we know from Scott’s letter of 22nd August (No. 56/Est/46) that you have recently been going into the question of the disposal of your own records. May we take it that the measures taken in this direction cover the Offices of the Governor-General (Public) and the Governor-General (Reforms) in addition to your own Office? We, of course, assume that other departments of the Government of India, and particularly the Home Department, took the necessary action in this matter before the installation of the Interim Government.

4. A special problem seems to arise in the case of the Political Department since its functions are not to be transferred to an Indian Government. A large proportion of its records will, therefore, no doubt have to be destroyed or sent to this country, but there may be some which are necessary for the proper conduct of negotiations with the States on economic and financial matters. The Secretary of State would like to be sure that this question is receiving attention so that we shall not be taken unawares by events.

5. If there are any more records (apart from those covered by the recent correspondence with Scott) which you feel ought to be preserved for record purposes but which at the same time you think ought not to remain with the Government of India in present conditions and cannot suitably be transferred.

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1 See Vol. VIII, Nos. 32, 188, 201, and 222; also No. 12 in this volume.
2 MSS. EUR. D. 715.
to the Office of the U.K. High Commissioner in India, we should, of course, be only too ready to assume custody of them here.

Yours sincerely,

RONALD M. J. HARRIS

60

Revised Draft Letter to Field Marshal Viscount Wavell (Extract)\(^1\)

L/PO/6/118: ff 28–34

TOP SECRET
President of Board of Trade’s revised text with amendments proposed by Secretary of State for India shown in italics or in double brackets.

*  *  *

II. Having put aside this possibility\(^2\) it remains to consider what policy should be followed in each of the three events set out above. We deal with them below in the order there stated. But before we do so we set out certain principles to which, from the point of view of the political position in this country, any plan must conform wholly or in part. These are:

1. The intention to withdraw must be announced in Parliament and if there is time it must be debated there before we begin to give effect to it.

2. The announcement would have to be on the basis that the position in India has passed beyond our powers to control and that, therefore, the withdrawal must begin almost immediately the announcement has been made. It can of course be phased, but only to the extent necessary to operate it effectively and with the greatest possible security for those who are being withdrawn.

3. Wherever possible we should hand over authority to some recognised existing body, e.g. a Provincial Ministry.

4. The date of the original announcement must be the subject of later discussion with us, as it cannot be made until we are satisfied that there are adequate grounds on which we can justify this decision to Parliament.

II (a). We now deal with the three alternative situations:

(a) Withdrawal of both Parties from the Interim Government.

In this case we assume the active hostility to each other of both Parties throughout the country and to ourselves from at least one of them. From present indications this would entail a major civil war at any rate in the Northern Provinces.

There would in such a case be no alternative for us except to withdraw as expeditiously and safely as possible.
We accept your view that the existing military plan is inadequate. We agree that it is for you as the man on the spot to advise what is the best method of withdrawal to ensure the safety of our Nationals and as to the details of such a plan.

12. Plans to meet this contingency must comply with all four conditions set out in para. 11 above and subject to which we shall be glad if you will put their preparation in hand. This must not, of course, in any way be regarded as a decision to withdraw. Quite the contrary. A decision to withdraw can only be taken nearer the event. An emergency administration of officials would have to be set up and the withdrawal might have to be more nearly a military operation. Though there should be no announcement in advance of the phases of the withdrawal we agree that it should be planned in timed phases. It is of course essential that no suggestion that such a plan is even contemplated should gain any currency in India or elsewhere.

(b) A break with Congress.

This would presumably entail the active hostility of Congress throughout the country but not that of the Muslim League. To that extent it would no doubt tend to exacerbate the already acute communal differences and would perhaps lead to as great a measure of disturbance as the event (a) above.

Nevertheless our situation would be different in that we should continue to have the support of the Muslims in any attempt to continue in India.

We could not however hold the whole of India under such conditions even for a short time and we should therefore be compelled to evacuate at least the Congress controlled provinces handing over to them as far as was possible.

This might enable us to stage a rather slower and slightly different form of evacuation though we should have to evacuate nevertheless. The plans for it would also have to conform to all the requirements in 11 though possibly some modification of (3) might be agreeable if the Congress set up some central organisation for their Provinces.

As this is quite a possible and indeed perhaps the most likely form of political breakdown we consider that a separate and different plan of evacuation should be considered in this case.

We should have no objection to a temporary "resting" in the Muslim provinces but we should not contemplate any permanent remaining there.

(c) A break with the Muslim League.

1 On 19 November 1946 Sir S. Crippps' Private Office sent the India Office a revision prepared by Sir S. Cripps of the draft letter to Lord Wavell on breakdown policy (see No. 34). L/P &f/10/46: ff 383-6, 387B, 389, 390c-392. Between 19-21 November Sir S. Cripps' revise was studied by Mr Turnbull, Sir William Croft, Sir D. Monteath and Lord Pethick-Lawrence as a result of which a further document was prepared giving Sir S. Cripps' text together with amendments to it suggested by Lord Pethick-Lawrence. Ibid: f 382; L/PO/6/118: f 40. An extract from this further document is printed here. See No. 94 for the text of the letter sent to Lord Wavell.

2 That H.M.G. might change their policy and continue to rule India for a lengthy period of years.
This would raise much the same problems as (b) in northern India but probably not in the South.

We should not however contemplate remaining in India to dragoon the Muslims into compliance with Congress demands. We should again have to come out but our method and tempo of withdrawal might again be different. [It would be possible to maintain for a time a central Government in association with the 8 Hindu provinces and encouragement might be given to the Muslim provinces to form a Union of their own—while we were withdrawing.]

3[[It would probably be the case that this situation would rapidly lead to a break with Congress because they would wish to use all the strength and authority of the Central Government to prevent the setting up of Pakistan. The course we should have to take would we think depend on circumstances but we suggest that it would be desirable to have available a plan for withdrawal from the Muslim Provinces and subsequently from the Hindu Provinces in case it should be required.

Plans for this eventuality would also have to conform to all the conditions in 11 above. We could not hand over to a Hindu controlled Centre the existing constitutional authority of the Centre in respect of Muslim India.

In all these plans you would no doubt take account of any help we might receive from the States but we feel it is important that we should not be drawn into a position in which we found it difficult to withdraw from the States because of the assistance they had rendered.]]

12 (a). It is of course impossible to envisage all the various ways in which the political breakdown might occur but we feel that if we had the three plans to deal with the circumstances of (a), (b) and (c) above they could then be rapidly adapted to any variation in the circumstances contemplated.

These are of course all breakdown plans and are only envisaged upon the basis that every device has been tried to get our policy through and that it has failed.

They are [not a threat to be held over the head of the Indian parties but are] for our own most confidential guidance only and would not be put into operation without the express sanction of the Cabinet.

3 Lord Pethick-Lawrence noted against the paras in double square brackets: 'I suggest this in place of the passage in single brackets. I do not think we could please both sides in such circs.'

4 Lord Pethick-Lawrence noted against the words in square brackets: 'I would omit this.'
61

Mr Harris to Mr Abell

Telegram, L/MIL/7/19590: f 28

INDIA OFFICE, 19 November 1946, 11.45 pm
No. 20309. Telegram No. A.3676 from Press Information Bureau reports issue of communiqué on November 13th about Committee on Nationalisation of Indian Armed Forces. In absence of any official information from Government of India, and in view of likelihood of questions in Parliament, any background information you are able to provide would be appreciated.

1 This communiqué announced the appointment by the Govt of India of a Committee on the Nationalisation of Indian Armed Forces under the chairmanship of Sir N. Gopalaswami Ayyangar. The Committee, inter alia, was to report within six months on 'ways and means within the minimum possible period of replacement of non-Indian personnel by Indians in each branch or service' and to make its recommendations 'with a due regard to Indian national interests and reasonable efficiency.' The Committee was also to report on 'ways and means of retaining, if necessary, non-Indian personnel as advisers or experts in the nationalised categories'. L/MIL/7/19590: f 31.

62

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/92: f 196

20 November 1946

Dear Pandit Nehru,

Many thanks for sending me with your letter of the 18th November1 a copy of your letter dated the 16th November2 to Sir Olaf Caroe. It is an interesting letter which I am grateful to you for showing me, and I think the decision you have reached that we should not consider any basic changes on the Frontier at present is a wise one. As you know, I discussed the matter of Mahbub Ali Khan with the Governor and I understand that he is taking action.

Yours sincerely,

WAVELL

1 R/3/1/92: f 185.  
2 No. 46.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: ff 50–2

MOST IMMEDIATE

NEW DELHI, 20 November 1946, 2.30 pm

Received: 20 November, 11.40 am

No. 2442–S. Your 20252 and 20253.¹ I returned from tour yesterday and saw both Jinnah and Nehru.² A letter dated 17th November³ from Jinnah was awaiting me. I had asked him what specific assurances he wanted. He replied that the Congress had not really accepted the Statement of May 16th and that the real point was to get them first to agree to the fundamentals in the clearest language, after which we should devise means by which the proposals could be implemented and enforced by H.M.G. if the Congress broke their word. He suggested that the state of the country was such that it would be worse than useless to summon the Constituent Assembly for the 9th December.

2. Jinnah took a similar line in his interview. I said that I did not see how I could postpone the meeting or how it could be said that communal tension would be less in a few months time. I was sure that the right policy for the League was to come into the Assembly and to negotiate with the Congress. They could come out if they did not get satisfaction. The Congress could never make a constitution for the whole of India without the Muslim League, nor could the League force a constitution on Assam or any other Provinces in section B and C against their consent. The only alternative to agreement was civil war which was likely to be disastrous for the Muslims and would break up the Indian Army. The British could not remain indefinitely in India until the parties had reached agreement. Mr. Jinnah replied that we were gradually putting Muslims under Hindu rule and that a settlement between the two communities was quite impossible. If we were going we had better go at once, preferably after dividing the country between the two communities in any way we liked. Alternatively we should stay and continue to rule. He said we should give the Muslims their own bit of country however small it might be and they would be content to live there on one meal a day, etc.

3. Jinnah was very worked up about Bihar and used it as evidence that agreement between the two communities was impossible. He said that to call the Constituent Assembly would be the greatest possible mistake and would lead to terrible disaster for which H.M.G. and I would be responsible. Jinnah was quite friendly and he no more wants civil war than anyone else, but he is probably not entirely in control of events in the League.

4. I told Nehru what Jinnah had said about the Constituent Assembly and
warned him that its meeting might accentuate the communal trouble, but that if he recommended the issue of invitations I would agree. He did so and I am issuing the invitations. He proposed that the first Session should last for about ten days and should concern itself with procedure, the appointment of Committees and so on. The Assembly would then break up until April and in the intervening period there would be discussions by the sections. Nehru pointed out that Muslim League membership of the Government was depend-ent on their acceptance of the long term issue. I agreed but said that we had better take our fences one at a time and see what the attitude of the League would be to the calling of the Constituent Assembly. Nehru accepted this. I then had some friendly discussion on various other points.

5. In the present circumstances I do not think a statement should be made by H.M.G. or by me on the lines of your 20253 especially as Jinnah himself apparently wants first an understanding with the Congress.

6. We are very near what will amount almost to open civil war between the communities, and it is possible that the calling of the Constituent Assembly may precipitate the outbreak. But I do not think it is possible to delay further without changing our whole policy and I feel that we must take the risk. It is just possible that discussion between the leaders in the intervening period, which I have urged on both Nehru and Jinnah, may produce some result, but I am not hopeful. Bitterness between the leaders and the communities generally could hardly be any worse than at present.

1 Nos. 53 and 54.  2 Nos. 57 and 58.  3 No. 48.

64

Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/127: f 54

20 November 1946

Mr. Jinnah has spoken to me over the telephone. He says he cannot afford to be misrepresented all over the country and must release the two letters I showed Y.E. of the 5th and 17th Nov.¹

I said that if he did so he would do it contrary to your very strong wish, and you were the author of one of the letters. You thought it was most in-advisable to release the letters.

¹ Nos. 7 and 48.
Mr. Jinnah reiterated that he could not be misrepresented and said he would release the letters tonight—I said I would tell Y.E., and you would be very sorry to hear it.

G. E. B. ABEll
20/II/46

He is a tiresome fellow and I don’t think it will do him or anyone much good.

W.
20/II

65
Field Marshal Viscount Wavell to Sir F. Bourne (Central Provinces) (Extract)
R/3/1/92: f 197

No. 40/7
20 November 1946
5. I have been on a short but extensive tour of the N.W.F.P., during which I have addressed two jirgas, one of Afridis at Landi Kotal and one of Ahmadzai Wazirs at Wana. I wanted to see for myself what the permanent effects of Nehru’s tour had been, and also to try and bring some encouragement to officials who had been so maligned as a result of it. I found the jirgas keenly interested in all-India politics. The idea of domination by Hindus, which is what they took Nehru’s visit to imply, is anathema to these people. The Wazirs seemed to wish to align themselves with the Muslim League. I advised both the jirgas not to ally themselves with any particular party, but to wait on events, and remain united to negotiate new agreements with the future Government of India when the time came. The morale of the Services is low in the province, and there seems to be a good deal of mistrust between them and the Ministry.

66
Sir Sultan Ahmed to Sir C. Corfield
R/1/30/39: ff 123-4
NEW DELHI, 21 November 1946

My dear Corfield,
I am desired to enclose herewith a copy of the Resolution unanimously adopted by the Standing Committee of Princes at their meeting held today. The publi-
cation of this Resolution will also announce the personnel of the Negotiating Committee.

Yours sincerely,
S. SULTAN AHMED

Enclosure to No. 66

The personnel of the States Negotiating Committee which was set up in June last in response to His Excellency the Viceroy’s invitation in accordance with the Cabinet Mission’s statement of the 16th May, 1946, consists of the following:

(1) His Highness the Nawab Ruler of Bhopal, Chancellor, Chamber of Princes.
(2) His Highness the Maharajadhiraja of Patiala, Pro-Chancellor, Chamber of Princes.
(3) His Highness the Maharaja Jam Saheb of Nawanagar.
(4) Sir C.P. Ramaswami Aiyer.
(5) Sir Sultan Ahmed.
(6) Sir Mirza M. Ismail.
(8) Sir A. Ramaswami Mudaliar.
(9) Sardar K. M. Panikkar.
(10) Maharaj Virbhadra Singhji.
(11) Vacant (due to the demise of the late Sir Manubhai N. Mehta) to be filled shortly.

Secretary—Sardar Mir Maqbool Mahmood.

This Committee will meet any representative Committee which may be set up by the British India portion of the Constituent Assembly as contemplated and declared by His Majesty’s Government in Parliament in order to negotiate the terms of the States participation in the final Constituent Assembly and as to their ultimate position in the proposed All-India Union. The members of the States Negotiating Committee will also be available to serve on such other committees as may be set up by the Constituent Assembly to consider questions which, in the opinion of the States Negotiating Committee, may also concern the States.¹

¹ On 13 January 1947 the Nawab of Bhopal informed Sir C. Corfield that a majority of the Standing Committee were in favour of the proposal for the inclusion on the States Negotiating Committee of the Raja of Bilaspur in place of the late Sir Manubhai Mehta and of the Maharawal of Dungarpur in place of his brother Maharaj Virbhadra Singhji. Sir B. L. Mitter, Sir V. T. Krishnamachari and Mr R. C. Kak were also to be added to the Negotiating Committee. R/1/30/39: f 151.
21 November 1946

Thank you for your letter of the 20th November\(^1\) regarding the proposal to send Krishna Menon to some European countries and K. P. S. Menon to Moscow. Since my talk with you on this subject I have given considerable thought to this matter. The more I think of it the more extraordinary it appears.

This question arose because of my desire to explore possibilities of developing diplomatic relations with various European countries. The idea was that this should be done informally at first, more [e]specially in the case of Russia. On receipt of a report about these informal approaches subsequent action could have been decided upon on an official level. Krishna Menon seemed to me a very suitable person for this kind of work and as he happened to be in India then I discussed it with him. Soon after his return to England the matter was considered in the External Affairs Department and it was then proposed to authorise him to visit a number of European countries as well as Russia for this purpose. He was to make no commitments on our behalf but just to report to us by January next. We intended sending him a full brief as to how he should proceed in the matter.

While this matter was being considered by us, the question of getting some food from Russia became an urgent one and we sent the request by telegram to Moscow.\(^2\) This was repeated to Krishna Menon who was asked to deliver it personally to Molotov in Paris. The result of his interview with Molotov did not yield food at present but was otherwise very satisfactory. It was agreed that he should visit Moscow for further conversations. This successful approach encouraged me still more to pursue this method of informal approach in various countries. Subsequently Krishna Menon was appointed an alternate delegate in the Indian Delegation to the United Nations General Assembly. He has had occasion in New York to meet Molotov repeatedly and I have been informed that the invitation to visit Moscow has been repeated. He has met a number of other diplomatic representatives from various countries and the result of his conversations has been satisfactory.

These conversations and invitations must now be followed up as soon as possible and the next step is naturally for Krishna Menon to visit some of these countries including Russia. All this would have been on the informal plane to be followed up later by official approaches and final decisions on our part. My Department, however, thought it might be preferable to make the official
approach to Russia now, leaving it to Krishna Menon to go to some other European countries for the informal talks. This is the proposal which was to have been put up before the Cabinet. If it is preferred, I am quite agreeable to Krishna Menon going to Russia also, and for the official approach to Russia to follow later. This would fit in with Molotov's invitation.

There has been great delay in sending instructions to Krishna Menon in New York and future arrangements are suffering because of this. I was anxious therefore for a speedy decision. There was no necessity for this matter to be put up before the Cabinet as it was of an exploratory nature. But I decided to consult the Cabinet before taking any further step.

I was surprised at what you told me the other day in regard to this matter. I do not understand the communal problem interfering with any such activities on our behalf. Your suggestion that I should consult Mr. Liaquat Ali Khan about it is still more surprising. I have told you previously that I find it difficult to function in Government when some members of Government are not even agreeable to normal consultations and insist on keeping themselves apart as a block. This matter will necessarily have to be gone into and clarified. The present situation is highly unsatisfactory and I doubt if any Government can function in this way unless it is a static Government doing little or nothing. What is worse is the conception underlying it of two blocks inside the Cabinet functioning more or less independently except on formal occasions. This is entirely opposed to my conception and to what we have put to you repeatedly. Indeed it was made very clear by me and accepted by you, on the occasion of the Muslim League Members coming into the Cabinet, that the Cabinet would have to work as a team. It was on this basis that we agreed. Otherwise I would certainly not have agreed to any change in the Cabinet.

It now appears not only that the Muslim League Members are going to function as a separate block but that you wish to encourage them to do so. If any matter arises it is referred to Mr. Liaquat Ali Khan and me as if we represent two different blocks. And now you ask me to consult Mr. Liaquat Ali Khan in a matter which concerns my Department and has absolutely nothing to do with him except in so far as he is one of the Members of Government. I am unable to accept this procedure.

This question raises much wider issues which I should like you to consider. We are likely to face this issue in various forms again and again and the sooner a decision is arrived at the better.

I feel that various assurances given to us at the time of the formation of the Interim Government have gradually faded away and a definite attempt has been made to change the whole character of Government as it was envisaged.

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1 Lord Wavell's letter has not been traced. Presumably it pressed the points which Lord Wavell had already discussed with Pandit Nehru at his interview on 19 November; see No. 58, para. 6.

2 See Vol. VIII, No. 356.
when you asked me to form it in August last. I accepted your invitation
then and requested you to announce publicly that you had asked me to do
so. It was only then that I took any further step. The present position is ob-
viously entirely different and, as I have mentioned to you, it is a matter for the
most serious consideration for us as to what we should do in these altered
circumstances.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/119A: ff 141-2

MEERUT (CAMP), 21 November 1946

Dear Lord Wavell,

I should like to draw your attention to a leading article in Dawn of November
21 on the Constituent Assembly. Dawn is supposed to be the organ of the
Muslim League. In the course of this article it says in regard to the Constituent
Assembly: “Its (the Muslim League’s) decision of boycott taken on July 29
at Bombay1 is still undoubtedly in force; and its participation in the Interim
Government was not made conditional on a rescinding of that decision. On
this point the League scored a triumph which to some extent compensated it
for the set-back it had received due to the Cabinet Mission’s earlier misinter-
pretation of paragraph 8 of their Statement of June 16. If the League adheres
to its decision to stay out of the Constituent Assembly while sharing power in
the Interim Government, there is no authority that can prevent it from doing
so”.

This is a clear statement of the League’s position. We had been repeatedly
told that acceptance of the so-called short-term plan, that is entry into the
Interim Government, was dependent on an acceptance of the long-term plan,
that is the Cabinet Mission’s Statement of May 16. If the Muslim League
refuse to accept the long-term plan, it is not at all clear to me how they can
function in the Interim Government. I shall be grateful if you will kindly
clear this matter up. This question will arise in various ways in the course of
the next two or three weeks.

It seems to me clear, and indeed it is stated on behalf of the Muslim League,
that they have deliberately avoided committing themselves to anything at all
in regard to any matter. While we were assured by you that they were com-
mitted, in fact it was not so. It is for you to consider whether you were misled
or not. We were certainly misled by what you assured us. It is not possible to
carry on any harmonious work on the basis of misunderstandings. It is quite
possible that there will be future misunderstandings on assurances or commit-
ments which actually do not exist. I should like to avoid this and hence my desire for clarity on all these issues. That will enable all of us to determine our future course of action.

Yours sincerely,

JAWAHARLAL NEHRU

Enclosure to No. 68

CUTTING FROM Dawn, DATED THE 21ST NOVEMBER 1946

CONSTITUENT ASSEMBLY

The Viceroy seems to think that the play of Hamlet can be staged with only half a Hamlet: he has summoned the Constituent Assembly to meet on December 9, although the Muslim League's decision not to participate in it still stands. There are reasons to believe that he has been jockeyed into this decision by Congress pressure inside the Government and outside in the Press. For some days past all "guns" had been trained on him with the sole object of coercing him into submitting to the Congress will in this regard. Whatever his gallantry on the battlefields might have been, he seems to have put that virtue in cold storage along with his Field-Marshals's uniform. During his tenure of office as Viceroy he has set up an unenviable record of continual retreats in the face of heavy pressure. Once again, he has yielded on the issue of the Constituent Assembly, and we believe he has done so against his better judgment.

Quite apart from the fact that no constitution for the future of this sub-continent drawn up without the co-operation of the Muslim nation can be brought into force except by force, the present is the most unpropitious time for the best among Hindu and Muslim leadership to confine their attention to the task of constitution-making. The whole country is in the throes of unprecedented communal ferment; in some quarters it has been even described as civil war. Whatever attempts Congress leaders and the Congress Press may make to belittle the mass massacres committed in Bihar, the Viceroy must be fully aware of its nature and extent, and of the problems thereby created. These problems are of colossal dimensions and have to be immediately attended to. They call for the undivided attention of not only Muslim leaders and the Muslim League organisation, but also of the Central and Provincial Governments, if they are alive to their responsibilities; and of top-ranking Congress leadership, if they are honest to the principles they claim to stand for or to humanity.

Apart from Bihar, over large areas of the United Provinces and Bombay, and also elsewhere, tension is rising and people are living on tops of powder magazines which may blow up at the slightest provocation. Ways and means have to be devised to bring the situation to normal, not merely in outward

1 See Vol. VIII, No. 86.
appearance but also in reality. This is a task which calls for wholehearted and continuous effort by the very men whose time and energy will be almost exclusively claimed by the Constituent Assembly if that body meets and continues with its deliberations. If it is the plan of the Congress that this “civil war” is to go on, that Indians should die by the thousand at the hands of fellow Indians, and arson, loot, rape, abduction, conversion from one religion to another are to be the order of the day, it is, of course, another matter.

For these reasons, therefore, we repeat that Lord Wavell has committed another act of folly, and proved once more how utterly weak and vacillating he is. The Muslim League must now deal with the matter in the light of this new complication in an already complicated situation. Its decision of boycott taken on July 29 at Bombay is still undoubtedly in force; and its participation in the Interim Government was not made conditional on a rescinding of that decision. On this point the League scored a triumph which to some extent compensated it for the set-back it had received due to the Cabinet Mission’s earlier misinterpretation of paragraph 8 of their Statement of June 16. If the League adheres to its decision to stay out of the Constituent Assembly, while sharing power in the Interim Government, there is no authority that can prevent it from doing so. Whether this obstinate folly of others to proceed with the Constituent Assembly plan now calls for fresh consideration of the matter by the League’s Council, on grounds of tactics, is however, a matter which has to be decided having regard to the advantages and disadvantages of alternative courses of action.

There is no gainsaying the fact that the dispute between the Congress and the Muslim League over the interpretation of vital provisions in the Cabinet Mission’s plan of May 16, still remains unsettled and the last document on record from the Congress side is Pandit Nehru’s letter to the Assam Premier\(^3\) in which he again indicated the determination of the Congress to interpret in an arbitrary way the option given to Provinces. The British Government have not uttered a single word since the inadequate statements of Lord Pethick-Lawrence and Sir Stafford Cripps in the Parliamentary debate on July 15,\(^4\) to allay Muslim suspicions that inside the Assembly the Congress will use its majority and take decisions contrary to the letter and the spirit of the agreed plan.

Faced with a similar situation created by Congress arbitrariness and British treachery, in the sphere of the Interim Government, the Muslim League has successfully outmanoeuvred and outwitted both. With the same generalship it may be possible, in the sphere of constitution-making also, to marshal the League’s forces in such a manner as to upset the Congress’s apple-cart.

\(^3\) See Vol. VIII, No. 385.

Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell (Extract)

L/P & J/8/650: f 33

SECRET

GOVERNOR'S CAMP, UNITED PROVINCES, 21 November 1946

U.P.-66

Will Your Excellency kindly refer to my letter No. U.P.-65 dated November 19th about Meerut?¹

2. I arrived in Meerut yesterday morning, saw all the principal officials before lunch and spent the afternoon at Garhmuktesar. I was not able to take a Minister with me to Garhmuktesar, for the Congress Working Committee failed to finish its deliberations on the 19th and Pant and Kidwai had both to go to Delhi again yesterday for this reason. In the evening however I had a long talk with Kidwai with results which I will explain later.

3. The Garhmuktesar affair was horrible.² I need not go into gruesome details, but the facts mentioned in Baynes’ letter of November 18th,³ of which you have had a copy, are true and more. I saw a police constable whose wife and eight children had been horribly murdered while he himself was on duty less than half a mile away. Whole families have in some cases been wiped out and this all done with the most hideous cruelty. The little town is just stunned. A considerable number of people are still left there, but there is no sound of life and an awful stillness has settled over the place. Our relief measures—immediate relief—are adequate enough, but nobody has so far given his mind to the question of long term relief. The Muslims of course took charge of me the moment I arrived there, but I must say that there were two Congressmen as well—members of our Legislative Assembly—who went around with us and who were most patient and sympathetic even when the cries of the Muslims became aggressive. I said what I could which was not much and came away.

4. The urgent needs of the situation are:—
   (a) technical assistance in assessing the damage to houses and to get re-construction started;
   (b) alternative water supply arrangements. All the existing wells are either choked with corpses or have been polluted.
   (c) Immediate investigation on the most intensive scale into the crimes that have been committed. For this a special staff will be needed about which more later.

¹ This letter and its enclosures related to the communal situation in the Meerut district. L/P & J/8/650: ff 18–30.
² See Nos. 15 and 21.
³ L/P & J/8/650: ff 20–6.
5. On my return from Garhmuktesar I sent Pant—who in the meantime had arrived in Meerut—a letter of urgent advice asking him to agree that all these things and much else, with which I need not trouble you, be done and done immediately. I then saw Kidwai. He was reasonableness personified, readily agreed to all my suggestions and generally was at his blandest. This is part of Kidwai’s technique, and deceives nobody in the U.P. I made no mention of the I.N.A. incident for reasons which I will now explain.*

* The ‘I.N.A. incident’ referred to here was the recruitment of 60 I.N.A. men as special constables to assist in the protection of Congress leaders during the Congress meetings at Meerut. Papers on this matter will be found on L/P & J/8/650. See also No. 77, para. 12. Sir F. Wylie did not mention the subject to Mr Kidwai because of doubts regarding the legal status of special constables.

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Note by Field Marshal Viscount Wavell of Interview with Muslim League Members of Cabinet (Mr Liaqat Ali Khan, Mr. I. I. Chundrigar, Mr Abdur Rab Nishtar and Mr Ghazanfar Ali Khan) on 21 November 1946


SECRET 22 November 1946

Liaquat put to me quite bluntly the question whether I and His Majesty’s Government intended to keep order in India and protect minorities while we remained here or not. He said that the responsibility was still ours, but that we were not carrying it out, did we intend to? I felt bound in honesty to tell them that our ability to carry out our responsibility had very greatly weakened. Since the British Government had announced its intention of handing over power in India shortly, we could not expect the same degree of co-operation and support from the officials and police that we formerly enjoyed. The recent troubles had shown that the police in many parts of India were affected with communalism and were no longer to be relied on for firm action against their own community. The same applied to a certain degree to the officials also. Even where officials and police would have been prepared to carry out their duties firmly and loyally, their morale had been so shaken by the campaign carried on against them in the past year or two that they no longer took the prompt and firm action that they would previously have done. Only the army had so far escaped any taint of communalism and was carrying out its duties in loyalty to the orders of its officers. But this would not last indefinitely, if troops continued to be employed in the suppression of civil disturbances, which was in any event not their proper job.

I went on to say that the present situation was the result of a long excitement
of communal hatred by both sides in speeches and papers. I had repeatedly
warned all leaders that the preaching of violence was bound to lead to violence
but that it had still gone on. The withdrawal of the Muslim League from their
acceptance of the Statement of May 16th, and their declaration of “Direct
Action” had been most unwise and provocative, and had done much to cause
the present situation. Whatever grievances they might have, it was surely better
to discuss them in the Constituent Assembly than to stir up trouble outside,
the result of which to the Muslim community they could now see. I advised
them strongly that their only safe and wise course was to go into the Con-
stituent Assembly and use their undoubtedly strong bargaining power.

There was some considerable discussion about the necessity for firm action,
the proclamation of martial law, the extended use of troops if the police were
not reliable; if there were not enough British troops in the country to maintain
law and order, His Majesty’s Government should send more. I explained the
dangers and difficulties of military rule and that it could not possibly lead to
any permanent solution of India’s problems, nor could His Majesty’s Govern-
ment maintain its authority indefinitely in India by the use of British or of
Indian troops. I again advised the Muslim League Members strongly that they
should use the Constituent Assembly to try and settle their differences; even if
the negotiations failed, they would not be worse off than if they had never
entered into discussion; and they would at least have a better case in the eyes
of the world.

They then took up the line that His Majesty’s Government were throwing
the Muslims to the wolves, though they had supported the Government
during the war, and were handing them over to the Congress who had done
their best to impede our war effort. I pointed out that the attitude of the
Muslim League had been one of neutrality rather than support, but that I fully
recognised the attitude of the Muslims in general. After some rather painful
discussion on this theme, Liaquat remarked sadly that the real fact was that the
Congress knew full well that the present British Government was afraid to
oppose them and that they could do what they liked; they therefore would
not negotiate with the Muslims on any basis other than as suppliants.

2. They then turned to the question of rehabilitation in Bihar. They handed
me the attached note and made the following requests:—

(a) That the Relief Organisation to be established in Bihar should be under
the Governor and not the Government.

(b) That the Head of the Relief Organization should be British or Muslim,
but not Hindu.

(c) That it should keep in touch with the Muslim League Committee in
Bihar under Nazimuiddin and Firoz Khan Noon.

(d) That the troops should not be withdrawn for a long time to come.
I said I would take note of their requests; but as regards the troops, it was impossible that they should remain indefinitely.

3. The interview lasted for about an hour and a quarter; they were quite friendly but obviously reproachful.

W.

Enclosure to No. 70

NOTE HANDED TO HIS EXCELLENCY THE VICEROY ON 21ST NOVEMBER 1946 BY MUSLIM LEAGUE MEMBERS OF THE GOVERNMENT

1. Description of riot situation:—

(a) The riots were not a sudden or spontaneous repercussion of Noakhali. Planned on a big scale, which must have taken time. It would be more correct to say that plans were made on a big scale in several parts of the country and that Calcutta itself was part of this plan. Noakhali was an unpredicated and spontaneous repercussion of Calcutta. Otherwise the plan wholly related to Hindu majority areas.

(b) The extent of damage to life and property. The attitude of the Ministry and the Provincial administration.

2. Relief measures to be taken through the Governor, under Section 52 of the Government of India Act.

3. Martial law or other adequate protective measures to be promulgated for the affected areas under special provisions of the Constitution. This will have a deterrent and very salutary effect not only on other parts of Bihar, but also on other Provinces.

4. A committee to be appointed at once to plan and arrange exchange of population and property. It is important to emphasise that:—

(a) a policy of concentrating Muslims into large pockets should be adopted as the only sure way of protecting them against possible recurrence of similar trouble;

(b) the scattered Muslim families, which are still in a kind of siege in the interior and are anxious to be rescued, should be helped to come into big centres;

(c) the refugees should not be forced or stamped into returning to their homes where they will be unsafe.

5. A trustee commission to be appointed for the unclaimed lands and crops and cattle, belonging to families which have been completely wiped off, none of them surviving to claim whatever there may be to claim. The Bengal Government have promulgated an ordinance with the object of restoring to absentee refugees the value of their crops, etc.
6. Commission of inquiry of the highest judicial authority should be appointed at once.¹

7. Special tribunals to be appointed to try riot cases.

8. Special measures to be adopted for the recovery of Muslim women and children from the custody of the Hindus through British or Muslim Army. For this propose [purpose] it will be necessary to arrange simultaneous raids or other measures at various places; otherwise a raid at one place will lead to attempt at concealment or even killing of the kidnapped persons in other parts.

9. The imposition of collective fines.

10. Hundred per cent. compensation for all losses suffered.

11. More Army and Muslim troops.

¹ In a note dated 23 November 1946, Mr Abell stated that he had spoken to Lord Wavell about this point and continued: "The Members did not press this point and H. E. thinks it can stand over for the present. The other points are either for the Bihar Government to deal with or will be adequately covered by the assistance which it is proposed to give to the Bihar Government from the Centre." R/3/1/148: f 7.

71

Cutting from Hindustan Times of 22 November 1946

R/3/1/127: ff 60-1

ALL IS NOT WELL WITH INTERIM GOVT.

Viceroy has changed, says Nehru.
League functioning as King’s party.
(By Our Special Representative)

MEERUT, NOVEMBER 21ST.—"The Viceroy has failed to carry on the Government in the spirit in which he had started. He is removing the wheels of the Cabinet coach one by one", observed Pandit Jawaharlal Nehru this afternoon at the Subjects Committee. He was making a clean breast of the position in which the Interim Government was finding itself today.

"Ever since its entry into the Government the League has pursued its aim to enlist British support. He had once written to Mr. Jinnah that differences between the Congress and the League in the Interim Government should be settled by themselves without the Viceroy’s intervention. Mr. Jinnah did not categorically reject this suggestion. But after coming into the Government, the League had been endeavouring to establish itself as the King’s Party in the Government. The British Government for its part had been exploiting this
position for its own purposes. There is also a mental alliance between the League and senior British officials.

"The situation is very delicate. I feel we should remain in the Interim Government. How long, I cannot say. What form our struggle should take will have to be considered when the occasion arises. I warn the Viceroy that our patience is fast reaching the limit."

Pandit Nehru made these outspoken statements while moving the resolution directing Congress representatives in the Constituent Assembly to prepare a constitution for "an independent sovereign republic". The resolution was passed unanimously, Pandit Nehru making it clear that the term "republic" had been formally used by the Congress for the first time. It was clear from the temper of the House that the open affirmation of the ideal of a republic is the Congress answer to the recent moves of reactionaries in India.

Provocation for Pandit Nehru's speech was provided by the earlier resolution asking for ratification of the various decisions of the Working Committee and of the A.I.C.C. leading up to the formation of the Interim Government. This resolution was carried by an overwhelming majority, only 30 voting against it. But of the 12 members who spoke on it only one, Sardar Partap Singh, supported it. The critics declared that the experiment of the Interim Government had failed because of the Viceroy's action and the Muslim League members' attitude.

Assurances Thrown to Winds.

Pandit Nehru assured the Subjects Committee that he had been given assurances by the Viceroy that the Muslim League members would work as a team in the Cabinet and that the long-term plan would be accepted by the League. Both these fundamental assurances had been thrown to the winds. The League spokesman on the day the Leaguers took office had said there was to be neither a Cabinet nor a coalition and Mr. Jinnah's letter of November 17th to the Viceroy made it clear that the League had not accepted the long-term plan. "How, then, can the Muslim League remain in the Interim Government?", asked Pandit Nehru amidst cheers.

Pandit Nehru also disclosed that although he had thought of resignation fifty times he had twice mentioned it to the Viceroy. He added that whenever he thought of resignation his critics begged him not to resign.

He attributed the present trouble to the permanent British officials who being traditionally anti-Congress found in the League their natural companion because the League too acted on anti-Congress lines.

Pandit Nehru declared that the Constituent Assembly must meet because if it was postponed it would only give opportunity to mischief-makers to create more trouble and thus block the path of progress. He hinted that when India was finally free she might have to call another Constituent Assembly. For the
present they must make the best use of the Constituent Assembly that was being called.

[Three paras., on Mr Kripalani’s assumption of the Congress President-
ship and other matters, omitted.]

Maulana Azad moved the resolution asking for ratification of the decisions leading up to the formation of the Interim Government. Maulana Azad characterizing it as a formal matter made no speech. Pandit G. B. Pant, who seconded it, was also very brief: he merely emphasized that the Interim Government was not the old Executive Council.

**Socialist Opposition.**

Mr. Achyut Patwardhan led the opposition to the resolution. He told the members of the Interim Government: “You have not been untrue to your creed but the Englishman has let you down. Remain where you are but adopt a militant programme.”

Swami Sahajanand said: “If you cannot function, get out. The scene in the Council of State of two members of Government making contradictory statements shows that you have no government. You have created the Muslim League by constantly appeasing it.” Mr. Mohan Singh Sohani accused the British of having gone back on their word. Mr. Shibbanlal Saxena said that Hindus were turning against the Congress. He demanded action against Mr. Jinnah’s preachings and the outpourings of the newspaper *Dawn*.

Mr. S. C. Dey said even the administrative service had now split into two camps. Mr. Ashok Mehta described the present plight of nationalism by stating: “A year ago, an Englishman could not show his face in Bombay or Calcutta; today he alone moves freely and even Indians move in English dress”.

Sardar Partap Singh, member of the Working Committee, tried to defend the High Command by asking the critics to give up their inferiority complex. He was not afraid of a fight with the League which represented vested interests.

**Recall of Viceroy.**

Mr. Sidhwa said that the Viceroy should be recalled because he had dishonoured his pledge by dealing directly with Mr. Jinnah. He added: “But do not leave the Interim Government. Snatch freedom from the British hands while remaining there.” Mr. Mendage also referred to the tragedy of the Interim Government speaking with two voices.

Sardar Mota Singh thundered that the British were using Pandit Nehru and his colleagues as “political cows” to prevent the masses from attacking the
British power, standing behind the "cows". He called the recent Punjab Public Safety Ordinance worse than the Rowlatt Act.²

Mr. Ansar Harwani said that a combination of revolutionary and reactionary forces in one government was impossible.

The debate lasted over two hours. Maulana Azad replying assured the House that the Working Committee was wide awake and that a declaration of war in a huff was not wise. The resolution was passed by an overwhelming majority.

Thereafter, the President moved three resolutions on South Africa, East Africa and Indonesia, which were passed.

Pandit Nehru, who had heard intently the charges made by the various speakers in the previous debate gave his answer while moving the resolution on the Constituent Assembly.

There is no doubt that the change of attitude on the Viceroy’s part, Mr. Liaquat Ali Khan’s statement on the day the Leaguers joined the Interim Government,³ Mr. Nishtar’s statement in Council of State on the Bihar riots⁴ and Mr. Jinnah’s latest letter⁵ to the Viceroy have combined to bring about a crisis. General feeling in the Congress camp is that the Interim Government cannot function for long on the present basis, and that the British Government will have to make the League fulfil the assurances given by Lord Wavell to Pandit Nehru or ask the League to quit office.

Those who thought that the Congress session would be a dull affair were pleasantly surprised to find that the issues coming before it are of a grave character. Today’s sitting of the Subjects Committee might indeed turn out to be the most important of the session. The manner in which Pandit Nehru’s statement was received by the delegates showed that the entire Congress stands behind the members of the Interim Government.

² In 1917 a Committee of Enquiry was appointed under Mr Justice Rowlatt to investigate revolutionary conspiracies in India. Its Report (Cd. 9190) produced evidence of subversive activity and as a result two Acts were passed early in 1919 which allowed judges to try political cases without juries in specific cases and gave Provincial Governments powers of internment. Because of widespread protest the powers in these Acts were never used.
³ See L/PO/10/23; also Vol. VIII, No. 534, para. 4.
⁵ No. 48.
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Cutting from Hindustan Times of 22 November 1946


League to Boycott Constituent Assembly.

"No representative of the Muslim League will participate in the Constituent Assembly and the Bombay resolution of the Muslim League Council passed on July 29th stands", said Mr. M. A. Jinnah in a statement on Thursday in New Delhi.

Mr. Jinnah said: "I deeply regret that the Viceroy and His Majesty's Government have decided to summon the Constituent Assembly on December 9th. In my opinion it is one more blunder of very grave and serious character. It is quite obvious that the Viceroy is blind to the present situation and the realities facing him and is entirely playing into the hands of the Congress and is appeasing them in complete disregard of the Muslim League and other organisations and elements in the national life of the country.

"In these circumstances it is obvious that no representative of the Muslim League will participate in the Constituent Assembly and the Bombay Resolution of the Muslim League Council passed on July 29th stands. By forcing this meeting of the Constituent Assembly the matter has been further exacerbated [exacerbated] and a situation has been created which will lead to serious consequences.

"I want to make it clear that no representative of the Muslim League should attend the Constituent Assembly summoned to meet on December 9th, 1946."

A.P.I.

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Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab) (Extract)¹

R/3/1/127: f 64

NO. 40/5.

22 November 1946

The position in the country as a whole is of course critical, and the latest statements by Nehru at Meerut and by Jinnah in Delhi do not offer much hope of my being able to hold together "the Coalition" in the Interim Government. Jinnah seems to me to be playing his cards badly; he must know that he has no chance of forcing H.M.G. to retain control over India; and if he appreciates

¹ Only this extract is on the file.
this, one would think he would recognise that the time has come to reach an understanding with the Congress. The difficulty is that the Muslim League depend largely on communal tension for their party power. If only Congress would stop their attempts to destroy the present constitution in the interim period, we might be able to get the League in a more reasonable frame of mind, but at present, in spite of the outwardly friendly Cabinet meetings we have been holding, the two parties are farther apart than ever.

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Lieutenant-General Sir A. Nye (Madras) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/209: f 19

SECRET

GUINDY, 22 November 1946

NO. 5/1946.

5. The events in Bengal and Bihar have had their repercussions here. There is nervousness and tension reported from all parts of the Province; rumours are prevalent; charges and counter charges are being made, and there is the possibility of disorders. We have concentrated mainly on trying to get advance information about troublesome places and thus preventing disturbances breaking out and at my suggestion the Prime Minister and the leader of the Muslim League issued a joint appeal for the maintenance of law and order. I know that, relatively, this is a quiet Province, but we are not without our anxieties and we think our own plans and preparations have contributed a good deal to the results which have been achieved.

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Sir E. Machting to Sir D. Monteath

L/P&J/10/122: ff 110–12

TOP SECRET

DOMINIONS OFFICE, 22 November 1946

NO. C.257/1.

My dear Monteath,

We have considered your letter of the 8th November¹ and the memoranda enclosed regarding the position of India in relation to the British Common-wealth.
Our general view would be that it would be in the interests of the British Commonwealth that India should remain in it. Her departure would certainly be regarded by the general public in this country and the Dominions and the world at large as a weakening of the Commonwealth, and as a criticism of the Commonwealth system. Moreover, the inference might well be drawn that India's failure to remain within the Commonwealth was due to some theory that equality of status and real independence was not compatible with the Commonwealth system— with consequent reactions in the existing Commonwealth countries. From another angle, while we recognise the force of the arguments put forward as to the advantages which a rigid treaty system would have, we are not sure whether in practice this would be found to be true. In the last resort, the value of any treaty or agreement depends on whether both parties are prepared to operate it with goodwill. It seems to us that it might well be argued that if India accepted the Commonwealth system with good will, the resulting co-operation would be more readily given and more easily obtained than under a treaty system. Perhaps one might refer to the present difficult negotiations with Egypt as indicating that the conclusion of treaty arrangements is not free from its own particular difficulties.

To turn to the particular questions asked in paragraph 4 of your letter, the following would be our answers:

(a) We have no reason to doubt that the overseas Dominions would welcome the continuation of India as a Commonwealth country. This was the general sense of the (admittedly brief and partial) discussion of this subject at the Prime Ministers' meeting this year.3

(b) Generally, as indicated above, we do regard it as desirable to retain India within the Commonwealth if practicable. The inclusion of such a country within the Commonwealth system would clearly be a support in theory to the Commonwealth idea.

(c) We agree that relations with India would give rise to difficulties within the Commonwealth, and it is only necessary to refer to the current discussions at the United Nations Assembly on the question of Indians in South Africa and the Indian attitude towards South West Africa to see that India will not be an easy partner. But we see no reason why these difficulties should not be lessened in course of time if India is prepared to accept the principle of co-operation. It is perhaps relevant to say that the present representatives of India who appear at international gatherings welcome the advantages they derive from the Commonwealth system of consultation.4

1 No. 17.
2 Sir D. Monteath minuted at this point: 'Is entertained by Indians? That may be so, but it would not be proof that it is a justifiable theory.'
3 Mr Turnbull minuted: 'I wonder if South Africa now thinks this.'
4 Sir D. Monteath minuted: 'Oh yes! They always like to have it both ways.'
(d) The system of co-operation by written agreement has an unfortunate precedent in the case of Eire, which affords an equally unfortunate precedent regarding the question of common allegiance to the Crown. But in the case of Eire, the arguments for and against accepting Eire's continued relation with the Commonwealth notwithstanding her constitutional attitude were fully considered in 1938, and the conclusion was then reached in favour of accepting the position. Similar arguments would now apply to justify continued acceptance of India as a partner within the Commonwealth, though it would certainly be infinitely preferable if some form of genuine acceptance of the Crown could be secured.

(e) It seems to us most unlikely that any of the Dominions would be willing to be parties to a special Defence Treaty with India as a foreign power. The whole trend of modern development would be against the likelihood of any Dominion being willing to accept such obligations.

As regards the suggestion in paragraph 6 of your letter, we can certainly undertake to provide some material regarding the obligations and advantages of the Commonwealth relationship, and we will put in hand the preparation of this.

I have assumed that you wish for a reply to your letter on the official level and I have, therefore, not referred this answer to my Secretary of State, though I have no reason to think that he would dissent from it.

I am sending a copy of this letter to Sargent and Gater.

Yours sincerely,

ERIC MACHTIG

5 Sir D. Monteath minute: 'Cf. Nehru on an independent Republic (and also the attitude to Honours—even at this stage).'

6 Sir D. Monteath minute on this letter as a whole: 'A good many "ifs", Mr Dening (F.O.) whom I met yesterday told me that F.O. opinion was the other way. ?A conflict of interests.' Sir W. Croft minute: 'V[ery] unimpressive manoeuvring for position I sh[ould] think.'

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Wavell Papers. Private Correspondence: Secretary of State, October 1943 –December 1946, pp. 134–5

PERSONAL AND CONFIDENTIAL  THE VICEROY’S HOUSE, NEW DELHI, 22 November 1946

I think I should bring to your notice the fact that Lady Cripps has accepted an invitation to stay with Nehru when passing through Delhi on her way back
from China. She wired originally to my wife asking whether we could put her up, but before the telegram saying that we should be delighted to do so had gone, my wife had another telegram saying that Cripps had wired to her that Nehru had asked her to stay and he considered this might be helpful; Lady Cripps had therefore telegraphed accepting Nehru's invitation.

It is of course not a matter to which I can raise any official objection, but the acceptance of this invitation will undoubtedly excite considerable remark, and will make it still more difficult for me to convince the Muslim League that the attitude of His Majesty's Government towards the parties is impartial. A great part of my recent difficulties has arisen from the fact that Jinnah and the League are entirely convinced that the Congress has completely got the ear of His Majesty's Government or at least of Cripps, and that it is no use any longer expecting justice to the Muslims from His Majesty's Government.¹

¹ There is no reply to this letter in Wavell Papers, Private Correspondence: Secretary of State.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICE-ROY’S HOUSE, NEW DELHI,

22 November 1946

Thank you for your letter of the 15th November,¹ which reached me a few days ago. It is good news that the Cabinet Committee have at last agreed on a scheme of compensation for your Services and I hope you will soon be able to put proposals to the Government of India.

[The second sub-para of para. 1, saying that Lord Wavell would look into the grievances of Ordnance factory personnel, omitted.]

2. Everything else in India is overshadowed by the savage outbreaks of communal violence in East Bengal, Bihar and the United Provinces. I doubt whether anyone in England yet quite realises the extent and bestiality of the attacks on the Muslims in Bihar and the United Provinces. The Muslims are undoubtedly to blame for their policy of “direct action”, which led to the Calcutta killings in August, where the casualties in the end were perhaps 50:50; and for the Noakhali and Tippera disturbances, which were probably instigated by supporters of the Muslim League, though I am certain that the leaders of the Muslim League had nothing to do with it. But the retaliations in Bihar and the United Provinces have been, on the scale of numbers and

¹ No. 42.
degree of brutality, far beyond anything that I think has yet happened in India since British rule began. And they were undoubtedly organised, and organised very thoroughly, by supporters of Congress; again I am sure that the leaders were not involved, though I think that some of the Bihar Ministers acted recklessly and irresponsibly in encouraging or failing to suppress the incitement of revenge for Noakhali.

I do not yet know the numbers killed in Bihar. Jinnah as you will have seen, puts the figure at 30,000, and Nazimuddin, who is an honest and moderate man, put them to me at anything from 10,000 to 20,000. The official estimate is 4,000 to 5,000, my own guess would be between 5,000 and 10,000. Nobody really knows yet, and nobody ever will know accurately. In Eastern Bengal the last report of the Governor does not put the numbers killed higher than two or three hundred, but the refugees run into many thousands. In Bihar the Governor's estimate of refugees is 120,000; the Muslim League say 150,000. I have not yet got the full story of what happened in the United Provinces. There was a big Hindu fair, attended by two to three hundred thousand Hindus; and there is no doubt from the evidence available that a certain section made a deliberate attack, on a trivial pretext or no pretext at all, on the local Muslims and practically wiped them out, and destroyed all their property. The numbers killed are small compared with Bihar, they may be 500 or they may be 1,000, but they were practically all the Muslims available on the spot.²

The above is not the full story of all these killings by any means, but it is the nearest I can get to accuracy at the moment, and I think you should know it. You should also be aware of certain features of these disturbances, which are to my mind even more serious than the outbreaks themselves. Firstly, I do not think that these were sudden outbreaks of excitable people as have often occurred previously in India, but were deliberately planned by the worst political elements: those in East Bengal probably by a discarded supporter of the Muslim League; and those in Bihar and the United Provinces by the lower strata of the Congress. Secondly, and I think this is the worst factor, the events showed that neither the Police nor the Indian officials can now be relied on thoroughly to act impartially. Thirdly, there is in Bihar particularly, and in Eastern Bengal to a lesser degree, an administrative problem which is quite beyond the capacity of the Provincial governments. There are hundreds of thousands of refugees, who dare not go back to their villages, and have lost all their property; there are crops which will be lost for lack of labour to reap them; and there is property destroyed to the value of many lakhs of rupees. The shelter, feeding and clothing of the refugees is the immediate problem; labour for the reaping of abandoned crops is the next; and the eventual settlement of these refugees and the repair of the damage done is the third.

I said in Cabinet last night that I proposed to arrange for help by the Centre for Bihar and Eastern Bengal; and I have sent down one of my staff to Bihar
to bring me back as accurate an estimate as possible of the problem involved. I have it in mind to appoint a Special Commissioner for Relief and give him a staff and resources.

3. For the moment the Bihar disturbances have died down, as a fire dies for lack of fuel; but I should never be surprised to hear of further trouble in this Province. The situation in the United Provinces is very tense and I am most apprehensive of the events there spreading the infection into the Punjab. On the other side of India, in Assam, the Congress Ministry's determination to proceed with a policy of evicting Muslim trespassers in the Sylhet Valley may well lead to retaliation against the Hindus in the Surma Valley.

I give you the background of the present situation, in order that you may not be surprised at further outbreaks of savagery and violence in any part of India. Calcutta seems quiet for the moment, but sporadic stabbings go on in Bombay; and in neither city can a Muslim venture unescorted into the Hindu quarter, or vice versa, without risk of life.

4. I had a difficult and rather painful interview with my Muslim members of Cabinet yesterday evening, of which I enclose a note. They put to me quite bluntly the question whether His Majesty's Government intended to carry out their responsibility to protect Minorities and enforce law and order; and I had in honesty to confess our greatly diminished power to do so.

We have reached more quickly than I expected the situation of which I have warned you for some time past, when we have the responsibility for India without the power to control events or enforce law and order; while those who have the power lack almost all sense of responsibility.

It is a tragic ending of our rule in India. It is of course the natural consequence of the policy of allowing unbridled license of speech to agitators and to a base and venomous Press—you have probably never realised the hate and filth which the smaller vernacular papers distribute—and the release of large numbers of dangerous criminals from jail under the cloak of their being political offenders.

One would have thought that such a blood-bath might have brought a sense of reason and responsibility to the political leaders on both sides and have brought them together in a determination to end this disgrace to India; but I am afraid that there is no sign of this being so. Both Nehru and Jinnah continue to fulminate on the old party lines; and I am afraid I see little hope of holding together my present Government much longer; although curiously enough Cabinet meetings continue to pass in a sensible and apparently friendly atmosphere.

I request that you will circulate these paragraphs 2 to 4 to the Cabinet, as I think they should realise the situation.

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* See also No. 69.  
* No. 70.  
* On 29 November 1946 Lord Pethick-Lawrence circulated to the Cabinet the text of paras. 2–4 of this letter (except the final sentence) and of No. 70. L/P &J/10/76: ff 190–7.
5. All this communal tension results in the strengthening of the “private armies” of the two sides. The Muslim League Guards were much in evidence when I visited refugee centres in Patna City, and the Mahasabha and Rashtriya Swayam Savak Sangh are developing Hindu forces in the same way. I send with this letter a copy of a C.I.D. report about the United Provinces which touches on this subject.

6. I am just back from my tour of the Frontier. It went well, I think, and I hope it may have done something to reduce the ferment caused by Nehru’s visit. The tribes were friendly though, as usual, outspoken. I enclose the notes of the reply which I made to the Afridi Jirga. The reply to the Ahmedzai Wazir’s Jirga, which I also addressed, was on the same lines. The Political officers on the Frontier are still extremely sore at their treatment by Nehru and the Congress, and I fear that a body of men who were as devoted to India as any in the Services have been put into a mood to get out as soon as possible, regardless of consequences. Nehru has however written quite a sensible letter to Caroe, of which I enclose a copy, and will I hope now realise the advisability of leaving the Frontier alone for the present.

I went up the Swat, a beautiful valley, and spent a night with the Wali, a nice old man. I had an interview with the Nawab of Dir on the way up; he is a different type, rather a grim figure who is said to rule with a heavy hand, though efficiently, and is not much in favour of modern civilization coming to his valley. In the present state of modern civilization, I can hardly blame him.

7. The Session of the Central Assembly is over and on the whole it has gone well. The League, though maintaining their opposition to the Congress in the Press and on the platforms, decided to refrain from embarrassing the Government in the Assembly. Consequently a good deal of business has been transacted in quite a friendly atmosphere. Wylie however in a recent letter from the United Provinces, which you will see, says that the effect of the coalition at the Centre has been nil, and I fear this, though a little exaggerated, is near the truth. It has been made very clear by both sides that in spite of the coalition the fundamental opposition between the two parties is quite unchanged, and there is no sign yet of any real discouragement by the Muslim League of the expression of violent communal feeling. One of the great difficulties of the situation is that the Muslim League do in fact depend on communal feeling to maintain the strength of their organisation. They cannot afford to let it subside. And on the other side Congress by their perpetual propaganda and their unceasing encroachments have convinced the Muslim League that they cannot afford to let the tension die down, or to lower their defences in any way.

8. We have been in correspondence about the summoning of the Constituent Assembly by telegram, and I need not discuss it here.
9. Liaquat has proposed that the decision of the Cabinet, taken before the Muslim League joined, to abolish the salt tax should be postponed until the next Budget can be considered. This suggestion is justifiable on purely financial grounds, but when it is discussed in the Cabinet it is likely to cause a good deal of friction.

10. Among all these gloomy reports it is cheering to note that as a result of the intervention of the Congress High Command, and of Patel in particular, the All-India Spinners Association have agreed to withdraw the civil suits that they were running in Bihar against the "1942 Officers".

11. Efforts to secure a coalition between the Muslim League and the Congress in the Provinces having failed, Burrows has agreed to the expansion of the Bengal Cabinet, raising the total from 7 to 11 by adding one Caste Hindu (recently elected to the Legislative Council by Muslim League votes in the Assembly), two Scheduled Caste representatives, one of whom replaces J. N. Mandal, and one Muslim. Suhrawardy proposes to add one Anglo-Indian, making 12. The announcement, which is likely to be made in a day or two, will make it clear that in the event of coalition governments being formed in the other Provinces, Suhrawardy will approach Burrows for a re-constitution of the Bengal Cabinet. Suhrawardy has been quite sensible lately and has suggested that in East Bengal the houses of Hindus should be rebuilt free by Muslim labour.

12. I have just heard from Wylie that his Home Minister arranged that 60 I.N.A. men should be recruited as special constables to control the forthcoming Congress session at Meerut. Sixty .303 police rifles were handed over for these men, and taken to a bungalow in Cantonments. When the Sub-Area Commander heard of this he protested and in consultation with the Commissioner the arms were recovered by the D.I.G. of Police in the small hours of the 17th morning. No doubt we shall hear more about this later.

13. Thank you for your letter of the 13th November about commercial safeguards. I will discuss the matter with Shone who has just arrived, and let you have my comments soon. I have no doubt that the Shones will be a success, and we are trying to give them a good start by entertaining as many Members of the Interim Government as we can get hold of during the few days that they will be staying with us.

14. In paragraph 11 of your letter, dated 8th November, you suggested that I might put to my reconstituted Government the decision already reached about the future employment of Gurkhas. I do not think I can take the

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3 Not printed.  6 No. 46.  7 No. 36.  8 Nos. 47, 53, 54 and 63.  9 Vol. VIII, No. 540; the date should be 1 November.  10 No. 18.  11 See Vol. VIII, No. 534, para. 9 and No. 16 in this volume.
initiative in asking for reconsideration of a decision of this kind, and I am sure that for me to do so would damage my relations with my Cabinet as well as embarrass the Muslim League. It is a different matter where the Muslim League themselves ask for reconsideration, as in the case of the salt tax.

_Enclosure to No. 77_

_SECRE_ INTELLIGENCE BUREAU, HOME DEPARTMENT, 14 November 1946_

The following are extracts from a fortnightly appreciation of the political situation in the United Provinces for the second half of October 1946, published by the United Provinces C.I.D.

On the subject of the general communal situation the report states: "Another disturbing feature is the departure for the east of batches of volunteers belonging to various communal organisations."

"The most striking feature of the communal situation in this Province during the last few weeks has been the emergence of orthodox Hinduism as a potent factor. The Hindu Mahasabha, which had very little following or political influence, and the Arya Samaj, which remained in the background as a purely religious body, have come into the open, and are rallying Hindus all over the country to fight Islam. At their meetings speakers have also been critical of the Congress for their support of Nationalist Muslims and the failure of the Congress Interim Government, when in power, to protect Hindus in East Bengal. The effect of the call of religion can be seen in Benares, where the circulation of the two Congress local newspapers has greatly diminished, while that of the single orthodox Hindu local daily has much increased.

This Province faces communal anarchy unless very strong and immediate action is taken to restrain the activities of volunteer bodies, relief committees and such like of both communities, and to prosecute speakers who incite to communal strife."

"Jai Prakash Narain continues his tour of the United Provinces; he preaches violence and revolution in every one of his speeches, which are heard by large and enthusiastic audiences of 10,000 and upwards. His programme for breeding chaos in a country which his more responsible colleagues on the Congress Working Committee are trying to serve constitutionally includes attacks on police stations and other Government buildings; the arrest of District Magistrates and Superintendents of Police; the formation of a peasants' army; the suborning of the present Indian Army; a general strike of workers in Railways, Post Offices and essential factories; and the setting up of a raj of peasants and workers."

_P. E. S. FINNEY,_
_Deputy Director (A.)._
Thank you for your letter of the 13th November.¹

2. Apart from the riot in Bihar recently reported, the improvement in the communal situation seems to have been maintained and I suppose that the longer this continues, the more chance there is of tension relaxing.

3. I saw a fairly full report of what Patel said at his press conference and I agree with you that he was very sensible and realistic. As you said earlier on yourself, he seems to be more balanced than most of your team, but I am afraid it is the case that he probably regards *Dawn* as being the only paper which really requires restraining. It would, however, be hard to deny that he is right so far as he goes.

4. I am glad to see from paragraph 2 of your letter that nothing more has been heard of Nehru’s threatened resignation. He is of course a temperamental person and is at the present time greatly overworked. I hope that Matthaï is right that if your present Government holds together for a month or two it will begin to work like a real Coalition and I am encouraged by the account of the Cabinet meeting referred to in your paragraph 3. The more they get busy together on brass tacks, the better.

5. I have been very conscious of the danger referred to in your paragraph 9 but I should imagine on the whole that Nehru has improved his position with the public in general by his action in going to Bengal and Bihar. It is rather unfair on your colleagues that they should be blamed for Eastern Bengal but the fact that they have been blamed may make them the more anxious to avoid further outbreaks in the Muslim Provinces. They will be blamed very much more, I imagine, if there is serious trouble in the Punjab where the Congress are in office.

6. I have been having discussions with my colleagues about your top secret letter of the 23rd October² and I hope that before very long we shall be able to send you a reply which will tell you definitely where we stand in these difficult matters. Unfortunately the discussions have been delayed through Alexander being ill and the conclusion will have to go to the Cabinet for approval before I can reply. I realise the urgency, however, and shall do everything I can to get you an early answer.

¹ No. 32. ² Vol. VIII, No. 501.
7. In paragraph 5 of your letter under reply you express the hope that I shall very soon reply to your telegram No. 2269-S,\(^3\) commenting on the results of the recent Premiers' Conference on the future of the Services. The question of the date for winding up the Secretary of State's Services is, of course, inextricably bound up with the wider aspects of our future policy which are under urgent consideration here in the light of your letter of 23rd October, and I am therefore not in a position to reply to your telegram until the broad lines of our policy have been determined. I will do all I can, however, to ensure that you receive my reply to the telegram in question as soon as possible.

8. In paragraph 14 of my last letter\(^4\) I told you how matters stood with regard to the fresh proposals for the grant of compensation to members of the Secretary of State's Services. These proposals were, as I anticipated, approved by the Cabinet on Tuesday last\(^5\) and an official despatch on the subject will be issuing to you before the coming weekend.

9. In paragraph 4 of my letter of the 15th November I said that I was writing to you separately about your suggestion that we should make it plain that the basis of the Constituent Assembly is the Statement of May 25th as well as that of May 16th. I was about to send you this letter when your telegram No. 177-S.C. of 17th November\(^6\) was received. As this brought the matter up in an immediate form and as we have sent our views by telegram\(^7\) I shall not now be writing to you about it.

10. In view of Jinnah's attitude, reported in your telegram No. 2442-S,\(^8\) of 20th November, I am sure that you were right in deciding not to include in the invitations to the Constituent Assembly a statement of the kind outlined in my telegram No. 20253 of 18th November.\(^9\) One must hope that the Muslim League will, in spite of their natural anxiety, decide to come into the Assembly and make their indispensable contribution to its work. I noted from your letter to Nehru of 23rd October\(^10\) (a copy of which was forwarded under cover of P.S.V.'s No. 592/47) that Jinnah gave you a clear undertaking that, as a corollary to its representatives joining the Interim Government, the Muslim League would come into the Constituent Assembly. Nor does it seem to me that, from the point of view of promoting our policy, there would be anything to be gained by delaying the summoning of the Constituent Assembly since it seems unlikely that the position will be any easier for Jinnah in a few months' time and it might well be worse. An early meeting of the Constituent Assembly is an essential element in our policy and a postponement now would, I imagine, result in further delays owing to meetings of provincial Legislatures in the spring and the onset of the hot weather. As regards the danger of increased communal tension, which is obviously considerable, I am not at all sure that it would be reduced by a further delay.

11. I see from the fortnightly report of the Kashmir Residency, dated 15th October,\(^11\) that Nehru is reported to be intending another visit to Kashmir in
connection with a decision of the All-India Congress Committee to send a
deputation to enquire into affairs in Kashmir. Presumably it is for the Kashmir
Government to decide if it can permit the visit of a party of Congressmen to
conduct an enquiry into Kashmir's affairs. But a visit by Nehru now that he is a
Member of your Government seems a matter from which neither you nor I
can altogether disinterest ourselves. There is clearly a substantial Muslim
party in the State—not to mention the Hindu "Vishnu Gupt" which would
resent a visit by representatives of Congress and Nehru in particular: and I
imagine that official circles in Kashmir would not welcome Nehru at this
moment. As the Paramount Power is responsible for protecting the Ruler
against the consequences of internal disorder, there seems a good case for
trying to dissuade Nehru from an act liable to misconception and to pro-
voke trouble. Nehru can no longer make such excursions as a private indivi-
dual, and the Governor-General's Council are specifically excluded under
Section 313 (5) of the Act from any functions connected with the exercise of
the functions of the Crown in its relations with the Indian States. Thus the
excuse he had for visiting the N.W.F. does not exist. But Nehru has a very
charming side and he may get away with it all right, and in any case it does
not seem to me a matter of first rank importance.

12. In paragraph 8 of my letter of 8th November I gave you some first
impressions formed by the India Office representative at the U.N.O. Assembly
of the Indian delegation thereto. In a further letter received recently he draws
attention to certain tendencies on the part of the delegation. First, a rigid stick-
ing to their brief and unwillingness to compromise, which he attributes to the
desire of the members of the delegation to gain the greatest possible degree of
popularity in India. Secondly, so far at any rate as Krishna Menon is concerned
and his influence carries, undiscriminating support for the Soviet delegation
which, in one of the Committees of the Assembly the other day, actually
resulted in the Indian representative supporting the Soviet delegate in a matter
where he was clearly in the wrong and had not the backing of a single other
delegate. Thirdly, an inclination on the part of all the members of the dele-
gation, except K.P.S. Menon, to take a course different from that of His
Majesty's Government just to demonstrate their independence, although they
appear generally to recognise the good sense of what the U.K. delegates say.
It seems, however, that relations between the U.K. and Indian delegations are
nevertheless very cordial and that the tendencies mentioned above (which
are, after all, only what one might expect in the circumstances) are to some
extent being successfully counteracted by the personal efforts of the U.K.
representatives.

1 Vol. VIII, No. 527.  
2 Nos. 53 and 54.  
3 Vol. VIII, No. 495.  
4 No. 42.  
5 No. 55.  
6 No. 47.  
7 No. 63.  
8 No. 54.  
9 See Index of Persons.  
10 No. 18.
13. In paragraph 12 of my letter of 1st November I mentioned that I was taking steps through the Foreign Office to ensure that the British Embassy at Washington was adequately supplied in advance with background material on the Indian Food situation and on the potential political and military consequences of famine in India so that there would be no danger of India’s claim being lost sight of in any talks that Bevin might have with the Americans on the world food situation. I now enclose a copy of the note that has been sent for this purpose to our Embassy in Washington through the Foreign Office. A copy of the note has been sent separately to the Food Department by the department of the India Office concerned.

14. This letter was written yesterday and today’s Times contains the report of Nehru’s speech at Meerut to the Subjects Committee of the All-India Congress and Jinnah’s announcement about the Constituent Assembly. These pronouncements certainly do not augur well for the future.

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Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/181: ff 34-7

D.O.NO. 310-G.B. 22/23 November 1946

Dear Lord Wavell,

There will be no official fortnightly report for the last fortnight of October, the events of which will be reviewed in a report for the month ending 15th November. That would have been the case even had the serious disturbances which have marked the first week in November not taken place; it is due to the fact that Government itself was in transit from Ranchi to Patna, the Secretariat not functioning (though the senior officers were personally working) from the time it closed down at Ranchi on the 1st until it reopened at Patna on the 4th. These four days corresponded with my own unfortunate absence from the province, having gone to meet my wife in Bombay. The Statesman has duly castigated me for this, and I see that in the Council of State my absence has been alleged to have extended over ten days. I cannot but admit that it was an error of judgment to have gone, as later events have shown, but at the time I left it appeared that the immediate troubles were well in hand and that the next time of danger was likely to be Bakr Id, by which time I should have returned, and to cope with which necessary dispositions of police had been made and the military authorities kept informed. No one could have anticipated the extent of the disorders which actually reached their peak in the first five days of November. Owing to the news which reached me in Bombay I
arranged for a plane to fly me to Patna the morning after my arrival in Ranchi, and have been in Patna since the 6th morning.

2. Your own visit to Patna from the 7th to the 9th instant will have given you a sufficiently general picture of the scope of the murderous uprising, and I do not propose to deal with it in extenso in this letter. It is indeed not yet possible to give much fuller or authentic reports than have been given in the daily telegraphic reports. The immediate violence seems to have spent itself for the time being and there have been no serious incidents since the 9th, with the exception of that reported from North Bhagalpur on the 19th instant. This incident proved to be less serious than the first aerial reconnaissance indicated: it arose out of a land dispute in which a Muslim killed a Hindu, whereupon the Muslim houses in the village of Hathiaundha (not Bihariganj or Kishenganj as first reported) were fired in revenge. The riot was quickly brought under control and the trouble has not spread. It is, however, quite impossible to say, hardly to hope, that we are yet out of the wood. Almost everywhere in the province feelings are very tense between the communities, and in spite of much conciliation work being done by prominent individuals, the prominent leaders are still so much at variance and exercise so little restraint in their public utterances, and the press is so little helpful, that everyone still feels that another flare-up may come at any moment.

3. On the whole, my Ministry must be given the credit of having acted vigorously when the actual troubles started, and the military officers will, I think, agree that they have not been in any way impeded by the Ministry in getting the situation under control in the shortest possible time. There are, of course, allegations against individuals in isolated instances which will have to be the subject of further inquiry, but it is generally admitted that the conduct both of troops of all kinds and of the police has been admirable. The Ministry were indeed insistent during the early days of the rioting that the military should shoot to kill larger numbers of the mobs, which generally dispersed, however great their number, as soon as firing was resorted to, and the Ministry are indeed now being attacked by the Mahasabha and other extreme Hindu elements because of the alleged ruthlessness with which they suppressed the Hindu mobs. The criticism is, in my opinion, quite unjustified, and I hope that the Prime Minister will remain staunch in his defence of the military and police, however much the political opposition to his measures heads up.

4. I have already written to you a detailed account of the actual casualties in the riots, and of the scope of the refugee problem. I will not repeat this here, but am appending a copy of my letter for the information of the Secretary of

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\[D.O. No. 309-G.B. of 22/23 November (L/P &S/5/181: f41-3. Not printed. For casualty figures see No. 102. Attached to the letter was the 'Relief Commissioner's latest estimate of refugees and displaced persons' which gives the following figures: Patna district: 65,000; Gaya district: 20,000; Monghyr district: 26,000; Bhagalpur district: 4,000; Saran district: 3,000; total 118,000.\]
State. I have myself visited the refugee camps at Digha, Nawada and Bihar Sharif, and have also been with the military commander to inspect the units posted in the Patna and Gaya districts. The only British troops we have are a battalion of the 1st. North Staffords which are posted in Patna town. I have been round their pickets after sunset and spoken with the men, who are quite cheerful and feel that they are doing a good job of work. My Prime Minister is unfortunately more resentful that British troops have been posted in the town than grateful for the security which they have given.

5. I have, of course, kept in the closest touch throughout with Major-Generals Russell and Ekin, whose second in command, Brigadier Goadby, has had a conference every evening with the I.G. of Police, the Chief Secretary and my Secretary, and has then come in to see me. I have also insisted on my Prime Minister coming to see me every evening, or if he is unable to come, to depute one of the other Ministers. It is perhaps unnecessary for me to point out here how very few troops are at present available here with the Area Commander and how insufficient they would be if they were not supplemented by units from the 5th Division. Muharram will be an anxious time (3rd/6th December). The 4/10th and 4/3rd Gurkha Battalions are due to be disbanded on the 21st of December, but Russell will keep here the 9th Infantry Brigade (3 battalions) until they can safely be moved. They could not, in my opinion, go at present without serious apprehensions being roused in the public. I have nothing but praise and admiration for the spirit in which every one of the military officers I have met is carrying out an extremely distasteful task.

6. The tension between the leaders of the two communities, and its dissemination in the public press, continues to be the most explosive element in the situation. It is pretty clear to all that the immediate cause of the outbreak in Bihar was the great meetings held in Patna on the 25th and 26th of October to celebrate "Noakhali Day". My Prime Minister cannot be expected to see this and sees red at any such suggestion: he is painfully aware of his own responsibility for allowing these meetings to be held in spite of the opposition by local officers. Jagat Narain Lal, M.L.A., was responsible for the organisation of these meetings, at which most provocative banners were displayed and slogans shouted that were direct incitements to violence, in spite of his undertaking to the Prime Minister that no such slogans would be permitted. It was only very elaborate police precautions that averted trouble in Patna city at the time of these demonstrations.

7. The ground for the disturbances had been, as I have pointed out before, only too well prepared by the press ever since the trouble in Noakhali started. A heavy responsibility lies on the Statesman for its greatly exaggerated reports about the slaughter in Noakhali. Naturally the Bihar papers exaggerated these
still further, taking it for granted that a “sober” paper like the Statesman would understate rather than magnify the occurrences. As an example of the inflammable stuff that was being daily printed, I quote the following from the Searchlight of October 23rd:—

“East Bengal is a challenge to India’s manhood. We are sure that the country is not yet so utterly dead to elementary sense of honour as to remain a silent on-looker of a barbarism that has few parallels in history . . . . Neither honour nor religion is safe at the hands of the miscreants who are free to roam at large, putting defenceless men and women to fire and sword, and compelling them to choose between life and Islam . . . . The situation involves the honour of women and the sacredness of religion . . . . Every resource, economical and otherwise, must be forthwith organised to instil the fear of God into men who have the impudence to think they can impose their dictation by force. If there must be a civil war, let there be one.”

8. The other Patna daily, The Indian Nation, has been even worse. It is practically an organ of the Mahasabha, though it belongs to the Maharaja of Darbhanga: it has been particularly virulent and direct in its incitements against the Moslems, and now that the immediate bloodshed is over, is conducting a vigorous attack against the Congress Ministry for their alleged anti-Hindu bias, and against the military and police for their alleged excessive use of force. The potentialities of this for future trouble are so great that I thought it necessary to send for the Maharaja of Darbhanga and impress on him the necessity of exercising some control over this organ of his. He attempted to disclaim responsibility and spoke of his difficulty in getting an editor who would be amenable to any control. I hope, however, that my strictures will have some effect: he has got a new editor whom he has promised to warn. I have not yet, however, seen any obvious improvement.

9. One result of the disorders has been that the Prime Minister has been induced to take a more realistic attitude with regard to the adequacy of the police force. During the budget debates last June demands were made for reduction in police expenditure and cuts were only avoided by the Ministry promising to make a comprehensive examination with a view to economy. Under ministerial pressure, the I.G. of Police, while strongly advising against any reduction at this stage, had reported that if the Ministry insisted, a reduction of roughly 1000 men from the District Armed Police would result in a saving of Rs. 7½ lakhs. On this the Revenue Minister, on 25th October, advised the Prime Minister that the I.G.’s “proposals” should be immediately implemented and a committee appointed to suggest further reductions. On the 5th November, at a time when the military had actually been called in to deal with the disturbances owing to the inadequacy of the police, the Prime Minister nevertheless ordered these reductions of police to be carried out
forthwith. He was, however, subsequently persuaded by the Chief Secretary of the indefensibility of this order, and had agreed that the existing force should be kept on till the end of the current budget year. This is as far forward as he can be persuaded to look at present, but I hope that by that time he will realise that reductions of police are not now a practicable proposition.

10. The Prime Minister’s attitude to the I.G. of Police continues to be most unsatisfactory. Throughout these troubles he has continued to reject Mr. Creed’s advice and to issue orders about the police without consulting him, usually taking the advice of Mr. Hamid, now D.I.G., C.I.D., who it is proposed should succeed Mr. Creed when he goes on leave preparatory to retirement next January. This practice is utterly subversive of discipline, and only a high sense of duty has restrained Mr. Creed from throwing in his hand at once. I enclose a note on the morale of the Bihar Police which the I.G.P. has sent to me. I have frequently tackled the Prime Minister on this question without any satisfactory result. He still seems to regard it as most important to get the police into such a state that they cannot be relied on by the administration to take any action against Congressmen if the Congress Ministry should go out of office: the idea that they must be a disciplined force ready to take orders from any Government in office is not acceptable to him.

11. The Anti-Corruption Department, which I have mentioned before, still continues to move in a mysterious way under the direct guidance of the Prime Minister. His latest move is to appoint officers from this Department to move in the disturbed areas where the police are now investigating cases arising out of the riots. The Prime Minister has expressed approval of the head of the department’s note that “their sole duty will be to watch that people are not harassed during the investigation of the riot cases.”

12. I have spoken to the Prime Minister about the possibility of following the Interim Government’s lead in making this a coalition ministry, and particularly suggested getting a moderate Muslim Leaguer and putting him in charge of rehabilitation, which is going to be the most serious problem for some time. His reactions to this suggestion were very adverse. He scouted the idea that even the Interim Government was a coalition, and said that the result would be excessive and outrageous demands for rehabilitation grants: he would not agree that since such demands would be made anyhow, it would be easier to deal with them within the Ministry than if only pressed from outside. It did not seem to me that this was a matter on which he is likely to change his mind.

1 L/P 8J/5/181: ff 39-40.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: ff 69–70

IMMEDIATE
NEW DELHI, 23 November 1946, 8.30 pm
SECRET
Received: 23 November, 8.15 pm

No. 2459–S. You will have seen reports that Jinnah stated on 21st November that the League resolution of the 29th July stands and that no representatives of the League will attend the session of the Constituent Assembly that is to begin on the 9th December.

2. In the light of this I sent for Liaquat and told him this morning that I could not agree to the League staying in the Cabinet without accepting the long-term plan.

3. He said the League members were prepared to resign whenever I required it, but they would not accept the long-term plan unless H.M.G. declared that the provinces must meet in sections, that the representatives in the sections would decide, by a majority if necessary, whether there would be groups, and that the sections, again by majority if necessary, would frame the provincial constitutions and the group constitutions if any. Also H.M.G. must undertake not to implement the results unless this procedure was observed. If such an undertaking was given the League would accept the long-term plan.

4. I argued with Liaquat for over an hour and used all the arguments given in paragraphs 5 and 6 of your 20252 (as well as others). I completely failed to convince him, as I had previously failed in my last interview with Jinnah.

His line was that the only attraction in the Mission’s plan which had induced the League to accept it was the possibility of forming Groups and of framing Group and Provincial constitutions by the process of majority voting inside the Sections. Unless H.M.G. would guarantee that this essential feature of the plan would be carried out, i.e. the result not recognised by H.M.G. unless it was, it was useless for the League even to come in and negotiate. He was quite unmovable on this. He said that if H.M.G. was afraid of the Congress and had not the courage or honesty to maintain their own Mission’s plan, then the Muslims had been thrown to the wolves and must accept the position and do the best they could by themselves, for it was useless to expect any mercy from Congress. I argued that the Constituent Assembly would contain a majority of reasonable men and that the Muslims would be able to secure good terms.

1 No. 72.  
2 Vol. VIII, No. 86.  
3 There is no note of this interview on the file or in Wavell Papers.  
4 No. 53.  
5 No. 57.
by negotiation etc. But, though he was quite quiet and friendly, nothing would move him and I am sure that this is the League view. I am also quite certain that I should be unable to obtain any concession from Nehru. Congress are at the top of the wave and feel, like the League, that H.M.G. is afraid to go counter to them, as indeed paragraph 4(a) and second sentence of paragraph 5 of your telegram would imply.

5. I have asked Jenkins to fly from Lahore tomorrow and after discussion with him I will send my considered views. I must warn you that I think H.M.G. will have to take an immediate and important decision. I take a very serious view of the situation.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/10/26

IMPORTANT
SECRET

NEW DELHI, 23 November 1946, 11.25 pm
Received: 23 November, 10.30 pm

No. 2462–S. Your telegram No. 204921 of 22nd November and letter of 1st November2 about commercial safeguards. I have discussed with Shone and we are agreed that it would be a mistake for His Majesty’s Government to take the initiative at present. Griffiths, leader of European group in the Assembly, has told me on behalf of European interests here that they are against such a course. They regard the presence of the commercial safeguards in the Constitution Act as valuable since though it may be difficult to implement them fully they do prevent discriminatory legislation. British commercial interests would prefer that the new treaty or convention be negotiated between His Majesty’s Government and India as separate governments and be quite unconnected with the commercial safeguards or any political control. Griffiths’ view was that if His Majesty’s Government took the initiative now it would suggest—

(a) that they are uncertain about the effectiveness of the commercial safeguards in the interim period; and
(b) that they want to negotiate a new convention while they still have the whip-hand politically.

2. Shone will of course have discussions with business people and with Members of my Government and may come to a different view later. If it
was ultimately decided to make any approach to Interim Government I am sure it should be made by Shone rather than by me.  

1 This tel. was simply a reminder asking for a reply to the Secretary of State's letter of 1 November. L/E/8/4120: f 149.  
2 Vol. VIII, No. 540.  
3 Further discussions took place in 1947 between H.M.G., the High Commissioner and the business community as to what approach, if any, should be made to the Government of India, but no firm conclusions appear to have been reached prior to the transfer of power. L/E/8/4123.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: ff 267-8

MOST IMMEDIATE

INDIA OFFICE, 23 November 1946, 6.40 pm

TOP SECRET

Received: 24 November, 3 am

No. 20552. My colleagues and I feel great anxiety at the development of events in connection with the meeting of the Constituent Assembly on December 9th including the reported statements of Nehru and Jinnah. We feel that the next few days may be decisive as to a breakdown resulting from the meeting of the Constituent Assembly.

We would like your urgent advice in time for a Cabinet meeting on Monday morning at 10 a.m. as to whether the time is not now opportune for you to invite two representatives of Congress and two of the Muslim League from the Interim Government to come over here with you to discuss with H.M.G. how best the meeting of the Constituent Assembly on December 9th can be made effective and profitable. Any approach subsequently to the parties on this would have to make it quite clear that there is no question of postponing the meeting of the Constituent Assembly.

We are naturally anxious to lose no possible opportunity of avoiding a major breakdown and we feel that it is possible that a discussion in the calmer atmosphere of London might accomplish more than is possible in the tense surroundings of New Delhi.

If you think that this suggestion is not desirable or is premature please state as fully as possible your reasons for the Cabinet’s consideration. Alternatively, if you think proposal advisable in principle but recommend modifications such for instance as removal of limitation to members of Interim Government so as to include Jinnah, please give reasons for your preference. Our suggested form of invitation has been designed to meet a possible objection by Nehru that an invitation to Jinnah in person might encourage him in his present attitude and generally enhance his stock.
My dear Sir Conrad,
I am writing you this letter as a friend and not in your official capacity. I would therefore request you not to place it on record, but to treat it as your own private correspondence.

I am unhappy about everything in this country. The British seem to have abdicated all power and what is worse they have handed it over, to their enemies, and to the enemies of all their friends in this country. I look upon it as one of the greatest, if not the greatest, tragedies that has ever befallen mankind, and I find it difficult to overcome the shock. I do not know what to do and how to act. The States, the Moslems, and the entire mass of people who relied on British justice, and their sense of fairplay, suddenly find themselves totally helpless, unorganised and unsupported. Their enemies and your enemies are having a merry time, free to wreak vengeance, unchecked and unmolested. Those who fought with you the greatest war in the history of the world, and staked their all in your cause have been left naked to a gang of murderers and robbers. We are told to look after ourselves and protect ourselves against people who, the British know, have been after our blood throughout the British occupation of this land. Every friend of yours is thus exposed to face at the hands of those whose wrath and anger had been aroused merely because he supported and stood by you, and you stand as mere spectators in the midst of all this bloodshed, rape, plunder, and misery, of the innocent, and are not prepared to move a finger. Well! What is to be done? The answer is—nothing.

Having said this I come to the point. What should a Prince, who has some life, honour, and ambition left in him, do in such circumstances?

I am to struggle, fight and stand for a cause which has been already lost and betrayed. Am I to struggle for people who have no desire to live or survive, who are unable to distinguish between right and wrong, who cannot even now choose proper friends and bed-mates, whose hearts and souls are full of the worst type of communal bitterness, and who are unable to appreciate and realise what is in store for them. I am tired of leading a team who have neither the will nor the desire to survive. I am tired of intrigue calumny and communal feelings of the worst type. I want to resign the Chancellorship, I also want to abdicate in course of time and I want to die in the cause of the Moslems of the world. I know that the British have made up their mind to betray the Moslems,
to them the Congress and the Hindu is their only friend. The Moslems of India, sandwiched as they are between the British and Hindu are faced with annihilation and destruction. Only a supreme effort, proper leadership, and organisation, can perhaps save them. It is therefore the duty of every Moslem worth the name to place his services at the disposal of his community. The Princes betrayed by the British are already a lost cause and I feel I am wasting my energies and my humble resources in trying to protect their case. I am a Moslem in the midst of a crowd of Hindu Princes, who suspect me all round, who are blind to their own interests and who are at the moment only guided by one desire, and one desire alone, namely how to kill destroy annihilate and wipe off the Moslems from the face of the earth. I am a complete misfit in this crowd and I am sure my place lies somewhere else. I have no hope of any support for the States from the British and without this support the Princes cannot survive. You will perhaps know more about this but this is frankly how I read the situation. Will you as friend be prepared to give me your advice.

I think the time has come when you should let me go. I only held on because at one time I felt that the Viceroy wanted me to hold on. I feel that His Excellency would also perhaps now prefer to get rid of me. I am a nuisance both to the Hindu Princes and to the British. I have written to you very frankly perhaps too frankly. Please do not misunderstand me. I count upon you as one of the very few friends I have amongst your countrymen. I have relied on this belief. If I have overstepped the limits of propriety you will, out of kindness, forgive me, and if you can give me the benefit of your advice, I shall thank you for it and feel sincerely grateful.¹

Yours very sincerely,
HAMIDULLAH

¹ On 27 November Sir C. Corfield sent Mr Abell a copy of this letter as Lord Wavell had asked for one to take to England. Mr Abell minuted: 'I will take this to London. It is good evidence of what is going on.' R/3/1/112: f 99. There is no copy of Sir C. Corfield’s reply on the file or in India Office Records.

84

Report of Speech by Pandit Nehru⁵

L/I/1/764: f 15

The following fuller version of Pandit Nehru’s speech relating to the 1942 movement is based on the Hindustan Times. The speech was extempore.

¹ The details of this speech were sent to the Information Dept of the India Office by the G. of I., Press Information Bureau in tel. A3737. Although the date of this telegram is given as 19 November 1946 it is evident from the Sunday Statesman of 24 November that it is a report of a speech made by Pandit Nehru to the 54th Session of the Indian National Congress at Meerut on 23 November.
Moving a resolution giving a retrospect of events during the past six and a half years, Pandit Nehru said: “During the last six and a half years since we last met, much has happened to us and to the world. That long story of war and revolution cannot be contained in a single resolution. I do not know where to begin the story. Many a scene flashes across my mind.

“At Ramgarh, when amidst wind and rain and storm we passed a few resolutions, the world war had just broken out. Later on, it spread, and big empires vanished.

“In 1942, we also took a long stride. The British reaction to that step we took was our arrest, and a campaign of repression. Our people also retaliated against the police terror. The year of 1942 was a testing time. That was the time when various individuals and organisations were weighed in the national scale.

“We cannot forget the role of various individuals and organisations during that time of crisis. We cannot specially forget the role which certain officials played during that movement. If they think we have forgotten it, they are mistaken. Twice I took up the question with the Viceroy. The Viceroy suggested to me not to oppress officials.

“I am prepared to take a generous view of what most officials did. They were prisoners of their circumstances. But I am not prepared to condone the action of those who were guilty of acts of brutality and savagery against our people. Those who were responsible for atrocities committed on the people must not escape punishment. We can show neither fear nor favour in punishing them. There has been too much dilatoriness in this matter.

“I want the Congress ministries to listen to me when I say this. I want the Viceroy to listen to this. I am fed up with waiting. The result is that all those who thought they would be punished for their brutal deeds had become reassured, and were now obsequiously salaaming to us.

“It is not that I do not appreciate the difficulties of the services. Among them, there are many able and fine men. It is my duty as a member of the Interim Government to protect them if they are attacked. But it is also my duty not to protect the bad among them. Because that would lower the standard of the services.”

Pandit Nehru continued: “During recent months, I have had some experience of the working of Government officials, mostly high Government officials. Most of them were able, hard working men. Life in the Government service was not all comfort. In fact, if Congressmen worked as hard as some of those officials do, they would be able to make Congress much stronger than what it is.”

But though most of them were able and hard working men, they could not adjust themselves to changed conditions. The greater number of British officials seemed to think that anyone who followed the path of progress was their
enemy. Congress as a revolutionary party, was looked upon with hostility.

British bureaucracy mainly depended on the support of vested interests. The mass of the people were outside its pale of influence. Therefore those who represented the masses incurred the hostility of officials.

It was said that British officials were friends of the Muslim League. It was not that they had any particular sympathy with the League. But it was because the League itself was not a revolutionary organisation. Its leadership consisted mostly of middle class people, and they had intellectual and mental affinity with senior Government officials like the Governors. The experience of the last few months had shown that they could not get on well with these Governors and the Viceroy. They had either to change or quit.

The British Government, after taking a step forward, is trying to retrace its steps. It may be that the British Government in England might be true to their promises, but it too had to work through their agents in India, and be guided by their advice. They had some sympathy for the British Government, but they were not going to get involved in a controversy as to who was responsible for this delay. They had to get a move on.

That sort of game could not go on. Six months ago they were told that the Constituent Assembly would be convened. Elections to the Constituent Assembly were held two or three months ago. But still there was no Constituent Assembly.

He said he was not very much enamoured of the Constituent Assembly, but when he got into the Interim Government he did not go there in order that he might be able to do little good deeds every day. For him the test was whether his functioning in these high offices was taking them on the road to freedom.

When there was a delay in bringing into motion the machinery laid down by the Cabinet Mission, he felt doubts whether the British Government were not prepared to pursue the path on which they had started.

85

Minute by Mr Abell

R/3/1/127: ff 77-8

24 November 1946

H.E.’s telegram dated 23rd Nov. to S./S., and S./S.’ telegram of the same date to H.E.²

The attitude of the main parties to the Statement of May the 16th is well known. The Muslim League insist that grouping is an essential feature, that

¹ No. 80. ² No. 82.
the provinces must sit in the sections, that the sections must be free to decide by a majority—

(a) whether there will be groups; and

(b) what should be the constitutions of the groups, if any, and the provinces.

2. The Congress have accepted the statement "in its entirety" but this is equivocal since they insist that they maintain their own interpretation of the grouping provision. They say that though the provinces will meet in the sections they will decide as provinces, i.e. voting by one vote to one province, on the question whether there is to be a group and by the same procedure decide the provincial constitutions and group constitutions if any.

3. The Congress are, however, prepared to accept the decision of the Federal Court about their interpretation of the grouping provision and on any other questions of interpretation. The Chief Justice of India speaking personally and off the record informed H.E. in my presence that he was sure the decision of the Federal Court about grouping would be in favour of the Muslim League.

4. The Muslim League, however, are not prepared to refer the essential grouping provision to the interpretation of the Federal Court.

5. Ever since the Cabinet Mission were here, H.E. has tried to get them to make a firm announcement about grouping, but they have always refused to issue any further clarification of the Statement of May the 16th. The only clarification issued was the statement of May the 25th.

6. It is, however, to be remembered that when the Cabinet Mission had an interview with the Muslim League representatives on the 16th May, the following interpretations of the Statement were given:—

(1) The decisions in the sections will be by a majority vote of the representatives of the provinces within the section; and

(2) the constitutions for the provinces will be framed by the sections.

The Muslim League seem to have forgotten these interpretations and have never quoted them.

7. The recent history of this matter is as follows.

In a telegram of 14th September, H.E. said he wanted some assurance that H.M.G. would, if necessary, issue a statement making it clear that the sections could decide their own procedure.

8. This telegram of the 14th September was discussed by the Secy. of State with the Prime Minister. The Secy. of State in his reply dated 16th September said that before H.M.G. could undertake to make such a statement they must know exactly what assurances Jinnah wanted.

9. During the negotiations before the Muslim League came into the Interim
Government, Mr. Jinnah had discussions with Sir B. N. Rau,⁶ but never really
got down to this point. He seems to have deliberately left it over.

10. When the League came into the Interim Government, they came in on a
definite assurance that they would accept the Statement of May the 16th.⁷
H.E. passed on this assurance to Pandit Nehru, who has now published the
correspondence.⁸

11. On the 5th November H.E. wrote to Mr Jinnah asking what assurances
he wanted.⁹ Mr Jinnah did not reply till the 17th November,¹⁰ and then gave
no definite answer. He said:

"The real question is to get the Congress first to agree to the fundamentals
in the clearest language and then devise ways and means by which the proposals
can be implemented and enforced by His Majesty's Government if the Congress
break their word."

12. Yesterday H.E. had a discussion with Liaquat, who said that the League
would accept the long-term plan if they got an assurance that the provinces
must meet in sections, that the representatives in the sections would decide by a
majority whether there would be groups, and that the sections again by a
majority if necessary would frame the provincial constitutions and the group
constitutions if any. Also Liaquat said that H.M.G. must undertake not to
implement the results unless this procedure was observed. After the interview
I rang up Liaquat under H.E.'s instructions and asked him whether we could
take it that this was a firm statement on behalf of the League. Did it override
the inconsistent part quoted above in Mr Jinnah's letter of the 17th November?
Liaquat replied that it came to the same thing. I asked whether Mr Jinnah
would write and say that an assurance of the type mentioned would be likely
to satisfy the League. Liaquat said there was no chance of Mr Jinnah writing
such a letter; and no one could tell what the League Council would say.

13. H.M.G.'s telegram No. 20252 of the 18th November¹¹ states the max-
imum distance they are prepared to go in regard to a statement and gives some
strong reasons against making a further clarification.

G. E. B. ABELL

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⁸ In a letter of 22 November 1946 Pandit Nehru told Lord Wavell that he wished to publish extracts
from some of the correspondence which had passed between them in October. The extracts were
as follows from the documents published in Vol. VIII: No. 404, para. 9; No. 450, paras. 2–5;
No. 456; No. 494, paras. 3, 6, 7 and 8; No. 495, paras. 3–4. On 23 November Mr Abell told Pandit
Nehru that Lord Wavell agreed to the publication of these extracts but wished para. 4 of Vol. VIII,
No. 404 to be reprinted in addition to para. 9. R/3/119A: ff 152, 159.
⁹ No. 7. ¹⁰ No. 48. ¹¹ No. 53.
86

Governor-General (Home Department) to Secretary of State

Telegram, R/3/1/181: f 167

CONFIDENTIAL 24 November 1946
No. 9985. Reference Home Department telegram No. 9169 dated 23rd October\(^1\) communicating resolution passed at Conference of Provincial Premiers regarding recommending termination of control of Secretary of State over his services. Resolution has been considered in Cabinet and Governor-General in Council supports resolution and urges Secretary of State to take early action as proposed therein.

2. It is requested that decision of Secretary of State may be communicated at an early date.

\(^1\) Vol. VIII, No. 502; the date should be 24 October.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: f 79-82

MOST IMMEDIATE NEW DELHI, 24 November 1946, 5.10 pm
SECRET Received: 24 November, 9.10 pm

2468-S. Continuation of my 2459-S of yesterday.\(^1\) H.M.G. must now make up its mind whether it will stand by the statement of the Mission or not. It can I think still save the Mission's plan by a definite statement on the lines proposed by the League in para. 3 of my 2459-S which was in effect the assurance given to the League leaders by the Mission in their interview of May 16th\(^2\) (Liaquat mentioned this interview for the first time in his discussion with me yesterday, so the League have not forgotten it). If H.M.G. decides to make such a statement, I should of course put it first to Jinnah and obtain a definite pledge that the League would come in on this assurance. Otherwise H.M.G. must recognise that it has in effect abandoned the plan drawn up by the Mission and has surrendered to Congress.

2. I cannot guarantee the reaction of Congress to such a statement, but my judgment would be that they would accept it after a great deal of preliminary bluster, and that the majority of Indians, including all sensible and moderate men, would be glad that H.M.G. had at last shown some firmness of purpose.
I must however admit that Congress may react by resignation of their members at the Centre and of all Congress Governments followed possibly by widespread violence. We can face this only if we have a breakdown plan on the lines which I have proposed.\(^2\) We should thus I think be able, if the worst happened, to get out of India without serious loss and with some dignity.

3. If H.M.G. decides to adopt the line of surrender to the Congress point of view, I fear that the result will be something approaching civil war leading to the eventual break-up of the Indian Army and chaos throughout India, since the Muslim League has been driven to the point of desperation and will use the religious issue to stir up trouble. British troops will be involved in the suppression of civil disturbances and attacks on the European community may well develop. The Mission plan will have failed since no Constitution that the Assembly will frame without the Muslim League will be acceptable to the Muslims. I cannot tell what will happen in the States, they will not as a whole join either side but many of them are likely to be involved in the general disorder.

4. I do not think that half-measures or wishful thinking will get us any further. H.M.G. has a clear-cut issue in front of it, either to stand by the Mission plan or to surrender to Congress, and they must make up their minds at once. I have done my best to persuade the Parties to come together into the Government and the Constituent Assembly and to make it work, but I must recognise that I have failed and I do not think that anything more that I can do will have any effect.

5. The foregoing four paragraphs were drafted before I received your 20552\(^4\) or had discussed matters with Jenkins, whom I had asked to come and see me since the probable reactions in the Punjab may be the key to the whole situation.

Jenkins’ views are as follows:

(a) He agrees entirely with the general appreciation above but thinks that it is too late for the issue of a statement by H.M.G. to be effective, that the Congress would not accept it;

(b) He thinks that the invitation to London proposed in your 20552 is the best course though he doubts whether it will lead to any result. He believes that the feeling between the two communities is now too bitter and that they are determined to fight it out;

(c) He has read my Breakdown Plan and connected correspondence and agrees generally with the proposals in it. If we are not prepared to re-establish our authority and govern the country effectively, he agrees that we should leave at an early date, generally by the method proposed.

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\(^1\) No. 80. \(^2\) Vol. VII, No. 301. \(^3\) See Vol. VIII, Nos. 286 and 501. \(^4\) No. 82.
(d) He hopes to be able meanwhile to hold the situation in the Punjab, if he is given a fairly free hand by his Ministry.

6. I agree that your proposal to invite two representatives of Congress and two of the Muslim League to London is the best hope of obtaining a settlement and I recommend that the attempt should be made, though I believe that any settlement will be temporary only. The difficulty I foresee is that the Congress may refuse the invitation unless H.M.G.'s attitude is firm and definite. It is also probable that Jinnah will insist on coming himself, which may lead to increased difficulty with Congress. I think however that it is the best and probably the only chance of avoiding further widespread disorders and bloodshed in India, and I strongly recommend that it should be tried. I am sure that the Sikhs will also demand to be represented at any discussion, since they are one of the three communities named in the Mission's statement. I think there would be no harm in H.M.G. accepting that a Sikh representative should be also invited. Jenkins agrees.

7. The form of invitation will require careful consideration. I recommend something on the following lines:

"H.M.G. have observed with deep regret and misgiving the recent course of events in India, the statements made by the leaders which indicate dissension in the Interim Government, and the refusal of the Muslim League to allow its representatives to attend the meeting of the Constituent Assembly fixed for the 9th December.

It was definitely a condition of the entry of the Muslim League into the Interim Government that the League should accept the Cabinet Mission's plan, and that condition must stand. H.M.G. also wish to make it clear that they do not consider anything would be gained by postponing, save by agreement between the two major parties, the session of the Constituent Assembly, which is fixed for the 9th of December.

On the other hand, it is clearly desirable in the interests of all that an understanding should be reached which will enable the Muslim League to continue in the Interim Government and to attend the session of the Constituent Assembly. It is also necessary to discuss the general state of the country, and to ensure so far as may be that there are no further disastrous outbreaks of mob violence.

H.M.G. have therefore decided to invite two representatives of the Congress, two of the Muslim League and one Sikh to visit London immediately with H.E. the Viceroy for discussions."

8. Time is of course very short. I presume Colville would be sent out at once to act for me and that party would go to England in same plane. Discussions could only last two or three days at most if Constituent Assembly is to meet on 9th. I assume that I shall receive decision of Cabinet and full
instructions by Tuesday morning and that Colville would arrive in Delhi by 29th.

88

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/127: f 176

November 1946

Dear Pandit Nehru,

I have received your letter of 21st November\(^1\) about the proposal to send Krishna Menon on a mission to certain European Countries, and K. P. S. Menon to Moscow.

2. I have agreed to the inclusion of this proposal in the Agenda for the next Cabinet Meeting and if you prefer to talk the matter out in Cabinet itself I must agree, but I am sure that it is useful to discuss informally subjects that are likely to be controversial with those in the Cabinet who may object to them before you come to the actual meeting. Such informal discussions are desirable in any coalition, and if you refuse to undertake them it seems to me that you yourself are contributing to the failure of the Interim Government as a coalition.

3. I always made it clear that I wanted to get the Government working as a team and that I regarded preliminary discussions as valuable. It has been my endeavour ever since the Muslim League came into the Government to work towards this end. But the statements consistently put out by the Congress to the effect that the Government is virtually independent, that you occupy a position equivalent to that of a Prime Minister, that there is effective joint responsibility, and so on, have implied that H.M.G. agreed to a tacit writing off of the existing Constitution, which is not so. I have always made my position in this matter quite clear. Any attempt "to change the whole character of the government" has been made by the Congress and not by myself. This attitude on the part of the Congress has undoubtedly been an impediment to securing a cooperative attitude on the part of the League.

Yours sincerely,

WAVELL

\(^1\) No. 67.
89
Sir F. Mudie (Sind) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/262: f 23

D.O. NO. 709/FR

GOVERNOR’S CAMP, SIND, 25 November 1946

5. I read Nehru’s and Patel’s speeches at Meerut with a feeling of something like despair. Patel was particularly dangerous. On an occasion like this and at a time like this, for the Home Member of the Government of India to attribute to the League the killing of Hindus as part of a definite plan of campaign was bad enough, even if it had been true. But to go on and point out that that policy had failed because more Muslims had been killed than Hindus is almost a direct challenge to Muslims in Muslim-majority Provinces to equalise the score. Nehru’s attacks on Your Excellency and on his colleagues—I suppose that is still the correct word—in the Executive Council are bound to lower the prestige of Government, on which, very largely, the maintenance of law and order depends. And his renewed attack on the Services for their part in restoring order in 1942 can hardly earn him the whole-hearted support from these Services now.

90

Cabinet C.M.(46) 100th Conclusions, Minute 3

L/P&J/10/76: f 252

Those present at this meeting held at 10 Downing Street, S.W.1, on 25 November 1946 at 11 am were: Mr Attlee (in the chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Lord Jowitt, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present during discussion of item 3 were: Mr John Strachey, Mr Hector McNeil, Sir Orme Sargent

INDIA

Constitutional Developments
(Previous Reference: C.M.(46) 94th Conclusions, Minute 3)\footnote{1}

THE SECRETARY OF STATE FOR INDIA said that on 21st November Mr Jinnah had stated that representatives of the Muslim League would not attend the Constituent Assembly, which was due to meet on 9th December.\footnote{2} The attitude of the League would not apparently be modified unless they could be
given an assurance as to the procedure to be adopted in the Assembly. Under the plan described in the statement by the Cabinet Mission and the Viceroy of 16th May (Cmd. 6821) the Assembly, after a preliminary meeting, was to divide up into three sections, which were to settle provincial constitutions for the Provinces included in each section and were also to decide whether any group constitution should be set up for these Provinces and, if so, with what provincial subjects it should deal. The Muslim League required an assurance that decisions by the sections would be taken by the vote of a majority of those present and not by the vote of a majority of the representatives of each Province. The point was one with far-reaching implications, on which it would be difficult for His Majesty’s Government to give an assurance without antagonising the Congress Party. Intransigent statements had been made by both Pandit Nehru and Mr. Jinnah and there was now a serious danger of an immediate breakdown of the whole plan for constitutional reform.

The Secretary of State said that, after consultation with the Prime Minister and certain of his colleagues, a telegram had been sent to the Viceroy suggesting that he might now invite two members of the Interim Government representing Congress and two representing the Muslim League to visit this country with him to discuss with His Majesty’s Government how best the Constituent Assembly could be made effective. The Viceroy welcomed this suggestion as being probably the only way of averting widespread disorders and bloodshed, though he doubted whether any permanent improvement in the political atmosphere would result. He suggested that a Sikh representative should be included among those invited to London for these consultations.

There was general agreement that this proposal might succeed in avoiding a deadlock and would serve to keep the initiative with His Majesty’s Government. While the invitation should in the first instance be given to persons who were members of the Interim Government, an invitation could be extended to Mr. Jinnah if it appeared that the Muslims would otherwise feel unable to accept. It was important that at this stage we should not give the appearance of being prepared to acquiesce in the postponement of the Constituent Assembly.

The Cabinet—

1. Agreed that two members of the Interim Government representing Congress, two representing the Muslim League and one representing the Sikh community should be invited to London, with the Viceroy, as soon as possible for discussions with His Majesty’s Government.

2. Took note that the Secretary of State for India would consult the Prime Minister on the terms in which this decision should be announced.

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1 R/30/1/9: ff 2–3. 2 See No. 72. 3 No. 82. 4 No. 87.
91

Mr Abell to Mr Harris

Telegram, L/MIL/7/19590: f 27

IMPORTANT

25 November 1946

2471-S. Harris from Abell. Your telegram No. 20309 of November 20th.'

Re background material on nationalisation of Indian Armed Forces.

The background of formation of Armed Forces Nationalisation Committee is the demand over a period of years by politicians of all parties and shades of feeling for more rapid nationalisation of officer cadre of Indian Armed Forces. The demand has been expressed in the strongest terms by all, and it has been particularly strongly felt that some definite period should be fixed within which officer cadre would be nationalised. Recently in Council of State (in the Spring of 1946) the Government were asked to agree that complete replacement of British by Indians should take place within ten years. In view of this strong feeling it was felt that only way of convincing members of Legislature and general public as well as members of Armed Forces themselves that Government were in fact doing all they could to speed up entry of Indians into officer cadre was formation of a Committee to advise on this point. The Committee will not only serve to educate the public as to serious problems involved but may also be of help in suggesting means by which suitable Indian officers can be obtained for the three fighting services.

Above background has been obtained from Defence Department and approved by Commander-in-Chief.

' No. 61.

92

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: ff 250–1

MOST IMMEDIATE

INDIA OFFICE, 25 November 1946, 8.45 pm

TOP SECRET

No. 20616. Your 2468-S.'

1. We are glad you agree with our proposal. We are not clear whether your paragraph 7 is draft of letter to be sent to party leaders or a draft public announcement. We do not think any public announcement is required at this stage. We think invitation should be given in a less formal way either orally
or in writing by yourself to Nehru and Liaquat. We leave its form to you but we think that its substance should not go beyond sense of first and last subparagraphs of paragraph 7 of your telegram. We leave it to you to do what you think best about the inclusion of Jinnah and are prepared to accept the form "two representatives of Congress and two representatives of Muslim League and one representative of the Sikhs" without confining this, as we had previously proposed, to members of Interim Government, if you judge that that is most likely form of invitation to secure that both parties come.

2. On reconsideration we do not think that it is necessary in the original invitation to raise the issue of the postponement of the Constituent Assembly either one way or the other. It is no part of H.M.G.'s proposal that there should be a postponement but if you are asked whether it is intended to postpone it you should say that it is intention that it should be held on the 9th unless in course of discussions in London it were agreed by both repeat both major parties that postponement was desirable. For your personal guidance we think that it will become clear within a day or two of your arrival whether we have any hope of achieving a compromise. If it seemed that there were, a short postponement, say a week or ten days, might be desirable, but we think that if any suggestion to that effect were made now it would put Congress off coming.

3. We hope that you may be able to secure Baldev Singh as Sikh representative.

4. If you are asked how long discussions will last we suggest you say that we hope that they can be concluded in time to enable Indian representatives to leave here on the 6th or 7th.

5. If one of the two major parties accepts but the other does not we should like you to come yourself with their representatives and the Sikh. If both parties refuse we should like you to come alone.

6. We are sending reply\(^2\) to your letter of 23rd October\(^3\) about breakdown plan by hand of Colville and will, of course, discuss this with you here.

7. Separate telegram\(^4\) follows about transport and other arrangements.

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\(^1\) No. 87. \(^2\) No. 94. \(^3\) Vol. VIII, No. 501. \(^4\) L/P0/8/13.
93

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

R|3|1/181: ff 168-70

PRIVATE
SECRET
INDIA OFFICE, 25 November 1946

My dear Wavell,
Colville is bringing with this letter our reply to your letter of the 23rd October¹ about your proposals in regard to a breakdown.

My colleagues and I had carried our consideration of this a considerable distance when unfortunately Alexander fell ill. In view of developments we cannot delay any further in sending it to you. It had been intended to include a fuller paragraph about the winding up of the Services but we now think we must leave this for discussion with you when you are here.

I enclose, however, for your information the draft of what I had proposed that we should say. This is not in any way final as my colleagues have not given consideration to the matter in detail and may not agree with it. I send it merely for your private information as background for our discussions.

Yours sincerely,
PETHICK-LAWRENCE

Enclosure to No. 93

[There follows the text of paras. 14 and 14(a) in No. 34]

¹ Vol. VIII, No. 501.

94

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/6/118: ff 10-17

TOP SECRET
INDIA OFFICE, 25 November 1946

1. My colleagues and I have given most careful consideration to your letter of the 23rd October² about your memorandum on a policy for India. We think that the differences between your view and ours may not be as fundamental as might appear. In order to avoid any possibility of misunderstanding of our position I re-state it as a whole, although at the risk that to some extent I shall be stating the obvious.
2. Our policy hitherto has been that decided upon during the Cabinet Mission’s visit to India, a basic conception of which was that we should remain in India until the new Constitution was framed and ready to come into operation. Its objects are as you describe in paragraph 3(a) of your letter, with the proviso that we see little chance of this policy being peacefully fulfilled unless we remain in India until a general political settlement covering at least the main principles of the ultimate constitution has been achieved or is in sight.

3. Although the Interim Government functions under the existing constitution it possesses in fact as a result of your letter to Azad of the 30th May a greatly enhanced liberty of action. We had always anticipated that the occasions on which your veto and the special powers of Governors could be exercised would be rare and that the question of their overt use would be restricted to cases in which the issues were so serious as to make it necessary to face the risk of either Congress or the League finally withdrawing its co-operation—a development which would of course entail the breakdown of our whole policy.

4. We had contemplated that so long as the policy was developing successfully both in the Executive field and in the Constituent Assembly there would in fact be a gradually increasing approximation to the complete transfer of power before the new constitution came into operation; but that none the less there would remain an essential role for us to play in that the existing constitutional structure would continue to be the basis for maintaining co-operation between the major parties and between the Central Government on the one hand and the Provinces and States on the other, until some other could take its place. Before the new constitution was effective we could not recognise the Interim Government as a sovereign authority or withdraw the Governor-General or Governors. That would necessarily involve the repeal of the Government of India Act, and would leave India without any constitutional basis for its legislature or judiciary. The whole question of the existence of a Central Authority in India would be thrown into the arena as an immediate issue, and the present economic integration of India which depends upon the overriding authority of the Central Government and upon the exercise of paramountcy would cease to have any constitutional basis before anything else had been put in its place. To create that situation would in all probability disrupt the modus vivendi between the two major parties which by your efforts has been achieved in the Interim Government and on the continuance of which all hope of our

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1 According to the records of the Prime Minister’s Private Office the terms of this reply were agreed at a meeting between Mr Attlee, Lord Pethick-Lawrence, Sir S. Cripps and officials of the India Office which was held on the afternoon of 25 November 1946. Minute by Graham-Harrison dated 25 November. R/30/1/9: F 25.


policy developing successfully depends. For these reasons it is essential that unless the pursuit of this policy is frustrated by forces outside our control we should remain in India at least until its successful development is clearly in sight.

5. It may well be that before the end of that period, if matters develop smoothly, the Governor General and Governors will have become in practice almost like the Governor Generals of Dominions acting entirely on ministerial advice though still clothed in theory with constitutional powers which have in fact become latent. If that stage were successfully reached we should be well on the way to a full achievement of our aims, and our withdrawal could take place with dignity at the appropriate time. The conditions would indeed postulate such a measure of agreement upon the principles of the future constitution that we might if the Indians were to press for it consider transferring authority to an Autonomous Provisional Government in advance of their final formulation and the coming into operation of the new constitution. But this possibility is not yet one which is in sight. Even assuming that all parties in British India were pressing for this final step to be taken in advance of the coming into force of the new constitution there would remain the difficulty of inducing the States to co-operate with such a provisional regime. This would be a necessary step unless we were to go back on our pledge not to transfer paramountcy to an Indian Government.

To sum up these considerations, our policy, as we have hitherto conceived it, does certainly involve our remaining in India beyond the point at which we can control events, if by that phrase you mean the point at which we could, if necessary, restore complete British rule in the face of opposition and without the support of either major party.

We do not think however that it by any means follows that as from the date at which that loss of complete control has been reached the Governor General and the Governors would be unable to influence the course of events. There is surely no doubt that, in most of the Provinces at any rate, the Governors do in fact have a valuable influence on the Ministers and not only in matters in which they have legally the power to intervene. The same clearly applies at the centre, at least as long as there is an all party executive.

5a. We draw a clear distinction between the state of affairs in which there is as now a great deal of disturbance and rioting but in which the major parties remain in office in the central and provincial Governments, and the case where there has been a political breakdown in the sense that one or both of the major parties not only refused to continue in the Government but have taken up a hostile leadership in the country against H.M.G. and the continuance of the interim arrangement.

What we have said hitherto dealt with the first case:— that is envisaging
the possibility of grave disturbances but the continuance of the co-operation of the two major parties in the central and provisional Governments.

6. Your view (if we understand it rightly) is that we must withdraw from India within 18 months (or earlier) whatever the political circumstances may be because by then we shall have lost the power "to control events". If you mean that we must withdraw even though our policy as described is being successfully pursued (and it is consequently not necessary for us to exercise any power we may still possess to control events) then as explained above we do not find ourselves in agreement with you. We believe that under such circumstances we should carry on in the hope and belief that we should in co-operation with the Indian Parties work through to a peaceful transfer of power.

7. To adopt the view you put forward would involve a change in our present policy and would raise the very gravest political issues here. In the first instance, we should be obliged to inform Parliament of the position and to repeal the Act of 1935 before we could have the authority to give notice of our intention to leave India. We should then have to negotiate a treaty or other arrangement in regard to matters arising out of the transfer of power (including defence) with the Interim Government, and we should be leaving that Government in the field as the only sovereign authority capable of giving effect to the recommendations of the Constituent Assembly for the revision of the existing constitution both at the Centre and in the Provinces. In the meanwhile we should be leaving the conflicting forces in India to work out their destiny by force, if necessary.

8. We recognise that we may be driven to this course by force of circumstances in the event of a political breakdown and I deal with that situation below. But it seems to us that, if our policy set out above were being successfully pursued even though with considerable difficulties our premature withdrawal would almost certainly destroy all chance of a peaceful transition to self-government. We cannot share your view that the notification in advance of our departure, even if that were politically possible in this country, would induce a better and more realistic atmosphere in the Constituent Assembly.

As I pointed out in paragraph 6[8] of my letter of the 28th September* we should, in order to justify to Parliament a withdrawal before the end of the interim period, have to show that the position had become or was about to become untenable. We could not make such an assertion when there had been no breakdown and with reference to a period twelve or eighteen months ahead. To do so would indeed be the most complete condemnation of our own policy and an admission of our own futility.

9. The above is all on the assumption that there is no political breakdown and explains the course of action that we should propose to follow in such

* Vol. VIII, No. 379.
case. We must base our policy upon its success but we realise of course that it is attended by grave risks and we must be prepared to deal with any situation that may in fact arise if those risks materialise. It will of course be another matter if our declared policy breaks down and a revision of our policy is forced upon us by events.

A political breakdown might occur in any of the following ways:—

(a) withdrawal of both parties from the Interim Government and active hostility of one or other to British authority.

(b) A break with Congress.

(c) A break with the Muslim League.

While obviously we shall all do everything possible to avoid any of these situations we must contemplate the possibility of failure. We agree with you therefore that we must have effective plans to deal with them and that those plans ought to be clearly in your and our minds as soon as possible.

10. You ask in the first instance whether you are correct in assuming that H.M.G. will in no circumstances change their policy and decide to rule India for a further period of years. On the assumption, made in your original memorandum (an assumption which we accept), that this could only be done if we took a decision to stay for 15 or 20 years, our answer to this question is definitely "Yes". We could not contemplate anything in the nature of reconquest and retention of India by force against nationally organised opposition, and quite apart from the desirability of such a decision we do not believe that it would be practicable from a political, military or economic point of view.

Politically our Party would not support such a policy nor do we believe that it would be practicable from an international point of view. From a military point of view we have not the forces sufficient to embark upon the holding down of India as a whole in the face of the frustrated nationalism which would under such circumstances sway the greater part of the population.

Nor from an economic point of view can we contemplate the great expenditure that would be entailed by such a prolonged effort of policing under difficult circumstances.

Our only reservation upon the above statement is that if, as is I suppose not totally impossible there was an alarming deterioration in the communal situation, which had patently passed beyond the control of the Indian party leaders, and was leading rapidly to a general state of chaos, this might engender a widespread expectation that we should reassert our authority, and the dependence upon our impartiality might be such that we could do so with substantial assent and without excessive strain upon our resources. If so, we could only judge what to do in the light of circumstances which at present are unpredictable.

11. Having put aside this possibility it remains to consider what policy
should be followed in each of the three events set out above. We deal with
them below in the order there stated. But before we do so we set out certain
principles to which, from the point of view of the political position in this
country, any plan must conform wholly or in part. These are:

(1) The intention to withdraw must be announced in Parliament and if
there is time it must be debated there before we begin to give effect to it.

(2) The announcement would have to be on the basis that the position in
India has passed beyond our powers to control and that, therefore, the
withdrawal must begin almost immediately the announcement has been
made. It can of course be phased, but only to the extent necessary to
operate it effectively and with the greatest possible security for those who
are being withdrawn.

(3) Wherever possible we should hand over authority to some recognised
existing body, e.g. a Provincial Ministry.

(4) The date of the original announcement must be the subject of later
discussion with us, as it cannot be made until we are satisfied that there
are adequate grounds on which we can justify this decision to Parliament.

11(a). We now deal with the three alternative situations:—

(a) Withdrawal of both Parties from the Interim Government.
In this case we assume the active hostility to each other of both Parties
throughout the country and to ourselves from at least one of them. From pre-
sent indications this would entail a major civil war at any rate in the Northern
Provinces.

There would in such a case be no alternative for us except to withdraw as
expeditiously and safely as possible.

We accept your view that the existing military plan is inadequate. We agree
that it is for you as the man on the spot to advise what is the best method of
withdrawal to ensure the safety of our Nationals and as to the details of such a
plan.

12. Plans to meet this contingency must comply with all four conditions
set out in para. 11 above and subject to which we shall be glad if you will put
their preparation in hand. This must not, of course, in any way be regarded as
a decision to withdraw. Quite the contrary. A decision to withdraw can only
be taken nearer the event. An emergency administration of officials would have
to be set up and the withdrawal might have to be more nearly a military
operation. Though there should be no announcement in advance of the phases
of the withdrawal we agree that it should be planned in timed phases. It is of
course essential that no suggestion that such a plan is even contemplated should
gain any currency in India or elsewhere.

(b) A break with Congress.
This would presumably entail the active hostility of Congress throughout
the country but not that of the Muslim League. To that extent it would no doubt tend to exacerbate the already acute communal differences and would perhaps lead to as great a measure of disturbance as the event (c) above.

Nevertheless our situation would be different in that we should continue to have the support of the Muslims in any attempt to continue in India.

We could not however hold the whole of India under such conditions even for a short time and we should therefore be compelled to evacuate at least the Congress controlled provinces handing over to them as far as was possible.

This might enable us to stage a rather slower and slightly different form of evacuation though we should have to evacuate nevertheless. The plans for it would also have to conform to all the requirements in 11 though possibly some modification of (3) might be agreeable if the Congress set up some central organisation for their Provinces.

As this is quite a possible and indeed perhaps the most likely form of political breakdown we consider that a separate and different plan of evacuation should be considered in this case.

We should have no objection to a temporary “resting” in the Muslim provinces but we should not contemplate any permanent remaining there.

(c) A break with the Muslim League.

This would raise much the same problems as (b) in northern India but probably not in the South.

We should not however contemplate remaining in India to dragoon the Muslims into compliance with Congress demands. We should again have to come out but our methods and tempo of withdraw might again be different. It would probably be the case that this situation would rapidly lead to a break with Congress because they would wish to use all the strength and authority of the Central Government to prevent the setting up of Pakistan. The course we should have to take would we think depend on circumstances but we suggest that it would be desirable to have available a plan for withdrawal from the Muslim Provinces and subsequently from the Hindu Provinces in case it should be required.

Plans for this eventuality would also have to conform to all the conditions in 11 above. We could not hand over to a Hindu controlled Centre the existing constitutional authority of the Centre in respect of Muslim India.

In all these plans you would no doubt take account of any help we might receive from the States but we feel it is important that we should not be drawn into a position in which we found it difficult to withdraw from the States because of the assistance they had rendered.

12(a). It is of course impossible to envisage all the various ways in which the political breakdown might occur but we feel that if we had the three plans to deal with the circumstances of (a), (b) and (c) above they could then be rapidly adapted to any variation in the circumstances contemplated.
These are of course all breakdown plans and are only envisaged upon the basis that every device has been tried to get our policy through and that it has failed.

They are for our own most confidential guidance only and would not be put into operation without the express sanction of the Cabinet.

13. There are two matters on which you have addressed me separately which can clearly only be decided in connection with the matters discussed in this letter. The first is the question of the date for winding up the Secretary of State's Services (your telegram 2269-S of 30th October), and the second the withdrawal of British troops (your private telegram 2317-S).

14. As regards the Services we will discuss the position with you when you arrive here.

15. As regards the withdrawal of British troops it is definitely our view that they must remain until the withdrawal of Governors and the Governor General. Their presence is required for the protection of Europeans and we must give Europeans a chance to withdraw if they wish to do so, before British troops are removed. We also have obligations to maintain British Forces in India under the Treaties with Indian States, which we have stated will continue in force until the new Constitution comes into operation. In these circumstances if your colleagues press you on this point you will no doubt remind them (as I suggested in my telegram of 12th November) that the position was made quite clear while the Cabinet Mission were in India, and in the last resort you have the authority of H.M.G. to say that the demand for immediate withdrawal is one which they could not contemplate and in which they could not acquiesce. This method of approach seems to be preferable to your appearing to dispose of the matter by virtue of your authority to overrule your colleagues under Section 41 of the IXth Schedule. We shall of course wish to be kept fully informed of the specific circumstances under which the issue is likely to be raised. But we have no intention of giving way on the general principle. We should, however, like you to consider whether it would be feasible to arrange that British Troops should to a greater extent than at present be located where they will be available for the two purposes referred to above so that Indian Troops are used for general internal security purposes.

PETHICK-LAWRENCE

* Vol. VIII, No. 527.  
* No. 2.  
* No. 27.
Cutting from the Statesman of 26 November 1946


MR. JINNAH ADVOCATES IMMEDIATE EXCHANGE OF POPULATIONS.

Viceroy’s Duty in Restoring Peace.

League’s attitude to long-term plan.

Pandit Nehru’s Charge Refuted.

From our staff correspondent.

Karachi, November 25th.—Asked to make suggestions for checking lawlessness and restoring order in the country, Mr. Jinnah said at a Press conference today: “In view of this horrible slaughter, I am of the opinion that the authorities, both Central and Provincial, should take up immediately the question of exchanging populations to avoid a recurrence of the brutal events that have taken place where small minority communities have been butchered by overwhelming majorities.”

He suggested that, meanwhile, the Viceroy, because he alone could do it as the Representative of the Crown, should adopt every means and measure to restore peace, law and order.

When he was referred to the letter from the Viceroy to Pandit Nehru1 saying that entry of the Muslim League into the new Central Government was conditional upon acceptance of the long-term plan by the League, he said: “I have never, for one single moment, conveyed to the Viceroy anything by way of assurance or otherwise except that the long-term settlement could only be considered and decided by the Council of the All-India Muslim League.”

Mr. Jinnah added: “From the very beginning, when we nominated our five representatives, I told the Viceroy that settlement under the long-term plan could only be taken up when a proper friendly atmosphere had been created between the two major organisations.

“The Congress has not budged an inch. It is clear, as I have already said, that the Congress has never accepted the long-term plan embodied in the Cabinet Mission’s Statement of May 16th and clarified by the Statement of May 25th.

“Pandit Nehru himself made it clear in his letter to Mr. Bardoloi, Premier of Assam,2 and so has Mr. Gandhi.3

“These pronouncements were made as recently as September 30th and October 23rd.

“The Viceroy made it clear to me that it was no use discussing this matter any
further with any hope of persuading the Congress to make an unequivocal statement and accept the long-term plan embodied in the Statements of May 16th and 25th."

Asked what the League proposed to do now, Mr. Jinnah said: "I do not see how anyone could persist in going on with the Constituent Assembly in these circumstances and especially in the terribly explosive atmosphere that has been created by the wholesale massacre in different parts of the country, particularly in Bihar. We hope that we shall be able to live, but it is sheer recklessness and folly to pursue this path and I regret to say that Congress leaders and the Congress annual session at Meerut have done their best to add more fuel to the fire."

Mr. Jinnah referred to the speeches made at the Meerut session of the Congress and said: "As regards the recent fulminations of Pandit Nehru against the Muslim League and his false accusations, I can only say that there is not an iota of foundation for them. Pandit Nehru, in assuming office, took two oaths. One of them was an oath of allegiance to the King-Emperor and he was playing to the gallery when he calls us the King's Party and says that we are helping the imperialistic British Government. It is utterly untrue.

"Secondly, even a man of the meanest intelligence can understand that he himself took the oath and was sworn in a categorical manner as a Member of the Executive Council of the Governor-General. It is as plain as a pike staff, and it has been repeatedly made clear, especially in the broadcast of the Viceroy on September 2nd,\(^3\) that he has formed this Interim Government under the present constitution, the Act of 1919, which is in operation.

"He also made it clear that he would give the maximum freedom to the Members of the Executive Council in the day-to-day administration of the country. It is a sheer flight of the imagination and fiction to call it a Cabinet, a National Government, or even a coalition. Even the Congress Working Committee is called a Cabinet and in some quarters I sometimes see that the Muslim League Working Committee is called a Cabinet. By giving it a name, you do not make it a Cabinet in the constitutional or legal sense. Nor can you vest it with the powers of a real Cabinet by indulging in fiction, myth and imagination."

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\(^1\) See Vol. VIII, No. 495.  
\(^2\) See Vol. VIII, No. 385.  
\(^3\) In The Times of India of 23 October 1946 Mr Gandhi was reported to have said in an interview with the Associated Press of America on 21 October that the Statement of 16 May had recommended the device of "Grouping" which the Congress interprets in one way, the League in another and the Cabinet Mission in a third way. No law-giver can give an authoritative interpretation of his own law. If then there is a dispute as to its interpretation, a duly constituted court of law must decide it.  
\(^4\) Cf. No. 71.  
\(^5\) This may be a reference to Lord Wavell's broadcast of 24 August 1946 (see Vol. VIII, No. 199, paras. 2 and 4) or to Lord Wavell's remarks at the swearing-in of the Interim Government on 2 September (see Vol. VIII, No. 248, para. 2).
GOVERNMENT OF INDIA ACT.
It is obvious that Members of the Executive Council have been selected community-wise. It can therefore only function in terms of the Government of India Act of 1919 so far as day-to-day administration is concerned. Such limited powers and opportunities as there are in the day-to-day administration of the country can be utilised for the good of the people generally.

"We have gone there only for that purpose, but here comes the wishful thinking of Pandit Nehru. He wants to shut his eyes in ostrich-like manner and think that the Government of India Act of 1919 does not exist. In the flight of his imagination he thinks this is a truly National Government, responsible to the people and electorate. Not only does he imagine that he can function in that way, but he expects everybody else to do so.

"The real truth is that if he can only come down to earth and think coolly and calmly, he would understand that he is neither the Prime Minister nor is it a Nehru Government: he is only Member, External Affairs and Common-wealth Department.

"So long as Pandit Nehru and the Congress think that by the instrumentality of such powers as are vested in the Interim Government, by means of his majority or by machinations and manoeuvres, they can torpedo the demand for Pakistan or do things bit by bit which will prejudice or militate against a settlement of the future constitution, the Muslim League must resist every step and every measure that is taken with an eye to make more and more difficult settlement of the future constitution.

"Pandit Nehru and the Congress expect the Muslim League nominees or the Muslim League to act according to their orders as a subservient body. That, again, is an impossible position for us to accept. We cannot take orders either from Pandit Nehru or from the Congress, and so long as the policy of the Congress is to torpedo the demand for Pakistan, both by working inside the Executive Council and outside, and so long as the Congress does not recognise the Muslim League on a completely equal footing, it is difficult for us not to resist and combat the first, and as to the second we cannot be expected to occupy a subservient or subordinate position under the Congress."

"LITTLE THINGS PLEASE . . ."
When his attention was drawn to the fact that the Viceroy himself had called it a Cabinet in his official correspondence, Mr. Jinnah remarked: "Yes, the Viceroy was pressed that it is no use calling it an Interim Government and Pandit Nehru was very keen on his word 'Cabinet'. And the Viceroy saw no real objection if it pleased Pandit Nehru when they assumed office. Little things please little minds and you cannot turn a donkey into an elephant by calling it an elephant."

Referring to Sardar Patel's recent speech at Meerut that sword would be met
with sword, Mr. Jinnah said that words did not break bones. "If however, he means by these words that minorities should be butchered by majorities all over India it is an appalling prospect. All I can say is that he does not seem to realise that anyone who encourages this sort of thing is the greatest enemy of every country."

Asking, ironically, where Sardar Patel had got a sword, Mr. Jinnah added: "Indeed, Congress Ministries and the Viceroy’s Executive Council, of which he is a Member, would not be able to function if they were not under the protection of British bayonets."

[Four paras., relating to Mr Jinnah’s visit to Sind, omitted.]

* During a speech to the 54th Session of the Indian National Congress on 23 November 1946 Sardar Patel discussed the recent disturbances in India. According to reports he continued by appealing 'in God’s name for a stoppage of the disturbances because the disturbances were not only doing harm to the country but were bringing India’s name into disrepute abroad. “Whatever you do, do it by the method of peace and love. You may succeed. But the sword will be met by the sword (cheers). Pakistan cannot be achieved by the sword or by bloodshed (cheers). If you want to get Pakistan by this means, then there will be no peace in India.” The only thing for the League to do was to cancel the Bombay resolution and if that was not done, there was no place for the League in the Interim Government.’ N. N. Mitra, The Indian Annual Register, 1946, Vol. II, p. 291.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Despatch, L/S & G/7/912: f£ 2–4

SERVICES NO. 2. INDIA OFFICE, 26 NOVEMBER 1946

TO HIS EXCELLENCY THE RIGHT HONOURABLE THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

My Lord,

I have had under anxious consideration the question of the grant of compensation to officers of the Secretary of State’s Services when their appointments are terminated owing to constitutional changes and I am now communicating to Your Excellency’s Government the conclusions at which I have arrived.

2. The Services to which my conclusions relate are the Indian Civil Service, the Indian Political Service, the Indian Police, the Indian Ecclesiastical Establishment and those remaining officers of the old Railway, Engineering, Forest, Veterinary, Educational and Agricultural Services whose appointments were made by the Secretary of State in Council. They do not cover the Indian Medical Service (Civil) which must I think be dealt with along with the Naval and Military Services. (In regard to these I shall communicate my conclusions later, but with the least possible delay.)
3. There can be no doubt that the liquidation of these Services in connection with the impending constitutional changes in India will create a claim to compensation under Section 249(1) of the Government of India Act 1935 and that it rests with me and my Advisers to determine the amounts to be granted in satisfaction of it. The claim to compensation has in fact already been admitted, and existing officers of the Indian Civil Service and the Indian Police have been specifically told that, on the contingency of their services under the Secretary of State being terminated prematurely as a result of constitutional changes, they would be given terms not less favourable, considered as a whole, than those promised to “war service” candidates for appointment to these services.

4. After very full and careful consideration of all aspects of the problem I am convinced that, both on merits and on account of the pledges already given, the only satisfactory course will be to admit to compensation all officers alike whose appointments under the Secretary of State are terminated. It will be necessary for all officers to be given the right of taking their compensation (which will of course be additional to accrued pension in respect of service under the Secretary of State) and ceasing to be employed under Government in India if they so desire. But subject to that, the new Indian Government authorities will have full liberty to decide whom they will employ and upon what terms. They will be under no obligation to maintain existing scales of pay or other conditions of service or to continue in employment any members of the Secretary of State’s Services whom they do not wish to keep. On the other hand they will be equally free to take the compensation into account in settling the terms of continued employment which they offer to any officers whose services they desire to retain and who may be ready to stay on under the new regime.

5. As Your Excellency is aware various Service Associations have submitted schemes for the grant of compensation to members of their respective Services. These schemes were largely modelled on the scheme enacted by the Egyptian Government in 1923 when constitutional changes in Egypt necessitated the termination of the appointments of substantial numbers of officers who were members of the Egyptian Services; and in view of some similarity of the circumstances I was at first prepared to consider whether it would be appropriate for the scheme for the Indian Services to be based on the same principles as the Egyptian scheme. There are however substantial differences, and, further, as a result of discussions with the Government Actuary and the Treasury it has become apparent to me that there are objections to basing any scheme for the Indian Services on doubtful assumptions of the kind involved in the Egyptian scheme; and I have come to the conclusion that the most appropriate course is to frame compensation scales for the Indian Civil Service (including
members of that Service who are serving in the Indian Political Service) based solely on the pledge of not less favourable terms considered as a whole than were promised to "war service" recruits; to apply these scales, with an adjustment in respect of the earlier age at which they are required to retire, to Military officers and officers of the Indian Police serving in the Indian Political Service; and to grant to members of the other Secretary of State's Services concerned three-fourths of the scale laid down for the Indian Civil Service as modified for military and Police officers serving in the Indian Political Service. My Advisers have concurred in this conclusion and have recommended as just and equitable to the Services on the one hand and as fair to Indian revenues on the other, the scales of compensation set out in the Annexure to this despatch.

6. It is clearly important in the interests both of the Services and of the present and future Indian Governments that the scales of compensation should be finally settled and announced as quickly as possible and in any case not later than 1st January next when the present general ban on premature retirements will be removed. I should therefore be glad if Your Excellency's Government would consider urgently the scales which commend themselves to me and my advisers and let me have as soon as possible any comments that they may wish to make upon them.

7. I have given this matter the most careful thought in consultation with my colleagues in the Cabinet as well as with my Advisers, and I trust that Your Excellency's Government will recognise the proposed scales to be fair and reasonable and to provide a solution to a difficult question which will permit me to discharge my responsibilities while also facilitating the establishment by the Central and Provincial Governments of new Services wholly under Indian control, thus enabling the transfer to the new system of administration to be effected smoothly and with the harmonious collaboration of those who are laying down responsibility and those into whose hands it will be passing.

I have the honour to be,
My Lord,
Your most obedient humble Servant,
PETHICK-LAWRENCE

PROPOSED SCALES OF COMPENSATION

[There follows the Annex to No. 41 with the amendment given in note 1 to that document.]
Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/119A: f 180

NO. 592/58. 26 November 1946

Dear Pandit Nehru,

Thank you for your letter of the 21st November,¹ about the position of the Muslim League. As I told you in my letter of the 23rd October,² which has now been published, I made it clear to Mr. Jinnah that the Muslim League's entry into the Interim Government was conditional on the acceptance of the statement of the Cabinet Delegation contained in the Statement of May 16th and explained in the Statement of May 25th, and that he must call his Council at an early date to agree to this. There is no question of my having withdrawn this condition, or having misled you in any way.

Yours sincerely,

WAVELL

¹ No. 68. ² Vol. VIII, No. 495.

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/127: ff 93–5

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI, 26 November 1946

Dear Lord Wavell,

With reference to our conversation today, in the course of which you conveyed H.M.G.'s invitation to some of us to visit London this week, I have consulted my colleagues and we have given careful thought to the proposal. I need hardly say that we are grateful to H.M.G. for their invitation, but we feel we cannot, at this stage, go to London. We would be agreeable to consultations with the representatives of the British Government in India.

It would appear that the proposal involves a re-opening and a reconsideration of the various decisions arrived at since the visit of the British Cabinet Delegation to India. The Muslim League accepted places in the Government on the very clear understanding that they also accepted the long-term proposals contained in the Cabinet Mission's statement of May 16. Indeed they could not join the Government otherwise. But now the League have announced
very definitely that they will not participate in the Constituent Assembly. We attach, as you are aware, great importance to the holding of the meeting of the Constituency [Constituent] Assembly on the date fixed, namely, December 9. The invitation to us to go to London appears to us to re-open the whole problem which was settled to a large extent by the Cabinet Mission’s statement and the formation of the Interim Government. Any impression in the public mind that these decisions are reopened would, in our opinion, be fatal. It was because we felt that it was necessary in the public interest to emphasise that problems have been finally settled that we insisted on the holding of the Constituent Assembly on the date fixed for it. Even this date, it must be remembered, was five months after the election of the members. Any further postponement in the present context would, in all probability, result in the abandonment of the plan and create a feeling of uncertainty all round which is not only undesirable but actually, at the present juncture, would encourage various forms of violent propaganda.

It is difficult enough at this stage for us to leave the country even for a short while. We have also to prepare for the Constituent Assembly meeting which will take place in less than two weeks. If any useful purpose would have been served by our going out now, we should have done so in spite of these difficulties. We are convinced, however, that our leaving India now would mean that at the instance of the League the Cabinet Mission’s plan is going to be abandoned or substantially varied and that we are parties to it. It would mean giving in to the League’s intransigence and incitement to violence and this would have disastrous consequences. The first thing to be certain about is that plans agreed to will be implemented and that there will be a continuity about policy. There has been suspicion enough. Any addition to it will wreck the whole scheme and make it difficult to replace it by another. We feel, therefore, that we cannot, at this stage, proceed to London, but we would welcome, whenever necessary, consultations with the representatives of the British Government in India. A brief visit now on our part to England cannot bear fruit. It is likely to have a contrary result. We, therefore, regret we are unable to accept H.M.G.’s invitation conveyed to us through you. I trust you will convey the contents of this letter to H.M.G.

Yours sincerely,

JAWAHARLAL NEHRU
99

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: ff 96

IMMEDIATE

NEW DELHI, 26 November 1946, 9.30 pm
Received: 26 November, 9 pm

No. 2488–S. Your 20616 dated 25th November.1 I have seen Nehru, Liaquat and Baldev Singh today. I gave them the invitation on the lines suggested in your telegram and urged the desirability of accepting.

2. The Congress have refused. My next succeeding telegram gives the text of Nehru’s letter.2

3. Liaquat welcomed the suggestion but wanted to see Jinnah in Karachi and explain to him.3

4. Baldev Singh says that as both parties are not going there is no point in his going. He is seeking confirmation from Sikh organizations but we can assume he will refuse.

5. I propose to fly home with those that accept starting probably on the 29th. It is clearly useless to try to persuade the Congress to change their minds.

1 No. 92.
2 No. 98.
3 In tel. 2484–S of 26 November Mr Abell asked the Secretary to the Governor of Sind to tell Mr Liaquat Ali Khan that Congress did not propose to accept the invitation to visit London. R/3/1/127: ff 102.

100

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: ff 242–3

MOST IMMEDIATE

CONFIDENTIAL

INDIA OFFICE, 27 November 1946, 1.25 pm
Received: 27 November, 10.30 pm

No. 20717. Your 2488–S1 and 2489–S.2 Please convey the following to Jawaharlal Nehru from Prime Minister.3

Begins: I very much hope that you will agree to come to London since it is not possible at the present time for me, or my colleagues who have already been absent more than 3 months on Indian affairs this year, to go to India. The object of our talks would be to try and ensure a successful meeting of the Constituent Assembly on December 9th. There is no intention of abandoning either the decisions of the Assembly to meet or the plan put forward by the Cabinet Delegation. It is our desire to see that this is implemented in the full
and not any desire to abandon or alter it that has prompted us to ask you and your colleagues to come to London. All three members of the Cabinet Delegation individually and collectively have asked me to urge upon you the supreme importance of this opportunity of our meeting and discussing the situation before any further untoward actions take place in India.

We ask you to help in this way to make rapid and smooth progress towards the goal of Indian Freedom an objective which we share wholeheartedly with the people of India. Ends. 4

1 No. 99.
2 Tel. 2489-S of 26 November repeated the text of No. 98. R/3/1/127: ff 97–8.
3 The draft of Mr Attlee’s message, in the hand of Sir S. Cripps, is on L/P &J/10/76 at ff 246–7.
4 Lord Wavell minuted with respect to this telegram: ‘Quite an ingeniously if not perhaps entirely ingenuously worded telegram.’ R/3/1/127: f 115.

IOI

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P &J/10/76: f 241

MOST IMMEDIATE          INDIA OFFICE, 27 November 1946, 1.30 pm
SECRET                    Received: 27 November, 9 pm
No. 20718. Your 2489–S.1 My immediately preceding telegram contains message for Nehru from Prime Minister. My colleagues were agreed that this should not repeat not be published unless there is a leakage, but that you should show it to Liaquat but not until immediately after Nehru’s reply is received.2

1 See No. 100, note 2.
### Statement by Lord Pethick-Lawrence


**27 November 1946**

**Statement of Casualties in Communal Disturbances in India, September 2–November 18, 1946**

<table>
<thead>
<tr>
<th></th>
<th>Deaths.</th>
<th>Injuries.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengal—Calcutta</td>
<td>218</td>
<td>677</td>
</tr>
<tr>
<td>Noakhali and Tippera Districts</td>
<td>133 verified so far. Final figure is not expected to exceed 200.</td>
<td></td>
</tr>
<tr>
<td>Dacca</td>
<td>127</td>
<td></td>
</tr>
<tr>
<td>Rest of Bengal</td>
<td>33</td>
<td></td>
</tr>
<tr>
<td>Bihar</td>
<td>5,000 (very rough estimate)</td>
<td>No figure available, but it has been observed that practically none of the refugees or of those who remained in their villages shows marks of injury.</td>
</tr>
<tr>
<td>Bombay</td>
<td>622</td>
<td>1,896</td>
</tr>
<tr>
<td>Madras</td>
<td>9</td>
<td>63</td>
</tr>
<tr>
<td>United Provinces</td>
<td>445</td>
<td>66</td>
</tr>
<tr>
<td>Punjab</td>
<td>20</td>
<td>61</td>
</tr>
<tr>
<td>Central Provinces</td>
<td>3</td>
<td>13</td>
</tr>
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<td>Sind</td>
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<td>4</td>
</tr>
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<td>Assam</td>
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<td>8</td>
</tr>
<tr>
<td>Delhi</td>
<td>26</td>
<td>55</td>
</tr>
<tr>
<td>Baluchistan</td>
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<td>1</td>
</tr>
</tbody>
</table>

1 Lord Pethick-Lawrence circulated this statement in connection with his answer to a Parliamentary Question by Lord Salisbury in the House of Lords on 27 November 1946. The figures in it were largely based on tel. 2478-S of 26 November from the Viceroy, tels. 318 and 319 of 24 and 25 November from the Governor of Bengal, and tel. 166-S of 24 November from the Governor of Bihar. L/P 88/8/575: ff 165–8.

### 103

*Sardar Baldev Singh to Field Marshal Viscount Wavell*

*R/3/1/127: f 110*

**I Bhagwan Das Road, New Delhi, 27 November 1946**

Dear Lord Wavell,

I have very carefully considered the invitation by H.M.G. to a Delegation consisting of two representatives of Congress, two of League and one Sikh to
visit London to discuss the present political situation. While expressing my appreciation for the inclusion of a Sikh and my desire to go to London to do whatever is possible to resolve the present difficulties, I regret to have to say in the circumstances as they exist at present and in view of the Congress not having found it possible to go to this Conference, it will serve no useful purpose my accepting the invitation.

I would like to add that the Sikh community is considerably perturbed over the increasing aggressiveness in the attitude of the Muslim League and the apparent ease with which this is being done. Its representatives have entered the Interim Government under inexplicable circumstances. Other organisations, particularly the Sikhs, were required categorically to accept the Long Term Proposals of the British Cabinet Delegation and not until this was done were they considered qualified to have a seat in the Interim Government. In the case of the Muslim League, not only this was not done, but its representatives who joined the Government on giving the necessary undertakings are still there even though Mr. Jinnah states that the League has not accepted the Long Term Proposals.

Further, Mr. Jinnah's demands on the Minorities in what he terms his Pakistan areas are reaching dangerous proportions. The Sikhs are now beginning to fear that it will be difficult if not impossible to come to any settlement with the Muslim League. I feel that the time has come when a halt is to be called to giving way to threats. The situation is deteriorating rapidly on account of the rabid claims of the Muslim League and a stage may well reach where the Sikhs may have to refuse to sit with the League for political discussions.

I sincerely hope that you will be able to bring this grave development to the notice of H.M.G. during your present visit to London.

Yours sincerely,

BALDEV SINGH

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/127: f 107

MOST IMMEDIATE NEW DELHI, 27 November 1946, 7.40 pm
CONFIDENTIAL

Received: 27 November, 4.20 pm

No. 2500-S. League have accepted invitation and will be represented by Jinnah and Liaquat. Baldev Singh has refused on behalf of the Sikhs.

2. At Jinnah's request I have agreed to postpone departure by one day. We will leave Delhi on November 30th and Karachi 1st December. We should arrive in the United Kingdom on Monday afternoon the 2nd.
Memorandum of points made by Mr R. A. Butler in the course of a private interview with Lord Pethick-Lawrence on 27 November 1946

Public Record Office. CAB 127/107

PRIVATE

TOP SECRET

I gave Butler a pretty full description of the situation in India and, in the course of it, stressed the importance of the Conservative Party refraining from taking sides with the Muslim League.

Butler in reply said he fully appreciated this point. Whatever Mr. Winston Churchill might do, neither he nor Anthony Eden would take this line. But it was equally important that the Government should not take sides between the two parties or yield to one of them against the other. If this were done the Conservative Party would violently react. The Conservative Party would also be obliged to stress strongly the claims of the Depressed Classes and other minorities in the final settlement, but he was fully aware of the difficulties of H.M.G. in insisting on any such provisions.

He stressed the need for H.M.G. to have some bargaining counters with Congress. He wondered whether the threat to withdraw British troops in preservation of order might be a negotiation card. It could, of course, only be used in private conversation. I pointed out the difficulty of using this as theoretically Congress was demanding the immediate withdrawal of British Forces.

In general, Butler expressed his desire to help all he could as he realised the extreme difficulty of the situation.

Mr Griffiths to Lord Pethick-Lawrence

L/PO/6/102C: ff 71–5

101 Clive Street, Calcutta, 27 November 1946

Dear Lord Pethick-Lawrence,

When I last sent you a note regarding the Indian Political affairs, you were good enough to invite me to write to you again if the situation seemed to justify it. In my judgment the Indian political situation today is more serious than it has ever been and I feel, therefore, that I must send you a copy of a note on the subject which I have recently written.
I sincerely hope that my forebodings are wrong, but as I read the situation today, India is moving towards a phase comparable with that of China, and is likely to emerge from it completely Balkanised.²

Yours sincerely,

P. J. GRIFFITHS

Enclosure to No. 106

SECRET

27 November 1946

Indian Political Notes—No. 2.

1. Most competent observers regard the political and communal situation in India to-day as extremely serious and there is a very general feeling of disaster round the corner.

2. Contact with those concerned makes it clear that the entry of the Moslem League into the Government of India was most distasteful to the Congress members of that Government, who had hoped that they would “sole reigning, hold the tyranny of Heaven.” That distaste was accentuated when they were forced to hand over to the Moslems what are often considered the two most important portfolios of the Government of India.

The Moslems for their part went into the Government of India purely with a view to protect themselves against the oppression which might result from a single party Hindu Government. The new Government was not in any real sense a Coalition Government and the participation of the two parties in it, did not indicate any nearer approach to each other.

3. During the few weeks since the Moslems came in there have been no signs of any growing trust or co-operation between the two parties. The deliberate attempts made by the Congress to convert the position of Nehru, as Vice-President of the Executive Council into that of Prime Minister or head of Government, have been much resented by the Moslem League. During the session of the Indian Legislative Assembly just finished, Nehru and Liaquat Ali Khan sat side by side throughout the Session in glum and unfriendly silence—scarcely a word and never a smile passed between them. Throughout the Session the growing feeling amongst the back-benchers was that this uneasy alliance could not long continue. It should, however, be noted that the back-benchers of both the parties showed a considerable desire not to embarrass the Interim Government by forcing awkward matters to a division.

4. In the meantime events in the country have made the situation at the

¹ Vol. VIII, Enclosure to No. 249.
² Copies of this document were sent to Mr Attlee, Sir S. Cripps, and Mr Alexander on about 10 December on which date it was circulated in the India Office and shown to the Viceroy. A note dated 13 December states that Sir D. Montefith thought it would be helpful if Sir W. Croft could read it ‘before the meeting tomorrow’. The latter, in a note dated 14 December, asked to see it again when Mr Turnbull had finished with it. L/P.8/F/10/76: ff 170–1.
Centre even more precarious. The Indian Press has done its best to make the situation worse—the Hindu Press has deliberately exaggerated the East Bengal situation and the Moslem Press has behaved similarly with regard to Bihar. The realisation is growing amongst competent observers, that a coalition at the Centre between two parties at war in the country is unworkable.

5. An open breach in the Cabinet has for some days seemed inevitable and the only question in many peoples minds is as to how soon that breach will take place. It is suggested in some quarters—though this is pure speculation—that the Congress High Command are appalled at the state of the country and conscious of their own inability to control the situation. This, it is said, is leading to a desire to escape from their responsibilities and then to find a convenient scapegoat. Those who hold this view say, that in the event of a split the Congress are more likely to go out of the Interim Government than the Moslem League. It is difficult at the moment to say how much foundation there is for this belief, though the writer’s instinct inclines him to it.

6. Although matters were brought to a head by Mr. Jinnah’s recent announcement that the Moslems would not participate in the Constituent Assembly, it came as a surprise to nobody. The Moslems originally accepted the long-term plan of the Cabinet Mission with a good deal of apprehension and that apprehension hardened into real fear when the Congress Party began to interpret the long-term plan in its own peculiar fashion. After some delay the Viceroy made a statement on the subject, which did not, however, go far enough to allay the Moslem fears. It certainly gave no indication that H.M.G. would take any action to protect the Moslems if the Congress Party insisted on using its majority in the Constituent Assembly for its own purposes and in particular if, in the process, that Party distorted the intention of the Cabinet Mission’s plan for the Constituent Assembly. Here, as so often in recent years, H.M.G. aggravated the situation by its own timidity and its consequent unwillingness to take a clear line one way or another. Undue fear of again alienating the Congress apparently prevented H.M.G. from giving those full-blooded assurances which the Moslems not unreasonably required. To those who bore these facts in mind, it was a foregone conclusion that the Moslem League would not go into the Constituent Assembly unless something was done to remove its distrust and its fears.

7. At this stage Nehru, with his unfailing gift of saying the wrong thing at the wrong time and his tendency to allow his emotionalism to get the better of his intelligence, made a speech which can only be described as irresponsible. This speech which charged his Moslem colleagues in the Cabinet with deliberate obstruction, was bound to be bitterly resented by them. Emotional instability is such a marked characteristic of Nehru that it is difficult to understand his motives or psychology, but the plain man is likely to believe that his speech
was deliberately intended to widen the breach between the Hindus and the Moslems in the Cabinet and so either to force the Moslems out of the Cabinet or to facilitate the withdrawal of the Congress from it, if that is what they want.

8. The situation thus arrived at is disturbing in the extreme. If the Constituent Assembly deliberates—except with regard to mere formalities—in the absence of the Moslems, the repercussions in the country may well be serious, while at the same time, unless something can be done to heal the breach between the two parties in the Cabinet, the continuance of the Interim Government will be difficult.

9. If the Interim Government comes to an end, what is to take its place? I have met no one, either official or non-official, of whatever rank, who has any clear idea as to the answer to this question. There is general agreement that administration is breaking down in many parts of the country and scarcely any of the officials concerned believe that they could run the administration if the Interim Government went out and they had to take over. There is equally general agreement that in the present state of communal tension, a government consisting of either the Congress or the Moslem League with the other party in active opposition, would produce uncontrollable communal struggles, distinguished only from civil war by the limited nature and number of weapons possessed by the rival parties. Even this limitation might be removed if, under the resulting strain, the Indian Army failed to hold together.

10. Is there any action that can be taken to save the situation? In the first place, it seems essential to postpone the Constituent Assembly. If it meets, except just for a few formalities, in the present atmosphere it is bound to end in complete discord and the last state will be worse than the first. By postponing the Constituent Assembly until a more propitious moment H.M.G. would of course lay itself open to the accusation of wanting to delay self-government and there is no doubt that the leaders of the Congress Party, who are already trying to make the Viceroy a scapegoat, would jump at this opportunity. In my view, however, this duty is one which H.M.G. should not shirk merely on account of the odium attached to it, provided they are satisfied that it would provide a better hope of a peaceful settlement later. The question however, arises—would a postponement of the Constituent Assembly create such resentment amongst the Hindus that it would be likely to lead to a fresh Civil Disobedience movement? This is a very hard question to answer, but my own view is that it would probably not have that result. Many ordinary Hindus are, I believe, at the moment oppressed by a sense of impending disaster and would feel, though they might not say so, that the postponement was wise.

11. Having postponed the Constituent Assembly, the next step would be to

3 Presumably a reference to Pandit Nehru's speech in No. 71.
make another effort to get the Moslems in. Perhaps the best hope of this would be by a public and explicit assurance from H.M.G. to the Moslems, to the effect that the Cabinet Mission’s plan meant exactly what it said and that the curious interpretations put upon it by the Congress leaders were not correct and would not be accepted by H.M.G. As suggested in my last note, the statement might be on the following lines:

(1) That the Constituent Assembly is not in any sense a sovereign body. Its conclusions will be submitted to H.M.G. who have undertaken to implement them fully, if and only if they comply with certain conditions, the most important of which relates to the protection of minorities.

(2) That, unless modified by agreement between the two major parties, the grouping of Provinces is obligatory and cannot be changed by a mere majority in the Constituent Assembly.

(3) That the Central subjects are, as stated, limited to defence; foreign affairs, communications and that the scope of these subjects cannot be widened as suggested by certain political leaders, without agreement of both the major parties.

(4) That if the Constituent Assembly, by a mere majority without agreement of both the parties, attempts to depart from what is here stated, the Constituent Assembly will be dissolved forthwith.

Such an assurance might still bring the Moslems in, although the possibility of this is not so great as it was two or three months ago in view of the bitterness and mistrust engendered by the belief of most Moslems that H.M.G. let them down over the matter of the Interim Government. The possibility that such an assurance would succeed in bringing the League in does nevertheless, seem to me great enough to warrant the attempt. For the reasons stated in my last note, I do not believe that such an assurance would result in the abandonment of the Constituent Assembly by the Congress at the present stage. Although it is by no means certain that the proposed assurance would achieve the desired result, it is difficult to see that anything less than that assurance can possibly bring the Moslems into the Constituent Assembly.

12. Even if the Moslems come into the Constituent Assembly, there is grave room for doubt whether that body can ever achieve agreement and few thinking people envisage an agreed settlement on the question of joint or separate electorates. It would, however, be a great step forward to get both parties into the Constituent Assembly and the attempt suggested above seems worthwhile, even though one may be pessimistic as to the ultimate outcome of the constitution-making body.

13. It may be that in their present mood the Moslems would not accept the suggested assurances and H.M.G. may well find itself faced with the problem of giving an Award in favour of some form of Pakistan or else failing to
secure the framing of a self-governing constitution at all. It is the reluctant
belief of the writer that ultimately the acceptance of partition and the establish-
ment of two separate Constituent Assemblies will be found unavoidable, but
in the meantime the immediate practical steps seem to be those suggested above.

14. It may be necessary to face in the near future the question as to what is to
be done if it proves impossible to get the Moslems into the Constituent As-
sembly and if the Interim Government breaks up. In theory, Britain would then
have two alternatives. Either she could make an attempt to carry on admini-
stration on purely official lines while the parties hammered out the constitu-
tional issue or she could wash her hands of the whole business and say that
after a fixed date Britain would take no responsibility for the Indian admini-
stration. The second alternative would involve handing over the country
completely with no agreed form of government and with civil war as the
probable consequence. In the last resort there might be no alternative to this but
H.M.G. should, it is suggested, explore every other possibility first. H.M.G.
might therefore find themselves compelled to carry on administration through
officials in an interim period. As has been said above the Civil Services as they
are today could probably not stand the strain of such responsibility. Under
these circumstances it might be necessary to re-inforce them with a strong
military element and indeed to give the administration a pseudo-military
character. I do not mean by this anything approaching to martial law or the
suspension of the ordinary law of the land. I merely mean that the superior
Civil Services to-day are too few in number and too strained and demoralised
to be able to bear unaided the burden of Government. If therefore the collapse
of the Interim Government compelled H.M.G. to find a substitute, a mixed
civil military commission might be the only answer. This point will be devel-
oped in a subsequent note if circumstances seemed to require it. In the mean-
time it is merely put forward in a tentative way and must not be taken to be
the final opinion of the writer.

P. J. GRIFFITHS

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET THE VICE ROY'S HOUSE, NEW DELHI,
27 November 1946

I have no letter of yours to acknowledge since I last wrote on the 22nd
November.¹ We have however had correspondence by telegram about the

¹ No. 77.
threatened crisis which arises from Jinnah’s statement that the Muslim League adhere to their resolution of the 29th July, and Nehru’s statement which practically demands the dismissal of the Muslim League from the Interim Government. Nehru has written to me asking in effect whether the Muslim League deceived me or I deceived the Congress. I have replied calling his attention to my letter of October 23rd, which has been published. The question whether to enforce the consequences against the Muslim League is, however, an extremely difficult one, since whatever may be the legal or logical position, the state of the country will deteriorate at once if the Muslim League representatives are dismissed from the Interim Government. There will have been further developments about this before my letter arrives, so I need say no more.

2. Reports which Wylie has sent show that the Garhmukteshwar incident in the United Provinces was a really ghastly case of unprovoked aggression by Hindus against Muslims. One of the problems in the village itself is that every well is contaminated by corpses and special arrangements will have to be made to get pure water-supply. There were many vile offences against women, and as Wylie says, if the two communities go on attacking the women of the other side, the whole country may go mad.

3. Scott, my Deputy Secretary, has been down to Bihar and has given me a very useful report, most of which I have circulated to the Cabinet. Offers of assistance have been made both to the Bihar Government and to the Bengal Government, and I shall do all I can to ensure that assistance to refugees is not hampered by lack of resources. The Garhmukteshwar problem, which is on a comparatively small scale, is probably within the resources of the United Provinces Government.

4. Jenkins, who came down for a few hours on Sunday, tells me that a leader of the various Hindu private armies inspected no less than 25,000 men on a recent tour in the Punjab. Under their new Public Safety Ordinance, the Punjab Government propose to put down all private armies, and unquestionably they are right. I shall do my best to see that other Ministries take the same line, but I think it may be very difficult to secure uniformity. At the Congress session in Meerut, both I.N.A. men (with their own band), and Red Shirts, and I think other volunteers were on parade. The Muslim League on their side have a rapidly expanding National Guard.

5. Nehru has made some very unfortunate statements during the Congress session, but he always loses his head in front of a large audience and it was only to be expected. There is no doubt also that the Congress High Command is under severe criticism and pressure from the Left Wing. I do not think he has had a very good press about his strictures against me, and one foreign correspondent was heard to say that he would have his “ears pinned back by the world
press" about this! But the Congress view is definitely that his allegations against
the Muslim League are fully justified, and the Muslim League on their part
are no doubt solidly behind the reply by Ghazanfar Ali, of which I have sent
you a press report.

6. The grim truth is, I am afraid, that the communities are now in no mood
to negotiate or compromise, or to be in any sense reasonable. The small fry
seem to have taken charge on both sides and they are rabid, ignorant, and
irresponsible. I do not think that any authority can put things right without
taking very firm action, and I doubt whether the provincial governments are
able or willing to take such action. The absence of a definite policy on the part
of His Majesty’s Government is a very serious matter indeed at a critical time
like this.

7. I saw Khizar Hayat Khan, the Premier of the Punjab, a few days ago.
He was in quite good form, was not unduly perturbed at the decision to call
the Constituent Assembly which he had opposed, and thought that we should
be compelled by the course of events to stay in India. The matters with which
he was chiefly concerned were the decision that admission to the new War
Academy would be only by examination (thus tending to eliminate the not very
clever Punjabi), and the fact that we had removed his British Chief Justice,
who has been replaced by a Muslim. Khizar may have faults, but it is to his
credit, and to the credit of Jenkins, that the Punjab is remarkably steady at
this time. When 120 Muslim League volunteers started from Peshawar for
Bihar in uniform and armed with spades (which can be very formidable
weapons as the Khaksar disturbances showed), the Punjab Government had
them arrested at Cambellpur and returned to the Frontier. There were squelks
from the Muslim League, but it was a good old-fashioned bit of sound admin-
istration.

8. The All-India Scheduled Castes Federation (Ambedkar’s Body) have
announced that they will shortly consider whether they should boycott the
deliberations of the Constituent Assembly; their present tendency seems to be
to do so, and if they do, it would mean that they have moved over to the
Muslim League.

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1 No. 72.  2 See No. 71.  4 No. 68.
3 No. 97.  6 Vol. VIII, No. 495.  7 Not traced.
8 This reply related to Pandit Nehru’s complaint that the League had not accepted the Mission’s long
term plan even though this was a condition of their participation in the Interim Govt (see No. 71).
After citing the passage in the Statement of 25 May 1946 that Grouping was ‘an essential feature of
the scheme’ Mr Ghazanfar Ali Khan declared that ‘the whole world excepting Pandit Jawaharlal
knows that the whole point of the Muslim League’s complaint is that the Congress does not accept
the scheme of May 16 as explained in the statement of May 25.’ If Congress ‘can remain in the
Interim Government after publicly refusing to follow the plan as laid down in the British delegation’s
statements, I do not see why the Muslim League . . . cannot stay.’ Hindustan Times, 25 November
1946; R/3/1/127: f 89.
[Para. 9, on a suggestion for the next Police Member of the Secretary of State’s Council of Advisers, omitted.]

10. Since the above was drafted, I have received your invitation to go home, and shall follow close on whatever corresponds to the heels of a letter. But it may as well go, to keep you in the picture.

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Mr Abell to Mr Harris

R/3/1/149: f 32

PRIVATE AND SECRET

27 November 1946

NO. 1299/2.

My dear Harris,

Thank you for your letter of 19th November,1 about the printing of correspondence between the Viceroy and the Secretary of State.

2. I think there is no doubt that H.E. would prefer not to change the old practice of printing the correspondence. I confirm that the printing is done under special security precautions, which have always proved adequate.

3. Necessary action about records in the Departments of the Government of India, including Political Department, has either already been taken or is in hand. We have not yet started on the Governor General’s Public and Reforms Secretariat as the important papers there are mostly duplicates of correspondence on record in this office and would be destroyed if there was any question of a hand-over. I have however asked Menon and Godbole to go into the matter and to start destroying records which are not required and which could not be handed over.

4. As you mention especially the Political Department, I am making further enquiries about the progress of their work, and will let you know the result shortly.²

5. Thank you for undertaking to assume custody of any additional records which ought to be sent home. We will bear this in mind.

Yours sincerely,

G. E. B. ABELL

¹ No. 59.
² On 29 November Mr Scott informed Mr Harris that Political Department had made little progress so far, having been held up by the need to obtain sanction for the new staff required for weeding in the various Residencies and other record rooms. R/3/1/149: f 34.
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Government of India, External Affairs Department to Secretary of State

Telegram, L/P&EJ/7/10594: ff 1–2

NEW DELHI, 28 November 1946, 5.15 am
Received: 28 November, 2.25 pm

10081. Government of India are appointing K. P. S. Menon of Indian Political Service as their special representative to visit Moscow after the conclusion of the General Assembly to continue on an official level the conversations begun by Krishna Menon regarding the exchange of diplomatic representation between India and U.S.S.R. We should be grateful if you would kindly instruct His Majesty’s Ambassador in Moscow to give K. P. S. Menon such assistance as he may require.

2. Government of India are also appointing V. K. Krishna Menon as their special representative in order to conduct informal conversations with Governments of other countries in Western Europe on the subject of exchange of diplomatic representatives. We should be glad if His Majesty’s Ambassadors and Ministers in the places (?) concerned could be asked to give Krishna Menon such assistance as he may require. The names of the capitals which he will visit will be communicated to you shortly when his itinerary is decided. Provisionally, we propose that he should (?) visit) Paris, Brussels, The Hague, Copenhagen, Oslo, Stockholm, Prague and Berne. It is not (?) proposed) to open permanent missions in more than a few European countries at present; but arrangements will be made for one mission to cover nearby (?) countries) in manner already adopted by a number of other countries in the process of developing their diplomatic contacts.

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Minutes by Mr Scott and Field Marshal Viscount Wavell

R/3/1/127: f 122

28 November 1946

I have been informed by a Hindu journalist, whom I know well, that the Congress had intended to send H.E., by to-day, a letter demanding the resignation of the Muslim League Members of the Interim Government. He tells me that he has had this information from a Member of the Interim Government.
2. The invitation for London has torpedoed this plan, and he says that Congress circles which were interested in pursuing the matter have been taken aback.

I. D. SCOTT
28-11-46

The invitation has undoubtedly upset Congress plans.

W.
28/11

III

Pandit Nehru to Mr Abell

R/3/1/127: ff 123-5

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI,
28 November 1946

Dear Mr. Abell,
Thank you for sending me copy of a telegram¹ from the Secretary of State conveying a personal message from the Prime Minister to me. In reply to this I am enclosing a message for the Prime Minister. Could you kindly have it sent to him immediately?²

Yours sincerely,
JAWAHARLAL NEHRU

Enclosure to No. 111

Please convey the following message to the Prime Minister from Jawaharlal Nehru.

Beginns. I am grateful to you for your message and appreciate your desire to ensure a successful meeting of the Constituent Assembly on December ninth and onwards. We are all anxious that the Constituent Assembly should meet on the date fixed and should proceed harmoniously to fulfil its task and we shall do our utmost to this end in cooperation with others. As we have repeatedly stated we accept the Cabinet Delegation’s plan in its entirety. In regard to certain interpretation we made our position perfectly clear to the Delegation and we have proceeded accordingly since then. We have further stated that in the event of different interpretations the matter should be referred to the Federal Court and we shall abide by Court’s decision. It appears from the statements made on behalf of British Government in Parliament yesterday³ that only point to be considered is this interpretation. In regard to this our position is quite clear and we are completely committed to it. We are unable to
change it and have no authority to do so. Hence our visiting London for this purpose is not necessary.

The first session of the Constituent Assembly will deal with matters of procedure and appointment of Committees. The question of interpretation as regards subsequent activities will not arise at this stage. It is therefore easily possible for all to cooperate in this session and if necessity arises to refer any matters over which agreement has not been reached to Federal Court.

It would be more suitable and convenient for us to visit London if necessary after first brief session of the Constituent Assembly. This would allow more time for consultations.

In view of these considerations and also because of great difficulty in leaving India at present we feel that our visit to London now would serve no useful purpose; but if in spite of this or because you wish to consider other matters you desire us to come, we shall endeavour to do so. But we shall have to return by December 9 in time for the Constituent Assembly. Ends.

1 No. 100.
3 The invitations extended to Lord Wavell and representatives of the Indian political parties to visit London for discussions were announced in both Houses of Parliament on 27 November. The statements continued: ‘The House will be aware that Mr Jinnah, the President of the Moslem League, has stated that the Moslem League representatives will not attend the Constituent Assembly which has been set up on the basis proposed by the Cabinet Mission and is due to meet on December 9. This situation is mainly due to differences of view between the Indian National Congress and the Moslem League as to the interpretation of certain provisions in the Cabinet Mission’s Statement of May 16. The purpose of the proposed discussions is to endeavour to reach a common understanding between the two major Parties on the basis of which the work of the Constituent Assembly can proceed with the cooperation of all Parties.’ See Parl. Debs., 5th ser., H. of L., vol. 144, col. 413.

II2

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/127: f 131

17 YORK ROAD, NEW DELHI, 28 November 1946

Dear Lord Wavell,

You will have seen my reply¹ to the message² of the Prime Minister. For the reasons I have mentioned in my reply as well as other reasons, we have been most reluctant to leave India at this stage and to go to London. As a matter of fact I am not personally well enough to travel without considerable discomfort. But that is a minor matter. I felt, however, that in view of the Prime Minister’s

¹ Enclosure to No. 111. ² See No. 100.
personal appeal, it would have been discourteous to give a final refusal. Because of this consideration I have pointed out to him some reasons for not going, but have finally said that I would be prepared to go if he still wants me to do so. We view this visit with considerable misgiving and this misgiving has been heightened by the fact, mentioned in Mr. Abell’s letter to me, that the Muslim League representatives are taking a Public Relations Officer with them. Is this visit meant for propaganda purposes or for serious talks?

If Mr. Attlee still wants me to go, I shall go alone on behalf of the Congress. There is no particular reason why we should add to the number when important work needs our presence here. Sardar Baldev Singh will, however, probably accompany me.

Yours sincerely,

JAWAHARLAL NEHRU

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3 Mr Abell’s letter is not on R/3/1/127.
4 Lord Wavell minuted: ‘I think an acknowledgement would be courteous. I did not know about the Muslim P.R.O.’ See No. 117 for Lord Wavell’s reply.

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Mr Menon to Mr Abell

R/3/1/127: ff 132–9

NEW DELHI, 28 November 1946

Top Secret

My dear Abell,

I enclose a Memorandum containing my views on the present political situation. I hope to mention some aspects of it to H.E. in my interview this afternoon.

Yours sincerely,

V. P. MENON

Enclosure to No. 113

28 November 1946

Top Secret

Memorandum on the present political situation

As suggested by P. S. V. I put down my views on the present political situation. We have now reached a point at which our decision as to the next step may make the difference between progress and anarchy for this country; it is possible that the compulsion of events may soon take the decision out of our hands, but when we still retain the initiative it is necessary for us to choose our step with great care and circumspection.

2. As I see the situation, we are drifting into a position where the fund of goodwill which has been built up is being rapidly dissipated and which may end in both the parties completely losing their trust in the good intentions of
H.M.G. In 1944, when H.E. took the initiative in reopening the constitutional problem, he recognised that there was a very deep-rooted feeling of suspicion as regards H.M.G.'s intentions; and H.E. was clear that any fresh step must be animated by a new spirit, and that if we wanted India as a Dominion within the British Commonwealth of Nations, we must treat her like a Dominion now.

3. It was with this background that H.E. opened the Simla negotiations in 1945. At no time in my experience of over 30 years has a Viceroy had such a universally good press and goodwill in India as H.E. had at that time. The Cripps Mission in 1942 failed because there was no agreement among the political parties on the long-term plan. What we tried to do in the Simla Conference was to bring the two parties together into the Interim Government in the hope that by working together they might be able to evolve an agreed basis for a long-term solution. The position of the political parties at that time was that the Congress was most anxious to form a National Government at the Centre and to evolve a basis for a future Constitution. It was with this object that Gandhi approached Jinnah to find a compromise on the Muslim League demand for Pakistan. Gandhi was prepared to go some way towards Pakistan, but no agreement was reached on that basis. In the circumstances the best that we could do at the Simla Conference was to leave the question open and unprejudiced. In order to give the Muslims a feeling of security so that their position would not be prejudiced we insisted that within the Executive Council they should have parity with the Caste Hindus. It was a great achievement to have got the Congress to agree to this concession.

The Muslim League had now obtained a partial concession from Gandhi regarding Pakistan as also parity inside the Council with Caste Hindus. Jinnah now raised his demands; and stood out for complete Pakistan and parity with the rest of the Council as well as the right to nominate all the Muslim quota himself.

In my note of the 7th July 1945 to P. S. V. I indicated the view that Jinnah's extreme position would not find support even among his followers and that if the position were not to be allowed to drift we should go ahead with H.E.'s plan and constitute the Interim Government, with such parties as were willing to co-operate. The breakdown of the Simla Conference was generally interpreted as conceding a veto to the Muslim League.

4. In the general elections held in the cold weather of 1945–46 the Muslim League obtained the support of the overwhelming majority of Muslims; and similarly the Congress that of the Hindus. Middle opinion in both sections was

1 Mr Abell minuted: 'This reflects the Congress view in the main but I asked Mr Menon to be absolutely frank.' Lord Wavell minuted: 'I am afraid that this is almost purely a Congress brief.'
2 R/3/3/95.
3 Lord Wavell minuted: 'War was still on, and Winston was P.M.'
completely wiped out and political India became divided into two opposing communal camps with no meeting-ground.

5. It was in this atmosphere that the Cabinet Delegation came out to India. The Cabinet Delegation and H.E. made one big effort to bring the parties together but they failed. In the end they had to evolve a solution of their own, defining the broad basis on which the Constituent Assembly should meet. Their purpose was that once there was a common agreement on the long-term plan the parties would be able to work together inside the Executive Council in an interim arrangement.

6. It is not necessary to go into the tortuous course of events that took place subsequently. But it should be mentioned that in the interests of agreement the Congress gave up the demand for a strong Central Government and accepted a minimum Centre and a 3-tier Constitution to which they had been strongly opposed. That there was considerable opposition inside the Congress to the Cabinet plan is well known to H.E., but they accepted the plan owing to the exigencies of the political situation, especially to maintain the unity of India, and in the anxiety to secure transfer of power.4

The Cabinet plan went to the furthest extent to meet Jinnah’s demand for Pakistan and, since the Muslim League is opposed to a strong Centre, gave them a veto in the Union Constituent Assembly on communal issues.

7. The provisions in the Cabinet Mission’s plan regarding sections and groups then became the crucial issue. On this question Hindu opinion could be summed up as follows. The communal veto makes it possible for the Muslim League to ensure that the Union Centre is not too strong. On the other hand, the Muslim League could achieve the substance of Pakistan if they were able to utilize their majority in Sections B and C to secure strong Group Constitutions and Provincial Constitutions of their own choice; this they could do even against Provincial opinion. Thus we are back where we started originally, namely, Pakistan versus United India; and in my view it is on this issue that the battle still rages.

8. H.E. has stated in his telegram of 24th November5 that if H.M.G. were to give an assurance that Sections would reach decisions by a majority vote the League would probably agree to participate in the Constituent Assembly. I gravely doubt whether a unilateral assurance given by H.M.G. in the terms suggested would really solve the problem. In the first place, it may be contended that, if this represented the minimum demand of the Muslim League, they should have insisted upon such an assurance before entering into the Interim Government. Secondly, an assurance given by H.M.G. would not have any effect unless it were agreed to by the Congress. On this issue the Congress has adopted a middle course between the extreme Hindu opinion and Muslim League opinion. They have agreed to enter into Sections, but
they refuse to commit themselves as regards the method of voting inside the Sections. In the published papers including the Statement of May 25 all that we have laid down is that the parties should enter into Sections and that the Sections will draft Provincial Constitutions and Group Constitutions, if it were decided to form Groups. Congress can now very well point out that they have made it clear that they will enter into Sections and secondly that it was not part of H.M.G.'s plan to impose a further condition that the procedure to be followed in Sections should be by majority vote of their members.6

9. Another consideration also arises in this connection. The purpose of the Constituent Assembly, in the words of the Secretary of State, is "to hammer out agreement from diverse opinions and plans—and likewise they can put forward their views as to how the Constituent Assembly should conduct its business". If we now make a pronouncement on one point of procedure, we shall be pressed to make similar pronouncements on other points; and, as I have said, the Congress is very likely to reject the formula as imposing a new condition which they were not asked to accept in the first instance. In other words, we would, in order to placate the Muslim League, be antagonising the Congress as well as the Sikhs without having gained our object.

10. In the ultimate analysis, if a stable Constitution is to be evolved, it must carry with it the agreement of the two major communities. I think Pandit Nehru was reflecting genuine Congress feeling when he said that it was not the Congress intention to use its majority to make the Constituent Assembly an arena for conflict. The Congress is under no illusion that the Muslim League could be browbeaten.7 On the other hand, H.M.G.'s further intervention will only have the effect of making the minorities look to them for support rather than settling their differences by discussions and adjustments in the Constituent Assembly itself. My conclusion therefore is that the problem should be put to Jinnah on these lines and that he should be asked to come in. If the Muslim League do not choose to enter the Constituent Assembly, our only alternative is to go ahead with such support as is available, but I am quite clear that we must go ahead with the Cabinet Mission's plan and not seek to find a fresh basis. Also, H.M.G. must make it clear that a Constitution devised by such a body will be implemented subject to the two conditions already indicated by the Cabinet Delegation and H.E., namely, adequate protection for minorities8 and the conclusion of a Treaty.

4 Lord Wavell minuted: 'But Congress did not really accept the plan.'
5 No. 87.
6 Lord Wavell minuted: 'The trouble is that the Mission (Cripps and S. of S.) gave Jinnah a definite pledge on May 16 that procedure would be by majority vote, and it was on the strength of this that the League accepted.'
7 Lord Wavell minuted: 'I am not sure.'
8 Lord Wavell minuted: 'Any Constitution made without the Muslim League would be unlikely to be acceptable to the chief Minority—the Muslims.'
11. The question may well be asked how in the absence of the Muslim League members protection can be safeguarded for the Muslims in areas in which they are in a minority. This should not present any difficulties; there are 48 million non-Muslims in Muslim majority Provinces as against 20 million Muslims in Hindu majority Provinces; Hindu members of the Constituent Assembly are therefore not likely to fail to provide adequate safeguards, knowing that provisions in all the Provincial Constitutions in this respect are likely to be similar.⁹

12. The alternatives before us are (i) either to go to the full extent in supporting the Muslim League, which will certainly antagonise the Congress and the Sikhs, or (ii) to go ahead with our plan,¹⁰ in which case the Muslim League would probably create trouble. My own feeling is that after what has happened in Bengal and Bihar both parties will hesitate to resort to extreme measures. But I realise that the feeling between the two communities is now very bitter and that the whole question has gone beyond argument. I have always maintained that the minorities should be fully protected but we cannot at the same time flout the wishes of the majority party. The Congress has always been most in our thoughts in connection with all constitutional reforms in the past. In all previous reforms schemes the attitude of the Congress has been decisive for the fate of the schemes. We cannot ignore this fact. If I may say so, the future friendly relations between Great Britain [and India] will to a great extent be made or marred by Congress opinion. If past history is any guide, I cannot view with equanimity Congress non-cooperation at this juncture. We can certainly use our good offices to get as much reasonable concessions as possible for the minorities but in the present conditions in India and from the international point of view we cannot antagonise the Congress with whom are now allied all the minorities except the Muslim League.

13. A problem which is as pressing and pregnant with great potential danger is the way in which the Interim Government is working. The unity of the old Council was largely due to the facts, firstly, that its members did not owe allegiance to any outside organisation and had no outside axes to grind; and, secondly, that were in war-time [sic] and an Executive Council consisting of officials and non-officials not drawn from any political party would be more ready to accept H.E.’s decisions than an Executive Council composed of members of political parties. The present Executive Council is a house divided against itself and it has been found impossible to make the Members work as a team.¹¹ There is no common policy and no common programme. On the other hand, the problems that confront it are gigantic and if no solution of the present deadlock is reached, frustration and the disruption of the Executive Council are bound to come very soon. Further, if the Congress now decide to use its majority in place of the adjustment of mutual viewpoints by informal
discussions, H.E.’s position will become intolerable. A solution of this problem must be found immediately.

14. Lastly, in the present state of communal tension in the country there is the problem of the Central Government’s interest in the Provincial sphere of law and order. As we have seen, this matter cannot be isolated from Province to Province and what is happening in one Province is bound to have repercussions elsewhere. From the Central point of view there are two aspects to this problem:—

(i) Disorder in the Provinces is bound to impede and prejudice the administration of Central subjects in the Provinces, and (ii) the use of the military in aid of the civil power is a matter purely within the Central executive authority. It is true that the final responsibility for maintaining peace and tranquility all over India is that of the Governor-General but the Central Government cannot divest itself of a direct interest in this question. As our experience during the war period has shown, in conditions such as exist at present, we have to evolve a co-ordinated policy, and Section 126 points the way in which this can be tackled. I think the time has now come when the Central Government has to be consulted about conditions in the Provinces and H.E. has to take the Interim Government into consultation before deciding upon what preventive and remedial measures he should take. It will be recalled that the Orissa Government has recently raised this issue.

15. I have written this Memorandum in a hurry and I may not have marshalled all my arguments in due order, but my primary object is to state the problem.

V. P. MENON

9 Lord Wavell minuted: ‘Recent events have shown that this “hostage” principle does not work.’

10 Mr Abell minuted: ‘H.M.G.’s version or Congress version.’

11 Lord Wavell minuted: ‘This is purely a Congress charge, they have not attempted to work by Committees, their only idea of team work is acceptance of Nehru as de facto Premier.’

12 Lord Wavell minuted: ‘This is not so, I think. Provincial Governments can call on the local Military Commander for support without reference to the Centre.’

13 In a letter from the Chief Secretary to the Govt of Orissa to the Secretary to the G. of I., Home Dept, a copy of which was enclosed with Sir C. Trivedi’s letter of 16 November 1946 to Lord Wavell, the Govt of Orissa drew attention to the fact that the widespread communal riots in Bengal and Bihar were affecting Orissa. In the extraordinary circumstances then existing in India, the Govt of Orissa suggested that ‘the Central Government should take power, if necessary by emergent [emergency] Parliamentary legislation, in order to be able to exercise effective control over the maintenance of law and order in any province where abnormal conditions may prevail and signs of a breakdown of the normal administrative machinery may become apparent.’ L/P 8&J/5/236: ff 23–5.

14 Lord Wavell minuted: ‘What Congress want is not merely that I should consult them but that I should take their advice.’
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: f 224

MOST IMMEDIATE

INDIA OFFICE, 28 November 1946, 8 pm

Received: 29 November, 6 am

20880. Your telegram 2509-S.1 Please convey following reply from Prime Minister to Pandit Nehru. Thank you for your message. I note what you say about the position of Congress but none the less we feel that a visit by you before the Constituent Assembly meets would be of great value and we appreciate your willingness to meet us in this matter. Arrangements will be made to enable you to return by December 9th.

1 Transmitting Enclosure to No. III. R/3/1/127: ff 126-7.

Major Short to Sir S. Cripps

Public Record Office. CAB 127/150

QUITE PERSONAL AND
PRIVATE PLEASE

BIRCHDEN CORNER, GROOMBRIDGE,
SUSSEX, 28 November 1946

My very dear Sir,

Reflecting on our talk, on Tuesday evening, I beg to add what follows.

You said you hoped my paper1 might be of some use in clearing up details of the course I advocate. I doubt it will. It was written for the wholly unconverted. Its design therefore is too wholly strategic, too little tactical. I felt Churchill must be persuaded on the over-all strategy. That done, the correct tactics must (as always) be indicated, and in no detail (as in the war) prove insuperable to prosecute [sic].

Next: I wrote unaware how difficult Wavell had become. Nevertheless, I think it would be fatal for you to replace him. You are our key-man in the situation in London today. Even if Churchill were persuaded to see things in the same and proper light, his enlightenment will be too recent and flickering, without you at constant hand to tend it. For no one but you can, in fact, give it the attention it will require. And if it never be lit, all the more reason for you to be here—For we have no finer candle. And it is here that the finest is needed. History is quite emphatic, and Indo-British history absolutely so, about that. Please take my word for it. I have studied the historical precedents for some 16
years now. And if there is one thing I am sure about it is that. But that apart, consider only the handicap of physical distance from London. That in itself is bad enough. Added there is our traditional and mortifying Indo-British technique. It taxes you now, where you are, to quicken that dead hand. Yet only you can quicken it at all, even now and here. Remove yourself, and then 'the kingdom is undone'. If it is hard to replace W. at Delhi, it will be impossible to replace you here.

Which brings me to the difficulty of replacing W. Is Clark Kerr quite out of the question? Speaking with an Anglo-American experience which started when I was about one, and believing in its importance as I do, I am aware how vital it is to have a man of his calibre where he is. But while that experience has taught me that there is little to choose between handling Americans and Indians, nevertheless it has also taught me that to handle the latter requires just that little extra and peculiar facility which few have, but which Clark Kerr seems to have. In short, to replace the perfect Ambassador in the USA is just that much easier than to find the perfect Viceroy. And since the perfect Viceroy is now so crucally needed, might this not be worth considering? And it is very fitting to find the man for the moment in our Foreign Office.

But if that is ruled out, I venture to return to my vomit. I still believe that once there is a positive policy of withdrawal such as I advocate, and very especially if it has Churchill's positive support, that W. will be a changed man. If only because such a policy could be reduced to something very similar to a simple military directive, and such as would be most likely to command W.'s respect and loyal obedience. And this would apply all the more were it a national policy. A soldier is trained to be at his best in full-dress, strait and constricting though that be. And the pattern of the full-dress in question lends itself to turn out just the strait-jacket that is required. And withal as worn by Clive. For W., like Churchill, is susceptible to history. Indeed, I believe that, all in all, the effect would be to bring such comfort to W., that he would become more comfortable to deal with, more comfortable in his dealings with Indians, and more open to the comfortable words and works of such as Penderel Moon. In fact you could then employ Moon to help as only he can help now—and I talk not as a friend: but as one who has seen him in action, under conditions as testing as today, and has yet to meet his peer in handling Indian political situations and politicians.

\[1\] This paper is not on CAB 127/150.
116

Mr Iengar to Mr Wakefield

R/1/30/39: ff 135–7

D.O. No. C.A./17/Gen/46

CONSTITUENT ASSEMBLY OF INDIA,
COUNCIL HOUSE, NEW DELHI, 29 November 1946

My dear Wakefield,
I enclose, for the information of the Political Adviser, a copy of the invitation we sent to the members of the Indian States Negotiating Committee through His Highness the Chancellor and of the reply which we have just received from His Highness.

Yours sincerely,

H. V. R. IENGAR

Enclosure 1 to No. 116

Mr Iengar to the Nawab of Bhopal

No. C.A. 17–Gen/46

CONSTITUENT ASSEMBLY OF INDIA,
COUNCIL HOUSE, NEW DELHI, 25 November 1946

Your Highness,
I have the honour to inform Your Highness that the preliminary meeting of the Constituent Assembly will be held at 11 a.m. on the 9th December 1946 at the Constituent Assembly Chamber in the Council House, New Delhi. The Assembly will, in due course, arrange for consultations with a view to settling the method by which States shall be represented. I write this to enquire whether, in the meanwhile, the members of the Negotiating Committee would like to be present at the preliminary meeting and, if so, arrangements will be made accordingly. I shall be grateful for a very early reply.

I have the honour to be,

Your Highness’ obedient servant,

H. V. R. IENGAR
Secretary

Enclosure 2 to No. 116

The Nawab of Bhopal to Mr Iengar

OFFICE OF H.H. THE CHANCELLOR, CHAMBER OF PRINCES, BHOPAL, 27 November 1946

Dear Mr. Iyengar,
I acknowledge with thanks your letter No. C.A.17–Gen/46 dated 25th November 1946, which was received by me this morning, enquiring whether
the States Negotiating Committee would wish to attend the preliminary meeting of the Constituent Assembly which is due to begin on the 9th December 1946. Before the receipt of your letter, this question was considered by the Standing Committee of Princes, the Committee of Ministers and the Constitutional Advisory Committee, and the decision unanimously taken is embodied in the Resolution of the Standing Committee,¹ a copy of which is enclosed.

2. In the light of the Resolution, it is considered unnecessary that the members of the Negotiating Committee appointed by the States should attend the preliminary meeting of the Constituent Assembly.

3. It is understood, however, that the Negotiating Committee of the States will be glad to meet any representative Committee which may be set up by the British India portion of the Constituent Assembly as contemplated and declared by His Majesty's Government in Parliament in order to negotiate terms of the States participation in the final Constituent Assembly and as to their ultimate position in the proposed all-India Union. The members of the States Negotiating Committee will also be available to serve on such other committees as may be set up by the Constituent Assembly to consider questions which, in the opinion of the States Negotiating Committee, may also concern the States.

4. I hope to be in Delhi on the 9th December, 1946, and have also invited other members representing the States to be present for consultation and discussion amongst ourselves, and should my Negotiating Committee desire to be represented on any of the committees and sub-committees that may be appointed by the Constituent Assembly in their preliminary session, I shall be able to inform you as soon as possible, after the list of the Committees, that may be appointed by the Constituent Assembly and their functions has been communicated to me.

Yours sincerely,

[HAMIDULLAH]

¹ See Enclosure to No. 66.
II7
Field Marshal Viscount Wavell to Pandit Nehru
R/3/1/127: f 145
29 November 1946

Dear Pandit Nehru,
Thank you for your letter of yesterday.1 I recognise that you have doubts about going to London, but I am very glad that a representative of the Congress will be there, and that Sardar Baldev Singh will accompany the party.

2. I see from the Prime Minister’s reply2 to your message3 that arrangements will be made for you to get back in time for the opening session of the Constituent Assembly.

3. Mr. Liaquat Ali Khan has agreed not to take Mr. Altaf Hussain.

4. Will you please let my Private Secretary know what we can do to lessen any discomfort to you in the journey? I think it might be possible to arrange lying down accommodation for you.

Yours sincerely,

WAVELL

1 No. 112. 2 See No. 114. 3 Enclosure to No. 111.

II8
Pandit Nehru to Field Marshal Viscount Wavell
R/3/1/127: f 150
EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI,
29 November 1946

Dear Lord Wavell,
Thank you for your letter of today’s date.1 It is good of you to suggest that special arrangements might be made for me during the journey. But I would hate to go anywhere in a lying down condition. An easy chair will be quite good enough.

Yours sincerely,

JAWAHARLAL NEHRU

1 No. 117.
II9

Mr Bevin to Mr Attlee and Lord Pethick-Lawrence

Telegram, R/3/1/128: f 52

IMMEDIATE UNIFIED KINGDOM DELEGATION TO COUNCIL
DEDIP1 OF FOREIGN MINISTERS, NEW YORK,
TOP SECRET 29 November 1946, 3.20 pm
               Received: 29 November, 8.01 pm

Federal No. 2099. Following personal for Prime Minister and Secretary of
State for India from Foreign Secretary.

Mr. Byrnes has given me a paper on India which was written for him in the
State Department. My immediately following telegram contains a summary of
this paper, a copy of which I am sending to you by bag. You may like to have
this summary urgently in connexion with your talks with Lord Wavell.

It is essential that this paper and its source of origin should be kept secret.

Please advise me if you want me to take action here arising out of the paper.2

1 To be deciphered by an officer holding diplomatic rank.
2 A covering note, dated 4 December 1946, by Mr Abell reads: 'This is the telegram (and reply) about
U.S. interest in India that H.M. the King mentioned. I doubt whether American intervention would
make any difference.' Lord Wavell initialled this note. R/3/1/128: f 51.

I20

Mr Bevin to Mr Attlee and Lord Pethick-Lawrence

Telegram, R/3/1/128: ff 53-4

IMMEDIATE UNIFIED KINGDOM DELEGATION TO COUNCIL
TOP SECRET OF FOREIGN MINISTERS, NEW YORK,
29 November 1946, 4.11 pm
               Received: 29 November, 9.40 pm

Federal No. 2100. Following personal for Prime Minister and Secretary of
State for India from Foreign Secretary.

My immediately preceding telegram.

Following is summary of paper on India.

Begins. The paper gives the background to the present position in India. It
refers to the constitutional scheme submitted by the Cabinet Mission in May
1946 and to the welcome given to it by the United States Government. It
also refers to the State Department's welcome of the establishment of a rep-
resentative Indian Government during the transitional period. Emphasis is
laid on America’s political and economic interest in India which will be furthered by the early establishment of an Indian Federal Union. Delay may cause civil war, war against the remaining British power and intervention by outside powers.

2. The Muslim League’s recent decision not to take part in the Constituent Assembly on 9th December has led Congress to claim that the League should in these circumstances, no longer be represented in the Interim Government. Congress threatens revolutionary action. The principal reason for the League’s decision arises from a dispute between them and Congress over the interpretation of the constitutional plan as regards the compulsory grouping of provinces into sub-federations. The British have supported the Muslim interpretation which, according to the paper, is clearly borne out by a study of the plan. Congress are adamant, fearing that compulsory grouping in accordance with the Muslim interpretation will lose Congress control of the Governments of Assam, and the North West Frontier Province.

3. Congress co-operation with the League has been made difficult by the League’s frequent statements that they have accepted the constitutional proposals only as a step towards Pakistan.

4. The paper recommends that the United States Government, whose global interests are directly affected, should make clear to Hindus and Muslims their alarm at the deteriorating situation in India, and offer suggestions.

5. As a first step there should be informal discussions with the British Government at the highest possible level with a view to:—

(1) Expressing United States concern at the situation.
(2) Ascertaining what the British intend doing.
(3) Conveying the United States fear that, should the Constituent Assembly be postponed, chaos injurious to British and United States interest, would result.
(4) Indicating United States willingness to be of assistance along the following lines.

6. The United States representative in New Delhi would approach Nehru informally and suggest that Congress should accept the clear-cut wording of the constitutional plan as regards sub-federation, in spite of the effect as regards Assam and the North West Frontier Province. These provinces, being of strategic rather than economic importance, would be under the eye of the Indian Union Government. The United States representative would also tell Liaquat Ali Khan informally that Muslim aspirations seem to be safeguarded by the sub-federations of the British plan. Therefore the Muslim League might well announce that, provided these sub-federations remain intact, the Muslim League could achieve its ends within the Indian Union contemplated in the British plan.
7. Both parties would be reminded that the British plan provides for periodic review of the sub-federation constitution. United States interest, it would be emphasised, is prompted by the impact which the political decision in India will have on world peace and prosperity.

8. The paper ends by recommending that Mr. Byrnes discusses the matter with Mr. Bevin. *Ends.*

I21

*Field Marshal Viscount Wavell to Lord Pethick-Lawrence*

*Telegram, R/3/1/127: f 151*

**MOST IMMEDIATE**

**NEW DELHI, 29 November 1946, 10.5 pm**

**CONFIDENTIAL**

**Received: 29 November, 6.30 pm**

No. 2531—S. Jinnah has just telephoned that in view of Prime Minister’s message to Nehru contained in your 20717 he and Liaquat cannot come to London. I will ascertain whether Nehru and Baldev Singh will now come and telegraph again. I shall come in any case as arranged.

1 No. 100.
2 In tel 2532–S Lord Wavell reported that Pandit Nehru and Sardar Baldev Singh had decided to come to London. R/3/1/127: f 152.

I22

*Mr Liaquat Ali Khan to Field Marshal Viscount Wavell*¹

*R/3/1/127: f 153*

**FINANCIAL MEMBER OF COUNCIL, GUL-I-RAANA, HARDINGE AVENUE, NEW DELHI, 29 November 1946**

Dear Lord Wavell,

Your Private Secretary told me on the telephone that Pandit Nehru and Sardar Baldev Singh had changed their previous decision and were now going to London. We should like to know if you or His Majesty’s Government have given any assurance or told the Congress anything other than what you had told me on Tuesday last viz. that H.M.G. were perturbed about the general communal situation in the country, the friction inside the Interim Government amongst its members as was evident from some public statements made by

¹ This document is placed after No. 121 on the file and that order is followed in the present volume.
some of the Members and the decision of the Muslim League President that no Muslim League member should attend the Constituent Assembly scheduled to meet on the 9th of December and that H.M.G. had asked you to invite on their behalf two representatives of the Congress, two representatives of the Muslim League and one Sikh representative to go to London immediately for discussions, and that you also have been asked to go.

I think you will appreciate that it is only fair that the representatives of the Muslim League should know the exact position before they embark on this journey to London.

Yours sincerely,

LIAQUAT ALI KHAN

I23

Mr Abell to Mr Liaquat Ali Khan

R/3/1/127: f 155

29 November 1946

My dear Mr. Liaquat Ali Khan,

H.E. asks me to acknowledge with thanks your letter of today¹ and to say that nothing further has been said to the Congress about their going to London than the message from the Prime Minister² of which you have received a copy, and a message sent by the Prime Minister³ on receipt of Pandit Nehru’s answer,⁴ which indicates that arrangements would be made for Pandit Nehru to return by the 9th of December.

Yours sincerely,

G. E. B. ABELL

¹ No. 122.
² See No. 100. A copy of Mr Attlee’s first message to Pandit Nehru had been sent by Mr Abell to Mr Liaquat Ali Khan earlier on 29 November. R/3/1/127: f 144.
³ See No. 114.
⁴ Enclosure to No. 111.
124

Mr Jinnah to Field Marshal Viscount Wavell

Telegram, R/3/1/127: f 156

EN CLAIR

29 November 1946
Received: 30 November

I have received from Government House Karachi copy of Prime Minister Attlee message to Pandit Nehru at 9 p.m. Stop\(^1\). Have already telephoned your Private Secretary Mr. Abell conveying my reaction Stop These terms were never mentioned by Your Excellency to Liaquat Ali Khan Stop Cannot accept new position taken by Attlee after our acceptance Stop Unless it is made clear that all aspects present situation in light of all that has happened will be open for consideration discussion it will not be possible for me go London Stop Please wire reply.\(^2\)

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\(^1\) In tel. 2521–S of 29 November, 3.40 pm, Mr Abell asked the Secretary to the Governor of Sind to pass on to Mr Jinnah the message Mr Attlee had sent Pandit Nehru in No. 100. R/3/1/127: f 148.

\(^2\) Lord Wavell sent the text of Mr Jinnah's tel to Lord Pethick-Lawrence in tel. 405–GT of 30 November, 8.10 am (received in India Office: 30 November, 5 am). L/P &J/10/76: f 203.
dated 1st June last and in his speech in the House of Lords on July 15th [18th] is given practical shape by now persuading the leaders of both major parties to meet the grievances of Sikhs in these respects. Further, the point raised in my letter, dated 13th November, viz that the Sikh representative in Central Government should be a representative of the Sikhs and that in the choice thereof, there must be no interference particularly by a political party whose interests vitally clash with ours, should also be cleared up. 

Yours sincerely,
BALDEV SINGH


In his speech in the House of Lords on 18 July Lord Pethick-Lawrence said that the most the Mission had felt able to do regarding the Sikhs was to nominate them in para. 19 of the Statement of 16 May as one of the more important communities. The Sikhs had, however, only 4 out of the 28 seats allocated to the Punjab or 4 out of the 35 seats in the North-Western Section. 'We hope', he continued, 'that this situation will to some extent be remedied by their full representation in the Advisory Committee on minorities set up under Paragraph 20 of the statement of May 16. Over and above that we have represented to the two major Parties, who were both most receptive in this matter, that some special means of giving the Sikhs a strong position in the affairs of the Punjab or in the North-Western Group should be devised.' See Parl. Deb., 5th ser., H. of L., vol. 142, col. 589.

No. 31.

Later on 29 November Mr. Abell acknowledged this letter on Lord Wavell’s behalf. He said Lord Wavell was very glad to hear that Sardar Baldev Singh was coming to London and noted what he said about safeguards for the Sikhs. Mountbatten Papers, Official Correspondence Files: Sikh Problem, Part I(a): f 84.

126

Minutes by Mr Scott and Field Marshal Viscount Wavell

R/3/1/128: ff 2–3

29 November 1946

The gap between the Congress and the Muslim League which is to be bridged in London is a narrower one than existed in the early part of this year, before the Cabinet Mission’s statement of May the 16th. Until then, it seemed impossible to reconcile the Congress demand for a united India with the Muslim League demand for Pakistan. The Muslim League have now accepted the idea of a Union Government (although for the moment their acceptance is in abeyance), which is a great advance. The Congress for their part can be well content with a limited Union Government, in the certain knowledge that as time goes on, the Centre will have to grow stronger at the expense of the provinces.

2. The crux of the present difficulty is the interpretation of one part of the Cabinet Mission’s statement of May the 16th, namely, how the constitution
of provinces is to be framed. There is no dispute about group constitutions being framed by the sections; but the Congress maintain that the sections should only frame provincial constitutions if the provinces as such agree to the proposed constitution. The Muslim League demand is that the section, sitting as one deliberative assembly, and deciding questions by a simple majority, should frame both group constitutions, if any, and the constitutions of the provinces composing the section.

3. The Congress have nowhere categorically stated that they do not accept the Muslim League position as set forth in the preceding paragraph; but various speeches and letters have created the belief that the Congress intend to fight this position. The real reason why the Congress do not like it is because of the position of Assam.

4. If the representatives of Assam sit with those of Bengal in Section C, it will be possible for a Muslim majority in the section to frame any kind of constitution it likes for Assam; and the Congress fear that the Muslim League may propose such a constitution for Assam as would ensure that caste-Hindus are in a permanent minority (by giving weightage to tribal areas and the Muslims). The answer to this is two-fold:

If the Muslim representatives try to steam-roller their opponents in Section C (no easy task as they have a bare majority) it is in the end always open to the Congress representatives to walk out, and by non-cooperating to make the proposed constitution infructuous.

The other answer, which is the main one, is that if the Muslims abuse their majority in the sections, they place themselves at the mercy of the Hindu majority at the Centre, where the Union constitution will be set up after the group and provincial constitutions have been worked out. This effective threat of retaliation at the Centre against misdeeds in a section, or in a province, seems to me a very effective one. The Centre could, for example, discriminate in a number of ways against the particular province or Group which was at fault.

There is also of course the possibility of discrimination against Muslims in Section A, but I do not think that this could be seriously considered as a weapon, since it would be entirely unreasonable. It is much more likely that generous treatment to the Muslims in Section A will be used as a lever to compel a reasonable attitude towards Hindus, on the part of the Muslims in Sections B and C.

5. I think therefore that in the London discussions Nehru should be pressed to accept the Muslim League contention, which is in fact the intention of the Cabinet Mission. This is the only point on which Nehru need be pressed: all other points of dispute should be referred to either the Federal Court or some agreed authority outside the Constituent Assembly.
6. Fateful decisions have to be taken in London, and if an accommodation is not arrived at between the Congress and the Muslim League during the coming days, there is likely to be a period of ever-increasing trouble in India. Failure should not be contemplated, and even if discussions prove to be prolonged, or if other people have to be summoned from India, there should be no attempt at rushing them. If Nehru, for example, says he has no representative status, it may be necessary to send for Kripalani—or even Gandhi. It does not really matter much if Nehru himself is not back in time for the opening of the Constituent Assembly; it is far more important that an agreement should be reached in London about the participation of the Muslim League in the work of the Assembly. So long as H.E. and the party leaders are in London, there is very little likelihood of any trouble developing in India.

I should like to suggest that it would be a good thing if Nehru, and perhaps Tarlok Singh\(^1\) with him, could stay in a private home in London. At his hotel he will inevitably have crowds of Indian callers and journalists on his return each evening; and he will not so easily have an opportunity of meeting the kind of people with whom contact is very desirable. Lord Louis Mountbatten might be his host.\(^2\)

I. D. SCOTT
29–11–46

I am afraid we can hardly ask Lord L. to put up N. and I doubt whether N. would accept. What arrangements have I.O. actually made?\(^3\) This is quite a useful note. Keep for reference in London.

W.
29/11

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1 Lord Wavell wondered whether Mr Scott meant Sardar Baldev Singh.
2 Mr Abell minuted: 'This might be worth trying.'
3 In the event Pandit Nehru stayed at the Dorchester Hotel.

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Lord Pethick-Lawrence to Lord Jowitt

L/P&E/J/10/111: f 99

INDIA OFFICE, 29 November 1946

The discussions here with Indian leaders begin on Tuesday and the Prime Minister and those of us who went on the Cabinet Mission are to meet with the Viceroy on Monday evening to discuss how they are to be conducted.

The situation with which we are faced is that there is a difference of opinion between the Muslim League and the Congress as to the proper interpretation of
the Cabinet Mission’s Statement of May 16th. This difference is upon a fundamental point and the nature of it is explained in the note which I enclose.

The Statement of May 16th was intended to be a compromise between the Congress view that there should be a united India with a strong but limited Federal constitution and all residuary powers vested in the Provinces, and the Muslim League view that the six Provinces in North-East and North-West India must be constituted as a separate sovereign State of Pakistan.

The essence of our compromise was that while there would be a Union of India limited to three subjects and the necessary sources of finance, the Constituent Assembly would divide up into Sections two of which would cover the six Provinces which the Muslims claim for Pakistan and these Sections would decide the Provincial constitutions for the Provinces included in each Section and also whether any Group constitution shall be set up. Provinces would have the right to opt out of any Group that was thus formed after the first election held under the new constitution. The mode of representation of Provinces within the Constituent Assembly which we prescribed was such that the Muslims would have a certain majority in one of the two Groups covering the area that they claim and an almost certain majority in the other.

The Congress from the outset have placed an interpretation on the Statement which was contrary to our intentions. This interpretation is explained in the enclosed note. The Congress say that they are prepared if the matter is disputed to abide by the decision of the Federal Court as to whether or not their interpretation is correct. At the discussion this morning with the Prime Minister, Alexander and Cripps we agreed that it would be desirable to have your view as to the interpretation of the document.

I should be most grateful if you could consider the enclosed note and let me know by mid-day on Monday if possible, or at any rate by Monday evening, what your view is.

Enclosure to No. 127.

L/PO/6/112: ff 177–82

SECRET

REFERENCE TO THE LORD CHANCELLOR FOR HIS OPINION AS TO THE CORRECT INTERPRETATION OF PROCEDURE FOR FRAMING GROUP AND PROVINCIAL CONSTITUTIONS

The Statement of the Cabinet Mission and the Viceroy issued on the 16th May (Command 6821, copy attached) contains recommendations as to the basic form of the Indian Constitution and proposals for the setting up and procedure of the Constituent Assembly. These are contained in paragraphs 15 and 19 respectively of the Statement, and the main provisions which are

relevant in the present connection are set out in the following paragraph. Reference should first be made to paragraph 16 of the Statement, which says that the object of the Mission “is not to lay out the details of a Constitution on the above programme, but to set in motion machinery whereby a Constitution can be settled by Indians for Indians”; the Mission, however, had to make recommendations as to the broad basis of the future Constitution, because otherwise there appeared to be no hope of getting the two major communities to join in the setting up of a Constitution making machinery.

2. Paragraph 15 of the Statement recommends: (sub-paragraph (i)): that there should be a Union of India dealing with Foreign Affairs, Defence and Communications; (sub-paragraph (iii)): that “all subjects other than the Union subjects and all residuary powers should vest in the Provinces”; (sub-paragraph (v)): that the “Provinces should be free to form Groups with executives and legislatures, and each Group could determine the Provincial subjects to be taken in common”.

Paragraph 19 provides (sub-paragraph (iv)): that after a preliminary meeting of the Constituent Assembly as a whole at which the general order of business will be decided, officers elected, etc., “the Provincial representatives will divide up into three sections.” Sub-paragraph (v) provides that “these sections shall proceed to settle Provincial Constitutions for the Provinces included in each section and shall also decide whether any Group Constitution shall be set up for those Provinces, and if so, with what provincial subjects the Group should deal. Provinces should have power to opt out of Groups in accordance with the provisions of sub-clause (viii) below”. Sub-clause (viii) provides “As soon as the new constitutional arrangements have come into operation it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the legislature of the province after the first general election under the new constitution.”

(The Union of India is to consist of States as well as Provinces, and provisions are contained in the Statement for the association of the States with the Constitution but these provisions relating to the States are not relevant in the present connection.)

3. Differences of opinion have arisen as to the interpretation of these provisions in regard to the procedure for forming Groups and for the framing of Group and Provincial Constitutions.

4. The intention of the Cabinet Mission was that decisions on these matters should rest upon the decision of the majority of the representatives in each section taken as a whole, and this was made clear in explanations given to representatives of the Muslim League at a meeting between the Mission and the League representatives on the date of the issue of the Statement, the 16th May. The record of this meeting, which has not been published or made
available to the other parties, but to which the Muslim League representatives have had access, contains the following passage:—

"The Secretary of State and Sir Stafford Cripps explained that the sections of the Constitution making body (i.e. the Constituent Assembly) would meet to decide the character of the Provincial Constitutions within the Group, and the Group Constitution. The decision would be taken by majority vote of the representatives of the Provinces within the section".

In answer to a question who would interpret the Statement, Sir Stafford Cripps said that if any question arose he presumed that the Viceroy would be the deciding authority; he would act in consultation with His Majesty's Government when necessary.

It was equally made clear to Congress that the opportunity for Provinces—as such, to pass judgment on the Group proposals would not be till after the constitution was framed when according to sub-section (viii) above they could opt out of the group. It was made clear to both sides that there could be no option for Provinces as to going into sections or as to the work of the sections. This was indeed one of the major possibilities discussed on the scheme.

5. On the 24th May the Congress Working Committee passed a Resolution\(^4\) (cited in full on pages 9–11 of Cmd. 6835, copy attached), which contained the following passage:—

"The Statement of the Cabinet Delegation affirms the basic principle of provincial autonomy and residuary powers vesting in the Provinces. It is further said that Provinces should be free to form Groups. Subsequently, however, it is recommended that provincial representatives will divide up into sections which ‘shall proceed to settle the Provincial Constitutions for the Provinces in each section and shall also decide whether any Group Constitution shall be set up for those Provinces . . .’ There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced which clearly infringes the basic principle of provincial autonomy. In order to retain the recommendatory character of the Statement and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that in the first instance 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”.

6. On the 25th May the Cabinet Mission issued a Statement\(^5\) (pages 3 and 4

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\(^1\) The words in italics, which were in the draft of this reference, were erroneously omitted from the the final version sent to Lord Jowitt.


\(^3\) Vol. VII, Enclosure to No. 370.

\(^4\) Vol. VII, Enclosure to No. 370.

of Cmd. 6835, referred to in the preceding paragraph), which contained the
following passage (paragraph 8):—

"The interpretation put by the Congress Resolution on paragraph 15 of the
Statement, to the effect that the Provinces can in the first instance make the
choice whether or not to belong to the section in which they are placed, does
not accord with the Delegation’s intentions. The reasons for the grouping
of the Provinces are well-known and this is an essential feature of the scheme and
can only be modified by agreement between the parties”.

The last 10 words are a reference to paragraph 19(vii) of the Mission’s Statement
of the 16th May, which provides that in the Union Constituent Assembly,
resolutions varying the provisions of paragraph 15 or raising any major
communal issue shall require a majority of the representatives present and
voting, of each of the two major communities.

7. In a later meeting on the 10th August,6 the Congress Working Committee
adopted a resolution which, after noting criticisms advanced on behalf of the
Muslim League, to the effect that Congress acceptance of the proposals con-
tained in the Statement of May 16th was conditional, and after saying that
while Congress did not approve of all the proposals contained in this Statement
they accepted the scheme in its entirety, continued: ‘‘They interpret it so as to
resolve the inconsistency contained in it, and fill the omissions in accordance
with the principles laid down in that Statement. They hold that Provincial
autonomy is a basic provision and each of the Provinces has the right to decide
whether to form or join a Group or not. The question of interpretation will be
decided by the procedure laid down in the Statement itself and the Congress
will advise its representatives in the Constituent Assembly to function ac-
cordingly’’.

8. The Congress have subsequently agreed that the Constituent Assembly
will divide up into sections and have agreed to abide by the decision of the
Federal Court upon differences of interpretation that may arise on questions of
procedure.

9. The questions upon which the Lord Chancellor’s opinion is desired are as
follows:—

What is the proper interpretation of the recommendations and proposals
contained in the Cabinet Mission Statement of the 16th May, as regards the
procedure for the formation of Groups and for the framing of Group and
Provincial Constitutions? Shall this be by the majority vote of the representa-
tives of the Provinces in each section taken as a whole, or have the representa-
tives of the Provinces acting separately the right to decide whether their own
Province should initially be included in a Group or not?

6 Vol. VIII, No. 137.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/76: ff 219-20

MOST IMMEDIATE

INDIA OFFICE, 29 November 1946, 6.40 pm
Received: 30 November, 5 am

20932. My next succeeding telegram contains programme for the opening part of your visit. In addition, the Prime Minister would be glad if you dine with him and the members of the Cabinet Mission privately at the House of Commons at 8 o’clock. I am afraid it is asking a lot to make you begin on the day of arrival but time is so short that interviews with the Indians must begin early next day and it is essential that we should go over the situation with you before they begin. I hope therefore that you may be able to manage this.

2. The intention is that the Prime Minister should have private and informal talks with the leaders on the first day. He wants an opportunity to hear what they have to say and to impress upon them some of the wider international aspects of the world situation. In the light of these general talks we think it would be best for the ex-members of the Mission and yourself to see the leaders on the Wednesday to get down to a detailed attempt to find a way through the difficulties about the Constituent Assembly. Programme for Thursday will depend on developments.

3. You will see that we propose that Baldev Singh should be seen separately. Do you think that on the Wednesday it would be possible to interview him with Nehru together or would this be resented by Jinnah and unacceptable to Baldev. Programme will be so tight that it is difficult to give him separate interviews. No doubt he will ventilate the Sikh claim that a majority of Sikhs should be required for any decision in Group B which raises a communal issue.

4. We leave it to you whether to disclose proposed programme to Indian representatives but think it would probably be well to do so during the journey. If you can telegraph from Karachi or first night stop whether they are willing to accept the invitations to dinners it would be helpful.

1 Not printed. See L/P & J/10/76: ff 217-18.
2 In the event this projected initial meeting with Lord Wavell did not take place until the morning of 3 December (see Wavell: The Viceroy’s Journal, p. 389) and no record of it has been traced in the Prime Minister’s archive at 10 Downing Street.
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/76: f 216

MOST IMMEDIATE INDIA OFFICE, 29 November 1946, 8.35 pm
CONFIDENTIAL Received: 30 November, 5 am
No. 20947. Your 2531–S.¹ Please convey following personal message from
Prime Minister to Jinnah by most urgent means. Begins: I trust that you will
come to London. Your refusal must be based on a misunderstanding of my
telegram² to Nehru. There is nothing in it to prejudice a full consideration of
all points of view. Ends.

2. If Liaqat is in Delhi please show to him. He might help to persuade
Jinnah.³

¹ No. 121. ² No. 100.
³ This telegram was repeated by the Viceroy to the Governor of Sind as No. 2534–S of 30 November

130

Mr Jinnah to Mr Attlee⁴

Telegram, L/L/1/765: f 57

30 November 1946

Your message to Pandit Nehru⁵ without disclosing his communication to
you⁶ delivered to me at 9 p.m. tonight⁷ is a new position after we had accepted
the invitation to go to London. We cannot agree to confine ourselves only to
the matters mentioned in your message to Pandit Nehru in the light of what
has already taken place which has created an entirely new situation. Unless it
is open to us to discuss the whole situation, it would be no use going to London.
Please wire clarifying the position immediately.

¹ This telegram crossed No. 129. See also No. 134. ² See No. 100.
³ Mr Jinnah evidently assumed that Mr Attlee’s message in No. 100 had been sent in response to a
previous message from Pandit Nehru.
⁴ 29 November. See No. 124, note 1.
I31
Field Marshal Viscount Wavell to Sir F. Mudie (Sind)

Telegram, R/3/1/128: f 10

MOST IMMEDIATE

30 November 1946, 6.45 am

CONFIDENTIAL

No. 2535-S. Following for Mr. Jinnah. Your telegram.¹ I hope you will reconsider decision not to go to London. Following telegram² gives text of Nehru’s message to Prime Minister which you asked to see. This is being published today.

¹ No. 124.
² In tel. 2536-S of 30 November, Mr Jinnah was sent the text of Pandit Nehru’s message in Enclosure to No. 111. R/3/1/128: f II.

I32

Mr Abell to Field Marshal Viscount Wavell

R/3/1/128: f 6

GOVERNMENT HOUSE, KARACHI,¹ 30 November 1946

H.M.G. have gone a very long way to meet Mr. Jinnah in the PM’s telegram,² and I rather wonder what will happen in Congress circles if Mr. Jinnah publishes it, as he very probably will. The messages that have been sent will mean to the Congress that there can be no de novo discussion and to the League that there can; and I expect this chicken will come home to roost in London, if not earlier.

But if Mr. Jinnah still hesitates I think you can take the line that from the point of view of peace in this country you deprecate the absence of the League’s representatives from the discussions. The idea that the League is not being heard may only stir up more trouble; and you are sure it is in the interests of the League itself that its case should be heard and understood in London.

Mr. Jinnah may very well press Y.E. to go further than the PM has gone, or to interpret the exact meaning of the PM’s message to Nehru.³ I think you should refuse to be drawn on this; and say that H.M.G. must make their own intentions clear in London.

G. E. B. ABELL

¹ Lord Wavell and Mr Abell arrived in Karachi at about 12.30 pm on 30 November. During the afternoon Mr Jinnah called on Lord Wavell at Government House. The Viceregal party and the political leaders left Karachi for London at 7 am on 1 December.
² No. 129.
³ See No. 100.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/128: f 14

MOST IMMEDIATE

KARACHI, 30 November 1946, 4.45 pm
Received: 30 November, 1.50 pm

No. 828—C. Jinnah and Liaquat have agreed to come to London.

2. Arrangements proposed in your 20932 and 20933 are acceptable to them and to me though I shall be wholly deaf and half dumb on Monday evening after two days in a noisy York. But I realise need for urgency and will do my best. We gladly accept the invitations to meals. I will telegraph agreement of Nehru and Baldev Singh this evening.

3. I think Liaquat should go with Jinnah to the interviews—Baldev Singh should be seen separately.

1 No. 128. 2 L/P &J/10/76: ff 217-18.

Lord Pethick-Lawrence to Sir F. Mudie (Sind)

Telegram, L/P &J/10/76: f 201

MOST IMMEDIATE

INDIA OFFICE, 30 November 1946, 1.15 pm
Received: 1 December, 1 am

20985. Please deliver to Mr. Jinnah following message from Prime Minister. Begins: Your telegram1 sent direct to me was received after I had sent you through the Viceroy a reply2 to the message3 conveyed through him. In the latter I said that there is nothing in my message to Pandit Nehru4 to prejudice a full consideration in London of all points of view. I trust that this completely clarifies the situation and the intention of my invitation. I am personally anxious to hear your full case and I hope to see you early next week. Ends. Please show to Viceroy.5

1 No. 130. 2 No. 129. 3 See No. 121. Mr Attlee’s earlier reply was sent before the text of No. 124 was received in London. 4 No. 100. 5 Mr Abell minuted: ‘Nothing was said as Mr J. had accepted.’
4. The communal situation generally is still very bad indeed. The speeches made at Meerut by Kripalani, Patel and Nehru, and Jinnah's statement that the League would not enter the Constituent Assembly, caused very grave concern, and we still might have first class trouble in any of our large cities at any time. The promulgation of the Punjab Public Safety Ordinance, 1946, on the 19th November had a sobering effect. This Ordinance is of some constitutional interest. I drafted it without consulting my Ministers about three months ago. When the Premier returned from Europe, I told him of the existence of the draft, but did not discuss it with him in detail. When the wave of communal disturbances approached and overflowed into the Punjab, the Premier with the support of his colleagues requested me to promulgate the Ordinance in exercise of my own powers under section 89 of the Government of India Act. It was clear that an Ordinance under section 88 would not have been effective, as its conversion into an Act of the Legislature would have been opposed not only by the Muslim League, but in all probability by various elements on the Government benches. I had always intended to use section 89, and it was fortunate that the Premier and his colleagues agreed with me. This is perhaps the first major case in which a Governor has used his discretionary powers with the support and encouragement of his Ministers. The Ordinance has on the whole had a good Press, and some use has been made of it in Rohtak. We have also used it to turn back to the N.W.F.P. a party of uniformed Muslim League volunteers and to arrest some members of the R.S.S.S. in Lahore. If a measure of this kind is necessary, it is always best to get it out before acute trouble begins. The District Officers then have time to ascertain what their powers are and are able to use them promptly when their use is necessary.

5. The Premier visited Delhi during the fortnight, and gave me an interesting account of his discussions with Lord Wavell, the Commander-in-Chief and the Congress leaders.

[The remainder of this sub-para. of para. 5, on two points about the Army, omitted.]

Khizar said that he was shocked at the communal outlook of the present

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1 See No. 107, para. 7. Malik Khizar Hyat Khan’s interview with Lord Wavell took place on 20 November 1946.
Members of Council. He judged from the confident attitude of the Congressmen that they had private communications with H.M.G., of which Lord Wavell was unaware. He made it clear that he had no direct evidence of this; but he is pretty shrewd and his impression, which I passed on to Lord Wavell on 24th November, is of some interest.

Khizar in various talks with me during the fortnight has taken a very gloomy view of the situation, though on the whole he seems in quite good heart. He believes that the only solution is the dismissal of the present Interim Government and a reversion for some years to firm administration. In the last resort he thinks that the Punjab should be declared a Dominion and maintain direct relations with the Crown.

\[^2\] No record has been traced of the passing on of Malik Khizar Hyat Khan’s impression by Sir E. Jenkins.

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\[^2\] No record has been traced of the passing on of Malik Khizar Hyat Khan’s impression by Sir E. Jenkins.

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Sir C. Corfield to Sir P. Patrick

Telegram, L/P&J/10/101: ff 119–20

NEW DELHI, 30 November 1946, 9.40 pm

Received: 30 November, 7.25 pm

2544-P. Reference Secretary of State’s telegram No. 20140 November 15th.\[^1\]

Berar.

2. Two days ago Rau made reference to Pandit Jawahar Lal Nehru inquiring whether Interim Government would approve inclusion in agenda for preliminary session of Constituent Assembly of item relating to setting up of ad hoc committee or committees to negotiate revision of States’ agreements. Rau proposed to mention Berar agreement in this reference, but at my request specific mention of Berar was omitted, in view of probable reactions of Nizam, who has not yet been approached in matter.

3. Nehru has now replied to reference. I understand confidentially from Rau that substance of reply is as follows: “Negotiations for revision of States’ agreements should not be undertaken at present stage. Matter should be taken up later, when future position of States has been clarified in Constituent Assembly. Normal course would be for Union Government to succeed to rights of Crown in these agreements”.\[^2\]

4. It seems clear from this that Nehru and Congress Party do not accept position as stated by Cabinet Mission in memorandum on States’ treaties and paramountcy.\[^3\] They do not even accept fundamental proposition contained
in paragraph 14 of Cabinet Mission’s statement of May 16th, that paramountcy cannot be transferred to new Government. On the contrary, correspondence between His Excellency and Nehru about Datia indicates clearly their intention to secure control of paramountcy even during interim period.

5. H.E. the Crown Representative has been putting constant pressure on States to cooperate with Constituent Assembly. Such pressure cannot be justified unless (1) position of States can be maintained throughout interim period by effective operation of paramountcy and (2) British India accepts without question as background to negotiations principles laid down in memorandum on States’ treaties and paramountcy.

6. States will immediately abandon present cooperative attitude toward Constituent Assembly if principles laid down in memorandum are questioned. It is suggested that present visit to England of British Indian political leaders affords unique opportunity to secure assent to these principles. If assent is not forthcoming, or if the effectiveness of paramountcy is frustrated, only equitable alternative is for Crown to begin at once restoration of States’ rights (e.g. retrocession of jurisdiction over railway lands and administered areas, etc.) and to give practical effect during interim period to principles which, if British India had proved cooperative, might have remained merely theoretical, to be used as bargaining counters. If this is not done H.E. the Crown Representative can be legitimately accused of bad faith, and it is impossible to see how officers serving under him can continue to function.

7. I should be grateful if the contents of this telegram could be brought to His Excellency’s notice.

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1 No. 43.
2 The original of Pandit Nehru’s reply to Sir B. N. Rau has not been traced in India Office Records.
3 Vol. VII, No. 262.
4 In tel. 2604-P of 10 December Sir C. Corfield sent Sir P. Patrick extracts from this correspondence. L/P &S/10/101: f 110. See also L/P &S/13/1830.
5 No direct reply to this telegram appears to have been sent; see however No. 228.
I37

Lord Pethick-Lawrence to Mr Bevin

Telegram, R/3/1/128: f 55

IMMEDIATE

DEDIP

TOP SECRET

No. 21003. Following personal for Foreign Secretary from Secretary of State for India. Your Federal No. 2099 of 29th November.¹

I discussed this with Prime Minister this morning, and we agreed to discuss with Wavell on arrival. He is due on Monday evening in company with Congress and Muslim League leaders.

2. In view of the presence of the latter in London we considered possibility of asking U.S. Government to instruct their Chargé d’Affaires in London to see Nehru and Jinnah while here and speak on the lines of paragraph 6 of Federal No. 2100,² but we felt that this might be construed as a concerted move between us and U.S.A. and so be deprived of effect. Moreover it would be very difficult for Chargé d’Affaires here who has not the same background knowledge as U.S. representative in Delhi to make such an intervention effectively.

3. We cannot tell what outcome of talks in London will be, but Congress representatives at any rate must leave here on Friday 6th. As soon as we know the outcome we will telegraph further. It is possible that representations by the Americans in Delhi on the lines proposed may be desirable just after the return of Nehru to India.

4. If in the meantime you have to speak to Byrnes no doubt you will explain that we are grateful for his helpful attitude and are appreciative of the fact that State Department’s estimate of the situation as summarised seems to be substantially similar to our own, and action by them along the lines suggested may well prove helpful at appropriate time. Further we suggest you explain that since memorandum in Federal 2100 was written London conference has been convened, that (as indicated in paragraph 2) we do not think it would be timely for U.S. to intervene during the discussions here but will let you know further as soon as we see how they go.

¹ No. 119. ² No. 120.
Lord Pethick-Lawrence to Mr Attlee

L/E/9/1396: ff 19–20

INDIA OFFICE, 30 November 1946

Secretary of State’s Minute: Serial No. 83/46

Prime Minister.

I think you ought to know, in view of the impending talks with Mr. Nehru, that the India Office representative on the United Kingdom Delegation to the U.N.O. Assembly has just reported (see attached telegram)\(^1\) a distinct deterioration in relations with the Indian Delegation, whose disappointment at our attitude on the India-South Africa dispute, the South-West Africa question and the Trusteeship Agreements is now said to be “deepening into considerable bitterness against His Majesty’s Government”. As contributory factors he mentions, first, that Mrs. Pandit has apparently received telegrams from Mr. Nehru which indicate, or at least are taken to imply, that H.M.G. intend to go back on the constitutional arrangements previously concluded, and second, a belief that His Majesty’s Government have concluded that there is now no hope of getting India to remain within the Commonwealth and that we are therefore playing up to South Africa.

We are, of course, ensuring that full and accurate information shall be available in New York to assist in combating any misunderstanding of the position on the part of the Indian Delegation. Meanwhile, since that Delegation is reporting back to Mr. Nehru, we must be prepared for the possibility that he may refer to the position in New York during his discussions with us.

PETHICK-LAWRENCE

You will also note that Krishna Menon has been a disturbing influence in U.S.A. and is likely to influence Nehru against H.M.G. when he comes here. (Telegram enclosed).\(^2\)

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\(^1\) Not printed. See tel. 2090 of 29 November 1946 from Mr Curson to Mr Anderson. L/E/9/1396: ff 27–8.

\(^2\) Not printed. See tel. 2124 of 30 November 1946 from Mr Curson to Mr Anderson. Ibid: f 15.
Note by Lord Pethick-Lawrence

INDIA OFFICE, 30 November 1946

The following memorandum has been prepared in my Office as a suggested compromise between the parties which in the main adheres to the Statement of May 16th. I submit it to my colleagues as provocative of thought rather than as of plenary inspiration.

P.-L.

Enclosure to No. 139

L/P&J/10/111: ff 91–6; L/PO/6/112: ff 183–8

EXPLANATORY NOTE

INDIA OFFICE, 30 November 1946

The attached paper contains a sketch of a possible agreement between the Congress and the Muslim League clarifying the situation about the Constituent Assembly. It may be that it is too formal in character and that an exchange of letters covering the points contained in the agreement would be adequate.

The arguments for this proposition are as follows:—

1. We have always said that the Statement of May 16th can be modified by agreement between both parties.

2. The Congress undeniably have a case about Assam and they have given commitments to the Assam Government which it is extremely difficult for them to repudiate. The gist of the commitment is that a Province will not be coerced into a Group and will be free to determine the provisions of its own constitution.

3. The Cabinet Mission’s Statement says that Sections shall “decide whether any Group constitution shall be set up for those Provinces within it and, if so, with what Provincial subjects the Group should deal”—paragraph 19(v). The Congress say that this is inconsistent with the freedom of Provinces to form Groups unless the decisions in the Section require a majority of the representatives of each Province. The answer seems to be that 19(v) does not refer to “the formation” of a Group in the sense of creating it but to the formulation of a constitution for a Group, which is something quite different. If it were clearly set out that the Section frames a Group constitution by majority vote and that the decision whether to join the Group is left open to the Province and is exercised after the first election under the new constitution, then the conception that a Province
is, under the Cabinet Mission's plan, forced to be a component of a Group and subsequently opts out would be exploded.

It is not, of course, suggested that a document of this kind should be brought out before the Indian representatives until the ground has been tested on both sides. It is suggested that Nehru should be asked what is the Congress real objection to the interpretation which we contend is the right one. Nehru will probably reply that individual Provinces must be free to frame their own constitutions and that Groups cannot be formed by compulsion. The reply to this should be that it is accepted but that Provinces within the Sections must not be free to prevent a constitution for the Group from being framed. The whole conception is that there should be freedom for the Section by majority to frame a Group constitution (not to bring a Group into being) and that the Provinces should decide by exercising their option, if they so desire, whether to come into the Group so constituted or not. But this option cannot be exercised until the Group constitution as a whole is presented before them. Moreover, it would be wrong for such a decision to be taken by Provincial representatives at the Constituent Assembly not all of whom are citizens of the Province they represent.

If Nehru reacted in this way the point could be put to Jinnah and our point of view explained to him. If he accepts it the way would be clear to propound to both sides the sort of proposition contained in the formula attached. It is important that the formula should include a provision, as in paragraph C(iv) of the draft, to the effect that a Province which opts out is thereafter free to revise its own constitution consequentially to abstention from the Group.

It is suggested that this formula might at any rate be put up for consideration at the meeting with the Viceroy on Monday evening.

Draft formula of agreement between Congress and the Muslim League

"Though it is recognised by the parties to this agreement that it is in general for the Constituent Assembly itself to determine its procedure so far as it is not laid down in the Statement of the Cabinet Mission the following agreement has been reached between the President of the Congress and the President of

1 The draft of this formula on L/P8&J10/111 contains a number of manuscript amendments to the text which were evidently made after discussion. The most important of these amendments was to the first para. which was to be recast into two paras. and was to read from the fifth line:

'... the following agreement has been reached between Pandit Nehru and Mr Jinnah with the object of clarifying the situation and of enabling the work of the Constituent Assembly to proceed with the cooperation of both parties. Pandit Nehru and Mr Jinnah will recommend this agreement for adoption by Congress and Muslim League respectively immediately on their return to India. Subject to its ratification by the authoritative bodies of the Congress and Muslim League, the Muslim League representatives will attend the Constituent Assembly.

Though the final decision on the points dealt with in this agreement must be taken by the Constituent Assembly, Indian National Congress and the Muslim League undertake to use..."
the Muslim League acting with the authority of those bodies, with the object
of clarifying the situation and of enabling the work of the Constituent As-
sembly to proceed with the co-operation of both parties. Though the final
decision on the points dealt with in this agreement must be taken by the
Constituent Assembly the parties to this agreement undertake to use their full
influence and authority with their own supporters in the Constituent Assembly
to ensure that the procedure adopted is in accordance with the provisions of
this agreement which follow:—

(A) It is agreed that after the preliminary meeting of the Constituent As-
sembly for the purposes mentioned in paragraph 19(iv) of the Cabinet Mission’s
Statement of 16th May, 1946, the Provincial representatives shall meet in
Sections as laid down in the last sentence of that paragraph of that Statement.

(B) It is also agreed that the procedure of the Sections shall be determined
by the representatives in each Section and not by the Constituent Assembly
as a whole.

(C) It is in particular agreed that:—

(i) The Section should decide by majority vote—

(a) whether it is desired to set up a Group Constitution for the Provinces
in the Section.

(b) if so, for what subjects.

and (c) the provisions of the Group constitution if it is decided that one
should be set up.

(ii) That the Provincial constitutions need not be identical or uniform in
the Provinces within the Section provided that each of them conforms
to the requirements of any Group constitution decided upon by the
Section Constituent Assembly as a whole and does not impair the
authority to be exercised by the Group. In so far as Provincial constitu-
tions must so conform it is agreed that their form should be determined
by majority vote of the representatives in the Section voting as a whole,
but that decisions in regard to other provisions of each Provincial
constitution should, in order to be passed, require a majority of the
votes of the representatives of the Province concerned.)

(iii) That provision shall be made:—

(a) in the Provincial constitution—fixing a date on which the provisions
of the Provincial constitution necessary for the election of the new
Legislature of the Province shall come into operation and for the
holding of the election as soon as may be.

(b) in the Provincial constitution—that it shall come into full operation
and the new Provincial Legislature shall meet within two weeks of
the declaration of the result of the Provincial elections.

(c) in the Group constitution—that the Group constitution shall not
come into operation till the expiry of at least one month after the
date on which Provincial elections in all the Provinces represented in the Section have been completed. The Group constitution shall not apply to any Province in which, before the day on which the Group constitution comes into operation, a resolution has been passed in the Lower Chamber of the Provincial Legislature declaring that the Province exercises, in accordance with paragraph 19(viii) of the Statement of May 16th, its option not to adhere to the Group.

(iv) That a Province which exercises its option not to adhere to the Group in accordance with paragraph 19(viii) of the Statement of May 16th shall thereafter be free to revise the constitution of the Province as required in consequence of non-adherence to the Group subject only to the overriding requirements of the Union constitution.

(v) It is agreed that if any dispute arises either in a Section or in the Constituent Assembly as to the respects in which the provisions of the Provincial constitution must conform to those of the constitution for the Group, or as to the extent to which the provisions of the Group constitution must conform to those prescribed for the Union by the Constituent Assembly as a whole, the decision of the Federal Court shall be binding upon the Section or the Constituent Assembly as the case may be.

(D) Subject to the above procedure being followed it is agreed that Provincial representatives who are members of the Congress and Muslim League will attend the Constituent Assembly as laid down in paragraph 19 of the Statement of 16th May. The Congress and the Muslim League will accept the Group and Provincial constitutions so determined subject, however, to the right of any Province subsequently to opt out of any Group in which it has been placed in accordance with the provisions and by the procedure laid down in paragraph 19(viii) of the Cabinet Delegation's Statement of the 16th May, 1946."

140

Mr Wakefield to Lieutenant-Colonel Webb

R/1/36/91: f 95

PERSONAL AND TOP SECRET

NEW DELHI, 2 December 1946

My dear Webb,

Will you please refer to your d.o. letter No. 1916-C/46 dated 14th November 1946.¹

¹ No. 37.
2. I am desired to enclose, for your personal information only, an extract of paragraphs 5 to 8 from the record of a talk which the Political Adviser had with H.H. the Chancellor at Bombay on June 5th.\(^2\)

3. In discussions with Kak you are at liberty to make use of the following:—

At an interview with H.E. the Viceroy and Mr. Alexander on 16th May 1946\(^3\) H.H. the Chancellor asked whether the States who did not want to join the Union would be free to maintain a relationship with Great Britain. He was told in reply that the attitude of the Cabinet Mission was to hope that the States would come into the new constitution, and that the Cabinet Mission could not deal at this stage with a hypothetical question such as His Highness had raised. I am to add that this is still the attitude of the Crown Representative to such questions. It is idle therefore for the Kashmir Government to press at this stage for specific answers to the various questions they have raised.

4. Negotiations between States and the British India portion of the Constituent Assembly are likely to bring out the dominant importance of two factors:—

(1) That Kashmir is economically so dependent on India that it cannot afford to alienate India

(2) That Kashmir is strategically of such importance to India as a whole that India cannot afford to alienate a Kashmir in which Ruler and subjects are united.

These factors may well operate to force the two parties, when they are faced with realities, into some form of mutual accommodation.

5. As regards the stage at which the Kashmir Government can appropriately negotiate with British India, please see paragraph 5 of my letter No. F.73–R(S)/46 dated 2nd December 1946.\(^4\)

Yours sincerely,

[E. B. Wakefield]

\(^3\) See Vol. VII, No. 299.
\(^4\) Not traced.

I4I

Lord Jowitt to Lord Pethick-Lawrence

L/PO/6/112: ff 174–6

HOUSE OF LORDS, S.W.1, 2 December 1946

Dear Pethick,

Here is my opinion on the construction of the Indian documents for which you asked.\(^1\)

Yours ever,

William
Enclosure to No. 141

2 December 1946

The Lord Chancellor’s Opinion

Paragraph 15 of the Statement by the Cabinet Mission (Cmd. 6821) contains a recommendation as to the form which the constitution should ultimately take. It recommends (inter alia) that all subjects except foreign affairs, defence and communications (together with powers to raise the finances required therefor) should be provincial matters, and it further recommends that the provinces should be free to form groups and that each group could determine the provincial subjects to be taken in common.

Paragraph 16 makes it clear, however, that the primary objective of the Mission was not to lay down details of the constitution, but rather to set in motion a constitution-making machine.

Paragraph 17 and the following paragraphs then proceed to make proposals as to the constitution-making machine.

It is to my mind obvious that the recommendations as to the constitution-making machine may differ widely from the recommendations as to the ultimate constitution without involving the smallest inconsistency; for instance in a Western democracy one would not be surprised to find a proposal that the method of deciding on a constitution should be based on a referendum even although it was not proposed that the constitution to be evolved as a result of the machine’s work should contain any such device.

If a further illustration is needed, how foolish it would be to suppose that a recommendation as to a machine which was to cut a tunnel for a projected railway would be the same machine as would run on the railway when constructed.

The proposals contained in paragraph 19(iv), which are part of the proposals for the constitution-making machine, are clear; after the preliminary meeting the provincial representatives are to form themselves into certain designated sections, and it is for these sections—and not for the individual provinces—to settle provincial constitutions.

The sections may also decide whether—and if so to what extent—a group constitution shall be set up for any provinces.

I do not agree that it is any part of the recommendations for the constitution-making machinery that the provinces shall in the first instance make their choice as to whether or not to belong to the section in which they are placed.

No such conclusion can possibly be arrived at without disregarding the perfectly clear words of 19(iv) of the Statement.

1 No. 127. Later on 2 December Lord Pethick-Lawrence thanked Lord Jowitt for his ‘Opinion’. L/PO/6/112: f 173. The same day Lord Pethick-Lawrence’s Private Secretary sent Mr Attlee’s Private Secretary a copy of the ‘Opinion’. Public Record Office, PREM 8/541, part VII.
The Resolution of the Congress Working Committee of the 24th May 1946\(^2\) (see Cmd. 6835 page 10) attempts to justify this construction by the necessity of making paragraph 15 consistent with paragraph 19.

But there is no such necessity for the two paragraphs are dealing with different concepts; the former containing recommendations as to the basic form of the constitution to be evolved as a result of the functioning of the constitution-making machine, the latter containing recommendations as to the construction of that machine itself.

In any event, even if there were such a necessity it would be wholly illegitimate to construct an implication therefrom to negative an express term.

I therefore conclude that the recommendation involves that it is for the majority of the representatives in each section taken as a whole to decide how provincial constitutions shall be framed and to what extent, if any, they shall be grouped.

I should add that I come to the above conclusion solely on the terms of the Statement (Cmd. 6821) itself; if it were legitimate to pray in aid the doctrine of 'contemporanea expositio' it is obvious that my conclusion is reinforced.

\(^2\) Vol. VII, Enclosure to No. 370.

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**I42**

*Note by Field Marshal Viscount Wavell*\(^1\)

*L/P\&J/10/111: ff 86-90*

**TOP SECRET**

2 December 1946

Notes for discussion with P.M. and Ministers

Short-term Issue

1. The Cabinet Mission Plan was as good as could have been framed in the circumstances and could have been put through with firmness, but neither the Mission nor H.M.G. adhered to their original intentions with sufficient directness of purpose. In particular the Mission gave Jinnah pledges on May 16, which they have not honoured.

Congress has been reasonably honest in that they never meant to carry out the plan as the Mission intended, unless they were forced to, and said so.

League also have been reasonably honest and would have attempted to carry out Mission’s plan had H.M.G. stuck to it firmly.

2. Present situation is that Congress feel that H.M.G. dare not break with them unless they do something quite outrageous. Their aim is power and to
get rid of British influence as soon as possible, after which they think they can deal with both Muslims and Princes; the former by bribery, blackmail, propaganda, and if necessary force; the latter by stirring up their people against them, as well as the other methods above.

They will continue a gradual process of sapping and infiltration against the British, the Muslims, and the Princes by various insidious methods for as long and so far as they are allowed, until they consider themselves strong enough to take more direct measures, such as an open revolt against British rule.

Congress are not really interested in the Constituent Assembly as conceived by the Mission, except as a means of getting rid of the British, and gaining more prestige and power for themselves. Though the sensible and moderate ones realise that they cannot get a united India without Muslim goodwill, or at least acquiescence, the Congress will not seriously negotiate with the Muslim League so long as they feel they can get what they want by pressure on H.M.G.

3. The Muslims are thoroughly alarmed and many of the leaders are getting desperate. They trusted to the British to give them a fair deal and feel that owing to the weakness and duplicity of H.M.G. they are not getting it.

They will not come into the Constituent Assembly unless they get a very definite pledge that it will be worked in the way they were promised and that H.M.G. will not recognize the results otherwise.

4. The Sikhs have been negotiating with both the Congress and the League, but as the result of recent events have come down on the side of Congress, because they feel that Congress are the stronger and that H.M.G. dare not oppose them.

5. There are stresses inside Congress, League and the Sikhs.

Congress has a powerful Left Wing led by such as Jai Prakash Narain and Mrs. Asaf Ali, with no constructive programme but capable of stirring up the worst elements of the country and doing a great deal of destruction and mischief. They are already preaching that a revolt against the British will be necessary. The Right Wing, which used the Left Wing to create unrest and discredit the old Government, cannot now control it. Nehru is the unstable link between Right and Left.

Gandhi feels that his life work of driving the British from India is almost accomplished; and he knows that his political weapon of "non-violence"—it was always really a weapon more than a gospel—is out of date. It was a weapon for the use of the weak against the strong; and now that the strong have become weak, more direct weapons will be used, which he cannot control.

Gandhi will remain in the background, will continue to deplore violence, but will do nothing to check it, since he knows he cannot.

1 According to Wavell, The Vicereoy’s Journal, p. 380 Lord Wavell handed over this note to Mr Attlee, Lord Pethick-Lawrence and Mr Alexander at a meeting which took place shortly after his arrival in London on the morning of 3 December 1946.
6. The Muslim League leaders raised the cries of Pakistan and Islam in danger originally to enhance their prestige and power and thus their bargaining value as a political party. They have now so inflamed their ignorant and impressionable followers with the idea of Pakistan as a new Prophet’s Paradise on earth and as their only means of protection against Hindu domination, that it will be very difficult to satisfy them with anything else. I think Jinnah is honest in saying that he had great difficulty in putting across the Mission Plan with his party, though he was probably wise enough to recognise it as a reasonable compromise worth trying at least for a period.

Hence his anger when he found that the Mission had double-crossed him, as he considered. He probably meant to use his Council meeting at Bombay as a lever to force H.M.G. to announce their adherence to the promises on which he had accepted the scheme; and found his hand forced by his extremists into entire repudiation.

7. The internal stresses of the Sikhs are of a different kind, a struggle for power between various sections. But the Sikhs as a whole will back the party which they feel to be the strongest party and can give them most. This used to be the British, they now believe it to be the Congress.

8. On the short-term issue, i.e. persuading the Muslim League to enter the Constituent Assembly, I am confident that H.M.G. can only succeed by stating quite openly and firmly what they intended by their plan as to the method of drawing up Group and Provincial Constitutions within the Sections, and that they will not recognise a Constitution arrived at otherwise. I am sure that the League will come in on no other terms; and that no further arguments, formulas, legal sophistries or pleadings will have any effect.

The Congress of course would be furious, but I am not sure that they are ready yet for an open breach with H.M.G. Such a breach is however a possibility; and we can only face it if we have a definite policy and a Breakdown Plan. This leads us to the long-term issue.

PART II

The Long-Term Plan

9. Unless during the present discussions we can get back to acceptance by Congress and League of the original plan of the Mission as intended by the Mission and not as intended by the Congress, H.M.G. must accept the fact that the Mission Plan is dead. They must also accept the fact that we have only a very limited period and a very limited power to substitute fresh arrangements.

10. The following courses are open to H.M.G., on the failure of the Mission Plan:

A. To re-establish their own authority and rule India for a further period. This course they have already ruled out as politically impossible.
B. To attempt to negotiate a fresh settlement. This could only be some sort of Partition, and would at once bring us into conflict with Congress. It would imply our remaining in India to set up the Partition, it might be for some years.

I do not think that this is a practicable policy.

C. To surrender to Congress as the Majority party, to acquiesce in all it does, while using the little influence which will remain to us for a little time to try and secure what fairness we can for the Minorities, the States and the Services.

I do not think this an honourable or a wise policy; it will end British rule in India in discredit and eventually an ignominious scuttle or dismissal by Congress. There is no statesmanship or generosity in Congress.

D. To announce that, having failed to bring about a settlement, we propose to withdraw from India in our own method and in our own time, and with due regard to our own interests; and that we will regard any attempt to interfere with our programme as an act of war which we will meet with all the resources at our command. But we should of course do our best to secure agreement while we remained, and in any event to hand over to established authorities, e.g. Provincial Governments.

This is in effect the Breakdown Plan; but it is intended for use not merely when widespread disorder has broken out, but for use in the event of a political breakdown and before disorder has broken out. The existence of this plan will also enable us to take a firm line with Congress, since we have a reasonable alternative on which to fall back; and may thus enable us to avert a political breakdown.

11. I recognise H.M.G’s political difficulties; but Parliament must soon be informed of the realities of the Indian situation. I do not consider it is fair to leave Parliament, on whom the ultimate responsibility rests, to believe that the present situation can continue indefinitely; nor to His Majesty’s servants in India to allow matters to drift on without a definite policy.

12. I therefore recommend H.M.G. to make the fullest use of the present discussions to try and restore the Mission plan to its original basis as intended by the Mission. If it fails in this, it must choose one of the courses outlined in para. 10 above. But it must be quite definite in its choice. Neither I nor the Governors nor any responsible officials can act with any confidence or decision unless we know, quite clearly, what policy H.M.G. proposes to follow.

It will also, I feel, be impossible to carry out the present negotiations with any hope of success, unless H.M.G. have made up their mind whether or not they are prepared to stand up to the Congress.
I think it will be useful if I keep up the weekly series of letters.

2. I had a good journey out, and had the advantage of two days with Wavell before he left. I was duly sworn in at a special meeting of the Cabinet on Sunday morning, when word had been received that the party had left India. Everyone was relieved when it was known that the representatives of both parties had gone; and the effect in the country is shown by a report just in from Calcutta that the Muslim decision to observe "Black Flag Day" on 9th December has been called off. You are all in for some crowded and difficult days, but I sincerely trust that in the calmer—and cooler—atmosphere of London it will be possible to make some impression on the leaders of both sides; all eyes here are now on London.

3. Your last letter to Wavell¹ arrived just in time for him to see, and I have also to make formal acknowledgment on his behalf of your Top Secret letter of November 25th² and its enclosures, which I carried personally, and handed over to him.

4. At the Cabinet meeting of November 27th, it was mentioned by Nehru that K.P.S. Menon, a member of the Indian Delegation to the U.N.O., was being sent to Moscow to make an official approach on the subject of establishing diplomatic relations between India and Russia. At the same time it was decided that Krishna Menon should visit certain European Governments and make similar contacts with a view to starting mutual diplomatic representation. The instructions to both Menons will be concerned only with technical and not policy matters. This disposes of any immediate fear that Krishna Menon might succeed Runganadhan as High Commissioner in London, which you mentioned in your letter of November 1st.³

5. There is no definite information about Nehru's second visit to Kashmir, which you mentioned in paragraph 11 of your latest letter; and I have no doubt that other events will make it impossible for him to go there in the near future. He is, however, showing some concern over two other States in Central and Eastern India, and has in fact stated his intention of visiting one of them, Datia. The Congress attitude to the States in general is going to need careful watching during the interim period, and I believe that the Political Adviser has just addressed a telegram⁴ to Patrick dealing with this subject, the immediate
occasion being an enquiry from Nehru by B. N. Rau about drawing up of new agreements with States.

6. The official despatch containing proposals for compensation to the Services is being examined by the Home Department, and will come up to a Cabinet meeting in due course.

I am very grateful to you for your help in getting my daughter air-passage. She arrived safe and well today with the rest of the party.

Yours sincerely,

JOHN COLVILLE

\[1\] No. 78.  \[2\] See Nos. 93 and 94.  \[3\] Vol. VIII, No. 541.

\[4\] No. 136.  \[5\] No. 96.

I44

Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/112: f 106

3–8 December 1946

Below is an important telegram\[1\] from Sir Conrad Corfield to the India Office. The fact that the Congress claim that the Union Government should succeed to paramountcy rights in States agreements is very clear evidence of the general policy of the Congress and can be used in arguments with H.M.G.

2. I have no doubt that the meaning of Pandit Nehru’s letter to Sir B. N. Rau should be ascertained from Pandit Nehru during his stay in London, but the correspondence cannot itself be quoted and it will be necessary to ask Pandit Nehru to state the position of the Congress without reference to that correspondence.

3. I agree with Political Adviser that if the Congress mean what they appear to mean the only course will be to start handing back to the States their independent position, and this is just as likely to bring us into conflict with Congress as the other outstanding points of the Constituent Assembly and the winding up of the Secretary of State’s Services.

4. If evidence is needed of the importance of deciding whether we ever stand up for [to] the Congress or not a good deal has now accumulated.

G. E. B. ABEll

3.12.1946

We must of course stand by our memorandum.\[2\] I should judge Nehru’s letter

\[1\] No. 136.  \[2\] Vol. VII, No. 262.
as another move in the war of nerves and infiltration, and doubt if he wants a
real show-down over the States just yet.

w.
8/12/46

I45

Notes by Major Woodrow Wyatt

Public Record Office. CAB 127/108

Notes on conversation with Mr. Jinnah—December 3, 1946.

1. Some of the insistence which Mr. Jinnah placed on his attitude may possibly
be discounted slightly by the fact that he was most anxious to impress his
view-point on the people I invited to meet him at luncheon.

2. He is still harping on the unfairness of the Cabinet Mission’s interpretation
of paragraph eight of the statement of June 16. He feels very bitterly that he
should have been allowed to form a Government when Congress turned down
the short-term plan.

3. He vehemently sticks to the view that Congress have never accepted the
long-term plan, never meant to accept it and never will accept it. Nor do they
ever intend to reach a settlement in India. He says repeatedly that all they are
after is to seize power. He makes it clear that for his part, he will do all he can
to prevent that.

4. He now refers to the Cabinet Mission plan as a fraud and a humbug.
Nothing can be done until it is put out of the way. He has no intention whatsoever of going back to India by December 9.

5. He has now returned to the proposition that only the creation of Pakistan
can deal with the situation. Any lingering thoughts that he had at Simla of a
central government with three subjects appear to have gone for ever.

6. I asked him the direct question: “If Congress were now to say without
equivocation that they accepted the Cabinet Mission plan, together with the
grouping system in its entirety, would you feel that there were still some
possibilities in the Constituent Assembly and the Cabinet Mission plan?” His
answer was most decisively No, that it was not even worth discussing the
proposition. “You don’t realise”, he said, “how far the situation has gone in
India since you were there”. His theme song on this issue is what he calls the
deliberate butchery of Muslims by Hindus in Bihar.

7. When asked for a constructive proposition, he said that the only thing that
could be done immediately was to restore law and order. Congress were not in the interim government to co-operate, only to seize power. They must all co-operate, particularly the British, in restoring law and order. There must be a period of tranquillity in which the poor could feel secure in their homes, before anything further could be done. Then, for Pakistan.

8. My general impression is that Jinnah will certainly come to no agreement now on the basis of the Cabinet Mission plan, even if Congress agreed completely to the grouping system and all it implies. He is going to make the most of the situation in Bihar, and say that it demands over-riding action from the British. He is then going to get back to his old argument that the British have no need to be getting out of India now, that their responsibility is to stay and hold the ring. I think that he will covertly advance this, so that he may gain time to build up the Muslim League to a state in which it has every chance of beating Congress physically. I do not ever remember seeing him before in a worse mood, from the point of view of reaching agreement with anyone over anything. His last words to me as he got into his car were: "There is no time any more for argument".

The only hope now, I am sure, is to frighten him badly and to say that if he won’t accept the Constituent Assembly, then his people must leave the government, and he will get no support from the British. END.

I46

Note by Lord Pethick-Lawrence of his interview with Mr Jinnah and Mr Liaqat Ali Khan on 3 December 1946

SECRET

Mr. Jinnah began by giving a long description of the communal riots in India. He claimed that those in Calcutta were mainly started by Hindus and, with the possible exception of Noakhali, were of Hindu origin. He considered that they were fomented and organised by Congress leaders, not even excepting the most prominent. He said that he had expressed views deploring violence, and that in no case had the Muslim League organised the riots. I then said that it was the failure of the Muslim League leaders and the Congress leaders to agree at the top which resulted in their followers taking to physical violence. He challenged me to give any illustrations of unwise speeches by himself and with some reluctance I referred him to his attitude with regard to the non-Muslim League Muslims going into the Interim Government. I also mentioned Dawn. He denied responsibility for what was said in Dawn and turned aside my remark about his own statements.
I then got him on to the question of a compromise solution of the Constituent Assembly. He said that no effective compromise was possible. He was convinced that the Congress had never accepted the Statement of May 16th and that they had no intention whatever of using the Constituent Assembly to produce the federal system which the Mission had envisaged. The statements at Meerut by Nehru\(^1\) illustrated his attitude to the Muslim League which really was to crush the League and to obtain more and more power, and finally to pass any constitution that it liked and to be supreme in India.

I said that if the Muslim League did not come into the Constituent Assembly they would be forfeiting the esteem of the world and that world opinion was of sufficient importance in the final result to turn the scale. Mr. Jinnah said that he realised the value of world opinion but he had also his own supporters in India to think of and that they were determined not to be submerged in the Hindu nation. I said that it was a grave responsibility that he was taking in precipitating a conflict without even trying to get a settlement. He said that he did not want to be led on from one thing to another and it was better to resist now than to be gradually overwhelmed. I said it was a grave responsibility for him to take.

Liaquat Ali Khan said that the responsibility was not really that of the Muslim League or even the Congress, but of H.M.G. It was for H.M.G. to decide whether they were going to give way to Congress all along the line. If they were going to yield to Congress in the last resort and agree to any constitution which Congress evolved from the Constituent Assembly, and to take the line that both the majority in India and world opinion would not tolerate resistance to Congress proposals, then it would be much better that this should be known at once. It was quite wrong for H.M.G. to maintain nominal rule in India and all the time be giving way in greater degree to Congress. Mr. Jinnah emphasised this and pointed to a number of instances where, in his opinion, Congress were trying to establish their supremacy. In fact, however, the instances he gave were ones in which Congress had had to bow in the end to the view of the Viceroy or the Governors. I did not succeed in shaking Jinnah in his standpoint. I felt that he was very bitter and determined, though in terms our interview was quite friendly.

\(^1\) See No. 71.
Note by Lord Pethick-Lawrence of his interview with Pandit Nehru on 3 December 1946

SECRET

Pandit Nehru and I had a rather general discursive discussion. He expressed to me his regret that the plans of the Interim Government, formed when the Muslim League were not included, were not making the progress that he would like. He felt very unhappy about the communal riots but thought that they were caused in the first instance by Muslim forces both in Calcutta and in Eastern Bengal. He was aware of the likelihood of disturbances but his warnings which he had given had not been heeded. He did not consider that Mr. Jinnah had made a really strong protest against violence. In fact, even though Mr. Jinnah did not advocate it, the whole policy of Mr. Jinnah was antagonism, and the Muslim League depended on protest and disagreement.

I said that there were two points to which I would like his answer. In the first place the Muslim League thought that the Congress were not really desirous of implementing the long-term plan, and really meant to bring the Muslims of India into submission. In the second place, was there any hope of reaching a compromise solution on the question of procedure in the Sections?

Pandit Nehru did not seem to have considered the timing of the discussion on sectional procedure and offered no answer when I asked whether the point would go to the Federal Court if there was no Muslim League representative present to question the interpretation of Congress. He thought it would be quite wrong for Bengal to settle the Constitution for Assam or Punjab for the provinces of the North West Section. I put to him tentatively the idea that Sections should form the constitution of Groups and Provinces but that the Groups could not be actually set up until after the first election. This seemed quite a new idea to him. On the larger question of the complete distrust of the Muslim League in Congress intentions, Pandit Nehru said that though there was no personal unfriendliness between him and Mr. Jinnah he had never succeeded in getting any response from him. Jinnah had persisted in refusing any agreement about the Interim Government and had denied even that it was a coalition. He saw no hope of reconciling Mr. Jinnah and thought it would be wrong to try to appease him as a result of violence, because that would show that violence had paid. He was against hasty decisions in the Constituent Assembly and thought that in some cases submission might be made to Provincial Legislatures. I asked him how long this would take and he said he thought about three months. I did not press him to any specific compromise
but gathered that it would not have been of any value if I had done so. We had a most friendly talk but I gathered he was somewhat dis-spirited; no doubt the fatigue of the journey played some part in this.

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

Telegram, L/P&J/8/655: f 77

IMMEDIATE  
SECRET  
CALCUTTA, 3 December 1946, 8.20 pm 
Received: 3 December, 8.50 pm

324. I think you ought to know how I view position in Bengal in light of recent developments here inside and outside the Province as, now that you have the main party leaders in London, seriousness of position here may lend added force to your effort to bring about a settlement.

I do not get the impression that Moslems of South East Bengal are, generally speaking, now in the least repentant over the Noakhali Tippera trouble and in this regard events in Bihar seem to have had their repercussions on some of my Ministry also. Chittagong district is a powder magazine. We have been told to expect widespread communal trouble in North Bengal (after) a aman crop has been harvested. Dacca was peaceful during the fortnight I was there but there has been a serious flare-up during the last two days following immediately on the withdrawal of police pickets on December 1st. In Western Bengal events in Bihar and influx of Moslem refugees from that Province are having a most unsettling effect. To all this must be added the fact that strain on services has been, and is, very great and there are many indications that uncertainty as to the future system and personnel of Government at the centre and in Bengal has sapped energy at almost every level in dealing with communal strife. Unless a settlement is reached at the centre I cannot but view the future here in Bengal with the gravest misgiving.

Repeated to Sir J. Colville (New Delhi).

1 The decipher of this telegram in Wavell Papers, Official Correspondence: India has 'as no' here.
Lord Inverchapel to Foreign Office

Telegram, R/3/1/128: ff 56-7

WASHINGTON, 3 December 1946, 7.26 pm
Received in New Delhi: 4 December, 2 pm

No. 849.1 Addressed Foreign Office telegram 6932 repeated New York for Secretary of State and New Delhi for Acting Governor General. Following statement by Acting Secretary of State2 was released to the Press in Washington today. Begins. The United States awaits with deep concern the outcome of the current talks in London between the Indian political leaders and the British Government. I feel most strongly that it will be in the interest of India as well as that of all the whole world for its leaders to grasp this opportunity to establish a stable and peaceful India.

The crux of the internal problem now confronting India appears to arise from difference of opinion between the two principal parties as to the conditions under which Provinces can elect to join or remain out of sub-federations in North West and North East India. I am confident that if the Indian leaders show the magnanimous spirit the occasion demands they can go forward together on the basis of the clear provisions on this point contained in the constitutional plan proposed by the British Cabinet Mission last spring to forge an Indian Federal Union in which all elements of the population have ample scope to achieve their legitimate political and economic aspirations.

The United States has long taken a sympathetic interest in the progressive realisation of India’s political destiny. It has welcomed the forward looking spirit behind the comprehensive programmes of industrial and agricultural advancement recently formulated in that country. Lastly by our recent establishment of full diplomatic relations with the Interim Government of India we have expressed in tangible form our confidence in the ability of the Indian leaders to make the vital decisions that lie immediately ahead with full awareness that their actions at this moment in history may directly affect world peace and prosperity for generations to come. Ends.

1 This would appear to be the number under which the telegram was sent to New Delhi.
2 Mr Dean Acheson.
Sir A. Clow (Bombay) to Sir J. Colville (Extract)

CONFIDENTIAL  GOVERNMENT HOUSE, BOMBAY, 4 December 1946
Report No. 74.

10. Nehru's outburst at Meerut came as a surprise and Kher told me that it was unexpected even by his colleagues and not to the taste of Patel at least. The latter is here at present and I had an interesting talk with him yesterday at Kher's house. He spoke to an immense crowd on the sands on Sunday in a realistic tone. He said that he believed the British were sincere in handing over power. "The issue was now to be settled between Indians themselves." Affirming that Congress had no intention of quitting office he added, presumably with Nehru in view, "Even if all my other colleagues leave their posts, I shall stick on."

Indian Conference in London. Paper I.C.L. (46) 1

L/P&J/10/111: ff 82-5

Record of Meeting at 10 Downing Street on 4 December
1946 at 9.30 am

SECRET

Those present were: Mr Attlee, Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell; Mr Turnbull (Secretary)

The Prime Minister said that he had seen Nehru on the previous afternoon. He had had a long talk with him on general matters. Nehru had been very quiet and friendly and had stated his general position very reasonably. He had also seen Sardar Baldev Singh who had said that he was anxious that India should remain within the British Commonwealth. He had also said that everything that the Muslims said about the Hindus applied to the Sikhs vis-à-vis the Muslims.

The Secretary of State for India said that he had had a long interview with Mr. Jinnah who was in a very disgruntled mood and appeared not to be prepared to look at anything in the way of a compromise. Mr. Jinnah contended that Congress were not, and had never been, acceptors of the Statement of May 16th. His position was that unless H.M.G. could guarantee that there
would be a constitution on the lines recommended and intended by the Cabinet Mission, details about the procedure of the Constituent Assembly were of no interest to him. Mr. Jinnah was very bitter and determined. He seemed to the Secretary of State like a man who knew that he was going to be killed and therefore insisted on committing suicide in order to avoid it.

Mr. Liaquat Ali Khan had said that if H.M.G. were not prepared to take a strong line in India and to resist the Congress when necessary, it would be better for the Muslims if the British left India quickly.

Mr. Jinnah had claimed that the riots in India, particularly those in Bihar, had been organised by the Congress.

Afterwards, the Secretary of State had seen Pandit Nehru who had said that Congress insisted that the riots in Bengal had been organised by the Muslim League.

The Secretary of State had discussed with Pandit Nehru the procedure in the Constituent Assembly. Pandit Nehru appeared not to have considered in any detail questions of timing. He had said that it was quite wrong for Bengal votes to determine the constitution of Assam. The Secretary of State had put to him the suggestion that the Group constitution should come into operation after the Provincial constitution, so that the option could be exercised before the Group was formed. This had seemed to be a new idea to Pandit Nehru.

Nehru had said that Jinnah had refused to agree that the Interim Government was even properly described as a coalition. (H.E. the Viceroy remarked that Nehru's complaint on this subject really was that the Muslim League refused to attend meetings of all Ministers under his Chairmanship outside the Cabinet proper. The Muslims were quite entitled to do this as a Cabinet was the proper place for doing business. Nehru had twice refused to see Liaquat, when he had suggested [this], in order to discuss matters coming up in the Cabinet. Nehru made no use of the system of formal Cabinet Committees which was available for such purposes). The Secretary of State said that Nehru had contended that there was no hope of appeasing Jinnah because any gesture towards him merely encouraged violence in the country. Nehru was against hasty decisions being taken in the Constituent Assembly and had suggested that, after constitutions had been effectively framed, they might be put to the Provincial Legislatures.

In reply to a question by the President of the Board of Trade the Viceroy said that he had made it quite clear to Jinnah, when he agreed to the Muslim League entering the Interim Government, that their inclusion was on the basis that the Muslim League Council would be called to reconsider the Muslim attitude to the Constituent Assembly plan. Jinnah had never said positively

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1 No record of Mr Attlee's meetings with Pandit Nehru and Sardar Baldev Singh on 3 December has been traced in the Prime Minister's archive at 10 Downing Street.

2 No. 146.

3 No. 147.
that he would convene his Council but it was perfectly clearly stated to him that acceptance of the long-term plan was the basis of inclusion.

The Minister without Portfolio said that he had had a long talk with Jinnah at dinner on the previous evening. Jinnah had argued that the Hindus had organised the Calcutta riots in August. The Muslim League had made it perfectly clear that the demonstration was not the initiation of "direct action" and argued that the fact that the casualties on the first day were heaviest among Muslims showed that the Hindus were the aggressors. The Viceroy said that he thought that both sides had got themselves ready for trouble. Inflammatory speeches had certainly been made but he did not think that the League had intended to produce a holocaust in Calcutta. They had intended to make a demonstration of their power and no more, but, as so often happened, the mob got out of hand. The Minister without Portfolio said that Mr. Liaquat Ali Khan had taken the same line with him as with the Secretary of State. He had even said that we were surrendering in all directions to the Congress with the object of getting good terms by Treaty in regard to trade and defence and other matters. The Muslims did not wish to come out of the Commonwealth and the only way was for the British Government to give them Pakistan. If the British were callously handing over the Muslims to the Hindus it would be better for them to leave India now. The Secretary of State said that the main impression he had gathered was that Jinnah had a complete distrust and hatred of the Congress leaders and was not interested in any compromise.

The President of the Board of Trade said that he felt that the position had now come to the stage where the course of events would depend on the action taken by the British Government. It looked as if it had got beyond the possibilities of compromise. If Jinnah was in the frame of mind indicated there would be no chance of an adjustment or of Jinnah accepting one. He thought that Jinnah was playing for full Pakistan which he expected to get as the outcome of a breakdown.

(At this point the Prime Minister left the meeting).

The Minister without Portfolio thought that there would be advantage if we could get an agreement with the Congress as to how they would work the Statement of May 16th. If that were made clear, that part of the Muslim case which was based on the point that the Congress have not accepted the Statement of May 16th would be substantially weakened. Sir S. Cripps said that in substance he agreed with the Viceroy's memorandum. He thought the vital thing now was for H.M.G. to make a declaration of what they were going to do. He thought that the Opposition would agree that our position in India was now becoming untenable. The Viceroy said that it should be a statement saying what we were going to do, and that we should proceed to do it without argument. The Secretary of State said he presumed that it was not suggested that we should announce now that we were leaving India at some later date.
The Minister without Portfolio said that Mr. Eden had expressed the view last night that possibly we ought to say that we had gone too fast and that, while we adhered to our pledges, it was necessary to give a breathing space for law and order to be restored and for constitution-making to proceed in a calm atmosphere. Otherwise we should be unable to fulfil our obligations to minorities. The Minister without Portfolio thought that this general line might be taken by the Opposition and might command some support in the country. Moreover, the case might be made that we were allowing India to fall into chaos and that this would be a danger to world peace. The Viceroy said that we could not stay in India for less than a substantial period. We would not get support from Government servants unless we were staying for 10 to 20 years. He did not think people realised how quickly things had moved in the last 12 months. To restore the situation, drastic action would have to be taken, and the leaders and anything up to 10,000 people would have to be put in gaol.

There was some discussion of the line to be taken with Pandit Nehru. Sir S. Cripps said that we needed to persuade Nehru to accept our interpretation of the Statement. Possibly we might also say that, if the Muslims did not attend the Constituent Assembly, then we could only regard the outcome as binding on the Hindu majority Provinces and that we should have to have some other means of ascertaining the wishes of the Muslim Provinces. The Secretary of State said that Nehru had said to him that Congress recognised that Provinces could not be forced into a constitution against their will. Sir S. Cripps said that it would be difficult to decide whether Bengal should come under the Constituent Assembly’s constitution if the Muslim League stayed away.

* No. 142.

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Indian Conference in London. Paper I.C.I. (46) 2

L/P/J/10/111: ff 77–81

Record of Meeting held in the Secretary of State’s Room at the India Office on 4 December 1946 at 10.30 am

SECRET

Those present were: Lord Pethick-Lawrence (in the Chair), Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell, Pandit Nehru; Mr Turnbull, Mr Abell (Secretaries)

The Secretary of State said that H.M.G. were anxious to help to enable India to achieve independence smoothly. They felt that the situation was not moving
in that direction as it should do. The Cabinet Mission had felt that only a solution on the basis of a three-tier system of government such as they had proposed could solve the situation. That conception seemed to be losing its hold on the thought of both parties. The Cabinet Mission’s judgment had been that apart from the division of India to which there were solid objections, the only hope of a solution rested on the grant of extended autonomy to the Muslim Provinces on the lines proposed in the Statement. The question now was whether that broad general basis was any longer sufficiently accepted to make it worth while to proceed upon it. Pandit Nehru said that he thought that that was the basis on which everything was proceeding. Naturally there was tension. The Viceroy said that a total of several thousand killed indicated something more than tension. Pandit Nehru said that in the last three months steps had been taken which encouraged violence. He had thought that the essence of the Cabinet Mission’s proposals was that they were to be put through. Was it now suggested that the essence was that if one party objected the proposals did not go forward? The Secretary of State said that it was not H.M.G.’s policy that one party should have a veto on progress, but clearly if one major party declined to participate, that raised a very difficult situation. Pandit Nehru said that the question arose whether the whole scheme was to be put an end to. The Congress considered that they had not had a fair deal. Matters must proceed on one definite line. The position was not possible when there was constant shifting about. The Congress had been more or less pushed aside in favour of the present Interim Government in which the Muslims were not co-operating. Mr. Jinnah even said that it was not a coalition. It was a government of two differing groups. The only possible way of dealing with the situation was to lay down a policy and follow it. The feeling was growing up in India that by creating trouble something could be obtained.

Sir Stafford Cripps asked whether there had in fact been any change from the policy laid down by the Cabinet Mission. Pandit Nehru said there had been delay in the meeting of the Constituent Assembly. An Interim Government had been formed under his leadership. All further steps should have been taken through the Interim Government. But after a few weeks this position began to change. Originally he had asked Mr. Jinnah to come into the Interim Government but he had refused. He (Pandit Nehru) had felt that the Interim Government should go on without Mr. Jinnah who would come in when he understood that that would happen. Now there was a difficult position, but who had created it? There was a great urge among the masses of India for political progress. The Congress leaders had tried, with some success, to restrain that urge and keep it behind the Government. But if their attempt did not succeed he did not know what would happen. The present leaders of Congress would not be able to control it. The Muslim League was a fly in the balance, compared with the vast human forces in India as a whole.
Sir Stafford Cripps asked what Pandit Nehru thought were the fundamental reasons why the Muslim League would not come into the Constituent Assembly. Pandit Nehru said that the League had never been prepared to cooperate except on a basis which was not co-operation at all. In everything they wanted a veto. The Congress wanted their co-operation because nothing could be done socially or politically if the co-operation of large groups was lacking. The Muslim League were not interested in social or political advance and lost nothing by not co-operating.

Sir Stafford Cripps asked whether Pandit Nehru thought that if the Muslims could be assured that a three-tier system would eventuate out of the Constituent Assembly, that would induce them to come in. Pandit Nehru said he thought that the Muslims would come in anyhow, sooner or later, provided that they felt that the Constituent Assembly was going ahead in any case. But the Muslim League conception of coming in was to stop others from functioning. The rank and file of the Muslim League were not interested in the three-tier system and did not understand it. To them, coming into the Interim Government and the Constituent Assembly was a step in a conflict and not true co-operation.

The Viceroy said that there had been no conflict at Cabinet meetings of the Interim Government. Pandit Nehru said that the Muslim Members refused to meet him. The Viceroy pointed out that Pandit Nehru had declined to see Mr. Liaqat Ali Khan on two occasions when he had been asked to do so, to which Pandit Nehru replied that Mr. Liaqat insulted him and he saw no reason why he should meet him. On the very first day of the Interim Government he had been insulted and almost assaulted by Muslims outside the Viceroy’s House. The Interim Government could not function as two groups. If it did, the Muslim League would be outvoted, but everything could not go to Cabinet. Even recently two Muslim League representatives, with the help of the India Office, had gone to the United States and had made virulent speeches at the New York Herald Forum.

The Minister without Portfolio said that in the War Coalition in this country, Ministers did not work as Party Groups. The work was all done in formal sub-committees of the Cabinet in which compromises were worked out. Pandit Nehru said he did not ask the Muslim League to give up what it stood for, but there was an absence of any desire to find a way out. The League newspapers were full of irresponsible abuse of the Government in which the League was serving. Sir Stafford Cripps asked whether, in Pandit Nehru’s view, it would help if some sort of guarantee of the emergence of a three-tier system were given. Pandit Nehru said that the Statement of May 16th did not please the Congress, but they accepted it, partly because it was flexible and left the Constituent Assembly a fairly free field. The major limitation on its freedom was an internal one of being able to carry on with the support of
enough people. The three-tier system was laid down only as something that may emerge if the provinces and people concerned want it. If they want to make a Group the Congress will accept their decision completely, but they hope to convince others that there should not be Groups.

Sir Stafford Cripps said that there was the point as to whether, in the Section, voting should be by Provinces or by majority of individuals. There was a difference between the parties on this point. Pandit Nehru said that from the outset Congress had made it clear that the only way they could reconcile the provisions of the Statement of May 16th was a particular one. They had told the Mission that this was their decision. Nevertheless, they were prepared to accept the Federal Court decision as to whether they were right.

Sir Stafford Cripps said the Muslim League had come in on another interpretation which, in fact, was that intended by the Mission themselves, but it seemed to him that this dispute was rather artificial. There was no question but that the provinces had been given an option to come out of the Group. But the principle was that Provinces should see the whole picture of the Group Constitution before deciding whether to go in or stay out. The Mission felt that that was reasonable. On the Congress interpretation the Muslims quite rightly feel that they are deprived of the opportunity of making a complete picture of the Group Constitution. Pandit Nehru said that the Statement suggested that Provinces must form a Group and subsequently come out by exercising the option. Sir Stafford Cripps said that in practice these two things must happen contemporaneously, after the provincial elections. Pandit Nehru said that the elections might be on a basis disliked by the Provinces and determined by the majority in the Group. The elections could be arranged in a manner which would give one side an advantage, for example, separate electorates with weightage might be prescribed. Moreover, it was possible for elections to be held in unfair conditions. In Sind, at the present time, violence was widespread and half the Government’s machine was working for the Muslim League. The complete picture of the Group could be discussed in the Sections. He did not see how a Province could be compelled to go into a Group.

Sir Stafford Cripps said that he saw that there was a stronger argument for Province-wise voting on the Provincial Constitution than on the Group Constitution. He thought that the Muslim League felt that on the Congress interpretation a Province would be able to prevent a Group Constitution ever being framed.

The Viceroy said that the intention of the Mission was that the Sections should frame Provincial Constitutions. Pandit Nehru said that it was an impossible position for Congress to accept or tolerate for a moment that Provincial Constitutions should be framed by the majority vote of the Section, which might be composed entirely of persons from other Provinces. Why was a measure of compulsion introduced in this question of Grouping? Sir Stafford
Cripps said that that was an essential part of the compromise the Mission had evolved. He pointed out that the Muslims in the Sections would be in the same position as the Congress in the Constituent Assembly as a whole. There they would need to secure the co-operation of minorities in order to get a Group formed. Unless they did, the Provinces would opt out. If the Muslim League were in this position they would, he thought, become less negative and more co-operative in outlook. Pandit Nehru said that he had suggested to the Secretary of State, speaking entirely on his own account, that the Constituent Assembly might proceed in a way in which tentative decisions as to the Union Constitution would be sent to Provincial Legislatures for consideration and comment. Possibly the Sections might follow the same procedure. Sir Stafford Cripps asked whether Pandit Nehru contemplated that if that procedure were adopted, tentative decisions of the Section would be taken by majority vote. Pandit Nehru said he would not guarantee that, but he himself would not oppose it. Generally, he thought that the more flexible the arrangement, the better. Rigidity produced opposition. He could not see why the Muslim League should not come in and put any questions of interpretation to the Federal Court. The only other test was the test of battle. Sir Stafford Cripps asked whether, if an agreement could be reached with the Muslim League which would make it clear exactly how the Sections would function and would assure the Muslim League that a Group constitution could be formed and a complete picture presented to the Provinces before their option was exercised, that would not be a small price to pay for Muslim co-operation in the Constituent Assembly. Pandit Nehru said that the Congress could not bind the Constituent Assembly by any assurances they gave. They had discussed this subject with Provinces and with the Sikhs and had had the greatest difficulty in getting them to agree that if the decision of the Federal Court went against them it would be accepted. No price was too high for real co-operation from the Muslims, provided it was real.

The Secretary of State asked at what point Pandit Nehru contemplated that this question of interpretation should be put to the Federal Court. Pandit Nehru said that he thought it would be at an early stage of the Section meeting. Sir Stafford Cripps suggested that it might be put during the meeting of the Constituent Assembly as a whole. Pandit Nehru said there were no doubt a number of people in the Assembly who would be able to raise the point.

Sir Stafford Cripps asked whether Pandit Nehru would not be prepared to do away with the proposed reference to the Federal Court if the position was clarified in the way we had suggested. Pandit Nehru said that he found that an extraordinarily difficult proposition.

The Secretary of State said that he wished to raise another subject—that of the continuance of the Interim Government in its present form. The Viceroy had made it clear to the Muslim League that the basis on which they came into
the Interim Government was that the Muslim League Council would meet to reconsider the long-term plan and that membership of the Government would depend on acceptance. Congress had been informed of this and naturally took it as an assurance. If, however, the Muslim League were required to leave the Government now, that would increase the sense of instability which Pandit Nehru had deprecated. If there were a possibility of the Muslims attending the Constituent Assembly later it seemed to him that it would be better for them to remain in the Interim Government for the present. Pandit Nehru said that the Congress wanted the Muslim League in the Interim Government and the Constituent Assembly, provided they were genuinely attempting to co-operate. They did not want to worsen the situation by sudden action. But a much greater difficulty than legal intricacies about the Constituent Assembly, was the general lack of co-operation by the League to which he had already referred. Both the League and Congress were to some extent functioning in two capacities. The Congress was a revolutionary party and its Left-Wing were still agitators, but they were under some discipline and control. The League was in the Government but was in open opposition to it in the country. He did not see how the Congress could continue in the Interim Government with this state of affairs going on. But he did not suppose that a matter of a few days or weeks to enable the ruling of the Federal Court to be obtained would present insuperable difficulty.

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Indian Conference in London. Paper I.C.L. (46) 3

L/P/J/10/111: ff 75–6

Record of Meeting at 10 Downing Street on 4 December 1946 at 12.15 pm

SECRET

Those present were: Mr Attlee, Lord Pethick-Lawrence, Mr Alexander, Sir S. Cripps, Field Marshal Viscount Wavell

Referring to the meeting he had just held with Mr. Jinnah and Mr. Liaquat Ali Khan, the Prime Minister said that the burden of Mr. Jinnah’s discourse had been that it was a mistake to have tried to introduce self-government into India. The Prime Minister had mentioned the case of the Punjab and the success of self-government there on the basis of co-operation between the communities and the present effects of communalism in that case, but Mr. Jinnah did not seem affected by this. Mr. Jinnah seemed convinced that the Congress did not mean business in regard to the Constituent Assembly;
his own aim was simply that of Pakistan, within the British Commonwealth. He held out no prospect of coming to an arrangement with the Congress as regards procedure in the Constituent Assembly.

Referring to the meeting which had just taken place with Pandit Nehru,² the Secretary of State reported that Pandit Nehru's attitude was that he had undertaken to submit to the Federal Court the difference of opinion in regard to procedure within the Sections, and he was not free to vary that attitude. Whether the Muslims were represented at the opening session or not, he thought the question could be put to the Federal Court quite early and an answer obtained before it was time for the Sections to get to work. As regards the interim Government, the Pandit was not pressing for the immediate disappearance of the Muslim League members, and he seemed to be prepared to let them stay on for a while, his eventual attitude depending upon the degree of Muslim co-operation.

The Viceroy observed that what Pandit Nehru meant by co-operation was recognition of the members of the Government without the Viceroy as a "Cabinet" and of Pandit Nehru himself as "Premier".

Some doubt was expressed whether Pandit Nehru was unequivocally prepared to act upon the decision of the Federal Court on the procedure in the Sections if it went against him, and it was felt to be very important to get clear on this point.

There was some discussion as to the means of getting the question of interpretation referred to the Federal Court at the outset of the proceedings. Doubt was expressed whether it would be proper or possible for the question to be referred to the Federal Court by the Viceroy. The Minister without Portfolio said he did not expect there would be any difficulty in getting Congress to arrange for the reference to be made.

The Minister without Portfolio said he understood that the Muslims would not be returning to India at the end of this week.

It was agreed to meet again after this afternoon's meetings with Mr. Jinnah and Sardar Baldev Singh, the meeting to take place tomorrow morning, Thursday the 5th December, at 9 a.m., and to continue until the time for the Cabinet Meeting.

¹ No record of Mr Attlee's earlier meeting with Mr Jinnah and Mr Liaqat Ali Khan has been traced in the Prime Minister's archive at 10 Downing Street.
² No. 152.
Indian Conference in London. Paper I.C.L.(46)4

L/P&EJ/10/111: ff 71-4

Record of Meeting at the India Office on 4 December 1946 at 2.30 pm

SECRET

Those present were: Lord Pethick-Lawrence, Mr Alexander, Sir S. Cripps, Mr Jinnah, Mr Liaqat Ali Khan

The Secretary of State opened the discussion by saying that on the reconstitution of the interim Government the Viceroy had expected the Muslim League Council to be summoned with a view to their deciding to attend the Constituent Assembly. Sir Stafford Cripps said the Constituent Assembly would meet on the 9th December and presumably the Muslim League would not be represented. Assuming the issue about procedure in the Sections was put to the Federal Court, and their decision was favourable to the interpretation of the Muslim League and the Cabinet Mission, what would follow?

Mr. Jinnah replied in the first place that the Muslim League could not be a party to such a reference, and secondly he could not anticipate what decision his Council would take. He thought that the interpretation was a matter for H.M.G. rather than for the Federal Court. In general he feared that there was no longer any real chance of effect being given to the 16th May Plan by agreement, and in accordance with the spirit and letter of its fundamentals. The temper of his people was now such that he could give no assurances, nor could he undertake to make any recommendation to his Council. (This matter was referred to again at the end of the meeting).

The Secretary of State asked whether, seeing how grievous was the alternative to a settlement, and on the assumption that the other party would concede something, there was not some contribution that the League could make. Sir Stafford Cripps said that the experience of recent months showed that the dangers in the event of there being no settlement had been underestimated rather than overestimated. Mr. Alexander asked whether, in the event of the Federal Court giving a favourable decision and Congress being committed to act upon it, the position of the Muslim League would not be more satisfactory in the eyes of the world and preferable to the alternative of a breakdown if they participated in the Constituent Assembly.

To these arguments Mr. Jinnah replied that it was better to get the atmosphere right first, and that it would be unwise to plunge India into constitution-making in the present atmosphere. He had ceased to hope that the Constituent Assembly would produce any satisfaction or bring any appeasement. Con-
sidering the small majorities in Sections B and C, the Congress would probably succeed in raising obstacles at that stage, even on the basis of a favourable decision from the Federal Court. In any case, the whole matter had eventually to go to the Constituent Assembly itself, and he feared the Congress would find means of mutilating the constitution so far as it contained what they did not want in regard to the Groups. A \textit{fait accompli} would then be presented and he doubted whether H.M.G. and Parliament would find themselves in any position to resist it.

Sir Stafford Cripps thought that this would not be the position if the Constituent Assembly were shown to have gone outside its competence, and Mr. Alexander felt that if the Constituent Assembly mutilated the work of the Sections in the manner suggested, H.M.G. would be fully justified in refusing to recognise what had happened.

Mr. Liaquat Ali asked what would follow if the decision of the Federal Court were unfavourable. Sir Stafford Cripps replied that in the first place the League would no doubt take up the attitude that this was not the basis upon which they said they would take part in the work of the Constituent Assembly, and secondly, the British attitude would be that as this decision was contrary to the meaning of the Cabinet Mission the scheme was no longer valid and the original intention of it had been vitiated.

In answer to Mr. Liaquat Ali, Sir Stafford Cripps said we had always stood by our interpretation, but Mr. Jinnah and Mr. Liaquat Ali dissented as to this.

Mr. Alexander pointed out that the actual handing over of sovereignty would require the authority of Parliament, and Parliament would, he believed, react to any attempt by the majority party to use its majority to override the rights of a minority under the plan. Mr. Jinnah was sceptical whether, if India through the Constituent Assembly decided to set up an independent sovereign republic, much attention would be paid to the authority of Parliament. If, as he now understood, the function of Parliament in the event of India deciding to go out of the Commonwealth was simply that of registering the decisions of the Constituent Assembly, the position would be much more difficult and serious than he had previously supposed. He appreciated that, in the end it would be a matter of free choice for India to stay in the Commonwealth or not, but it was important when the free choice was exercised. He was concerned to understand that the Muslims (who did not want to leave the Commonwealth) could be forced out of it by a majority vote in the Constituent Assembly.

Mr. Liaquat Ali asked what H.M.G. would do if the two conditions on which they had said they would recognise the work of the Constituent Assembly were not satisfied, and if accordingly they felt unable to recommend the outcome of the Constituent Assembly to Parliament. Sir Stafford Cripps said that obviously H.M.G. would then have to negotiate for arrangements that
they could regard as satisfactory. But Mr. Liaquat Ali pressed the point and wanted to know what would be the position if such negotiations were unsuccessful. He said that they had had no satisfactory reply as to how H.M.G. were going to see that the plan of the 16th May was carried out, nor as to what would happen if the decision of the Federal Court were unsatisfactory. He did not put very high the chance of successful negotiations in the event of the Constituent Assembly producing a result which H.M.G. could not recommend, and it had not been made clear to him what the next step would be.

Mr. Alexander urged that it would put the Muslims wrong in world opinion if they failed to cooperate in the work of the Constituent Assembly on the assumption that it was proceeding in accordance with our intentions and theirs.

Mr. Liaquat Ali said that H.M.G. were shirking a responsibility in not seeing that the machinery worked as intended and that something like an umpire was required. Sir Stafford Cripps said we had no responsibility for the future constitution of India, and we could not police the procedure. Our responsibility was for the government of India while the present constitution was still in force and pending agreement among Indians upon a new one. While we had responsibility for the present government of India, we could not clear out of India, as Mr. Liaquat Ali had suggested. But it was Indians who must be responsible for the future constitution. Mr. Jinnah asked whether in that case H.M.G. could interfere in the event of the majority overriding the minority in the Constituent Assembly. Sir Stafford Cripps replied that H.M.G. would make a recommendation to Parliament as to the new constitution, only if the two stated conditions were satisfied, and Mr. Alexander said that it would be for Parliament to make up its mind whether the conditions were satisfied or not; if H.M.G. became aware that a mutilation of the plan of the 16th May was taking place, the Constituent Assembly might be warned as to the difficulties that would arise at the Parliamentary stage. Mr. Jinnah, however, felt that a breach of the rules must be dealt with authoritatively and at once, and he did not feel that the decision which rested with Parliament at the final stage would operate as a check upon the majority in the Constituent Assembly.

The Viceroy invited the League representatives to deal with Pandit Nehru's charge that the League members had failed to cooperate in the work of the interim Government.

Mr. Liaquat Ali said that the interim Government was only a coalition in the sense that it contained representatives of different parties, and it was not a combination in the full sense. There had been no occasion of friction so far in the meetings of the interim Government, and questions had been looked at from the point of view of the general interest. But he did not and could not accept the view that the present Government was virtually an independent Government in which the responsibility lay otherwise than in accordance with the present Act, nor could he accept the leadership of Pandit Nehru. Sir Stafford
Cripps described the nature of the National Government in the United Kingdom during the war; it was a combination of two groups under two heads and it appeared that the present interim Government was a coalition in much the same sense as the British National Government had been. Mr. Liaquat Ali said that this was substantially what he had offered to Pandit Nehru, but without satisfying him.

The Viceroy said that he had encouraged his colleagues to meet informally outside the formal meetings of the whole Government. Pandit Nehru had maintained that the Muslims had objected to this, but Mr. Liaquat Ali denied it. All they refused to do was to attend so-called "Cabinet Meetings" over which Pandit Nehru purported to preside as Premier, and the decisions of which were to go by majority. The Muslims had gone into the Government of India under the present constitution and their cooperation must be conditioned by that. He could not give any countenance to the aim of the Congress, which was to convert the present form of government into an independent executive whereby the constitutional position would be prejudiced.

Discussion took place as to the understanding upon which the Muslim League members had entered the interim Government. At no time had the Viceroy said that Mr. Jinnah had given an undertaking to call his Council together to revise their attitude as to collaboration in the long term plan. But in inviting Mr. Jinnah to submit names for appointment to the interim Government he had said in writing¹ that the invitation was on the understanding that the Muslim League Council would be called, and it was in response to such an invitation that Mr. Jinnah had submitted names.

At the conclusion of the meeting, Sir Stafford Cripps put two questions to the League representatives:—

1. Supposing the Congress now accepted the implication of our interpretation of the procedure relating to Sections in the 16th May plan, would the Muslim League then be prepared to be represented in the Constituent Assembly?

2. If the Federal Court decided favourably on this matter, would the Muslim League be prepared to do this?

Mr. Jinnah replied that the matter must go to his Council and he would take it to his Council. As to whether he would make a recommendation to his Council, he could only say that he must explain the whole position to them and put them in a position to come to a decision in the light of all the facts of the case as he saw them. Having regard to doubts and fears he had already expressed as to what might happen at later stages, he could not make a categorical recommendation in the sense of giving assurance that all difficulties had been cleared away and that he could advise them to go ahead without misgiving. But he thought that if the matter were put before them in the way he contemplated, the chances were that they might accept.

¹ See Vol. VIII, No. 404.
L/P&J/10/111: ff 68–70

Record of Meeting held in the Secretary of State's Room at the India Office on 4 December 1946 at 5 pm

SECRET
Those present were: Lord Pethick-Lawrence (in the Chair), Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell, Sardar Baldev Singh; Mr Turnbull (Secretary)

The Secretary of State asked Sardar Baldev Singh to state his views on the situation generally.

Sardar Baldev Singh said that, as regards the Sikh Community, they had not the same safeguards in the Constituent Assembly as the other two communities, since a majority of Hindu and Muslim votes were required in the Union Constituent Assembly for a decision raising a major communal issue. The Viceroy had said that he would speak to the leaders of both major parties on the question whether the Sikhs could be granted in Section B a safeguard of the same kind. The Congress were agreeable to this request. The Congress were quite agreeable to do away with all these safeguards in the Constituent Assembly altogether. In that case the Sikhs would agree to it. The Secretary of State observed that the Muslims would never agree to the abolition of these safeguards. Sardar Baldev Singh said that that was no doubt so, that he was seeing Mr. Jinnah that evening about the Sikhs’ desire for a safeguard in Section B, but he did not expect Mr. Jinnah to agree to it. The other important matter was the question whether decisions in the Sections would be by majority vote. That proposal was opposed by the Sikhs and by Congress. H.M.G. should say what should be done.

In reply to Sir Stafford Cripps, Sardar Baldev Singh said that the Army had been well disciplined up to now and there had been no difficulty with the Indian troops in Calcutta. But if bigger communal riots occurred some parts of the Army might be affected.

The Secretary of State observed that the Congress were agreeable to the provisions in the Statement about procedure in the Sections being decided by the Federal Court. Could he take it that the Sikh Community would accept such a decision? Sardar Baldev Singh said that, so far as the Sikhs were concerned, they had come into the Constituent Assembly in the hope that they would receive in Section B the same safeguard as other parties had at the Centre. Though there was no such safeguard in the Sections for the other communities, it was there that the Sikhs needed it.
The Viceroy said that he supposed that this would be a safeguard relating to matters intimately affecting the Sikh Community. It would amount practically to giving the four Sikh members in Section B a veto. Sardar Baldev Singh said that that was so. The matters he had in mind were communal matters. In view of the growing communal bitterness the Sikhs felt they should not be left purely to the mercy of the other communities.

The Secretary of State said that it would be very unwise of the Muslims if they did anything which would be unjust to the Sikhs. Sardar Baldev Singh said that the Muslims had a clear majority of at least 4 in Section B and would therefore not mind whether they had Sikh support or not. Mr. Jinnah had told him only yesterday that the Sikhs should support Pakistan and, provided they did so, the Muslims would see that they got a proper share of power in Pakistan. In reply to the President of the Board of Trade and the Minister without Portfolio, Sardar Baldev Singh said that the kind of matters for which this safeguard was needed was the protection of the Gurmukhi language. The Muslims would provide only for Urdu. Another matter was to ensure that the Sikhs received equal Government aid towards their educational institutions. Again, the Minorities Committee might make recommendations for the protection of the minorities which the Sections would refuse to accept. The Sikhs real fear was that, although the Muslims were 51% of the population and the remainder 49%, the Muslims might so manoeuvre things in the Section that they would have a working majority in the Legislature. There could not be much weightage for minorities, if any, and if the Sikhs got it it would be at the expense of the Hindus. The Sikhs feared that they would have to rely on the support of one party or the other. At the Centre they would have to look for Congress support, and in Group B they would have to look to the League. They could not do both at once.

The President of the Board of Trade observed that it was extremely difficult to give a veto to four people in a total of 36.

 Asked for his views on the general relations between the two major communities, Sardar Baldev Singh said that the differences were great. The Congress had made concessions, but the response was only more demands. The Congress thought that it was impossible to make terms with Jinnah and that it was better to say so now. The Minister without Portfolio asked whether that did not mean civil war. Sardar Baldev Singh said that he was not afraid of that. There would be troubles, but he thought that with firmness they could be dealt with.

In reply to the Secretary of State, Sardar Baldev Singh said that the main difficulty within the Interim Government was that you could not function with two groups and no leader. The Muslims in the Assembly and the Council of State had declined to discuss with other members of the Government the line to be taken and this made an impossible position. The Minister without
Portfolio asked why Pandit Nehru could not consult with Mr. Liaquat as the leader of another group within the Government without asking him to come to an unofficial Cabinet. In any coalition, discussions between the leaders of the component groups were necessary. Sardar Baldev Singh said that the Sikhs should not be excluded when important matters were decided, but all matters could not be taken formally to the Cabinet. In reply to a question he saw no reason why preparatory discussions should not take place in Cabinet itself but there had not, in fact, been such meetings. The Viceroy point[ed] out that there were Committees for this purpose for defence and economic development and other subjects. The Muslim position was constitutionally correct as the Viceroy was the head of the Government and there was no Prime Minister. Sardar Baldev Singh said that the difficulty was that if informal discussions were held by members of the Government, the Muslims would not come. The Minister without Portfolio said that it must be realised that they were carrying on under the existing constitution. Was there a desire from Congress to convert this into a Government responsible to the Legislature? Sardar Baldev Singh said that Congress wanted the maximum degree of freedom. The Viceroy had not raised any obstacle to that. The Minister without Portfolio observed that a demand for independence de facto was going a little too far. Sardar Baldev Singh said that the Interim Government must act effectively or it would lose the support of the masses which expected from it something different in kind to the late Government of India. The Congress considered that they were given to understand that they would have a wide range of power in practice. In his experience the Muslim League members did not meet the Congress members at all, yet it was essential that Ministers should consult one another before proposals came up in the Cabinet. The budget, for example, would affect the development programme. The President of the Board of Trade observed that these difficulties were a symptom of the general state of mind on both sides rather than a real difficulty in themselves.

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India and Burma Committee. Paper I.B.(46)41

L/P&E/10/46: ff 332–8

THE MORALE OF THE SERVICES IN THE PROVINCES OF INDIA
NOTE BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 5 December 1946

I circulate herewith, for information of my colleagues, a Note on the Morale
of the Services in the Provinces of India which I have received from the Viceroy since his arrival in this country.\(^1\)

P.-L.

**Enclosure to No. 156**

**NOTE ON MORALE OF THE SERVICES IN PROVINCES**

Since political governments came into power at the Centre and in the Provinces officials have had an extremely difficult time, of which some evidence is given below. 1942 left a legacy of bitterness. Men guilty then of crimes of violence have been released and made into public heroes. Officials who did their duty then have been publicly disgraced. This has occurred mainly in Congress Provinces, but in all Provinces there has also been a steady deterioration of the administration, which was perhaps inevitable. There has been much political interference, and worst of all, Indian officials have felt compelled by political pressure to identify themselves with the Congress or the Muslim League instead of standing out as impartial members of an impartial Service. All officials, whether Indian or British, are doubtful about their future; all are affected by the daily increase in communal feeling and the impossibility of taking any definite action without being accused of partiality. Officials who have a high standard of professional duty and would like to do their best for the country even up to the last minute when their services are dispensed with, have often lost heart because they feel that they are only beating the air; their actions are misunderstood and their orders are overruled; however much they may struggle, the descent to inefficiency continues. It is for this reason that an appeal to British officials to serve on in the interests of the country and out of loyalty may not be effective. There will be some officials who will say that such an appeal could never be put out by anyone who knew and understood the facts.

2. Some special instances of the treatment of officials are given in an Appendix, but the individual cases are not as important as the general tendencies. It is probably increasing communalism and increasing inefficiency rather than victimization that do the most injury to the morale of the Services. Men are victimized in spite of the efforts of the Governors, and all have been left for months in complete uncertainty about their future. But if the job could be done well, many of them would carry on fairly contentedly. The attitude of the Congress High Command has not been unsympathetic on the whole,

\(^1\) Lord Wavell sent this note to Lord Pethick-Lawrence under cover of a minute dated 3 December 1946, in which he stated that the note had been 'drawn up on my instructions from material received in Governors' letters and otherwise, since Provincial Ministries took office', and that he considered that it gave 'a fair picture of the declining morale of the Services and the reasons for it' and that it explained 'why comparatively few good officers are likely to be willing to serve much longer in such conditions.' L/S &G/7/906.
but the district officer, who is the toad under the harrow, is the man who
suffers from the crookedness and spite of local political leaders. These are
nearly always of the poorest quality and corrupt into the bargain; such men
have to be supported for political reasons against the district officers by the
ministries.

3. There has been a tendency in almost all Provincial ministries for Ministers
to interfere directly in the administrative work of their officers. The Governor
of the N.W.F.P. discovered that his Premier had been in the habit of sending
orders to the police to withdraw criminal cases before they came into the court,
and that he and other Ministers used to telephone to police subordinates
ordering cases to be dropped. The N.W.F.P. Government had to be called
upon to show cause by the Judicial Commissioner why they had sent for the
records of some pending criminal cases from the courts and kept them for
several months. Recently the Prime Minister has been in the habit of ordering
District Magistrates to withdraw prosecutions in murder cases, and other cases
of grave crime, and getting them compromised out of the court, as he thinks
that more substantial justice is obtained this way. He has ordered Magistrates
to withdraw bail in cases pending before them, and has also ordered retrials
of cases which have not been decided. Dr. Khan Sahib holds that a District
Magistrate even in the exercise of his judicial powers is subject to the authority
of the Government, and he will not tolerate disobedience to his orders. In the
N.W.F.P. government supplies of rationed articles, such as cloth and sugar, are
often distributed by local Congress workers instead of through the District
officials, with the object of rewarding political allegiance rather than according
to need. This of course lowers the authority of District officials.

4. The U.P. ministry (see para. 1 of the Appendix) insist on issuing direct
orders to subordinate police officers. Mr. Subhrowary, Premier of Bengal, did
the same in Calcutta during the disturbances.

5. The Punjab ministry too has been interfering with cases pending in the
courts. It ordered the withdrawal of prosecutions filed against a number of
local political speakers in Gujranwala District for making unwarranted attacks
on the District Magistrate. It withdrew cases filed for substantive criminal
offences against labourers who had taken part in strikes and riots in Lahore,
and it ordered the release of all those arrested by the Amritsar district
police for rioting and causing damage to canal sluices.

6. In Bihar, the ministry has not allowed its officers to take action against
political speakers who have incited the public to attack the police and other
civil officials. Even with the examples of Calcutta and East Bengal before them,
the ministry made apparently no attempt to take action against the extremist
speakers who openly advocated revenge for the Noakhali disturbances, and
over-ruled the District Magistrate of Patna who wished to ban all meetings on
the 25th of October which was observed as "Noakhali Day". The Bihar disturbances (5,000 dead) began immediately after "Noakhali Day" meetings.

7. There may be a suspicion that the Services, reporting on their own morale, are now exaggerating, and that they are thinking of compensation and of their own future and nothing else. This is unfair and untrue. Many are doing a fine job of work in spite of the difficulties, but the catastrophic effect of recent events on the Police Service as a whole in Bengal and in Bihar can be judged by the complete ineffectiveness of the early action by the police both in the Calcutta disturbances and in the Bihar disturbances. Had the police hit back strongly at the beginning the casualties would have been far less, but they were uncertain of support, and their experience had taught them that the best thing for the individual's future is to get out of a critical situation without having taken any definite action at all. The evidence of demoralisation of the police in these two Provinces is very convincing. Other Services elsewhere might fail similarly under a similar test.

Details about some individual cases are attached.

Appendix

Treatment of officials by Congress ministries

United Provinces

(1) Sir Philip Measures. The U.P. Ministry, by threatening to resign themselves, and by a piece of deception by the Prime Minister, forced the resignation of Sir Philip Measures, Inspector-General of Police, U.P., because he refused to compromise on the principle that he, as head of the Provincial police, must be the sole channel of communication between the ministry and the force for the issue of orders and correspondence. The incident began on July 15th, with a letter from Sir Philip Measures to all Superintendents of Police drawing their attention to the relevant Police Regulations. Sir Philip applied to retire at the beginning of November 1946.

(2) Mr C. P. Rao, I.C.S. Deputy Commissioner, U.P. Mr. Rao had to carry out the U.P. Government's grain procurement scheme in his district through a non-official procurement committee dominated by Congress men who themselves were divided into factions. Being unable to get any results, he began to procure grain himself and searched several houses in certain recalcitrant villages with satisfactory results. The U.P. Congress President heard of this and went to the district, made filthy allegations of torture and indecency publicly against the District Magistrate, and informed the Prime Minister, who, without any attempt to check his information, at once appointed a Commission of Enquiry. This has gone on for many months and the officer has suffered proportionately. In October, the Prime Minister suggested a disreputable compromise to Mr. Rao. It was that he should return the grain he had procured, that those he was alleged to have beaten up should be compensated,
that the revenue and police officials associated with him should be dismissed or transferred, and that Rao himself should, at a public meeting, make a confession of his sins and promise to behave better in future. Mr. Rao refused to do this. The Governor remarked: “It is of course intolerable that an officer’s honour and reputation should be made the plaything of party politics, but that, I am afraid, is the sort of times we are living in.”

Bihar

(3) Mr. Alan Salisbury, I.C.S. Mr. Alan Salisbury, a District Judge in Bihar who actively helped his District Magistrate to control the troubles in the district in which he was serving in 1942, has been forced to apply for leave preparatory to premature retirement because the ministry were likely to yield to party pressure, and agree to his prosecution for the murder of a man, whom he killed in self-defence when he was attacked while searching a house defended by armed men. Also civil suits for damage done to property during suppression of 1942 disturbances were filed against him by All India Cotton Spinners Association, a Congress organisation! (These suits were withdrawn after many months, as a result of intervention through Congress High Command).

(4) Mr. Ten-Broek, D.I.G. Police, Bihar. Mr. Ten-Broek was D.I.G., Northern Range, Bihar, in 1942, and was particularly vigorous in suppressing the rebellion. He has become the focus for most of the public indignation against officers who controlled the 1942 disturbances. The ministry forced him to retire and he has now applied for leave preparatory to retirement from the beginning of December 1946.

(5) Mr. C. J. Creed, I.G. Police, Bihar. The following is an extract from a letter from the Governor of Bihar dated 26th November 1946:

“The Prime Minister then surprised me by demanding that Creed, I.G. Police, who is to go on leave at the beginning of January preparatory to retirement, should be made to retire immediately and Hamid be put in his place. The reason for the demand is that Creed asked Jaipal Singh, the Adibasi leader, to go to the Santal Parganas to use his influence to keep them quiet. It appears that during the disturbances about 26 people were killed at Mahagama in the Santal Parganas: Creed, fearing that these somewhat inflammable Santalis might think this a suitable occasion for a revolt on their own (there was a Santali revolt some years ago), asked Jaipal Singh, who certainly has influence among them, to go and use it to keep them quiet. The result indicates that Jaipal Singh did so, but the Prime Minister’s hatred of Jaipal Singh as a political opponent, and his suspicion and dislike of Creed, are so great that he insists that Creed deliberately “deputes” Jaipal Singh to go to the Santal Parganas to work against the ministry and stir up trouble there to discredit them. This is quite fantastic, but it is a pity Creed did not mention the matter to the Prime
Minister before speaking to Jaipal Singh. I was unable to appease the Prime Minister, who says he will send me a written complaint in the matter.”

N.W.F.P.

(6) Major J. Dring, IPS., N.W.F.P. Major Dring, as District Magistrate, Peshawar, had considerable influence both with the Congress and Muslim League leaders in the city. The Ministry, without any evidence, believed him to be a supporter of the Muslim League as he did not discriminate against them. Major Dring has had to be transferred from his post to Baluchistan because the Prime Minister, Dr. Khan Sahib, ordered him to instruct the Public Prosecutor to apply for the withdrawal of a prosecution for attempted murder; and Major Dring, stating that the withdrawal of the case, and an attempt to compromise it, would lead to a rise in crime, emphatically protested and refused to obey the order he had received. The ministry made an issue of the case and the Governor had to accept their advice.

Bombay

(7) Mr. Trotman, ICS., Bombay. The Bombay ministry took a dislike to Mr. Trotman who had been officiating as a Commissioner for three years, and the Revenue Minister advised that on his return from leave in November this year, he should be reverted as a Collector on the ground that he was not fit to continue as a Commissioner. Trotman has a very good record, and two of his juniors are officiating as Commissioners. H.E. the Governor considered that he would have to overrule his ministry if they pressed for Trotman’s reversion. On the 31st October, however, the Bombay ministry accepted H.E. the Governor’s view which he put to the Prime Minister, and advised Trotman’s posting as a Commissioner.

C.P.

(8) Mr. Cole, I.C.S., Deputy Commissioner, Jubbulpore. In October, Mr. Cole, as Deputy Commissioner, informed a contractor who was in remand and soon to be tried for offences against Control Orders, that he might apply for bail. The contractor was given bail and he immediately disappeared. The Commissioner of the Division, acting on unreliable information, informed the ministry that he was reliably informed that Mr. Cole had taken money through the Extra Assistant Commissioner and had ordered the contractor’s release. The Prime Minister immediately concluded that Mr. Cole was guilty of taking bribes, and insisted that Mr. Cole be immediately relieved of his post. The Premier backed his demand with a threat of resignation. The Governor was forced to agree, but subsequent enquiries by a police officer trusted by the ministry showed that there was no truth in the allegation of bribery. Mr. Cole is a senior officer with a good record, and was the last person whom anyone would suspect of taking bribes. He has decided to retire.
(9) Both the I.G. of Police and the Director of Public Instruction in the C.P. resigned recently because they found it impossible to administer their Departments.

SECRET

Those present were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell; Mr Turnbull and Mr Abell (Secretaries)

The Secretary of State reported that Mr. Jinnah had not been willing, even if the interpretation of the Statement in regard to the procedure of Sections was as the Muslim League desired, to undertake that he would recommend re-acceptance of the Cabinet Mission's Statement to his Council. He was prepared to put the matter before them. Sir S. Cripps said that he had had a private conversation with Pandit Nehru who had said that he could not get Congress support for the compromise which had been discussed with him at his interview with the Cabinet Mission and the Viceroy the previous morning. Nehru was, however, confident that a quick decision could be obtained from the Federal Court. Sir S. Cripps had suggested that the Chairman might instruct Counsel to argue both sides before the Federal Court and a decision to be obtained before January pending which the Sections should not meet. Nehru had seen the importance of ensuring that both sides of the argument were properly presented to the Court.

The Viceroy observed that the terms of reference would be very important. The Minister without Portfolio felt that there was a chance, even if only one in a hundred, that the decision would support the Congress interpretation. If that situation arose, would not H.M.G. have to reconsider their position? The President of the Board of Trade thought that H.M.G. must do so at least to the extent of accepting the position that the Muslims were entitled to stay away from the Constituent Assembly. The Viceroy thought that H.M.G. would be in a difficult position in refusing to accept the ruling of the Federal Court if they had allowed the matter to go to legal interpretation. In reply to the Prime Minister, the President of the Board of Trade said that the Court would interpret the document on the basis of its intention and would take into account any sur-
rounding documents, such as the Statement of 25th May, which would throw light on the proper interpretation. Evidence as to the intentions of the Mission would not be admissible and he thought that the oral conversation with the Muslim League\(^2\) in which they had been told of the Mission's intention that the decisions should be by majority vote would not be admissible. It was felt that the terms of reference ought really to be agreed between the two parties, but that the Muslim League would probably refuse to participate in making such a reference.

The question was discussed whether H.M.G. could say anything further to the effect that implementation of a new constitution by them depended upon it being framed by the process they had proposed, or whether some more definite statement to the effect that they would not implement it unless it adequately protected minorities, which for this purpose should include the Muslims, could be made. The Viceroy pointed out that, in fact, H.M.G. were no longer in a position to say that they would not accept a constitution unless they were prepared to face a revolution by one or both parties and re-establish their authority by force. As things were at present we had not the power to do this.

The Prime Minister said that, apart from the question of H.M.G.'s power to prevent the implementation of the results of the Constituent Assembly, it would make a considerable difference to the position in face of world opinion and opinion in this country if the Constituent Assembly in fact functioned in the manner proposed by the Cabinet Mission. If the Congress departed from the proposals it would greatly weaken their position. If they adhered to them the Muslims had no grounds for not coming in. The President of the Board of Trade said that if the Constituent Assembly functioned as we had proposed but the Muslims did not attend, there would be no Groups. On the other hand, the Congress had always said that they would not coerce the Muslim areas into a constitution against their expressed wish.

The Viceroy said that he did not think that the situation would work out in that way. If there were a breach between the parties and the Constituent Assembly proceeded without the Muslims there would be widespread communal disturbances which would rapidly pass beyond our power to control. These would arise from Hindus and Muslims killing one another all over Northern India and each party would blame the other for organising these troubles. He drew attention to a telegram\(^4\) from the Governor of Bengal received that morning. The President of the Board of Trade said that if after the Federal Court decision had been given the Muslim League did not come into the Constituent Assembly, he thought that H.M.G. must make a statement as to the date on which they would withdraw from India, rather on the lines the Viceroy had proposed. The Minister without Portfolio thought that we

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\(^1\) No. 154. \(^2\) No. 152. \(^3\) See Vol. VII, No. 301. \(^4\) No. 148.
must either secure protection for the minorities in the constitution or stay in India and keep law and order till a satisfactory constitution had been framed. Any sort of announcement which put the Muslims at the mercy of the Hindus would be used throughout the Islamic world as a basis for propaganda showing that Britain had betrayed Muslim interests in India and was no longer strong enough to support the Muslims elsewhere. He was not convinced that this would require a reconquest of India, as he thought there would be a good deal of Indian support. The Viceroy said that he estimated that two or three additional divisions would be needed, and that once communal rioting began on a large scale it might easily become anti-European. The revolutionary elements were still openly preaching racial hostility.

The President of the Board of Trade thought that there was a strong case for a declaration now that we would only stay a year or 18 months in India. We should have to hand over to a Government set up by the Constituent Assembly. The Congress wanted Muslim cooperation and would very likely produce a constitution which was quite fair to them. The Secretary of State said that he thought Nehru wanted a settlement fair to the Muslims but he did not think he would be able to secure it in face of the more communal elements in Congress. The Viceroy supported this view and thought there was no chance at all of the Congress showing generosity towards the Muslims.

The Secretary of State said that if a constitution were made which was ultra vires the Statement of May 16th we were not altogether without bargaining power even though we were not in a position to reconquer India. Firstly, world opinion would be outraged if there were riot and revolution in India to an extent endangering world peace and, secondly, there were the sterling balances. While he would be opposed to escheating in ordinary circumstances he thought we could justly refuse to make them available to a Government which was repressing the Muslims.

There followed some discussion on the possibility of referring the Indian problem to U.N.O. It was suggested that if we could not maintain law and order in India ourselves we might refuse to transfer sovereignty and ask U.N.O. to appoint an arbitral Commission. The Prime Minister said it would be possible to bring the matter before U.N.O. as one endangering world peace. At U.N.O. the Muslims might be in a strong position because they would have the support of the Muslim States in the Middle East and quite possibly of the Russians who had a large fringe of Muslim States within the Soviet Union. The Minister without Portfolio said that he had been against reference to U.N.O. because it would mean bringing in the Russians, but he agreed that we might be forced to it. The Viceroy said that he thought that if the Russians wished to interfere in India they would do it by assisting the Indian Communists and not by direct intervention. The President of the Board of Trade thought that the Russian attitude would depend largely on their attitude towards us at
the time. There were some signs that this attitude was changing for the better. The Viceroy pointed out that India would not remain quiet while the matter was under reference to U.N.O. and there would be no one to control the Frontier Tribes. It was pointed out that Jinnah had always emphasised that Pakistan would remain within the Commonwealth and presumably hoped to get British assistance to deal with the Frontier problem.

The President of the Board of Trade said that Nehru had said to him that if we made any statement about the desirability of a reference to the Federal Court he hoped that we would put it in the form that we "hoped" or "thought it desirable" that there should be an early reference. The Prime Minister said that the statement might take the line—

(a) that we had always assumed that there would be majority vote in the Sections,
(b) that Congress wish this question to be put to the Federal Court,
(c) that we hope it will be put at once, and
(d) that if it is settled satisfactorily we hope that the Muslim League will go into the Constituent Assembly.

The President of the Board of Trade said that he thought that the cardinal point was that we must decide whether to make an announcement shortly of what H.M.G.'s intentions were during the next two years. The Viceroy said that from his point of view he needed to know whether or not H.M.G. were prepared, if necessary, to face resignation by the Congress. At present the Congress thought that H.M.G. were not, and, therefore, that they could get anything they demanded. Unfortunately they had succeeded, by threat of resignation, in doing so in the Measures case, and they had now forced the resignation of another officer in Bihar. The position now was different from what it had been previously because Governors knew that they could not go into Section 93 and had therefore no ultimate sanction. The Prime Minister pointed out that this was a stage in the transfer of power to Indians which was bound to come in any process of transferring responsibility. The Viceroy agreed but said that within the last few months we were, for the first time, in the position that we could not prevent even the most outrageous things from happening, and that that was not a position which could continue indefinitely. 12,000 people had been killed in the last three months under the regime for which we were responsible. That was an ignominious and dangerous state of affairs. His contention was that a point would soon come at which it would be better to withdraw in our own way and in our own time than acquiesce in what we did not agree with. We could not allow British troops to be used to suppress the Muslims.

The Viceroy then spoke in enlargement of his plan for a breakdown withdrawal. His idea was to hand over power to the Provincial Governments unless, in the case of the Hindu Provinces, the Congress set up a Group adminstration
for them. He proposed to carry on the Central Government of India so far as necessary for our own purposes, for example Communications. He did not think that in the circumstances envisaged we need trouble about the collection of Central revenues. We should take the line that we had done our best to secure agreement and could do no more. We were now going to hand over authority to Indians. We should begin in certain Provinces where there was no communal problem. In the other Provinces there was a serious communal problem and a problem of defence. We should therefore remain in Northern India for, say, 6 months and make a last endeavour to get a settlement before we left. He would like to make an announcement of this sort as soon as it was clear that the Mission's plan had failed. He thought that this was almost clear now, and he would like to make it before the communal situation deteriorated. He had put forward his plan not because he liked it on merits but because he could see nothing better. His idea was to evacuate Orissa, Central Provinces, Madras and Bombay in that order. In the case of Bombay we might have to negotiate with the Provincial Government about our large commercial interests and naval establishment. The argument for remaining in the United Provinces and Bihar was that, if we evacuated them also in the first stage, we should be charged with holding only the Muslim Provinces. They are also required as a communications link between Bengal and North-West India. The Provincial Governments might resign in the United Provinces and Bihar, but in the other Provinces they would no doubt continue. If the Interim Government were prepared to remain in office at the Centre and run the Central subjects, they could continue to do so. Otherwise there would have to be a Government of officials.

The second stage would be withdrawal from Bihar and Assam with a view to concentrating on Calcutta. A final move out would be from the North-West on to Karachi.

The Commander-in-Chief considered that there was a reasonable prospect of the Indian Army remaining unaffected and continuing to do its work of Frontier defence and maintenance of internal security.

As regards the States, those in the South were capable of making their own terms with Southern India. Hyderabad would also have a reasonable chance of looking after itself. After the first stage there would be a great belt of States in Kathiawar, Rajputana and Central India lying to the South of the area we retain. They might want us to continue Paramountcy and our protection during the six months. During this time we might also hope that the parties would reach some settlement with one another in regard to defence and communications.

This plan had been considered by the Governors of Bengal, Madras and the Punjab none of whom could suggest anything better. Nor could the Commander-in-Chief or any of the senior officials who had been consulted.

The Prime Minister asked whether this plan did not necessarily concede
Pakistan. The Viceroy said that the Congress had always said that they would not force the purely Muslim parts of India into a constitution with which they disagreed. He thought that in the last resort the Congress would agree to the Muslims having their own form of Government in the purely Muslim areas. The result might be that you would get Group B set up but not Group C. The Prime Minister thought that, politically speaking, it would be more logical to say to the Hindu Provinces that they could set up their own constitution for themselves but that any Province would have the right to opt out of that constitution.

The President of the Board of Trade thought that we might announce that the Constituent Assembly would continue its work without the Muslims, that we expected it to finish its work within a year, and should plan to withdraw from India by that date. If the constitution did not conform to our requirements we should have to hand over piecemeal to such authorities as we thought best at the time. An announcement of this sort would bring the greatest pressure on the Congress and the Muslim League to come to an accommodation. It was suggested that it might be added that, in the meantime, British troops would not be permitted to be used by either community to suppress the other.

The Secretary of State raised the question of the programme for the remainder of the Indian representatives' visit. It was agreed that the First Lord [Minister without Portfolio] should have a private conversation with Mr. Jinnah and Mr. Liaquat Ali Khan that afternoon, and formal interviews with the Cabinet Mission should be arranged with the Muslim representatives at 11 a.m. on Friday the 6th and with Pandit Nehru at 2.30 p.m.

The possibility was discussed that the Muslim League might be persuaded to come into the Constituent Assembly if they were told that the Muslim Provinces could opt out of the final constitution if they did not like the result. It was pointed out that there was no option to Provinces to leave the Union under the Cabinet Mission's plan. It was suggested that we might say that we would not apply the constitution to the whole of India if we were not satisfied that minorities were adequately protected. It was pointed out that we could not say that we would do any of these things, including winding up the Services, without Parliamentary authority.

The Minister without Portfolio read to the meeting a passage from the telegram sent by the Cabinet to the Cabinet Mission on the 6th June, in which the Cabinet expressed the view that if the Statement of May 16th were rejected it would be desirable to remain in the whole of India and maintain law and order. He thought that there would still be considerable support in the Cabinet for this line but a decision on any other course profoundly affected the future of our people. The Prime Minister said that any proposals on this general subject would obviously have to be discussed in the Cabinet.

Note of conversation between Mr Alexander, Mr Jinnah and
Mr Liaqat Ali Khan at Claridge’s Hotel on
5 December 1946 at 3 pm

L/PO/6/112: ff 138-9

TOP SECRET

Mr. Alexander said that he had come to see Mr. Jinnah because he felt concerned at the position in which the talks had been left the day before, and in the hope that it might be possible to find some means by which the Muslim League could agree to take their place in the Constituent Assembly. He emphasised the peril to millions of Indian lives of all Parties in the coming months if some agreement was not reached. He asked Mr. Jinnah whether it would not be possible for him to recommend to the Muslim League that they should come into the Constituent Assembly provided that Congress gave a firm assurance that they would abide by any decisions which the Federal Court might give on points of interpretation of the Cabinet Mission’s statement of 16th May which might be referred to them.

Mr. Alexander reminded Mr. Jinnah that it was the view of Sir Stafford Cripps as a lawyer that any Court would interpret the Statement of 16th May in the same sense as it was interpreted by the Muslim League and by the Cabinet Mission themselves.

Mr. Jinnah said that he could not agree to the reference of the Cabinet Mission’s Statement of 16th May to the Federal Court for interpretation. The Statement was not a legal document and it was for the Cabinet Mission themselves to say what its intentions were. The real trouble was that Congress had never accepted the Cabinet Mission’s proposals. The letter from Congress which the Cabinet Mission had decided to treat as an acceptance of their proposals was not in fact an acceptance at all. Mr. Jinnah proceeded to quote various letters and statements of representatives of Congress both before and since the Cabinet Mission’s Statement of 25th May in which the Congress had made it clear that their interpretation of certain of its provisions, in particular the provisions relating to Sections and Grouping, which differed from the interpretation of the Muslim League and from the express intentions of the Cabinet Mission themselves. Congress had gone further and had stated publicly that it was their intention to increase the number of the subjects which were reserved in the proposals of May 16th to the Central Government. Mr. Jinnah also stated that the speeches of Congress leaders made it clear they did not consider themselves bound by anything beyond entering into the Constituent Assembly. He argued that the Congress majority could carry what it liked and
on many of the points like extending the scope of reserved subjects the minority could not claim them as major communal issues and they would therefore be without protection.

Mr. Jinnah said that until both sides accepted without qualification the proposals in the Statement of 16th May for the Constituent Assembly there could be no Constituent Assembly: it had no legal validity. The Congress had not accepted the proposals of 16th May and therefore there could be no Constituent Assembly. For the Muslim League to agree to meet in the Constituent Assembly on the condition that certain points in the provisions of the Statement of 16th May would be referred to the Federal Court for interpretation would be to consent to the first of a series of mutilations of the Cabinet Mission’s scheme. The Cabinet Mission should state firmly that the Constituent Assembly could only meet on the condition that all Parties accepted unequivocally the provisions of the Statement of 16th May with the interpretations that the Cabinet Mission themselves intended.

Mr. Jinnah agreed entirely with what Mr. Alexander had said about the danger to Indian lives of the present situation and he agreed about the supreme importance of averting this. But for the Muslim League to consent to come into the Constituent Assembly so long as Congress maintained their present attitude towards it would not achieve this result.

Mr. Alexander said that he fully understood Mr. Jinnah’s point of view, but he was so profoundly disturbed at the present prospects for the Indian people that he was extremely anxious to see if there was any possibility whatever of bringing the Congress and the Muslim League closer together. Would the Muslim League be prepared to come into the Constituent Assembly if the Congress withdrew their proposal for referring certain points in the Statement of 16th May to the Federal Court for interpretation?

Mr. Jinnah said that the Muslim League could not agree to come into the Constituent Assembly on this basis because he was convinced that the Congress did not intend to work the scheme as intended by the Cabinet Mission. There would be a series of mutilations of the scheme. There was in particular the express Congress intention to increase the number of subjects to be dealt with at the Centre.

Mr. Jinnah said finally that he wished strongly to urge that no decision should now be taken in haste because the situation was extremely critical. Mr. Alexander said that he for his part did not need to be reminded of that.

Record of Meeting at 10 Downing Street on 5 December 1946 at 5 pm

SECRET
Those present were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell; Mr Turnbull (Secretary)

The meeting considered the draft of a possible statement (appended) to be made at the conclusion of discussions with the Indian representatives.

It was suggested that an addition should be made to make it clear that the Statement of May 16th was put forward as a basis of agreement between the principal parties, but the general view was that it would be better to omit this.

It was felt that there was objection to any statement that we hoped that the point at issue would be put to the Federal Court. The Muslim League had objected to such a reference. A new passage proposed by the Minister without Portfolio dealing with this point was agreed to.

It was agreed to omit entirely paragraphs 4 and 5 of the draft. There was felt to be difficulty in saying that if the Federal Court’s opinion was contrary to H.M.G.’s interpretation, H.M.G. would have to consider the position further.

There was some discussion as to whether the question of the interpretation of the Statement of May 16th was now the only obstacle to Muslim League participation. The Minister without Portfolio said that Jinnah’s position now was that he was satisfied that Congress never had intended to accept the Cabinet Mission’s Statement in accordance with its proper interpretation, and he wanted a guarantee that H.M.G. would see that the constitution was framed in accordance with its intentions. It was suggested that, if the Federal Court upheld H.M.G.’s interpretation and the Muslims did not then come into the Constituent Assembly, the Constituent Assembly could be allowed to proceed, but as part of a later statement made by H.M.G., say in January after the Court’s ruling was known, H.M.G. might state that they could not regard the constitution so framed as binding on any Provinces other than those which were fully represented in the Constituent Assembly. We should say, in effect, that we should accept the constitution in respect of the Hindu Provinces and that, as regards the remainder, we should hand over to Provincial Governments. This programme would have to be announced in Parliament as a whole but
the process of handing over would not necessarily happen simultaneously in all parts of India.

The Prime Minister raised the question as to what, under such an arrangement, would happen in regard to legislation. There would have to be an Act of Parliament enabling the cession of sovereignty to be made to more than one part of India. There would also be the problem of obligations to the Services to be considered. Although we had the sterling balances as a bargaining factor, this would be a most difficult problem because the balances belonged to the Reserve Bank and there ought to be a division of its resources between the different parts of India.

The Minister without Portfolio said that we were pledged as a nation not to allow the minorities in India to be oppressed. In the Statement of 16th May we had condemned the proposition of two separate sovereign States and we should be in a difficult position in acting along the lines suggested. He suggested that the alternative should be considered of withdrawing the plan of the Cabinet Mission altogether, doing our best to hold the law and order position for a time, and in the meanwhile asking U.N.O. to send an arbitral mission to India. The President of the Board of Trade said that this plan would be no good unless it was acceptable to Congress. He did not think that Congress would accept it. The Indians would have to be left to sort out their own difficulties. He was not convinced that if they were really put up against the problem, they would not come to some accommodation. The Prime Minister said that the difficulty was that we should have to go out of India without any agreement or any provision being made for people for whom we were responsible, for example the Depressed Classes. The Viceroy said that if we were going to stay in India for a further period, he must emphasise that he would have to put all the leaders in gaol, and would need four to five additional divisions of British troops. The Prime Minister thought that was not politically possible either at home or abroad.

The Secretary of State said that he saw the withdrawal from India as a military operation, but he could not see it as a civil operation. Arrangements would be needed about Railways, Telegraphs, Posts and Central Revenues. A very dangerous situation would arise if the Central food controls broke down. The Prime Minister said that the difficulty was that there was no one to whom we could hand over the Central functions and assets which could not easily be partitioned. The Minister without Portfolio pointed out that there would be no one with whom to make arrangements about British interests such as the extensive British property in India. The Viceroy thought that any handover was bound to be untidy. There was certain to be a mess in Bihar, the United Provinces and Bengal but he did not think it would be so bad elsewhere. Such a changeover could not be planned too far ahead. In the process various

1 See No. 158.
things might happen. The Muslims might become more reasonable. The Left Wing might get out of hand and have to be dealt with, and the very conservative forces in India, the big industrialists, and the Right Wing of Congress, who did not want chaos and revolution, might rally to us and assist in an orderly changeover.

Appendix to No. 159
DRAFT STATEMENT

H.M.G. have conferred during the past week with the Indian representatives in the hope of securing the participation and cooperation of all parties in the Constituent Assembly.

The Congress and the Muslim League differ as to the interpretation of part of the Cabinet Mission's Statement of May 16. The Congress hold that the decisions in the Sections of the Constituent Assembly should require the support of a majority of the representatives of each Province. The Muslim League's view, which accords with the original intention of the Cabinet Mission, is that the decisions of the Sections should, in the absence of agreement to the contrary, be taken by majority vote of the representatives in the Section.

The Congress have, however, stated that they are prepared to accept the decision of the Federal Court in regard to the proper interpretation of the Statement of May 16, and H.M.G., after hearing the point of view of both Congress and the Muslim League, have expressed to Pandit Nehru the hope that arrangements can be made for a very early reference to the Federal Court on this point. They also hope that it may be possible to postpone the meetings of the Sections of the Constituent Assembly until the decision of the Federal Court is known.

If the Federal Court's decision about the meaning of the document is in accordance with the intentions of the Cabinet Mission and the view of the Muslim League, it is hoped that the Muslim League may be able to agree to participate in the Constituent Assembly. If the Federal Court's decision should be to the opposite effect H.M.G. would have to consider the matter further, since there would then be no hope of securing the cooperation of both parties in the Constituent Assembly.

In the meanwhile it is agreed that the Muslim League will continue temporarily in the Interim Government though the condition of acceptance of the Statement of May 16 has not been waived.
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Mr Jinnah to Lord Pethick-Lawrence

L/P&J/8/661: ff 29–30

CLARIDGE’S, BROOK STREET, W.1, 5 December 1946

Dear Lord Pethick-Lawrence,

I am sending you herewith a copy of the cablegram that I have received to-day from India for your information and consideration.

Yours sincerely,

M. A. JINNAH

Enclosure to No. 160
Copy of Telegram

CALCUTTA

Mr. M.A. Jinnah President all India Muslim League London—Bihar Muslims still in state of terror Stop Congress Ministry criminally indifferent and anti-pathetic Stop 9th and 10th December threatened as day of second mass attack on defenceless Muslims Stop Muslims fleeing from Bihar in consternation and fear Stop Please move His Majesty’s Government for exchange of population Stop—Secretary Bihar Muslim Relief Committee.

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Sir E. Jenkins (Punjab) to Sir J. Colville

Mountbatten Papers. Official Correspondence Files: Sikh Problem,
Part I(b): f 85

SECRET
GOVERNMENT HOUSE, LAHORE, 5 December 1946

NO. 635.

My dear Sir John,

During the summer the Sikhs were greatly agitated over the proceedings of the Cabinet Delegation and the Statement of 16th May. Sardar Baldev Singh made certain written representations to me which I forwarded to Lord Wavell, and Giani Kartar Singh, the real leader of the Akalis, had a long interview with me, which I reported to Lord Wavell. The important letters in the correspondence are, I think, mine of 4th July,1 Lord Wavell’s of 8th July,2 mine to Abell of 15th July,3 and Scott’s to Brander of 13th August.4

1 Vol. VIII, No. 5. 2 Vol. VIII, No. 10.
4 With this letter Mr Scott forwarded copies of the correspondence which had been exchanged between Sardar Baldev Singh and Mr Attlee in July and August 1946 (see Vol. VIII, Nos. 74 and 95, note 3). Mountbatten Papers, Official Correspondence Files: Sikh Problem, Part I(a): f 10.
2. Giani Kartar Singh had a long interview with me this morning. He said that his party expected to win 114 or 115 seats out of the 132 seats to be filled at the Gurdwara Elections, which are just ending. There is no doubt that in spite of his crudity he is a very competent party manager, and it is clear that the Akalis, though handicapped by divisions among themselves, will dominate Sikh politics for some time to come.

The Giani expressed some concern about the London Conference. I know from Intelligence reports that he thinks Baldev Singh now much too close to the Congress, and Baldev Singh apparently decided to go to London without consulting Tara Singh or the Giani. The Giani asked me what I thought would happen in London, and I told him that his guess was as good as mine, but that a complete reconciliation between Jinnah and Nehru seemed unlikely.

The Giani then said that he was about to go to New Delhi for the opening session of the Constituent Assembly. He wished to remind me of the Sikh demand for safeguards. The Sikhs felt that they were as much entitled to safeguards as the Muslims, and pressed that both in the full Assembly and in Section B any major communal decision should require their consent. He understood that in a matter of this kind the Statement of 16th May could be amended by a resolution of the Assembly, and he hoped that the Viceroy would prevail upon the party leaders to agree to the safeguards the Sikhs wanted. He suggested that I should also do my best to prevail upon the Muslim League in the Punjab to take the right line in this matter.

The Giani appears to have extended his original demand, which, as I understood it, related only to Section B, so as to cover decisions in the full Assembly also. In his letter of 7th August to Sardar Baldev Singh (one of the enclosures to Scott’s letter to Brander of 13th August) Mr. Attlee made it clear that Lord Wavell was ready to discuss the question of safeguards for the Sikhs with the President of the Congress and the President of the Muslim League. I have always thought that it would be worth while to meet the Sikhs in this matter. I believe that the Congress will certainly meet them (Giani Kartar Singh admits this), and there is little doubt that the Muslim League would do the same. I doubt if my intervention here would do much good, as the Punjab members of the League will take their line from Jinnah. I recommend therefore that if it is possible for you or Lord Wavell to influence the party leaders on this subject, you should mention it to them. If the London Conference comes to nothing and the League stand out, I doubt if the Assembly as a whole or Section B will make any substantial progress, and the Sikhs may not press their point.

3. The Giani also reverted in his conversation with me to the suggestion that there should be a combination of Sikh States in the Punjab. He admitted that this would mean the supremacy of Patiala—the Maharaja of Patiala would in his opinion have to be the final authority in all federal matters. The component States of the Union could, however, be autonomous in their own
internal affairs. The Giani thinks little of the Rulers of Nabha and Jind. He believes that Kalsia would join and that the main obstacle may be Faridkot. Lord Wavell has already made it clear that any proposal for a combination must come from the States themselves, and I made no comment on the Giani’s suggestion. He spoke also of the general dissatisfaction with Kaula, the Prime Minister of Jind, and said that the Political Department should see that the Sikh States had Sikh Prime Ministers.

4. As usual, the Giani was pleasant enough. I believe that what he really wants in the Punjab is an alliance between the Sikhs and the Muslims—he has certainly been intriguing in a desultory way with the Muslim League for some time past. But he has inflated ideas about Sikh rights which the Muslim League may find it hard to swallow. Now that the Gurdwara Elections are over, the Giani may be able to come out into the open—in fact he hinted to me that things might come to a head at the end of December or in January. He is a strange mixture of instinctive shrewdness on the one hand and political crudity on the other.

Yours sincerely,
E. M. JENKINS

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Lord Pethick-Lawrence to Sir J. Colville

R/3/1/128: f 90

IMMEDIATE

INDIA OFFICE, 5 December 1946, 6.35 pm

No. 21231. Addressed to Viceroy, repeated to all Governors.

Following from Lord Wavell. Discussions with Indian representatives have not got us much further. Nehru takes the line that Congress would never agree to accepting in advance the interpretation of the Grouping provisions of the Statement which accords with the Cabinet Mission’s intentions and is insisted upon by the Muslim League. Jinnah says that even if the Congress did make a statement accepting the correct interpretation he could not guarantee that it would make any difference now to the attitude of the Muslim League Council.

2. The only possible way of preventing immediate deadlock is to get the Congress to agree that there should be an immediate reference to the Federal Court when the Constituent Assembly meets in January. Meetings of the Sections would be postponed till the decision was known, whilst if the decision was favourable the League might be persuaded to come into the Constituent Assembly. There is a chance of Nehru agreeing to this.

3. No one here is optimistic that even this expedient is likely to lead to
ultimate agreement, unless outlook of parties improves. Nehru and Jinnah are being seen again to-morrow but we are unlikely to get further than this.

4. Nehru returns by special Lancaster leaving on Saturday and Baldev Singh accompanies him. Jinnah and Liaqat are staying here for the present and I shall continue discussions with H.M.G. and am unlikely to return before middle of next week at earliest.

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Indian Conference in London. Paper I.C.L.(46)8

L/P&EJ 10/111: ff 52-4

Record of Meeting at 10 Downing Street on 6 December 1946
at 10.15 am

SECRET

Those present were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell; Mr Turnbull (Secretary)

The meeting considered the revised draft of the proposed Statement (appended). The Prime Minister raised the general question whether the Statement did not give the impression that there was nothing authoritative in the Cabinet Mission’s Statement of May 16th; that anything which was objected to could be taken to the Federal Court for interpretation; with the result that everything in it would become somewhat uncertain. It was pointed out that the document was proposed as a basis of agreement and, on agreement being reached, was like a contract. A contract once concluded might be the subject of dispute and was then interpretable by a Court. It was felt, however, that the Muslim League would never accept the situation on that basis; that the document was more than a contract in that, in putting it forward, we were acting as conciliators. The Muslim League had been told originally that disputed points were to be decided by the Viceroy who would consult H.M.G. if necessary.

The Prime Minister pointed out that the question whether H.M.G. would accept the decision of the Federal Court would certainly be raised. It was thought that, if the decision was contrary to H.M.G.’s interpretation, a new situation would arise which would have to be considered. We could not accept a contrary interpretation. On the other hand, it was difficult to encourage the Congress to put the matter to the Federal Court and at the same time say to them that if the decision went in their favour it would not be operative. On this basis they might go out of the Interim Government or refuse to refer the matter to the Court.

The Minister without Portfolio said that, if it was decided to depart from the
line in the Draft Statement, the only alternative was to say that there could be no agreement between the parties unless both sides accept the Statement with the interpretation which the Mission had intended. The Viceroy said that in the long run H.M.G. would be much better off if they said now that their interpretation stood. Could not H.M.G. say that they had the Lord Chancellor’s opinion to the effect that their interpretation was the correct one? The President of the Board of Trade thought that the difficulty about this was that you could not force people to accept a proposition. The advantage of going to the Federal Court was that, if we got the right answer, Congress had committed themselves to accepting it. If we got the wrong one we should have to reconsider the situation. The Prime Minister said that the danger of that course was that the whole document then slipped out of our control and became interpretible by an outside authority. The Viceroy thought that if H.M.G. showed that they were prepared to stand up to the Congress on this point, Congress [the League] would be prepared to come in to the Constituent Assembly, and that the Congress, after a lot of bluster, would, in fact, accept on the basis of H.M.G.’s interpretation. He felt that it was not a matter of the legal interpretation of the Statement of May 16th but of the firmness of purpose of H.M.G. But if we stood to our interpretation the Congress might still disregard that interpretation or might come out of the Interim Government.

The Secretary of State said he thought that it would be better to let the matter go to the Federal Court. If we were asked what our position was if the Federal Court were against us, we should say that we were satisfied that the Statement meant what we intended and that we did not contemplate the Court coming to any other decision. The Viceroy said that his objection to this was that we again showed weakness towards the Congress. The Prime Minister said that we might make a statement on the following lines. We should first state our interpretation, then say that the Constituent Assembly must go forward on this basis, and add that, if Congress or the Constituent Assembly liked to take the opinion of the Federal Court, it was open to them to do so.

The Minister without Portfolio said that he would greatly prefer that we should make a statement stating our interpretation, saying that we had taken the highest legal advice which confirmed our view, and that in our view it was only on this interpretation that there was any prospect of a Constituent Assembly representative of all parties. If, however, the Constituent Assembly was not representative of all parties, then H.M.G. would have to hold themselves free to deal with the whole position afresh. The Viceroy said that a statement on these lines would meet his point of view. The Secretary of State felt that we should have taken this line earlier, if at all.

It was agreed that a meeting of all the Indian representatives together should be convened for 6 o’clock this evening and that a further meeting of Ministers
and the Viceroy should be held at 4 p.m. to consider further the text of the announcement.

Appendix to No. 163
REVISED DRAFT STATEMENT

His Majesty’s Government have conferred during the past week with the Indian representatives in the hope of securing the participation and cooperation of all parties in the Constituent Assembly.

The Congress and the Muslim League differ as to the interpretation of part of the Cabinet Mission’s Statement of May 16th. The view held throughout by the Cabinet Mission is that the decisions of the Sections should, in the absence of agreement to the contrary, be taken by simple majority vote of the representatives in the Section. The Muslim League accept this view. The Congress differ. They have expressed the view that “Provincial autonomy must be maintained and a Province must decide both about grouping and its own constitution”. The Congress have, however, stated that they are prepared to accept the decision of the Federal Court in regard to the interpretation of the Statement of May 16th. His Majesty’s Government feel that if the Congress still do not accept the view of the Cabinet Mission as to their intention on this matter, and the Constituent Assembly decides to refer the question to the Federal Court, such reference should be made at a very early date. In that case it would be reasonable that the meetings of the Sections of the Constituent Assembly should be postponed until the decision of the Federal Court is known.

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Indian Conference in London. Paper I.C.L.(46)9

L/P&J/10/111: ff 49–51

Record of Meeting at the India Office on 6 December 1946 at 11 am

SECRET

Those present were: Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell, Mr Jinnah, Mr Liaquat Ali Khan

Mr. Alexander opened the discussion by asking whether—quite apart from the possibility of a ruling by the Federal Court on the question of procedure in the Sections—supposing there were an agreement on the part of Congress to accept H.M.G’s view of the meaning of the document of the 16th May, the Muslim League would then be able to agree to take part in the Constituent Assembly. In fact, whether a contribution might be expected from the Muslim League in return for a concession on the part of the Congress.
Mr. Jinnah replied that he had already explained his position at the last meeting, and that he could not add anything to what he had then said as to the manner in which he would put the matter before his Council.

Sir Stafford Cripps emphasised the importance of having something which could be held out to the other side as affording some prospect of an accord being brought about. Could not Mr. Jinnah say that as far as he personally was concerned he thought the arrangement reasonable, and could not he recommend it on that basis?

Mr. Jinnah replied to this that such action would mean that he agreed, and it would prejudice the position of his Council. The procedure in the Sections was only one point and there were others which troubled him seriously.

The Viceroy referred to the last talk he had had with Mr. Liaquat Ali Khan on this subject in Delhi. Mr. Liaquat Ali Khan emphasised the fact that he had pressed for some guarantee on the part of H.M.G. that there would be due observance of the procedure in the Constituent Assembly. The Viceroy said he had made it clear that he could not pledge H.M.G. on this subject and that their attitude would have to be determined on a particular issue as it arose and when the circumstances in which an alleged breach occurred could be judged.

Mr. Jinnah pointed out that the need for a guarantee of the procedure had always been part of their case. Mr. Liaquat Ali Khan emphasised the difficult position of a minority party and its need of some means for making sure that a scheme would be worked in a certain way when the majority party had made reservations as to its interpretation of an essential feature.

Mr. Jinnah asked what could be done to ensure the observance of the fundamental terms of the arrangement if H.M.G. could not guarantee it.

The Secretary of State thought that the Congress had given no grounds for supposing that they would not observe the fundamentals, and that it would be very difficult for H.M.G. to take up a position based on the supposition that an intention not to observe the fundamentals had been disclosed. As to this, the Muslim League representatives referred to statements of Congress leaders, relating for example to expanding the list of Union subjects, as evidence of such an intention.

Mr. Alexander asked what Mr. Jinnah had in mind as to the possibility of a check on either party if it went off the rails. Was he thinking of some independent authority to which complaints might be referred for settlement?

Mr. Jinnah said that if H.M.G. could not guarantee the arrangement, could there not be an ad hoc tribunal of three or some standing judicial body?

The Secretary of State thought the Federal Court would be the best body for such a purpose, and Sir Stafford Cripps said that the Federal Court was presided over by a British Chief Justice, but that it would be very difficult to get

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1 No. 154.  
2 See No. 70.
agreement on another tribunal with an impartial, and particularly with a British, Chairman.

Mr. Jinnah said they would consider this proposition further.

The Secretary of State said it was desirable to be clear as to the scope and functions of any such procedure for settlement. To this Mr. Jinnah replied that supposing the Statement of May 16th could be treated as an agreement between the parties, the function of the tribunal would be to interpret any differences that might arise upon it as an agreement, and to give effect to it as something binding upon the Constituent Assembly.

Mr. Alexander said he understood there were only two main points outstanding:

1. the difference as to voting in the Sections;
2. procedure for settling disputes about departures from the scheme in the Statement of the 16th May, regarded as the agreement.

There was no dissent as to this on the part of Mr. Jinnah.

The Secretary of State said the Congress were afraid that procedure in the Sections might operate unfairly so as to prejudice the decisions of Provinces about the Groups when formed. Presumably, if some arrangement were made to check abuses by the Congress majority at the Centre, the same would have to apply in the Sections where the Muslim League had majorities. Mr. Jinnah said he regarded this as already covered because the arbitral procedure if agreed to would cover the whole ground of the scheme in the document of the 16th May. The Secretary of State said what he had in mind were matters of equity rather than of legality, because abuses could be conceived which would arise outside the strict terms of the document of the 16th May. Sir Stafford Cripps doubted whether the Secretary of State's point was susceptible of arrangement in advance. Settlement by arbitration could only operate within the terms of the agreement. For any abuses that might arise otherwise, a check would operate from the fact that one party had the majority at the Centre and the other had it in the Sections.

The Secretary of State said it was hoped that all four Indian representatives would meet the Prime Minister and his colleagues at 10, Downing Street that evening at 6 p.m. Mr. Jinnah was prepared to attend such a meeting but only on the understanding that he would not be in a position to commit himself in any way, and must be free to place the situation before his Council in whatever way he considered right and proper. In reply the Secretary of State said it was realised that neither party would be in a position to commit itself.
SECRET

Those present were: Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell, Pandit Nehru

Sir Stafford Cripps started by asking whether there was any possibility of the Congress reconsidering their attitude on the question of interpretation if there were any prospect of that leading to a clearing of the ground.

Pandit Nehru replied that the most the Congress could do was contained in their agreement to abide by a decision of the Federal Court. In reply to a further question from Sir Stafford Cripps he said that even though the nature of the decision were certain it was not possible to forgo the reference.

Sir Stafford Cripps asked whether Pandit Nehru would not be prepared to take a risk in the interests of agreement, which would surely be worth while. Pandit Nehru said he would indeed welcome a real agreement, but he could hardly regard this as a real agreement so much as a mere step. There might be other differences. Sir Stafford Cripps suggested that means might be found for getting over such other differences. Pandit Nehru said he did not think any real agreement would be come to under present conditions, and under the threat of compulsion. Agreement would, he believed, be come to later on under different conditions. He even thought that a settlement of the present difference would be a bad rather than a good thing because it would convey the idea that violence succeeds. Thus it would lead away from, rather than to, a real agreement.

The Viceroy said in his view it was in the interests of Congress as much as of anyone else to get the Muslim League in, as otherwise they would not be able to make a constitution for the whole of India.

Pandit Nehru said that any particular question such as this had to be judged in its wider context and that by yielding in one direction they might create greater difficulties in another.

Sir Stafford Cripps asked whether it would not be possible for the Constituent Assembly of its own motion to accept the situation as defined by H.M.G.'s interpretation of the disputed point. Pandit Nehru said that what he had to consider was not a mere point of interpretation but the interplay of the big forces of the country. He could not lose sight of the whole situation.

Congress was being widely and generally expected not merely by its own
members but by sympathisers of various degrees, to do something which would bring about unity, and it could not prudently go against this feeling. There was the fear of doing something which would leave the situation not better but worse, as indeed had been their experience on previous occasions.

The Secretary of State asked if Pandit Nehru had considered how differences on matters of procedure, etc., that might arise in the course of the work of the Constituent Assembly might be dealt with. Had they thought, for example, of recourse to the Federal Court? Pandit Nehru said he presumed that normally disputes would be settled by the Chairman, but if need be they could be taken further, presumably to the Federal Court.

The Secretary of State asked how far Pandit Nehru thought the Constituent Assembly would go at its opening session. Pandit Nehru replied that they would set up various committees, for instance the Advisory Committee on Minorities, etc., and others of a more or less permanent nature, as well as certain more temporary committees on procedure, etc. The Advisory Committee would consist of three sections, Tribal Areas, Fundamental Rights and Minorities. If the Muslims did not come in, places could be left for them to be filled later if they did come in, or there might be some other provision for its reconstitution. But if the Constituent Assembly did not set up such committees at its opening session, it would really mean that it did not make a start at all.

Mr. Alexander asked whether it would not be possible simply to adjourn the Constituent Assembly as soon as it met, if there were some prospect in view of a settlement upon the matters of controversy. To this Pandit Nehru replied that after waiting some months for its opening session, the Constituent Assembly could hardly be expected to adjourn itself at once without doing any business, except for some very good and obvious reason.

The Secretary of State finally mentioned the meeting at 6 p.m. to be attended by all four Indian representatives, with the Prime Minister and himself, the President of the Board of Trade, the Minister without Portfolio and the Viceroy at No. 10 Downing Street.

L/P & J/10/111: ff 41-4

Record of Meeting at 10 Downing Street on 6 December 1946 at 4.0 pm

SECRET

Those present were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell; Mr Turnbull (Secretary)

The meeting considered further the text of the proposed Statement to be made at the conclusion of the conversations. Revised drafts prepared by the President of the Board of Trade and by His Excellency the Viceroy were considered. The Statement was finalised in the form annexed.

Appendix to No. 166

STATEMENT BY HIS MAJESTY’S GOVERNMENT

The conversations held by His Majesty’s Government with Pandit Nehru, Mr. Jinnah, Mr. Liaquat Ali Khan and Sardar Baldev Singh came to an end this evening, as Pandit Nehru and Sardar Baldev Singh are returning to India tomorrow morning.

The object of the conversations has been to obtain the participation and co-operation of all parties in the Constituent Assembly. It was not expected that any final settlement could be arrived at since the Indian representatives must consult their colleagues before any final decision is reached.

The main difficulty that has arisen has been over the interpretation of paragraph 19(v) and (viii) of the Cabinet Mission’s Statement of May 16th relating to the Meetings in Sections which run as follows:

Paragraph 19(v) “These Sections shall proceed to settle provincial constitutions for the Provinces included in each Section and shall also decide whether any group constitution shall be set up for those Provinces and if so with what provincial subjects the group should deal. Provinces should have power to opt out of groups in accordance with the provisions of sub-clause (viii) below.”

Paragraph 19(viii) “As soon as the new constitutional arrangements have come into operation it shall be open to any Province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the legislature of the Province after the first General Election under the new constitution.”

The Cabinet Mission have throughout maintained the view that the decisions of the Sections should, in the absence of agreement to the contrary, be taken

1 These drafts are not on L/P & J/10/111.
by simple majority vote of the representatives in the Sections. This view has been accepted by the Muslim League, but the Congress have put forward a different view. They have asserted that the true meaning of the Statement, read as a whole, is that the Provinces have a right to decide both as to grouping and as to their own constitutions.

His Majesty’s Government have had legal advice which confirms that the Statement of May 16th means what the Cabinet Mission have always stated was their intention. This part of the Statement as so interpreted must therefore be considered an essential part of the scheme of May 16th, for enabling the Indian people to formulate a constitution which His Majesty’s Government would be prepared to submit to Parliament. It should, therefore, be accepted by all parties in the Constituent Assembly.

It is however clear that other questions of interpretation of the Statement of May 16th may arise, and His Majesty’s Government hope that if the Council of the Muslim League are able to agree to participate in the Constituent Assembly they will also agree, as have the Congress, that the Federal Court should be asked to decide matters of interpretation that may be referred to them by either side and will accept such decision so that the procedure both in the Union Constituent Assembly and in the Sections may accord with the Cabinet Mission’s Plan.

On the matter immediately in dispute His Majesty’s Government urge the Congress to accept the view of the Cabinet Mission in order that the way may be open for the Muslim League to reconsider their attitude. If, in spite of this re-affirmation of the intention of the Cabinet Mission, the Constituent Assembly desires that this fundamental point should be referred for the decision of the Federal Court, such reference should be made at a very early date. It will then be reasonable that the meetings of the Sections of the Constituent Assembly should be postponed until the decision of the Federal Court is known.

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

L|P&EJ|10|111: ff 45–8

Record of Meeting held at 10 Downing Street on 6 December 1946 at 6 pm

SECRET

Those present were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir S. Cripps, Mr Alexander, Field Marshal Viscount Wavell, Pandit Nehru, Mr Jinnah, Mr Liaquat Ali Khan, Sardar Baldev Singh; Mr Turnbull (Secretary)

The Prime Minister said that the Government had asked the Indian leaders to come to London on this flying visit in the hope that they might be able to assist in settling the differences which had arisen between the parties in regard to the Constituent Assembly.

The present British Government had made a declaration that it was for India to decide its own constitution. That declaration had been hailed in all parts of the world as a great step and one without precedent in history. It had been generally acclaimed in Parliament. The ironical position now was that progress was hung up on the much smaller question of agreement between Indians as to methods of procedure. World opinion would think this a very curious situation. The British Government had done everything possible in this matter. Three Ministers had spent 3½ months in India and had laboured earnestly to get an agreement. In the end they had had themselves to put forward what they considered should achieve the greatest possible measure of agreement in the Statement of May 16th. Instructed opinion all over the world thought that this Statement was well devised. It seemed to most people that the differences of interpretation were not very large differences. If there was to be peaceful handing over of power in India it could only be done by agreement, goodwill and give and take between the parties in India. This was the only method by which constitutions could be made.

All those present at the meeting were persons in very responsible positions and stood in world affairs for the democratic way of life. India represented the leading exponent of democratic methods in Asia. The successful foundation of a new constitution by democratic processes would affect the whole future of the world, not only in Europe but in Asia.

The British Government had done their part. They had secured acceptance in this country for a line of policy urged for many years by leading Indians. They were entitled now to ask for Indian cooperation. In the present series of meetings they had been unable to get acceptance by either side of the view held by the other. They proposed therefore to issue tonight a Statement.
The Prime Minister then read the text of the Statement which will be found annexed to I.C.L. (46) 11.1

After the Statement had been read Mr. Jinnah asked what the position would be if the Federal Court took a different view of the interpretation of the document from that held by H.M.G. The Minister without Portfolio said that H.M.G. would then have to consider the position. Mr. Jinnah said that he must make it clear that a decision by the Federal Court would not be binding on the Muslim League. It seemed to him that the Constituent Assembly would decide by a large Hindu majority to refer the matter to the Federal Court and would be bound by the Federal Court's ruling. The Muslim League could not, therefore, be a party to such a reference as they were not prepared to be bound by it. Apart from this he was not in a position to say anything on behalf of the Muslim League but he would certainly consider the position with his Council. He thanked the British Government for doing their best to secure agreement.

Pandit Nehru said that the Congress would, of course, require time to consider the Statement which had been read and he could not give any answer, though there were certain things he would wish to say.

The Statement was, he considered, an amendment of the Statement of May 16th and went beyond it. The Congress had proceeded on the basis of that Statement throughout. The Cabinet Mission and the Viceroy would bear out his statement that Congress had from the very beginning pointed out that they discussed it on a certain basis. Subsequently they were told that no amendment or change would be made. Now this elucidation took the Statement a stage further. Clearly it created a new situation for the Congress. He did not know what their response would have been if this Statement had been made originally.

The new Statement quoted paragraphs 19(v) and 19(viii), but not paragraph 15 of the Statement of May 16th. Taken together these paragraphs might bear a different interpretation from that which paragraph 19 would bear by itself.

The Prime Minister said that it was not at all clear to him on what grounds that view was advanced. Paragraph 15 dealt with fundamental principles to be embodied in the constitution. Paragraph 19 dealt with the methods of arriving at decisions about the constitution. These appeared to be quite different and separate things, and the principles laid down for one need not be the same as those for the other. Pandit Nehru said that the view of Congress was that, taken together, these two sections might mean something different. Any statement by H.M.G. must obviously be carefully considered by the Congress. The Prime Minister observed that the present Statement dealt only with the interpretation of the document of May 16th. The Congress themselves had placed an interpretation on it. He could not see why an interpretation by H.M.G. extended the document if an interpretation by Congress did not do so. Pandit Nehru replied that H.M.G. as the authors of the document were capable of
extending it while the Congress could not do so.

Pandit Nehru said that he did not know what the reaction of the Constituent Assembly would be. Normally speaking, a body such as that resented outside pressure and reacted from it. Compulsion destroyed cooperation. The attitude of various groups and Provinces had been strongly expressed. The Sikhs, for example, had held strong views and the Congress were personally involved in this question of interpretation. He could assure Mr. Jinnah and Mr. Liaquat Ali Khan that all on the Congress side were anxious to find ways out honourable for both parties because they did not wish to waste the rest of their lives in conflict. They could not conceive of any constitution imposed over one part of the country by another. It was not surprising that they had to face difficulties. He did not take a dismal view of the past or the future and he thought that an unnecessarily dismal view had been taken. There was great danger of solving one difficulty and raising others of vaster dimensions in the process. To some extent it was true that this was a conflict between Indian points of view but he was convinced that, unless Indians had a free hand, other difficulties would arise. Indians must have the burden of deciding and bearing the consequences themselves.

Pandit Nehru concluded by thanking H.M.G. for their courtesy in asking him to this country.

The Prime Minister said that he would like to make three comments on what Pandit Nehru had said. Firstly, he could not admit that any addition had been made to the Statement of May 16th. Secondly, the present Statement could not be termed ‘pressure from outside’ on the Constituent Assembly. The British Government were throughout in the position of persons who were trying to assist an agreement between Indians. Thirdly, he could not agree that there was any sort of coercion on the Constituent Assembly except that of working within an agreed framework. There always had to be a framework within which such a body would work.

Sardar Baldev Singh said that the new Statement would worsen the position of the Sikh Community. If there was majority voting in Group B and not voting by Provinces, the four Sikh representatives would be in an even less influential position. This would have a bad reaction on the Sikhs who had only been persuaded to join the Interim Government and accept the Cabinet Mission’s Statement with great difficulty. He feared that the Federal Court was now likely to take the same view as H.M.G. and that the Sikhs might take steps which would be very embarrassing for him personally and for his other colleagues. He would, however, try his best to persuade his people to give the Constituent Assembly a trial.

The President of the Board of Trade said that the Statement did not, of course, in any way prohibit some special arrangement being made by general

1 No. 166.
agreement. He had always understood that the other parties were ready to
deal generously with the Sikh position.

Mr. Liaquat Ali Khan said that he endorsed everything said by his leader,
Mr. Jinnah. There had always been a desire in the Muslim League to solve
the communal problem in a cooperative spirit. He was grateful for the patience
and courtesy shown by the British Ministers and it was his earnest desire that
India should attain independence peacefully.

The Secretary of State said that he hoped that the Indian leaders would look
at this new Statement with an open mind. It was not designed to take a partial
view and was framed with goodwill towards all parties. There was no change
in it from what the Cabinet Mission had said all along.

The Minister without Portfolio thanked the Indian representatives for
coming to this country and said that there was nothing in the Statement which
had been read which went beyond what was contained in the Statements of
May 16th and May 25th.

The President of the Board of Trade said that if the desire for cooperation
which all present had expressed could only be translated into some actual
form of deeds, the difficulties would be overcome. Basically, he felt that the
trouble was suspicion which had grown up over past years. If the oppositional
attitude could be changed to a coalescional attitude these difficulties could be
ironed out. His Excellency the Viceroy said that ever since he had held his
present office he had tried to bring the parties together and he would continue
to do his best to this end. He sincerely trusted that they might be able to arrive
at a solution to the present difficulties.

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Sir F. Burrows (Bengal) to Sir J. Colville (Extract)

L/P&J/5/153: f 18

NO. F.J.B.—15. GOVERNMENT HOUSE, CALCUTTA, 6 December 1946
My dear Colville,
I write in continuation of my letter FJB—14 dated the 22nd November 1946,1
and enclose my Home Department's secret report on the political situation for
the second half of November. I returned from Dacca four days ago, and feel
that my visit there, though not as long as I should have liked it, was of real
value. My trip to Mymensingh, which may be described as my first non-
emergency tour since I arrived in Bengal, was also useful as it gave me some
acquaintance with the leading people and problems of the largest district in the
Province. I also fitted in a brief visit to a village called Char Haim on the border
between Tippera and Noakhali districts which was very well worth while, as I have now got some first hand knowledge of the topography on the ground (my previous visits had been by low-flying aircraft) of the area where the riots took place in October. There is no doubt that the mobs, at least in Char Haim, did their work most thoroughly and systematically. This village had a prosperous bazaar which was the economic centre of the neighbourhood. The bazaar stood on Government land and the Government revenue office was untouched, as were a few Muslim-owned shops; but the rest was a desolate ruin of charred timber and twisted corrugated iron sheets. It is worth recording that many of the shopkeepers had made fortunes in the 1943 famine at the expense of the Muslim peasantry. I have gone into this in some detail because the scene did make me realise what an extremely difficult and slow task it will be to restore confidence. It will take a dozen Gandhis to make the Muslim leopard and the Hindu kid lie down together again in that part of the world. Nevertheless, I am not surprised that the Muslim Leaguers of Bengal are exceedingly exasperated with the publicity that the astute Mahatma has secured for Noakhali in recent issues of Harijan, and Suhrawardy has been provoked into sending him two “brutally frank” letters telling him bluntly that the horrors of East Bengal are not a tithe of the horrors of Bihar, and that his duty is to go and preach non-violence to his Congress disciples in that Province. (The purpose of the letters is no doubt partly to raise Suhrawardy’s stock with his Party, who have been accusing him of appeasing the Hindus).


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Lord Pethick-Lawrence to Sir J. Colville

Telegram, L/P &J/10/111: ff 37–8

MOST IMMEDIATE

SECRET

INDIA OFFICE, 6 December 1946, 10 pm

No. 21357. We have not obtained any agreement between Congress and Muslim League. Statement we are issuing has been telegraphed separately.1

2. After statement had been read Jinnah asked what position would be if decision of Federal Court was contrary to our interpretation. We told him in Nehru’s presence that we should in that case have to consider the position afresh.

3. Nehru took line that statement amounted to a variation and extension of

1 The statement in Appendix to No. 166 was sent to Sir J. Colville in tel. 21356 of 6 December. L/P &J/10/111: ff 33–6.
[statement of] May 16th and that he and his colleagues would have to consider whole situation. He could not say what they would decide but gave impression that they might well reconsider their attitude to Constituent Assembly. Baldev Singh said Sikh position was worsened by statement and that Sikhs might withdraw from Constitute Assembly if Federal Court ruled that our interpretation was right.

**I70**

*Lord Pethick-Lawrence to Mr Bevin*

**Telegram, R/3/1/128: ff 116–17**

**Most Immediate** Foreign Office, 6 December 1946, 11.40 pm  
**Top Secret**

No. 2838. Following personal for Foreign Secretary from Secretary of State for India.

1. Conference with Indian leaders concluded today. Our immediately following telegram contains text of announcement which is being issued for publication in tomorrow's papers.

2. It has not been possible to induce Nehru to modify in any way Congress position as it was already known to us. This is that they interpret Statement of 16th May by Cabinet Mission to mean that decisions within Sections of Constituent Assembly both as to whether Groups of Provinces will be formed and as to provisions of Provincial Constitutions will require support of majority of representatives of each Province. If this procedure is disputed they are prepared to accept decision of Federal Court upon it.

3. Mission's intention was that decisions of Sections on all matters should be by simple majority vote. Muslim League originally accepted on this basis and withdrew primarily because of the interpretation that Congress took as above. Jinnah's attitude now is that even if the Mission's intentions were established and were accepted by Congress he would still require some guarantee that Constituent Assembly would function as we intended. He showed some signs of willingness to agree that Federal Court might be arbitrators for this purpose, but absolutely refuses to accept ruling by Federal Court on the method of voting in the Sections unless of course it is in his favour.

4. Difference between Congress and Muslim League view is crucial because if voting in Sections is by majority Muslims will in all probability be able to form Group constitution for north-west and north-eastern Provinces subject to right of Provinces to opt out after first elections under new Constitution. If
voting is by majorities of representatives of each Province Group constitutions will probably not be formed because of objections by Assam and North-West Frontier. The opportunity for Group constitution to be framed and Provincial Legislatures to decide whether to adhere to Groups or not will thus be destroyed. Fair opportunity to secure formation of Groups is vital to secure Muslim League cooperation and was an essential part of Mission's proposals.

5. Lord Chancellor advises that our interpretation is correct. Nevertheless we cannot undertake to acquiesce in situation if ruling of Federal Court were contrary to our own interpretation. If Constituent Assembly put the question to the Court we shall await its decision which if favourable may enable Muslim League to participate. If it is not favourable we shall consider situation further.

6. Statement was read this evening to all four Indian representatives. Jinnah indicated that he would submit it to his Council but made it clear that Muslim League would not be bound by adverse finding by Federal Court on matters of procedure in Sections. Nehru took the line that new statement amounted to expansion and variation of statement of 16th May on the basis of which Congress was at present proceeding. He said that Congress would have to consider new situation and that he could not forecast what their decision would be. Impression that he created on us was that Congress might (repeat might) decide to withdraw from Constituent Assembly and even perhaps from Interim Government.

7. Nehru is due to arrive in Delhi early afternoon Sunday 8th December and Working Committee of Congress may meet that evening. If therefore United States Government concur in our interpretation of the Statement of the 16th May it might be very helpful if United States representative in Delhi were to make approach to Congress leaders at earliest possible moment on lines of first sentence of paragraph 6 of your Federal 2100 of 29th November and paragraph 7. Remaining considerations adduced in paragraph 6 seem no longer wholly appropriate and argument as to control by Indian Union Government over Assam and N.W.F. Province might have unfortunate effects vis-à-vis Muslim League. Jinnah and Liaquat Ali Khan are remaining in London and date of return is not known.

8. I should be glad to learn what are reactions of State Department.

1 See Appendix to No. 166.
2 No. 141.
3 See No. 167.
4 Lord Wavell minuted here: 'He did not quite give me this impression.'
5 No. 120. Mr Abell minuted here: 'I suppose this can do no harm. The U.S.A. offered to intervene and press the Congress to come to terms. Y.E. saw the telegram.'
Sir G. Gater to Sir D. Monteath

L/P&J/10/122: ff 107–8

TOP SECRET

COLONIAL OFFICE, DOWNING STREET, S.W.1.,
6 December 1946

My dear Monteath,

I am sorry I have not been able to give you an answer sooner to your letter of the 8th November about the position of India in relation to the British Commonwealth. The questions which you put to us raised a number of very complicated issues which it was impossible to consider in a short space of time.

Our general view is that, on balance, it would be in the better interests of the Colonial Empire if India were not pressed to remain in the Commonwealth. Perhaps it would be easier if I took in turn the various points made in paragraph 4 of your letter to Machtig, apart from (a) and (c) which are purely for the Dominions Office.

(b) We note from the memorandum enclosed with your letter that, as far as it can be ascertained at the moment, it seems likely that India will not be willing to remain in the Commonwealth without strong persuasion. If therefore she remains, it will be, apart perhaps from other unascertainable events, as a result of considerable pressure on our and the Dominions' part. The whole basis of the Commonwealth is, however, that of a willing partnership founded in unwritten understandings. A reluctant member in a partnership that has no written obligations and is based entirely on mutual goodwill would, we feel, be more of a liability than an asset.

(c) It is our practice to consult Dominion Governments on many points connected with colonial policy, particularly its international aspects, and we are usually able to obtain their agreement and carry them with us as in most cases their fundamental outlook on colonial problems is very much akin to ours. If India remained within the Commonwealth, we would be obliged to treat her on the same footing, particularly if she were sharing in the defence of certain colonial territories, e.g. Malaya. Clearly, however, there would not be the same fundamental approach to colonial problems; indeed, the new Indian Government have made it clear at the United Nations Assembly and elsewhere that their attitude is fundamentally opposed to the continuance of dependent territories as colonial countries however backward in social development and dependent they may be. In these circumstances, the number of questions on which we would fail to obtain Indian agreement and co-operation with our policy is likely to be very great. The results might well be delay and deadlock on many important colonial questions, and the only way out of the
deadlock would be to proceed deliberately contrary to the strong views of the Government of India, with consequent strain on Commonwealth relations and on the whole unwritten basis on which the Commonwealth operates. There is further, of course, the question of Indian populations in many colonial territories. In some ways it may be easier to handle certain appropriate problems which may arise out of the presence of these communities if we could negotiate with India, as at present, as a member of the Commonwealth though today this procedure, where it is thought desirable to operate, is far from satisfactory. On the other hand, it would appear that when India attains full independence, it is likely that she will attempt even more than now to act as if she were the "champion" of these communities and to seek every opportunity to enter into disputes with us on various matters arising in this connection (compare, for example, her present conduct of the dispute with South Africa). It can be said that, as long as H.M.G. is in dispute on these questions with India as a member of the Commonwealth, they will have an embarrassing effect on imperial relations. If, on the other hand, they are conducted with India as a foreign state, we would be in no worse position for conducting our case and would be able to do so without jeopardising the basis of the Commonwealth. There would also probably be more incentive for the Indian populations in the colonies to choose definitively between assimilation and the status of a foreign resident, and we feel that it would be a healthy development in the long run to resolve the ambiguity which at present prevails about their position in the colonies.

(d) In the first place we think it of considerable importance that, if a new type of Commonwealth relationship was invented, it should be quite clear that it is not because we consider that full members of the Commonwealth should be "white". If such a division between two types of members was made, it should be on the basis of (a) degree of interest and (b) the form of association most suited to the individual case—either unwritten (Dominion status) or written (Treaty relationship). There has already been a precedent for a treaty relationship within the Commonwealth in the case of Eire and, as pointed out in Machtig's letter to you of 22nd November, it was considered in 1938 that Eire's relationship to the Commonwealth, even with the existence of the Treaty and the difficulties over allegiance to the Crown, should be recognised. Even if such a treaty relationship was set up we do not think this need be taken as a precedent for all "non-white" territories, and we envisage that possibly other colonial territories on reaching the state of independence, might

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1 No. 17.

2 Sir D. Monteath minuted against this sentence: 'it w[oul]d have to be on the basis that the new "Dominion" was a Republic and did not acknowledge H.M. as its Head, which seems to undercut the whole basis of Dominion. However the Dutch case wangles round that.' The allusion here is to the constitutional relationship established between the Netherlands and Indonesia.

3 No. 75.
prefer to remain within the Commonwealth without such a treaty relationship. The fact that India had elected to change to a treaty relationship would not, we feel, constitute an over-riding precedent for colonies subsequently reaching the stage of full self-government, because the past history of India has been quite unique and indeed a neighbouring colony like Ceylon might prefer to remain within the Commonwealth for the very reason that India had left it. The idea of a special treaty relationship as an alternative goal to Dominion status is, in our view, quite an admissible objective for the constitutional development of the colonies; though the whole subject naturally requires a good deal of close study.

In this letter I have deliberately confined myself to the main outlines as I see them; if you feel that it would be useful at this stage to fill in the outlines in more detail, I should be glad to arrange a discussion.

I am sending copies of this letter to Sargent and Machtig.

Yours sincerely,

G. GATER

I72

Mr Attlee to Lord Pethick-Lawrence

L/PO/7/4: f 51

PRIVATE AND PERSONAL

7 December 1946
Prime Minister’s Personal Minute: Serial No. M.455/46
Secretary of State for India.

I.B.(46)41

I am not very much impressed by the note in this paper and the instances are not very impressive.

In one case the Government accepted the Governor’s views, in another the offence if any was committed by a senior official in [?not] the Congress and in two others the officials obviously made mistakes themselves. In none of them have you the other side of the case. It seems always to be axiomatic that in any difference of opinion between a Minister and an official, the official is always right. This attitude may account for some of the friction.

I have no doubt that there are besides many irregularities, but I should certainly welcome a more objective statement of the position.3

C.R.A.

1 An undated draft of this minute in Mr Attlee’s hand reads:
   *These instances are not very impressive.
   
   (1) Measures himself made an error.  (5) Creed apparently omitted to speak to his P.M.
   (6) Dring. We only have one side of the case.  (7) Trotman. The Govt accepted Governor’s views.
   (8) Cole. The offence if any was by the Commissioner not the Congress.
   (9) No details.*

2 R/30/1/9: f 31.

3 No. 156.  

3 See No. 255 for Lord Pethick-Lawrence’s reply.
Sir O. Sargent to Sir D. Monteath

L/P&E/J/10/122: ff 105–6

TOP SECRET

FOREIGN OFFICE, S.W.1., 7 December 1946

Dear Monteath,

Thank you for your letter of 8th November enclosing a memorandum about India’s future relations with the Commonwealth and asking for our views.

2. You ask for our views in particular on two points:—
   (1) Do we consider that India as a member of the Commonwealth would be on balance an asset or a liability? and
   (2) What is our view as to a new type of Commonwealth relationship based on a written agreement to cover India, Burma and other Asiatic States? Would we consider such a development practicable or would we consider that it would weaken the Commonwealth as an international entity and, by departing from the principle of common allegiance to the Crown, weaken it internally?

3. As regards the first question, I would say that from the Foreign Office angle it would undoubtedly be of great advantage if India could remain in the Commonwealth, since her departure will be universally interpreted as a blow to British authority and prestige and as a diminution in the political, military and economic strength of the Commonwealth as a whole.

4. As regards the second question, may I answer it on the following lines? In the unlikely event of India remaining within the Commonwealth the problem of our military and political relations with her obviously becomes very much simpler and in that case the only point really to be considered is what to do if India makes it a condition of remaining within the Commonwealth that in her case we must agree to a new type of relationship other than the Crown. Here again a concession of this kind would certainly be interpreted by foreign opinion as a blow to the unity of the Commonwealth. Even in the case of the provisional Indonesian agreement, the symbol of the Crown has been retained, though Java and Sumatra are to be described as a republic. In any event I suppose we should not wish to repeat the relationship existing between the United Kingdom and Ireland. The conditions which have rendered workable what appeared originally to be an intolerable situation in the case of Ireland are not present in the case of India, i.e. common language, geographical proximity, interdependence of markets, use of Irish labour in the United Kingdom, and above all the growing Irish fear of isolation in an unsympathetic if not hostile world.

1 No. 17.
5. If India, as seems much more probable, elects to walk out of the Commonwealth altogether, she will do so not because she will have weighed up dispassionately all the pros and cons and decided that the cons had it, but because unreasoning nationalism and xenophobia may well require her to sacrifice her economic and even her national security for what she will consider the necessary assertion of her new found independence. Indeed, would I be right in saying that if the Hindus and Mohammedans do succeed in running India in double harness their strongest point of union will be their desire to pose as the champions of Asia against European domination in all its forms? If this diagnosis is right, I suggest that, unless we are quite sure of a sympathetic reception, it would be very unwise for us to arouse suspicions and court a rebuff by pressing or even suggesting to the Indian Government any long-term political or military agreement with Great Britain before we are certain that this first enthusiasm for complete independence has worn off or has been checked by the advent of a wholesome fear of Russia or Communism or some other force which they feel that they cannot resist unaided. A rebuff such as I have mentioned would, if publicly administered, still further weaken our authority in Asia generally and especially, I should think, in Burma, Ceylon and the Persian Gulf.

6. In this connexion the case of Egypt is worth while citing. In 1930 we were unable to make a Treaty with her and had to continue direct military occupation. In 1936 we were successful because by that time the Egyptians were getting really frightened about Mussolini's plans for making an Italian Empire which was to extend from Tripoli to Somaliland. And now in 1946 if we succeed in getting a new Treaty, it will be largely because the Egyptian Government are really frightened of the danger of Russia using Communism as a means of undermining the established Governments in the Middle East and especially in Egypt.

7. If India falls apart we may, I suppose, expect the Moslems to try and enlist British support by offering us all sorts of military and political facilities, but would it be worth our while, in return for such facilities, to commit ourselves to what would be in effect the defence of one Indian State against another?

8. Having answered your two questions, may I call attention to the following important points arising out of the Chiefs of Staff's reports.

9. I notice in D.O. (46) 104 of the 4th September that the Chiefs of Staff give as a first reason why India is important to our military strategy that India possesses great manpower resources and growing industrial capacity and that we therefore require her as a main support area. On the other hand, in the annex to the letter from Hollis to the India Office of the 4th October, the Chiefs of Staff appear to recognise that we could not hope in a written agree-
ment to stipulate that we should be able to use Indian manpower in case of war as we have done hitherto. Indeed, if India were to give such an undertaking she would be committing herself far further than she would be called upon to do if she were a Dominion within the Commonwealth. In the best circumstances therefore it does not look as though any military agreement with India would satisfy the Chiefs of Staff’s first requirement: and I should have thought that the sooner that this fact was realised and faced up to the better.

10. I agree fully with what Hollis says in his letter of the 4th October as to the danger of trying to negotiate a detailed Treaty with India even if she were prepared to do so, and that it would be preferable to have some agreement in general terms which could be developed and expanded as and when circumstances became favourable. In this connexion I notice in paragraph 6 of your letter of 31st October to Hollis⁴ that you say we had the right of entry into Egypt under the provisions of the 1936 Treaty. In point of fact the evacuation of Egypt (other than the Canal Zone) had not been begun when the first war emergency arose in September 1938. It was easy for us therefore to send in reinforcements at that time with the acquiescence of the Egyptian Government by invoking Article 7 of the treaty. This might not have been so easy if, under the 1936 treaty, we had already withdrawn all our troops from Cairo and the Delta.⁵

Yours sincerely,

O. G. SARGENT

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² Vol. VIII, No. 254. ³ Vol. VIII, No. 408. ⁴ Vol. VIII, No. 537. ⁵ The last three sentences printed here were substituted by Sir O. Sargent for his original final sentence in a letter he sent to Sir D. Monteath on 17 December 1946. L/P &J/10/122: f 104.

I74

Lord Pethick-Lawrence to Mr Jinnah

L/P &J/8/661: f 25

INDIA OFFICE, 7 December 1946

The enclosure to your letter of the 5th December² is very grave reading. I have drawn the attention of the Government of India to your correspondent’s fears.

I do not myself think that the proposal for exchange of population provides a solution to the Hindu-Moslem problem generally, though it might be practicable in some parts of India. It is clearly not a matter in which His Majesty’s Government can compel Provincial Governments, and if you wish this

¹ No. 160.
suggestion to be explored in this individual case, it could, I think, only be done by a detailed proposition being made by the Government of Bengal to the Government of Bihar.²

Yours sincerely,

PETHICK-LAWRENCE

² Mr Jinnah also sent Mr Attlee a copy of Enclosure to No. 160 and on 7 December Mr Harris sent Mr Beards (one of Mr Attlee’s Private Secretaries) the draft of a reply that Lord Pethick-Lawrence suggested the Prime Minister should send Mr Jinnah. This draft reply was to the effect that Mr Attlee had seen No. 174 and was in agreement with it. L/P 8/8/661: ff 23–4.

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Lord Inverchapel to Foreign Office

Telegram, R/3/1/129: f 6

MOST IMMEDIATE

WASHINGTON, 7 December 1946, 5.48 pm

SECRET

Received: 7 December, 10.50 pm

No. 7007. Your telegram No. 2838 to United Kingdom Delegation, New York.¹

State Department will instruct Merrell to see Nehru immediately after his return to Delhi and if possible before Working Committee of Congress meets and to speak on the lines suggested by you.²

2. On November 30th State Department sent to Merrell in New Delhi and to United States Embassy in London an appreciation³ of the Indian position which you may have seen. It explained among other things the powerful economic and political motives for which the United States Government is so desirous to see a settlement reached. On December 3rd they sent Acheson’s statement, transmitted to you in my telegram No. 6932,⁴ and Merrell was instructed to hand copies to V. Patel and Weightman and to emphasise that in the view of the United States Government the proposals of the Cabinet Mission provide an equitable basis for a settlement. Merrell will now be instructed to repeat this to Nehru and to stress second sentence of second paragraph of statement in my telegram No. 6932.

3. See my immediately following telegram.

Repeated to United Kingdom Delegation, New York.

¹ No. 170.
² In tel. 21401 of 8 December Mr Turnbull supplied Mr Scott (for Sir J. Colville’s information) with background details on the instruction given Mr Merrell to see Pandit Nehru. R/3/1/129: f 8.
⁴ See No. 149.
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Lord Inverchapel to Foreign Office

Telegram, R/3/1/129: f 7

WASHINGTON, 7 December 1946, 6.7 pm

Received: 7 December, 11.15 pm

No. 7008. My immediately preceding telegram.

State Department warmly desire to help His Majesty’s Government and acceded without hesitation to suggestion that a further American approach be made to Congress leader.

2. Official concerned said, however, that they were far from hopeful of a successful outcome. Congress seemed to be “feeling their oats” and “spoiling for a fight”.

3. Appointment of Asaf Ali to be His Majesty’s Ambassador for India in Washington is not calculated to dissipate misgivings felt by State Department at recent attitude of Congress Party. Invidious comparisons have been made to a member of my staff with the new Ambassador’s urbane, intelligent and hard-working predecessor as India’s representative here. Moreover, appointment is regarded as another taunt to the Moslem League.

4. I think State Department can be relied upon to do all in their power to help. To all intents and purposes they have given His Majesty’s Government a hostage by their possibly premature assumption of full diplomatic relations with the interim Government, dissolution of which would leave their faces very red.

Repeated to United Kingdom Delegation, New York.

177

Sir J. Colville to Sir E. Jenkins (Punjab)

Mountbatten Papers. Official Correspondence Files: Sikh Problem,

Part I(b): f 87

7 December 1946

SECRET

NO. 592/63.

My dear Jenkins,

Thank you for your letter of the 5th December,1 about Giani Kartar Singh’s interview with you.

1 No. 161.
2. You will by now have seen the announcement\(^2\) put out at the conclusion of the London Conference. I have no doubt that the Sikhs will consider their case to have been further harmed by this; but I hope that it will not impel them again to change their minds about taking part in the work of the Constituent Assembly.

3. It is by no means certain what the Congress reaction to the statement may be; and it is possible that they may become so angry about it as to reconsider their own attitude to the whole question. In the circumstances, therefore, I do not think that it is practicable or desirable at the moment for me to attempt to discuss with the party leaders the position of the Sikhs. It will be necessary to wait for the situation to clarify further before anything is attempted about this.

Yours sincerely,

JOHN COLVILLE

\(^2\) See Appendix to No. 166.

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178

Note of conversation between Mr Jinnah and Mr Woodrow Wyatt\(^1\)

Public Record Office. CAB 127/136

9 December 1946

1. Jinnah is generally very pleased with Friday night's statement.\(^2\) He was very keen to say how honest he had always been, and he was glad that the Government had been honest about the interpretation.

2. I asked him what he thought the reaction of the Council of the Muslim League would be in the event of the Constituent Assembly now referring the grouping dispute to the Federal Court, the Federal Court giving the same decision as the British Government and Congress then agreeing to abide by that decision. He said that he could not tell exactly what their reaction would be, but he would certainly endeavour to persuade them to come into the Constituent Assembly if the Federal Court's decision went the Muslim League way and Congress agreed to accept it.

3. He thinks, however, that even if this point is settled and out of the way, Congress will certainly raise other points and he was not altogether pleased with that part of Friday night's statement which said that other points over which there were disputes over interpretation could be referred to the Federal Court. He says very vehemently that Congress do not intend to settle, either with the Muslim League, or the British Government. They will undoubtedly
raise more and more points of this kind at the Constituent Assembly which will probably mean that at some point the Muslim League will have to come out.

4. He talked for a long time about Congress activities in (a) getting British officials out of their jobs (he instanced in particular the Civil Aviation Board) and (b) the putting of their own supporters into official positions and turning out Muslims.

He thinks that Congress are organising very thoroughly and comprehensively to seize power by physical means if necessary. He complained about 25,000 I.N.A. men on the Congress pay roll and with their offices next door to Congress offices all over the country. He attributes it particularly to his own folly that the Muslim League had not organised on a similar scale.

5. I told him that I thought that in my view, if Congress and the Muslim League continued not to agree for much longer, it was unlikely that the British would remain with their officials and troops for any appreciable period in India. At this he was shocked and startled, and for a moment could think of nothing to say. Then he said: “Well, I don’t mind if the British go straight away—tomorrow—but it would be most unfair if they wait for some time before going, because by that time Congress would have entrenched themselves into so many official positions and would have prepared their organisation in the country so elaborately that the Muslim League would be unable to stand up against them. If the British went today, the Muslim League could hold their own”.

6. Finally, he thought that although he was inclined to give it a trial, the Constituent Assembly would not function properly, and the only solution was, as ever, Pakistan.

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I79

Mr Shone to Sir E. Bridges (Extract)

L/S&G/7/1251: ff 415-18

DESPATCH NO. 3  
OFFICE OF THE HIGH COMMISSIONER FOR THE  
UNITED KINGDOM, 6 ALBUQUERQUE ROAD,  
NEW DELHI, 9 December 1946

2. No one arriving in India at a time like the present, when the tension between the Congress Party and the Muslim League is so great and the threat of fresh
communal strife so grave, can fail to be struck by the violent language of party leaders and party organs, serving only to aggravate a situation which, from the internal point of view, is by all accounts as difficult and dangerous as it has ever been in recent years. The first questions which a newcomer can hardly fail to ask himself, are whether the party leaders who thus play with fire possess or can exert a real sense of responsibility in the interests of India as a whole; whether there is any real desire for moderation, patience and understanding, as between the two major political parties; and if so, whether there are the will, the courage and the power to exercise restraint over all those elements who seem bent on inflaming passion and pushing things beyond the edge of risk.

3. Scarcely less striking is the intemperate criticism and even abuse of Great Britain and British authorities in which politicians and newspapers still so freely indulge. British residents in India have, no doubt, been accustomed to such talk for long past and to more of it than is now current; but to one who has only been used to the briefer and paler reproductions of Indian invective in the English press, the purple passages, on which the emphasis is here so often laid, come as something of a shock. Statements like those of Jai Prakash Narain—that the British are now so weak that it only requires one more push to bundle them out of India, that they should be given a six months’ ultimatum to quit, and that any compromise or talk of compromise with them is now unnecessary—at least lack the authority that derives from office. Some of Mrs. Pandit’s oratorical shafts in the Assembly of the United Nations; the bitterness which has coloured many utterances of Sardar Patel; the accusations made by responsible leaders of the Congress Party of British partiality towards the Muslim League and the latter’s counter-charges that we are selling them to the Hindus; not least some of Pandit Nehru’s remarks at the recent meeting of the Congress Party at Meerut—notably his call for the punishment of British and Indian officials responsible for “the atrocities committed on the people” in 1942—are more disturbing.

4. It may well be unreasonable to expect that those Indian leaders who now occupy positions of authority will readily forgive and forget the repressions and the wrongs they feel they have suffered in the past, or give credit—at least in public—to the goodwill, patience and honesty of purpose of Great Britain and her officials. But the continued harping on old charges against us—exploitation, the draining of India’s resources, the imperialist stranglehold and so forth—coupled with accusations that we are fomenting communal discord in order to divide and rule, inevitably make one wonder how far these outward expressions represent the inner feelings of those who give vent to them. And if they are indeed representative, by what means and how soon can Indians who harbour such feelings be convinced, not merely that we want a friendly India but also that it is in India’s own interest to base her future on friendship with us?
7. I have had several conversations with members of the British community, including some from Calcutta and Bombay. They all expressed gratification at the appointment of a United Kingdom High Commissioner; and they all displayed anxiety about the future, if in varying degrees. All were concerned at the prospect of further communal trouble if not indeed something like civil war, in the event of the Muslim League refusing to participate in the Constituent Assembly. While all agreed that in the recent communal disturbances anti-British feeling was negligible, many evidently feared that if serious trouble broke out again, feeling might be directed by Hindus or Muslims, or even both, against Europeans and ourselves in particular. More than one expressed the opinion that terrorist organisations were at work with this end in view; and more than one considered that the present was no time for British women to come to, or even remain in, India. Most paid tribute to the patient work of British officials in present conditions and went on to express their fear of a breakdown in administration and security when these officials left, as they seemed to think the great majority would do as soon as they could. One or two were frankly pessimistic as regards the prospects of a satisfactory commercial treaty between the U.K. and India, on the ground that even if a relatively stable government were formed at the Centre, it would be difficult, if not impossible, to convince the present political leaders—"intoxicated with power and the heady wine of independence" as one of them put it—of the advantages which they would gain from continued close association with the U.K. I listened to much criticism of Indian financiers—not least of those who pour their money into the Congress Party's till—as being unscrupulous and regardless of all but their private interests. One British visitor spoke of the difficulty he had experienced in inducing Mr. Bhabha, the millionaire Parsee whose appointment as Member for Works, Mines and Power in the Interim Government caused general surprise, to admit the need of technical assistance from abroad in building up Indian industry. Nevertheless, all but the most pessimistic averred that we still had many friends and much goodwill in India, which might be turned to account if only some solution of the political situation could be found; but in present conditions those Indians who believed in the willing to make their voices heard in the clamour of political strife, and such influence as they could now exert in most parts of the country outside the Indian States, was but small.

13. All the Members I have met received me cordially, and some enquired about present conditions in the United Kingdom,—though whether from politeness or genuine interest I cannot say. Mr. Abdur Rab Nishtar's remarks

1 After the word 'believed' this sentence should continue: 'in the maintenance of close ties between India and Great Britain were seldom able or willing...'. Erratum slip dated 29 January 1947. L/S &G/7/1223: f 64.
about sea power and the defence of India by the British Navy are not without interest; his pointed reference to "those who wish to leave the Commonwealth" is the only indication that any Indian Minister has yet given me of a desire to remain within the Commonwealth. It is indeed the only definite indication I have so far had of a desire for continued close connexion with the United Kingdom.

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Sir J. Colville to Field Marshal Viscount Wavell

Telegram, R/3/1/129: f 25-6

MOST IMMEDIATE
SECRET

NEW DELHI, 10 December 1946, 2.30 pm
Received: 10 December, 11.30 am

No. 2597-S. You might like a brief appreciation of the present political situation in India.

2. The statement by H.M.G.¹ at the conclusion of the London talks did not arouse the opposition which might have been anticipated. Congress Working Committee have held three meetings since Nehru's return, and have not passed any resolution on the subject. Indications are that they have decided to continue with the work of the Constituent Assembly as planned and are conscious of the responsibility which they have assumed in insisting on its being summoned; and that they will refrain from any immediate drastic action. Congress circles seem to see no advantage now in taking to the Federal Court the matter of interpretation regarding way in which Sections will work, and it is doubtful if they will issue any official statement; and the Congress Press now puts on the Muslim League the onus of taking next step, i.e. joining in the Constituent Assembly. Patel, at interview this morning,² summarised Congress main reactions as (1) regret that H.M.G. did not state their position earlier, if present statement really represented their intentions;—Congress is now put in a very difficult position vis-à-vis Assam and the Sikhs; (2) denial that Congress ever agreed, as stated by H.M.G., to take to the Federal Court issues other than major communal ones, which might subsequently arise, e.g. precise limits of the three Union subjects; and (3) concluding portion of H.M.G.'s statement is felt to restore right of veto to Muslims which Congress regard as a breach of faith.

3. Muslim League has reacted favourably to H.M.G.'s statement, and in spite of some denigration of the Constituent Assembly as at present constituted there is an under-current of hope that H.M.G.'s statement will have resolved
the deadlock. Suggestions have already been made that the All-India Muslim League Council should now be called to reconsider the Bombay resolution which it passed.

4. First meeting of the Constituent Assembly took place yesterday, and was held with dignity and decorum. There were no untoward repercussions either in Delhi or throughout the country. In spite of continued communal tension, there are at present few incidents taking place, and I get the impression, confirmed by a number of conversations which I have had with political leaders, that the holocausts in Bengal and Bihar have had some effect in sobering up the leaders.

5. Rajendra Prasad is being put forward as the Congress nominee for the Presidency of the Constituent Assembly, and this may involve his resignation from the Interim Government. I shall inform you as soon as this becomes definitely known.

1 Appendix to No. 166.  
2 See Enclosure to No. 182.

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Cabinet C.M.(46)104th Conclusions, Minute 3

L/PO/6/112: ff 102, 104–5

Those present at this Meeting held at 10 Downing Street, S.W.1, on 10 December 1946 at 11 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Mr Alexander, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan

Also present during discussion of item 3 were: the Earl of Listowel, Mr Hector McNeil, Sir Orme Sargent

INDIA

Constitutional Position

(Previous Reference: C.M.(46)100th Conclusions, Minute 3)¹

THE PRIME MINISTER AND THE SECRETARY OF STATE FOR INDIA gave the Cabinet an account of the discussions which had taken place with the Indian leaders during the previous week. These had turned on the interpretation of paragraph 19(v) and (viii) of the Statement of 16th May by the Cabinet Mission and the Viceroy. This contemplated that after a preliminary session the Constituent Assembly would break up into three Sections containing the representatives of (i) Bengal and Assam (ii) the Punjab, the North West

¹ No. 90.
Frontier Province and Sind and (iii) all the other Provinces. Each Section was to determine the constitutions of the Provinces in that Section and whether a group constitution should be set up for them. The issue between the Congress and Muslim leaders was whether the decisions of these Sections should be taken by a simple majority vote, or whether the Provinces should themselves have the right to determine their own constitutions and to decide whether there should be a grouping of Provinces. The Muslim League had adopted the former interpretation, and the Congress the latter. The former interpretation was that intended by the Cabinet Mission.

In the recent conversations with the Indian leaders it had not been possible to reach agreement on this question, but Pandit Nehru had agreed to accept the decision of the Federal Court on this and other matters of interpretation of the Statement of 16th May. On this point the Federal Court was in fact likely to endorse the interpretation intended by the Cabinet Mission. At the conclusion of the meetings a statement had been issued by the Government setting out the point at issue and the position as regards reference to the Federal Court. This statement had been accepted by the Indian leaders.²

The Constituent Assembly was now meeting, and it was hoped that the Muslims would join it after the Federal Court had given its ruling. Future developments were, however, uncertain.

The Prime Minister said that he had been at pains to impress on the Indian leaders the gravity of the situation, but he could not say how far they would be able to preserve a due sense of responsibility or to induce it among their colleagues in India. He feared that Indian politicians generally were not fully aware of the dangerous possibilities ahead.

The Cabinet’s further discussion on this aspect of the situation in India is recorded in the Secretary’s Standard File of Cabinet Conclusions.³

The Prime Minister said that he proposed to make a statement in the House of Commons about the discussions with the Indian leaders. Before doing so, however, he proposed to speak informally with the leaders of the Opposition, in the hope that this might prevent a public debate on his statement, which he would prefer to avoid at this stage.

The Cabinet—

(1) Took note of this report on the discussions with the Indian leaders.
(2) Took note that public statements on the present position would be made in the two Houses of Parliament, by the Prime Minister and the Secretary of State for India respectively, on 11th December.

The Cabinet were informed that Mr. Jinnah had invited the Prime Minister and other Ministers to a luncheon on 12th December. If these invitations were accepted, there would be adverse comment from other Parties in India. The view of the Cabinet was that it would be wiser that these invitations should be declined.
The Cabinet—

(3) Agreed that Ministers who had been invited to Mr. Jinnah’s luncheon on 12th December should decline this invitation; and took note that the Secretary of State for India would explain to Mr. Jinnah why it was thought inexpedient that Ministers should attend this luncheon.

Confidential Annex to No. 181

In the course of the Cabinet’s discussion on the results of the recent visit of Indian leaders to this country, the Prime Minister said that it was impossible to be confident that the main political Parties in India had any real will to reach agreement between themselves. Pandit Nehru’s present policy seemed to be to secure complete domination by Congress throughout the government of India. If a constitution was framed which had this effect, there would certainly be strong reactions from the Muslims. Provinces with a Muslim majority might refuse to join a central Government on such terms at all; and the ultimate result of Congress policy might be the establishment of that Pakistan which they so much disliked. The Prime Minister warned the Cabinet that the situation might so develop as to result in civil war in India, with all the bloodshed which that would entail. There seemed to be little realisation among Indian leaders of the risk that ordered government might collapse.

The Cabinet felt that, however much the Indian politicians might abuse the British Raj, there was always at the back of their minds the sense that the Army was there and would be able to deal with civil disorder. This dulled their sense of responsibility for the consequences of their political policies. Apart from this, however, such confidence in the authority of the Army was no longer fully justified. The strength of the British Forces in India was not great. And the Indian Army, though the Commander-in-Chief had great personal influence with it, could not fairly be expected to prove a reliable instrument for maintaining public order in conditions tantamount to civil war. One thing was quite certain viz., that we could not put back the clock and introduce a period of firm British rule. Neither the military nor the administrative machine in India was any longer capable of this.

Some Ministers felt that in the event our only course might prove to be to evacuate India and to leave the Indians to find, after a period no doubt of chaos, their own solution to their own problems. The Cabinet were assured that plans were being made for evacuating, in an extreme emergency, both British troops and civilians from India. Other Ministers felt, however, that even if such evacuation were practicable as a military operation—and it would not be an easy operation to carry out—it was not, politically, realistic to suppose

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2 In the printed version of the Cabinet Minutes this sentence read: "This statement had been read to the Indian leaders in the form in which it was published, save for minor verbal changes." R/30/1/9: 36.

3 See Confidential Annex.
that we should be able to adopt that course. Would it be acceptable to Parlia-
ment and to public opinion that we should leave India in chaos, having ob-
tained no guarantee of fair treatment for the Muslims or for the other minor-
ities? That would indeed be an inglorious end to our long association with
India. World opinion would regard it as a policy of scuttle unworthy of a great
Power.

There was general agreement that so grave a decision could not be taken
without the most anxious thought. The decision need not be prejudged at this
stage. Matters might not reach so serious a pass. It was certainly the wish of
the great masses of the Indian people that there should continue to be ordered
government throughout India and the leaders of the political Parties in India
might well be forced to take account of this.

For the moment, the important thing was to secure that these leaders faced
the difficulties which inevitably accompanied major constitutional changes in
India. We should do anything that we could to bring home to them the heavy
weight of responsibility which rested on them.

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Sir J. Colville to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICE ROY'S HOUSE, NEW DELHI,

10 December 1946

The 9th of December, a date which it was thought at one time would mark
the outbreak of savage communal disturbances, has come and gone, with not
even a black flag demonstration at the meeting of the Constituent Assembly
in Delhi. This is of course due to the détente produced by the London talks,
and the fact that the Muslim League consider that their position has been vindic-
cated. Congress reactions to His Majesty's Government's announcement have not
yet hardened: there is a left-wing group who are all for recalling Gandhi from
East Bengal and withdrawing Congress representatives from the Government;
but the great body of Congress opinion is for awaiting the outcome of the
Congress Working Committee meetings which are now in progress, and the
tone of the Congress Press has not been as critical as might have been expected.
Congress publicity now puts the responsibility for the next move on the
Muslim League, who are invited to join the Constituent Assembly and test
the point in dispute in the Federal Court; whereas the Muslim League papers
say that the Congress should now declare their acceptance of the interpretation
given by His Majesty's Government. I doubt myself whether the Congress will
think it worthwhile to insist on a reference to the Federal Court about the manner in which the Sections are to work.

2. Because of the great interest aroused in the London discussions, Moharrum has come and gone with no more than what might be described as the usual incidents throughout the country. I am sorry that some of these have taken place in my own Province of Bombay, but thankful that there has been no general flare-up anywhere. One gets the impression that the horrors of Bengal and Bihar have had some effect on all but the most convinced believers in violence.

3. Speeches by the leaders have been confined mainly to comments on the London discussions, and there has been an unseemly exchange of public statements by Patel and Nishtar. Patel went so far as to declare at a meeting in Bombay last week that whoever else might resign from the Government, he had no intention of doing so.

4. The Constituent Assembly held its first meeting on Monday with dignity and decorum, and Rajendra Prasad is likely to be elected as President. Dr. Sinha made a thoughtful opening speech. Congress are determined to go ahead with the Assembly, and I have no doubt that the main sub-committees will be set up forthwith; it is not known yet what they have decided to do about sitting in Sections.

5. I have been anxious to get to know the members of the Government, and with this end in view and also as a little contribution to harmony I have had those in Delhi to meals in small batches, generally mixing the communities. I have found them all very friendly and quite prepared to relax for an hour. I have tried both then and in my regular interviews to impress on those concerned the need for care and patience in the decisions which the Congress Working Committee is making these days. I have explained the Parliamentary aspect of the question and the awkwardness of His Majesty's Government's position in Parliament if Congress plays into the hands of those who have no belief in their capacity to advance constitutionally.

6. I was very glad to see the message which the American State Department have transmitted to Nehru,¹ and I am sure it will have a sobering effect on the Working Committee. I understand that Nehru asked for it in writing before the meeting on Monday evening.

7. As a result of the Political Adviser's visit to Datia at the beginning of the month, the agitation there has died down, and the Maharaja has agreed to a settlement of the trouble on lines which are entirely acceptable.² It remains now to be seen whether he will carry out his promises. Meanwhile, there is no inducement left for Nehru to pay one of his spectacular visits to the State.

[Para. 8, on the grievances of Ordnance Factory personnel, omitted.]

¹ See No. 175. ² See L/P &S/13/1122 for papers on the Datia situation.
9. I attach a note of an interview with Patel this morning—he came on an ordinary routine visit, but all the talk was of the London Statement.

Rajagopalachari came on a routine call this afternoon and spoke on rather similar lines, but hinted that if Jinnah now made a move, progress might be made—they were waiting for Jinnah!

Yours sincerely,

JOHN COLVILLE

Enclosure to No. 182

NOTE OF INTERVIEW WITH THE HON’BLE SARDAR VALLABHBHAI PATEL, MEMBER IN CHARGE OF HOME AND INFORMATION AND BROADCASTING DEPARTMENTS, ON 10 DECEMBER 1946

SECRET

10 December 1946

The Hon’ble Member began by referring to the opening of the Constituent Assembly, which he said was dignified and impressive, and Dr. Sinha’s speech had been listened to with much interest. The messages from the U.S.A., Australia and China had been very well received, and Sardar Patel remarked that it would have been gracious if a similar message had been received from His Majesty’s Government. I remarked that His Majesty’s Government were in rather a different position to the Assembly from any of those who had sent such messages. Sardar Patel then went on to say that it was the earnest desire of Congress to work the machinery of the Assembly in a proper spirit, but they were deeply anxious on account of His Majesty’s Government’s Statement on the following three grounds:

(1) His Majesty’s Government were entitled to say what they intended regarding the grouping provisions, but if they insisted that their interpretation must be accepted as an integral part of the scheme, this should have been made clear long ago. As regards reference to the Federal Court, His Majesty’s Government had prejudiced the issue by saying that they would accept only a favourable verdict. If they had said that they would accept the verdict without qualification, as Congress had done, this would have enabled Congress to face a very difficult situation which was now arising from the two interests mainly affected, namely, Assam and the Sikhs.

(2) As regards the other questions of interpretation referred to in the Statement, the Congress was wrongly credited with having agreed that all such matters should be referred to the Federal Court. They had in fact never gone beyond agreement that major communal issues should be so referred. An unlimited field of reference, for example over all details of the Central subjects, would enable the League to obstruct indefinitely if they were so minded.

(3) The last paragraph of the Statement appeared to go back on the Prime Minister’s statement in April that a minority could not be allowed indefinitely
The Secretary of State for India receiving Indian leaders on their arrival in London, December 1946. Left to right: M.A. Jinnah, Sardar Baldev Singh, Lord Pethick-Lawrence, Pandit Nehru
The Constituent Assembly: its first meeting in the Council House, New Delhi. Acharya Kripalani is moving the motion for the election of a Provisional Chairman.
Lord Wavell receiving the new Viceroy, Lord Mountbatten, on his arrival in India
to hold up the wishes of a majority, and many in Congress regarded this as a betrayal. He took a very serious view of this, and indicated that if it were interpreted to mean that any show of opposition on the part of the League could hold matters up, it might well mean the breaking point. Congress fully intended that a Constitution with ample safeguards for the Muslim community should be produced, and there would be no fighting unless the League resorted to illegal force. He said that Jinnah’s threat of direct action, with a consequent outbreak in Calcutta, had started the trouble, and that Jinnah alone was to blame for any violence which followed. He felt that this statement would strengthen Jinnah’s hand, and incite him to offer further violence. He observed that Jinnah’s recalcitrance was the biggest feature in the present situation and that there were many members of the League who would be glad to come into the Assembly, and were eager to get the word to do so. He went on to say that if His Majesty’s Government disliked the idea of coercion of any unwilling part of the country, they should name a date—he suggested January 1st, 1948—when they would stand clear if no understanding had been reached between the main parties by that time. Jinnah would then be bound to compromise and the work of the Assembly would go ahead.

I said that it took two to quarrel and that he was regarded by many in England as the tough man of Congress who was on for a row. This was received in a friendly spirit, and he said “I do not mind being called tough, but I am not on for a row unless someone else starts it”. He referred to the communists and revolutionary forces of the Left, and said that Congress had no light task in keeping them in check, and reminded me of his approaches to me at the time of the R.I.N. mutiny which he regarded as mainly the work of the communists. He was, he said, a disciplinarian.

I got the impression that he was seriously perturbed as to how to deal with the Sikhs and Assam, and angry at the thought of an accession of strength to Jinnah, but with it all impressed with the gravity of the responsibility which the opening of the Assembly had now put upon Congress in the eyes of the world.

J. C.

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3 This note, together with para. 9 of No. 182, was circulated to members of the India and Burma Committee by Lord Pethick-Lawrence on 23 December 1946 under the reference I.B.(46)55. L/P 8&10/76: ff. 46–8.

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Sir W. Spens to Sir J. Colville

L/P&J/10/76: ff 69-70

SECRET

19 AKBAR ROAD, NEW DELHI,
10 December 1946

My dear Colville,

In view of the mention, in the statement issued by His Majesty's Government on the 6th instant,¹ of possible references to the Federal Court both in regard to the construction of the clauses dealing with grouping in the Cabinet Mission's statement of 16th May and other questions of interpretation of the statement that may arise, I feel that it is desirable that I should let you know, and through you if you think right, His Majesty's Ministers in London the views which I hold on such proposals and which I understand are shared by my colleagues, though no final decisions have been made by us as a Court.

2. It must be remembered that the original proposal that the Federal Court might be consulted by the Chairman of the Constituent Assembly when disputes arose as to what was or was not a major constitutional issue was included in the Cabinet Mission's statement with no previous consultation with or reference to me, and that I had no knowledge of any such proposal until the statement was made public. When I came to consider the proposal, I felt considerable doubt as to both the form and manner of the consultations with the Federal Court which were envisaged in the statement. These doubts have not decreased since. On the contrary they have considerably increased as information was received that references to the Federal Court on other matters connected with the constitutional negotiations were being discussed. Now that more definite form has been given to these additional proposals by the latest statement of His Majesty's Government I must, so that no one may be taken by surprise by the attitude of the Federal Court, emphasise these matters.

3. The Federal Court is a purely statutory Court with a limited statutory original and appellate jurisdiction as laid down in the Government of India Act, 1935, with a limited statutory power under s.213 of entertaining references from the Governor-General on questions of law that have arisen or are likely to arise, and reporting to the Governor-General thereon. As a Court, it has no other power of entertaining references from other persons or on other matters. As a Court, the Federal Court is most unlikely to agree to entertain any reference unless it is given appropriate statutory powers so to do and some binding effect is provided by statute for its opinions on such references. It would be useless and very derogatory to the prestige of the Court to entertain a reference and express an opinion on the construction of any clause of the
statement of the 16th May if any one could properly say, as in my view one could, that the whole proceedings were without any legal sanction and wholly nugatory, or that the opinion was not legally binding and need not be accepted by the Chairman of the Constituent Assembly or by the parties or communities concerned. If there are to be any references to the Court as a Court either on the original proposal of what is or is not a major communal issue or on the further matters contemplated by the statement of the 6th instant, I am sure that the Court will require:—

(1) that appropriate statutory powers be conferred to entertain the contemplated references or consultations, with full powers to determine its procedure, and
(2) that binding effect on all parties concerned be given by statute to the opinions expressed by it on such references.

4. I put forward these requirements, for I believe that what is contemplated is that the Court should function as a Court in these matters and that nothing less than that would satisfy any minority. It has been suggested however that all that has been meant in the statements by “consultations with” or “references to” the Federal Court is really only consultations with or references to myself and my two colleagues as three individual judges sitting more or less as arbiters to give wholly informal assistance in such manner and on such terms as we might from time to time stipulate with whatever individual or body might want to consult us. It would be extra-judicial work, not in Court, and the effect of any opinion expressed would only be such as might be agreed beforehand with the parties or individuals desirous of consulting us. It would be solely for us as individuals to decide whether we should or could or upon what terms entertain any such reference. If, contrary to my view, this is all that is contemplated, it should I respectfully suggest be made plain at once. But I repeat that that is not what I have gathered is contemplated, not [nor] do I feel that that type of reference to us as individuals would really inspire hesitating parties or communities with adequate confidence.

Yours sincerely,

W. P. SPENS

1 Appendix to No. 166.
2 The text of this letter was sent to Lord Pethick-Lawrence in tel. 2616-S of 12 December. L/P &J/10/46: ff 253–4. In tel. 21715 of 14 December Mr Abell asked Mr Scott to telegraph advice after consulting Mr Menon and Sir G. Spence. R/3/1/133: ff 25.
Sir F. Bourne (Central Provinces and Berar) to Sir J. Colville (Extract)

L/P&EJ/5/195: ff 22–3

SECRET

GOVERNOR'S CAMP, CENTRAL PROVINCES AND BERAR,

NO. R-38/G.C.P.

10 December 1946

My dear Colville,

The Chief Secretary’s report, of which I attach a copy as usual, gives a very full account of what has been actually a more or less uneventful fortnight. I was much interested to meet Sardar Vallabhbhai Patel when he came to address the University Convocation. I presided at the Convocation where he gave a very unacademic address. Apart from a few jocular remarks addressed to those who had been successful and those who had failed in the University examinations and a congratulatory reference to the proposal to replace English as a medium of instruction at the University, he spoke almost entirely on the political situation. He spoke in a very quiet and realistic manner, and though he did not actually pour oil on troubled waters he dealt with the communal situation more temperately than he has sometimes done elsewhere. In the cyclostyled English version of what he was going to say the old story appeared of the British Government being responsible for all communal trouble, but in the speech as delivered no reference to this was made, while on the other hand he gave the British Government full credit for their sincerity in their endeavours to give India her freedom and emphasised that the future of India was now in the hands of Indians and of no one else.

2. I was very glad to be able to entertain Sardar Vallabhbhai Patel for lunch before the Convocation and with him the Premier and the Vice-Chancellor of the University. In the evening I attended an Indian dinner at the Premier’s house where I met Sardar Vallabhbhai Patel again and most of the Ministers and Parliamentary Secretaries. I think there are signs that the Premier and the other Ministers are now inclined to look at me with rather less suspicion than they did. In the first instance, the Premier was opposed to my opening the Commissioners’ Conference, acting on their general policy of keeping the Governor in the background in administrative matters. I was under the impression that the Premier had withdrawn his objection and I sent him a copy of the remarks that I proposed to make. As it turned out, the ministry regarded these remarks with some favour, and as I believe officers generally were also well impressed by them, I suppose the brief address I gave might be considered to have been a success. In spite of the somewhat unsatisfactory state of politics at a high level at the moment, I think Government servants generally are happier than they were and I think the ministry as a whole are certainly
showing more sympathy towards them and their difficulties than they did at one time. The Premier's address to the Police Parade in Nagpur was, I think, very well received.²

² Mr Turnbull commented on this report on 31 December 1946 as follows: 'It looks as if Sir F. Bourne had established better relations with his Ministers than his predecessor with beneficial results to the Services as a whole.'

Sir D. Monteath added on 4 January 1947: 'It is unquestionable that the Services take their tone unconsciously from the Governor. Sir H. Twynham, a very good administrator of the old school, was undoubtedly tired, dispirited, "browned-off" and on bad terms with his Ministers. His service had been mostly in Bengal and Assam and he may not have been en rapport with C.P. people.

It is clear that the more cheerful attitude of Sir F. Bourne and his better relations with his Ministers has improved the tone of the officers subordinate to him: tho' that is not to say that they have much to be cheerful about.'

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Sir H. Dow (Bihar) to Sir J. Colville (Extract)

L/P & J/5/181: ff 20-3

D.O. NO. 331-G.B. 10/11 December 1946

My dear Colville,

I am sending this letter reviewing the events of the last fortnight in November and without waiting for the usual official fortnightly report on which it is supposed to comment. This perhaps needs no excuse in view of the exceptional nature of the times through which we are passing, for the ministers are likely to delay their approval of the official report, and will also be more concerned in putting over the view they wish to be taken of the origin and course of events rather than any purely factual record. If their letter seems to require any further comment from me, I will write a further letter.

2. There have been no further serious communal outrages since 19th November with the exception of an attack by a Muslim mob on a family of 17 Hindu goolas in a village in the south of the Monghyr district in which 13 of this family are reported to have been killed. There have been no further repercussions from this although my personal enquiries from the district officers (I have as yet seen no official detailed report) indicate that it was purely a communal outbreak and not the result of private enmity. Mohurram has passed off without incident.

3. Your Excellency will have received a copy of the telegram of 24th November¹ which I sent to the Secretary of State in reply to his request for an estimate of the actual number of casualties to date during the Bihar disturbances.

¹ Tel. 166-S. L/P & J/8/573: f 166. See also No. 102.
To anyone unacquainted with the primitive structure of the Bihar administrative machine the wide margin left for conjecture must seem curious. It is unlikely that the actual number of deaths in the Patna district will ever be known with any great accuracy. The figure of actual deaths in the Patna district known to or credibly reported to the Patna police is about 1800. When giving an estimate to H.E. Lord Wavell, to whom Jinnah had asserted a total figure of 30,000 deaths, I suggested that even if the figure for the Patna district were trebled, the total for the province would still be about 7,000, which was less than one quarter of Jinnah’s figure. On later information I suggested to the Secretary of State doubling the Patna figure, which gave a provincial total of about 5,000. When I asked the D.I.G., C.I.D. (Mr. Hamid) for his estimate, he told me that he thought the Patna figure should be multiplied by five: on the same day the Commissioner for the Patna Division, a Hindu I.C.S. officer, said he thought the Patna figure should be halved. Given an honest intention to find out the real facts, the problem of arriving at a true figure would be difficult enough, but with the ministry and almost every Hindu, official or non-official, trying to scale the figure down, and the Muslim League and most Muslims trying to inflate it, the actual number of casualties will never be known with any great accuracy. Sir Sultan Ahmad, who has been staying for a fortnight either in Patna or in his village in the Gaya district, and whose moderation and good sense have stood out in great contrast to those of other Muslim leaders with whom I have spoken, thinks that the total number of casualties is not less than ten thousand. He has arrived at this by a sort of “sample survey” of villages that he knows and where he has collected actual lists of people alleged to have been killed. But how reliable these lists are is much open to doubt, and probably many of these will be found in refugee camps or among emigrants to Bengal. The extent to which some victims will go in exaggerating their misfortunes is almost incredible: there has been one instance in which the wife, mother and father of a refugee turned up while he was in the midst of a pitiful tale in which he asserted that they had been slaughtered before his eyes.

4. From the top to the bottom, and even more at the bottom than the top, the staff of this province is ludicrously inadequate to the needs of any modern administration. In Sind, with a population of only 4½ millions, with no industries and with political organisations simple in their internal structure and with only tenuous affiliations to all-India bodies, I had eight districts and there were plans for expanding them by nearly fifty per cent. In Bihar, with 40 millions of population, with half the industrial development of India, with the least qualified of ministries to deal with the close repercussions of all-India politics, I have practically the same budget as in Sind and very inexpansible sources of revenue. The result is that we are tied to very low standards of administration. On the U.P. scale, there should be here 32 districts instead of
16, and about 150 sub-divisions instead of fifty. Below the sub-division there is nothing at all in the way of subordinate revenue staff, and very little in the way of police. With nearly ten times the population there are about 50 per cent more police than there were in Sind where they are admittedly insufficient. Over large areas the only representative of Government is an illiterate village chaurikid who gets Rs. 5 per month (temporarily enhanced by Rs. 2 as dearness allowance).

5. How this works in practice may be illustrated by my own experiences in trying to make personal investigation in some of the areas most affected by the recent disturbances. One of the earliest outbreaks was at Mushouri, about 20 miles south of Patna; some 61 deaths are reported to have occurred here. On the 7th I flew over this with H.E. Lord Wavell, but although we circled over this area as low as was safe, we could see nothing to indicate that conditions were not in every way normal. On the 27th November I visited this village: there was no practicable road to it and the only way to get there was by train to a nearby station and then walk. A large number of Muslim houses had been reported burned and I visited them all: the result was rather reassuring as in almost all cases only the roofs, which were of bamboo and tiles, had been fired, with the result that they had collapsed and the tiles were fallen and broken. Walls were intact and the damage can be quickly repaired at a cost of about Rs. 250 per house. From here I went to visit a village five miles away, where 200 Muslims had been slaughtered. The road to it was barely “jeepable”: it took the best part of an hour in a jeep, and actually my escort, following in a military truck, failed to get through and was left bogged by the road-side. The village itself was off the road and had to be reached by walking through paddy fields. There were some 40 Muslim houses, several of which I entered; all had been looted but only a few had been burned. They were entirely deserted, but the Hindu houses, rather more in number, were untouched and life seemed to be going on as usual. The whole Muslim population, estimated at 200, had been massacred on the 1st November by a Hindu mob collected from neighbouring villages, estimated at several thousands. A small police party had visited the village next day: no bodies were found as they had all been taken and thrown into the river. From that date until I myself, nearly a month later, made my unexpected descent upon the village, nobody whatever had visited it on behalf of Government. Nobody could be blamed for this: there simply is no staff, high or low, who could be expected to do it except by neglecting some other duty equally or more important. It will still be weeks before any police investigation into the atrocity can begin, with the result that even if it were conducted under the auspices of a ministry anxious to bring the culprits to justice rather than to screen them, no court would convict on any evidence.

*The word ‘ultimo’ should apparently have been inserted here.*
likely to be adduced. Everyone now has the knowledge that any crime committed as a member of a large mob can be committed with complete immunity. Out of a hundred persons the magistrate will acquit 80, the Sessions court will absolve 15, the High Court will free 4, and the ministry will pardon the only one who fails to get through the net. To achieve this perfectly useless result we shall presumably have hundreds of police and magistrates on special duty for months, thus further weakening the ordinary administration of law and order.

6. I have also visited the scenes of the principal holocausts in the Monghyr district and the relief camps which have been opened in the neighbourhood. These camps are working remarkably well if regard is had to the remoteness of their situation from large towns and the rapidity with which they have been organised. But the attitude of the Muslim League volunteers, and especially of those who have come from outside the province, is almost entirely unhelpful: they are out to make political capital by discrediting the ministry and have little regard to the suffering which they may inflict on their poor co-religionists who have suffered in these outbreaks. They are discouraging Muslims from returning to the villages and encouraging them to come into the larger towns, or to leave the province. It is quite clear that they themselves appreciate the amenities of the towns, and have no desire to share the hardships of camp life in or near the ruined villages. On the 1st instant I visited Kharagpur, in the Monghyr district, where about 135 Muslims had been killed and where there is a relief camp of about 2000 people. I got there in the morning at about 10 o'clock (having travelled overnight from Patna) and found everything quiet and orderly: there was only one Muslim League “helper” in the camp, a youth whose activities seemed to be confined to drafting manifestoes of a political nature. By the afternoon, when I visited several camps in the Taranpur area of the same district, the news of my presence had gone round. The Muslim Leaguers had arranged demonstrations and processions, with banners in English carried by women and children loud in lamentations, and had even been ghoulish enough to dig up the bones and skulls of buried victims and strewn in my path in order to illustrate the callous neglect of my ministry. I was able to give these organisers a good “dressing down” in the presence of the officers running the camp and the crowd of refugees, and I have since spoken pretty strongly to Firoz Khan Noon, under colour of whose authority this sort of propaganda was being carried on. But the extreme indifference of many political workers to the welfare of the poor wretches whose sufferings they exploit is one of the most hopeless features of the present situation. To do both Noon and Kwaja Nazimuddin justice, they now realise the impracticability of the mass transfers of population, and they say that they are trying to persuade Muslims not to migrate from Bihar, but their efforts cannot have much effect as long as Jinnah remains intransigent and openly advocates the movement.
I reminded Noon of the "Hijrat" of twenty years back, when so many Sindhi Muslims were persuaded to leave Sind, only to leave their bones bleaching on the plains of Afghanistan.

7. Since the outbreak of these troubles I have insisted on my Prime Minister coming to see me practically every day, and some of our interviews have been rather sticky. I have insisted every day for the last three weeks that he must get out a statement that the Bihar Government are going to give grants for the rebuilding of Muslim houses that have been burnt in the riots. He always agrees and says it is coming out next day; it has now just appeared but in very vague and general terms. He is dreadfully afraid of doing more for the Muslims of Bihar than the Bengal Government is doing for Hindu victims, and so laying himself open to the criticism of extremist Hindus when the Assembly meets. With difficulty I have got him to agree to the appointment of Houlton as Relief Commissioner, but he has tried to hold this up pending a discussion as to who should relieve him as Commissioner in Chota Nagpur. He is trying to get every key post—Chief Secretary, I.G. Police and Commissionerships—into the hands of Indian officers by the beginning of next year, and at present it looks as if he will be successful.

8. Nehru's outburst at Meerut reiterating his determination to take action against the "1942" officers has had most unfortunate repercussions here. My Prime Minister's own fright over the recent disturbances and especially the accusations levelled against him in the press that he has used excessive force against the Hindu mobs, had so reinforced all the patient arguments that I have used over many months that, as already reported, he had told me that he had decided that all these cases should be dropped and that the Bihar Government would pay any damages necessary to compromise them. He had promised to open negotiations with the All India Spinners' Association to this end. Nehru's declaration came just at the wrong time, and has shaken him in this decision. I have tackled him again, and he says he will not go back on his promise to me, but in the meantime I understand the Spinners' Association are pressing some of the cases with vigour in the sub-judge's court at Muzaffarpur, and the Prime Minister's dilatoriness may have unfortunate results. The effect of Nehru's speech on service morale is also bad. Coupled with the delay in the Secretary of State's announcement of the terms in which compensation for loss of career is to be given when his services are disbanded, and the fear that even when announced they may not be brought into effect immediately, a good many men who might have been willing to take a chance and stay as long as things were just tolerable are now reconsidering whether they would not be wise to

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3 In the Hijrat movement of 1919–20, thousands of Muslim peasants were encouraged to sell their land and emigrate to Muslim countries, particularly Afghanistan. As no arrangements had been made to receive them they finally drifted back to India.

4 See No. 84.
go at once. In view of the declared hostility of Congress to all British personnel in high places, and of the obvious determination of my Prime Minister to get rid of British officers as soon as he can, it seems very unfair to offer any terms to officers of which they cannot avail themselves at once.

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Cabinet

India and Burma Committee. I.B.(46) 8th Meeting

L/P&J/10/46: ff 269–74

Those present at this Meeting held at 10 Downing Street, S.W.1, on 11 December 1946 at 9.30 pm were: Mr Attlee (in the Chair), Sir Stafford Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel. 

Also present were: Lord Wavell, Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr Abell; Mr C. G. Eastwood, Mr F. F. Turnbull (Secretarial)

Minute 1

Forthcoming Debate in Parliament

The Committee had a discussion regarding the line to be taken in the Debate which, as the result of a request by the Opposition, was to take place in the House of Commons on the following two days. It was agreed that the President of the Board of Trade should speak for the Government on the first day and the Minister without Portfolio on the second day.

The President of the Board of Trade indicated the line which he proposed to take in his speech.

Minute 2

Future Policy in India

The Committee had before them a note1 by the Secretary of State for India (I.B.(46) 43) covering a memorandum by the Viceroy and correspondence with him regarding the policy to be adopted by His Majesty’s Government in India over the next few months.

It was agreed that there was still a possibility that both communities might co-operate in working the Cabinet Mission’s plan whereby the present Constituent Assembly would establish the future constitution for India.

The President of the Board of Trade reported that, at an informal discussion that afternoon, the general tenor of Mr. Jinnah’s conversation had implied that he would advise the Muslim League to join the Constituent Assembly. At the same time there seemed little indication of a conciliatory
attitude on the part of Congress leaders, and it was quite probable that in fact the Muslim League would not take part in the Assembly.

Field Marshal Lord Wavell made it clear that in that event the Muslim League could not be expected to remain inactive for several months while the Assembly, consisting largely of Congress representatives, drew up a constitution for India. In the statement of 6th December it was His Majesty's Government that they could not contemplate forcing upon unwilling parts of the country any constitution formed in the absence of representatives of a large section of the population. This definite statement might suffice to prevent the widespread riots which he would otherwise have feared at the point when the Assembly broke up into sections without Muslim representation. But some more positive action by His Majesty's Government beyond this statement seemed to him to be required. In his view, as soon as it was clear that the Mission's plan had broken down, His Majesty's Government must be ready with an alternative policy.

Ministers agreed that, if it was certain that either of the two main communities would refuse to co-operate in carrying out the Mission's plan, then a situation would have arisen which justified and necessitated a fresh statement of policy by His Majesty's Government.

It was also agreed that it would not be practical politics to close down the Constituent Assembly now sitting. This would certainly entail the use of force, the resignation of the Interim Government and disorder throughout India.

Field Marshal Lord Wavell said that in creating disorder the tactics of the Congress leaders would be to stimulate mob violence, the destruction of railways and Government buildings and general non-co-operation. They did not dispose of organised armed forces and, at least in the initial stages, the Hindu members of the Indian Armed Forces should remain loyal.

It was suggested that His Majesty's Government might state that they would be ready to accept a constitution drawn up by the Constituent Assembly now sitting as valid for the Hindu Provinces but not for the rest of India. This the logical consequence would be the establishment of the Pakistan which they so much disliked. It was indeed suggested that the Government might encourage the Muslim League to set up a separate Constituent Assembly to work out a constitution for the Muslim Provinces.

The Secretary of State for India recalled the practical difficulties of the establishment of Pakistan. These were set out by the Cabinet Mission in their statement of 16th May. To give only one instance, in the predominantly

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1 This note circulated: (1) Vol. VIII, No. 286; (2) Vol. VIII, No. 342; (3) Vol. VIII, No. 379; (4) Vol. VIII, No. 501; (5) No. 94 in this Volume; (6) No. 142 in this Volume. L/P &J/10/46: f 275.

2 Appendix to No. 166.
Muslim Provinces a very large minority of the population—some 40% in certain cases—belonged to the Hindu or other minority communities.

FIELD MARSHAL LORD WAVELL also reminded the Committee that an announcement by the Government favouring the establishment of Pakistan would at once arouse great opposition on the part of Congress. On the other hand, it was suggested that, if they realised that continued intransigence on their part would lead to the establishment of Pakistan, the Congress leaders might become more reasonable.

The Committee then turned to consider the Viceroy’s suggestion that an early announcement should be made of our intention to leave India by a certain date.

FIELD MARSHAL LORD WAVELL emphasised the practical impossibility of our remaining in India for more than a very limited period. There were now some 500 British officials in the Indian Civil Service and 500 more in the Police. These numbers might be heavily reduced after 1st January next when premature retirement would be permitted. The Indian members of the Civil Services were inevitably looking to their new masters rather than to their old, and they could no longer be relied upon to carry out a firm policy laid down by the British Government unless they were assured that we should stay in India for 10 or 15 years. At present the Indian Army remained loyal, but a very severe and increasing strain was being put upon its discipline. In short there was not the machinery of government sufficient to enable us to continue the government of India for more than a year or eighteen months, say until the spring of 1948.

Granted this situation, Lord Wavell considered that there was distinct advantage in announcing very soon our fixed and unequivocal decision to leave India by a specified date. It should be a definite statement of our course of action to which we should adhere and not a proposal open for discussion. He thought that the shock of this announcement might be of value in inducing a sense of responsibility in Indian politicians, for at the back of their minds they still had the sense that in the last resort the British would always be there to maintain law and order. The certainty that we were going might be a very strong inducement to the leaders of the two communities to get together, and there might as a result be a better chance of our leaving ordered Government and not chaos behind us at the time when we had in any case to leave. Indian leaders could hardly take exception to an announcement of our intended departure when it had been a declared object of their policy that we should quit India.

There was also the consideration that it was very desirable that there should be an early announcement of the date when the Secretary of State’s services would be wound up. This would be valuable both from the point of view of maintaining their strength and morale during the intervening period and for
political reasons; a meeting of the Premiers of the Provinces had recently requested that the Secretary of State’s services should be wound up at once, and it might well be that, if we did not make an early announcement of our intentions, the Congress members of the Interim Government would feel constrained to provoke a crisis on the point.

In discussion, several Ministers expressed the grave objections which they saw to the proposal that we should announce our impending departure from India before there was any certainty that we should leave an ordered Government behind us, or any guarantee as to the treatment of minorities and the safeguarding of British material interests. The policy would be regarded as one of scuttle. There would be most serious repercussions in the Commonwealth, not only in the Dominions but perhaps even more particularly in parts of the Colonial Empire, and there would also be most serious repercussions on our whole international position. The announcement, moreover, would have to be made in Parliament at the same time as in India and legislation would be required. This might be by no means easy to pass.

As against all these most weighty considerations, it was argued that the announcement would be a powerful weapon to secure that we did in fact depart from India with dignity, and would give the best chance of leaving behind us an ordered and responsible Government. In our present weak position, could we afford to discard such a weapon? The consequences of our being driven to leave India through weakness would be far worse. And was it certain that the repercussions in the Commonwealth and international spheres and the difficulties in Parliament must be so serious as had been suggested? Much would depend on the details of the scheme for our withdrawal and on the wording of the announcement.

The Minister without portfolio suggested that before we committed ourselves to an irrevocable decision we should consider other alternatives. Could we not, for instance, announce that our own plan was withdrawn and invite the United Nations Organisation to send a Commission to India who would try to bring the parties together and make a workable constitution? In the meantime we should have to maintain law and order.

In discussion of this suggestion it was argued that, while such a procedure might well be acceptable to both communities, it would take too long; the situation in India demanded more rapid action. Moreover, it was not certain that reference to the United Nations Organisation would lead to any solution of our problems. It was not at all clear who would enforce the Commission’s proposals when they were eventually put forward, and the parties were unlikely both to agree to accept U.N.O. arbitration. Another objection to this proposal was that it would give the Soviet Union a card of entry into Indian affairs.

The Committee then considered details of the plan for withdrawal. Field
Marshal Lord Wavell had developed in the papers before the Committee a plan whereby we should hand over authority in stages, first to the Provinces in the South and later Province by Province over the rest of India. The Committee considered whether it was right to hand over authority to Provinces separately. This certainly would secure that the withdrawal would be gradual which, using the analogy of a military retreat, would be valuable. We should also be giving at an early date an earnest of our intentions. But would not this gradual transfer greatly complicate the practical and constitutional difficulties? To whom would sovereignty in fact legally be surrendered? It would not be practicable for it to be renounced without being transferred to some clearly defined body. Would transfer Province by Province entail the disappearance of the Central Government? If so, what was to happen to the important central subjects—railways, telegraphs, defence and the administration of central revenues. These might collapse. If, after transfer of some Provinces, but while we still controlled the central government, disorders broke out, e.g. in Bombay, could we stand wholly aside when the Provincial Government was unable to suppress them?

**FIELD MARSHAL LORD WAVELL** said that he hoped that the Interim Government at the centre would remain in being during the time of transfer and that the Congress members would stay in it. Congress leaders wished to preserve the Indian Army intact and were anxious to maintain the Central Government. He hoped also that after transfer the Provinces would continue to hand over to the Central Government, though perhaps now as a voluntary measure and not as an obligation, the revenue which they collected from income tax, customs, excise and salt duties. These were the main sources of income from which central expenditure was at present met.

The Provincial Governments to whom we should hand over, had already a very wide degree of self-government. Law and order, for instance, were entirely in their hands, unless the Viceroy sent formal directions to the Governor to intervene.

Ministers considered that the difficulties of transferring power to the Provinces only would require further consideration. The military analogy should not perhaps be pressed too far. It seemed to them that there were considerable and practical advantages in transfer to as small a number of successor governments as possible. If the Constituent Assembly were kept in being it should be possible to hand over the Hindu-majority Provinces to a government deriving authority from that body. If a separate Constituent Assembly had to be convened for the Muslim-majority Provinces, those Provinces might be handed over to a government set up by it for the Muslim areas. It would be easier to obtain some constitutional safeguard for the depressed classes by this method, rather than by separate negotiation with each Provincial Government.

**THE PRIME MINISTER** said that it would be well to hold a further meeting
to consider the most difficult issues involved. He invited the Secretary of State for India and the Viceroy to consider whether in the light of the discussion a first draft could be prepared of a further statement of policy by His Majesty's Government, to be issued if it became obvious that the Cabinet Mission's plan would not work as was intended owing to the intransigence of either or both parties.

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Mr Scott to Mr Abell

Telegram, R/3/1/182: f 40

IMMEDIATE  NEW DELHI, 11 December 1946, 6.50 pm
SECRET Received: 11 December, 4.45 pm

No. 2613—S. Abell from Scott. Your telegram No. 21477 of 11th December.1 Scheme of compensation for the Services.

2. Home Member's reactions are very adverse amounting to rejection of whole idea. His note, on which Department's summary is being prepared for Cabinet, follows in succeeding telegram.

3. I shall advise H.E. to stall on the summary, which will be postponed until H.E. Lord Wavell returns.

4. Home Member's attitude probably reflects Congress pique at result of London talks; but seems to be based on a tea-party Cabinet decision.

1 In this telegram Mr Abell asked Mr Scott whether there was any indication of the attitude of Sardar Patel or other Members of the Government to the proposals in No. 96. R/3/1/182: f 39.

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Mr Scott to Mr Abell

Telegram, R/3/1/182: ff 41, 28–37

IMMEDIATE  NEW DELHI, 11 December 1946, 8.40 pm
SECRET Received: 12 December, 8.45 am

No. 2614—S. Abell from Scott. Following is text of Patel's note on scheme of compensation for the Services.

Begins. I have carefully considered the despatch1 of the Secretary of State.

1 No. 96.
2. Beyond referring to a pledge, which was given to the existing officers of the I.C.S. and I.P. and to which I shall turn later, the Secretary of State has not given any detailed reasons for his view that the impending constitutional changes will create a claim for compensation under Section 249 (1) of the Government of India Act. The justification for such a claim can be either political or purely service interests. As regards the former aspect, even as early as in 1919 the ultimate objective of the British policy in India was declared as the progressive realisation of responsible Government. In 1929 this objective was specifically defined as Dominion Status. In 1935 Parliament passed a legislation which clothed Indian Governments, both Central and Provincial, with a large measure of autonomy. Since 1939 several attempts have been made by His Majesty’s Government to placate the public demand for full responsible Government. But for the war the present stage in India’s constitutional development would have been reached earlier. Thus the Services as well as His Majesty’s Government have known since 1919 that the transfer of power was inevitable and merely a question of time; since 1935 they ought to have realised full well that the pace of advance would be much accelerated. The constitutional changes are, therefore, not of such a sudden or unexpected nature as to create any new situation in the conditions of service. In the past it has been considered sufficient to provide for these changes by giving the Services the right to retire on proportionate pension. There is no reason why in the background of the position as described above any departure from that position should be countenanced.

3. From the service point of view the change involves merely a change of masters since it is not proposed to alter the existing conditions and scale of service of the Secretary of State’s officers. The new terms and conditions which were separately under discussion were devised only for the proposed All India Administrative Service. The existing officers of the Secretary of State’s Services will, therefore, continue under their present conditions and scale and that position could be assured either contractually or constitutionally. In that case on the ground of loss of career there would be no justification for compensation. The fact that some posts may be abolished or the remuneration of ex-cadre posts may be reduced has no bearing on the question of compensation. In the past the I.C.S. has lost several remunerative posts without being given any compensation. Thus the position resolves itself into this: as a result of the constitutional changes the only change in the conditions of service would be in the transference of control from the Secretary of State to the Government of India. The Indian element of the service should on this score have no grievance; on the other hand, for them there is a change for the better, and it would be quite natural to expect them to welcome this change—indeed they should have worked for it. The European element will have their present conditions of service and scales assured; with their tradition of loyalty and
discipline, only prejudice can prompt them to distrust the future Government of India. As a European Officer of the Service has remarked, by deciding to quit en bloc, the European element would render itself liable to the charge of being purely a mercenary body and to a permanent slur on the reputation and the traditions of the Service as a whole. In Ireland and in South Africa under much worse historical conditions, existing officers were transferred to new Governments and their conditions of service, tenure, etc. were guaranteed. There is no reason why the position should be different in India, and why the constitutional changes should justify compensation to all the existing officers of the Service.

4. Further, taking the Services as a whole, there would be three categories of Officers:—

(a) Those who would like to serve the new Government in the assurance of continuance of existing conditions and scale of service and whose services the Govt. of India would wish to retain;

(b) Those who would like to serve the new Government under the same assurance but whom the Government of India might not wish to retain;

(c) Those who would like to retire despite such assurances.

As regards the first category, the only formality involved would be the transfer of the Services to the new Government under contract or under some other legal means. Their pension and leave rights, which have accumulated to them during their Service with the Secretary of State, will pass on to their new employer and would therefore be guaranteed. In such cases, therefore, the question of compensation does not arise at all. As regards the second category, it must be conceded that there is a loss of career involved, but the service has to be treated as a whole as it has been in the past and if in the past officers have been allowed to leave their employment whenever they have wished to do so, without compensating Government for the embarrassment caused to them by their earlier termination of service, but on the other hand with pensionary advantages which ordinarily accrue only after qualifying for full pension, there is no reason why, when Government itself decides to terminate the services of some officers, Government should be asked to pay damages or compensation. As regards the third category, in the past such officers have been given, and been content with, the right to retire on proportionate pension. On principles governing ordinary employment they would not be entitled to any payment from Government. To give them proportionate pension would, therefore, be unduly liberal, but since the practice of proportionate pension has already been established, I would not like to interfere with it. It should also be borne in mind that the real employers of these officers, namely the Government of India would be seriously embarrassed by their departure, and it is they not the officers, who would merit compensation for such embarrass-
ment. In these circumstances, therefore, at the most it would be necessary to give proportionate pension to the latter two categories of officers.

5. The Secretary of State has also referred to a pledge which was given in 1945 to the members of the I.C.S. and the I.P. at the time the terms and conditions of service were announced for war-service candidates. The fact that such a pledge was given does not necessarily mean that it was rightly and properly given and therefore it would be wrong to infer from this pledge that the right to compensation has been admitted. A prudent employer would, in the circumstances in which political developments have been taking place in this country, have allowed for the eventuality by making a suitable provision in the contracts or the statutory conditions of service etc. for termination of services after a period of notice. No such provision has been made in regard to the Secretary of State’s Services at any time. Even as late as 1945 when, if not earlier, the writing on the wall was unmistakably clear, the Secretary of State included in the terms offered to the war service candidates scale of salaries and of compensation for as long a service as of 25 years or over. The pledge to existing members was given on the eve of the Simla Conference when proposals for an immediate wholesale transfer of Government from British to Indian hands were contemplated. This is a clear indication of the desire on the part of the then Secretary of State to impose on India terms of compensation on a purely arbitrary and capricious basis. If, therefore, pledges are given and arrangements are made without consultation with a popular Indian Government and in utter disregard of the unmistakable course of events it would be most unjust and unfair to saddle Indian revenues with the financial liabilities arising out of that pledge. If the Secretary of State feels himself bound to award compensation on the ground of his predecessor’s pledged word, the liability for compensation must fall on His Majesty’s Government and not on Indian revenues.

6. In my view, therefore, there is no claim for compensation whatsoever for the Services, whether European or Indian. Even if the Secretary of State feels himself bound to honour the pledge given in 1945, it cannot be done by imposing a liability on Indian revenues, but the cost must be met by His Majesty’s Government. There is no case whatsoever for the Indian element of the service to be compensated by an Indian Government for the transfer of their services to the latter. If an Indian member of the service is so unpatriotic as to seek compensation for such transfer, he deserves to be discharged without any compensation rather than to be placed in a position of advantage vis-à-vis the new Indian Government by being given compensation which would enable him to bargain with the Government of India on his own terms. Any action on the part of the Secretary of State to force the Government of India into this position would be looked upon as a deliberate attempt to create a division between the Government and their Indian employees, and to force
Government to extricate themselves from the embarrassing dislocation which such an attitude on the part of their Indian employees would cause by offering remuneration quite out of proportion to the economic conditions of this country. We must, therefore, resist any suggestion from the Secretary of State that the Indian element of the Service should be given any compensation for the termination of their services with the Secretary of State.

[Paras 7–8, containing detailed criticisms of the Secretary of State’s proposals, omitted.]

9. The Secretary of State’s despatch contemplates announcement of the terms before the 1st January 1947, but despite the unanimous recommendation of the Central and Provincial Governments he has fixed no date for the termination of appointments. The I.C.S. Association has recently represented that uncertainty as to date is causing much anxiety amongst officers. It is also desirable from every point of view that an early date should be fixed for the termination of these Services. The Services themselves are in a state of suspended animation and uncertainty which is bound to result, sooner than later, in [sic] different output and deterioration of efficiency. Even in normal times, such a state of affairs could not be tolerated. In the stress and strain of the post-war world and of the transitional conditions through which India is passing, it is necessary that the Services should be retained free from anxiety as to their future and in the highest state of efficiency possible. We should, therefore, ask the Secretary of State once again to fix an early date for the termination of his connection with the Services and from that point of view the following time-table could be suggested:—

As soon as the terms are announced, the individual officers should be asked by the Governments under whom they are serving whether they wish to continue in service under the guarantee of the continuance of the existing scale and other conditions of service. A fortnight’s time may be given to the officers to make their choice and by 31st January 1947 the Provincial Governments should be in possession of full facts as to the officers who would leave and the officers who would like to continue. During the month of February both the Central and Provincial Governments can make up their minds as to the officers whom they would like to retain and make arrangements for the replacement of those who might elect to leave or whom the Provincial Government might wish to send out. Without causing any serious dislocation, therefore, we could suggest to the Secretary of State “1st March 1947” as the date by which his connection with the Services should be terminated. Subject to such a date being fixed, officers retiring after 1.1.47, but before the formal date of termination of service, may be given the same terms as on formal termination of service, and Government should make it as convenient for such officers as possible to leave when they wish to.

[Paras 10–12, dealing with further points of detail, omitted.]

Ends.
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Mr Scott to Mr Abell

Telegram, R/3/1/182: ff 44-5

MOST IMMEDIATE NEW DELHI, 12 December 1946, 2.45 pm
SECRET Received: 12 December, 1.35 pm

No. 2622–S. See my telegram No. 2614–S of 11th December,1 giving Patel’s note on compensation for Services. I have consulted Coates and Porter and following are their views.

Begins. Patel’s note may be safely assumed to represent view of Congress Members, and to have been taken in tea-party Cabinet. Harsh line taken is wide departure from Patel’s previous attitude on this subject and undoubtedly reflects effect of Cabinet’s statement of 7th [6th] December on Congress. Patel has in fact described his note as a political decision which looks like Congress hitting back at H.M.G. through the Services. Although League Members may not wholly support this line in Cabinet, Congress Members are likely to continue a stiff line, and League may go some part of the way with them. Congress is quite determined to get early decision, and playing for time will not help and will add to present irritation.

Secretary of State is consequently faced with two demands: (a) to wind up his Services and (b) without compensation or terminal leave.2 If terms proposed by Patel are put out there would probably be a landslide anyway of British officers, based on mistrust of getting fair treatment from new masters, and first problem would largely solve itself. If Secretary of State insists, as doubtless he will, on compensation, he will either have to force the cost against Indian revenues in the teeth of strong opposition from Congress, probably supported by the League, or get H.M.G. to accept the charge against Imperial revenues, at any rate for the time being without prejudice to subsequent reconsideration in some wider and more favourable context. Former course will sour Congress and probably League attitude towards Services still further, which would assist further their early disintegration. Latter course would be most likely to preserve and steady the Services as far as is possible, assuming that is the policy desired. Since Meerut morale of Secretary of State’s Services has further seriously deteriorated, and it is more than doubtful whether it is expedient or even worth while to endeavour to keep them in being as an instrument by which Secretary of State can discharge his responsibilities. Loyalty of Indian element to Secretary of State can no longer be relied on, and British element are frustrated and are quite powerless to implement any policy which H.M.G. may wish to enforce against that of popular ministry. The Indian element no longer
belongs to the Secretary of State, and the British element is no longer of any use to him.

All indications point to the conclusion that Secretary of State would be wise to assume that he will be unable, by any practicable means, to hold his Services together for more than a very short time. Ends.

1 No. 188.
2 In para. 11 of his note, Sardar Patel argued that: ‘as regards the question of leave, when the Services themselves are keen to terminate their connection as soon as possible and we ourselves are keen that finality should be reached at the earliest possible date, there is no question of permitting any leave after the termination of services’. R/3/1/182: f 37.

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India Office Press Release

L/P&EJ/10/76: f 183

PROCLAMATION OF INDIAN INDEPENDENCE

TEXT OF PANDIT NEHRU’S RESOLUTION

Pandit Jawaharlal Nehru, at Friday morning’s session\(^2\) of the Constituent Assembly, moved a resolution on a “declaration of objectives.” Pandit Nehru introduced the resolution with a long introductory speech. Following is the full text of the draft resolution:

“[1.] This Constituent Assembly declares its firm and solemn resolve to proclaim India as an independent sovereign republic, and to draw up for her future governance a constitution [2.] wherein the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States, as well as such other territories as are willing to be constituted into the independent sovereign India, shall be a Union of them;

“[3.] wherein the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter, according to the law of the constitution, 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, or as are inherent or implied in the Union or resulting therefrom;

1 The text of this Press Release was sent to the Information Dept of the India Office by the G. of L., Press Information Bureau in tel. A 5791 of 13 December 1946.
2 13 December 1946.
3 The numbers in square brackets indicate the numbering of paragraphs in the official report of the Constituent Assembly’s proceedings. See *Constituent Assembly Debates*, Vol. I, No. 5 (Govt. of India Press, New Delhi), p. 57.
"And [4.] wherein all power and authority of the sovereign independent India, its constituent parts and organs of government, are derived from the people;

"And [5.] wherein shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality;

"And [6.] wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes;

"And [7.] whereby shall be maintained the integrity of the territory of the republic and its sovereign rights of land, sea and air according to justice and the law of civilized nations, and [8.] this ancient land attain its rightful and honoured place in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind."

**I91**

*Note by Lord Pethick-Lawrence of his conversation with Mr Jinnah and Mr Liaquat Ali Khan at the India Office on 13 December 1946*

*L/P&J/10/111: ff 2-4*

I started by saying to Mr. Jinnah that I hoped that he would now see his way to getting the Muslim League to come into the Constituent Assembly. Mr. Jinnah said that he did not see on what ground he could do so. Congress had not accepted the interpretation in our Statement of December 6th and unless and until that matter was finally disposed of there would be nothing which would induce the Muslim League to come in.

I then said that I understood from what he had said a week ago at the final meeting in Downing Street that he would at any rate summon the Muslim League Council and discuss the matter with them. Mr. Jinnah said that he had not said anything which would justify me in coming to that view of his remarks. We pursued the matter further but I got no indication whatever from Mr. Jinnah that he would be likely to summon the Council, still less that he would recommend entry into the Constituent Assembly. I told him that it would be a little difficult for Congress to eat their words, but I urged him to bring his people in on the assumption that our view would in fact prevail, but I failed to move him from his standpoint.

We then discussed a number of other matters including the question of the Interim Government. Both Mr. Jinnah and Mr. Liaquat Ali said they had
been prepared to co-operate in all legitimate ways in the Executive Council and when I pointed out to him that it was unfortunate that Mr. Jinnah had used the words that it was not a Coalition, Mr. Jinnah said that he did not mind words, what he really disapproved of was the obvious intention to create a body which would gradually assume full power before the new Constitution was actually framed. Reference was then made by Mr. Liaquat Ali to the question of forming Coalitions in the Provinces. He said they were quite willing to do so in the Muslim majority Provinces provided similar Coalitions were set up in the Hindu majority Provinces, but Congress had refused this approach and Mr. Jinnah said that both in Bengal and in Sind attempts had been made by the Muslim League immediately after the elections to form Coalitions but Congress had insisted on standing out. Mr. Jinnah then raised the question of Bihar and said that he recognised the transfer of populations was a difficult and long-term policy, but he thought something might be done immediately with regard to the refugees who had crossed the border and in whose daily life it was quite common for them to go across from one side to the other. He was also emphatic that an enquiry ought to be held into the events in Bihar. The impression I gained from the interview as a whole was that Mr. Jinnah had not been moved by the Cabinet announcement of December 6th towards greater co-operation, and that he still demanded that the next move should come from Congress in the shape of an acceptance of our interpretation of the Statement of May 16th.

In the course of our conversation I pointed out to Mr. Jinnah that inside the areas covered by the North-West and North-East Sections he would have precisely the same difficulties to contend with as Congress were having with the Muslim League in the whole of India and that he could not contemplate there forceful compulsion of unwilling components to accept Muslim League rule.

1 Appendix to No. 166.
2 See No. 167.

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Lord Inverchapel to Foreign Office

Telegram, L/P & J/10/107: 25

WASHINGTON, 13 December 1946, 9.27 pm

Received: 14 December, 2.30 am

No. 7104. My telegram No. 7007.

Nehru received Merrell’s representations graciously and asked to have them in writing. Merrell put them into a personal and confidential letter.

1 No. 175.
2. State Department derive a little comfort from Nehru’s willingness to listen to United States Government’s views and believe he intended to put them before Working Committee.
Repeated to United Kingdom Delegation, New York.

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Cabinet

India and Burma Committee. Paper I.B.(46)44

L/P & J/10/46: ff 249–52

POLICY IN INDIA

NOTE BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 14 DECEMBER 1946

I circulate herewith, for consideration by the Committee, a note by the Vicereoy commenting on some of the points raised at the meeting of the Committee on December 11th (I.B.(46)8th Meeting).¹

P.-L.

Enclosure to No. 193

NOTE BY THE VICEROY

This note is intended to deal with some of the points which were raised during the discussion in the India and Burma Committee on the evening of December 11th (I.B.(46)8th Meeting).

1. The first point is a suggestion which was made that if the Muslim League was still not in the Constituent Assembly, that Assembly should continue to function as a Constitution-Making Body for the Hindu Provinces, and that a separate body should be set up to make a Constitution for the Muslim-majority Provinces. I am entirely opposed to this idea. It would amount to support by H.M.G. for the principle of Pakistan, against which the Cabinet Mission declared itself emphatically in the Statement of May 16th.

Pakistan is, in fact, a thoroughly unsatisfactory solution of the India problem; and to give any support to it during the period of our evacuation would be to render that evacuation much more difficult, and the likelihood of civil war in India greater. In particular, it might well lead to the break-up of the Indian Army, which it is absolutely essential to keep intact during our withdrawal; this is the most important part of my Breakdown Plan.

If the Muslim-majority Provinces, claimed as Pakistan, really had an overwhelming Muslim majority in them, the problem would be comparatively simple. But only in Sind and the N.W.F.P. is this so. Pakistan, as claimed by
the Muslims, is in fact a claim for large portions of Hindu territory, i.e. in the east of the Punjab and the west of Bengal, including Calcutta. These are non-Muslim territories, which the Muslims claim should be added to the Muslim territories, to give a viable Pakistan.

If we take the initiative towards Pakistan by setting up a separate Constituent Assembly for the Muslim-majority Provinces, we are likely to provoke communal disorder both in the Punjab and in Bengal at a time when it is particularly necessary that there should be order in these Provinces.

The decision to include Bihar and the U.P. in the Provinces to be retained under our control during the first phase of our withdrawal was taken largely in order that it should not be said that our withdrawal was planned with a view to establishing Pakistan. The Commander-in-Chief and other military advisers thought that it was worth while to take the risk of holding on to these rather turbulent Provinces to enable us to deny the charge that we were establishing Pakistan, which might have a serious effect on the integrity of the Indian Army.

I therefore advise most strongly that we should not set up any separate Muslim Constituent Assembly at this stage.

2. There also seemed to be an idea that there would be great difficulties in handing over Province by Province; and that we should endeavour to promote some sort of Central Government for the Congress Provinces in the South and hand over to it. I am sure that this also is a wrong idea. Such a Government, set up hastily, would be inefficient, and would not, I am sure, function properly. Nor do I think Congress would wish to set up such a separate Government. They would prefer to continue with the present Central Government, in the hope that they would eventually inherit it.

I do not think that there would be any real difficulty in handing over Province-wise. I think the idea that it would be necessary to make a separate treaty with each Province is mistaken. I believe our treaty could be with the Central Government when we eventually hand over.

There was apparently a feeling by some of the Committee that if the transfer of power to Provinces merely meant the withdrawal of the British Governor and officials, it might be better to wait and withdraw all simultaneously. I think that there is a very great advantage in handing over the Southern Provinces as soon as possible. It shows that we really are on the move, and forces the Indian leaders to take some action; while from our point of view it reduces our liabilities and anxieties. The Provinces have already a very large degree of autonomy, and I do not think they would have any difficulty in taking over. My intention is that they should continue to cooperate with the Centre on Central subjects, and I believe that they would do so. If they refused, it would

1 No. 186.
be their own look-out. I see no reason to anticipate any large disturbances in the Southern Provinces after we had evacuated them.

3. My idea about the Central Government is that it should continue functioning as far as possible on its present lines up to the final stages of the withdrawal. It is impossible to foresee what would be the form of the Central Government when the time came to hand over. Our hope would be that by that time the two main communities might have arrived at some understanding, and that we might be able to hand over to some form of coalition. If they had decided to separate, or had come to no agreement, the position would be more difficult. We might then hand over the northern Provinces to their Provincial Governments, unless they had arrived at some Group organisation; and hand over the Centre as a Central Government for Hindustan. But our aim during the withdrawal period would still be to bring the parties together into some Central Government to whom we could finally hand over power.

I recognise the difficulty of persuading Parliament to accept a plan which leaves it indefinite to whom we shall hand over the Central Government, but I think this is inevitable in the circumstances. If there were a Central Government accepted by all-India at the present time, there would be no difficulty; to try and establish such a Government will be one of our tasks during the period of withdrawal.

4. There is another important point, the timing of the announcement. From my point of view it is essential that we should begin to put the plan into execution as soon as it is announced. If it is announced in Parliament, but we are not allowed to make any move until it has been discussed in Parliament and legislation has been passed, I fear that the situation will greatly deteriorate in India before the necessary legislation is passed; and our whole plan of withdrawal would be put into jeopardy. I realise the difficulties, but I feel that this must be treated largely as if it were a military plan made in time of war, and that execution must follow immediately on the heels of the announcement.
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Cabinet

India and Burma Committee. Paper I.B.(46)45

R/30/1/9: ff 37-40

PROPOSED COMPENSATION SCHEME FOR OFFICERS OF THE INDIAN SERVICES APPOINTED BY THE SECRETARY OF STATE

NOTE BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 14 December 1946

I circulate herewith, for consideration by the Committee, a note by the Viceroy commenting on telegram No. 2614-S from the acting Viceroy (already circulated) containing the views of Sardar Vallabhbhai Patel upon my proposals in regard to compensation for officers of the Indian Services appointed by the Secretary of State. The despatch transmitting these proposals for the consideration of the Government of India is also attached.

P.-L.

Enclosure to No. 194

NOTE BY THE VICEROY TO THE SECRETARY OF STATE

13 December 1946

You have seen the Viceroy’s telegram No. 2614-S of the 12th December containing Vallabhbhai Patel’s views on your dispatch of the 26th November about compensation for the Secretary of State’s Services.

2. I think it is necessary to consider this matter while I am at home on the assumption that the decision of the Government of India will be on the lines of Sardar Patel’s note. Even if the Muslim League disagree, which is unlikely, the Congress majority will be able to carry the point of view put forward, and it is clear that Sardar Patel has already consulted his colleagues other than those in the Muslim League.

3. The arguments in the note are ingenious. The basic assumption is, however, that provided the terms of service are the same, there is no difference between serving the Government of India and serving the Secretary of State. That assumption is, of course, not valid. I realise the difficulty of imputing bad faith in any public document, but the British members of the Services would know that their prospects under an intensely nationalistic Indian Government

1 No. 188.
2 No. 96.
would be very poor, and that their services might be terminated at any moment whatever the assurances given now.

4. It is also assumed in Sardar Patel’s note that the scheme of retirement on proportionate pension covers the situation that will arise when the Secretary of State winds up his Services. This is quite untrue. The scheme of proportionate pension covered the case of those officials who owing to political changes were unable to continue in the employment of the Secretary of State. It did not cover the winding up of the Secretary of State’s Services, which will be a breach of contract. It is on account of this breach of contract that a claim to compensation arises.

5. Any argument that there is no difference between serving the Indian Government of an Independent Sovereign Republic and serving the Secretary of State and His Majesty has only to be stated to be rejected. It is only very recently that the Congress have declared for an Independent Sovereign Republic; when the proportionate pension scheme was approved, the assumption was that the Services would be under the Secretary of State in a country which was within the British Commonwealth. It is an entirely untenable assumption that the Members of the Services can be transferred like chattels from the Services of the Secretary of State to the service of a foreign country on the basis that they are just as well off after the transfer.

6. When the terms were announced for the War Service candidates, it was stated that the members of the existing Services would receive treatment not less favourable. The scheme of compensation put forward with your dispatch of the 26th November represents the minimum to which you are pledged by the announcement in question. Even if it could be argued that the change of employment from the Secretary of State to the Independent Indian Government makes no difference and creates no claim to compensation, it cannot possibly be denied that a pledge was given when the terms were announced for the War Service recruits, and that since that pledge was given the Services have continued at their posts in extremely difficult circumstances in the belief that H.M.G. would fulfil the pledge.

7. I take it that there can be no question of H.M.G. accepting Sardar Patel’s contention that compensation should not be given and that even the leave earned should not be granted. But I must say at once that if H.M.G. should propose to accept Sardar Patel’s view it will be dishonourable not to announce the fact at once, and if the fact is announced at once there will be such indignation among the British members of the Secretary of State’s Services in India that few are likely to continue to serve during the critical period of our transfer of power. Apart from the effect on the civil administration H.M.G. must bear in mind the effect on the British officers of the Indian Army at the most critical time in its history. In fact, if I am to have any chance of carrying
through a scheme of withdrawal on the lines of that proposed, it is necessary that H.M.G. should make up their minds at once about this matter of compensation, and should make their announcement with the least possible delay.

W.

3 See No. 190.

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Cabinet
India and Burma Committee. Paper I.B.(46)46
L/P&J/10/46: ff 246-8

Policy in India
Note by the Secretary of State for India
India Office, 15 December 1946

I circulate herewith, as a basis for discussion, a draft of a possible statement of policy which has been prepared by my officials in the light of the discussion at the last meeting of the Committee (I.B.(46)8th Meeting).1

P.-L.

Enclosure to No. 195
Outline Draft of Statement on Indian Policy

1. His Majesty’s Government have made every possible effort to bring about conditions favourable to the making by Indians of a constitution for a Union of all India. It is generally acknowledged that the preservation of the unity of India is greatly to be desired and that must remain the goal of all who are solicitous of the welfare and advancement of the country. His Majesty’s Government now recognise that their attempt to secure a Constituent Assembly representative of the whole of India has not succeeded.

2. But the realisation of full self-government and independence for India must proceed even though it may for the present at least be at the expense of unity. His Majesty’s Government do not intend to make the preservation of unity a pretext for retaining any measure of responsibility for the government of the country. It is their firm intention to relinquish their present responsibilities as soon as authorities can be brought into existence to whom those responsibilities can properly be transferred, and in any case not later than 31st March, 1948.

1 No. 186.
3. In the absence of representatives of the Moslem League the Constituent Assembly which is at present in session can be regarded by His Majesty’s Government as competent to draw up a constitution only for those parts of the country which are comprised in Section A as defined in the Statement of the Cabinet Mission published on 16th May, namely the Provinces of Madras, Bombay, United Provinces, Bihar, Central Provinces and Orissa. His Majesty’s Government will be prepared to withdraw its authority from that part of India and in respect of it to facilitate by all necessary and appropriate measures the assumption by authorities established by that Constituent Assembly of all the powers and responsibilities of government.

4. It will rest with the remaining parts of British India to consider their position and to take such steps as seem good to them for the drawing up of a constitution or constitutions and for designating authorities upon whom His Majesty’s Government can similarly devolve powers and responsibilities of government for the Provinces allotted to Sections B and C in the Cabinet Mission’s Statement. Such assistance will be rendered in formulating constitutional arrangements as may be desired, and as His Majesty’s Government may be in a position to give with due regard to their obligations in respect of the rest of India.

5. Undoubtedly, in the opinion of His Majesty’s Government, there will arise in the process of drawing up the Constitutional arrangements contemplated in the last two paragraphs problems which will be common to all and which will require some measure of joint consideration and co-operative action. In the event of there being a substantial interval between the setting up of these several authorities, and of British authority still remaining in the country some degree of unified administration would be preserved, the nature of which would depend on the circumstances. His Majesty’s Government will do whatever may be in their power to facilitate this and they are not without hope that the process may lead in the direction of unity.

6. As soon as arrangements are completed for the establishment of authorities upon whom full authority may be devolved in the manner described above His Majesty’s Government will be prepared to give effect to the undertaking of the Cabinet Mission in their Statement issued on the 25th May that such action will be recommended to Parliament as may be necessary for the cession of sovereignty, subject only to the provision for the protection of minorities and to willingness to conclude a Treaty covering matters arising out of the transfer of power.²

7. His Majesty’s Government will simultaneously fulfil the undertaking to the Indian States in paragraph 5 of their Memorandum of 12th May³ that the Paramountcy of the Crown will be withdrawn and that political arrangements between the States on the one side and the British Crown and British India on
the other will terminate. It will then rest with the States to make such new arrangements with the authorities in British India as they may desire to conclude.

8. His Majesty's Government desire to make it absolutely clear that their resources and in particular United Kingdom Forces will not be available for any purposes of partisan interest and that so long as responsibility still rests constitutionally upon Great Britain it will be exercised solely in the interest of creating conditions favourable to completing the transfer of power as quickly as possible in the manner described above.

[Note in margin of original:] This passage raises the question whether, if India is partitioned, one part can be allowed to remain in the Commonwealth and the other to secede.


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Cabinet

India and Burma Committee. Paper I.B.(46)47

L/P & J/10/46: ff 241-5

Policy in India

Note by the Secretary of State for India

India Office, 16 December 1946

I circulate herewith an alternative draft of a possible statement of policy which has been prepared by the Viceroy in the light of the discussion at the last meeting of the Committee (I.B.(46)8th Meeting).

P.-L.

Enclosure to No. 196

Lord Wavell's Alternative Draft

Of Statement on Indian Policy

1. H.M. Government have done their utmost to bring the Indian parties together and to find agreement on a constitutional framework which would ensure the unity of India, a peaceful transfer of power, fair treatment for the minorities, and the emergence of a stable and friendly Central Government with which it could conclude agreements to cover matters arising out of the transfer of power.

2. H.M. Government do not think that any further discussions conducted by them in present conditions would have a successful result. They do not propose

No. 186.
to hold up the progress of India towards complete self-government, and since they have failed to bring about agreement between the two main parties, they consider that the interests of both Great Britain and the Indian people will best be served by the early withdrawal of British control from India. They hope that the prospects of agreement between the parties will be improved by the knowledge that this withdrawal will take place shortly.

3. In thus leaving India, H.M. Government propose to consider their own interests, as well as those of India; and to carry out the withdrawal at a time and by a method laid down by themselves, without further consultation with the Indian political leaders on the main features of the scheme; though they will continue to keep the closest possible touch with Indian political opinion during the withdrawal, both as to details of the withdrawal and the future set-up in India.

4. The withdrawal will be conducted on a phased and timed programme in which the southern Provinces of British India, i.e. Orissa, Central Provinces, Madras and Bombay, will first be handed over, in that order. The northern Provinces of India will be handed over after a further short period.

5. The removal of British control from these Provinces will consist in the withdrawal of the Governors (unless the Ministries ask for their retention) and of the Secretary of State’s Services, except in so far as officials may be asked to serve under the Provincial Governments and may agree to do so. Authority in these Provinces will be handed over to the Provincial Government in power. It is intended that the withdrawal from these Provinces will begin on ........ and will be completed not later than three (four) months from that date.

6. Withdrawal from the Northern Provinces will be begun as soon as the programme of withdrawal from the Southern Provinces is complete; and the whole process of withdrawal from India will be concluded not later than 31st March, 1948.

7. While H.M. Government recognise that those Provinces to which authority has been handed over cannot be compelled to maintain the existing Constitution or the same relations as at present with the Central Government, it is considered that it will be in their interests to do so during this period.

8. It is hoped that the existing Central Government will continue in office during the period of withdrawal. If it is unwilling to do so, it will be replaced by an Official Government appointed by the Governor General.

9. The Central Government will continue to work under the existing Constitution. As each Province is handed over it will have to decide to what extent it will accept Central control.

10. As the withdrawal takes place British nationals will be given all facilities for leaving India if they wish.
British troops will be withdrawn from Provinces as they are handed over; but the Indian Armed Forces will be maintained intact as at present, under the Command of and control of the Commander-in-Chief in India. British officers and other ranks serving with the Indian Armed Forces will not be withdrawn and will continue to serve with their units.

Throughout the period of withdrawal, H.M. Government will continue to make every effort to bring the main parties together so that it may be possible to hand over control at the Centre on final withdrawal to a Government established by general agreement.

Even if the Constituent Assembly cannot be fully representative, it should be possible, immediately after the cession of sovereignty by Parliament, to bring into force in all Provinces that will accept it the new constitution framed by the Constituent Assembly. H.M. Government still hope that a new constitutional framework may ultimately be devised which will be acceptable to the whole country. But they reiterate their recent statement that if a constitution is framed in a Constituent Assembly in which a large section of the people has not been represented, they cannot contemplate forcing such a constitution upon unwilling parts of the country.

Paramountcy will be transferred to the Indian States by stages as the adjacent portions of British India are evacuated. So far as possible the date of transfer of Paramountcy to each State will be arranged in accordance with the desires of that State; but if there is any difference of view, the Crown Representative will decide on what date Paramountcy will be handed back.

As each Province is handed over, the members of the Secretary of State’s Services in that Province will, unless they accept service under the Provincial Government in the Province concerned, be available for use as directed by the Secretary of State and Governor General, until the Secretary of State’s Services are finally wound up when the process of transference of power is complete.

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Cabinet C.M.(46) 106th Conclusions, Minute 4

L/P&E/J/10/76: f 182

Those present at this Meeting held at 10 Downing Street, S.W.1, on 16 December 1946 at 11 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Mr Alexander, Lord Jowitt, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones,
Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present were: Mr John Strachey, Sir Orme Sargent

INDIA

Constitutional Position

(Previous Reference: C.M.(46)104th Conclusions, Minute 3)¹

The Cabinet discussed the line to be taken by the Government spokesman in the debate on India in the House of Lords that afternoon.

It was agreed that it would be desirable to avoid giving any indication of the action which His Majesty's Government would take if the Muslim League did not join in the work of the Constituent Assembly. For this reason it would be preferable that the Government speech should be made early in the debate.

The President of the Board of Trade said that he had heard from Mr. Rajagopalachari that Congress did not favour the suggestion that the disputed point of interpretation of the Statement of 16th May should be referred to the Federal Court; but that they might acquiesce in our interpretation of this point if it was made clear that we intended to adhere firmly to it. It was agreed that this might be done in the debate.

Mr. Rajagopalachari had also suggested a modification of the scheme set out in the Statement of 16th May, to ensure that the constitutions for the individual Provinces, which were to be framed by the three sections of the Constituent Assembly, should be subject to confirmation by the representatives of those Provinces. On this point Ministers felt that it would be a mistake to depart at the moment from the Statement of 16th May. The point was one which could be considered in the Constituent Assembly if the Muslims joined in its discussions.

¹ No. 181.

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Notes on the disposal of records

R/3/1/149: ff 35–6

1. Unsigned and undated Note¹

NOTE FOR LONDON

Sir Eric Coates has raised with me a much more difficult aspect of the Records problem than we have considered so far.

We have had steps taken in the various departments to remove or destroy files that were likely to cause immediate political embarrassment on the coming
into office of the new members. Sir Eric Coates rightly points out however that there is an immense amount of material in the various departments which could be used to document a malicious history of British exploitation of India. Most of these records are probably old ones: of recent years the Indian Government has been fairly well able to stand up for itself. But even in the war there was correspondence, Sir Eric Coates says, which might be taken as evidence that H.M.G. wanted for instance to prevent (in the interests of Britain) the establishment of a ship-building industry in India. Again the records about Indianisation in the Defence Department must contain frank minutes by past Commanders-in-Chief that would be most offensive to Indian sentiment.

Sir Eric Coates maintains that these are records of an Imperial Government responsible to Parliament and that the United Kingdom is entitled to their possession when the change-over comes. This should be a subject for negotiation along with other matters of commerce, finance, defence etc.

A weeding out now, even if Hon’ble Members would agree, is impracticable. It would take months and months even with a large staff.

What happened in Egypt and Ireland?

2. Note by Mr Abell

16 December 1946

FOR DISCUSSION ON RETURN

I have spoken to Sir David Monteath about the disposal of the Government of India records. He recognises the difficulty that the old records may be used for an anti-British book suggesting that our rule in India was one of exploitation. He feels however that we should run much greater risks by trying to obtain possession of the records than we should by leaving them in the hands of an Indian Government, and that if any document of the kind feared was written the right course will be to answer it by a book based on the India Office records. He thinks that it is impossible for us to take any action to obtain possession of the records. For discussion with Sir E. Coates on return.\footnote{Presumably by Mr Abell.}

G. E. B. ABELL

\footnote{Mr Abell minuted on 14 January 1947: ‘I have spoken to Sir E. Coates. No [o] A[ction], unless he brings it up again.’}
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Cabinet

India and Burma Committee. I.B.(46)9th Meeting, Minutes 1–2

L/P & J/10/46: ff 223–30

Those present at this Meeting held at 10 Downing Street, S.W.1, on 17 December 1946 at 10 am were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir Stafford Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Lord Wavell, Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr Abell; Mr C. G. Eastwood, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

Minute 1

Future Policy in India

(Previous Reference: I.B.(46)8th Meeting, Minute 2)¹

The Committee resumed the discussion on future policy in India which they had begun at their meeting on 11th December. They now had before them memoranda by the Secretary of State for India (I.B.(46)44, 46 and 47)² covering notes by the Viceroy on points raised in the previous discussion and alternative drafts, prepared by the Secretary of State and the Viceroy respectively, of a statement which might be issued by His Majesty’s Government if it became obvious that the Cabinet Mission’s plan set out in the Statement of 16th May could not be carried out because of the intransigence of either Congress or the Muslim League.

At the previous meeting the Committee had felt that the pressure of events was leading towards the establishment of some form of Pakistan. They agreed that there were many and most serious difficulties in the Pakistan proposal.

FIELD MARSHAL LORD WAVELL emphasised that this issue would split the Indian Army; for this reason alone he was most anxious that we should avoid taking any initiative towards such a solution.

The Committee discussed whether the Viceroy’s plan for withdrawal Province by Province avoided this issue.

FIELD MARSHAL LORD WAVELL explained that under his plan the Hindu Provinces of Bihar and the United Provinces would not be handed over at the first stage. Although they were two of the most difficult Provinces, he had, with the full concurrence of the Commander-in-Chief, proposed their retention so as to avoid giving any impression that we were only retaining our hold on the Muslim Provinces. This was also desirable from the point of view of communications and from that of relations with the Indian States.
It was suggested that, while by this means the issue of Pakistan would not be brought to the front during the first stage of the Viceroy’s plan, that plan did not avoid the issue but only postponed it. It seemed inevitable that it should arise at the second stage.

Field Marshal Lord Wavell said that the transfer of responsibilities in the Southern Provinces would take three to four months. It was his hope that the announcement of the plan and the giving of practical effect to it in the Southern Provinces would have the effect of bringing the two communities together. There might during those three or four months be political developments which would fundamentally alter the situation. He suggested that for this reason it was not possible to work out in detail now the action to be taken at the next stage.

It was suggested that it might not in fact be possible to postpone the issue of Pakistan until the effect of the statement proposed by the Viceroy could be foreseen. The Constituent Assembly would no doubt continue their deliberations even if the Muslims did not come in, and there would be continued pressure in Parliament to define the validity which His Majesty’s Government would attach to their acts. If it became necessary to make a statement on that subject, the only possible course appeared to be to say that any Constitution which they framed would not be regarded as valid for the Provinces in which, owing to the absence of Muslim League representatives, the majority of the population had not been represented in the Constituent Assembly, i.e. Bengal, the Punjab and Sind. This would in effect amount to a declaration in favour of a form of Pakistan.

In further discussion of the Viceroy’s plan the following additional points were made:—

(a) We should obtain no guarantee for the minorities in the Hindu Provinces. It might be argued that in the last resort we had little effective power even now to protect them, but it could not be denied that the influence of the Governors and the British members of the Services still counted for something.

It was true that the minority problem in the Southern Provinces was not so difficult as in the North. The cleavage between the Scheduled Castes and other Hindus was not so great as that between the Hindus and the Muslims; and the minorities formed a smaller proportion of the population than they did in the North. Nevertheless, His Majesty’s Government had always made it a cardinal point in their policy that safeguards should be obtained for the minorities.

(b) The legal difficulties of transfer Province by Province would be very considerable. British sovereignty must be handed over to a specific

1 No. 186.
2 Nos. 193, 195 and 196.
body or bodies, with whom treaties would have to be negotiated, and the Viceroy’s plan implied that it would be transferred to the Provinces. Was it wise to adopt a course which from the outset would appear to precipitate a division of India?

(c) It was also suggested that so far from the psychological effect of the announcement being to make the parties come together the effect might be to make Indian politicians believe that the division of India was inevitable.

(d) If sovereignty was handed over to the Provinces, what would happen to the Indian Army? If it remained under the control of the Central Government in the first stage it could presumably only act in the Provinces at the request of the Provincial Governments. There would thus be a very awkward division of responsibility. At a later stage control of the Indian Army would have to pass to some specified authority. If no such authority for the whole of India came into being, we could not hand it over to a Central Government for the Hindu Provinces; we should therefore be compelled to divide it.

(e) What action was proposed in regard to the States adjoining the Provinces in which sovereignty was to be handed over? At what stage would paramountcy in respect of those States be surrendered?

(f) There would be great political difficulties in this country in giving effect to the plan. Legislation would be required. While it would be possible to convince Parliament of the necessity for our withdrawal from India, we should be pressed to show that we had a considered plan which would achieve this without causing chaos, and would enable us to secure some form of protection for the minorities. We should also be expected to show that there would be some competent authority with whom a treaty could be made.

Ministers felt that most of these objections were caused by the suggestion that there should be a formal transfer of power to the Provinces. Would it not be possible to secure by less formal means the Viceroy’s two objectives of convincing Indian leaders that we really intended to leave India, and at the same time of limiting his responsibilities? The constitution could be preserved intact until the later stages. The first stage could consist in the removal of the remaining officers of the Secretary of State’s Services in the four Southern Provinces and the withdrawal of all British troops there. The British Governors could also be recalled (unless the Provincial Governments specially asked for their retention) and Indian Governors appointed in their place on the advice of the Provincial Ministries. There would thus be a complete and absolute Indianisation of the services in these Provinces, and the existing constitution and relations with the Central Government would continue. There would be
no reason why troops of the Indian Army which would be under Central control should not remain in the Provinces.

All these various steps could be taken simply by administrative means, and there should be no necessity for legislation in this country. Thus the political difficulties here would be very greatly reduced. Moreover, a policy such as this would not be a move towards the division of India into separate units. And it would not be necessary to take any steps in regard to the termination of paramountcy in respect of the Indian States adjoining the areas from which British authorities had been withdrawn. On the other hand there would remain on us a liability to return to the Provinces if the Provincial Governments were unable to maintain law and order there; but that was a risk which might perhaps legitimately be taken.

The Minister without Portfolio questioned whether events would work out in the way that had been discussed. The speeches which were being made in India suggested that the Constituent Assembly, dominated by Congress, might well seek to establish throughout India an independent sovereign republic, despite the inevitable bloodshed which this would cause. This would force on us some more rapid and drastic action than that now suggested.

It was agreed that this might happen, but Ministers felt that it did not make it less necessary to formulate a plan of action which could be put into effect if events did not take so unfavourable a turn.

Ministers considered whether it was desirable in any announcement to give any indication of the action which should be taken at subsequent stages after the administrative withdrawal of British officials from the Southern Provinces. On the one hand it was difficult to foresee how events would shape themselves. On the other hand, it was desirable, in order to secure the best chance of bringing the parties together, to state precisely our intention to quit India by a definite date.

Ministers felt that much would depend on the decision to be taken regarding the termination of the Secretary of State’s Services. The Committee turned therefore to consider that subject.

The Committee:—

Agreed to resume their discussion regarding future policy in India at a subsequent meeting to be held later in the week.

Minute 2

Termination of Indian Services appointed by the Secretary of State and Compensation to their Members

(Previous Reference: I.B.(46)6th Meeting, Minute 2)²

The Committee had before them the following documents:—

(i) Telegram No. 2614-S dated 11th December from the Acting Viceroy

² No. 28.

³ No. 188.
to the Secretary of State for India giving the text of a note by Sardar Patel, the Home Member of the Government of India. In this note Sardar Patel expressed the view that the Secretary of State’s Services, whether European or Indian, had no claim for any compensation and suggested that these Services should be terminated on 1st March, 1947.

(ii) Telegram No. 2622–S dated 12th December\(^5\) from the Acting Viceroy to the Secretary of State for India reporting the views of two senior European Members of the Indian Civil Service on Sardar Patel’s note.

(iii) A memorandum by the Secretary of State for India (I.B.(46)45)\(^6\) covering comments by the Viceroy on these telegrams.

**The Secretary of State for India** read to the Committee a further telegram from the Acting Viceroy (No. 2648–S dated 16th December)\(^7\) reporting that Sardar Patel had that day written a private letter urging that a special meeting of the Indian Cabinet should be held immediately to consider the question of compensation for the Secretary of State’s Services. The Acting Viceroy thought that it would be as well to hold the special meeting as soon as possible; if, as seemed likely, the Indian Cabinet decided in favour of Sardar Patel’s proposals, he would make it clear that he did not agree with that view himself, and would reserve the right to send his own comments to the Secretary of State at the same time as he forwarded the views of the Interim Government.

There was general agreement that the line taken by Sardar Patel was most disappointing. There was, however, some indication in his letter that his refusal to consider the payment of compensation might not be as absolute as it appeared. There could certainly be no question of accepting it as the last word on the subject.

The Committee considered how the matter could best be further pursued. They felt that a representative of His Majesty’s Government should visit India to discuss it with Indian Ministers. Discussions between officials would be inappropriate since on the Indian side the officials concerned would have a personal interest in the question; for that reason it would be desirable for our representative to be himself a Minister. The Committee therefore invited the Parliamentary Under Secretary of State for India to undertake the Mission; he should be accompanied by such experts from the Treasury and India Office as were required. He should leave for India as soon after Christmas as possible.

In signifying our intention to send this mission to India, it was important that no suggestion should be given that “negotiations” in the accepted sense of the term were intended, as that would make the Interim Government think that we were prepared to moderate our proposals.

**Field Marshal Lord Wavell** recommended that it would be well to discourage the Indian Cabinet from having a special meeting at which they would commit themselves to a formal decision, since, if Sardar Patel was
bound by such a decision, this would make subsequent discussions with him more difficult.

There was general agreement with this view.

The Chancellor of the Exchequer said that, when the matter had previously been considered by the Committee, it had been made clear on his behalf that he accepted the scales of compensation proposed on the understanding that there was no commitment on the United Kingdom Treasury if the Government of India refused to accept them or to put them into effect. A resolute effort should be made to secure acceptance by the Indian Government of the financial liability. If, however, in the last resort the United Kingdom Treasury had to accept the burden, he reserved the right to review the scales of compensation.

The Chancellor of the Exchequer said that negotiations on the general question of India's sterling balances would, he hoped, take place towards the end of January; representatives of the Treasury and the Bank of England would visit India for this purpose.

It was agreed that negotiations on the present subject should be kept for the moment entirely distinct from those on the wider question of sterling balances.

The view was expressed by some Ministers that, if we could not persuade the Indian Government to accept the obligation to pay compensation from Indian revenues, the amount should be deducted from India's sterling balances. Other Ministers felt that such a step might have serious repercussions in other directions and should not be undertaken without the most careful consideration.

The Committee then considered whether some further assurance might not be given to members of the Secretary of State's Services that compensation would be paid to them. There was a real danger that, unless they were given this assurance, a considerable proportion of them would retire soon after 1st January, 1947, and the administration would be still further weakened in the critical period before our withdrawal from India.

Field Marshal Lord Wavell urged that His Majesty's Government should decide that compensation must be paid to these officials.

It was generally agreed that His Majesty's Government had obligations to them which must be discharged. Several members of the Committee felt, however, that it would be a mistake to make any further public declaration at this stage; statements had been made by the Minister without Portfolio and the Secretary of State for India in the recent debates in Parliament which had been fairly specific, and to make a further statement might only encourage the Indian Cabinet to suppose that His Majesty's Government had decided to pay in the last resort, and make them the more determined to refuse to accept liability themselves.

5 No. 189. 6 No. 194. 7 R/3/1/182: f 64.
The balance of opinion was that no further announcement should be made at present although there would be no objection to a reference to the recent statements in Parliament being included in any press communiqué issued with regard to the Parliamentary Under Secretary of State’s mission.

Discussion then turned to the question of the date on which the Secretary of State’s Services should be terminated. The general feeling was that it would be difficult to take any decision on this point until it was known when the new constitution for India would come into being. In the first instance, it would be desirable that the Committee should have a note on the question whether the termination of the Services would require Parliamentary sanction.

The Committee:—

(1) Agreed that every endeavour must be made to persuade the Interim Government to accept liability for payment of compensation for the Secretary of State’s Services;

(2) Invited the Parliamentary Under Secretary of State for India to visit India as soon as possible after Christmas in order to discuss the matter with members of the Interim Government.

(3) Invited the Secretary of State for India to convey this decision to the Acting Viceroy and to suggest to him that it would be well to persuade the members of the Interim Government not to commit themselves to a definite policy on the matter pending the Parliamentary Under Secretary of State’s visit.  

(4) Agreed to consider further at a subsequent meeting the question of the date when the Secretary of State’s Services should be terminated; and for this purpose invited the Secretary of State for India to arrange for a note to be circulated to the Committee on the question whether termination would require Parliamentary sanction.

\* This was done in tel. 21854 of 18 December 1946. The tel. also expressed the hope that Sir J. Colville would be able to defer consideration of the subject by the Indian Cabinet. L/S &G/7/913: ff. 435–6.
Circular Letter issued by Mir Maqbool Mahmud

R/1/30/39: ff 149–50

IMMEDIATE
SECRET
CIRCULAR No. CAS/
CON–5/29

CHAMBER OF PRINCES (NARENDRA MANDAL),
CONSTITUTIONAL AFFAIRS SECRETARIAT,
COUNCIL HOUSE, NEW DELHI, 17 December 1946

Representation of the States in the Union Constituent Assembly.

Dear Sir,

The question of method of selection of States’ representatives to the proposed Constituent Assembly may be taken up for negotiation with the other parties concerned in the very near future. The decision in regard to the participation of the States’ representatives in that body will have to be taken up later, as settled by the Standing Committee of Princes, after satisfactory agreement is reached with the parties concerned in regard to the terms of that participation.1 Without prejudice to the unfettered discretion of the States for the ultimate decision in this matter, the Standing Committee of Princes unanimously endorsed the recommendation of the Constitutional Advisory Committee and the Committee of Ministers, that the following points may be suggested to the States for consideration in the light of local conditions in regard to the method of selection of the States’ representatives to the proposed Constituent Assembly:—

(i) A group of States accorded only one representative on the Constituent Assembly may either associate non-official advisers with that representative or select a suitable representative out of a panel proposed by the State Legislatures or other popular bodies or by an electoral college specially set up for this purpose. The actual decision in this matter must rest with the Rulers and Governments of individual States in the light of local circumstances.

(ii) Where any State or group of States is accorded more than one representative on the Constituent Assembly they may select a reasonable proportion of their representatives which as far as possible may be not less than one-half of their representatives out of a panel of non-officials which may be proposed by (a) the non-official members of the State Legislatures where such legislatures exist or (b) other popular bodies such as municipalities and Panchayats in the States or (c) by an electoral college specially set up for this purpose.

It is understood that the term “State Legislature” in sub-paras (i) and (ii)

1 See Enclosure to No. 66.
above would include regional group legislatures where set up and authorised to select the representatives of the grouped States to the proposed Constituent Assembly.

2. I am desired to request you kindly to intimate in confidence after ascertaining the wishes of your Ruler, whether the formula proposed above is approved as a basis of discussion when this question is raised by the parties concerned at the forthcoming discussions. If you generally agree with it, please telegraph yes to Director, Narendra, New Delhi. Any detailed reply may kindly be sent by post within a fortnight of the receipt of this circular.

Kindly treat this very urgent.\(^3\)

Yours sincerely,

MAQBOOL MAHMUD
Director, Constitutional Affairs
Secretariat, Chamber of Princes

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\(^3\) No replies to this circular letter are on R/1/30/39.

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Cabinet

India and Burma Committee. Paper I.B.(46)48

L/P&EJ/10/46: ff 184-6

Policy in India

Note by the Secretary of State for India

India Office, 17 December 1946

I circulate herewith, for consideration by the Committee, some notes prepared by the Viceroy following the meeting of the Committee held this morning (I.B.(46)9th Meeting).\(^1\)

P.-L.

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Note by the Viceroy

17 December 1946

I give below four points which I think represent the general view of the Members of the Cabinet Committee in the meeting today. I should be grateful if firm decisions could be reached on these points at the next meeting, and think it may help if this note is circulated to the Members of the Committee.

I. Immediately it becomes clear that the Muslim League will not be represented in the Constituent Assembly, and that the Assembly cannot therefore make a Constitution acceptable to the whole of India, H.M.G. should secure
the approval of Parliament to the withdrawal of Governors, the Secretary of State’s Services and British troops from the Provinces of Orissa, the C.P., Bombay and Madras within a period of three or four months. The Constitution should be maintained as at present. Fresh Governors would be appointed on the advice of the Ministries unless they wished to retain their present Governors. H.M.G. should make an announcement of their intentions in India at the same time as they are submitted to Parliament.

II. In this announcement H.M.G. would make it clear that they intend to transfer power in India by not later than the 31st March 1948.

III. It would also be announced that the Secretary of State’s Services will be wound up by the 31st March 1948.

IV. Whatever the view of the Government of India may be, H.M.G. will have to insist that the terms of compensation for the Services are announced very shortly, that there can be no material reduction from the rates already proposed, and that cost must be chargeable to the Government of India.

2. The following points should be covered at the next meeting:—

(a) If by the end of January 1947 there is still no decision about the Muslim League coming into the Constituent Assembly, an announcement of H.M.G.’s policy about withdrawal will have to be made then, since the time available is so short.

(b) The general form of the announcement and the points to be covered by it should be settled.

(c) It must be accepted that for the rest of our period in India we must be ready to face if necessary resignation by the Congress and to let them resign rather than give way on a vital issue, where the special responsibility of a Governor or of the Governor General is involved.

(d) Paramountcy will be surrendered to the Indian States according to a settled scheme. I understand that the India Office are preparing a note on this subject.

1 No. 199.
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Mr Scott to Mr Abell

Telegram, R/3/1/133: f 40

IMMEDIATE

NEW DELHI, 17 December 1946, 6.40 pm

CONFIDENTIAL

Received: 17 December, 5.45 pm

2051–S. Abell from Scott. Your telegram 21715 of 14th December.¹ Chief Justice’s letter.²

2. Menon and Spence advise that Parliamentary legislation of the type necessary to meet the points raised in the Chief Justice’s letter cannot be contemplated. They suggest that the Chief Justice be sounded as to whether the Judges of the Federal Court are prepared to sit together as individuals, consider, and pronounce upon any points referred to them by Constituent Assembly. This would have to be without any assurances that their decision would be accepted, although their opinions would obviously carry great weight.

3. If the Chief Justice and other Judges are unwilling to agree to this, the only alternative is for the Constituent Assembly itself to create a forum for the interpretation of disputed points. Such a body would be set up as part of the general order of business mentioned in paragraph 19(iv) of the Statement. His Excellency has seen and has no comment to offer at this stage.

¹ See No. 183, note 2. ² No. 183.

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Cabinet

India and Burma Committee. Paper I.B.(46)49

L/P&EJ/10/46: ff 221–222B

ATTITUDE OF INTERIM GOVERNMENT OF INDIA TOWARDS PARAMOUNTCY
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 18 December 1946

I circulate for the information of my colleagues a note based on telegrams received from the Political Adviser to the Crown Representative during Lord Wavell’s absence in London, giving grounds for thinking that the Congress Leaders in the Interim Government desire not only to succeed to the eventual control of paramountcy over Indian States when relinquished by the Crown...
on recognising a constitution for an Indian Union, but to exercise direct influence upon the conduct by the Crown Representative of relations with the States while the Interim Government is in office. This is of course contrary to the intention of His Majesty’s Government, who have stated that during the interim period the Crown’s paramountcy will remain in operation and that they “could not and will not in any circumstances transfer paramountcy to an Indian Government”. (Cabinet Mission’s Memorandum of May 12th on Paramountcy, Command 6835).¹

2. The note illustrates one of the difficulties confronting Lord Wavell in handling his Council; the matter calls for further consultation between him and the Political Adviser on his return to India, and it is not suggested that my colleagues can take any further action at this stage.

P.-L.

Enclosure to No. 203

NOTE

The Political Adviser has reported² that in reply to a reference made to Pandit Nehru by the Secretariat of the Constituent Assembly in regard to placing the subject of revision of States’ treaties on the Assembly’s agenda, Pandit Nehru replied to the effect that this matter should not be taken up now, but later: the normal course would be for the Union Government to succeed to the rights of the Crown in these agreements.

2. The Political Adviser points out that this indicates that the Congress Party do not accept the fundamental proposition in paragraph 14 of the Cabinet Mission’s Statement of the 16th May that paramountcy cannot be transferred to the new Government. He further reports that recent experience shows it to be the Congress Party’s intention at least to intervene in the exercise if not to secure control of paramountcy, even during the interim period. For instance, Pandit Nehru has written several letters recently to the Viceroy or the Political Adviser about the intervention of Political Officers in the affairs of States. The following are extracts from letters to Lord Wavell:

“The Political Department keeps studiously aloof from or perhaps encourages repression of the people in the States. Wherever Ruler tends to be liberal it comes down upon him. This is in direct conflict with policy of Government of India and it is hardly possible for two conflicting policies to be pursued at the same time in India. Such conflicts can only lead to trouble.”

“I should be grateful to you if you could kindly let me have information about activities of the Political Department more especially about cases noted above (sc. Bastar, Datia and Kashmir) and about all proposals for merger and

consideration [consolidation] among States. No such proposal should be entertained unless people of the States have been consulted.”

3. The Crown Representative has taken the following line in replying to Pandit Nehru:

“The position of the Political Department is governed by proviso to Section 2(1) of Government of India Act 1935, and must obviously continue until that Act is replaced.

“It is quite untrue that the Political Department encourages or turns a blind eye upon repression. There need therefore be no conflict on this point. Any conflict on other points would I think be largely obviated, if direct consultation between the Central Government and the States could be arranged in regard to questions of common administrative concern: and I hope that you will support my efforts to achieve this.

“I shall always be glad to let you have any information you wish regarding the principles which govern activities of the Political Department but you will realise that responsibility for application of those principles to individual cases must remain within my discretion as Crown Representative.

“The question of merger and federation of States will doubtless be discussed by the States negotiating committee with appropriate committee of the Constituent Assembly, and the Political Department will give all assistance it can to implement any agreement reached on this question.”

4. The Political Adviser suggested that opportunity might be taken in the London discussions to secure formal Congress assent to the fundamental proposition that paramountcy could not be transferred to an Indian Government. Action on these lines in the London conversations was of course quite impossible. But unless such assent is secured, and unless the position of the States can be maintained during the interim period by the effective operation of paramountcy, the Political Adviser doubts whether the Crown Representative is justified in continuing to press States to co-operate with the Constituent Assembly. If the effectiveness of paramountcy is in fact frustrated, he suggests that the only equitable alternative is to begin at once the restoration of States’ rights (e.g. retrocession of jurisdiction over railway lands, administered areas, etc.) “and to give practical effect during the interim period to principles which, if British India had proved co-operative, might have remained merely theoretical, to be used as bargaining counters.”
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Cabinet

India and Burma Committee. Paper I.B.(46)50

L/P&E/J/10/46: ff 177–83

Policy in India

memorandum by the secretary of state for India

India Office, 18 December 1946

I circulate for consideration by my colleagues the attached memoranda which have been prepared by my officials on certain aspects of the proposals which were discussed at the last meeting of the Committee.¹

It will be seen that the proposals in regard to the withdrawal of the Services can be achieved without legislation but strong arguments are adduced against the tentative decision to maintain the paramountcy relation with all the States until the final stage.

P.-L.

Enclosure to No. 204

1. The Services.

1. Legal advice has been taken as to the question whether it would be necessary to amend the Government of India Act in order to withdraw the Secretary of State’s Services from a Province. The advice received is that this can be done without amendment of the Government of India Act provided that all members of the Secretary of State’s Services are physically withdrawn from the Province. Under Section 246(i) of the Act, particular civil posts under the Crown in each Province are reserved for members of the Secretary of State’s Services by rules made by the Secretary of State under the Act, and these posts may not without the previous sanction of the Secretary of State be filled otherwise than by the appointment of a person who is a member of one of the Secretary of State’s Services. From a legal point of view the most satisfactory procedure would be for the Secretary of State to amend the Reserved Posts Rules to delete from them all the posts in each of the Provinces vacated. The same result can, however, be achieved, though the legal opinion is that this would not be in accordance with the intention and spirit of the Act, by the Secretary of State authorising the Provincial Government to fill all these posts otherwise than by the appointment of a member of one of his Services.

If it were desired that some officers of the Secretary of State’s Services should continue to serve in the Province, but under conditions prescribed by the

¹ No. 199.
Provincial Government, the legal advice is that it would be necessary to amend S. 247 of the Act so as to remove the provision that they should serve on conditions of service prescribed to the extent laid down in the Section by rules made by the Secretary of State.

2. It was understood to be the proposal before the Committee that all European members of the Secretary of State’s Services should be withdrawn. The question arises, in the light of the above legal view, what should be done in regard to Indian members of the Secretary of State’s Services. It may be personally disadvantageous to them to be withdrawn from the Province if they wish to continue in service under the new Governments in India. It therefore seems that the most satisfactory solution will be for any members of the Secretary of State’s Services in a Province, British or Indian, who wish to continue to serve there, to have the option of retiring with such compensation as may have been decided upon forthwith and of making their own terms as to continued service with the Provincial authorities.

3. There are, of course, some other European British subjects serving in subordinate Services in the Provinces. Most of these have contracts but there may be some, for example subordinate police officials, who are members of a covenanted service but not members of the Secretary of State’s Services. They are, however, in the direct employ of the Provincial authorities and the Secretary of State has no more obligation towards them than towards Indian members of the Provincial Services, except in that they are United Kingdom nationals. It is felt that in these cases nothing more can be done than to give the individual facilities for leaving of the same kind as are arranged for Europeans in business or other private employment.

II. Special Powers of Governors

1. If no amendment of the Act is made the Governors appointed on the advice of Ministers will still have the discretionary and individual judgment powers under the Act. The most important of these are the Governor’s special responsibilities in Section 52(1) of the Government of India Act which are:

(a) The prevention of any grave menace to the peace and tranquillity of the Province.
(b) The safeguarding of the legitimate interests of minorities.
(c) The securing of the legitimate rights and interests of the Services, (not only the Secretary of State’s Services).
(d) The prevention of commercial discrimination by executive action.
(e) The securing of the peace and good government of the partially excluded areas.
(f) The protection of the rights of any Indian State.
(g) The securing of the execution of orders lawfully issued by the Governor-General in his discretion.
2. It is understood to be one of the main reasons for the course proposed that it would retain some form of protection for minorities and therefore (b) above can hardly become completely a dead letter. If British civil servants were withdrawn, (c) would lose its main importance from the point of view of His Majesty’s Government (d) is already fairly generally understood not to be operative.

3. As regards (g) this is the provision which enables the Governor-General to give directions to a Governor as to how his special responsibilities and other discretionary powers are to be exercised. It is understood that it is the intention to rely upon such co-operation between the Provinces and the Centre as may be forthcoming voluntarily from Provincial Governments and that if and when such co-operation is not forthcoming the situation will have to be accepted. Attention is, however, drawn to the fact that there is one provision under the Government of India Act, Section 126, whereby the Governor-General has power to direct a Governor to use his special powers to ensure:—

(i) that the executive authority of the Province is not exercised in such a way as to impede or prejudice the exercise of the executive authority of the Central Government

(ii) the execution of directions given to the Province by the Central Government for the purpose of carrying out the provisions of certain types of Central legislation which overlap the field of authority of the Province. This provision will lapse if the special responsibility under (g) becomes in-operative.

4. Special responsibility (f) above is one of the main instruments for the discharge of the obligations of the Crown to Indian States. It is argued below in the note on Paramountcy that either this provision should be deleted by legislation, or Paramountcy should be progressively withdrawn as British administration is withdrawn from British Indian territory adjacent to the States.

5. The present Instrument of Instructions to Governors contains very precise directions as to how the special responsibilities for minorities, the Services, the prevention of commercial discrimination and the protection of the rights of Indian States are to be exercised. It is suggested that an Indian Governor appointed on the advice of Indian Ministers would not accept instructions of this character which are quite out of touch with the realities of the situation now under consideration. It is therefore suggested that these instructions will have to be withdrawn and either replaced by some jejune instructions or by no instructions at all. Under Section 53(1) of the Government of India Act the Secretary of State is required to lay before Parliament the draft of any instructions, including any which amend or revoke previous instructions, which it is proposed to recommend to The King to issue to the Governor of a Province,
and no proceedings can be taken in relation to such a draft except in pursuance of an Address presented to the King by both Houses of Parliament. The amendment of the Instrument of Instructions would therefore be a matter which would have to come before Parliament for discussion. As, however, there is to be a statement of policy which will presumably be followed by a debate, the reasons for amending the Instructions could no doubt be expounded in the debate and the necessary resolutions on the Instrument of Instructions might therefore reasonably be expected to be no more than a formality at the conclusion of the debate.

III. Paramountcy.

1. It was suggested at the last meeting of the Committee that Paramountcy should not be withdrawn from Indian States until the final step of the transfer of power, irrespective of whether British administration had been withdrawn from the surrounding British Indian territory or not. One consideration which led to this conclusion was that an amendment of the Government of India Act would be necessary for the withdrawal of Paramountcy from individual States. This is a misapprehension. There is no provision in the Government of India Act with regard to the maintenance of Paramountcy but only the provisions constituting the office of Crown Representative, for the discharge of the functions of the Crown in its relations with Indian States. The termination of the relations of the Crown with any individual States is an act of the Crown and does not require legislation.

2. On the other hand, it is suggested that the retention of Paramountcy over States which are no longer geographically in contact with British Indian territory in which British administration is still in existence produces a situation in which an amendment of the Act is virtually essential or, at any rate, highly desirable. Under Section 52(1)(f) of the Government of India Act a Governor of a Province has a special responsibility for the protection of the rights of any Indian State. This is a most essential provision for the discharge of one obligation of the Crown to the States under the Paramountcy relationship. The principal method used by the Congress for undermining the authority of States' Governments is the fomenting of political agitation within the States from adjacent Provinces and the intrusion into States of political agitators. The special responsibility of the Governor exists to ensure that the Provincial authorities take steps to prevent this kind of thing at any rate on a large scale. So long as it formally exists and Paramountcy continues, the States will justly complain if they are not protected from political penetration from British Indian Provinces. But such penetration is already being used to some extent, and is likely to be greatly developed by the Congress in the case of States which are adjacent to Provinces from which British authority has been withdrawn. There is likely to be a strained situation between Congress and States Govern-
ments over the Constituent Assembly and the Congress will seek to put pressure on the States by political penetration from which we shall be powerless to protect them.

3. The alternative to the deletion of this special responsibility by legislation would be to terminate the Paramountcy relationship with States which are surrounded by territory over which we have ceased to have control. There are other powerful arguments why this should be done. It is a general inference from the Treaties that the States are entitled to protection from external aggression and from internal subversive activities. In certain Treaties, notably that with Hyderabad (which will become isolated in the first stage) there are particular provisions for the maintenance of a protective force by the British Government for these purposes. The Treaty with Hyderabad provides that this force shall consist of not less than 5,000 Infantry and 2,000 Cavalry with 4 field battalions of Artillery. It was to be commanded by British officers fully equipped and disciplined and controlled by the British Government through its representative Resident at Hyderabad. "Whenever the services of the said contingent may be required, they shall be afforded at all times to His Highness the Nizam fully and promptly throughout his dominions. If rebellion or disturbances shall be excited or if the just claims and authority of His Highness shall be resisted, the said contingent after the reality of the offence shall be duly ascertained shall be employed to reduce the offenders to submission." Any reduction of the force maintained in Hyderabad under this Treaty requires to be agreed with the Nizam.

4. Under existing conditions the troops required to fulfil this and similar obligations can only be provided with the co-operation of the Member for Defence in the Interim Government. If, however, we are unable to prevent political penetration of Hyderabad from adjacent Provinces, disturbances are likely to result and the Nizam will wish these troops to be used to put them down. The Interim Government would no doubt object to this and we ourselves should be in the anomalous position of encouraging our forces in protecting Hyderabad against the agitation provoked by the Congress Party which forms part of the Government of India. If we declined to allow them to be so used, we could be held up to obloquy by the States as failing to implement our Treaty obligations when it was within our power to do so, and we should, at the same time, be the object of criticism by the Congress who would say that by maintaining Paramountcy we were encouraging Hyderabad to be obdurate in relation to constitutional developments. In short we should get the worst of both worlds.

5. In the case of trouble arising in other States in this area which have no claim to special military protection similar to the Treaty stipulation with Hyderabad, the Crown Representative is able without invoking the assistance
of the Defence Member of the Interim Government to despatch battalions of the Crown Representative’s Police Force stationed in Central India to the area of the disturbance. This Force consists of only three battalions and in the circumstances now envisaged its passage through Provincial territory might well be resisted.

6. A further difficult point will arise in relation to Hyderabad when the Central Provinces are handed over. Under the Berar Agreement of 1936 with the Nizam of Hyderabad, Berar remains under the sovereignty of the Nizam but is administered with the Central Provinces. Under this Agreement the Nizam is entitled to be consulted as to the person appointed as Governor of the Central Provinces and he might well take the opportunity of objecting to any nominee of the Indian Ministry. His object would be to bring about circumstances in which he could repudiate the Agreement and claim to re-absorb Berar into Hyderabad. The Berar Agreement is terminable by the Nizam at six months’ notice if the Government of India Act is amended in any way which is inconsistent with the provisions of the Agreement without the agreement of the Nizam. Apart from this the Agreement cannot be terminated by either party “so long as the rights secured to him are faithfully observed by the other”. Among the rights secured to the Nizam are that the Governor in the administration of Berar will have due regard, in discharging his special responsibility for the protection of an Indian State, to the commercial and economic interests of Hyderabad; that there should be a representative of Hyderabad in Berar; that the Nizam may hold durbars in Berar and that the Hyderabad flag should be flown there. These rights might well be repudiated by the Central Provinces Government and when we vacated the Central Provinces we should be charged by Hyderabad with ill-faith. The Governor of Berar has a special responsibility to ensure that a due proportion of the revenues of the Province is expended for the benefit of Berar. We should not be able to give effect to this.

7. It is contended that this situation will also be less unsatisfactory from His Majesty’s Government’s point of view if the Paramountcy relation with Hyderabad has been brought to an end. If it were not, Hyderabad might demand that the troops provided for the protection of the Nizam’s territory should be used to reassert his sovereignty in Berar, which the Central Provinces Government and the Congress would undoubtedly resist.

8. For all these reasons it is suggested that it would be desirable to withdraw Paramountcy pari passu with British administration from the Provinces. It must, however, be pointed out that there is not quite the same justification for this course as exists for the termination of the Paramountcy relationship simultaneously with the termination of British control over the whole of British India. Theoretically, since the Government of India Act will not have
been altered, we should still be in a position to discharge our side of the Paramouncty obligations and to provide troops and so forth. It is suggested, however, that this objection should be faced rather than the practical objections that will arise if the other course is adopted. Some other difficulties will arise, for example some Indian States which have sea ports may on the withdrawal of Paramouncty appropriate all the customs revenue on imports through the State. Theoretically the ceded territories, including Berar, will return to the States and we shall cease to have possession of the cantonments at Bangalore and Secunderabad which will make it difficult to maintain troops from the Indian Army in Southern India. It is, however, suggested that these difficulties must be faced.

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Cabinet

India and Burma Committee. Paper I.B.(46)51

L/P & J/10/46: ff 174-6

Policy in India

Revised Draft Announcement

Note by the Secretary of State for India

India Office, 18 December 1946

I circulate herewith, for consideration by the Committee, a revised draft announcement which has been prepared by the Viceroy.

P.-L.

Revised Draft Announcement

[There follow the first three paras. of Enclosure to No. 196 except that, in the second clause of para. 3, the words ‘of their plan’ have been substituted for ‘of the scheme’.]

4. H.M. Government propose in the first place to withdraw the Governors and the Secretary of State’s Services from the Provinces of Orissa, the Central Provinces, Bombay and Madras within a period of four months. Fresh Governors will be appointed on the advice of the Ministries unless they wish to retain their present Governors.

5. H.M. Government intend to withdraw from the remaining Provinces of British India on a time-table which will be announced later, so that by the 31st March 1948 their political power in India will be entirely demitted; British troops and British personnel in the Indian Armed Forces (except in so
far as the latter may be asked to serve on and agree to do so) will then be withdrawn.

6. H.M. Government intend that the Secretary of State’s Services should be finally wound up by the 31st March 1948. The Members of the Secretary of State’s Services in the Provinces mentioned above will, unless they accept service in a Central Service or under the Provincial Government, be available for use as directed by the Secretary of State and the Governor General, until the Secretary of State’s Services are finally wound up.

7. Any British nationals who wish to leave India in view of this statement of H.M. Government’s intentions will be given facilities for doing so.

8. When the Governors and the Secretary of State’s Services are withdrawn from a Province, British troops will be withdrawn. The Indian Armed Forces will remain and will continue under the command and control of the Commander-in-Chief in India. British Officers and Other Ranks serving in the Indian Armed Forces in these Provinces will not be withdrawn but will continue to serve in their units.

9. H.M.G. will continue to make every effort to bring the main parties together so that it may be possible to hand over control at the Centre on final withdrawal to a Government established by general agreement.

[Para. 10 of this draft follows the text of para. 13 of Enclosure to No. 196 except that the word ‘ultimately’ has been omitted from the second sentence.]

11. (Paragraph about Paramountcy—Not yet drafted).

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Cabinet

India and Burma Committee. Paper I.B. (46)52

L/P&EJ/10/46: ff 187–8

Policy in India

memorandum by the Secretary of State for Dominion Affairs

Dominions Office, 18 December 1946

I have read the notes prepared by the Viceroy (I.B.(46)48). My views, in the light of the recent Cabinet discussions, are as follows:

(1) I am still by no means clear as to the necessity of a statement as suggested by the Viceroy, nor that it would have the effect he hopes for.

(2) If, however, some statement should be made, I am very sure that it should not be made in the terms proposed by the Viceroy.
I gather that his main reason for proposing a statement is that he thinks that it will give definiteness to the British policy of the development of self-government in India. I am surprised to find that he thinks there is still any lack of definiteness about that, in view of the special efforts that have been made to assist him during the past twelve months. However, if the purpose is to get the Muslim League into Constituent Assembly, surely that should be put first, perhaps by a statement on the following lines:—

His Majesty's Government deplore the continued absence of the Muslim League from the meetings of the Constituent Assembly. They adhere resolutely to their interpretation of the procedural rule discussed at such great length in London recently, and are of opinion that the presence of the Muslim League with Congress in the Constituent Assembly and the adoption of the procedure contemplated is absolutely essential to the formulation of a scheme, or schemes, of government for the whole of India that would be acceptable and that would preserve the authority of a central government in what are agreed to be vital central services.

His Majesty's Government have instructed the Viceroy to prepare plans for the ultimate withdrawal of British troops. These plans must include provision, subject to the consent of Parliament, for withdrawal at as early a date as practicable from the Province of Orissa, the Central Provinces, Bombay and Madras.

The further execution of the plans for withdrawal must depend upon the establishment of an acceptable scheme, or schemes, of government in India, which will maintain law and order.

Finally His Majesty's Government desire to put it on record that they will not authorise a complete withdrawal from India in the absence of the creation of satisfactory forms of government. They cannot contemplate the termination of British rule in India by action that would leave India exposed to terrorism and violence throughout the whole of that great country.²

4. I would express my complete concurrence in point IV of the Viceroy's notes regarding compensation for the Services.

5. Finally, I think it would be a capital blunder to commit ourselves to final dates (as proposed by the Viceroy) to which ultimately it might be physically impossible to adhere.

A.

¹ No. 201.
² [Note in original:] N.B. In the above rough draft of the lines of a possible statement I have not included any mention of the points of withdrawal of the Secretary of State's Services from the Provinces to be vacated and the maintenance there of the central government's authority. I take it that agreement was reached on these points at our last meeting and that suitable reference to them would be embodied in any statement.
Sir J. Colville to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICE ROY’S HOUSE, NEW DELHI,

18 December 1946

The Constituent Assembly has been meeting almost daily since I last wrote, and will probably continue until the 23rd of this month. It has been showing a disquieting tendency to carry forward the Congress party programme irrespective of repercussions on the other interests not at present represented. From that point of view I think it was a mistake to elect Rajendra Prasad as Chairman, admirable man though he is in many ways, because he carries the party label too obviously. In the important committee on procedure, it was decided, against opposition by Jayakar, who made a sensible speech, that the rules which it would recommend should be made applicable to the working not only of the Union Assembly but of the Sections also. Allowance was made for the addition of a further 5 members to the 15 elected on the committee, and presumably Muslim League and States representatives will have to be accommodated within that number. The resolution about India’s future being a sovereign independent republic is before the Assembly as I write, and will no doubt be passed. I cannot but feel this to be an unwise and impolitic move while only one party is represented; and indeed there has already been a public rejoinder on the part of a number of States representatives, who have claimed that the Constituent Assembly, without representation of the States, is not entitled to pass a resolution of this kind.

2. A further indication of the way things appear to be moving is the desire to appoint a political Secretary to the Assembly, and keep Sir B. N. Rau as Constitutional Adviser to the Chairman only. Rau has pointed out that this would probably result in each section appointing also its own political Secretary, with the consequence that the organisation which he had planned, with the Secretariats of the Union Assembly and the Sections working under him, would no longer be possible. Rau deprecates the tendency of the Congress party to use party pressure in arriving at decisions—they have appointed 5 whips for work in the Constituent Assembly.

3. I saw the Nawab of Bhopal a few days ago, and he told me that he himself and the Princes generally were waiting to see what attitude the Muslim League would take up about joining the Constituent Assembly. He very much hoped that the Congress would not proceed to elect the Negotiating Committee of the Constituent Assembly before the Muslim League joined in; and added that if
they did so, it would be very difficult for the States Committee to open talks with them. It looks to me as if the whole unity of the States depends on the Muslim League action over this; if they should decline to join on the grounds that the Congress have not accepted His Majesty’s Government’s Statement of December 6th, it would be quite a possibility that the States might split on communal lines.

4. There has been no overt reaction from the Congress about that statement, nor do I think they are now likely to issue any formal rejoinder. There are indications that they propose to refer the grouping question to the Federal Court. I suspect, though perhaps wrongly, that this may be because they now know that the Federal Court is unwilling to entertain such a reference! If that indeed proves to be the case, the Congress might be able to say that they have acted in accordance with His Majesty’s Government’s suggestion, and that since they cannot get an authoritative decision, they would continue to presume their own reading as the correct one.

5. I am sorry that Spens has brought up this matter at this late stage. He asked for an interview with me only the day before the issue of His Majesty’s Government’s Statement, and made no mention of the difficulty the Federal Court would feel in entertaining references from the Constituent Assembly. I shall not enlarge on this as you will be discussing the matter with Wavell and the Cabinet.

6. G. D. Birla asked for an interview with me to make my acquaintance only. He said that Congress were unlikely to do anything to upset Jinnah until the League had decided about coming into the Constituent Assembly, but he also made the interesting remark that he was proposing to develop his businesses in Bombay rather than in Calcutta, because he thought that some form of Pakistan would come about.

7. I opened the annual conference of Political Residents on Monday morning, and have had three of them staying with me in the house. I made two points in my address, one that they should do everything in their power to urge on the States the need for maintaining unity at the present time; and, secondly, that the future of the States depended really on the loyalty of the people to their Rulers, and the Rulers therefore should do all they could to serve their people and so evoke to the full this latent feeling. The position of the Political Officers is by no means easy now-a-days, as many of the Rulers feel that they are being let down suddenly and are not consoled to be told that it is all part of a historical process which they should have foreseen long ago.

8. Conditions in India remain quiet, and I think will continue so until, at any rate, the Muslims have come to a final decision about the Constituent

1 No. 182.  
2 See No. 190.  
3 Appendix to No. 166.  
4 See No. 183.
Assembly. The only troubled corner is on the borders of one of the Frontier Province districts, where there has been a small tribal incursion, due apparently to the reverberations of down-country happenings. The Governor and Dr. Khan Sahib advocated bombing the tribes concerned, but less drastic action is going to be taken in the first instance.

9. I have now met all the Members of the Government (except Liaqat Ali who is not yet back) at lunch here, and have been glad to get on friendly terms with them. I was least impressed with the Law Member, but he is somewhat handicapped by defective knowledge of English.

10. Nehru came for a routine interview last night and was friendly in conversation. No point of great importance arose, but he complained—without heat—that Winston had not been correct in saying that he had put down trouble in Bihar when the Provincial Government had been lax and slow or words to that effect. I had not then seen Hansard, so could only say that the passage was in doubt. He gave me no clue as to Congress reaction to the Statement of 6th December, but remarked that he "hoped the League would come into the Assembly."

Yours sincerely,

JOHN COLVILLE

5 In the course of his speech in the Commons debate on India held on 12 December 1946, Mr Churchill discussed the recent communal disturbances. He said that: 'it is certain that 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...'

It was stated that 10,000 lives had been lost but Mr Churchill doubted whether this was half the total. However he had been informed: 'it was Mr Nehru himself who gave the order which the Provincial Government of Bihar had been afraid to give for the police and troops to fire upon Hindu mobs who were exterminating the Muslim minorities within their midst—for so long had they dwelt side by side, if not in amity, at least in peace. That was certainly to his credit and may be taken, so far as it goes, as an encouraging sign.' See Parl. Debs., 5th ser., H. of C., vol. 431, cols. 1363-4.

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Mr Scott to Mr Abell

Telegram, R/3/1/133: f 47

MOST IMMEDIATE

NEW DELHI, 19 December 1946, 6.30 pm
Received: 19 December, 3 pm

No. 2671—S. Abell from Scott. Your telegram 21846 of 18th December.1 Federal Court and Constituent Assembly. Reasons of Menon and Spence. Begins. Presume reasons required are reasons for view that Parliamentary legislation cannot be contemplated. Reasons are as follows. (1) Legislation
rendering decisions of Federal Court binding would destroy any prospect of Muslim League entering Constituent Assembly in the event of decision being adverse and would stultify Secretary of State’s statement in House of Lords\(^2\) *quote* H.M.G. stand by their interpretation of the Statement of May 16 as set out in that Statement and [that they will by no means depart from it even if Federal Court should be appealed to unquote. (2) Legislation requiring Federal Court to give opinion but assigning purely advisory effect thereto would be resented by Spens and his colleagues and would on the face of it be futile. (3) Congress will also object to such legislation on ground that under H.M.G.’s statement of December 6 decisions which should properly be left to Constituent Assembly would be taken by Federal Court. *Ends.*

\(^2\) H.E. has seen and agrees with force of paragraph 1. He considers however that reasons in paragraphs 2 and 3 are less strong and that the possibility of legislation enabling references to be made to the Federal Court without making the Court’s decisions binding need not be ruled out altogether although Congress may well object to an enlargement of field of reference.

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1 Asking for the reasons given by Mr Menon and Sir G. Spence for the views expressed in No. 202. R/3/1/133: f 46.

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**Cabinet**

*India and Burma Committee. I.B.(46)11th Meeting*

*L/P & J/10/46: ff 159–62*

Those present at this Meeting held at 10 Downing Street, S.W.1, on 19 December 1946 at 5 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir Stafford Cripps, Mr Alexander, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Lord Wavell, Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr Abell; Mr C. G. Eastwood, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

**Future Policy in India**

(Previous Reference: I.B.(46)9th Meeting, Minute 1)\(^1\)

The Committee resumed their discussion on future policy in India. They now had before them notes by the Viceroy on the previous discussion and a revised draft by him of an announcement (I.B.(46)48 and 51),\(^2\) a memorandum by the Secretary of State for Dominion Affairs commenting on the Viceroy’s notes

\(^1\) No. 199.
\(^2\) Nos. 201 and 205.
and a memorandum by the Secretary of State for India (I.B.(46)32), and this last memorandum covered notes on the following subjects:

(i) The question whether legislation would be necessary in order to withdraw the Secretary of State’s Services Province by Province. This note concluded that legislation would not be necessary provided that all members of the Services were physically withdrawn from the Provinces in question.

(ii) The special powers of Governors. This note led to the conclusion that it would almost certainly be necessary to amend the Instruments of Instructions to Governors; for this purpose an Address would have to be presented to the King by both Houses of Parliament.

(iii) Questions relating to the withdrawal of paramountcy. This note led to the conclusion that, as British administration was withdrawn from certain Provinces, it would be best that paramountcy should be withdrawn pari passu from States enclosed within those Provinces.

In his notes enclosed in I.B.(46)48 the Viceroy had proposed that, immediately it became clear that the Muslim League would not be represented in the Constituent Assembly, His Majesty’s Government should withdraw the Governors, Secretary of State’s Services and British troops from the Provinces of Orissa, the Central Provinces, Bombay and Madras within a period of three or four months. The Central Government and the constitution should be maintained as at present, but fresh Governors would be appointed on the advice of the Ministries, unless they desired to retain their present Governors. His Majesty’s Government would at the same time make it clear that they intended to have demitted their power by 31st March, 1948.

This plan was a modification of the scheme previously proposed by the Viceroy. In summarising the arguments in favour of it he recalled that it would have the advantage that it would enable him to concentrate his administrative forces and limit his apparent responsibility. It would also, he hoped, have a considerable psychological effect and might succeed in bringing the two communities to some form of cooperation. He also emphasised that, if his plan were adopted, it would no longer be possible for Congress to bring pressure to bear on him by threatening to withdraw Ministries from the Provinces. This threat had been very embarrassing because he was in no position to administer the Provinces under Section 93 of the Government of India Act. He had therefore at present no alternative but to accept Congress dictation or to see an impossible situation arise in the Provinces.

The Committee first considered whether the Viceroy’s plan would require legislation in the United Kingdom. It seemed that it involved so great a disregard of the Government of India Act that legislation would be necessary. The Secretary of State and the Viceroy could not rid themselves of their responsibilities under that Act without another Act of Parliament. It was, however,
very desirable to avoid legislation in advance of the final transfer of sovereignty if this were at all possible. Such legislation would be difficult to draft and difficult to get through Parliament. Ministers felt that in any period of transition, such as there would be during the next year or so, it was only to be expected that there would be certain anomalies. The process of the transfer of responsibility must be a gradual one. Ministers felt that this would be generally recognised. It might therefore be possible to avoid the necessity for legislation by the device of using conventions, e.g. the convention that Governors would always accept the advice of their Ministers.

Alternatively it might be possible to obtain the approval of Parliament to some blanket resolution which would give the Government sufficient authority to act. Without some such authority we might be charged with abandoning our responsibilities towards the minorities and the neighbouring States. On the other hand, it might be difficult to obtain Parliamentary approval for a resolution of this nature.

**Field Marshal Lord Wavell** thought we could do no greater disservice to the minorities than to appear to have responsibilities towards them when we had no power to give effect to those responsibilities. The present situation in which apparently responsible he had to accept the dictation of Congress under threat of their resignation was fast becoming intolerable and would reduce British rule to ignominy.

**Field Marshal Lord Wavell** emphasised that the process of withdrawal from the whole of India was bound to take some time. We should give facilities for any Europeans in India who wished to do so to leave the country. There were about 90,000 Europeans in India and perhaps 30-40,000 would want to leave.

Ministers thought it unfortunate that soldiers’ families should be allowed to go to India from this country at present. It was recalled that this question had been discussed by the Cabinet some months ago and that it had then been decided that no action should be taken (C.M.(46)59th Conclusions, Minute 3). The movement would no doubt cease if the date of our departure from India was fixed and announced.

It was suggested that there might be a danger lest Congress should regard our withdrawal from the Southern Provinces as implying that we favoured a Pakistan. The retention of the United Provinces and Bihar would not necessarily dispose of this interpretation, as it might be construed as a sign that we favoured Pakistan enlarged to include these two Provinces. If there was any danger of this interpretation, the statement must be carefully worded to avoid it.

Provided there was not this misunderstanding, it was generally felt that it should be possible to obtain the cooperation of Congress over the process of
withdrawal from the Southern Provinces, the present constitutional structure being preserved. Congress leaders would wish to show that the Congress Ministries were worthy of their new responsibilities. And even in the Provinces from which we had not yet retired they would not be likely to withdraw Congress Ministries if the date of our final departure was fixed. The probability was that the Southern Provinces after our withdrawal would continue to make over to the Central Government the taxes necessary to finance the essential services. If they did not do so the Central Government would not be entirely without weapons against them.

The Committee:—

Agreed to resume their discussion on the following morning.

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Cabinet

India and Burma Committee. I.B.(46)12th Meeting

L/P&EJ/10/46: ff 156–8

Those present at this Meeting held at 10 Downing Street, S.W.1., on 20 December 1946 at 9.15 am were: Mr Attlee (in the Chair), Mr Alexander, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Lord Wavell, Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr Abell; Mr C. G. Eastwood, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

Future Policy in India

(Previous Reference: I.B.(46)11th Meeting)\textsuperscript{1}

The Committee resumed their discussion of the plan proposed by the Viceroy, as summarised in the enclosure to I.B.(46)48.\textsuperscript{2}

There was considerable discussion as to the position of members of the Secretary of State’s Services. There were about 500 men in the Indian Civil Service and 500 in the Indian Political [Police] Service. In each case about half were Indians. Probably two or three hundred of these were in the Southern Provinces.

Field Marshal Lord Wavell recalled that an answer would soon have to be sent to the request of Provincial Prime Ministers that the Services should be wound up in the very near future. In reply to enquiries he said that he thought this point would not be pressed unduly if a definite date for our departure from India had been announced. The members of the Services should for the most part then be ready to stay on till our final departure.
The Viceroy said that on withdrawal from the four Southern Provinces there would be no difficulty in finding posts in other parts of India to which the men withdrawn could be sent. On the other hand, the Ministries would be hard pressed to maintain their administration if all members of the Services were withdrawn from those Provinces. There was evidence that they would be willing to retain a number of them and also that the Congress proposed to form a new central service.

The Committee were informed that a number of the younger men, particularly Indians, would probably wish to stay either in the new central service or in the service of the Provincial Governments. In either case the Secretary of State would have no responsibility for them.

The Committee agreed that in order to make the transition easy it was obviously desirable that the question of compensation should have been settled before the members of the Services were called upon to make a decision.

The Committee also discussed what would be the next steps after withdrawal from the four Southern Provinces had been completed. Presumably we should have to withdraw from further Provinces, Province by Province. Finally, there would come the question of the transfer of the Central Government. If we had publicly committed ourselves to demitting our powers by a specified date and if on that date there was no agreement between the Indian parties to form a Central Government, to whom would this central power be transferred?

It seemed probable that eight of the eleven Provinces would by then have accepted a constitution drafted by a Constituent Assembly under Congress domination. The logical course would, therefore, be to hand over the central powers in respect of those Provinces to a Congress Central Government. The corollary would be to hand over the central powers in respect of the other Provinces either to those Provinces individually or to a separate Central Government for them. This would involve most difficult problems regarding the apportionment of the assets and liabilities of the former Central Government. It would also involve splitting the Indian Army.

Ministers realised that this would in effect approximate to a recognition of Pakistan. But there seemed no alternative. When it came to the point and he found the splitting of the Indian Army was involved, Mr Jinnah might not altogether welcome this result; he had always had in mind that there should be a common system of defence between Pakistan and Hindustan and he would probably also recognise the need for a single foreign policy.

THE SECRETARY OF STATE FOR INDIA reminded the Cabinet [the Committee] that the Punjab, although a Province with a majority of Muslim inhabitants, was governed by a union Government of Congress, Sikhs and others.
Ministers considered again the question what reference to Parliament would be required at the initial stage. Further consideration had confirmed their view that Parliamentary discussion could not be avoided. The withdrawal of the Services from the Southern Provinces might involve the amending of rules made under the Government of India Act, 1935, though some Ministers thought that this might be avoided. Any amending rule would have to lie for 28 sitting days on the table of the House. Again, if Governors of the Southern Provinces were not fully able to exercise the discretionary and individual judgment powers conferred on them by Section 52 of the Government of India Act, it would seem right that their Instruments of Instructions should be amended. This, as pointed out in the notes enclosed in I.B.(46)50, would require an Address to the King from both Houses of Parliament.

The Viceroy's plan would have to be initiated soon. But there could be no question of securing then legislation adequate to cover the final handing over of power. That could only be passed at the time of the handing over. Ministers felt that there would be great advantage if at the early stage actual legislation could be avoided and they inclined to think that procedure by way of resolution should be adequate and practicable. They thought it would be well, however, to have a further discussion of this question at a meeting later in the day to which the Lord Chancellor could be invited and to which the President of the Board of Trade could also come.

The Committee:

Agreed to resume their discussion at a further meeting later in the day to which the Lord Chancellor would be invited.

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2II

Mr Addis to Mr Harris

L/PO/8/94: ff 18-19

10 DOWNING STREET, WHITEHALL, 20 December 1946

Dear Harris,

The Prime Minister would be grateful if the Secretary of State will advise on the reply to be returned to the enclosed letter from Baldev Singh about Field Marshal Auchenleck's appointment as Commander in Chief, India.

The Prime Minister is of course aware that the Field Marshal's appointment is not due to end next March, but has another year to run.

Yours sincerely,

J. M. ADDIS
Enclosure to No. 211

Sardar Baldev Singh to Mr Attlee

DEFENCE DEPARTMENT, NEW DELHI, 12 December 1946

Dear Mr. Attlee,

During my visit to London, I spoke to you about Field Marshal Sir Claude Auchinleck. He is due to retire next March and the question of his successor has to be taken up now. As explained to you personally, Field Marshal Sir Claude Auchinleck has rendered very good service to the Armed Forces of this country and is popular with all Ranks. He has invaluable experience of many years to his credit and knows the country and its problems well. In the present uncertain political atmosphere of this country, I feel that I should have a man as Commander-in-Chief in whom I have full faith. The Army has done its duty wonderfully well in recent disturbances but personal factor and experience count a great deal and in the circumstances Sir Claude’s continued help is necessary.

Another important consideration at the time is the problem of reorganisation of our Armed Forces. During the War we had about 2½ million men and this figure is to be brought down to between 4 and 5 lakhs. We are in the process of demobilisation and the task is heavy. From this point of view too, it is imperative that the Field Marshal should remain with us for some time and be given an extension of service for two to three years.

I may add that in making this request I am voicing the feeling not only of myself but of the vast majority of our people and I hope you will very kindly let me have your concurrence as early as possible.¹

Yours sincerely,

BALDEV SINGH

¹ On 7 December 1946 Lord Pethick-Lawrence had sent Mr Attlee a Minute (86/46) giving details of Field Marshal Auchinleck’s tenure of Office as C.-in-C., India in response to a previous request from Mr Attlee. The Minute showed that Field Marshal Auchinleck had been offered the Office in a telegram dated 16 June 1943 which stated that the tenure was to run ‘for the normal five years inclusive of the period for which you have already held it.’ (See Vol. IV, No. 3 for the telegram.) As Field Marshal Auchinleck had taken charge on 21 June 1943 and had served 166 days in 1941 this meant his appointment was due to expire on 5 January 1948. L/PO/8/94: f 20.

² Mr Attlee thanked Sardar Baldev Singh for this letter on 27 December 1946. Mr Attlee pointed out that Field Marshal Auchinleck’s tenure of office was not due to expire until January 1948 and therefore it was not yet necessary to consider arrangements after that date. However, when the time for decision came, Sardar Baldev Singh’s recommendation would be taken fully into account. L/PO/8/94: f 9.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/P&J/10/76: f 65

20 December 1946

Secretary of State,

You have seen the text, which was telegraphed from New Delhi in the Acting Viceroy’s telegram 2616-S of 12th December, of a letter¹ from the Chief Justice of India about references to the Federal Court from the Constituent Assembly.

2. The line taken was that if there are to be any references to the Court as a Court, either on the question of what is or is not a major communal issue, or on matters of interpretation, the Court will require statutory powers including a provision that the opinions expressed will be binding on all parties concerned.

3. Below is a telegram² giving the reasons advanced by Reforms Commissioner and the Secretary of the Legislative Department in New Delhi for holding that parliamentary legislation to this end is not possible.

4. I am quite clear that it would be useless to legislate to give binding effect to the opinions expressed by the Federal Court. The Constituent Assembly will not work as an Assembly for all India unless both the major parties are in it, and whatever Parliament may enact about the binding effect of a decision by the Federal Court, they cannot compel either Indian party to enter into or remain in the Constituent Assembly.

5. I propose therefore on return to India to seek an informal understanding with the Chief Justice that, rather than let us down in this matter, the Judges of the Federal Court will agree to give their joint advice as free [three] eminent Judges and not as a Court.³

¹ No. 183.
² No. 208.
³ Lord Wavell did not have the opportunity of discussing No. 183 with Sir P. Spens immediately on his return to India and on 23 January 1947 Mr Abell asked Mr Menon whether Lord Wavell ought to write to the Chief Justice on the lines of paras. 4 and 5 above. On 29 January Mr Menon explained why he did not feel they need take the matter up at that juncture and on 30 January Lord Wavell indicated his concurrence with Mr Menon’s advice. R/3/1/133: ff 57-9.
Cabinet

India and Burma Committee. I.B.(46)13th Meeting

L/P&J/10/46: ff 150-5

Those present at this Meeting held at 10 Downing Street, S.W.1, on 20 December 1946 at 3.30 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir Stafford Cripps, Mr Alexander, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Lord Jowitt, Lord Wavell, Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr J. Rowlatt, Mr R. E. Field, Mr Abell; Mr C. G. Eastwood, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

Future Policy in India
(Previous Reference: I.B.(46)12th Meeting)

The Committee resumed their discussion on this subject.

With the assistance of the Lord Chancellor they considered the extent and nature of the Parliamentary sanction which it would be necessary to obtain at the various stages contemplated in the demission of our powers in India. The position as it emerged from the discussion was as follows.

By the Government of India Act, 1935, Parliament had entrusted to His Majesty's Government certain obligations of government in India. The only means by which these obligations could be removed was by a further Act of Parliament.

Legislation repealing the 1935 Act and arranging for the final transfer of power could not well be passed until the final stages when the nature of the body or bodies to whom power was to be transferred was known and the necessary treaties had been made with them. In the case of Eire the agreement made with the Irish leaders had been scheduled to the Act which had been passed on the institution of the Irish Free State. That Act had in itself been short and simple.

If it was desired to avoid earlier legislation this could be done by obtaining the assent of Parliament to an enabling resolution in general terms. In the special circumstances procedure by way of resolution would be reasonable and there would be this advantage in it, that reference to the House of Lords might not be necessary. While a resolution would not remove the legal obligations on His Majesty's Government, it would relieve them of their moral obligations and, if need be, an Act of indemnity could no doubt be passed subsequently.

The Committee then considered what form a resolution should take.

It was first suggested that it would be necessary to have a very general resolution which would empower His Majesty’s Government to take all the steps necessary to settle the process whereby power would be ceded to a successor body or bodies and treaties would be prepared for ratification by Parliament.

Against this some Ministers thought that it would be difficult to obtain from Parliament so wide a discretion. Would it not be better to proceed by way of a statement of policy, somewhat on the lines proposed by the Viceroy, which could be approved by a resolution of the House of Commons? The draft of a possible statement prepared by the President of the Board was read to the Committee. A copy of this draft is annexed to these minutes. A statement of this kind, endorsed by a resolution, would give the Viceroy authority to begin the process outlined in the statement of withdrawal from the Southern Provinces.

After discussion, the Committee agreed that this would be the best procedure. Various amendments to the draft were suggested and it was agreed that its exact terms would require very careful consideration.

It seemed probable that the statement should be made very soon after Parliament reassembled on 21st January. Much would depend on developments in the meanwhile and the progress of the discussions by the Parliamentary Under-Secretary of State for India regarding compensation to members of the Secretary of State’s Services, but the Viceroy was anxious that a statement should not be long deferred. It could be argued that the statement should be made at the end of January whether or not it was by then certain that the Muslim League would not participate in the Constituent Assembly. The announcement might conceivably result in their joining the Assembly.

In further discussion the following points were made:

(a) It was suggested that a resolution of the kind proposed would weaken the Viceroy’s position as he would no longer be able to use the argument that he could not take action inconsistent with the Act of 1935.

Lord Wavell considered, however, that his position would in general be stronger than at present. If the Indian leaders realised that we intended to go ahead with our plans for leaving India they should become more not less reasonable. Neither community wished to see India in chaos on our departure. We should make it clear that we did not intend to be deflected from our plan, though willing to discuss the means of carrying it out and the arrangements for establishing a successor body or bodies.

The President of the Board of Trade suggested that we might expect the willing cooperation of both communities in the carrying out of our plan.

(b) In the transition stage the protection of the minorities would be as effective as at present. The safeguards on which they could at present effectively rely were provided by the constitution, and this would remain in force until
the end. It was hoped that the new constitution would contain similar provisions; that would be a matter for negotiation.

(c) The Princes had asked that paramountcy should not be surrendered until our final departure from India. They were anxious that it should not be handed over to the successor body or bodies. If the Princes wished it to be surrendered to them earlier, we should have no objection. Princes of States bordering on the Southern Provinces might well take this course.

(d) There would be some difficulty in regard to Berar, which was under the sovereignty of the Nizam of Hyderabad, though by agreement with him administered as part of the Central Provinces. When paramountcy was surrendered to the Nizam, Berar would return to his administration, unless he made fresh arrangements with the Government of the Central Provinces. The Nizam would probably be willing to do so at the price of concessions in regard to access from Hyderabad to a port.

The Committee:—

(i) Agreed to recommend to the Cabinet—

(ii) that His Majesty's Government should be prepared to make a statement of their plans in regard to India in the House of Commons soon after its reassembly. The statement should be on the lines indicated in the Annex to these minutes, though the exact wording would require very careful consideration.

(ii) that the House of Commons should be invited to pass a resolution endorsing this statement of policy.

(2) Took note that the Prime Minister, in consultation with the Secretary of State for India, would arrange for a memorandum to be circulated to the Cabinet accordingly.

The Minister without Portfolio, while agreeing that a memorandum should be submitted to the Cabinet proposing this procedure, said that he was not wholly convinced that the alternative of a more general resolution would not be preferable. He would consider the point further and, if necessary, submit a separate memorandum to the Cabinet.

Annex to No. 213

Draft Statement

His Majesty's Government greatly regret that it has not yet proved possible to bring within the Constituent Assembly in India all the major sections of Indian opinion and that the Muslim League, in particular, still find themselves unable to join in its deliberations.

When the suggestion was made, in 1942, and again in 1946, that the future of India should be settled in this way by Indian representatives it was hoped that the transfer of power in India would not be delayed and that it would be accomplished within a reasonably short period after the end of the war.
In order to assist this process His Majesty’s Government have refrained from proceeding with the recruitment of the Secretary of State’s Services, which had not been able to be reinforced or indeed kept up to strength during the war. They have also reduced very materially the number of British troops in India.

It is not now possible, even if it were desirable, for the responsibility of the British Parliament for Indian matters to be indefinitely prolonged.

His Majesty’s Government therefore believe that it is their duty both to their own countrymen and to the Indian people to state now their definite intentions as to the future. It is their intention to recommend Parliament to hand over power in India by March 31st 1948, and they trust that in the intervening period before that time the various Indian communities will be able to come to a satisfactory arrangement as to the future Government of India.

The repatriation of those Europeans who will no longer be serving in India and of any others who desire to leave the country under the changed circumstances will be carried out. This process will occupy some considerable time and will therefore have to be begun some months before the date given, March 31st 1948, and it will proceed by stages.

It is the intention of His Majesty’s Government to maintain the provisions of the existing constitution both as regards the Centre and the Provinces until the final date of handing over arrives. They will also at the same date hand back to the Indian States their paramountcy, but in the meantime they will retain their direct relationship with those States.

If the conditions of the offer of May 16th, 1946, are carried out by a Constituent Assembly representing all the major communities, His Majesty’s Government will recommend Parliament to hand over to the Indian Government that is set up under the new constitution.

If, on the other hand, any less representative Constituent Assembly should formulate an ultimate constitution or if the conditions as to the handing over of power laid down in the Statement of May 1946 are not satisfied His Majesty’s Government will be forced to reconsider the matter and will recommend the handing over of power to such Governments as appear to them to be representative of the different areas of the country.

They earnestly hope that in the light of this definite decision the representatives of the various Indian communities will between them reach an acceptable arrangement for the future of their country in time to avoid the dislocation and dangers that must otherwise ensue.
My dear Prime Minister,
If I am to return to India on Sunday to undertake the very serious responsibilities there, with no settled policy after nearly three weeks at home, I feel I should have your personal assurance on certain points, i.e.:

(a) That H.M.G. does recognise that we must make arrangements with a view to the transfer of power in India not later than March 31st, 1948.

(b) That you accept in principle my general plan of withdrawal by stages, subject to further examination in the next few weeks, here and in India.

(c) That any legislation found necessary will be placed before Parliament at the beginning of next Session, and that I should be summoned home, if necessary, to discuss the final plan to be submitted.

(d) That you agree to the need for making a very early announcement about the winding up of the Secretary of State’s Services.

I propose to leave my Private Secretary at home for the present to represent my point of view in the discussions here.¹

Yours sincerely,

WAVELL

¹ On 20 December Mr Rowan minuted Mr Attlee with reference to Lord Wavell's letter: 'The attached letter is no doubt the formal follow-up of the oral request which the Viceroy made today—and which I reported to you—that he would like to see you personally before deciding to return to India on Sunday.' Public Record Office, PREM 8/541, part VIII.
My dear Prime Minister,
I am deeply honoured by the offer you have made me,¹ to succeed Wavell. I understood you to say that you wished me to try and end the present deadlock and enable the Indian parties to agree on their future constitution.

I know you would not wish me to accept your offer, unless I felt I had a reasonable chance of succeeding in these tasks. And I do not feel I could tackle this job with confidence if the manner of my appointment suggested to the Indians that we wished to perpetuate the Viceroy's system, or intended to exercise the right to impose our nominees to arbitrate in their affairs.

I feel, at this late stage, such an impression would constitute a disadvantage which neither Wavell nor the Cabinet mission had to face.

In the circumstances, I feel I could only be of use to you, if I were to go out at the open invitation of the Indian parties, in a capacity which they would themselves define.

Yours very sincerely,
MOUNTBATTEN

¹ Mr Attlee's engagement diary shows that he had an appointment arranged with Lord Mountbatten for 5.30 pm on 18 December and an entry in Lord Mountbatten's diary for that day, which reads 'P.M. sent for me and staggered me', indicates that the meeting took place. The Prime Minister's diary also records that Mr Attlee had a meeting fixed for earlier in the day (10.45 am) with the Members of the Cabinet Mission. R/30/1/8a: f 104B and information supplied by the Archivist at Broadlands.
Lord Pethick-Lawrence to Mr Attlee

L/P & J/10/46: ff 124–33

INDIA OFFICE, 21 December 1946

Secretary of State’s Minute: Serial No. 93/46

Prime Minister.

With reference to the Conclusions of the India and Burma Committee at their meeting on Friday the 20th December at 3.30 p.m. (I.B.(46)13th Meeting),¹ I send you herewith the draft of a Memorandum to the Cabinet on future policy in India.

PETHICK-LAWRENCE

PS. As regards the draft statement, I attach a commentary on the differences between the original draft of the President of the Board of Trade (copy attached)² and the draft now submitted (annexed to the Memorandum).

Draft Cabinet Paper³

INDIAN POLICY

MEMORANDUM BY THE PRIME MINISTER

TOP SECRET

1. The India and Burma Committee have had a series of meetings with the Viceroy since the departure of the Indian Representatives.

2. It is still possible that the Muslim League may cooperate in the Constituent Assembly, but the prospects of this are not hopeful. Whether they will do so or not should be known by the end of January.

3. The Viceroy has strongly urged the necessity for having in readiness a definite policy, to be announced and declared if and when it becomes clear that the Muslim League will not attend the Constituent Assembly, and therefore that there is no prospect of a Constitution being framed with the consent of all parties or in accordance with the Cabinet Mission’s Statement of May 16th.

4. The Viceroy has given us the following estimate of the situation:—

(a) We are not in a position to maintain British rule in India beyond March 31st 1948 and possibly not for so long.

(b) Our present authority in the country has inevitably declined owing to our announced intention to hand over power to India. Those Indians who used to support us loyally have felt compelled in self defence to transfer their allegiance to one of the political parties or simply to lie low. Similar

¹ No. 213. ² i.e. Annex to No. 213. ³ This draft Cabinet Paper and its Annexure were circulated as C.P.(46)456 of 24 December 1946. R/30/1/9: ff 60–5.
considerations have strongly affected Indian members of the Secretary of State's services, and the British members are few, tired and dis spirited by political opposition. As a result we cannot, in certain provinces at any rate, maintain the administration if the Congress withdraws its cooperation.

c As a consequence the Viceroy and Governors cannot resist any demand of Congress, however extreme, on which the Congress are prepared to resign. This, the Viceroy considers, is not a position which can long continue. We may at any time be involved in what is virtually civil war between Hindus and Muslims.

d No improvised measures to cover a short period of years can amend this situation.

5. The alternatives are therefore to withdraw from India or to re-assert our authority. Withdrawal would have to be a phased process spread over about 12 months. The Viceroy does not say that the latter course is totally impossible. He considers that it can only be done if we declare our determination to govern India for a further period of at least 15 years. This is necessary if we are to retrieve the allegiance of Indian government servants and secure support from moderate Indian citizens. Extreme measures would be necessary. The Viceroy would also require British military reinforcements of 4 to 5 divisions. The Committee considered that this course was politically impracticable. Apart from this the British troops are not available.

6. The Viceroy proposed to us a plan of which the following are the main features:

(a) That, whatever may happen as regards Muslim cooperation in the Constituent Assembly, we should announce our intention to withdraw from India.

(b) That we should announce that we should do this over a period by stages, and that as the first stage we should withdraw from the four Southern Provinces. This would mean withdrawing the British Governors, the Secretary of State's Services, and those United Kingdom nationals who wish to leave.

(c) The later stages would have to be planned in the light of developments. If the impact of the announcement caused the parties to reach an agreement we should be able to hand over the Central Government intact. If not we should hand over the Hindu Provinces to a government set up by the Constituent Assembly, and the Muslim majority Provinces to the Provincial Governments. The Indian Army would be kept intact as long as possible but might have to be divided in the final stage.

7. The advantages the Viceroy saw in this proposal were:—

(a) The Congress threat to withdraw cooperation would be greatly weak-
ened by the withdrawal of British authority from the four Southern Provinces. It would not then be in Congress interests to refuse to govern these.

(b) The British civil servants and troops withdrawn would be available to strengthen the administration in Northern India. The problem of protecting our nationals in extreme disturbances would be reduced and concentrated.

(c) The psychological effect of visible withdrawal might induce the major parties to come together before our final departure.

(d) The defence of India’s frontier would be secure up to the time of our final withdrawal.

8. The Committee, advised by the Lord Chancellor, considered that a complete demission of authority in Provinces in India could not be undertaken without legislation; that legislation when undertaken must provide for the whole process of handing over power; that it would not be possible to frame and introduce such legislation in January 1947 owing to the legislative programme and to the uncertainties as to the authorities to whom power would finally be transferred.

9. On the other hand they were impressed with the seriousness of the possible developments which the Viceroy envisaged, and also with the possibility that an early announcement of our intention to withdraw from India was the most hopeful means of inducing the Congress and the Muslim League to come to an agreement.

10. The Committee’s conclusion was that a statement in the terms in Annexure A should be made in Parliament so soon as it becomes clear that the Muslim League will not come into the Constituent Assembly, which will probably be by the end of January.

11. The intention is that after this statement has been made the Viceroy would begin the process of withdrawing British civil servants, troops and those United Kingdom nationals who wish to leave from the Southern Provinces. The Constitutional responsibility would however be retained in form and the British Governors would remain in Office. They would, of course, become powerless to act otherwise than on Ministerial advice. In the autumn legislation would be promoted to authorise the final withdrawal. The Viceroy is prepared to accept this alternative in the circumstances.

12. The adoption of these proposals raises a difficulty in regard to the continuance of the Paramountcy relationship with certain Indian States. It is an obligation of the Crown under its relationship with the States to prevent political penetration of the States by hostile elements in British India and to protect the State Government against internal disruption by revolutionary activity within the State. The first is only capable of fulfilment so long as there
is effective British control of the surrounding territory in British India which will increasingly cease to be the case in respect of States in Southern India. Internal protection is provided by military or police assistance, and in certain cases, notably Hyderabad, we are under Treaty obligation to maintain troops under British control in the State. It is not a possible position to maintain British troops in States and allow them to be used to resist infiltration from British India, where the Congress which encourages such action against the States is in office with our approval. It may therefore become necessary to terminate the Paramountcy relation with States in the south, such as Hyderabad and Mysore, before the final transfer of power. Paragraph 8 of the draft Statement is designed to leave the way open for this.

Annexure to Draft Cabinet Paper

AMENDED DRAFT STATEMENT

TOP SECRET
Passages italicised or sidelined are variations from the text considered by India and Burma Committee on 20.12.46

1. His Majesty's Government greatly regret that it has not yet proved possible to bring within the Constituent Assembly in India all the major sections of Indian opinion and that the Muslim League, in particular, still find themselves unable to join in its deliberations.

2. When the suggestion was made, in 1942, and again in 1946, that the future of India should be settled in this way by Indian representatives it was hoped that the transfer of power in India would not be delayed and that it would be accomplished within a reasonably short period after the end of the war.

3. In order to accord with this expectation His Majesty's Government have refrained from proceeding with the recruitment of the Secretary of State's Services, which had been in abeyance for the greater part of the war.

4. There is today no question of retaining the responsibility of the British Parliament for Indian matters indefinitely.

5. His Majesty's Government therefore believe that it is their duty both to their own countrymen and to the Indian people to state now their definite intentions as to the future. It is their intention to recommend Parliament to hand over power in India by March 31st 1948, and they trust that in the intervening period before that time the various Indian communities will be able to come to a satisfactory arrangement as to the future Government of India.

6. The return of those Europeans who will no longer be serving in India and of any others who desire to leave the country under the changed circumstances will occupy some considerable time and will therefore have to be begun
some months before the date given, March 31st 1948, and it will proceed by stages.

7. Though preparatory measures will necessarily have to be taken H.M.G. do not contemplate that it will be necessary on that account to recommend to Parliament any amendment of the existing constitution or that legislation will be required otherwise than to authorise the final transfer of power.

8. Similarly in the case of the Indian States, though it is not intended to bring Paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, it is contemplated that there may be such adjustments of the relations of the Crown with individual States as may be mutually acceptable.

9. If the conditions of the offer made in May 1946 are carried out by a Constituent Assembly representing all the major communities, His Majesty’s Government will recommend Parliament to hand over authority to the Indian Government that is set up under the new constitution.

10. If, on the other hand, any less representative Constituent Assembly should formulate an ultimate constitution or if the conditions as to the handing over of power laid down in May 1946 are not satisfied His Majesty’s Government will be forced to reconsider the matter and will recommend the handing over of power to such Governments as appear to them to be representative of the different areas of the country.

11. They earnestly hope that in the light of this definite decision the representatives of the various Indian communities will between them reach an acceptable arrangement for the future of their country in time to avoid the dislocation and dangers that must otherwise ensue.

Note by Lord Pethick-Lawrence

Commentary on the differences between the original draft of the President of the Board of Trade and the draft now submitted

Paragraph 3. The original draft was inaccurate because the Secretary of State's Services are up to strength owing to refusal of normal retirement and because British troops will still be up to pre-war strength or over it in January, 1947.

Paragraph 4. The words "it is not now possible" seem to expose dangerous lines of attack both in India and Britain.

Paragraph 6. The word "repatriation" might be taken to involve a commitment of payment of expenses by H.M.G.

Paragraphs 7 and 8. (Amended Version): These paragraphs have been amended to meet the views of the Lord Chancellor and to keep open the possibility of modifying Treaty relations with individual States. The Viceroy proposes to withdraw British troops from Hyderabad.
Paragraph 9. (Amended Version) (paragraph 8 of original). The real “offer” was in the Statement of May 25th. The alteration is very important as it prevents the criticism that we are abandoning the minorities.

Paragraph 10. (Amended Version) (paragraph 9 of original). The words “the statement of May 1946” were ambiguous and raised the same issue as on the preceding paragraph.

There is still a danger that the words “such governments” may be taken to mean Pakistan, but in Debate it can be explained that they might equally mean Provinces or any other area.

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Text of Resolution adopted by Constituent Assembly on
21 December 1946

R/1/30/39: f 148

MR. K. M. MUNSHI to move the following Resolution:—

This Assembly resolves that the following members, namely,—

(1) Maulana Abul Kalam Azad,
(2) The Hon’ble Pandit Jawaharlal Nehru,
(3) The Hon’ble Sardar Vallabhbhai Patel,
(4) Dr. B. Pattabhi Sitaramayya,
(5) Mr. Shankarrao Deo, and
(6) The Hon’ble Sir N. Gopalaswami Ayyangar
do constitute a committee to confer with the Negotiating Committee set up by the Chamber of Princes and with other representatives of Indian States for the purpose of—

(a) fixing the distribution of the seats in the Assembly not exceeding 93 in number which, in the Cabinet Mission’s statement of 16th May, 1946, are reserved for Indian States, and

(b) fixing the method by which the representatives of the States should be returned to this Assembly, and thereafter to report to the Constituent Assembly the result of such negotiations.

The Assembly further resolves that not more than three other members may be added to the committee later and that they be elected by the Assembly at such time and in such manner as the President may direct.

1 The text of the Resolution given in this document is in fact that adopted by the Constituent Assembly. The Resolution, as moved by Mr Munshi, differed somewhat in the wording of sub-para. (b). See Constituent Assembly Debates, Vol. I, No. 10 (New Delhi, Govt. of India Press, 1947).
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Mr Attlee to Field Marshal Viscount Wavell

L/P&E/J/10/46: f 47

10 DOWNING STREET, WHITEHALL, 21 December 1946

My dear Viceroy,

In reply to your letter of December 20,¹ I think that you will agree that the recommendation which will come before the Cabinet from the Indian Committee covers the broad decisions which you asked for.

Yours sincerely,

C. R. ATTLEE

¹ No. 214.

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India Office Press Release²

L/P&E/J/10/76: f 72

GANDHI’S CONVERSATION WITH ASSAM LEADERS

Mr. Mohendra Mohan Choudhry and Mr. Bijay Chandra Bhagwat, the Assam Congress leaders deputed by Mr. Gopinath Bardoloi, Premier of Assam, to seek Mr. Gandhi’s advice as to what policy Assam’s representatives in the Constituent Assembly should follow in view of H.M.G.’s statement of December 6th, asked Mr. Gandhi’s guidance on the grouping issue.³

Mr. Gandhi replied: “I do not need a single minute to come to a decision, for on this I have a mind. I am a Congressman to the very marrow, as I am the main framer of the Constitution of Congress as it stands today. I told Mr. Bardoloi that if there is no clear guidance from the Congress Working Committee, Assam should not go into a Section. It should lodge its protest and retire from the Constituent Assembly. It will be a kind of Satyagraha against Congress for the good of Congress.

“Rightly or wrongly, Congress has come to the decision that it will stand by the judgment of the Federal Court. The dice are heavily loaded. The decision of the Federal Court will go against the Congress interpretation of

¹ The text of this Press Release was sent to the Information Dept of the India Office by the G. of I. Press Information Bureau in tel. A. 3810 of 21 December 1946.
² The meeting between the Assam Congress leaders and Mr Gandhi took place on 15 December 1946. See D. G. Tendulkar, Mahatma, Life of Mohandas Karamchand Gandhi, 8 vols. (Bombay, Jhaveri and Tendulkar, 1951-4), vol. 7, pp. 335-8.
grouping as far as I can make out, for the simple reason that the Cabinet has got legal advice which upholds their decision. The Federal Court is a creation of the British. It is a packed court. To be consistent, Congress must abide by its decision, whatever it may be.

"If Assam keeps quiet, it is finished. No one can force Assam to do what it does not want to do. It is autonomous to a large extent today. It must become fully independent and autonomous. Whether you have that courage, grit and gumption, I do not know. You alone can say that. But if you can make that declaration, it will be a fine thing.

"As soon as the time comes for the Constituent Assembly to go into sections, you will say ‘Gentlemen, Assam retires.’ For the independence of India it is the only condition. Each unit must be able to decide and act for itself. I am hoping that in this Assam will lead the way."

Mr. Gandhi had the same advice to give to the Sikhs, although he held that Assam’s position was much happier than that of the Sikhs. Assam was a whole Province, while the Sikhs were a community inside the Province. But Mr. Gandhi felt that every individual had a right to act for himself, just as he had.

The next question put to Mr. Gandhi was: "But we are told that the framing of a Constitution for the whole of India cannot be held up for the sake of Assam. Assam cannot be allowed to block the way?" Mr. Gandhi replied: "There is no need to do that. That is why I say I am in utter darkness. Why are not these simple truths evident to all after so many years? If Assam retires, it does not block, but leads the way to India’s independence."

The next question was: "The British Government has said that a Constitution framed by the Constituent Assembly cannot be imposed on unwilling units. So if some parts do not accept it, the British Parliament will not accept it?" Mr. Gandhi replied: "Who is the British Government? If we think independence is going to descend on our heads from England or somewhere, we are greatly mistaken. It will not be independence. We will be crushed to atoms. We are fluctuating between independence and helpless dependence. The Cabinet Mission’s plan lies in between. If we act rightly, there will be the full blown flower of independence. If we react wrongly the blossom will wither away.

"Mind you, the League standpoint is quite correct. If they stand out, the Constituent Assembly cannot impose its Constitution on an unwilling party. The British Government has no say in the matter, one way or the other. The British cannot interfere with the working of the Constituent Assembly. Supposing a vast majority, including Muslims and others, form a Constitution, you can defy the British Parliament if it seeks to interfere. Power is in your hands.

"Some such thing happened in Ireland only recently, and Mr. De Valera is no non-violent fighter. The position of India is far better than that of Ireland."
If we have not penetration, we will lose the advantage we have, as it is apparently being lost today. If Assam takes care of itself, the rest of India will be able to look after itself.

“What have you got to do with the Constitution of the Union Government? You should form your own Constitution. That is enough. You have the basis of a Constitution all right, even now.

“I have never despised the 1935 Constitution. It is based on Provincial Autonomy. It has capacity for the fullest growth, provided the people are worth it. The hill people are with you. Many Muslims are also with you. The remainder can be, too, if you act on the square. You will have to forget petty jealousies and rivalries, and overcome your weaknesses. Assam has many weaknesses as it has much strength, for I know my Assam.”

The Assam Congressman here remarked: “With your blessings, we can even go outside Congress and fight.” Mr. Gandhi replied that in 1939, where there was a question of giving up Ministries, Subhas Chandra Bose had opposed it, as he thought Assam’s was a special case. “I told Mr. Bardoloi that there was much in what Subhas Bose had said, and although I was the author of that scheme of boycott, I said Assam should not come out if it did not feel like it. But Assam did come out. It was wrong.”

The Assam Congressmen recalled that Maulana Azad had then said that an exception could not be made in the case of Assam. Mr. Gandhi, in reply, maintained that not only the Province but even the individual can rebel against Congress and by doing so, save it, assuming he is in the right. “I have done so myself.”

Proceeding, Mr. Gandhi remarked: “I have given you all this time to steel your hearts to give you courage. If you do not act correctly and now, Assam will be finished. Tell Mr. Bardoloi I do not feel the least uneasiness. My mind is made up. Assam must not lose its soul. It must uphold it against the whole world. Else I will say that Assam had only manikins, and no men. It is an impertinent suggestion that Bengal should dominate Assam in any way.”

In conclusion, the Assam Congressmen asked Mr. Gandhi if they could tell the people they had rebelled against Congress with Mr. Gandhi’s blessings. Mr. Gandhi replied: “Talk of God’s blessings. They are much richer. Tell the people that even if Mr. Gandhi tries to dissuade us, we will not listen.”
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Mr Robertson to Viscount Addison

L/P&J/8/220: f 28

OFFICE OF THE HIGH COMMISSIONER FOR
CANADA, CANADA HOUSE, S.W.1,
21 December 1946

My dear Secretary of State,
I should like to inform you that the Canadian Cabinet has approved the
appointment of Mr. John Doherty Kearney as High Commissioner for
Canada in India.

The Department of External Affairs has asked the Indian Trade Commiss-
ioner in Canada to inform his Government that they propose to make an
announcement of this appointment at 6 o'clock p.m. Ottawa time, on Monday,
December 23rd, and to suggest that the Government of India might desire to
make a simultaneous announcement and perhaps to include a reference to their
wish to reciprocate.

Mr. Kearney, as you know, is at present Canadian Minister to Norway and
Denmark, and was formerly Canadian High Commissioner in Dublin.

Yours sincerely,
N. A. ROBERTSON

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Mr Alexander to Lord Pethick-Lawrence

L/PO/6/102c: ff 106–8

OFFICE OF THE MINISTER OF DEFENCE,
GREAT GEORGE STREET, S.W.1, 23 December 1946

Dear Fred,
I attach a copy of a letter dated December 16th which I have received from
Mr. Birla. What he says about the Federal Court does not seem to be in accord
with what the News Chronicle claims to have been the decision on Saturday by
the Working Committee of the Congress not to refer the matter to the Federal
Court.1

I have also written to the Prime Minister and Stafford Cripps.

Yours sincerely,

A. V. ALEXANDER
Enclosure to No. 221

Mr G. D. Birla to Mr Alexander

BIRLA HOUSE, NEW DELHI, 16 December 1946

Dear Mr. Alexander,

I write this to congratulate you on your speech in the debate on India. On the whole, it was a useful debate since it gives us the reaction of the Parliament.

There is one point on which I fear you are miscalculating. I fear Jinnah is not co-operating. After the debate in the House of Commons, he broadcasted to America and also held a press conference in which he clearly insisted on Pakistan. We are referring the matter to the Federal Court. But even if the decision is in his favour, I am not sure whether Jinnah will participate in the Constituent Assembly. All that he has promised is to call a meeting of the Council of the Muslim League. I don’t know what it means. We are really anxious to get his co-operation. But I fear at the same time that we are drifting towards some sort of division. My fears are confirmed by H.M.G.’s statement that no constitution will be imposed on any unwilling part of the country. This may mean that in the absence of Jinnah’s co-operation the Constituent Assembly may have to frame a constitution which will not be applicable to East Bengal, West Punjab and other areas where Muslims are in majority. Thus with the help of this statement, Jinnah can force a division. We are working, however, with faith and hope.

I don’t, however, seriously anticipate the so-called civil war. There have been riots and perhaps altogether about 10,000 persons have been killed. But in such a big country specially when power is to be transferred, such clashes, however deplorable, cannot be made impossible. These riots, however, have impressed one thing clearly on the minds of all reasonable people that this mutual killing cannot help any one side. This is a game which both sides can play with disastrous results. So I am not taking a pessimistic view.

Hope you are well.

Thanking you again, and with kind regards,

Yours sincerely,

G. D. BIRLA

1 See Enclosure to No. 222.
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Sir J. Colville to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICE ROY’S HOUSE, NEW DELHI,
23 December 1946

I am just about to hand over but before doing so I think I should write a letter on the events of the past week.

2. One of the pieces of business which we did at the meeting of the Cabinet on Monday was to agree on an adjournment of the forthcoming session of the Central Legislative Assembly from January 20th, for which date it had been fixed, to February 3rd. This was at the request of Nehru, as the second session of the Constituent Assembly is being arranged for about ten days beginning on January 20th. The idea behind this postponement, apart from the inevitable break over the the Christmas holidays, was that time would be afforded to the Muslim League to call together their Council, rescind their Bombay resolution, and decide to take part in the work of the Constituent Assembly.

3. This hope, however, does not look like being fulfilled: Jinnah has already stated that he will not call the Muslim League Council until the Congress unequivocally accepts His Majesty’s Government’s Statement of December 6th; and the Congress Working Committee, by a resolution passed last night, (of which a copy is being sent to you with this letter), has decided to call together the All-India Congress Committee on the 5th January to consider the position. I do not altogether like the wording of the resolution, which does not seem to me likely to lead to a wholehearted acceptance by the All-India Congress Committee of His Majesty’s Government’s Statement. In any case, Jinnah will certainly not do anything now until after the All-India Congress Committee has pronounced its verdict; and if that should prove to be equivocal, we may be in for a further period of stalemate. Meanwhile, Nehru and some companions are going down to East Bengal to see Gandhi about it all.

4. The Congress Working Committee have also decided not to make any reference to the Federal Court, and this will no doubt ease the immediate situation arising out of the Chief Justice’s letter,’ which you will have been considering.

5. Though tension persists, conditions generally remain peaceful throughout the country. The Sind elections have returned a solid Muslim League majority, and if the party can retain its unity, the Province ought to be in for a period of stable Government.

6. I gave an interview to a representative of the Khan of Kalat this week.
He presented me with a formal letter from the Khan, stating his intention of taking advantage of a provision of the Treaty of 1878, which governs his relations with us, and appointing a representative in Delhi. He has been advised against this course by the Political Department, but has insisted on exercising his right. I gather that the representative will not reside permanently in Delhi, and the whole thing may simply be a gesture by the Khan to try and assert some independence of action as against the other Princes of India.

I said good-bye to the Cabinet today in a cordial atmosphere of coffee and biscuits after a final meeting. In spite of the state of party feeling I must say that all the Cabinet meetings have been friendly and correct.

With all good wishes for the New Year, which I hope may prove less troublesome for you than the one which is now ending.

Yours sincerely,

JOHN COLVILLE

Enclosure to No. 222

Cutting from The Statesman Dated the 23rd December 1946

The Congress Working Committee have given careful consideration to the statement issued by the British Government on December 6th, 1946, as well as other statements made recently on their behalf in Parliament. These statements, though made by way of interpretation and elucidation, are clearly additions to, and variations of, the British Cabinet Mission's statement of May 16th, 1946, on which the whole scheme of the Constituent Assembly was based.

The statement of May 16th, 1946, laid down in paragraph 15 as basic principles of the constitution that "there should be a Union of India embracing both British India and the States", that "all subjects other than Union subjects and all residuary powers should vest in the provinces", and that the "provinces should be free to form groups". The provinces were thus intended to be autonomous, subject to the Union controlling certain specified subjects. Paragraph 19 laid down, inter alia, the procedure for sections to meet, for decisions to be taken as to whether groups should be formed or not, and for any province to elect to come out of the group in which it might have been placed.

In their resolution of May 24th, 1946, the Working Committee pointed out what appeared to be a divergence between the basic principles and the procedure suggested, in that a measure of compulsion was introduced which infringed the basic principles of provincial autonomy. The Cabinet Mission thereupon issued a statement on May 25th, 1946, in which it was stated that "the interpretation put by the Congress resolution on Paragraph 15 of the statement, to the effect that the provinces can, in the first instance, make the

1 No. 183. 2 Vol. VII, Enclosure to No. 370.
choice whether or not to belong to the section in which they are placed does not accord with the delegation’s intentions. The reasons for the grouping of provinces are well-known and this is an essential feature of the scheme and can only be modified by agreement between the two parties”. The point at issue was not merely one of procedure but the fundamental principle of provincial autonomy and whether or not a province or part should be coerced against its will.

The Congress made it clear later that their objection was not to provinces entering sections but to compulsory grouping and the possibility of a dominating province framing a constitution for another province entirely against the wishes of the latter. This might result in the framing of rules, and the regulation of franchise, electorates, constituencies for elections and the composition of the Legislature which might seriously prejudice or even nullify the provision for a province subsequently to opt out of a group.

It was pointed out that this could never be the intention of the Cabinet Mission as it would be repugnant to the basic principles and policy of the scheme they had propounded. The Congress approach to the problem of constitution-making has all along been that coercion should not be exercised against any province or part of the country, and that the constitution of free India should be drawn up with the co-operation and good will of all parties and provinces concerned.

In a letter, dated June 15th, 1946, from Lord Wavell to Maulana Azad, the President of the Congress, it was stated that “the delegation and I are aware of your objections to the principle of grouping. I would, however, point out that the statement of May 16th does not make grouping compulsory. It leaves the decision to the elected representatives of the provinces concerned, sitting together in sections. The only provision which is made is that the representatives of certain provinces should meet in sections so that they can decide whether or not they wish to form groups.”

Thus the principle which was emphasised again was that grouping was not compulsory and, in regard to sections, a certain procedure was indicated. This procedure was not clear and could be interpreted in more than one way and, in any event, a point of procedure could not override a basic principle. We pointed out that the right interpretation should be one which did no violence to that principle. Further, in order to smooth the way to the cooperation of all concerned in the working of the proposed scheme, we not only made it clear that we were prepared to go into the sections, but also suggested that, if our interpretation was not accepted, we would be agreeable to a reference on this point to the Federal Court.

It is well-known that the proposal in regard to grouping affected injuriously two provinces especially, namely, Assam and the North-West Frontier Province, as well as the Sikhs in the Punjab. Their representatives expressed
their strong disapproval of this proposal. In a letter\(^4\) to the Secretary of State, dated May 25th, 1946, Master Tara Singh gave expression to the anxiety and apprehensions of the Sikhs and asked for clarification in regard to certain matters. The Secretary of State sent an answer\(^5\) to this letter on June 1st, 1946, in the course of which he said: “I have considered carefully the detailed points you raise at the end of your letter. I fear the Mission cannot issue any additions to, or interpretation of the statement.”

In spite of this explicit statement, the British Government have, on December 6th, issued a statement which is both an addition to, and an interpretation of the statement of May 16th, 1946. They have done so after more than six and a half months, during which period many developments have taken place as a consequence of the original statement.

Throughout this period the position of the Congress was made repeatedly clear to the British Government or their representatives and it was with full knowledge of this position that the British Government took subsequent steps in furtherance of the Cabinet Mission’s proposals. That position was in conformity with the basic principles laid down in the statement of May 16th, 1946, which statement the Congress had accepted in its entirety.

Further, the Congress had expressed its willingness to refer, if necessity arose, the point of interpretation to the Federal Court, whose decision should be accepted by the parties concerned. In the course of his letter,\(^6\) dated June 28th, 1946, addressed to Mr. Jinnah, the Viceroy stated that “Congress had accepted the statement of May 16th”. In the course of a broadcast\(^7\) on August 24th, 1946, the Viceroy, in appealing to the Muslim League to co-operate, pointed out that the Congress are ready to agree that any dispute of interpretation may be referred to the Federal Court.

The Muslim League reversed its former decision and rejected the British Cabinet Mission’s scheme by a formal resolution and even decided to resort to direct action. Their spokesmen have since repeatedly challenged the very basis of that scheme, that is, the constitution of a Union of India, and have reverted to their demand for a partition of India. Even after the British Government’s statement of December 6th, 1946, the leaders of the Muslim League have reiterated this demand for partition and the establishment of two separate independent Governments in India.

When the invitation of the British Government was received by the Congress at the end of November last to send its representatives to London, the Congress position was clearly indicated again. It was on an assurance\(^8\) of the Prime Minister of Britain that a representative of the Congress proceeded to London.

In spite of this assurance and the previous assurances to the effect that no

\(^6\) Vol. VII, No. 631.  \(^7\) Vol. VIII, No. 199.  \(^8\) See No. 100.
additions to, or interpretations of, the statement of May 16th, 1946, were going to be made, the British Government have now issued a statement which clearly, in several respects, goes beyond the original statement, on the basis of which progress has been made till now.

The Working Committee deeply regret that the British Government should have acted in a manner which has not been in keeping with their own assurances, and which has created suspicion in the minds of large numbers of people in India. For some time past the attitude of the British Government and their representatives in India has been such as to add to the difficulties and complexities of the situation in the country. Their present intervention, long after the members of the Constituent Assembly had been elected, has created a new situation which is full of peril for the future. Because of this, the Working Committee have given anxious and prolonged thought to it.

The Congress seeks to frame, through the Constituent Assembly, a constitution of a free and independent India with the willing co-operation of all elements of the Indian people. The Working Committee regret that Muslim League members of the Constituent Assembly have refrained from attending its opening session.

The Committee, however, appreciate and express their gratification at the presence in the Constituent Assembly of representatives of all other interests and sections of the people of India, and note with pleasure the spirit of co-operation in a common task and a high endeavour which has been in evidence during the sessions of the Assembly.

The Committee will continue their efforts to make the Constituent Assembly fully representative of all the people of India and trust that members of the Muslim League will give their co-operation in this great task. In order to achieve this, the Committee have advised Congress representatives in the Assembly to postpone consideration of important issues to a subsequent meeting.

In their statement of December 6th, 1946, the British Government, in giving their interpretation of a doubtful point of procedure, have referred to it as a “fundamental point”, and suggested that the Constituent Assembly may refer it to the Federal Court at a very early date. Subsequent statements made on behalf of the British Government have made it clear that they are not prepared to accept the decision of this Court should it go against their own interpretation. On behalf of the Muslim League also it has been stated that they will not be bound by the decision of the Federal Court and a demand for the partition of India, which is a negation of the Cabinet Mission’s scheme, continues to be put forward.

While the Congress has always been willing to agree to a reference to the Federal Court, any reference now, when none of the other parties are prepared to join in it or to accept it, and one of them does not even accept the basis of
the scheme, becomes totally uncalled for and unbecoming, and unsuited to the dignity of either the Congress or the Federal Court. By their repeated statements, British statesmen have ruled this out.

The Working Committee are still of the opinion that the interpretation put by the British Government in regard to the method of voting in the sections is not in conformity with provincial autonomy, which is one of the fundamental bases of the scheme proposed in the statement of May 16th. The Committee are anxious to avoid anything that may come in the way of the successful working of the Constituent Assembly, and are prepared to do everything in their power to seek and obtain the largest measure of co-operation, provided that no fundamental principle is violated.

In view of the importance and urgency of the issues facing the country and the far-reaching consequences which must follow any decisions, the Working Committee are convening an emergent meeting of the A.I.C.C. in Delhi early in January to consider the latest developments and to give such directions as it may deem fit.”—A.P.I.9

9 Mr Scott sent Lord Wavell a copy of this resolution on 24 December. Lord Wavell minuted with respect to it on 25 December: ‘What a pity H.M.G. wouldn’t make up their minds months ago.’ R/3/1/129: f 101.

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Sir E. Bridges to Mr Rowan1

L/PO/6/112: f 225

TOP SECRET

23 December 1946

Mr. Rowan,

This note deals with a point on the draft statement appended to the minutes of the 13th Meeting of the India and Burma Committee held on Friday afternoon,2 which will come before the Cabinet next Tuesday. The Chancellor is in the South of France, and this note is written without his authority. But the point seems to us sufficiently serious to be brought to the notice of Ministers without delay.

The broad point is the effect of the draft statement on the very considerable British commercial interests in India and those in this country concerned with these interests. It is by no means clear from the statement that these interests

1 A copy of this note at L/P &J/10/46: f 123 states that it is by Sir E. Bridges. A copy of a note dated 24 December 1946 by an official of the Prime Minister's Office at L/PO/6/112: f 216 states that the Prime Minister had seen Sir E. Bridges' Minute and considered that his points should be brought up in Cabinet when the Secretary of State's memorandum was discussed.

2 No. 213.
will be permitted to survive the handing over of power to the Indian people. Perhaps the paragraph which deals with the continuance of the Constitution could be elaborated so as to show that there is a future of these interests in the new India.

Further, nothing is said in the statement which reflects what we believe to be the Indian wishes, that these interests should continue to make their contribution in Indian commercial and industrial life in much their present form. Indeed the whole tenor of the sixth paragraph (about arrangements for repatriation) leaves the impression that the situation is so uncertain or so dangerous that not only persons in the British Services but civilians may be well advised to leave.

I can summarise my point by saying that if the statement is issued in its present form, two unfortunate results might ensue. First, that British commercial interests might take too alarmist a view of the situation and might be disposed to curtail their interests or even to liquidate them in a hurry. Secondly that the issue of a statement, without any reference to the British commercial interests, might give rise to a clamour that these interests had not been considered at all and had been sacrificed.

India is, of course, a great market for British goods, and its exports to North America have strengthened us in the past, and could continue to do so, if favourable commercial arrangements continue.

I have no doubt that these considerations have been borne in mind. But is it not essential to make that plain in the statement?

[E. E. BRIDGES]

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Mr Turnbull to Sir D. Monteath

L/PO/6/112: ff 221–2

TOP SECRET 23 December 1946

Sir David Monteath.

It seems to me quite inevitable that alarm should be caused in commercial circles by the proposed announcement. I do not myself see how H.M.G. can honestly insert in it anything which would effectively counteract this alarm.

The main cause of the alarm will surely be the naming of a date in paragraph 5. We can give no assurance whatever as I see it as to what will happen after that date. A Commercial Treaty cannot be negotiated until after a new Indian Government or Governments come into being and then it will take some months of negotiation. There is a possibility that the situation will deteriorate
into civil war. Nothing we say in the statement can gild over these facts which are better known to commercial people in India than to people in this country. The second cause of alarm is the indefinite character of the proposed statement which is deliberate. The alarm will result from paragraph 6 which implies that there is more in the rest of the statement in respect of the period up to the fixed date than meets the eye, and this is in fact the case. Moreover, firms in India and here would have a better chance of assessing the situation if they knew precisely what action it is proposed to take, but that is not to say that they would feel less alarmed if they knew that.

The Treasury suggest that we should add to the paragraph which says that the existing constitution will continue something "to show that there is a future of these interests in the new India" and they refer to "what we believe to be the Indian wishes that these interests should continue to make their contribution in Indian commercial and industrial life in much their present form". Mr Rumbold or Mr. Anderson could give a better opinion, but I was not conscious that such a wish was particularly prominent among Indians. I thought that all the indications were that they wished to discriminate against British interests or at any rate some of them. If after this announcement has been made wholesale discrimination starts against British interests, we have no political power left to deal with it, though of course the statutory safeguards continue and the Courts are available. But in view of the fixed date it would hardly be worth anyone's while to begin a legal action on such a matter.

I cannot see therefore how we can say anything [of] what the Treasury desire in the statement unless its whole character is altered. There seems to me however to be two possibilities outside the statement itself. The first is that the Viceroy should, before the statement is made, send for the accredited leaders of the Europeans in India and explain the situation to them, giving them sufficient time to circularise their members to reach them approximately on the date of the announcement. The second is that something of a general nature might be said in the debate.

I suppose the only thing that can be said is that in conducting this operation H.M.G. would endeavour to secure agreements with the new authorities which would enable British businesses to be carried on pending the negotiation of a full Commercial Treaty. Such a statement would however have to make it clear that the commercial safeguards and statutory provisions will cease to operate at any rate by the fixed date. I should think that the extremely mild character of any such assurance would not greatly modify the alarm; it might even increase it.

This may be thought unduly negative. I have on the attached sheet compiled the most which it seems to me could be said, but I think it would be better said in a speech in Parliament than in the Statement itself.

F. F. Turnbull
Draft by Mr Turnbull

H.M.G. wish to make it clear that in their judgment there is no reason why U.K. nationals engaged in business activities or otherwise privately employed in India should not continue in their avocations. The change which will now take place and which will reach its completion on 31st March, 1948, has been the declared object of British policy for 30 years. From it will arise a situation in which there is no longer any British authority in India. H.M.G. have, however, good hope that friendly relations will subsist between themselves and the new Indian authorities, and they will, as soon as possible, open negotiations for a commercial treaty. In the meantime they consider that British firms and others conducting trade in India should make arrangements to carry on their pursuits on the assumption that they will be able to do so in conditions not less favourable than those accorded to the nationals of other nations.

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Sir D. Montecath to Lord Pethick-Lawrence

L/PO/6/112: f 224

SECRET

Secretary of State.

This is the minute by Sir E. Bridges (jointly with Sir W. Eady) which I mentioned to you on the telephone just now.

It has as you see been addressed to the Prime Minister’s Private Secretary and I think will have been brought to the latter’s attention before he has taken a decision on your draft memorandum to the Cabinet covering the draft announcement.

There is I think a good deal of force in what the Treasury officials say; no doubt a good many of the bigger British commercial firms which are already adjusting themselves to the probable new conditions would not be unduly alarmed or at any rate would not put so gloomy an interpretation on the announcement as Sir E. Bridges apprehends; but undoubtedly there are a good many smaller concerns doing business in India who would be disposed to take alarm and liquidate their concerns for the price of a song and equally there is probably a very large number of persons in this country who have investments in India and would be very much shaken by the apparent prospect of any security for them.

I do not think that it would be very difficult to devise a new paragraph of a fairly reassuring character based on what surely must be the fact that not only
will the constitution in form continue despite the withdrawal of British authority in each Province in turn but the law on the Indian Statute Book which is the local protection for all these concerns established in India will continue. Furthermore most of the law in question, e.g. the Indian Companies Act, is all-India law enacted by the Central Legislature and the assumption of course is that despite the disappearance of British authority from one Province after another the Central Government and the British element of authority in it will continue until power can finally be handed over to a successor.

I have taken copies of Sir E. Bridges’s minute and with my colleagues will get down to the task of devising some suitable additional paragraph.

D. T. M.

226

Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/181: ff 15-16

D. O. NO. 343-G.B. 24 December 1946

8. The violence of the speeches made by members of the C.S.P. and other Left Wing associations, even when they are ostensibly acting as members of peace committees in advocating communal harmony, still remains a very sinister feature of this province, where the inertia of a ministry which has as little respect from its friends as from its enemies can be relied on. J. P. Narain continues to treat Bihar as his seedbed and nursery for revolution. On the 6th instant he was at Chapra, the headquarters of the Saran district, where the first large scale massacre of Muslims took place at the end of October. While exhorting his audience to maintain communal harmony, he blamed the British Government for the recent riots, advised preparation for the coming struggle, and urged all young men to be ready with arms “sharpened and cleaned”. He is no doubt confident that even if an opportunist Government could be persuaded to agree to his prosecution, a timid and legalistic judiciary would lay stress on the peaceful preamble and argue that the warlike exhortations must be taken in a figurative sense. But Gopal in his village knows nothing of these refinements. He takes his axe to the village blacksmith to be sharpened, and will on the slightest provocation “bury his steel in the bosom of Gath”.

1 Warriors and chiefs! should the shaft or
the sword
Pierce me in leading the host of the Lord,
Heed not the corse, though a king’s, in
your path:
Bury your steel in the bosoms of Gath!
Lord Byron, Occasional Pieces, Song of Saul Before his Last Battle, verse 1.
Later, J. P. Narain has issued his "plan", to which so much publicity has been given, for the arrest and imprisonment of Governors and others who do not approve of the coming revolution. That is not the reason for my agreement to the re-instatement of the jailor who was responsible for J. P. Narain’s escape during the 1942 troubles. Still there is scriptural authority for the wisdom of making friends with the mammon of unrighteousness.

9. The attitude of the ministry to the Police Department generally, and to the I. G. P., Mr Creed, in particular, is well illustrated by a file which I have just seen submitting the I. G. P.'s administration report for 1945. This file has, as often happens, been dealt with not by the Prime Minister, to whose portfolio it belongs, but by the omniscient Revenue Minister, Mr. K. B. Sahay. The Ministry proposes to omit very large sections of the Report, but still to publish it over the name of the I. G. P. without any resolution issued by Government: the result will be a report which in no way represents Mr. Creed’s views, but will be a colourless document giving no true picture of the real state of affairs. For example, the Minister proposed to omit all reference to the rewards given to individuals for good work; to give the number of cases in which criminal charges were brought against the police, but to omit the fact that 64% of them were found to be entirely unsupported; to omit the remarks on the hopelessly underpaid rural police; and to leave out the whole paragraph on Terrorism. On this last question, the Minister’s remarks are sufficiently naïve to be worth quoting. He says “To give a graphic description of the terrorist activities, and at the same time to let off the terrorists charged with political offences, which the ministry has actually done, looks inconsistent”.

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227

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/153: f 9

SECRET

CALCUTTA, 24 December 1946

NO. F.J.B.—16

2. Political. From the point of view of this Province, perhaps the most important political event since my last letter—that of December 6th to Colville—is Gandhi’s lamentable statement of December 15th to two Assam Congressmen, which saw the light six days later. Anything less calculated to promote communal harmony in East Bengal, which is the professed object of his already unduly prolonged sojourn in Noakhali district, can hardly be imagined. Though he slightly mitigated the evil effect of his advice that “Assam should not go into sections” and that “it is an impertinent suggestion that Bengal
should dominate Assam in any way" by adding that “if the Muslim League stand out, the Constituent Assembly cannot impose its constitution on an unwilling party". I fear that the Muslims of East Bengal are exceedingly tired of the old man, and I feel great anxiety for his personal safety. I have redoubled the police precautions, and, since he pays no attention to my Chief Minister’s repeated requests to quit Bengal, I can only hope that he may tire of the ubiquitous constables and withdraw to a safer area. At the moment, the only sentiment of the Mahatma that I feel disposed to share is that “I see no light ahead”. The chance of the League coming into the Constituent Assembly seems very remote.

1 No. 168.  
2 See No. 219.

228

Sir P. Patrick to Sir C. Corfield

L/P&S/13/1831: ff 199–200

FAST AIR MAIL  
INDIA OFFICE, 24 December 1946

PRIVATE AND CONFIDENTIAL

Many thanks for your letter of 9th December\(^1\) enclosing Wakefield’s appreciation about the maintenance of Paramountcy. I assume that the appreciation was made primarily for your use in your discussions with Residents at the Conference and that so far it has not been shown to Lord Wavell. His Excellency will no doubt on his return to India have his mind clearer on the connected problems and in the meantime I am sure you will agree that it would be unprofitable for us to attempt to work these out in correspondence on a lower level, and you will not therefore, I hope, expect from me a detailed examination of the views and arguments expressed in Wakefield’s note.

You ask if I can see any flaw in the general argument leading to the conclusion that it may be necessary for the Crown, departing from the principles set out in paragraph 2 of the Cabinet Mission’s memorandum of 12th May,\(^2\) to begin before the end of the “Interim period” to return to the States rights which they have surrendered. The general argument, I take it, is that H.M.G. are losing fairly rapidly their power to protect States in all circumstances. There is certainly no flaw so far. But it does not seem to me to follow that the Crown would therefore be justified in terminating formally its paramountcy relations

\(^1\) Not printed. Sir C. Corfield’s letter of 9 December 1946 enclosed a note by Mr E. B. Wakefield on ‘Paramountcy and the Interim Period’. This formulated in greater detail than Corfield’s telegram to Patrick of 30 November (No. 136, para. 6), to which reference is made in para. 3 of the present letter, the case for restoring States’ rights in the interim period. L/P &S/13/1831: ff 210–18.

\(^2\) Vol. VII, No. 262.
with the States over the whole field. This would necessarily mean exposing the great majority of States, in fact all who possess no bargaining counter of value, to aggression in one form or another from their neighbours in British India. Further we shall be inviting from British India the odium of having ourselves created a breach in the existing measure of unity of India in advance of it being possible for the Constituent Assembly to offer the States an alternative means of continuing this unity in an all-India constitution devised by Indians.

I do not however understand that in the memorandum or in the suggestion made in paragraph 6 of your telegram to me of 30th November 2599-P it is in fact contended that the paramountcy relation should itself be terminated. What in effect appears to be suggested is that certain particular rights (such as railway jurisdiction and jurisdiction in other administered areas) should now be restored to the States which have surrendered them to the Crown. I do not myself see how this could be done generally without agreement with the Central Government in whose interests the cessions were obtained. In any case the Central Government would have to be consulted.

I question whether it would be in the best interests of the States as a whole to precipitate now a general conflict with the Interim Government over the abandonment of some of the more important results of the exercise of paramountcy in the interests of India as a whole mainly because in certain individual cases the premature surrender of the Crown’s existing rights might appear to enhance the bargaining position of States in dealing with the Constituent Assembly. The Political Department may no longer be able to prescribe what shall happen in all circumstances as between a State and British India. But this is not entirely a new development. The weakness of the position from the point of view of avoiding a political crisis was apparent when the Congress were in office in the Provinces in 1938-39. However as then the political authorities can still I should have thought act as a buffer between States and British Indian authorities though that role is not enviable and may at times seem to be humiliating. It may well be more advantageous to H.M.G. and the States as a whole as well as to British India that the buffer relation should continue during the Interim period rather than that H.M.G. should go back on the undertaking in paragraph 2 of the memorandum of 12th May. I would therefore myself feel it to be doubtful policy to contemplate surrendering to States rights now exercised in the interest of India as a whole while the details of the picture of a new unity of India still remain to be painted. In any case I feel that any such policy could not be pursued otherwise than in agreement with the States themselves and the Interim Government.

It may be possible for political officers to say more or less frankly to rulers in their conversations with them that we recognise that their rights cannot in all circumstances be upheld but that we desire to give them all assistance in our
power so long as we remain in India in negotiating for themselves a new relationship with the India of the future, and that we conceive it to be in their best interest that the position stated in the Memorandum should be maintained. However as I suggested at the beginning of this letter, which has become longer than I should have wished, these questions seem ones on which it is necessary for the Secretary of State to remain uncommitted until he has had the considered views of His Excellency on his return.

1 No. 136 is evidently intended.

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Field Marshal Viscount Wavell to Mr Attlee

Attlee Papers. University College, Oxford

THE VICEROY'S HOUSE, NEW DELHI, 24 December 1946

My dear Prime Minister,

This is to thank you for your kindness in letting me have your plane for my return journey here. It was most comfortable indeed, and we had an extremely good journey back, arriving in Delhi on Monday evening in time for dinner, after leaving Royston air-field about 11 o'clock on Sunday. I am most grateful.

Colville is returning to Bombay tomorrow. The political situation seems to have been quiet during my absence, but it is impossible yet to say what the next move by the Congress or the Muslim League will be. Jinnah is still at Karachi and shows no signs at present of calling his Council.

With all best wishes for 1947, which I hope will be an easier year for you, and that some of your great anxieties and responsibilities will be removed or lessened during it.

Yours sincerely,

WAVELL

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Field Marshal Viscount Wavell to Mr Liaquat Ali Khan

R/3/1/119A: f 193

NO. 693/19 27 December 1946

Dear Mr. Liaquat Ali Khan,

Pandit Nehru has proposed that the vacancy in the Executive Council caused
by the appointment of Mr. Asaf Ali to Washington should be filled by Maulana Abul Kalam Azad.

2. Sir John Colville agreed to recommend this to His Majesty the King, who has now approved.

3. A Press Communiqué will be issued on the morning of Saturday, December 28th announcing the fact.

4. Pandit Nehru informs me that he may wish to make certain proposals about redistribution of portfolios consequent on this appointment; and I shall hope to hear these proposals from him at his interview next Monday.

Yours sincerely,

WAVELL

231

Mr Liaqat Ali Khan to Field Marshal Viscount Wavell

R/3/1/119A: f 195

D.O. NO. P.S.F.R. 2/46 28 December 1946

Dear Lord Wavell,

I am in receipt of your letter\(^1\) No. 693–19 dated the 27th of December 1946, and thank you for the information contained therein.

2. I would like to take this opportunity to remind you of the great injustice done to the Muslim League in the initial distribution of portfolios. You will recall that before the Muslim League representatives joined the Interim Government you gave assurances in your public broadcast in August 1946,\(^2\) and in your letter to Mr. Jinnah of the 4th of October 1946,\(^3\) that the distribution of portfolios would be equitable and that the more important ones would be distributed equally between the two major parties—the Congress and the Muslim League. You were unable to implement these assurances at the time of the reformation of the Interim Government owing to the intransigence of the Congress representatives, but with a view to avoiding a breakdown the Muslim League agreed to accept, under protest, the allocation of portfolios made, which was neither equitable nor equal. They did so in the hope that you would take an early opportunity to redress the wrong done to the Muslim League. That opportunity has now presented itself.

3. There are at present seventeen Departments of the Government of India, of which fourteen are considered important, and three, namely Health, Education and Legislative relatively unimportant. The Muslim League representatives are at present in charge of only three out of the fourteen important
Departments. I am sure you will agree that this allocation, far from being equal or equitable, is not even proportionate to the representation of the Muslim League in the Executive Council, which is five out of fourteen. In the circumstances, I strongly urge that at least two more important Departments should be allotted to the Muslim League. One such Department, namely Railways and Transport has become available, and it should be allotted to the Muslim League. Another important Department should also be found for the Muslim League by making readjustment in the portfolios at present held by non-League Members.

4. I hope you will appreciate the reasonableness and the justice of our demand, and redress the wrong done to us which has been a cause of serious discontent among the Musalmans of India. I shall be glad to discuss the matter further with you if you consider it necessary.

Yours sincerely,

LIAQUAT ALI KHAN

\(^1\) No. 230. \(^2\) Vol. VIII, No. 199. \(^3\) Vol. VIII, No. 404.

232

Field Marshal Viscount Wavell to Mr Liaqat Ali Khan

R/3/119A: f 196

NO. 693/10. 30 December 1946

Dear Mr. Liaquat Ali Khan,

Thank you for your D.O. No. P.S.F.R.2/46 of yesterday’s date.\(^1\) I am afraid I cannot agree that great injustice was done to the Muslim League in the initial distribution of portfolios; but when Pandit Nehru brings me his proposals, I shall naturally consider any changes from the point of view of the Cabinet as a whole.

With best wishes for the New Year,

Yours sincerely,

WAVELL

\(^1\) No. 231 dated 28 December 1946.
Lord Pethick-Lawrence to Mr Attlee

L/PO/6/112: ff 212–13

TOP SECRET

INDIA OFFICE, 30 December 1946

Secretary of State’s Minute: Serial No. 96/46

Prime Minister.

I have seen Sir E. Bridges’ note to your Private Secretary of the 23rd December about the effect of the proposed Draft Statement annexed to C.P.(46)456 on British commercial interests in India and I have been informed that you wish these points brought up in Cabinet.

2. I fully agree as to the importance of the points which Bridges makes. In an endeavour to meet them I have had prepared the attached re-arrangement of the Draft Statement from paragraph 5 onwards. The new matter introduced with this re-arrangement is contained in paragraph 8. The main question which we shall have to consider in Cabinet is whether we can go so far in the way of giving a positive assurance. I myself feel a good deal of hesitation about this. We do not know how things will develop. If they go well, no doubt there would be no reason for European commercial interests to withdraw. If they go badly there might well be good reasons why they should do so.

3. Paragraph 8 also furnishes a new context for and rather more emphasis on the intention to withdraw by stages, which, in the original draft, was only hinted at in connection with the return of Europeans (paragraph 6 of the old draft). Paragraph 9 also now refers to the withdrawal of officials by stages if that in fact is intended. The object of these changes is to get away from the impression of a general evacuation which was created by paragraph 6 of the earlier draft.

4. I have sent copies of this Minute and enclosure to the Minister of Defence, the President of the Board of Trade, and Sir Edward Bridges. I will have copies of the attached draft available to be distributed at the Cabinet tomorrow if you so desire.

PETHICK-LAWRENCE

The above was drafted this morning. I gather from what you said this afternoon that you will probably not pursue the matter in the Cabinet tomorrow. But I am sending the draft to you nevertheless in case you wish to glance at it.¹

Enclosure to No. 233

TOP SECRET

REVISED TEXT OF PARAGRAPHS 5–10 OF THE DRAFT STATEMENT

5. His Majesty’s Government therefore believe that it is their duty both to their own countrymen and to the Indian people to state now their definite
intentions as to the future. It is their intention to recommend to Parliament to hand over power in India by March 31st, 1948.

6. If the conditions of the offer made in May 1946 are carried out by a Constituent Assembly representing all the major communities, His Majesty’s Government will recommend to Parliament to hand over authority to the Indian Government that is set up under the new Constitution.

His Majesty’s Government trust that in the intervening period before March 31st, 1948, the various Indian communities will be able to come to a satisfactory arrangement between themselves as to the future Government of India.

7. If on the other hand any Constituent Assembly not representative of all the major communities were to formulate an ultimate Constitution or if the conditions as to the handing over of power laid down in May 1946 are not satisfied, His Majesty’s Government will be forced to reconsider the matter and will recommend the handing over of power to such Governments as appear to them to be representative of the different areas of the country.

8. Measures preparatory to the handing over of power will necessarily have to be taken in advance of the date fixed for the final completion of the process; but His Majesty’s Government do not contemplate that it will be necessary on that account to recommend to Parliament any amendment of the existing Constitution or that legislation will be required otherwise than to authorise the final transfer of power. The process will have to be begun some months before the date given, viz. March 31st, 1948, and it will proceed by stages, but the Constitution will remain unaffected and the law of the land and the established Courts of law will continue; and in the judgment of His Majesty’s Government there is no reason why during the process nationals of United Kingdom engaged in business activities or otherwise privately employed in India should not continue to pursue their avocations.

9. European officials who will no longer have the opportunity to serve in India will be withdrawn by stages and others privately employed who desire in the changed circumstances to leave the country will be given facilities for doing so.

10. As regards the Indian States, though it is not intended that Paramountcy as a system should be brought to a conclusion earlier than the date of the final transfer of the power, it is contemplated that during the period required to effect the transfer of power in British India by stages, there may be such adjustments of the relations of the Crown with individual States as may be mutually acceptable.

1 No. 223.
2 This draft Statement was the same as the draft attached to No. 216. R/30/1/9: ff 60–5.
3 There was apparently no reply from Mr Attlee to this minute. (Information supplied by Prime Minister’s Office, 10 Downing Street).
11. H.M.G. earnestly hope that in the light of this definite decision to hand over power not later than the date stated, the representatives of the various Indian communities will between them reach an acceptable arrangement for the future of their country in time to avoid the dislocations and dangers that must otherwise ensue.  

* On 30 December Mr Abell commented on this revision of the draft Statement. He was sure Lord Wavell would consider that the words in the last half of para. 8 went 'too far in the direction of a commitment by H.M.G. to maintain present conditions under which British interests in India do their business.' Mr Abell also felt that para. 9 suggested that all European officials would cease to serve in India whereas in fact some of them would accept employment under the new Governments. L/P &J/10/46: f 108.

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Cabinet Paper C.P.(46)468

R/30/1/9: ff 67-8

INDIAN POLICY

MEMORANDUM BY THE MINISTER OF DEFENCE

MINISTRY OF DEFENCE, S.W.1, 30 December 1946

The India and Burma Committee took the view that, though actual legislation could be avoided until the final transfer of power in India, it would be necessary to obtain at a much earlier stage some form of Parliamentary approval to the gradual devolution of our authority in India as we should become, progressively, less able to carry out the obligations laid upon us by the Government of India Act.

2. I take it therefore that if a statement was made in the form of the Annex to C.P.(46)456 it would be proposed to pass a resolution in the House of Commons endorsing that statement.

3. Whilst I am in agreement with much of the policy outlined in the draft statement, I should myself prefer that there should be a resolution framed on rather broader lines, with a little more elbow room. I attach a possible draft of such a direct resolution for submission to Parliament.

A.V.A.

Annex to No. 234

That this House, having taken note of the failure of the Indian Parties to come to an agreement on the plan submitted to them on 16th May, 1946 for the making of a Constitution for the future Government of a free India, and that the situation which has in consequence been created makes it essential that the obligations of the Government of the United Kingdom under the Government
of India Act, 1935 should be brought to a final conclusion not later than 31st December, 1948, resolves that His Majesty's Government are hereby empowered to take all steps which are in their opinion necessary after consultation with leaders of the Indian Governments, States, and communities to settle the process to be followed in order to secure the cession of Power to one or more constituted authorities at such times as are expedient and the preparation of a Treaty or Treaties for ratification by Parliament to enable the necessary changes to be carried through in an orderly manner.

1 The Annex to C.P.(46)456 consisted of the draft statement attached to No. 216. R/30/1/9: ff 60–5.

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Cabinet C.M.(46)108th Conclusions, Confidential Annex

R/30/1/9: ff 70–5

Those present at this Meeting held at 10 Downing Street, S.W.1, on 31 December 1946 at 11 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Ernest Bevin, Mr Arthur Greenwood, Sir S. Cripps, Mr Alexander, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr A. Creach Jones, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present were: Mr John Strachey, the Earl of Listowel

INDIA

Constitutional Position

(Previous Reference C.M.(46)106th Conclusions, Minute 4)¹

The Cabinet considered memoranda by the Prime Minister (C.P.(46)456)² and the Minister of Defence (C.P.(46)468)³ on the constitutional position in India.

The Prime Minister, in amplification of his memorandum, informed the Cabinet of the discussions which the India and Burma Committee had had with the Viceroy since the departure of the Indian representatives. The Viceroy had urged that, if it became clear that the Muslim League would not co-operate in the work of the Constituent Assembly and that the plan of the Cabinet Mission could not be carried through, we should have in readiness a definite policy which would then be announced. In the Viceroy's opinion we should not be able to enforce British rule in India beyond 31st March, 1948. The

¹ No. 197.
² C.P.(46)456 consisted of the Memorandum and draft statement attached to No. 216. R/30/1/9: ff 60–5.
³ No. 234.
Committee had considered that an announcement of our intention to leave India by a specific date might have the effect of bringing the two communities together. It would also have the advantage that it would make it possible for us to take the first steps towards our departure. They therefore proposed that a statement should be made on the lines of the draft annexed to C.P.(46)456. Legislation must be deferred until the final stage of our departure. It was therefore proposed that Parliament should be invited to pass a resolution endorsing the statement of policy, so as to provide some Parliamentary sanction enabling the Government to proceed with the gradual devolution of their authority in India.

The Prime Minister explained that the Viceroy had at first suggested that the initial steps towards our departure should take the form of complete withdrawal from the four Southern Provinces. After discussion, however, it had been agreed that, while British troops might be withdrawn from those areas and British officials serving there posted to other parts of the country, it would be necessary, in the initial stages, to maintain the present constitutional forms.

Discussion turned first on the question whether it would be wise to announce in the near future a precise date for our withdrawal from India. Was it wise to commit ourselves to a precise date when we had no assurance that there would by then be a representative authority to whom we could hand over power? It might be that if we left India at that date we should leave only chaos and the prospect of civil war behind us. It was also necessary to consider the effect of such an announcement on other parts of the Empire and on world opinion in general. Some Ministers felt that an announcement in the terms of the draft attached to C.P.(46)456 might be regarded as the beginning of the liquidation of the British Empire: and it would be bound to have serious repercussions in Burma, Malaya and elsewhere. Nor must we forget that a breakdown of ordered central Government in India would provide opportunities to her neighbours, which they would not be slow to take, to interest themselves in Indian affairs. We might well find that in this area lay the seeds of a future world conflict.

The Foreign Secretary thought that the announcement proposed would have serious repercussions in the Middle East. He recalled that in the negotiations with Egypt we had claimed that it would not be practicable for us to withdraw our troops from that country before 1949. How should we reconcile this claim with a statement that we were prepared to evacuate the whole of India by the spring of 1948?

The general feeling of the Cabinet was that withdrawal from India need not appear to be forced upon us by our weakness nor to be the first step in the dissolution of the Empire. On the contrary this action must be shown to be the logical conclusion, which we welcomed, of a policy followed by successive Governments for many years. It was too late to reverse the whole direction of
our Indian policy, even if we had any desire to do so, and there was no reason to fear special repercussions from the completion of that policy. Our main objective now was to bring the principal communities in India to cooperate, so that there should be a properly representative authority to whom we could hand over power. If the Viceroy was correct in his estimate that we should in any case be unable to continue effectively to rule India beyond the early part of 1948, and if the announcement of our intention to leave India by a specified date might have the effect of bringing the communities together, then it would be well to derive whatever advantage we could from the early announcement of action which would, in fact, be inevitable.

The Cabinet then considered what would be the best method of securing Parliamentary approval for the gradual devolution of authority in India.

**The Minister of Defence** explained that his object, in putting forward the draft resolution annexed to C.P.(46)468, was to secure for His Majesty’s Government a greater latitude in handling a fluid situation which might well produce developments which could not be foreseen. For this reason he would wish to avoid making a detailed public statement on all the specific points covered in the draft annexed to C.P.(46)456, and would prefer to ask Parliament to adopt a resolution on broader lines which would authorise His Majesty’s Government to take such steps as might be required to ensure the orderly transfer of power to the appropriate authority or authorities in India.

On the other side it was argued that Parliament would be reluctant to give the Government so wide a discretion as was pre-supposed by the draft resolution annexed to C.P.(46)468; that the Government spokesmen in the debate on such a resolution would in any event be obliged to give information on most of the specific points covered in the draft statement of policy annexed to C.P.(46)456; and that the more detailed statement was likely to produce a greater impact on public opinion in India.

The Cabinet’s conclusion on this point was that the preferable course would be to make a statement of policy, as proposed by the Prime Minister in C.P.(46)456, and to invite Parliament to approve that statement. It would, however, be advantageous if the resolution approving the statement could be drawn in such terms as to afford some sanction for departing, during the transition period, from strict compliance with all the obligations resting on His Majesty’s Government under the Government of India Act.

Discussion then turned on the form of the draft statement annexed to C.P.(46)456. The view was expressed that a statement in these terms would give the impression that we were being forced out of India because we were unable to maintain our position there. In fact, our withdrawal would be the final stage in a deliberate policy of encouraging India’s development towards self-government, to which successive Governments in this country had subscribed for the last thirty years. It was certainly the desire of the present Govern-
ment that the Indian people should assume full responsibility of self-govern-
ment. There was, therefore, no occasion to excuse our withdrawal: we should
rather claim credit for taking this initiative in terminating British rule in India
and transferring our responsibilities to the representatives of the Indian people.
For these reasons it would be preferable that the detailed proposals set out in the
draft annexed to C.P.(46)456 should be set in a wider framework. The state-
ment should recall the main stages in India's evolution towards self-govern-
ment, as a process to which successive Governments in this country had been
committed ever since the end of the last war, and should present the transfer
of control to an Indian Government or Governments as the final phase in this
process of evolution. The specific proposals for the withdrawal of British
troops and officials should be presented as incidents in that transfer of authority.
If the statement were re-cast on these lines, it should be possible to include
passages calling upon the Indian people to demonstrate their capacity for
self-government and to make adequate provision for safeguarding the rights
of minorities.4

The Cabinet agreed that the draft statement annexed to C.P.(46)456 should
be re-cast on the lines indicated above.

The Cabinet next considered the timing of such a statement. The India and
Burma Committee had contemplated that the statement should not be made
until it was known, towards the end of January, whether the Muslim League
were unwilling to collaborate in the work of the Constituent Assembly. In
support of this proposal for deferring the statement until then, it was pointed
out that some members of the Muslim League were dissatisfied with Mr.
Jinnah's present attitude and there was some possibility that the League might
be brought to agree to participate in the work of the Constituent Assembly.
Other developments might occur in India during the next few weeks which
might affect the position. Further, there were strong arguments against making
such a declaration of policy at a time when Parliament was in recess.

On the other side, it was argued that, as the primary object of the declaration
was to force the two Parties in India to face the realities of the situation and
find means of collaborating with one another, there was much to be said against
postponing it until after the Muslim League had taken a definite decision
against collaboration. It was also argued that it was not constitutionally
necessary that such a declaration should first be made in Parliament; and that,
even if it were thought expedient that this should be done, it would be possible
to convene Parliament for this purpose before the date on which it was now
due to re-assemble. This would have the further advantage that Parliamentary
time for debating the declaration would not have to be found at the expense of
other Government business.

The Cabinet decided to defer for the present their final decision about the
timing of the proposed declaration.
THE SECRETARY OF STATE FOR DOMINION AFFAIRS said that it was most important that His Majesty's Government should take Dominion Governments into their confidence in this matter at the earliest possible stage. He hoped that, as soon as the form of the proposed declaration had been settled, he might be authorised to communicate it to Dominion Governments, so that they might have an opportunity for comment before the declaration was made. This was agreed to.

The Cabinet—
(1) Invited the India and Burma Committee to revise, in the light of the Cabinet's discussion, the draft statement annexed to C.P.(46)456.
(2) Agreed to resume their discussion of this matter when a revised draft of the statement was available.

* On 31 December Sir E. Bridges sent Mr Attlee a minute in which he supported the idea of recasting the statement on broader lines and restated arguments in this paragraph. Sir E. Bridges' minute indicates that the suggestion for so recasting the statement had been made by Mr Aneurin Bevan. Public Record Office, PREM 8/541, part VIII.

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Mr Bevin to Mr Attlee

R/30/1/8a: ff 72–7

PRIVATE AND CONFIDENTIAL

1 January 1947

P.M./47/1

Prime Minister.

I must express my strong views with regard to India, as I mentioned to you this morning. I have examined this problem in relation to Egypt, Palestine, the Middle East, and all the Arab States and Persia, and I cannot help feeling that the defeatist attitude adopted both by the Cabinet and by Field-Marshal Wavell is just completely letting us down. I do not believe that, with leadership, the Indian Army is in the bad way that people suggest. I can quite understand that with a mind like Wavell's the demoralisation of the whole of the Army and the Police must be inevitable and I would strongly recommend that he be recalled and that you find somebody with courage who, even if he were the last man left there would come out with dignity and uphold the British Empire and Commonwealth.

2. Further, I cannot help feeling that the President of the Board of Trade is so pro-Congress that a balanced judgment is not being brought to bear on the importance of the Moslem world, while, on the other hand, probably, the Minister of Defence is too pro-Moslem. I listened to yesterday's discussion¹

¹ See No. 235.
and, frankly, I was despondent and did not think that the facts justified the pessimism that seemed to pervade the whole Cabinet. I am against fixing a date. I am willing to support a declaration, as we have done, that we are ready to hand India over as a going concern to established governments. I do not mind, even, using the plural in this sense, if Nehru and Jinnah are not going to agree, but the qualification should be that they can preserve law and order. I cannot get it out of my head that there must be millions of Indians who, as a result of the murder incidents in the last few months, would welcome a strong and courageous lead so as to preserve their safety. Personally, I do not think it depends on the number of British troops there, but it is the complete lack of leadership in the Indian Army which I believe will cause the disaster that will overtake the British Empire. In fact, you cannot read the telegrams from Egypt and the Middle East nowadays without realising that not only is India going, but Malay, Ceylon and the Middle East is going with it, with a tremendous repercussion on the African territories. I do beg of you to take a stronger line and not give way to this awful pessimism. When I saw Wavell and Alexander on the 21st December, I was filled with dismay.

3. Now, as regards administering the country under Section 93; with an army of over 30,000 in India I cannot be persuaded that, if such a situation arose, we could not find the men from the Indian Army and at home to administer Section 93. What would happen if the Congress withdrew? The people of the Provinces would want government, and stable government. They would be just terrified at the idea of no government. The Indian Army itself would not know what to do. Therefore, if we were able to move into Germany and other occupied countries and find administrators among the young men from the Services, as we had to do, why can’t we find them from the Forces in India and at home? Secondly, continued searching for men with reputations leads us, I believe, into a morass. Try someone untried and it is remarkable how they will rise to the occasion.

4. Therefore, my view is that while we issue a declaration that it is our determination to clear out of India and to hand the responsibility to the Indians, we should declare that it is our determination to hand it over as a going concern and to place the responsibility squarely on their shoulders of failure in that respect. I would impress you with this fact. As Foreign Secretary, I can offer nothing to any foreign country, neither credit, nor coal, nor goods. I am expected to make bricks without straw—to use that old proverbial phrase. And on top of that, within the British Empire, we knuckle under at the first blow and yet we are expected to preserve the position. It cannot be done and I beg of you in all sincerity, even if it does involve a certain risk, to take it, and I believe the world will respect us.

5. Now as regards the United States: I sent you a report from America
which was handed to me by Byrnes.² I have not had a reply³ but why cannot we use the United States to put pressure on Nehru and on Jinnah? Why not bring the whole of our diplomatic power to bear at this stage to make the Indian politicians realise that it is not merely Great Britain they are facing but a very much wider area. It would be especially useful if they could be made to say that Great Britain is taking a magnanimous attitude and I believe the United States can be honest in such a way to bring a tremendous amount of pressure to bear on the Indian politicians. We appear to be trying nothing except to scuttle out of it, without dignity or plan, and I am convinced that if you do that our Party in this country, as a leading Party in this new world settlement, will lose and lose irrevocably when the public become aware of the policy of the Cabinet at this moment.

ERNEST BEVIN

² See No. 120.
³ Possibly Mr Bevin had overlooked or not seen No. 192 which reported Mr Merrell's representations to Pandit Nehru in New Delhi.

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Mr Graham-Harrison to Rear-Admiral Viscount Mountbatten of Burma

R/30/1/8a: f 100

1 January 1947

Dear Lord Mountbatten,
I am sending down this letter to be handed to you on your arrival at Northolt.¹ I hope that the arrangements for your return will have worked smoothly and that you will have had a good journey.

The Prime Minister would like to see you as soon as possible after your arrival and would be glad if you would come to No. 10 at 5.30 p.m. this afternoon.

I asked the Prime Minister if there are any telegrams which you ought to see before your interview, but he gave no instructions on this point and, so far as I am aware, no telegram has been sent of the kind which you mentioned yesterday on the telephone.

Yours sincerely,

F. G.-H.

¹ Lord Mountbatten had been in Switzerland. Mr Attlee had in fact hoped to get him over for a talk the previous day but this had not proved possible. R/30/1/8a: ff 101-3.
I had a quick trip back and got here on Monday evening. As a result, I had a full day with Colville who went to Bombay on Christmas day.

2. The Constituent Assembly has adjourned to meet again on the 20th January for a ten-day session. Nehru’s resolution¹ was not pressed to a division in the end, but has been left over in the hopes that the Muslim League may be into the Assembly by then. I think it is probably true that there is a certain realisation now coming over some of the Congress leaders that they cannot drive ahead and frame a constitution for India unless they can take along with them the Muslim League and the Princes. The rank and file of their Constituent Assembly members are unwilling to accept this; but forceful speeches by Jayakar and by Ambedkar had the result of postponing a decision both on Nehru’s resolution and on the important Procedural Sub-Committee’s report.

3. There is at the moment a struggle going on in the Congress between the centre party who want to get His Majesty’s Government’s statement of December 6th accepted without qualification, as against the left-wing and extreme right-wing who both want to reject it. I do not think that there is any real chance of a clear-cut decision in favour of acceptance.

Jai Prakash Narain has lately been making most objectionable speeches (I enclose a statement he made a couple of days ago to a press conference in Delhi), and I intend to take this up with Nehru and Patel. It is an impossible position for a member of the Working Committee of the Congress, which now forms the major party in the Government, to talk like this; and he should either be expelled or be curbed. The Hindu Mahasabha has also no wish to compromise with the Muslims, and a number of their speeches in the Constituent Assembly were completely communal. The Mahasabha has just concluded a militant annual session in the United Provinces.

4. I have been resuming my usual interviews with members of the Cabinet, but it is clear that most of them are not at present really interested in administering the country. Politics has become such an obsession, and takes up so much of their time, that nothing is being done in many departments. This is probably inevitable, however unfortunate it may be, but is making the few members who do take an interest in their work very restive. Bhabha, for example, complained to me that all his business friends told him that the Government was not functioning properly, and that administrative decisions were not
being taken. He was very unhappy about the position, and, I believe, would be quite glad to get out of the Government.

5. One of the matters on which I intend to speak to Nehru when I see him today is the need of a Cabinet Sub-Committee to recommend appointments to India’s diplomatic posts abroad. These are now of considerable importance, and their number is steadily increasing. So far, Nehru has tried to retain in his own hands the authority to recommend, and this is obviously undesirable. He has just come up with a most unsuitable proposal for India’s Agent in Ceylon, a man who was one of Subhas Chandra Bose’s chief assistants in Singapore during the war.²

6. You will remember that I discussed with you the need of strengthening the U.K. High Commissioner’s staff in India for various purposes. Shone has shown me the despatch³ which he has sent to the Cabinet Offices on this subject, asking for authority to recruit 15 persons from the Secretary of State’s Services in India. I entirely agree with his desire to expand immediately, and I think it is an obvious solution that he should be able to take over some members of the Services now in India. I hope you will be able to help him in getting what he wants.

With best wishes for the New Year.

Enclosure to No. 238

Cutting from the Sunday Statesman, New Delhi, Sunday, The 29th December 1946.

Breakdown of Interim Regime in Six Months Probable.

—J. P. Narain.

India Assembly Will Lead to Struggle.

Preparation for Freedom Urged.

Communal Bodies Want British to Remain.

From our Special Representative.

New Delhi, Saturday.—The breakdown of the present Interim Government within the next six months was spoken of as a probability by Mr. Jai Prakash Narain, leader of the Congress Socialist Party, at a Press Conference at New Delhi today. He also expects the Constituent Assembly to lead directly to a struggle for freedom, and, for that reason, considers that India should make preparations for an active struggle.

¹ No. 190. ² See also No. 239, para. 2. ³ Despatch No. 6 dated 31 December 1946. L/S &G/7/1251: ff 361–7.
The situation as Mr. Jai Prakash sees it is that Muslim League, the Hindu Mahasabha and all other communal bodies, together with the Princes and "big business" in India, are all, for their own purposes, doing their utmost to prevent the British from leaving India despite the latter's declared intention to do so. In this way they were playing "the British game", for the British, despite their protestations, were ready to utilize any reactionary element that would prevent their leaving India.

Indian "big business" no doubt favoured some advance towards the self-government of India so that they might have a freer hand in the economic development of the country, but they would certainly get in the way of a national revolution. They would do everything they could to prevent a revolutionary outbreak, even if it meant a measure of compromise on the subject of national freedom.

He thought Congress leaders were misleading when they spoke of freedom being "round the corner". It was, no doubt, round the corner, but before it could be achieved there would have to be a national struggle. "The Constituent Assembly is not going to bring us freedom in a short time", Mr. Narain declared. "A struggle is necessary to get freedom. We must have a revolutionary struggle unless we compromise with our principles."

He realized that this was not the orthodox Congress point of view and stated that he had written to the Congress President announcing that he wished to resign from the Congress Working Committee. It was an individual act, though other Congress Socialists might follow—but it was for them to decide. It was not based on any official Congress Socialist Party decision. He would attend the next session of the Congress Working Committee but did not intend to remain a member of that body. He expected to have a discussion with the President of the Congress within a few days.

Speaking of the relations between the Congress and the Congress Socialists, Mr. Jai Prakash claimed that 50 per cent. of Congressmen were Congress Socialists, but added that the working of the Congress Party machine prevented the Congress Socialist element from exercising the influence to which its numbers entitled it.

Asked if he approved of the tactics adopted in the Constituent Assembly, Mr. Jai Prakash said he approved of Pandit Nehru's resolution, but, speaking for himself, he would leave the Muslim League alone. He did not distinguish between the Muslim League and the British—indeed the League was, to him, a British front. If the League came into the Constituent Assembly that body would become what the Interim Government had become and all its capacity to work towards freedom would be destroyed. Mr. Jinnah was afraid of sovereignty and would prefer to work under the aegis of the Viceroy and the British Government.

He thought that, if the Constituent Assembly stuck to its guns and insisted
on the creation of an independent Indian republic it might well become the mother of the Indian revolution. They should insist on and pass the resolution proposed by Pandit Nehru and then, if the British Government demurred to hand over power on the excuse of protecting minorities or for any other reason, Pandit Nehru should present the demand to the Viceroy to hand over effectual power without further delay. If the Viceroy declined to do so, the Government should immediately declare independence, and the Indian revolution would thereupon be launched with the Interim Government, or such of it as remained, as the Provisional Government of a free India.

He did not think there would then be a civil war—the war would be with the British, though he did not visualize a declaration of war with Britain in the ordinary sense of that term. They were not concerned, in this aspect, with the British outside India; their aim would be the direct but limited one of expelling the British and British power from India. He did not think either that the struggle would be long or difficult for Britain would not, in the present world setting, be able to make much of a showing of military strength to retain their power in this country. The movement would be partly a spontaneous mass movement of the Indian people, partly a planned movement directed by the Provisional Government of free India. There would, no doubt, be bloodshed and loss of life but not, he thought, to the extent some people imagined and he did not expect large-scale outbreaks of communal rioting.

SLOW PROGRESS LIKELY.

As regards the 90 million Muslims in the country, Mr. Jai Prakash admitted that the League was the major party representing their voters, but claimed that contact with the Muslims, as distinct from the Muslim League, would not produce great opposition, though progress might be slow owing to the intensive communal and religious propaganda to which they had been subjected for so long.

The real problem of the majority of Indian Muslims was the same as that of the majority of Indian Hindus—economic, especially as related to agrarian affairs. He felt they would all react equally in favour to the slogan of "the land belongs to the peasants" which, if he maintained the same principles he professed before 1942, was a principle supported by Pandit Nehru. The struggle in India would lie between those forces which were nationalist and those which were communalist. If the latter won, it would be a triumph for the British: if the former, the British would have to go, probably by force, and their supporters, the communalists, would be bound to disappear.

It was a pity, added Mr. Jai Prakash, that apparently they would have to fight their fellow Socialists in Britain, but, if the latter pursued their present course with regard to India, it would have to be. The Socialist "brotherhood" as the Government in so many countries, had been embarrassed by the tradition of
imperialism. It was not only so with Britain; the Government of M. Blum in France was having the same experience at the present moment with the Viet-Nam, while M. Stalin had given a bad lead from Russia in adopting the old policy of dominion and territorial expansion.

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Note by Field Marshal Viscount Wavell


SECRET

1 January 1947

HIS EXCELLENCY’S NOTE OF INTERVIEW WITH PANDIT JAWAHARLAL NEHRU ON 1ST JANUARY 1947.

1. Nehru proposes that Azad should take the portfolio of Education, Dr. Matthai Railways and Rajagopalachari go back to Industries and Supplies. He did not take at all kindly to the suggestion that he should discuss the redistribution with Liaquat Ali. I said that I would think the matter over.

2. Nehru also did not react very favourably to the proposal for a Sub-Committee to recommend names for posts abroad. This part of the discussion ended in my saying that I could not agree to recommend to His Majesty’s Government his proposal for the Indian Agent-General in Ceylon (Ragavan).

3. Nehru then attacked the Muslim League members of the Government on the usual lines, for non-co-operation. He instanced Liaquat’s proposal to reopen the question of the salt tax and a decision recently taken by the Finance Department about the value of the rupee, without consulting the Cabinet.

Nehru then worked himself up into a denunciation of His Majesty’s Government; he said the decision taken in London had not been fair to Congress; that His Majesty’s Government’s stock in India was down to zero so far as Congress was concerned; and that if they had done nothing for the last three or four months (i.e., if they had given a full liberty of action to Congress), things would have been much better. I said that His Majesty’s Government were doing their best to try and keep a united India, and Nehru burst out that he would sooner India was divided into a hundred parts than that they should in any way abandon their principles and give in to the Muslim League.

I kept emphasising the point that they could not possibly get an agreed constitution for India without Muslim co-operation, and it was essential from their point of view that Congress should get the Muslim League into the Constituent Assembly, that the only way of doing so was to accept His Majesty’s Government’s statement of December 6th.
4. I then spoke about the speeches of Jai Prakash Narain, and said that it is an impossible position for a member of the Congress Working Committee to make such speeches. Did Congress approve them and if not what were they going to do about it? Nehru said that Congress did not approve his speeches, which were irresponsible and that he had resigned from Congress; but that his speeches did represent a very great and growing feeling of resentment against His Majesty’s Government.

5. I then asked about the meeting of the Constituent Assembly on January 20th and the proposed programme. It was, I gathered simply to clear up the business postponed from the original meeting, i.e., the resolution about a Republic and the various Committees.

6. I mentioned the question of a lump sum grant to the Aflidis. His attitude was that the money would be much better spent on schools and hospitals, but that he would consider it.

Nehru’s attitude generally was inclined to be one of rather sullen resentment that His Majesty’s Government had changed their attitude of unqualified support to Congress, he said that the whole attitude of the Muslim League was based on their knowledge that His Majesty’s Government would support them to the end. I merely said that the Muslim League took entirely the opposite view and thought that His Majesty’s Government had given unqualified support to Congress.

w.

1 No. 190.

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Lord Pethick-Lawrence to Mr Attlee

L/PO/6/102c: ff 78–9

INDIA OFFICE, 1 January 1947

Prime Minister.

I think that you should be made aware of the gist of a recent talk between Mr. Lewis Jones of the U.S. Embassy and a member of my staff. Mr. Jones produced a copy of a telegram from New Delhi to Washington reporting to the State Department what had passed in a recent interview between the American Chargé and Mr. Liaquat. The latter professed that he saw no

1 A minute by Sir Paul Patrick (the member of the Secretary of State’s staff referred to in the first sentence) shows that the American Chargé at New Delhi had in fact been instructed to speak to Mr Jinnah, or failing him Mr Liaquat Ali Khan, about America’s desire to see the League make some gesture to show Congress its willingness to cooperate. L/PO/6/102c: ff 80.
present prospect of the League making any further conciliatory move. Its original acceptance of the Cabinet Mission’s plan and joining of the Interim Government was as far as it could be expected to go in the light of subsequent developments. Mr. Liaquat asserted that the numbers killed in Bihar were 30,000 in addition to 60,000 persons dispossessed. He said that Mr. Nehru’s refusal to agree to the constitution of Provincial Coalition Governments demonstrated his unfriendly attitude and there appeared to be no alternative to Pakistan for Muslims.

The British had made mistakes in (1) accepting at its face value the Congress’ response to the statement of 16th May and (2) forming an Interim Executive of Congress only. Mr. Liaquat had told Ministers in London that if they intended to quit India in a year or more they would be well advised to go now and leave Muslims to look after themselves rather than lend Congress meantime the strength that Office gives them to consolidate against Muslims. Mr. Liaquat had been unable to extract from his interviews in London any indication of a policy on the part of H.M.G. in the face of present developments.

The American Chargé concluded that it was vain to expect from the League any gesture towards Congress which would bridge the gap, in other words that his démarche had failed.

I am sending copies of this minute to the President of the Board of Trade and the Minister of Defence.

PETHICK-LAWRENCE

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Cabinet

India and Burma Committee. Paper I.B.(47)1

L/P&E/J/10/46: ff 57–61

INDIAN POLICY
NOTE BY THE SECRETARIAT

CABINET OFFICE, 2 January 1947

By direction of the Prime Minister, I circulate herewith a revised draft of a statement of policy.1 This is for consideration at the meeting of the Committee to be held at 10 a.m. tomorrow, Friday, 3rd January, at No. 10 Downing Street.

C. G. EASTWOOD
Secretary
Enclosure to No. 241

INDIAN POLICY

REVISED DRAFT STATEMENT

I.

1. For the past thirty years it has been the policy of successive British Governments to work towards the realisation of self-government in India. This policy has been accompanied by the increasing assumption of responsibility by Indians. Today the civil administration and the Indian Armed Forces rely to a very large extent on Indian officers. In the constitutional field the Acts of 1919 and 1935 each represent a substantial transfer of political power. But it has long been recognised that the situation must be dealt with along new lines. In 1940 the Coalition Government recognised the principles that Indians should themselves frame a new constitution for a fully autonomous India, and in the Offer of 1942 they contemplated the setting up of a Constituent Assembly as soon as the war was over.

2. His Majesty's Government believe this policy to be right and in accordance with sound democratic principles and, since they came into office, they have done their utmost to carry it forward to its fulfilment. The declaration of the Prime Minister of 15th March, 1946, made it clear that it was for the Indian people themselves to choose their future status and constitution and that in the opinion of the Government the time had come for responsibility for the government of India to pass into Indian hands.

3. The Cabinet Mission which was sent to India last year spent over three months in consultation with Indian leaders in order to help them to work out a method for determining the future constitution of India in order that the transference of power might be effected speedily and smoothly. It was only when it seemed clear that without some move from the Cabinet Mission agreement was unlikely to be reached that proposals were put forward by them.

These proposals, made public in May, envisaged that the future constitution of India should be settled by a Constituent Assembly representing all communities and interests.

1 This draft had been prepared by officials, primarily in the Cabinet Office, but had been shown to officials at the India Office and to Lord Pethick-Lawrence. Their comments may be seen on L/P8/10/46 and L/PO/6/112.

In the course of this examination, Sir D. Montethaith minuted to Lord Pethick-Lawrence: "This announcement when made will be a historical document comparable with and in a sense the counterpart of the famous proclamation of Queen Victoria of 1858 when the Crown assumed authority in India. That being so I think that one should not be over sparing in the use of what may be called purple passages particularly in the exordium and in the peroration." L/PO/6/112: f 208.

Since the return of the Mission an Interim Government has been set up at the Centre composed of the political leaders of the major communities and has been given wide powers within the existing constitution, while in all the Provinces Indian Governments responsible to Legislatures are functioning.

It is with great regret that His Majesty’s Government find that there are still differences among Indian politicians which are preventing the Constituent Assembly from functioning as it was intended that it should. The failure of Indian politicians, who all profess an eager desire to be rid of British control, to agree among themselves even on the machinery for deciding on the constitution to replace the existing form of Government must cause an unfavourable impression.

4. His Majesty’s Government desire to hand over their responsibility to authorities established by a constitution approved by all Parties, but unfortunately there is at present no clear prospect that such a constitution and such authorities will emerge. The present state of uncertainty is fraught with danger and cannot be indefinitely prolonged. His Majesty’s Government wish to make it clear that it is their definite intention to effect the transference of power in India by a date not later than the middle of 1948.

II.

5. For the last century peace and security have been assured to the people of this great sub-continent now containing over four [hundred] million people by the Government of India under British control. Their continuance is more than ever necessary today if the full possibilities of economic development are to be realised and a higher standard of life attained by the Indian people.

6. His Majesty’s Government are anxious to hand over their responsibilities to a Government resting on the sure foundations of popular support and capable of administering India with justice and efficiency. They once more urge all Parties to sink their differences in order that they may be ready to shoulder the great responsibilities which will come upon them next year.

7. But if such a new constitution has not been worked out by then in accordance with the proposals made by the Cabinet Mission in May 1946, which represent the greatest measure of agreement attainable after months of hard work, His Majesty’s Government will have to consider to whom the powers of the Central Government in India should be handed over, whether as a whole to some form of central Government for British India, or in parts to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people.

III.

8. Although authority will not be transferred until the summer of 1948 some preparatory measures must be put in hand at once. It is essential that there should
be no falling off in the efficiency of the civil administration and that the defence of India should be fully provided for. But inevitably as the process of transfer proceeds, it will become progressively more difficult to carry out to the letter all the obligations of the Government of India Act 1935. His Majesty’s Government do not, however, propose to introduce piecemeal legislation in advance of that which will be required to effect the final transfer of power.

9. In regard to the Indian States, though it is not intended to bring Paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, it is contemplated that there may be such adjustments of the relations of the Crown with individual States as may be mutually acceptable.

10. His Majesty’s Government will negotiate with the successor authorities agreements in regard to matters arising out of the transfer of power.

11. Some members of the large European community in India may wish to send their families home for the time being, and arrangements will be made to enable them to do so. But His Majesty’s Government believe that British commercial and industrial interests in India can look forward to a fair field for their enterprise under the new conditions in India. The commercial connection between India and the United Kingdom has been long and friendly, and Britain has a great contribution to make towards the development of Indian industry. This hope that British commercial interests will flourish in the new India on a basis of goodwill and common interest is strengthened by the known attitude of responsible Indian leaders.

IV.

12. The association of the peoples of Great Britain and India has achieved much in its long history that is notable and enduring for good. The step now announced marks the climax in the long period of deliberate preparation and development which has been the dominating feature of this association for many years past. When the voluntary cession of power has taken effect and the responsibility of the British Parliament has ceased, the future of India and its success and prosperity will depend on the wisdom and statesmanship of the Indian leaders.

13. His Majesty’s Government cannot, however, conclude this statement without some expression on behalf of the people of this country of their good will and good wishes towards the people of India as they go forward to this final stage in their achievement of self-government. They know, too, that it will be the wish of everyone in these islands that, notwithstanding constitutional changes, the association of the two peoples should not be brought to an end; and that it is their wish to continue to do all that is in their power to further the well-being of India.
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

PRIVATE AND SECRET

INDIA OFFICE, 2 January 1947

Received: 8 January

I think it is time that I resumed my series of weekly letters to you, although I have little of much significance to tell you on this occasion. This may be due partly to the fact that Christmas brought us here, as I hope it did to you, a very welcome even if only a partial relaxation of the strain of the past few weeks, and partly to the continued presence of Abell who, I presume, is keeping you in touch, so far as is possible, with developments in regard to the vital matters at present under consideration here.

2. As he may have told you, the result of our deliberations with you after the departure of the Indian Representatives was brought by the Prime Minister before the Cabinet on Tuesday last (December 31st). The upshot of the discussion was that the Cabinet wished the Statement to be redrafted and its implications further considered.

3. Officials of the Cabinet Office and this Office have since been hard at work on the modification of the terms of the Statement in the light of the Cabinet’s views and Abell has taken part in their deliberations. A revised draft is to be considered by the India and Burma Committee tomorrow (Friday) with a view to its coming before the Cabinet again on Tuesday next.

4. I was glad that you had had a satisfactory and uninterrupted journey back to India and hope that on your return you found Colville in good heart. I have today written to him expressing my appreciation of all his help during the past few months and thanking him for writing to me regularly as he did during his time in Delhi.

5. Mr. Lewis Jones of the United States Embassy called recently to see Sir Paul Patrick.

[The remainder of para. 5 and paras. 6 and 7, repeating almost verbatim the content of No. 240, omitted.]

8. Mr. Jones agreed with Sir Paul that on the next occasion which presented itself the American Chargé would no doubt acquaint you with the purport of the above conversation, but I think it as well to apprise you of it through this letter.

9. 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. It may
also be interpreted to mean a Provincial autonomy which would be far less to his liking. I agree with you that Pakistan is a quite unworkable proposition.

[Para. 10, on the Rajkot constitutional settlement, omitted.]

11. I was grateful to Abell for bringing to my notice the fact that Amery was contemplating visiting India and that he had approached you for your reactions. I must confess that I see some danger in his projected visit owing to the reputation which perhaps quite unfairly he has got in India. If my colleagues, to whom I propose to mention the matter tomorrow, share my view I may decide to represent this to Amery who is coming to see me on Monday next. I understand that the security authorities are far from happy about it and anticipate a certain amount of incivility if nothing worse. But I scarcely think I could go to the length of preventing his going and it may be that his plans will have to be allowed to proceed.

12. I have been interested to read Shone’s first despatches,\(^2\) from which it seems that he is very wisely spending his first few weeks exploring personalities and affairs with an open mind.

[Para. 13, saying that Mr. Henderson had left that day for India; and para. 14, mentioning that H.M.G. were preparing for forthcoming discussions with a Delegation from Burma, omitted.]

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*Mr Attlee to Mr Bevin*

*R/30/1/8a: ff 68–71*

2 January 1947

My dear Ernie,

I agree with you\(^1\) that Wavell has a defeatist mind and I am contemplating replacing him, but in fairness to him I must say that he has the support of the most experienced civil servants in India. I am not defeatist but realist.

The Indian Army has so far stood up well and has not exhibited communal leanings, but I do not think that anyone doubts that in the event of communal strife breaking out on a large scale, the Army would be split. This is admitted with regret by Indian officers who themselves are on the best of terms with their fellow officers of other communities. The loyalty of Indian soldiers has been to the Crown and the British Raj. If the British Raj is not to continue, that loyalty must be transferred to an all India Government we hope, but if we fail

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\(^1\) See No. 236.

\(^2\) Enclosure to No. 241.
to get that it will inevitably pass to the communities. By all accounts Auchinleck has the confidence of all.

It has been common ground with all of us who have had to study the Indian problem that there are millions of Indians who do not really wish for a change of Government, but they are passive. The active elements in the population including practically all the educated classes have become indoctrinated to a greater or lesser extent with nationalism. This was largely true even at the time of the Simon Commission. Since then the pace has accelerated.

We have always governed India through the Indians. Without the tens of thousands of lesser functionaries we could not carry on. In a typical district of one or two million population it is quite common for there to be only one or two white officials. Under the regime of constitutional governments, which have now been in existence with some intervals for a number of years, the loyalty of Indian officials is increasingly directed towards the Indian Governments and not to the British Raj. With the knowledge that the termination of British rule in India is not far off, how can you expect them not to look to the future?

It would be quite impossible even if you could find the men for a few hundred British to administer against the active opposition of the whole of the politically minded of the population. I presume when you suggest getting administrators from the Indian Army you mean the British units in India. How could Army officers with only a slight knowledge of the language and no knowledge of administration deal with such a matter as the collection of land revenue, the backbone of Indian Finance, if they had not even got Indian clerical assistance? If you proposed to govern by main force, you would be driven into shootings and the like for which you would find very little support in this country.

You suggest that we are knuckling under at the first blow, but this entirely ignores the history of the past twenty-five years. I must ask you if you are prepared to take the strong hand in India, to announce that we intend to stay there and to put in enough troops to enforce our rule? This is to go back on the pledges that have been given by Governments of every political colour.

We are seeking to fulfil the pledges of this country with dignity and to avoid an ignominious scuttle. But a scuttle it will be if things are allowed to drift. I do not understand your paragraph 4. The declaration that we are determined to hand over as a going concern is precisely what we are making clear to the Indians and we are placing responsibility on their shoulders.

The American representative in Delhi has tried his hand but without success. The Indians are very willing to get support from America, but have very little inclination to take advice from them.

If you disagree with what is proposed, you must offer a practical alternative. I fail to find one in your letter.

Yours ever,

Clem
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Field Marshal Viscount Wavell to Mr Liaquat Ali Khan

R/3/1/119A: f 200

3 January 1947

Dear Mr. Liaquat Ali Khan,

I had hoped to see you for a minute after this morning’s Cabinet meeting, but there was no time; and I have interviews fixed for tomorrow morning when we finally finish our business.

I wanted to tell you that I had spoken to Pandit Nehru about considering changes in portfolios from the point of the Cabinet as a whole, as the result of the substitution of Maulana Azad for Mr. Asaf Ali. He did not wish to consider changes except within the portfolios held by nominees of the Congress and I have agreed to accept his recommendations.

As a result, Maulana Azad will go to Education Department, Mr. Rajagopalachari to Industries and Supplies, and Dr. Matthai to Transport and Railways. An announcement to this effect will be put out in the very near future.

Yours sincerely,

WAVELL

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Cabinet

India and Burma Committee. I.B.(47)1st Meeting

L/P&J/10/46: ff 48–51

Those present at this Meeting held at 10 Downing Street, S.W.1, on 3 January 1947 at 10 am were: Mr Attlee (in the Chair), Sir S. Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Sir Edward Bridges, Sir David Montetheus; Mr C. G. Eastwood, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

Future Policy in India

(Previous Reference: I.B.(46)13th Meeting)\(^1\)

At their meeting on 31st December, 1946,\(^2\) the Cabinet had considered a

\(^1\) No. 213.  \(^2\) No. 235.
draft statement annexed to C.P. (46) 456 regarding the future policy of His Majesty’s Government towards India. They had agreed that the draft should be recast on broader lines.

The Committee now had before them a revised draft (I.B. (47) 1) prepared in the light of the Cabinet’s discussion. They considered the draft in detail and a number of amendments were made.

In the course of the discussion the following points were made:
(a) During the series of the Committee’s meetings which had been attended by the Viceroy, it had emerged from the discussions that during the process of our withdrawal from India, even though it was not possible to carry out to the full the provisions of the Government of India Act, 1935, the constitutional framework must be preserved until the final handing over of power. The Viceroy should have a clear understanding that this was the Committee’s view.

The Committee had, however, reached no clear decision on the question whether, within the constitutional framework, the first step should be as complete a withdrawal as possible from the Southern Provinces or whether the process of withdrawal should go on pari passu over the whole of India.

The Committee had first inclined to the former course. In favour of this it was recalled that the Viceroy was most anxious to relieve himself from the embarrassing situation in which he found himself at present whereby he was virtually bound to act at the dictation of the Congress leaders if they threatened that the Ministries in the Congress Provinces would resign, since he was quite unable to provide himself for the administration of the Provinces under Section 93 of the Government of India Act.

It was, however, now argued first that this threat must, in fact, remain so long as the present constitutional framework was maintained and, secondly, that the Southern Provinces were precisely those in which the threat was least likely to be employed.

As our withdrawal could not, in any case, be complete if the constitutional framework was to be maintained, would not the wiser course be to carry it out pari passu over all parts of India so that we were left with a gradually decreasing skeleton administration spread over the whole country?

No definite decision was reached on this point but Ministers agreed that it was one on which it might be necessary to give the Viceroy a clearer indication of the views of His Majesty’s Government.

(b) In this connection they considered that it was wrong to press too far the analogy of a military withdrawal. The operation now to be begun was not so much a military as a political operation of great delicacy. It must
be regarded not as a withdrawal under pressure from the enemy but as a voluntary transfer of power to a democratic government. To an ever increasing degree the Viceroy would assume the position of a constitutional ruler and he and the British Officials would act in conformity with the policy of that Government.

(c) Ministers discussed whether it would be possible to include in the statement a positive assurance to present and former members of the Secretary of State’s Services that they would receive the pensions which they had earned and would be given compensation for the interruption of their career. They agreed that it would not be possible at this stage to go beyond a general statement to the effect that His Majesty’s Government would negotiate with the successor authorities in regard to matters arising out of the transfer of power.

At the same time it was the Committee’s strong opinion that there was a moral obligation on His Majesty’s Government to ensure fair treatment for the Services and that in the last resort, if adequate provision was not made for them from Indian funds, it must be made from United Kingdom funds. But it would be inexpedient to make any public statement to this effect at the moment, as it might prejudice the discussions which the Parliamentary Under Secretary of State for India was about to undertake with the Government of India.

(d) As soon as the draft statement had been approved by the Cabinet, the Prime Minister should send a personal message to Dominion Prime Ministers informing them of the course of action which His Majesty’s Government intended to pursue.

The Committee:—

Took note that the Prime Minister would arrange for the draft statement as amended during discussion to be laid before the Cabinet for their approval.

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3 The draft statement annexed to C.P.(46)456 was the same as the one attached to No. 216. R/30/1/9: ff 60–5.

4 No. 241.

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Mr Abell to Sir D. Monteath

L/P&EJ/10/46: ff 45–6

3 January 1947

Sir David Monteath.

I understand that, in view of the decision that the Viceroy should not be kept in touch with the deliberations of the Cabinet Committee but will only be
informed with the Dominion Governments when the Cabinet are finally agreed on a draft Statement, I shall not see the Statement as amended today and shall have no opportunity of making suggestions.

2. The essential points so far as the Viceroy is concerned are:

(1) That a final date for the transference of power should be announced in the Statement.

(2) That the date should not be later than 31 March 1948. (The months of May and June are a period when the peasant population of northern India is free from harvesting and has not started sowing; for this and for other reasons it is undesirable that the final date, which on the Services case was put at 1st January 1948 by the Viceroy, should now be extended again from the 31st March to the middle of 1948).\(^2\)

(3) That the draft should not exclude the possibility of taking action during the preparatory period which the Viceroy proposes.

(4) That the Viceroy should be authorised, either by the terms of the Statement or otherwise, to take at the proper time such preparatory steps including, in the first stage:

(a) the gradual withdrawal of British troops from the southern Provinces;
(b) the withdrawal from these Provinces of those members of the Secretary of State’s Services who are not prepared to serve on under Indian governments and to accept a tacit understanding that, though they may technically be Members of the Secretary of State’s Services until those Services are finally wound up, they will not be able to rely on his protection in the interim period.

3. In the draft as it stood when I last saw it there is a sentence, in paragraph 8, which seems to me inconsistent with the preparatory measures which the Viceroy wishes to take. This sentence reads as follows:

“It is essential that there should be no falling off in the efficiency of the civil administration . . .”

I suggest the following be substituted:

“It is essential that so far as possible the efficiency of the civil administration should be maintained . . .”

G. E. B. ABEILL

\(^1\) cf. Nos. 214 and 218 copies of which appear to have been submitted with this note.

\(^2\) In the course of a minute of 4 January 1947, Mr Abell amplified his reasons for making the date of the transfer of power not later than 31 March 1948. He wrote:

‘Events in India are usually timed to take place on the change of seasons, i.e. in the spring or the autumn. If the date is made the middle of 1948, not only has the final withdrawal from Northern India to take place in the middle of the hot weather, but we shall be involved in keeping the peace in Northern India at the most difficult time of the year.

In April, May and June, the peasant population of Northern India finds itself free from harvesting, and with leisure, and a certain amount of money in its pockets. This is always the most fruitful time for the agitator. If, for instance, the Indian Army was to split up at this time the results would be more serious than at any other time of the year.’

L/PO/6/112: f 200.
My dear Prime Minister,
I have thought over very earnestly all that you said to me on the 1st January.
I absolutely understand why it is not possible to secure an open invitation from the Indian Parties. But Sir Stafford Cripps tells me that he is prepared, if you concur, to inform the principal Party leaders in person, shortly before my appointment is announced, that it is my earnest hope that they will welcome it and will give me their support—or, at the very least, that they have no personal objections.

It makes all the difference to me to know that you propose to make a statement in the House, terminating the British “Raj” on a definite and specified date; or earlier than this date, if the Indian Parties can agree a constitution and form a Government before this. I feel very strongly that I could not have gone out there with confidence, if it had been possible to construe my arrival as a perpetuation, at this moment, of the viceroyal system, or of our imposing our nominee to arbitrate in their affairs.

I am not really sure, however, what H.M. Government wish me to try and achieve in India and I do not feel I can undertake to carry out your wishes until I have seen the written directive which H.M. Government propose to give to the new Viceroy, as well as the actual text of the statement in the House. But I am writing this letter on the assumption that I shall feel capable of trying to comply with your directive.

I deeply appreciate your offer to give me every assistance in forming my new staff. I told Sir Stafford, when he came to see me yesterday, how honoured and touched I was that he should have offered to come to India with me, but I made it clear to him that I felt the presence of a man of his prestige and experience could not fail to reduce me to a mere figure head in the eyes of the people he would be negotiating with; and that I felt this was not the impression that either he or you would wish the appointment of a new Viceroy to create. On the other hand, I did not wish to lose the help of his unrivalled knowledge; and I made a proposal to him which I hope you will allow me to place before you verbally.

1 Another copy of this letter, which differs from it in minor verbal respects, is to be found in Mountbatten Papers, Official Correspondence Files: Policy.
Since you approved my choice of General Ismay as my Chief of Staff I have asked him; and I know you will be delighted to hear that he is prepared to give up his well earned rest in Australia, and to come and help me if I am appointed to the post.

I feel it is essential that I should be allowed to fly home as often as I feel it really necessary to do so (say, every 3 or 4 months) for personal discussions with you and the Secretary of State; and that General Ismay should also come home from time to time.

I am very grateful to you for suggesting that I should be left on the Active Flag List of the Royal Navy so that my future employment in the service would not be prejudiced; and I would ask you to be so kind as to make it clear, in the announcement of my appointment (should it materialize) that I am on loan for this short period.

I hope I do not need to assure you that if I go, it will be with a complete realization of the difficulties and of the importance of achieving the task which I am so honoured that you should be proposing to give me. Although it would be our intention to observe the Protocol necessary to uphold the position of Viceroy and Vicereine, my wife and I would wish to visit Indian Leaders, and representative British and Indian people, in their own homes and unaccompanied by staff; and to make ourselves easier of access than the existing protocol appears to have made possible.

Yours very sincerely,
MOUNTBATTEN

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"Rear-Admiral Viscount Mountbatten of Burma to H.M. King George VI"

Mountbatten Papers. Official Correspondence Files: Appointments,
Private Correspondence re

4 January 1947

My dear Bertie,
You will have heard I was recalled after only a week-end in Switzerland. I had a meeting with the P.M. and Stafford Cripps on my arrival who pointed out that it was not feasible to comply with the conditions I gave in my letter of 20th and that as it was now more urgent than ever that I should go out, would I accept under any other conditions.
They offered me “carte blanche” and said I could take anyone out on my staff I liked. Sir Stafford “bouleversed” me by offering to come out himself on my staff if I’d accept and the P.M. agreed! That was a swift one because if I do have to go I don’t want to be hamstrung by bringing out a third version of the Cripps offer!!!

After over an hour we broke up and the next day Stafford came round to see me and again assured me of his desire to place his services at my disposal—so I had a brain-wave and said “I’ll accept your offer on one condition and that is that you take the appointment which I consider would help me most”—He fell for that and agreed—then I said “I’d like [you] to go to the India Office and thus be my rear-link with H.M.G.” He was a bit staggered but finally agreed, subject to the P.M.

I then sat down and wrote the P.M. a letter (a copy of which I enclose)² and when I next saw him and Stafford I asked the P.M. to put him at the India Office and he said he’d give this request favourable consideration.

Meanwhile, as he said I could have any team I liked I dashed round and asked Pug Ismay and Eric Miéville to chuck everything and come with me to start the last Chukka in India—12 goals down! Both agreed at once though one has to chuck a 4 months holiday in Australia and the other one his new job.

With a team and a spirit like that we’re half way home—I only await the directive and announcement before giving a final answer. Actually the P.M. has offered that the Under Secretary for India Arthur Henderson, who is now out there, should give my message to the leaders and I’ve accepted.

They wanted me to meet Wavell at Karachi but I said “no—I must meet him at home—because if he produces new difficulties to me and explains in what way he is dissatisfied with H.M.G.’s attitude then I’ll have no chance of talking this over with you. Besides if you want him to resign nicely you must ask him in person—otherwise he’ll say ‘I won’t resign—go ahead and sack me!’ ”

So Wavell is to be sent for and I suppose Edwina and I’ll go out early in February. I’m insisting on my own York like in S.E.A.C. and like Harry³ has.

Meanwhile on Monday I go back to R[ear] A[dmiral] and start work at the S[enior] O[fficer] T[ech] C[ourse] so that I shall have been back in the Service for at least a week before they pull me out of it again.

We’ll still be here on 23rd and shall look forward to your coming to Noel’s show.⁴ I gather you agreed to our asking Philip⁵ to the show and him and Noel

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¹ No. 215.
² Presumably No. 247.
⁴ On 23 January 1947 Lord Mountbatten, in his capacity as President of King George’s Fund for Sailors, received The King at a performance of Noel Coward’s ‘Pacific 1860’ given in aid of the Fund at the Theatre Royal, Drury Lane.
to supper with you at Chester St. afterwards.  

Ever your dutiful, affectionate and harrassed  

DICKIE

* In the course of his reply of 5 January 1947, H.M. King George VI wrote:
'I am so glad you are taking Pug and Eric. Such a good pair of friends should never let you down. I am seeing the P.M. in London tomorrow when no doubt he will tell me about all this. I am sure that you are the only person who can get the Indian leaders to understand that they must find a solution to their differences and form a proper government. When they find there will be no H.M.G. to help them in future they may see reason, and there is no time to waste either. Inflammatory speeches such as they have been making will do them no good. But will they ever see this? Edwina of course will do wonders with all her knowledge and experience gained in the war years. But I do regret your time lost in the Navy just as you were going back to it. As you say you can go back now but can you in say 2 years, which will be more difficult.

However this is a very big job to undertake and I shall follow your dealings with N. and J. with the greatest of interest. I do admire the spirit in which you have accepted it.'

Mountbatten Papers, Official Correspondence Files: Appointments, Private Correspondence re.  

Lord Mountbatten replied to the King's letter on 7 January thanking him for his 'charming letter which has heartened both Edwina and me very much.' He enclosed a copy of a letter he had sent Mr Attlee (presumably No. 261) and added he hoped the King would 'press for an Earldom or Thistle for Wavell'. *Ibid.*

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Cabinet Paper C.P.(47)1  

L/P&E/J/10/46: ff. 6-9  

INDIAN POLICY  
MEMORANDUM BY THE PRIME MINISTER  
CABINET OFFICE, 4 January 1947  
The India and Burma Committee have now revised the draft statement on Indian policy which the Cabinet considered on 31st December.  I attach the revised draft for consideration by my colleagues.

C.R.A.

Enclosure to No. 249  

INDIAN POLICY  
REVISED DRAFT STATEMENT  

I  

1. It has long been the policy of successive British Governments to work towards the realisation of self-government in India. In pursuance of this policy an increasing measure of responsibility has been devolved on Indians and today the civil administration and the Indian Armed Forces rely to a very large extent
on Indian civilians and officers. In the constitutional field the Acts of 1919 and 1935 passed by the British Parliament each represented a substantial transfer of political power. In 1940 the Coalition Government recognised the principle that Indians should themselves frame a new constitution for a fully autonomous India, and in the Offer of 1942 they invited them to set up a Constituent Assembly for this purpose as soon as the war was over.

2. His Majesty’s Government believe this policy to have been right and in accordance with sound democratic principles. Since they came into office, they have done their utmost to carry it forward to its fulfilment. The declaration of the Prime Minister of 15th March last which met with general approval in Parliament and the country, made it clear that it was for the Indian people themselves to choose their future status and constitution and that in the opinion of His Majesty’s Government the time had come for responsibility for the government of India to pass into Indian hands.

3. The Cabinet Mission which was sent to India last year spent over three months in consultation with Indian leaders in order to help them to agree upon a method for determining the future constitution of India, so that the transfer of power might be smoothly and rapidly effected. It was only when it seemed clear that without some initiative from the Cabinet Mission agreement was unlikely to be reached that they put forward proposals themselves.

4. These proposals, made public in May last, envisaged that the future constitution of India should be settled by a Constituent Assembly composed, in the manner suggested therein, of representatives of all communities and interests in British India and of the Indian States.

5. Since the return of the Mission an Interim Government has been set up at the Centre composed of the political leaders of the major communities and it is exercising wide powers within the existing constitution. In all the Provinces Indian Governments responsible to Legislatures are in office.

6. It is with great regret that His Majesty’s Government find that there are still differences among Indian politicians which are preventing the Constituent Assembly from functioning as it was intended that it should. It is of the essence of the plan that the Assembly should be fully representative. The failure of Indian politicians, who have all expressed an eager desire to be rid of British control, to agree among themselves even on the machinery for deciding on the constitution to replace the existing form of Government must create an unfavourable impression on world opinion.

7. His Majesty’s Government desire to hand over their responsibility to authorities established by a constitution approved by all parties in India, but unfortunately there is at present no clear prospect that such a constitution and

1 No. 235.
such authorities will emerge. The present state of uncertainty is fraught with
danger and cannot be indefinitely prolonged. His Majesty’s Government wish
to make it clear that it is their definite intention to effect the transference of
power in India by a date not later than the middle of 1948.

II

8. For the last century peace and security have been assured to the people of
this great sub-continent, now containing over four hundred million people, by
the Government of India under British control. Continued peace and security
are more than ever necessary today if the full possibilities of economic develop-
ment are to be realised and a higher standard of life attained by the Indian
people.

9. His Majesty’s Government are anxious to hand over their responsibilities
to a Government which, resting on the sure foundation of the support of the
people, is capable of maintaining peace and administering India with justice and
efficiency. They once more urge all parties to sink their differences in order that
they may be ready to shoulder the great responsibilities which will come upon
them next year.

10. But if a new constitution has not been worked out by then in accordance
with the proposals made by the Cabinet Mission in May last, which represent
the greatest measure of agreement attainable after months of hard work, His
Majesty’s Government will have to consider to whom the powers of the
Central Government in British India should be handed over, whether as a
whole to some form of central Government for British India, or in parts to the
existing Provincial Governments, or in such other way as may seem most
reasonable and in the best interests of the Indian people.

III

11. Although the final transfer of authority may not take place until the middle
of 1948, preparatory measures must be put in hand in advance. It is essential
that there should be no falling off in the efficiency of the civil administration
and that the defence of India should be fully provided for. But inevitably, as
the process of transfer proceeds, it will become progressively more difficult to
carry out to the letter all the provisions of the Government of India Act 1935.
Legislation will be introduced in due course to give effect to the final transfer of
power.

12. In regard to the Indian States, as was explicitly stated by the Cabinet
Mission, His Majesty’s Government do not intend to hand over their powers
and obligations under paramountcy to any Government of British India. It is
not intended to bring paramountcy, as a system, to a conclusion earlier than
the date of the final transfer of power, but it is contemplated that the relations
of the Crown with individual States may be adjusted by agreement.
13. His Majesty’s Government will negotiate with the successor authorities agreements in regard to matters arising out of the transfer of power.

14. If any members of the large European community in India should wish to send their families home for the time being, arrangements will be made to enable them to do so. But His Majesty’s Government believe that British commercial and industrial interests in India can look forward to a fair field for their enterprise under the new conditions. The commercial connection between India and the United Kingdom has been long and friendly, and Britain has a great contribution to make towards the development of Indian industry. (This hope that British commerce will flourish in the new India on a basis of goodwill and common interest is strengthened by the known attitude of responsible Indian leaders.)

IV

15. The association of the peoples of Great Britain and India has achieved much in its long history that is notable and enduring for good. The step now announced marks the climax in the long period of deliberate preparation and development which has been the dominating feature of this association for many years past. When the voluntary cession of power has taken effect, and the responsibility of the British Parliament has ceased, the future of India and its success and prosperity will depend on the wisdom and statesmanship of the Indian leaders.

16. His Majesty’s Government cannot conclude this statement without expressing on behalf of the people of this country their good will and good wishes towards the people of India as they go forward to this final stage in their achievement of self-government. It will be the wish of everyone in these islands that, notwithstanding constitutional changes, the association of the two peoples should not be brought to an end; and they will wish to continue to do all that is in their power to further the well-being of India.

* There was evidently doubt whether this sentence should be included.

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Mr Abell to Sir D. Monteath

L/P&J/10/46: f 44

SECRET

Sir D. Monteath.
The Viceroy, when he left for India, went in the belief that it had been agreed by the Cabinet Committee that on the making of the proposed announcement
he would be free to take action as proposed by him in regard to the withdrawal from southern India. The minutes of the Cabinet Committee meeting of the 20th December, I.B.(46)[13th Meeting] include the following:

"A statement of this kind, endorsed by a resolution, would give the Viceroy authority to begin the process outlined in the statement of withdrawal from the southern Provinces".

The Viceroy before leaving exchanged letters with the Prime Minister, of which copies have been sent. When he received the Prime Minister’s reply, the Viceroy was satisfied that his plan of phased withdrawal had been accepted in principle and that he would have the authority he needed to withdraw from the southern Provinces on the Statement being made.

The memorandum to the Cabinet dated 21st December 1946, about the draft of which I was consulted, included the following:

"11. The intention is that after this statement has been made the Viceroy would begin the process of withdrawing British civil servants, troops, and those United Kingdom nationals who wish to leave from the southern Provinces."

2. The Secretary of State was good enough to see me yesterday, and I understood from him that he was not certain whether, if the Cabinet approved the draft statement as it now stands (and I have not seen the latest redraft), the Viceroy would have the authority which he wants.

3. To the Viceroy this authority is essential. The safety of our withdrawal from India will depend mainly on whether the Indian Army splits up or mutinies before we get out. This in turn will depend on the ability of the major Parties to come together. There is a chance that they will, but on all known form there is also a chance that they will not. If they do not it will be an exceedingly difficult thing to hold together the Indian Army until March 31 1948 (and incidentally so much more difficult to hold it together till the middle of 1948).

4. If the Indian Army should split up or mutiny while we are still in control of the whole of India the position of our troops and of scattered British officials will be most critical. If there is a disaster it will be much larger in scale and more damaging to British prestige than if we had been concentrated in part of the country.

5. Also, so long as we remain in effective control of the whole country we are powerless to resist the demands of the Congress. This is a most important consideration from the point of view of our obligation to the Minorities. If we cannot resist the demands of the Congress we can hardly avoid putting them in effective control of the whole country during the Interim Period.

It will take a considerable time to get the administrative machinery in position to carry out our withdrawal. This must inevitably be phased and the process must start at once. If it is not intended to give the Viceroy the authority
that he needs, how is it proposed to draw up an alternative plan of phased withdrawal?
You may wish to show this to the Secy. of State.

G. E. B. ABELL

1 No. 213.  2 Nos. 214 and 218.  3 See draft attached to No. 216.

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Mr Abell to Mr Turnbull

L/P & J/10/46: ff 38–40

SECRET

4 January 1947

Mr. Turnbull.

It seems possible that the Secy. of State may decide to ask for another meeting of the I & B Committee on Monday, to consider the memorandum just drafted.¹

As I have explained to the Secy. of State, it seems to me most necessary that the Viceroy’s views should be clearly stated to the Committee, and unless I can be given an opportunity to speak in the Committee (which would not necessarily involve my staying for the whole of the deliberations) I suggest that the Secy. of State might consider circulating to the Committee copies of my note below.

G.E.B. ABELL

Enclosure to No. 251

SECRET

Note by Mr Abell

If there is any question of the Cabinet not giving authority to the Viceroy to take the preparatory measures he has proposed i.e. a withdrawal from the southern Provinces in the first stage, I hope that it may be possible in some way for this re-statement of his views to be taken into account.

2. The main factor in regard to the safety of our withdrawal is of course the Indian Army. The only way that the Indian Army can be kept together is for the political parties to reconcile their differences. If they do so, all may be well; but on the form we know it is doubtful if they will. If they do not, then the Indian Army will certainly split up sooner or later. Our object must be to postpone the split till the last possible moment both in the interests of India and in the interests of our safe withdrawal.

¹ Presumably No. 249.
3. It is clear that there is a real danger of the Indian Army splitting before we withdraw from the country. If that should happen, and if when it happens our few British troops are scattered about and if we are still committed to control the administration of the southern Provinces and have officers expecting the Secretary of State's protection in distant stations of those Provinces, the position will be an exceedingly dangerous one; in fact a major disaster will be almost inevitable.

4. We shall be in a much better position to face the split of the Indian Army, should it occur, if British troops have been concentrated in northern India, and if we have abandoned the practical (though not the legal) responsibility for the administration of the southern Provinces.

5. Moreover, the danger to the British personnel remaining in the southern Provinces will have been greatly decreased if, as the result of handing over effective control (though under the present constitution) to the Ministries, they are no longer the target of political abuse and hatred. Once the Ministries have been put in charge in the southern Provinces, the British officials that stay on and accept their service will be popular rather than the reverse; they will be regarded rightly as genuinely interested in the new India and as anxious to help her forward. At the same time the main reason for the unpopularity of other British residents will have been removed.

6. It is a fallacy to think that an alternative plan based on withdrawal from the whole of India pari passu is a feasible alternative, except perhaps on the basis of a firm alliance of the British and the Congress, and a resolve to put the Congress firmly in the saddle and pay no further attention to the interests of the Muslim minority. But even this course might well only increase the risk of civil war and hasten the day when the Indian Army disintegrates.

7. On the assumption that H.M.G. are not prepared to ally themselves with the Congress at the expense of the Muslims, there must remain the risk of a breakdown in our relations with the Congress in the event of our refusing to accept some demand made by the Congress and backed by the threat of resignation from Office.

8. In view of the possibility of such a breakdown; in view also of the possibility of a split of the Indian Army as stated above, we cannot afford to start withdrawing British troops from India until the transference of power is complete. Thus all British troops have got to remain somewhere in India and it is not practicable to plan for a gradual evacuation from each Province simultaneously. It seems clear that the only course is gradually to concentrate the British troops against the possibility of unpleasantness.

9. It is necessary that there should be a firm decision at once. Administrative machinery for the withdrawal operation must be put into position and this
cannot be done in a day or two. Every kind of planning is necessary on the civil as well as on the military side, and the transport problems both within India and from India to the U.K. will be complicated. It is absolutely necessary to the Viceroy that he should have authority to act as soon as the Statement is made.

10. It may be thought that an alternative plan might be evolved if a new set of planners were put on to the task; but the Viceroy's plan has been prepared by as expert a civil-military committee as can be convened, and even if the Viceroy's judgment and that of the Committee is not accepted, it is difficult to see how a new plan can be prepared.

* See No. 245.

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Lord Pethick-Lawrence to Mr Attlee

L/P&J/10/46: ff 30-1

SECRET

Prime Minister.

I feel sure that it is essential that when the Cabinet considers the draft statement of policy on India¹ they should take a clear decision as to what the Viceroy is authorised to do when the statement has been issued. Our last discussion in the India Committee left this somewhat indefinite.

The Viceroy went back under the impression that the view of the India Committee was that although we could not withdraw formally from the four Southern Provinces and that the British Governors would remain the Viceroy would none the less be able to take the practical steps that he proposes as the first stage of a withdrawal. Mr. Abell confirms that this is so.

I attach a draft memorandum² which I suggest that I might circulate to the India Committee or to the Cabinet as you may wish and I suggest that it would be desirable to have a meeting of the India Committee on Monday evening or on Tuesday before the matter is taken in the Cabinet.

I think it would also be valuable if you could spare the time to see Mr. Abell before the matter is considered further. After you have seen him, you may think it desirable that the Committee should have an opportunity to hear what

¹ No. 249.
² This memorandum was later circulated to the India and Burma Committee; see No. 256 for the text.
he has to say, though, of course, he would withdraw from the meeting before the matter is discussed.³

³ Mr Attlee apparently did not send a written reply to this minute. (Information supplied by Prime Minister’s Office, 10 Downing Street.) See, however, No. 257 for the minute of the India and Burma Committee held on Monday, 6 January at which the matters raised here were discussed. Mr Abell was present at that meeting.

253

Text of Resolution passed by All-India Congress Committee
on 6 January 1947

R/3/1/129: ff. 123-4

The A.I.C.C. having considered events that have taken place in the country since the Meerut Session of the Congress in November last, the statement issued by the British Government on the 6th December 1946, and the statement of the Working Committee of the 22nd December 1946,¹ advises Congressmen as follows

(1) The A.I.C.C. endorses the statement of the Working Committee of the 22nd December 1946, and expresses its agreement with the views contained therein.

(2) While the Congress has always been agreeable to making a reference to the Federal Court, on the question of interpretation in dispute, such a reference has become purposeless and undesirable owing to the recent announcements made on behalf of the British Government. A reference could only be made on an agreed basis, the parties concerned agreeing to abide by the decision given.

(3) The A.I.C.C. is firmly of opinion that the constitution for a free and independent India should be framed by the people of India on the basis of as wide an agreement as possible. There must be no interference whatsoever by any external authority, and no compulsion of any province or part of a province by another province. The A.I.C.C. realises and appreciates the difficulties placed in the way of some provinces, notably Baluchistan, Assam, the N.W.F.P. and the Sikhs in the Punjab, by the British Cabinet scheme of 16th May 1946 and more especially by the interpretation put upon it by the British Government in their statement of 6th December 1946. The Congress cannot be a party to any such compulsion or imposition against the will of the people concerned—a principle which the British Government have themselves recognised.

(4) The A.I.C.C. is anxious that the Constituent Assembly should proceed
with the work of framing a Constitution for free India with the goodwill of all parties concerned, and, with a view to removing the difficulties that have arisen owing to varying interpretations, agree to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in Sections. 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 jeopardised. In the event of any attempt at such compulsion, the province or part of a province has a right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned. The future course of action will depend on the developments that take place, and the A.I.C.C. therefore directs the Working Committee to advise upon it whenever circumstances so require, keeping in view the basic principle of provincial autonomy.

1 See Enclosure to No. 222.

254

Sir A. Clow (Assam) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/139: f 5

NO. 243 GOVERNMENT HOUSE, SHILLONG, 6 January 1947

2. Bardoloi had a long talk with me on his return from the Conference with Gandhi, Nehru (whom I met at Allahabad) and others. We talked mainly of the objections to Assam going into the Bengal-Assam Section of the Constituent Assembly. He said that:

(1) he recognized the need for economic arrangements with Bengal;
(2) his main objection was that Assam would have a constitution framed by Bengal;
(3) she would not then be able to vote herself out of the group;
(4) Assam ought therefore [to] have liberty to frame her own constitution and then reach agreement with Bengal.

3. I told him that I could not conceive of a constitution being framed which would prevent the people of Assam, if they so wanted, from voting themselves out; but he disagreed. He was, as always, rather nebulous in expression but I inferred that he was apprehensive that the various sections of the population would get separate representation. As Bourne said in his letter of 15th June,¹ the opposition comes mainly from the Caste Hindus of the Assam Valley. At present the Caste Hindus of the province, although they are only about a third

¹ Not traced.
of the population, and particularly those of the Assam Valley, dominate the Government and the Legislature. The hill tribes are mostly unrepresented because so many live in the excluded areas. Those in other areas have 4 seats, but 2 of these are in Shillong where the large non-tribal population had a decisive influence. In the plains, the Ahom League lost every seat it held, because the Ahoms are everywhere outnumbered, and they have been pressing for separate representation for some time. The other plains tribes have only 4 special seats.

4. But in Section C, the principle of separate representation might be carried much further, for the Muslims are strongly for it. If the tribal peoples as a whole got separate representation and the Scheduled Castes were free to elect their own representatives, the situation would be greatly altered. It is possible that then Bardoloi’s forecast might prove justified, and indeed the whole hold of the Caste Hindus would be precarious, if not at an end. If this reading of the objectors’ fears is correct (and it is shared by some others who are well-informed) it goes far to explain Gandhi’s attitude. The possible separation of the Scheduled Castes alone would make him intransigent. If the Muslim League enters the Constituent Assembly, I would hazard a guess that the question of separate representation will be one of the main battlegrounds.

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Lord Pethick-Lawrence to Mr Attlee

PRIVATE AND PERSONAL  INDIA OFFICE, 6 January 1947

L/PO/7/4: ff 44-7

Secretary of State’s Minute: Serial No. 2/47

Prime Minister,
In your minute of Dec. 7th (Morale of Secretary of State’s Services in India), you wrote that in none of the cases cited had we “the other side of the case” and added that you would “welcome a more objective statement of the position”.

2. With regard to the first point I agree with you that if we were able to hear the point of view of the Ministry we should be in a better position to judge the merits between them and the officials. Of course, it is clearly impossible for me to make such a contact either direct or indirect; my only source of information is the Governor. He presumably sifts the cases and I imagine supports unquestioningly his Ministry where he is satisfied that they are right, and only reports those cases where he thinks they are in the wrong. There are no doubt borderline cases where it is possible that his judgment may be at fault and we do not have the full facts put before us. But as I have no
means of conducting an independent investigation I do not see what we can do about it.

3. With regard to your request for a more objective statement of the position, I have made enquiries to endeavour to find out whether there is any independent testimony as to the morale of the services generally. Here again I am not in a position to get anything from unofficial sources. I have, however, had put together a number of extracts from letters which I append. I am assured that they are not hand-picked so as to prove a case but I can only submit them to you for what they are worth. In the last two the Governor does purport to put the Ministers' side of the case.

4. Of course, men who are going on fairly satisfactorily are not very likely to write saying so and therefore it must not be assumed that the dissatisfaction in these extracts is general, but it is quite natural that there should be anxiety among men in the changing conditions; and Lord Hailey, who came to see me on a different matter a few days ago, did not disguise from me that those with whom he was in contact were feeling a loss of support amounting to neglect by the Secretary of State, and were gravely troubled about their future prospects. I confess I am at a loss to know how I can get the further objective evidence for which you ask, for as Secretary of State I have not thought it proper for me to carry on direct correspondence either with Indian politicians or with I.C.S. officials. I have, however, written to the three Presidency Governors to ask them what in their opinion is the morale of the Services in their provinces.\(^3\) In the letters they have addressed to the Viceroy during recent months they have not stressed this particular matter.

5. Personally I wish very much that we could wind up these services of mine and release the officers from the equivocal position they are in at a very early date. But I cannot see how it could be done on a full scale without parliamentary sanction.

PETHICK-LAWRENCE

Appendix to No. 255

L/S & G/7/906: ff 29–32

Extracts from letters from I.C.S. officers and from Provincial Governors

1. Extracts from a letter dated 11th September 1946 from Mr. E. B. Wakefield, an I.C.S. officer of 19 years' standing who is serving in the Indian Political Service.

I have observed among Political Officers no inclination to criticise the decision of H.M.G. that India shall be given independence. That decision has been accepted most loyally, even though it involves the relinquishment by many

\(^1\) No. 172.

\(^2\) Lord Pethick-Lawrence's letters of 6 January 1947 to the Presidency Governors are on L/PO/7/4.
officers of the honourable ambitions which they had entertained in connection with their service under the Crown. But there does exist a feeling, widespread and deep-seated, that the Secretary of State for India, in his understandable anxiety to effect a speedy transfer of power to Indian hands, has singularly failed to take into consideration the rights, the interests and the reasonable aspirations of his own British officers.

* * *

British Officials are not wanted by the Indian National Government. India’s objective is self-government—the Government of Indians by Indians for Indians. H.M.G. have accepted this objective. Unless there are undisclosed reservations in this acceptance it is difficult therefore to understand what object the Secretary of State can have in compulsorily retaining British Officers in Indian Service.

Political Officers have reason for discouragement, for there can be no pride in service when service is unwanted. There can, too, be no virtue in work which is done without belief in its value. That Political Officers should feel a deep sense of grievance is also not surprising when every day that passes reduces their chances of finding other employment. The rapidly growing volume of discontent cannot, I think, be allayed otherwise than by an immediate and positive pronouncement by the Secretary of State dispelling the uncertainty which his officers now feel about their future. If no such pronouncement is made, the consequence can only be the dissipation of all remaining sense of discipline and loyalty.

2. Extract from a personal letter dated 18th September 1946 received by an Assistant Secretary in the India Office from an I.C.S. officer of 9 years’ standing who is serving in Bombay.

When the Cabinet Mission was here the Secretary of State said that whereas he could not say when a Treaty would be negotiated, he would consider our services compulsorily ended when his powers were in fact no longer effective. With the return of the Popular Ministry in this province that position has been reached.

Things have been happening here to the services that should not be allowed and the Governor is helpless and neither the Viceroy nor the Secretary of State has intervened. The seniormost Civil Servant in this province returned from leave in England 3 or 4 months ago and should have been Chief Secretary. He was an Adviser in the 93 Government. The Ministry did not want him and have refused to post him and he is riding round Poona on a bicycle.

There is an A.S.P. in this District for whom a car was requisitioned by the last Government from a rich Ahmedabadi. He has been ordered by the Home Minister in his personal capacity to hand it back and pay the expenses to boot, and he is afraid to raise a murmur of protest, but has complied submissively.
No one believes the Secretary of State has any will to intervene to protect us. He may convince himself that he has the power but it all depends when he thinks the occasion is fit to produce it, otherwise it is like the Royal veto which has not been exercised for 200 years but still exists.

3. Extract from letter written in November 1946 by Mr. A. P. Hume, an officer of 19 years’ standing who is serving in the United Provinces (This was enclosed in a letter sent to the Prime Minister by Mr. Hume’s father which was passed to the India Office after being acknowledged.)

As an officer of the Indian Civil Service, I see with sorrow and dismay the rising tide of ruin which is engulfing this great country of India. The administrative machinery has already broken down in large areas, and justice and orderly government are being submerged in a morass of corruption, incompetence and misrepresentation of the truth. I see my own countrymen vilified and abused without cause, and the great work of redemption from chaos, which they have patiently carried out for two centuries, wasted by evil-disposed and ignorant men. I see that a large share of the responsibility for the growing chaos and for the present daily slaughter of unoffending people in city, town and hamlet throughout India, must lie on the shoulders of the electorate and rulers of Britain. Misguided judgment is a direct cause of the communal violence and bestiality, which has already resulted in over ten thousand murders in the space of a few weeks, and which is evidently but the prelude to a colossal carnage.

I do not know what fate the British Parliament has in store for officers of the Imperial Services in India, but I personally am finding it inconsistent with my notions of loyalty and honour, and contrary to my terms of engagement in the I.C.S., to serve a Hindu-Congress government in present circumstances, in which I am powerless to uphold those principles of administrative integrity, which I have been taught to regard as important.

4. Extract from a letter (date unknown but apparently written in November 1946) from Mr. H. P. Tollington, an I.C.S. officer of 17 years’ standing who is serving in the Indian Political Service.

(Copy of Mr. Tollington’s letter was sent to Mrs. Attlee in a personal letter from his wife.)

Every officer I have spoken to thinks that the time has now come when the initiative should be taken by the Secretary of State to terminate the Political Service. We all believe that it is no longer to the advantage of either Britain or India that we should remain as Secretary of State’s Officers. On the contrary, our presence in India is actually harmful. Until lately there was a possibility that Government under Section 93 might be re-introduced. In that event we all realised that the retention of Secretary of State’s officers could be justified. We believe there is no possibility of that happening now. Is there any other argu-
ment in favour of keeping us? The authority of the Service is gone and if there was a breakdown of the administration, it would no longer have the power to take effective action. In fact its presence is a danger because it gives a misleading impression that there is still someone to restore order if things go really wrong.

To avoid quarrelling with the Ministry, Officers have to stretch their consciences and to do things which might land them in very difficult situations if their actions were challenged. It might be thought that they could affect decisions and alter the course of events by the exercise of tact backed by their long experience. The truth is rather the reverse. There is too strong a prejudice against the Service because it is not a Service of the Indian Government. It is regarded purely as a foreign Service, owing obedience to the erstwhile foreign rulers of India.

To insist on Officers remaining in such a situation is unwise. Before long the harmonious relations, which we all want to see maintained until complete transfer of power takes place, may be shattered. So long as Officers owing allegiance to the old regime remain, neither the Ministry nor the public can feel that complete power has been transferred. The public will not believe that the British really mean to leave India, so long as British Officers remain in executive positions. Our continued presence is irritating to the Ministry, misleading to the public and what is more, is delaying the development of stable self-government.

5. Extract from letter dated 27th August 1946 from Sir Henry Twynam, Governor of the Central Provinces and Berar.

Incidentally, I do not see how British officers can be expected to stay on, and perhaps be called upon to cope with further disorders, when they are even now mentally harassed and alarmed at the hue and cry which is now being raised against them in various Provincial Legislatures in respect of their activities in August, 1942 and thereafter.

6. Extract from letter dated 11th September 1946 from Sir Henry Twynam, Governor of the Central Provinces and Berar.

For British members of the Secretary of State’s Services I still think that the only course is to remove them and do it quickly; if we don’t, they will remove themselves—the popular line is to proceed on leave with the intention of extending, in the fairly safe hope that the compensation position will have cleared up before the maximum permissible leave has been exhausted. I do not know if it is generally realised how much conditions not only of work but of living have deteriorated in small stations where perpetual boredom rivals personal anxiety as a most potent assailant of morale.

7. Extract from letter dated 21st October 1946 from Sir Francis Mudie, Governor of Sind.
The Police, like other Secretary of State’s officers, are getting very tired of the present suspense about their future. They feel that it would be very unfair to prolong it much longer. I agree that very few, if any, of the younger British officers intend to continue in service under the new Government. They do not object to the conditions in Sind or to their present treatment, but to the lack of security which they consider would be inevitable after the Secretary of State’s control is removed. I hope that it will be possible for the Secretary of State to make an announcement about the position of his Services, at any rate before the new year.

8. Extract from letter dated 10th November 1946 from Sir Frederick Bourne, Governor of the Central Provinces and Berar.

It does not appear that there will be very many Europeans left either in the I.C.S. or in the Indian Police and some Indians are anxious about their prospects. I understand they fear continuance in the Service may compromise their claims for compensation without affording any security for their future. From what I hear, there appears to be no doubt but that the Central Government and particularly Sardar Vallabhbhai Patel are absolutely sound in their views on Service questions: and provided governing and constitution making go on in an orderly manner, I do not see myself that the existing members of the Services need have any very serious apprehensions. The frame of mind exemplified in Cole’s case\(^3\) is I think what Government servants can justifiably regard with some degree of anxiety; but I trust that as popular ministries begin to find their feet, they will tend to pay less and less attention to the irresponsible denigration of Government servants which while in opposition they themselves did nothing to discourage.

9. Extract from letter dated 14th November 1946 from Sir Evan Jenkins, Governor of the Punjab.

Uneasiness among the services, particularly the British element, seems to me to be growing and I shall be surprised if many of the men who go on leave next year return to India. Some of them may be compelled to return by economic necessity, but nearly all would much prefer to find employment elsewhere. The Congress leaders may later regret their hostile attitude to British officials, many of whom are not immediately replaceable. But they can hardly expect men who are doing their utmost to keep the peace in conditions which are frequently far from pleasant, to relish all this nonsense about the British being responsible for communal trouble.

10. Extract from letter dated 25th November 1946 from Sir Francis Mudie, Governor of Sind.

The morale of the Services in Bihar was very low when I went there in 1943. It improved gradually, but I suppose the return of the Congress Ministry set

\(^3\) See para. 13 and note 4 below
it back again. My personal experience is that a Congress Ministry destroys the morale of all the Services.

11. Extract from letter dated 11th December 1946 from Sir Hugh Dow, Governor of Bihar.

[There follows the text of No. 185, para. 8, last three sentences.]

12. Extracts from letter relating to the case of Major Dring dated 23rd September 1946 from Sir Olaf Caroe, Governor of the North West Frontier Province.

The administration is running down, crime is going up and revenue not coming in, due to rough-handling of the administrative machine in its various parts. The Ministry mistakenly want to ascribe these failures to disloyalty on the part of officers, and they have particularly fixed on the present incumbent of the post of Deputy Commissioner of Peshawar. The holder of this post at headquarters has to bear the brunt of ministerial interference with administrative duties. Cunningham told me that Khan Sahib was temporarily displeased with this officer, believing that he had been taking part in the elections against the Congress, a charge I was assured by Cunningham to be quite unjust, and I do not myself believe it. The difficulty has been brought to a head by Khan Sahib’s own predilection for tampering with the law in individual cases. The particular case which brought matters to a head was one of attempted murder. Khan Sahib’s general procedure is to hold informal durbars on criminal matters either in the villages or in his house in Peshawar. He sometimes then orders bail to be withdrawn or cases to be retried, or alternatively effects compromises, even in murder cases, and does this sometimes while the case is in the trial stage. If he effects a compromise, and if the case is not compoundable, his practice is to send it down to the District Magistrate with a direction that the Provincial Government wish to withdraw it under Section 494 of the Code. The District Magistrate in this case, stating that these compromises are leading to a rise in crime, recorded that he was not prepared to instruct the Public Prosecutor to appear to apply for withdrawal. He was entirely within his rights, but my Premier’s view is that this is deliberate defiance of orders. He has gone so far as to state in open Council his opinion that District Magistrates, even acting in their judicial capacity, are subject to his orders, and that he will not tolerate disobedience. He has stated too in effect that justice in individual cases is the thing, and that where his conception of justice conflicts with the law the law must go over board. He has also told me privately that either this officer must be removed from the Province or he (Khan Sahib) will go himself.

* * *

To a large extent he has my sympathy, for the British Indian law of procedure and evidence is in most respects unsuited to a Pathan society. But his proper course is to get the law amended, if he can, to meet the conditions up here: for instance it might be possible to make cases of murder or attempted murder compoundable in certain circumstances and under certain sanctions.
Over this matter of executive interferences with the Magistracy it is necessary to stand firm, and it is to be noted that this interference has been made the chief plank of opposition attack on the Congress Government in this Province. The Government are exposing surface all along, and the position is becoming scandalous. The Judicial Commissioner’s Court is full of *habeas corpus* petitions from persons arbitrarily confined, for interference is not limited to compromising cases but extends to unlawful orders to Magistrates to refuse bail, to retain prisoners under trial, and even to subject the acquitted to further trial.

The position with regard to the protection of the officer himself is complicated by the accusation that he has been working against Congress. The real position, I am convinced, is that he has maintained good relations with members of the opposition and so helped us to avoid dangerous clashes in Peshawar.

13. Extract relating to the case of Mr. Cole from letter dated 24th October from Sir Frederick Bourne, Governor of the Central Provinces and Berar.

I discussed the Cole incident* with the Premier on October the 12th. His view was that as the Commissioner had stated that the evidence of corrupt practices he had received was reliable, it was inevitable that an enquiry should be made in Cole’s own interest; and he insisted that while the enquiry was proceeding, it was necessary that Cole should be relieved from the post of Deputy Commissioner. I think the Ministry must have been subjected to some degree of political pressure in this matter and it was certainly arguable that a popular ministry could not afford to slur over such allegations relating to such a senior officer as a Deputy Commissioner. After I had seen the Premier, on the same day Parry, I.G. Police, came back from Jubbulpore having spoken about the case to the Commissioner and local Police officers and I found his impression was, as I expected myself, that there was in fact no evidence whatever. I, therefore, sent a note to the Premier suggesting that in the circumstances Cole should not be moved but that an enquiry should be instituted urgently to trace the rumours to their source. The Premier took exception to my having authorised Parry to make casual enquiries into the matter, implying that in doing so I had acted behind the back of the ministry. He also made it clear that if Cole was not moved from Jubbulpore, the ministry would resign. I confess I did not foresee that they were prepared to go to this length; this is not a case in which I could reasonably be a party to a constitutional crisis. Cole has, therefore, been relieved and is now on leave in Pachmarhi and I have seen him. I went back to Nagpur to see the Premier on October 17th to discuss this and other matters. I also saw the Chief Secretary. I think both feel now that the allegations against Cole will be found to be baseless, as I am quite certain myself that they are, and the intention is, in that case, to re-post Cole to Jubbulpore. Cole naturally enough is very much upset by the suspicions entertained against him and he will certainly not be prepared to serve longer in the Province unless he is

* See Enclosure to No. 156, Appendix para. (8) for an account of this incident.
assured that all suspicions have been removed and that the impropriety of having suspected him of such an enormous crime is recognised. From the lines the enquiry is taking it seems possible that the contractor whose release on bail by Cole formed the origin of the suspicions against him had more importance politically than was generally known and that the outcry against Cole was set on foot by the party to whom the contractor’s release was particularly distasteful. But I do not think the Premier would himself be willingly a party to a base political intrigue and I think he can be relied upon to make what redress he can to Cole when the irresponsibility of the allegations is established.

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Cabinet

India and Burma Committee. Paper I.B.(47)3

R/30/1/9: ff 76-80

INDIAN POLICY

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 6 January 1947

1. While I am of course in general agreement with the draft Statement of Policy as now revised by the India and Burma Committee and circulated for the consideration of the Cabinet by the Prime Minister in C.P.(47)1, I think that it is essential that we should make it quite clear to the Viceroy exactly what he is authorised to do in India after this declaration has been issued.

2. The proposals which the Viceroy originally made to us are summarised in paragraph 6 of the Prime Minister’s memorandum C.P.(46)456 of 24th December. We made it clear to the Viceroy in our discussions that we could not agree to a formal withdrawal of our constitutional responsibility from the four Southern Provinces and the withdrawal of the British Governors from them because this would require immediate legislation. The Viceroy accepted our view as to the impossibility of such a course.

3. The Viceroy returned to India with the understanding that, although we could not agree to a formal withdrawal from the Southern Provinces, we had agreed that he should be authorised to take steps, as soon as the Statement had been made, for the gradual withdrawal of British authority including in particular:

(i) the withdrawal from these Provinces of those members of the Secretary of State’s Services both British and Indian, who are not prepared voluntarily to serve on under the Provincial Governments.
(2) the putting into operation of arrangements for the departure of any Europeans who wish to leave, in accordance with paragraph 11 of the Draft Statement.

(3) the withdrawal of British troops from the four Southern Provinces.

I append as annexure I a note by Mr. Abell, the Viceroy's Private Secretary, in which he restates the Viceroy's grounds for taking these steps and for asking for a decision now that he should do so.

4. Legislation would not be required for these steps. Strictly speaking amendments would be needed to certain statutory rules under the Act, under which posts are reserved in each Province for members of the Secretary of State's Services. But I have power under the rules to allow these posts to be filled otherwise, and I think that in view of the passage in the proposed Statement which says that it will be difficult to adhere to the letter of all the provisions of the Government of India Act, it will be permissible to use this authority for the present purpose. The members of the Secretary of State's Services who are not willing to continue to serve on voluntarily under the Provincial Government would be withdrawn and either be employed elsewhere in India or would be sent on leave pending the winding up of the Services as a whole. The effect would be that Governors would become dependent on their ministry to carry on the administration. This, however, is virtually the case at the present time.

5. I should wish to be in a position to inform the Viceroy, when the text of the Statement as approved by the Cabinet is sent to him exactly what action he is authorised to take after it is published. I append as Annexure II a draft of a memorandum which I should propose, if my colleagues agree, to send to the Viceroy by the hand of his Private Secretary who is leaving on Wednesday.

6. If it is agreed that the Viceroy should be informed as I propose, I think that paragraph 11 of the draft Statement should be amended to read, in the second sentence:—

"While these measures are in progress every effort must be made to maintain the efficiency of the civil administration and it is essential that the defence of India should be fully provided for".

P.L.

Annex I to No. 256

NOTE BY MR. ABELL, PRIVATE SECRETARY TO THE VICEROY

The following are the principal reasons why the Viceroy considers the early withdrawal from the Southern Provinces essential:—

[There follows a slightly modified version of paras. 2-10 of Enclosure to No. 251.]

1 No. 249.
2 See Memorandum attached to No. 216.
Annex II to No. 256

MEMORANDUM FOR THE VICEROY OF DECISIONS BY THE CABINET ON INDIAN POLICY

1. The Cabinet approved the text of a Statement in the terms annexed. They agreed that it should be telephoned by the Prime Minister to Dominion Prime Ministers whose comments should be invited. They contemplate that this Statement should be made (to be completed after the Cabinet decision).

2. Subject to further examination establishing that satisfactory arrangements can be made in regard to the matters referred to in paragraph 3 below, the Cabinet agreed that the Viceroy should be authorised to take the following preparatory action at such time as he considers appropriate after the Statement has been issued:—

(a) to withdraw from Orissa, Madras, Bombay and the Central Provinces those members of the Secretary of State’s Services, both British and Indian, who are not prepared voluntarily to serve under the Indian Provincial Governments and on a tacit understanding that, though they may technically be members of the Secretary of State’s Services until these Services are finally wound up, they will not be able to rely on the Secretary of State’s protection in the interim period.

(b) to make and execute arrangements for the departure of any Europeans who wish to leave in accordance with paragraph 14 of the Statement.

(c) to withdraw British troops from these Provinces.

3. The points on which H.M. Government wish to be satisfied are:—

(a) That the withdrawal of the Secretary of State’s Services from these Provinces in the manner proposed will not cripple the Provincial administrations. They would like to have the opinion of the Provincial Governors on this point as soon as possible.

(b) That the action proposed will not lead to complaints from officers that the Secretary of State is not carrying out his obligations under the Government of India Act. Strictly speaking the Act requires that any member of the Secretary of State’s Services should serve under conditions prescribed by the Secretary of State and no others. From this point of view it would be preferable if it could be arranged that those members of the Secretary of State’s Services who wish to continue to serve under Provincial Governments should be enabled to resign voluntarily and be re-employed. If this is not feasible H.M. Government will wish to be informed of the exact arrangements under which the Services will be withdrawn and the extent of publicity which will have to be given to the process.
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Cabinet

India and Burma Committee. I.B.(47)2nd Meeting

L/P&J/10/46: ff 23-6

Those present at this Meeting held at 10 Downing Street, S.W.1, on 6 January 1946 at 10.30 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir S. Cripps, Mr Alexander, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel

Also present were: Sir Edward Bridges, Sir William Croft, Mr G. Abell; Mr C. G. Eastwood, Mr F. F. Turnbull (Secretariat)

Future Policy in India

(Previous Reference: I.B.(47)1st Meeting)\(^1\)

At their previous meeting the Committee had had some discussion whether the first step in the departure from India should be as complete a withdrawal as possible, within the present constitutional framework, from the Southern Provinces, or whether the process of withdrawal should go on pari passu over the whole of India. They had agreed that the matter was one on which it would be necessary to give the Viceroy a clearer indication of the difficulties of His Majesty’s Government, and they now had before them a memorandum by the Secretary of State for India (I.B.(47)3\(^2\)) in which he set out the points at issue.

The Viceroy had returned to India with the understanding that, although His Majesty’s Government could not agree to a formal withdrawal from the Southern Provinces, he would be authorised to take steps as soon as the proposed statement of policy had been made for the gradual withdrawal from these Provinces of those members of the Secretary of State’s Services, both British and Indian, who were not prepared to serve under the Provincial Governments, the putting into operation of arrangements for the departure of any Europeans who wished to leave, and the withdrawal of British troops. The Secretary of State attached to his memorandum a note by Mr. Abell, the Viceroy’s Private Secretary, setting out the Viceroy’s reasons for wishing to take these steps, and the draft of a memorandum to be sent to the Viceroy.

In explanation of the Viceroy’s plan, MR. ABELL informed the Committee that the Viceroy was anxious to take this course for two reasons. In the first place, he wished to remove a weapon from the hands of Congress. At present, if on any particular question they threatened to cause the Provincial Ministries to resign unless he acted in accordance with their wishes, he was bound to do as they wished, since he could not face a general resignation of Congress Ministries and the responsibility of administering all Provinces under Section 93 of the

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\(^1\) No. 245.  \(^2\) No. 256.
Act. It was often very difficult to reconcile acceptance of their demands with justice or with our own responsibility to Parliament. Examples were the inability of Governors to protect Members of the Secretary of State’s Services and a recent demand by Nehru for the removal of a Dewan of an Indian State; this constituted an interference which we were bound by our relations with the State to prevent. If our full withdrawal from four Provinces had been announced the threat to cause the Ministries of those Provinces to resign would lose much of its efficacy, for Congress would achieve no object by creating chaos for themselves there.

Secondly, the Viceroy was anxious to reduce the area of his practical responsibilities so that in the event of a breakdown of law and order, amounting perhaps almost to a civil war, the Europeans and others for whom he had special responsibility would not be scattered all over India. The Viceroy considered that the breakdown of law and order was by no means unlikely. There was, perhaps, a one in ten chance that there would be an agreement between the two major parties which would make possible a peaceful and orderly transfer of authority, but it was more probable that this would not happen. The Viceroy did not fear attacks deliberately directed against the British so much as an increase of communal disorders to a point at which the loyalty of the Indian Army was affected and law and order generally broke down. In that event, it might become very difficult to effect the removal of British personnel in safety. It was only wise to have these possibilities in mind in drawing up our plans.

The Committee were informed that the changes proposed by the Viceroy would make little apparent difference in the machinery of government in the Provinces and their relations with the Government of India. In matters such as Food, Railways and Communications these relations rested on central legislation and direct inter-governmental relationships. The central services would continue in the Provinces as at present and the Provincial Governments would continue to exercise their present authority. There would only be a difference in the power of the Governor-General, exercised through the Governor, to carry out his obligations, which were broadly to maintain law and order in a dangerous situation, to protect the minorities and to protect the Secretary of State’s Services.

The Committee recognised the weight of the arguments used by the Viceroy. They appreciated that the area over which he would be exposed to Congress threats would be reduced. He would, however, still remain vulnerable in respect of other Congress Provinces in which trouble was much more likely to occur, e.g. the United Provinces and Bihar. They felt therefore that this argument was not in itself conclusive. As regards the Viceroy’s second argument, a breakdown of law and order was indeed possible and this must be taken into account, but the Committee considered that it would be wrong that our
plans should be based on the assumption that it was inevitable. If it occurred, the four Provinces which it was proposed to evacuate would be the least affected.

In general they were of the opinion that at the present stage it would be wrong to proceed on the assumption that in completing the process of handing over power to Indians we should necessarily incur Indian opposition. It might be that there would be this opposition, but, for the present, the assumption should be that there would be a friendly transfer of power from British to Indian authorities. The process would involve an ever increasing degree of acquiescence by the Viceroy and British officers in the wishes of the Indian Governments. This, as could well be appreciated, was not without embarrassment for them, but it was inevitable in the process of constitutional development. When we had announced the date of our departure Indian leaders should be anxious to assist us in going. At least we must take no open action at the moment which implied a different assumption.

The Committee agreed, moreover, that to proceed immediately on the basis of the Viceroy’s plan would be to invite the fractionalisation of India into two or more parts. The logical sequence to withdrawal from the four Southern Provinces would be withdrawal from further Provinces and this would lead straight in the direction of Pakistan. The Muslim League might at once demand a similar withdrawal from the Muslim Provinces and it would be difficult to give convincing reasons for refusing.

The Committee saw no reason why the Viceroy’s plan should not be held in reserve for use in case of emergency, but they did not consider that the time had come to put it into force in the immediate future or to make any public announcement regarding it.

At the same time, there might well be forthwith some transfer to other Provinces of members of the Secretary of State’s Services at present serving in the Southern Provinces and some movement of troops from them so as to concentrate them in the North. These changes should be carried out in such a way as not to imply a complete withdrawal of our authority from these Provinces.

The Committee:—

Invited the Prime Minister to report their views, as indicated in the above minutes, to the Cabinet on the following day for their concurrence.
Secretary of State.
Perhaps you will allow me to set forth my views in the light of last night's discussion. It is clear that the sort of statement which the Government contemplates issuing cannot now be the basis for action on the lines of the Viceroy's plan. Such a plan must be regarded as an emergency operation necessitated by the march of events, and submitted to Parliament for authorisation simultaneously with its being put into execution, or even after it has started.

We may now hope for a more favourable turn of events than has lately been possible. The statement of policy, with certain passages redrafted in more optimistic terms, can be issued in a week or two's time when it is clear whether the Muslims will enter the Constituent Assembly. Hitherto we have been considering it primarily as the basis of a breakdown plan. But now, though the statement of policy must inevitably allow for breakdown as a possibility, it will stand by itself as a constructive act of policy and not primarily as the basis of breakdown measures. Nevertheless, the risk of breakdown, though diminished, and though at any rate one hopes further removed, is still there, and some provision for it is at least prudent.

The date of our departure will not be precisely fixed, and the case for avoiding precision is presumably strengthened by the more favourable development of the situation. But at any rate a statement indicating the middle of next year will serve to clear up remaining doubts about our departure being imminent. Two consequences may be hoped for:—

(1) With the termination of British rule so near at hand the Congress will have less occasion to pursue extreme measures such as are likely to provoke a crisis with us.

(2) It may serve to bring the parties together.
The first is a consequence I think we may hope for with some confidence. The second is in my opinion a good deal less certain.

As to the latter point, I should have thought it was now clear that there was very little chance of agreement between the parties while we are still there. Indeed, one of the great arguments in favour of our early departure is that our presence stands in the way of agreement, and they are only likely to agree when we are gone. The announcement will be favourable to the stronger party, that is the Congress, who have always taken the view that they will have no great difficulty in settling with the Muslims as soon as we are no longer there.
to support the Muslims in the background, and the Congress will therefore be inclined to wait till we are gone before making a real bid for agreement. The Muslims may be more inclined to accommodation as a result of our announcement, but the Congress will be less so. Accordingly the gap will not be less narrow, and may be widened.

The fact remains that a breakdown is always possible, and that a plan to meet it must be available. It is complicated by the Viceroy’s estimate that we cannot carry on beyond the Spring of next year, and that our withdrawal will take a year or so. I should think that these estimates are to some extent elastic if the situation develops more favourably than has seemed likely during recent months. But the estimates are forecasts that we should be prepared to see realised in the case of things going badly.

The Viceroy was told by the Prime Minister in the course of recent discussions that he was entitled to have a policy from the Government in the event of his own proposals not being accepted. He will now have the policy of a decision to withdraw towards the middle of next year. But he will also need an agreed breakdown plan in case of necessity, and this is at present lacking.

In the circumstances we have now arrived at, such a plan will definitely be a breakdown plan and nothing else. It will not have to be regarded as a deliberate policy which can only be embarked upon in the light of previous announcement and consideration in Parliament. It will definitely be an emergency measure more or less of the nature of a military operation and dictated by circumstances. In its details, if not in its general lines, it will have to be authorised by Parliament ex post facto.

The sort of thing the Viceroy has been contemplating fits much more easily into this picture. No doubt he will reconsider his ideas in this context and in the light of recent discussions, and he may or may not revise them. In any case, I should hope and strongly urge that in the situation we shall be confronted with every possible latitude will be given to the Viceroy and his lieutenants to deal with the situation in their own way. It will be a situation in which, to a much greater extent than in the situation we have been recently contemplating, all possible allowance should be made for the judgment and discretion of the man on the spot, and I daresay that the position of the Government vis-à-vis Parliament would prove to be more comfortable on this basis.

One thing I think needs to be realised, and that is that any policy of withdrawal, whether as an emergency operation or otherwise, must be to some extent gradual and phased. It must start in the Provinces rather than at the Centre. It may start in one lot of Provinces or in another lot of Provinces, or it may proceed by more or less similar stages throughout the Provinces. But we cannot pretend to maintain the integrity and efficiency of the administration in accordance with the intentions of the Act of 1935 right up to the appointed date everywhere, and then suddenly switch over.
There remains the question, I think, what the Viceroy will be free to do by way of preparatory measures in the light of the Government's statement of policy when it is issued, but before the stage has been reached at which it may be necessary to put into execution a breakdown plan. My conclusion from recent discussions is that he will be free to thin out the Secretary of State's Services, and more particularly the British members of them, in the Provinces, and that in doing this he will be free to go further in the Provinces of his choice than in the others. But he will not be free to wind up the Secretary of State's Services in any particular Provinces, nor to eliminate entirely the British element. Secondly, he will be free to alter the distribution of British troops in accordance with his view, and that of the C.-in-C., of the military situation, and he may, if it seems good to him and he finds it possible, withdraw British troops entirely from the south of India, including the States of Mysore and Hyderabad. In the case of Hyderabad, however, the difficulty arises (to which I think enough attention may not have been paid) that British troops can only be removed from Secunderabad by agreement with the Nizam. It is possible to hope that the Nizam will so agree. But he may exact conditions, (as to Berar or some other matter) that will be embarrassing, or even unacceptable.

W.D.C.

As soon as the Statement of Policy has been taken by the Cabinet (tomorrow) a telegram should go to the Viceroy. In substance some of the above may be suitable material for this telegram.¹

¹ Lord Pethick-Lawrence minuted: ‘Yes, perhaps’.

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Lord Pethick-Lawrence to Mr Attlee

L/PO/7/4: ff 38-9

INDIA OFFICE, 7 January 1947

Secretary of State's Minute: Serial No. 4/47

Prime Minister.

Since writing my minute to you of 6th January (No. 2/47)¹ in reply to your private and personal minute No. M.455/46,² about the morale of the Services in the Provinces of India, I have seen the most recent fortnightly letter³ from the Governor of the Central Provinces (Sir Frederick Bourne) which throws fresh and more favourable light upon the present state of relations between Ministers and Government servants in that Province and suggests that Sir Frederick Bourne, who recently took over from Sir Henry Twynam, is establishing good working relations with his Ministers. Sir Frederick Bourne writes
“In spite of the unsatisfactory state of politics at a high level at the moment, I think Government servants generally are happier than they were and I think that the Ministry as a whole are certainly showing more sympathy towards them and their difficulties than they did at one time.”

As regards the case of Mr. Cole (vide 13 of the appendix to my previous minute) Sir Frederick Bourne reports that the Ministry have accepted the report of the Police Investigating Officer and orders have issued reposting Cole to Jubbulpore, and he is to be informed officially as well as privately that the complaints have been found to be entirely baseless.

PETHICK-LAWRENCE


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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943–7, pp. 147–9

SECRET

7 January 1947

HIS EXCELLENCY’S NOTE OF INTERVIEW WITH MR. LIAQUAT ALI KHAN ON 7TH JANUARY 1947

1. He began by giving me an estimate of the Budget deficit, which he thought might amount to nearly one hundred crores taking into account the loss of the salt-tax and the probable recommendations of the Pay Commission. He was considering measures necessary to meet this.

[Paras 2–6, on various administrative and financial matters, omitted.]

7. I spoke to him about the Congress Resolution,1 accepting His Majesty’s Government’s statement of December 6th. I said that I very much hoped that it would now be possible for the Muslim League to call their Council and to come into the Constituent Assembly; it would be very hard to defend their action if they did not, and it would create a very bad impression in the U.K. and elsewhere. He said that it was not really a true acceptance and that Congress did not really mean to be honest about it, he instanced the many speeches made against acceptance and the refusal of Congress to refer anything to the Federal Court. I said that there was much wild speaking and would continue to be so, but that I was quite sure that the only right tactics for the League was to come into the Constituent Assembly and state their case, if they found it impossible to get fair treatment they could of course reconsider their position. He said that

1 No. 253.
he wished to go and see Mr. Jinnah, who is still ill at Karachi at an early date.

8. He then went on to talk about non-financial matters. His first point was that appointments abroad should not be made on party lines; and he particularly instanced the appointment of Asaf Ali in which he was not consulted. He said that if the appointment was to be a Congress nominee he would much sooner that it had been a Hindu and not a Muslim.

I suggested a small committee of himself, Nehru and Matthai to consider these appointments. His reaction was that it would always be a majority decision and that Matthai would always vote with Congress. I said that the opinion of all three members would be recorded and that I should not necessarily accept the majority decision. He said that he would have preferred two Congress and two League representatives on the Committee so that although they would never agree there would be no majority decision and I should get the suggestions of both parties. I said that I thought that Matthai would often take an independent view and that these things should not be settled on purely party lines.

9. His last point was to express very great concern at the removal of British personnel from the Services and the Army, particularly the latter. He said that this meant turning the Army over entirely to Hindus. This led him to express the view that we were being unfair in putting the Congress party into power in all departments; that we ought to restore our authority and rule India for a further period of years, until the parties agreed. I explained the difficulties of this and that we could not break our pledges to give India self-government at an early date. He said that it would be very wrong to leave India to chaos in this way; but that if we were going to do it we should leave "fair chaos for both parties", and not remain to establish the Hindus in power.

The interview had lasted for an hour and a quarter, and he said that he would not keep me any longer but that there were several other things he wished to talk to me about, especially the way the Information and Broadcasting was at present being run on purely party lines. I told him that he could always ask for a special interview at any time.

w.
Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Policy

BROADLANDS, ROMSEY, HAMPSHIRE, 7 January 1947

My dear Prime Minister,

I believe that when I last saw you, you had not settled on the exact date for the termination of the British Raj in India. Do you not think that it might be the termination of the normal five year Viceroy’s period, which began officially on the day (I believe in November 1943) when Wavell landed in India?

This would underlie the fact that a fresh Viceregal period is not being started; and it would at the same time obviate choosing a purely arbitrary day.

I mention the latter consideration because, if a day is arbitrarily chosen it might appear to the Indians that we were in some way imposing a maximum length of time we thought it should take them to settle their differences; or the maximum length of time we are prepared to go on shouldering our responsibility.

I imagine you are considering an honour for Wavell when he gives up office. I hope you will not mind my mentioning this; but I am sure you will understand how much happier I should feel in succeeding a man I admire so much, if his services were to receive high recognition.

Yours very sincerely,

DICKIE MOUNTBATTEN

Cabinet C.M.(47)4th Conclusions, Minute 1, Confidential Annex

L/P&EJ/10/46: ff 11–13

Those present at this Meeting held at 10 Downing Street, S.W.1, on 8 January 1947 at 10 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Ernest Bevin, Mr Hugh Dalton, Sir S. Cripps, Mr Alexander, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present were: Mr John Strachey, the Earl of Listowel
INDIA

Constitutional Position
(Previous Reference: C.M.(46)108th Conclusions)\(^1\)

The Cabinet had before them a memorandum by the Prime Minister (C.P.(47))\(^2\) covering a revised draft of a statement of policy regarding the transfer of power in India.

**The Prime Minister** said that this revised draft had been prepared by the India and Burma Committee in the light of the Cabinet's discussion on 31st December. Since then there had been developments in the political position in India. Congress had decided to accept the interpretation placed by His Majesty's Government on the Cabinet Mission's statement of 16th May;\(^3\) and the Muslim League were now to consider whether, in view of this decision, they would collaborate in the work of the Constituent Assembly. There was therefore no occasion for the immediate issue of the statement for the purpose of overcoming a definite refusal by the Muslim League to co-operate in the framing of a constitution. But, while the Cabinet had felt that the primary object of such a statement would be to force the two Indian Parties to face the realities of the situation, the Viceroy had attached primary importance to the announcement of a definite plan for a phased withdrawal of British authority from India and it was likely that for this purpose he would still wish an early statement to be made. On the method of transferring power in India, however, there was a divergence of view between the Viceroy and the members of the India and Burma Committee. The Viceroy conceived this as a withdrawal, planned on the lines of a military evacuation from hostile territory; and it was on this account that he had attached such great importance to his original plan of withdrawing Province by Province. The India and Burma Committee, on the other hand, considered that our aim should be to secure a friendly transfer of power from British to Indian authorities, with an increasing acquiescence by the Viceroy and British officials in the wishes of the Indian Governments. It was even probable that, if discussions could be opened on a friendly basis about the means of transferring power, we should be asked to give continuing assistance in various forms to the Indian Governments. If, however, the whole process was viewed as a military operation of withdrawal, it was possible that these questions would never be discussed in a friendly spirit with the Indian Governments and that an atmosphere of hostility would be created from the outset. The difference between Ministers and the Viceroy was, fundamentally, one of approach; and it seemed unlikely that the Viceroy's attitude could be changed by means of instructions conveyed by telegram. It would be preferable that he should be asked to return to London for further personal talks with Ministers.

In discussion there was general agreement with the views expressed by the

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\(^1\) No. 235.  
\(^2\) No. 249.  
\(^3\) See No. 253.
Prime Minister. It was important that the senior European officers in the Indian Service should also understand the attitude of His Majesty's Government towards the forthcoming transfer of power in India; and efforts must be made, through the Viceroy, to ensure that they approached this difficult task in the proper spirit. Similar considerations applied to European officers of the Indian Army; and the earliest possible opportunity should be taken of discussing with Indian leaders who would in future be responsible for the control of the Indian Army, the basis on which the Commander-in-Chief and some senior European officers might be expected to continue to serve after the transfer of power.

The Foreign Secretary said that, from his point of view, it was most important that all possible efforts should be made to hold the Indian Army together and to make adequate provision for the future defence of India.

In further discussion the following points were also made:

(a) The Secretary of State for Dominion Affairs recalled that at their discussion on 31st December the Cabinet had agreed that Dominion Governments should be informed of our intentions in this matter at the earliest possible stage. As it was now intended to make the proposed statement of policy at an early date, he doubted whether it would be wise to communicate the text to Dominion Governments at the present time. He would, however, wish to give them some general information about our intentions.

(b) It was agreed that the final sentence of paragraph 14 of the draft statement annexed to C.P.(47)1 should be deleted. It was further agreed that in the preceding sentence of this paragraph the emphasis on British interests in the development of Indian industry was open to misrepresentation, and that the sentence should be redrafted so as to lay greater emphasis on the fact that the commercial connection between the United Kingdom and India had been, and would continue to be, of mutual advantage to both countries.

The Cabinet—

(1) Agreed that the issue of the statement of policy annexed to C.P.(47)1 should be deferred for the time being;

(2) Approved the amendments of the draft statement noted in paragraph (b) above; and asked that Ministers wishing to suggest any further amendments of drafting should communicate their suggestions to the Prime Minister;

(3) Took note that the Prime Minister, in consultation with the Secretary of State for India, would arrange for the Viceroy to return to London for further discussions with Ministers;

(4) Took note that the Secretary of State for Dominion Affairs would consult the Prime Minister about the nature of the general information to be communicated to Dominion Governments at the present stage about our intentions regarding the transfer of power in India.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICE ROY'S HOUSE, NEW DELHI,

8 January 1947

This has been a quiet week, with a series of meetings of various kinds going on in Delhi. The Congress Working Committee, after prolonged deliberation, produced a resolution for the A.-I.C.C. meeting on the 5th, which accepted His Majesty’s Government’s declaration of December 6th but as usual with reservations. The A.-I.C.C. after a stormy debate has now accepted this,¹ as you will have seen. It is not yet clear whether this kind of acceptance is going to be sufficient to bring in the Muslim League, but I will do all I can to further this result. It was no easy business for the old guard of the Congress to get their way about this, and they had in fact to make it almost a vote of confidence in themselves. There was a good deal of vituperation of the British Government in the course of the debate, but that was only to be expected.

2. I am sending you with this letter a copy of the Defence Department’s summary² about the retention of British troops in India. The issue has now arisen because of the Commander-in-Chief’s request for decisions on the matter of principle as to whether British units are to remain, and if so, for how long, and how many. He is unable to go ahead with his future plans for the Indian Army in the absence of decisions on these points. I think that you should be aware of why it has now come up in this form; and I am sure you will agree that it raises a matter of principle on which I cannot give way. It is necessary that so long as Governors and the Governor-General remain in India, British troops should be here also for the protection of European lives, as well as to ensure the carrying out of treaty obligations with Indian States. I propose to keep this summary until I see the Defence Member on the 14th, when I shall explain to him that it recommends a course of action to which His Majesty’s Government will not agree; and the Commander-in-Chief should be asked to frame his plans on the strengths shown in table A attached to the summary. If Baldev Singh is insistent, or returns to the charge after consultation with Congress Members, I may have to agree to the matter coming to the Cabinet, where it is certain to provoke Muslim League opposition. They will take their stand on the ground that so long as His Majesty’s Government’s responsibilities remain towards the minorities, it must retain British troops with which to discharge them; and that until the Defence Department indicate what their policy is going to be in regard to the communal proportions in the officer and other ranks of the future Indian Army, the Muslim League will not agree to the
disappearance of British troops from India. If the matter comes to a meeting, I shall of course indicate His Majesty’s Government’s view that the immediate withdrawal of British troops cannot be accepted; and shall if necessary overrule my Cabinet.  

3. Another issue which Baldev Singh is bringing forward, and which might possibly produce a crisis, is a demand for the release of the I.N.A. men who were convicted of murder or brutality, and sentenced to various terms of imprisonment. This is a matter on which I cannot possibly give way, and I shall so inform Baldev Singh.

4. Difference of opinion between the Congress and the League Members of the Cabinet has become evident on a number of occasions recently, and there is little hope of the Cabinet working together as a team and deciding questions on their merits until settlement is arrived at on the general political situation. Nehru, in his usual irresponsible vein, addressed the All-India Students Congress in Delhi on the curious Congress position in which they were both associated with the Government of India and even running Provincial Governments, but at the same time in opposition; and the Provincial Congress Committees have been advised by the Congress Head Office that they should prepare sub-committees in every village against the day of a future struggle.

5. Asaf Ali will be vacating his portfolio later this month, and you will already have seen in a cable the consequent changes. I tried to get Nehru to approach this matter on the basis that some reshuffling of portfolios involving the Muslim League also might be desirable; but he preferred to keep the changes within his own bloc.

He also did not take to my suggestion of a Cabinet Sub-Committee for recommending appointments to high diplomatic posts abroad. These are too important to be filled on the recommendation of the Member for External Affairs alone; which would cause increasing ill-feeling with the Muslim League; and I do not propose to accept this position. While the Congress are not prepared to share the patronage of these posts, they are anxious to cut out the Viceroy from his position of sanctioning high appointments under the Central Government within India. Patel has proposed that there should be a Cabinet Sub-Committee for this purpose, and I am at present considering his proposal.

[Para. 6, on a Royal Charter for the National Institute of Sciences of India, omitted.]

1 No. 253.
2 Not printed but see the revised summary in No. 288.
3 In tel. 87-S of 15 January Lord Wavell informed Lord Pethick-Lawrence that he had now discussed this subject with Sardar Baldev Singh who fully appreciated the position and told him that neither he (Baldev Singh) nor Congress would make serious trouble over it. Lord Wavell however gathered that for political reasons they must press for the withdrawal of British troops.

Lord Wavell therefore intended to agree that the revised copy of the summary (which was not materially different from the original version) might be taken in a Cabinet meeting. He would then, if necessary, over-rule his Cabinet. L/PO/4/24: f 111.
7. The Viceroy’s War Purposes Fund has now been closed down finally, and I enclose a copy* of the Press communiqué which has been issued about it. The final residuary balance, which amounts to about Rs. 1½ lakhs, will be distributed under my own instructions. The Fund has been a great success, and achieved what I think is a remarkable total.

8. U Aung San lunched with us on the 4th. I thought he was an interesting personality and a strong character, though unattractive and I doubt how much wisdom he has got. He was feted by Nehru, with whom he stayed, and he also dined with, and called on, Liaquat Ali. He will be seeing Jinnah in Karachi on his way to London.

9. Arthur Henderson and his staff duly arrived, and have begun their conversations with Patel, who is at the moment on a sick bed. I doubt if they will succeed in moving Patel from his position, but I am sure that they will meet with a friendly reception. I am arranging for a number of Cabinet Members to meet Henderson at meals.

* Not printed.

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Minutes by Mr Scott* and Field Marshal Viscount Wavell

R/3/1/129: f 134

He [V. P. Menon] should be asked his ideas of what should be done if the Muslim League does not join the Constituent Assembly. The recent resolution of the A.I.C.C. was carried against opposition from the right-wing Hindu Mahasabhaites and the left-wing socialists, led by J. P. Narain. The position of the Congress Centre (Patel, Nehru, Rajendra Prasad, etc.) is continuously under criticism from these two flanks, and it will have to show results if it is to maintain itself. This can presumably only be done by demanding that the Muslim League enter the Constituent Assembly or leave the Government.

I. D. SCOTT

8.1.1947

V.P.M. has rather become the mouthpiece of Patel. He was quite interesting on the dissensions in Congress and the decline of the Administration, and thinks that Congress will be hard put to it to hold their own with the Left Wing.

He thinks Muslim League ought now to come into C.A. and may do so, but is doubtful whether any result will emerge.

W.

[undated]

* Mr Scott’s minute was written for Lord Wavell’s interview with Mr V. P. Menon on 9 January 1947 at 2.45 pm.
Sir F. Mudie (Sind) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/262: ff 3-4

D.O. NO. 15/FR. GOVERNORS’ CAMP, SIND,
8 January 1947

4. I put out one or two feelers about a Coalition Government but at the moment that is clearly out of the question. Before the dissolution when the League were weak and the Congress strong, the League was willing to form such a Government, but the Congress always refused. Now the position is reversed and if the League had offered a coalition the Congress would almost certainly have accepted, unless the High Command had objected. The League’s present attitude is due partly, I think, to the fact that they think that they can get along without the Congress and partly to the great increase in bitterness brought about by events in Bihar and the U.P. Now they say that they will not agree to a coalition in Sind unless Coalition Governments are formed in the Congress Provinces as well. This was also Jinnah’s line when I saw him.

5. I am afraid that the All India Congress Committee’s resolution has done little good. Even Khuhro and Ghulam Hussain, who have all along been hopeful that the League would enter the Constituent Assembly, seem now to consider that impossible. For one thing, the resolution\(^1\) is so oblique that they fear a trap and for another, the tone of the speeches, which were anything but friendly. I do not know anything definite about Jinnah’s attitude, but one or two people who had seen him think it unlikely that he will accept. I have just got Your Excellency’s telegram\(^2\) about the meeting of the League’s Working Committee. I will do what I can, but am not very hopeful. I may have some influence with these people as far as Sind affairs are concerned, but this is an all-India matter. . . .

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\(^1\) No. 253.

\(^2\) In tel. 36-S of 8 January Lord Wavell said that according to that day’s newspapers, Mr Jinnah had called a meeting of the League Working Committee in Karachi to consider No. 253. Lord Wavell greatly hoped that the League would allow their representatives to attend the Constituent Assembly and he asked Sir F. Mudie to use his influence and good offices to secure that result when the League Working Committee met. R/3/1/129: f 128.
Mr Attlee to Field Marshal Viscount Wavell

L/PO/8/9j: ff 66–8

TOP SECRET

10 DOWNING STREET, WHITEHALL, S.W.1,

8 January 1947

My dear Viceroy,

Thank you for your letter and good wishes for the New Year. I am glad that the York facilitated your return journey. I have been waiting to reply to you until after the Cabinet but this was delayed owing to the pressure of other urgent business. We had also to have two meetings.

Before you left you wrote me a letter in which you set down a number of points on which you desired my personal assurance. These points had been the subject of discussion with you at the India Committee and you were acquainted with the recommendations to be submitted to the Cabinet and of the extent to which they covered these points.

I informed you in my reply that the recommendations would be brought before the Cabinet. This has now been done.

While there was agreement that in the event of the Moslem League failing to enter the Constituent Assembly it would be desirable to announce a time limit for the continuance of British rule in India, it was considered that it would not be advisable to fix a day. While it was considered that plans might be made for that event and that troops might be moved, there was strong confirmation for the view expressed by the India Committee that the proposal for the abandonment of all responsibility for the four Southern provinces was unacceptable.

The Cabinet did not approve of the approach to the problem on the basis of a military evacuation. It was considered that a different approach was required—viz that of close co-operation with the Indian Governments at the Centre and in the Provinces in order to work out with them plans for handing over the Government in India, as a going concern. There was a feeling that withdrawal by stages was an encouragement to fragmentation.

I am afraid that this will be a disappointment to you and in the circumstances...
I think it would be desirable that you should come over here again as soon as possible in order that we may review the situation.6

Yours sincerely,
C.R.A.

1 Mr Addis (one of Mr Attlee’s Private Secretaries) sent Mr Harris (Lord Pethick-Lawrence’s Private Secretary) this copy of the Prime Minister’s letter to Lord Wavell saying it was ‘the result of the meeting after dinner this evening [8 January].’ Copies were also being sent to the Private Secretaries to Sir S. Cripps and Mr Alexander. L/PO/8/9j: f 65.

The Prime Minister’s Papers at the Public Record Office contain a complete draft of this letter in Mr Attlee’s handwriting. The letter as sent is the same as Mr Attlee’s draft.

2 No. 229.
3 See Nos. 257 and 262.
4 No. 214.
5 No. 218.
6 As a result of minuting exchanged between Lord Pethick-Lawrence and Mr Attlee on 9 January, Lord Wavell was informed by telegram of the despatch of this letter but was not told its contents. L/PO/8/9j: ff 63–4.

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Mr Attlee to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Policy

10 DOWNING STREET, WHITEHALL,
9 January 1947

My dear Dickie,

Thank you for your suggestions.1 As at present advised we think it inadvisable to be too precise as to an actual day, but I will bear the point in mind in case at a later stage we think it well to name a day.

You may be sure that I have in mind what you suggest for Wavell. I had some talk with the Pug today.

Yours sincerely,
C. R. ATTLEE

1 See No. 261.
Note of Meeting with Dominions High Commissioners in London held in the Dominions Office on 9 January 1947 at 5 pm

L/PO/6/119: ff 69–71

SECRET

Present—

Secretary of State for Dominion Affairs
Secretary of State for India
High Commissioner for Canada
High Commissioner for Australia
High Commissioner for New Zealand
Acting High Commissioner for South Africa
Sir Eric MacTig
Mr. F. F. Turnbull
Mr. F. E. Cumming-Bruce.

Lord Pethick-Lawrence outlined the development of events in India leading up to, and following on, the Cabinet Mission and briefly summarised the principles on which the recommendations of the Mission had been based. He made, in particular, the following points:—

1. There had been very limited co-operation between Congress and Moslems in the Interim Government.

2. The United Kingdom Government had made it clear that any powers handed over in the interim period would be by informal procedure and not by alteration of the constitution. It was, however, proposed in effect to give Dominion status.

3. There had already been a very considerable demission of powers.

4. The position of the 500 or so Europeans in the Secretary of State's Service was becoming increasingly difficult. Their prestige had fallen and if there was a clash of policy between the United Kingdom and Indian Governments it was very doubtful if the position could be held.

5. If there was no rapprochement between Congress and the Moslem League and the Constituent Assembly failed to function it might be necessary for the process of handing over of powers to take place not tidily but untidily and not to one strong government but to several.

6. Pakistan could hardly be regarded as a solution at all, but one conceivable alternative was for Provinces to become autonomous.

7. A point that might be regarded as specially concerning the other parts of the British Commonwealth was the question whether India was to
remain inside the Commonwealth. The decision was one for India herself. The essential point seemed to be that the relations between India and the rest of the Commonwealth should remain friendly. The form of the tie was less important than the way that the relations actually worked out.

(8) If the arrangements did not conform with the scheme of the Mission’s plan, the Indian States might refuse to join in any central government.

(9) The “Muslim” Provinces in the north could not be regarded as self-contained from the point of view of defence of the Northern Frontier which could only be defended by the resources of India as a whole.

In discussion the following points were made:

In reply to enquiry from Mr. Beasley whether any individual Provinces would be likely to be ready to accept Dominion status, Lord Pethick-Lawrence replied in the negative, subject to the qualification that the Moslem League would be guided by expediency and might be influenced in favour of a tie by defence considerations with the British Commonwealth.

Mr. Robertson enquired whether the Congress resolution on independence should be interpreted as a considered reply to the United Kingdom Government’s offer of freedom of choice. Lord Pethick-Lawrence said that it should be regarded merely as a demonstration.

Mr. Beasley asked whether Dominion Governments could exercise any influence in support of the United Kingdom Government. Lord Pethick-Lawrence said that it would be useful for Dominion High Commissioners in India to keep on good terms with the members of the Indian Government and for Dominion Governments to maintain friendly relations.

Mr. Jordan asked whether it would be helpful to suggest an Imperial Conference at this stage on the subject in which the Indian Government would be represented. Lord Pethick-Lawrence considered that such a suggestion would be resented in India.

Mr. Beasley asked when the climax was likely to come. Lord Pethick-Lawrence expressed the hope that the difficulties would be overcome without any impasse.

Mr. Robertson expressed the view that there had been a new appreciation in the last eighteen months outside India of the efforts of the United Kingdom Government. There had been a marked change in the United States, which had previously seemed to have mischief-making potentialities.

1 See No. 190.
In my last letter I told you that a revised draft of the proposed Statement about India was to be considered by the India and Burma Committee on Friday, 3rd January, with a view to its coming before the Cabinet again on Tuesday, 7th January. Abell, who will be with you by tomorrow, will have told you before you receive this letter of the developments that took place prior to his departure on the morning of Wednesday, 8th January. It was unfortunate that the final discussion in Cabinet had to be postponed from Tuesday until Wednesday, with the result that Abell had left before it took place. By the time you get this letter you will have received the Prime Minister’s letter sent to you by yesterday’s bag following the Cabinet’s discussion, and there is nothing I can usefully add here.

2. The All-India Congress Committee’s Resolution goes, I suppose, as far as could be expected to meet the Muslims, and I am glad to read that Jinnah is calling his Working Committee together to consider it. Both sides have in my opinion genuine cause to distrust the other and both have left-wings in order to placate whom they have to use words which inflame inter-communal tension and make agreement more difficult.

3. It looks to me as if we should rightly judge this Resolution as marking a genuine step by the Right-Wing elements of Congress to meet the Muslim point of view. I have no doubt that this is in large measure due to the moderating effect of responsibility and to our announcement of 6th December and our conversations with Nehru in London, and your estimate that the Congress would accept a firm declaration by us of our intention has certainly been justified. I fear, however, that we may be faced with considerable delay by Jinnah followed at best by a grudging entry of the Muslim League into the Constituent Assembly. Even when we get to that point the Constituent Assembly may only become an arena of communal warfare without any common constructive intention. If that happens it will be very difficult for the Right-Wing elements in Congress to maintain working relations with the Muslims against Left-Wing pressure, and they may be forced against their own judgment into courses which will result in a communal flare up.

4. The upshot of Henderson’s first talk with Patel was, I am afraid, as uncompromising as one had feared it would be. It was possible to hope, however, that this was due to a feeling on the part of Patel that, for tactical reasons,
he must at the outset state his case in its most uncompromising form and without giving any hint whatever of the possibility of compromise. This hope has now been dashed by Henderson’s report of his second meeting with Patel and I shall be discussing the matter with my colleagues tomorrow with a view to giving Henderson the further instructions for which he has asked.

5. I explained in my telegram of 27th November No. 20770 that proposals for transferring control of our relations with the Rulers in the Persian Gulf from the Government of India to His Majesty’s Government had been held up because it was still undecided whether the Foreign Office or the Colonial Office should be the eventual heir of the responsibilities. That was the reason why we had not been in a position to make an official approach to the Government of India as a result of the Cabinet decision of last September. 8

6. I am glad to be able to tell you that the Cabinet decided on Thursday 9 that the Foreign Office should eventually assume the responsibility for the political posts in the Persian Gulf. As, however, they were not in a position to do so immediately, the India Office were asked to bear the cost of the expenditure on their Vote as an interim arrangement, pending transfer to the Foreign Office, and I was invited to negotiate with the Government of India for the transfer of the staff, buildings, and facilities required for the service.

7. The way is now clear for these negotiations to begin and I shall be addressing your Government officially in the near future.

[Para. 8, recounting the upshot of Mr. Bevin’s discussions with Mr. Byrnes on food supplies; and para. 9, on the British Cabinet’s subsequent decisions regarding the allocation of wheat purchased from Turkey between the United Kingdom and India, omitted.]

10. I have had my attention drawn to the letter of the 29th November 10 from Sir Cyril Hancock to your Political Secretary which—though primarily dealing with Sachin State—includes some very interesting information about the projected Confederation of Rajput States in Western India. It seems open to question whether the Rulers who have so far given their blessing to the scheme will actually bring in their States when it comes to the point of having to surrender individually a considerable amount of sovereignty, and I understand that that was the impression which Sir Walter Monckton gained in the course of his recent visit to India. You will no doubt let me know of any important development in this connection.

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1 No. 242.  
2 See No. 245 for the minute of the discussion.  
3 See No. 262 for the minute of the discussion.  
4 No. 266.  
5 No. 253.  
6 Lord Wavell minuted: ‘This is quite a just estimate.’  
7 L/P & S/12/4651.  
8 See Vol. VIII, No. 251.  
9 C.M.(47)4th Conclusions, Minute 2. The Cabinet meeting was in fact held on Wednesday, 8 January 1947. R/30/1/9: ff 85–6.  
10 L/P & S/13/1088.
11. You will, I think, like to know that the Indian Delegates to the United Nations General Assembly, on their return to India, sent a special message to Curson, the India Office representative at the New York meeting, expressing their very great appreciation of all that he did to help them there, adding that his assistance was "of the greatest benefit to them". I have today seen Sir Frederick Puckle and have heard from him his impressions of the New York meeting and of the state of opinion in America about Indian affairs. This week I have also seen Sir Henry Knight on his return from Assam.

12. I recently received an informal approach from Sir Ronald Adam, Chairman of the British Council, about a suitable person to be in charge of the Council's activities in India, assuming that Sir Angus Gillan's enquiry leads to a decision to establish a branch there. Adam gathered from the Indian Delegation to the U.N.E.S.C.O. meeting in Paris—who incidentally appeared warmly in favour of the early establishment of the Council in India—that the person who would be most acceptable as its first director there would be Professor Hetherington, but he considers it unlikely that Hetherington's services would be available. Adam, therefore, sought my informal reactions to the suggestion that Dr. E. M. Forster might be offered the appointment. Forster is, of course a very old acquaintance of mine and from many points of view would be an admirable choice, though I doubt whether he has had any administrative experience. However, I have told Adam, in response to his tentative enquiry, that if, following further enquiries, he decides to consult me officially in regard to Forster, my response would be likely to be favourable.

13. In my last letter I referred to Amery's projected visit to India and mentioned that I proposed to consult my colleagues on the matter. As you will have gathered from my telegram on the subject, they entirely shared my views and I sincerely hope that, by the time you get this letter, this ill-timed project will have been abandoned.

11 Telegrams on this subject have not been traced.

270

Field Marshal Viscount Wavell to Lieutenant-General Sir A. Nye (Madras) (Extract)

R/3/1/129: f 136

No. 40.

10 January 1947

Many thanks for your letter of January 2nd. The AICC did not accept H.M.G.'s statement of December 6th without a great deal of talk. The left wing very strongly opposed it, and I understand that Nehru's resolution,
which had been drafted by the Working Committee, was only passed in the end by the Working Committee treating it practically as a vote of confidence in themselves. It is interesting that your Premier should have told you that Gandhi had helped to induce the Congress High Command to accept the statement of December 6th, for my information is that he was against acceptance, and that the Working Committee had the courage to act against his advice.

I hope that Jinnah will let the Muslim League come into the Constituent Assembly. Liaquat Ali Khan whom I saw on Tuesday thinks that the AICC's resolution is so qualified an acceptance as not to be an acceptance at all, and seemed doubtful whether the Muslim League could regard it as sufficient assurance on which to enter the Constituent Assembly. Suhrawardy, whom I also saw on Tuesday, feels that the Muslim League should now join the Constituent Assembly and says he will use his influence to this end.

1 Only this extract is on R/3/1/129.
2 In para. 3 of this letter Sir A. Nye wrote: 'There is great satisfaction here at the prospect of Congress accepting the Cabinet statement of December 6th and the Prime Minister tells me that Gandhi has played a prominent part in influencing the Congress High Command.' L/P 8/1/5/209: f 3.
3 i.e. No. 253.  
4 See No. 260.

271

Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Viceroy's Staff,
Appointments to

BROADLANDS, ROMSEY, HANTS, 12 January 1947

My dear Prime Minister,

Thank you for your letter of 9th. I am very glad to hear that, in the event of my going out to take over from Wavell, you already had appropriate recognition of his services in mind. But I notice with some concern that it is now considered inadvisable to name a precise and definite day for the withdrawal of the British Raj from India.

When you first suggested to me that I should relieve Wavell, I wrote to tell you that I could only undertake this if my appointment in no way appeared to perpetuate the Viceregal system in my person—otherwise, I would not feel confident that I had a reasonable chance of being able to carry out the task entrusted to me.

You explained to me that my own suggestion, that the Indian leaders

1 No. 267.  
2 No. 215.
themselves should invite me, in a capacity that they themselves would define, and for a period that they themselves thought useful, was not practicable. But when you said that my appointment would coincide with a statement in the House, that the British Raj would be withdrawn at the latest on a precise and definite day, I agreed that the point was adequately covered.

I cannot honestly feel that any new Viceroy could hope to overcome the handicap which a renewal of this particular appointment, at so late a stage in the development of Indian affairs, would create; unless the alternative you proposed, to my original stipulation, were applied categorically. For I feel very strongly that any "Escape Clause" in H.M. Government's announcement would nullify its value, so far as the new Viceroy was concerned—unless it were, that any extension of the British Raj after the stated day would be by the invitation, and only by the invitation, of the Indian Leaders themselves.

Yours sincerely,

DICKIE MOUNTBATTEN

272

Field Marshal Viscount Wavell to Sir A. Clow (Assam) (Extract)\footnote{Only this extract is on R/3/1/131.}

R/3/1/131: f 155

NO. 40/8.

13 January 1947

2. The fears of Assam that the Muslim League might abuse their majority in Section C and reduce the Caste Hindus to a position of permanent subordination in the province are well known here, and have been one of the main difficulties in the way of the Congress acceptance of H.M.G.'s statement of December the 6th. The answer of course is that no constitution which was strongly opposed by the Hindus of Assam (and presumably therefore also of Bengal) would in fact work; and also the knowledge that the Congress have a secure majority in the Union Assembly at the Centre and are therefore in a position to redress the balance is bound to make the Muslim League careful in the use of its majority, which is at the best very precarious in Section C. The A.I.C.C. resolution of acceptance was about as good as could be expected, but the speeches at the session were unfortunately not such as are likely to induce a feeling of friendliness on the part of the Muslims.
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Field Marshal Viscount Wavell to Sir F. Burrows (Bengal)
(Extract)

R/3/2/59A: ff 99–100

NO. 40/3.

THE VICE ROY’S HOUSE, NEW DELHI,
14 January 1947

3. Gandhi’s tour receives due publicity in the Congress press here, which
headlines his moves from village to village; but I cannot think that he will
produce much result. It is no bad thing, however, that he should remain for the
present in a remote corner of Bengal. I understand that the resolution which he
drafted for the All India Congress Committee, about H.M.G.’s declaration of
December the 6th, amounted to a complete rejection; and that it was mainly on
Patel’s insistence that this was not accepted.

***

5. Thank you also for your other letter of January 8th¹ in which you gave an
account of your interview with Nazimuddin. The Muslim League seem unable
to realise that we have definitely decided to go out of India, and that they must
think constructively about the future of India. There is no chance that the Mus-
lim League representatives will join the Constituent Assembly before January
20th, and although it is possible that the Working Committee meeting at the
end of the month in Karachi will decide that they should join later on, all the
leaders here are chary of committing themselves without first talking to Jinnah;
and the Congress are preparing to agitate for their removal from the Interim
Government if they do not decide to rescind their Bombay resolution. The
Princes are meeting in Delhi at the end of the month, and are likely to decide
to wait and see what the Muslims do before committing themselves to anything.
A good deal will depend on whether Nehru’s Republican resolution² is pressed.

¹ See Enclosure to No. 300.
² See No. 190.

274

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell (Extract)

L/P & J/5/249: ff 4, 7

SECRET

GOVERNOR’S CAMP, (MONTGOMERY), 14 January 1947

NO. 639.

2. In my last letter¹ I informed your Excellency of the demonstration at the

¹ L/P & J/5/249: ff 12–15.
Railway Station when Jai Parkash Narain arrived at Lahore on 29th December, and of Sachar’s desire that the persons who were arrested should be released. I succeeded in holding this matter over until Khizar’s return to Lahore. Khizar at once fished out of one of his files a letter which Nehru wrote to him last October complaining of the failure of the Punjab Police to exercise proper control at Railway Stations and of insults to nationalist Muslim leaders travelling through the Punjab. Khizar told Sachar that we must either control all demonstrations or none, and that it was impossible for the Police to discriminate between the different political parties or between friendly and hostile demonstrations. Unfortunately Begum Shah Nawaz and Abdur Rab Nishtar were received by crowds at the Lahore Railway Station not very long ago. Nothing much happened when the Begum arrived, but Nishtar seems to have held an impromptu meeting and delivered an inflammatory speech. There is no reason for believing that the Police intended to favour the League—the Leaguers seem to have been cleverer in their arrangements than the supporters of Jai Parkash Narain. Khizar did not let these earlier incidents affect his decision to let the prosecutions against Jai Parkash Narain’s supporters proceed; but Nishtar’s conduct was obviously most embarrassing to him. I do not know if Your Excellency could remind your Honourable colleagues, or those of them likely to offend, that we have emergency legislation in force in the Punjab with very good reason, and that defiance of it by Members of the Central Government places us in a difficult position. I think Khizar will probably order the arrest of Nishtar if he offends again. He has decided not to proceed against him for what he has already done; but with communal feelings as they are now we cannot allow special licence even to Members of the Central Government. Khizar has specially asked me to bring this matter to Your Excellency’s notice.

Jai Parkash Narain passed through Lahore on his return journey to Lahore [?Delhi] on, I think, 4th January. His supporters were prepared for a row, but he missed his train from Rawalpindi and travelled to Lahore by car. He stayed the night at Lahore, and went on to Delhi by air. I understand that he was given a regular reception by other ranks of the R.I.A.F., and was photographed with some of them. While he was at Lahore, Sachar took him to Khizar, with whom he had a long conversation. Khizar has not given me a full account of it, but said Jai Parkash Narain admitted that his speeches were largely nonsense, but that he considered nonsense of this kind necessary to inflame mass feeling. Khizar seems to have stuck to his guns—he said that he thought Jai Parkash Narain much more realistic than Nehru. I hope that the prosecutions will now proceed, but Sachar is under heavy fire, and Khizar sometimes changes his mind.

*   *   *

11. At some of our recent talks, Khizar has had the air of one about to take some important decision. He said the other day that the present Central Govern-
ment was in his opinion incompetent and incapable of administering the country; that the Indian Army without British officers would be reduced rapidly to a rabble; that if the Central Government insisted on the withdrawal of British troops, it would be impossible to expect help from them in the event of serious disturbances; that the Governor-General was now, and would in an emergency be, unable to exercise much influence upon events; and that the Punjab must begin to think of looking after itself. Before the ceremony at Daudkhel2 we held what amounted to an informal Cabinet meeting with four Ministers present, and discussed the Government of India’s plan for the fixation of prices for agricultural produce. Khizar then repeated some of the views outlined above, and said that it was virtually impossible for a Provincial Government now to enter into any agreement with the Centre. He remarked that whatever truth there was in Gandhi’s assertion in 1942 that the Cripps offer was “a post-dated cheque on a crashing bank”, a similar assertion about any offer from the Central Government today would be entirely true. The trouble about Khizar is that he seldom carries his thinking beyond a certain point. He has some hazy idea about the conversion of the Punjab into a Dominion and has told me that he believes that this could be done. When British Indians were excluded from the Honour’s List he remarked to me that one day the Punjab would have to create its own Honours to be awarded with the approval of the King. All this is very vague, but I think it right to let you know the lines on which Khizar seems slowly to be moving. He has not made a single public speech, as far as I know, since I took over in the Punjab in April; how far he is disseminating his ideas privately I have no means of knowing.

2 On 7 January 1947 Sir E. Jenkins had opened the Thal Irrigation Project at Daudkhel.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

THE VICEROY’S HOUSE, NEW DELHI,
14 January 1947

Thank you for your letter of January 2nd.1 I have passed on your commendation of the handling of the Rajkot affair to the Political Department.

2. I have telegraphed to you separately about Amery’s visit.2 While I would have preferred in some ways that he did not come, I have no reason to object.

1 No. 242. 2 Telegrams on this subject have not been traced.
3. I was interested in the account of Liaquat Ali’s interview with the American Chargé d’Affaires.³ Liaquat has told me the same sort of thing,⁴ and in fact said that if we did intend to leave India to chaos, he hoped that it would be “chaos fair for both parties”, and that we would not remain to establish the Hindus in power. (I am reminded of the prayer of the American hunter who encountered a bear on a narrow path: “O Lord, help me if you can; but if you can’t, for heaven’s sake don’t you help that bear.”) I have impressed on him that the right thing for the League to do is to join the Constituent Assembly and state their case. If they found it impossible to get fair treatment, they could then reconsider their position. No one of the Muslim leaders, however, is willing to commit himself definitely in the absence of a lead from Jinnah; and as the Working Committee of the League has been called for January 29th and 30th in Karachi, we shall not know for another two or three weeks what they intend. I left him in no doubt that failure to come into the Constituent Assembly would forfeit most of the sympathy which the Muslim League now has in the outside world.

4. Burrows has reported to me⁵ a similar conversation which he had with Nazimuddin, in which he (Burrows) indulged in a considerable amount of plain speaking, and said in effect that the Muslim League were now at the cross roads, and would either have to enter the Constituent Assembly or go into opposition, either active or passive: in either of these latter cases their movement would be finished. Nazimuddin is a sensible person, and I have no doubt will use his influence in the right direction when the Working Committee meets. I saw Suhrawardy recently and put the issue plainly to him.

5. Until a decision is reached, politics and administration will remain in a state of suspended animation. Cabinet discussions tend to break on party lines on the slightest provocation, and there is no real co-operation. Neither party is willing to share the patronage of its departments, and both are zealous to keep to themselves the power of decision in important matters. I have had to ask Patel to discuss with me the Hindu-Urdu language controversy in which the All-India Radio has been involved for a long time. He was on the point of issuing a Press note announcing his decision, without consulting either me or his colleagues or even the Provinces which are to be affected by it. I have no doubt that if the Muslim League do not decide to come into the Constituent Assembly, and the chances of their coming in are not great, I shall be faced with a demand from the Congress for the removal of the Muslim League representatives from the Interim Government.

6. The A.-I.C.C. resolution⁶ was carried in the face of strong opposition from the right-wing and the left-wing, and caused the old guard of the Congress some apprehension. Sarat Chandra Bose has resigned from the Working Committee as a protest, and is toying with the idea of taking up the cause of the I.N.A.
7. I have heard no more at present of Baldev Singh’s proposal for the release of the convicted I.N.A. men, which the Commander-in-Chief is quite clear could not be tolerated; and that any further concessions to the I.N.A. will be most dangerous. I entirely agree. There is, however, a resolution on this subject due for discussion in the Central Assembly early next month, and it will therefore have to come up in Cabinet for a decision as to Government’s policy in the debate.

8. We held a special meeting of the Cabinet on Saturday evening to discuss the disturbances on the Hazara border. The Governor (who was here for a conference) was particularly anxious that the Muslim League members of the Government should be fully acquainted with the latest developments in the situation, so that they could assume their due share of responsibility for the conduct of Government policy. The time limit which was given to the tribes to comply with the fine imposed on them for their destructive raids into the Hazara district has just expired; and we have agreed that if the terms are not fully complied with, troops should cross into tribal territory and exact the punishment. The League members of the Cabinet were against the decision. Since this was dictated I have heard that the terms have been accepted.

[Para. 9, expressing thanks for the Cabinet’s decision to allow India half the quantity of wheat obtained from Turkey, omitted.]

10. A successful conference has just been held about the Damodar Valley project, one of the biggest dam control and irrigation projects now being planned. It involves the co-operation of Bengal and Bihar, and an agreement on this seems to have been achieved. If only political conditions allow, this will rank with the greatest engineering works ever undertaken, and will produce great benefits to both the Provinces, particularly Bengal. I hope that the decision will remain firm, but I am never quite confident that agreements reached by these people will not be rescinded later.

I have had several talks lately on Irrigation and Power projects with those concerned. I have always done my best to forward them, and I am glad to find that Nehru realises their importance and puts them in the forefront of development.

11. I fear Henderson has little prospect of persuading Patel to budge. The real stand seems to be on the question of giving compensation to Indians; there is much less feeling about the British officers. But the chances of getting the acquiescence of the Interim Government in a scheme of compensation even for Europeans are very slight unless the date is stated.

12. Your conversations with Aung San will be difficult, I expect. He struck me as a suspicious, ignorant but determined little tough.

3 See No. 240. 4 See No. 260. 5 See Enclosure to No. 300. 6 No. 253.
Record of Mr Henderson’s Conversation with Mr V. P. Menon on 16 January 1947

L/PO/12/Henderson Mission Meetings

SECRET
Expressed considerable misgivings over the present political situation at the Centre. Said there was no one Central Government but fourteen separate Governments.

Was doubtful whether the present Interim Government could, therefore, stand the stresses and strains of the economic and industrial situation that was developing in the country. The only hope was an agreement between the two major parties both within the Constituent Assembly and the Interim Government, but was very doubtful that this was likely to transpire.

Said that the Congress Party was divided into three groups; one led by Mr. Kripalani, Congress President representing the Gandhi influence; the second by Sardar Patel, representing in effect the right wing; and the left wing composed mainly of Congress Socialists. He expressed the view that Sardar Patel was in a difficult position in that he in present circumstances could not take strong action against the Congress Socialists and/or Communists as he might require their support if there came a final break with the British. It was Sardar Patel who had led the section in Congress in favour of complete support of the Cabinet plan. Something should be done to strengthen his hand, but was vague as to what could be done. The main factor that emerged from this conversation was that there was no Government at the Centre and there was danger of drifting to complete breakdown.

Record of Mr Henderson’s Conversation with Sardar Patel on 16 January 1947 (Extract)

L/PO/12/Henderson Mission Meetings

TOP SECRET
He began by tracing the various developments that led up to the formation of the present Interim Government. He stated that the Muslim League had made it evident, both before and subsequent to their entering the Interim Government, that they were quite [not] prepared to co-operate on the basis of
Cabinet responsibility. This was having a most adverse effect upon the machinery of Government; indeed it could be said that in effect there was no government at all at the Centre. He did not know how long this could continue, especially as there were so many problems which had to be dealt with and on which Provincial Governments required guidance from the Centre. He was under very strong pressure from the Left Wing of the Congress, who were holding the Interim Government responsible for the failure to pursue an active policy on all these matters. He was doubtful if this could continue indefinitely. He thought it essential that the Muslim League should be fairly faced up with the need to co-operate with their Congress colleagues in dealing with these immediate problems. He and his Congress colleagues were fully prepared to accept responsibility in proper conditions. He thought also that now that the Congress had passed their resolution in the face of considerable opposition from many of their supporters, that Jinnah should reciprocate, and suggested that he should be told that membership of the Executive Council must be accompanied by entry into the Constituent Assembly. He was not optimistic even if Jinnah did enter the Constituent Assembly, but was prepared to await developments.

With regard to the States, he expressed dissatisfaction with the present position. He alleged that the negotiating committee to represent the Princes was being arranged in the Political Department and at their diktat, in association, of course, with the Nawab of Bhopal. He stated that he had evidence that this was causing even dissatisfaction amongst the Princes. He also referred to the fact that there were very few representative bodies in the States, but had little to say in reply when I pointed out that time would hardly permit of reforms in this direction in view of the fact that the work of the Constituent Assembly had already begun. He was critical, however, of what he called the interference of the Political Department, and expressed the hope that steps would be taken to prevent them interfering.

1 No. 253.

278

Mr Attlee to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Policy

10 Downing Street, Whitehall, 16 January 1947

My dear Dickie,
I do not think that you need worry about the question of a precise day being stated.¹

¹ See No. 271.
We shall get a clear statement of timing, but an exact day of the month so long ahead would not be very wise. There is no intention whatever of having any escape clause or of leaving any doubt that within a definite time the hand over will take place.

I should regard the insertion of a proviso for extension by invitation as just the thing which would make for incredulity as to our real intentions.

Such a thing might happen, but it would be a mistake to anticipate it in an announcement.

Yours sincerely,

C. R. ATTLEE

279

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

PRIVATE AND SECRET

INDIA OFFICE, 16 January 1947

Received: 20 January

Thank you for your letter of 8th January¹ which only reached me today. In it you deal with the important matter of the retention of British troops in India, on which you have since sent me telegram No. 87-S² which, in fact, arrived before your letter. I have not yet had time to consider the implications of the developments on this matter which you have reported but, in view of your departure for Dehra Dun, I assume that the matter will not come up in your Executive Council until the middle of next week, at the earliest.

2. I have just received Henderson's telegram Hendel No. 5.³ I have not yet had time to consider its implications fully, but it seems clear that he should now return home. I am very glad that you have been able to arrange for him to meet various members of your Executive Council; the more of such personal contacts that can be brought about, the better.

3. I must confess that I am sorry that you did not see your way to discourage Amery from pursuing his plan of visiting India next month, since I still feel that a visit by him at this particular juncture may well cause some embarrassment to all of us. Of course, there was never any question of my preventing his going and, now that his plans are to proceed, I can only hope that my forebodings will prove unjustified. I understand that the security authorities here are communicating with D.I.B. about his protection.

[Paras. 4–6, on the Indian Art Exhibition in London, omitted.]

7. It may interest you to know that the Agreement on Civil Aviation which
the Government of India concluded with the United States on 14th November last has now been carefully examined both in the India Office and in the Ministry of Civil Aviation and that the opinion of the people with special knowledge who have examined it is that, broadly speaking, the Government of India have not come too badly out of the negotiations, having regard particularly to the very strong bid which the Americans are making for world leadership in civil aviation and the considerable advantages (albeit temporary) which they possess and are determined to exploit to the utmost. It seems reasonable to suppose that the Government of India owe a good deal to Sir Frederick Tymms, whose services will not be available to them any longer, and they may be hard put to it to keep their end up. Certainly, the Americans are in a position to take more immediate advantage of the agreement reached and it will be some time before India will be in a position to make full use of the reciprocal facilities she has obtained.

[Para. 8, containing personal comment, omitted.]

9. I recently received a request from Burrows to intercede on his behalf for quicker delivery of a De Havilland “Dove” aircraft for the use of Ministers and high officials of the Bengal Government for touring the Province and visiting Delhi. I laid the case as persuasively as I could before Wilmot, the Minister of Supply, but, far from its proving possible to expedite delivery, it appears that it will be further delayed on account of production difficulties. I was very sorry not to be able to help Burrows in a matter which appears to be of considerable importance from the point of view of the administration of Bengal.

10. The Canadian High Commissioner, Mr. Norman Robertson, brought to see me the other day Mr. Kearney, the High Commissioner-designate for Canada in India, and we had a pleasant talk. I understand that he will be arriving in Delhi before very long.

11. In paragraph 6 of your letter of 1st January, you referred to a despatch which Shone had sent to the Cabinet Office about the strengthening of his staff for various purposes. I understand that this has now been received and is under examination. You may rest assured that I will help in any way I can.

* No. 263.  
* See No. 263, note 3.

3 In this telegram, dated 16 January 1947, Mr Henderson reported on conversations he had had with Sardar Baldev Singh, Mr Liaqat Ali Khan, Mr Rajagopalachari and Sardar Patel on the compensation question. Sardar Patel and Mr Liaqat Ali Khan had both taken the position that compensation was not justifiable as the Govt. of India was prepared to offer continued employment to the Services on the same terms as previously. Mr Henderson did not feel further progress could be made by continuing discussions in India and accordingly he had arranged for his party to leave for home on 21 January. L/S &G/7/913: ff 254-5.

4 No. 238.
Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

R/3/1/129: f 142

TOP SECRET

GOVERNMENT HOUSE, CALCUTTA,

17 January 1947

My dear Lord Wavell,

Many thanks for your letter No. 40/3 of the 14th January1 on a variety of subjects raised in my last fortnightly letter. Though, of course, I entirely get your point when you say that “it is no bad thing that he (Gandhi) should remain for the present in a remote corner of Bengal”, you will, I am sure, appreciate that is a point of view to which I and my Ministers would not wholeheartedly subscribe!

I can well believe what you say about the draft resolution the little man drafted for the All-India Congress Committee about H.M.G.’s declaration of December the 6th. It is encouraging that Patel at all events showed a greater sense of realism. In this connection I think you would be interested to see a piece of secret information which our Intelligence Branch have got hold of, which tends to bear out your own information as to Patel’s attitude. I believe these reports no longer reach the D.I.B. The “Agent” is believed to be reliable and I think myself that the report rings true.

Yours sincerely,

F. J. BURROWS

Enclosure to No. 280

EXTRACT2 FROM SECRET INFORMATION DATED 9.1.47.

The majority (of the A.I.C.C. representatives from Bengal joining the A.I.C.C. meeting at Delhi on the 5th and 6th January) reached Delhi on the afternoon of the 4th and on the evening of the same date three Bengal members saw SARDAR VALLABHBHAI PATEL. He was running a temperature at the time and did not attend the A.I.C.C. meeting on the 5th and 6th. MR. PATEL most anxiously asked the three Bengal members what the attitude of all Bengal members would be towards the official resolution, the substance of which he described to them. The Bengal members wanted to know if the acceptance of H.M.G.’s statement of December 6 would encroach upon the sovereignty of the Constituent Assembly. Mr. Patel said that the Constituent Assembly was not a sovereign body as it had many limitations and it must work through the limited scope of the Cabinet delegation’s statement of May 16. It is only to give the people of India some confidence in themselves that the Congress is giving out that it is a sovereign body. When the Congress accepted the May 16
formula of the Cabinet delegation in its entirety it was implicit in that accep-
tance that they would accept everything in the shape of December 6 statement
of the British Prime Minister. The Constituent Assembly cannot function
when one of its effective limbs is not there. It is therefore incumbent that the
Muslim League members must be brought in and with their help a Constitution
should be framed. Refusal to accept the December 6 Statement would lead to a
state of war with the British Govt. and the Congress is not ready for that. Any
fight with the British Govt. must nowadays lead to a fight with the Muslims
and this must be avoided at any cost.

One of the three Bengal members asked if this climb-down on the part of the
Congress would make the Muslim League join the Constituent Assembly, if the
Congress would not lose its prestige with the people of India and abroad and
why should Assam be let down unceremoniously when Pandit Nehru gave that
Province high hopes. Mr. Patel said that this was definitely a climb-down on
the part of the Congress; but for the good of the people of India principles have
sometimes to be swallowed for the sake of expediency. In a political game
compromises have to be made, and in India the Congress prestige will not
suffer more than it has already suffered by entering the Interim Government.
Entering the Interim Govt. is not the goal of the Congress but it is a stage in the
achievement of independence. If it is found that the assumption of office is
standing in the way of the realisation of its goal, the Congress will walk out of
office and begin starting a fight. Surely the whole of India cannot be plunged
into a civil war for the sake of Assam. The Congress viewpoint is that it has got
a loop hole in the stone wall of British sovereignty in India. This loop hole is the
Cabinet delegation’s statement of May 16. By taking advantage of it it now
wants to get rid of the British, their influence and administration. When the
British had gone and ceased to play any part in the political game of this
country, it will not be difficult for the Congress to come to really friendly
terms with the Muslim League, since the League leaders will find none other to
support them.

One of the Bengali members asked why Mr. Gandhi then advised Assam to
keep aloof from grouping. Mr. Patel did not give any reply to this but said that
the official Congress resolution to be moved on the 5th. at the A.I.C.C.
meeting was discussed by Pandit Nehru with Gandhi in Noakhali, drafted by
Pandit Nehru and was finally approved by Gandhi.

II. The Bengali delegates then saw Pandit Jawaharlal Nehru who enquired
who were opposing the resolution. He was told that the F.B. and the “Social-
ists” would oppose it. Pandit Nehru flared up at the word “Socialist” and
said “Am I not a Socialist?” He said that it was he who had created the Congress
Socialist Party, it was he who made Jai Prakash Narain find his feet in politics
and it was he who had taken him in the Congress Working Committee. Now

1 No. 273.  2 Only this extract was enclosed with Sir F. Burrows’ letter.  3 See No. 219.
Jai Prakash Narain resigned from the Working Committee and perhaps he has done well. Pandit Nehru was told that Sarat Bose might also reply [resign] but Pandit Nehru made no comments. Pandit Nehru was told that Bengal Congressmen would vote for the resolution but it baffled Bengal Congressmen’s understanding when they found that it was Pandit Nehru who was letting down Assam when previously he had given high hopes to the leaders of that province. Pandit Nehru gave a curt reply saying that Assam could not hold up the progress of the rest of India and support to Assam would mean refusal to accept the British Prime Minister’s statement of December 6, and letting loose forces of chaos and civil war. He was asked why then the resolution gave a direction saying that a province or a part of a province might not be compelled to join a group. Pandit Nehru replied that this was a pious wish and did not mutilate the May 16 statement.

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Field Marshal Viscount Wavell to Mr Attlee

R/30/1/8a: ff 29–32

TOP SECRET

VICEROY’S CAMP, INDIA, 17 January 1947

My dear Prime Minister,

I have received your letter of the 8th January. I am very sorry that the Cabinet have not been able to give me a more definite policy.

You have heard and considered my views, and I will not repeat the arguments that I have already laid before you. I must, however, put it on record that in my opinion the Cabinet’s decision, or lack of decision, increases the risk to our nationals in India, and is likely to diminish the chances of a settlement between the two parties.

As to the “different approach” which you recommend, I have always tried to give the freest possible hand to my Government at the Centre; and the Governors in the Provinces have cooperated with their ministries to the extent of making their Special Responsibilities almost a dead letter. But the two main parties are perpetually at loggerheads, and complete cooperation with one party tends to drive the other into extreme courses. If the Governors and I are compelled to acquiesce in everything that the major party proposes, not only are we unable to fulfil those responsibilities to Parliament which the Cabinet are so anxious to retain, but also by our powerlessness we encourage that party to excess and the other, in desperation, to “direct action”.

Although the immediate situation here looks a little better, and though I am doing all I can to make the League take a reasonable line, the communal bitterness is such that optimism is quite unjustified. It seems most unlikely on present form that an agreed Constitution on the Mission’s plan can be framed.
There is one matter on which—quite apart from whether the Muslim League enter the Constituent Assembly or not—His Majesty's Government must make up its mind in the very near future; and that is the date on which the Secretary of State's Services in India will be wound up, and the terms of compensation which will be offered. This decision is necessary in order to keep the Services together for the period that remains; also, to refuse the united demand of the parties and of the Provincial Governments to fix a date would be quite contrary to the Cabinet's general policy of close cooperation. I hope therefore that this decision will be made in the near future.

All I can do at present is to draw up plans against the possibility of an emergency withdrawal, so as to provide, so far as may be, against the dangers that would attend it. I have arranged with the Commander-in-Chief to form a joint Civil and Military Planning Committee for this purpose.

I shall also consider the arrangements necessary for an orderly transfer of power and withdrawal of our forces in the event of a peaceful transition being possible. Arrangements for this eventuality would of course be fully discussed with the Interim Government, and if necessary with Provincial Governments, but such consultation clearly cannot take place yet; there must first be either a statement in Parliament about the time limit, or the prospect of a satisfactory result from the Constituent Assembly.

I am not clear from your letter what time limit you have in mind if you make a statement. For the purposes of planning it is important that I should know what you and the Cabinet intend; I should be grateful for an early reply on this point.

I do not think that there would be any advantage in my coming home again in the near future. My return would cause much speculation and might result in political negotiations being still further complicated and delayed by the idea that H.M.G. was contemplating some further proposal. The decisions of the Muslim League whether to join the Constituent Assembly or not, and of the Princes whether or not to negotiate with the Constituent Assembly, are not likely to be reached until some time in February. Discussions between us before these decisions could, I think, have little purpose, since I have nothing fresh to put before you. It will therefore be better to wait till these decisions are known, and perhaps until after the budget session of the Assembly here. The situation will then be clearer and my Planning Committee will have had time to make detailed proposals.

I suggest therefore that I might return in March or April for further discussions, unless some serious crisis occurs meanwhile. If all is well, I should like to take a month or two's leave at home after the discussions, since I have had no rest for a long time.²

Yours sincerely,

WAVELL

¹ No. 266.
² In tel. 1194 of 25 January Mr Harris informed Mr Abell that Lord Wavell's letter had been received that morning. L/PO/8/9j: f 52.
Sir A. Clow (Assam) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/140: f 53

NO. 245. GOVERNMENT HOUSE, SHILLONG, 19 January 1947

3. Political interest was concentrated on the proceedings of the A.I.C.C., particularly with reference to the provincial position. The provincial representatives there were fairly frank in indicating that their fear was one of separate electorates for the groups that make up our population. Mukerjee, the Supply Minister, is reported to have said:

"There were so many groups in Assam—hill tribes, people from the plains, Ahoms, and so on—and if they all got separate electorates, there would be no hope for the people of Assam to achieve unity in future and opting out of the Group would be out of the question. The unity which existed at present would cease to exist."

The statement is a tacit admission of Saadulla’s claim that a plebiscite in Assam would record a vote in favour of grouping. Bardoloi also in a statement after the A.I.C.C. decision has affirmed that ‘the people of Assam are determined to see that the unity and integrity of Assam are not broken.’ But the unity of Assam is an aspiration and not a fact. And there is, in my view, more likelihood of attaining it if the composite character of the province is recognised than if it is ignored.

4. The decision of the A.I.C.C. has put the Assamese Congressmen in a dilemma, and some would like to break away from the orthodox fold. The Assam Provincial Congress Committee has passed a resolution affirming the "inalienable right" of a province to frame its own constitution, and adhering to the mandate originally given by the Legislative Assembly.¹ I have no particulars of the discussion, but believe that despite this decision and the present clamour, the Assam representatives may possibly enter the Section. This Congress Committee does not include the Surma Valley Congressmen who come under the Bengal Committee; most of them want to enter the Section, but are not venturing to say much about it for fear of a break-up of the party here. The decision of the Muslim League may affect the Hindu outlook here.

¹ See Vol. VIII, Enclosure to No. 44.
Record of Mr Henderson’s Conversation with Master Tara Singh at Government House, Lahore on Sunday, 19 January 1947

L/PO/12/Henderson Mission Meetings

Stated that the Sikhs had strong fears of Muslim domination. They desired some safeguard in Section B such as had been provided at the Centre in respect of major communal differences. Sikhs would then willingly co-operate in the work of the Section. I asked him whether if no such safeguard was given whether they would refuse to enter into the Section. He said that it was doubtful that they would, although they might take a decision to enter the Section in order to state their case reserving their freedom to leave subsequently.

He stated that if British bayonets were not here the Sikhs would revolt and seek to prevent Muslim domination by seeking control of the Province themselves.

They might as an alternative by the use of force agree to the division of the Province, but only as a last solution. Provided there was no risk of Muslim domination they preferred to keep the Province as at present constituted, but this [was] dependent, as he had already stated, upon the provision of adequate safeguards, and required inter-communal co-operation. If the safeguard for which they asked were given, they would willingly co-operate with the other communities in running the Provincial administration.

He indicated the possibility of a visit to England in order to put the Sikh case to the British public.

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/83B: ff 74–5

IMMEDIATE

SECRET

INDIA OFFICE, 20 January 1947, 7.15 pm

Received: 21 January, 7.30 am

965. Your telegram 87-S of 15th January\(^1\) and private letter of 8th January\(^2\) British Troops.

2. I agree, of course, that we cannot give way on the retention of British troops but I should be glad if, as a matter of tactics, you would deal with it on Wednesday as I suggested in my private telegram 169 of 12th November.\(^3\) On this line you could say that H.M.G. made it clear during the Cabinet

\(^1\) See No. 263, note 3.  \(^2\) No. 263, para. 2.  \(^3\) No. 27.
Mission that British troops would remain until final transfer of power and that you are confident that they still regard that as essential. If, however, matter is pressed in face of that I think it would be preferable to say that you will refer the matter to H.M.G. rather than exercise your veto forthwith as you propose. The latter might be regarded as treating a formal request abruptly and I feel that your colleagues are entitled to have it referred to us.

3. There has, as you know, been criticism here of the fact that British troops are available, in effect, for use by Provincial Governments without any British political authority having control. I should be glad to have your view of Defence Member’s opinion that Indian troops could control communal situation without assistance of British troops. I am informed that Indian troops have in fact been used successfully both in Bihar and Eastern Bengal and to some extent elsewhere.

What I have in mind is possibility that arrangements might be made whereby British troops are, to the greatest possible extent, kept out of internal security work except where safety of European lives and property is at stake. I should be glad to have your views on feasibility of this.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell
(Extract)

L/PO/7/4: ff 9–10

CONFIDENTIAL

NO. 641.

3. Secondly, Khizar is worried about the Services. It seems that the negotiations now being carried on between H.M.G. and the Central Government assume that when the Secretary of State’s control and protection are removed, the existing members of the Indian Civil Service and Indian Police will come directly under the control of the Central Government. It is evident that in the Punjab all our British officers and some, perhaps many, of our Indian officers will decline absolutely to accept this position. The only hope of prevailing upon a considerable number of the men now in service to remain in India is to make it clear to them that they will be employed on contracts under the Punjab Government. Khizar is most anxious to be placed in a position in which he can talk business with the Services, and he intends to begin seeing the men now in service in batches from about 3rd February. I do not myself see how he can announce rates of pay until he knows the terms approved by H.M.G. But the suspicion that the Services are going to be handed over to the Central Govern-
ment is adding to the prevailing anxiety and uncertainty, and I am sure that it should be dispelled as soon as possible. I am doing my best to keep the Services steady, but many officers are increasingly restive, and Khizer is well aware of this. He said to me this morning that H.M.G. should have given much longer notice of their intention to change the status of the Services, and that he is now in the position of a guest whose host suddenly walks out on him remarking genially that he hopes there will be no difficulty about food, servants, and the like. Khizer had a long talk with Mr. Arthur Henderson, whose visit was, I think, quite a success, but he is hoping for some definite decision in the near future, and knows that he cannot hold the Punjab together if he loses all his trained men. I do not see myself how H.M.G. could have deferred their decision much longer, but the situation is awkward for Governments whose views are not revolutionary.

1 Lord Pethick-Lawrence circulated this extract to members of the India and Burma Committee in Paper I.B.(47)19 of 18 February 1947. L/PO/7/4: ff 4–5.
2 Elsewhere in this letter Sir E. Jenkins explained that Malik Sir Khizar Hayat Khan would ask for an interview with Lord Wavell during his forthcoming visit to New Delhi at which he would wish to raise a number of subjects. The first was the dissatisfaction in the Punjab with the decision of the Central Govt. to establish the National War Academy near Poona. The second was the Services and, thirdly, Khizer might mention his wish to secure the services of a competent Military officer to compile the war record of the Punjab.

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Sir J. Colville (Bombay) to Lord Pethick-Lawrence

Telegram, L/PO/7/4: f 37

IMMEDIATE 20 January 1947

1401–C. Your personal and confidential letter dated January 6th.¹

Since my departure in August I noticed a marked increase in the effect on Secretary of State’s Services of feelings of uncertainty regarding the future and of anxiety at delay in announcing the terms. I should roughly estimate that of Europeans in this province 70% in Indian Civil Service and 90% in the police seriously contemplate going this year, and that about 20% of Indians feel similarly. In both Services a number who had previously thought of staying are now reflecting that future prospects in India are too uncertain and that even if the present Government continue to treat them reasonably there is no guarantee that (omission) Governments will do so, especially if a government of extreme left should follow.

Meanwhile services continue to do their job well; and ministry on the whole

¹ See No. 255, para. 4.
treats them fairly, although a tendency to listen too readily to complaints from party sources somewhat hampers administration. Their general frame of mind, however, is anxious and an early decision on their future is desirable. Nevertheless if there is no major political crisis they can, in my opinion, carry on with the present efficiency for some time to come. Thank you for your kind wishes and your letter dated January 2nd.2

I have telegraphed to save time but have written more fully in my fortnightly letter to Viceroy No. 763 of January 18th.4

2 Not traced.  
3 L/P &J/5/168: f 117.  
4 On 24 January the India Office sent a copy of this telegram to Mr Attlee. L/PO/7/4: f 36.

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Lieutenant-General Sir A. Nye (Madras) to Lord Pethick-Lawrence

L/PO/7/4: ff 25–7

PERSONAL AND CONFIDENTIAL  
GOVERNMENT HOUSE, GUINDY,  
MADRAS, SOUTH INDIA,  
20 January 1947

My dear Secretary of State,

Thank you very much for your letter of the 6th of January1 which I have just received on my return from tour.

2. As you say, this is a very difficult time for the Services in India and in making my report of the present situation I find it a little difficult to generalise because individuals sometimes hold very contrasting views. In the first instance, I think it is fair to say that the Ministry here has not shown any prejudice against the officials. Indeed, they are now beginning to realise how dependent a Ministry is on its administrative services though it has taken time and patience to educate them in this respect. When the Ministry first came into power, almost all individual ministers were in a great hurry to get things done and tended to short-circuit officials, and either not to consult them at all or else to disregard their advice. This naturally upset many officers, particularly the more senior ones, who, perhaps, failed to realise that with inexperienced administrators these things are bound to happen and that one cannot expect in a country like this to have self-government and good government simultaneously.

3. The police were particularly anxious when the new Ministry came into power because threats had been made about the victimisation of the Police for their alleged excesses during the 1942 troubles. They felt, moreover, that if they took strong action to maintain law and
order, particularly against members of the Congress Party, they would not be supported by the Government, and for a short time their morale was undoubtedly low. But in fact these apprehensions proved to be entirely unjustified. In the first instance, the Prime Minister resolutely set himself against taking up the bitterness engendered in the 1942 troubles, and, with one exception—a case of a lathi charge in a jail—resisted demands on the part of his own party for enquiries into incidents of alleged excesses. Secondly, he has very sound views on the maintenance of law and order and fully realises the part which the Police must play and the vital necessity for giving them support in the proper execution of their duties. With a view to restoring the morale of the Police Force, I made a public statement, with the concurrence of the Prime Minister, assuring the Police of the full support of the Government in the due discharge of their duty, and the Prime Minister himself, speaking in the Legislative Assembly, paid a public tribute to the Police of this Province and gave similar assurances to those which I myself had made. Extracts from these speeches were circulated to all stations within the Province with excellent results and I think I can say with confidence that the morale of the Police Force is good, that they will loyally support the Government in power, that the Government are aware of this and have confidence in the Police, and in general we need have no anxiety on this score. The only difficulty which sometimes occurs is that complaints are made either by Muslims or Hindus against Police officers of the other community, on the ground of showing partiality to their own sect and there are frequent requests for such officers to be moved to other districts. In general, these requests are resisted but on occasions I think some officers, particularly Muslims, have been transferred to other districts on very flimsy evidence. This has naturally caused some little disquiet but I think it would be a mistake to exaggerate its importance.

4. Looking to the future, there is no doubt that the Services are in a thoroughly unsettled state. So far as European officers are concerned, I think many of the senior ones will probably be prepared to stay for a time after you have relinquished control of the Services. A large number of them like the life, the country and the people, and are anxious to do their best to help the new Government, and, provided the terms which they are offered are reasonably satisfactory, some of them will, I think, stay for the time being. But of the younger ones, most are married, have children and little or no private means, and they are very anxious about their own futures. Some, I think, would stay if the conditions offered are similar to those under which they are now serving, but probably not very many. This is not, I think, because they would not like to stay but because they feel that any fresh engagement will be of a temporary nature. Most of their friends will be leaving, the prospects for European

1 See No. 255, para. 4.
officials will not be very bright, and the longer they put off looking for other employment, the more difficult will it be ultimately to get a suitable job.

They are all, in fact, anxiously awaiting the results of the recent deliberations in Delhi, and the constant Press reports of unfavourable compensation terms and the prospects of smaller pay under any new contracts offered are having a most unsettling effect. Even so, I think the great majority of them are loyally carrying out their duties and although they have their private anxieties, I do not see any marked deterioration in their standard of work.

3. So far as the Indian element is concerned, the remarks which I have made about the European officers are generally applicable. In their case, however, a far greater proportion will be prepared to serve on under the new conditions, partly because there is no alternative open to them and partly because a reduction in the emoluments would have a less disastrous effect on their finances and on their standard of living. There is, however, a section of these officers, who, with an eye to the future, are unduly subservient to ministers and some, I fear, are prepared to curry favour with ministers at the expense of their duty. I don’t think the proportion of officers in this latter category is any higher than one would expect it to be under the very difficult circumstances in which they are serving.

6. To sum up, I will say that, under the admittedly trying conditions of to-day, your Services in the Madras Province have stood up to the difficulties surprisingly well; that they are carrying out their work loyally and efficiently; that their morale is good, but that there is a general feeling of anxiety about the future, and the sooner the terms can be decided and an announcement made, the better for all concerned. The prospect of employment in the Home, Foreign and Colonial Services has been very well received.

7. I have done my best to educate the Ministry about the importance of the administration, and events have also contributed considerably, but even so I don’t think ministers have yet realised that it is a very easy thing for a Ministry to lay down a policy but a more difficult thing to have that policy loyally and efficiently carried out. There is no doubt that, with the changes which are contemplated there will be a great loss of efficiency in the administration which will persist for many years, and unless active steps are taken to recruit and train officers of a very good type for the future, it will have a permanent effect on the efficiency of the Government in this Province.

8. I ought perhaps to add that my own relations with the Ministry have been of the happiest. Although my constitutional powers are limited, I have been able to give advice and make suggestions on all matters of importance and I have invariably been listened to with politeness and respect. Indeed, on at least two occasions the ministers have insisted on deferring the dates of the Cabinet meetings so that I myself could be present, when particularly contentious
matters were coming up for discussion. They have, on occasions, acted against
my advice, and have, I think, made a number of mistakes. This is not surprising
at all, but what does surprise me is the number of occasions on which they have
been prepared to do certain things or not to do them as a result of my inter-
vention.

9. We both send you our very best wishes for the coming year and wish you
all good fortune in dealing with the momentous problems which confront
you.²

Yours sincerely,
ARCHIBALD NYE

² On 31 January the India Office sent this letter to Mr Attlee whose Private Office returned it on
1 February reporting that the Prime Minister had commented: 'An excellent letter.' L/PO/7/4: f 23.

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India and Burma Committee. Paper I.B.(47)9

L/P&J/10/83B: ff 60, 69-72

RETENTION OF BRITISH TROOPS IN INDIA
NOTE BY SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 21 JANUARY 1947

I circulate herewith, for the information of my colleagues, communications
exchanged with the Viceroy on the subject of the retention of British troops in
India.¹

P.-L.

Enclosure to No. 288

SECRET

DEFENCE DEPARTMENT
BRITISH TROOPS IN INDIA

(Revised summary referred to in paragraph 3 of Viceroy’s telegram No. 87-S
received in the India Office 21st January, 1947.)

On the 1st October 1946, there were approximately 80,000 British officers
and other ranks serving in India. This number was reduced approximately to
63,000 on the 1st January 1947.

2. It is to be noted that British troops in India comprise two categories:—

¹ As well as the revise of the Defence Department Summary which is printed here there were also
circulated the following: paras. 2–3 of Lord Wavell’s letter of 8 January to Lord Pethick-Lawrence
(No. 263) with the original Defence Department Summary; tel. 87-S of 15 January (see No. 263,
note 3); and tel. 965 of 20 January (No. 284).
(1) Units of the British Army serving in India such as armoured units, Infantry battalions and artillery regiments.

(2) British officers and men serving in the Indian Army.

A table is attached showing the distribution of British troops in India divided into these two categories. The table also shows the number of British units suggested by the Commander-in-Chief for retention in India during the interim period while the new constitution is being decided. (A separate paper has been submitted about the Armed Forces of India in the post-war period).

3. It is necessary to consider separately the two categories mentioned in para. 2 above.

As regards British personnel in the Indian Army, as distinct from the units of the British Army, the question will be fully considered by the Nationalization Committee which has been recently set up under the chairmanship of the Hon’ble Sir N. Gopalswami Ayyangar. A decision on this question will be taken after the Committee have submitted their recommendations.

4. As regards British units serving in India, it will be noticed that on the 1st April 1947 there will be 3 armoured units, 6 artillery regiments and 27 infantry battalions which will be reduced to 3 armoured units, 6 artillery regiments and 15 infantry battalions on 1-7-47. The number of British units recommended by the Commander-in-Chief for retention in the interim period is 5 artillery regiments and 15 infantry battalions which will be organised in five British Brigade Groups comprising some 20,000 officers and men. The question for consideration of Government is whether British units should be retained in India or should be eliminated, and, if they are to be eliminated, by what date the elimination should be completed. The elimination need not affect the strength of the Army in India. The replacement of the five British Brigade Groups, proposed by the Commander-in-Chief, by Indian units will result in a saving of Rs. 4.5 crores.

5. It is pointed out that, even if Government decide to eliminate all British Army units from India at the earliest possible date, the process of elimination will necessarily take time owing to the difficulty of finding enough shipping to transport the troops and the necessity of planning the future location of units leaving India. The operation would probably have to be spread over several months.

6. The Commander-in-Chief is of the opinion that it would be most unwise at the present time to attempt to do without British troops in India for the time being at any rate. If the political situation eases and the present communal tension dies down, then a reduction or even the complete elimination from India of British units may become possible.

7. The views of the Hon’ble the Defence Member are as follows:—

“When I last noted on the subject, I said that the Interim Government was
definitely of the view that British troops might be withdrawn from India. My own inclination after discussing this subject with my Department was that we need not go too fast.

During my last visit to London, however, I had the opportunity of meeting the leaders of different parties in England. Almost everyone of them was of the view that British troops should not be used for quelling communal riots or for coercing one community against the other. This view was stressed very greatly in both Houses of Parliament when H.M.G.'s latest statement of the 6th December on India was discussed.

I agree with this view though I would not give up my right to utilise these troops when they are stationed in India and paid for by the Indian Exchequer. Perhaps the British politicians are under the impression that we would not be able to control and suppress communal riots without the aid of British troops. They are wholly wrong in this. It is in fact an unjust aspersion on the Indian troops and their officers who have handled such unfortunate situations with commendable efficiency in the past. Relying on past experience, I am satisfied that our own Forces are quite capable of effectively aiding civil authority whenever necessary. There are some difficulties in the case of communal disorders, but we should be prepared to take the responsibility as ultimately we have to depend on our own people and the earlier this is done, the better for everybody. The absence of British troops may in fact create a stabilising effect.

I therefore agree with the British political leaders that the British troops should not be used for putting down communal riots. The very natural corollary to this is that they are useless for our purposes and any expense for their maintenance in India is an unnecessary burden on the revenues of India. The British troops might under the circumstances be withdrawn from this country. There will be a saving of Rs. 4.5 crores in Army expenditure which amount can be utilised for strengthening the Indian Army.”

8. The case is submitted to H.E. the Viceroy with the request that, if he approves, copies of the Summary may be circulated to Hon'ble Members and the case taken at a meeting of the Cabinet at an early date.

G. S. BHALJA

10.1.47.

* See Nos. 61 and 91.
Table attached to Defence Department Revised Summary
PRESENT PLANNED REDUCTION OF BRITISH ARMY MANPOWER IN INDIA

(a) BRITISH ARMY UNITS

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(b) BRITISH PERSONNEL IN THE INDIAN ARMY

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<td>20000</td>
<td>*4000</td>
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</table>

* Depending on progress of Nationalization

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/WS/1/1578

IMMEDIATE

NEW DELHI, 21 January 1947, 1.55 pm
Received: 21 January, 12.10 pm

140-S. Defence Member has put forward for discussion in Cabinet a paper recommending that I.N.A. men serving sentences should be released and that all I.N.A. men should be (paid) forfeited amounts of (pay) and allowances, i.e. that they should be paid for period during which they served our enemies.
2. The convictions as you know were [for] offences involving gross brutality. Some of the men were convicted of murder. Total is about one dozen.

3. Defence Member's case is that unless these concessions are made the recalcitrant Left Wing of Congress and Forward Bloc will make this a major issue and gain a considerable political advantage. Sarat Chandra Bose is holding a meeting on January 23rd and Defence Member wants to take the wind out of his sails. He claims that decision he recommends would be less harmful to morale of army than would a bitter political controversy on the subject.

4. Defence Member does not, I believe, really hold these opinions himself but is writing at the dictation of Nehru. To make proposed concession would of course, far from settling the matter, merely encourage further demands, including reinstatement in the Army.

5. The C-in-C is very strongly opposed indeed to these recommendations. He considers acceptance would be fatal to morale of the Indian Army and would make his own position impossible.

6. I entirely agree with C-in-C and shall support him fully. I have refused to refer the case to Cabinet without further consideration, have stated my own objections, and have made it clear that even if proposal to which I believe the Moslem League is committed by previous statements is acceptable to my colleagues I shall refer matter to His Majesty's Government. I have suggested a discussion, in the first place, between Baldev Singh, Nehru, Liaquat, the C-in-C and myself, but I doubt whether we shall reach agreement.

7. I trust I shall (have) full support of His Majesty's Government in resisting these demands, the (acceptance) of which would I am sure result in beginning of the disintegration of Indian Army, which it is essential to avoid. I do not believe that Cabinet would in the end resign if overruled on this issue. They have got to stand up to Bose and Narain and Left Wing some day and some of them are beginning to (realise) it. This may possibly encourage them to do so before too late.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P & F/10/76: ff 13-14

NEW DELHI, 21 January 1947, 1.55 pm
Received: 21 January, 2.35 pm

141-S. Your telegram 885 dated January 17th 1947. The People’s Age a communist weekly of Bombay has at intervals published quotations from and comments on confidential, secret and top secret official documents mainly of military origin. In particular it has published in pamphlet form with comments extensive extracts from a top secret military plan for dealing with any widespread civil disturbances.

2. The question of proceeding against newspaper(its) [for] contravention of Official Secrets Act was under correspondence at initiative in August of Bombay Government. In October the Government of India requested that Provincial Governments take (appropriate) action in respect of these publications if sustainable in Court. In December the Bombay Government directed prosecution under sections 5(1) and 6(1) of Official Secrets Act.

3. In meantime the Defence Department, gravely concerned at widespread leakages of vitally important papers and serious infiltration into Government offices both military and civil (which) these appeared to indicate, in close co-operation with Home Department and Intelligence Bureau had established in September a special police staff to enquire into leakages on military side. A civil police officer with a largely civil police staff was appointed for purpose of conducting these investigations under Defence Department.

4. When the proposal to prosecute the People’s Age in respect of its disclosures was being considered it appeared desirable that advantage should be taken of prosecution to further the investigation which was being conducted on the military side into official leakages. The ordinary procedure in criminal cases was employed: under this an investigating police officer is authorised to require assistance in investigation from the police in other Provinces; and the Intelligence Bureau in close co-operation with Defence Department Special Investigation staff worked out and co-ordinated (and provided some details for) the concerted searches planned in response to requisition of Bombay Police.

5. Results of searches are at present incomplete but have already produced valuable information indicating the extent of infiltration into military and civil offices of Government by communist elements.

6. Independently of these activities the Madras Government appear to have taken action against communists and are contemplating a conspiracy case
against leading members of party details of which are not at present available in full to the Government of India. The Bombay Government have also written strongly calling for Central action or a Central directive against the party and indicating that they propose, in the absence of either of these, themselves to take strong action for detention of Communist agitators who constitute a grave threat to public tranquillity in that Province.

7. My Government are most anxious that nothing should be made public either in Parliament or elsewhere which would prejudice the results of the investigation now being made and I hope that you will find it possible to reply to queries by a reference to statements made and information given on this point by authorities in India without further comment. Text of these is being telegraphed in case they are not available to you.

8. Home Member did not consult me. He has been embarrassed by Nehru's disclaimer of Central responsibility, as he knew of impending action.

9. Home Member reacted strongly against the idea that action taken against Communists should be subject of discussion in Parliament. I also deprecate this as it can only impede the efforts of Congress to deal with the revolutionary element in the country.

1 In this telegram Lord Pethick-Lawrence said he had seen press reports of action recently taken by Provincial Govts against communists and while he appreciated responsibility rested entirely on those Govts he would be grateful for a summary of the action taken together with an appreciation.

Lord Pethick-Lawrence suggested that the summary might be in a form which was suitable for use in Parliament and should state by what authority arrangements for simultaneous arrests were coordinated. He presumed the action was coordinated by the G. of I., Home Dept. The appreciation might include Lord Wavell's assessment of motives actuating Home Member and/or Provincial Ministries and objectives they were aiming at. L/P &J(S)/File 645 of 1949.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/8/9j: f 59

IMMEDIATE
PRIVATE
TOP SECRET

21 January 1947

I have a Joint Planning Committee considering action that will be necessary on the issue of the contemplated Statement by H.M.G. and a plan of evacuation in case of emergency.

I am strongly advised by the committee that I should appoint on my own staff a high ranking officer to be in permanent charge of such planning, to set up an organisation which could deal with action on the civil side in the event
of an emergency, and to advise me on all matters arising out of the transfer of power. I should like to get Knight and would be grateful if you would approach him. I have not yet considered details of his appointment but his pay is likely to be 4,000 rupees a month and he could have living and office accommodation in south-east wing of Viceroy’s House. The sooner he joins the better. His appointment will cause some speculation but I consider this must be faced. It (might be) announced that he will advise on matters arising out of the transfer of power and assist Governor-General to deal with such matters. He can recommend the size of his own staff when he sees the problems to be dealt with. In the meantime I hope to appoint W. H. J. Christie, an I.C.S. officer, whom he probably knows, with the status of Joint Secretary to start on the work. He will be first member of Knight’s staff.

Please let me know if Knight will accept and when he can join.

I hesitate to suggest higher salary as this may only attract additional comment and criticism. He would not repeat not be entitled to draw pension in addition.

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Lord Pethick-Lawrence to Mr Attlee

L/PO/8/9j: f 57

INDIA OFFICE, 22 January 1947

Secretary of State’s Minute: Serial No. 19/47

Prime Minister.
You should see this telegram\(^1\) at once, and will probably wish to discuss it with me.

I have not so far replied to it or made any approach to Knight.

The question of principle to be decided is whether the Viceroy should go forward and break new ground with his special committee until we have had the consultation with him contemplated in your personal letter.\(^2\)

If not, then a delaying telegram should be sent and some reference made to your letter.

PETHICK-LAWRENCE

\(^1\) No. 291.  
\(^2\) No. 266.
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Minute by Mr Attlee

L/PO/8/9j: f 56

10 DOWNING STREET, WHITEHALL, 22 January 1947

Reference: Secretary of State’s Minute: Serial No. 19/47

As we wish to discuss the position with the Viceroy he should not proceed with his plans until this discussion has taken place.

C. R. A.

1 No. 292.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/8/9j: f 55

IMPORTANT

22 January 1947

1–U. Your telegram No. 1–U dated 21st January.¹ I have consulted Prime Minister. In our view discussions proposed in his letter to you of January 8th² must precede any further development of your plan. We would like to have them in the immediate future. In view of this I have not approached Knight and do not propose to do so until after discussions have taken place.

You should however know that before receipt of your telegram I had invited Knight (who has accepted) to be one of my Statutory Advisers in Chatterjee’s vacancy which arises on 2nd February. No announcement has yet been made and Knight’s acceptance of my invitation would not necessarily exclude him from consideration for task you have in mind.

¹ No. 291. ² No. 266.
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Cabinet

India and Burma Committee. I.B.(47)6th Meeting, Minute 1
L|WS|1|1578

Those present at this Meeting held at 10 Downing Street, S.W.1, on 22 January 1947 at 11.45 am were: Mr Attlee (in the Chair), Sir S. Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, Miss Ellen Wilkinson, the Earl of Listowel
Also present were: Sir David Monteath, General Sir Geoffry Scoones; Mr C. G. Eastwood, Mr E. A. Armstrong (Secretariat)

Treatment of Members of the Indian National Army
(Previous Reference: I.B.(45)8th Meeting, Item 2)

The Committee, had before them telegram No. 140-S dated 21st January from the Viceroy reporting that the Defence Member of the Government of India had put forward for discussion in the Indian Cabinet a paper recommending that men of the Indian National Army who were serving sentences should be released and that all Indian National Army men should be given the pay and allowances which they had forfeited—in other words that they should be paid for the period during which they had served with the enemy. The Viceroy and the Commander-in-Chief were very strongly opposed to these recommendations and considered that their acceptance would be fatal to the morale of the Indian Army.

Ministers were agreed that the proposals of the Defence Member could not be entertained. Apart from the disastrous effect which their acceptance would have upon the Indian Army, it was against the ultimate interests of the Indian leaders to accept a proposition of this kind, which would form a precedent liable to recoil upon themselves at some later date. There might also be undesirable repercussions on India’s international position, e. g., as a member of UNO.

Ministers agreed that the first step should be for the Viceroy to discuss the matter with Sardar Baldev Singh, Pandit Nehru and Liaquat Ali and attempt to persuade them that the recommendations should be withdrawn. If they refused to do so, and the matter was brought up in the Indian Cabinet, the Viceroy should, in India’s own interest, exercise his power to over-rule the Cabinet.

The Committee:—

Invited the Secretary of State for India to telegraph to the Viceroy accordingly.

1 Vol. VI, No. 247.  2 No. 289.
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/WS/1/1578:

IMMEDIATE

INDIA OFFICE, 22 January 1947, 5 pm

No. 1052. I have discussed your telegram of 21st January 140–S¹ about the I.N.A. men with my colleagues and we approve your action in suggesting as a first measure a discussion outside the Cabinet as in your para. 6. We hope that you will be able to convince Baldev Singh, Nehru and Liaquat of the very serious and possibly irreparable damage to the Indian Army that might result from pursuit of the proposal put up to you by the Defence Member.

2. If despite such preliminary consideration you cannot resist reference of the case to Cabinet we agree that you should in the last resort overrule your colleagues as you have the right to do when in your judgment the interests of British India are essentially affected. (You may of course if you think fit indicate at this point that you have the authority of H.M.G. behind you in the exercise of this overruling power).

3. I need hardly explain that the present case which by its threat to the integrity of the Indian Army is clearly a matter in which the interests of British India are primarily, if not exclusively, affected is readily distinguishable from the case of the proposed withdrawal of British troops from India (see your 87–S of 15th January² and my 965 of 20th January)³ which involves also the interests of H.M.G. and is therefore properly a matter for you to refer home rather than dispose of by exercising yourself your overriding authority.

¹ No. 289. ² See No. 263, note 3. ³ No. 284.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,
22 January 1947

There are still no clear indications of the lead which Jinnah is likely to give the Muslim League Working Committee at its meeting in Karachi next week. There is, I believe, a solid body of opinion which favours entry by the League
representatives into the Constituent Assembly, although I entirely agree with your analysis\textsuperscript{1} that the Constituent Assembly might thereafter become an arena of communal warfare, which would put the Congress Right-Wing in an increasingly difficult position. In spite of evidence to the contrary (e.g. the I.N.A. proposals about which I have telegraphed to you)\textsuperscript{2} there is no doubt that the Congress High Command are becoming sobered by responsibility, and by having to face awkward and embarrassing situations—such as the recent action which has been taken against the communists.\textsuperscript{3} Sooner or later the High Command will have to face up to its own Left-Wing and other revolutionary influences, and each time it makes a tentative move to do so it is forced into a more realistic appreciation of what government of a great country really means.

2. The same kind of difficulties are facing the Congress in the short session of the Constituent Assembly which is now going on. It is not yet certain whether they will pass Nehru's resolution about the Sovereign Republican State,\textsuperscript{4} or postpone it further. (I have just heard that they have done so, which is likely to increase the difficulties both of the Muslim League and of the Princes.) Patel is in many ways the most realistic of the Congress leaders, and recognises the need to get the Muslim League in if the Constituent Assembly is to be a success.

3. At the last session of the Constituent Assembly, a Committee of six members was constituted to meet the States Negotiating Committee and discuss the manner in which the representatives of the States will be associated in the framing of the new constitution.\textsuperscript{5} The terms of reference which the Constituent Assembly laid down for its committee are limited to the fixing of the distribution of the 93 seats among the Indian States, and the method by which the representatives of the States should be returned. If these instructions are adhered to rigidly, the negotiations with the corresponding Committee of the States will almost certainly break down, but there is reason to believe that the basis of the talks will in fact be broadened.

4. The personnel of the States Negotiating Committee has not yet been finally decided, but it is likely to include representatives of large, medium, and small States, who will thus have come together for the first time, in defence of their common interests. The two committees are due to meet each other on February 8th. It is impossible to forecast how the negotiations will proceed, as there may well be fundamental disagreement on questions of principle, which may lead the States, or some of them, to call off further negotiations. It will require a good deal of statesmanship on both sides to reach a satisfactory accommodation.

5. I am afraid that Henderson got nowhere with Patel. He made a lot of contacts in Delhi, and I think was met with friendliness on all sides. We must
take the case very soon officially in the Cabinet, so that you may be in a position to consider the Government of India’s views on your despatch about compensation; but I understand Henderson wants to report to you before we do this. Clearly I cannot delay more than a few days: and I understand Patel has told Henderson that he will bring the case to Cabinet very soon. I trust that His Majesty’s Government will come to a speedy decision and announce it. The uncertainty has a most demoralising effect on the Services, and they have a right to know as soon as possible where they stand.

[Para. 6, on the Indian food situation, omitted.]

7. Sir Angus Gillan has been in Delhi for a few days and has met a number of people. Nehru has given his blessing to the British Council starting work in India, and I hope that it will be possible for steps to be taken in the near future. I agree about the need of getting the right person to be in charge, but I should have thought that E. M. Forster was now perhaps too old to undertake the work, though he is an attractive personality.

8. The French Consul-General has been discussing with E. A. Department the opening up of a French Mission in India. He first proposed that this mission should be on a provisional basis, but this was objected to by the Department, on the grounds that it implied some doubt as to the approaching independence of the country. The Consul-General has now gone back to his own Government on this point and they will probably decide to fall in line with America and China and set up a full-fledged French Embassy.

9. Maulana Azad has now taken over the Department of Education, and I think will be good. He is a trifle tiresome in that although he knows English perfectly well and has indeed often made speeches in it, he declines to use it and requires therefore an interpreter at his interviews with me, and with British officials, such as Sargent, the Secretary of his Department. I think, however, that he will be an acquisition to the Cabinet, and will make for reasonableness in discussions.

10. I have telegraphed to you separately about the proposal from Defence Department for the release of the I.N.A. prisoners. I have suggested to the Defence Member that it should in the first instance be considered by a sub-committee of the Cabinet, at which the Commander-in-Chief will be invited to be present. I am quite firmly decided, and so is he, that the proposal must be resisted.

1 See No. 269, para. 3. 2 No. 289. 3 See No. 290.
4 See No. 190. 5 See No. 217. 6 No. 96.
Minutes by Mr Lumby and Mr Turnbull on No. 254

L/P&J/5/139: ff 2-4

22-23 January 1947

Paras. 2-4 throw a good deal of light on the Congress attitude on the crucial issue of grouping. Whether they really believe that the Muslim League could work a ramp of the kind described in face of Indian and world opinion is another matter.

E. W. R. L.
22-1-47

I do not share Mr. Lumby’s view that what the Congress fear may happen in Assam if Assam has its constitution framed in Group C would be a ramp. I attach a note giving more in detail the communal distribution of the population of Assam and the existing representation in the Legislature. It will be seen that the Muslim population is almost exactly one-third of the total, that the Caste Hindus are rather more than one-third, while the Tribal and Scheduled Caste population is rather under one-third.

The Congress fear is that the Muslim League will try to do a deal with the Tribal and Scheduled Caste leaders in Group C whereby separate electorates and much higher proportionate representation than they enjoy at present are given to the Tribal and Scheduled Caste population, in return for which the Tribal and Scheduled Caste leaders undertake to support the Group when Assam has to exercise its option. Incidentally, it is the present balance of population which makes the Congress Government in Assam object so strongly to the infiltration of Muslim population from Bengal, as any increase in the Muslim element in the population increases the possibility of a deal of the kind above suggested being achieved.

The Tribal population is at present greatly under-represented in the Legislature for the reasons to which the Governor refers, namely that a large part of them are in excluded areas, while elsewhere they are out-voted in the General constituencies because they have not got separate electorates. Also it is probably the case that a large proportion of the Tribal population does not qualify for the existing franchise. If, however, the new franchise were adult suffrage and the tribal areas ceased to be excluded, the situation would be different. The introduction of adult suffrage can hardly be resisted by Congress which has advocated it for some years and indeed claimed that the Constituent Assembly should have been based on adult suffrage. But giving separate electorates and reserved seats to the Tribal and Scheduled Castes population could hardly be categorised as a ramp. The Scheduled Castes were granted such
representation by H.M.G. in the Communal Award though it was subsequently modified by compulsory agreement in the Poona Pact. The Tribals have not at present got separate electorates or reserved seats but there seems no reason of principle why if that form of protection is being given they should not be regarded as qualified for it. It may quite well be that such arrangements represent the real wish of the Scheduled Caste, Tribal and Muslim population of Assam, who together constitute two-thirds of the population.

Gandhi, of course, is a fanatical opponent of separate electorates for the Scheduled Castes and it is probably for that reason that he has been encouraging Assam to demand that it shall frame its own constitution. No-one knows what this means. If it means that the constitution is to be framed by the existing Legislature of Assam, that gives the Caste Hindus 41 votes out of 108, plus a few Commerce and Industry seats and most of the 7 Scheduled Caste seats and Labour seats so that they would be pretty certain of getting their own way.

As Sir W. Croft pointed out on a recent submission1 of papers about the proceedings of the Constituent Assembly, it is on this crucial point that the decision of the Constituent Assembly, that a Section cannot override the recommendations of the Minorities Advisory Commission if those recommendations have the approval of the Constituent Assembly as a whole, is of great significance. The effect is that separate electorates and reserved seats for the Scheduled Castes are likely to be excluded. One cannot help suspecting that the Congress are relying on this arrangement to safeguard them from the consequences of recommending Assam to go into Section C.

F. F. TURNBULL
23/1

Note attached to Mr Turnbull’s Minute
Analysis of the population in Assam

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<th>Hindus</th>
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<td>Scheduled Caste Hindus</td>
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<tr>
<td>Muslims</td>
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<tr>
<td><strong>Total</strong></td>
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(The balance consists of 41,000 Indian Christians and 18,000 Sikhs, Jains and Buddhists, and 5,000 others. These would probably all vote with the Hindus or be swamped in the general constituencies).

1 Dated 13 January 1947. L/P 86/10/65.
2 i.e. Total population of all communities in Assam.
Composition of existing Assam Legislature

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<td>General Seats</td>
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<td>Tribal Seats</td>
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<td>Muslim Seats</td>
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<td>Labour</td>
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</table>

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R|3|1/81: f 88

**IMPORTANT**

NEW DELHI, 23 January 1947. 1.50 pm

Received: 23 January, 11.10 am

No. 162—S. Your No. 965 dated 20th January.¹ The case about British troops was taken in Cabinet last night.² The Congress point of view was expressed more strongly by Nehru than by Baldev Singh: but both said that there was no need of British troops at present to deal with external aggression; that opinion among responsible leaders in England was strongly against their being used for internal security; and there was also no need of them for their third function namely “backing” to the Indian Army. Nehru thought it was contrary to all ideas of independence to have British troops on Indian soil.

2. The Muslim League view was that though in principle they agreed that British troops should be withdrawn, they were not in favour of pressing for this until a settlement was reached about the future composition of the Indian Army which must be satisfactory to all communities. Ghazanfar went rather further than this and said that British troops were needed for the protection of minorities.

3. Rajagopalachari took the line that if H.M.G. were not going to agree to this representation, it was more dignified not to make it. Other Congress Members however thought that the opinion of the Cabinet should be before H.M.G.

4. I pointed out that there was little chance of H.M.G. agreeing because they too had responsibilities in India. On the other hand they had no desire to keep British troops in India once a constitutional settlement had been reached, which they hoped would be soon.

5. It was quite clear that this was not an issue on which the Congress would
consider resigning. I undertook to inform H.M.G. of the views of my colleagues, and if you will send me a suitable reply, I will pass it on to Baldev Singh.

1 No. 284. 2 The minute of the Interim Cabinet meeting is on R/3/1/81: ff 83–5.

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Cabinet

India and Burma Committee. Paper I.B.(47)10

L/P&J/10/76: ff 16–18

Discussion Between the Governor of Bengal and Khwaja Nazimuddin

Note by the Secretary of State for India

India Office, 23 January 1947

I circulate herewith, for the information of my colleagues, a note of a conversation between the Governor of Bengal and Khwaja Nazimuddin.

P.L.

Enclosure to No. 300

Copy of Letter from the Governor of Bengal to The Viceroy Dated 8th January, 1947

Khwaja Nazimuddin asked to see me to discuss the constitutional position in the light of the latest AICC decision and as I make a practice of seeing him on such subjects because I believe he yields a certain influence over Jinnah, generally on the side of moderation and good sense, I had a long talk with him last night.

He began by saying that Jinnah had come back to India very pleased at the results of the London conversations but that he still entertained great doubts about the intentions of Congress, doubts which had not been resolved by recent statements of Nehru and Bardoloi. (I gather that Nazimuddin has not yet had Jinnah’s reactions to the AICC decision to accept H.M.G.’s pronouncement of the 6th December.)

Giving me his own views he made the following points. He started from the position that if after the Muslim League entered the Constituent Assembly the Secretary of State’s Services were wound up and if the Constituent Assembly were to carry on its deliberations for 18 months or two years without framing an agreed constitution, the Muslim League would by then be in a position in which they could carry on successfully neither an active nor a passive movement. He asked why H.M.G. had decided or were proposing to wind up the
Secretary of State's Services before a constitution for India had been framed and accepted, thereby "removing the protection of an impartial authority". He went on to emphasise the services the Muslims had rendered to the British during the 1942 upheaval—(to my suggestion that their attitude had been at best one of benevolent neutrality he pointed to the part Muslim-controlled Ministries in Bengal and the Punjab had played in suppressing the movement)—and expressed grave doubts about the desirability of entering the Constituent Assembly especially in view of the fact that the Rules Committee of that body had (he said) already decided that the chairmen of Sections should be appointed by the Constituent Assembly itself. He pointed out that the effect of such a rule might be that the Muslims might in certain circumstances be deprived of all protection from the Chair even where they were in a majority. (This reading of the rules seems to be a misconception. I had not seen the rules when I met Nazimuddin but my attention has since been drawn to rule 10 which does not seem to bear the interpretation I understood him to place on it. He has since admitted to me that it is so).

In reply I said that the Muslim League were now at the cross roads. I recalled that I had already given him some advice about joining the Interim Government (vide my letter to you of the 15th July, acknowledged in your D.O.No. 592/58 of the 19th July 1946) and that that advice had subsequently proved well founded. I did not want them to make the same mistake as regards entering the Constituent Assembly as they had made with regard to the Interim Government. I went on to say that in my opinion Pakistan was an untenable proposition. From this stage the conversation became exceedingly frank! Assuming that it was an untenable proposition to have one Pakistan—it would have to be two or three Pakistans—I asked him how he viewed the acceptance of the limited objective provided for in the Cabinet Plan. I reminded him that the League had previously had the opportunity under the Cripps Plan of having a greater and a fuller Pakistan than was offered under the present plan as under the Cripps Plan the Muslim Provinces could have opted out of the proposed Union of India and then remained either within or without the British Commonwealth of Nations, whereas under the present plan their connection with the British Commonwealth of Nations would follow the decision of the proposed Union of India. They had not acquiesced in the Cripps Plan when it was before them and their position had since steadily worsened. If they now rejected the Constituent Assembly, I felt confident that, in view of the fact that the Congress had accepted (even with some woolly phraseology) the Cabinet Plan as explained in H.M.G.'s most recent statement and this acceptance had been flashed round the world, if the Muslim League, after that, did not now enter the Constituent Assembly, world opinion would feel, and the actual position would be, that the Muslim League would have to make the next move. They could not stand still. They would have to be prepared to embark
upon either an active or a passive movement. If active, it meant civil war and they were in no position to wage a civil war. At most they could engineer sporadic outbursts of communal rioting but communal outbreaks would lead them nowhere. A successful war to achieve Pakistan was not within the power of the Muslims. A passive movement would inevitably lead to an active movement for I did not believe any such movement could long remain passive. I therefore urged him not to be so woolly minded as the League had shown themselves at Bombay—there were no more titles to renounce—but to agree to join the Constituent Assembly in the light of the declarations of the Cabinet Delegation on the 16th May and of His Majesty’s Government on the 6th December.

Nazimuddin seemed rather shaken and only advanced by way of reply the question what in my opinion would be the reaction of H.M.G. if the Muslim League subsequently announced that they desired to have Pakistan within the British Commonwealth of Nations. I replied that the Pakistan envisaged by the Muslim League was not a practical possibility in any case and that, though such a declaration might embarrass H.M.G. in my opinion H.M.G. would find great difficulty in accepting that declaration in place of the Cabinet Mission’s Plan for a Constituent Assembly.

I impressed upon Nazimuddin the advisability of the Muslim League’s entering the Constituent Assembly before the 20th January. To this he made the significant reply that it was not possible for them to enter by the 20th January: they could not enter before April.

I am convinced that Nazimuddin will use his influence on the side of reason as regards entry into the Constituent Assembly.

1 Vol. VIII, No. 29.  2 Vol. VIII, No. 53.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

INDIA OFFICE, 23 January 1947

Received: 31 January

I am sorry that your Cabinet are trying to force to an issue the two questions of the retention of British troops in India and the release of convicted I.N.A. personnel. We have sent you telegrams1 on these two matters. I hope you will agree that the first should in the last resort be referred to us. We do not suggest this with any idea of weakening on it [but] because it seems to us the kind of question

1 Nos. 284 and 296.
which should appear to your Cabinet to be decided by the Government here rather than by means of your special powers, and because we think they may take it more readily in that form. On the second, we quite agree with you that there is no alternative but to overrule them in the last resort. I hope that the bringing of these two matters to an issue is not a sign that the Congress are seeking an excuse to come out of the Interim Government. It is evident from the speeches at the All-India Congress Committee that the Left Wing are becoming increasingly clamorous and that they have a considerable measure of support. Probably Nehru wants some gesture which will please them and will assist in avoiding a break-away by Jai Prakash Narain and his lot. No doubt the Congress expect you to veto this proposal and in that case they can claim credit for good intentions, put the blame on us, and do themselves no harm.

2. Your telegram No. 140-S of 21st January brought to light the fact that the information available here in regard to the I.N.A. men was not altogether up-to-date. I think it would be useful if you would let me have the latest available information under the following heads:—

(a) the total number of I.N.A. personnel classified as "Blacks" and "Greys";
(b) the total number, if any, of such personnel who are still under investigation;
(c) the number of "Blacks" and "Greys" respectively who have been dismissed the Service:—
   (i) by Court martial;
   (ii) summarily.

3. I am sorry to hear from what you say in paragraph 5 of your last letter that there is no improvement of relations within your Government and it must be a very difficult state of affairs when each member of it shows a tendency to go his own way without consulting his colleagues. I notice that this tendency is not only showing itself as between the Muslim League on the one hand and the Congress on the other but that, for example, Patel is showing a tendency to proceed on his own path. You mention the Urdu Language Controversy but another and more important example appears to be the action taken to deal with the Communist Party by certain Provincial Governments. While Nehru has contended that the Interim Government had no responsibility, it seems evident that Patel knew and at any rate acquiesced in the action which has been taken although he is not apparently prepared to acknowledge this in public.

4. I was sorry to have to trouble you with an enquiry about that matter but was grateful for the full information given in your telegram No. 141-S of the 21st January. A certain amount of embarrassment was caused to us here, since naturally people expected the India Office to know who was directing this apparently widespread campaign against Communist organisations. We, of
course, realised that there must have been co-ordination at the Centre but Nehru's sweeping assertion and Patel's extremely disingenuous press note\(^3\) were not very helpful. However, press interest here has now subsided, and there is no sign as yet of any parliamentary interest. All I have to do, therefore, is to reply to a letter I have received from Harry Pollitt on behalf of the Communist Party of Great Britain; he argues, from the disclaimer of responsibility by the Interim Government, that the British Government must be responsible for the action of the Police, particularly "so long as the decisive power in India rests in British hands" and he demands that I undo what has been done. I am replying briefly to him on the basis of the Home Department's press note, and explaining to him that I do not have any *locus standi* in this matter.

5. It has been a relief to me personally that Indian affairs have remained fairly quiescent while we have been dealing here with the Burma delegation but we must expect developments as soon as the Muslim League have held their meeting and I fear that you are probably right that they will not come into the Constituent Assembly and that the Congress will demand their withdrawal from the Interim Government. I am very glad, however, that you and Burrows have taken such a strong line with Liaquat and Nazimuddin\(^6\) and I hope that this may have a salutary effect.

6. Your letter of the 13th January\(^7\) on the question of finding employment for members of the Services when they are wound up arrived opportune, as a further meeting is to take place here next week with representatives of the Service Associations. I expect I shall have more to say to you about the proposals mentioned in your second paragraph after that meeting has been held.

7. Meanwhile, I regret that there should be an idea abroad among the Service representatives in India that we in this Office have not been doing all we might have been doing on their behalf. I think this can only be due to misunderstanding but it is easy enough to see how such misunderstandings arise in the admittedly trying circumstances in which British officials in India are at present placed. We do not take criticism of this sort too hardly, and shall try to disprove it by results. But we shall certainly need the full co-operation of the Service Associations and they would do well to bear this in mind.

[Para. 8, on the timetable for the shipment of Turkish wheat to India; and para. 9, on the Indian Art Exhibition in London, omitted.]

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\(^1\) No. 289.  
\(^2\) No. 275.  
\(^3\) No. 290.  
\(^4\) The G. of L, Home Dept's Press Note of 15 January 1947 explained that 'the searches were not made under their order but in exercise by the Police of their powers under Section 165 of the Criminal Procedure Code on a requisition made by the Bombay Police under Section 166 of the Criminal Procedure Code in connection with the investigation of a case instituted against a newspaper in Bombay'.  
\(^5\) See No. 260 and Enclosure to No. 300.  
\(^6\) L/S &G/7/899.
10. I am greatly relieved to know that Amery’s Indian trip is off. The reactions of Jenkins and Corfield, which you reported in your telegram No. 142–S, were exactly what I had anticipated and I have little doubt that, if you had had an opportunity of consulting other Governors, the reactions of some at least of them would have been the same.

11. Twynam called to see me yesterday and we had an interesting talk. I had been trying to arrange for him to call ever since he returned to this country, but it had not proved possible sooner.

12. Henderson and his party arrived back safely today, but I have not yet seen him to hear his tale.

13. We are now nearing the end of our discussions with the Delegation from Burma; they still hope to leave for Burma on Tuesday next. It has been a matter of keen argument, but there seems to be a reasonable prospect of a fairly satisfactory outcome.

* Telegrams on this subject have not been traced.

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Pandit Nehru to Field Marshal Viscount Wavell

R/1/29/3219: f 5

17 YORK ROAD, NEW DELHI, 23 January 1947

Dear Lord Wavell,

You are, no doubt, following the situation in a number of Indian States. There is a progressive deterioration, and in many States some kind of conflict is going on between the authorities and the people. During the last few months I have tried my utmost to avoid such a conflict and to restrain the people’s organisations. Their complaint has been, however, that aggressive action is taken by the authorities just at a time when there is talk of fundamental changes, and when the people of the States were looking forward to the introduction of a democratic form of government, they have to face instead repressive action by the authorities. I am afraid this will lead, as it has already led to some extent, to grave consequences.

2. I do not know what attitude the Political Department takes in such matters. But it is the common report, and even some Rulers of States have confirmed it, that the Political Department disapproves of any substantial reforms. I have had some very surprising reports about this attitude of the Political Department.
3. In view of the increasingly difficult economic situation all over India, this trouble in the States may well lead to bigger upheavals. I am afraid that the static character of the State administrations at a time when everyone is looking forward to change, is chiefly responsible for this increasing conflict. The vague promises made of rapid reforms and in some cases of responsible government have not been kept.

4. I should like to draw your special attention to the state of affairs in Kashmir where for the last eight months a bitter struggle involving severe repression of the people has gone on. Eight months of effort and the utilisation of the full machinery of the State has not succeeded in repressing the popular movement there. This failure itself is evidence of the futility of the methods employed. But though these efforts have failed, Kashmir is being pushed forward to the verge of ruin and people there are suffering from great hardships. Their leaders continue in prison and the people have been harassed in some ways which can only be termed inhuman. It is terribly cold there now and people lack food and fuel, the two essential needs. There are charges of gross partiality and corruption in the State administration. There is mass unemployment and the only people who seem to flourish are some State employees and the black-marketeers. With properly organised control of food-stuffs, fuel and other essentials some relief might have been given. I fear that the policy of the Kashmir State is leading to a catastrophe.

Yours sincerely,

JAWAHARLAL NEHRU

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/WS/1/1578: S 50

NEW DELHI, 24 January 1947, 9.40 pm
Received: 24 January, 7.5 pm

No. 168-S. Your telegram 1052 of January 22nd.¹

2. I discussed release of INA prisoners this morning with Nehru, Liaquat Ali, Baldev Singh and C. in C.² I made it clear that I could not agree to the release of convicted men, and restoration of forfeited pay; and stressed disastrous effect on Indian Army. Nehru, Liaquat Ali and Baldev Singh argued

¹ No. 296.
² Lord Wavell's note of this discussion is in Wavell Papers, Notes of Important Interviews, 1943–7, pp. 212–13.
very temperately (? in favour of) proposal to release and give back pay; they stated continued detention would be an irritant to general public and their release would end the whole episode of INA. C.-in-C. was quite firm that effect of release would be disastrous on Army.

3. A postponed resolution urging release is due to come up in Central Assembly next month. I suggested that it should again be postponed by agreement, or else amended to except cases of gross brutality. Baldev Singh will consider in the light of today's discussion how best the resolution can be dealt with.

4. I pointed out that back pay would fall on H.M.G. under financial agreement and that this would certainly be unacceptable.

5. Discussion was friendly but I cannot yet tell what the upshot will be. I am glad to know that H.M.G. support me in this matter.

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Mr Abell to Mr Harris

L/PO/6/102c: ff 63–6

SECRET

THE VICEROY'S HOUSE, NEW DELHI,

24 January 1947

NO. 592/59

My dear Ronald,

H.E. thinks the Secretary of State may be interested in the enclosed note on the situation in India by Smith, the Director of the Intelligence Bureau.

Yours sincerely,

GEORGE ABELL

Enclosure to No. 304

British Angle

1. The game so far has been well played, in that (a) both Congress and the League have been brought into the Central Government; (b) the Indian problem has been thereby thrust into its appropriate plane of communalism; (c) some kind of an opportunity for orderly evacuation now presents itself through the existence at the Centre of a government to which power can be transferred.

2. I fear there is a tendency, now that we are temporarily in relatively untroubled waters—from the purely British angle—, to forget that a storm will sooner or later again arise, and to move much too slowly in shedding our responsibilities. The fullest advantage should be taken of our present breathing
space. In my view, the Secretary of State’s control over civil officers should be abrogated at the earliest possible moment. This is only fair to the officers and has the political advantage that a decisive gesture of this kind will help to keep the problem on its correct communal plane.

3. The Quit India policy has now the general acceptance of almost all British officers. In the Congress Provinces, this acceptance is accompanied by a realisation of its complete inevitability and a general support of the line so far taken by H.M.G. In the non-Congress Provinces, and particularly in the Punjab, civil officers are apt to criticise bitterly H.M.G.’s policy and the moves made by H.E. This difference of outlook arises from difference of political circumstances. The Punjab is inclined to regard the rest of official India as defeatist and much of the rest of India regards the Punjab as living in a dead or dying past.

4. Grave communal disorder must not disturb us into action which would reintroduce anti-British agitation. The latter may produce an inordinately dangerous situation and leads us nowhere. The former is a natural, if ghastly, process tending in its own way to the solution of the Indian problem.

The Indian Angle
What is likely to eventuate? Very difficult to answer. My own views are—

(a) Whatever the position a few years ago, communal antagonism has now reached such a point of bitterness that it is difficult to see how Hindu and Muslim can jointly work the future. This antagonism may lessen, but the cleavage and the difference of culture is so marked as to make healthy cooperation unlikely.

(b) It is clear that India, with its strongly fissiparous tendencies, can only continue to exist through a strong Centre.

(c) It is equally clear that this strong Centre will not be conceded by the Muslims, and is probably unattainable.

(d) The weak Centre of the present target carries within itself the seeds of disruption. It is difficult to foresee a joint policy in foreign affairs, and consequently in defence and finance.

(e) Indian leadership is so inept that there is little prospect of these inherent difficulties being overcome.

(f) I have little faith therefore in a successful outcome, in the long view, of the attempt to maintain a unified India. As I have said for some months, Pakistan is likely to flow from Congressstan (the acceptance of office by Congress).

(g) I do not think Pakistan will advantage the Indian Muslim, who is likely to be squeezed and embarrassed by stronger forces East and West of him; but if he is determined to have it, he will get it.
(h) If Congress were wise, they would either attempt to dissolve by a psychological approach the psychological mistrust which exists or they would establish a strong Centre for areas of Hindu preponderance and to the exclusion of the N-West. But I doubt if Congress is wise enough to do either of these things.

(i) Even if a strong Hindu Centre were established it is doubtful whether it could maintain itself for long in the face of a left-wing attack based on conditions rife for trouble, in labour, the peasantry, linguistic and provincial jealousies, etc. Jai Prakash Narain and his ill-assorted horde threaten the future. Congress might conceivably handle them and the Communists with sufficient firmness, but they have not much time to spare, and with Nehru in the Cabinet, I doubt their capacity or even willingness.

(j) In brief, I am pessimistic and fear, first, Hindu-Muslim separation, and, secondly, some measure of Balkanisation. The threat of the extreme Left-Wing may serve to bring present Hindu-Muslim leadership closer together, but this remains to be seen.

(k) If pessimistic, I am also philosophical about all this. If we cannot control natural forces, we must accept them, keeping our eyes steadily on reasonable British interest.

(l) The psychological approach which I would commend to Congress would have to be one of great generosity—an offer, if necessary, of one over parity. I suggested this to Sardar Patel and told him, moreover, that any attempt to force the Muslims would result, through the disintegration of the police and Army, in the loss of N.W. India. His reply was that, if I thought that generosity would placate the Muslim Oliver Twist, I did not understand either the Muslim mind or the situation. With which sentiment I am tempted to agree.¹

N. P. A. SMITH

³ On 10 February copies of Sir N. Smith’s note were sent to the Private Secretaries to Mr Attlee, Mr Alexander and Sir S. Cripps. L/PO/6/102c: ff 60-2.

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

L/PO/7/4: ff 29-33

PRIVATE AND PERSONAL

GOVERNMENT HOUSE, CALCUTTA,
25 January 1947

My dear Secretary of State,
My wife joins me in thanking you for your good wishes for 1947 which we warmly reciprocate.
In your letter of the 6th January,¹ which I received on the 15th, you ask me for my views as to how the two security services, the I.C.S. and the I.P., are standing up to the strain of the transition period and how far they are getting on with the Ministry. Since receiving your letter, I have been out on a short tour, but I have been thinking over your questions and here are my replies.

Commenting on the inability of the Police to concentrate on the suppression of what may be called “ordinary crime” because of their preoccupation with communal matters, one of my Commissioners—an officer who is himself doing an excellent job of work—has recently remarked—

“I feel I should add . . . that a spirit of defeatism, a feeling that ‘it does not matter’, is by no means confined to the police. In almost every department in public life there is ample evidence of a very serious degree of demoralization of the Services. There is no longer any feeling that any disgrace attaches to inefficiency or even to dishonesty (the only sin being found out); it is comparatively rare nowadays to find officers who value doing good work for its own sake.”

He went on particularly to castigate two Central Departments, Posts & Telegraphs and Railways, the former of which certainly, by common consent, has still far to go to make up the lee-way resulting from its strikes of last summer.

While evidence that the administrative machine is running down is plain to see, it is much more difficult to assess either the extent to which this is attributable to failure in any particular Service, rather than to a course of events over which the Services can have no control, or how far the situation itself has reacted upon the morale of the senior Services.

Let me say at once that if the extract which I have quoted above had been intended to apply in its entirety to the two principal “security” Services, I would not subscribe to it. We have had two cases in this Province where, under the stress of war conditions, officers of the I.C.S. seem (I say “seem”, for the cases are still sub judice at one stage or another) to have succumbed to financial temptations: but I am of opinion that the charge of actual pecuniary dishonesty cannot be brought against the two senior services of this Province. But morale has undoubtedly been sapped in other and more subtle ways, possibly without full realisation by those affected. I think it will be best, therefore, if I list a few of the factors which are working against the maintenance of the morale for which, on the whole, the I.C.S. and the I.P. have been notable in past periods of stress. In doing so, I shall not attempt to place them too strictly in order of relative importance: that would be a matter on which many different opinions might honestly be entertained and, indeed, different factors affect different officers.

First of all, then, I would mention the fact (which distinguishes this crisis

¹ See No. 255, para. 4.
from all its predecessors) that the present regime, of which the Secretary of State’s Services have been termed the “steel frame”, is admittedly and avowedly “on the way out”, and is rapidly becoming “Lath and Plaster”. This fact inevitably weakens the allegiance (or at all events the reliance that could safely be placed on the allegiance) of the lower ranks of the administration, the Provincial Services and the rank and file generally. Whereas, as late as 1942, practically everyone in the Services appreciated that the Government of the day could and would come out on top in the rebellion of that year, and that loyalty to Government might mean promotion and commendation whereas disloyalty would certainly be visited by condign punishment which might (so far as could be foreseen at the time) be expected to subsist long enough to ruin the defaulter’s service, now it is only too obvious that loyalty to the present regime can carry no sure or lasting reward (even Indian titles are no longer to be looked for as a recognition of loyal service) and in some Provinces, I am informed,—though not yet in Bengal, I am glad to say,—disaffection in 1942 has now had a premium put on it. Though this state of affairs has affected so far mainly the Provincial and subordinate services, it is obvious that the factor cannot long remain entirely inoperative so far at all events as the Indian members of your Services are concerned. Frankly I am surprised to see so little sign as yet of the canker eating into our officers of the Bengal establishment.

Apart however from actual disloyalty, of which, as I say, I have seen little sign as yet in the senior Services, there is the more insidious canker of what I may call “administrative trimming” so as to secure favour or at all events to avoid offending the rising power,—the Ministry and their supporters. I come across plenty of signs of this, and it is not confined to Indian officers. European officers, fighting what they must generally now regard as a losing battle to maintain the old standards of administration untrammelled by politics, are becoming more prone than they were to give ground for the sake of a quiet life and because “it will be all the same in six months’ time”. This I regard as almost inevitable and from accounts I hear I am prepared to believe that things have not yet gone so far in this way here, in Bengal, as in some of the Congress Provinces. But I will confess to you—and I am sure you will understand the position—even at my own level I have now to acquiesce sometimes in orders regarding postings and transfers which I cannot regard with favour but could not oppose as positively unfair or manifestly contrary to the public interest. After all, I, like my officers, have got to get along with my Ministry (particularly in these days when—as they themselves well know—I have got no possible alternative in sight) and, in order to be able to dig my toes in with success where I feel I must, I have on occasion to choose my battleground and concentrate my forces there, letting some of the less important positions go. We have reached a stage when there has to be some “give and take”: I am possibly lucky, in comparison with some Governors, to be able to get away
with any “take” at all,—as I think I have so far managed to do in all the cases that have really mattered. (That I have been able to do so to the extent that I have is due possibly to two reasons,—recognition of the fact that I stood firmly behind Ministers over the 1946 disturbances in spite of extreme pressure from interested parties to dismiss the Ministry and either to replace it by a minority coalition or to govern under Section 93, and, second, that it is a predominantly Muslim Ministry). This means that there is a distinct and in present circumstances an inevitable and probably growing diminution in the control I can maintain over day to day “service” matters, whatever may be the theoretical position under the Act of 1935 and the Rules of Business. Naturally, therefore, those in the Services who think they have a pull with Ministers tend to exert it,—and in this they get every encouragement, I am afraid, from Ministers themselves whom it suits very well to have officers about them who owe their position to selection by the Minister himself. The fact that it is now possible and not regarded as a grave breach of discipline to look to Ministers for favour in such matters as posts and postings is bad for the Services and lowers the moral and the administrative honesty of purpose both of those who expect to benefit and of those (in this Province the Hindu officers) who know they can pull no strings. Here again, I do not think this particular canker has gone very far as yet so far as the two premier Services are concerned—Muslim officers have a pull with my present Ministry whether they choose to exert it or not!—though it has certainly become apparent in the Provincial Services, and there are a number of Muslim officers of the I.C.S. who are universally regarded (and hardly bother to pretend the case is otherwise) as supporters of the Muslim League. I know of no Hindu officers who have openly paraded Congress views though an anti-Muslim bias is sometimes observable, which however is not the same thing.

Then again, in certain important types of work especially, there is an element of unreality, arising out of the political and constitutional uncertainties of the immediate future, which militates against the best work being put into both planning and execution. Many put in long hours on Development planning—and the need for such planning is obvious enough to provide an incentive—but it is difficult to mobilise the faith and the burning zeal which this aspect of our activities demands when such elemental factors as the future existence and scope of the Central Government are quite uncertain. I need not labour the point. The discouraging effect of such uncertainty, inseparable from the present constitutional impasse, needs no elaboration.

Further—and I can well believe that this is particularly so in Bengal,—there is the discouraging factor of the Province’s chronic impecuniosity, originating (as compared with other Provinces) in the financial settlement of
the Meston Award² and aggravated by war conditions. This has resulted in permanent under-administration and (during the famine) almost a complete breakdown of the administrative machine. The hastily formed and as hastily expanded special services called into being to deal with war-time and famine and epidemic problems have as a rule not maintained the traditions of honesty and efficiency of the older services and with corruption and inefficiency rampant a hopelessly inadequate cadre of Imperial Service officers may be forgiven if at times it has lost faith in itself and felt a weakening incentive to give of its best and a growing sense of frustration. To this the falling prestige of the District Officer’s or the Departmental Secretary’s position vis-à-vis the rank and file of the Ministerial Party or the Ministers themselves has added. Until recently, the Services, though they knew they were on the way out as Secretary of State’s Services, still hoped with some confidence to hand over the administration as a going concern to the Government and Services of the future. I doubt if many members of your Services in this Province would be so sanguine now. This is, to my mind, one of the principal factors in the spread of a spirit of defeatism in the Services, Indian and European members alike, which I have observed during the last year and especially during the last few months when it became clear that there is some possibility of the Secretary of State’s Services being “wound up” before there is any “new Constitution” to hand over to.

Individual uncertainty as to the future is also playing its part. A reasonable ability to forecast and to rely on the future as it concerned the individual officer was one of the steadying factors and, of course, one of the great attractions of these Services in the past. This comparative security of prospects is inevitably but conspicuously absent now and the uncertainty, coupled with present financial difficulties which have not appreciably lessened for the Services any more than for the rest of the population since the war ended, tends to render impossible that comparative freedom from acute financial anxiety which it was the aim to give the Services as a means of ensuring singleness of purpose in their work. It is not surprising that in the present uncertainty, many of our good officers are listening to the voice of the Siren and are applying for proportionate pension or pension before the normal age of retirement so that they may go while the going is good and get in at home while there is still something to get into. In the case of the Police, many officers are unable to envisage retirement on proportionate pension both because of the smallness of the pension they will have earned and because of their fear that they will not command a market for their services outside India. These feel (I understand) that they may have to stay on with the Government of the future even though it may mean participating, in the interests of their daily bread, in an administration which does not answer to the standards or respect the principles in which they were brought up. They will in short feel, and perhaps be, mercen-
aries rather than the administrators of a policy in which they have faith and they are worried and unhappy at the prospect.

An unsettling factor, of recent development, is the decision of my Ministers not to participate in the proposed new Central service which is to replace the I.C.S. No less than forty officers (Indians) in the present Bengal cadre of the I.C.S. come from other Provinces and the addition of this bar to future spells of employment under the Central Government when the new Provincial Service that is to replace the I.C.S. is formed is, I believe, going to add gravely to the unwillingness which most Indians drawn from other Provinces have already for long evinced to service in the climate and conditions of Bengal. It is the knell of the hopes also of Bengal’s own Bengali Hindu officers, many of whom do not relish (and have little reason to relish) the prospect of continuing to serve a predominantly Muslim Ministry in Bengal without such protection as can still be afforded under the Government of India Act and with no way of escape save resignation. This factor is not of immediate importance perhaps but it is going to affect very seriously, I believe, the efforts of the Ministry to retain and recruit good Hindu officers to their top Service. We must expect a “sauve qui peut” to their own Provinces of our non-Bengali Indian officers as soon as it is possible for them to open negotiations regarding their future employment.

Over all there is the war weariness and the increasing worry which the Services in India have escaped no more than the people at home but which, to the European members at least, is the harder to bear because it has to be borne to some extent in solitude and isolation.

In short my feeling is that the individual members of the Services we are discussing are still good,—still almost without exception above suspicion in the matter of pecuniary honesty,—but that there are far too few of them to leaven the huge lump and they have inevitably become unsettled and bereft of faith. Most of them are overworked, but they lack the incentive to make that extra effort which springs from the knowledge that a job well done is likely to endure and to be of lasting benefit. To that extent I agree, even as regards the I.C.S. and the I.P., with some part of the opinion which I quoted at the start of this letter. While I do not think the Secretary of State’s Services are either dishonest or insensible, as yet, to the disgrace that attaches to inefficiency,—

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8 The Financial Relations Committee, under the Chairmanship of Sir James Meston, was appointed because of opposition in certain Provinces to the scale of their united financial contributions to the Central Government deficit under the scheme of assessment contemplated in the Montagu-Chelmsford Report.

The Committee in its report (Cmd. 727 of 1920) made an award, the ‘Meston Award’ or ‘Settlement’, which, while generally endorsing the proposals in the Montagu-Chelmsford Report, shifted the basis of assessment of the Provincial contributions to ‘spending power’ in each Province.

Service tradition is still strong—I do think there is—particularly among the European officers and the Hindu officers in this Province,—a growing sense of cynicism.—almost, as the Commissioner says, of "defeatism". It is not easy for a Service with the tradition of the I.C.S. to see its standards of administration lowered to satisfy communal prejudices and the mere lust for illicit gain.

So much for morale,—and I would conclude this part of my letter by reiterating that, apart altogether from morale, we are now so short of officers of the two Security Services in this province that a further lowering of administrative efficiency in the next few months seems to me inevitable.

As regards the relations of the Services with the Ministry, this varies greatly, of course, with the individual factor. I would not describe my present Ministry as markedly anti-European in its dealings with the Services—the Chief Minister at least is quite the reverse,—though some of the Ministers have managed to frighten away a good number of the specialists whom Casey secured with much labour in order to replace them by Muslims. But generally speaking the Ministry is prone (some Ministers more than others) to override (without due consideration) the advice of their permanent officials especially where these are Hindus and I have had a great deal of disquieting evidence which leaves me in no doubt that generally speaking the Hindu officers of the I.C.S. in Bengal (and to a lesser but appreciable extent the Hindu officers of the I.P.) are unhappy, somewhat apprehensive of their future and uncertain even of their present.

I am sorry to paint what you must consider a very sombre picture, but I know that you want my candid views. I suppose the present situation is the inevitable result of the events and the uncertainties of the last twelve months. We knew, for example, when we let out all our "political" prisoners and permitted the utmost licence to the Press in the interests of a free election that we were sowing the wind and would assuredly reap the whirlwind. The Services as India has known them are passing away,—it is inevitable with the transition from autocracy to democracy and has been implicit and in progress ever since the reforms of 1919: it is only that the tempo has increased beyond all expectation or experience in the last few months. India has not yet learnt to appreciate the value of civil Services divorced from politics and it may be many a day before she will. The communal problem tends to accentuate the difficulty, now that we are going. The civil services of India in the future will be something very different from those which you are now winding up and the subordinate services which grew up under their tutelage. To our way of thinking, India is going to make a great mistake. But she must learn by experience: and who knows,—she may be happier under the system she will more readily understand ("the spoils to the victor") than under the more aloof, if honest and efficient, administration that we have so long held up as a pattern. After all India is not alone in this respect: no great political honesty or efficiency has
characterised the civil services of many nations on the Continent.

As I have said, it is a sombre picture: but to judge by what I read in the air-mail edition of The Times, you will soon be able to paint a similar one of the Trade Union movement at home!

I am sending a copy of this letter to the Viceroy.3

Yours very sincerely,

F. J. BURROWS

3 On 3 February the India Office sent this letter to Mr Attlee whose Private Office returned it the same day reporting that the Prime Minister 'has commented that he found it interesting and full of good sense'. Both this letter and No. 287 were also shown to Sir S. Cripps and Mr Alexander. L/PO/7/4: ff 34, 28, 24.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/8/663: ff 382–3

IMMEDIATE

INDIA OFFICE, 25 January 1947

No. 1218. In case the matter should be raised in Parliament by private notice in such form that it cannot be ruled out of order as wholly Provincial matter please telegraph to reach me by Monday morning full account of circumstances in which Muslim League leaders have been arrested in Punjab and of grounds for Police raid on offices of League National Guard and the R.S.S.S. Is there any truth in Press report that 1000 steel helmets were found at Muslim Headquarters? I presume action taken has been against League National Guard as such and not against League organisation as a whole. To what extent can this distinction be clearly made if I have to reply in Parliament?

2. For my personal information and not for use in Parliament I should be glad to know whether this action was taken with Khizr’s authority or during his absence. It has suspiciously the appearance of being deliberately designed to inflame Muslim feeling before League Working Committee and thus ensure that League do not come into Constituent Assembly. On the other hand, I note that it has been policy of Punjab Government since November to put down activities of these organisations though R.S.S.S. appears to have been regarded as the more dangerous to public order.

Repeated to the Governor of the Punjab.
My Dear Prime Minister,
I send you some thoughts upon a possible line of your answer to the Viceroy's letter.

Yours,
STAFFORD

Enclosure to No. 307

I have your letter of ——— and have given careful consideration to its contents with my Colleagues.

I regret that you do not accept the views expressed in my former letter\(^2\) that you should now return to this country for discussions as to the position arising out of the rejection of your plan by the Cabinet. Your suggestion that this visit can be delayed till March or April\(^3\) seems to mark the very great difference that exists between our view of the Indian situation and your own. We all of course appreciate that you have had a very hard and strenuous time during the last 3 years and that you fully deserve a good rest.

After a very full consideration of the whole position that thus arises we have come to the conclusion that the best course to pursue will be for you to come home as soon as you can conveniently arrange to do so and for you to terminate your incumbency of the Viceroyalty.

You will recollect that at the time of your appointment the term of the appointment was specifically left uncertain so that your resignation at this stage will not be out of accord with the arrangement that was then made.

We shall be prepared to appoint a successor as soon as we receive your resignation, which, in view of the very unsettled state of India should we think be as early as conveniently possible.

In writing this letter I hope that you will realise our very deep gratitude for all you have done during the most difficult period that you have been in India, but we feel that with such a wide difference of opinion as now exists between yourself and the Cabinet as to future policies it would not be fair either to you, to the Cabinet or to India to ask you to continue in your office.

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1. This letter is undated. However, the Viceroy's letter (No. 281) to which it relates was received on 25 January (see No. 281, note 2) and it seems probable that Sir S. Cripps would have sent Mr Attlee his suggestions regarding a reply very shortly afterwards.  
2. No. 266.  
3. Sir S. Cripps here crossed through the following words in his draft: 'and that thereafter you should spend two months' leave in this country'.  

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Rear-Admiral Viscount Mountbatten of Burma to Sir S. Cripps

Mountbatten Papers. Official Correspondence Files: Policy

26 January 1947

Thank you for seeing me on Friday¹ and for being so helpful. I saw the Prime Minister at luncheon afterwards, and discussed with him the proposed statement in the House. I told him that I absolutely saw the point you had put to me, that the announced date for the termination of the British Raj, if given as a precise day, might possibly embarrass our withdrawal as the actual time approached. On the other hand, an expression such as “the middle of 1948”, covering as it does anything from two to three months, seems to me so vague that it could not fail to produce the impression of an escape clause.

I told the Prime Minister I thought that the best compromise was to take an actual month (say June 1948); and I suggested that I should then inform the Indian leaders verbally that I was going to work to the 1st June ——— this would in effect give me thirty days’ latitude, if I found this necessary when the time approached.

I reminded the Prime Minister that my final answer could not be given until I had had an opportunity of commenting on the statement which it was proposed to make in the House, and seen my own written directive. Although I very much appreciate your suggestion that I should submit a draft of the latter, I still feel that it is hardly my place to do so. But as my own appointment will be coupled with the statement in the House, I am attaching a suggestion as to the lines along which I hope this will be drawn up.

[MOUNTBATTEN OF BURMA]

P.S. Since Henderson is no longer available in Delhi to give the Indians prior information of my appointment and to convey the agreed message to them, I understand from the Prime Minister that Wavell will now be asked to do this. I feel that this message will make a considerable difference to the atmosphere in which I am able to start my meetings.

Enclosure to No. 308

Draft Statement:
It is the intention of H.M. Government that British rule in India shall terminate not later than in June 1948.

At the end of 1943 Field Marshal Viscount Wavell was appointed as Viceroy, for a term of three years; and his period of office has now expired. H.M. Government have decided to appoint Rear-Admiral Viscount Mountbatten of

¹ 24 January.
Burma as his successor for the final period. He will remain on the active list, in accordance with his wish that his future employment in the Royal Navy shall not be prejudiced.

Admiral Mountbatten has been instructed to give all facilities to enable the Indian parties to agree on a Constitution and to form a Government to take over as soon as possible. Whether or not this has been achieved by June 1948, our withdrawal will take place; and Admiral Mountbatten’s task will be to bring British rule to a close in such a manner that the best possible relations may prevail between this country and India after our departure.

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Cutting from Dawn of 26 January 1947

Wavell Papers. Political Series, January–March 1947, pp. 9–11

Liaquat Ali’s Posers to Congress High Command.

By Dawn Staff Reporter.

"The A.-I.C.C. Resolution of January 6th has completely negativled the principle of decision by simple majority votes in Sections by insisting on a veto for a Province or a part of a Province clearly meaning N.-W.F.P. and Assam", says Mr. Liaquat Ali Khan, General Secretary, All-India Muslim League, in a statement from New Delhi on Saturday.

The full text of the statement is as follows:—

"There has lately been considerable propaganda from a certain quarter to the effect that the Congress by the resolution of the A.-I.C.C. of January 6th has accepted the British Government’s interpretation, contained in their Statement of December 6th, of those fundamental principles and points of procedure regarding which Congress had put forward its own interpretations not in accord with the Cabinet Mission’s Statement of May 16th.

"The Muslim League is also being accused of intransigence for not having rescinded its decision of July 22nd, 1946, for not participating in the Constituent Assembly when it re-assembled on January 20th.

"In the Constituent Assembly itself, Congress is taking decisions unilaterally on issues of far-reaching constitutional importance although at this stage it was authorised by the Statement of May 16th only to ‘settle preliminaries’.

"Threats have also been uttered on the floor of the Assembly that Congress would proceed with the work of constitution-making although as many as 76 million out of 80 million Muslims of British India may continue to remain unrepresented on that body."
"The Working Committee of the All-India Muslim League is meeting in a few days and will undoubtedly express its considered opinion on the developments which have taken place since the British Government’s Statement of December 6th, following the London talks.

"Meanwhile, I would like to point out that the A.-I.C.C. resolution of January 6th has completely negativised the principle of decision by simple majority vote in the Sections by insisting on a veto for 'a Province' or a 'part of a Province' (clearly meaning N.-W.F.P. and Assam) in Sections B and C, and to the small minority of Sikhs in Section B.

"In the course of his speech at the A.-I.C.C., Pandit Jawaharlal Nehru has also categorically denied that Congress had agreed in the past or would agree in the future to a reference to the Federal Court of other questions of interpretation, by either side, as they arose from time to time.

"If the Congress still maintains that it has accepted the Cabinet Mission’s Plan as again interpreted by the British Government’s Statement of December 6th, I would ask it to answer the following questions publicly and in unambiguous terms:—

[1.] Does the Congress agree that the Sections sitting as a whole and by simple majority vote shall decide whether there are to be Groups and also settle the Group Constitutions?

[2.] Does the Congress accept that the Constitutions of the Provinces shall be settled by the Sections concerned sitting as a whole and taking decisions by simple majority vote?

[3.] Does the Congress agree that Section C will settle the Constitution for the Province of Assam by simple majority vote, that a new Legislature for the Province of Assam shall be elected according to the Constitution so settled, and that Assam will exercise its right of remaining in the Group or opting out by a vote of that new Legislature?

[4.] Does Congress recognise the right of Section B to settle the Constitution of the North-West Frontier Province by a simple majority vote of the Section as a whole, and that a new Legislature for the N.-W.F.P. shall be elected under the Constitution so settled, this new Legislature alone being competent to decide whether the Province is to remain in Group B or opt out?

[5.] Does Congress agree that Section B, sitting as a whole and by simple majority vote, shall settle the Constitution for the Punjab and the Group Constitution, if there is any, affecting all communities concerned, including the Sikhs, and that such a constitution for the Punjab and for the Group shall be final, subject to the approval of Parliament in terms laid down by the Cabinet Mission in their Statement of May 25th, regarding safeguards for minorities and that the Sikhs as a community shall have no right of veto?

[6.] Does the Congress agree that either side shall have the right to refer

1 No. 253. 2 Vol. VIII, No. 86; the date should be 29 July.
other questions of interpretation to the Federal Court and that its decisions shall be accepted by both sides?

"If the Congress has really accepted the British Government’s Statement of December 6th it should have no difficulty in answering these questions in an honest and straightforward manner and without juggling with words."

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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence


IMMEDIATE SECRET

26 January 1947

No. 3–G. Your telegram No. 1218 of 25th January.1 Following is full account of circumstances of police raid and arrests.

2. R.S.S.S. and Muslim League Nationalist Guards are communal bodies the former recruiting orthodox Hindus and the latter League Muslims. Both are organised on military lines. Last summer I suggested to Premier that sooner or later we should have to deal with these bodies since communal proportions in Punjab are such that communal private armies are extremely dangerous. Premier pondered matter for a long time and we discussed it occasionally. Finally he told me some weeks ago that he had decided to take action. Punjab Public Safety Ordinance, 1946, had reduced open activity in both bodies but intelligence reports showed that they were still being trained for fighting with knives, lathis, etc. I told Premier that I agreed with him. Action was deferred owing to preoccupations of police and 24th January was finally fixed.

3. On morning of 24th January declarations against both bodies were issued under Criminal Law Amendment Act. These declarations are always followed by routine searches and period of grace is then allowed before further action is taken. Searches of premises of both bodies passed off without incident throughout Punjab except at Head Office of Muslim League National Guards at Lahore. At this office Iftikhar-ud-Din Congressman turned Leaguer refused to permit the search, obstructed police and telephoned to his colleague to assist him. The other leaders at once came to the office and more or less compelled police to arrest them under Section 353, Indian Penal Code. They refused to give bail. Arrests were followed by disturbances in Lahore on 24th January and 25th January. On 25th January 15 Muslim League M.L.As. defied the ban on processions and meetings in 2 separate batches and had to be arrested.
4. Action taken was against Muslim League National Guards as such and not (repeat not) against Muslim League. National Guards have written constitution of their own and established Commander with military titles. Muslims will of course argue that National Guards and League are the same thing. But National Guards are simply attempt at party army on lines familiar in Germany and Italy before the war. Compare also Mosley’s Black Shirts. All members of National Guards are presumably members of (1)League but the converse is not (repeat not) true.

5. A large number of steel helmets was found in National Guards head office, Lahore. Number was originally reported as 2,000 but I understand only about 1,000 were taken over by the Police as demonstrators succeeded in seizing and removing considerable number.

6. Action was taken with Premier’s authority. He was in Delhi at the time but did not (repeat not) expect serious trouble because (a) Muslim League had been demanding immediate action against R.S.S.S. and (b) declarations and searches of the kind ordered have not in the past caused trouble in themselves. Premier had no (repeat no) intention of inflaming Muslims. His sole object was to remove danger to public peace by impartial action against principal private armies of both communities. Date was fixed with reference to Police dispositions only and not (repeat not) to political considerations.

7. Premier returned from Delhi yesterday and I had conference with him, Revenue Minister and officials mainly concerned. Premier in any case had no idea that Muslim League would take him on on what he regarded as a comparatively minor issue and not a very good one from League standpoint. He had not of course contemplated or intended any arrest at all. But he could not yield to show of force and order must be maintained. Immediate law and order position is difficult and trouble will certainly spread. It will not (repeat not) be possible to assess situation for some days. Police in Lahore have been handled with great skill and restraint and no (repeat no) fatal casualties have been reported.

Repeated to Viceroy.

1 No. 306.
311

Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence

Telegram, Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 225

IMMEDIATE

CONFIDENTIAL

26 January 1947

No. 4—G. Punjab situation. Continuation earlier report.¹ Premier has decided to issue conciliatory statement and to withdraw cases against 8 accused arrested morning 24th. Statement will stress that Government of the Punjab have been actuated by law and order and not (repeat not) party considerations and will suggest original offenders acted hastily and under misapprehension. Implication of statement is that if open defiance is called off remaining prisoners will be released. Premier does not (repeat not) expect that this will do much good but hopes to rally moderate Mohammedan opinion which is not wholly unfavourable.

Repeated to Viceroy.

¹ No. 310.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 220–4

SECRET

NO. 642.

26 January 1947

I have just drafted a reply² to the Secretary of State’s telegram³ of yesterday about the arrest of the Muslim League leaders in Lahore and connected matters. This reply will be repeated to Your Excellency, but I think I had better let you have a fuller account of what has happened.

[Paras. 2–5 and the first two sub-paras. of para. 6, dealing with events up to the evening of 24 January 1947 on similar lines to No. 310, omitted.]

After 7 pm. the Home Secretary went to the Civil Lines Police Station to see the arrested leaders. He found them bitter and angry and determined to out Khizar at all costs. An aggressive crowd assembled outside this Police Station, and at one time it seemed that we were in for a difficult night. The Senior Superintendent of Police was, however, able to disperse this crowd by a severe
lathi charge. He has a comparatively small Force at his immediate disposal, and gentler methods were impossible. I am informed that several members of this crowd were more or less seriously injured, and some of them have been admitted to hospitals; but no fatal casualties have been reported.

The night of 24–25th January from 11 p.m. was quiet.

7. The leaders arrested on 24th January were remanded to judicial custody and lodged in Jail early on the morning of 25th. The Muslim League leaders seemed uncertain about their next move. The Muslim League M.L.As. present in Lahore met at 11 a.m. at the Assembly Chamber (this was a Party meeting which had been arranged some time ago.) Crowds collected outside the Chamber on two occasions, and had to be dispersed. There were also various processions and demonstrations, including one, headed by seven of the Muslim League M.L.As., who compelled the police to arrest them. There were at least two demonstrations by women, and a few women were arrested.

In the early afternoon some of the Muslim League M.L.As. still at large called a "mammoth meeting" at the Mochi Gate at 4 p.m. The Police dealt with this meeting, but ten more or less prominent persons including eight Muslim League M.L.As. had to be arrested. A Company of the Inniskillings was moved into the Kotwali during the afternoon.

Tear smoke was freely used on 25th. On both days the Police were handled with great skill and restraint, and I do not think that any demonstrator was at all seriously hurt, except some of those taking part in the demonstration outside the Civil Lines Police Station on 24th.

8. Khizar returned from Delhi after 5 p.m. on 25th, and I held a conference at Government House with him, Qizilbash, the Home Secretary, the Inspector-General of Police, and the Deputy Inspector-General of Police, C.I.D., at 6 p.m. I reviewed the situation for Khizar, and pointed out to him that it had a law and order side and a political side. It was easier to send people to jail than to get them out of jail in a co-operative frame of mind; and I realised that whatever we might be able to do to see him through, he had to watch his political flanks and to consider how far he could go without making his own position impossible (I put these points to him objectively, as the Inspector-General of Police asked me to ascertain if I could, what Khizar's final position would be. There would be little object in bold decisions if he did not intend to stick to them). Khizar took the situation quite calmly. He said he had never intended to make any arrests, and that nothing was further from his thoughts than to attack the Muslim League as a party. He had not supposed that the Muslim League would take him on on what he thought a relatively unimportant issue and not a particularly good casus belli from the Muslim League point of view. The arrests had been forced on him, and he could not as Premier yield to threats.

1 No. 310.  2 No. 306.
He was therefore determined to carry on as long as he could. He did not want to fill the jails, and action should, as far as possible, be confined to the organisers of the revolt against authority. We then decided to modify the notification under the Punjab Public Safety Ordinance specifying the uniform, emblems, etc., of the Muslim League National Guards so as to omit the reference to the flag—the description of the flag might, as it stands, be taken as banning the ordinary flag of Islam. We also drafted a press communiqué, and settled the outline of instructions to districts. District Officers are being told not to take any action as long as their districts remain quiet, but to act without hesitation against threatened or actual defiance of the law. In doing so they are to use the Ordinance or the ordinary law as may seem best, but the Ordinance may be preferable in most cases and will certainly have to be used for preventing [preventive] arrests.

9. So far no serious repercussions have been reported from districts other than Lahore, but the Muslim League M.L.A.s. not arrested have returned to their constituencies with instructions to organise defiance. Ghazanfar Ali, who was here when the trouble started and left yesterday evening for Sind, has made a nuisance of himself and intends to stimulate not only provincial, but all-India interest in Khizar’s alleged frontal attack on the Muslim League. It would be a great help if Your Excellency could keep him and his Muslim League colleagues employed at Delhi until we see how things go.

10. Khizar is undoubtedly in a difficult position, both administratively and politically; but I am not convinced that the Muslim League are as strong as they believe. They have various difficulties of their own, and an organised revolt against authority is easier to start than to maintain. We can only wait and see what happens during the next few days. Khizar’s best hope is probably to win a victory on the law and order side and then to be very conciliatory, but he is undoubtedly in for a most unpleasant time.

11. I wish to make it quite clear to Your Excellency and to the Secretary of State that I take full responsibility for what has happened. The suggestion for action came from me, and although I put no pressure on Khizar, he consulted me at all stages, and I approved his decision. For your own information, I have reason to think that Khizar did not consult his colleagues in the Cabinet other than Qizilbash. He is apt to keep law and order matters very much to himself and the Governor.

12. I am sending a copy of this letter to Wylie, Caroe and Mudie. I also enclose a spare copy in case Your Excellency would like to forward it to the Secretary of State.
26 January 1947

The comments of some of my colleagues of the Muslim League on the situation in the Punjab, caused by an open defiance, by some members of the League, of legal orders promulgated by lawful authority, have in my view transgressed the bounds of propriety and discretion, the observance of which was incumbent on them as Members of Government.

2. I do not think it is either fair or proper that Members of the Central Government should indulge in open criticism of any lawful action taken by the Provincial Government in the discharge of their responsibility. Provincial Governments have a right to expect the co-operation of the Central Government in their difficult task of maintaining law and order. That, apart from withholding it, any of us should attribute motives or make comments which would encourage defiance to lawful orders or render their task more difficult is a negation of that accommodation between the Central and Provincial Governments, which is essential if we are to avoid an open conflict between the Centre and the Provinces.

3. I feel that it is still time to prevent this dangerous tendency from becoming further accentuated and stop matters from passing from unfair criticism to open encouragement to defiance. I would, therefore, suggest for Your Excellency’s consideration that the impropriety of the action of the Members concerned may be impressed upon them and they may be informed that consistently with their duties and obligations as Members of Government, they should refrain from any comments or criticism which would be likely to embarrass the Government of the Punjab in its present difficulties. Of course, if they wish to continue in their course, the only honourable course for them is to resign.¹

¹ Lord Wavell acknowledged this letter on 27 January saying that he had ‘spoken to the Finance Member on the subject’. Wavell Papers, Official Correspondence: India, Jan. 1946–March 1947, p. 226.
GROUPING FEARS UNFOUNDED, SAYS MAULANA AZAD

Asked to clarify the Congress position on grouping, Maulana Abul Kalam Azad said in New Delhi, on Sunday, that certain doubts were unfounded and unfortunate.

"The Cabinet Mission’s Statement of May 16th", he went on, "laid down that after the preliminary meeting of the Constituent Assembly, it would divide into three sections. These sections would decide whether there would be grouping or not. Even if it was decided to form a group and a constitution framed for it, Provinces would have the right to opt out of the group after the first elections held under the new constitution.

"The question then arose as to how the section would arrive at a decision on the point. The Congress held that the representatives of a Province within the section could act as a unit and decide whether the Province should enter into the group or not. The League and the Cabinet Mission on the other hand, held that decision within the section would be by a simple majority of votes and the Provinces would exercise the right of opting out only after the first elections.

ASSAM’S FEAR.

"This made Assam nervous as Bengal has a majority in Section C. Assam fears that Bengal might so frame the constitution as to make Assam’s right of opting out a dead letter. Both the Secretary of State for India and Sir Stafford Cripps made it perfectly clear that this right of Provinces to opt out must not be tampered with.

"The manner in which the work in the section is carried out has become the most crucial issue. It is possible that Bengal may use its majority in order to frame the constitution for Assam in a manner which would in fact, though not in theory, destroy the right of the majority in the Province to opt out.

"The other method of working in the section would be to refrain from any such interference with the constitution of Assam. In that case, Assam would be able to exercise its right of opting out at the appropriate time if a group constitution was framed by the majority and if Assam so desired. Everything now depends on how the representatives of Bengal act in the section.

"The question does not arise in Section B in the same form or with the same intensity. If, however, the Punjab uses its majority to frame a group constitution against the wishes of the other Provinces, the N.-W.F.P. and Sind will be able to exercise their right of opting out."—A.P.I.
Note by Field Marshal Viscount Wavell


SECRET

27 January 1947

HIS EXCELLENCY’S NOTE OF INTERVIEW WITH MR. LIAQUAT ALI KHAN ON 27TH JANUARY 1947

1. He leaves for the meeting at Karachi tomorrow, and expects to be back on the 31st.

2. I spoke to him about the importance of the Muslim League coming into the Constituent Assembly on the lines of D.P.S.V.’s brief; pointing out that the resolution of the All-India Congress Committee was sufficient to enable the Muslim League to join, and that it was as good as could be expected in the circumstances.

Liaquat referred to a statement by the Assam Government, also to the Rules of Procedure, which he alleged had been laid down by the Constituent Assembly, binding sections as well as the Central Assembly. I said that I did not think that all these statements need be taken entirely at their face value, and that it did not seem to me that the Sections were necessarily bound by decisions laid down by the Centre, and could frame their own rules of procedure. We had a certain amount of discussion on these points generally, but he did not react strongly, and certainly did not say that the League would refuse to come in.

3. We then had a long discussion on the Punjab Government’s action against private armies. I said that I hoped that the League were not going to make an issue of this question as it seemed to me that they had not a good case, since all these private armies were a menace to law and order and obviously should not be permitted; at any rate I hoped that he would see that his colleagues who were Members of the Central Government did not make public statements against the action taken by a Provincial Government in support of law and order, as this would be an impossible position.

Liaquat reacted strongly about the action of the Punjab Government. His chief cause of complaint was that the R.S.S.S. and the Muslim Guards should

1 R/3/1/129; ff 162–3.
2 The reference is presumably to a resolution passed by the Assam Provincial Congress Committee at Gauhati on 17 January 1947 which stated that the Committee is of opinion that nothing has happened since the Assam Assembly gave the mandate to its representatives in the Constituent Assembly and its resolution passed on July 16 [Vol. VIII, Enclosure to No. 44] to warrant any change or modification about the stand taken by the Assam Assembly with regard to Sections and Groups .... The Committee reiterates that the constitution for Assam shall be framed by her own representatives only. See also No. 282, para. 4.
3 See No. 333, p. 591 and No. 355.
be treated alike. He said they were on an entirely different footing; the R.S.S.S. was an underground organization, not recognised by any political party, while the Muslim Guards were part of a political organization and had an entirely peaceful purpose, the organization and management of political meetings. He said that there would be less objection if the Punjab had banned all similar organizations, such as Congress Volunteers and the Akali Volunteers, and the I.N.A.; but these had been left untouched, while the Muslim League body had been attacked. He said that the parallel organization to the R.S.S.S. on the Muslim side was the Khaksars, whom the Muslim League disowned. If parallel action were taken against the Congress and Akali volunteers, he would not feel so strongly about it; as it was, the League could not possibly take this lying down.

Liaquat spoke quite calmly and sensibly, but obviously with strong feeling. I think that we might put his point about the Congress and Akali volunteers to the Governor.4

4. I mentioned the matter of the appointment of Judges to the Allahabad High Court. He said that these appointments should not be made on political grounds, and intimated that the recent one of Sapru had been a political appointment.

5. He agreed with my proposals about the Budget, but asked whether he should put his proposals to me first and then subsequently to the others. I said that I would leave it to him but that possibly he might first discuss them with me and then we could have a discussion together with the others. He said that it must be made clear to Nehru that he must not consult other members of his party.

6. We then had a long argument on the proposed Cabinet Committees on Appointments. Liaquat continued to indicate his dislike of the proposed procedure. His chief point really was that the League had hoped to get away with certain appointments abroad on the recommendation of the Commerce Member, without going to Cabinet, in the same way as Nehru had managed to secure the appointments of Asaf Ali and Menon. I pointed out the constitutional position, i.e., that the appointments were made by the Governor-General-in-Council and not in his own discretion; and that though I had previously always made the appointments in consultation with the Member concerned, I had always mentioned them in the Council, and that it would have been open to Members of the Council to challenge my decision and require it to be taken in Council. I admitted that I had been “bounced” over the appointment of Asaf Ali. Liaquat’s chief fear seemed to be that nationalist Muslims would be appointed, who would voice abroad the Congress point of view but would be regarded as representing the Muslims.
7. He then raised the point whether Hussein Imam could attend the forthcoming meeting of the Working Committee at Karachi. I said that as his appointment to be President of the Council of State had not yet been announced, this did not seem to be objectionable.

W.

* In tel. 180-S of 27 January Lord Wavell repeated the gist of para. 3 of this interview and asked for Sir E. Jenkins's comments on the last point. Wavell Papers, Official Correspondence: India, Jan. 1946–March 1947, p. 226.

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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence

Telegram, Wavell Papers. Official Correspondence: India, January 1946

–March 1947, pp. 226–7

**IMMEDIATE**

**CONFIDENTIAL**

27 January 1947

No. 5—G. Punjab Situation. Premier’s gesture has not (repeat not) proved immediately successful. One of his difficulties is that he has no (repeat no) direct personal contacts with opposition. With his consent I therefore sent for Mamdot this morning and spoke very frankly to him. He said Muslim League would demand withdrawal of ban on M.L.N.G., removal of all restrictions under ordinance on processions and meetings and release of prisoners. I replied on Premier’s advice that I could say nothing about ban except that if Ministers were inclined to remove it they would be obliged to lift ban on Sangh also. I thought Ministers might examine possibility of withdrawal or modification of some of orders passed under ordinance but this was a matter of local conditions on which no general decision was possible. Release of prisoners would depend on conduct of leaders. I reminded Mamdot that Khizar was constitutionally quite entitled to let him proceed with agitation until danger of communal trouble developed (as it undoubtedly would) and then resign leaving Mamdot as obvious successor to clear up his own mess. If Muslim League had interests of Punjab at heart their right course was to call off wholesale defiance of law and to resume constitutional procedure. Mamdot was amiable and said he would consult his colleagues. They were committed to big public meeting at 15-00 hours. On Premier’s advice permission was given for this.

2. Meeting duly took place and speeches by some at least of released leaders
were not (repeat not) conciliatory. It was followed by unauthorised procession which does not seem to have been great success and dispersed voluntarily after two hours. Lahore otherwise comparatively quiet today.

3. Agitation is reported from a dozen districts outside Lahore but does not amount to much except at Amritsar and Jullundur. Superintendent Police, Amritsar, seriously injured by stone or brick.

4. Premier has advised me to see Mamdot again tomorrow. Whatever Mamdot’s attitude he has decided to cancel bans on M.L.N.G. and Sangh as for external propaganda purposes he thinks this necessary step. He believes Muslim League intend to take him on about ordinance restrictions which are common to all parties and communities and he says he wants to fight on this straight law and order issue. I doubt the wisdom of withdrawing bans now but Premier has discussed matter very fully with all concerned and must decide. Lahore city has been surprisingly normal throughout and Premier says he is surprised at general lack of enthusiasm.

Repeated to Viceroy.

317

Lord Pethick-Lawrence to Mr Greenwood

L/PO/11/3: ff 210–11

SECRET

INDIA OFFICE, 27 January 1947

My dear Arthur,

I understand that in the absence of the Lord President, you are acting Chairman of the Future Legislation Committee. You are aware, of course, that before the final transfer of power takes place in India legislation will be required in Parliament. My Office have been considering the character of this legislation, and it is clear that there is a great deal of preparatory and consequential work to be done. The India Act is a very complicated Statute with a large corpus of Orders-in-Council dependent upon it. Preliminary examination shows that it will not be a matter of simply repealing the whole Statute, but that there are some provisions which will have to be kept in being and others which will require adaptation. Apart from this, India’s membership of the Commonwealth is recognised at all appropriate places in the Statute Book, and there may be various matters in the purview of departments other than the India Office on
which amending legislation will be required consequential upon the transfer of power in India. We have to be prepared for the possibility that India will become a foreign power and that will result in more numerous changes being necessary, but even if India remains in the Commonwealth some changes in existing enactments will be needed. In some cases it may be desirable in order to get matters dealt with in a satisfactory manner, to try and secure suitable provisions in the Indian constitution and in the Treaty.

Parliamentary Counsel have looked at the matter in a preliminary way and have pointed out a number of matters requiring examination. The result is sufficient to convince me that this problem should be fully examined now in all its aspects, so that when the time comes for legislation we can be sure that we make a neat job of it in a single Act, and that as few loose ends as possible are left.

We do not know, of course, when the Constituent Assembly in India will complete its task, but I think we ought to be prepared, assuming that all goes reasonably well, for legislation to be introduced early in the next Session, i.e. in November next or January next year. But as you are aware from recent Cabinet discussions, we cannot exclude the possibility that events may force the pace. In that event legislation might be required at very short notice to deal with an emergency situation and this reinforces the necessity for attention to be given to the form of the legislation required, and to the consequential amendments of the existing law.

My purpose in writing this letter is not to ask you for legislative time (I shall propose that an Indian Bill be included in the provisional programme for next Session) but since I understand that, at present, Parliamentary Counsel are precluded by standing instructions from devoting time to any legislation which has not been authorised by the Legislation Committee, to ask for your concurrence in the immediate employment of Parliamentary Counsel to co-operate in the preparatory work. It would not require whole time employment of a draftsman, but periodic consultations as the work progresses.

I should add that what I have said in relation to India is quite likely to apply to Burma also, and I should be glad if you would, contingently at any rate, read it in that sense. It is true that the constitution-making body for Burma has not yet even been formed; but when it is, probably next May, it may proceed with its task more rapidly than the corresponding Indian body, and it is not impossible that similar legislation to that required here for India may be required in relation to Burma about this time next year.

If it is necessary for this matter to be considered by the Legislation Committee I should be glad if that could be done at its next meeting or, alternatively, if you could in the meantime give approval to the work proceeding. I ask this because I understand that for the next six weeks Parliamentary Counsel would have some time available, but thereafter will become much preoccupied with
the Finance Bill and other matters. I do not suggest of course that it should take priority over work on legislation for the present session.¹

Yours sincerely,

PETHICK-LAWRENCE

¹ Mr Greenwood replied on 4 February saying that it seemed to the Committee that a Government of India and a Government of Burma Bill should be included in the list of Bills to be ready before or immediately after Christmas. The Committee also agreed that Parliamentary Counsel should be authorised to cooperate in the preparatory work required during the next six weeks. On 11 February Lord Pethick-Lawrence agreed the two Bills should be included on the list of those to be ready before or immediately after Christmas, but warned that much preparatory work remained to be done and that, in each case, the date when the expected Bill would be ready for introduction must depend upon the progress that was made by the respective Constituent Assemblies. L/PO/11/3: ff 208–9, 203.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/81: f 90

IMMEDIATE NEW DELHI, 27 January 1947, 6 pm
SECRET

No. 179–S. Your 965 of 20th January.¹ British troops. I gave in my 162–S of 23rd January² summary of discussion in Cabinet on this point. The official Indian opinion is that British troops are not required for maintenance of law and order. While Indian troops have up to date always dealt well with communal disturbances without showing communal bias, it is difficult without hampering local Commander to limit use of British troops so long as they remain in the country. This is confirmed by the Governor of Bombay’s No. 404–C dated 25th to you.³

2. I have consulted Commander-in-Chief who agrees.

¹ No. 284.
² No. 299.
³ In this telegram Sir J. Colville gave details of the numbers of troops in the vicinity of Bombay. He said that since communal rioting had begun in September 1946 British and Indian troops had sometimes been used together and at other times indiscriminately by turn. As the British troops’ barracks happened to be nearest Bombay City and as the authorities tried to avoid interfering with the training of the Indian troops, British battalions were likely to be used first in an emergency. In spite of this the proportion of British troops to the whole force used in aid of the civil power in Bombay had never exceeded approximately fifty per cent. L/P 8/3/10/83B: f 52.
319

Sir S. Cripps to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Policy

BOARD OF TRADE, MILLBANK, S.W.1, 28 January 1947

My dear Dickie,

Many thanks for your letter.¹ I will take the matter up with the P.M. when we next discuss the problem.

You have probably heard that the expected letter² has arrived and is in a very "difficult" form as I rather suggested to you that it might be.

The P.M. is now considering the next step. The delay is very irritating but I do not see how it can be avoided without creating quite undue heat and friction.

Yours,

STAFFORD

¹ No. 308. ² No. 281.

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Mr Attlee to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Policy

PRIVATE AND PERSONAL 10 DOWNING STREET, 28 January 1947

My dear Dickie,

I have heard from Wavell, but his letter¹ is very indeterminate. I am now considering the next step with my colleagues and will let you know as soon as possible.

I am so sorry not to have more definite news for you.

I have discussed it with Pug Ismay.

Yours sincerely,

C. R. ATTLEE

¹ No. 281.
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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 228

Immediate Secret

28 January 1947

No. 6–G. Your telegram No. 180–S of January 27th. Congress volunteers are not an organised body in the Punjab and are not suitable object for ban. R.S.S.S. is real Hindu private army and from attitude of Sachar towards it I assume that it would back Congress in any emergency. It has not been underground body in the Punjab though its more dangerous activities are concealed as much as possible. Akali Jathas have existed for many years but are usually formed ad hoc and are not now active. Sikhs have responded extremely well to requests not to intervene in Hazara agitation. I.N.A. not worth banning from communal point of view. Khizar has always said that he intended at some time to deal with Akali Jathas but action would be undesirable at the moment. Object of bans was to deal simultaneously with only two active communal private armies.

1 See No. 315, note 4.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&EJ/10/83B: f 46

Important

India Office, 28 January 1947, 1.50 pm
Received: 28 January, 1.45 pm

No. 1307. My next succeeding telegram contains reply of H.M.G. to representations made by your colleagues in regard to British troops as reported in your 162–S of 23rd January. If you desire to make any suggestions on the terms of the reply before you communicate it to your colleagues I shall be glad to consider them, but I hope you may find it appropriate.

1 No. 299.

2 On 29 January, Mr Abell minuted on this telegram: 'This is all right, I think. If Y.E. agrees it [No. 323] can be read out at the next meeting, and a copy given to Defence Member.' Lord Wavell agreed with this course of action.
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/83B: ff 47–8

INDIA OFFICE, 28 January 1947, 3 pm

SECRET

Received: 29 January, 7.30 am

No. 1308. Your telegram 162–S. ¹ H.M.G. have given full consideration to the views expressed by your colleagues in Cabinet on the 22nd January on the subject of the retention of British troops in India during the interim period.

2. H.M.G. are aware, of course, that the leaders of the Congress Party have throughout taken the view that the presence of British troops in India in the interim period is unnecessary. The matter was raised during the Cabinet Mission and the position of the Mission was made clear in paragraph 12 of their Statement of 25th May which reads as follows:

"There is, of course, no intention of retaining British troops in India against the wish of an independent India under the new constitution; but during the interim period, which it is hoped will be short, the British Parliament has under the present constitution the ultimate responsibility for the security of India and it is necessary, therefore, that British troops should remain."

3. H.M.G. are unable to depart from the position stated by the Cabinet Mission and are confident that the G. of I. will appreciate that for the reasons given in the Statement quoted it is not possible for them to agree to the withdrawal of British troops from India until the time comes when a final transfer of power can be made. It is far from being their wish that the interim period should be prolonged.

¹ No. 299.

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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence


IMMEDIATE

CONFIDENTIAL

29 January 1947

No. 8–G. Punjab situation. Continuation my telegram of 27th January.¹ Reports of speeches made at meeting of 27th January which were available on

¹ No. 316.
28th January showed that Muslim League leaders were bent on defiance and that it would be useless for me to see Mamdot again. Premier after full consultation with his colleagues issued statement about 13-30 hours on 28th January withdrawing ban on R.S.S.S. and M.L.N.G. but indicating that general law and order position would be held. During afternoon Muslim League leaders issued long statement and made speeches alleging that by rights they should have been put in office after general election and that they could no longer tolerate denial by coalition Ministry of civil liberties. They intimated that ban on M.L.N.G. and its removal were of no (repeat no) importance, that they had intended in any case to take direct action against coalition Ministry and that direct action would be continued until restrictions on processions and meetings were lifted and Ministry resigned. I have so far seen only press summaries of statement and speeches but Shaukat is reported to have said "Khizar Ministry must be made to go no matter what cost to Muslim League. They would put out 15 million Muslims to break law".

2. Muslim League thus place themselves in constitutional position which it is not easy to defend. They failed to form government after general elections and have not yet defeated coalition Ministry in Assembly. Budget begins on 3rd March. Their argument is that because they are largest single party they are entitled to dislodge coalition Ministry by show of force. If this argument is accepted democratic government would become impossible in the Punjab and Muslim League might ultimately suffer more than any other party.

3. Premier had foreseen that [this] constitutional issue and after uneasy day of demonstrations on 28th delivered premeditated counter-attack on night of 28th-29th. All important League Leaders in Lahore including Mamdot, Ifthikharuddin, Firoz, Daultana were arrested under Ordinance and sent for detention to places outside Lahore. Press stoppage was put on all news of agitation other than government communiqués.

Lahore still disturbed today and there have been further disturbances in other districts. No loss of life yet reported and situation generally in hand.
Repeated to Viceroy.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence
L/PO/10/24
PRIVATE AND SECRET
THE VICEROY’S HOUSE, NEW DELHI, 29 January 1947
Thank you for your letter of January 16th.1 The Muslim League in its various
manifestations has been one of my main concerns this week. I am not certain yet what the outcome in the Punjab is going to be, but you are being kept informed of the details, and, as always in India, the changes and developments are rapid. Khizar realizes that he has made a miscalculation of the strength of Muslim League feeling, and has withdrawn the bans which the Provincial Government imposed on the Muslim National Guard and the R.S.S.S. Khizar was actually in Delhi when the announcement was made, and anticipated no trouble when I saw him the day before the ban was announced. The League leaders in the Punjab now think they have got him on the run and will try to secure the downfall of his Government. We may perhaps be in for serious trouble in the Punjab, to add to our other difficulties.

2. The League’s Working Committee begins its session in Karachi today. It is difficult to get any definite indication of what is likely to happen, as most of the local leaders are unwilling to commit themselves in the absence of Jinnah. It is no use speculating about the result, which you will know before you receive this letter. My own feeling is that the League will accept grudgingly and with reservations, but to a sufficient extent to enable their representatives to take part in the work of the Constituent Assembly. But events in the Punjab may have a fatal effect on the decision.

3. You will have been relieved that Amery has called off his visit, although I do not think that there need have been cause for anxiety if he had come. Much has happened since he demitted office, and although he would have been approached by interests which might seek the support of the Conservative Party, I do not think that he personally would have had an unduly hostile reception, or would have done anything to mar the present relationship between Britain and India.

4. I am looking forward to the visit of the three representatives of the London Committee of the Indian Art Exhibition. They will stay with me for a few days. Mrs. Naidu is the Chairman of the Indian Committee, and she has been much taken up with politics; I am not sure how ready her Committee is to talk business, but I understand the financial difficulties are not likely to be serious and I will do what I can to help Mrs. Naidu. I am sure Maulana Azad, the new Education Member, will be helpful and though there are no signs yet of public enthusiasm I see no reason why the Exhibition should not be a success. But time is getting short, and much seems to have been wasted since this project was first mooted to me nearly two years ago.

5. The Constituent Assembly finished its deliberations rather earlier than had been expected, after passing Nehru’s resolution² and setting up certain committees. The wording of the resolution is not such as is likely to attract the Princes, who have a committee meeting in Delhi at the moment to consider

¹ No. 279. ² No. 190.
the lines on which they are to deal with the Negotiating Committee next week. The States have included in their sub-committee some very astute Ministers, and I would expect that they will keep the Constituent Assembly members in play until the Muslim League attitude is finally decided. Further than that, however, I do not think that the Princes are going to commit themselves at this time. The Muslim League and its press have made a grievance of the fact that the Constituent Assembly has gone ahead with these sub-committees, but I think that they realise that not much actual work is possible in present circumstances. Certainly, it will be a grave mistake for the sub-committee on tribal areas to attempt to meet the representatives of the North-West Frontier Province tribes before it has been strengthened by the inclusion of Muslim League Members.

6. I have kept you informed by telegram of the progress of the proposal for the release of I.N.A. convicted prisoners, and the future of the British troops in India. I shall hear more of these I.N.A. men, and Baldev again returned to the charge at an interview with me yesterday.

7. By and large, only routine matters of administration are now being disposed of: everything depends on a political solution. I impressed on Liaquat yesterday how necessary it was for the Muslim League to join in the work of the Constituent Assembly, and took the line that the reservations in the A.-I.C.C. resolution were only in effect a statement of the obvious. Liaquat Ali and Azad have been issuing statement and counter-statement in the press on this topic, without of course getting any further. Personal relations between the Members of the Cabinet seem quite cordial on the surface although there is little sign of official co-operation and I am told that social contacts are now lacking. I was pleasantly surprised at the reasonableness of the discussions in the Cabinet meeting on Monday last and the speed with which we got through our business.

[Para. 8, on the appointment of a Government of India representative abroad, omitted.]

9. The Congress, in spite of their opposition to compensation, have shown signs lately of realising the value of your Services. Members of the Working Committee have approached both Hutchings and Abell, and no doubt others, to stay on after the transfer of power. It is, however, clear that the offer of the same conditions of service is not quite as good as it sounds. Patel has informed the I.C.S. Central Association that all that will be guaranteed is the time-scale. As you know, all the important selection posts are well above the time-scale, which is only the basic rate of pay and the minimum given to any member of the Service. I have told Abell to clear up this point.

10. I noticed in a report the other day that the Congress Government in Bombay had decided that the only way to deal with the Communists was to
resort to detention without trial. They may well be right, but it is a strange _volte face_ from their old attitude to such executive measures; and it may come as a shock to you if they should resort to such "imperialistic" methods.

3 No. 303. 4 Nos. 299 and 318. 5 See No. 315. 6 See Nos. 309 and 314.

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Resolutions recommended by the Standing Committee of the Chamber of Princes and passed unanimously by the General Conference of the Rulers of Indian States which met in Delhi on 29 January 1947

R/1/30/39: ff 168–9

This meeting reiterates the willingness of the States to render the fullest possible co-operation in framing an agreed constitution for, and in the setting up of, the proposed Union of India in accordance with the accepted plan: and declares:

(A) That the following fundamental propositions _inter alia_ form the basis for the States’ acceptance of the Cabinet Mission’s plan:

(1) The entry of the States into the Union of India in accordance with the accepted plan shall be on no other basis than that of negotiation, and the final decision shall rest with each State. The proposed Union shall comprise, so far as the States are concerned, the territories of only such States or groups of States as may decide to join the Union it being understood that their participation in the constitutional discussions in the meantime will imply no commitments in regard to their ultimate decision which can only be taken after consideration of the complete picture of the constitution:

(2) The States will retain all subjects and powers other than those ceded by them to the Union. Paramountcy will terminate at the close of the interim period and will not be transferred to or inherited by the new Government of India. All the rights surrendered by the States to the Paramount Power will return to the States. The proposed Union of India will, therefore, exercise only such functions in relation to the States in regard to Union subjects as are assigned or delegated by them to the Union. Every State shall continue to retain its sovereignty and all rights and powers other than those expressly delegated by it. There can be no question of any powers being vested or inherent or implied in the Union in respect of the States unless specifically agreed to by them:

(3) The constitution of each State, its territorial integrity, and the succession of its reigning dynasty in accordance with the custom, law and usage of the State shall not be interfered with by the Union or any unit thereof, nor shall the
existing boundaries of a State be altered except by its free consent and approval.

(4) So far as the States are concerned, the Constituent Assembly is authorized only to settle the Union constitution in accordance with the Cabinet Mission’s plan, and is not authorized to deal with questions bearing on the internal administrations or constitutions of individual States or groups of States; and

(5) His Majesty’s Government have made it clear in Parliament that it is for the States to decide freely to come in or not as they choose. Moreover, according to the Cabinet Mission’s memorandum of May 12, 1946, on States’ treaties and Paramountcy1 “political arrangements between the States on the one side and the British Crown and British India on the other will be brought to an end” after the interim period. “The void will have to be filled either by the States entering into a federal relationship with the successor Government [or Governments] in British India, or failing this, entering into particular political arrangements with it [or them].”

(B) That the States Negotiating Committee elected by the Standing Committee of the Chamber of Princes and set up at the request of His Excellency the Viceroy in accordance with paragraph 21 of the Cabinet Mission’s plan of May 16, 1946, is the only authoritative body competent under the plan to conduct preliminary negotiations on behalf of the States on such questions relating to their position in the new Indian constitutional structure as the States might entrust to it.

(C) That while the distribution inter se of the States quota of seats on the Constituent Assembly is a matter for the States to consider and decide among themselves, the method of selection of the States’ representatives is a matter for consultation between the States Negotiating Committee and the corresponding Committee of the British India portion of the Constituent Assembly before final decision is taken by the States concerned.

2. This meeting (a) Endorses the Press statement issued on June 10, 1946,2 by the Standing Committee of the Chamber of Princes in consultation with the Committee of Ministers and the Constitutional Advisory Committee, in regard to the attitude of the States towards the Cabinet Mission’s plan; and

(b) Supports the official statement of the views communicated by the States’ delegation to the Cabinet Mission on April 2, 19461 which inter alia associated the States with the general desire in the country for India’s complete self-government or independence in accordance with the accepted plan.

3. This meeting resolves that, in accordance with this Resolution and the instructions and Resolutions of the States Constitutional Advisory Committee as endorsed by the Standing Committee of Princes and the Committee of Ministers, the States Negotiating Committee be authorised to confer with the corresponding committee of the British India portion of the Constituent
Assembly, as contemplated and declared by His Majesty’s Government in Parliament, in order to negotiate (a) the terms of the States’ participation in the Constituent Assembly when it reassembles under paragraph 19(6) of the Cabinet Mission’s Statement and (b) in regard to their ultimate position in the all-India Union, provided that the results of these negotiations will be subject to the approval of the aforesaid States’ Committees and ratification by the States.


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Mr Attlee to H.M. King George VI

R/30/1/8a: ff 96–7

10 DOWNING STREET, 29 January 1947

Mr. Attlee, with his humble duty to Your Majesty.

He has kept Your Majesty currently informed of his views on the question of the Viceroyalty of India. There is no statutory term of office for the Viceroy and at the time of appointment, as recorded in Cabinet minutes, Viscount Wavell was only given the indication that the appointment might be for three years in order to leave it open for his resignation to be requested without any sense of disappointment on his part, if the circumstances made it desirable. The three year period ended in June, 1946.

For reasons which Mr. Attlee has explained to Your Majesty, he considers that it will soon be his duty to recommend that Viscount Wavell should be replaced by Viscount Mountbatten. It is not possible at the moment for Mr. Attlee to forecast when this change will take place, but it will probably fall during Your Majesty’s visit to the Union of South Africa.

Mr. Attlee trusts that in that event a submission to this effect may be agreeable to Your Majesty, and that he may deal by telegram with any recommendation for honours which it may be desirable to submit.¹

All of which is submitted by Your Majesty’s humble, obedient Servant,

C. R. ATTLEE

¹ H.M. King George VI noted: ‘App[rove]d’. 
Immediate Secret

187–S. Secretary of State’s Services. The following outline proposals have been put forward by a Committee appointed by me and consisting of Waugh, Corfield, Coates, Porter, Hutchings and Abell.

2. They are based on the assumptions
   (a) that an immediate decision about the winding up of the Secretary of State’s Services is inevitable, and
   (b) that it is important to avoid as far as possible damage to the administration.

3. As I told Henderson I am quite sure a decision must be reached and announced at once. Otherwise we are likely to have trouble not only with my Cabinet and Provincial Ministries but also owing to the retirement of members of the Services.

4. I realise that any decision involves Parliamentary difficulties. On this I am not qualified to advise, but from the point of view of India the less that is said in Parliament the better, and I hope consultation with the Opposition may be possible.

5. The following are the proposals:

   A. Announcement. The Secretary of State should announce that he will wind up his Services with effect from 1st April 1947. From that date those of his officers who are prepared to accept service under the Government of India or a Provincial Government will forthwith be enrolled in the relevant service. In order however to prevent administrative inconvenience the Secretary of State will be prepared, on request from the Government concerned, to retain in service, under the present conditions, until 31st March 1948 at the latest, those officers who are not willing to accept service as above, but whom the Governments concerned wish to have retained in service for this period; provided

   (a) officers who have earned full pension will not be retained against their will, and
   (b) the Secretary of State will be free to make exceptions on consideration of individual cases.

   B. Right to Compensation and Leave.

   Officers taking service under the Central or a Provincial Government will
on 1st April 1947 become entitled to such compensation as the Secretary of State may announce, and to pension calculated under the relevant rules. Thereafter their terms and conditions of service will be regulated by the new agreements with the employing governments.

Officers who wish to retire and are not compulsorily retained in active service will be entitled on 1st April 1947 to (a) compensation as announced by the Secretary of State and (b) such leave preparatory to retirement and such pension as are admissible under the relevant rules.

Officers who wish to retire but are compulsorily retained in active service for a period will be entitled at the end of their active service to (i) compensation, with the option to have compensation calculated either as on 1st April 1947 or as on the date of termination of active service, and (ii) leave and pension as in (b) above.

C. PROCEDURE.

(a) Officers concerned will be asked to indicate in advance of 1st April 1947 whether or not they wish to accept service under the Central or a Provincial Government on terms offered by those governments (which it will be necessary to decide and announce beforehand).

(b) The results of this enquiry will be shown to Central and Provincial Governments and they will be asked to indicate—

(i) which of the officers among those willing to accept employment under them they desire to engage; and

(ii) which of the officers, who do not wish to accept service under a successor Government they desire to retain for administrative reasons for any period up to a date not later than 1st April 1948.

6. I agree generally with Committee’s proposals above and that date should be as early as possible. But I do not think it will be possible to carry out the necessary preliminary, i.e. (a) decision by H.M.G. (b) consideration of announcement of new terms (see C(a) above) and (c) consultation of officers concerned and then of Governments (C(a) and (b) above) by April 1st.

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Sir D. Monteath to Heads of India Office Departments

L/P & J/10/116: ff 188–9

SECRET

Heads of Departments.

Legislation to effect the transfer of power

1. It is desirable that consideration should be given as a matter of some urgency
to the legislative provision which will be necessary to effect transfer of power in India.

2. Mr. Turnbull has had a discussion with Mr. Rowlatt on these matters and a copy is annexed of a note of the points which Mr. Rowlatt has made as a result of a preliminary survey of the position. Mr. Rowlatt may produce further points later. In the meantime at Mr. Rowlatt’s request a circular letter has been addressed to all Government Departments, a copy of which is also attached.

3. Each Department of the India Office should survey very closely its field of activity with a view to bringing to notice any points on which action will be required in connection with the transfer of power in India. The survey should aim at establishing:—

(i) What provisions of the Government of India Act and the Orders-in-Council, statutory rules, and other instruments under it, must be kept in being in whole or in part.
(ii) What modification or adaptation of those provisions will be required.
(iii) What amendments of the existing law of this country, other than the Government of India Act, will be required.

In considering these matters consideration should be given to the three possible alternatives:—

(a) that India becomes a foreign State.
(b) that India remains within the Commonwealth.
(c) that power has to be transferred to more than one authority in India.

The recommendations for action should indicate, so far as possible, how they would require to be modified in the event of (b) or (c).

4. Departments of the India Office responsible for or concerned with the various matters referred to in the notes of Mr. Turnbull’s interview with Mr. Rowlatt should give those matters early consideration and should, if necessary, enter into correspondence with the appropriate Government Departments in Whitehall in regard to them with a view to reaching agreed conclusions as to what steps it will be necessary to take in each case. Any new matters which come to notice as a result of the survey of the field undertaken in the India Office and which are of concern to other Departments of H.M.G., should be brought to the notice of those Departments with reference to the circular letter, of which a copy is annexed. It is requested that copies of any such correspondence be sent to the Secretary of the Political Department (Constitutional).

5. It is desirable that the survey of these matters should be pressed forward as rapidly as possible. The aim should be for Departments to complete their investigation and to have reached conclusions on the points with which they are concerned not later than the middle of March. It is however desired that
Departments should report by the 20th February all matters which it is considered will require provision by legislation or Order-in-Council even though further time is required to consider the nature of the provision which will have to be made.

D. T. M.

3) These were principally matters relating to pensions and to jurisdiction conferred on Indian Courts for hearing appeals from Courts in Aden and elsewhere.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/S & G/7/753: ff 498–9

TOP SECRET

THE VICE-ROY’S HOUSE, NEW DELHI, 30 January 1947

My dear Pethick-Lawrence,

I am, as you know, planning for the withdrawal of British nationals from India, both in an emergency or as the result of an announcement by H.M.G. The refusal of H.M.G. to accept the proposal for a phased withdrawal naturally complicates the problem and scatters our resources. But we are working out plans in as much detail as possible.

2. There are two points which I now wish to bring to your notice. The first deals with the possibility of restricting, before any emergency occurs, the number of British families in India; the second is the arrangement for provision of shipping.

3. The total numbers to be evacuated in an emergency might be 100,000 civilians and 50,000 military, including families. This would be a very difficult and possibly dangerous operation in view of the very wide area over which the Europeans are scattered and our very limited resources. The Commander-in-Chief and I think that unobtrusive steps should be taken to limit the extent of the problem by reducing the number of non-essential British persons in the country.

4. I should like, therefore, to consult C. P. Lawson, the President of the European Association, and arrange, without causing alarm, that entirely unofficial advice should be passed out to the effect that those who have their families at home would be wise in view of the present uncertainties to leave them at home, and that those who have families out here might take the opportunity to send them home. The advice would have to be given very
cautiously, to avoid any rush at this end which would give the suggestion of panic. The result would, however, probably be to enhance the number of normal applications for passage home during the seasonal rush in March and April, and, one would hope, considerably reduce the rush in the other direction this autumn. The Commander-in-Chief would arrange to have similar advice passed round as regards the military. I should be glad of your views on this, and your agreement by telegram unless you see serious objection.

5. If such a policy is adopted, it will mean the provision of extra shipping from India this spring, it is also essential that the Director of Sea Transport should have a plan for providing the necessary shipping in the event of an emergency.

6. I am sending this letter by Hutchings, Secretary of the Food Department, who can explain the background of these proposals; and I hope you will have no objection to his having discussions with Hurcomb, the Permanent Secretary of the Ministry of Shipping, and with the Director of Sea Transport.

7. Hutchings also has my authority to discuss the question of the transfer of your Services (my telegram 187–S of 29th January), if you wish further information.

Yours sincerely,

WAVELL

1 No. 328.
2 No reply appears to have been sent to this letter. In tel. 1555 of 3 February Sir R. Hutchings told Lord Wavell that he had handed the letter to Lord Pethick-Lawrence that afternoon and that the Secretary of State had closely questioned him on it. Lord Pethick-Lawrence had reserved his position and Sir R. Hutchings was unable to give any indication of his conclusions. As regards the Secretary of State’s Services, Lord Pethick-Lawrence ‘indicated that he considered he could not hand over without Parliamentary sanction and secondly that he felt our proposals would involve him in a breach of assurances given by him and Amery to Services.’ In tel. 1723 of 6 February Sir R. Hutchings reported that he had had a twenty minutes’ interview the previous day with Mr Attlee who had expressed no definite opinion but said he would further consult Lord Pethick-Lawrence. The interview had focussed more on proposed advice to Europeans than on the Service question. R/3/1/277.

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Mr Attlee to Field Marshal Viscount Wavell

R/30/1/8a: ff 19–21

PRIVATE AND PERSONAL

31 January 1947

I have your letter of the 19th in reply to mine of the 8th. It is clear from what you say with regard to Government policy that there is a wide divergence of view as to the course which should be followed during the interim period. I
had hoped that it would have been possible for you to have returned here during January to discuss the situation which has arisen.

I am very conscious of the heavy burden which you have carried and of the great services which you have rendered during this difficult period. I know that you undertook this task from a high sense of duty.

You were, I understand, informed that your appointment was a war appointment and that while the usual term for a Viceroy is five years, this might not apply. I think that three years was mentioned. This has now expired. I know, of course, that prior to your appointment as Viceroy you had had the heavy strain of high commands in war and, as you say in your letter, you have had no rest. I appreciate that you desire a month or two’s leave at home.

But the Indian problem is entering on a new phase, which will be very exacting and may be prolonged. The next few months are of great importance.

In view of all these circumstances and of the fact that it is specially necessary that the Viceroy should be in full agreement with the policy of His Majesty’s Government, I think that you may agree that the time has come to make a change in the Viceroyalty.

I recall that you expressed your readiness to retire in the event of disagreement on policy and this would seem to me to be the appropriate course to follow.

An announcement should be made with as little delay as possible in order to allow time for the appointment of your successor and for him to take over at the end of February or early in March. The normal announcement about your successor would be prefaced with the statement “Field-Marshal the Viscount Wavell who accepted the Viceroyalty as a war appointment is now retiring”. I have not looked into details, but if as a result you are denied any leave of absence which you would normally have had, you may be sure that you will not suffer financially.

I should like to submit your name to His Majesty for the dignity of an Earldom in recognition of the self-sacrificing and loyal service which you have displayed in your long and distinguished career in India both to the Indian people and to this Country and the Commonwealth.

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1 No. 281; the date should be 17 January.  
2 No. 266.  
3 Cf Vol. IV, Nos. 2, 10, 14 and 16.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

PRIVATE AND SECRET

INDIA OFFICE, 31 January 1947

Received: 4 February

I have received no weekly letter from you since I wrote my letter of 23rd January.1 No doubt the arrival of the bag has been delayed by the present severe weather we are having.

2. I have been watching with much anxiety the development of the situation in the Punjab. It is very unfortunate that, after hesitating so long, Khizar should have taken it into his head to ban the two voluntary organisations just in the week before the Muslim League Working Committee was due to meet. I am very much afraid that the rise of temperature which has been caused will destroy any possibility there may have been of the Muslim League coming into the Constituent Assembly. The withdrawal of the ban on these two organisations as a result of Muslim League demonstrations does not appear, on the information I have at the time of writing, to have eased the situation. Jenkins’ telegram of the 29th January2 indicates that the Mulsim League in the Punjab are now out to displace the Khizar Ministry by what amounts to “direct action”, notwithstanding that they still have a majority in the Legislature. If this happens, we shall be faced with a very awkward situation and one which, owing to the unconstitutional nature of their proceedings, is certain, I should have thought, to be very damaging to Muslim League interests. Whatever may be the merits of their case, and even if it were a better one than it actually is, an attempt at a coup d’état at this stage seems to me to be merely playing into the hands of the Hindus.

3. I am not very clear as to what the possibilities would be of framing a Muslim League Government in the Punjab if Khizar’s Coalition broke up under the strain. As far as I can see from the information I have, the Coalition has a majority of about 10 but this includes 8 persons who are of no definite party allegiance, some of whom might conceivably support a Muslim League Government. Apart from this, I suppose that if Khizar fell in the sort of circumstances which have now arisen, some of the Muslim Unionists would support a League Government rather than have a Section 93 Government. It is also not impossible that the Sikhs might see an opportunity of offering support to the Muslim League in return for assurances about constitutional matters. When you reply to this letter I should be grateful if you could give me your appreciation of this aspect of the matter unless by that time we have had to deal with it by more rapid means of correspondence.
4. The repercussions here of the recent police action in Bombay and elsewhere against Communist Organisations have not yet quite died away. Yesterday a deputation nominated by a public meeting held under the auspices of the London District Committee of the Communist Party called at the India Office and were received by my Private Secretary who was handed a resolution of protest. I understand also that a question was about to be put down in the House but was disallowed by the Table on the ground that the matter involved was one solely for Provincial Governments in India.

5. We recently received from the Foreign Office a description by the Netherlands Ambassador here of a talk he had had with Krishna Menon who came to see him about Indo-Dutch diplomatic representation. The Ambassador was tempted to ask Menon what he thought of the situation in Indonesia and the attempts which were being made to reach a solution. On this Menon had little to say but he remarked "You know that we are 100% on the side of the Indonesians". To this the Ambassador retorted that if this was the case he thought the Indians were 80% wrong. The question of rice was raised and the Ambassador said that he realised India must be fed, even at the risk of starvation in Indonesia. All his information was that Indonesia had not sufficient rice to feed herself, yet India was prepared to accept rice from this area. Menon said the Ambassador surely did not wish to impute that India was prepared to let Indonesia starve in order to feed herself and the Ambassador replied that that was precisely what he was suggesting. According to the Ambassador, Menon grew much more polite as a result of these lively exchanges and they parted on much more friendly terms.

6. Menon has recently been in Brussels where he is reported to have had a conversation with M. Spaak. He is now off to the Hague.

7. I was grateful to you for sending me, with your letter of 15th January, No. 152/2, the Statesman article of 15th January about compensation for the Services. The article was certainly based on a number of serious misconceptions of which the Editor of a newspaper of the standing of the Statesman ought not to have been guilty. Its effect will, I imagine, be only to exacerbate feeling on a problem that is already intractable enough. We here are actively considering the next step in the light of Henderson's report and of your telegram No.

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1 No. 301.
2 No. 324.
3 This letter forwarded, with critical comment, a copy of the Statesman article. The article itself was critical of the scale of the compensation terms reported to be under consideration for members of the S. of S.'s Services. 'It is highly regrettable', the author concluded, 'that some in the Services should give the impression that the Services as a whole are concerned merely with their own personal fortunes. Individuals have the right to be so. But happily there are still some who uphold the old tradition of faithful service and are ready, if India wants them, to continue to serve. For their sake it is very desirable that the wishes of the money-grubbers should not be met. Retirement on proportionate pension, or, alternatively with a lump sum gratuity seems, except in very rare cases, all that can justly be asked. Inducements should properly be offered to stay, not to go.' L/PO/7/4.
In particular, it is necessary for us to decide whether Patel should be released from his undertaking to Henderson not to bring the matter before your Executive Council until Henderson had had an opportunity of reporting to His Majesty’s Government.

8. Your formal recommendation for the condonation of the deficiency in the effective service for special additional pension in the case of Measures was received recently and I have passed it, with my blessing, to my Advisers who have given their concurrence.

9. I am pleased to learn from your letter of the 14th January[5] that Bengal and Bihar have ironed out their differences over the Damodar Valley project and I do hope, with you, that this scheme which has been on the stocks for many years can now be undertaken. There will need to be some careful thought at the Centre over the finance and co-ordination of this and other schemes, where the interests of more than one Province or of a State are involved. The Centre can today take a prime part in guiding and financing these schemes but it will not have the same power to do so under the Union plan. The control, conservation and utilisation to the utmost of India’s water resources will largely determine the possibilities of increases in crop yield, and, by the supply of cheap power, of the exploitation of her mineral wealth and of industrial development, and I am glad Nehru appreciates this.

[Paras. 10–12, on the Royal Charter for the National Institute of Sciences of India; para. 13, on possible subscribers to the Indian Art Exhibition in London; and para. 14, on the Statement issued at the conclusion of discussions with the Burma Delegation, omitted.]

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Resolution passed by the all-India Muslim League Working Committee at Karachi on 31 January 1947

R/3/1/130: ff 233–5

The Working Committee of the All-India Muslim League have given careful consideration to the Statement issued by His Majesty’s Government on December 6th, 1946,[1] the resolutions passed thereafter by the Congress Working Committee on December 22nd, 1946,[2] and by the All-India Congress Committee on January 6th, 1947,[3] the speeches delivered by responsible leaders of the Congress at the A.I.C.C. session referred to above, and the proceedings of the Constituent Assembly during its two sessions so far held: and record their views as follows:—
By their Statement of December 6th, His Majesty's Government admitted that the interpretation which the Muslim League had always put on paragraphs 19 (V) and 19 (VIII) of the Cabinet Mission's Statement of May 16th was the correct one and accorded with the intention of the Cabinet Mission and His Majesty's Government. By that Statement it was always [also] proved that the Congress, on the other hand, had "put forward a different view" and therefore had not accepted what His Majesty's Government themselves described as "this fundamental point", namely, that decisions in the Sections, including questions relating to the settling of the constitutions of Provinces included in each Group, "should, in the absence of agreement to the contrary, be taken by a simple majority vote of the representatives in the Sections". His Majesty's Government, furthermore, added that "this statement, as so interpreted, must therefore be considered an essential part of the Scheme of May 16th for enabling the Indian people to formulate a constitution which His Majesty's Government would be prepared to submit to Parliament". Accordingly, in their Statement of December 6th, they urged the Congress to accept "this reaffirmation of the intention of the Cabinet Mission", or in the alternative to refer the point to the Federal Court at a very early date.

In their Statement of December 6th, His Majesty's Government also affirmed that the Congress had agreed that other questions of interpretation of the Statement of May 16th which might arise might be referred by either side to the Federal Court whose decisions should be accepted, and, on the assumption that Congress had agreed to this procedure, His Majesty's Government asked the Muslim League also to agree to it in order to ensure that "the procedure both in the Union Constituent Assembly and in the Sections, may accord with the Cabinet Mission's Plan".

Thirdly, His Majesty's Government, in the last paragraph of their Statement of December 6th, reiterated the fact that "there has never been any prospect of success for the Constituent Assembly except upon the basis of the agreed procedure", and they repeated the assurance: "Should the constitution come to be framed by a Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty's Government would not, of course contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling parts of the country". The meaning and the application of this assurance was further clarified by Sir Stafford Cripps in his speech in the House of Commons on December 12th, 1946, when he said: "But the Government also had to envisage the possibility in the clause in the final paragraph of the Statement. This was perhaps a statement of the obvious—that if the Muslim League could not be persuaded

\[1\] Appendix to No. 166. \[2\] Enclosure to No. 222. \[3\] No. 253. 
to come into the Constituent Assembly, then parts of the country where they were in a majority could not be held to be bound by the results”.

The situation created by the issue of this statement by His Majesty’s Government was that the onus of taking the next step fell on the Congress and they were called upon:

(i) to accept honestly and unequivocally the correct interpretation of paragraphs 19 (V) and 19 (VIII) of the Cabinet Mission’s Statement of May 16th, which interpretation had been already accepted by the Muslim League, or to refer the point to the Federal Court,

(ii) to reaffirm that they accepted the procedure for the settling of other questions of interpretation that might arise, so that the decision should accord with the basic and fundamental principles of the Scheme of 16th May, 1946, namely, that either side could refer such questions to the Federal Court whose decisions would be binding on all concerned, and

(iii) to postpone the session of the Constituent Assembly which had been called for the 9th December, 1946, pending settlement of the dispute over fundamental points of principle and procedure which had been brought to the fore by the Statement of December 6th and the correct interpretation of which the Congress had not accepted, as was made clear in that Statement, there being no prospect of success for the Constituent Assembly without such agreement, particularly on the part of the Congress.

The Working Committee of the All-India Muslim League regret to note that the Congress have reacted to the situation created by the Statement of December 6th in a manner which shows that they are determined to adhere to their own views and interpretations of fundamental provisions in the Cabinet Mission’s Statement of May 16th, which militate against clearly expressed intentions and interpretations of the authors of that Statement as well as of His Majesty’s Government as a whole and which destroy the very basis on which the constitutional plan set forth in that Statement had been drawn up. By their resolution of December 22nd the Congress Working Committee rejected the suggestion that the point in dispute should be referred to the Federal Court if Congress did not accept “this reaffirmation of the intention of the Cabinet Mission”, and that Committee decided to convene a meeting of the All-India Congress Committee for the purpose of giving a decision on the issues raised by the Statement of 6th December. The Working Committee of the Congress, however, in their resolution indulged in an attack on the British Government for their renewed interpretation and clarification which had called the Congress bluff, and on the Muslim League for no other fault except that its stand had been at last vindicated.

The All-India Congress Committee, by its resolution passed on January 6th, purported “to agree to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the
Sections”, about which there never was any doubt in the mind of any sane and honest person, but it immediately added the following qualifying clauses:

“It must be clearly understood, however, that this must not involve any compulsion on a Province and that the rights of the Sikhs in the Punjab should not be jeopardised.

“In the event of any attempt at such compulsion, a Province or 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.

“The future course of action will depend upon the developments that take place and the A.I.C.C., therefore, directs the Working Committee to advise upon it, whenever circumstances so require, keeping in view the basic principle of provincial autonomy”.

These qualifying clauses, in the considered opinion of the Working Committee of the All-India Muslim League, confer the right of veto within the Section on “a Province”, and what is more absurd—on “a part of a Province”, as well as on the Sikhs in the Punjab, and therefore they completely nullify the advice or so-called “acceptance” by the Congress of the December Statement, and this A.I.C.C. resolution is no more than a dishonest trick and jugglery of words by which Congress has again attempted to deceive the British Government, the Muslim League and public opinion in general.

The question or issue was a very simple one. What was required was a straight and honest answer—and not these evasions, equivocations and camouflage from one of the two major contracting parties to the questions whether the Congress honestly and sincerely agreed to the proposals of the 16th of May as clarified by His Majesty’s Government on the 6th December 1946, and whether they were prepared to honourably abide by them and carry out the letter and spirit of the proposals which were put before the two major parties by the British Government, who were merely acting as mediators, as, unfortunately the two major parties had failed to come to any agreement at Simla and the Conference at Simla had broken down.

Of the second point in His Majesty’s Government’s Statement of December 6th, namely, the procedure whereby either side could refer other questions of interpretation to the Federal Court, the resolution of the A.I.C.C. makes no mention, but the mover of the resolution, Pandit Jawaharlal Nehru, on being questioned on the second day of the A.I.C.C.’s deliberations as to whether the Congress had agreed to this procedure, categorically answered in the negative and declared:

“Apart from this, in view of recent developments and the Statement of December 6th, which produces a new situation I am not prepared to admit for an instant that we have agreed to any future procedure about references. Whatever the future brings we shall have to consider it. I should like to make it perfectly clear that we are giving no assurance about any references in regard
to any other matters to the Federal Court . . . . We are not going to commit ourselves at the present moment to any reference to the Federal Court or to any other authority. We shall decide—or the Constituent Assembly shall decide—as we think best in the circumstances."

With regard to the 3rd point, namely, that "if a constitution came to be framed by a Constituent Assembly in which a large section of the Indian population had not been represented", such a constitution would not be forced upon any "unwilling parts of the country", the A.I.C.C. resolution, in paragraph 3, completely distorts the meaning and application of this principle and makes this an excuse to instigate a section of the population of Assam, the North-West Frontier Province, the Sikhs and even Baluchistan, to revolt against decisions that might be taken by the relevant Sections sitting as a whole and by simple majority vote. In the opinion of the Working Committee of the All-India Muslim League the subsequent decision of the Assam Provincial Congress not to abide by the procedure laid down for Sections and its reiteration that "the Constitution for Assam shall be framed by her own representatives only" is a direct result of this instigation and is a step taken by Assam Congressmen in collusion with the All-India leaders of the Congress.

The Constituent Assembly met on the 9th December and subsequent dates and thereafter on the 20th January and subsequent dates and has already taken decisions of vital character so far as it is known to the public; and as some of the sittings were held in camera it is very difficult to get correct information as to what other resolutions it has passed or what decisions it has already taken. It has passed a resolution known as Independent Sovereign Republic Resolution laying down the objectives.

It is not only a proclamation of India as an independent sovereign republic but it lays down fundamentals of the constitution as was admitted by Pandit Jawaharlal Nehru, the mover of the resolution. It is a very vital resolution. It lays down the essentials of the next constitution; several things which are mentioned there are fundamentals of the constitution. It speaks of a republic or "Union", functions and powers vested in the "Union" or as are inherent or implied in the Union and resulting therefrom, and talks of present boundaries, states and present authorities, the residuary powers, powers being derived from the people, minority rights and fundamental rights. These are undoubtedly fundamentals of the constitution and they are beyond the limit of the powers and the terms of the scheme of the Cabinet Mission of 16th May and the resolution is therefore illegal, ultra vires and not competent to the Constituent Assembly to adopt.

Next, it has appointed several committees and has proceeded to elect Advisory Committee, referred to in paragraph 20 of the Statement of the Cabinet Mission and the Viceroy on the rights of citizens, minorities, tribal and excluded areas. Further it has appointed a Steering Committee and various other
Committees and as some of the decisions have been taken in camera, it is very
difficult to say what resolutions it has passed or decisions it has taken. It has also
passed the "Rules of Procedure" and assumed control of Sections by means of
these rules for which there is no warrant or justification, particularly Rule 63,
which runs as follows:—

"63(1) The Assembly shall, before finally settling the Union Constitution,
give an opportunity to the several Provinces and States through their Legis-
latures to formulate, within such time as it may fix, their views upon the
resolutions of the Assembly outlining the main features of the Constitution
or, if the Assembly so decides, upon the preliminary draft of the Constitution.

(2) Before the Constitution of any Province is finally settled or the
decision to set up a Group Constitution for the Section in which the Pro-
vince is included is finally taken, an opportunity shall be given to the Province
concerned through its Legislature to formulate, within such time as may be
fixed for the purpose, its views—

(a) upon the resolutions outlining the main features of the Constitution or, if
the majority of the representatives of the Province in the Assembly so
desire, upon the preliminary draft of such Constitution,

and

(b) upon the preliminary decision of the Section concerned as to whether a
Group Constitution shall be set up for the Provinces included in the Section
and, if so, with what provincial subjects the Group should deal."

And lastly, it has appointed a Committee to define the scope of the Union
subjects whereas the position was made quite clear, immediately after the
statement of the 16th of May was issued, by the Secretary of State for India
in his broadcast and by Sir Stafford Cripps at his Press Conference where he
read out an explanatory statement. Both of them stated in the clearest possible
terms, the time and manner in which group constitutions were to be framed by
the sections concerned before the Union Constitution was taken up. The
Secretary of State said:7

"After a preliminary meeting in common, these representatives of the
Provinces will divide themselves up into three Sections. These Sections will
decide upon provincial and Group matters. Subsequently they will reunite to
decide upon the constitution for the Union."

Sir Stafford Cripps at his Press Conference said:8

"So the three sections will formulate the provincial and Group constitutions
and when that is done they work together with the States' representatives to
make the Union Constitution. That is the final phase". And the Union is
strictly confined to three subjects.

It is clear from the above that the Constituent Assembly, in which only

5 See No. 315, note 2. 6 No. 190. 7 See Vol. VII, No. 304.
8 See Vol. VII, No. 305.
the Congress Party is represented, has taken decisions on principles and procedure some of which exceed the limitations imposed by the Statement of May 16th on the Constituent Assembly's functions and powers at the preliminary stage and, which, further impinge upon the powers and functions of the Sections. By taking these decisions in the Constituent Assembly and by appointing packed Committees consisting of individuals chosen by the Congress, the Congress has already converted that truncated Assembly into a rump and something totally different from what the Cabinet Mission's Statement had provided for.

In view of these facts and circumstances the Working Committee of the All-India Muslim League are definitely of the opinion that the Congress, by rejecting this final appeal of His Majesty's Government to accept the correct interpretation of fundamental procedure of the Cabinet Mission's Statement of May 16th, and by having already, by the resolutions and decisions taken in two sessions, converted the Constituent Assembly into a body of its own conception, has destroyed all fundamentals of the statement of the 16th May and every possibility of compromise on the basis of the Cabinet Mission's Constitutional Plan. The Working Committee accordingly call upon His Majesty's Government to declare that the Constitutional Plan formulated by the Cabinet Mission as announced on May 16th has failed because the Congress after all these months of efforts have not accepted the statement of 16th May 1946, nor have the Sikhs, nor the Scheduled Castes.

The proposals of 16th May could only be given effect to and carried out if the two major parties agreed to accept them. The Congress had not and have not accepted and do not accept them, although the Muslim League had accepted by their resolution the statement of 16th May 1946, as far back as 6th June 1946. But in view of the fact that the Congress refused to accept the proposals in toto and unequivocally, the Muslim League had to withdraw its acceptance on the 29th of July 1946.⁹

The Working Committee of the All-India Muslim League are, 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 Muslim League, was 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.

In view of these facts and circumstances the Working Committee are clearly of opinion that as the Congress as a major contracting party has not accepted the statement of 16th May 1946, as clarified by the Statement of His Majesty's Government of the 6th of December 1946, no useful purpose will be served by summoning a meeting of the Council of the All-India Muslim
League to reconsider its decision of the 29th of July 1946, whereby it had withdrawn the acceptance of the Cabinet Mission's plan of 16th May 1946.

* See Vol. VIII, No. 86.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: f 8

MOST IMMEDIATE
NEW DELHI, 1 February 1947, 1.20 pm
SECRET Received: 1 February, 9.30 am

No. 201-S. You will have seen reports of the League resolution demanding the dissolution of the Constituent Assembly. The Congress can now hardly fail to demand the dismissal or resignation of the League Members of the Cabinet. I propose however to send for Nehru today and ask him to consult his colleagues and let me have his views as to what should be done. I think the Congress are more likely to take a realistic view if I take the initiative rather than leave them to bring pressure to bear on me.

2. It seems to me that the League have taken an unwise and shortsighted decision. If the Congress insist on the departure of the League from the Cabinet I do not see how I can resist, though I shall point out to Nehru that there are grave disadvantages from the Congress' point of view in breaking up the Coalition Government. I will report developments as they occur.

* No. 333.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/77: f 443-4

MOST IMMEDIATE
INDIA OFFICE, 1 February 1947, 12.30 pm
SECRET Received: 1 February, 7.15 pm

No. 1503. If you have not already arranged to see Nehru I think it would be preferable to wait until Nehru approaches you, though your purpose in keeping the initiative in your own hands is appreciated. I apprehend that to precipitate matters by an invitation might give Congress ground for asserting later that you had afforded opening to them to demand resignation of League.

2. If however meeting with Nehru has already been arranged or if he asks
for one I suggest you take line that new situation has been created, that it is most undesirable and dangerous to do anything precipitate, using arguments that you indicate. If he formally asks for removal of League from Government you could say that you must refer matter to H.M.G. We have at present seen no more than most summary account of League resolution.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: ff 11–12

NEW DELHI, 1 February 1947, 10 pm

Revised: 1 February, 10.15 pm

No. 203–S. I saw Nehru for half an hour this evening. I told him how much I regretted the League decision which seemed to leave no loophole. A final breach between Congress and League would have serious effects on the country. There could be no question of H.M.G. dissolving the Constituent Assembly or reversing their policy but obviously a Constituent Assembly without the League and possibly without the States could not make an acceptable Constitution for India as a whole.

2. As to the Central Government I said that Congress were in a position to demand the resignation of the Muslim League members, but whether we should be able to carry on the administration of the country more effectively with the League in active opposition than with them in the Government was a matter for careful consideration. The crisis had come at an awkward time with the Budget Session of the Assembly just beginning. I asked Nehru whether he had had time to consider the matter with his colleagues and had any views to put forward.

3. Nehru said that the work of the Constituent Assembly would go on but that obviously they could not force a constitution on a reluctant Province. He thought that they would probably draw up a model outline Constitution for a Province and then send it round to Provinces for discussion by the Provincial Assembly. They would discuss with States Negotiating Committee on 8th February and see how far the States were prepared to cooperate with the Constituent Assembly. The meetings of the various Committees had been postponed till the end of February in the hope of Muslim League and States joining.

4. As to the Cabinet, the matter required careful consideration. It was not merely that the League had refused to join the Constituent Assembly, but that
until the Bombay resolution was withdrawn they were committed to a policy of direct action, i.e. of active opposition to the Government of which they at present formed part.

5. Nehru was subdued and seemed to realise the difficulties and dangers of the position and the need for careful consideration. I asked him to let me have his considered views as early as possible.

6. I will see Liaquat as soon as he returns to Delhi.

7. Since this was written I have received your 1503. Full text of League resolution was telegraphed to you this morning.

1 At noon on 1 February Lord Wavell had seen Sardar Patel who had remarked that the League Resolution 'was uncompromising and left no loophole'. Note by Wavell, 1 February 1947. R/3/1/130: f 6.

2 No. 335.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/P&J/10/77: ff 282-93

TOP SECRET

THE VICE ROY’S HOUSE, NEW DELHI,

3 February 1947

Received: 17 February

Dear Pethick-Lawrence,

I forward herewith a copy of a note on policy by my Joint Planning Committee.

Since H.M.G. has refused to accept the proposal for a phased withdrawal by territorial stages, this Committee has now proposed a phased withdrawal by what may be termed “gubernatorial” stages. This process is as a matter of fact already inevitable, unless there is a complete reversal of policy, and has already gone far. What is proposed by the Committee is simply to give a date limit for the various stages.

2. We are in fact on the horns of a dilemma. Our object is a peaceful transfer of power with as little disturbance as possible. On the other hand, our power to influence events is rapidly diminishing, and the prospects of agreement between the main parties and of the production of an acceptable constitution seem to be receding with almost equal rapidity. I can see no prospect of a constitution being formed by the end of 1948. Should we then announce a date for our final departure or not?

3. The arguments for and against are nicely balanced, thus:
For such an announcement

(a) We have no longer any real power to control events, and to retain responsibility without power is useless, undignified, and dangerous.

(b) The main Parties will never come to an agreement if a Third Party is there to whom either or both can appeal; without us they will be forced to come to a modus vivendi.

(c) If we stay, we may become involved in a situation like that of Palestine, when we can neither emerge with credit nor stay with safety.

(d) The longer we stay, the more power we are bound to place in the hands of the majority party, the Hindus, to the detriment of the Minorities, and probably of the States.

Logically therefore it would seem to the advantage of all parties—Hindus, Muslims, States, ourselves—that we should leave at an early date and let them settle their disputes without our intervention.

Against such an announcement

The arguments are almost purely psychological. We still have very considerable influence and prestige with Indians; and whatever they may say in favour of our immediate withdrawal many of them do still look to us for help and advice and we do still command their confidence in great measure. Further, it goes against the grain to leave India to confusion if there is still any chance of our preventing it by remaining. In the eyes of our own people and of the world we may also seem to be renouncing a duty—“one task more declined, one more footpath untrod”.

It really comes to this, should we take the risk of being forced to withdraw in danger and ignominy, or stop on without power in the hope of still being able to help India to her destiny?

4. The choice of a line of action is not easy. I agree with most of what the Committee has put forward, but I do not think they have made quite clear their idea in recommending a date for the withdrawal of British troops without at the same time announcing a date for the final transfer of power. This would be contrary to the policy of H.M.G. given in their telegram 1308 of 28.1.47. But the idea of the Committee was that while the withdrawal of the troops would be equivalent to a transfer of power, it should not be announced as such, in order that there should still be a Constitution in force, that of 1935, though the only symbols of it would be the Governor-General and the Governors, as in a Dominion, and even these might be Indians.

5. For the moment the only advice I can offer to H.M.G. is to take a decision about the Secretary of State’s Services as early as possible.

A little later in the year H.M.G. must take a definite decision about the final transfer of power, since I consider at least one year’s notice must be given. I think that if H.M.G. take a decision at once about the winding up of the
Secretary of State’s Services, they can perhaps afford to wait till say June to make a definite decision on the date of withdrawal of British troops. By that time the effect of the Services decision will be known and the general development of the political situation will be apparent.

But by June at the latest H.M.G. must definitely decide how much longer they will retain responsibility for India.

6. The note was written before the League passed their Karachi resolution, but that does not affect the general thesis or the plan.²

Yours sincerely,

WAVERELL

Enclosure to No. 337

TOP SECRET

NOTE BY JOINT PLANNING COMMITTEE
(Reference para. 5 of the Directive)³

31.I.1947
(As finally amended)

In some ways the general situation may for the moment appear more satisfactory than it was during most of 1946, since the Muslim League, which last Autumn threatened direct action and revolution, is now a partner with the Congress in the Interim Government. But that is only a superficial view. The coalition in the Interim Government is little more than a façade; its members have no common policy and seldom meet except at formal cabinet meetings. The Central Government has been Balkanised and is becoming daily more ineffective. Much essential business is held up because an inter-departmental policy is needed and none can be agreed. Even if a policy is arrived at, the authority of the Centre vis-à-vis the Provinces (even the Congress Provinces) is weakening. This is true for instance of the vital fields of food and textile controls.

2. In the Provinces the administration continues to run down. The Police are, in many Provinces, demoralised and this is largely due to Ministerial inpettitude. An outstanding example is Bihar. Private armies are tolerated by the Ministries. Communists and Left Wing Congressmen are allowed to carry on revolutionary and subversive propaganda. Labour is very restless, largely because of communist influence, and strikes in essential industries threaten the whole economy of the country. All such unrest is fomented and exploited for political ends.

1 No. 323.
² On 17 February Lord Pethick-Lawrence circulated Lord Wavell’s letter and the Joint Planning Committee Note to members of the India and Burma Committee under the reference I.B.(47)17. L/P 8/10/77: f 271.
³ Not traced; see, however, No. 291, para. 1.
3. These are grave symptoms but the greatest danger as always is communality. In spite of the 'Coalition' at the Centre Hindu-Muslim feeling is perhaps more bitter than it has ever been and even the most optimistic doubt whether there is any real prospect of Hindus and Muslims living amicably together.

4. The general outlook in fact is gloomy, but there is for the moment no strong anti-British agitation and with the two major parties in the Interim Government there is something of a breathing space. It may be short-lived, and cannot justify inaction. Waiting on events will be fatal. India can now only solve her problems for herself, and will be hampered in solving them unless positive steps are taken for an early completion of the transfer of power.

5. There is no sign of the Constituent Assembly producing a constitution by the end of 1948. It is probable that we shall have to hand over before a new constitution is framed, and we must have a plan for the purpose.

6. How can the final transfer of power be effected? It is not ordinarily appreciated how much power has already been transferred. Popular governments are in effective control both at the Centre and in the Provinces. The unmistakable indications that H.M.G. will transfer their authority altogether within a short while have made it a matter of common prudence for 'loyal' Indians whether official or non-official to make their peace with the political parties. In fact the process of transfer of power has gone so far that it is inevitable that it should continue and its pace will increase with the rapid Indianisation of the officer ranks of the fighting services.

7. But however much power may already have been transferred, it is most important that the final stage should not be so sudden as to threaten India's stability. There should also be adequate warning about H.M.G.'s intentions. It would not be fair to the Interim Government or to the Provincial Governments suddenly to move all British troops out of the country without previous warning. In order to make the planning of the future Indian Armed Forces possible H.M.G.'s intentions need to be made clear a year in advance.

8. It would also be unfair not to give adequate warning to the States, who have been told that paramountcy will be retained throughout the interim period. They anticipate at present that this period may be prolonged. If it is to be short they will have little time in which to make, in consultation with the Central Government, the new arrangements necessary to ensure the maintenance of essential services and to obviate the disintegration which must result without such arrangements from the independence which the lapse of paramountcy will thrust upon them.

9. Adequate warning is necessary for two other reasons. British businesses in India must be given a chance to decide their policy, and there must be time to arrange a programme of additional shipping so that those British men, women
and children who will leave the country, either temporarily or permanently, can be provided with passages. From our enquiries it is clear that an announcement about the withdrawal of British troops would lead to a much larger demand for passages, and there will be demands from Indians as well as Europeans.

10. Thus the transfer of power must be phased, and the outline of the programme must be known well in advance. To meet these requirements the Viceroy proposed that H.M.G. should decide on a definite programme of phased transfer of territory to Indian control and that the first stage (withdrawal of British troops and civil servants from the South of India) should be announced and carried out at an early date. This scheme had the advantages of retaining a measure of power for the Governor General but H.M.G. considered it impracticable and rejected it.

11. Can there not be a phased transfer of authority instead of a phased transfer of territory? The most important features of such a policy would be as follows:

(1) There would be gradual adoption of the convention that India is treated as a Dominion.

(2) Similarly the convention would be allowed to grow up that the Governor General and Governors act on advice.

N.B. These two processes have gone a long way already.

(3) Consistently with this general policy it is necessary to meet at once the demand of the parties for the winding up of the Secretary of State’s Services. If however the Central Government and the Provincial Ministries so desired British officials who wish to go could be compulsorily retained in service until say March 1948, with the object of preventing administrative dislocation.

(4) The officer ranks of the Indian Army are already being rapidly Indianised, more rapidly Indianised than is generally appreciated.

(5) Paramountcy in relation to the Indian States will gradually lapse, and there will be a gradual return to them of the rights surrendered to the Paramount Power. A policy on these lines has already been outlined to Residents by the Political Adviser.

(6) It would be announced in July 1947 that British troops will be withdrawn in the last quarter of the calendar year 1948. This would give the Interim Government time to plan and would give fair warning to the British population. British troops would not however be reduced below the figure of roughly 20,000, which they will reach in January 1948, until the final withdrawal.

12. A gradual process of this sort would reduce greatly the administrative difficulties attending the transfer of power. The objection so far has been the
fear of ‘handing over to the Congress’ without safeguards being secured for the Minorities. But (a) we are now left with no alternative and (b) the announce-
ment that British troops are to be withdrawn will make it clear that they will not be used to support a Hindu Raj.

13. We attach great importance to the early winding up of the Secretary of State’s Services. This would mark a decisive stage in the gradual transfer of power. The Secretary of State’s control is already an anachronism, and attempts to protect the Services, while often ineffective, cause unnecessary friction with the Ministries.

14. The early withdrawal of British troops is also an essential part of the policy. Whatever our desire to ensure peace and stability we cannot make British troops available indefinitely to perform internal security duties, and support in power what may be a party or a communal government.

15. On the withdrawal of the British troops the final transfer of power would in fact have taken place, and it would presumably be necessary for the Indian Government to legislate so as to introduce an oath of allegiance to India (instead of the King) for Indian personnel of the armed forces. If India re-
mained for the time being a Dominion British officers of the Indian Armed Forces could be retained as Commanders provided certain necessary conditions were incorporated in an agreement with the Government of India. If however India did not remain in the Commonwealth or failed to execute an agreement British personnel would be limited to the role of advisers in the Indian Armed Forces, and even in that capacity could only serve if there was a treaty which provided _inter alia_ for direct access to and protection by H.M.’s Ambassador in India.

16. The rough programme would be as follows:—

April or May 1947 — Secretary of State’s Services wound up.
July 1947 — Announcement that British troops would be with-
drawn in the last quarter of the calendar year 1948.
September 1947 to
April 1948 — Regular programme of extra shipping to provide transport for those who wish to leave India.
31st March 1948 — Release of those S/S officials who have been com-
pulsorily retained in service at the request of the Indian Governments (cf. para. 10 (3)).

Last quarter of
calendar year 1948 — Departure of British troops.

N.B. There is much to be said for giving the Interim Government the longest possible notice (in confidence) about the intention to announce in July 1947 that British troops will be withdrawn at the end of 1948. This will be likely to earn the goodwill of the Interim Government. On the other hand if the information
leaked out it would be necessary to make a public announcement and in order to prevent a large demand for passages to the U.K. during the hot weather it is considered desirable that the public announcement should not be earlier than July 1947.

17. The underlying principle of this policy would be to throw an increasing weight of responsibility on the parties and especially on the Congress as the majority party at the Centre. Since an increasing measure of power would also be transferred it may be that neither party could afford to resign and leave the other in undisputed possession of such great authority. H.M.G.'s action in announcing the departure of British troops towards the end of 1948 could not legitimately be criticised as hasty since the Congress have asserted that they anticipated being able to frame a new constitution within two years of the inception of the Constituent Assembly.

18. Whatever we do there is a very grave risk that owing either to revolution or to creeping paralysis of the administration the country may lapse into confusion. But the policy we advocate apart from being apparently almost inevitable, provides the maximum amount of continuity, gives a chance of maintaining the integrity of the Indian Armed Forces and of securing a friendly and stable successor Government, and steadies the process of transfer of power.

19. Though there would be an announcement that British troops will be withdrawn in the last quarter of the calendar year 1948 there would be no date on which in the absence of a new constitution the old constitution would cease to function. If after the withdrawal of British troops the Indian Governments in power wished the Governor General, Commander-in-Chief and Governors to continue in office and gave reasonable assurances, no doubt H.M.G. would be prepared to consider the matter. Otherwise it would be desirable to appoint Indians to these posts in consultation with the Governments concerned and to let them take over about the same time as the withdrawal of British troops. It is just possible that if India continued for a time under the present constitution she might ultimately find herself persuaded to remain in the Commonwealth rather than become independent.

20. We cannot advise what Parliamentary action is necessary to get authority for this policy but the only points that must inevitably be announced are the winding up of the Secretary of State's Services and the withdrawal of British troops. From the Indian point of view there are great advantages in avoiding a spectacular debate in Parliament. The transfer should be carried out as quietly as possible and the existing constitution should be allowed to run on until another is substituted. The Act of 1935 is by no means ideal for such a purpose but it can be adapted by convention. The control of the Secretary of State will for instance disappear. If the Government of India holds together and can put
through the necessary legislation it may do so, but it is more likely that an attempt will be made to carry on with the constitution more or less as it stands until another is passed. In any case there should be no deliberate destruction by us of the façade of the continuing Government of India.

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Sir D. Monteath to Sir O. Sargent

L/P&J/10/122: ff 43–55, 71, 77

TOP SECRET

My dear Sargent,

Would you kindly refer to your letter of 17th December about India’s future relations with the Commonwealth.\(^1\)

In the light of the replies from yourself, Machtig\(^2\) and Gater\(^3\) we have now prepared the attached draft memorandum for Ministers. I think it would be most useful if we could meet to discuss this draft on the official level before I put it forward to my Secretary of State. I have no doubt that he would consult your Minister on it before it is circulated.

I would emphasise that this memorandum is intended to accompany a memorandum\(^4\) making proposals as to what we should seek to obtain in a Treaty of Friendship and Alliance with India if India goes out of the Commonwealth. My conception is that that memorandum would cover not only the provisions which we should seek to obtain in such a Treaty, but also the possibility that the best prospect of getting our desiderata in the field of defence might be a regional security pact for the area East and West of the India Ocean area and international rather than inter-imperial in character. As we understand the U.N. Charter, that sort of thing is contemplated therein. This conception is likely to be more palatable to the Congress leaders in India than anything which savours of the Imperial association. But I think that the matters discussed in this paper should also be put up to Ministers and it would be convenient if we could discuss it now, although the draft of the second paper will not be ready for some little time.

If you would agree to a discussion my Secretary will arrange a time mutually convenient to all parties.\(^5\)

Yours sincerely,

D. T. MONTEATH
Enclosure to No. 338

Draft Cabinet Paper

FUTURE RELATIONS OF INDIA AND THE BRITISH COMMONWEALTH

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

If the Indian Constituent Assembly decides that India should remain a Member of the British Commonwealth we have undertaken, by the Prime Minister’s Statement in Parliament on the 15th March, 1946, to accept India as a full Member. It will be seen from what is said in paragraph 7 below that if India were to decide to come into the Commonwealth there might be certain disadvantages which we should have to face, though I do not suggest that these necessarily outweigh other considerations. The present indications are however that India will not wish to remain in the Commonwealth under the existing form of Commonwealth relationship which is primarily enshrined in the common allegiance to the Crown.

2. The Constituent Assembly has passed unanimously a declaration of its objectives which opens as follows:—

“This Constituent Assembly declares its firm and solemn resolve to proclaim India as an independent sovereign Republic, and to draw up for her future governance a constitution wherein the territories that now comprise British India, the territories that now form the Indian States and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into an independent sovereign India, shall be a Union of them.”

It is not absolutely clear whether this Resolution is intended to be the decisive exercise of the option to leave the Commonwealth which we have offered to India. In any event, the Resolution has been passed in the absence of the representatives of the Muslim League and before the representatives of the Indian States have joined the Constituent Assembly. It is, however, clear that the leaders of the Congress do not contemplate that India should remain in the British Commonwealth. Nehru in his recent book The Discovery of India wrote as follows:—

“Sometimes we are told that our nationalism is a sign of our backwardness and even our demand for independence indicates our narrowmindedness.

1 No. 173; the date should be 7 December. 2 No. 75. 3 No. 171.
4 Drafts of this memorandum are to be found on L/P 83/10/89-90 and an extract from the memorandum as submitted to the India and Burma Committee (L.B.(47)42 of 1 April 1947) will be printed in Vol. X.
5 A similar letter was sent to Sir E. Machtig (Dominions Office) and Sir T. Lloyd (Colonial Office).
Those who tell us so seem to imagine that true internationalism would triumph if we agreed to remain as junior partners in the British Empire or Commonwealth of Nations. They do not appear to realise that this particular type of so-called internationalism is only an extension of a narrow British nationalism, which could not have appealed to us even if the logical consequences of Anglo-Indian history had not utterly rooted out its possibility from our minds. Nevertheless, India, for all her intense nationalistic fervour, has gone further than many nations in her acceptance of real internationalism and the coordination, and even to some extent the subordination, of the independent nation state to a world organisation."

In all of his speeches on the future policy of the Government of India made since he took office in the Interim Government, Nehru has emphasised that India will decline to be associated with any group of powers in the international field. It is therefore in my view improbable that India will be willing to remain in the Commonwealth, but certainly inconceivable that she should do so under any form of Commonwealth relationship which precludes India from becoming an independent sovereign Republic.

3. We must therefore be ready to deal with the situation on the basis that India becomes a foreign State. I am circulating a separate paper containing proposals for a Treaty of Friendship and Alliance with India which we might endeavour to negotiate in those circumstances. But in connection with those proposals I think it is desirable that we should consider whether there is any possibility that India might be induced to remain in the Commonwealth if she were offered a new form of Commonwealth relationship which would enable her to remain a sovereign Republic within the Commonwealth, and, if so, whether from the point of view of the Commonwealth as a whole this would have sufficient advantages over the relationship which we might secure with India as a foreign power to make it desirable for us to make a deliberate effort to obtain such a relationship.

4. One reason why I think that it is worth considering this possibility is that there are considerable though not very vocal elements in India which may desire in fact to retain the Commonwealth relationship. Considerable elements of Muslim opinion and certainly the present ruling elements in the Indian States will be anxious to maintain the Commonwealth relationship. There are also Right Wing elements inside the Congress, including the big business interests, which will wish to have good relations with us because they hope to secure substantial economic advantages by doing so. I am sure, however, that these elements cannot prevail so long as entry into the Commonwealth is incompatible with India becoming a sovereign Republic, and this is inconsistent with the present form of Commonwealth relationship of which the essential symbol is the common allegiance to the Crown.
5. I should, therefore, like my colleagues to consider whether the forms of Commonwealth relationship could be so modified that a sovereign Republic could remain a full Member of the Commonwealth. As I conceive it this would only be possible on the basis that the obligations which at present flow in the case of the existing Dominions from the common allegiance to the Crown were formalised in a written agreement. It may appear that this arrangement would be no different in substance from India becoming a foreign State in close Treaty relations with us; and it can certainly be argued that such is the case and also that the latter position would in fact be more satisfactory from our point of view. The arguments for and against the new arrangement suggested are set out below for my colleagues’ consideration.

6. The following are the advantages:
   (i) The Commonwealth would not suffer the loss of prestige in international affairs which I conceive would accompany the formal withdrawal of India from the British Commonwealth as soon as she is free to exercise her right. Such a withdrawal might also have some weakening effect on the internal solidarity of the Commonwealth.
   (ii) Although India might not be cooperative at the outset, we should have the advantage of the frequent domestic consultations between representatives of the Commonwealth on a wide range of matters which in course of time might be of great assistance in developing Indian cooperation. We should not have the same opportunities if we had static Treaty relations with India as a foreign power.
   (iii) The Chiefs-of-Staff have pointed out the great difficulty of securing by formal Treaty with a foreign State satisfactory provision for the strategic requirements of Commonwealth defence in India. They have advised that if there is to be a Treaty relationship we should rely on Treaty provisions drawn on broad lines, for mutual assistance in the defence field, and hope to base upon those provisions more detailed arrangements by means of staff conversations. In their view, however, the difficulties would best be resolved by India remaining constitutionally within the Commonwealth in which case they think that no formal agreement would be necessary.
   (iv) If India remained within the Commonwealth, the danger of other parts of the Empire which are approaching self-government leaving the Commonwealth because India had set the example of doing so would be removed.

7. The following are the disadvantages, some of which counter-balance to a considerable extent the advantages referred to:

   (i) *Ex hypothesi* India is not a spontaneously willing acceptor of the obli-

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*See Vol. VIII, No. 408.*
gations of Commonwealth membership. There are powerful tendencies in India which, if they do not prevent India from coming into the Commonwealth, are likely to make her an unreliable and largely non-cooperative element within it. The Hindu political leaders have a life-long and rooted hostility to British rule and the conception of the British Empire. Nehru has consistently emphasized that India will adopt an independent line in foreign policy and will not link herself with any of the great powers. Moreover, the main factors which bind the Dominions to this country are completely absent in India. These factors are: common racial origins and sentiments which are symbolised by the allegiance to the Crown, Christian and particularly Protestant civilisation, and maritime interests and traditions, and Parliamentary democratic institutions and the English legal system. While the last is present in India it is regarded as foreign importation and it is at least doubtful whether it will long survive our withdrawal from India.

(ii) In defence matters India may prove to be a very unreliable and elusive ally. Geographically she has a strong position on land, though, in modern conditions, she is vulnerable to Russian attack. There is a strong tradition of pacifism in Hindu India of which Mr. Gandhi is only a modern exemplary. India has been invaded innumerable times in history and her tendency has been to outwit or to absorb the invader rather than to resist. In time of war she is likely to try to maintain neutrality, at any rate until she can estimate the outcome. There would therefore be a great risk that, if she were in the Commonwealth, she would in time of crisis act in the same way as Eire in the last war. If this is a correct diagnosis we should be better off with an international Treaty (if we can get it), which would give us definite rights exercisable as such in time of war. It should be noted that the advantages which the Chiefs-of-Staff expect to get from having India within the Commonwealth under paragraph 6(iii) above are not obtained in fact unless India is a willing and cooperative Member.

(iii) There are specific sources of discord between India and other parts of the Commonwealth at the present time which are likely to continue. The dispute between India and South Africa over the position of the Indian community is likely to be a running sore for many years. One of the main practical realities of the Commonwealth relationship has hitherto been the private settlement of disputes arising between Members. It is, however, highly unlikely that India will refrain, out of any loyalty to the Commonwealth, from pursuing this matter in U.N.O., where she has already had considerable success in regard to it. There are also potential sources of discord of a similar kind between India and the United Kingdom in regard to the position of the Indian communities in the
various Colonies. India's general attitude on the international aspect of colonial questions is hostile to our policy as was shown by her attitude on Trusteeship at the recent U.N.O. meeting. She is very likely in the international field to pose as the champion of coloured peoples and particularly of subject races. If India were in the Commonwealth, therefore, we might find the harmony of the Commonwealth States, which is their strongest asset in international affairs, affected by frictions within the Commonwealth itself. These frictions might affect adversely our good relations with some of the Dominions, and in particular South Africa. It is in Africa that the best hope appears to lie of strengthening the position of the Commonwealth in the future.

(iv) If India is in the Commonwealth we have to continue consultation and the supply of information to her on the whole field of our policy, including defence matters, in the same way as with the other Dominions. However cooperative India is, this involves risks to the security of the information supplied, but if India is a non-cooperative Dominion, the dangers are much increased. Yet it is very embarrassing to have a Member of the Commonwealth which is taken less deeply into confidence than other Members of the partnership. Sooner or later any discrimination in the supply of information would be likely to become known to the Indian Government.

(v) It is possible that the admission of India to the Commonwealth as a sovereign Republic not accepting the common allegiance to the Crown would weaken and impair the existing relationship with the other Dominions to a degree which would have serious consequences.

(vi) While it may be contended, as in paragraph 6(iv) above, that the retention of India in the Commonwealth on the basis of a new kind of relationship would avoid the example being set to other parts of the Empire to leave the Commonwealth, it would also encourage those parts of the Commonwealth to demand membership on the same basis as had been created in the case of India.

8. In essence this matter is one of estimating the degree of real cooperation that is likely to be forthcoming from India in the more distant as well as in the immediate future. If the cooperation is not forthcoming in a sufficient degree then India will be more of an embarrassment than an asset within the Commonwealth. It is also a matter of estimating whether the prospect of that cooperation being forthcoming would be increased if India were within the Commonwealth. The kind of relationship which I suggest would not, in form, be very much different from that with India as a foreign State, since it would be a Treaty relationship. It would, however, I think give a better hope of India becoming more cooperative as the old antagonism due to hostility
to British rule fades away and as the force of circumstances makes itself felt. But it is also possible for a Treaty relationship with a foreign power to improve in value in that way. The Commonwealth relationship gives a greater opportunity for personal contacts the value of which in this connection may be very considerable. In either case what really matters is effective cooperation and it is a question of choosing the form which, on balance, is likely to give us the greatest advantages.

9. A possible development for which we shall have to be prepared is that India will make no overt move one way or the other on this question. The Constituent Assembly may simply frame a constitution for an independent sovereign republic and set it up, and the onus of deciding whether India remains within the Commonwealth or not will be thrown upon us and the Dominion Governments. I understand that in the case of Eire it was decided in 1938 that the fact that she had taken steps which in effect made her an independent sovereign Republic did not make it necessary to regard her as excluded from the Commonwealth, though I understand that Eire recognises the Crown only for very limited purposes in the international field, and that the obligations which she accepts towards other Members of the Commonwealth are virtually non-existent. In view of the objections to India remaining in the Commonwealth if she is non-cooperative, which are set out in paragraph 7 above, my view is that we should not allow India to remain in the Commonwealth unless she is prepared to accept the obligations of membership, and that therefore even if we decided to admit India as a sovereign Republic we should require her to make a Treaty of Friendship and Alliance which would bind her to general cooperation with the rest of the Commonwealth in foreign affairs and defence matters.

10. I do not suggest that we should reach a final decision on the question raised in this paper at the present stage, but I think it will be advantageous to discuss the issues involved. The object of the two papers which I am now putting forward for consideration is that I may have an expression of the views of my colleagues, on the basis of which instructions can be framed for those who discuss with Indian representatives the question of our future relations with India. If it is felt that the suggestion of modifying the Commonwealth relationship, as suggested in this paper, would be a feasible proposition provided that a sufficient degree of Indian cooperation appeared to be probable, then I suggest that our negotiators should be instructed to keep this possibility in mind, and if the negotiations show that a reasonable measure of cooperation can be expected, to seek further instructions in regard to it. They should, I think, assume in the opening part of the negotiations that India will not be within the Commonwealth but seek to indicate to the Indian negotiators what this involves from their point of view. The possibility of India remaining in the
Commonwealth under a new form could then be broached if there seemed a possibility of it being well received. It would not, I consider, be desirable to give any appearance of over-anxiety for India to remain in the Common-wealth, as to do so might only court a rebuff.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell (Extract)

L/P&J/8/663: ff 326-7

SECRET

GOVERNMENT HOUSE, LAHORE,

NO. 647.

3 February 1947

3. On 1st February I had a long talk with General Messervy, who looked in on me on his return journey from Delhi to Rawalpindi. I also had a talk with Khizar, and suggested that he should now begin to consider his long term position. I pointed out that he could neither keep the Muslim League leaders in detention indefinitely, nor let them out unconditionally in order that they might continue the agitation. Khizar said that he would think the matter over, but until he was clear about the attitude of the Muslim League High Command and probable developments at the Centre, he could make no plans. He added rather oddly that Qizilbash was anxious to go to London in connection with a Privy Council case, and that he himself would like to spend the summer abroad. I told him that I doubted if this would be feasible.

* * *

8. The resolution by the Muslim League High Command on the Punjab situation was published in the newspapers this morning,1 and does not strike me as very impressive. The Muslim League have certain grievances, but the Punjab Public Safety Ordinance, 1946, was certainly not directed against the League and was not used against them before this agitation began. In fact not a single Muslim League M.L.A. had been arrested or interfered with in any way—the Ordinance was my doing, and I was able to see that it was not abused. The statement does not mention at all the threats of the Punjab leaders to oust the coalition Ministry by a show of force, which is Khizar’s real casus belli.

1 The resolution on the Punjab situation passed by the League Working Committee at Karachi on 1 February 1947 ‘noted with grave concern’ the serious situation which was developing in the Province. It strongly condemned the order declaring the Muslim National Guards as an unlawful association ‘which amounted to a biggest and most high-handed attempt to suppress the activities of the Muslim League in the Punjab.’ After commenting on the ‘fundamentally unrepresentative and unpopular character’ of the Punjab Ministry, the Committee stated that it was its ‘considered opinion and earnest advice to Muslims that they should maintain a perfectly non-violent, disciplined, firm and dignified attitude in their protest against repression . . .’
I fear that the League have made it very difficult for themselves to form a Government and have greatly advanced the case for the partition of the Punjab. The agitation cannot fail to be communal, since the Congress and the Sikhs are involved in the attack on the Premier. However, it is possible that the League will in the end be more conciliatory to the other communities, though as a party they are very sadly lacking in brains and political sense.

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Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Viceroy’s Staff,
Appointments to

16 CHESTER STREET, BELGRAVE SQUARE, S.W.1, 4 February 1947

My dear Prime Minister,

I quite forgot to mention that I had not included any reference in the statement to Sir Stafford Cripps going to the India Office since I did not consider it my place to do so. I hope, however, that if you have decided on this move you will consider including it in the same announcement as I feel it would be most helpful.

I was most grateful to you and him for the kind reception you gave to this suggestion.

Since it would be impossible for a Minister of his calibre to come to India without making my position very difficult I still feel that he could be of really great help to me at the London end, but fully appreciate that this is solely a matter for you and him.¹

Yours very sincerely,

DICKIE MOUNTBATTEN

¹ See Enclosure to No. 308.
² In reply to enquiries from Professor Mansergh about the sequence of events, Lord Mountbatten commented in a letter dated 26 March 1979, as follows:
‘I have re-read the copy of my letter to the Prime Minister of the 4th February 1947. This has activated my memory, I hope correctly.
What really happened was that I was terrified of Stafford Cripps’ offer to come with me as my Chief of Staff. I felt I must have an absolutely free hand if I went out there and did not want a former Cabinet Minister, who had been so strongly connected with the Cripps’ offer and the Cabinet Mission, breathing down my neck.
My first thought, therefore, was to point his insistent offer of help in a direction which would keep him in London. That was my main reason for suggesting that he should go to the India Office.
It was as a result of this letter that I had a further talk with Attlee when it became clear that he really did not wish to spare Stafford from his Cabinet. I accepted that very readily knowing that his
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&J/10/65: f 91

IMMEDIATE

NEW DELHI, 4 February 1947, 4.55 pm
Received: 4 February, 1 pm

No. 217-P. States Negotiating Committee set up under paragraph 21 of Cabinet Mission’s statement of May 16th is due to meet corresponding committee of Constituent Assembly next Saturday February 8th. His Highness the Chancellor has addressed letter1 to me pointing out that Moslem League, in view of recent resolution of their Working Committee, will not be represented on corresponding committee of Constituent Assembly. Chancellor’s letter continues:

“In the circumstances the question has immediately to be considered as to steps to be taken by our Negotiating Committee. It is our earnest desire to follow as closely as possible the Cabinet Mission’s plan as contemplated and declared by H.M.G. in Parliament and accepted by us. It is, therefore, essential for me to be in a position to tell my colleagues when they assemble in Delhi whether in existing circumstances our negotiations with a corresponding committee comprising members of only one of major British Indian parties can enable us effectively to implement the aforesaid plan.”

The Chancellor adds that if States do not raise this point at first meeting with corresponding committee they will risk being estopped from raising it later.

2. I suggest that reply should be limited to answering specific question asked. I would propose answer as follows:

“While H.M.G. regret the absence of representatives of Moslem League from corresponding committee of Constituent Assembly, in their judgment it

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1 A copy of this letter, dated 2 February 1947, is in Wavell Papers, Political Series, January 1946-March 1947, p. 21.
is only by undertaking negotiations with that committee that States can pro-
mote to maximum extent possible in existing circumstances, the objects of
Cabinet Mission’s plan.”

3. If Chancellor presses for (?final) estoppel it could be pointed out to him
verbally that only politic course for States (? is to) avoid break with Constituent
Assembly except as result of unreasonable attitude of corresponding com-
mittee. I understand Chancellor already appreciates this point.

4. I should be grateful for immediate reply as I must answer Chancellor’s
letter not later than Thursday February 6th.

* In the Wavell Papers this passage reads: ‘If Chancellor presses question of estoppel . . .’

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: f 18

IMMEDIATE
SECRET

NEW DELHI, 4 February 1947, 6.30 pm
Received: 4 February, 6 pm

No. 219-S. I have not yet had any approach from the Congress about the
position arising out of the League’s resolution. I am told however that opinion
in the Congress is in favour of demanding the resignation or dismissal of the
League representatives in the Cabinet. They are considering the matter this
evening.

2. If they insist on this course it will be difficult to resist, as the League have
undoubtedly put themselves in the wrong.

3. But I think that H.M.G. should in any case issue a statement in reply to
the Muslim League representation [? Resolution]. My next succeeding tele-
gram gives the outline of a possible statement by H.M.G.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: f 19

IMMEDIATE
SECRET

NEW DELHI, 4 February 1947, 8 pm
Received: 4 February, 3.20 pm

No. 220-S. My immediately preceding telegram. Following is outline of
proposed statement. Begins. H.M.G. have considered the resolution of the Working Committee of the Muslim League dated the 31st January.¹

In this resolution the Working Committee have decided not to modify their previous decision by which they withdrew acceptance of the Cabinet Mission’s plan of the 16th May 1946. The Working Committee claim that the Congress party have not accepted the statements made by the Cabinet Mission on the 16th May 1946 and by H.M.G. on the 6th December 1946, that the Constituent Assembly which met on the 9th December is not the body contemplated by the Cabinet Mission, and that therefore the Constituent Assembly should be dissolved.

In the view of H.M.G. the Congress by their statement of 6th January 1947² have accepted the Cabinet Mission’s plan. H.M.G. cannot contemplate making a new approach to the whole Indian problem, and they consider that the work of the Constituent Assembly should proceed. They sincerely hope however that the Muslim League will reconsider their attitude and agree to take part in the Constituent Assembly on the basis of the Cabinet Mission’s plan and of the statements of the 16th May, the 25th May and the 6th December. Ends.

¹ No. 333. ² No. 253.

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Mr East to Mr Abell

R/3/1/130: ff 19–21

INDIA OFFICE, 4 February 1947

Dear Abell,

I enclose for the information of H.E. the Viceroy, a record of conversation with the Under Secretary of State for India and Mr. Jinnah at Karachi, on Tuesday, 21st January, 1947.

Yours sincerely,

K. EAST

Enclosure to No. 344

SECRET

RECORD OF CONVERSATION WITH THE UNDER SECRETARY OF STATE FOR INDIA AND MR. JINNAH AT KARACHI, ON TUESDAY, 21ST JANUARY, 1947.

Our talk was mainly concerned with the Congress Resolution¹ accepting H.M.G.’s interpretation with regard to the voting in the Sections. Jinnah

¹ No. 253.
maintained that the Resolution did not constitute an acceptance. He stressed the use in the Resolution of the word "advise". He approached it as if if were a legal agreement between two parties. He would not agree when I suggested a resolution should not be examined on such a basis. He also considered the reference in the Resolution about submitting other differences to the Federal Court as evidence of non-acceptance.

He also made the point that reference to "parts of a Province" and to the Sikhs was further evidence of non-acceptance.

He considers that Gandhi's advice to Assam to not go into the Sections was evidence of non-acceptance.

Referring to the Constituent Assembly he argued that its proceedings were invalid as one of the parties to the contract, namely, the Muslim League, were absent. He accused H.M.G. of policy of drift and said responsibility would be entirely theirs for what might transpire. They should be firm and end the present farce of the Constituent Assembly.

Although he was very restrained in manner he was very critical of Congress. He considers that it is impossible to co-operate with them.

I formed the definite impression that the passing of the Congress Resolution has not influenced him in the slightest degree, and that consequently he will not advise this [his] Council at its meeting on the 29th to enter the Constituent Assembly on this ground.

As regards the services; at the end of the talk he said that so far as the Muslim Provinces were concerned, they would wish to retain their officials, but that he would agree to a measure of compensation being paid to those who wished to go. He said that such Provinces would not in any circumstances join the proposed All-India administrative services.

2 See No. 219.
League Working Committee at Karachi, in which they demanded that the Constituent Assembly should be dissolved. We have already had correspondence by telegram about this, and since what I say now will be out of date by the time this letter reaches you, I will not comment in detail.

I have received a letter today from Bhopal asking whether the Princes Negotiating Committee should undertake discussions with the corresponding Committee in view of the present situation. About this too I shall telegraph you.

3. It has been an anxious week in the Punjab. But on the whole things have gone better than I had expected. Among all the uncertainties of the present situation in India there is one encouraging feature, namely, that both the major parties seem to be frightened of directly encouraging communal conflict—East Bengal and Bihar have had their effect. The Muslim League resolution in support of the Punjab agitation is quite moderate, and *Dawn* has on the whole been moderate too; Jenkins asked me to get action taken against *Dawn*, but I thought there was no sufficient justification for doing so. What will happen to Khizar when he has to face the Assembly over the Budget I do not know. Possibly he may intend to keep some of his most dangerous rivals in jail until the budget is through. Khizar was clearly wrong to take action against the private armies if he did not propose to see it through, but one effect of his resiling from his position is that the Muslim League are now on the wrong foot. Their action is clearly directed against the law of the Province, and they have rejected the proper democratic course of prosecuting their case in the Legislature. If, in consequence, their voting strength in the Legislature is reduced at the next session they have only themselves to blame. Nevertheless I think Khizar will find himself under tremendous pressure to let them out, and it seems more than likely that his days as Premier are numbered. In case you have not seen the full text I send in this bag a newspaper cutting giving the resolution of the Working Committee of the Muslim League about the Punjab situation.

4. The resolution of the Princes, dated 29th January, amounted to a statement that they proposed to negotiate on the basis of the Cabinet Mission’s plan and on no other basis. The Congress have not so far issued any rejoinder, and probably the States Negotiating Committee, unless we advise to the contrary, will open discussions on February 8th as proposed. Their intention was to agree to negotiate unless the Congress issued some statement in reply to their resolution such as compelled them to change their mind.

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1 No. 301.  2 No. 333.  3 Nos. 334, 335, 336, 342 and 343.  4 and 5 See No. 341.  6 See No. 339, note 1.  7 No. 326.
5. The Sterling Balances Delegation\(^8\) have started their talks but so far, according to my information, the two delegations are merely trying to reconnoitre one another's position. If, as I understand, the amount of money which His Majesty's Government are likely to be able to release out of the sterling balances in each of the next few years is only enough approximately to pay for India's necessary food imports, the chances of securing an agreement are very small indeed. India was looking to the sterling balances as a means of getting large imports of capital machinery as soon as the factories in England could meet their orders. It will be a bitter blow if this hope is to be disappointed.

[Para. 6, about the arrival of another delegation from the Royal Academy in connection with the Indian Art Exhibition, omitted.]

7. I will let you have shortly the information about the I.N.A. which you required in your letter of the 23rd January. I am still not certain what line my colleagues will take about the Assembly Resolution on the release of the I.N.A. convicts.

[Para. 8, in which Lord Wavell said he did not think that the decisions reached with the Burma Delegation were likely to embarrass him, omitted.]

9. I believe a proposal is under consideration for sending a Commission to India to study the field of recruitment from the Secretary of State's Services here to the Home Civil Service, the Foreign Service, and the Colonial Service, and perhaps to interview candidates. If such a Commission were sent I think I should have to consult the Interim Government in advance as we do not want to look as though we are tempting British officials out of the Services, but I do not think there would be any serious objection, and on the whole I am in favour of the proposal. I think that the final selections for the various Services would be better made if some enquiry were undertaken in India, and I think the Commission might find that there is more useful material here than they thought. I know also that Shone would welcome such a proposal because he needs 15 good men to fill posts which he regards as necessary in order to give him an adequate staff in India. I understand that the I.C.S. Central Association would also welcome such a Commission.

10. I am hoping to hear very soon from you about His Majesty's Government's decision on the winding up of the Secretary of State's Services and the question of compensation. Further evidence of the need for an early decision is provided by paragraph 3 of Jenkins' letter of 20th January\(^9\) which you have received, in which he states Khizar's point of view.

[Para. 11, relating to compensation for High Court Judges; para. 12, on the drop in borrowings by the Govt. of India; and para. 13, saying that Lord Wavell had taken Mr. Christie on his staff as J.P.S.V., omitted.]
14. I will give the Cabinet here your message about British troops at our meeting tomorrow.

* A small delegation of U.K. officials led by Sir W. Eady (Joint Second Secretary to the Treasury) visited India during the first two weeks of February 1947 for discussions with officials of the Government of India and the Reserve Bank of India on the question of India’s Sterling Balances. The discussions were intended to be only of an exploratory character but it was hoped that some agreement might be arrived at which would enable recommendations for a settlement to be put before Ministers in both countries. However, no agreement was reached. Papers relating to the Eady Mission, including a draft report on the negotiations by Sir W. Eady to the Chancellor of the Exchequer, may be found on L/F/7/2868 and Finance Dept File 147/47.

* No. 285.  

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Cabinet

India and Burma Committee. I.B.(47)7th Meeting

L/P&EJ/10/77: ff 431–4

Those present at this Meeting held at 10 Downing Street, S.W.1, on 5 February 1947 at 10 am were: Mr Attlee (in the Chair), Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, the Earl of Listowel

Also present were: Mr Henderson, Sir David Monteath, Sir Paul Patrick, Mr C. G. Eastwood, Mr F. F. Turnbull, Mr D. F. Hubback (Secretariat)

Future Policy in India

(Previous Reference: I.B.(47)2nd Meeting)

The Committee had before them:

(a) Telegrams Nos. 219–S² and 220–S³ of 4th February from the Viceroy in which he put forward the draft of a possible statement to be made by His Majesty’s Government following the resolution passed by the Working Committee of the Muslim League on 31st January.ª

(b) Telegram No. 217–P of 4th February from the Crown Representative reporting that the Chancellor of the Chamber of Princes had enquired whether the States would be helping to implement the British Cabinet Mission plan if their Negotiating Committee entered into negotiations with the Corresponding Committee of the Constituent Assembly in the absence of representatives of the Muslim League.

Ministers first discussed the general position resulting from the resolution of the Muslim League Working Committee. This resolution (the text of which

¹ No. 257.  
² No. 342.  
³ No. 343.  
ª No. 333.  
⁴ No. 341.
had been circulated to the Committee under I.B.N.(47)4 had made it clear that the League would not take part in the Constituent Assembly.

The following points arose:—

(a) How far could His Majesty’s Government now recognise the Constituent Assembly as a valid constitution-making body? On the one hand, attention was called to the final paragraph of the statement by His Majesty’s Government on 6th December which read as follows:—

“There has never been any prospect of success for the Constituent Assembly, except upon the basis of an agreed procedure. Should a constitution come to be framed by a Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty’s Government could not, of course, contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling parts of the country.”

On the other hand it would hardly be practical politics to declare at this juncture that the Assembly’s proceedings would not be regarded by His Majesty’s Government as valid, for the likelihood was that it would nevertheless continue its deliberations and that the Congress Members of the Interim Government would cease to co-operate with the Viceroy; they might even seek to establish a parallel Government solely under their own control.

(b) How far did the All-India Congress Committee’s resolution of 6th January5 amount to acceptance of His Majesty’s Government’s statement of 6th December? (This resolution had been circulated to the Committee as I.B.N.(47)1). The Muslim League’s view was that it was so hedged about with qualifications that it did not amount to acceptance of the statement.

After discussion Ministers agreed that His Majesty’s Government could not reasonably regard the resolution as being an unequivocal acceptance of their view, particularly having regard to the subsequent statements made by the Premier of Assam.

(c) The danger of civil war in India could not be ruled out. It might even be that it was Mr. Jinnah’s intention to bring it about. Recent events in the Punjab had certainly made the situation considerably more difficult. It might be that the Muslim League had been motivated there rather by a desire to obtain control of the Punjab Government than by considerations of their all-India policy. Nevertheless, there was no telling what the consequences of their actions in the Punjab might be. It seemed that they were developing the technique of civil disobedience of which, in the past, the Congress had made so much use. In the long run the extent to which the League would be able to cause serious trouble would depend on whether their activities caused the Indian Army to disintegrate.
Ministers felt that, apart from any message sent to the Chancellor of the Chamber of Princes, it might well be necessary for a more general statement to be made by His Majesty's Government. Indeed the time might now have come for the issue of a statement on the lines of that which had been drafted by the Committee during the Viceroy's visit (C.P.(47)1). It was evident, however, that further thought would have to be given to the drafting of any statement. Much would also depend on whether Congress leaders within the next day or so demanded the dismissal of the League representatives in the Interim Government.

The Committee:—

(1) Agreed to resume consideration of the issue of a Statement at a further meeting later in the week.

(2) Invited the Secretary of State for India to send an interim reply to the Viceroy's telegrams Nos. 219-S and 220-S indicating that His Majesty's Government were considering the issue of a statement, and thanking him for his suggested draft.

The Committee then discussed the telegram from the Crown Representative No. 217-P and the draft reply to it circulated under cover of I.B.(47)12.

They agreed that it was desirable that the Princes should be encouraged to negotiate with the Constituent Assembly even though it contained no Muslim League members. They should avoid a break with the Assembly unless the Corresponding Committee of the Assembly themselves took an unreasonable attitude.

Ministers considered that any message to the Chancellor of the Chamber of Princes should, so far as possible, avoid pre-judging major questions which would be covered in any general statement of policy by His Majesty's Government. After discussion it was agreed that the message to be sent should be as follows:—

[There follows the text of the reply given in No. 348.]

(3) Invited the Secretary of State for India to despatch a telegram to the Crown Representative conveying this message.

6 No. 253. 7 No. 249.
Sir W. Croft,
Sir D. Monteath,
Private Secretary,
It was decided at this morning's meeting\(^1\) to reply to the Viceroy's two telegrams 219 and 220-S,\(^2\) received last night, that it was not felt that an immediate Statement on these lines was desirable, but that the matter was being considered in connection with Parliamentary Questions for next week. The particular Question is that by Mr. Wyatt attached below.\(^3\)

It seems to me vital that His Majesty's Government should not be drawn into any admission that the Constituent Assembly meeting without the Muslim League, and which may very well proceed without the cooperation of the Indian States, is regarded by them as being the Constituent Assembly envisaged by the Cabinet Mission and in regard to which they have given undertakings as to the implementation of its decisions. See also point made in the Cabinet Memorandum.\(^4\) Secondly, it seems very desirable not to deliver [the] judgment that the Viceroy proposes to do to the effect that the Congress have accepted and the Muslim League have not. The reservation of Congress about parts of Provinces and the Sikhs not being bound by the decisions of Sections is a distinct reservation on the Cabinet Mission's proposals; and the reservation about whole Provinces is so worded that it may not necessarily be an acceptance of the principle that the decision to opt out of a Group can only be taken after the first election under the new constitution. This evasiveness is to my mind greatly strengthened by the provision which has been placed in the rules of procedure that the existing Legislatures of Provinces and States are to be consulted on the "preliminary" decision of a Section to form a Group for certain Provincial subjects, as well as on the outlines of the proposed Provincial constitution and Union constitution.

In these circumstances I suggest that the right line is for H.M.G. to take its stand on the last paragraph of the Statement of December 6th viz. that if a constitution comes to be made by the Constituent Assembly in which a large section of the Indian population is not represented, they cannot contemplate forcing such a constitution upon any unwilling parts of the country.

I put up below in the form of a telegram\(^5\) to the Viceroy the draft of an answer to Major Wyatt and supplementaries, and also a telegram\(^6\) to the Viceroy replying further to his two telegrams of the 4th February. I suggest
that these telegrams might be brought up for consideration in the I. and B. Committee at 11 o’clock on Friday. A draft memorandum is attached. If they are despatched on Friday night the Viceroy should have time to answer by Sunday evening. If his answer was adverse the Question would either have to be postponed or the India Committee would have to consider the matter further on Monday morning.

1 No. 346.  2 Nos. 342 and 343.
3 Mr Wyatt was to ask Mr Henderson ‘whether he will make a Statement on the decision of the Muslim League Working Committee that they will not take part in the Constituent Assembly.’ L/P 83/10/77: f 427.
4 No. 356.  5 See Enclosure 2 to No. 356.  6 See Enclosure 1 to No. 356.
7 No. 356.

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/65: f 90

MOST IMMEDIATE  INDIA OFFICE, 5 February 1947, 1 pm
SECRET

No. 1646. Your telegram 217-P.¹ I have discussed with my colleagues. We agree with you in substance but we wish you to reply in the following terms:

BEGINN. While His Majesty’s Government regret that the Muslim League representatives are up to the present absent from the Constituent Assembly, in their judgment the Cabinet Mission’s plan holds the field as the most practical means of enabling decisions to be arrived at on the future constitution of India. By undertaking negotiations with the corresponding Committee of the Constituent Assembly the States Negotiating Committee will be assisting, to the maximum extent possible in existing circumstances, the implementation of this plan. ENDS.²

2. Your paragraph 3. We agree.

¹ No. 341.
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&E/J/10/77: f 436

IMMEDIATE

INDIA OFFICE, 5 February 1946, 4 pm
Received: 6 February, 6 am

No. 1672. Your telegrams 219–S and 220–S of 4th February.¹ My colleagues and I have considered your suggestion that H.M.G. should in any case issue a statement in reply to Muslim League resolution. We feel that there is no need to make a statement immediately but we have the matter under consideration in connection with a Question in Parliament which is down for next week. If the Congress do demand withdrawal of Muslim League from the Interim Government we should like you to play for time and refer to us.

¹ Nos. 342 and 343.

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Pandit Nehru and other non-League Members of the Interim Government to Field Marshal Viscount Wavell

R/3/1/120: ff 21–2

NEW DELHI, 5 February 1947

Dear Lord Wavell,

In the interview Jawaharlal Nehru had with you last Saturday¹ you discussed the resolution² of the Muslim League Working Committee passed the day before at Karachi. The situation that has been created by the decision of the Muslim League is a grave one and you suggested that we should acquaint you with our considered view in the matter.

2. We have given careful thought to this. We are clearly of opinion that as a consequence of the Muslim League decision it is no longer possible for members of the Muslim League to continue in the Interim Government. For them to continue to do so would mean an abandonment of the Cabinet Delegation’s Scheme of May 16, 1946.

3. You will remember that prior to the inclusion of the nominees of the Muslim League in the Interim Government we had repeatedly laid emphasis on the necessity of their accepting the long-term plan of the Cabinet Mission. You told us that this was a pre-requisite to their joining the Government.
4. Immediately after entering the Government our colleagues of the Muslim League made it clear that they would not join the Constituent Assembly and that they did not consider the Interim Government as a Cabinet or even as a Coalition. In spite of these difficulties, however, we have continued to function, though rather precariously, in the hope that the Muslim League would after some time accept the full Scheme and enter the Constituent Assembly.

5. This hope has now finally gone and we have to face an open defiance of the whole Cabinet Mission’s Scheme, and indeed the demand is for a scrapping of the Scheme. The resolution of the Muslim League, which has now been re-affirmed, is not merely for non-participation in the Constituent Assembly but for a total rejection of the Scheme and for a programme of direct action.

6. It seems impossible to us that this policy and programme can proceed side by side with membership of the Interim Government. The two are incompatible. If the Cabinet Mission’s Scheme is to be worked out, as we think it must be, then those who reject it cannot continue as members of the Interim Government. There is no other alternative.

7. Any changes in the Interim Government at this stage, and during the Budget Session of the Central Assembly, may lead to administrative and other difficulties. We are convinced, however, that to attempt to avoid or delay these changes would result in far graver and more harmful consequences.3

Yours sincerely,

JAWAHARLAL NEHRU
A. K. AZAD
VALLABHBHAI PATEL
RAJENDRA PRASAD
C. RAJAGOPALACHARI
JAGJIVAN RAM
JOHN MATTHAI
BALDEV SINGH
C. H. BHABHA

1 See No. 336. 2 No. 333.
3 Lord Wavell sent Lord Pethick-Lawrence the text of this letter in tel. 229-S of 6 February. On 6 February Lord Wavell wrote to Pandit Nehru to thank him for the letter. He said that, as he must consult H.M.G. in the matter, it might be a few days before he could send a reply. R/3/1/120: ff 25A, 26-7.
My dear Prime Minister,
I have received your letter of January 31, in which you inform me of your intention to advise His Majesty to terminate my appointment as Viceroy in a few weeks time.

As you say, my appointment was a war one and no fixed term of office was given me. I think you are in error about a term of three years ever having been mentioned; but the point is immaterial, since the three year term passed several months ago without your giving any indication of wishing to make a change.

You are causing me to be removed because of what you term a wide divergence of policy. The divergence, as I see it, is between my wanting a definite policy for the Interim period and H.M.G. refusing to give me one. I will not at this time enter into further argument on this.

I do not of course question your decision to make a change. I have no desire except to serve the State to the best of my ability; obviously I cannot continue to do so if I have not the confidence of the Government in power.

I think, however, that I am entitled to observe that so summary a dismissal of His Majesty's representative in India is hardly in keeping with the dignity of the appointment. It has been usual to give a retiring Viceroy six months' notice of his replacement. I may recall to you that I wrote to you six months ago, at the beginning of August last, suggesting that you might now wish to replace the soldier by a politician, but that you gave no indication of any desire to make a change. Whether my conduct of my office since then has deserved dismissal at a few weeks notice is for others to judge.

You can hardly have failed to appreciate the inconvenience and expense which you are causing to me and to the whole of my large personal staff by directing me to leave at such short notice; and I hope that I shall be given at least till the second week in March, to avoid the indignity, as well as the inconvenience of a scuttle. I note what you say about any entitlement of mine to leave. I too have not looked into details on this matter, but will do so and will communicate with the Secretary of State. I hope that the expense and dislocation unexpectedly caused to my personal staff will be recognised and considered.

It is desirable for official and personal reasons that I should know the name of my successor, who has presumably been selected, as early as possible. You
will of course give me advance notice of date and terms of announcement.

I thank you for what you say about my services, and will gladly accept your proposal to submit my name for the dignity of an Earldom.

Yours sincerely,

WAVELL

\[\text{No. 331.} \quad \text{Vol. VIII, No. 102.}\]

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Field Marshal Viscount Wavell to Pandit Nehru

R/1/29/3219: f 9

6 February 1947

NO. 681/19

Dear Pandit Nehru,

Thank you for your letter of the 23rd January\(^1\) about the situation in a number of Indian States.

As you know, the question of the form of government in an Indian State is for the Ruler and his advisers to decide. The representatives of the Political Department have instructions to encourage all proposals for greater association of the people with the administration and for the exercise of the Ruler’s powers through properly constituted channels. If you have received reports that any Political Officer is not adhering to this role I shall be glad to receive details.

So far as I can tell, the general situation in the Indian States as a whole is more stable than the situation in many parts of British India. I shall give all the help I can to prevent deterioration in either area.

Your description of the situation in Kashmir is, I believe, based on exaggerated reports and I hope that the Kashmir Government will be able to prevent serious trouble, and gradually to improve the economic position there.

Yours sincerely,

WAVELL

\[\text{No. 302.}\]
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: f 31

N E W D E L H I, 6 F e b r u a r y 1 9 4 7 , 8 . 3 0 p m
Received: 6 February, 7.50 pm
No. 235–S. My telegram No. 228 of 6th February.¹

I saw Liaquat this evening and told him of the Congress demand for resignation of Muslim League members from the Cabinet. It was obviously no surprise.

2. He claims that Congress has not accepted Mission’s plan. If they had, they would have had no difficulty in replying in affirmative to the points he put out in his statement² before Karachi meeting. He said he would write me a letter giving the League point of view to be telegraphed to H.M.G. He hoped to produce this tomorrow. If H.M.G. really considered that Congress had accepted all statements, Muslim League would reconsider its position. But H.M.G. would then have to accept the responsibility of seeing that Congress did keep on the rails laid down by the Mission for the Constituent Assembly.

¹ In this telegram Lord Wavell indicated the nature of the interim reply he had sent to No. 350 (see No. 350, note 3). R/3/1/120: f 23B.
² See No. 309.

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Sardar Baldev Singh to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 238–9

6 F e b r u a r y 1 9 4 7

During my recent visit to the Punjab in connection with the celebration of Kangaw Day¹ by the 2/2 Punjab Regiment, I met the Punjab Governor and the Premier and discussed with them the unfortunate situation arising out of the defiance of Public Safety Ordinance by the Muslim League. There is no doubt in my mind that the Punjab Government was perfectly justified in imposing ban on the Rashtriya Seva Sangh and the Muslim League National Guard Organisations. If there was any doubt as regards the latter, the discovery of hundreds of steel helmets from their premises during search, should certainly arouse grave doubts of their peaceful intentions. Deliberate misinterpretation of the step by the Muslim League that it was an attack on the League itself made the Punjab Government lift the ban and this was done primarily in
order that the League might not make this an excuse to stay out of the Constituent Assembly.

One should have thought that this gesture by the Punjab Government would end the League’s agitation. Defiance of Law continues and now there is little doubt that this is being done in order to disrupt the Coalition Ministry. The League having tried and miserably failed in defeating it by Constitutional methods, seems now to be out to coerce it by rousing fanatical elements. Their leaders of course pretend to show as if this move is non-communal. It is nothing of the kind for the simple reason that the very people have in the past preached the most rabid communalism known in recent times. Some of us in fact have reason to fear that in reality the followers are being drilled against non-Muslims and that a widespread anti-Hindu and anti-Sikh movement is in the offing. The Sikhs particularly are greatly agitated over what is happening, for it is clear to them that if the present Ministry were to be hustled out by such terrorist tactics the League would succeed in capturing power in the Punjab without any regard to the interests of the minorities, particularly Sikhs. Once in power, they will obviously be in a position to organise their communal bodies like the Guards to overawe non-Muslims and dictate their terms—an eventuality which the Sikhs cannot contemplate without the gravest fears.

I am satisfied that the Punjab Government is doing its best to arrest lawlessness which has burst out. Their task is delicate in view of the fanatic and rabid communal ideology which has been consistently preached in the Punjab since the last General Elections. And they deserve all the help they need. My object in writing this to Your Excellency is to say that a subversive and dangerous movement of this type should not be supported by those leaders of the Muslim League who are in seats of power in the Interim Government. The Muslim masses—and indeed others—cannot understand why they should submit to the Orders of a Provincial Government when Members of Central Government openly advocate defiance thereof. The situation is fraught with peril to all concerned and the time has come when the League representatives in the Interim Government should realise their responsibility. I have myself exercised the greatest restraint but Your Excellency will realise that when my colleagues can support their co-religionists, my community would very naturally expect me to do likewise and my silence might well be misconstrued in the present distressing situation.

I hope Your Excellency would give serious thought to the situation and take steps to see that the Punjab Government is not embarrassed any more by Members of the Interim Government.

1 In January and February 1945 the 2nd Battalion of the 2nd Punjab Regiment participated in an amphibious assault on Kangaw in Arakan which was designed to stop the withdrawal of Japanese troops from the area. The Battalion lost 29 men killed but counted more than 200 Japanese bodies on its front.
Cabinet

India and Burma Committee. Paper I.B.(47)14

L/P&J/10/77: ff 405–8

Indian Policy
Memorandum by the Secretary of State for India

India Office, 6 February 1947

I think it may be useful for my colleagues if I summarise recent developments in regard to the procedure in the Constituent Assembly which have a bearing on the present attitude of the Muslim League:

I. The “Independent Sovereign Republic Resolution”, the text of which is attached for convenience of reference, was passed unanimously on 22nd January at the resumed session of the Constituent Assembly. The statement of May 16th indicated that the preliminary meeting of the Union Constituent Assembly would be to decide the general order of procedure and to elect officers and set up Committees.

II. Rules of procedure were adopted on 23rd December. These rules contain three important provisions which affect the question of the Muslim League’s entry into the Constituent Assembly:

(a) By Rule 19 it is left to the Sections to elect their own Chairman and to make standing orders governing their own procedure subject to these being consistent with the rules for the Assembly as a whole.

(b) By Rule 35 “no Section shall deal with matters which fall within the purview of the powers and functions of the Union Constituent Assembly or vary any decision of the Union Constituent Assembly taken upon the report of the Advisory Committee referred to in paragraph 20 of the Statement”. Rule 36 says “It shall be the exclusive function of the Advisory Committee . . . to initiate and consider proposals and to make a report to the Union Constituent Assembly upon fundamental rights, clauses for the protection of minorities, the administration of tribal and excluded areas, and the decisions of the Union Constituent Assembly upon such report shall be binding on the Sections and shall be incorporated in the appropriate part of the constitution”.

The effect of these provisions is that if the Advisory Committee reported in favour of separate electorates, and the Constituent Assembly decided against, the latter decision would be final. Thus the Constituent Assembly secures a voice, and a decisive voice, in a crucial matter of the provincial constitution in which it would not otherwise have a voice
at all. The apprehension of the Congress is that in Assam the Muslim majority in Group C will give separate electorates to the Scheduled Caste and Tribal elements in the population which together make up nearly one-third, and that the combination of these two elements with the Muslims, who are approximately one-third, would give a majority in favour of entering a Group with Bengal.

(c) Rule 63 prescribes that the Assembly shall give an opportunity to the Provinces and States, through their Legislatures, to formulate their views upon the resolutions of the Assembly outlining the main features of the Union constitution or, if so decided, upon the preliminary draft of the constitution. It also prescribes that “before the constitution of any Province is finally settled or the decision to set up the Group constitution for the Section is taken, an opportunity shall be given to Provinces concerned, through their Legislatures, to formulate their views upon the main features of the Provincial constitution or a preliminary draft of it” and “upon the preliminary decision of the Section concerned as to whether a Group constitution shall be set up and, if so, with what Provincial subjects the Group should deal”.

This rule, though prima facie not unreasonable, deviates from an important principle of the Cabinet Mission’s proposals since it refers questions at issue in the Constituent Assembly to Provincial Legislatures which, under the Communal Award, include substantial weightage for minorities. In consequence of this weightage the Muslims, although a majority of the population in the Punjab, have not a majority in the Legislature and have less than their due representation in Bengal. It was to avoid the inequities of this situation that the Cabinet Mission adopted the particular method laid down in the Cabinet Mission’s Statement of constituting the Constituent Assembly. There is not much doubt that with their existing legislatures Assam, the North-West Frontier, and probably the Punjab would vote against grouping. The Assam Legislature would also vote against any form of constitution which destroyed the present dominant position of the Caste Hindus in the Legislature.

III. The Advisory Committee on the rights of citizens, minorities and tribal and excluded areas has been set up. The Committee consists of a maximum of 72 members who may include persons not members of the Assembly. 50 have been nominated. The remainder up to a maximum of 22 are to be nominated by the President and are to include 7 Muslims from the Hindu-majority Provinces. 40 members of the Constituent Assembly have been nominated, of these 26 are members of Congress. Five are Sikhs 3 of whom are Akalis and two Congress. The Scheduled Castes are represented by Dr. Ambedkar and 5 Congress Scheduled Caste members. The 10 members from outside the Constituent Assembly include one Sikh (Baldev Singh) and one Muslim. It is
provided that the Committee is to submit a final report within three months of the 24th January and shall submit an interim report on fundamental rights within six weeks and an interim report on minority rights within ten weeks.

IV. A Union Subjects Committee has been appointed of 12 members, of whom 10 may be added by the President, to examine the scope of the subjects assigned to the Union Centre which "are generally and compendiously indicated under four broad categories in order to avoid, so far as possible, overlapping and conflicts between provisions in the Union and other constitutions". For this purpose it is necessary to draw up lists of matters "included in and interconnected with subjects assigned to the Union" before the framing of other constitutions is taken up for consideration.

The indication that the four Union subjects may be interpreted as having a wide scope will not be lost upon the Muslim League.

V. Assam and Grouping.

The Assam Congress Committee, after considering the All-India Congress Committee's acceptance of the Statement of December 6th, stated on 16th January that nothing had happened to change the stand taken by the Assam Legislative Assembly against the proposal by which Assam would be grouped for constitution-making purposes with predominantly Muslim Bengal. It was the inalienable right of the people of every Province to frame their own constitution "without any compulsion, imposition or interference from outside".

P.-L.

Enclosure to No. 355

INDEPENDENT SOVEREIGN REPUBLIC RESOLUTION
[There follows the text in No. 190.]

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Cabinet

India and Burma Committee. Paper I.B.(47)15

L/P&EJ/10/77: ff 399-404

INDIAN POLICY
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 6 February 1947

I circulate for the consideration of my colleagues two draft telegrams to the Viceroy, replying further to his telegrams 219-S and 220-S to which an
interim reply was sent after the meeting of the Committee on Wednesday. These telegrams should issue on Friday evening at latest since the Parliamentary Question to which they refer has to be answered on Monday.

2. Congress have come a considerable way to meet our point of view but for the reasons given in the first draft telegram I feel convinced that we should not, as the Viceroy proposes, make a public statement that we consider that Congress have accepted the Mission’s proposals. I am surprised that the Viceroy, after our experience of the previous Congress acceptance subject to reservations, should not be more cautious. Apart from the reservations in the Congress Resolution of 6th January, which are certainly less conspicuous than before, certain provisions have been made in the Rules of Procedure adopted by the Constituent Assembly. These are explained in I.B.(47)14. These Rules go a long way to ensure that the Congress objectives are secured by removing all matters affecting minority protection from the purview of the Sections, and these matters can be reasonably held to include the composition of the Provincial Legislatures (and especially the vital question of separate electorates) by which the option whether to remain in a Group will be taken.

3. Further, we must be careful that we do not become committed, in advance, to fulfil in respect of a Constituent Assembly in which the League, and possibly also the States, are not represented the undertakings given in respect of the Constituent Assembly proposed by the Cabinet Mission. In the Statement of May 25th (Cmd. 6835 page 3) we said:—

“The authority and functions of the Constituent Assembly and the procedure which it is intended to follow are clear from the Cabinet Delegation’s Statement. Once the Constituent Assembly is formed and working on this basis there is no intention of interfering with its discretion or questioning its decisions. When the Constituent Assembly has completed its labours, H.M.G. will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people . . . subject only to two matters . . . adequate provision for protection of minorities and willingness to conclude a Treaty . . .”

4. We may well find ourselves presented with a constitution for the whole of India made by a Constituent Assembly in which the Muslim League and the States have not been represented. The Congress will say that the Constituent Assembly has been formed and has functioned upon the basis proposed by the Mission, and is the representative instrument of the Indian people to which sovereignty should be transferred. The last paragraph of the Statement of December 6th, however, stated that we should not contemplate forcing such a constitution on unwilling parts of the country. It is therefore, essential to maintain the position that a Constituent Assembly from which the League

1 Nos. 342 and 343.  
2 No. 253.  
3 No. 355.
is absent is not one “formed and working on the basis of” the Cabinet Mission’s plan.

5. I therefore consider that we should avoid any statement of the kind the Viceroy proposes and give a stalling reply to the Question in Parliament on Monday, as proposed in the second draft telegram. But I think the Committee should consider, early next week, whether we should now issue a Statement on the lines of that prepared while the Viceroy was here (C.P.471) and I have included in the telegram a request for the Viceroy’s views on this proposal.

P.-L.

Enclosure 1 to No. 356

DRAFT TELEGRAM

From: Secretary of State
To: Viceroy.

IMMEDIATE

We have considered further your telegrams 219-S and 220-S. We agree that Congress has come a considerable distance and can be regarded as having accepted the Cabinet Mission’s plan to a greater degree than Muslim League which still has on record resolution withdrawing acceptance of Statement of May 16th and has not convened its Council to reconsider the matter. At the same time we do not consider that we should state categorically that Congress have accepted. Though less conspicuously than before they still seem to have kept the door open to secure all their objectives. The reservation in the Congress resolution that a Province must not be coerced is consistent with Cabinet Mission’s plan provided option is exercised by new Provincial Legislature under the new constitution. But suggestion that parts of a Province and the Sikhs in the Punjab have a right to upset the decisions of a Section is a definite reservation on acceptance of Cabinet Mission’s plan and Rules 35, 36 and 63 of Rules of Procedure suggest that Congress still intend to secure a deviation from intentions of the Mission’s Statement. Further consideration is that, if we pronounce Congress as full acceptors, that will fortify them in claiming at later date that by paragraph 4 of Mission’s Statement of 25th May H.M.G. are bound to transfer sovereignty of whole of British India to Constitution framed by Assembly, from which League and possibly the States are absent, because it has been formed and has worked on basis laid down by Mission. This would be inconsistent with last paragraph of our Statement of December 6th.

2. We should therefore prefer not to make a Statement of the kind you propose but we are considering whether we should issue in immediate future Statement drafted while you were here and of which Abell brought revised text out to you. This will require some adaptation as a result of League reso-
lution but the bulk of it stands. We should be glad to have your views on this by Sunday evening if possible.

3. My next succeeding telegram contains text of a Question to be asked on Monday and the answer which we propose should be given together with proposed supplementary replies. If you have any comments on proposed answer please telegraph them to reach me not later than mid-day Sunday.

*Enclosure 2 to No. 356*

**DRAFT TELEGRAM**

From: Secretary of State.
To: Viceroy.

**IMMEDIATE**

1. Following is Parliamentary Question referred to in my immediately preceding telegram.

_Begins._ To ask Under-Secretary for India whether he will make a Statement on the decision of the Muslim League Working Committee that they will not take part in the Constituent Assembly. _Ends._

2. Following is proposed reply.

_Begins._ H.M.G. greatly regret the decision of the Muslim League not to come into the Constituent Assembly. They are considering the resulting situation, but are not in a position to make any statement at present. _Ends._

3. Under Secretary will stall on supplementaries but if pressed to define H.M.G.'s attitude to Constituent Assembly and unable to avoid a reply we propose that he should say—

_Begins._ General attitude of H.M.G. is that, as stated by Prime Minister on 15th March, a minority cannot be allowed to place a veto on the political advance of the majority. Constituent Assembly will, therefore, proceed with its work. But, as stated on December 6th, if a constitution comes to be framed by it in the absence of representatives of a large section of the Indian population H.M.G. cannot contemplate forcing such a Constitution on any unwilling parts of the country. _Ends._

* No. 249.
1. I circulate telegrams⁵ from the Viceroy reporting that the Congress members of the Interim Government and the four members who represent minorities have written to him formally asking that the Muslim League Members be called upon to resign.

2. The circumstances in which the Muslim League entered the Government were as follows. Paragraph 8 of the Cabinet Mission’s Statement of the 16th June (Cmd. 6861, page 15) said that “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 Cabinet Mission and the Viceroy intended this to mean that, if both major parties accepted the Statement of May 16th and one or both of them rejected the proposed composition of the Interim Government which the Mission had suggested, new negotiations for an Interim Government representative so far as possible of all those who had accepted the Statement of May 16th would be undertaken. The Muslim League disputed this interpretation and greatly resented it.

3. It was on the basis of this interpretation that the Viceroy, after further negotiations had failed to secure agreement upon a Coalition, decided with our approval, to invite Nehru to recommend names for an Interim Government. He, however, always emphasised to the Congress that it was his intention to secure the inclusion of the Muslim League, and the Congress agreed to keep certain places vacant pending further discussions.

4. Further negotiations took place but it proved impossible to secure agreement between the two parties. Eventually, however, the Muslim League accepted under protest the five places which the Congress were willing to give them in a Government of 14. The Congress, however, always stipulated that the inclusion of the Muslim League must be conditional on acceptance of the long term plan, for the Constituent Assembly. Mr. Jinnah asked the Viceroy for a written answer to nine points on which he wished to be satisfied.² In the
course of his reply the Viceroy wrote:— “Since the basis for participation in the Cabinet is, of course, acceptance of the Statement of May 16th, I assume that the League Council will meet at a very early date to reconsider its Bombay resolution’.4 (i.e. the resolution of the 29th July withdrawing acceptance of the Cabinet Mission’s plan). Later the Viceroy had oral discussions with Mr. Jinnah and was clear that Mr. Jinnah agreed that he would convene his Council to reconsider the July Resolution. In a letter to Pandit Nehru on the 23rd October5 the Viceroy wrote as follows:—

“I have made it clear to Mr. Jinnah, whom I have seen to-day, that the Muslim League’s entry into the Interim Government is conditional on the acceptance of the scheme of the Cabinet Delegation contained in the Statement of May 16th and explained in the Statement of May 25th, and that he must call his Council at an early date to agree to this.

“As I told you, Mr. Jinnah has assured me that the Muslim League will come into the Interim Government and the Constituent Assembly with the intention of co-operating.”

5. Subsequently Mr. Jinnah and Mr. Liaquat Ali Khan urged that in the tense communal situation arising from the rioting in Calcutta and elsewhere, it would be undesirable to convene the Constituent Assembly and that the whole question should be postponed until the atmosphere was calmer.

6. In these circumstances I agree with the Viceroy that he is not in a position to refuse the removal of the Muslim League from the Interim Government now that the Muslim League have declined to reconsider the withdrawal of their acceptance of the Cabinet Mission’s plan. The Viceroy in his interview with Nehru on the 1st February6 said to him that Congress were in a position to demand the resignation of the Muslim League members, though of course he stressed all the objections to their doing so.

7. I fear that, if the Muslim League are forced to resign from the Government, the communal situation will again deteriorate seriously, as it did between August and October when the Congress were in the Interim Government and the Muslim League were not. I do not, however, see how we can refuse the demand which has now been made. We might, however, consider whether it would be desirable to make any further approach to Congress such for instance, as a personal appeal from the Prime Minister to Pandit Nehru, before permitting the Viceroy to take this serious step.

P.-L.

1 See Nos. 350, note 3 and 353, note 1. 2 Vol. VIII, No. 400. 3 Vol. VIII, No. 404.
4 Vol. VIII, No. 86. 5 Vol. VIII, No. 495. 6 See No. 336.
PRIVATE AND SECRET

INDIA OFFICE, 6 February 1947
Received: 12 February

Your letters of 22nd and 29th January, for which I thank you, arrived on the same day at the beginning of this week. There have been serious delays of late in the transmission of the air bags, and in particular the bags from Delhi to London, which can hardly be attributed entirely to the atrocious weather at this end. I understand, however, that, with effect from 1st February, the carrying of the bags has been taken over from R.A.F. Transport Command by B.O.A.C. who will be working on a schedule which provides for only two days in transit. There is reason to hope, therefore, that the position will now show a marked improvement.

2. The tempo of developments in regard to India has quickened considerably in the last few days. There have been the request of the Chancellor of the Chamber of Princes for advice as to whether the States Negotiating Committee should enter into negotiations with the Constituent Assembly; your own suggestion of a statement by His Majesty’s Government in reply to the Muslim League Resolution; and finally today the letter from the Congress Group and minor representatives in your Council demanding, in effect, the removal of the Muslim League Representatives from the Council. These matters have, as you can imagine, all required prolonged consideration but I cannot usefully comment upon them here since they are still under discussion and the situation will doubtless have changed radically by the time you receive this letter.

3. Service questions continue to be very much in the forefront of our minds. To Henderson’s report of his discussions in Delhi have been added your important telegram of 29th January (No. 187–S) and the representations which you have made through Hutchings, with whom I had a long talk on Monday, and who saw the Prime Minister on Wednesday. So far as the question of compensation is concerned, the need for making rapid progress with our consideration of the question has been reinforced by the fact that Patel gave Henderson an undertaking that he would hold his hand until Henderson had had time to report. As you will doubtless be aware, he is pressing to be absolved from his undertaking and I am hoping very much that we shall have a clearer idea of where we stand after a meeting of the India and Burma Committee which is due to be held tomorrow. At this meeting I am also
bringing before my colleagues for the first time the question of compensation for officers of the Fighting Services.

4. You will doubtless hear through Press channels of yesterday's debate in the House of Lords on a Motion by Simon.9 I asked Simon to defer his Motion for a short while on the ground that I would not be in a position to make any positive statement, but he did not see his way to doing so. Of course, no one can question the right of members of either House to bring this matter up at any time if they consider that it is in the public interest to do so but one cannot help doubting whether some of the things which were said in the Lords yesterday will really contribute to a solution satisfactory to all concerned. This is not to say that Hailey's speech was not a very clear exposition of the problem. I was glad that Linlithgow included in his speech an appeal to the members of the Services to continue, up to the moment when authority is finally transferred into Indian hands, to do their utmost to secure that the great endeavour upon which we are all engaged should be successfully achieved.

5. In my letter, dated 23rd January,10 I told you that we were arranging a further meeting with the London representatives of the Service Associations to discuss the question of re-employment arrangements.11 This meeting was held on the 31st January and I am hopeful that we have now agreed on a course of action which will give members of the Services the requisite assistance in securing further employment when they leave India.

6. Full details of this meeting, and of the action which will result from it, will be sent out through the official channel in due course. Briefly what is proposed is that matters relating to permanent employment under His Majesty's Government shall continue to be handled as at present within the India Office, and that in addition there shall be established in the Appointments Department of the Ministry of Labour a small organisation manned by ex-officers of the Indian Services to assist officers who wish to be considered for temporary Government employment, for employment in quasi-Government organisations, and for appointments in industry. One member of the staff of this organisation will also act as Secretary of an unofficial Committee which Hailey has promised to set up to explore the opportunities for officers of the Indian Services in commercial and industrial concerns. The Ministry of Labour officials have been most helpful in the matter and I think we can feel assured that with an official agency giving access to the whole range of appointments available to the Ministry of Labour, and an unofficial Committee

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1 No. 297.  2 No. 325.  3 See No. 341.  4 See Nos. 342 and 343.
5 No. 333.  6 No. 350.  7 No. 328.  8 See No. 330, note 2.
9 Lord Simon asked H.M.G. 'what are their intentions for securing compensation for members of the Indian Services in the event of their employment coming to an end owing to political and constitutional changes.' For the report of the debate see: Parl. Debs., 5th ser., H. of L., vol. 145, cols. 434-52.
10 No. 301, para. 6.  11 Papers on this subject are on L/S &G/7/899.
pursuing independent enquiries in the field of industry the Services will receive very valuable assistance in securing fresh employment.

[Para. 7, on the Nepalese Minister’s farewell talks in the India Office; and para. 8, on the proposal that the British Military Mission to Saudi Arabia should include Sunni Muslims from the Indian Army, omitted.]

9. It may interest you to know that I have succeeded in securing air passages to the Middle East for Amery and his wife. It was, of course, a matter in which I had no locus standi but I felt that I owed it to Amery in view of the fact that he had fallen in with my request to him that he should not visit India. With things in India developing as they are at present, I am more than ever convinced that the line I felt bound to take in this matter was justified.

[Para. 10, in which Lord Pethick-Lawrence said events in Burma had been encouraging since the return of the Burma Delegation, omitted.]

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Cabinet

India and Burma Committee. I.B.(47)8th Meeting, Minute 1

L/P&EJ/10/77: ff. 378–80

Those present at this meeting held at 10 Downing Street, S.W.1, on 7 February 1947 at 10am were: Mr Attlee (in the Chair), Sir S. Cripps, Mr Alexander, Lord Pethick-Lawrence, Viscount Addison, the Earl of Listowel

Also present were: Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr C. G. Eastwood, Mr F. F. Turnbull, Mr E. A. Armstrong, Mr D. F. Hubback (Secretariat)

Future Policy in India

(Previous Reference: I.B.(47)7th Meeting, Item 1)1

The Committee resumed their discussions, which they had begun on 5th February, regarding future policy towards India.

They now had before them:—

(i) Telegrams Nos. 228–S and 229–S² from the Viceroy reporting that the Congress group in the Indian Cabinet had represented to him their opinion that, as a consequence of the resolution passed by the Muslim League Working Committee on 31st January³ it was no longer possible for Members of the Muslim League to continue in the Interim Government;

(ii) Telegrams Nos. 219–S and 220–S⁴ from the Viceroy giving the outline
of a statement which he suggested that His Majesty’s Government should make regarding the Muslim League’s resolution.

(iii) Telegram 235–S\(^5\) from the Viceroy reporting that he had told Liaquat Ali Khan of the Congress demand for the resignation of the Muslim League Members of the Cabinet. Liaquat Ali Khan had promised to send him a letter giving the League view. He had given the Viceroy to understand that, if His Majesty’s Government considered that Congress had accepted the statement made by His Majesty’s Government on 6th December, regarding the interpretation of the Cabinet Mission’s Plan, the Muslim League would reconsider its position but that His Majesty’s Government would then have to accept the responsibility of seeing that Congress kept “on the rails laid down by the Mission for the Constituent Assembly”.

(iv) A memorandum by the Secretary of State for India (I.B.(47)\(^1\)5)\(^6\) commenting on the proposed statement by the Viceroy referred to in telegram No. 220–S.

(v) A memorandum by the Secretary of State for India (I.B.(47)\(^1\)6)\(^7\) on the position of the Muslim League in the Interim Government.

Ministers agreed that by their refusal to join the Constituent Assembly the Muslim League had placed themselves in the wrong. On the other hand it could not reasonably be said that Congress were acting fully in accordance with the Cabinet Mission’s Plan. Their resolution of 6th January\(^8\) was not an unequivocal acceptance of His Majesty’s Government’s point of view and several of the rules of procedure which the Constituent Assembly had adopted were an attempt to amend the Plan to their advantage in important particulars.

It appeared from the Viceroy’s telegram No. 235–S that the League had not irrevocably closed the door to eventual participation in the Constituent Assembly. It would be well to await the letter which Liaquat Ali Khan had promised. In the meanwhile we should avoid any action which would imply that the Muslim League were wholly in the wrong and the Congress wholly in the right. Any statement of policy by His Majesty’s Government could well be deferred for a few days to see how matters developed.

Ministers felt that, when a statement was made, perhaps in the course of the following week, it should be very much on the lines of the draft which had been considered by the Cabinet early in January. They turned therefore to a further consideration of that draft (C.P.(47)\(^1\))\(^9\) in the light of recent developments.

They agreed that this draft required amendment in various particulars and

\(^1\) No. 346. \(^2\) See Nos. 350, note 3 and 353, note 1. \(^3\) No. 333.

\(^4\) Nos. 342 and 343. \(^5\) No. 353. \(^6\) No. 356. \(^7\) No. 357.

\(^8\) No. 253. \(^9\) No. 249.
the Viceroy should be asked for his views as to the suitability of this statement in the present circumstances. An attempt should be made to secure the withdrawal or postponement of a Question which was to be asked in the House of Commons on 10th February.

The Committee:—

Invited the Secretary of State for India to prepare, for consideration at a subsequent meeting later in the day, a draft of a telegram to the Viceroy on the lines indicated in the discussion.

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell
(Extract)

L/P&J/5/276: ff 109-10, 118-19

SECRET

NO. U.P.—72.

7 February 1947

Dear Lord Wavell,

Since I wrote to you last I have been on a visit to the Nawab of Rampur and have spent some time next door in Bareilly district as well. The Nawab, as you know, thinks I am a very bad man, though in his letters to me he uses very comfortable language indeed. It might almost be David writing to Jonathan. I had not been to Rampur before and it was much what I expected. I paid a visit to one or two of the factories which used to make Raisman so frantic, and I saw the library which is chock-full of treasures. Evenings the Nawab would play a kind of multiple drum system in his private band for our delectation. He copied this latter propensity from the Prince of Wales that was and got Harry Roy to teach him the mechanics of the art, which are excessively complicated, when he was last in London. We had a good deal of talk about the political situation, both of us very much on our guard and not a bit like David and Jonathan. The principal feeling I got from these talks was one of alarm. The Nawab seems to have detached himself from Bhopal and the Chamber of Princes crowd generally, but if he was telling anything like the truth—which is I admit not probable—then the Princes are in dream land. In your letter of 31st January—for which please accept my best thanks—you mentioned the Princes’ recent pronunciamento about their policy. I admired it, but hoped that the courage in it was not of pure ignorance and/or total failure to recognise the dangerous realities of the present situation. Rampur told me that the Princes were increasingly dividing off into communal groups and that all the Hindu Princes were now flirting with the Congress. Right enough a day or two after he said that, I saw in the newspaper that Baroda intends to negotiate with the Indian Union all on his own. The big Princes have of course always hated
being tied up with the little ones and I have no doubt that if the biggish 8 or 10 could get a favourable deal from the British Indian politicians, they would throw all the rest of the very mixed bag to the wolves. Rampur is nowadays anxious to placate the U.P. in every way he knows. His cars always meet Pant when the latter is decanted at the Rampur aerodrome and take him on to Naini Tal. Zaidi is in the closest possible touch with our Ministers and the whole idea obviously is to prepare for our exit. I do not mention this by way of criticism. In fact I think that Rampur is quite right. Rimmon is shifting his quarters and a tiny patch of territory like Rampur, and ruled by a Muslim coterie to boot, cannot afford to bow down too long in the wrong house. I was able to help the Nawab in a number of little ways and this I was glad to do. In spite of his suspicions, I have never mischievously tried to harm him in any way and if I sided with Raisman over the Excise issue, it was only because I felt that Raisman was surely right. Bachan the son, whom you no doubt know well, has married the daughter of the Raja of Pirpur—of Pirpur Report fame—one of our talukdars. I met the new Mrs. Bachan and thought her charming. The person who matters in all that set up is however the Begum herself whom I respect as a competent woman. She has far more sense in her head than the Nawab.

11. In para. 6 of my last letter I told you that I intended to have a kind of show down with Pant. This has since happened. I asked him to see me some days ago, gave him a good tea, told him that he was indispensable to the Province and—God forgive me—that his personal reputation was an asset to us all. I then set about him. There was nothing left unsaid, the Cawnpore Electric Supply Corporation muddle, the intolerable delays over road-rail co-ordination, the corruption among his scallywag followers in the districts, the arrogance and indiscipline of his Parliamentary Secretaries, the growing incompetence of the Secretariat, the complete negation of rule in the conduct of our affairs, the persistent attempts to bye-pass the Public Service Commission, misappropriation of Government funds for party propaganda and much more. Pant was so pleased with the compliments that he took the insults in the best possible part. He admitted that all was not well and did not say no when I begged him to get rid of all his portfolios except "appointments", pull his Ministry together and do his duty by his Province. We parted almost affectionately, but I don’t expect he will do anything about it. He never does.

1 The reference here is presumably to the fact that excise duties in the States were lower than in the Provinces or there were no duties at all. This induced industrialists to establish factories in the States and since the States retained the excise duties for themselves, income was lost to the Provinces and the Centre.
2 Relevant para. on R/3/1/112 at f 148.
3 No. 326.
4 See 2 Kings 5, 18.
5 Report of the Inquiry Committee, under the Presidency of the Raja of Pirpur, appointed by the Council of the All-India Muslim League to enquire into Muslim grievances in Congress Provinces, Delhi, 1938.
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Cabinet

India and Burma Committee. I.B.(47)9th Meeting

L/P&J/10/77: ff 363–7

Those present at this Meeting held at 10 Downing Street, S.W.1, on 7 February 1947 at 4.15 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton (item 1), Sir S. Cripps, Mr Alexander, Lord Pethick-Lawrence, Viscount Addison (item 1), the Earl of Listowel (item 1)

Also present were: Mr Henderson, Sir David Monteath, Sir William Croft, Mr F. F. Turnbull, Mr R. E. Field (item 1), Mr J. A. Simpson (item 1); Mr C. G. Eastwood, Mr E. A. Armstrong, Mr D. F. Hubback (Secretariat)

Minute 1

Proposed Compensation for Members of the Indian Services Appointed by the Secretary of State

(Previous Reference: I.B.(47)5th Meeting, Item 2)†

The Committee had before them a memorandum by the Secretary of State for India (I.B.(47)11)† in which he set out the position on this matter resulting from the visit to India of the Parliamentary Under-Secretary of State for India.

As a result of the discussions with Sardar Patel, it was clear that the Government of India would reject all liability for compensation to members of the Secretary of State’s Services. At the same time Sardar Patel appeared to be anxious to retain as many of them as possible in the service of the Government of India on the same terms and with the same conditions of pension, and he was ready to agree that those who left the Service should receive from Indian funds the proportionate pension which they had earned.

The Committee were informed that the total sum involved for compensation to the Secretary of State’s Services under the plan put to the Government of India was of the order of £10 million of which rather over £4 million was in respect of Indian members of the Services and the balance for European members. It was possible that some 75% of the Indian members and 25–30% of the European members would be willing to stay on in the service of the Government of India. Of the Indians who would not wish to stay, some had incurred Congress hostility on account of their association with us and we had a special responsibility to see that they did not suffer.

The Prime Minister and the President of the Board of Trade considered that there was some justification for the line taken by Sardar Patel. The loss which would be suffered by members of the Services
would be the withdrawal of the Secretary of State’s obligation to protect their interests. This obligation was an obligation on the United Kingdom Government and not on the Government of India, and the argument that accordingly the cost of any compensation should be borne by United Kingdom funds was one which would certainly command much support in India and indeed in the world at large.

The Minister of Defence argued that some obligation also derived from the statement made by the Government of India on 1st June, 1945, at the time when the then Secretary of State for India had made known the terms on which recruits would join these Services during the war. Was it not reasonable to expect the Interim Government to honour a pledge given by its predecessors? They owed their existence to the Labour Government’s policy of accelerating the rate of India’s progress towards independence. It was surely ungenerous of them to refuse to honour an obligation accepted by their predecessors in office.

Against this it was held that in 1945 the Government of India had not been a responsible Government and that in this particular matter they had only acted with the express authority of the then Secretary of State for India. Moreover, even if it could be held that some obligation rested on the present Government of India it must be remembered that we had no power to force them to carry out that obligation. On the other hand, controversy on this subject might do much to embitter relations on other and even more important matters. It might also cause the Indian Government to refuse to pay the pensions both of officers who had already retired and of those whose services would be terminated; as to their liability in these respects there had so far been no question.

The view of the Committee was that the factor in respect of which compensation was due was the termination of the Secretary of State’s protection and that it would therefore be difficult to escape liability on United Kingdom funds.

It did not follow, however, that payment of full compensation in each case was the best manner of dealing with the situation. Apart from other considerations the Government of India would particularly dislike the immediate compensation of all officers, for they would consider that it would discourage them from continuing in their service.

In respect of those members of the Services, whether British or Indian, who elected to remain in the service of the Government of India, Ministers inclined to the view that it was reasonable that no compensation should be paid until it could be shown that they had actually suffered loss. To defer compensation until loss was actually suffered would be in conformity with the normal practice in this country. This was a point of importance.

1 R/30/1/9: f 89. 2 Ibid: ff 91–113.
On the other hand, it was argued that it would be difficult to determine when loss had been suffered.

The Minister of Defence pointed out that the loss might well be chiefly in prospects and sense of security. Should not compensation be due forthwith in these respects?

It was agreed that this point would require further consideration.

In respect of those members of the Services who did not choose to stay in the service of the Government of India, the primary obligation on His Majesty's Government would be to find further equivalent employment. This might well not always be available, particularly for the older members of the Services. But there was at the moment a serious shortage of man-power and it should surely not be impossible to find employment for the greater number of the British members of the Services, either in the United Kingdom in Government Service or in one of the new public corporations or in the Colonial Service. This was a point which should be further considered in discussion with the Treasury.

It was suggested that it might not always be possible to find employment with emoluments and prospects comparable to those which had been received in India, where emoluments and expectations had been high. Ministers considered that, within limits, members of the Services might reasonably be expected to take up employment with lower emoluments and prospects if they were given in addition compensation in respect of any difference. The amount of such compensation might be assessed by a tribunal.

The arrangement might well be on the following lines:—

After termination of employment in India most members of the Services would continue to draw salary from Indian funds for some considerable period while on leave. Where necessary payments could be continued by His Majesty's Government to bring the total period in this country up to say six months. During that period His Majesty's Government would endeavour to find suitable employment for them. A tribunal would be established to assess whether the employment found for each officer could be regarded as comparable both in respect of pay and prospects with that which he had left in India and, if not, to assess the extent of compensation due. At the end of the agreed period, those for whom no further employment had been found would be given compensation in full.

Ministers agreed that a scheme on these lines would be both just and reasonable and would be more readily accepted by Parliament than the outright gift of compensation to all members of the Services, regardless of their future employment. They considered that the Government of India might accept responsibility for any compensation to be paid to Indian members of the Services under this scheme.

The Secretary of State for India said that the compensation
figures in the proposals put to the Government of India had been computed on the assumption that most members of the services would find re-employment. If His Majesty’s Government proceeded on the basis of only paying full compensation to those for whom employment was not found, then it would be necessary to pay to those individuals higher compensation than the rate so far agreed.

THE COMMITTEE:—

(1) Invited the Secretary of State for India, in consultation with the President of the Board of Trade and with the Treasury to draw up a scheme for meeting the obligations to the members of the Secretary of State’s Services on the lines discussed by the Committee.

The Secretary of State for India reminded the Committee that Sardar Patel was anxious to raise the whole matter in the Indian Cabinet. He had postponed doing so at the urgent request of His Majesty’s Government but was unwilling to agree to further delay. We must send him some message soon.

After discussion it was agreed that the Government of India should be informed that, after hearing the Parliamentary Under-Secretary of State for India’s report of his discussions in Delhi, His Majesty’s Government had decided to withdraw their original proposal\(^3\) which should not therefore be put to the Indian Cabinet, and that alternative proposals were under consideration and would be communicated shortly.

The Committee were informed that the Indian leaders were pressing for early termination of the Secretary of State’s Services. The Committee agreed that it was most desirable that they should remain formally in being until the termination of British authority in India. They could not be terminated without legislation.

THE COMMITTEE:—

(2) Invited the Secretary of State for India to send a telegram to the Viceroy on the lines indicated at ‘X’ above.\(^4\)

*Minute 2*

Future Policy in India

(Previous Reference: I.B.(47)8th Meeting, Item 1)\(^5\)

The Committee considered the draft of a telegram to the Viceroy which had been prepared by the Secretary of State for India as the result of the discussion at the meeting held that morning. Various amendments were suggested and agreed.

THE COMMITTEE:—

Invited the Secretary of State for India to dispatch the telegram to the Viceroy as amended, on the lines agreed in discussion.

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\(^3\) See No. 96.

\(^4\) This was done in tel. 1816 of 7 February. L/S & G/7/913: f 172.

\(^5\) No. 359.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/77: ff 373-5

IMMEDIATE

INDIA OFFICE, 8 February 1947, 12.45 am

Received: 8 February, 9.15 am

1818. My colleagues and I have considered further your telegrams 219-S and 220-S of 4th February and also your telegrams 228-S, 229-S and 235-S.

2. While we recognise that Congress agreed to Muslim League entering Interim Government on the basis that League would reconsider their Bombay resolution and that you gave assurances to Nehru in your letter of 23rd October to that effect, we feel strongly that we should not take precipitate action on the request to remove League members from Government. If you are pressed for an answer you should say that you referred their letter at once to H.M.G. who must have reasonable time to consider such an important matter. We think that what Liaquat said to you reported in your 235-S may mean that there is still a faint possibility of League coming into Constituent Assembly but position may be clearer on receipt of his letter.

3. We feel that before we give our reply to letter in your telegram 229-S we should issue Statement drafted while you were here revised text of which was brought out to you by Abell. We should propose to do so in Parliament at a very early date. We think that this announcement may have considerable effect on situation. After it has been made we should reply to request for removal of League from the Government by saying that we wish to give time for the parties to consider this Statement before we take a decision.

4. We shall telegraph to you separately some minor amendments to wording of Draft Statement. We have, however, reconsidered wording of paragraph 10 and now propose that it should read as follows in order to avoid possible controversy as to the position under this paragraph read with the last paragraph of our Statement of December 6th. As it is now drafted Congress might claim that constitution had been “worked out in accordance with proposals made by Cabinet Mission” even though Muslim League and possibly the States had not been represented in Constituent Assembly. Revised text Begins. "After months of hard work by the Cabinet Mission a great measure of agreement was obtained as to the method by which a constitution should be worked out. This was embodied in their statements of May last. H.M.G. there agreed to recommend Parliament a constitution worked out, in accordance with the proposals made therein, by a fully representative Constituent Assembly. But if such a constitution has not been worked out by a fully representative As-
sembly before the time mentioned in paragraph 7 of this Statement His Majesty’s Government will have to consider etc.” (as in present text). Ends.

5. We are opposed to making Statement on lines proposed in your 220-S. Although Congress may be said to have accepted Mission’s proposals to greater extent than Muslim League, we certainly do not think we should commit ourselves publicly at the present moment to position that we regard Congress as having unequivocally accepted proposals of Mission.

For your own information there are parts of Congress Resolution8 that certainly require clarification.

1 Nos. 342 and 343. 2 See No. 350, note 3, No. 353, note 1 and No. 353.
3 Vol. VIII, No. 495. 4 No. 350. 5 See Enclosure to No. 249.
6 This was done in tel. 1819 of 7 February, 10 pm. L/P 85/10/77: f 377.
7 In tel. 1830 of 8 February to Mr Abell, Mr Turnbull specially stressed that the word ‘statements’ in this revised text should be in the plural to cover the Statement of 25 May as well as that of 16 May. This was ‘to safeguard position that H.M.G.’s agreement to recommend to Parliament was subject to proviso as to Minorities and Treaty.’ Ibid: f 370.
8 No. 253.

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Mr Liaquat Ali Khan to Field Marshal Viscount Wavell

R/3/1/130: ff 35–8

FINANCIAL MEMBER OF COUNCIL,
8–B HARDINGE AVENUE, NEW DELHI,
8 February 1947

Dear Lord Wavell,

With reference to my interview1 with you on Thursday when you informed me that the 9-non-League Members of the Executive Council had written to you2 asking that five of us who represent the Muslim League in the Government should resign because the Working Committee of the All-India Muslim League by its Karachi resolution3 had declined to convene a meeting of the All-India League Council for the purpose of rescinding its Bombay resolution of July 294 whereby the earlier acceptance of the Cabinet Mission’s plan was withdrawn, I consider it necessary to place on record the reactions of my other four colleagues of the Muslim League bloc and myself.

You will recall that immediately after the publication of the Cabinet Mission’s Statement of May 16 the Congress put forward certain interpretations of their own particularly with regard to paragraphs 15, 19(V) and 19(VIII) of that Statement, which interpretations were prima facie untenable and inconsistent

1 See No. 353. 2 No. 350. 3 No. 333. 4 Vol. VIII, No. 86.
with the letter and spirit of the Cabinet Mission's Statement. The Cabinet Mission who were then in this country took cognizance of these misinterpretations put by the Congress on fundamental points of principle and procedure, and within nine days of the publication of their first Statement they issued another Statement on May 25 in which they made it quite clear that the interpretations which the Congress had put forward did not accord with the intentions of the Cabinet Mission.

It was in view of these specific provisions in the Cabinet Mission's Plan regarding Groups and Sections as clarified and interpreted by the Cabinet Mission on the 25th of May and the belief that the Plan will be worked out in letter and spirit by all the Parties with goodwill and sincerity that the Council of the All-India Muslim League decided to accept that Plan by its resolution of June 6. The Congress Working Committee however passed a resolution on June 25 in which it still adhered to its own interpretations and professed to "accept" the Statement of May 16 subject to its right to proceed on the basis of these wrong interpretations. The same wrong interpretations were repeated by Congress leaders in their speeches at the meeting of the All-India Congress Committee at Bombay in the first week of July, 1946, and thereafter innumerable statements were made by them which proved that the so-called acceptance of the statement of May 16 by the Congress was no acceptance at all.

By this time the Muslim League was convinced that the Congress was pursuing a dishonest course and that it was determined to use its brute majority in the Constituent Assembly to alter the Cabinet Mission's Plan according to its own interpretations and not implement it on the basis laid down by the Cabinet Mission themselves and clarified by them in their Statement of May 25. Accordingly Mr. Jinnah and myself issued public statements drawing the attention of His Majesty's Government to continued Congress insistence on misinterpreting fundamental provisions of the State Paper to their own advantage and we asked H.M.G. to take cognizance of these Congress declarations and to set matters right. Shortly afterwards a debate on India was held in both Houses of Parliament but in course of their speeches in the House of Lords and in the House of Commons respectively Lord Pethick-Lawrence and Sir Stafford Cripps, far from giving any assurance and making any declaration that they would prevent Congress from acting contrary to the correct interpretation of the State Paper as given by the Cabinet Mission themselves and as accepted by the Muslim League, on the contrary, made statements which encouraged the Congress in thinking that the British Government were powerless to intervene and that the Congress could twist and distort the Statement of May 16 to suit its own purpose.

Accordingly, the Council of the All-India Muslim League when it met at Bombay on July 27-29 last year had no alternative but to withdraw its acceptance and to decline to come into Constituent Assembly where not the agreed
plan of May 16 but a plan basically different from it was going to be pursued by the sheer weight of Hindu majority.

That this view of the Muslim League was correct and its decision of July 29 was justified was proved beyond any shadow of doubt during the London discussions in the first week of December when the Prime Minister and the members of the Cabinet Mission were brought face to face with realities and had to issue their Statement of December 6 in which they admitted that while the Muslim League’s interpretation accorded with their own, the Congress had put forward a different view, and they urged the Congress to accept the correct interpretation or refer the matter to the Federal Court.

You will also recall that both Mr. Jinnah and myself in our discussions with the Cabinet Mission and yourself in London urged the necessity of providing for some sort of an umpire for the settlement of disputes on other questions of interpretation which might arise from time to time in the course of the proceedings of the Constituent Assembly and the Sections. The Cabinet Mission and you recognised the necessity for such a provision and accordingly the Statement of December 6 contained the following paragraph:—

“It is, however, feared that other questions of interpretation of the Statement of May 16 may arise and His Majesty’s Government hope that if the Council of the Muslim League are able to agree to participate, they will also agree, as has the Congress, that the Federal Court should be asked to decide matters of interpretation that may be referred to them by either side and will accept such a decision, so that the procedure, both in the Union Constituent Assembly and in the Sections, may accord with the Cabinet Mission Plan.”

I would now like to draw your attention to the subsequent decisions of the Congress and statements by some of the foremost Congress leaders, notably Pandit Jawaharlal Nehru, with regard to (1) the correct interpretation of paragraphs 19(V) and 19(VIII) of the May 16 Statement, and (2) the provision that other questions of interpretation shall be referred to the Federal Court.

By its resolution of December 22\(^8\) the Congress Working Committee declined to refer the question of interpretation of what H.M.G.’s December 6 Statement described as “the fundamental point”, to the Federal Court, and the Working Committee decided to summon the All-India Congress Committee for the purpose of considering the matter. The A.-I.C.C. thereafter passed a resolution\(^9\) purporting to agree to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the Sections but at the same time laying down such conditions, reservation and qualifications which totally nullify the effect of the advice. In the view of

\(^1\) Vol. VII, Enclosure to No. 469.  \(^6\) Vol. VII, Enclosure to No. 603.

\(^7\) See Vol. VIII, Appendix I to No. 317 for extracts from these speeches which were made on 18 July 1946.

\(^8\) Enclosure to No. 222.  \(^9\) No. 253.
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, as must be any honest and impartial person, 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 His Majesty's Government's Statement of December 6. The resolutions passed, the rules framed and certain decisions taken so far by the so-called Constituent Assembly prove that the Congress has already violated some of the fundamentals of the Cabinet Mission's Plan. It clearly indicates that the Congress had never intended nor does it intend to abide by the terms of the Mission's Plan.

With regard to reference of other questions of interpretation to the Federal Court, no mention was made in the resolution of the Congress but Pandit Nehru, in course of his speech at the A.-I.C.C. on January 6 made it quite clear that Congress definitely and categorically rejects the procedure laid down in the December 6 Statement and declared that it was for the Constituent Assembly alone to give interpretation of the State Paper of May 16.

Following these decisions by the Congress Working Committee and the A.-I.C.C. there was considerable controversy as to whether Congress had really accepted the December 6 Statement or not. Accordingly, several days before the Working Committee of the Muslim League was due to meet at Karachi, I issued a statement to the Press putting the following categorical questions and suggested that on behalf of the Congress clear-cut answers to these questions might be given through the public Press to resolve doubts.

[There follows the text of the six questions posed by Mr Liaquat Ali Khan in his Press Statement reproduced in No. 309.]

Although most of the top ranking Congress Leaders were then in Delhi, no reply was given on behalf of the Congress.10

The position, therefore, is that while the Muslim League originally accepted the Cabinet Mission's Statement of May 16 in letter and in spirit and in its correct interpretation, but was subsequently compelled to withdraw its acceptance, Congress at no time accepted that Statement and does not now accept it. It is clear from H.M.G.'s Statement of 6 December 1946 that up to that time the Congress had not accepted some of the essentials and fundamentals of the Cabinet Mission's Plan. They urged the Congress to accept the reaffirmation of the intentions of the Cabinet Mission with regard to those fundamental points. The Congress has not only not done so by its resolution of 6 January 1947, but on the contrary has made the matter worse by going back on the agreement to accept the decision of the Federal Court on other questions of interpretation of the Statement of May 16. The question of reconsideration by the Muslim League of its July resolution does not arise so long as the Congress
does not unequivocally accept H.M.G.'s Statement of 6 December, 1946.

In the result, therefore, if the basis of the participation in the Interim Government were acceptance of the Statement of May 16, then the Congress which has not accepted it and the Sikhs who have definitely rejected it have no greater right to have their representatives or nominees in the Government than the Muslim League has.

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.

I am herewith enclosing a copy of the Karachi resolution passed by the Working Committee of the Muslim League which deals with the matter in greater detail and which may be regarded as a part of this communication. I hope you will be good enough to convey to H.M.G. the text of this letter and the enclosed resolution so that they may have full material before them to understand the real position.\[11\]

Yours sincerely,

LIAQUAT ALI KHAN

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\[10\] Lord Wavell minuted here: 'Azad's Statement.' [See No. 314.]

\[11\] On 9 February Mr Abell acknowledged this letter on Lord Wavell's behalf. The same day Lord Wavell sent Lord Pethick-Lawrence in tel. 257-S a summary of the first part of the letter and the text of the last six paras. This telegram was circulated to members of the India and Burma Committee and on 17 February Lord Pethick-Lawrence circulated the text of the complete letter under the reference I.B.(47)18. R/3/1/130: ff 50, 54-6; L/P &J/10/77: f 228.

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Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell (Extract)

R/3/1/131: f 165

CONFIDENTIAL

NO. 11-GH

8 February 1947

4. I am of course anxious about the Advisory Committee of the Constituent Assembly on Tribal and Excluded Areas. The office of the Constituent Assembly wrote to the Provincial Government asking for a tour programme, to which I replied that, as regards Tribal Areas, this was a matter for the External Affairs Department, and as regards Excluded Areas (we have one—the cis-Indus portion of Amb State in Hazara) the present was not a good moment in Hazara for discussions. I have heard nothing more, but the dangers of an Advisory Committee constituted by the present Assembly remain great, and if
it comes up under this aegis I just cannot tell what will happen. Certain members of the tribes will no doubt be ready to negotiate, but the Committee may find that whole jirgas will come down and endanger the peace of the districts. If your Excellency can do anything to dissuade Nehru from acting precipitately it will be very helpful, but I confess that my hopes from that quarter are small. I imagine that if the Constituent Assembly sends up this Committee here Jinnah will follow up with a Committee of his own, which will make confusion worse confounded, and I am unable to see my way clear as to what I should do. On merits the right thing to do would be in exercise of my special responsibilities under Section 52(2) of the Government of India Act to refuse access to any Committee until an all-party Committee has been set up, but I should imagine that action on these lines would lead to the resignation of the Ministry. The peace of the border is certainly at stake, and the matter is one on which I should be glad of your advice.

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Mr Attlee to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Policy

IO DOWNING STREET, WHITEHALL,
8 February 1947

My dear Dickie,

I am not quite sure yet as to whether any formal directive should be issued. It may be that all that would be required would be a letter from myself to you. In effect the statement of policy which we are proposing to issue would very largely cover the points which you have in mind.¹ In the meantime, I am sending you down a suggestion on the lines that such a directive might take which Stafford has produced rather at short notice. You will realise that it is at present no more than a cock-shy, but I am sending it down to you in order that you may have a look at it and let me know how far you think it covers what you had in mind.

Yours sincerely,

C. R. ATTLEE

Enclosure to No. 365²

BOARD OF TRADE,
MILLBANK, S.W.1

The recent statement issued by H.M.G. should act as your guide in the final stages of handing over power to the Indian People.
It is the definite objective of H.M.G. to obtain if possible a unitary Govt. for all India, through the medium of the Constituent Assembly, set up and run in accordance with the Cabinet Mission’s plan, and you should do the utmost in your power to persuade all Parties to work together to this end.

It is essential that there should be the fullest cooperation with the Indian leaders in all steps that are taken as to the withdrawal of British power so that the process may go forward as smoothly as possible.

While doing nothing to prevent the majority community from making rapid progress to independence you will do your utmost to safeguard the interests of the minorities and will give all legitimate protection to British interests in the transitional period.

So far as the States are concerned, so long as the paramountcy of the Crown is continued you will do your best to persuade the States Rulers to progress rapidly towards some form of more democratic Government in their States and you will aid and assist them in coming to a fair and just arrangement with the leaders of British India as to their future relationships.

In the course of the transition there will of necessity be a gradual diminution of actual control by the British in India. While maintaining the structure of the Government of India under its existing constitution you will therefore do your best to give the Indian leaders the fullest power and experience that is possible.

The keynote of your administration should be the most ample cooperation with the Indians and you should make it clear to the whole of the Secretary of State’s Services that this is so.

In the event of European members of that staff being unable to adapt themselves to the new relationship with the Indian Governments you should take steps to remove them from any posts where their attitude may interfere with the smooth transition.

The date fixed for the transfer of power is a flexible one but you should aim at completing the process by June 30th, 1948.

If it appears certain and final that the Muslim League will not cooperate in the Constituent Assembly you should then at once advise H.M.G. as to the best course for them to adopt in handing over power on the due date.

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1 Later on 8 February Mr Rowan sent Lord Mountbatten a copy of the draft Statement as amended up to 7 February. Mountbatten Papers, Official Correspondence Files: Policy.

2 The copy of this enclosure in the Mountbatten Papers is in Sir S. Cripps’s hand.
Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence


IMMEDIATE SECRET

8 February 1947

No. 15–G. Your telegram No. 1740, February 6th.1 Muslim League agitation has so far taken normal course of all Indian passive resistance movements. Methods employed are harials to ensure mass idleness, organisation of processions and meetings in contravention of law and dissemination of exaggerated false stories about roughness of police, heroism of demonstrators and so on. We have now reached or are approaching routine stage at which demonstrations are repeated daily with varying but on the whole diminishing enthusiasm. Demonstrations have been most persistent at Lahore. All districts have had some trouble, in particular Multan, Gujrat, Jullundur being perhaps the worst. At Dera Ghazi Khan Leghari tribesmen have been threatening to take part but situation is under control.

2. Agitation has sympathy of almost all Muslims official and non-official. But police have been staunch and good humoured. Participants are mainly politicians and their womenfolk and Muslims of poorer classes. Villagers have joined demonstrations in some districts. The objects of agitation are not generally understood and apart from abuse of Khizar and Ministry slogans refer to Pakistan.

3. There has been little violence. One demonstrator died of injuries received in lathi charge at Simla. No other fatal casualty reported. Two British police officers have been injured, one seriously and there have been some injuries to police rank and file. Mass arrests have been avoided.

4. Troops have not been used at all though we have had one company standing by in Lahore and one in Amritsar.

5. Immediate situation is not alarming. But it might be worsened at any minute by serious clash between communities or between demonstrators and police. Former danger is real but communal trouble seldom occurs during a conflict between one community and the Government. Police have instruction to be as tolerable [? tolerant] as possible but initiative rests with demonstrators who will not necessarily remain non-violent. In Lahore yesterday their attitude was distinctly more offensive.

6. Agitation can end only in one of the following four ways. First. By communal outbreak so violent that agitation is swamped by it. Second. By

7. First is possible but not in my judgment very likely for reason given in paragraph 5. Ministry would probably attempt to remain in office and control situation. Second is most improbable. Like first it would leave Ministry in office. Third is possible but Muslim League would not (repeat not) be able to form stable Ministry. Agitation has convinced Hindus and Sikhs that League want undiluted Muslim Raj. League realise (2 groups corrupt) not material or if formed venal support² would be overthrown in turn by non-Muslim direct action. Sikhs are of course incalculable and might co-operate with League but I think not. Fourth is most likely ending but much depends on outcome of present controversy at Centre. Compromise would need most skilful handling if split between Premier and non-Muslims is to be avoided. It might take form of abandonment of agitation in return for offer to review working of Ordinance and to enlarge Cabinet. Majority of Muslim League are against settlement but some are in favour. Nazimuddin and two other Leaders are at Lahore now and are said to be doubtful of wisdom of agitation. Budget Session of Assembly begins March 3rd and I have suggested to Premier that a compromise before that date is desirable. Premier is not at the moment disposed to agree and he may be right.

8. It is quite impossible for one community to rule the Punjab with its present boundaries. Long-term alternatives are therefore reversion to Unionist principles with Muslim domination or partition which would create intolerable minor[ity] problems. Effect of agitation is to force second alternative on non-Muslims and to impair very seriously long-term prospects of Muslim League and Muslims generally. Muslim League are in fact wantonly throwing away certainty of Muslim Leadership in a United Punjab for uncertain advantages of a partition which Sikhs will gradually now demand. But nobody has brains to understand this.

Repeated to Viceroy.

¹ In this telegram addressed to the Governor of the Punjab and repeated to Viceroy, Lord Pethick-Lawrence asked for Sir E. Jenkins's personal appreciation of the situation and requested that this should cover 'not merely the present situation, but your assessment of effects of Muslim League's agitation on its position in the Punjab.' L/P & J/8/663: f 343.

² In the copy of this telegram at L/P & J/8/663: ff 337-8 this reads: 'League Ministry would therefore not materialise, or if formed with venal support'.

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: ʃ 46

IMMEDIATE SECRET

NEW DELHI, 9 February 1947, 2 pm
Received: 9 February, 1 pm

No. 256-S. Your 1818 of 7th February.¹

1. My judgement on the present political situation is as follows.
   Neither side is really anxious for an open breach. Muslim League members do not wish to lose their foothold in Cabinet, and Congress members would, I believe, prefer them to stay if they could be assured of at least a reasonable degree of cooperation.

2. It is however difficult to see how Congress can be persuaded that Muslim League members should remain so long as they refuse to cooperate in Constituent Assembly and maintain present rather aloof attitude towards their colleagues in the Cabinet.

3. Both sides are really hoping for some move from H.M.G. that will solve their difficulties for them. Congress hope for statement that will recognise their acceptance of Mission’s plan and will thus put on League whole blame of refusal to enter Constituent Assembly.
   League would, I think, reconsider their decision, if H.M.G. made a definite statement of the points in which they consider Congress statement of 6th January² unsatisfactory and required from Congress assurance on them.

4. I advise H.M.G. most strongly that they should make an attempt on above lines to bring the parties together in Constituent Assembly before taking any further action. After receipt of Liaquat’s letter³ I will advise H.M.G. on the lines of a possible statement.

5. Rulers of States who are hesitating about their action would also undoubtedly welcome a statement by H.M.G.

6. I suggest that H.M.G. should also consider revised plan drawn up by my Committee and sent with a covering note in my letter of February 3rd.⁴ They might consult Hutchings who was a member of the Committee.

7. I have never liked the form of the Revised Draft Statement⁵ which Abell brought back, but will withhold comment for the present, since I am sure that right policy for the moment is to concentrate on final attempt to bring all parties into Constituent Assembly.

¹ No. 362. ² No. 253. ³ No. 363. ⁴ No. 337.
⁵ Enclosure to No. 249.
2. As you feared the League refused to join the Constituent Assembly. According to Ghulam Hussain, whom I saw this morning, their decision was more or less unanimous, though Khuhro was inclined to the other view. He is very keen, I think, to get into some all-India platform. Khaliq-ul-Zaman and Suhrawardy proposed that the League should set up its own Assembly, but according to Ghulam Hussain "That would be even worse". He seems quite content to let things take their course, and appears to be in no hurry for a change. This is the general view of Sind Muslims.

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unsigned and undated minute

R/3/1/130: f 57

The two main points in the Statement of Dec. 6 are:—

(i) that the Congress should accept H.M.G.'s view that, in the absence of other agreed procedure, decisions in Sections will be taken by simple majority vote; and

(ii) that other questions of interpretation should be referred to the Federal Court whose opinion should be accepted.

2. As regards (i), the A.I.C.C. resolution says:—

"The A.I.C.C. is anxious that the Constituent Assembly should proceed with the work of framing a constitution for free India with the goodwill of all parties concerned and, with a view to removing the difficulties that have arisen owing to varying interpretations, agree to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the Sections".

3. There is nothing in any part of the Resolution which qualifies or whittles down this statement of the Congress intention.

4. The resolution has said that there must be no compulsion on a Province and that the rights of the Sikhs in the Punjab must not be jeopardised. But the

1 A note in pencil on the document reads '?' By R[eforms] C[ommissioner].

2 No. 253.
Constituent Assembly is the proper forum for adjustment of various points of view and no objection can therefore be taken to this expression of the Congress viewpoint. Indeed, the practical position is that once the Sections get working it is the Congress and the Sikhs who are in a minority and even matters of procedure will be regulated by majority opinion. The Union Assembly has a Congress majority but it is not in a position to interfere in decisions taken by Sections in matters relating primarily to Group and Provincial Constitutions. So it may be found that the Congress will not have effective sanctions—apart from withdrawal from Sections—even if they feel that the Sections have compelled Provinces or failed to safeguard the rights of the Sikhs.

5. As regards (ii), the Statement of May 16 adequately protects Muslim interests in the Union Constituent Assembly—vide para. 19(vii). There is no question but that the Congress have accepted this.

6. In their Statement of Dec. 6 H.M.G. have expressed the hope that if the Muslim League decides to participate, the Federal Court will be asked to pronounce upon matters of interpretation of the Statement of May 16 (other than the question of procedure in the Sections). This is clearly of the nature of a suggestion to the parties and its acceptance cannot be imposed on the parties. At the same time, H.M.G.'s commitment to implement the Constitution drafted by the Assembly is contingent upon their being satisfied inter alia that the terms of the State Paper of May 16 are adhered to.

7. It is therefore not reasonable to hold that Congress has not accepted the State Paper of May 16 as subsequently clarified by the Cabinet Mission and H.M.G.

8. Incidentally it may be mentioned that it is not correct to say that the Sikhs have not accepted the Statement of May 16.

3 See No. 363. 4 Mr Abell noted against this para.: 'True'.

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Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/120: f 55

10–12 February 1947

Y.E. in your telegram of yesterday said that you would not send to H.M.G. at present your comments on the Revised Draft Statement. On the other hand there are indications that H.M.G. intend to make this statement at a very early date. (cf. paragraph 3 of your [their] telegram of 7th February—page 193, and
the fact that they have sent amendments to the text by immediate telegram\(^1\) cf. pages 195 and 215).

2. I suggest therefore that without prejudice to your general recommendation that they should:

(a) concentrate on getting the two parties into the Constituent Assembly,
and

(b) study the revised plan by the Planning Committee.
It might be a good thing to send them comments on the text of the draft Statement.\(^4\)

3. The two comments which I suggested were:

(a) that the first sentence of para. 14 should be omitted (because this is likely to create unnecessary anxiety and encourage European families to move too soon), and

(b) that in the last sentence of the whole Statement the word ‘two’ should be omitted since the Muslims claim that there are three peoples concerned, viz. the British, the Hindus and the Muslims.

4. If there are any other textual amendments that should be suggested perhaps we might telegraph them now?

G. E. B. ABELL
10.2.1947

My main criticism of this statement is that it is completely indefinite. Nothing happens; nine-tenths of it is simply general clap-trap of the usual kind. The only really definite statement is that we propose to hand over power by the middle of 1948—in the middle of the hot weather.

Para. 11 is utterly indefinite, what preparatory measures are intended, and what provisions of the 1935 Act are meant? I think there will be a general sense of bewilderment.

Para. 13 is equally indefinite. I think.

Para. 10 will encourage separation rather than promote agreement between the Parties. Nothing is said even to indicate the paramount necessity of the integrity of the I.A. being maintained.

I agree with the textual amendments you have suggested. I think that in addition “Indian political parties” should be substituted for “politicians” in line 2 of paragraph 6.

Please discuss.

W.
12/2/47.

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\(^1\) No. 367.
\(^2\) No. 362 which was sent early on 8 February.
\(^3\) See No. 362, notes 6 and 7.
\(^4\) See Enclosure to No. 249.
Prime Minister.  
You will wish to see the Secretary of State for India, the President of the Board of Trade and the Minister of Defence on this. You have a meeting before Cabinet, and the Cabinet will probably take you up to lunch time, but we could fix a meeting in the afternoon (late after the Churchill wedding).  

Admiral Mountbatten left with me a copy of the draft statement (Flag “A”) which he had drawn up before he had seen the long statement on Indian policy or your directive. He is in London, and I understand will be ready to let you have comments on the documents you sent him tomorrow. In the meantime, I have been thinking over the matter, and I am sure, on reflection, that the best way to make the announcement about the new Viceroy is to add it to the statement on policy which you are to make in the House. It would then come in quite naturally. The announcement in the Press could then be the purely formal announcement that “His Majesty has been pleased” and so forth. This would also make the drafting considerably easier. I notice that Lord Wavell has not commented at all on the suggestion in your letter that the announcement should say that he is now retiring. On the other hand, he only asked to be given advance notice, not to be consulted, about the announcement; but the terms of his letter would not, I think, justify the use of the word “retiring”. You will see that he refers to “a summary dismissal”. I do not know whether you wish to bring in a reference to three years, but if so, it would be necessary in view of what Lord Wavell says to consult Mr. Churchill. I should have thought that a new passage at the end of the statement of policy more or less as follows might do:  

“I have a further announcement to make. Field Marshal the Viscount Wavell was appointed in 1943 as Viceroy, and it was then agreed that the appointment was a war one. Lord Wavell has discharged this high office during this very difficult period with devotion and a high sense of duty, and in recognition of this H.M. has been graciously pleased to confer an Earldom upon him. It has, however, seemed right to bring in a new hand to carry out the policy announced above. His Majesty has been pleased to approve the appointment of (and then will follow the correct phraseology and a short tribute to Mountbatten). The change will take place during March.”  

It would be for consideration in the light of whatever is settled about the directive whether anything should be put in on the lines of the last paragraph of Admiral Mountbatten’s draft announcement.
You will no doubt wish to see Admiral Mountbatten and General Ismay after you have seen your Cabinet colleagues, and once the terms of the announcement have been settled the first thing will be to telegraph it to The King and formally submit Lord Wavell for an Earldom, in accordance with the terms of your submission to The King of the 29th January. It will also be necessary to submit Admiral Mountbatten for a Privy Councilorship and for any India Office Honours which are customary, such as the G.C.S.I. and G.C.I.E. I assume that it is not your intention to submit Mountbatten for a further step in the Peerage at this stage. This would be unusual in the case of somebody who is already a Peer.

T. L. R.

1 Presumably the reference is to No. 351.
2 Mr Attlee minuted: 'Fix meeting for tomorrow afternoon'.
3 The wedding of Captain Christopher Soames and Miss Mary Churchill took place on 11 February 1947.
4 See Enclosure to No. 308.
5 See No. 365 and its note 1.
6 No. 331.
7 Mr Attlee minuted near the end of this paragraph: 'This seems a good suggestion.' Presumably he was referring to the proposal to link the announcement of the new Viceroy with the statement of policy.
8 Mr Attlee minuted: 'Yes'.
9 No. 327.
10 Mr Attlee minuted: 'I agree'.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f 60

IMMEDIATE
SECRET

NEW DELHI, 11 February 1947, 5.30 pm
Received: 11 February, 5.45 pm

No. 269-S. My 257-S of 9th January. After considering Liaquat Ali Khan’s letter I have come to the conclusion that a more elaborate statement than the one proposed in my telegram 220-S of 4th February is desirable. I send you this for consideration in my next succeeding telegram.

2. I think there is a chance though perhaps a slender one that statement on lines proposed may result in getting League into Assembly, and I am sure H.M.G. should make this last effort.

1 See No. 363, note 11.
2 No. 363.
3 No. 343.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1130: ff 61–3

IMMEDIATE
SECRET

NEW DELHI, 11 February 1947, 8 pm
Received: 11 February, 11.25 pm

No. 270–S. My immediately preceding telegram. Following is the suggested text. Begins. H.M.G. have considered the A.I.C.C. Resolution dated 6th January, 1947,¹ in which the A.I.C.C. agreed “to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the Sections” of the Constituent Assembly.

2. They have also considered the Resolution of the Working Committee of the Muslim League dated 31st January 1947² which states that since the Congress among others have not accepted the Cabinet Mission’s Plan they are unable to reconsider their decision taken at Bombay in July 1946 not to enter the Constituent Assembly.

3. The Muslim League’s doubts about the Congress acceptance of the Cabinet Mission’s Plan as put out in the Statement of the 16th May and subsequently amplified on the 23rd May and 6th December relate primarily to the procedure in the Sections of the Constituent Assembly. The A.I.C.C. in their Resolution of the 6th January appear to H.M.G. to have accepted the Cabinet Mission’s Plan. The resolution does however include certain passages which have given rise to doubt on this point. The passages in question read as follows:—

“There must be . . . no compulsion of any Province or part of a Province by another Province. The A.I.C.C. realises and appreciates the difficulties placed in the way of some Provinces, notably Baluchistan, Assam, the N.W.F.P. and the Sikhs in the Punjab by the British Cabinet scheme of the 16th May, 1946, and more especially by the interpretation put upon it by the British Government in their statement of the 6th December, 1946. The Congress cannot be a party to any such compulsion or imposition against the will of the people concerned—a principle which the British Government have themselves recognised” . . . .

“It must be clearly understood however that this must not involve any compulsion on a Province and that the rights of the Sikhs in the Punjab should not be jeopardised. In the event of any attempt at such compulsion a Province or part of a Province has a right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned.”

4. H.M.G. have themselves made it clear that they would not contemplate
forcing an unwelcome constitution upon unwilling parts of the country. Congress have accepted the same principle and it is self-evident that no generally acceptable constitution can be framed on a basis of compulsion. In the interests of securing an agreed constitution it will be just as important that the Muslim League should not override the Minorities in the Sections as it is that the Congress should not override the Minorities in the Union Constituent Assembly. It seems clear from the Statement made by Maulana Azad on January 26th that the passages quoted above are not intended to limit or to qualify the Congress’ acceptance of the Plan, but H.M.G. feel that the Congress should confirm this. If such public confirmation were forthcoming there would be no further ground for the allegation that the Congress had not accepted the Cabinet Mission’s Plan, and the way would be clear for the Muslim League to re-consider its attitude and for H.M.G. to decide in the light of the Muslim League’s decision whether the Muslim League representatives are entitled to remain in the Interim Government.

5. The Muslim League in their resolution have drawn attention to Rule 63 of the Rules of Procedure framed by the Constituent Assembly. In so far as this Rule dictates the procedure to be adopted by the Sections it is clear in the light of H.M.G.’s statement of December 6th that it would not be operative unless accepted by the Sections themselves since the Sections will frame their own procedure.

6. One further point of disagreement needs mention. Mr. Liaquat Ali Khan on behalf of the Muslim League has raised the question whether the Congress agree that questions of interpretation may be referred to the Federal Court. It is clear to H.M.G. that questions of interpretation are likely to arise in the Constituent Assembly, and that it is desirable to nominate some authority to decide them, but it is no part of the Cabinet Mission’s Plan to decide what that authority should be, and the reference to the Federal Court in H.M.G.’s Statement of 6th December was made on the assumption that an inter-party agreement on this point was possible. The matter is one that should be capable of settlement between the Congress and the Muslim League.

7. H.M.G. hope that there will be a ready response to this statement, and that its object which is to secure that both major parties will agree to participate in the Constituent Assembly will be fulfilled. Ends.

1 No. 253.  
2 No. 333.  
3 No. 314.  
4 See No. 355.  
5 No. 363.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: ff 61–3

NEW DELHI, 11 February 1947, 8 pm
Received: 11 February, 11.25 pm

No. 270–S. My immediately preceding telegram. Following is the suggested text. Begins. H.M.G. have considered the A.I.C.C. Resolution dated 6th January, 1947,1 in which the A.I.C.C. agreed “to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the Sections” of the Constituent Assembly.

2. They have also considered the Resolution of the Working Committee of the Muslim League dated 31st January 19472 which states that since the Congress among others have not accepted the Cabinet Mission’s Plan they are unable to reconsider their decision taken at Bombay in July 1946 not to enter the Constituent Assembly.

3. The Muslim League’s doubts about the Congress acceptance of the Cabinet Mission’s Plan as put out in the Statement of the 16th May and subsequently amplified on the 25th May and 6th December relate primarily to the procedure in the Sections of the Constituent Assembly. The A.I.C.C. in their Resolution of the 6th January appear to H.M.G. to have accepted the Cabinet Mission’s Plan. The resolution does however include certain passages which have given rise to doubt on this point. The passages in question read as follows:

“There must be . . . . no compulsion of any Province or part of a Province by another Province. The A.I.C.C. realises and appreciates the difficulties placed in the way of some Provinces, notably Baluchistan, Assam, the N.W.F.P. and the Sikhs in the Punjab by the British Cabinet scheme of the 16th May, 1946, and more especially by the interpretation put upon it by the British Government in their statement of the 6th December, 1946. The Congress cannot be a party to any such compulsion or imposition against the will of the people concerned—a principle which the British Government have themselves recognised” . . . .

“It must be clearly understood however that this must not involve any compulsion on a Province and that the rights of the Sikhs in the Punjab should not be jeopardised. In the event of any attempt at such compulsion a Province or part of a Province has a right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned.”

4. H.M.G. have themselves made it clear that they would not contemplate
forcing an unwelcome constitution upon unwilling parts of the country. Congress have accepted the same principle and it is self-evident that no generally acceptable constitution can be framed on a basis of compulsion. In the interests of securing an agreed constitution it will be just as important that the Muslim League should not override the Minorities in the Sections as it is that the Congress should not override the Minorities in the Union Constituent Assembly. It seems clear from the Statement made by Maulana Azad on January 26th\(^3\) that the passages quoted above are not intended to limit or to qualify the Congress’ acceptance of the Plan, but H.M.G. feel that the Congress should confirm this. If such public confirmation were forthcoming there would be no further ground for the allegation that the Congress had not accepted the Cabinet Mission’s Plan, and the way would be clear for the Muslim League to re-consider its attitude and for H.M.G. to decide in the light of the Muslim League’s decision whether the Muslim League representatives are entitled to remain in the Interim Government.

5. The Muslim League in their resolution have drawn attention to Rule 63 of the Rules of Procedure\(^4\) framed by the Constituent Assembly. In so far as this Rule dictates the procedure to be adopted by the Sections it is clear in the light of H.M.G.’s statement of December 6th that it would not be operative unless accepted by the Sections themselves since the Sections will frame their own procedure.

6. One further point of disagreement needs mention. Mr. Liaquat Ali Khan on behalf of the Muslim League has raised\(^5\) the question whether the Congress agree that questions of interpretation may be referred to the Federal Court. It is clear to H.M.G. that questions of interpretation are likely to arise in the Constituent Assembly, and that it is desirable to nominate some authority to decide them, but it is no part of the Cabinet Mission’s Plan to decide what that authority should be, and the reference to the Federal Court in H.M.G.’s Statement of 6th December was made on the assumption that an inter-party agreement on this point was possible. The matter is one that should be capable of settlement between the Congress and the Muslim League.

7. H.M.G. hope that there will be a ready response to this statement, and that its object which is to secure that both major parties will agree to participate in the Constituent Assembly will be fulfilled. \textit{Ends.}

\(^1\) No. 253. \quad \(^2\) No. 333. \quad \(^3\) No. 314. \quad \(^4\) See No. 355. \quad \(^5\) No. 363.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence


NEW DELHI, 11 February 1947, 11 pm
Received: 12 February, 12.20 am

No. 271–P. States Negotiating Committee met Corresponding Committee of Constituent Assembly 8th and 9th February. Following is text of joint communiqué issued 9th February:

Begins. The States Negotiating Committee set up by the Chamber of Princes and the Corresponding Committee of the Constituent Assembly held joint meetings on Saturday and Sunday. In the course of the discussions, reference was made to the Cabinet Delegation’s statement of May 16th, [and] the resolution passed by the conference of Rulers. The discussions were friendly and satisfactory. On the basis of a general understanding arrived at, it was decided to take up the question of the representation of the States in the Constituent Assembly.

The Secretaries of the Assembly and the Chamber of Princes were accordingly asked together to draw up detailed proposals for the allocation of the 93 seats allotted to the States and to place them for consideration before the next joint meeting of the two Committees which will consider the proposed allocation as well as the method of selection of the States’ representatives. Ends.

2. Baroda is conducting negotiations separately. Following is text of communiqué issued by Secretary, Constituent Assembly, 9th February:

Begins. The States’ Committee of the Constituent Assembly met Sir B. L. Mitter, Dewan of Baroda, and it was agreed that on the population basis Baroda should have three representatives in the Constituent Assembly. It was further agreed that these representatives should be elected on the principle of proportional representation by means of the single transferable vote by the Dhara Sabha (State Legislature), only the elected and the nominated non-official members voting. The official nominated members will not vote. Ends.

3. Comment follows in my immediately succeeding telegram.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. Political Series, January–March 1947, pp. 40–1

NEW DELHI, 11 February 1947, 11.30 pm
Received: 12 February, 1.35 am

No. 272–P. Reference my immediately preceding telegram. States Negotiating Committee.

2. Constituent Assembly’s Resolution of 21st December¹ limited functions of Corresponding Committee to discussion of two matters only (a) distribution of 93 seats in Assembly, and (b) method of selecting States’ representatives.

3. Standing Committee of Princes passed three Resolutions which were endorsed unanimously by General Conference of Rulers on 29th January.² (a) Certain fundamental propositions were laid down as basis of States’ acceptance of Cabinet Mission’s plan. These propositions were derived from Cabinet Mission’s Statement of May 16th and Memorandum on States’ Treaties and Paramountcy.

(b) The States’ Negotiating Committee was the only authoritative body competent under the Cabinet Mission plan to conduct preliminary negotiations on behalf of States with Constituent Assembly.

(c) Method of selecting States’ representatives was a matter for negotiation with Constituent Assembly but distribution of seats among States was matter for States themselves to decide.

4. Though Corresponding Committee had no authority from Constituent Assembly to accept or even discuss fundamental propositions put forward by States it is understood that informal discussion did take place and Corresponding Committee adopted reasonable attitude without however making any definite commitment on behalf of Constituent Assembly. States’ Committee responded by agreeing that Secretariats of the two Committees should jointly work out proposals both for method of selecting States’ representatives and for distribution of seats. Apparently States’ Committee did not press question of recognition of themselves as sole authoritative negotiating body since Corresponding Committee actually met Dewan, Baroda, and reached agreement as in paragraph 2 of my preceding telegram.

5. Many differences remain unresolved and points of possible conflict are still numerous. But it is encouraging that at their first meeting both Committees, whatever their motives may be, exhibited some spirit of accommodation. Their next meeting is likely to take place on the 1st March.

¹ No. 217.
² No. 326.
Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

R/30/1/8a: ff 142-5, 153-4, 156, 159-63

PRIVATE AND PERSONAL

SOUTH EAST ASIA COMMAND,
7 RICHMOND TERRACE, WHITEHALL,
S.W.1, 11 February 1947

My dear Prime Minister,

Thank you for your letter of the 8th February,\(^1\) enclosing the draft directive, and for sending the draft statement on Indian policy.

2. Although I would greatly prefer a formal directive, it is of course up to you to decide whether you prefer to put it in the form of a letter; but I should of course have to treat this as a directive, and give it the same circulation as I would a formal one.

3. Since you say that the draft directive is no more than a cockshy and asked me to let you know how far it covered what was in my mind, I have ventured to redraft it in some respects without changing the general intention, except in regard to the date of final transfer of power, to which I refer below; I have also added a new final paragraph which includes a proposal for framing a military treaty. I enclose this draft.

4. I have taken out of the directive the paragraph giving me authority to remove any European member of the Secretary of State’s services whose actions interfere with the smooth transition, as I feel this is out of place in a directive of policy, which must receive some circulation among my staff. I should be grateful, however, if you would give me this authority in the form of a separate Top Secret codicil.

5. I should feel very diffident in recommending amendments to a statement which you will be making in Parliament, were it not that since paragraph 1 of my directive tells me I am to take the statement issued by His Majesty’s Government as my guide, that statement will in effect be an important part of my directive; and in its present form I am afraid that it is not at all what I had expected.

6. You will recall that on the 20th December\(^2\) I wrote saying that I did not feel I could tackle the job with confidence if the manner of my appointment suggested to the Indians that we wished to perpetuate the Viceregal system, or intended to exercise the right to impose our nominee to arbitrate in their affairs.

7. I repeated this in my letter of the 3rd January;\(^3\) saying, however, that I understood why it was not feasible to secure an open invitation of the Indian
parties (as I had suggested). But since it was proposed to inform the principal
leaders, in person, of my appointment and to convey to them a message from
me, I considered the point of not ‘imposing’ an arbitrator was covered. I said in
the same letter, that it made all the difference to me to know that you proposed
to make a statement in the House terminating the British Raj on a definite and
specified date (or earlier). For if the statement in Parliament coupled the
announcement of my appointment with the announcement of the time-limit,
I agreed that this would cover the point about ‘perpetuation’.

8. I was very glad that you and Sir Stafford Cripps saw why I could not
agree to being Viceroy if he were out in India at the same time; and that you
were both so understanding about my suggestion as to how to take the best
advantage of his offer to help. I very much hope that you will make this
appointment, which would unquestionably be of the greatest help.

9. On the 3rd January, it was suggested that Mr Arthur Henderson, who
was then in Delhi, should be the one to inform the Indian leaders; on the 4th
February, you agreed that now Mr Henderson had left Delhi, the best person
to inform the Indian leaders would be Wavell himself. I have taken the liberty
of enclosing a draft telegram in case this point has not already been dealt
with.

10. In my letter of the 12th January,4 I said that I noticed with some concern
that in your letter to me of the 9th5 you now considered it inadvisable to
name a precise and definite day for the withdrawal of the British Raj from
India. In this letter I told you that I could not honestly feel that any new
Viceroy could hope to overcome the handicap which a renewal of this particular
appointment, at so late a stage in the development of Indian affairs, would
create unless the alternative you proposed to my original stipulation were
applied categorically. I felt very strongly that any escape clause in H.M.
Government’s announcement would nullify its value; and in your letter of the
16th,6 you said that an exact day of the month so long ahead would not be
very wise—but that there was no intention whatever of having any escape
clause, or of leaving any doubt that within a definite time the hand-over would
take place.

11. At Buckingham Palace on the 24th January, I told you how worried I
was to hear from Sir Stafford Cripps that the date proposed was the middle of
1948, since I felt that this left too wide a margin—covering, as it did, a period of
almost 100 days. Although I asked for a specific date, you said you felt that no
date closer than a month should be given; I agreed that the naming of a month,
without specifying the particular day, would be acceptable; and I said I would
aim at the first of that month, so as to have 30 days in hand.7

4 No. 271.  5 No. 267.  6 No. 278.  7 See also No. 308.
12. I have quoted from our letters and meetings; you will see that I have at no time modified my view that I could not successfully tackle the job if the Indians were allowed to remain under the impression that our attitude towards continuing the Viceregal system remained unchanged.

13. The draft of the proposed statement, however, contains the phrase "the middle of 1948": a term which I still consider so wide as not to be in keeping with your declaration that any form of escape clause must be avoided. And the vagueness of this term is underlined by certain points which could easily be misinterpreted. For instance, paragraph 7, which states that it is H.M. Government's "definite intention to effect the transference of power in India by a date not later than the middle of 1948", prefaces this by saying "unfortunately there is at present no clear prospect that such a constitution and such authorities will emerge." Whereupon paragraph 10 says that "if such a constitution has not been worked out by a fully representative assembly before the time mentioned in paragraph 7... H.M. Government will have to consider to whom the powers of the Central Government in British India should be handed over...".

14. From the above, it could be argued that our "decision to transfer power" may be indefinitely delayed while we "consider" what to do, if conditions are unsatisfactory when the time comes—which the statement makes it appear we consider only too likely to be the case.

15. I am afraid that I do not understand paragraph 12; unless it means that we are at the present time open to new and separate treaties with the Indian States. Surely only when it had become quite clear (say four or five months before the final month) that there would be no Central Government to hand over to, could we begin discussions of this nature without being accused of engineering divisions in India.

16. I hope you will not think I am pulling the document to pieces in a spirit of carping. But I am disappointed, on reading it, because in doing so I can recapture little of the enthusiasm which I felt when you told me of H.M. Government's proposal. The very length of the statement and its phrasing, seem to me far from creating the impression I had understood we wished to give. In paragraph 6, for instance, it says: "The failure of Indian politicians, who have all expressed an eager desire to be rid of British control, to agree among themselves, even on the machinery for deciding on the constitution to replace the existing form of government, must create an unfavourable impression on world opinion." I believe that such phrases could not fail to antagonise Indian opinion; instead of making it feel that we are out to help, and not to score points.

17. The draft statement seems, also, to take great pains to establish, his-
torically, that no new element has arisen. It is true that no reversal of policy is involved; but if it is our intention to terminate the British Raj, and withdraw the British members of the Government, by a specific month, and if a new Viceroy is being sent out specifically to implement this, these facts can combine to create the atmosphere of a "New Deal"—and in my opinion we have everything to gain by stating them so clearly that no misrepresentation of our intentions would be possible. These two considerations would be greatly strengthened by the announcement of Sir Stafford Cripps' new appointment (if you have decided to make it).

18. Rowan tells me that you have not yet drafted the terms of the announce-

ment that I am to succeed Wavell; and I have embodied a draft of this in the

slightly revised and greatly shortened statement—which I am taking the

liberty of submitting to you, in order that my criticism shall not seem merely
destructive.

19. I have, as you know, all along reserved my acceptance of this very
difficult appointment until I had seen the written directive as well as the actual
text of the statement to be made in the House. I have just been informed that
you wish to see me tonight and subject to our reaching agreement on the
proposals I am submitting, I will accept and do my very best to carry out the
directive.9

Yours sincerely,

DICKIE MOUNTBATTEN

Enclosure 1 to No. 37610

DRAFT DIRECTIVE TO VICEROY

The recent Statement issued by H.M.G. should act as your guide in the final
stages of handing over power to the Indian people.

2. It is the definite objective of H.M.G. to obtain if possible a unitary

Government for all India, through the medium of the Constituent Assembly,
set up and run in accordance with the Cabinet Mission’s plan, and you should
do the utmost in your power to persuade all Parties to work together to this end.

8 See Enclosure to No. 249.

9 In a minute to the Prime Minister, dated 27 February 1947, Mr Rowan drew attention to this letter
and continued as follows: ‘You have had later discussions with the new Viceroy, but we have no
written record of any final decision. You will no doubt wish to come to one. If a directive is given
to the Viceroy you would no doubt wish a copy of it made available to the India Office. May I
have your directions? T.L.R.’ Mr Attlee noted: ‘Await the end of the debate in the House. C.R.A.’
R/30/1/8a: f 141.

10 Both the copy of this draft directive on R/30/1/8a and in Mountbatten Papers have considerable
manuscript amendments to their text which presumably were made during the course of discussion.
In addition R/30/1/8a contains complete re-drafts of various paragraphs of the directive.
3. Since, however, this plan can only become operative by agreement between all Parties, there can be no question of compelling the Muslim League or any other party to accept it. If, therefore, it appears certain and final that the Muslim League will not co-operate in the Constituent Assembly, or it appears that any particular part of the Cabinet Mission’s plan is not capable of fulfilment, you should then at once advise H.M.G. as to the best course for them to adopt in handing over power on the due date.

4. It is, of course, of the first importance that the Indian States should conform to the general plan, but as was explicitly stated by the Cabinet Mission, H.M.G. do not intend to hand over their powers and obligations under paramountcy to any successor Government. It is not intended to bring paramountcy as a system to a conclusion earlier than the date of the final transfer of power, but in the event of there being no agreement in sight by the beginning of 1948 on a fully representative Central Government, you are authorised to enter into negotiations with individual states for adjusting their relations with the Crown.

5. You will do your best to persuade the rulers of any backward Indian States to progress rapidly towards some form of more democratic Government in their States and you will aid and assist all rulers in coming to a fair and just arrangement with the leaders of British India as to their future relationships.

6. The date fixed for the transfer of power is a flexible one to within one month: but you should aim at 1st June, 1948, as the date by which the transfer is to be completed.

7. While doing nothing to prevent the majority community from making rapid progress to independence, you will do your utmost to safeguard the interests of the minorities, and will give all legitimate protection to British interests, including the interests of the Secretary of State’s Services, in the transitional period.

8. In the course of the transition there will of necessity be a gradual diminution of actual control by the British in India. While maintaining the structure of the Government of India under its existing Constitution you will do your best to give the Indian leaders the fullest power and experience that is possible.

9. It is essential that there should be the fullest co-operation with the Indian leaders in all steps that are taken as to the withdrawal of British power so that the process may go forward as smoothly as possible.

10. The keynote of your administration should therefore be the closest co-operation with the Indians and you should make it clear to the whole of the Secretary of State’s Services that this is so, and that it is their duty to their country to work to this end.

11. H.M.G. hope that India will remain a free and independent member of
the British Commonwealth of Nations. If, however, this does not eventuate, H.M.G. is most anxious, after the transfer of power, that there should be the closest and most friendly relations between India and the United Kingdom. A feature of this relationship should be a military treaty. At the appropriate time delegates from the Chiefs of Staff will be sent to India to assist you in framing it.

**TOP SECRET CODICIL TO DIRECTIVE TO VICEROY**

In the event of European members of the Secretary of State’s Services being unable to adapt themselves to the new relationship with the Indian Government, you should take steps to remove them from any posts where their attitude may interfere with the smooth transition.

*Enclosure 2 to No. 376*

**DRAFT TELEGRAM TO THE VICEROY**

**PERSONAL AND TOP SECRET FROM PRIME MINISTER**

Mountbatten sets great store by the way in which the principal Indian leaders learn of his appointment as your successor. He has asked me to say how very grateful he would be to you if you could inform Jinnah, Nehru, Bhopal, and any other leaders you consider necessary (if possible personally) of the impending change, just before the official announcement, which will be made at ............. on the .............

When doing this he would be grateful if you would give each of them a message from him saying that it is his earnest hope that they will welcome his appointment and afford him their full support.

*Enclosure 3 to No. 376*

**INDIAN POLICY**

1. The Cabinet Mission which was sent to India last year spent over three months in consultation with Indian leaders in order to help them to agree upon a method for determining the future constitution of India, so that the transfer of power might be smoothly and rapidly effected. It was only when it seemed clear that without some initiative from the Cabinet Mission agreement was unlikely to be reached that they put forward proposals themselves.

2. These proposals, made public in May last, envisaged that the future constitution of India should be settled by a Constituent Assembly composed of representatives of all communities and interests in British India and of the Indian States.

3. Since the return of the Mission an Interim Government has been set up at the Centre composed of the political leaders of the major communities and it is
exercising wide powers within the existing constitution. In all the Provinces Indian Governments responsible to Legislatures are in office.

4. His Majesty’s Government have thus made abundantly clear their desire to hand over their responsibility to authorities established by a constitution approved by all parties in India, but unfortunately there is at present no clear prospect that such a constitution and such authorities will emerge. The present state of uncertainty cannot be indefinitely prolonged. His Majesty’s Government has therefore decided to terminate the British rule in India not later than June 1948 and to transfer power to a fully representative central Government. If this proves impossible, powers may be transferred either to autonomous Provincial Governments or in such other way as may be considered in the best interests of the Indian people.

5. In regard to the Indian States, as was explicitly stated by the Cabinet Mission, His Majesty’s Government do not intend to hand over their powers and obligations under paramountcy to any successor Government or Governments of what is at present British India. It is not intended to bring paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, but in the event of there being no agreement in sight by the beginning of 1948 on some form of central Government, negotiations for adjusting the relations of the Crown with individual States may be started.

6. The process of transfer of power must start as soon as possible, and as it proceeds, it will become progressively more difficult to carry out to the letter all the provisions of the Government of India Act 1935. Legislation will be introduced in due course to give effect to the final transfer of power.

7. At the end of 1943 Field Marshal Viscount Wavell was appointed as Viceroy, for a term of three years; and his arduous period of office has now expired.

The King has been pleased to approve the appointment of Rear-Admiral Viscount Mountbatten of Burma as the Viceroy who will be entrusted with the task of bringing British rule to a close in the manner that will best ensure the future happiness and prosperity of India. Admiral Mountbatten will remain on the active Flag list in accordance with his wish that his future employment in the Royal Navy shall not be prejudiced.

He has selected General Lord Ismay and Sir Eric Miéville to be the senior members of his staff.

8. His Majesty’s Government cannot conclude this statement without expressing on behalf of the people of this country their good will and good wishes towards the people of India as they go forward to this final stage in their achievement of self-government. It will be the wish of everyone in these islands that, notwithstanding constitutional changes, the friendship of the two peoples should continue; and they for their part will do all in their power to further the well-being of India.
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Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Policy

16 CHESTER STREET, S.W.1, 11 February 1947

You were good enough to say that you would help me to get whatever staff I considered necessary to enable me to discharge the task which has been laid upon me. May I therefore at once put up my suggestions as regards the senior members of the staff?

As you know, General Ismay has said that he will come with me if I want him. I am sure that it is quite unnecessary for me to say to you that I most certainly do. I have had some difficulty in deciding on the title that I should recommend. His duties will be those of Chef de Cabinet, but there is no exact English equivalent that I know of. "Chief of the Viceroy's Staff" seems to me to be the most appropriate.

Sir Eric Miéville is also, as I told you, prepared to make a very big sacrifice in order to help us out. I want him very badly indeed. His unique experience will be invaluable. It would be wrong to ask him to resume the title and position of Private Secretary to the Viceroy that he held with remarkable success over fifteen years ago, particularly as I do not contemplate that he will be concerned with the details of that office. I therefore suggest the title of "Principal Secretary to the Viceroy".

I would further recommend that both Ismay and Miéville should have the pay and status that previously attached to members of the Viceroy's Executive Council. They would prefer to be identical in this respect, and have told me that they would accept these terms.

You will remember that Sir Stafford Cripps advised that the present Private Secretary to the Viceroy, Mr George Abell, should be relieved. I am certain that it is desirable in the interests of continuity that he should carry on, at any rate for the present.

You have already agreed verbally that I should take with me my present Secretary, Captain (S) Brockman, R.N., who was Principal Secretary to Admiral of the Fleet Sir Dudley Pound until he died, and from that date has served with me. I have the highest opinion of him, and I believe that he could eventually do the job of P.S.V. On the other hand he would have to be run in. My proposal therefore is that he should come out as D.P.S.V. and thus be available to succeed Mr Abell if this should seem advisable in due course.

I will forward separately proposals for the junior members of my staff.
Minutes of a Meeting with the Prime Minister at No. 10 Downing Street, at 6.30 p.m. on Tuesday, 11th February, 1947. General Ismay and I had an hour and a quarter with the Prime Minister discussing my letter of the 11th February¹ which he had received shortly before the meeting.

He told us he had received a telegram² from Lord Wavell saying that he was returning during the first half of the month and asking for the name of his successor.

We agreed on the terms of the telegram³ to be sent to him (and the exact draft was submitted to me by Mr. Rowan at my office on the following day).

After I had expressed my dissatisfaction with the draft statement⁴ about India, and drawn particular attention to the insulting remarks in paragraph 7,⁵ the Prime Minister informed me that the whole statement had been approved by the Cabinet and the Viceroy.⁶

I nevertheless persisted in my efforts to get him to accept our greatly shortened and revised statement. When I again stressed the need for cutting out the last sentence of paragraph 7,⁷ he got quite angry about it and Lord Ismay intervened with "You must realise, Prime Minister, that Lord Louis did not know that the statement had already been approved by the Cabinet and the Viceroy, otherwise he would not have submitted all these criticisms."

I made it clear however that, since I was promised an opportunity of commenting on the statement, I must be allowed to do so, whether it had previously been approved by the Cabinet or not.

However, since the Prime Minister made a great point that the historical and rhetorical part was needed to keep the Opposition quiet, and in order to explain the whole position to the people of the United Kingdom, and since I was mainly interested in getting the statement which would have the best effect in India, I realised we would have to compromise.

I therefore suggested that the Prime Minister should first read me the draft and that after that we would go through his draft paragraph by paragraph.

To this he agreed and he accepted without demur the really vital points which I insisted must be changed or amended. (The next day he sent Mr. Rowan round to submit the revised draft to Lord Ismay, Sir Eric Miéville and myself, and we agreed that this was now acceptable.)

I however insisted that I had been promised a written directive, and so we
finally compromised by arranging that the Prime Minister should write me a
letter setting out the views of the Cabinet on the policy that I should pursue. I
warned him that I should circulate it among my staff as though this was a
directive, and treat it accordingly, and this position was accepted.

1 No. 376.
2 This would appear to be a reference to Lord Wavell’s letter of 5 February (No. 351) which Mr
   Attlee had received the previous day (see No. 371).
3 Presumably Nos. 380 and 381. 4 See Enclosure to No. 249.
5 A note in the margin of the document suggests this should read ‘paragraph 6’.
6 See, however, No. 384. 7 See note 5 above.

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Minutes by Mr Turnbull and Sir D. Monteath

L/PO/6/112: ff 192–4

12 February 1947

Sir W. Croft.
Sir D. Monteath.
Mr. Henderson.
Private Secretary.
I have the following comments to offer on the Viceroy’s proposed Draft
Statement in telegram 270–S 4 of the 11th February.

1. Paragraph 4. The first two sentences seem to me both incorrect and
very dangerous. H.M.G. have not said that they would not contemplate
“forcing an unwelcome constitution on any unwilling parts of the country”. What
they said was: “If a constitution should come to be framed by a Con-
stituent Assembly in which a large section of the Indian population had not been
represented” they would not contemplate forcing such a constitution upon any
unwilling parts of the country. This is something quite different in that it says
that a constitution will not be forced upon people who have not been repre-
sented in the framing of it provided that they are sufficiently numerous to be
regarded as a large section of the Indian population. Surely, in the framing of
any constitution, or for the matter of that, in taking any political decision,
there must be an element of coercion of a majority over a minority. The
Viceroy’s wording would strictly speaking apply to any protesting area from a
District upwards and it virtually offers Sikhistan. There is surely no doubt that
the Cabinet Mission’s plan does involve an element of compulsion on any area
smaller than a Province and may well involve an element of compulsion on

1 No. 373.
the Sikhs. If a Statement is to be made on those lines I do not see that it can go much further than the following:

"H.M.G. regard it as self-evident that a satisfactory and lasting constitution cannot be framed if the wishes of important elements of the population are not adequately met. So far as Provinces are concerned, this is provided for by the option exercisable under paragraph 19(v) and (viii) of the Statement of May 16th. So far as important elements in the population within Provinces are concerned, it is just as important that their wishes should be taken fully into account by the Sections as it is that the Union Constituent Assembly should take into account the views of all Provinces and communities".

2. The reference to the statement of Maulana Azad on the 26th January requires careful consideration. Maulana Azad made no reference to the Sikhs who are mentioned in the Congress resolution. He contends that the Congress resolution is a full acceptance but that if the majority in the Section used its power in such a way as to frame a constitution for a Province within the Section "in a manner which would in fact though not in theory destroy the right of the majority of the Province to opt out at a later stage", nobody could blame a Province if its representatives walk out of the Section. This sounds fairly convincing but it all turns on what is meant by destroying the right of the majority to opt out. I have explained in a separate note the position in Assam where the Caste Hindus have rather more than a third, the Muslims a third, and the Depressed Classes and the Tribals rather less than a third of the population, and how the question of separate electorates may be crucial as to whether or not a Group is formed. I should not think that there is much doubt that the Congress would contend that the grant of separate electorates to the Scheduled Castes was destroying the right of the majority of the Province to opt out. If the Hindus, Scheduled Castes and Tribals have joint electorates, the Hindus will pretty well certainly have a majority in the legislature; and if they have separate electorates this is much less likely. It has to be remembered that Azad, more than anyone else, is the person who has sought to get the Cabinet Mission's plan accepted and that he tends to outrun what his colleagues on the Working Committee are prepared to accept.

This matter of compulsion of a Province by unfair provisions in the Provincial constitution is no doubt the crux of the matter. The only way out of it that I can see, apart from the two communities being prepared to trust one another which they are not, would be for H.M.G. to say that they have stated in the Cabinet Mission's statement of the 25th May that they will recommend the necessary steps for the cession of sovereignty to Parliament provided they are satisfied as to adequate representation of Minorities, and that they would not make this recommendation if it appeared to them that a Provincial constitution contained provisions as to the representation of the communities in
the Legislature which did not give fair representation. To say something of this kind might get us out of our difficulties now, but it would doubtless bring its own harvest of troubles at a later stage.

3. Paragraph 3[15] of the proposed Statement. This is ingenious but I do not think that it is correct. The Statement of December 6th did not say that the Sections would decide their own procedure. Apart from the specific question of the majority vote, all the Statement says on this subject is as follows:—

"His Majesty’s Government hope that if the Council of the Muslim League are able to agree to participate in the Constituent Assembly they will also agree, as have the Congress, that the Federal Court should be asked to decide matters of interpretation that may be referred to them by either side and will accept such decision so that the procedure both in the Union and in the Sections may accord with the Cabinet Mission’s plan."

The Cabinet Mission’s Statement of May 16th says in paragraph 19(iv):—

"A preliminary meeting (of the Constituent Assembly as a whole) will be held at which the general order of business will be decided . . . Thereafter the Provincial representatives will divide up into three Sections."

"(v) These Sections shall proceed to settle Provincial constitutions for the Provinces included in each Section . . ."

The Constituent Assembly has made its Rules of Procedure which have been made binding on the Sections since the business of the Assembly, to which they apply, has been defined as including business conducted in the Sections (Rule 19). Rule 67 says: "Save as otherwise provided in the rules, the provisions thereof shall apply mutatis mutandis to the Sections and the Committees of the Assembly. The Sections may make standing orders not inconsistent with these Rules". I do not see, therefore, how it can be contended that it has been laid down by H.M.G. that the Sections will frame their own procedure and that therefore Rule 63[4] is inapplicable. The same applies to the much more important Rule 36 which makes the decisions of the Union Assembly upon the report of the Advisory Committee on Minorities etc. binding on the Sections. These two rules, while they are within the letter and not within the spirit of the Cabinet Mission’s Statement,[5] unless it is contended that, as the Statement says the Sections shall decide the constitutions of Provinces within them, they [i.e. the Sections] cannot be required to take the opinion of Provincial legislatures or to accept the decisions of the Union Constituent Assembly on matters relating to Provincial constitutions dealt with by the Advisory Committee.

F. F. TURNBULL

12/2/47

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2 No. 314.  
3 No. 298.  
4 See No. 355 for an explanation of this rule.  
5 The meaning here is not very clear. Possibly Mr Turnbull intended to convey: "These two rules, while they are not within the spirit are within the letter of the Cabinet Mission’s Statement, . . ."
TOP SECRET
S. of S.
I have nothing to add to Mr. Turnbull’s comments on the Viceroy’s draft statement.

That statement however is designed to induce Congress to give such assurances to the Muslim League of the sincerity of their intentions as will encourage the latter to take part in the C.A. and therefore ‘qualify’ to retain their share in the Interim Executive.

This is a short term, almost immediate, objective—and a particular one. I presume that Ministers are confident that the other contemplated statement—of which only paras. 6 and possibly 7 can be held to be directed in any degree towards this immediate objective of removing current and particular suspicions of each other by Congress and the M.L.—will, by its more sweeping content cover effectively this present and particular need?

D. T. M.
12 ii. 47

6 [Note in original:] i.e. by regretting the ‘differences’ that exist and threatening that they will be disregarded.

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Mr Attlee to Field Marshal Viscount Wavell

Telegram, L/PO/8/9j: f 42

MOST IMMEDIATE

U–2. Personal and Private for Viceroy from Prime Minister.

Thank you for your letter of the 5th February.¹

I propose to make the announcement early next week as part of a statement on policy in India. Would you let me know which day would suit you best? Tuesday or Wednesday, the earlier the better, I think, as any leakage would be most unfortunate. The announcement in Parliament would be made at about 3.30 G.M.T.

The terms of the announcement which I propose to make in so far as they relate to the appointment are as follows.² I shall be glad to have any comments as soon as possible.

Begin. The House will wish to know of an announcement which is being made public today. Field Marshal the Right Honourable Viscount Wavell was appointed Viceroy in 1943 after having held high military command in Egypt, S.E. Asia and India with notable distinction since the beginning of the war. It was agreed that this should be a wartime appointment. Lord Wavell has
discharged this high office during this very difficult period with devotion and a high sense of duty. It has however seemed that the opening of this new and final phase in India is the appropriate time to terminate this war appointment. His Majesty has been pleased to approve, as successor to Lord Wavell, the appointment of (for name see my immediately following telegram), who will be entrusted with the task of transferring to Indian hands the responsibility for the government of British India in the manner that will best ensure the future happiness and prosperity of India. The change of office will take place during March. The House will be glad to hear that His Majesty has been pleased to approve the conferment of an Earldom on Viscount Wavell. Ends.

I note that you say in your letter that it is desirable for official and personal reasons that you should know the name of your successor, and this is given in my immediately following telegram. I want to re-emphasize that there should be no leakage, and I trust that you will regard this information as entirely personal to yourself.

His Majesty’s Government and the person named set great store on the way in which the principal Indian leaders learn of his appointment. I should be very glad, therefore, if you would inform Jinnah, Nehru, Bhopal and any other leaders you consider necessary (if possible personally) of the impending change just before the statement is made in the House of Commons.

The person named would be grateful if you gave each of them a message from him saying that it is his earnest hope that they will welcome his appointment and afford him their full support.

Naturally we will consider the question of additional expense caused by the fact that the times demand shorter notification of change than has been normal in the past. I agree that you should return during the second week in March.

I was glad to have the acceptance contained in the last paragraph of your letter, and a formal submission will be made accordingly.

1 No. 351.
2 The records of the Prime Minister’s Office show that on 12 February Mr Rowan had sent the text of this announcement to Sir S. Cripps explaining that Mr Attlee had made one or two changes in the announcement which he wished Sir S. Cripps to see. The latter noted: ‘I agree’.

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Mr Attlee to Field Marshal Viscount Wavell

Telegram, L/PO/8/9j: f 43

MOST IMMEDIATE 12 February 1947

U-3. Personal and Private for Viceroy from Prime Minister.

Name referred to in my U No. 2 is Viscount Mountbatten of Burma.
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell


12 February 1947

IMMEDIATE

No. 69–G. Punjab situation. Hindus and Sikhs will not stand Muslim agitation much longer. Gopi Chand Bhargava has written personally to Premier saying that if he does not suppress agitation with all resources at his disposal Hindus must act on their own. Tara Singh has issued statement to Press to effect that Sikhs are in grave danger and must revive their “Army” immediately under his command. Demonstrations are not however to be made until he gives the word. Premier is dealing personally with Gopi Chand and we are suppressing Tara Singh’s statement. But we can only delay active non-Muslim intervention which in my judgment is now almost certain. Lahri Singh who saw me this morning said that Hindus could not be kept quiet for long.

2. Muslim League have anticipated all this and will allege that non-Muslim opposition is engineered by Premier and his colleagues, which is untrue. I think non-Muslims would have kept out for some time at least but for rowdiness of demonstrators in Lahore on 10th February. They are now practically convinced that civil liberties issue is bogus and that object of Punjab Muslim League is to seize power for Muslim Community. Once this conviction is general nothing can avert a grave communal disturbance.

3. Premier is in indirect touch with Nazimuddin who is, I understand, in Delhi. If agitation is called off he is prepared to review bans now in force under Ordinance and to remove a good many of them. But he cannot yield too much or non-Muslim agitation will be stimulated.

4. I do not wish to prejudice Premier’s negotiations, but it might help if you could tell Liaquat or Nazimuddin of the extremely grave communal possibilities. On a long view the Punjab Muslims have already done themselves incalculable harm by their disregard of the very large non-Muslim minorities.

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,
12 February 1947

Thank you for your letter of the 31st January.1 All the mails seem to be much delayed at present, and I have no doubt this is due, as you say, to the very severe weather you have been having. The reports of the shortage of fuel and power in England make depressing reading.

2. I have telegraphed to you about the demand that the Muslim League members should leave the Cabinet, and have sent you by air mail bag Liaquat’s letter2 on this subject. I have also telegraphed my advice on it.3 I need not discuss the matter here as everything I say will be out of date when the letter reaches you.

3. You have had by telegram4 an appreciation from Jenkins of the situation in the Punjab. The latest reports about Lahore are not reassuring, and I see there has been an anti-British tendency for the first time.

It is clear that the Muslim League could not run a stable Government in the Punjab without support from some other party, even if they could win over all the Unionist Muslims. The party strength as on the 11th December was as follows:—

<table>
<thead>
<tr>
<th>Party</th>
<th>Strength</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress</td>
<td>48</td>
</tr>
<tr>
<td>Muslim League</td>
<td>77</td>
</tr>
<tr>
<td>Panthic Akali Party</td>
<td>21</td>
</tr>
<tr>
<td>Unionists (including 7 or 8 Muslims)</td>
<td>16</td>
</tr>
<tr>
<td>Independents</td>
<td>5</td>
</tr>
<tr>
<td>Speaker</td>
<td>1</td>
</tr>
<tr>
<td>Vacant</td>
<td>7</td>
</tr>
</tbody>
</table>

Total 175

It is unlikely that the Muslim League would secure any firm support from another party for a policy which was based on Pakistan, and I agree with Jenkins’ view expressed in his telegram of 8th February that one community cannot possibly govern the Punjab with its present boundaries. It will perhaps only be when the Muslim League have the opportunity of forming a government that they will realise the full facts of the situation. I do not dispute

1 No. 332.  
2 No. 365.  
3 Nos. 372 and 373.  
4 No. 366.
Jenkins’ conclusion that a compromise is the most likely outcome of the present agitation, but I certainly would not exclude the possibility of a straight defeat for Khizar—in which case there would follow a most unstable period in the Punjab. It is unfortunate that Khizar made his ill-judged attempt at this time, though his aim of suppressing private armies was a laudable one.

4. The sterling balances negotiations are going on quietly in camera, and the latest unofficial news I have is that the two teams of officials are getting a little nearer together. All the Indian officials of the Finance Department who have been concerned in the negotiations have a very high opinion of Eady’s skill as a negotiator. Their personal relations with him and with Cobbold have been good. I think, however, it will be difficult to reach an agreement which the political parties in the Interim Government can afford to accept.

5. I am discussing shortly with Liaquat his budget proposals. The normal practice has been for these to be put to the Executive Council the day before the budget speech, but clearly this practice could not be followed this year, since if the Congress opposed any of the proposals there would be a crisis at the last moment. After Liaquat and I have discussed the proposals, they will be put to a small Committee consisting of myself, Nehru, Matthaï and Liaquat, and I hope that after this discussion we shall be able to authorise Liaquat to keep his proposals to himself until the usual time just before the budget speech is made, when the whole Cabinet will be taken into confidence.

6. A matter of critical importance for India’s future economy is the size of the post-war armed forces, and we have had discussions in the Cabinet recently on this subject. The budget for 1947-48 is not affected, but a decision is necessary now in order that planning may proceed. The margin between the demands of Defence Department and what the Finance Department were prepared to pay was very wide. The Commander-in-Chief asked for 146 crores and the Finance Department were only prepared to find 90 crores. The Finance Department were able to show quite clearly that the country cannot possibly afford armed forces of the size suggested by the Commander-in-Chief. In fact India will have to follow Great Britain’s example and speculate on a period of peace during which she will try to build up her industries and her war potential. It was agreed that I should draft a Directive to the Defence Department, which will be considered again at our next meeting. I enclose a copy, from which you will see that India proposes to equip herself only to deal with her internal security and frontier problems, and to face a second-class enemy. The Directive represents the general view of the Cabinet, and I doubt whether it will be altered in essentials. But the Defence Member and the Commander-in-Chief say that a 90 crore army will be a very poor thing. We shall have to see how it works out.

7. I have received your telegram that fresh proposals about compensation
for the Services will be sent out. I realise the difficulties, but I am sorry that this matter has dragged on so long. The senior officials of the Government of India are not very closely affected, but there is a sign of the times in the general desire of British Secretaries of the Government of India to go on leave this summer. Such requests are gladly granted by the Members, and it is clearly impossible for me to intervene and suggest that leave should not be sanctioned when a Member concerned wants to grant it. There are 19 departments in the Government of India, excluding the Political Department and the Legislative Department, but including the Cabinet Secretariat. Of these 19 Secretariats, 14 are held by British Officers and 5 by Indians. Of the 14 British Officers, 3 wish to retire this summer, and 7 others go on leave. It is possible that 2 more will apply for leave. The replacements in most cases, but not in all, are likely to be Indian officials.

8. On the recommendation of the Governor of Bihar I have decided not to press for an enquiry into the Bihar disturbances, although the Muslim League have asked for it, and the Congress have indicated that they also are in favour of one. But the Bihar Ministry are against it, the Congress High Command are probably lukewarm, and the Governor is sure that an enquiry now could only do harm. It seems a lamentable thing not to have an enquiry after a tragedy of these dimensions, but I agree with the Governor that communal feeling would only be aroused again by the proceedings that would take place and the press comments upon them.

9. The Royal Academy Delegation have gone off on tour, and I am glad to say that they took with them an Indian I.C.S. Officer who has been put on special duty to do the administrative work at this end and who should be able to ensure that the arrangements are efficient. I put to Mrs. Naidu your proposals that certain prominent Indians should be asked to give subscriptions, and she was strongly against it. I have no doubt that the necessary money will be found by the Government. It is, as I have always said, the time-factor about which I have misgivings; and Winstedt realised this before he left here, and was, I believe, at one time almost on the point of recommending a postponement.

10. The Legislative Assembly, which is in session, has just passed legislation enabling Government to control foreign exchange. The Finance Member’s speech implied that the powers would be used with discretion, and P. J. Griffiths on behalf of the European Group actually supported it, though of course it gives power to the Indian Government which might be used at some time against British capital in the country. There have been occasions on which the “Coalition” has looked tenuous almost to the point of invisibility in the Assembly, and Abell has sent Harris a report of one session when this was particularly noticeable.

See No. 361, note 4.
11. I think you will find particularly interesting a periodical letter, No. U.P.—72, from Wylie, of which the usual copy has gone to you. It gives a lot of information about the state of affairs in the U.P. and mentions that serious crimes have increased by the following percentages since the Congress Government took over:

<table>
<thead>
<tr>
<th>Crime</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dacoity</td>
<td>60%</td>
</tr>
<tr>
<td>Robbery</td>
<td>56%</td>
</tr>
<tr>
<td>Murder</td>
<td>47%</td>
</tr>
<tr>
<td>Riots</td>
<td>80%</td>
</tr>
<tr>
<td>Burglary</td>
<td>30%</td>
</tr>
</tbody>
</table>

Clearly we could not hope to maintain efficiency fully during this period of transition, but the gravest danger at present, as I see it, is that if the period lasts for long, the administration will get so weak that there may be a collapse of general security before the new régime is fully established. Though the danger of a civil war is a real one, I should estimate that the danger of administrative chaos is more serious still.

12. The I.N.A. question has not been settled yet. The Congress Group have given way on the matter of payment of forfeited balances of pay but still insist on the release of the 15 men. I have discussed this with Auchinleck and he is determined to resist the proposal. I have informed Baldev Singh that I will overrule the Cabinet if necessary. He will discuss the matter with his colleagues but I expect that he will bring it to the Cabinet.

13. I read out in the last Cabinet meeting your message about the retention of British troops in India and sent a copy afterwards to Baldev Singh. I have heard no more on the subject yet.

14. I have decided to accept the advice of the Commerce Member that Runganadhan should be asked to resign his post as High Commissioner in London. We shall probably give him about three months’ notice. Nehru agrees to this course, but he and the Commerce Member (Chundrigar) will certainly have different views about the replacement. I got the impression that Nehru would be prepared to accept Vellodi, the Deputy High Commissioner, while the Muslim League are running Nazimuddin. A successor will have to be chosen by the new External Appointments Committee to which Nehru has at last agreed in principle, though he wants to postpone discussion of the membership of the Committee until it is decided whether the Muslim League stay in the Government.

15. As you know, we have had a good deal of sporadic labour trouble in different Provinces, often sponsored by the Communists. At present the situation in the Bihar coal-fields is very tense, and though the Government of India have set up a Conciliation Board one of the labour unions is not prepared to
discuss conciliation. A general strike attempted in Calcutta was however a complete failure.

16. I have sent you a telegram about the discussions between the Negotiating Committee of the Princes and the corresponding Committee of the Constituent Assembly. It seems that Nehru gave considerable assurances to the Princes to the general effect that the Congress were prepared to work the Cabinet Plan and to accept the Princes' position as stated by them in their recent resolution. Since the discussions however the Congress press led by the *Hindustan Times* have been trying to imply that no such assurances were given, and at the same time to drive a wedge between certain "patriotic" Princes like Baroda, Patiala and Bikaner on the one side and the rest of the Princes on the other. This is characteristic mischief-making by the *Hindustan Times*, and may do a good deal of harm.

*Enclosure to No. 383*

**DIRECTIVE TO DEFENCE DEPARTMENT.**

The financial position of India, so far as it can be foreseen, for the first ten years of the post-war period, will not permit of a larger sum than Rs. 90 crores per annum, plus an additional sum of Rs. 50 crores for building to be spread over the first five years, to be made available for Defence.

The Defence budget should therefore be based on this amount from the financial year 1948-49 onwards.

2. It is recognised that the sum available will not be sufficient to provide India with an army capable of taking part in a first-class war. The Defence Forces should therefore be organised to perform the following duties:—

(a) To secure the land frontiers of India against raids by border tribes, or attack by a second-class army, approximately equivalent to the Afghan Army.

(b) To provide for the support of the Civil power in the event of internal disturbances, on approximately the same scale as before the war, but without the use of British troops.

(c) To provide a small expeditionary force available to proceed overseas at reasonably short notice to protect Indian interests in the vicinity of India.

(d) To organise such other formations and establishments as can be provided within the framework of the money available, so as to form a nucleus for the expansion of the Army, when circumstances permit, into an army capable of taking the field in a first-class war.

This nucleus should provide for the scientific study of modern developments, including atomic warfare; for the adaptation of the country's industrial strength

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6 Dated 7 February 1946. L/P SPJ/5/276: ff 109-27. See No. 360 for an extract.
7 No. 323.
8 Nos. 374 and 375.
to the needs of warfare; and for the training of a really efficient Corps of Officers of Indian nationality.

3. While provision for Air Defence need be made at present only against a second-class power as outlined above, the question of air defence must receive intensive study and should be capable of early and rapid development.

4. The strength of the Navy, particularly the necessity for three cruisers, should be re-examined in the light of the money available and should be justified to the Cabinet.

5. The size and equipment of the Air Force should also be re-examined in the light of the above directive. There may be no necessity for the provision of a long-range bombing force; but the whole question of air attack and defence must be carefully studied, and this should be regarded as the first step in expansion when the situation demands or finances permit.

6. The proposal for a Militia or Territorial Force, put forward by the Member for External Affairs, should be examined, and recommendations made on the advisability or not of instituting such a force within the means available.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f 68

IMMEDIATE

TOP SECRET

NEW DELHI, 13 February 1947, 11.30 am

Received: 13 February, 9.40 am

No. 276-S. My telegram 270-S dated 11th February. I Draft Statement on Indian Policy. I have already suggested that no such statement should be made yet. You may however wish to have my comments on the draft statement as it stands.

2. Except for the decision to transfer power in 1948 the draft is quite indefinite. Para. 11, for instance, which was originally intended to cover the preparatory measures which I proposed now gives no indication at all of what is intended and is bound to provoke much enquiry. Para. 13 is also indefinite.

3. Para. 10 would I think encourage separatism rather than promote agreement between the parties.

4. Nothing is said even to indicate the paramount importance of maintaining the integrity of the Indian Army.

5. More detailed comments are as follows:—
Para. 6. For “Indian politicians” read “Indian political parties.”

Para. 12. For last part from “but it is contemplated” read “but the relations of the Crown during this period with individual States will need adjustment in certain respects.” It is important not to start a rumour that H.M.G. would contemplate maintaining alliances with certain States after repeat after the final transfer of power.

Para. 14. I would omit the first sentence. Any advice to the European community can be given less prominently. The sentence might impair confidence unnecessarily.

Para. 16. Last sentence. Omit “two” and substitute “the British and Indian”.

1 No. 373.
2 In tel. 282–S of 14 February Lord Wavell asked that the following comment should be added with regard to para. 7: ’Date proposed is unsuitable for climatic reasons.’ R/3/1/130: f 75.

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Cabinet C.M.(47) 21st Conclusions, Minute 4, Confidential Annex

R/30/1/9: ff 124–6

Those present at this Meeting held at 10 Downing Street, S.W.1, on 13 February 1947 at 10 am were: Mr Attlee (in the Chair), Mr Ernest Bevin, Mr Arthur Greenwood, Mr Hugh Dalton, Sir S. Cripps, Mr Alexander, Viscount Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones, Mr G. A. Isaacs, Mr E. Shinwell, Mr Aneurin Bevan, Mr T. Williams, Mr George Tomlinson

Also present during discussion of item 4 were: Mr John Strachey, Mr William Whiteley, Sir Edward Bridges

INDIA

Constitutional Position

(Previous Reference: C.M.(47)4th Conclusions, Minute 1)1

The Prime Minister recalled that at their meeting on 8th January the Cabinet had agreed to defer for the time being the issue of the proposed statement of policy declaring the Government’s intention to transfer power in India in the course of 1948. He had been keeping a close watch on the development of the constitutional position in India, in consultation with members of the India and Burma Committee; and they were satisfied that the time had now come to make a final effort, by the issue of this statement, to compel the two political parties in India to face the realities of the situation and collaborate

1 No. 262.
in framing a new constitution. They therefore recommended that the statement should be issued in the course of the following week.

Various changes of wording had been made in the draft statement which had previously been considered by the Cabinet (C.P.(47)1). These were of minor importance only. There was, however, one change of substance which required the approval of the Cabinet, viz. that the date to be given for the transfer of power in India should be "June 1948" rather than "the middle of 1948". He was satisfied that the statement would not be fully effective unless a definite date were given.

The Secretary of State for India said that, while he concurred in this recommendation, he thought it right to warn the Cabinet that it might not be possible for the transfer of power to be effected smoothly by June, 1948. Even though the work of the Constituent Assembly proceeded without further delay, it might well be that by June, 1948 there would be no Central Government to which power could be transferred.

It was the view of the Cabinet that this consideration did not outweigh the advantages, for the purposes of the present statement, of specifying a definite date. It would do no harm if in the event the date had to be postponed because the Indians themselves were not ready to accept the transfer of power.

The Cabinet:—

(1) Agreed that the proposed statement of policy should indicate the Government's intention to transfer power in India in June, 1948.

(2) Authorised the Prime Minister to arrange for the statement to be made in both Houses of Parliament in the course of the following week.

* No. 249.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/130: ff 69–70

17 YORK ROAD, NEW DELHI, 13 February 1947

Dear Lord Wavell,

A week ago, on 5th February, my colleagues and I sent you a letter in which we pointed out that the Karachi resolution of the Muslim League had created a grave situation. This resolution asked for a scrapping of the Cabinet Delegation's Scheme of May 16th, 1946. In view of this resolution the present precarious situation had become impossible and it was no longer possible for members of the Muslim League to continue in the Interim Government.
The alternative to this was the abandonment of the Cabinet Delegation's Scheme.

2. You were good enough to acknowledge this letter on the 6th February and to state that you were consulting His Majesty's Government in this matter. We appreciate that the fullest consideration should be given to this matter and also that H.M.G. are at present pre-occupied with grave domestic issues. Nevertheless the present situation here cannot continue for long and it is urgently necessary to come to decisions and give effect to them. Important matters are hung up and await for decision a more favourable environment. Your proposal to form Appointments Committees, which we have accepted, cannot be given effect to till this major question is settled; so also in regard to other matters.

3. It is now a full week since we wrote to you and we are entitled to have an answer so that we may decide upon our own future course of action. It is not possible for us to continue for long in present circumstances.

4. The issue is a clear and simple one as we pointed out in our previous letter. We understand from the newspapers that a communication has been received by you from the nominees of the Muslim League in the Interim Government. We do not know what this is and what further matter need be discussed at this stage. We have made our position perfectly clear and can add nothing to it. The Muslim League has also made its position clear by its Karachi resolution. On the basis of these facts a decision has to be taken. We would request you to let us know what H.M.G. propose to do in the matter. Delay in taking a decision, or a decision which we think is not proper or in conformity with the facts of the situation, will necessarily lead us to reconsider our position in the Interim Government.5

Yours sincerely,

JAWAHARLAL NEHRU

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1 No. 350.
2 No. 333.
3 See No. 350, note 3.
4 No. 363.
5 Lord Wavell minuted on this letter: 'Why are they getting restive? Outside pressure, I suppose.' Later on 13 February he acknowledged the letter saying he had telegraphed the text to H.M.G. This was done in tel. 277-S of the same date. R/3/1/130: ff 72-4.
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Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)

Telegram, Wavell Papers. Official Correspondence:
India, January 1946–March 1947, pp. 241–2

13 February 1947

IMPORTANT SECRET

No. 281–S. Paragraph 4 of your No. 69–G of February 12th.¹

I saw Nazimuddin this evening. He realises danger and is anxious for settlement but complains that Punjab Government is stifling all political activity by Muslim League to keep themselves in power. League do not ask for complete withdrawal of Ordinance but that its powers should not be abused and that ban on political meetings and processions should be removed. Nazimuddin is prepared to go Lahore to see Premier if satisfactory basis can be arranged.

¹ No. 382.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

PRIVATE AND SECRET

INDIA OFFICE, 13 February 1947

Received: 20 February

Thank you for your letter of 4th February,¹ of which I have so far received only the duplicate copy. I understand that the bag containing the top copy was carried by an aircraft which force landed in France, but that it is expected to arrive tomorrow. I can only think that the same aircraft was carrying your letter of February 3rd² referred to in paragraph 6 of your telegram No. 256–S of 9th February,³ since this, too, has not yet reached me. These delays in the transmission of letters are most irritating, but in the present case appear to be due to causes which just cannot be provided against.

² I agree that things have gone better than might have been feared in the Punjab. I had certainly expected that there would be much more trouble than has resulted up to now and this bears out my feeling that the League are not doing themselves any good by this attempt at a coup d'état. It may be that they will only show up the weakness of their own position in the Punjab and encourage Patel and those who think with him in their belief that the League
have not got much stuffing in them really. At the same time if, as I understand, Khizar has only had two short meetings of the Legislature in the last year, the League in the Punjab has some grounds for saying that democratic rights are being denied. I thought that Jenkins’ telegraphic appreciation\(^4\) of the long-term prospect of this agitation was very sound and I agree with him that the League are in effect encouraging a demand for the partition of the Punjab. This is confirmed by the report that the Sikhs are now demanding to have a private army.\(^5\) The situation is obviously pretty incalculable and fraught with considerable danger.

3. It is satisfactory, so far as it goes, that the meeting of the States’ Negotiating Committee with the corresponding Committee of the Constituent Assembly ended amicably. The Press here came out with a good deal of optimism on the theme that agreement had been reached on the fundamental conditions laid down by the Princes as to the basis on which the States would enter the Constituent Assembly. From your telegram No. 271-P\(^6\) of the 12th February, however, I gather that what actually happened is not so definite as that. It would seem that the Constituent Assembly representatives simply reserved their decision without raising objections, taking the ground that they were only authorised to deal with the distribution of the States’ seats and the methods of filling them. No doubt the Congress are very anxious to get the States in to strengthen their position \(\text{vis-à-vis}\) the Muslim League, but it seems likely to me that there will be trouble over these conditions laid down by the States before the Constituent Assembly finishes its work. The immediate issue is the character of the States’ representation and I fear there is bound to be a considerable tug-of-war over that, particularly in view of Baroda’s independent recognition of the principle of popular representation.

4. I am not clear about the position of the other big States such as Kashmir and Hyderabad. Which of them are negotiating through Bhopal’s Committee and which are reserving their position for separate negotiations later?

5. The Cabinet yesterday approved the draft of the customary annual statement relating to defence, which is published as a Command Paper. Section 3 of the Paper sets out our defence commitments in the coming year under two heads—Current and Long-Term. The paragraphs dealing with current commitments include one entitled “The Indian Ocean” which reads as follows:—

“British Forces are required in the Indian Ocean and Persian Gulf and some Forces are also being retained in India and Burma at present”.

It seemed best to state the facts quite boldly and without any attempt to define the exact purposes which the Forces to be retained in India and Burma

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\(^{1}\) No. 345. \(^{2}\) No. 337. \(^{3}\) No. 367. \(^{4}\) No. 366. \(^{5}\) See No. 382. \(^{6}\) No. 374; the date should be 11 February.
are designed to fulfil. The Command Paper is being published tomorrow and will probably be debated on 24th February.

6. You will doubtless have read the questions put by Churchill and the answers given by Dalton in the House of Commons on 3rd February on the subject of the sterling balances, following a question by Colonel Crossthwaite-Eyre.® I notice from a Reuter’s report that Liaquat has now accepted a short notice question on the subject. In anticipation of possible further questions in the House the papers on the subject have been looked up here, and it is not clear from them exactly what was said by Linlithgow to his Council on the basis of Amery’s telegram No. 19471 of 10th November 1942,® which stated that the Chancellor had agreed and the Prime Minister approved that the question of a revision of the Financial Statement should not be further discussed at that stage on the clear understanding, however, that the Chancellor retained the right to raise it again on some future occasion. It has been noticed here that in his Budget speech for 1943-44 Raisman stated that His Majesty’s Government did not intend to pursue the proposal to modify the character of the Financial Statement, but did not refer to the reservation by the Chancellor of the right to raise it later. It is to be hoped that any future questions that may be raised in Parliament will be taken by the Chancellor, but it might be useful if you were to let me have the facts as they are known at your end.

7. In paragraphs 5 and 6 of my letter of 31st January I mentioned a conversation between the Netherlands Ambassador in London and Krishna Menon about Indo-Dutch diplomatic representation. Since then we have had an official exchange of telegrams (including External Affairs Department No. 862 of 31st January and No. 939 of 4th February) and the King’s approval has been obtained for the representation of India in the Netherlands by a Minister to be appointed by His Majesty in due course.

8. You may like to know that our Chargé d’Affaires at The Hague has reported a friendly conversation which he had with Krishna Menon on 30th January, when the latter said that he was not raising the question of Indian representation with the Indonesians. He had told the Dutch Foreign Minister that the Indian people were on the side of the Indonesians but he told Mr. Grey that the attitude of the Indian Government was that they had no desire or intention of interfering in these matters, that the question of Indian representation in Indonesia did not, in his view, arise at present and that the Government of India “were content to accept the situation as it was on the surface”.

9. At one point in the conversation he wondered whether the Dutch would try to play the other parts of Indonesia off against Java and Sumatra and whether their policy was one of keeping up disagreement between them in order to benefit thereby? From a British Indian, comments Mr. Grey, this question had a familiar ring. In later conversation Menon maintained that all
posts abroad should be headed by a politician rather than by a career officer to which Grey replied that if it were carried out it might be difficult to get capable men to enter the Foreign Service.

10. Mani of India House who accompanied Menon later volunteered to the External Department here that the Dutch Foreign Minister had shown little enthusiasm for the proposal that India should be represented at The Hague by her Ambassador in Paris and still less for the alternative suggestion that representation at Brussels and The Hague might be shared by a single diplomatic representative. The same objection, according to Mani, would not apply to the appointment of the Indian High Commissioner in London to represent the Government of India in the Netherlands; I gather that there would be no objection to an arrangement of this kind, for which there are Dominion precedents, if it should be favoured by your Government.

11. Before his visit to The Hague, Krishna Menon spent some days in Copenhagen establishing friendly relations with the Danish Government. He was bear-led during the whole of his visit by Tyberg-Frandzen of the Danish Ministry of Foreign Affairs who was, I understand, an officer in the British Army in India during the war and is shortly taking up his post as Danish Trade Commissioner at Bombay. Frandzen’s report on Menon’s visit was on the whole favourable. Menon seems to have been reasonable and not too rabidly anti-British, but he gave the usual impression that he was extremely ambitious politically and determined to build himself up as intimate adviser to Pandit Nehru. Frandzen does not believe that the Danish Government will open diplomatic relations with India, at least yet awhile.

[Para. 12, on the retention of Sir F. Puckle in his Washington post; para. 13, fearing that Sir R. Hutchings will return to India with a sense of having achieved little; and paras. 14–16, on a plea received from Afghan refugees detained in India that they be allowed to settle in the Channel Islands or elsewhere in the Empire, omitted.]

7 Cmd. 7042.
8 See Parl. Debts., 5th ser., H. of C., vol. 432, cols. 1573–4. Colonel Crosthwaite-Eyre had asked with which countries negotiations were proceeding on the liquidation of blocked sterling balances. Mr Churchill, in a supplementary question, asked whether it was not a fact that the G. of I. was notified during the war that Great Britain reserved her full rights to present a counter-claim on account of the effective defence of India by all means—land, sea, air and diplomacy—by which the freedom of India from foreign invasion was secured. Mr Dalton replied that he could not charge his memory on the point but would not for a moment challenge Mr Churchill’s recollection.
9 See Vol. III, Nos. 139 and 158, note 2. 10 No. 332.
11 See L/P & S/12/4633. 12 Mr P. F. Grey.
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Mr Menon to Mr Turnbull

Express Letter, R/1/36/91: ff 118–25

NEW DELHI, 13 February 1947

Following is summary of proceedings of joint meeting of States Negotiating Committee and corresponding Committee set up by Constituent Assembly. Meeting commenced on 8th February and at outset material differences in respect of scope of discussions manifested themselves. Nehru and Patel suggested that though there was no specific agenda, question for joint meeting to decide was in what manner representatives of States could enter and participate in work of Union Constituent Assembly and that meeting should consider this specific question and leave aside other matters which were largely academic and in respect of which there might be differences of opinion; these matters could be considered at appropriate time by proper authority. States representatives however did not accept this position. Chancellor said that Princes in resolution of 29th January had laid down certain points which in their judgment were fundamental to their entry into Constituent Assembly and had also bearing on future Union of India. States Negotiating Committee had been instructed to reach a preliminary settlement on these fundamentals before final decisions could be reached.

2. Discussion proceeded on these lines, each side sticking to its view. Principal contributions by speakers are summarised below.

3. On behalf of States Chancellor quoted Secretary of State who had said that it was for States to decide freely to come in or not as they chose; also Cripps who had said that close negotiations between States Negotiating Committee and major Indian parties both as to representation of States in Constituent Assembly and their ultimate position in the Union would have to take place and that Committee would settle outstanding matters with representatives of major communities in British India. States needed satisfactory assurances on the fundamental problems laid down in resolution on basis of which they set up a Negotiating Committee and the question to be considered was how these negotiations could proceed. Chancellor maintained that the States had consistently held that they would decide about entering the Constituent Assembly only after negotiations in regard to fundamental matters; he had made this position clear to the Viceroy and it had not been challenged. The States Committee had a mandate in this respect. They had first to deal with certain problems affecting their entry into the Constituent Assembly and also to negotiate about the problems affecting their entry into the Union before they committed themselves. He also raised the question of the territorial integrity
of the States. He also referred to certain doubts and suspicions created by the Objectives Resolution and certain irresponsible statements which he said had led to this situation.

Sir C. P. Ramaswami Iyer referred to certain speeches and utterances negating or minimising certain aspects on which States attached much importance and said that some of the basic factors of the situation should be placed beyond the reach of disputation or controversy so that work might proceed. He referred to paras. 14 and 19(vi) of the Statement of May 16th and said that before the States representatives to the Constituent Assembly assembled along with British Indian representatives to settle the Union Constitution preliminary discussions were legitimate and necessary. He and the Chancellor had already made it clear to the Cabinet Delegation that many of the States were really not interested in allocation of seats because they had come to a decision on this matter. For example Travancore would get six seats and four of them would be elected by the State Legislature. He was not interested in the number other States got or how they sent their representatives. The more important question was to negotiate the conditions of entry into the Union. They were willing to have these discussions, however informal in character they might be; and if discussions started on this basis, the range of controversy and differences would be much less than anticipated. Sir Ramaswami Mudaliar admitted that State Paper had not outlined the subjects for discussion by the Negotiating Committee but the question of mere distribution of seats and how the States representatives should come in was not such a serious matter. Negotiations on the other matters could not be carried on in the Constituent Assembly itself. Once States entered Assembly, they would only deal with questions relating to Union and ancilliary consequences of accepting Union subjects. The preliminary stage envisaged in the Cabinet Mission's Plan was a serious matter for serious negotiation and discussions on basic problems relating to States would have to take place before States entered the Constituent Assembly. Terms of reference to Negotiating Committee were limited and wider mandate would have to be obtained. Sir Mirza Ismail asked if there was any objection to the existence of the monarchy. The Jam Sahib referred to para. 3 of Objectives Resolution passed by Constituent Assembly.

4. On behalf of Committee set up by Constituent Assembly Nehru emphasised that his Committee derived its authority from resolution passed by Constituent Assembly which authorised them to enter into discussions for fixing the distribution of seats and method by which States representatives would be selected. That was passed on the basis of State Paper of May 16 because Constituent Assembly was trying to follow precisely the lines laid down by Cabinet Mission and must necessarily abide by it. The Committee could

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* No. 326.  
* See No. 190.  
* No. 217.
therefore not commit Constituent Assembly on matters not specifically referred to it. The Negotiating Committee could not do the building up of the new constitutional structure: this building up process could come in only when representatives of various parts of India met in the Constituent Assembly. If major questions were settled at the joint meeting it was not clear what purpose subsequent meetings of States representatives in Constituent Assembly would serve. As regards the references made to correspondence between States representatives and Cabinet Delegation or H.E. as well as to statements made in House of Lords Nehru said that the plan laid down in the State Paper must be adhered to and the aim should be for representatives of British India and Indian States to meet together and arrive at an integrated solution as well as they could rather than adopt the procedure by which different points were settled by different representatives of different groups separately. This procedure might not result in an integrated solution. The resolution of the Princes Chamber would bind the Committee as to what the character of the future Constitution should be and as to conditions of entry of States into the Union. This would mean that the Committee would be trying here to lay down the fundamentals of the Union. That could not be done. It had been suggested by Raja of Bilaspur that matters could be discussed informally. Individuals or representatives could of course meet together, come to some agreement and the results could be put before the full Assembly. But what was suggested would be tantamount to asking Constituent Assembly to give up its power or its right to decide these fundamental matters; and he could not see how this could be done. The right thing would be not to trouble themselves with differences but to take specific things and the first stage would be for representatives to come and meet each other and try to find out a solution. They should not try to face the final difficulties right at the initial stage. Patel referred to apprehensions raised by certain speeches but suggested that it would not be right to judge these issues on expressions of opinion by individuals. They were meeting together as representatives. He suggested that they should now go on the basis of the State Paper and that too much importance should not be placed on previous correspondence, interviews, etc., which parties had with the members of the Cabinet Delegation. The essence of the State Paper was that it was framed in a spirit of bringing the parties together and that there was no element of compulsion in it. They could not make a constitution by compulsion. They could not get the States in by compulsion nor could they sit together by compulsion. The whole spirit of the document was one of voluntariness. He emphasised that the Constituent Assembly would draw up a constitution by agreement and not by quarrels or by majority vote.

Sir Gopalaswami Ayyangar said that to complete the personnel of the Constituent Assembly they had to get the representatives of the Indian States in and the only question which the Committee of the Assembly was asked to consider
at this stage was how the representatives of the States should be brought into the Assembly. The understandings and assurances which the States representatives demanded could not be considered at all at this stage. Even if the British Indian Committee went back to the Constituent Assembly for fresh mandate, the Assembly could not give any of its Committees plenary authority to decide questions of the kind that were referred to in the resolution of the 29th January. These points might be a matter for negotiations outside the Constituent Assembly between the Rulers and the people of the States on the one hand and perhaps the major political parties on the other. The question on which he suggested that the Princes should exercise their option was not whether they should come into the Assembly but whether after coming into the Constituent Assembly they would agree to federate with rest of India or come to some other political arrangement as was mentioned in the Cabinet Mission's memorandum to the Chancellor. He therefore suggested that the States should come into the Assembly, work with the others for the purposes of working out a constitutional machinery and having done that decide for themselves whether to federate as units or come to some other political arrangements with the new Government of India. Ayyangar suggested that admitting as the States representatives did that the points which had been referred by the Constituent Assembly to their Negotiating Committee were matters for decision jointly between the Committee and the States representatives, they should proceed to decide them now and leave the other matters to be considered later on by whatever machinery might be considered appropriate.

5. Nehru made it clear that there was no intention in the Objectives Resolution of suggesting that the Constituent Assembly could encroach on the territorial integrity of States; but in the case of smaller States grouping and adjustments may be necessary to form sizeable units of the Union. The approach to this question would be by consent and co-operation. Nehru and Patel also made it clear that there was no intention of interfering with monarchical form of Government in States. Nehru said that the question would not even arise in the Constituent Assembly.

6. No agreement could be reached and meeting was resumed on 9th February when at the request of Patiala Nehru gave a résumé of previous day’s discussions. He said the meeting was proceeding, as it must, on the basis of the Cabinet Mission’s Statement with the acceptance of it in full with all its implications. The scheme was essentially a voluntary one where no compulsion was indicated. Whole Constituent Assembly consisting of the various elements would negotiate inter se in so far as they could. As regards points raised on preceding day, issue of monarchical form of government did not arise at all out of Cabinet Mission’s Statement, but it had been made clear by British Indian

representatives that they did not wish to come in the way of this form of Government. As regards territorial integrity, there was no idea in the minds of framers of Objectives Resolution of any change in States boundaries. Any change must have the consent of the parties concerned and not be forced on them. Further, the scheme was a voluntary one whether in regard to entry of States or subsequently; and States would be entitled to their say at any time. As regards powers States would under Statement retain all subjects and powers other than those ceded to Union. This was accepted in its entirety.

7. After some further discussion, the question of the representative character of the Negotiating Committee was raised. It was agreed that the Negotiating Committee represented the States generally but no objection was raised to the right of any individual State or group of States to negotiate direct with the States Committee of the Constituent Assembly. The Chancellor raised the issue of providing that questions in Constituent Assembly affecting States could only be decided if a majority of States representatives agreed, but this was not pressed. The meeting then went on to consider the question of filling the 93 seats allotted to States. It was agreed that it would be desirable for the States representatives to be selected as early as possible so that they could participate in all the work of the Constituent Assembly and its Committees. The Chancellor however wished to consult his Standing Committee further about the whole matter. It was therefore decided that a scheme of distribution should be worked out jointly by the Secretariats of the Constituent Assembly and the Chamber of Princes and that the joint meeting of the two Negotiating Committees should be adjourned till the 1st March 1947.

The issue of the above has been duly authorised.

V. P. MENON
Secretary to the Governor General (Reforms)

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Mr Attlee to Mr Mackenzie King, Mr Chifley, Mr Fraser and Field Marshal Smuts (via British High Commissioners in Canada, Australia, New Zealand and South Africa)

Telegraph, L/P&E/J/10/77: ff 325-8

IMMEDIATE DOMINIONS OFFICE, 13 February 1947, 11.55 pm
PERSONAL AND TOP SECRET
D. NO. 141. Following for Prime Minister from Prime Minister.
1. After the Conference with Indian leaders in London my colleagues and I had
prolonged personal consultations with the Viceroy. We have since given much consideration to Indian policy.

2. Objective of United Kingdom policy in India has for many years past been, through a process of gradually developing transfer of authority, ultimately to hand over power to a Federal system of Government commanding at least the assent of all the important elements in the Indian population and in which the Indian States would be cooperating parties. Unity of India which is the greatest achievement of our rule would thus be preserved.

3. Policy of the present Government has been in line with this tradition. Its main principles were stated in my speech in Parliament on 15th March and developed in detail in proposals of the Cabinet Mission. If operated wholeheartedly and in a spirit of cooperation these proposals should make it possible for Indians to frame a constitution which would both preserve the unity of India and meet the real and legitimate fears of the Muslim community and of other minorities. Intention was that formal and final transfer of authority would not take place until a constitution framed in accordance with the Mission’s proposals, or otherwise by agreement between the major communities, could be brought into operation. In this way broad objective referred to in paragraph 2 above would have been realized, and United Kingdom responsibility in India have been terminated by an orderly and peaceful transition. In the meantime it was hoped that an Interim Government representative of all parties would operate harmoniously under existing constitution. Although broad responsibility of United Kingdom Government and Parliament for Indian affairs would continue, this Government would in practice have wide measure of autonomy. Obviously great difficulties were to be expected in this interim period, which it was hoped would be not more than two years, unless there were mutual forbearance between ourselves and Congress, and a real spirit of compromise and cooperation between Congress and Muslim League.

4. Unfortunately these conditions have not been realized. We have kept you regularly informed of events since the Mission. Following is our broad assessment of them. After the Mission left India, Congress interpreted provisions of Mission’s proposals regarding procedure in Sections in a way contrary to Mission’s intention, as clearly explained to them; Congress interpretation indeed removed essential element of the compromise which is whole basis of the proposals. League reacted by withdrawing their acceptance of Mission’s proposals, by reverting to advocacy of full Pakistan claim in provocative form, and by threatening direct action. Six months have passed without any substantial progress in drawing up the constitution and Constituent Assembly is meeting without Muslim League representatives. Meanwhile the failure of the Muslim League to enter the Constituent Assembly and certain ambiguities in the acceptance by Congress of our Statement of December 6th have rendered relations of the
two parties in the Cabinet increasingly difficult, and the Congress have now
demanded that Muslim League Members should resign from the Government.
We are being pressed to wind up the Secretary of State's Services and to
withdraw British troops from India. Although, in individual cases, Congress are
putting strong pressure on Indian States whom we are bound by our existing
relationship to protect from external interference from British India, recent
conversations between States representatives and representatives of the Con-
stituent Assembly were amicable and there seems a reasonable prospect that
States will enter Constituent Assembly.

5. Communal situation deteriorated seriously between August and Novem-
ber and over 10,000 persons have been killed and many more injured. Since the
London Conference situation has improved but tension is still high. Any open
and irrevocable breach between the parties might lead to widespread re-
crudescence amounting almost to unorganised and spontaneous civil war. In
this event Indian Army might disintegrate and take sides.

6. In our consultations with him the Viceroy expressed the following
views:—

(a) We shall no longer be in a position effectively to control the course of
events in India later than 31st March 1948, and possibly not for so long.

(b) Our present authority has declined owing to our declared intention to
hand over power. Those Indians who used to support us have felt com-
pelled to transfer their allegiance to one of the political parties or to act
non-committally. Indian members of the Services have been strongly
affected in this way. The comparatively few British members are tired
and in some cases discouraged by the uncertainty of their position. In
certain Provinces at any rate we could not maintain the administration if
Congress withdrew its co-operation and went into open opposition.

(c) As a consequence we are not, in the last resort, in a position to resist any
demand by Congress, however extreme, on which Congress is prepared
to resign, while there is a danger, if Congress do not take steps which
will avoid an open clash with Muslim League, of widespread communal
violence developing into what would be virtually civil war.

(d) It is not practicable to strengthen our position temporarily by any
improved measure for reinforcing British element in the Services.

(e) Alternatives, therefore, are to decide to withdraw from India by a definite
date and take necessary preparatory measures; or, to reassert British
authority. Latter course is not, in Viceroy's view, intrinsically impracti-
cable, but would involve extreme measures of repression, would require
reinforcements of four or five divisions of British troops, and could
only succeed if we declared publicly decision to govern India for further
period of at least fifteen years. Only if they are assured of our protection
for that period, can we expect to recover full allegiance of Indian Government servants owing to their natural apprehension of subsequent reprisals.

7. We do not consider that a reversal of our policy and pledges to India and a reassertion of United Kingdom authority by force would, even if it is practicable, be likely to lead to any solution of the Indian problem or be desirable from point of view of our international reputation. In the long run it would result in spread of revolutionary extremism, probably in a communist form. We do not think opinion in this country would support the measures necessary, or be prepared to shoulder the costly burdens of responsibility in India under such conditions for another fifteen years. Apart from this, the necessary British troops are not available.

8. We have come to the conclusion set out in the Statement, text of which is contained in my immediately following telegram,\(^1\) announcing our intention to hand over authority in India not later than June 1948. We are hopeful that prospects of a settlement between Congress and Muslim League will be increased if it is clearly stated that we shall withdraw at a definite date and definite steps are taken to implement this decision. At present both sides hope to produce a situation in which we shall be forced to assist them in securing their own political objective and this fact impedes a settlement between them.

9. We, therefore, think that proposed Statement provides best prospect of being able to hand over functions of existing Central Government to a single Government having support of both major parties. But if, when date for withdrawal is reached, this is not possible, we shall have to hand over to whatever constituted authorities seem most representative of different parts of the country when the time comes. Paragraph 10 of the Statement is designed to avoid, on the one hand, commitment to create Pakistan (which would encourage League to be obstructive), and on the other, any indication that we should, whatever happens, hand over to one authority only (which would encourage Congress to be uncompromising).

10. We realize of course that we are running risk that no settlement will be arrived at and that as date for our withdrawal draws near communal situation will deteriorate seriously, and that this will be accompanied by disintegration of Indian Army. But this is just as likely to happen if we make no Statement because both sides will hope that we shall assist them to put down the other. We believe therefore that the right course is for us to be definite as to our intentions.

11. It may be felt that a definite partition of India before our departure would, if there is no agreement, be preferable, in the last resort, to withdrawal

\(^1\) In tel. D. 142 of 13 February Mr Attlee sent the four Prime Ministers the text of the Statement in Enclosure to No. 249 as revised up to that date. L/P &J/10/77: ff 329-31.
in way we propose. Cogent reasons were given in opening paragraphs of Cabinet Mission’s Statement of 16th May against any form of Pakistan because the area claimed by the Muslim League would contain far too great a minority of non-Muslim population while a smaller area having a substantial Muslim majority could not be capable economically of survival as an independent State. Partition would bring us into immediate conflict with Congress and permanently embitter our relations with the larger part of India, but it is not totally excluded by paragraph 10 of the proposed Statement if it were found to be inevitable at a later stage.

12. You have been informed in telegram No. 501 Saving of 24th December of Resolution which has been moved in the Constituent Assembly declaring resolve to proclaim India an independent sovereign Republic. From this and other indications it is probable that India will decide not to remain in the Commonwealth. We are not in a position to insist upon any conditions as to the strategic and military co-operation of India with the rest of the Commonwealth as a condition of the transfer of power to Indians. Consequently it must be recognised that we shall have to rely on free negotiation with the new Indian authorities to secure the best terms we can in regard to such matters. This is, of course, a serious consideration for defence but it must be recognized that, if we cease to have political control of India, Treaty provisions compulsorily imposed are unlikely to be effectively implemented in time of war, whereas establishment of lasting good relations with the new India would be of the highest advantage to us in time of international crisis.

13. You will of course recognize extreme secrecy of proposed Statement, and I need not impress on you importance that no leakage should occur before it is made. This will be on 18th or 19th February. We regret that it has not been possible to communicate our intention to you earlier but the difficulties which have arisen between the parties in India make it extremely urgent that the Statement should be issued and we have only today decided on its terms in light of Viceroy’s final observations. If you have any comments I should be glad to have them urgently.

* See No. 190.
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Field Marshal Viscount Wavell to Mr Attlee

Telegram, L/PO/8/9j: f 44

PRIVATE AND PERSONAL

14 February 1947

2-U. For Prime Minister from Viceroy. Your telegram U-2 dated February 13th.¹

Date of announcement. My daughter’s wedding is on 20th when I shall have some 800 guests. It would naturally be embarrassing for me if announcement was made just before the wedding and I should prefer that it should be postponed to afternoon of 20th at earliest.

I do not wish to make any comments on draft announcement except that “Egypt” should be “Middle East”.

I will inform principal leaders as requested shortly before announcement. I must also arrange that Governors are informed at the same time.

Please give persons named in your U-3² my warmest congratulations and very best wishes.

¹ No. 380; the date should be 12 February. ² No. 381.

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Field Marshal Viscount Wavell to Rear-Admiral Viscount Mountbatten
of Burma

Mountbatten Papers. Official Correspondence Files: Viceroy’s Staff,
Appointments to

THE VICEROY’S HOUSE, NEW DELHI, 14 February 1947

My dear Dickie,

I just heard the news last night that you were to succeed me here. I am delighted that since we are going we are handing over to you and Edwina, it couldn’t be better.

As a mail is just off, I send you a note on my Personal staff, which may perhaps help you. You know some of them. None of them, except P. S. V. and D. P. S. V., know at present, but I think any whom you wanted would be pleased to stay on.

I will probably write about some other things later but have no time now. Horses we will keep for you. Grandee is still here and I have one nice horse but they are getting difficult to come by. Do you want saddlery?

In haste and with all best wishes to you & Edwina.

Yours,

ARCHIE
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Mr Attlee to Field Marshal Viscount Wavell

Telegram, L/PO/8/9j: f 45

TOP SECRET AND PRIVATE

U-4. Following for Viceroy from Prime Minister.
Thank you for your No. 2-U. I readily agree that the announcement should
be made on the 20th February, but to postpone longer would mean delaying
until the next week. This is too long, I fear. I have passed on to person named
in my U-3 your message of congratulations and best wishes. He has asked
me, for reasons of secrecy, to thank you very sincerely for your charming
and generous message which he greatly values. He had already written to you
by air mail privately, and sends you his warm congratulations on the great
honour which The King is to bestow upon you.

1 Date obtained from list supplied by Lady Pamela Humphrys of "U" telegrams in the Wavell Papers.
2 No. 391.
3 No. 381.
4 Presumably a reference to No. 417 which was not sent until 18 February.

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Mr Attlee to H.M. King George VI (via Ministry of Defence)

Telegram, R/30/1/8a: f 95

PERSONAL AND TOP SECRET

EPOCH 20. Mr Attlee with his humble duty to The King.

India. The next three following telegrams contain:
(a) A formal submission regarding the Viceroyalty;
(b) The final text of the Statement on Policy which Mr. Attlee is proposing
to make in the House of Commons on Thursday, 20th February.
(c) An addition to the Statement on Policy dealing with the Viceroyalty,
which Mr. Attlee will make at the same time.

2. The Statement on Policy referred to in (b) above has been communicated
to Your Majesty’s Dominion Prime Ministers.

3. Your Majesty will see that this Statement states that it is the definite
intention of His Majesty’s Government to effect the transference of power in
India by a date not later than June 1948.

4. Your Majesty should know that the Viceroy advised that the general
Statement on Indian Policy should not be made until a reply had been sent to
Nehru’s letter of 5th February, in which Congress said that it was no longer possible for members of the Moslem League to continue in the Interim Government. After most careful consideration Mr. Attlee has reached the conclusion that the right course is not to send a definite reply to this letter from Nehru, but merely an interim message to the effect that an important Statement would be made in a few days. Mr. Attlee feels sure that the best remaining hope of securing the ultimate adoption of the Cabinet Committee’s plan is to try to bring the Congress and the Moslem League together in the Constituent Assembly after they have studied the general terms of policy.  

1 King George VI was en route for South Africa in H.M.S. Vanguard.  
2 Tel. Epoch 21 of 14 February contained formal submissions of Lord Mountbatten’s name for appointment to the Viceroyalty, the Privy Council and the honours of G.C.S.I. and G.C.I.E., and of Lord Wavell’s name for the dignity of an Earldom. R/30/1/8a: f 94. The King’s approval of these submissions was conveyed in tel. Crest 10 of 6 February. Mountbatten Papers, Official Correspondence Files: Policy.  
3 No. 350. Lord Wavell’s reasons for advising that the Statement of Policy should be deferred are outlined in Nos. 367, 372 and 373.  
4 On 14 February Mr Attlee sent Lord Mountbatten copies of the four telegrams to the King. He also told him it had been decided to make the announcement on 20 February. R/30/1/8a: f 93.  

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Note by Sir F. Burrows

R/3/1/130: ff 77–80

TOP SECRET

14 February 1947

1. I understand that the contingencies for which planning is required are:—

A. An announcement by H.M.G. that they intend to withdraw their power in India within a time limit irrespective of a constitutional agreement:

B. A situation of widespread disorder and confusion.

2. I consider that in Bengal there would in all probability be no period of grace or at best only a very brief breathing space between the situation caused by “A” and situation “B”—if such an announcement were made now, with the Muslim League out of the Constituent Assembly and threatened with expulsion from the Interim Government. In present conditions an announcement of the kind contemplated would precipitate a crisis and disorders which would probably be both communal and anti-British, and there would be little chance of an orderly withdrawal of Europeans from Bengal. (I should, however, not be opposed to such an announcement if the Muslim League were participating in the Constituent Assembly and the Interim Government).

1 See Nos. 403 and 407 for the circumstances which caused this note to be recorded.
3. I have to visualise three possible situations if there is a break-down in the Cabinet Plan for the framing of a new constitution and the handing over in orderly fashion of control in India:—

(i) the Muslims in revolt;
(ii) the Hindus in revolt;
(iii) both Muslims and Hindus in revolt against H.M.G. and the established regime.

Before dealing with these separately I should explain that, following on their sweeping election successes in 1945 and with the recent adhesion of even Fazlul Huq's handful of dissident Muslim MLAs and several desertions to the Ministry from the Congress Scheduled Castes, the Muslim League command an absolute majority in the Bengal Legislature and, so long as they hold together, there is no possibility of any alternative Ministry unless the League agree to and support a coalition. If I am forced to dismiss my predominantly Muslim League Ministry or if that Ministry resign or are called out, they can make the constitutional functioning of any other Ministry impossible. In this context I must again emphasise that I neither have the officers, nor would circumstances allow of it if I had them, to administer the province under Section 93 in the teeth of active Muslim League opposition. The Imperial Services are depleted, disheartened and apprehensive. The Provincial Services cannot be expected to reproduce their old loyalty to a regime that is passing away before their eyes and are, indeed, already thinking on communal lines. The announcement of a date for our withdrawal, without the prospect of any regime, reasonably representative of both major communities, being ready to take our place, would sharpen the communal cleavage and bring about an immediate alignment on a communal basis. The Police—still largely a non-Muslim force, especially in the Armed Branch where the hillman can no longer (since the Calcutta riots especially) be implicitly relied on as free from pro-Hindu bias vis-à-vis the inhabitants of the plains—would rapidly disintegrate into its communal elements and would have to be written off very largely if not completely as an instrument of impartial administration. I therefore no longer have the machinery with which to run a Section 93 administration in the face of opposition. So long, then, as the League Parliamentary group hold together—as I think in present circumstances they will—I have no other course open save the alternatives of working with them or dispensing with any form of administration under the 1935 Act and governing so much of the Province as I can under something like Martial Law. This administration could be neither extensive nor long-lived.

In situation (i), with the Muslims of Bengal in revolt against H.M.G. and/or a Congress-controlled Centre, I should immediately lose control of the whole of East and most of North Bengal: and, as the Hindus of Bengal could not form an alternative Ministry, even in alliance with the European Group and other
non-Muslim elements, I should have no reason to hope for any active support from that community and the administrative break-down elsewhere in the Province might soon be nearly as complete as from the first it would be in East Bengal.

In situation (ii), with the Hindus in revolt, South-West Bengal would largely go out of control (as parts of it did in 1942) and road and rail communications with Provinces to the West and South-West would almost certainly be closed except to armoured columns. Hindu revolt would evoke a Muslim reaction if I still had a League Ministry in office and my present Ministry’s control of their followers outside the Legislature is already shaky and does not inspire me with confidence that they would be able to control any popular movement (e.g. an anti-Hindu or an anti-Landlord movement) initiated by the Muslim masses. (The tail would undoubtedly wag the dog).

If situation (iii) should arise—active revolt by both Muslims and Hindus—and it is the declared aim of the Communists and of some of the more extreme elements (including more than one student organisation) in both the major communities to bring it about, I do not believe they would act in concert for long or avoid relapsing into communal conflict; but the situation would be precarious for the Europeans at the outset and I could obviously only aim at extricating the Europeans in the districts before all movement became impossible and they were mopped up, and then holding a part of Calcutta till evacuation by ship or flying boat became possible. Even so, to do anything effective for the Europeans scattered through the districts, I should have to move quickly and I should need aircraft.

4. In short:

If Muslims were in revolt, it would involve the immediate abandonment of East Bengal and much of North Bengal and the evacuation of the Europeans of Chittagong by sea or air.

If the Hindus were in revolt—and for this purpose I make little distinction between Congress, Mahasabha, Forward Bloc and the rest—we should lose control of considerable areas of West Bengal, including our lines of communication with Northern, Central and Southern India, and we might expect sporadic outbreaks of terrorism in the towns of East and North Bengal.

Abandonment of either area (East and North Bengal or parts of West Bengal) would be followed by massacres there on a scale that would shock the world. If in East Bengal, Gandhi would be one of the first victims.

The Communists are actively fishing in all our troubled waters and would give the disorders both an agrarian and an anti-British colour,—the latter would not be difficult in the tea gardens of North Bengal or the industrial areas along the Hooghli, in West Bengal and at Narayanganj (Dacca).

Famine, on a disastrous scale, would accompany such disorders and would
help to direct feeling against Europeans, whose houses would be attacked in the belief that they held food. This would lead at once to a general looting of unprotected European property.

5. In such circumstances I feel fairly confident that I could generally ensure the lives (though not the property) of the Europeans and Anglo-Indians in Calcutta and of those whom we could evacuate to Calcutta, assuming that I could count on the present number of British troops and certain A.F.(l) units that we have taken into account in our plans. The British element in the Calcutta Police is fairly strong.

6. I consider, therefore, that my first action in the event of an announcement of a date for withdrawal of British power (if made in present circumstances) would be to have the troops "standing to" and prepare for a concentration of outlying Europeans at very short notice as soon as hostile reactions began to show themselves. The areas to be cleared would depend on the nature and source of the hostile reactions. I should require aircraft for this concentration.

7. The "internal security" problem as it presented itself from time to time during the past ten months has been the subject of frequent discussion by me with successive Army and Area Commanders, and as a result of my recent tour in North Bengal I am proposing to discuss more especially the arrangements to be made in that area when I see the Army Commander on the 15th February. (In this matter I share the apprehensions of the Commanding Officer of the Northern Bengal Mounted Rifles regarding the suitability of the existing scheme in present conditions in the Jalpaiguri and Darjeeling districts. The scheme, I understand, even in its most recent form, still envisages the evacuation of the European population of the Jalpaiguri (plains) tea area by the very vulnerable "cart road" to Darjeeling. That may have been a good—and the only safe plan—when there were no aerodromes in the Duars, when the loyalty of the hill people was unquestioned, and when retreat to Darjeeling would have been only till restoration of order in the plains. In all these respects the situation has now changed. The existence of an airstrip at Bagdodra (near Siliguri) and of an airfield at Hasimara (in the east of Jalpaiguri district) render evacuation to Calcutta or even out of India feasible if aircraft can be made available and this would obviate retreat to Darjeeling where (if it could be reached at all) the friendliness of the hill population can no longer be counted on to anything like the former extent and where, with the plains in chaos and no airfield available, the European community may find themselves quite cut off amid a population which may soon be very short of food. Evacuation from East Bengal (Dacca and Chittagong) will have to be by air (for the former) and by sea or air (for the latter). There are possibilities of road, rail and air evacuation from West Bengal. I do not at present know how we could evacuate Darjeeling except by air from Bagdodra.
8. I feel strongly the importance and the necessity of strengthening the AF(l) in areas where the Europeans are likely to be in jeopardy so that self-defence should be disciplined and enjoy legal sanction. At present there is some lack of enthusiasm in the units and considerable reluctance on the part of returned “service” men to rejoin and of newcomers to join the force. This is partly the inevitable reaction after the war but it is also due in part to uncertainty about the future of the Force. Not all the units at present on the books are probably equally deserving of, or marked out by the emergency for, encouragement but some of them are an integral part of our internal security schemes for present purposes and recruitment to these should be encouraged. I recently found the C.O. of the N.B.M.R. worried about the position,—about the reduced numbers and inadequate equipment: the latter, coupled with rumours regarding the probable disbandment of the A.F., was having a very discouraging effect on existing numbers and recruitment. I assured him, on the strength of discussions last summer, that there was no present intention of disbanding his corps.

9. I am envisaging the evacuation of the bulk of the Europeans of the Bengal districts to Calcutta in the first place, and I have said that I felt fairly confident that I could ensure their lives once we got them there. It must be realised however that whatever the origin of the situation that gave rise to the evacuation, Calcutta itself would almost certainly be from the first the scene of communal rioting—possibly on a scale far eclipsing the ferocity of August 1946. The British troops available, on present indications, will be unable to do much more than maintain certain essential supplies and prevent disorders in certain areas of the city. I shall be able to contemplate little more than ensuring the lives of the European and Anglo-Indian population who agree to move into the protected areas. Even so, shortage of supplies and “essential service” breakdowns will make it highly desirable to carry out the evacuation from Calcutta overseas as quickly as possible. To gain time for this I must be assured of sufficient force of reliable troops and I am assuming that I can count on four British battalions and certain units of the AF(l). I would recall that at one period of the August riots (which were not anti-Government or anti-European) nine battalions of troops were fully engaged in restoring or maintaining order in different localities of the Calcutta area. In a city of the size of Calcutta the protection we shall be able to give with a force about half that size will be correspondingly limited. I cannot but deplore the weakening of the European element in the armed forces in India at this critical stage which appears to me to be a scrapping of the hitherto accepted machinery for ensuring internal security before there is any other system or machinery to take its place.

10. To sum up,—I feel strongly that, in view of the very serious consequences likely to ensue, in Bengal at all events, no statement in the terms
contemplated should be made at this stage. I would, on the other hand, welcome an early announcement of the winding up of the Secretary of State's Services and think that such an announcement is now desirable. Apart from this, any statement made now on the general political position should in my opinion concentrate on obtaining a clarification of points in the A.I.C.C. resolution of January 6th, which have given rise to doubts in the minds of the Muslim League leaders, so as to provide an opportunity for the League to enter the Constituent Assembly. Though he is no longer hopeful that it can be brought about, my Chief Minister in fact wants the League to enter the Assembly and does not want a civil war. In fact, I am convinced that the Muslims cannot wage what is termed "civil war". Nazimuddin also, when he saw me early in January, gave me the impression of being convinced that the Muslims should enter the Assembly.

11. Finally, I feel I must inquire what would be my position if, as would be quite likely in the event of an announcement on the lines foreshadowed, my Ministry were to declare Bengal either an Independent State or a Dominion in the British Commonwealth? What action would I be expected to take in either event?

And second, what distinction can I draw, for the purpose of using civil and military power, between preservation of law and order and the suppression of a mass popular movement? The distinction is likely to wear thin.

12. I do not want to embarrass either you or the Secretary of State in respect of the matters raised in para 11 above: but either possibility might happen and a prior directive on these two aspects will be preferable to my having to decide the issues on the spot as they arise.3

3 No. 253.
3 This Note was circulated by Lord Pethick-Lawrence to the India and Burma Committee under the reference I.B.(47)22 of 24 February. L/P 88J/10/77: f 183.

In tel. 304-S of 17 February Lord Wavell thanked Sir F. Burrows for his appreciation. He said the announcement contemplated in Sir F. Burrows' situation A (see para. 1 above) seemed likely to be made on 20 February unless he could persuade H.M.G. to reconsider. R/3/1/130: f 125.

396

Sardar Patel to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 242

14 February 1947

You will recall that some time ago I wrote to you regarding the impropriety of Muslim League Members of the Central Government issuing public state-
ments criticising the conduct of the Punjab Government in grossly disparaging terms. You then replied to me\(^2\) that you had spoken to the Finance Member about it. I expected that things would improve but instead I notice in today's *Dawn* that the Finance Member himself has issued a statement which not only offends in the above mentioned respect, but seeks to draw, from the happenings in the Punjab, a portent of what might be achieved on an all-India scale.\(^3\) Things have been made worse by a clear hint that matters [might] take a violent turn.

2. I also enclose a cutting\(^4\) from the *Free Press Journal* (dated 7th February 1947) of Mr. Ghazanfar Ali Khan's speech at Lahore. I would particularly invite attention to the following passage:

"Mohammed Bin Kassim and Mahommed of Ghazni\(^5\) 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."

The parallel drawn is significant, particularly in regard to Ghazni's invasion, which consisted of repeated raids on India in which Hindus were killed in thousands and temples were destroyed.

3. I am sure you will not regard with equanimity such utterances of your two colleagues of the Cabinet. A more flagrant breach of the rules of responsibility incumbent on Members of the Central Government would be difficult to find. Instances like this only serve to strengthen our conviction that a corporate body like the Central Government has ceased to exist and that the sooner the present state of affairs is put an end to, the better.\(^6\)

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\(^1\) No. 313.

\(^2\) See No. 313, note 1.

\(^3\) Mr Liaqat Ali Khan was reported to have stated that he expected the Punjab Ministry to fall as a result of the League's campaign. He added that the Punjab demonstrations were an indication of what the League could do on an all-India scale if it became necessary although 'I couldn't guarantee that it would remain always non-violent.'

\(^4\) Not printed.

\(^5\) Mohammed Bin Kassim conquered Sind with an Arab force in 711 A.D. With respect to Mahommed of Ghazni (971-1030 A.D.) the Editors are told by Dr Peter Jackson of Churchill College, Cambridge that it has been generally accepted that he raided northern India and Gujarat seventeen times 'for example T. W. Haig, art. 'Mahmūd of Ghazna,' *Encyclopaedia of Islam*, 1st ed., III (Leiden-London, 1928-36), p. 133. But an earlier incursion (into the Peshawar region) is mentioned by M. Nāżim, *The Life and Times of Sultan Mahmūd of Ghazna* (Cambridge, 1931) p. 86 and n. 5, thus making eighteen (all detailed in Chapter 8).'</p>

\(^6\) Lord Wavell acknowledged this letter on 16 February saying that 'I have already spoken on this subject to our colleagues and will do so again.' Wavell Papers, Official Correspondence: India, Jan. 1946–March 1947, p. 249.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/77: ff 312–19

IMMEDIATE

TOP SECRET

INDIA OFFICE, 14 February 1947, 10.40 pm

Received: 15 February, 7.45 am

NO. 2143.


2. My colleagues and I have considered alternative Statement proposed in your 270–S. In our view there will be a better chance of accommodation between the parties after our proposed Statement has been made. We think that if, as you propose, Congress are in present circumstances publicly called upon to modify their position, this will only increase their difficulty in making any further concession and harden the situation further. On the other hand, in our view, impact of public Statement fixing a definite date will create a new situation. We have therefore decided to make that Statement on 20th February. We have considered amendments to it which you propose in your 276–S. My two next succeeding telegrams contain further amendments to text you already possess with explanation of our views on those points on which we have not been able to meet you.

3. As regards immediate reply to Nehru, please inform him that H.M.G. have received his letter contained in your 277–S of 13th February; that, since they received original letter contained in your 229–S of 6th February, they have been actively considering situation; that they propose to issue an important Statement which you will communicate to him and to the Muslim League immediately before publication and expect to do so in the middle of next week. You should say that we think that this Statement may have a material effect on the situation and that H.M.G. therefore hope that Nehru and other signatories to letter of 6th February will wait until they have had an opportunity of considering it before pressing for reply to their communication. You should impress on Nehru that while we realize that he will wish to inform the other signatories of the original letter, we rely on them to see that fact Statement will be issued is kept confidential.

4. Statement should be released to Press in India at Indian time equivalent to 3–30 p.m. on 20th February. For Parliamentary reasons here no other time is feasible. We wish you to see Nehru and Jinnah or Liaquat personally and give them copies immediately before publication. Copy should also be given simultaneously to Bhopal and we should like Corfield to be sent to hand it to
him personally with explanation as in next paragraph omitting last two sentences.

5. At these preliminary interviews with Nehru and Jinnah you should say that H.M.G. had for some little time been considering a Statement on these lines but have felt it necessary to make it now in view of the situation resulting from Congress and League Resolutions,\(^8\) that they think that the two parties should have an opportunity of considering the situation in the light of it as they feel that it may have a material effect upon the situation. You should add that you would like them to consider it at once with their colleagues. You should then invite them to see you again on following day.

6. In second interview with Nehru we wish you to use following arguments which we have based to a large extent on line suggested in your proposed public Statement in your 270-S:

(a) That he will realize that H.M.G. were naturally unwilling to reply to the request for resignation of League Members until position has been considered by both parties in light of this Statement; that in view of fact that British authority will be entirely withdrawn by definite date it is essential, if unity of India is to be preserved when that date comes that Muslim League be brought into Constituent Assembly.

(b) That H.M.G. recognise that in Resolution of 6th January Congress have modified the reservations which they had previously made in acceptance of Cabinet Mission’s plan, but that, nevertheless, in Resolution of January 6th Congress have still made some reservations.

(c) In particular Congress Resolution refers to it being understood that parts of a Province cannot be coerced by decision of Sections, and that position of Sikhs in Punjab must not be jeopardised. On the wording of the Resolution this passage appears to imply that, even though Province as a whole has had fair opportunity to exercise its option whether or not to enter a Group under a new Provincial Constitution which gives fair representation in the Legislature to all sections of population, parts of Provinces and Sikhs still have a right to refuse to accept such a decision. If this is intended such a reservation is inconsistent with Cabinet Mission’s plan and Maulana Azad’s explanation\(^9\) of Congress position does not dispose of this.

(d) That Rules of Procedure Nos. 19, 35,\(^10\) are not consistent with Mission’s plan since they have effect of giving Union Assembly deciding voice in large number of matters within Provincial Constitution which under paragraph 19(v) of Statement of May 16th were to be decided by Sections

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\(^1\) No. 367. \(^2\) See No. 363, note 11. \(^3\) No. 372. \(^4\) No. 373.
\(^5\) No. 384. \(^6\) This transmitted the text of No. 386. R/3/1/130: ff 73-4.
\(^7\) No. 350. \(^8\) Nos. 253 and 333. \(^9\) See No. 314. \(^10\) See No. 355.
in light of Advisory Committee’s report. Rule 63 is also contrary to spirit of Cabinet Mission’s Statement since it imports existing Provincial Legislatures, which are weighted, into decision as to whether Group shall be formed. Express object of special composition of Constituent Assembly proposed by Cabinet Mission was that decisions should be by unweighted representation of Provincial population.

(c) In these circumstances H.M.G. consider that Congress cannot be regarded as having unreservedly accepted Mission’s plan unless their position on these points can be satisfactorily elucidated in a manner which Muslim League can be expected to accept as authoritative expression of Congress position. They therefore hope that Congress will be able to give explanations of what Congress position is on these points which will entirely reconcile their position with Mission’s plan. You might suggest that if Congress are prepared to meet the needs of situation in this way assurances might be conveyed by letter from Nehru to Jinnah and Liaquat through you. (It is, of course, important that assurances should be in writing).

(f) That H.M.G. trust that Nehru and his colleagues will give full consideration to this suggestion, and that they will defer dealing with request for resignation of League Members until they are apprised of considered views of Congress upon this suggestion.

7. At interview with Jinnah or Liaquat we wish you to say in addition to paragraph 5 above:

(a) That they will have seen from the Statement that H.M.G. have set a definite term to their authority in India whatever happens.

(b) That while paragraph 10 indicates what H.M.G. may repeat may do if Muslim League have not come into Constituent Assembly it should not be taken to indicate that H.M.G. will set up Pakistan. This paragraph envisages that if Constituent Assembly has framed a constitution which, in H.M.G.’s view, is not acceptable to a large section of population, H.M.G. might hand over the Provinces concerned to Provincial Governments as now constituted. This will not necessarily be advantageous from his point of view. Moreover if Muslim League do not come into Constituent Assembly now it will probably not be possible for them to continue in Interim Government, and effect of their exclusion in intervening period before H.M.G.’s authority is finally withdrawn may prove very disadvantageous to Muslim League.

(c) H.M.G. think that under these circumstances Muslim League should now make definite approach to Congress with object of settling the points of procedure in regard to Constituent Assembly which are in dispute. You should emphasise that H.M.G. regard this as a matter of
great urgency and that you will wish to see Jinnah again in two or three days to hear his views after considering the position.

8. If Nehru presses at once for reply to his letters he should be told that H.M.G. have received them, but think that Statement which has been made alters the situation but they will of course be prepared to send considered reply to those letters if the signatories, after they have had time to consider the position, still so desire.

398

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/77: f 309

IMMEDIATE

INDIA OFFICE, 14 February 1947, 9.40 pm

TOP SECRET

Received: 15 February, 7.30 am

2144. Paragraph 2 of my immediately preceding telegram.

Immediately following telegram¹ contains final amendments to text of Draft Statement² already in your possession and preparations for publication on Thursday the 20th can proceed with inclusion of these amendments.

2. We have considered suggestions made in your telegram 276-S.³ It seems to us essential to have provision on lines of paragraph 11 to cover departures from the requirements of the existing Act which will probably be unavoidable but cannot be specified in advance. We have revised paragraph 13 because it is contemplated that Treaty would be negotiated with Constituent Assembly and new authorities cannot exist at time of negotiation, but we see no way of making it more definite at this stage.

3. We have explained elsewhere⁴ our views about effects of paragraph 10. We do not think that without getting involved in dangerous implications we can say more about Indian Army than reference to defence of India in paragraph 11.

4. We have met your points on paragraphs 6, 14 and 16 entirely and have made alteration in paragraph 12 which we think meets substance of your criticism.

5. Your 282-S.⁵ We feel that the inclusion of the words “not later than” leaves sufficient margin.

¹ No. 401.  ² See Enclosure to No. 249.  ³ No. 384.
⁴ See No. 397, para. 7(b).  ⁵ See No. 384, note 2.
399

Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/130: f 89

15 February 1947

I will examine these telegrams\(^1\) further when Y.E. has read them. The third telegram\(^2\) has not yet come in.

I have dictated a draft letter to Pt. Nehru\(^3\) as in para. 3 and this will come up for approval soon.

The only course now seems to be to let H.M.G. handle this their own way. I think it is worth asking however whether they have considered your letter of the 3rd Feb[ruar]y\(^4\) and the plan sent with it.

G. E. B. ABELL

I do not think this [Mr. Abell’s last suggestion] is worthwhile, they have obviously made up their mind.

Approved, [the letter to Pandit Nehru (No. 400)] as this seems to be what H.M.G. wants. But the issue of a statement will not long be confidential.

I am pretty sure the effect of this Statement will be to harden the League attitude.

W.

15/2/47.

\(^1\) Nos. 397 and 398. \(^2\) No. 401. \(^3\) No. 400. \(^4\) No. 337.

400

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/120: f 81

SECRET AND PERSONAL

NO. 592/47

H.M.G. ask me to inform you that they have received your letter of the 13th February.\(^1\) Since they received the earlier letter,\(^2\) signed by some of your colleagues as well as yourself, which was dated 5th February, they have been actively considering the situation. They propose to issue an important statement which I will communicate to you and to the Muslim League immediately before publication. This they expect to do in the middle of next week. They think that this statement may have a material effect on the situation and hope that you and the other signatories to your letter of the 5th February will wait
until they have had an opportunity of considering the statement before pressing
for a reply to the letter. H.M.G. realise that you will wish to inform the other
signatories, but they rely on them to see that the fact that a statement will be
issued is kept confidential.¹

Yours sincerely,

WAVELL

¹ No. 386. ² No. 350.
³ Following a suggestion from Mr Abell that Mr Liaqat Ali Khan should also be informed of the
impending Statement by H.M.G., Lord Wavell sent him, on 17 February, a letter similar to the one
sent Pandit Nehru. R/3/1/130: f 102; R/3/1/120: f 97.

401

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/77: ff 306-7

IMMEDIATE

TOP SECRET

INDIA OFFICE, 15 February 1947, 3 pm
Received: 16 February, 6.30 am

2145. My immediately preceding telegram.¹ Following are further amendments
to text of Statement² brought out by Abell as already amended by paragraph 4
of my telegram No. 1818³ of 8th February, my telegram No. 1819⁴ and my
telegram 1830⁵ paragraph 2.

(1) Paragraph 5, first sentence. Omit “and it is” before “exercising”.
(2) Paragraph 6. For “Indian politicians” substitute “Indian Parties”. Omit
last sentence of this paragraph.
(3) Paragraph 7. For “the middle of 1948” substitute “June 1948” repeat
“June 1948”.
(4) Paragraph 9, second sentence. Revise to begin: “It is therefore essential
that all parties should sink their differences etc.”
(5) Paragraph 10, fourth sentence of text as already amended by my tele-
gram 1818. Read: “But if it should appear that such a constitution will
not have been worked out by a fully representative Assembly before the
time mentioned in paragraph 7, His Majesty’s Government will have to
consider to whom the powers of the Central Government in British
India should be handed over, on the due date, whether as a whole to
some form of Central Government for British India or in some areas to
the existing Provincial Governments, or in such other way as may seem
most reasonable and in the best interests of the Indian people”.

¹ No. 398. ² Enclosure to No. 249. ³ No. 362. ⁴ See No. 362, note 6.
⁵ L/P & J/10/77: f 370.
(6) Paragraph 11, first sentence. For “the middle of 1948” substitute “June 1948”. Second sentence—For “desirable” substitute “important”. 6

(7) Paragraph 12, second half of last sentence. Amend as follows: “but it is contemplated that for (repeat for) the intervening period the relations of the Crown with individual States may be adjusted by agreement.”

(8) Paragraph 13. Revise as follows: “His Majesty’s Government will negotiate agreements in regard to matters arising out of the transfer of power with the representatives of those to whom they propose to transfer power”.


(10) Omit entirely paragraph 15.

(11) Paragraph 16. Renumber as 15. In last sentence for “two” substitute “British and Indian”.

(12) The large Roman numerals I, II and III dividing Statement into 3 Sections 7 are to be deleted and Statement printed to read continuously.

6 This sentence now read: ‘It is important that the efficiency of the civil administration should be maintained and that the defence of India should be fully provided for.’

7 The draft Statement in Enclosure to No. 249 is in fact divided into four Sections.

402

Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Viceroy’s Staff, Appointments to

15 February 1947

My dear Prime Minister,
I believe that you approve the idea of my taking out a special staff over and above what the Viceroy already has. I contemplate that the communications which will pass between His Majesty’s Government and myself will be of a particularly intimate and secret character. I also contemplate having almost daily conferences on these topics with the team of advisers that you have already authorised, and keeping careful records of everything that transpires. I am informed that the personnel at present employed by the Viceroy are almost entirely Indian, and that there have been leakages. 1 It, therefore, appears to me to be most important to have a special British and hand picked staff to deal with the more secret and intimate matters.

I have now formulated my ideas, and, in view of the speed with which we may have to move once the announcement is made, I would be grateful for
your authority to embark forthwith on detailed discussions with Sir Edward Bridges or any official that he may depute for the purpose. I can assure you that I am anxious to keep this special staff as small as possible, and that I have proceeded on that basis.

I mentioned to you during our talk last Tuesday that Ismay and Mielville, in view of the supernumerary nature of their appointments, ought to be paid out of British funds. The same applies to the rest of my special staff.

Yours very sincerely,

DICKIE MOUNTBATTEN

P.S. You kindly said I could take the 3 essential members of my Despatches Staff to India with me to help me finish the final draft. I hope not to keep them more than 2 to 3 months and will fix details with Bridges.

1 Leakages of letters and top secret documents from the P.S.V’s Office had come to light at this time.

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403

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f98

NEW DELHI, 15 February 1947, 8.50 pm

Received: 15 February, 8.45 pm

No. 290-S. In the course of drawing up plans for an emergency evacuation of Europeans as directed by you I sent my JPSV to see Burrows. He has brought back an appreciation1 which Burrows was insistent should be sent to you at once. In view of imminent announcement by H.M.G. of which JPSV knew nothing when he saw Burrows I am telegraphing Burrows’ appreciation in considerable detail in succeeding telegram.2 You will notice that although he knows nothing at all of telegrams which have passed between us his advice in paragraph 10 is practically identical with that which I have recently given you. I may say that Colville took a similar line when JPSV saw him recently.

2. I will consult Commander-in-Chief and will also take steps to obtain views of Jenkins and Wylie who govern key Provinces. I shall have to inform them that an announcement will be made this week.

1 No. 395.
2 Tel. 291-S of 16 February. R/3/1/130: ff 99-100.
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell (Extract)

R/3/1/178: ff 10-15

SECRET

GOVERNMENT HOUSE, LAHORE, 15 FEBRUARY 1947

No. 648

Dear Lord Wavell,

This letter is in the fortnightly series, but it also continues the reports I have recently sent to your Excellency on the Muslim League agitation.

2. It is now possible to get the agitation into rather better perspective. To understand it properly one must go back to the Census tables, the essential figures in which are approximately as follows:—

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<th>Divisions</th>
<th>Population 1941</th>
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<td>(Round Millions)</td>
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<td>Muslims.</td>
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<td>1. Rawalpindi</td>
<td>9</td>
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<td>2. Multan</td>
<td>4</td>
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<td>3. Lahore</td>
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<td>4. Jullundur</td>
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<td>5. Ambala</td>
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It is obvious on these figures that no one community can rule the Punjab with its present boundaries, except by conquest. The peaceful alternatives are a united Punjab under a Government representing Muslims, Hindus and Sikhs, or a partition into two or possibly three separate States.

3. From 1920, when the struggle for communal power began, up to the death of Sir Sikander Hyat Khan at the end of 1942 the Muslim leaders of the Punjab were convinced that the first of the two alternatives was the right one. After Sir Sikander’s death the Muslim wing of the Unionist Party disintegrated in circumstances which Your Excellency knows, and since then the Muslim League have been determined—so far as their published policy is concerned—to establish undiluted Muslim rule all over the Punjab. This can certainly not be done by consent, and I am very doubtful whether it could be done by conquest. Members of the Muslim League are in fact much more liberal in private conversation than they are in public, and some of them realise the difficulties inherent in their official policy. But the fact remains that they fought the General Election of 1946 on the extreme demand for Pakistan, and have
not since said a word to reassure the Hindus or the Sikhs. Even among the more liberal of them the line seems to be that having established undiluted Muslim rule they will be generous to the minorities.

4. The failure of the Muslim League to take office after the General Election was due more to their uncompromising communal outlook than to any other cause. I believe that the local Congress broke with them on the old question of the inclusion of a nationalist Muslim in the Cabinet, but the underlying suspicion was there. A Sikh, who says he was present at the negotiations between the League and the Akalis, has told me that the immediate terms offered by the League were acceptable, but that the League leaders bluntly refused to discuss the future of the Sikhs or to give any assurances to them. The Sikhs felt that they could hardly maintain in power a party whose avowed policy was to treat them as inferiors in a Muslim country.

5. Having failed to form a Ministry the Muslim League were inevitably sore. I have lived in or visited 25 of the 29 districts of the Punjab since I took over as Governor and have met a very large number of Muslim Leaguers, including Members of the Punjab Assembly. Their grievances were, first, that Khizar had misused his powers during the General Election; secondly, that Glancy in collusion with Khizar had deliberately kept them out of office after the Election; and thirdly that they and their supporters were being persecuted and victimized in various ways under Khizar's orders. Your Excellency is already aware of the first and second of these grievances, and I have dealt with the second of them above. Reverting to the first, there is no doubt that some officials misbehaved during the Election, but the misbehaviour was not confined to those who supported Khizar from personal conviction or from other motives. The Muslim League had a strong hold over many Muslim officials and undoubtedly got a good deal of irregular support from them. Whatever the facts may be, the Muslim League did not suffer—they won the General Election handsomely so far as the Muslim seats were concerned. The third grievance is so widespread that it must to some extent be genuine; but it is not as important as the Muslim Leaguers assert. It must be remembered that the whole of our administrative substructure was designed to work under an irremovable Government of the old type. Below the Legislature, the Ministry and the Secretariat there is no effective organisation of independent local authorities reflecting broadly the political opinion of the day. Local authorities are relatively unimportant, and the real business of Government is carried on in the districts by permanent officials assisted by non-official "helpers", some of whom are honorary while some receive remuneration in one form or another. These non-official "helpers" have so far been unable to understand their position in the changed conditions—for example a person holding office in the National War Front (now the National Home Front), or as an Honorary
Magistrate or Zaildar, is surprised and shocked when the Premier objects to public criticism by him of the Ministry or to political activities hostile to the Ministry in power. Many of the complaints of the Muslim Leaguers whom I have met are due to the mistaken belief that the holder of an honorary or paid office under a Ministry has a free hand in politics. Again, there is the question of rewards. In the past land, Jagirs and similar rewards were given to people who supported the irremovable administration and were given in the main on the merits. Khizar has refused to reward persons who oppose him politically, and while I think he has carried this policy much too far and that it would have been wiser to abandon the reward system altogether, I am not sure that a political leader can take a different view. The third Muslim League grievance is thus to some extent due to the political changes of the last decade and to annoyance at the withholding of benefits rather than to interference with legitimate rights. There are some officials who think they will improve their prospects by harassing members of the Opposition and their supporters; but I have been unable to find any evidence of systematic persecution or victimization. The present Ministry, like other Ministries, does not look with favour on officials who work actively for the Opposition, and if the Ministers were impartial in this matter and barred all political activity by officials, they would be perfectly right. There are, however, cases in which officials are transferred for alleged activity hostile to the Ministry when the evidence is very flimsy indeed. I doubt if it is possible to get much nearer than this to an assessment of the third grievance of the Muslim League.

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Mr Weightman to Mr Abell

R/3/1/131: ff 167-8

SECRET AND PERSONAL

EXTERNAL AFFAIRS DEPARTMENT,
NEW DELHI,
15 February 1947

NO. 622/S

Dear Abell,

Please refer to your secret and personal letter No. 592/62 dated the 13th February asking for comments on paragraph 4 of Caroe’s letter of the 8th February to H.E.

2. For fully considered comments it would be necessary to have a more intimate knowledge than I possess of the way in which major political affairs in India are developing. In the setting of today the effect on the peace of the Frontier of the appearance of a Sub-Committee of the Constituent Assembly
may depend largely on the prospects of survival of the present bi-partisan Interim Government or on a détente in the Punjab. However, one must, I suppose, proceed on the assumption that there will be no significant change for better or for worse in the general political situation in the near future.

3. The resolution constituting the Advisory Committee calls for a final report to the Constituent Assembly within three months. Fatuous as this may be it does at least make it inevitable for a Sub-Committee to visit the Frontier within that period, and it is too much to expect Nehru to tell the Committee that he, as Member in charge of E.A.D., cannot permit the visit this spring because it may endanger the peace of the border. Equally it seems to me to be just beating the air for Caroe to talk of exercising his special responsibilities under Section 52(2) of the 1935 Act to refuse access to a Sub-Committee appointed under the authority of the Constituent Assembly. That would merely precipitate a crisis.

4. For what it is worth, there is apparently some appreciation in “Constituent Assembly circles” of the need to proceed a little slowly. I received a copy of the N.W.F.P. Chief Secretary’s reply to the Constituent Assembly Secretariat about a programme (to which Caroe refers) and after some hesitation rang up Iengar about it. He said that the original reference had been made without his knowledge, that he realised the need for caution (this may reflect instructions), and that when a programme is definitely wanted a reference will be made to E.A.D. When it comes I shall of course have to obtain Nehru’s orders as Member. It is quite out of the question, in my view, to recommend that no Sub-Committee should go this spring or to be too gloomy about probable results. I have done my best to induce some appreciation of the explosive potentialities of the Frontier, of the fanatical savagery of the tribes, of their lust for money and of the fearsome danger of promoting party factions there. Much of it Nehru accepts but much he still discounts on the “emotional approach” theory and because he cannot rid himself of a last lingering belief that our subconscious objective is to impede progress. If I have too much to say about danger to the peace of the border and if events justify gloomy prognostications, then the belief is revived (and there are plenty of people to help the process) that somehow or other the old Political Service has engineered it; if, on the other hand, the appearance of peaceful conditions continues, then Nehru is confirmed in his doubts of our ability to appreciate the psychology of the tribal area. As I see it the best I can do is to urge him on as dispassionate an appreciation as possible to restrict the Sub-Committee initially to a discussion with the Afridis as the key Frontier tribe. I do not say that this eliminates all danger—obviously it does not—but it may help to minimise it. And it is then for Caroe to consider whether the best prospect of obviating disturbance is to

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1 R/31/131: f 166.  
2 No. 364.
arrange the meeting in Peshawar or at Jamrud. In other words, it would be a mistake to try to prevent events; they must be left to take their course while we do what we can to minimise serious results. Flat opposition is not the faintest use, but Nehru responds well to what he regards as an attempt to help even with a warning that results may be very different from what he expects.

Yours sincerely,
HUGH WEIGHTMAN

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Mr Panikkar to Major Woodrow Wyatt (Extracts)¹
L/P&S/13/1826: ff 6–10

BIKANER, 15 February 1947

You might have seen from messages received from India that the Princes have come to an agreement with the Constituent Assembly. Apart from the importance of this decision, even if it stood by itself, coming as it does immediately after the Muslim League had formally declared the Constituent Assembly to be an illegally constituted body, which they desire to be immediately dissolved, the agreement with the Princes has a decisive importance. It clearly establishes that two of the major parties concerned in the settlement of Indian affairs consider the Constituent Assembly legally constituted and competent to carry on its work. It also clears any misapprehension about either the Princes sitting on the fence, or as more commonly believed of having a secret arrangement with the Muslim League. . . . All anticipations were to the effect that the Princes will postpone their decision and in fact the agreement came as a surprise to many people and as a shock to some.

. . . As you know, on the 29th January the Muslim League decided not to come in.² On the same day the meeting of the Princes and Ministers convened by the Chancellor passed a long resolution³ which they declared to be the sine qua non for any negotiations with the Constituent Assembly. As the Negotiating Committee appointed by the Constituent Assembly had only a limited mandate, it appeared to most of us that the resolution which was to be accepted in toto before negotiations could begin, was meant as an ultimatum to the Constituent Assembly with a view to postpone decisions and to keep the matter hanging. The reaction in the Congress circles also was that the Princes had definitely thrown in their lot with the Muslim League. This seemed in every way to be unsatisfactory and as a result Their Highnesses of Bikaner and Patiala and the representatives of Jaipur, Jodhpur and Gwalior decided to enter
into conversations with the leaders of the Constituent Assembly. At a Dinner at the Bikaner House on January 30, i.e. the day following the resolution of the Princes and also the resolution of the Muslim League we met Pandit Nehru, Maulana Abul Kalam Azad and Sir Gopalaswami Aiyangar representing the Constituent Assembly and after full discussion reached an informal agreement. The next day Krishnamachari and myself met Patel and Gopalaswami Aiyangar. We did not keep these activities a secret, for we desired the Chancellor to know that we will not go with him if he decided to create deadlock in the negotiations.

In the meantime Baroda had taken the independent line and announced that it will directly negotiate with the British Indian leaders and will have nothing whatever to do with the Negotiating Committee of the Princes. The situation was thus rather complicated when the two Negotiating Committees formally met on February 8. On the first day of our discussions, though the attitude of the British Indian representatives was most conciliatory, the insistence of the Chancellor on the prior acceptance of the resolution passed by the Princes made it impossible to make any progress. The discussions very nearly broke down. In the evening, however, three of us who are on the Negotiating Committee, i.e., His Highness of Patiala, Sir V. T. Krishnamachari and myself and the representative of Gwalior met at Bikaner House and decided in consultation with His Highness of Bikaner that the discussion should not be allowed to break down, and if necessary we should announce our decision to work independently of the Chamber of Princes Negotiating Committee. His Highness of Bhopal on the other hand had got through a resolution, the purport of which was that if the British Indian Negotiating Committee did not have the authority to negotiate on general points, they should go back to the Constituent Assembly and return with an enlarged mandate. This was passed as a formal resolution. It was quite clear to us that what was intended was to put the blame on the British Indian leaders, who had clearly indicated their inability to discuss formally matters outside their mandate. In the result the discussions would have been postponed, if not completely broken off, till at least April, when the Constituent Assembly was meeting again. In the meantime, however, Krishnamachari had met the Congress leaders and had evolved a formula by which this move of the Chancellor could be overcome. The way suggested was simple, and that was that a question should be put to the Congress leaders asking them to give us an official résumé of the conclusions arrived at the previous day's discussions which we were satisfied would show that the Congress had shown a very conciliatory attitude and met all the points that the Princes had.

¹ Major Wyatt sent these extracts to Lord Pethick-Lawrence on 18 March mentioning that he was also sending a copy to Sir S. Cripps. L/P &S/13/1826: f 5.
² No. 333; the date should be 31 January.
³ No. 326.
We were however not certain as to what the attitude of His Highness of Bhopal would be on this, and therefore His Highness of Patiala who was our leader in the Committee had taken with him a statement addressed to the Chancellor claiming complete freedom of action for our group if the negotiations reached a deadlock. The proceedings opened rather gloomily by His Highness of Bhopal reading out his resolution saying that the British Indian Negotiating Committee should go back to the Constituent Assembly and get enlarged mandate. The reply to this came from Vallabhai Patel. He merely said in that case ‘we had better dissolve now’. On this His Highness of Patiala asked his question and Nehru made a statement covering the points regarding the continuance of monarchy, territorial integrity of the States, etc., about all of which they had on the previous day given formal assurances. The result was almost electric. The Chancellor immediately sized up the situation and within half an hour an agreement had been reached between the two parties.

Though the first hurdle had thus been crossed I am not yet satisfied that things will go on smoothly yet. There is a body of opinion among the Princes which thinks that the States need not go into the Constituent Assembly at all, but should negotiate from outside. This is clearly against the terms of the statement of May 16, 1946. The smaller Princes naturally feel that going into the Constituent Assembly would weaken their position in their own States. Also we have to take into consideration the views of the Chancellor’s Advisers who are strongly backed up by the Political Department. They are likely to raise a number of points in the hope that the negotiations could still be brought to a deadlock. But I myself feel that with a man like Krishnamachari actively working for a settlement and with the strong support of Their Highnesses of Bikaner and Patiala, we shall get over the difficulties without much trouble. The attitude of Sir Mirza has also been very encouraging, though his own position in the State in these matters is difficult. On the whole I am very much [more] optimistic now of a successful outcome of the Constituent Assembly than I was before, for I feel that with both the Congress and the Princes agreeing to work together, the opposition of the Muslim League should lose much of its force.
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Note by Mr Christie

R/3/1/130: ff 112-13

TOP SECRET

JPSV/TOUR/2.

16 February 1947

BREAKDOWN PLANS

16.2.47

BENGAL

I saw the Governor with his Secretary for about 2 hours on Friday, the 14th February, and again for about half an hour on the 15th. I explained the Breakdown Plan to His Excellency, on the basis of the approved Memorandum. The Governor had recently returned from North Bengal, where he had been looking into the local Keep Schemes. The problem of the evacuation of Europeans was therefore fresh in his mind. His reaction to the possibility of an announcement of the withdrawal of British power within a time limit was so emphatic, that at the end of the interview I asked him whether he would let me have an appreciation for Y.E., which might be sent to the Secretary of State. The Governor readily agreed. I then showed the Governor's Secretary my notes of the interview and discussed them with him. He, in turn, showed them to the Governor who accepted them as correct and instructed his Secretary to draft an appreciation. The next day I was handed the appreciation, a copy of which is attached to this note (and which PSV and Y.E. saw immediately after my return to Delhi).

2. Despite the very outspoken description of the dangers which might ensue in Bengal after an announcement of the withdrawal of British power were [was] made, the Governor did not give me the impression of being an alarmist. He had slept over the decision to send an appreciation in these terms, and made only a very few alterations the following day. He asked me to tell Y.E. that he was closely in touch with the Army Commander, and was in fact seeing him on Saturday evening and would show him his appreciation.

He also asked me to tell Y.E. that, while he considered that the figures of the Europeans in Bengal supplied were pretty accurate, he intended to have them checked up and get more information about distribution under a cover which would not lead to any suggestion that evacuation plans were being considered. He had in mind approaching the European Association for the information, on the excuse of his concern at the increasing number of attacks on

1 Not traced. Presumably a memorandum outlining the contingencies for which planning was required: see No. 395, para. 1.

2 No. 395.

3 Sir F. Burrows was evidently here referring to figures of Europeans in Bengal which had been supplied in response to a separate enquiry. See also No. 416.
colliery and jute mill managers. He would take the same line with the Indian Tea Association; and he would also obtain personally from the Metropolitan and Heads of other churches in Bengal information about missionaries under the cover of his general interest in their activities.

3. He mentioned that he proposed to take certain security measures in Government House itself, such as the installation of an Army wireless set. He explained that he had no intention of leaving Government House in any circumstances, but felt that there was a possibility of being cut off in the event of a sudden émeute in Calcutta. He did not exclude the possibility of a coup d'état by his Ministry, who might even seek to put him under arrest.

4. He asked me to assure Y.E. that, despite the frank statement he had given of the dangers, he felt there was a reasonable chance of protecting most European lives from harm, and in any case, in co-operation with the Army, would do whatever was possible to that end.

W. H. J. CHRISTIE

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Note by Sir E. Jenkins

R/3/1/130: ff 103–6

TOP SECRET

16 February 1947

PSV has shown me the draft of H.M.G.’s proposed statement on Indian policy.

2. The essential points in this document appear to be the following:—

(i) H.M.G. will transfer power in India to Indian hands not later than the middle of 1948. (paragraph 7).

(ii) If no constitution has been worked out by a fully representative Constituent Assembly before the middle of 1948, H.M.G. will have to consider to whom the powers of the Central Government in British India should be handed over. The possibilities mentioned are:—

(a) some form of Central Government;
(b) the Provincial Governments;
(c) an unnamed recipient, whose selection “may seem most reasonable and in the best interests of the Indian people.” (para. 10).

(iii) The process of transfer between the date on which the statement is made and the middle of 1948 will be gradual, and will probably involve relaxations of the provisions of the Government of India Act, 1935. Legislation will be introduced to give effect to the final transfer. (para. 11).
(4) The relations between the Crown and the Indian States will undergo no fundamental change until the final transfer of power, though some treaties may require adjustment. (para. 12).

(The meaning of this passage relating to Indian States is very doubtful).

(5) There will be negotiations between H.M.G. and the “successor authorities” in regard to matters arising out of the transfer of power. (para. 13).

(6) Facilities are to be given for the evacuation from India of European families (para. 14).

3. The first thing that strikes me about the document is its astonishing vagueness. The only definite statement in it is that the British are to relinquish all power in India by 30th June 1948. Their successors may be a Central Government formed under a new constitution; or “some form of Central Government”; or the existing Provincial Governments; or a quantum quid whose nature is not even broadly described. The process is to be gradual, but as there is no known terminus ad quem it is not clear how it can be consistent. The States are given a breathing space until 30th June 1948, after which they are apparently to fend for themselves. In the meantime H.M.G. are to negotiate with unknown successor authorities; and the European community are invited to send their families home “for the time being”—an unconvincing euphemism.

4. The document is presumably intended to bring the Congress and the Muslim League up against reality and to force them to cooperate with one another. In my judgment it will have the diametrically opposite effect. If the British, as now appears, are leaving within seventeen months and are prepared to hand over power to those exercising de facto authority at the Centre or in the Provinces when the time comes, what incentive is there for the contending parties to get together? Few Indian politicians want an amicable settlement, except on their own terms, and the tendency will unquestionably be for all parties to seize as much power as they can—if necessary by force.

5. My particular concern is with the Punjab. Here, the struggle for power has already begun. There are three parties—the Muslim League representing the great majority of the Muslims, whose avowed aim is undiluted Muslim rule; the Panthic Sikhs who will resist undiluted Muslim rule à outrance; and the Congress who, like the Muslim League, are part of an all-India organisation, but would provincially side with the Sikhs. No one community can rule the Punjab with its present boundaries except by conquest, and the only peaceful alternatives are (a) a Government formed by a coalition of all parties or by a non-communal party; or (b) a partition. If the Punjab were dealt with in isolation it might be possible to persuade the parties to take one or the other of these alternatives on the understanding that in due course the all-parties or non-communal Government would take over from the British, or that the
Governments of the new partitioned states would do so. But the statement makes it impossible for the Punjab to take a line of its own, and even encourages the Muslim League and the Congress to set off all-India interests against provincial interests. The Muslim League in the Punjab will be encouraged by the Muslim League High Command to avoid a compromise, so as to increase the High Command’s bargaining power in the Muslim minority Provinces; and the Punjab Congress will be expected to work (so far as is possible) for a de facto Central Government dominated by Hindus. In the Punjab, the statement as it stands may lead to an explosion of great violence. The statement will be regarded as the prelude to the final communal show-down, and the disturbances—if any—resulting from it might be of the gravest description. For example, the Sikhs might well attempt to seize the Central Punjab, including Lahore and to establish a provisional Government of their own.

6. In the situation contemplated H.M.G. would still be responsible for the maintenance of law and order—my “special responsibility” for the prevention of a grave menace to the peace or tranquillity of the Punjab would remain. I am not sure what object there would be in using Police or Troops to suppress a mass movement which, ex hypothesi, will be legitimate from 1st July 1948, or what the attitude of the Police and Troops would be to the suppression of such a movement. During the relatively minor disturbances now in progress there has, to my knowledge, been some uneasiness in the services as to the distinction between law and order and party or communal politics; and I think it unlikely that the services will hold. Prima facie the attitude of Punjabi troops would be very doubtful.

7. It is necessary to add a word about British personnel. The statement means not only the end of the Secretary of State’s services—which was coming anyhow—but the entire elimination of the British, except perhaps for a very small number of men with odd ideas. I do not see how officials whose original contracts (in the broad sense) are being ended can be forced to serve on, as men without hope, in conditions which will certainly involve grave personal risk. People will take risks in a good cause, but not in a faction fight which is none of their business. Without our British personnel we could not, even now, maintain order in the Punjab.

8. The decision of H.M.G. to leave India by a stated date is a “break-down” decision, involving the abandonment of all we have worked for for many years. It is a very dangerous decision, amounting to an invitation to the warring parties to make real war upon one another. It is an impossible decision unless the authorities who are to receive power in 1948 are clearly defined now, and are assisted to prepare themselves for their task. If the Punjab were told that Central Constitution making had been abandoned; that routine Central administration of the subjects reserved to the Centre under the Mission’s plan
would be entrusted to officials; and that the Punjab must prepare itself to
inherit all other powers from the British; we might get away with it. But even
then our chance would be slender.¹

E. M. JENKINS

¹ Lord Wavell sent Lord Pethick-Lawrence a summary of Sir E. Jenkins’ note in tel. 296-S of
16 February. R/3/1/130: ff 107-8. He also minuted on 16 February that the note had been seen
by Field Marshal Auchinleck.

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Mr Fourie¹ to Mr Beards²

L/P&E/J/10/77: f 303

MOST IMMEDIATE

TOP SECRET

16 February 1947

With reference to our telephonic conversation, I quote below the text of the
message which Field Marshal Smuts wishes to have transmitted to the Right
Honourable the Prime Minister:—

(1) Your Circular telegram D. 141 of 13th February³ has only reached me
decyphered on 15th February and in view of early date of your proposed
declaration I can but give you my hurried reaction to so important a matter.
Let this be my excuse for this somewhat blunt and summary reply.

(2) I do submit that the timing of your declaration would be very unfor-
tunate. Britain has just been stricken by winter calamity and tragic failure of
power supply to industry. The King is also at the moment absent from Britain
on important Imperial mission and this would increase the impression of pre-
cipitate action. I do not know whether you have consulted the Opposition but
in any case no proper time has been given your Dominion colleagues for
consultation over so far-reaching a Commonwealth matter. I cannot even
discuss the matter with the King who arrives tomorrow. Surely Wavell’s
communication to you cannot be of such an urgent character as to justify such
hurry over such a momentous step.

(3) Coming to the merits the main point to bear in mind is that entirely new
situation has been created by failure of main communities in India to agree over
their future Constitution. Agreement between them was the all-important
condition of Indian freedom and sovereignty. Instead they have drifted farther

¹ A senior official of the South African Department of External Affairs who had served in the South
² A Private Secretary to Mr Attlee.
³ No. 390.
apart to fatal lengths. The rupture has unfortunately left Congress in a dominant position and British retirement now would in effect give sovereignty to Congress India. The Muslims would therefore accuse Britain of betrayal and siding with dominant Hindus. Surely the Muslim position in India and the Middle East and British interests generally would make this a very undesirable development.

(4) The obvious line for the United Kingdom Government to take would therefore be that the condition of co-operation between Congress and League has failed and that the whole Constitutional position should be reconsidered afresh. The disaster now emerging for India would in any case call for such reconsideration. In such an hour Britain could not abandon her own glorious achievement and leave India to her fate. History would surely condemn such a step taken precipitately and in an hour of grave difficulty calling for firmness and deliberation.

(5) There is the further question whether in the last resort it is not the wiser course to have the Muslims than the Hindus as Britain’s friends. Muslim friendship would make it less difficult to prevent India from becoming an easy prey to Communist ideology and Soviet influence. Strategical and ideological as well as Imperial considerations point to the Muslims as the better choice if a choice is forced on Britain by the course of events.

(6) From all these points of view the situation is so momentous and the implications so far-reaching that even at the risk of getting further involved in Indian troubles a halt may have to be called with this disastrous constitutional experiment for which India is obviously not yet ripe and further time taken to work out a solution.

(7) It might be advisable to have fuller consultation with the Dominions or at least those most deeply concerned. It might also be advisable to discuss the whole position now arising confidentially with the United States of America before a final and irrevocable step is taken. Issues of future world power alignments are involved on which long views have to be taken and America should be taken into British confidence in view of the importance of their future co-operation in a rapidly changing world. *Ends.*

A copy of this letter is also being sent to the Dominions Office.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f 122

NEW DELHI, 17 February 1947, 12.20 pm

Received: 17 February, 9 am

No. 298–S. My telegrams Nos. 291–S and 296–S.¹

2. I think the appreciations by Burrows and Jenkins may be unduly pessimistic. They do not take full account of the possibility that the leaders of the Congress and League may as the result of the Statement make a determined effort to reach agreement of some sort.

3. Also I am sure that H.M.G. must adopt a definite policy soon, and whenever the announcement is made there are bound to be objections and grave anxieties.

4. Nevertheless I cannot recommend H.M.G. to disregard the views of the Governors. Even if the party leaders try to come to terms they may be unable to control their followers in the Punjab and Bengal, and the difficulty which Jenkins mentions of persuading the Services and Police to take action may be a serious one.

5. I therefore beg H.M.G. most earnestly to reconsider their proposed course of action. I urge most strongly that the announcement to be made now should not (repeat not) include the date of withdrawal. It should contain something on lines of my telegram 270–S² and if possible a decision on the Services. It is these two points which are the immediate issues in Indian politics, and an announcement which says nothing on them would create confusion and may precipitate a crisis.

6. Have you received and considered the plan sent in my letter of February 3rd,³ in bag VFS/16 which left Delhi on February 5th. I think it should be put before Cabinet.

7. See also my U telegram of today.⁴

² No. 373.
³ No. 337.
⁴ No. 411.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/8/9j: f 46

MOST IMMEDIATE
TOP SECRET

17 February 1947

No. 3–U. My telegram No. 298–S¹ of today’s date.

I am sure that announcement about the withdrawal in 1948 should not repeat
not be made until after my successor has taken office and has had at least a
week or two to study situation. I do not think that it is fair on him to have to
take over situation which may already have developed unfavourably, nor on me
to have to carry out in my last few weeks of office a line of action which I
consider mis-timed and ill-judged. If Governors consulted are right about
immediate effect of the announcement, there will be many decisions to be
taken in the next week or two, which may prejudge the issue for my successor.

The statement to be made on Thursday would, of course, contain in any
case announcement of my replacement.

¹ No. 410.

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f 123

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 17 February 1947, 12.20 pm
Received: 17 February, 9.5 am

No. 299–S. My telegram No. 298–S of today.¹ Commander-in-Chief feels that
the effect of the proposed announcement is likely to be detrimental to the
stability of the Indian Armed Forces amid may result in widespread indiscipline
and communal trouble. He feels that the authority of the British officers which
is the most binding element will be greatly weakened. He bases this opinion on
the completely indefinite nature of the proposals for the handing over of
responsibility for the government of the country, which he thinks will increase
the present uncertainty and encourage the forces of disorder.

¹ No. 410.
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Cabinet

India and Burma Committee. I.B.(47) 10th Meeting

L/P & J/10/77: ff 249–52

Those present at this Meeting held at 10 Downing Street, S.W.1, on 17 February 1947
at 11.30 am were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir S. Cripps,
Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, the Earl of Listowel
Also present were: Mr Arthur Henderson, Sir David Montehn, Sir William
Croft, Mr F. F. Turnbull; Sir Norman Brook, Mr S. E. V. Luke, Mr E. A.
Armstrong (Secretariat)

Future Policy in India

(Previous Reference: I.B.(47)9th Meeting, Minute 2)¹

The Committee had before them the following documents:—

(a) Telegram No. 290–S² from the Viceroy drawing attention to the tele-
grams referred to at (b) and (c).

(b) Telegram No. 291–S³ containing an appreciation from the Governor of
Bengal of the contingencies for which the planning of the evacuation of
Europeans from the Province would be required; in this telegram the
Governor expressed his misgivings as to the possible consequences of a
statement of policy by His Majesty’s Government at this stage.

(c) Telegram No. 296–S⁴ containing an appreciation by the Governor of the
Punjab of the effect of the proposed announcement in that province. In
his opinion the announcement would be likely to lead to considerable
disturbances in the Province.

(d) Telegram No. 298–S⁵ from the Viceroy urging that, in view of the appreci-
cations of the Governors of Bengal and the Punjab, the announcement
should not mention the date of His Majesty’s Government’s proposed
withdrawal from India.

(e) A letter dated 3rd February⁶ from the Viceroy to the Secretary of State for
India enclosing an alternative plan to cover the transition period between
now and the demission of British power in India. Under this plan there
would be a phased transfer of authority instead of a phased transfer of
territory and the convention would gradually be adopted that India
would be treated as a Dominion.

¹ No. 361. ² No. 403.
³ This was a summary of No. 395. R/3/1/130: ff 99–100.
⁴ This was a summary of No. 408. Ibid: ff 107–8. ⁵ No. 410.
⁶ No. 337. The letter was later circulated to the India and Burma Committee under the reference
(f) A message from Field Marshal Smuts to the Prime Minister, suggesting that His Majesty’s Government’s policy in regard to India should be reconsidered.

With regard to the appreciations from the Governors of Bengal and the Punjab and the Viceroy’s recommendation that the proposed announcement should not include a reference to the date of ultimate withdrawal, Ministers felt themselves in great difficulty. During his visit to London in December last the Viceroy had pressed His Majesty’s Government to state their intention to demit power in India on a definite date, and had recommended a date not later than 31st March, 1948, although it had subsequently been agreed that the date should be postponed until June 1948. He had been asked whether such an announcement would be likely to result in communal disorder, or an attempt by one of the parties to seize power, and had expressed the opinion that it would not. The announcement finally agreed upon by Ministers was, to a substantial extent, the plan originally put forward by the Viceroy modified to take account of the continuing constitutional responsibilities of His Majesty’s Government. Ministers had agreed that the announcement should be postponed until the eventual attitude of the Muslim League to the Constituent Assembly was known, and in view of present indications that the Muslim League would not participate in the work of the Assembly, it had been intended that the announcement should be made on 20th February.

The fixing of a definite date for our demission of power in India had been the crux of the announcement and its whole purpose had been to bring the Indian leaders face to face with the realities of the situation in the hope that some modus vivendi would be achieved between the Parties which would avoid the disturbances now foreseen by the provincial Governors. The Viceroy’s present advice that the date of withdrawal should not be mentioned in the announcement was inconsistent with the advice which he had previously given.

Ministers saw a similar inconsistency in the memorandum sent with his letter of 3rd February to the Secretary of State for India. The Viceroy seemed now to be prepared to defer any statement of policy until July 1947, and he appeared to contemplate the possibility of British troops staying in India until the end of 1948, although he had previously stated that it would be impossible for us to continue in control after March 1948. Moreover, his scheme for a phased transfer of authority and the constitution of an Indian Government on the lines of a Dominion Government took no account of legislative and Parliamentary requirements in the United Kingdom.

Ministers then considered the message from Field Marshal Smuts.

The Committee were informed that the proposed draft announcement of His Majesty’s Government’s policy had been sent to all the Dominions on 13th February, but that the only comments received so far were those from Field Marshal Smuts.
Some Ministers felt that there would be advantages in delaying the announcement for a few days so that His Majesty’s Government could receive, and if necessary reply to, the views expressed by Dominion Governments. It was possible that Australia and New Zealand would take a line similar to that taken by South Africa. The Dominions were all aware of His Majesty’s Government’s intention to transfer their responsibilities to an independent Government of India, and they accepted this as inevitable, but some of them might be doubtful whether it was wise to announce our intention to leave India on a predetermined date, when it was still uncertain whether there would then be an effective Indian Government to which we could transfer our authority. The task of His Majesty’s Government in persuading Parliament, and public opinion in this country and the world, to accept their policy might be made more difficult if we were not able to carry the Dominions with us.

Against delaying the statement it was urged that the Congress Leaders were pressing for an indication of our views on the continued participation of the Muslim League in the Interim Government. The Congress Leaders had been promised a statement by His Majesty’s Government on this point; and, if the statement of policy was delayed much longer, it would be necessary for us to give our views on the other question.

The Parliamentary Under-Secretary of State for India suggested that His Majesty’s Government should make one more effort to persuade the Muslim League to enter the Constituent Assembly. A recent conversation which he had had with Mr. Jinnah had demonstrated that there were many doubts in the Muslim leader’s mind which might be removed in verbal discussion. Would it be possible for a senior Minister to be sent out to India with the object of smoothing out some of these difficulties? If this step were taken it would be easier to postpone making an announcement at the present moment.

The Prime Minister said that a considerable objection to the proposal not to name the date of our intended withdrawal from India, was the fact that a new Viceroy was about to be appointed. The announcement of the change would be made on 20th February. The new Viceroy had particularly asked that, before he took up his appointment, the proposed announcement of policy should be made, and the date of our intended withdrawal should be specifically stated.

In further discussion it was suggested that a possible way out of the difficulties would be by amending the last sentence of paragraph 7 of the final draft statement of policy to read as follows:

“His Majesty’s Government wish to make it clear that it is their definite intention to effect the transference of power in India within the next two years. The exact date of this transference will be fixed after the new Viceroy has had time to acquaint himself with the present situation in India.”

7 See No. 409. 8 No. 390.
Some Ministers felt that it might be difficult to persuade the new Viceroy to agree to this amendment.

Discussion then turned to a point made by the Governor of the Punjab in telegram 296–S to the effect that paragraph 10 of the final draft statement of policy was vague in that it did not indicate clearly enough to whom power would be transferred.

Ministers felt that this criticism lacked substance and that no amendment to the paragraph was needed.

At this point the discussion was adjourned until later in the day.

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Cabinet

India and Burma Committee. I.B.(47)11th Meeting

L/P&E/J/10/10/77: ff 246–8

Those present at this Meeting held at 10 Downing Street, S.W.1, on 17 February 1947 at 6 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir S. Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, the Earl of Listowel

Also present were: Mr Arthur Henderson, Sir David Monteath, Sir William Croft, Mr F. F. Turnbull; Sir Norman Brook, Mr S. E. V. Luke, Mr E. A. Armstrong (Secretariat)

Future Policy in India

(Previous Reference: I.B.(47)10th Meeting)¹

The Committee resumed the discussion which they had begun earlier in the day.

THE SECRETARY OF STATE FOR DOMINION AFFAIRS informed the Committee of the steps taken to keep Dominion Governments informed of the Indian situation. In accordance with normal practice, the Dominions Office had kept them supplied with all information of a general character about India. The Dominion Governments knew of the Viceroy’s visit in December, but they had not been given any detailed account of his discussions with His Majesty’s Government, nor had they been sent copies of the draft statement of policy until 13th February,² for the reason that until then no positive decision had been taken by His Majesty’s Government that the statement should be made. The Secretary of State for India had also met the Dominion High Commissioners³ and had given them a broad picture of the situation in India; they had not been left in any doubt as to the seriousness of the situation and they had been told that, while His Majesty’s Government hoped to effect the
transfer of sovereignty in an orderly way, events might render this impossible. It could not be said, however, that Dominion Governments had been consulted regarding the policy of His Majesty’s Government at any stage.

Ministers considered what their attitude should be if, as seemed likely, other Dominion Governments were to express misgivings similar to those expressed by Field Marshal Smuts* regarding the Indian policy of His Majesty’s Government. It was recalled that Dominion Prime Ministers had always been careful to avoid any sharing of responsibility with the United Kingdom Government in regard to India and other parts of the Commonwealth not possessing Dominion status. Indian policy was a matter for which the United Kingdom Government was solely responsible, and Dominion Governments could claim no right to be consulted about it. On the other hand, it was important that we should carry them with us in this matter as far as possible, as their attitude might well have an important effect on public opinion in this country and abroad.

Ministers considered whether, in the light of recent communications from the Viceroy, they should proceed to carry out their intention of making an announcement on Indian policy on 20th February and, if so, whether they should adhere to their previous decision to mention a definite date on which power would be transferred.

The Secretary of State for Dominion Affairs said that the case for making an announcement had originally rested on the hope that it would operate as a powerful inducement to the Indian Parties to co-operate. Recent events had weakened that hope. Was it wise to make the statement now without any real assurance that its original purpose would be fulfilled?

Several Ministers felt that, if the statement were postponed, His Majesty’s Government would be exposed to the criticism which had been repeatedly levelled at British Governments in the past, that they were exploiting communal differences in order to perpetuate British rule and had no real intention of giving India her independence.

The Secretary of State for Dominion Affairs said that, if His Majesty’s Government were to commit themselves to a definite date for withdrawal without any better assurance than existed at present that the opposing communities would eventually collaborate, they might fail to carry with them public opinion in this country and in the Dominions. He made the alternative suggestion that the statement should be issued without mentioning a fixed date for our withdrawal. He realised that the fixing of a date had been the crux of the statement in the circumstances in which it had been originally conceived, but account had now to be taken of a new factor of the highest importance, viz. the appointment of a new Viceroy. It would presumably be made clear, when the new Viceroy’s appointment was made public, that his main function would be to initiate arrangements for the transfer of power and

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1 No. 413.  2 See No. 390.  3 See No. 268.  4 See No. 409.
the establishment of an Indian Government to which power could be transferred. This should make it easier to secure acceptance in India of the statement of policy if amended on the lines suggested at the previous meeting of the Committee so as to declare that His Majesty's Government intended to transfer power within the next two years and that the exact date would be fixed after the new Viceroy had had time to acquaint himself with the present situation in India.

Other Ministers saw grave objection to a statement in which reference to a precise date for withdrawal was omitted. The Viceroy had previously attached great importance to the mention of a definite date, although admittedly he had now changed his mind on this point. If serious trouble in India was unavoidable, it would be better to face that situation now rather than after the further period of delay which would be necessary to allow the new Viceroy to report on the position, as our ability to handle such a situation would decrease as time went on. The use of the two-year formula might provoke demands from some quarters that we should withdraw within some impossibly short period like six months, and this might cause serious alarm among minorities and the depressed classes. Other sections of Indian opinion, knowing that the normal term of a Viceroy was five years, might conclude that we really meant to stay in India much longer than two years. Our only chance of making an impression on Congress was to announce a fixed date for withdrawal. Uncertainty on this point would have serious consequences.

After further discussion, the Prime Minister said that the issue was one which the Cabinet must be asked to decide on the following day. In the meantime, he would ascertain the opinion of the new Viceroy on the proposals put forward by the Secretary of State for Dominion Affairs.

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Rear-Admiral Viscount Mountbatten of Burma to Mr Attlee

Mountbatten Papers. Official Correspondence Files: Policy

BROADLANDS, ROMSEY, HANTS, 17 February 1947

My dear Prime Minister,

Thank you for sending me all the recent telegrams from India, and for asking for my views. I hope to give these to you in person at 10.30 to-morrow morning; but in view of the uncertainty of the roads in this frost I am sending this preliminary reply back by the despatch rider.

Although the opinions expressed in the telegrams are very grave, a careful study of them has in no way weakened my support of your intention, of which
you told me on the 1st January, to couple the announcement of the appointment of the new Viceroy with that of the decision to transfer power by a specified latest time (subsequently agreed as June 1948).

As I told you at our first meeting on the 20th December, I have never supposed that the Indians could achieve self-government without the risk of further grave communal disorders.

Although in his telegram No. 298-S, Wavell thinks the appreciations by Burrows and Jenkins may be unduly pessimistic, and that the Indian leaders may make a determined effort to reach agreement of some sort, it is evident that the British authorities on the spot fear the announcement of a firm date will risk precipitating disorders and illegal seizures of power. But if they mean that attempts may be made to take advantage in this way of the fact that our intention to terminate British rule is made clear, I feel that our intention would become just as clear as a result of Wavell’s plan being put into execution.

In the second case, however, where our withdrawal could be construed as a sign of weakness since it would be carried out sub rosa, I feel this would be more likely than if we withdraw in accordance with a liberal and realistic policy, openly and firmly stated. A public statement will “pass the buck” to the Party Leaders in the eyes of every Indian; but a planned military withdrawal of women and children would not—and might be interpreted as a preparation for fighting the thing out when they were safely out of the way.

Do you not think, moreover, that opinion in this country, as well as in the world at large, will be behind us if we are frank and realistic; but would be less likely to be so if our critics were able to claim that we were “scuttling” without having the guts to admit it?

I note that, in telegram No. 296-S, Jenkins has also put his finger on paragraph 10 of the announcement, which you will remember we discussed; but surely it would be worse to pre-judge the issue at this stage by making it much more definite.

I have written to you in some detail, because I wanted you to know why the grave reports from India have not made me waver in the views I have consistently expressed to you. You said you would never press me to undertake this difficult task, unless I could feel there was a reasonable chance of carrying out your wishes successfully: I still feel that your proposal to couple the announcement of the new Viceroy’s appointment with the announcement of the transfer of power by a specified latest time provides the only condition under which a new Viceregal period could be started at this stage, with a reasonable chance of success.

Yours sincerely,

DICKIE MOUNTBATTEBN

1 See No. 215, note 1. The meeting in fact took place on 18 December.
2 No. 410.
3 See No. 408, para. 3.
Cabinet

India and Burma Committee. Paper I.B.(47)20

L/P&J/10/77: fff223-4

EUROPEAN CIVILIANS IN INDIA
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA
INDIA OFFICE, 18 February 1947

I circulate, for the information of my colleagues, a statement showing the numbers and whereabouts of British civilians in India.

2. The statement has been compiled in the Viceroy’s Secretariat in response to a request from my Office. The figures were obtained from Governors’ Secretaries (for the Provinces) and from Residents (for the States). These authorities were advised to observe discretion in the collection of information, and they therefore relied mainly on existing security schemes, in which the figures owing to continual changes are not always up-to-date. Hence the figures in the statement cannot be relied upon as wholly accurate. The Viceroy’s Secretariat are arranging for the figures to be reviewed monthly, and they hope to be able to furnish me with further and more accurate statements.

3. The statement does not include:
(a) Anglo-Indians, viz. persons of mixed parentage;
(b) foreigners (men, women and children) or
(c) (except for Madras) women and children of European military families.
The total of (b) is estimated roughly at 7,000 and of (c) at 23,000. If therefore 30,000 in respect of these two classes is added to the total given in the statement, the total European civil population comes to about 80,000.

4. The total number of British women and children is, according to these figures, 50,945. Of these, 14,979 live in Provinces where they would be particularly exposed to danger in the event of serious disturbances (viz. Bengal, Bihar, N.W.F.P., the Punjab and the United Provinces).

P.-L.
Enclosure to No. 416

NUMBER OF BRITISH NATIONALS IN INDIA
(Compiled from information received from Governors, Residents, and Chief Commissioner, Delhi)

| PROVINCES AND STATES | MEN | WOMEN & CHILDREN | Total for each
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Govt. Officials</td>
<td>Others.</td>
<td>Province or Agency</td>
</tr>
<tr>
<td>ASSAM</td>
<td>57</td>
<td>1,096</td>
<td>973</td>
</tr>
<tr>
<td>BENGAL</td>
<td>425</td>
<td>9,288</td>
<td>11,045</td>
</tr>
<tr>
<td>BIHAR</td>
<td>153</td>
<td>460</td>
<td>845</td>
</tr>
<tr>
<td>BOMBAY</td>
<td>280</td>
<td>1,380</td>
<td>1,700</td>
</tr>
<tr>
<td>C.P.</td>
<td>102</td>
<td>181</td>
<td>847</td>
</tr>
<tr>
<td>MADRAS</td>
<td>126</td>
<td>1,771</td>
<td>3,220 (includes families of Army, Navy &amp; Air Force Personnel).</td>
</tr>
<tr>
<td>N.W.F.P.</td>
<td>67</td>
<td>19</td>
<td>86</td>
</tr>
<tr>
<td>ORISSA</td>
<td>30</td>
<td>21</td>
<td>81</td>
</tr>
<tr>
<td>PUNJAB</td>
<td>400</td>
<td>370</td>
<td>1,700</td>
</tr>
<tr>
<td>SIND</td>
<td>55</td>
<td>153</td>
<td>422</td>
</tr>
<tr>
<td>U.P.</td>
<td>215</td>
<td>708</td>
<td>1,303</td>
</tr>
<tr>
<td>WEST INDIA STATES</td>
<td>7</td>
<td>39</td>
<td>62</td>
</tr>
<tr>
<td>MADRAS STATES</td>
<td>3</td>
<td>300</td>
<td>400</td>
</tr>
<tr>
<td>DECCAN STATES</td>
<td>2</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>EAST STATES</td>
<td>NIL</td>
<td>44</td>
<td>67</td>
</tr>
<tr>
<td>GWALIOR</td>
<td>1</td>
<td>23</td>
<td>31</td>
</tr>
<tr>
<td>HYDERABAD</td>
<td>13</td>
<td>114</td>
<td>264</td>
</tr>
<tr>
<td>KASHMIR</td>
<td>9</td>
<td>70</td>
<td>150</td>
</tr>
<tr>
<td>MYSORE</td>
<td>12</td>
<td>600</td>
<td>1,000</td>
</tr>
<tr>
<td>PUNJAB STATES</td>
<td>5</td>
<td>4</td>
<td>17</td>
</tr>
<tr>
<td>RAJPUTANA STATES</td>
<td>20</td>
<td>90</td>
<td>150</td>
</tr>
<tr>
<td>CENTRAL INDIA</td>
<td>11</td>
<td>35</td>
<td>83</td>
</tr>
<tr>
<td>DELHI</td>
<td>1,500</td>
<td>1,500</td>
<td>3,400</td>
</tr>
<tr>
<td>BALUCHISTAN</td>
<td>51</td>
<td>20</td>
<td>91</td>
</tr>
</tbody>
</table>

Total — 3,544 18,291 27,945

Grand Total — 49,780
My dear Lord Wavell,
I find it almost impossible to express my feelings on what has happened.
I was most surprised when I was sent for by the Prime Minister, and told
that your period of office had expired, and absolutely staggered when he told
me that the Cabinet wanted me to succeed you.
I need not tell you I did everything in my power to get out of this appoint-
ment. I am already back as a Rear Admiral, doing a course before taking up
my new appointment, and this will be the third time I have been prevented
from going to sea.
I took the liberty of telling the Prime Minister how much I admired all the
decisions you had taken in such difficult circumstances, and what an extremely
difficult man you were going to be to follow.
The fact remains, however, that he put the matter to me as one of public
duty, and offered to keep me on the active list, and let me go back to sea in the
summer of 1948, so I finally had no option but to do as I was told.
I have asked to be allowed to stay here until you come back so that I can
have the benefit of your personal views before I go out.
I little thought when you pulled my leg about not going to Australia but
coming out to relieve you that this would, in fact, one day happen.
I am so pleased that I was able to shepherd your son’s M.C. through the
War Office; I cannot imagine how the original citation went astray.
Please give my very best wishes to Felicity and her bridegroom. It might in-
terest him to know that his father gave me my first flight in an old Short
biplane at Eastchurch in 1911.
I shall be sending you a telegram shortly asking whether you could send
Currie or some other member of your staff home to answer all the various
questions which one wants to know in advance.
It has been most difficult here owing to the tremendous secrecy; we have not
even been able to start ordering clothes, and heaven knows how we are going
to get everything fixed in the relatively short period after the announcement.
May I finally offer you my most sincere congratulations on your Earldom.
Your many friends and admirers will be delighted.

Yours as ever,

DICKIE
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Field Marshal Viscount Wavell to Sir J Colville (Bombay)\textsuperscript{1}

\textit{R/3/1/120: f 114}

\textbf{TOP SECRET AND PERSONAL} 18 February 1947

I enclose the text of a statement which H.M.G. propose, according to my present information, to make on Thursday in the House of Commons at 3.30 p.m. The statement will be released in Delhi to the press at 9.00 p.m. Indian Standard Time.

2. I should like your Premier to see the statement at 9.00 p.m. on Thursday. Since you will be here for the wedding you will no doubt arrange for your Secretary to show the Premier the text.

3. You are at liberty, if you think it wise, to give prior warning to your I.G. of Police and a maximum of two other officials.

4. I have recommended to H.M.G. that they should not at present make a statement of this kind but should concentrate on a further attempt to get both the parties into the Constituent Assembly. It is possible, therefore, that H.M.G. may change the statement or postpone it. But I will inform you about this by telegram.\textsuperscript{2}

5. I am sorry that I have not had the opportunity of consulting Governors about this. I realise that it will cause much anxiety, but every effort will be made here to induce the leaders of the Congress and the Muslim League to come to terms and to avoid saying anything that may increase the risks that the statement involves. You will of course influence your Premier in the same direction.

\textsuperscript{1} Similar letters were sent to all Governors except those of Assam and Orissa who received a summarised version of the statement in tel. 314-S of 19 February. \textit{R/3/1/120: f 111-13 and 124.}

\textsuperscript{2} In telegram 315-S of 19 February Lord Wavell confirmed that the statement would definitely be made and transmitted the amendments to para. 7. (See No. 423 and its note 2.) \textit{Ibid: f 125.}

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\textbf{Field Marshal Viscount Wavell to Lord Pethick-Lawrence}

\textit{Telegram, R/3/1/130: ff 129-30}

\textbf{MOST IMMEDIATE} NEW DELHI, 18 February 1947, 11 am

\textbf{TOP SECRET} Received: 18 February, 9.10 am

No. 308-S. My 296-S of 16th February.\textsuperscript{1} Following is summary of Wylie’s views.\textsuperscript{2} Begins. There is 25 per cent chance that proposed statement may induce

\textsuperscript{1} This transmitted a summary of No. 408. \textit{R/3/1/130: ff 107-8.}

\textsuperscript{2} Sir F. Wylie’s note, dated 17 February 1947, is \textit{ibid: f 126-8.}
enough realism in party leaders to arrest deterioration in Congress/League relations and/or prevent collapse of Interim Government, provided Nehru and Jinnah are warned 48 hours before statement and advised in gravest terms to set up coalition governments throughout the country to maintain stable administration.

Wylie dislikes statement but sees no real alternative. Suggestion that further clarification of Congress attitude be called for unlikely to succeed or be more than temporary palliative. Response might be to call out Congress Ministries with very dangerous results.

Wylie strongly urges statement should not be made before Nehru and Jinnah given chance to face realities. If made without this preparation newspapers will deprive leaders of free choice. Governors should be told to press strongly for coalitions in the Provinces immediately statement is out. Wylie might be able to persuade leaders in U.P. to influence respective parties in favour of coalitions, but coalition impossible in U.P. unless principle accepted on all-India basis.

Subsequent events in U.P. will be governed by events outside. Wylie does not think his Ministry will resign. U.P. will have serious communal trouble only if trouble elsewhere which may be inevitable and would take anti-British turn later in which case no chance orderly extrication of British.

H.M.G.’s statement should make clear that two principal parties have been urged to form Coalition governments so as to place responsibility for keeping peace, where it properly belongs. Cooperation of leaders in procuring coalition governments only alternative to chaos, but such governments will be short-lived.

Every effort necessary therefore to reduce British interests in India to minimum within next three months since Wylie does not think we shall be able to carry on till June 1948 without being involved in chaos. Ends.

2. I adhere to my previous recommendation but think there is a good deal in Wylie’s proposals (a) to give more warning to leaders (b) to press for all-India coalitions and (c) to include in the announcement the fact that the leaders have been urged to form coalitions. These can be considered if the main announcement is postponed.
Draft telegram to Field Marshal Viscount Wavell by Mr Attlee

R/30/1/9: ff 127–8

Your telegrams... are very embarrassing. The proposal that the government should fix a definite date for the demission of British rule in India was made by you. In discussion with you the danger that it might cause attempts by Hindus, Muslims or other communities to seize power in particular provinces was raised by several ministers, but we were then informed that it was vitally important to make this declaration. I understood you to wish it made even earlier than February. Yet we are now faced by the opinions of provincial Governors that publication will be likely to cause grave disturbance if not civil war. These same Governors approved your original plan the central point of which was the making of this announcement of a date.

I am unable to understand the logic of the alternative scheme of your committee which equally suggests the naming of specific dates. It seems to be quite impossible to get your advisers to understand that the Government has no power without going to Parliament to implement the policy now suggested.

I am unable to see what is to be gained by delay. On the contrary the running down of the machine which you have so strongly stressed will have advanced further, if the statement is postponed.

If you now consider that the naming a specific date which you so strongly pressed on us before, is now undesirable we are prepared to consider a modification whereby the actual date would be fixed by the new Viceroy. The passage would then run: "

In regard to the objection taken to the alleged vagueness of paragraph 10 on the point as to whom the powers of Government would be handed over. The proposal is certainly clearer than that in your proposals which left everything completely vague as to what would happen at the Centre in the later stages of your plan. The Governors, I understood, accepted this uncertainty.

1 This draft, which is undated, was presumably prepared by Mr Attlee at the time of the deliberations of the India and Burma Committee on 17 February and the Cabinet on 18 February 1947. (See Nos. 413, 414 and 421.)
2 See No. 337. 3 See No. 384.
Those present at this Meeting held at 10 Downing Street, S.W.1, on 18 February 1947 at 11 am were: Mr Attlee (in the Chair), Mr Ernest Bevin, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Mr A. V. Alexander, Viscount Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr A. Creech Jones, Mr G. A. Isaacs, Mr E. Shinwell, Mr Aneurin Bevan, Mr George Tomlinson
Also present during discussion of item 1 were: Mr John Strachey, the Earl of Listowel

INDIA
Constitutional Position
(Previous Reference: C.M.(47)21st Conclusions, Minute 4)\(^1\)

THE PRIME MINISTER recalled that at their meeting on 13th February the Cabinet had agreed that he should make at an early date the proposed statement of policy declaring the Government's intention to transfer power in India by June, 1948; and he had arranged that this statement should be made to Parliament on Thursday, 20th February. During the last two days, however, representations had been received from the Viceroy urging that the Government should not at this stage make any declaration of their intention to transfer power by a specified date. The Viceroy suggested instead an alternative plan under which British authority would be progressively withdrawn in India, the Secretary of State Services being first withdrawn and the British troops thereafter, and the Governors of the Provinces would be placed in a position comparable to that of Governors-General in Dominions. This plan contemplated that an announcement should be made in June, 1947, that power would be finally transferred to Indian hands at the end of 1948.

The Viceroy's representations had been considered by the India and Burma Committee, who were satisfied that his alternative plan was impracticable. It would necessitate a new interim constitution for India during the period in which British power was being withdrawn, and it took no account of the Parliamentary and legislative difficulties which such a proposal would involve in this country. Moreover, it assumed that the Interim Government could be informed in confidence of the date proposed for the ultimate transfer of power; and the Committee were satisfied that, once this partial disclosure had been made, rumours of the impending British withdrawal were likely to spread throughout India.

Quite apart, however, from the impracticability of the Viceroy's alternative plan, the most disturbing element in the situation was the complete change in
his attitude towards the announcement of a definite date for the transfer of power. This had been the essential feature of the proposals which he had originally submitted to Ministers in December, 1946; and, although Ministers had felt unable to accept his plan in the form in which it was then put forward, the whole of the policy evolved in their discussions had been built round this central proposal for the early announcement of a definite date for the transfer of power. Throughout these conversations the Viceroy had been insistent on the need for such an announcement, and he had assured Ministers that this view was supported by the Commander-in-Chief, the Governors of the Provinces and his official advisers. He had then given it as his considered opinion that we should not in any event be able to carry on our administration in India after 31st March, 1948, because of the extent to which the European element in the Indian Services and Armed Forces had decreased and the natural tendency of the Indian members to look increasingly towards the Indian political leaders rather than the British Administration for their future advancement. In his latest representations, however, the Viceroy had stressed the risk that an early announcement of our intention to transfer power by a specified date might create a serious situation in India: that, instead of forcing the two political parties to face the realities of the situation and collaborate together in framing a new constitution, it might encourage in each a tendency to seize what power it could and thus inflame communal feeling to an extent which might lead to widespread disorder. He had reported that the Commander-in-Chief and the Governors of Bengal, Punjab and the United Provinces all now took a pessimistic view of the situation; and he recommended that we should not at this stage make any declaration of our intention to transfer power by a specified date.

Dominion Governments had been informed of the proposed declaration towards the end of the previous week. Strong representations had now been received from the Prime Minister of South Africa, urging that we should maintain British rule in India until communal differences had been resolved and a unitary Government established. No comments had yet been received from any of the other Dominions.

Ministers were thus faced with a very difficult decision. If they decided to proceed with the policy on which they had previously agreed, they would have to do so in the face of the latest advice of the Viceroy and others holding responsible office in India—though, in weighing the views now expressed by the Provincial Governors, it must be remembered that they had not been informed of the precise terms of the declaration which His Majesty’s Government proposed to make and it was not altogether clear to what proposition of

1 No. 385. 2 No. 409.
3 In a Dominions Office note sent to Mr Rowan on 24 February it was stated that no Dominion Prime Minister, apart from Field Marshal Smuts, had replied to No. 390. R/30/1/9: ff 144–7.
the Viceroy their latest views were related. On the other hand, the main object of making the proposed declaration had always been to force the two political parties in India to come together and act with a due sense of their responsibility for India's future; and it was still the view of the India and Burma Committee that for this purpose it was essential to specify a definite date for the transfer of power. A declaration without a date would not convince Indian politicians that we were sincere in our intention to transfer power in the near future; and we should be suspected, as earlier Governments had been, of making communal differences an excuse for continuing British rule in India. Finally, the Prime Minister informed the Cabinet that the proposed declaration was to be accompanied by an announcement that a new Viceroy had been appointed who would proceed forthwith to India for the specific purpose of arranging for the transfer of power. This change of Viceroy was an essential element in this final attempt to induce a spirit of co-operation between the two political parties in India. The new Viceroy had accepted this mission on the understanding that a definite date for the transfer of power would be determined and announced before he went out to India; and it was very doubtful whether he would still be willing to undertake this exceptionally difficult duty if it were now decided that no definite term should be set to his mission.

In all the circumstances the Prime Minister recommended that the Cabinet should reaffirm their decision in favour of announcing the Government's intention to transfer power in India by June, 1948, and that the statement of policy should be made, as previously proposed, on 20th February.

In the discussion which followed a number of Ministers spoke in support of the Prime Minister's recommendation. Other points made in the discussion were as follows:—

(a) The Secretary of State for Dominion Affairs said that he had serious misgivings about the form of paragraph 7 of the proposed statement. This contemplated the possibility that by June, 1948, no responsible authority would have emerged in India to which power could be transferred; and he was gravely concerned at the implication that, whatever happened, we should leave India by the prescribed date even if this meant that the country would be plunged into chaos. He would therefore prefer to substitute, for the last sentence of this paragraph, words to the effect that His Majesty's Government, in view of their definite intention to transfer power in India, had appointed a new Viceroy "with an instruction that arrangements must be made for the constitution of a responsible alternative Government and for the transfer of power within a period not exceeding two years from the date of his appointment".

In reply to this suggestion, it was pointed out that the succeeding paragraphs of the proposed statement made clear the Government's desire to transfer power to a responsible Indian Government; and paragraph 10 referred to the alternative possibilities which would be open if no central Government for the
whole of British India had been established by the prescribed date. The state-
ment did not envisage the possibility of our leaving India without any Govern-
ment at all. On the other hand, the formula proposed by the Secretary of
State for Dominion Affairs would be thought to imply that, if the new Viceroy
failed to secure the establishment of a central Government, we should continue
to maintain British rule in India.

After further discussion, it was agreed that paragraph 7 of the draft statement
should be amended so as to read:—

"His Majesty's Government desire to hand over their responsibility to
authorities established by a constitution approved by all parties in India, in accordance with the plan of the Cabinet Mission, but unfortunately there is at
present no clear prospect that such a constitution and such authorities will
emerge. The present state of uncertainty is fraught with danger and cannot
be indefinitely prolonged. His Majesty's Government wish to make it clear
that it is their definite intention to effect the transference of power to respons-
able Indian hands by a date not later than June, 1948."

It was the view of the Cabinet that the insertion of the words underlined
should remove any risk of the misunderstanding feared by the Secretary of
State for Dominion Affairs.

(b) The Minister of Defence said that he was sorry that the Government
had felt compelled to depart from the policy which they had laid down, in the
telegram (CABIN 22)* sent to the Cabinet Mission in India on 6th June, 1946,
that we should retain British control in India until there was a responsible
Indian Government to which powers in respect of British India could be
transferred. The course of the discussions since December had, however, comp-
pelled him to the conclusion that the Government had no alternative but to
prescribe a definite date for the transfer of power in India. Like other Ministers,
he had been specially influenced by the Viceroy's warning that we should not
in any event be able to carry on our administration efficiently after March,
1948, by reason of the progressive weakening of the European element in the
Indian Services. If the proposed declaration was in fact likely to produce a state
of disorder in India, it was difficult to understand the Viceroy's latest suggestion
of postponing that situation until a date by which, on his own evidence, we
should be less able to deal with it. The Minister therefore considered that the
Cabinet had now no alternative but to proceed with the policy on which they
had previously agreed. This was, however, a grave decision to take. He hoped
that the Secretary of State for India would arrange for an immediate study to
be made of the consequences which might follow if we were compelled to
transfer power otherwise than to a central Government.

(c) The question was raised whether it would be practicable to defer for a
time the announcement of a definite date for the transfer of power. As it had

been decided to appoint a new Viceroy, it would be natural to allow him to proceed to India and make his own assessment of the situation before a final decision was taken.

As against this, it was pointed out that the new Viceroy was unwilling to accept appointment on that basis. Moreover, Congress were still awaiting a reply to their request that, as the Muslim League would not join in the work of the Constituent Assembly, the Muslim Ministers should be asked to resign from the Interim Government. If the proposed declaration of policy were made at once, a decision on this request could be deferred until it was known whether the declaration had the effect of bringing the parties together. This was a strong argument against postponing the issue of the declaration.

(d) The Secretary of State for India said that, if the proposed declaration were made, the Cabinet should decide, particularly in view of the latest warnings of possible disorders in India, whether additional shipping should be provided over the next few months to enable Europeans to leave India and what guidance should be given to the President of the European Association on the question whether Europeans should be encouraged to leave, and discouraged from proceeding to, India.

It was the view of the Cabinet that no encouragement should be given at this stage to the idea that there would be a mass evacuation of Europeans from India as soon as the declaration of policy was made. The Secretary of State for India might ask the Minister of Transport to take unobtrusive steps to increase the shipping facilities available for persons wishing to leave India over the next few months. It would, however, be inadvisable that any statement should be made at this stage about the desirability of Europeans leaving, or proceeding to, India.

The Cabinet:—

(1) Reaffirmed their decision that the proposed statement of policy on India should indicate the Government's intention to transfer power in India by June, 1948.

(2) Agreed that the statement of policy (incorporating the amendment noted in paragraph (a) above) should be made in both Houses of Parliament on 20th February; and took note that the Prime Minister would arrange for the appointment of the new Viceroy to be announced in the same statement.

(3) Took note that the Prime Minister would communicate the text of the proposed statement, before it was made, to the Leaders of the Opposition Parties.

(4) Authorised the Secretary of State for India to take unobtrusive steps to ensure that increased shipping facilities were available for Europeans wishing to leave India over the next few months.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P & J/10/83A: f 20

NEW DELHI, 18 February 1947
Received: 18 February, 1.40 pm

No. 309-S. My 266-S of February 11th. Release of I.N.A. Convicts. Resolution comes up in Assembly today urging release, and Nehru informs me that he proposes to say that it will be favourably considered by Government if passed. I have urged him not to commit Government since case must come to Cabinet and constitutionally Government cannot be committed at this stage.

1 The date of this telegram has been established from the India Office Inward Telegrams Register.
2 In this telegram Lord Wavell reported a conversation in which Sardar Baldev Singh said that both Congress and the League were committed to the release of the I.N.A. convicts. Lord Wavell had told Sardar Baldev Singh that as Field Marshal Auchinleck would not agree to release these prisoners he would over-rule the Cabinet if necessary. Lord Wavell thought Sardar Baldev Singh would require the matter to be taken in Cabinet but he did not think the Cabinet would resign if over-ruled. L/P & J/10/83A: f 23.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P & J/10/77: f 267

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 18 February 1947, 1.45 pm
Received: 18 February, 8.40 pm

No. 2254. Your telegram 298-S1 and connected telegrams.

2. Cabinet have considered the position fully and have decided that proposed statement is to be made on Thursday as already proposed. Further telegram will follow this evening giving our reasons.

3. Cabinet have made following two amendments in text as already in your possession.2

(a) Paragraph 7 after “all parties in India” insert “in accordance with the Cabinet Mission’s plan” repeat “in accordance with Cabinet Mission’s plan.”

(b) Paragraph 7 third and last sentence after “transference of power” delete

1 No. 410.
2 In tel. 2291 of 18 February Lord Pethick-Lawrence sent Lord Wavell the text of the amendment to para. 7 agreed in No. 426, Minute 1. L/P & J/10/77: f 265.
“in India” and insert “to responsible Indian hands” repeat “to responsible Indian hands.”

4. You may communicate statement forthwith to C. in C. and Governors. Latter may communicate it to Premiers immediately before equivalent time of announcement here.³

³ Mr Abell minuted on receipt of this telegram: ‘That’s that. I attach a corrected copy of the statement. Governors will be informed of the correction. C. in C. will also be informed.’ Lord Wavell minuted: ‘I think India will certainly be puzzled by the Statement, in many parts perturbed and unsettled, and in some perhaps incited to undesirable action. But we must wait and see.’

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Mr Churchill to Mr Attlee

R/30/1/9: f 135

PRIVATE AND CONFIDENTIAL 28 HYDE PARK GATE, LONDON, S.W.7, 18 February 1947

My dear Prime Minister,
I have been reflecting on what you told me about your India policy, though I have not discussed it with anyone except, as you agreed, Anthony Eden. Until I know what is the policy and the directive, and what are the grounds of the change in personnel, I cannot form any opinion about it nor give you any undertaking of support. As I told you the other day, when we had a short talk, I must hold myself entirely free.

Yours sincerely,
WINSTON S. CHURCHILL

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Minute by Mr Turnbull

L/PO/6/112: f 191

18 February 1947

U.S.S.
Secretary of State.
The Governor-General’s Instrument of Instructions which is flagged in the attached volume contains as far as I can see the following provisions which will be obviously inappropriate in existing circumstances:—

(1) End of paragraph VII “and shall so order the administration of his
Government as to further the policy of the Act for its conversion into a Federation of all-India”.

(2) Paragraph XVI—“and finally it is our will and pleasure that our Governor-General should so exercise the trust reposed in him that the partnership between India and the United Kingdom within our Empire may be furthered, to the end that India may attain its due place among our Dominions”.

There is also paragraph XIV which requires the Governor-General, in assenting to any Bill of the Legislature of the Central Provinces and Berar which has been reserved for his consideration, to declare that his assent in its application to Berar has been given by virtue of the agreement between the Crown and the Nizam. This provision can hardly be altered so long as the Berar Agreement exists but may become embarrassing.

The Instrument of Instructions for the Governor-General cannot be altered except by resolution of both Houses of Parliament and the existing Instrument is automatically applicable to a new Governor-General. Therefore if the Instrument has to be altered it can only be done by Parliamentary proceedings. It would seem, however, that the amendments need only be the omission of paragraph XIV [XVI] and the last part of paragraph VII which are quoted above.

F. F. T.

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Cabinet

India and Burma Committee. I.B.(47)12th Meeting, Minutes 1–7

L/P&E/10/77: ff 241–5

Those present at this Meeting held at 10 Downing Street, S.W.1, on 18 February 1947 at 9 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir S. Cripps, Mr Alexander, Viscount Addison, Lord Pethick-Lawrence, the Earl of Listowel

Also present were: Mr A. Henderson, Sir David Monteath, Sir William Croft, Mr F. F. Turnbull; Sir Norman Brook, Mr S. E. V. Luke, Mr E. A. Armstrong (Secretariat)
Future Policy in India
(Previous Reference: I.B.(47) 11th Meeting)¹

Minute 1
Consultation with Parliamentary Opposition

The Prime Minister informed the Committee that, in accordance with the Cabinet’s decision, he had that afternoon informed representatives of the Opposition Parties of the terms of the statement to be made in Parliament on Thursday, 20th February.

From the ensuing discussion, only two points of substance had emerged. First, it had been suggested that paragraph 7 of the statement implied that the final transfer of power into responsible Indian hands by June 1948 could be effected by executive action without reference to Parliament.

The Committee:—

Agreed that the last sentence of paragraph 7 of the statement should be amended to read as follows:— “His Majesty’s Government wish to make it clear that it is their definite intention to take the necessary steps to effect the transference of power into responsible Indian hands by a date not later than June 1948.”

The second suggestion put forward by the Opposition leaders was that the statement should provide for postponing the transfer of power if it were found impossible, by the date mentioned, to find a responsible Indian Government, or Governments, to assume power, or to carry out satisfactorily the various stages of transfer.

The Committee agreed that such a provision would be contrary to the intentions of the statement and could not be included.

Minute 2
Telegram to the Viceroy

The Committee considered the draft of a telegram to the Viceroy, prepared by the Secretary of State for India, in reply to the former’s telegrams Nos. 291–S,² 296–S,³ 298–S,⁴ 299–S⁵ and 308–S,⁶ explaining the grounds on which the Cabinet had decided to confirm their decision that the proposed statement of policy should be made on 20th February.

Various amendments of this draft were suggested and approved.

The Committee:—

Invited the Secretary of State for India to telegraph to the Viceroy in the terms of the draft discussed and amended by the Committee.⁷

Minute 3
Situation in Bengal

The Committee then discussed whether it was necessary for His Majesty’s
Government to give any direction in reply to the enquiries made by the Governor of Bengal (paragraph 6 of the Viceroy's telegram No. 291–S) regarding the action that he should take if serious consequences in the Province followed from a statement of policy by His Majesty's Government.

It was pointed out that these enquiries had in fact been addressed to the Viceroy, who had not asked for an expression of the views of His Majesty's Government. In these circumstances, it might be improper for His Majesty's Government to take the initiative in answering them. Moreover, the questions asked were largely hypothetical and it was not known in London what documents had been available to the Governor when his telegram was sent. Several Ministers felt, however, that the Governor was facing an unprecedented situation and might reasonably expect some guidance on points which had been communicated to His Majesty's Government by the Viceroy.

After further discussion the Committee:—

Invited the Secretary of State for India, in a separate telegram to make it clear to the Viceroy that, if the Governor of Bengal felt anxiety as to the effects of the forthcoming statement on the situation in his Province, he should give the Governor his advice and assure him of his support.  

Minute 4
Telegram to Field Marshal Smuts
The Committee also considered the draft of a telegram prepared by the Secretary of State for Dominion Affairs, in consultation with the Secretary of State for India, in reply to the telegram of 16th February from Field Marshal Smuts to the Prime Minister.

The Committee:—

Approved the draft telegram, subject to certain amendments, and invited the Secretary of State for Dominion Affairs to arrange for its immediate despatch.

Minute 5
Publicity Arrangements
The Committee discussed the publicity arrangements which should be made after the Government's statement on Indian policy had been communicated to Parliament, and agreed as follows:—

1. The Prime Minister should meet the Parliamentary Lobby correspondents and give them the background against which the statement of policy should be set.

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1 No. 414.  
2 This was a summary of No. 395. R/3/1/130: ff 99–100.  
3 This was a summary of No. 408. Ibid: ff 107–8.  
4 No. 410.  
5 No. 412.  
6 No. 419.  
7 See No. 429 for the telegram as sent.  
8 See No. 427 for the telegram as sent.  
9 No. 409.  
10 See No. 428 for the telegram as sent.
(2) The Secretary of State for India should see the editors of The Times, Manchester Guardian, Daily Telegraph, etc. and give them similar background information.

(3) The Publicity Adviser to the India Office should hold a conference with representatives of the foreign, Dominions and Indian Press. He should give them a full account of the historical developments which had led up to the Government’s statement and endeavour to see that the facts were accurately presented in the Press.

In this connection, the point was raised whether any reference should be made, either in answer to supplementary Questions in Parliament, or at any of the meetings with the Press, to the advice given by the Viceroy to His Majesty’s Government, and whether that advice had been accepted or not. Ministers felt that any such disclosure would be a breach of the confidential relation between the Viceroy and His Majesty’s Government. It was, however, desirable that any precedents which had a bearing on this question should be examined.

The Committee:—

(4) Invited the Secretary of State for India to consider whether there were any precedents which would justify public reference being made to advice given by the Viceroy to His Majesty’s Government.

Minute 6

Consultation with the Dominions

THE SECRETARY OF STATE FOR DOMINION AFFAIRS expressed some anxiety lest His Majesty’s Government should be criticised for having afforded the Dominion Governments insufficient time to consider the statement to be made on 20th February. He recognised that the Dominion Governments had been kept generally informed of the progress of the discussions in recent months in regard to future policy in India, but the Government’s final decision was not communicated to them until 13th February.\(^1\) Dominion Governments had been critical of the short notice given to them of the Government’s intentions in regard to Egypt, and he feared that they might feel similarly aggrieved on the present occasion. It had also to be remembered that questions would be raised in Parliament and elsewhere as to the nature of the consultations that had taken place with the Dominion Governments. It might not be easy to deal with the criticism that Dominion Governments had been given insufficient time to formulate and communicate their views to His Majesty’s Government. He hoped, therefore, that it might be possible to defer the statement at least until Monday, 24th February.\(^2\)

THE PRIME MINISTER said that the Dominion Prime Ministers had in fact been informed of the Government’s decision as soon as it had been reached. A distinction must be drawn, as regards consultation with Dominion Govern-
ments, between matters in which they were expected to assume responsibilities and those in which the full responsibility lay with His Majesty's Government. He thought that on the present occasion, where Dominion Governments had no responsibility, adequate time had in fact been given, and that no difficulty need be found in meeting criticisms of the sort mentioned by the Dominions Secretary. Furthermore, our present proposals were no more than a logical development of the policy which he had announced in March, 1946. That was the time when the Dominions might have been expected to raise questions about the effect on their position in the Commonwealth of the policy of His Majesty's Government in regard to the future of India.

It was further pointed out that the telegrams to Dominion Prime Ministers had specifically asked that any comments should reach London by 19th February and that, so far, only one reply had been received. There were, moreover, cogent arguments against further delay; the Congress leaders would not wait indefinitely for a reply to their request for the withdrawal of the representatives of the Muslim League from the Interim Government. The Viceroy had already been informed of the decision to make the statement on 20th February and had no doubt by that time communicated this decision to the Governors of Provinces. Finally, the announcement could not now be postponed without further reference to the Cabinet.

The Committee:—

Decided not to recommend any alteration of the date agreed upon for the publication of the proposed statement of policy.

Minute 7

The Governor-General's Instrument of Instructions

The Secretary of State for India informed the Committee that, in the light of the policy now decided upon, some modifications might be necessary in the Governor-General's Instrument of Instructions.

The Committee:—

Invited the Secretary of State for India to submit proposals for amendment of the Governor-General's Instrument of Instructions.

*See No. 390.*

*After the Cabinet Meeting on the morning of 18 February (No. 421) Lord Addison had sent Mr Attlee a minute in which he had expressed in forceful terms the views recorded here. In the course of the minute Lord Addison wrote: 'I feel most strongly that, in a matter of this kind, they [the Dominions] must be given more time to give us their considered views . . . I cannot but feel that it would have exceedingly unfortunate repercussions if the Dominions afterwards said (as they are likely to do) that they were not given adequate time in a matter of this kind to express their views.' P.R.O. PREM 8/561.*
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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/77: f 257

MOST IMMEDIATE

INDIA OFFICE, 18 February 1947, 11.55 pm

No. 2293. Your 291-S. If Burrows is worried as to what may happen as the result of the announcement, which we note he had not seen at the time of sending his appreciation of the situation that might arise in the event of an emergency evacuation, you will no doubt give him your advice and assure him of your support.¹

¹ This was a summary of No. 395. R/3/1/130: ff 99-100.

² Lord Wavell minuted: 'No answer required, and our telegram [No. 436] of Burrows' reactions on seeing the draft will allay their apprehensions to some extent.' Ibid: f 168.

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Mr Attlee to Field Marshal Smuts (via British High Commissioner in South Africa)

Telegram, L/P&J/10/77: f 254

IMMEDIATE

DOMINIONS OFFICE, 19 February 1947, 12.50 am

TOP SECRET AND PERSONAL

No. 14. Following for Prime Minister from Prime Minister. Begins.

I am grateful to you for your message¹ which I received on the 16th February in regard to Indian policy. I regret as much as you do that time has not permitted of fuller discussion with you and our other Commonwealth colleagues in a matter which though primarily a United Kingdom responsibility is clearly of great concern to other members of the Commonwealth. The Viceroy when in London in December insisted that it was impossible to maintain the administration in India beyond 31st March 1948 and he consequently urged most strongly that we must make an early statement in January stating our intention to withdraw and giving the date as 31st March 1948. The urgency of the situation arises from the fact that Viceroy received two letters,² one nearly a fortnight ago, from all members of his Government except those who are members of Muslim League asking that Muslim League members be called upon to resign, (see Dominions Office telegram D.No. 122). When League members entered the Government Viceroy told Jinnah that their entry was on
the understanding that Muslim League Council would reconsider the withdrawal of its acceptance of the Cabinet Mission's proposals and Nehru was told that it was on this understanding that League members entered Government. Cabinet Mission's Statement of 16th June said that Interim Government would be composed of those who had accepted the Statement of 16th May. Request which has been made is therefore difficult to resist unless League reconsider their position. But in spite of the fact that Congress in their resolution of 6th January have come some way to remove the ambiguities of their acceptance, the Muslim League have declined to enter Constituent Assembly. Unless therefore we take some definite action we must either accede to request to remove Muslims from Interim Government or face resignation of Congress and other members. Both these alternatives would produce dangerous situation.

2. A fundamental element in the Indian situation has always been the attempts of each of the two major parties to throw responsibility upon us. If we say that unless there is agreement on a new constitution we shall remain, parties will continue to be uncompromising. In our belief it is only when they are faced with definite date for our withdrawal that there is any prospect of their reaching an accommodation. It therefore seems to us essential to make this Statement while both parties are still in the Government as we hope that fact that they have only a limited period in which to settle their differences would induce a sense of sober realism and encourage compromise. These Indian considerations seem to us to outweigh the important general factors to which you refer.

3. As regards your paragraph 3, basis of our policy has been my statement in Parliament of 15th March that a minority could not place a veto on the political progress of the majority. This distinguishes our policy from that of previous United Kingdom Governments which stood for the principle that there could be no advance except on the basis of agreement. Our belief is that there will be no agreement until the necessities of the situation force it upon the contending parties.

4. We are advised by the Viceroy that to re-establish British authorities in the face of opposition of Congress and possibly also of Muslim League would require four of five divisions of British troops, which are not available, and a declaration that we should continue to rule India for 10 or 15 years at least, and that sternest measures of repression would be necessary. We do not think that the public here would support such a policy apart from our inability to find the necessary forces.

5. I have considered your telegram with my colleagues and we are grateful to you for your expression of your views. Other Dominion Governments have

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1 No. 409. 2 Nos. 350 and 386. 3 No. 253.

not so far commented. But for the reasons given above we feel that we must
go forward as we propose and make our Statement on Thursday.

6. I am indeed sorry that we were not able to give you fuller time to consider
this important subject. My telegram of the 13th February\textsuperscript{5} was sent to you on
the same evening as we had decided upon the terms of the Statement and in
the circumstances we could not give you longer period in which to consider
it. Ends.
\textsuperscript{5} No. 390.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

\textit{Telegram, L/P&EJ/10/77: ff 259-63}

\textbf{MOST IMMEDIATE} \hspace{1cm} \textbf{INDIA OFFICE, 19 FEBRUARY 1947, 2.45 AM}

\textbf{TOP SECRET} \hspace{1cm} \textbf{RECEIVED: 19 FEBRUARY, 12.30 PM}

No. 2292. My colleagues and I have considered your telegrams 291-S,\textsuperscript{1}
296-S,\textsuperscript{2} 298-S,\textsuperscript{3} 299-S,\textsuperscript{4} and 308-S,\textsuperscript{5} and have reached decision already com-

\textbf{municated in my telegram 2254.\textsuperscript{6}} We wish you to proceed thereafter as out-
lined in my telegram 2143 of 14th February\textsuperscript{7} paragraphs 5 to 8.

2. The views now expressed in your telegrams above referred to have
placed us in a most difficult position. The proposal to announce a definite
date for the withdrawal of British authority was an essential feature of your
original plan and you urged upon us the necessity for such a Statement. Your
proposals were stated to be supported by the Commander-in-Chief and your
senior officials. The Statement we now propose certainly differs from your
proposals in that it does not include a phased geographical withdrawal but we
cannot see that the arguments now adduced against announcing a fixed date
would not have been equally applicable to your own proposals. We raised
with you when you were in London and fully discussed the question whether
such an announcement would not destroy rather than improve the chances of
agreement by driving each party to attempt to seize power where it could in
order to consolidate its position against our departure. It was your definite
advice that effect of fixing a date would in your judgment be to sober the
leaders of both sides and make a compromise more probable. We are now told
that the Governors of the two crucial Provinces are of a contrary opinion and
that you yourself are opposed to a fixed date being announced now.

3. Your letter of 3rd February\textsuperscript{8} was only received on the morning of the
17th owing to bad weather. We have considered plan enclosed with it but
regard it as totally impracticable from Parliamentary point of view. It is not
possible to wind up Secretary of State’s Services or to introduce full responsible Government at the Centre without amending the 1935 Act and we do not regard an interim amendment of the Act as practicable. You suggest postponing public announcement of a date till July next though you envisage communicating it to the Interim Government much earlier. This would only postpone the dangers you now suggest to a time when, on your own arguments, we should be less able to deal with them.

4. We still think that Statement on the lines of that in your 270–Sº will not produce any useful result and indeed might lead to resignation of Congress from Interim Government. We think there is much more chance of some assurances in the shape of an explanation of the reservations in Congress resolution¹⁰ being forthcoming after proposed Statement has been made.

5. We note that Wylie thinks there is 25% chance that announcement may have effect of inducing co-operation and supports our view as to Congress reaction to your proposed Statement. It seems to us, moreover, that the apprehensions of Burrows and Jenkins, which we note you regard as possibly being unduly pessimistic, are as likely to arise if our Statement is not made and one or other party withdraws from Interim Government.

6. We note Wylie’s view that leaders of parties should be warned 48 hours in advance but we do not consider this is practicable as there would certainly be leakage. It certainly cannot be given to them more than a short time before the Statement here but we leave it to you to fix exact time which should be as early as is practicable subject to preserving complete security against its being published by press or broadcast before 3–30 G.M.T.

¹ This was a summary of No. 395. R/3/1/130: ff 99–100.
² This was a summary of No. 408. Ibid: ff 107–8.
³ No. 410. ⁴ No. 412. ⁵ No. 419. ⁶ No. 423.
⁷ No. 397. ⁸ No. 337. ⁹ No. 373. ¹⁰ No. 253.

430

Mr Attlee to Sir A. Lascelles (via Ministry of Defence)

Telegram, R/30/1/8a: ff 92B–92C

MOST IMMEDIATE 19 February 1947, 3.15 am

TOP SECRET

EPOCH 29. Following for Lascelles from Prime Minister.

We have just received from the Viceroy a number of disturbing telegrams about the proposed declaration of policy regarding the transfer of power in India. As you will remember, the essential feature of the plan originally
submitted to us by the Viceroy was that we should announce a definite date for the transfer of power, and one of the arguments in favour of this course which was strongly emphasised by the Viceroy was that we should not in any event be able to administer India efficiently after 31st March, 1948, because of the run-down of the European Services and the tendency of Indians in these Services to look to the political parties rather than to the Government. If the original proposals of the Viceroy had been accepted we should already have announced some time ago our intention to transfer power by 31st March, 1948. After prolonged discussion here a somewhat different plan was evolved; but this retained the essential feature of specifying a definite date; and the Cabinet had taken a firm decision that we should issue on Thursday next, 20th February, a statement of policy, including the declaration of our intention to transfer power in India by June, 1948, viz. three months later than the date originally proposed by the Viceroy.

The Viceroy has now represented that a declaration of our intention to transfer power on a specified date may give rise to a serious situation in India. Instead of driving the two parties together it may encourage in each a tendency to seize what power it can, communal feeling may be inflamed and disorder may break out. The Viceroy has consulted the Commander-in-Chief and the Governors of Bengal, Punjab and United Provinces and they all take a pessimistic view of the effect of such a declaration in India. In these circumstances the Viceroy now recommends that we should not make any declaration of our intention to leave India by a specified date. He has submitted an alternative plan, but this was entirely impracticable from the constitutional and Parliamentary angle.

This volte-face by the Viceroy has placed the Government in a very difficult position, especially as he previously advised us that the Commander-in-Chief, the Governors and his officials were all in favour of a declaration specifying a definite date for the transfer of power. It was, as you know, on this basis that the new Viceroy agreed to undertake the difficult task of supervising the transfer; and I have verified that he would be unwilling to proceed to India if it were now decided that no definite term should be set in advance for the transfer of power. Moreover, the main object of making this declaration has always been to force the two parties in India to face realities and collaborate together in the framing of a new Constitution; and Ministers still feel convinced that for this purpose it is essential to name a definite date by which His Majesty’s Government intend to hand over power in India. A declaration without a date would not convince the Indian politicians that we genuinely intend to hand over in the relatively near future and we should be suspected, as earlier Governments have been, of making communal differences an excuse for continuing British rule in India.

The Cabinet feel that a heavy responsibility rests on them in making this
declaration in face of the latest advice from responsible men on the spot. They have also had to take account of the views expressed by Field Marshal Smuts, who believes that we should retain control in India until the communal differences have been resolved and a unitary Government established. After long and anxious consideration, however, the Cabinet have reached the conclusion that these last-minute representations cannot outweigh the solid reasons which led them to decide upon the course outlined in the proposed statement of policy and to arrange for the appointment of a new Viceroy charged with the specific duty of arranging for the transfer of power within a defined period. They have, therefore, decided to go forward with the policy previously approved and a declaration in substantially the terms of the draft in EPOCH 23 will be made in both Houses of Parliament on Thursday, 20th February.

1 No. 337. 2 See No. 409. 3 This draft was sent with No. 394.

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Field Marshal Viscount Wavell to Mr Attlee

Telegram, L/P/J/10/77: f 222

IMMEDIATE 19 February 1947

TOP SECRET AND PERSONAL

311-S. Prime Minister from Viceroy. I require your help in obtaining very urgently extra shipping for passages from India. Hutchings explained position recently to Monteath and Hurcomb. Since then position has deteriorated and at present rate there will be a backlog of 3,000 civilian applications for passages at the end of April. Total civilian lift required during 4 months March to June inclusive is 12,800 including unaccompanied military families. In addition service requirement will be 4,250. Total requirement about 17,000.

2. In addition to above normal requirement it must certainly be expected that impending announcement will have effect of persuading many more civilians to take advantage of spring sailing season, and that there will be a rush of further applications. If there is any doubt about our ability to meet these demands it will be certainly bad for morale which it is essential to maintain. The best way of allaying excitement will be to announce that there will be passages in next four months for all who want to go. I think we must assume at least an additional 3,000 applications bringing total requirement to 20,000. I should be grateful for very early assurance that shipping to lift these numbers will be made available.
Group Captain Stapleton to Mr Alexander

R/30/1/9: ff 138-9

TOP SECRET

Reference: C.O.S. 207/7

Minister.
The Chiefs of Staff feel some anxiety concerning the proposed announcement on Indian policy about which you spoke to them this morning.¹

2. As the Chiefs of Staff understand it, it has been decided to issue a statement tomorrow, Thursday, 20 February, making it clear that it is our definite intention to transfer power in India into responsible Indian hands by a date not later than June 1948; there are apparently serious doubts in the minds of at least one of the Provincial Governors as to the effect this announcement will have; and the Viceroy himself questions the advisability of making this statement at this particular moment.

3. The Chiefs of Staff have not seen the proposed statement or all the telegrams which have passed between the Government and the Viceroy on the subject, nor are they aware of the views of the Commander-in-Chief, India. They cannot, therefore, offer the Government advice on its military implications, which may be serious.

4. In view of the anxieties of the authorities referred to above, however, the Chiefs of Staff do recommend strongly that His Majesty’s Government should, before making the statement, make it quite certain that the Commander-in-Chief in India is ready to meet such implications as the issue of the statement may involve.

5. The Chiefs of Staff hope that, in explaining their position to the Prime Minister, you will also feel able to suggest that the Viceroy be consulted at once on the point in paragraph 4 above.²

D. C. STAPLETON

¹ This meeting took place on 19 February at 10.50 am (C.O.S.(47) 28). The concluding para. of the note of the meeting directs that Captain Stapleton’s minute be submitted to Mr Alexander.

² No reply to this Minute has been traced in the Prime Minister’s archive or in the records of the Chiefs of Staff Secretariat. However Mr Attlee’s diary for 19 February 1947 includes the entry ‘4.00 p.m. Staff Conference’. The term Staff Conference was customarily applied to a meeting of the Prime Minister with the Chiefs of Staff.
433

Field Marshal Viscount Wavell to Sir O. Caroe (North-West Frontier Province)
(Extract)

R/3/1/131: f 170

NO. 40/9. 19 February 1947

4. I am sure that it would be wrong for you to attempt to use your special powers to refuse access to the Advisory Committee of the Constituent Assembly. I fully realise the dangers of a one-party approach to the tribes, but I think that the risks will have to be accepted, if the Muslim League have not changed their mind and the Advisory Committee decides to visit the N.W.F.P. If the tribes stand fast on their practice of carrying on dealings in open jirga, and insist that the Advisory Committee should meet them on their own ground, there will perhaps be less chance of any untoward repercussions. I do not think that you should attempt to guide the sub-committee, beyond giving such informal advice as they ask for; the members will have to find out for themselves what precisely the difficulties are of trying to fit the tribes of the frontier into the future India. Weightman is naturally in close touch with Nehru and will try to ensure, through him, that the sub-committee takes a reasonable line. 

1 See No. 364.
2 Subsequently, in a letter dated 4 March 1947, Lord Wavell informed Sir O. Caroe that the N.W.F. Tribal Areas Sub-Committee of the Advisory Committee was going to remain in a state of suspense, until it is known whether the Muslim League are coming in or not. He added that External Affairs Dept would be consulted about the Sub-Committee’s programme and that he thought Nehru realised the need to go carefully about this. R/3/1/131: f 175.

434

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICEROY’S HOUSE, NEW DELHI,

19 February 1947

Thank you for your letter of the 6th February. The delays over the air mail bags have continued and I have just heard today that my letter of the 3rd February to which I have referred in correspondence with you did not reach you until 17th February. I am making enquiries at this end about the delay.

1 No. 358. 2 No. 337.
2. The Congress as you know are getting very restive about the situation in the Cabinet and Patel stated in an interview on the 15th that the Congress would withdraw from the Cabinet if the Muslim League members in it were allowed to remain members under the "present conditions". Nevertheless I had a friendly meeting with Liaquat, Nehru and Matthei about the Budget proposals, and Liaquat had no difficulty in persuading his colleagues to agree with his recommendations. These will be put to the whole Cabinet at the last minute according to the usual custom.

3. The trouble in the Punjab continues, but both sides seem to be ready to consider terms for a compromise. Abell saw Jenkins on Sunday and gathered from him that the Government would be prepared to withdraw a good many of the specific bans on processions and meetings subject to the maintenance of the Public Safety Ordinance as it stands, and the right to re-impose bans under the Ordinance where local conditions make it necessary. I have seen Nazimuddin twice, and he has gone to Lahore with the intention of working for a settlement. The League talk at present, however, in terms of forcing the Punjab Government to a complete capitulation, and I do not think the Punjab Government have any intention of capitulating.

4. Eady and Cobbold have left Delhi. There was never really any chance of their securing an agreement at this stage, especially as it had been agreed and publicly stated that this was only a preliminary round and that there would be negotiations at ministerial level later. Eady and Cobbold certainly established very good relations with everyone here, and I think they succeeded in educating the experts to a considerable extent about the limitations of Great Britain's ability to pay and the reasons for those limitations. This will all be useful at the next stage.

5. A crisis is threatened in the Madras Ministry, where a majority of the Congress Party appear to be ready to support a vote of no-confidence against the Premier. Prakasam has come to Delhi and hopes to secure the support of the Congress High Command. His relations with them have not been good in the past and I should imagine that he is in an awkward position. It is stated that most of the agitation against him is engineered by Rajagopalachari, who wanted to be Prime Minister, but I do not know what truth, if any, there is in this report.

6. The Bihar Ministry has just survived a no-confidence motion, but the Premier has now agreed that there should be an enquiry into the Bihar disturbances; this enquiry will probably stir up a good deal of communal hatred, and Dow is sure it will do no good, but obviously the Governor cannot intervene to prevent an enquiry being held.

Patel and I agreed at a recent interview that these enquiries are useless unless they are held immediately and are quickly over. The Calcutta enquiry
goes on apparently interminably and merely provides a platform for communal charges and counter-charges. The Bihar enquiry will probably be similar.

Another item of news about Bihar is that the Ministry have gone back on their acceptance of the Damodar Valley Project. This is most unfortunate, and we shall have to try to secure that pressure is brought to bear on them by the Congress High Command, and especially by Rajendra Prasad. There is however some indication that the Ministry pay less attention than they used to do to the High Command, and Rajendra Prasad has so far failed to bring them to a reasonable attitude about the compensation to be paid for land which we need for the Sindhri Fertiliser Factory.

7. I have telegraphed to you about the I.N.A. My Cabinet are in rather a fix about this because they do not really want to force the issue with me and the Commander-in-Chief, though they are under great pressure from their parties in the Assembly. You asked for some figures about the I.N.A., and I attach a statement providing the information which has been given me by the Defence Department. There are 9 men remaining in the India Command whose cases are still under investigation. There may be other cases under investigation in South-East Asia Land Forces, or other Commands outside India, but we have no information about this. All persons classified “Black” were dismissed from the service. Of these, 5 officers and 31 other ranks were dismissed by court-martial, and the remainder by administrative action. All “Greys” were discharged by administrative action.

8. I have had it in mind for a long time that we ought to change Runganadhan who is obviously inadequate as High Commissioner in London. A decision has been delayed because the appointment of a successor might lead to a crisis in the Cabinet. This is still so but after discussion with Chundrigar and Nehru I have written to Runganadhan telling him that a change is necessary and suggesting that he should take leave fairly soon and let Vellodi carry on until a successor is appointed. As I have informed you Chundrigar wants Nazimuddin to be made High Commissioner, whereas Nehru wants the High Commissioner’s office to come under the External Affairs Department and would no doubt suggest some other candidate for the post. Nehru has now agreed to the setting up of two Appointments Committees, one for internal appointments, and one for external appointments, but he does not want to discuss the actual personnel of the Committees until it is decided whether or not the Muslim League will remain in the Government.

[Para. 9, on the Madras Ministry’s proposals in regard to zamindari legislation, omitted.]

10. You asked about a report that the late Maharaja of Nepal had given

* No. 422.  * No. 301, para. 2.
a contribution to Congress Party funds. This, according to my information, is incorrect. I understand that Joodha gave Nehru a lakh of rupees for relief of distress in India.

II. You will be interested to hear, if you have not heard already, that Patel has appointed Sudhir Ghosh as Public Relations Officer for the Information and Broadcasting Department in London. I told Patel I thought it was injudicious to appoint such an obvious partisan, and that it would encourage Muslim belief that the I. & B. Department was being used as an instrument of party propaganda. He replied blandly that Ghosh had no connection with politics, being merely a follower of Gandhi! We left it at that, he with his tongue in his cheek, I with my eyebrows politely raised.

Enclosure to No. 434

STATEMENT SHOWING THE TOTAL NUMBER OF I.N.A. PERSONNEL (HIFS. AND JIFS.) RECOVERED UP TO THE END OF DECEMBER 1946 AND THEIR CLASSIFICATION.

DETAILED FIGURES.

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<th>H. I. Fs.</th>
<th>J. I. Fs.</th>
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<td>VCOs. &amp; IORs.</td>
<td>Officers</td>
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<td>1</td>
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II. GRAND TOTAL (All Ranks).

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<td>J. I. Fs.</td>
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<td>3,561</td>
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<td>19,385[sic]</td>
<td>3,870[sic]</td>
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435

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, R/1/30/40: f 21

CONFIDENTIAL

INDIA OFFICE, 20 February 1947, 1.5 pm
Received: 21 February, 8 am

No. 2333. Your telegrams Nos. 271 and 272 of 12th February.¹
States Negotiating Committee. Many thanks. Chancellor has no doubt
shown quantities (? qualities) of commonsense and co-operation but one may
feel doubtful as to reaction of other big States to Baroda Agreement and I
wonder how principle of election by non-official members of Legislatures can
be applied to groups of States appointing joint representative.

2. I should be glad to be kept in touch with developments.

¹ Nos. 374 and 375; the date should be 12 February.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/130: f 171

IMMEDIATE

TOP SECRET

NEW DELHI, 20 February 1947, 10.45 am
Received: 20 February, 8.20 am

No. 322-S. My 291-S.¹ Burrows, having seen Statement, is less apprehensive
about immediate trouble than he was when he wrote his appreciation.

¹ This was a summary of No. 395. R/3/1/130: ff 99–100.

437

Draft by Field Marshal Viscount Wavell of Letter from him
to Lord Pethick-Lawrence

R/3/1/130: ff 179–80

20 February 1947

Your 2292 of Feb 19.¹
I have no intention of entering into controversy on this question, but I
cannot leave your arguments entirely without answer.

¹ No. 429.
2. I always thought that the announcement of a definite date for our withdrawal was essential if Mission plan broke down and I wanted to be fully prepared beforehand. I thought and still think that the plan I proposed of withdrawal by geographical stages was the best. You judged it impracticable for Parliamentary reasons. I therefore put forward the alternative proposal given in my letter of February 3. This also you have not considered Parliamentarily acceptable.

3. These proposals were conditional on the irretrievable failure of the Mission plan. My judgement is that a last attempt to bring the Muslim League into the Constituent Assembly by a statement on the lines of my had a chance of success though I admit a somewhat slender one and that we should attempt it before giving a definite date for withdrawal. You judged that you would not take the risk of antagonising Congress by such a statement. I also thought that my successor should have an opportunity of considering matters for himself before a new policy was announced.

4. Your view is that your Statement will bring the Parties together. I do not think that Statement in your form will. I sincerely hope that I am wrong and shall certainly do all I can to persuade the Parties to come together.

5. Since Burrows was appointed by you and has your confidence, I thought it only right to let you know his strong reaction to any idea of a Statement, though it surprised me and is not in accordance with my own views. Since his reaction was so strong, I thought it advisable to consult two other Governors of difficult Provinces and send you their views.

6. I agree that it would have been difficult to give leaders 48 hours notice as Wylie suggested, although events seem to have shown that secrets are sometimes better kept in Delhi than in Whitehall.

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2 No. 337. 3 Lord Wavell intended a reference to No. 373 to be inserted here.
4 See No. 419.
5 Mr Abell commented on this draft on 21 February: 'I suggest paragraph 6 might perhaps be omitted, or at any rate the second part of the sentence, since the Secretary of State's point was that if politicians were informed there might be a leak. Politicians were not informed until the last moment.' Mr Abell also suggested the following amendments: (1) The first sentence of para. 3 should read: 'These proposals were conditional on the final refusal of the Muslim League to enter the Constituent Assembly.'; (2) The third sentence of para. 2 should begin: 'H.M.G. judged...'; (3) In para. 5, first sentence, the words 'any idea of a statement' should be amended to 'any idea of a date for withdrawal being announced'; (4) That a final sentence should be added to para. 5 reading: 'As I have informed you Burrows changed his opinion on seeing the statement.'

Lord Wavell agreed to these amendments omitting the whole of para. 6 though he recast the additional sentence to para. 5 so it read: '... Burrows changed his opinion to some extent on seeing...'. He also amended the first sentence of para. 2 so it ended: 'I wanted to be fully prepared beforehand with plans against a Breakdown.' The letter issued to Lord Pethick-Lawrence on 22 February. On its receipt in London it was circulated to the India and Burma Committee as Paper I.B.(47)24 of 3 March. R/3/1/130: ff 181-2; L/P &/5/10/77: ff 131-2.
Indian Policy. Statement of 20 February 1947 (as published)

Cmd. 7047

1. It has long been the policy of successive British Governments to work towards the realisation of self-government in India. In pursuance of this policy an increasing measure of responsibility has been devolved on Indians and to-day the civil administration and the Indian Armed Forces rely to a very large extent on Indian civilians and officers. In the constitutional field the Acts of 1919 and 1935 passed by the British Parliament each represented a substantial transfer of political power. In 1940 the Coalition Government recognised the principle that Indians should themselves frame a new constitution for a fully autonomous India, and in the offer of 1942 they invited them to set up a Constituent Assembly for this purpose as soon as the war was over.

2. His Majesty's Government believe this policy to have been right and in accordance with sound democratic principles. Since they came into office, they have done their utmost to carry it forward to its fulfilment. The declaration of the Prime Minister of 15th March last which met with general approval in Parliament and the country, made it clear that it was for the Indian people themselves to choose their future status and constitution and that in the opinion of His Majesty's Government the time had come for responsibility for the Government of India to pass into Indian hands.

3. The Cabinet Mission which was sent to India last year spent over three months in consultation with Indian leaders in order to help them to agree upon a method for determining the future constitution of India, so that the transfer of power might be smoothly and rapidly effected. It was only when it seemed clear that without some initiative from the Cabinet Mission agreement was unlikely to be reached that they put forward proposals themselves.

4. These proposals, made public in May last, envisaged that the future constitution of India should be settled by a Constituent Assembly composed, in the manner suggested therein, of representatives of all communities and interests in British India and of the Indian States.

5. Since the return of the Mission an Interim Government has been set up at the Centre composed of the political leaders of the major communities exercising wide powers within the existing constitution. In all the Provinces Indian Governments responsible to Legislatures are in office.

6. It is with great regret that His Majesty's Government find that there are still differences among Indian Parties which are preventing the Constituent
Assembly from functioning as it was intended that it should. It is of the essence of the plan that the Assembly should be fully representative.

7. His Majesty’s Government desire to hand over their responsibility to authorities established by a constitution approved by all parties in India in accordance with the Cabinet Mission’s plan, but unfortunately there is at present no clear prospect that such a constitution and such authorities will emerge. The present state of uncertainty is fraught with danger and cannot be indefinitely prolonged. His Majesty’s Government wish to make it clear that it is their definite intention to take the necessary steps to effect the transfer of power into responsible Indian hands by a date not later than June 1948.

8. This great sub-continent now containing over 400 million people has for the last century enjoyed peace and security as a part of the British Commonwealth and Empire. Continued peace and security are more than ever necessary to-day if the full possibilities of economic development are to be realised and a higher standard of life attained by the Indian people.

9. His Majesty’s Government are anxious to hand over their responsibilities to a Government which, resting on the sure foundation of the support of the people, is capable of maintaining peace and administering India with justice and efficiency. It is therefore essential that all parties should sink their differences in order that they may be ready to shoulder the great responsibilities which will come upon them next year.

10. After months of hard work by the Cabinet Mission a great measure of agreement was obtained as to the method by which a constitution should be worked out. This was embodied in their statements of May last. His Majesty’s Government there agreed to recommend to Parliament a constitution worked out, in accordance with the proposals made therein, by a fully representative Constituent Assembly. But if it should appear that such a constitution will not have been worked out by a fully representative Assembly before the time mentioned in paragraph 7, His Majesty’s Government will have to consider to whom the powers of the Central Government in British India should be handed over, on the due date, whether as a whole to some form of central Government for British India or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people.

11. Although the final transfer of authority may not take place until June 1948, preparatory measures must be put in hand in advance. It is important that the efficiency of the civil administration should be maintained and that the defence of India should be fully provided for. But inevitably, as the process of transfer proceeds, it will become progressively more difficult to carry out to the
letter all the provisions of the Government of India Act, 1935. Legislation will be introduced in due course to give effect to the final transfer of power.

12. In regard to the Indian States, as was explicitly stated by the Cabinet Mission, His Majesty's Government do not intend to hand over their powers and obligations under paramountcy to any Government of British India. It is not intended to bring paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, but it is contemplated that for the intervening period the relations of the Crown with individual States may be adjusted by agreement.

13. His Majesty's Government will negotiate agreements in regard to matters arising out of the transfer of power with the representatives of those to whom they propose to transfer power.

14. His Majesty's Government believe that British commercial and industrial interests in India can look forward to a fair field for their enterprise under the new conditions. The commercial connection between India and the United Kingdom has been long and friendly, and will continue to be to their mutual advantage.

15. His Majesty's Government cannot conclude this statement without expressing on behalf of the people of this country their goodwill and good wishes towards the people of India as they go forward to this final stage in their achievement of self-government. It will be the wish of everyone in these islands that, notwithstanding constitutional changes, the association of the British and Indian peoples should not be brought to an end; and they will wish to continue to do all that is in their power to further the well-being of India.

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Mr Abell to Mr Harris

Telegram, L/P & J/10/77: f 216

IMMEDIATE NEW DELHI, 21 February 1947, 12.20 pm
EN CLAIR Received: 21 February, 9.45 am

No. 53-G.T. Following is text of leading article in Hindustan Times dated 21st February.

Begins. The British Government have at last seen the light and taken a historic decision which will finally end the Indo-British conflict in a manner worthy of civilized nations. In his epoch making Statement made in the House of Commons yesterday Premier Attlee declared that His Majesty's Government
wish to make it clear that it is their definite intention to take necessary steps to effect the transfer of power to responsible Indian hands by a date not later than June 1948. This clear decision should put an end to all doubts about the _bona fides_ of the present British Government or fear that it may yield to reactionary counsels in the U.K. or India. The process of transfer can now begin in an atmosphere of goodwill and cordiality which should create a permanent bond of friendship between the two countries.

In the light of the determination to quit India within a few months the desire of H.M.G. that India should have continued peace and security so that the full possibilities of economic development may be realized and a higher standard of life attained by the Indian people will be appreciated for its sincerity and goodwill. We have every hope that the manner in which British rule is liquidated during the coming year and the issue of sterling balances is settled will be such as to enable this country to attain these objectives.

We wish it had been possible for the British Government to declare categorically that the final transfer of power would be made to the Indian Union in accordance with the constitution made by the Constituent Assembly but we recognize that the non-co-operation of the Muslim League and H.M.G.’s Statement of December 6th 1946 made this difficult. In the result the picture of the final transfer of power presented in the Statement is rather confused. It is now suggested that if the constitution is not drawn up by a fully representative Assembly H.M.G. will consider to whom the powers of the Central Government in British India should be handed over on due date, whether as a whole to some form of Central Government for British India, or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people. This throws the entire responsibility of settlement between the Congress and the Muslim League on the leaders of the two organizations. This is what the Congress has been asking for all these twenty-five years and though it may inherit a difficult legacy it will not complain.

The Muslim League and Mr. Jinnah are now face to face with reality. No Indian wishes to deny the Muslim community its rightful place in India; it is not possible to do so now that the third party is quitting. There is no alternative to a mutual settlement. The obvious forum for such settlement is the Constituent Assembly and we earnestly hope that the League will now revise its attitude and enter the Assembly. Once the spirit of hostility and distrust is laid aside it will be found that all decisions regarding the future constitution can be reached by mutual agreement as part of the new policy.

Lord Wavell’s Viceroyalty has been terminated and Lord Louis Mountbatten has been appointed to effect the transfer of power. There is no need to pass judgment on Lord Wavell. There is no doubt that whatever mistakes he committed were errors of judgment and did not arise from any lack of desire to
serve India and help her to achieve independence. It is but fitting that the heavy responsibilities of carrying out the new policy should be entrusted to a younger man who can take charge of the situation free from previous associations, prejudices and predilections. "Ends."

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Mr Abell to Mr Harris

Telegram, L/P&J/10/77: f 217

Immediate

New Delhi, 21 February 1947, 12.20 pm

En Clair

No. 54-G.T. Following is text of leading article in Dawn dated 21st February.

Begins: As one reads Statement issued yesterday by His Majesty's Government one cannot help feeling that it represents a new approach to the Indian problem. Mr. Attlee and his colleagues appear to have realised at last what the Muslim League has repeatedly asserted that the hope of framing an agreed constitution for a united India was an idle dream. All attempts made to that end have failed because they were based on an unreal approach. It is significant that the new Statement studiously avoids any reference to the future working of the so-called Constituent Assembly in which the Congress Party alone has been intermittently enacting the farce of constitution-making since December 9th.

His Majesty's Government by two passages in last night's Statement recognise by implication that this rump Constituent Assembly is dead. In paragraph 7 they say "His Majesty's Government desire to hand over their responsibility to authorities established by a Constitution approved by all parties in India in accordance with the Cabinet Mission's plan" and again in paragraph 10 "His Majesty's Government agreed to recommend to Parliament a constitution worked out in accordance with the proposals made therein by a fully representative Constituent Assembly". The significance of the words we have italicised is clearly this that the Constituent Assembly which is at present functioning is not sufficiently representative according to the express terms and provisions of the Statement of May 16th and therefore the continuation of its labours on the present basis is futile. Ever since the Congress revealed its intention of putting its own arbitrary interpretations on fundamental provisions of the Cabinet Mission's plan the Muslim League has been declaring that the Constituent Assembly scheme as envisaged in that plan could not work. It has taken the British Government nearly 8 months to recognise this fact but better late than never.

Muslims welcome the declaration that the British Government propose to
transfer power to Indian hands by a specific date as well as the broad outline indicated. In paragraph 10 read with paragraph 13 of the Statement of the manner in which power is to be transferred the possibility is visualised that power may be transferred as a whole to some Central Government or to some Provincial Governments or in such other way as may seem most reasonable and in the best interest of the Indian people. At the appropriate time H.M.G. will negotiate separate agreements for the purpose with the representatives of those to whom they propose to transfer power. It would appear that H.M.G. still fight shy of saying clear things clearly. They might as well have stated categorically that agreements would be entered into with the Congress for the Hindu majority areas and with the Muslim League for the Muslim majority areas. If paragraph 13 has any meaning this is the only manner in which agreements for the transfer of power can be successfully negotiated.

It is a rebuff to the Congress that the earnest petition of Pandit Jawaharlal Nehru and his Congress colleagues for the removal of the League Ministers from the Interim Government has not even been taken notice of much less granted. It was a presumptuous and even foolish demand to make and Mr. Vallabhbhai Patel acted with singular lack of foresight when he categorically announced a few days ago that he and his party would resign from the Government if the Muslim League stayed in. He must have read yesterday’s statement with a feeling of consternation because he must now either carry out his threat of resignation or eat the humble pie. We have little doubt that this great sword rattler will find it much more profitable to stay than quit and by profitable we mean quite a number of things. He should at any rate know now that it does not always pay to play the political gangster.

In spite of certain actions of Lord Wavell which during the past year often led to untoward situations and consequences the sudden termination of his Viceroyalty will cause wide regret. That he has been throughout well intentioned cannot be doubted and it may well be that in certain things he had to act not as a free agent but under orders from London. Whatever the Muslims may have suffered due to what they at times regarded as his mistakes or his weakness no bitterness towards him will linger in their minds. Ends.
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Field Marshal Viscount Wavell to Mr Attlee

Telegram, L/PO/10/35: f 64

MOST IMMEDIATE

21 February 1947

4–U. Following for Prime Minister from Viceroy.

I am very sorry that [termination of] my appointment should have caused contention reported in to-day’s papers. The last thing I wish is that my replacement should become subject of party controversy. You may of course rest assured that I shall do and say nothing that will embarrass my successor in his difficult task and shall do all I can to assure him welcome.¹

¹ On 21 February Mr Rowan minuted to Mr Attlee: ‘This is a very fine telegram. You will wish to send a reply in your own words but I have suggested a tentative draft below. The telegram certainly ought to be circulated with your reply to the members of the India Committee and I think also to the Cabinet as a whole. I propose to send copies to Viscount Mountbatten.’

Mr Attlee minuted: ‘I agree.’ His only amendment to Mr Rowan’s draft of No. 442 was to substitute ‘which assure you’ for ‘and I assure you.’ R/30/1/8a: f 89B.

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Mr Attlee to Field Marshal Viscount Wavell

Telegram, L/PO/10/35: f 77

MOST IMMEDIATE

21 February 1947

U–6. Following from Prime Minister for Viceroy. Personal.

I have just received your fine public-spirited and generous telegram 4–U. It is in keeping with the high principles on which you have always acted which assure you of the esteem and gratitude of your fellow countrymen. I have always known that your only wish is to secure the best interests of the State, and I thank you most warmly for what you have said.
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Lord Pethick-Lawrence to Mr Attlee

L/PO/8/4: ff 49–50

INDIA OFFICE, 21 February 1947

Secretary of State’s Minute: Serial No. 38/47

Prime Minister.
I understand from Admiral Mountbatten that it is his wish that, before he leaves for India, he and Lord Wavell should be together in this country for a few days during which discussions can be held and Cabinet guidance obtained on any issues of policy which may arise.

This procedure would, of course, be unusual on the occasion of a change in the viceroyalty, the normal practice being for the incoming Viceroy to proceed to India and be sworn in on the day following the departure of the outgoing Viceroy. The procedure favoured by Admiral Mountbatten on this occasion would necessitate arranging for Sir John Colville to act as Viceroy during the interregnum; for another Governor to act as Governor of Bombay; possibly for another acting governorship. There would, moreover, to my mind be disadvantages in entrusting matters to an acting Viceroy, even of the calibre of Colville, during what seems likely to be a very critical period.

However, there are of course special reasons for departing from the normal procedure on this occasion, particularly the fact that there has not been the normal time during which the outgoing Viceroy and the incoming Viceroy are able to correspond with one another and exchange ideas. Moreover, I appreciate that the circumstances are quite exceptional.

If, as I understand, you yourself favour the adoption of Admiral Mountbatten’s plan, I will telegraph at once to the Viceroy asking him to let me know the date when he would propose to arrive in this country and to make recommendations for carrying on the viceroyalty and other governorships during the interregnum. The projected arrangements in this regard will, of course, have to be submitted to The King.
Thank you for your letter of 12th February,\(^1\) which contained many items of interest, on some of which I may have comments to offer in my next letter. All our thoughts and energies during the last few days have, of course, been concentrated on the Statement which has been made in Parliament today and on which I do not propose to comment here. There are, however, one or two matters of lesser importance which I may deal with.

2. You referred in paragraph 9 of your letter, dated 4th February,\(^2\) to the possibility of a Commission being sent to India to assist in the selection of qualified men from the Indian Services for appointment to the Home Civil Service, Foreign Service and Colonial Service. A proposal of this kind has been under consideration by the Civil Service Commissioners in consultation with the Treasury and the India Office, but has now been abandoned as it was felt in the end to be unnecessary and unlikely to be of much assistance either to the Services themselves or to the recruiting authorities here. The Civil Service Commission would not in any case have been prepared to authorise any body of this kind either to reject applicants or to recommend them for appointment without their being interviewed by a Board in London.

3. A telegram will be issuing to the Home Department shortly giving particulars of the procedure which it is now proposed to follow.

[Paras. 4–6, on difficulties which had arisen between the Central Government and Hyderabad over the importation of capital goods, omitted.]

7. Our Ambassador in Brussels\(^3\) has given an account of a conversation which he had with Krishna Menon on 13th January during the latter’s visit to discuss the opening of diplomatic relations with the Belgian Government last month. Hugessen reports that Menon gave little indication of his views in general but expressed great admiration for Mr. Bevin and Sir A. Cadogan; not, however, for the rest of the British Delegation in New York. He spoke with enthusiasm of the Yugoslavs and their high mental and cultural standard but scarcely said anything about Russia. He said that he hoped the British Embassy would assist and advise him if they saw him making mistakes. The only unusual contact which Menon made during his stay was with the Prince

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\(^1\) No. 383.  
\(^2\) No. 345.  
\(^3\) Sir H. Knatchbull-Hugessen.
de Ligne (Hugessen could not think why, unless the Prince had ambitions to be Belgian representative in India).

[Para. 8, on the attitude of Members of the Interim Govt. to appointments; and para. 9, on Mr Asaf Ali’s visit to London and Lord Pethick-Lawrence’s talk with Sir G. S. Bajpai, omitted.]

10. I saw yesterday Mr. M. N. Dalal, a member of the Council of State. He gave vent to a long tirade on the subject of the Parsees, claiming that the Parsee at present in the Interim Government is utterly unrepresentative and does not carry the support of his community. I should be interested to have your comments on this view.

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Minutes by Mr Turnbull and Sir D. Monteath

L/PO/8/9j: f 36

21 February 1947

Under-Secretary of State.
Private Secretary.
The Private Secretary informs me that No. 10 wish this Office to put up a reply to this question to the Prime Minister.¹

There does not appear to be anything which can prevent Lord Wavell from making any public statement on his dismissal from the Viceroyalty that he may wish to make, provided that he does not disclose secret matters revealed to him by virtue of his office. The Oaths of Office of the Viceroy, which are annexed to the Instrument of Instructions, do not include an Oath of Secrecy. The forms of these Oaths are attached on a separate sheet.² It is noticeable that for Members of the Executive Council an Oath of Secrecy is prescribed, but the Governor-General is not required to take it. The reason for this appears to be that the Governor-General is always sworn a member of the Privy Council and has taken the Privy Councillor’s Oath. The text of the Privy Councillor’s Oath is also attached.³ It contains the following passage:

“and will keep secret all Matters committed and revealed unto you or that shall be treated of secrecy in Council. And if any of the said Treaties or Counsels shall touch any of the Counsellors you will not reveal it unto him but will keep the same until such time as by the consent of His Majesty or of the Council publication shall be made thereof”.

So far as I know there is no precedent for the removal of a Viceroy from office. Lord Curzon tendered his resignation. The Parliamentary Reports for the period covering the resignation of Lord Curzon have been perused but
do not appear to throw any light on the situation. It so happened that Lord Curzon tendered his resignation in October, 1905. The House had already adjourned in August, 1905 and was subsequently dissolved and an election took place. Consequently it did not meet again until February, 1906, when a new Government took office. No doubt the matter had by then lost its interest, and in any event the new Government were not responsible for the circumstances. Lord Curzon did not make any statement in the House of Lords. I have not been able to think of any other precedent outside Indian affairs, at any rate in modern times. In any event the Viceroyalty is such a unique position that there could hardly be a parallel. The Governors-General of Dominions are in a quite different position as they are not responsible to H.M.G. The natural parallel seems to be the resignation of a Minister from a Government and it is customary, of course, on such occasions for the retiring Minister to make a statement.

It is submitted that the reply might be as on the sheet below.¹

F. F. TURNBULL

21/2/47

This seems to cover the ground and I concur in the draft reply to the P.Q. (I rather doubt whether the resignation of a Minister is quite parallel, for he is a colleague and the Viceroy is not quite that. But I daresay it is as near a parallel as can be found.)

D. T. M. 21/2.

¹ See No. 455 for the text of the question. ² and ³ Not printed.

４ This was the same as the suggested reply and supplementary in No. 454.

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Mr Henderson to Lord Pethick-Lawrence

L/PO/8/9j: f 34

22 February 1947

S. of S.
As I am completely in the dark as to the circumstances in which the services of Wavell were terminated as Viceroy, I do not, therefore, know whether he was dismissed or otherwise. I would, however, point out that the reply as drafted is tantamount to admission that he was dismissed. If he was not in fact dismissed, then I should have thought the reply should have said so.

It is true that it is customary for retired Cabinet Ministers to make statements in either House of Parliament when their resignations emerge from some sort
of a political crisis; otherwise it is not the custom to do so, c.f. cases of Stansgate and Lawson.\footnote{1}

One further small point is as to his present status. Is he not now an Earl?\footnote{2}

\footnote{1} Lord Stansgate and Mr Lawson did not make Parliamentary Statements when they resigned in October 1946 to facilitate the creation of a Ministry of Defence and the establishment of a new Defence organisation. Mr Lawson had indicated some months previously to Mr Attlee that he wished to be allowed to resign on health grounds.

\footnote{2} Lord Pethick-Lawrence minuted: 'Surely Not.'

\section*{447}

Mr Williams\footnote{1} to Lord Addison (Extract)

\begin{flushright}
R/30/1/9: f 140
\end{flushright}

\hspace{1cm} 22 February 1947, 12.35 pm

\hspace{1cm} Received: 22 February, 1 pm

\noindent NO. 163. India.

Report of Mr. Attlee's statement appeared in morning papers today. Though cables from London for one or two days previously had suggested that Prime Minister would make important statement later this week, there has been no inkling given of nature of statement, though forecast was made that Viscount Mountbatten would be appointed Viceroy.

2. Comments on decision by Minister for External Affairs and High Commissioner for India are reported this morning. Dr. Evatt said that, whatever the future might hold, Australia wishes India well. He sincerely hoped that there would be no permanent severance of association between British Commonwealth of Nations and India. The contribution that Britain had made to development of India (corr. grp. ? has been of) tremendous significance. Dr. Evatt referred to his statement five years ago that Australia looked forward eagerly to extension of India's status to that of Dominion like Australia and Canada. For possessing such status there was no action of international character that could not be taken by India, and to seek more was in a sense to derogate from status of British Dominions themselves. It is still not sufficiently appreciated that, if after careful deliberation India chose to remain within British group of Nations, she would preserve her complete self-government and independence both in foreign and internal affairs. Whatever betides, it is essential that Australia should maintain and strengthen its present close ties of friendship with the Indian people.

\footnote{1} U.K. High Commissioner in Australia.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. Political Series, January–March 1947, pp. 73–4

IMMEDIATE
SECRET

NEW DELHI, 22 February 1947, 5 pm
Received: 22 February, 2.35 pm
No. 332–S. Following are accounts of my interviews with Nehru and Liaquat last night.

NEHRU

1. I spoke to Nehru on the brief given in Secretary of State’s telegram No. 2143,¹ and emphasised the necessity of getting the Muslim League into the Constituent Assembly. I mentioned the points in the A.-I.C.C. resolution of January 6th² which seemed to need some explanation if the Muslim League was to be persuaded to join the Constituent Assembly.

2. We then had a discussion on the points in the A.-I.C.C. resolution and in the Rules of Procedure referred to in Secretary of State’s telegram. Nehru sought to justify them as not inconsistent with the Mission Plan; and professed the desire of himself and his colleagues to get the Muslim League into the Constituent Assembly. He spoke of the possible partition of the Punjab and Bengal, if agreement was not reached. I emphasised to him especially the necessity to maintain the integrity of the Indian Army, which might be affected if there was an open breach between the Congress and the League.

3. He described the Statement of His Majesty’s Government³ as a courageous document, which would have far-reaching effects. But he went on to speak of its lack of definition on many points, in paragraphs 10, 11 and 12. I explained to him the reason why His Majesty’s Government could not at present be more definite and what was in their minds.

4. He then spoke of the Muslim League members remaining in the Central Government. He said that it depended on (a) whether the Muslim League joined the Constituent Assembly, and (b) what the position of the Central Government would be during the interim period. He presumed from paragraph 11 of His Majesty’s Government’s statement that there would be progressive development of the powers of the Central Government during the interim period. He said that the Congress would not press for an immediate answer to the request about the Muslim League remaining in the Central Government; but that the issue would have to be faced in the near future.

5. Nehru said that a meeting of the Congress Working Committee had been fixed for March 5th before the issue of His Majesty’s Government’s

1 No. 397.  
2 No. 253.  
3 No. 438.
Statement. He thought that there was no necessity to advance the date and that the Statement could be considered by the Working Committee at that meeting.

Nehru was obviously impressed by the Statement and conscious of the responsibility thrown on the Congress. The interview lasted for an hour.

LIAQUAT

1. Liaquat said that the Statement wanted very careful consideration and that he was not prepared to give the Muslim League reactions, at present. Later on in the interview I suggested that I should ask Mr. Jinnah to come to Delhi, and he agreed that this would be the best thing to do.

2. He asked several questions about the meaning of sentences in the Statement, particularly the last sentences in paragraph 11, and in paragraph 10.

3. He then asked whether the Constituent Assembly was still going to function, and said that as Finance Member he would argue that since it was not a fully representative Assembly, as contemplated by the Mission's Statement, there was no justification for spending public money on it. I said that that might possibly be legally arguable, but that from a practical point of view neither the Finance Member nor the Governor-General nor His Majesty's Government could really stop the Constituent Assembly from continuing to function.

4. I then repeated the advice I have always given to the League that they should come into the Constituent Assembly and argue out their case there. He replied that he did not see how the two parties could ever really agree. I ended by telling him that the Statement of His Majesty's Government was a challenge to Indian statesmanship which they had to meet; Hindus and Muslims had to live together on some terms in India, they were now left to decide this for themselves without British support or interference, and that would show whether they were capable of self-government or not. He admitted this and said that we were right to make the challenge and that they would hope to accept it.

5. Liaquat was very friendly throughout, but did not hold out much hope of the two communities ever agreeing.
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Mr Attlee to Sir A. Lascelles (via Ministry of Defence)

Telegram, R/30/1/8a: 89

PERSONAL

22 February 1947, 6.5 pm

EPOCH 35. I made the announcement on India in the House yesterday, after having explained very fully the whole matter to the Opposition Leaders on Tuesday. The Policy proposals were not well received by the Opposition in the Commons or in the Lords, and the Leader of the Opposition questioned me insistently upon the reasons for the termination of Wavell’s Viceroyalty. I said that I did not propose to go beyond the terms of my Statement, and I refused to give way in face of persistent questioning by Mr. Churchill. I fear that this has somewhat clouded the news of the appointment of Mountbatten, but such comment as there has been is favourable, paying tribute to his qualities and wishing him well in his task.

2. It is too early yet to give the reactions in India, and neither Congress or the Moslem League is likely to express an authoritative opinion immediately.

3. I have just received a fine telegram¹ from the Viceroy. He says that he is sorry that his appointment should have been the reason for contention, and that his replacement should become the subject of any Party political controversy is the last thing that he would wish to happen. He finishes by giving an assurance that he will neither do nor say anything that will embarrass his successor, and that he will do everything that lies in his power to assure Mountbatten’s welcome. This is in keeping with the high principles on which Wavell has always acted, and I have sent him a telegram² of warm thanks.

¹ No. 441. ² No. 442.

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Sir O. Caroe (North-West Frontier Province) to Field Marshal
Viscount Wavell (Extract)

L/P&E/J/5/224: ff 79–80

CONFIDENTIAL

D.O. No. GH-21

PESHAWAR, 22 February 1947

2. We had a bad day yesterday and are in for a difficult period. After the Mardan election the League began to think out methods of direct action, partly stimulated by Punjab events and partly yielding to the cry of Islam in danger
over the Sikh girl married to a Moslem in Hazara after her Sikh husband had been murdered in the Hazara disturbances. She was brought into Peshawar, and Dr. Khan Sahib put her up in his own house, unwisely as I think, and as I told him. She was kept there for several days and gave a perfectly fair statement at the end of it in the presence of her new Moslem husband and her Sikh relations that she wished to return to Sikhism. She was thereupon sent back to Hazara, where to save her life she has had to be placed in protective custody in jail. The League are trying to make what capital they can out of this affair on the lines of the Islam Bibi case of ten years ago, which originally set the Faqir of Ipi going. They arranged a large protest meeting in Peshawar, and took the opportunity of attacking what they call the black laws in Hazara and the methods adopted in handling the Hazara border tribes, and they have been busy in Mardan also. In Peshawar we decided to keep them out of the Cantonment, and we had adequate police forces available, but the meeting developed into a procession of at least 5000 which broke the cordons and came right up the road in front of my house into the Premier's garden, again breaking the cordon and besieging his house on all sides. I am sorry to say that the police refused to obey orders to open fire. Tear gas was used, but without effect. The police did not actually mutiny or anything of that kind, but though they went through the motions of loading they just quietly disobeyed orders to fire. The mob in Khan Sahib's garden was dangerous: it broke all his windows and threw stones into the rooms, but did not succeed in storming the house. The old man was brave as a lion, and went out on top of the porch to tell the crowd what he thought of them. He refused to give away any points, and eventually the Deputy Commissioner was able to get the crowd to move on to the jail. In the circumstances Dr. Khan Sahib was lucky to get away with his life. I went over as soon as the mob had started to disperse and found the house a shambles of broken glass. Mrs. Khan Sahib was splendid and so were his Parliamentary Secretary and one of the other Ministers who stuck by him through the worst. The Deputy Commissioner and the Senior Superintendent of Police (both Indians) did their best, the former exposing himself amongst crowds carrying spears and daggers and managing to argue them out of more dangerous actions. There have been threats that the same tactics would be followed today, and we have therefore turned out troops in large numbers and did a flag march round the city, holding troops ready at the exits and also at the important entrances into the Cantonment, with definite instructions that they would have to fire if necessary. So far this show of force has succeeded in preventing any repetition of yesterday's incidents, but what is worrying is the proof of police demoralization. It has been the gradual process which one associates with all Congress Governments, but the real rot set in with Nehru's visit, which had the result of making all Moslem Government servants, except a few at the very top, disloyal in their hearts to a regime which represents in
their eyes Hindu domination. I think, too, that the action taken against Mahbub Ali and various others has done a great deal to undermine the confidence of the public servant generally, as have the continual diatribes of that idiot Abdul Ghaffar Khan. My prayer is that we shall not be driven into using military force, for with tempers as they are there will be considerable casualties, and we shall get the tribes down as in 1930.

1 Mirza Ali Khan, who became known as the Faqir of Ipi after the village in the N.W.F.P. where he settled in the 1920s as a religious leader, gained considerable notoriety as an agitator among the Frontier tribes.

In March 1936 a case came up for trial in Bannu which concerned the alleged abduction and conversion to Islam of a Hindu girl. The case, which was referred to as the 'Islam Bibi' case, aroused considerable communal excitement in which the Faqir induced one of the tribes, the Dauras, to participate. Later in the year he championed calls for the girl to be handed over into Muslim custody after an appeal court had ruled she should be returned to her Hindu parents. He also excited feeling among the tribes on other issues. To counter his influence a punitive expedition was mounted in the course of which his house was destroyed.

2 See No. 11, note 4.

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Mr Attlee to Field Marshal Viscount Wavell

Telegram, L/S & G/7/753: ff 475–6

IMMEDIATE 23 February 1947, 8.40 pm

TOP SECRET AND PERSONAL

31. Your No. 311–S dated 19th February.¹ Passages from India. Matter was at once discussed by Secretary of State with Minister of Transport who is now investigating problem in detail.² I have little doubt that necessary passages out of India but not necessarily to U.K. in all cases could be provided as an emergency operation, with all that that implies in conditions of discomfort should circumstances render this necessary. But effect of immediate announcement that there will be passages in next four months for all who want to go, might be to create the very feeling of panic which it is desired to allay. You may, however, rest assured that I will continue to give the matter my personal attention and will communicate with you again as soon as I possibly can.

¹ No. 431.

² There ensued a bulky correspondence on this subject focusing principally on (1) the provision of shipping sufficient to accommodate (in circumstances other than an emergency) the heavier-than-normal demand for passages home which was anticipated in the period up to the transfer of power; and (2) the publication of an announcement designed to discourage civilians from seeking outward passages to India in order to prevent a further addition to the numbers wanting passages home. These papers are on L/S & G/7/753.
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Cutting from Hindustan Times of 23 February 1947

Wavell Papers. Political Series, January–March 1947, pp. 77–9

NEHRU WELCOMES HIS MAJESTY'S GOVERNMENT'S STATEMENT
"A WISE AND COURAGEOUS DECISION"

League's co-operation sought in Constitution-making

HOPE OF PEACEFUL TRANSITION

Pandit Jawaharlal Nehru, Vice-President of the Interim Government, in a statement, issued on Saturday night commends the British Government's White Paper on India as "a wise and courageous one" and says that the work of the Constituent Assembly must now be carried on with greater speed.

Pandit Nehru adds: "In this great work we invite afresh all those who have kept aloof and we ask all to be partners in this joint and historic undertaking, casting aside fear and suspicion, which ill become a great people on the eve of freedom."

The following is the text of Pandit Nehru's statement:—

The statement made by Prime Minister, Mr. Clement Attlee, in the House of Commons on February 20th, in regard to Indian policy has received and is receiving the earnest attention of all those who are vitally interested in bringing the present transitional period to a satisfactory conclusion.

The statement is obscure in some places and requires careful consideration. The outstanding feature of it, however, is the decision of the British Government to transfer power to Indian hands not later than June 1948. It has further been stated that preparatory measures must be put in hand in advance. This is important, as only thus can be secured a rapid and effective transference of power within this period.

My colleagues and I are giving the fullest thought to this statement, and early next month the Congress Working Committee will meet and give its considered views on the new situation that has arisen.

"CHALLENGE TO ALL"

I should like to say, however, even at this stage that the decision of the British Government is a wise and courageous one. The clear and definite declaration that the final transference of power will take place by a date not later than June 1948 not only removes all misconception and suspicion, but also brings reality and a certain dynamic quality to the present situation in India. That decision will undoubtedly have far-reaching consequences and puts a burden and responsibility on all concerned.
It is a challenge to all of us and we shall try to meet it bravely in the spirit of that challenge. I trust that we shall all endeavour to get out of the ruts and end the internal conflicts that have frustrated our efforts and delayed our advance and accept this burden and responsibility keeping only the independence and advancement of India in view.

CONSTITUENT ASSEMBLY'S TASK

The work of the Constituent Assembly must now be carried on with greater speed so that the new and independent India may take shape and be clothed with a constitution worthy of her and bringing relief and opportunity to all her children. In this great work we invite afresh all those who have kept aloof and we ask all to be partners in this joint and historic undertaking casting aside fear and suspicion, which ill become a great people on the eve of freedom.

The Constituent Assembly, however constituted, can only proceed with its work on a voluntary basis. There can be no compulsion, except the compulsion of events, which none can ignore. The moment British rule goes, the responsibility for the governance of India must inevitably rest on her people and their representatives alone. They will have to shoulder that responsibility. Why then should we not accept this responsibility now and work together to find integrated solutions of our problems? No external authority is going to help or hinder us in future.

The British Government on behalf of their people have expressed their goodwill and good wishes to the people of India. We have had a long past of conflict and ill-will. But we earnestly hope that this past is over. We look forward to a peaceful and co-operative transition and to the establishment of close and friendly relations with the British people for the mutual advantage of both countries and for the advancement of the cause of peace and freedom all over the world.¹

Pandit Jawaharlal Nehru's statement, which was issued in consultation with his Congress colleagues in the Cabinet, was received with keen interest in Muslim League circles. While the official League reply to it will be given by the League Working Committee when it meets, an unofficial League view available on Saturday night considered Pandit Nehru's appeal as helpful in spirit, but vague in content. The Muslim League, according to an exponent of this viewpoint, has always been willing to come to a peaceful settlement on the basis of real independence to each of the two major nations.

"Pandit Nehru's references to the present Constituent Assembly, however, must be regarded as inconsistent with his expressed desire for Muslim co-operation. The new situation created by the Statement of February 20th calls for an

¹ The text of Pandit Nehru's statement, and that of the Nawab of Bhopal in No. 453, were circulated to the India and Burma Committee in Paper IBN(47)7.
altogether new approach and a method different to that represented by the present Constituent Assembly. That new approach must be on the basis of two sovereign States coming together for all common purposes by voluntary agreement. The moment Congress accepts this principle the entire situation will change and all bitterness will disappear”, said a Muslim League spokesman.
—A.P.I.

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Cutting from the Statesman of 23 February 1947
Wavell Papers. Political Series, January–March 1947, pp. 79–80

NEED FOR UNITY AMONG STATES

Bhopal Ruler’s comment

Bhopal, February 21st.—“The statement of policy in regard to India issued last night by His Majesty’s Government will serve a useful purpose. No longer can it be said that the British desire to maintain their hold on India through adherence to the principle of divide and rule”, says the Nawab of Bhopal, Chancellor of the Chamber of Princes, in a statement to the Press.

“I hope that it may also help to bring home to the people in India the stark realities of the situation which faces them, and the fact that no time can now be lost in coming together and working out an acceptable solution if serious trouble which threatens to paralyse the urgently needed development and reconstruction of the country is to be avoided.

“The States now have their chance of playing a vital part in helping to construct the new India. They have so often in the past led in the spheres of education, industry and social service. They can once more play a leading part today in helping to maintain peace, harmony and tranquillity in the country and through their traditional stabilizing influence furthering its true progress without the painful travail of violent strife or destructive revolution.

STATES’ POLICY

“It appears to me that the policy of the States, unanimously endorsed by the Princes, of strict adherence to the Cabinet Mission’s plan, as offering the only possibility of securing the largest measure of agreement between the various parties and interests in the country, must now continue to be pursued by us steadfastly and tenaciously.

“At this time, more than at any time previously, is there need for the States to stand together solid and united. If the States stand together and, while
moving with the times in regard to internal reforms in their administration, contribute that element of stability combined with progressive outlook in the constructive work that lies ahead, they will have deserved well of the country. Once more I am glad to say that a pronouncement has been formally made that paramountcy will disappear when Great Britain withdraws itself from the Indian administrative scene and that the States will resume their independence.”

—A.P.I.

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Mr Harris to Mr Abell

Telegram, L/PO/8/9j: f 29

CONFIDENTIAL

INDIA OFFICE, 24 February 1947, 12.20 pm

No. 2523. Following is text of question to Prime Minister for answer to-day and approved reply thereto. Question begins. To ask the Prime Minister if Viscount Wavell is to be permitted to make a statement on his dismissal from the Viceroyalty of India. Question Ends. Reply Begins. Subject to the normal limitations applicable to all persons holding high office in the State, Viscount Wavell is, of course, at liberty to make any public statement he may wish as to the termination of his tenure as Viceroy. Reply Ends.¹ For supplementary. Begins. The limitations are those imposed by the Privy Councillor’s Oath. Ends.

¹ A reply in these terms was given by Mr Attlee. See Parl. Debs., 5th ser., H. of C., vol. 433, col. 1687.

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Sir C. Corfield to the Nawab of Bhopal

L/P&S/13/1827: f 54

NEW DELHI, 24 February 1947

My dear Nawab Saheb,

I have been asked by His Excellency to invite Your Highness’ particular attention to the contents of paragraph 4 of the Memorandum on States’ Treaties and Paramountcy presented to Your Highness by the Cabinet Mission on the 12th May 1946.¹

2. Irrespective of the decision which States may eventually take regarding

¹ Vol. VII, No. 262.
their participation in India's new constitutional structure, there are many matters—administrative, economic and financial—of common concern to the States and British India, which require settlement during the short period remaining before paramountcy terminates and existing agreements or arrangements automatically lapse. The operation of some of these agreements or arrangements can doubtless, by mutual consent, be extended over a stand-still period such as is suggested in the Memorandum; but there is a wide field where present arrangements are, by their very nature, dependent on the active functioning of a third party—the Crown Representative and his officers. If steps are not taken at once to devise new arrangements which can operate independently of the assistance of the Crown Representative and his officers, the end of paramountcy must inevitably be followed by a major administrative breakdown injurious alike to the people of the States and to the people of British India.

3. The field to be covered is vast, and the time is short. I suggest, therefore, that Your Highness should take the earliest opportunity of initiating discussions on this matter between the States' Negotiating Committee and the competent British India authorities, whether of the Interim Government or the Constituent Assembly. In these discussions the Crown Representative will, of course, lend such assistance as he can, should the parties so desire; and he will be glad to know in due course whether his assistance is in fact desired.

Yours sincerely,

C. L. Corfield

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/120: ff 147–8

17 York Road, New Delhi, 24 February 1947

Dear Lord Wavell,

You must have seen a statement I have issued giving my reactions to Mr. Attlee's statement in the House of Commons on February 20th. Normally I would have waited till the meeting of the Congress Working Committee. But I thought that a clear declaration at this stage was desirable and helpful.

2. I have deliberately not referred in my statement to many matters which are by no means clear. I wanted to emphasise the dominant feature of Mr. Attlee's statement from which other consequences naturally flow. These other matters will have to be considered so that there might be no misunderstanding in the future.
3. In the course of our conversation on the 21st evening, you communicated to me a message on behalf of HMG. This referred to the joint letter we had sent to you pointing out that the continuance of the Muslim League members in the Interim Government was incompatible with the British Cabinet's plan or with any effective functioning of the Government. You stated that HMG had postponed a reply to it in view of the developments that had taken place; further that while the resolution passed by the All-India Congress Committee on January 6th accepted the British Government's statement of December 6th, there were some points in it which seemed to take away somewhat from that full acceptance. It was also pointed out that some rules made by the Constituent Assembly were also inconsistent with the provisions of the Cabinet Delegation's scheme and appeared to encroach on the powers of the Sections and Groups.

4. I pointed out to you then that there was some misapprehension about this matter and in effect there was no such variance. If you so wish it I can consider any particular points in detail though I hardly think that this is necessary in view of the statement made by Mr. Attlee on 20th February. I might, however, draw your attention to the fact that this criticism of the All-India Congress Committee's resolution and the rules of the Constituent Assembly has come more than six weeks after they were passed. It is easy to criticise a complicated set of rules or a long resolution. But I am quite sure that the objections raised have no force whatever. We had stated quite clearly in the resolution and subsequently that we had accepted the statement of December 6th. It is easy enough to remove doubts if there is an intention to understand and to cooperate. But it is not possible to do so if the intention is just to find fault and in no event to cooperate. We have tried in the past to meet all legitimate objections and criticisms so as to gain the cooperation of all in the work of the Constituent Assembly. We shall continue to do so because obviously it is desirable to have that cooperation.

5. We sent to you our joint letter asking for the resignation of the Muslim League members in the Cabinet because it had become impossible in the interest of good government and progress to have a Central Government which was divided and in which one group functioned as an opposition both in governmental activities and in the country. This was contrary to the Cabinet Delegation's scheme and it had a disruptive influence on the administration. We have seen the extraordinary spectacle of members of the Central Government leading and encouraging "Direct Action" and disobedience of laws against the provincial government of the Punjab. This is still continuing openly and something similar is now being attempted in the Frontier Province. It is difficult for me to conceive of any Central Government whose members
function in this way. It is obvious that this matter requires urgent decision. Mr. Attlee’s statement throws no light upon it.

6. Nevertheless I told you in the course of our interview that I would not press for an immediate answer to our joint letter because we were anxious, in view of the new situation that had arisen, not to bar the door to joint and cooperative working. Mr. Attlee’s statement in some ways over-rides the Cabinet Mission’s plan. As I understand it, it means this: If the Muslim League comes into the Constituent Assembly, then the Scheme of May 16th will continue to apply. If the League still refuses to come in, then other consequences follow.

7. This will have to be cleared up in the near future to enable us to proceed rapidly with the work of constitution-making. We shall try our utmost to gain the cooperation of the Muslim League on the basis of the Cabinet Mission’s scheme of May 16th. If, however, we fail, we shall have to proceed on the other lines indicated or flowing from Mr. Attlee’s statement. Whether the Interim Government can remain as it is or has to change will also depend on the developments indicated above. It is clear that the present position cannot be maintained.5

Yours sincerely,

JAWAHARLAL NEHRU

5 Lord Wavell replied on 25 February as follows: ‘Thank you for your letter of yesterday. I have sent it on to H.M.G.’ He did this in tel. 350-S of 25 February. R/3/1/120: ff 150–3.

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Sir F. Mudie (Sind) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/263: ff 66–7

D.O. NO. II3/FR

GOVERNMENT HOUSE, KARACHI,

24 February 1947

Dear Lord Wavell,

Many thanks for your letter of 17th February.1 HMG’s statement of 20.2.47 took everyone completely by surprise, from which I do not think that anyone has yet recovered. I have heard the opinion expressed that the League and the Congress are now bound to make things up, but this seems to me to be extremely unlikely. The general opinion is that it will breed further discord and will increase the difficulties of maintaining law and order. Khuhro took the point that it will lower the prestige of our British officers. Ghulam Hussain’s general comment was that the thing was impossible and could never happen. Opinion has hardly had time to form on the broader political issue. There are
Muslims who think the result will be Home Rule and others who think it will be Pakistan and the Hindus are similarly divided.

About a fortnight ago, General Boucher, who commands the Airborne Division, was travelling in the train with a Muslim, who, from his description, must, I think, have been G. M. Sayed, and was treated to a long tirade on how the British were letting down the Muslims by deserting them. I had other indications of the same feeling during my tour in Upper Sind. There is a widespread, though not as yet vocal, feeling among Muslims that they should openly declare that they are on the side of the British and want to remain within the Empire. I have recently been approached on this point by an ex-Communist, ex-Congressman who has recently joined the League and by Khaliq-ul-Zaman when he was here about a month ago on some League business. The latter’s object was to find out what I thought HMG’s reactions would be to such a proposal. Ghulam Hussain also broached the question on Thursday morning, before he knew about the latest declaration. His view was that the Muslims could not fight both the Hindus and the British and that their best course was to be friendly with the British. He said he had expressed that view to Jinnah and that he was hopeful that he would come round to it.

1 Not in India Office Records.

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Note by Mr Attlee

R/30/1/8a: f 86

[24 February 1947]

For tonight’s meeting.1 C.R.A.
Mountbatten’s strong point is that we would wish to have got the views of Wavell as to the position and then talk with Ministers before he actually goes, otherwise he will have to do all this by telegram. Hence his desire to see Wavell here. This would involve putting in Colville pro tem. We shall not save much time, he thinks, by working it the other way.

1 i.e. presumably the India and Burma Committee meeting of 24 February (No. 459). This appears to be a note by Mr Attlee of a telephone conversation with Lord Mountbatten. A note on the file states that Mr Attlee intended to ring Lord Mountbatten about “the change-over of Viceroys.” R/30/1/8a: f 87.
India and Burma Committee. I.B.(47)13th Meeting

L/P&J/10/77: ff 176-82

Those present at this Meeting held at 10 Downing Street, S.W.1., on 24 February 1947 at 10 pm were: Mr Attlee (in the Chair), Sir S. Cripps, Mr Alexander, Lord Pethick-Lawrence, Viscount Addison, the Earl of Listowel

Also present were: Viscount Jowitt, Mr A. Henderson, Sir David Montéth; Sir Norman Brook, Mr S. E. V. Luke, Mr F. F. Turnbull, Mr D. F. Hubback (Secretariat)

[Minute 1, on Burma, omitted.]

Minute 2

India: Appointment of New Viceroy

The Committee were informed that Lord Mountbatten, the new Viceroy, was anxious to be able to discuss the Indian situation with the outgoing Viceroy and also with United Kingdom Ministers before proceeding to India to take up his appointment. This involved some departure from the traditional arrangement by which a new Viceroy met his predecessor at Aden or in India, so as to reduce the period of interregnum to a minimum. If Lord Mountbatten had to be given an opportunity to consult Lord Wavell in London before proceeding to India, it would be necessary to appoint one of the Provincial Governors to act as Viceroy in the interval. Moreover, if Lord Mountbatten was to reach India in time to play an effective part in the constitutional discussions which were now opening, and was first to consult with Lord Wavell in London, it would be necessary for the latter to leave India in the very near future.

Discussion showed that it was the general view of the Committee that Lord Mountbatten should arrive in India at the earliest possible date; and that, unless it were convenient for Lord Wavell to leave India at once, it would be preferable that the two should meet and hold their consultations in India rather than in London.

The Prime Minister said that he, together with the President of the Board of Trade and the Minister of Defence, would discuss this position with Lord Mountbatten on the following day. (The Secretary of State for India would be unable to be present at this discussion because of the debate in the House of Lords.) The Prime Minister said that he and his colleagues would be guided by the views expressed in the course of the Committee’s discussion; but the final decision must depend largely on the practical plans which had yet to be completed for the journeys of Lord Mountbatten and Lord Wavell to and from India.
Minute 3
India: Constitutional Position
Parliamentary Debates

The Committee had before them a memorandum by the Secretary of State for India (I.B.(47)21) covering notes on the line to be taken in reply to various questions which were likely to be raised in the course of the forthcoming debate in the House of Lords on the Government’s recent declaration of policy in respect of India.

The Committee approved the replies which it was proposed to return to the various points enumerated in these notes.

The Committee also considered what answers should be given on a number of other points which might be raised in the forthcoming debates on India in both Houses of Parliament. The Government spokesmen in the House of Lords debate (the Secretary of State for India, the Postmaster-General, the Lord Chancellor and the Secretary of State for Dominion Affairs) undertook to deal with such of these questions as were raised along the lines discussed and approved by the Committee.

The Committee agreed to hold another meeting to consider, in the light of the debate in the House of Lords, what line should be taken in reply to points which might be raised in the debate in the House of Commons.

Annex to No. 459

CONFIDENTIAL
NOTE OF REPLIES TO BE GIVEN TO QUESTIONS LIKELY TO BE RAISED IN PARLIAMENTARY DEBATES: AS APPROVED BY INDIA AND BURMA COMMITTEE ON 24TH FEBRUARY

1. Why is it necessary to fix June 1948 as the definite date for the transfer of power?

The reply should set the decision on the date against the historical background of the development of events in India and the policy pursued by His Majesty’s Government during the last twenty years. While nothing should be said which would suggest that we are not in a position to prevent Indian parties from seizing power themselves, it should be pointed out that the problem of transferring power into Indian hands has been exhaustively discussed and progressively effected during this period: that such discussions and the gradual transfer of powers cannot be spun out indefinitely; that there must be some date beyond which British administration cannot be continued; and that the advice from responsible authorities in India is that British rule could not be maintained on its existing basis with adequate efficiency after 1948. The policy pursued in recent years by successive British Governments has assumed that full power must be handed over sooner or later; and that, when the time came,

Indians would be found capable of assuming authority. We cannot now import the conception that Indian leaders are incapable of bearing that responsibility. The fixing of an early date is calculated to impress on the Indian parties a sense of the urgency of finding solutions to their outstanding difficulties.

2. Is anything to be said about the termination of the Secretary of State's Services?

Mention of this question should, if possible, be avoided. If anything has to be said, it should be pointed out that these Services have been the mechanism by which, in conjunction with substantial political autonomy in the Provinces, we have hitherto been able to maintain our control in India. These Services have themselves, of course, for many years been subject to a deliberate policy of progressive Indianisation. The future of these Services must depend on the form of the future central government and it would be premature at this stage to indicate either a date for their termination or the form which the mechanism for the central administration of India should take in future.

3. What is meant when it is said that in the course of 1948 our control of administration on its existing basis will cease to be effective?

This point must also be considered against the historical background of the past twenty years. The policy pursued has been the steady Indianisation of all branches of the public service in India and the gradual delegation of responsibility to the Provincial Governments. This has necessarily had two results. First, the Indian members of the public services have been increasingly pulled two ways—by loyalty to the British Raj and by sympathy with the Indian political parties. As our policy has placed these parties in office and has made it clear that they will in the near future become the controlling authorities, Indian public servants have naturally tended to give them full support. Secondly, the Provincial Governments, which have a very wide measure of autonomy, are now served almost wholly by Indians. It would be impossible to maintain indefinitely a system under which the public servants of a Central Administration had an outlook and loyalties different from those of the members of the Provincial Services.

4. What should be said about the possibility that India may leave the Commonwealth?

Care should be taken to say nothing which might seem to assume that India will decide to leave the Commonwealth. It would be best to avoid discussion of details and the line should be to refer to this question in friendly general terms. India's freedom of choice can be emphasised, but reference may be made to the many links and associations between the United Kingdom and India, their common interests in many directions, and their common outlook on many questions. Discussion of the question whether it would be possible that some parts of India might remain within the Commonwealth, while other parts
withdrew, should be avoided. Though it could not be contemplated that any part of the Commonwealth should be forced outside it against its will, this question raises very difficult practical issues. All that can be said is that this matter would be open for discussion if such a situation arose. It can be pointed out that this is a question which was inherent in the policy followed since 1942: it does not arise specifically from the present statement, which is concerned only to set a date for the transfer of power.

5. Can it be argued that the Constituent Assembly only represents a minority in India?

It should be pointed out that:

(a) the Assembly contains representatives of all the major parties and minorities, except the Muslim League;

(b) the States are now negotiating the arrangements for their own participation in the Assembly;

(c) the electorate in British India represents about 26 per cent of the adult population. This may seem a small proportion when compared with the existing electorate in the United Kingdom, but is no smaller than that in the United Kingdom when this country reached a corresponding point in the development of its democracy.

6. It should be made plain that His Majesty’s Government has only two choices:

(a) to maintain British control in India by force for a substantial period such as 15 years; or

(b) to fix and announce now a date for the transfer of power.

The advice from India was that (a) was not practicable. There was an overwhelming volume of opinion that a date must be fixed now for the transfer of power. Beyond that, the nature of the advice given to His Majesty’s Government should not be disclosed.

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Field Marshal Viscount Wavell to H.M. King George VI

Wavell Papers. Private Correspondence: H.M. The King, pp. 139–48

THE VICEROY’S HOUSE, NEW DELHI, 24 February 1947

Your Majesty,

This will be the last of the periodical letters I shall write Your Majesty as your Viceroy, since the change of your representative in India takes place almost at once. In it I will try to bring the political situation up to date, and to
give a short summary of what I have attempted during the 3½ years that I have been Viceroy.

Since I saw Your Majesty during my visit to London last December, the political situation has hinged on the declaration made by Your Majesty’s Government on December 6th. The statement itself was, I am sure, a valuable and salutary one; but it should in my view have been made many months earlier.

It came as something of a shock to the Congress that the Government should have at last decided to insist on its own interpretation of the Mission’s plan of May 16th. It was soon obvious that the two factions inside the Congress were sharply divided about accepting or rejecting the new statement. Those actually within the Government—the Old Guard of the Congress—were generally for acceptance; while the Left Wing, led by such as Jai Prakash Narain and Sarat Chandra Bose, were for challenging Your Majesty’s Government by a flat refusal to accept any interpretation of their intentions from them. That inveterate enemy of the British, old man Gandhi, from his village meanderings in East Bengal, where he rather reminds me of a submarine re-charging its batteries on the surface well away from any hostile craft, fired a long-range torpedo at the Declaration; but some skilful helmwork at Delhi, by Vallabhbhai Patel in particular, caused it to miss its mark. The chagrin of the old snake vented itself, I am told, in a venomous letter to Patel. The All-India Congress Committee met at Delhi in the first week in January, and after considerable and often heated argument put out what they termed an acceptance of the Statement of December 6th. Unfortunately it was far from being an unequivocal acceptance and was qualified in such a way as still to leave doubt as to the bona fides of the acceptors. I believe that Nehru and Co. had considerable difficulty in carrying it at all, and might perhaps have been unable to do so without the qualifications; though my own judgment would be that if they had had the political courage to stand out for unqualified acceptance they would have won through. As it was, their attempted appeasement of the extremists was hardly successful, since both Jai Prakash Narain and Sarat Chandra Bose resigned from the Congress Working Committee (though I believe the resignation of the former was not accepted—he is a personal friend of Nehru). Nehru also contributed a characteristic outburst against both the Muslim League and British good faith which did not improve the atmosphere.

Thus it took just a month in this land of political irresolution and procrastination for one of the major parties to decide on indecision. It then remained for the Muslim League to announce whether it was now prepared to rescind the Bombay Resolution and to join the Constituent Assembly.

Jinnah was even more dilatory than the Congress. He lingered in London, he conferred in Cairo—where I am told he made a poor impression on those of the Arab League whose sympathy he tried to enlist—and retired to bed in Karachi.
It was not till the end of January that the League Working Committee met; and decided to maintain their former attitude of non-co-operation in the work of the Constituent Assembly. It was, I think, an unwise and short-sighted decision; but the Congress had been equally unwise and short-sighted in providing all the excuses for the League attitude. Not only had their acceptance of the Statement of December 6th been equivocal; but the conduct of business in the Constituent Assembly, which met on December 9th and again on January 20th, had been unnecessarily provocative, especially Nehru’s premature resolution\(^1\) in favour of a Republic. Gandhi too was mixing politics with prayers and chicanery with piety in his usual sanctimonious but cryptic fashion.

The League’s resolution seems to me to be based largely on the naval theory of “A Fleet in Being”. So long as they remain in the sheltering harbours or narrow waters of Sind, Bengal and the Punjab, and do not risk the superior broadsides of the Congress in the open seas of the Constituent Assembly at Delhi, they feel that they still have a chance of securing a Pakistan of some sort. It is the submarines and the mines of the Congress subtlety in debate that they fear more than open conflict.

The Congress members of the Cabinet after a few days deliberation sent in a demand\(^2\) for the resignation of the League members from the Cabinet, on the grounds that their entry into the Government had been conditional on their coming into the Constituent Assembly; and that it is impossible for a Government to have in it representatives of a Party whose official programme is opposition to the policy of the Government. The League have countered with a statement that the Congress itself is off-side since it has never genuinely accepted the Mission’s Plan.

I have referred the claims of both Parties to Your Majesty’s Government for adjudication. Meanwhile Cabinet meetings here go on quite smoothly and even good-humouredly. The League team, except for Liaquat, is not an impressive one. I have formed a very good opinion of Liaquat, who has a great fund of imperturbable commonsense and a gift of clear statement. I wish I had had to deal with him instead of Jinnah as the League leader. The others are not the equals of the Congress members in debate. Chundrigar, Commerce Member, is earnest and has the forensic ability of a lawyer arguing a case, but lawyer-like he wraps himself in unnecessary detail, and he is quite without humour. Nishtar, from the North-West Frontier Province, Member for Communications, has about the same moderate degree of ability as Chundrigar, is almost equally wordy, but is less seriously minded and has a sense of humour. Ghazanfar Ali, from the Punjab, Member for Health, is a political buccaneer, rather disreputable, rather noisy, but with a very definite personality and humour. He was inclined to be the “enfant terrible” of the Cabinet, raising the communal issue on all occasions, but I think he has a hint from Liaquat, since

\(^1\) No. 190. \(^2\) No. 350.
he has lately been quiet or has stayed away. Mandal, the League’s Scheduled Caste nominee, is Law Member... He is usually travelling the country to attend Scheduled Caste political meetings; when he does come to the Cabinet he is silent or silly.

There has been one change on the Congress side—Maulana Azad has replaced Asaf Ali, appointed Ambassador in Washington, and has taken over the Education portfolio. Azad is a charming old gentleman, a great Arabic scholar and a sincere patriot, one of the most attractive characters in Indian politics. He knows English quite well but will not speak it. His infrequent contributions to debate have to be translated. His influence is always for moderation, but his influence is, alas, not very great. Nor is he, I think, an administrator.

Asaf Ali, who is now in Washington, is a little cock-sparrow who would like to be a peacock. I am told that he spent some time after his appointment designing himself a diplomatic uniform with much gold lace and finery, and was very crestfallen when Nehru said that uniforms were unbefitting to disciples of Gandhian simplicity. Nehru, by the way, succeeded in putting a fast one across me over Asaf Ali’s appointment. He mentioned it to me as a possibility, and I made no comment, as I supposed he would put it up to me with other, and perhaps more suitable, names. But he apparently told the External Affairs Department that I had agreed, and had the name wired home for Your Majesty’s approval without further reference. He did not even consult his colleagues, some of whom were furious.

The policy of the Princes towards participation in the Constituent Assembly has been intricate. But on the whole they have managed to form a fairly united front, and seem to be satisfied with the result of the first round between their Negotiating Committee—composed partly of Princes, partly of Diwans and containing some very able men—and the corresponding Committee of the Assembly; though both sides give varying accounts and interpretations of what actually happened. It probably amounted to little more than preliminary sparring. The second round, on March 1st, may be more lively. Meanwhile the Congress have been reconnoitring the Princes’ position for soft spots in which to make a breach, and think they have found one in His Highness of Baroda, who has again withdrawn to the country houses and racing stables, of England, leaving apparently instructions with his Diwan to deal direct with the Assembly, independently of his fellow Princes.

So much for the general political situation. There are certain other matters, all connected with politics, which seem to need mention.

The first concerns the obsequies of the Secretary of State’s Services—Indian Civil Service and Indian Police. They are so obviously moribund in their present form that the Indian political leaders have demanded that a date for the funeral should be fixed, promising that they will rise like phoenixes as true servants of India instead of a foreign Power. But the phoenixes have
demanded compensation for their pyrotechnical performance, which was not specified, they claim, in their original charter. Arthur Henderson has recently paid a visit to Delhi to discuss this question with my Government, but without success. I do not wish to be disrespectful to one of Your Majesty’s Ministers, but it was obvious that he did not carry guns enough to meet the quite formidable arguments on the Indian side, and that he really stood no better chance than a 10-gun brig would have had against a ship of the line. There is a lot of force in the Indian case against their liability for compensation; and Patel, the Member in charge, shoots straight.

In the U.K. Mission on the Sterling balances it was perhaps the reverse. Sir Wilfred Eady was so stoutly armed and put up so good a case that the Indian negotiators, on the Departmental level, have run for shelter under the guns of the Ministry. There will have to be a further conference on a higher level.

The last current issue I need mention is the state of affairs in the Punjab, which is causing considerable anxiety. The position of the Government, the only Provincial Coalition Ministry, has been unstable ever since the last election; and the largest single party, the Muslim League, have had strong hopes of ousting it, though they could not form a stable Ministry themselves. A month ago the Premier, Khizar, an attractive but not a very strong character nor always wise, decided to ban two institutions which are really political “private armies”, the Rashtriya Swayam Sewak Sangh (Hindu) and the Muslim League Guards. In theory he was quite right, these bodies are a menace to peace; but his judgment of the results proved at fault. He expected no trouble, but the League re-acted so strongly to the suppression of their Guards that he withdrew the ban. The League seeing a chance to discredit and possibly overthrow the Ministry, continued the agitation, directed now against an Ordinance issued some time before giving the Ministry drastic powers to maintain order. The situation is dangerous, since the Hindus and Sikhs are getting restive, the rival communities are not unequally balanced, and trouble in the Punjab is likely to take violent forms.

An effort is being made to arrive at a compromise. As usual face-saving is one of the main considerations.

So much for current politics. Since I received the Prime Minister’s intimation of recall, I have looked back on the three and a half years during which I have tried to guide Indian policy. The following paragraphs give the ideas which lay behind my actions, and may possibly be of interest to Your Majesty.

Our power in India has always depended on prestige rather than on numbers; and it is the decline in our prestige rather than the lack of numbers that has reduced our control in India to its present state of something approaching impotence. The damage to our prestige was begun in the First World War and

* Personal comment omitted.
the years that followed it. In this last war it has had of course still ruder shocks by our loss of Singapore and of Burma; and our subsequent recapture of these did little really to re-establish it. Politically, the Cripps Mission in 1942 marked a stage in our retrocession from power which it was never possible to retrace. Our repression of the 1942 Rebellion showed that our prestige and power were still high, when we chose to exercise them; but they were definitely in danger, since events showed how easy it was for agitators to inflame the mobs and to make ordered government impossible over large parts of the country. It seems remarkable to me how even at the present time, when our power has been so greatly reduced, the momentum of our prestige still enables us to influence events to the extent that we do.

The first principle I established in my mind when I was appointed Viceroy was the vital necessity, not only to the British Commonwealth but to the whole World, of a united, stable, and friendly India; and that therefore all our efforts in the next few years must be directed to promoting this stability and as far as possible friendliness. The first obvious difficulty was that real stability seemed only possible if we retained our own control; but that if we did so it was very unlikely that we should secure the friendliness at any rate of the educated part of the population. I was also convinced in my own mind, from what I had seen of the psychology of our people at the end of the First World War and during this last one, that it was most unlikely that the British people could be induced to make the necessary effort to retain control of India against the wishes of a large part of its population. Nor did I think it was right that we should do so.

My next examination was whether it would not be possible to build up a stable and friendly India on the moderate elements in the country, who had supported us during the war, and who were sensible enough to recognise the necessity to India of a peaceful transfer of power and continuation of the British connection. Such people would include the moderate political leaders, the type of prominent Indians who had served on the Executive Council or the National Defence Council during the war; the Princes; and the landowners and stable elements generally. A comparatively short examination of the possibility of this convinced me that it was not feasible. There were few if any people with the courage to stand out against the leaders of the Congress, unless they were convinced that we were going to continue our rule indefinitely; and this I felt, as stated above, was not practicable.

I therefore came to the following conclusions: that we had to try and build up a stable and friendly India on the existing political leaders, particularly on the Congress, however unpromising this line of action appeared to be; secondly, that it was essential to make a start at once while the war was still in progress, rather than wait for its end, since control of a Government, in which
the political leaders were being introduced to responsibility instead of agitation, would be easier while the war still provided a reason for fairly close control. A third conclusion, which only came to me some time later, was that Mr. Gandhi was a most inveterate enemy of the British, and did not desire a peaceful transfer of power; he wished the British to be finally driven from India by the force of a popular rising. I think he still does.

The above conclusions were the bases of the first Simla Conference in the summer of 1945. I wrote to the then Prime Minister, Mr. Churchill, in September 1944, after I had been a year as Viceroy, and put the above conclusions to him. It took me however well over six months to get permission to make the attempt which I did at Simla; as you know, it failed, mainly through the intransigence of Mr. Jinnah. Whether by more skilful handling I could have brought about an agreement, I cannot judge.

The failure of the Simla Conference was followed by two rather unexpected events, the rapid conclusion of the Japanese war, and the complete victory of the Labour Party in the General Election at home. The first of these events meant that we had lost the opportunity which I had sought, to put the Indian political leaders in the saddle for a year before the end of the war, while it was possible to exercise a fairly strict control by reason of the war emergency. The second meant that I had to deal with new men, new ideals, but even less real knowledge of India.

The only line of political progress in India now seemed to be by General Elections. Unfortunately these were bound to result in a great deal of violent talk, which it would hardly be possible to prevent or restrain, and in an increase in the communal tension. As was only to be expected, both these occurred, and to an even greater extent than I feared. I did not see, however, what alternative was open to us.

The Cabinet Mission to India followed. I do not think that it could have produced a much better plan, though there were certain mistakes of detail; but I think personally that it was a pity that it was not put across with more vigour; that it was not laid down as an award of the Power in possession rather than merely suggested as a plan for discussion.

I felt, even during the time the Mission was out here, that this plan was our last throw in India; and that we must be prepared with a policy if it failed. My general line of argument with the Mission was that we had then done our best for India, and were entitled to look after our own interests; that the really fatal thing for us would be to hang on to responsibility when we had lost the power to exercise it, and possibly involve ourselves in a large-scale Palestine.

I therefore tried to get the Mission to recommend to Your Majesty’s Government a Breakdown Policy if their Plan was not accepted or failed in its working.

* Vol. V, Enclosure to No. 64, dated 24 October 1944.
out. I put forward at that time the outline of a policy of withdrawal from India by stages; handing over in the first instance the southern part of India, where the communal problem was not acute, and remaining in the northern part for a further limited period only. I failed however to persuade either the Mission or Your Majesty’s Government to make up their mind last spring on a Breakdown Policy.

In September 1946, when it seemed obvious that the Mission Plan had a very poor chance of success, I again attempted to get a definite plan of action from Your Majesty’s Government. My written requests for a policy having produced no effect, I tried to obtain one by discussions with the India Committee of the Cabinet during my visit home in December last, after the discussions with the Indian leaders.

I put before the Prime Minister and Committee the absolute necessity for a definite policy of some kind, and said that I could see four courses open to us if the Mission Plan broke down:

(a) To make up our minds to re-establish our power and prestige in India, and to rule the country for a further period, which must be for at least fifteen years if we were to obtain any effective support whatever within the country. The Prime Minister made it quite clear that this policy was totally unacceptable, it was the one point on which I got a definite decision.

(b) To try and deal the cards afresh, i.e., to make one further attempt to bring the two Parties together. This seemed to me to involve a recognition of Pakistan in one form or another, and I did not think that we should do this.

(c) To support the majority party, i.e., the Congress, in establishing their control over India. I did not think that this policy was a just or honourable one, in view of our pledges to the Minorities and to the Indian States; we might not be able to protect them any longer, but it would be wrong to help the Congress to suppress them, which was what this policy might amount to.

(d) To recognise that we had failed to reconcile the two main parties, and that it would be better for the interests both of ourselves and of India to remove our control as soon as possible, and leave Indians to determine their own future. This was the policy which I advocated, and I recommended the withdrawal of British control by stages, beginning with the south of India, as the safest method of proceeding. (I had put this proposal to a civil and military committee in India in the previous autumn, and they had been unable to recommend to me any better plan.) The date I recommended for final transfer of power was March 31st, 1948.

I failed, after many hours of conference, to get any definite policy from Your Majesty’s Government. Their chief difficulty was reluctance to face Parliament with any proposal which would make it clear that we were withdrawing our control very shortly.

My view was that our own interests would probably best be served now
by a definite decision to withdraw our control from India by a given date, thus enabling our nationals, of whom there are about 100,000 excluding military, to take a decision whether or not to leave India, while we still have the power to protect them. We should also thus avoid being responsible for, and probably involved in, any widespread breakdown of law and order which may result from the communal situation or from labour troubles induced by revolutionary preaching or economic conditions. The worst danger for us is an anti-European movement which might result in the killing of some of our nationals, and of our having to carry out an ignominious forced withdrawal; instead of leaving in our own time and voluntarily.

On the other hand it is probably in India’s best interests that we should remain as long as we possibly can and still try and influence events in the direction of political sanity. We still have a great deal of prestige and may still be able to do great service to India. But the longer we stay the more risk we run of becoming involved in a civil war, or in anti-European troubles and being eventually forced to scuttle out ignominiously; or of being compelled to make an effort to re-establish law and order and protect our nationals, or prevent civil war, which might throw a great strain on our resources and gravely retard our economic recovery.

My efforts since I returned from England have been directed to the following objects, so far as internal security is concerned:

(a) That we should have as good and detailed a plan as possible for the protection and withdrawal of our nationals in an emergency;

(b) that we should try to prevent British troops being used for the suppression of one party in the interests of another, and that we should not become involved in communal or labour disturbances if we can avoid it; and

(c) that we should for as long as possible maintain the stability and integrity of the Indian Army, which is at the present time perhaps the brightest part of the Indian outlook.

The Cabinet at home has now taken a definite decision to declare that our control of India will be ended by the middle of 1948; and I hope that they have given my successor, whose name I was delighted to hear, either a definite plan for the withdrawal, or a free hand.

That is the political history of India during my Viceroyalty from my angle. I have heartily disliked my enforced connection with politics, and I cannot say that many of the politicians with whom I have had to deal have impressed me favourably. I have been much happier and more interested in the administrative problems of India. They are immense, but they are capable of some solution, while the political problem seems insoluble. I will not weary Your Majesty with any detailed discourse on them but will summarise briefly those to which my chief efforts have been devoted.

We have been on the knife-edge of famine during the whole of these three
and a half years. India is permanently underfed, we have had no reserve, and
the margin on which we have worked all these years has been almost infinitesi-
mal. I do take some credit to myself on this matter of food. I think I did alleviate
and shorten the Bengal famine of 1943 by calling in the Army to help; I
believe I saved India from another famine in 1944 by refusing to take no for an
answer and extracting over 700,000 tons of grain from the Combined Food
Board after having twice been told that no more was available—we just and
only just pulled through; and I encouraged and built up the Food Department,
so that two American Missions (one-headed by ex-President Hoover) described
the Indian rationing system as the most complete they had seen: and so that we
got through an almost unprecedented drought in southern India in 1945-46
without a famine.

To safeguard India, with her rapidly increasing population—estimated at
5,000,000 to 6,000,000 a year—the only real solution is to increase the fertility
of the land to keep pace with or outstrip the fertility of the population. There
are two means by which this may be done: to increase the area under perennial
cultivation by more irrigation; and to improve methods of farming. The
former is a physical problem, the latter mainly psychological. Northern India
has an almost unlimited reservoir of water in the snows of the Himalayas, if it
can be controlled. At present the rivers cause disastrous floods in the spring and
run dry in the summer. The most destructive is perhaps the Kosi, which rises in
Nepal almost at the foot of Mount Everest. It has changed its course 75 miles in
the last two centuries and in doing so has laid waste some 3,000 square miles of
Bihar. I have now succeeded in getting a site for a dam in Nepal surveyed which
it is hoped may control this river. There are about a dozen or so other big
irrigation projects which I have encouraged and where possible have seen
personally. If they can all be carried out, it will go very far to solve India’s food
problems.

To improve methods of farming would also greatly increase production;
but here the human factor comes in. It is easy enough to see what should be
done: better seed, more manuring, slaughter of useless cattle, mechanisation
and so forth. But the main obstacles are religion, immemorial custom, and the
natural conservatism of the peasant. They will take long to overcome.

In the health problem of India my chief concern has been with malaria; both
because it is probably the deadliest factor in India’s health, and because I know
it can be remedied with comparative certainty and ease. I started a campaign
as soon as I became Commander-in-Chief to try and get cantonments made as
mosquito-proof as possible. I saw the deadly effects of malaria on my forces in
Arakan and Upper Burma; and since I have been Viceroy I have given all
possible encouragement to anti-malarial institutions and measures. Progress is
slow but I think something is stirring.

I have taken only a limited interest in education; partly because I found
myself at variance with official Indian opinion on education policy, and partly
because I could see little hope of much progress. The official attitude is that the
stigma of illiteracy must be removed from India at once by giving elementary
education to everyone. My own view is that this is quite impracticable and quite
useless. India can only afford to spend a limited amount of money on education
and it should be spent on providing technicians of all kinds, both for industry
and agriculture, which India needs so sadly. Literacy for the whole population
is unattainable for several generations; and can only be extended as India’s
wealth is increased by her technical progress. In conversation sensible Indians
admit this, but say that for sentimental reasons they must maintain the slogan
of universal literacy at once.

Education is the thing we have done worst in India, I believe, because we
have provided education for the mind only and not the character. As a result
the average educated Indian has little character and no discipline. They will
have to learn both if they are ever to become a nation.

I have also taken a somewhat limited interest in industrial development,
since Indians can be trusted to develop for themselves any concern which
seems profitable. I have tried to inculcate the necessity for proper treatment of
workers, by pointing out the evil results on our own nation of the ruthless
exploitation of workers in our industrial expansion of 100 years ago, from
which it has taken us just about 100 years to recover.

My last subject, though it is really the first concern of any government,
is law and order. For political reasons I have had to allow a license of speech
and journalism that I knew must inevitably lead to serious disturbances. For
the same reasons I have had to see the authority of the District Administrator
and of the Police weakened to a dangerous degree. The results have been
made manifest in Calcutta, Bombay, Eastern Bengal, Bihar and other places.
I am afraid it was inevitable, but it has not been pleasant to stand by and
watch things said and done that one knew would lead to trouble later on.

The most pleasurable and attractive part of official duties in India has always
been to me anything to do with the Indian Army. The Indian soldier is, to a
soldier at least, the most refreshing personality in India: he takes such an obvious
pride in his profession, is smart, simple, enduring, and as yet untroubled by
politics. It has always been stimulating to visit an Indian unit.

I have spent some 13 years of my life in India; 2½ years as a child, 5 years as a
subaltern, and nearly 6 years as Commander-in-Chief and as Viceroy. My five
years as a subaltern were some of the best of my life; and my six years as
Commander-in-Chief and Viceroy the most interesting, but also the most
exacting. I should have liked to see the end of the drama of British rule in
India; but since the Government have thought it advisable to make a change,
they could certainly not have made a better choice. I am now busy packing
up, at shorter notice, I suppose, than any previous Viceroy has had.
May I be permitted in conclusion to offer Your Majesty my humble thanks for all the kindness and consideration you have shown to me during my tenure of this high office; and for the great honour you have done me in conferring on me the dignity of an Earldom.

I hope that Your Majesties are enjoying the tour in South Africa, but it sounds exacting.

I have the honour to be,
Sir,
Your Majesty’s humble and devoted servant,

WAVELL

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/120: f 149

IMMEDIATE
SECRET

NEW DELHI, 25 February 1947, 11.45 am
Received: 25 February, 7.30 am
No. 349-S. I repeat in immediately succeeding telegram a letter from Nehru dated 24th February.1

2. I do not think that a reply on the lines of paragraph 8 of your telegram No. 2143 of the 14th February2 will meet the case, but no immediate reply seems necessary. I will acknowledge and say I have sent the letter to you.3

1 No. 456. 2 No. 397. 3 In tel. 2813 of 28 February Mr Harris informed Mr Abell that Lord Pethick-Lawrence did not propose to send any message in reply to Pandit Nehru’s letter for the present. If any fuller record was available of what Nehru said to Lord Wavell in justification of the reservations in the Congress Statement of 6 January and the Assembly’s Rules of Procedure as reported in No. 448 he would be glad to have it. L/P &J/10/77: f 145.

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Mr Abell to Mr Harris

Telegram, Wavell Papers. Political Series, January–March 1947, pp. 82–3

MOST IMMEDIATE
CONFIDENTIAL

NEW DELHI, 25 February 1947, 2.25 pm
Received: 25 February, 10.25 am
No. 352–S. Your telegram No. 2517 of 22nd February.1 Reactions to statement of policy. Full press comment and other reactions have been sent you by telegram.
2. A lead has been given by Nehru in describing the new policy as a wise and courageous one. This summarises most of the nationalist press comment. The fixing of a date is welcomed, and is admitted to prove the sincerity of His Majesty’s Government. There has as yet been little examination of the detail of the plan of transfer. A leading article in yesterday’s Hindustan Times points out with regard to States that although the paramountcy of Britain may lapse, the future Indian Union is bound to evolve its own paramountcy rights which are inherent in the geographical and economic relations of the States with the rest of India. There has been comment on the vagueness of paragraph 10 of the statement. Congress comment generally stresses the hand-over to a Central Government, and is beginning to claim further powers for the Central Government in anticipation. Statement is held by Congress press to strengthen position of Constituent Assembly. Nehru’s letter telegraphed today shows that Congress will do their best to reach settlement with League but will expect His Majesty’s Government to agree to a new method of framing a constitution if they fail.

3. Gandhi has as yet made no comment.

4. Jinnah has declared that “the Muslim League will not yield an inch in their demand for Pakistan” and is reported to have said privately that the Constituent Assembly was dead, and other Muslim leaders are insisting that the new approach must be on the basis of two sovereign States. Some Muslim perturbation has been expressed that if the British align themselves openly with the Congress till they withdraw, civil war will become a distinct possibility. Muslim press comment generally stresses possibility of power being handed over to existing Provincial Governments. The date is welcomed, though much more guardedly than in Congress comment.

5. Governors have reported reactions in their Provinces as generally on the above lines, but waiting for a lead from the All-India party leaders. Assam comment is qualified by the peculiar position of the Province in Section B, and holds that the new statement is not likely to result in a settlement or an improvement in the position. It is recognised generally in the country that the statement is a challenge to Indian leaders, and that the consequences of failure to reach a settlement will be serious. There has been no outburst anywhere, and left-wing and Communist comment is negligible. Several Governors report that it is too early to assess clearly the reactions to the statement.

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1 In this telegram Mr Harris asked for an up-to-date appreciation of reactions to H.M.G.’s Statement in time for the Lords debate on 25 and 26 February. Wavell Papers, Political Series, Jan–March 1947, p. 76.
2 See No. 452.  
3 No. 456.
6. Bhopal’s immediate reactions⁴ have been telegraphed on the 22nd, and Secretary of State has seen his public statements⁵ which is more helpful and which invites the States to make their full contribution.

7. Viceroy’s impression is that while the statement has had a good reception generally, the two major parties interpret it on contradictory lines.

8. No definite hardening of opinion is likely until after the meetings of the Working Committees of the two main parties; the Congress meeting is fixed for the first week of March, and the Muslim League is at present expected to be a fortnight later. Viceroy has asked Jinnah to see him soon.⁶

⁴ On 21 February the Nawab of Bhopal had written to Lord Wavell to thank him for an advance copy of the Statement. He said that personally ‘I cannot quite see how it will help in removing the unfortunate impasse between the Congress and the Muslim League’ and added he had a suspicion that it might encourage centrifugal forces to operate more vigorously with disastrous results. R/1/36/91: f 134.
⁵ No. 453.
⁶ In tel. 364-S of 26 February Mr Abell reported that Mr Jinnah had declined to come straight to Delhi and Lord Wavell did not propose to press him to come early. Wavell Papers, Political Series, Jan–March 1947, pp. 83–4.

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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence

Telegram, Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 258–60

IMMEDIATE SECRET

No. 21–G. Continuation my telegram No. 18–G of 11th February.¹ Punjab situation. Until a few days ago agitation followed routine course except for extensive interference with trains necessitating enforcement of Railway Security Scheme between Attock–Lahore and location of one company of Indian troops at Gujrat. During past few days demonstrators have been increasingly mischievous and violent, invading courts and private houses and endeavouring to hoist Muslim League flag in place of Union Jack. These developments have been mainly confined to a comparatively small number of districts including Lahore, Amritsar, Rawalpindi, Gujrat and Jullundur. Yesterday, 24th February, was celebrated by demonstrators in many places as marking completion of first month of agitation. There was violence in several districts and at Amritsar situation was controlled with difficulty. At Amritsar Additional District Magistrate (a Muslim) sustained fractured skull and is in critical condition. Police casualties numbered about 55 including 1 dead and 3
seriously injured. Casualties among demonstrators numbered about 110 including one dead and at least 3 seriously injured. The fatal casualty and 11 others were caused by revolver fire. Situation in Amritsar today is most uneasy. In other districts affected violence seems to have been less but murderous attacks on police have been reported.

2. Position has been radically changed by His Majesty's Government's statement of 20th February. Premier is now not prepared to go through with repression, exercise of which could be successfully undertaken but which would not facilitate peaceful transfer of power in 16 month's time. Attitude of services in changed conditions is most uncertain and I.G. Police reports that block of his British Officers are now thoroughly disgusted with all parties including Muslim League and would like to be released as soon as possible. My own position in exercise of my special responsibilities is naturally impaired and though I may still have some slight personal influence Party Leaders are beginning to realise that constitutionally Governor will soon cease to count.

3. In this sombre background Premier has decided to settle with League on undertaking to remove ban on public meetings and to introduce Public Safety Bill at Budget session of Assembly which begins March 3rd. Bans on military drill, carrying of arms and processions will remain. Premier hopes to complete negotiations by this evening but Muslim League Leaders are truculent and may make further demands. Punjab Public Safety Ordinance which was made under Section 89 of Constitution Act normally lapses in May. If satisfactory Bill is passed by Assembly I would withdraw Ordinance on giving assent to Bill.\(^1\)

4. Premier's idea is to endeavour before, during and if necessary after budget session to promote formation of All-Parties Ministry or League-Sikh Coalition. It is clear that in new conditions present Ministry cannot carry on for long and that if chaos amounting possibly to civil war is to be avoided there must be a Ministry representing bulk of Muslims and Sikhs.

5. I do not wish to be alarmist but during next few days and possibly weeks the situation has most dangerous possibilities. Unless Muslim League change their tone completely which seems most improbable there may be an abandonment of present constitution and attempts to establish Muslim or Sikh rule by

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\(^1\) L/P 8/11/664: f 333.

\(^2\) The Times of India for 27 February 1947 reported that the full terms of the compromise between the Punjab Govt and the Punjab Provincial Muslim League were as follows:

'(1) The ban on public meetings is removed.

(2) The introduction of such legislation as may be considered necessary to preserve peace and public order in place of the present Punjab Public Safety Ordinance.

(3) The release of all prisoners detained under trial or convicted in connection with the movement other than those accused or convicted of offences under section 325 or of more serious offences against the person under the Indian Penal Code.

(4) The ban on processions to continue.'
force. I intend to avoid a Section 93 situation if I possibly can but prospect of independence in 16 months’ time is not conducive to moderation and Muslim League will act under instructions from Jinnah who knows little and cares less about the real interests of the Punjab.

Repeated to the Viceroy.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/8/14: f 114

IMMEDIATE INDIAN OFFICE, 25 February 1947, 9.20 pm

No. 2633. After discussion with Prime Minister, it is now proposed that Mountbatten should leave United Kingdom by air on 14th March arriving Karachi morning of Sunday 16th March. We suggest that you should meet Mountbatten there and have a talk with him that day. The next morning, Monday 17th March, Mountbatten would fly on to Delhi. Aircraft would return immediately to Karachi to bring you back to England and Mountbatten would be sworn in as soon as you leave.

We hope that this plan (precise details of which will of course have to be worked out) will suit you. Please telegraph urgently if you concur.

1 Earlier on 25 February in tel. 354-S Lord Wavell had asked to be told the date of Lord Mountbatten’s arrival as he had many arrangements to make including, possibly, some farewell visits. L/PO/8/14: f 111.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&S/13/1210: f 57

CONFIDENTIAL NEW DELHI, 26 February 1947, 6.25 pm

Received: 26 February, 3.40 pm

No. 359-P. Restrictions on the Nizam.1 As relaxation is now desirable and removal in very near future inevitable I consider that it would be politic to accept removal at once so that we can secure greatest possible measure of appreciation from the Nizam. Prospect of removal of restrictions is no longer a lever which can be used effectively to induce the Nizam to introduce further internal administrative checks. Moreover constitutional reforms have since
been introduced in Hyderabad. It is true that removal of restrictions will strengthen Mirza’s rather dictatorial position but I think we can safely leave the Nizam to deal with this. Further, removal would enable us to demand stronger justification for providing protection against internal disorder, which protection will in any case be progressively more difficult for the Crown Representative to secure from the Central Government, though I do not anticipate any early call upon this obligation of paramountcy.

If you agree, Corfield who is visiting Hyderabad from 3rd to 6th March will inform the Nizam accordingly and any formal communications which may be required can be issued later. Please reply urgently.²

¹ As a result of arrangements agreed in 1927, the Nizam was required, amongst other things, to:
   (1) appoint an efficient President and Council who were to be appointed with, and not dismissed
       without, the approval of the Paramount Power; (2) place the Revenue and Police Depts under
       British Officers; (3) confine his direct personal rule to his private estates.
² Lord Pethick-Lawrence replied in tel. 2864 of 1 March as follows: 'I agree'. L/P &S/13/1210: f 55

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Sir W. Monckton to Sir P. Patrick

L/P &S/13/1210: f 45

3 PAPER BUILDINGS, TEMPLE, E.C.4, 26 February 1947

My dear Paul,

The fixation of the final date for paramountcy and the certainty that thereafter the Nizam will be left to his own resources make me wonder whether he cannot now be freed from any restrictions upon the appointment of his ministers, a matter on which, as you know, he is very sensitive. Similarly, it seems hard to justify the maintenance of any restriction on the size of his army or on the establishment of munition factories, if he wishes to start them. How can we say after all these years, when he has been taught to rely on his treaties with the British Crown, “We leave you next year, but we do not permit you in the meantime to take any steps to protect yourself”? I imagine that these matters will be raised in India, but thought, in view of my recent talk with you and Sir David Monteath, I should like to get your view. I am sure to be pressed on these matters.¹

Yours ever,

WALTER MONCKTON

¹ Sir Paul Patrick replied on 5 March informing Sir Walter Monckton confidentially that the restrictions on the Nizam’s appointment of Ministers had been withdrawn. Sir Paul pointed out that the Crown Representative could hardly be expected to give the Nizam encouragement to pursue a separatist defence policy. On the other hand it was part of the accepted policy to put no obstacles in the way of the increase of the Forces of Indian States needed for their internal security purposes. L/P &S/13/1210: f 41.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/8/9j: f 25

26 February 1947

362–S. I see no reason whatever why procedure followed when I succeeded Linlithgow should be changed. I arrived at Delhi one day, had talk that afternoon and evening with Linlithgow, who left next morning. I was sworn in when he left Karachi.

2. It would be most inconvenient both for myself and Governor of Sind to adopt procedure you suggest.1 I am already being given unreasonably short time for my final arrangements and cannot consent to further curtailments by going to Karachi and waiting there.

3. Shall therefore expect Mountbatten to come to Delhi while I am still here and will leave myself on morning after his arrival. As to date, a week later would be easier for me if it suits you and Mountbatten.

4. Shall be glad to know immediately accommodation on plane which brings Mountbatten. Have requested by letter authority to use transport plane in addition for luggage.

5. My staff have been given no idea yet whether they are to stay or go. Some of them have houses and all have personal effects such as horses to dispose of if they are to leave. I hope that Mountbatten makes early decision.

1 No. 464.

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Mr Rowan to Mr Attlee

R/30/1/9: f 152

26 February 1947

P.M.

Lord Addison telephoned.

The Opposition have withdrawn their motion on India and there has been no division. This result is due largely to a fine speech by Halifax followed by speeches in similar strain by the Archbishop of Canterbury and Lord Catto. Lord Addison is greatly relieved at this outcome and suggests you may wish to send Halifax a personal note when you have read his speech1—which Lord Addison described as the best he had ever heard.

1 Mr Rowan noted on 27 February that Mr Attlee had done this in his own hand.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET  THE VICEROY'S HOUSE, NEW DELHI,
26 February 1947

Thank you for your letter of the 13th February.¹ Since I wrote last on the 19th,² His Majesty’s Government’s Statement has appeared and you have received information about the reactions here. The first Press comments have been favourable. The Congress welcome the fixing of a date and hope that the Statement means that if they do not get an agreement with the Muslim League, they can establish a strong unitory Government based not on the Cabinet Mission’s Plan but on their own estimates of India’s requirements. This would presumably leave the Muslims only with a small Pakistan. Muslim League comment has been restrained so far, and it will probably be some time before we know what attitude the League will adopt. Such favourable League comment as there has been is however based on the assumption that if the League refuse to co-operate with the Congress, they will receive not the small Pakistan but the large Pakistan. As you know, I think that the policy of fixing a date was inevitable and right, though I disagreed with the form and timing; but I am doubtful whether the Statement will work the miracle of an agreement between the Congress and the Muslim League. Still it may turn out all right. I am sure they do not want open conflict. But the Congress think that the Muslims will be compelled by economic considerations to come to heel sooner or later; while the Muslims feel that there is no generosity in the Hindus, and will not trust them.

². The agitation in the Punjab continues and on the 24th there were serious disturbances at Amritsar about which I have asked the Governor to send me a telegram³ repeated to you so that it may reach you before the debate in the House of Lords. Jenkins has been holding discussions with Nazimuddin in the hope of persuading the League to come to terms with the Ministry. It is unfortunate that the Governor should have to take part in this way, but it was apparently the best chance of a settlement, which however has not been achieved yet. (I have just heard that a settlement has been effected, which will at least give a temporary truce.)

³. An agitation on similar lines has begun in the North-West Frontier Province also. It started over the the abduction and forced marriage of a Sikh girl, and this led to an invasion of Khan Sahib’s garden in Peshawar by unruly mobs. Firm measures are being taken, but there may be a good deal of trouble yet.

¹ No. 388. ² No. 434. ³ See No. 463.
4. Both in the North-West Frontier Province and in the Punjab I think it will be some time before the effects of the statement by His Majesty’s Government are clear. Jenkins, who expected it to lead to trouble, takes this line himself.

5. In paragraph 4 of your letter of the 13th February you asked which of the big States were negotiating through Bhopal’s Committee, and which were reserving their position. Characteristically, none of the large States have really committed themselves so far. Hyderabad and Kashmir were however both represented by their Prime Ministers on the Negotiating Committee, and Baroda is the only State which has definitely taken independent action so far.

6. The restrictions on the powers of the Nizam of Hyderabad are now very much out of date. Sir Mirza Ismail showed me a short time ago a letter from the Resident asking him to come and see him and discuss the allotment of portfolios. Clearly we cannot maintain a position like this for much longer. I have sent you a telegram recommending graceful withdrawal of the restrictions at once.

7. There was some fairly lively debating in the Cabinet on the 19th February about the transfer of the control of the High Commissioner’s office in London from the Commerce Department to the External Affairs Department. The Muslim League wished also to reopen a decision taken last October that Trade and Consular representatives should be found from the new Foreign Service which will be under the External Affairs Department. Clearly a majority of the Cabinet were in favour of Nehru’s recommendations that the Departments of External Affairs and Commonwealth Relations should be amalgamated and the control of the U.K. High Commissioner taken over. As these were points affecting the distribution of portfolios and of subjects among the Departments which are a matter for the Governor-General I reserved the final decision, but I think no one was in doubt what it would be.

8. I have had reliable information that Cariappa, the Indian Brigadier now at the Imperial Defence College, has been saying in London that he is authorised by Nehru to let it be known (a) that Congress expect to have all British officers of the Indian Army out of it in between 5 and 8 years, and (b) that after Indian independence is accomplished India will want a close alliance with Britain. Cariappa is stated to have expressed a view himself that if the British Government wanted to maintain an Imperial Reserve of British troops in India and were prepared to pay for them, the Indian Government will agree to it. I expect you may have had information on these lines, but I thought it interesting. Cariappa is ambitious and I believe not popular with other senior Indian officers.

9. Merrif’s No. 2 in the American Embassy came to see my Deputy Private Secretary soon after His Majesty’s Government’s Statement was
made. He enquired about the Governments to which His Majesty’s Government would hand over power in the absence of an agreed constitution framed by the Constituent Assembly. He asked whether it was the intention that His Majesty’s Government would make treaties with the Indian States if there was not an all-India constitution. He asked particularly, with a slightly meaning look, about Travancore, and mentioned that Kalat might well have oil.

10. In paragraph 6 of your letter of the 13th February 1947, you asked me to let you know what action was taken by Linlithgow after he received Amery’s personal telegram No. 19471 of the 10th November 1942, about the sterling balances. A copy of Amery’s telegram was sent to Raisman for his personal information. Linlithgow made no mention of it to his Council himself, but at a meeting of the Council on the 2nd December 1942 Raisman said that, “at the end of the war India was likely to be the largest creditor country in the world. Post-war examination of the position was inevitable and the question was bound to arise of the adequacy of the financial contribution made by India to the war during its pendency.” Raisman did not mention the Chancellor’s reservation of the right to raise the question of a revision of the financial settlement when he made his Budget speech for 1943–44.

No. 465.

This appears to refer to Mr Thomas E. Weil who held the rank of Second Secretary at the U.S. Embassy in New Delhi at this time. The Editors are informed by the Office of the Historian, U.S. State Department, that with the return of the First Secretary to Washington in January 1947, Mr Weil was probably serving as the senior officer under Mr Merrell.

In January 1947 the Government of Travancore issued a communiqué announcing that in collaboration with a British firm who would supply the technical knowledge, they were setting up a factory for the production of thorium, a substance of importance in the development of atomic energy, from the State’s deposits of monazite sand. The arrangements agreed contemplated “the export to the United Kingdom for a limited period of a limited quantity of surplus monazite and of the factory’s output of thorium nitrate, save for what may be required in India.”

Before the communiqué was issued Sir C. Corfield showed a copy of the draft to Mr Bhabha (Minister of Mines, Works and Power in the Interim Government) who indicated that he did not feel the action of the Travancore Government conflicting with the interests of India. However on 3 February Pandit Nehru wrote to Lord Wavell referring to the great importance of the matter and asking how it stood. In reply Lord Wavell suggested that Pandit Nehru should have a talk with the Dewan of Travancore who was in Delhi at that time. Subsequently Pandit Nehru raised the subject at a Cabinet meeting and Lord Mountbatten’s account of this in para. 25 of his personal report No. 2 dated 9 April 1947 will be printed in Vol. X.

Papers on the subject may be seen in the Public Record Office on PREM 8/381.


In a conversation with Mr Anderson at the India Office on 5 March 1947, Sir J. Raisman on being asked whether he could throw any further light on his Budget Speech of 1943–4 and especially the sentence ‘H.M.G. do not intend to pursue the proposal to modify the character of the present Financial Settlement’ recalled ‘giving careful attention to the drafting, and points out that any phrase which even by implication indicated the likelihood of further action by H.M.G. would at that moment have done great harm. It was, however, not at all his understanding that such action was precluded, nor does he consider that the passage could reasonably be read as having that effect.’ Anderson to Young, 5 March 1947. P.R.O. PREM 8/430.
and apart from his partial reference to it in the Council meeting of December 2nd, from the minutes of which I have already quoted, I can find no mention of the Chancellor’s reservation by Raisman or by Linlithgow either in meetings of the Executive Council or in the Indian Legislature. The point was not made in the Brief prepared for the Government of India Committee which discussed the sterling balances with Sir Wilfrid Eady.

[Para. II, on refugees from Afghanistan, omitted.]

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Sir J. Colville (Bombay) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/168: f 98

CONFIDENTIAL

GOVERNMENT HOUSE, BOMBAY, 27 February 1947

Report No. 79.

2. There are widespread expressions of regret at the prospect of your departure. This has come to me from every source with which I have been in contact. The reaction to H.M.G.’s statement of policy has been on the whole favourable. Right Wing Congress welcome it and though Left Wing elements express disbelief their thunder has been stolen. Local League circles are still waiting for their cue. European business interests are somewhat anxious but have not as yet shown undue perturbation. Even yet, I doubt if some have fully realised the implications of the Statement, as a prominent business man said to me last night—“Does it really mean that we shall be bound to hand over on that date even if there is no strong Centre?”

3. My Ministry have hailed the announcement with pleasure tempered, I feel, by some sense of awe at the approaching task. They are determined to handle the Communist and other extreme Left Wing elements firmly, and are bringing forward this session a new Public Security Measures Bill which re-enacts all our Ordinances in full, and provides for the suppression of private armies in uniform. These powers will help to meet the threat of a general strike.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence


IMMEDIATE  NEW DELHI, 27 February 1947, 6 pm
SECRET  Received: 27 February, 3.20 pm

No. 369–P. I have been considering implications of Statement of February 20th in their relation to Indian States.

2. Paragraph 12 of Statement appears to contemplate devolutionary process in respect of paramountcy as inevitable consequence of transfer of power envisaged in paragraph 11 for British India.

3. Possibility of this development was foreshadowed at last Residents’ Conference Minutes of which give some indication of nature of problems involved and method of approach proposed for dealing with them.¹

4. I shall be glad to know whether this method of approach is generally approved. I should also be grateful for any additional or alternative suggestions you may care to make for carrying out policy of paramountcy contraction. You will appreciate that such a policy pre-supposes early decision regarding terms on which officers’ services will be terminated.

5. The Crown Representative should I suggest be given maximum discretion in the application of such general policy as you may approve. I will of course keep you fully informed of all major developments and will consult you in cases of doubt. But relative shortness of period remaining and pressure of events themselves will make it impracticable for me to refer to you all such proposals as would in the past have been deemed to require your previous approval. Many decisions must, I think, be taken here in the light of policy and principles in the widest terms.

6. If you approve method of approach outlined at Residents’ Conference action will be taken to bring about maximum practicable devolution by end 1947 so that alternative arrangements may have chance of functioning before paramountcy as a system finally disappears.

7. I should be grateful for early reply as Residents are being called to Delhi shortly to discuss practical steps.

¹ The Residents’ Conference was held in mid December 1946 and its minutes are on L/P &S/13/1831: ff 172–90. The approach broadly propounded by Sir C. Corfield to the Conference was: ‘the gradual reduction of paramountcy intervention pari passu with a gradual increase in States’ freedom, so that the smallest possible vacuum remained at the end of the interim period when paramountcy would lapse . . . . We must, therefore, begin immediately to divest ourselves of duties which could, during the interim period, be performed by other agencies. We should also help to plan machinery for the future performance, after we had gone, of duties which we could not ourselves relinquish at once.’ See also No. 479.
No. 2719. Your telegram 26th February 362–S.¹ Paras. 1–3. Ministers and Mountbatten² are most anxious to meet you in every way possible and to reduce to the greatest extent that they can the inconveniences to which to their great regret you are being exposed by the circumstances of the changeover. We all readily fall in with your preference for the arrangement whereby Mountbatten should come straight through to Delhi, arriving in the morning of one day so as to give ample opportunity for discussion with you before you leave on the following day. This would conform to the arrangement between yourself and Linlithgow and following that precedent Mountbatten would not be sworn in until your departure from Karachi was reported.

As regards also the dates on which changeover on the above basis should take place our only difficulty about meeting fully your suggestion to make it a week later than has previously been proposed is the bearing on it of the political situation and particularly the probable date by which the Muslim League will have taken a decision which is bound to start a new train of events. Would it be possible to induce the League to defer their arrangements so that Mountbatten will have arrived on say 22nd March before the Working Committee’s business is concluded? If that is not possible, while Mountbatten is very willing and Ministers are equally prepared that he should time his arrival for not earlier than morning of 22nd March (and your departure for morning of 23rd) we should be guided by your opinion whether, having regard to the importance of leaving not too long an interval between the Muslim League decision and Mountbatten’s assumption of responsibility, he should time his arrival rather earlier than 22nd.³

[The remainder of the telegram relating to paras. 4 and 5 of No. 467, omitted.]

¹ No. 467.
² In Minute 44/47 of 27 February to Mr Attlee, Lord Pethick-Lawrence said he had spoken to Lord Mountbatten about the date of his taking over in Delhi. Lord Mountbatten felt it was ‘of the first importance that we should go as far as possible to meet Wavell in the matter.’ L/PO/8/9j: f 22.
³ In tel. 378–S of 28 February Lord Wavell said he had spoken to Mr Liaqat Ali Khan that morning who had said Mr Jinnah was unwell, had gone to Bombay, and would not be in Delhi until after the middle of March. Mr Liaqat Ali Khan did not think any decision of importance was likely to be taken by the League before the end of March. L/PO/8/14: f 19.

In tel. 2806 of 28 February Lord Pethick-Lawrence readily agreed that in the circumstances Lord Mountbatten’s arrival in Delhi should be on 22 March and Lord Wavell’s departure on 23 March. L/PO/8/9j: f 20.
PRIVATE AND SECRET

INDIA OFFICE, 27 February 1947
Received: 3 March

I received today your letter of 19th February,¹ for which I thank you. There has been the usual delay in transmission with a result that I must defer dealing with the matters raised in your letter generally until next week. I would like to thank you, however, at once for letting me have such full information about the I.N.A. men.

2. The last two days have been largely occupied by the Debate in the House of Lords, copies of the full record² of which are being sent to you by fast air mail. As you are probably aware, the Conservative Opposition had tabled a very critical resolution and there was every prospect that they would press the matter to a division in which they were assured of an overwhelming majority. The speeches of Templewood and Cranborne, and others who feel like them, were of course highly critical and not without force, as was only to be expected, but a statesmanlike speech by Halifax, the burden of which was that it was easy to say what was wrong but not so easy to say what was right and that he was not prepared to condemn the Government’s action unless he could honestly recommend a better solution, changed the temper of the Debate and strongly reinforced the appeals of myself and other Government spokesmen to the Opposition not to give a handle to hostile elements in India by pressing the matter to a division. On the whole, the level of Debate was high and I do not think that it can have done any serious harm, although one cannot but regret the emphasis which Debates of this kind lay upon the differences of opinion in this country on the Indian problem.

3. I have just had the telegrams³ reporting the settlement between the Punjab Government and the Muslim League. It appears that Khizar has substantially given way. I must say that I feel that on the whole this is a satisfactory development, though I admit that it looks from Jenkins’ report as if the effect of our Statement upon Khizar had been to push him towards the Muslim League but that, after all, may only be an exposure of the real situation. If the Punjab Muslims are, in the last resort, with the League then I think it is really better that that fact should be exposed. I agree with Jenkins that the only real

¹ No. 434.
³ No. 463 and a further telegram (22–G of 26 February) in which Sir E. Jenkins reported that a settlement had been reached without adding to the information on it given in No. 463, para. 3. Wavell Papers, Official Correspondence: India, Jan. 1946–March 1947, p. 260.
solution for the Punjab will be a Muslim-cum-Sikh Government. Jinnah has, I notice, made a statement about the fair treatment of Minorities which is no doubt intended to ease the way for the Sikhs. The League have so much to gain by getting into office in the Punjab that I should think the Sikhs could get pretty good terms from them, and if a Muslim League/Sikh Coalition does emerge the problems of handing over to more than one authority, if we are driven to that, will be a good deal simplified. But I can recognise the great risks that the Sikhs will resort to extreme measures particularly if the League are not conciliatory towards them, and Jenkins is quite right to warn us that in his view this danger is a serious one.

4. There has been a hitch in the arrangements for the negotiations between His Majesty’s Government and the Government of India about the future use of the Gurkhas, which you will remember were due to start about the 1st March, to be conducted by Shone on behalf of His Majesty’s Government. The War Office have been considering the shape and size of their post-war army in view of the probable size of the Army Vote, and came to the conclusion that they could not yet see sufficiently clearly whether they would be able to pay for any Gurkha troops, in addition to the minimum of British troops required for vital defence and internal security commitments. Bellenger, therefore, wrote to me and said they could not participate in any negotiations on the 1st March or indeed until they had had much more time to examine their post-war requirements more fully, but they wished the prospect of negotiations to be kept open. I replied urging him to reconsider this decision, pointing out that the Government of India could not be expected to keep Gurkha units in being for an indeterminate period, and emphasising that if His Majesty’s Government did not take advantage of the present opportunity to negotiate they might not have another. As a result the War Office have now agreed to continue with the negotiations but on the lines of a short-term bid for a few Gurkha units for a period of five years, without prejudice to their action at a later date. The negotiations cannot, however, now start until the third or fourth week in March and an official telegram to this effect has been sent to the External Affairs Department.

[Para. 5, on the Assam Hill Areas; para. 6, on the Report of the Indian Coalfields Committee; para. 7, on the future of the Indian Ecclesiastical Establishment; and para. 8, on a ceremony at the Victoria and Albert Museum, omitted.]

* In an interview at Karachi on 25 February 1947 Mr Jinnah was reported to have said that 'the one cardinal principle that I have followed and shall adhere to is that the minorities to whichever community they belong must be treated fairly and justly and that every effort should be made by the majority community to create in them a sense of security and confidence. In the pursuit of this policy, which we are going to follow definitely, the Opposition must also be a responsible Opposition'.

* Papers on this subject are on L/WS/1/1023.
Mr Alexander to the Chiefs of Staff

L/WS/1/1030: ff 52–3

28 February 1947

With reference to paragraph 8 of General Hollis’ minute No. COS 241/7 of the 27th February,¹ I have now had a talk with Admiral Mountbatten and I am in a position to state more precisely the questions which he wishes to discuss with the Chiefs of Staff and/or the Defence Committee before he leaves for India. These are as follows:—

1. What are the views of the Chiefs of Staff as regards defence arrangements generally in India from:—

(a) now until the date of the transfer of power, i.e. June 1948;
(b) after June 1948?

(b) must be considered under the alternative hypotheses, viz:—

(i) power is transferred to a unified India within the Commonwealth;
(ii) power is transferred to a unified India as an independent State outside the Commonwealth;
(iii) it has been found impossible to implement the Cabinet Mission Plan and it has been necessary to transfer power to a divided India, e.g. Hindustan, Pakistan and Indian States.

2. What is the present position as regards the British garrison in India, and particularly what are the intentions as regards the 8 battalions which are additional to the 5 brigade groups? It would probably strengthen the Viceroy’s hand if these were not run down too quickly. Can this be done?

3. What are the views of the Chiefs of Staff as regards the recruitment of Gurkhas into the British Army? Admiral Mountbatten is anxious that there should be a decision on this point before he leaves for India.

4. Admiral Mountbatten has taken up separately the question of the treatment that it is proposed to accord to officials of the Secretary of State’s service, i.e. the Indian Civil Service and the Indian Police. It is also important for him to know what it is proposed should be done about British Officers and Other Ranks now employed under the Government of India in the fighting Services.

¹ In his minute of 27 February General Hollis said that Mr Alexander had mentioned to him that day certain points of a defence character which were likely to be raised in the Commons debate on Indian Policy on 5–6 March. In para. 8 he said that Mr Alexander ‘also thought it might be helpful if he could have a short talk with the Chiefs of Staff some time on Wednesday morning, 5th March, if this could be fitted in. He is seeing Viscount Mountbatten and Lord Ismay tomorrow morning, Friday, 28th February, when possibly other points will emerge which will require study.’ L/WS/1/1030: f 54.
5. Admiral Mountbatten has asked what would be the prospects of an Indian Navy, Army and Air Force maintaining themselves if the support of the British Navy, Army and Air Force were withdrawn. To what extent could they remain effective with the assistance of free lances whether from the United Kingdom or other foreign countries?

It would be helpful to Admiral Mountbatten if he could have a few talking points on the above problem for his discussions with Indian Leaders.

I should like to meet Admiral Mountbatten and the Chiefs of Staff on Wednesday, 5th March, at 11.30 a.m. in order to have a preliminary discussion on the above questions and any others that may crop up in the meantime. Thereafter I should hope that detailed papers might be prepared for Admiral Mountbatten to take to India.

A. V. A.

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Mr Abell to Mr Harris

Telegram, R/3/1/150: f 195

IMPORTANT
CONFIDENTIAL

NEW DELHI, 1 March 1947, 9.30 pm
Received: 1 March, 8 pm

No. 386-S. Your 2813 of 28th February. Interview with Nehru on 21st February. Viceroy’s recollection is that Nehru’s argument was on lines that HMG has recognised that large bodies cannot be compelled into a constitution against their will, and that it was only logical that large minorities inside a Province e.g. the Hindus in Bengal and the Sikhs and Hindus in the Punjab could also not be compelled into an unacceptable constitution. There was some argument on the interpretation of “parts of the country” in the last paragraph of the Statement of December 6th. Nehru argued that “parts of the country” could mean “parts of a Province”. Viceroy said that that was certainly not the intention of HMG and did not override the original statement in which existing Provinces were treated as a whole. Viceroy added that if the statement of the AICC was merely meant to emphasize the obvious truth that any constitution, Provincial, Group or Central, could only be formed with the consent of the great majority of the people, Congress should say so; but that if it implied that a part of a Province could secede during the process of constitution-making, this was entirely inconsistent with the acceptance of the Mission’s Plan. Viceroy added that it was up to the Congress to make their intentions clear to the League. Viceroy does not remember any definite arguments about the Rules of Procedure.

1 See No. 461, note 3.
2 See No. 448.
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 87–91

NO. 652.  3 March 1947

I reported last night to the Secretary of State and Your Excellency by telegram that Khizar had resigned. The following is a rather fuller account of what has happened.

2. For some time past Khizar has developed in conversation with me the theme that in the Punjab parliamentary majorities mean very little and that what matters is the strength of the "sanctions" behind a Ministry. This is only a rather complicated way of saying that no Punjab Ministry can be stable unless it commands not merely a majority in the Assembly but a majority in the major communities in the Province as a whole.

3. Khizar's anxiety about his position was increased by the Muslim League agitation, and increased still further by His Majesty's Government's announcement of 20th February. As I reported in an earlier letter, the announcement shook Khizar severely on 20th February, and after an attempt to "laugh it off" on 21st (which I thought it imprudent to encourage) he became increasingly gloomy. In all our discussions up to 2nd March, however, Khizar agreed to see the Budget Session through. He told me several times that he intended to spend the summer from May onwards in Europe, and he must therefore have contemplated ending the Coalition Ministry in April or May. But his idea was to avoid any sudden ending and to act as a "bridge" between the Muslim League and the minorities. The possibility of an immediate resignation of the Ministry had naturally been in our minds, and when the negotiations with the Muslim League were in their final stages, we discussed this possibility in some detail. At the time it was open to Khizar to fight it out with the Muslim League; to settle with them; to make an announcement based largely on His Majesty's Government's statement and to release the Muslim League prisoners without a settlement; or to resign. Khizar did not favour resignation, since we both felt that Mamdot would be unable to form a Ministry and that I should be forced into a Section 93 situation, which might prove very awkward indeed.

1 This telegram, which was unnumbered, was in fact sent early on 3 March. L/P 8/8/663: f 309.
2 In para. 6 of his letter 632 of 28 February 1947, Sir E. Jenkins reported that 'on 20th February, when I showed him the text of the announcement, Khizar remarked that it was "the work of lunatics". On 21st February he was in a more complacent mood, and said that he took it to be nothing more than "a threat".' Wavell Papers, Official Correspondence, India: Jan. 1946–March 1947, pp. 260-4.
4. On the morning of 2nd March Khizar telephoned asking if he and Qizilbash could see me in the early afternoon, as he had to address a meeting of the members of the coalition parties at 3 p.m. I duly saw him and Qizilbash at 2.15 p.m. when Khizar made it clear that he was not really interested in his meeting of Assembly members, but wished to ascertain my reactions to his immediate resignation. He said that he had consulted Zafrullah Khan who had been staying in Lahore for the last few days, and had come to the conclusion that the Muslim League must be brought up against reality without delay. In his opinion they had no idea of the strength of Hindu and Sikh feeling against them and as long as he and his Muslim Unionist colleagues acted as a buffer, they would not change their fantastic and arrogant ideas. He did not feel that the unnatural Coalition Ministry could continue for very long and he was not disposed to lead the Congress and the Panthic Sikhs during the Budget Session only to make it clear to them immediately afterwards that he intended to break the Ministry. He felt that if he attempted to act as a “bridge”, he could do nothing effective, and in the meantime communal relations would inevitably worsen. He had not consulted his colleagues, but intended to do so later in the afternoon, and might wish to see me again in the evening.

5. I replied that given his views on the effect of His Majesty’s Government’s announcement, he had two courses open to him—the one we had originally agreed upon, and immediate resignation. Both courses had obvious disadvantages, and I should personally like time to think over the implications of the second course. I believed that the Muslim League were bent on forming a Muslim Ministry with the support of a few Scheduled Caste Members whom they expected to buy. If they adhered to this idea, they could not maintain themselves in office for more than a few weeks. The Sikhs would immediately start a most formidable movement, and the Muslim League had already established “direct action” as a legitimate means of attack on a constitutional Government with a technical majority in the Assembly. It was evident to me that the only Government which could keep the Punjab steady until June 1948 was one representing a large section of all communities or at least the vast majority of the Muslims and the Sikhs.

Khizar admitted that the outlook for Mamdot was very bleak, and said that if he failed to secure adequate support from the Hindus or Sikhs or both, it would be my duty to go into Section 93. I expressed no opinion on this— provisionally I think that if Mamdot can form a Government of any kind, he must be allowed to go ahead, though the consequences may be very serious and may include an early Section 93 situation.

I ended our talk by saying that I should be available to Khizar at any time in the evening. Qizilbash was fairly vocal during the discussion, and was obviously keen on immediate resignation.
6. Khizar came to see me again at 10-15 p.m. on 2nd March. He said that his meeting with the Assembly Members had been quite easy and that all of them, including the Sikhs, were in a good temper. Immediately after it he had discussed his resignation plan with his colleagues. Bhim Sen Sachar and Swaran Singh, the Parliamentary leaders of the Congress and the Panthic Sikhs respectively, were shocked and thought that he should go through with the Budget Session as originally proposed. He was, however, quite determined to resign and he understood that they accepted that position. I asked him whether he intended to call on the morning of 3rd March to tell me formally of the resignation of his Government, and he replied that he had come to resign and that no further interview on the subject would be needed. He intended to see Mamdot immediately, as he thought it would be courteous for him to do so, and also to issue a statement to the Press. There was nothing for me to do but to accept the resignation, and to ask Khizar to carry on pending an attempt to form a new Ministry and to arrange for his colleagues to do the same.

7. The Budget Session was due to begin at 12 noon on 3rd March with the presentation of the Budget by the Finance Minister. On the morning of the 3rd March I got into touch with the Speaker, cancelled my orders fixing dates for business connected with the Budget and the Supplementary Estimates, and arranged for the adjournment of the Assembly. My own idea was an adjournment for a week—that is up to 10th March; but I understand that the Speaker prefers an adjournment sine die, and the House\(^3\) will have to decide what to do.

8. I saw Bhim Sen Sachar at about 11 a.m. on 3rd. He was tired, having been up all night. The Premier’s decision had come as a surprise to him and he thought it injudicious; but he spoke without heat, and like other members of the Cabinet has, I think, a genuine regard for Khizar. I told him that I was sending for Mamdot and asked him what the attitude of the Congress would be to co-operation with the Muslim League. I am not clear whether he had consulted the Congress leaders in Delhi; but he said that the Congress could not co-operate with the Muslim League unless it was clear that the minorities would be treated as equals and not as inferiors. The arrogance of the Muslim League had created a very bad impression upon the Hindus, and they were not going to submit to undiluted Muslim rule. Whether the Punjab remained as it was now or were partitioned a stable Government was most necessary and could not be achieved by one community alone. We parted with expressions of regret, and Sachar promised to help me if I had to intervene later on. I told him that it would be my duty to put the responsibility squarely upon Mamdot’s shoulders and to leave it to Mamdot to do what he could with the minorities; but a stage might come when Mamdot would ask me to use my good offices

\(^3\) [Note in original:] The Assembly adjourned to a date to be intimated later by the Speaker.
with the minorities, and I would then have no hesitation in inviting the Party leaders to see me.

9. Swaran Singh saw me immediately after Bhim Sen Sachar at about 11-25 a.m. on 3rd March. He also was surprised at Khizar’s decision. His views about co-operation with the Muslim League were similar to Sachar’s, but stiffer. He said that the Sikhs would no longer be satisfied with immediate concessions and assurances, which might be repudiated later. They must have a clear account of the Muslim League’s plan for the future of the Punjab and of the position of the Sikhs within this plan. The Sikhs had no intention of being treated as serfs under Muslim masters, and felt that they were strong enough to defend themselves. I told him, as I had told Sachar, that I might later want his help, and asked him to prevent the Sikh leaders from making any rash commitments in the immediate future. Swaran Singh said that he would certainly co-operate with me; but the attitude of the Sikhs towards the Muslim League is not encouraging. In particular Swaran Singh observed in the course of our conversation that if Mamdot succeeded in forming a Muslim Ministry with Scheduled Caste and miscellaneous support, it would be my clear duty to go immediately into Section 93.

10. Finally, I saw Mamdot at 11-40 a.m. I said that I was charging him with the duty of forming a Ministry. I had no doubt that he was aware of the very heavy responsibility that rested on him and need only say that in my judgment no Ministry formed by one community, with support from miscellaneous elements in the Assembly such as the Scheduled Caste Members, could last for more than a few weeks. He would find the Hindus and the Sikhs, particularly the latter, indignant and hostile, but in my opinion he must do his utmost to come to terms with them. I hoped that he would be able to report progress by Saturday, 8th March, at latest—I realised that he would want some time, since the Sikhs would certainly ask for a complete statement of long-term policy on the future of the Punjab and the Sikh community; and unless the Muslim League leaders could deal with the minorities as Punjabis negotiating with Punjabis, they would make little progress. I gave him an absolutely free hand and said that I would not interfere at all unless he asked for my help. I mentioned the postponement of the Budget discussions, and Mamdot said he agreed with what I had done. I added that he must endeavour to form his Ministry in time to pass the Budget before the end of March. If he failed to do so, it might be possible to get over the immediate difficulty by a technical recourse to Section 93; but this would not make things easier for the new Ministry, who would in any case have to proceed with the presentation of a Budget immediately after taking office.

Mamdot was friendly and said that all the Muslim League asked for was my “blessing” in their enterprise. I said he could count on help from me if he got
into difficulty, but that I could do very little unless the Muslim League took a reasonable line and were prepared to help themselves.

11. There is nothing more to be done at present. The possible positions within the next week or ten days are as follows:—

(i) Mamdot may fail entirely to form a Ministry. If this happens, I shall be forced into Section 93.

(ii) Mamdot may form a Ministry with token support from Scheduled Caste Members, Anglo-Indians and other odds and ends. If this happens, my provisional view is that he must be allowed to take office. There would be immediate, and perhaps violent, trouble with the Sikhs, and a Section 93 situation could not be very long delayed.

(iii) Mamdot may form a Ministry in alliance with the Congress and the Sikhs, or the Sikhs alone. If this happens, there is a fair chance of our getting through without serious trouble.

I think His Majesty's Government should give serious consideration to their policy in positions (1) and (2). If I am forced into Section 93, either by the failure of Mamdot to form a Ministry or by the fall of his Ministry after a period of disorder, the communal leaders are unlikely to accept the situation with equanimity. With so short a time to run, the use of force, and perhaps even the proclamation of Martial Law over large areas, would be difficult and unsatisfactory; but I presume that it is His Majesty's Government's intention that order of some kind should be maintained until the end of June 1948. The best policy in a Section 93 situation may be to make the intention to maintain order quite clear, but to attempt, in consultation with party leaders, to evolve some long-term plan for the Punjab. It would be necessary for His Majesty's Government to accept any plan agreed to by the party leaders, even though it involved partition and a complete change in all administrative and constitutional arrangements.

12. To sum up, the position here is most uncertain and will remain so for some days. If Mamdot succeeds in forming a Ministry with the support of the Congress and the Sikhs, or of the Sikhs alone, things may be uncomfortable for me and for the officials, but should ease considerably in the Punjab as a whole. Failing this situation, we are in for trouble, perhaps in a very big way, and I shall be grateful for guidance on the following points:—

(i) If Mamdot forms an unsatisfactory Ministry with a Parliamentary majority, should he be allowed to take office? (My provisional view is that he should be allowed to do so, though the risks are great.)

(ii) If a Section 93 situation develops, am I to make it clear that order will be maintained, and simultaneously to attempt to evolve a plan for the future of the Punjab in consultation with the party leaders? If the answer is "yes", will His Majesty's Government accept and act upon any plan—even
if it involves immediate partition—which the party leaders may approve?

(iii) In the event of really serious disorder otherwise than in a Section 93 situation (e.g., with an unsatisfactory Ministry in office), am I to support the Ministry in repressive measures or to go into Section 93? Provisionally I think that the Ministry should be given a fair run, so that the Muslim League may be convinced that the use of Section 93 is not a trick to deprive them of power.

13. I am sending a spare copy of this letter for the Secretary of State, and am also sending copies to Wylie, Caroe and Mudie, to whom events in the Punjab are of special interest.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943–7, p. 43

SECRET

3 March 1947

HIS EXCELLENCY’S INTERVIEW WITH HIS HIGHNESS THE NAWAB OF BHOPAL ON 3RD MARCH 1947

1. He said that the negotiations of the last two days with the corresponding Committee of the Assembly had been quite satisfactory, in that they had arrived at an arrangement about the distribution of seats; and had on the surface presented a united front. But His Highness was obviously very worried, and it was clear that things were not really going very smoothly in the councils of the Princes. He said that some of the Dewans were beginning to look away from the States at the prospect of diplomatic posts abroad, and were therefore inclined to look towards the Congress. He also said that the Nizam had not yet shown his hand.

2. He deplored the decision of His Majesty’s Government, and was pessimistic about the general outlook for India. He seemed to be toying with the idea of a British Dominion consisting of the North-western part of India including Kashmir, Bahawalpur, the Western States of Kathiawar, and some States of Central India. He asked whether my successor would be able to tell him whether such a policy was feasible. I could only say that my successor would obviously have discussed these matters with His Majesty’s Government. He said that the Rajputana States seemed now definitely to have gone over to the Congress side.
3. He said that the budget had had the force almost of an explosion inside Congress; and that Birla, Dalmia, J. P. Srivastava and such, were meeting together to see how they could defeat the budget proposals.¹

W.

¹ Lord Wavell’s record of this interview, and that in No. 478, were circulated to the India and Burma Committee as Paper I.B.(47)32 of 11 March 1947. L/P &J/10/78: f 67.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943–7, p. 235

SECRET

3 March 1947

HIS EXCELLENCY’S INTERVIEW WITH SIR C. P. RAMASWAMI AIYER,

ON 3RD MARCH 1947

Sir C. P. came immediately after the Chancellor. He confirmed the internal stresses among the Princes, and said that Patiala and the leading Rajputana Princes had definitely gone over to the side of the Congress and against the Chancellor. He said that a united India seemed further off than ever, and that His Majesty’s Government’s announcement had had a disintegrating effect. He remarked later that if His Majesty’s Government had concentrated first on getting the League into the Constituent Assembly, he believed they would have succeeded as Jinnah was weakening; the announcement had hardened his attitude; and had also aroused the ambitions of the Sikhs for a separate State of their own.

2. We then discussed the question of a Southern Indian Federation, which Sir C. P. had put up to me a long time ago. He said that he agreed that this was an advisable solution, and said it would have been a good first step in the process of handing over. He said that the result of the present statement of His Majesty’s Government would probably bring about such a Federation; but he was worried about the defence problem. He did not see how the Indian Army could hold together without British officers; and said that from the point of view of Trivancore a defence agreement with Great Britain was essential.

3. He then said that one of the chief difficulties in Southern India was the spread of communism, especially in Madras where there was no upper middle class. I said that if the communists were firmly handled from the start I did not believe they would be as formidable as expected. He said that the budget had driven a wedge into Congress, and might divide them and strengthen the hand of the communists.

4. He then asked how His Majesty’s Government was going to give up its
Paramountcy, would there be a gradual relaxation of control or would it be done all at once at the final transfer of power. I said that I had recommended to His Majesty's Government that the relaxation of control should begin at once and should be gradual, he said that he was quite sure that this was right.

5. He said that Nehru had been very unpleasant to him over the Thorium agreement with Great Britain, and had implied that all the minerals ought to have been kept for India, which had, as Sir C. P. remarked, no possible means of making use of them at present.

6. He said that His Highness of Travancore much regretted that he was unable to come to the Investiture, and asked whether I could have the insignia sent down to him, since he would like to receive it from me. I said I would look it up but did not know what the rules were.

w.

1 See No. 469, note 6.

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Cabinet

India and Burma Committee. Paper I.B.(47)25

L/P&J/10/77: ff 134-9

Indian States: Proposed Devolution of Paramountcy
During the Interim Period
Memorandum by the Secretary of State for India

India Office, 3 March 1947

I circulate herewith, for the consideration of my colleagues, the Crown Representative’s telegram of the 27th February (Annex I) recommending the maximum practicable devolution of paramountcy by the end of 1947.

2. The Cabinet Mission laid down the following principles:
   
   (a) “During the interim period . . . . paramountcy will remain in operation. But the British Government would not and will not in any circumstances transfer paramountcy to an Indian Government” (para. 2 of Memo. on States’ Treaties and Paramountcy dated 12th May, 1946, Cmd. 6835, item B).

   (b) When the new Indian Government comes into being, H.M.G. will cease to exercise paramountcy; “the rights of the States which flow from their relationship to the Crown will no longer exist and . . . all the rights surrendered by the States to the paramount power will return to the States” (para. 5 ibid).
(c) "During the interim period it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and financial field" (para. 4 ibid).

3. The Statement of February 20th 1947 (Cmd. 7047, para. 12) said:— "It is not intended to bring paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, but it is contemplated that for the intervening period the relations of the Crown with individual States may be adjusted by agreement".

4. At a conference of Residents in New Delhi at the end of last year, the question of the gradual relaxation of paramountcy control was discussed in a preliminary way. The following general points emerged from the discussions:—

(1) Every endeavour should be made to encourage Rulers to follow the advice given by the Chancellor at the last session of the Chamber of Princes:— "The object is to set up forthwith constitutions in which the sovereign powers of the Ruler are exercised through regular constitutional channels". If effective internal constitutional checks are established, the need for intervention by political officers will automatically diminish.

(2) Paramountcy intervention should be gradually reduced, leaving the smallest possible vacuum at the end of the interim period.

(3) Although a gradual process is desirable, the power to exercise paramountcy may in fact be rapidly undermined, and we should therefore begin (a) to divest ourselves immediately of duties which can be performed by other agencies during the interim period, (b) to help to plan machinery for the performance, after we have gone, of duties we cannot immediately relinquish. The main difficulty about this programme is that the planning of machinery must largely depend on the conclusions which are reached on general principles between the Constituent Assembly and the States Negotiating Committee (or indeed in the Assembly itself when the States representatives join it). But, progress can be made in some directions. Annex II gives details.

(4) As a consequence of this process of devolution, it might be possible to reduce the number and staffs of Residencies and Agencies, thus providing for a diminution of the Political service by premature retirements. (As the Viceroy indicates this involves the question of the terms for terminating the career of the officers concerned.)

(5) Retrocession of Administered Areas ceded by States for purposes in which a future Union subject (viz. Defence or Communications) is not involved should be expedited. The question of retroceding Railway Lands is a more difficult problem and can only be handled in consultation with the Central Government.
(6) It must be clearly recognised that the future of the States is not in our hands but must be decided in India by Indians. All we can do is to arrange forums for negotiations and help the States to establish and maintain a united front.

(7) Grouping of States for administrative purposes should still be encouraged, so long as it does not cut across possible political or constitutional developments.

(8) States should continue to be encouraged to co-operate with the Central Government (the Political Department supplying its good offices) in regard to planning and development schemes connected e.g. with Air Transport, National Highways and expansion of Industry.

(9) Indian States Forces should be closely integrated with the Indian Army. A technical committee has drafted a new Indian States Forces scheme, which will be discussed at a conference between G. H. Q. and representatives of States, and could if desired form a basis for discussion in a sub-committee of the Constituent Assembly. No objection is seen to the expansion of individual States forces for purposes of internal security.

5. In effect, the policy advocated is the relaxation as rapidly as circumstances permit of paramountcy control (viz. interference in the internal affairs of States and in their relations with the rest of India), the encouragement of States to put their houses into constitutional and administrative order, to co-operate with each other in negotiations with the Constituent Assembly, and meanwhile to co-operate with the Central Government in matters of All-India concern in the administrative, planning, security and such-like fields. This policy is one of which I feel we can cordially approve. On the one hand we should set about restoring freedom of action to the States and encouraging them to stand together; on the other hand we should do nothing to promote dissension between them and other elements in India but should encourage them to work closely with the Central Government during the interim period. At the same time it has to be recognised that, while relaxation of Paramountcy is not difficult to plan in general terms as envisaged by the Conference of Residents, it is more than likely that, in those Agencies in which the comparative weakness of the States has in the past compelled and still compels constant tutelage, the services of Political Officers will have to be continued on more or less the present basis up to the moment of our departure.

6. There is one further point to which I propose to direct the Crown Representative’s attention. So far as I am aware, very little, if anything, has yet been done about negotiations between the States and British India “in regard to the future regulation of matters of common concern, especially in the economic and financial field”. (see para. 2(c) above.) It may well be that concrete discussions about such things as customs and excises, communications,
taxation, currency and the like, must await further progress in the Constituent Assembly; but it seems most desirable that the States should at any rate be clearing their own minds on the subject, and the Political Department may be able to help them to do so.

7. This whole question of Paramountcy relaxation may come up in the Commons Debate this week. Lord Templewood in effect argued in the Lords that we should restore their freedom of action to the States in order that they could take steps to protect themselves against British India, and to strengthen their hands for negotiations with the Constituent Assembly. It would be dangerous to allow ourselves to be represented as encouraging fissiparous tendencies in India in this way. We are relaxing paramountcy not with this object in view but in order to create a situation in which independent and self-reliant States or groups of States can play their full part in the development of a free and united India.

8. I recommend:—

(a) that we approve, as requested by the Viceroy, the general line of approach foreshadowed at the Residents' Conference and summarised in para. 4 above,

(b) that we further urge him to devote his mind to the question of expediting the process of negotiation envisaged in para. 4 of the Memorandum on States Treaties and Paramountcy, quoted in para. 2(c) above,

(c) that in the Debate in the House of Commons, if occasion arises, we should take the line (i) that para. 12 of the statement of the 20th February is quite clear and means precisely what it says (ii) that our object in adjusting the Crown's relations with individual States during the interim period is to avoid a vacuum being left at the end of the interim period and to leave the States able to stand on their own feet, (iii) that during the interim period we shall not only relax control over States but also do everything we can to facilitate the conclusion of arrangements between the States and the rest of India which will result in the States taking their due place in the pattern of the new India.

9. Subject to any comments which my colleagues may have to offer, I would propose to communicate forthwith with the Viceroy by telegram in the sense of (a) and (b) above.

P.-L.

Annex I to No. 479

[There follows the text of No. 471.]

Annex II to No. 479

Some opportunities for relaxation of Paramountcy.

(a) Successions, at present regulated by the Paramount Power, could in

1 See No. 489 for the telegram as sent to Lord Wavell.
future be regulated by Laws of Succession which Rulers should be encouraged to promulgate.

(b) Minority Administrations, at present controlled by Residents, could be placed under some kind of Regency control, perhaps with a Board of Rulers as referee.

(c) In Relations between States, and between British India and States, Political Officers should eliminate themselves as completely as possible. At the Centre, the Political Department should associate States representatives directly with the Central Government whenever possible.

(d) Passports. External Affairs Department might provide officers in the various Agencies for passport work.

(e) Memorials to the Secretary of State. Some alternative machinery might be set up to deal with these.

(f) Food. Political Officers should eliminate themselves as far as possible as mediums between Provinces and States.

(g) Extradition between States. Political Officers could be eliminated.

(h) Boundary disputes. Political Officers might divest themselves from their functions in such disputes.

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Cabinet

India and Burma Committee. Paper I.B.(47)27

L/P&J/10/98: ff 134-43

INDIA: TRANSFER OF POWER TO MORE THAN ONE AUTHORITY

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 4 March 1947

When the Statement of the 20th February was under consideration in the Cabinet I was asked by the Minister of Defence to give early examination to the implications of handing over power to more than one authority. I attach a memorandum by my Office on this subject. The main conclusion is that, if we are driven to hand over to more than one authority, there are very great if not insuperable objections to handing over the Central functions to the Provinces. If, however, larger units are to be recognised steps will have to be taken in advance to enable them to set up constituted authorities to which the Central functions can be transferred, and sufficient time given to them to organise an administration for carrying them on.
2. In the light of the considerations advanced in this memorandum I suggest that we shall require to reach a decision not later than June of this year on the basis of Lord Mountbatten’s advice to us after his arrival in India as to what course we propose to adopt if the Constituent Assembly is not by then fully representative. On the basis of this decision planning could be put in hand but it could remain confidential and subject to review up to about September. We should then have to take and announce a decision upon which action could be taken in regard to the Armed Forces and other administrative matters and legislation be put into final form. In practice, it seems to me that owing to climatic conditions we shall have to fix an earlier date than June, 1948, for the final transfer of power and legislation will therefore be required at latest in the early months of 1948. I think, however, that we shall be under great pressure to disclose our intentions even before that date.

3. It is desirable, I think, that the Committee should consider this subject and have a discussion with the new Viceroy upon it before he leaves for India.

P.-L.

Enclosure to No. 480

SECRET

NOTE BY THE INDIA OFFICE

I. Introduction

1. The relevant passages in H.M.G.’s Statements of Policy are as follows:—

Statement of December 6th

“There has never been any prospect of success for the Constituent Assembly except upon the basis of an agreed procedure. Should a constitution come to be framed by a Constituent Assembly in which a large section of the Indian population has not been represented, His Majesty’s Government could not of course contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling parts of the country”.

Statement of February 20th

“If it should appear that such a constitution will not have been worked out by a fully representative Assembly before the time mentioned in paragraph 7 (i.e. June, 1948) H.M.G. will have to consider to whom the powers of the Central Government in British India should be handed over on the due date, whether as a whole to some form of Central Government for British India or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people”.

2. Congress no doubt will if necessary agree to separate Muslim States, but they will be anxious for them to be of a size and character which will have little chance of independent existence for more than a short time. It will depend, to a considerable extent, on the manner in which we in fact transfer the

See No. 421, para. (b).
functions of the Central Government whether the separate areas have any chance of maintaining themselves.

3. The possibilities available under paragraph 10 of the Statement of 20th February are:—

(1) Transfer to a single authority for the whole of India. Assuming that the Muslim League do not attend the Constituent Assembly this could only arise if the Constituent Assembly frames a constitution which in fact commands the assent of Muslim opinion.

(2) Transfer to two authorities in respect of Hindustan and a Pakistan of six Provinces (Punjab, Sind, N.W.F.P., and British Baluchistan and Bengal and Assam) subject to the possibility of partitioning the Punjab and Bengal.

(3) Transfer to two authorities—Hindustan (including Assam) and a Pakistan of the North Western Provinces and Bengal (i.e. Alternative (2) less Assam).

(4) Transfer to three authorities a Pakistan of North-Western India, Hindu-

(5) Transfer to a Government or Provisional Government set up by the Constituent Assembly in respect of all Provinces of India, a majority of the population of which is represented in the Constituent Assembly, and separate transfer to the Provincial Governments of Sind, Bengal and the Punjab.

4. The following are the important subjects administered by the present Central Government of India the distribution of which require to be con-

(i) Foreign Affairs
(ii) Defence
(iii) Finance, Customs and Excise, Income Tax
(iv) Reserve Bank and Post Office Savings Bank
(v) Railways
(vi) Posts and Telegraphs and Broadcasting
(vii) Federal Research Agencies.

In addition the Central Government has temporarily important powers in regard to food and industry. It also has permanently powers in a number of other important matters e.g. Regulation of labour, Mineral development, Aviation, Quarantine, Immigration, which have a Foreign Affairs aspect. But all of these and some part of the list above would have been divisible among Provinces or Groups under the Cabinet Mission’s plan.

The Act also provides that the Governor General has important powers exercisable in his discretion to settle disputes between Provinces, or Provinces and States in regard to water supplies. These disputes arise and are often of the
greatest importance. Some provision requires to be made for dealing with them
under the new dispensation.

II. Examination of the Central Subjects

5. Foreign Affairs
Much will depend on whether the separate authorities have, individually, the
right to remain in the Commonwealth. If not, or if they decide to go out of the
Commonwealth, they would have to have separate representation abroad and
their position vis-à-vis the United Nations would have to be clarified. We
should have to make Treaties with them separately and secure that each part
accepts the obligations of Treaties entered into by the present Government of
India and also by H.M.G. acting as the controlling power in India. For example,
the Treaty of 1923 between H.M.G. and the Afghan Government provides for
duty-free entry of imports into Afghanistan through India. This could only be
implemented if the Punjab and Sind as well as the North-West Frontier
continued to be bound by the terms of this Treaty. It is evident that there
would be an element of absurdity in recognising individual Provinces as
separate entities for foreign affairs and that the fewer the fractions into which
India is divided the better. On the other hand division of the Central functions
among larger areas would have the advantage that the control of Foreign
Affairs and of social policies such as labour conditions and economic matters
which have important international aspects would be co-ordinated in each
case under one authority.

6. Defence
An analysis of the position by the Principal Staff Officer General Scoones, is
annexed. His conclusions are that if the Army is to be handed over to more
than one authority it cannot be handed over as an Army but only as communal
forces to the respective sides; that once the process starts India will be deprived
of any efficient defence and the internal situation will become dangerous. A
partition of the armed forces will have to be planned in advance and on some
definite assumption as regards the political future. British troops are dependent
on Indian Army units for their administration and cannot maintain law and
order without help from the Indian Army. Therefore the longer the Indian
Army remains in being the better, but a decision on which definite planning and
action can be taken would have to be reached by September, 1947, on the
assumption that the withdrawal date is June, 1948.

It is obvious that if there has to be a division of the Armed Forces, it can only
be done on a communal basis. If power were transferred on a Provincial basis
the Punjab would get a large proportion of the existing Indian Army, Sind and
Bengal would get virtually nothing, and of the other disputed Provinces only

\(^2\) Not printed. See L/P &J/10/98: ff 144–9.
Assam and the North-West Frontier would receive anything. The Punjab could not alone afford the large number of troops it would receive but the Punjab and Bengal and Sind together might be able financially to afford a respectable force. The maintenance in equipment and munitions comes mainly from Hindu India or from Bengal, and the Punjab would certainly be in difficulties.

The problem of the Indian Navy will be even more difficult. It is not large enough to stand division into parts which would be effective. The bulk of the personnel come from the Punjab which has no port. The coastline of India is mainly that of Hindustan but, if the Navy were given to Hindustan, Karachi and Calcutta would have no protection. The Indian Air Force is not large enough to be of great significance but would presumably have to be divided on the basis of the origin of its personnel.

7. Finance, Customs and Excise, and Income Tax

Each separately recognised recipient of Central functions would presumably acquire authority to levy all sources of taxation within its own borders, and Customs, Excise, Income tax and corporation tax, which are the main essential sources of Central revenue, would have to be levied on a local basis in each area. The ability of the separately recognised areas to do this effectively would depend on whether they took over intact the staff and records of the present Central organisation within their area. If not, it would take them some time to improvise new arrangements and substantial revenue might be lost in the meantime. Unless there were identical duties in all parts of India, internal Customs barriers would have to be organised and staffed at considerable cost and they would never, in Indian conditions, be efficient against smuggling. A substantial proportion of the income-tax at present levied by the Centre on all India basis is apparently re-distributed to the Provinces in fixed proportion. Some Provinces might on balance not gain much more than the cost of collection by levying income-tax themselves.

The most difficult questions in the financial field arise in regard to the partition of capital assets and liabilities. Physical assets would presumably be divided on a geographical basis according to their situation, but any proper division of assets should be on the basis of valuation, cash being paid to those beneficiaries which, in the partition of the assets themselves, received less than their due proportion of the value. Financial assets, including the Central Government’s balance at the Reserve Bank (at present about \( \mathcal{L}300 \) million) could not be allocated on any basis of territorial location. They and also the very important liabilities, such as outstanding debt, pension charges, etc. could only be divided on an equitable basis by arbitration. This, though technically difficult, would not be impossible. It could, however, only be effected by agreement and we may be dealing with a situation in which Hindu India is doing its
best to prevent a partition of India, or to weaken the separated parts to the greatest possible extent. In that event it would not be sufficient to leave each separate area to meet, so far as it could, the obligations of the Central Government towards persons within its borders. As regards pensions, there are grounds for hope that the new authorities will recognise their obligation towards British pensioners, but most of these would not be located within any of the areas and nothing but an agreed scheme would effectively provide that each pension should in fact be forthcoming from one source or another. The public debt is of the order of about £1,500 million. We could not with any due sense of responsibility or with proper regard for our own reputation, as well as for the future credit of the Governments in India, just leave this in the air. There is however no automatic principle on which the obligation for the service of every part of the debt would fall upon one authority or another. An appreciable part of it is held outside India altogether. In particular the sterling debt still outstanding, about £10 million, is believed to be almost entirely held in the British Dominions. Moreover very large amounts of Government Stock must be among the assets of the big Indian Banks, such as the Imperial Bank of India, which operate all over India but whose assets are not likely to be allocated to particular areas in such a way as to lead the future Governments of those areas to treat the amounts of stock involved as their liability.

Generally speaking, Bengal would reap considerable financial advantages if it was separated from Central control and retained its present area. The excise on jute, which is grown only in Bengal, would go to Bengal revenues and also the substantial Customs, and income-tax and corporation tax on the business and trade of Calcutta to the extent that it remained the business centre and port for its present hinterland, much of which would have passed into Hindustan. The Punjab and Sind, however, would come off badly in the distribution of Central sources of taxation, though they would have the Customs on imports through Karachi. Thus, in their field also, the smaller the number of inheritors of the Central functions, the less the difficulties. We ourselves should not be in a position to enforce a fair division of assets and obligations, but we could presumably apportion the sterling balances.

8. Reserve Bank and Post Office Savings Bank
The only fair method of dividing the assets and obligations of these institutions, including the Reserve Bank’s gold, worth upward of £60 millions, is by arbitration unless it were agreed that the Reserve Bank should continue to function for all the separated parts of India which, in the circumstances we are contemplating, is unlikely. But if the successor States are to come into being under reasonable conditions, they will need time to prepare and to set up alternative institutions.
9. Railways
There would appear to be no insuperable difficulties in the separate transfer if railways to Hindustan and Pakistan, but substantial difficulties would arise of transfer is to separate Provinces. A single system of railways serves the North-West of India and covers Sind, British Baluchistan, the Punjab, Delhi, and the North-West Frontier Province. Only small sections fall outside these Provinces and these could probably be transferred without much difficulty to other systems. Similarly, in the North-East there is a single system of railways for Bengal and Assam, though lines from systems in the centre of India run to Calcutta. A difficult financial problem would arise in the allocation of depreciation and reserve funds and as to the allocation of liabilities including pensions. Here again, therefore, the transfer to Hindustan and Pakistan is the simplest solution. Transfer to individual Provinces would involve a break-up of the railway system unless the Provinces in question coalesced for this purpose.

10. Posts and Telegraphs and Broadcasting
The equipment of the Posts and Telegraphs Department would have to be divided on a territorial basis. No doubt this would cause great administrative and perhaps strategic difficulties and reduce their efficiency. It is not known how far grave technical difficulties would arise. They would probably be susceptible to re-arrangement if there were co-operation between the newly created States, but, if there were not, Hindustan or the Union would be in a position to create great difficulties for the remaining entities. Broadcasting assets would have to be divided on a geographical basis.

11. Federal Research Agencies
These are such things as the Agricultural Research Institute, the Haffkine Institute for Medical Research. It would seem that they can only be divided on a geographical basis.

12. Food and Industries
Under the Government of India Act the production, supply and distribution of goods and trade and commerce within a Province are Provincial subjects, and therefore the distribution of food and commodities was excluded from Central control. In 1946, Parliament conferred upon the Central Government and Legislature control over the Provinces for a limited period in respect of a defined list of commodities within this field. These powers were a continuation of some of those acquired by the centre under emergency provisions of the Act which operated during the war emergency. They continue until the 31st March, but are extensible for a further year by the Governor-General acting in his discretion and thereafter for further periods up to 5 years in all by affirmative resolutions of both Houses of Parliament.
The Act gives the Centre power to legislate on these matters and provides that the Central legislation overrides Provincial legislation. It also gives the Centre power to appoint its own agents to administer the legislation within a Province.

For the purpose of Food administration the important powers which the Centre thus possesses are:— power to order a Province to fix a maximum or minimum price for foodstuffs; power to require a Province to procure foodgrains at prescribed prices; and power to require a Province to send any surplus above its own requirements where it is most required instead of where the best price is obtainable. Similar powers have been conferred temporarily on the Centre in respect of a defined list of other important commodities which are in short supply, such as coal, iron and steel, cotton and woollen textiles, paper, petroleum and mica.

Although by 1948 the world foodgrains situation may, except in regard to rice, be much more normal, the great increase in population in India in the last 10 years will cause the continuance of difficulties in regard to food supplies. The Punjab and Sind are the main wheat producing areas. Bengal will not be self-sufficient and will require wheat imports. Southern India, which is dependent on rice, will need substantial imports of either rice or wheat. Provided that there is Central control of food distribution in the Hindu Provinces the food situation should not become unmanageable if the Central functions are divided, particularly as the North-Western area will have difficulty in finding a profitable market for its wheat surplus. Production costs are high in India and it is unlikely that the surplus could be sold outside India except at a loss. The North-Western areas, though comfortable in regard to food, will be in difficulties in regard to other commodities such as coal, iron and steel, paper, and cotton and woollen textiles. On balance the North West of India would be very susceptible to economic pressure from the Hindu Provinces.

12A. Water
Transfer of the central functions to Provinces separately would mean that there was no authority in India capable of dealing decisively with water disputes between the Provinces. This is particularly important in North West India where there is a long-standing dispute at present in progress between the Punjab and Sind. Such disputes affect the livelihood of large numbers of persons and the absence of any overall authority in respect of them might have serious consequences.

III. Conclusions
13. The objections to and difficulties of dividing up the Central subjects have, of course, always been fully realised. While, on all practical grounds, they are effective against any form of Pakistan, they are still more powerful against
"fragmentation". If, for political reasons, a unified India is not, at present, possible, it is obvious from the above examination of the Central subjects that we should aim at handing over power in respect of them to the smallest possible number of separate authorities.

14. To divide and transfer the Central functions separately to authorities which were not in a position to exercise them effectively would have the worst possible consequences. It would invite and probably compel the stronger to attempt to overthrow the weaker by force or by economic strangulation. It would lead to a serious dislocation of administration and create the largest field for conflict. To do so would probably earn for us the hostility of both sides in the Indian dispute and might well be the worst of all solutions. The only justification for handing over to more than one authority is the conviction that to hand over to one authority will be unjust on merits and would be so contrary to the political realities that it will lead to civil war. But on that reasoning it is worse still to hand over to more than one authority in a way which leaves the separated parts so vulnerable at the outset that they invite attack and have no chance of establishing themselves. Whether or not such a situation arises will largely depend upon how we effect the transfer of power.

15. If the separated areas are to be capable of exercising the Central functions without an administrative breakdown preparatory arrangements will have to be made in practically every field. This applies most forcibly of all in regard to defence. The Punjab or Pakistan will require, if it is to have its own defence forces, not merely to take over the rank and file of the Indian forces which belong to it by origin but to have available a sufficient number of officers, to have provided adequate accommodation in advance, and to have set up staffs, pay authorities, rationing arrangements and to have organised other forms of military maintenance without which an Army cannot exist. As soon as it becomes reasonably clear that the constitution will not be framed by a representative Constituent Assembly, the Punjab and other Muslim Provinces will begin to ask us what we propose to do and will probably ask for facilities and possibly for assistance in making the necessary preparations. They may, for example, ask to be allowed to recruit European advisers and civil servants with knowledge of Central administration. The Governors of these Provinces will have to be given instructions as to how to handle such a situation. Strictly speaking, defence being a Central subject, it would at present be illegal for Provincial Governments to take any measures of this kind. Similarly, in the financial field, arrangements will have to be made for levying the Central taxes in the separated areas, for the continued service of the public debt, and for reorganisation of Posts and Telegraphs and Railways. In all these matters we can either assist or impede preparations being made, and the reality of the separation will depend to a large extent on which we do.
16. The conclusion appears to be that if the Central functions are to be handed over to more than one authority, it must be to a modified form of Pakistan (i.e. alternative 3 or 4 in paragraph 4 above) and not to Provincial Governments separately. If that is so, then it seems to follow that facilities must be given for at any rate a provisional administration to be set up in the two Pakistan areas capable of exercising the Central functions, and for arrangements to be made between them. For example, Punjab and Sind will not be able alone to afford any large defence expenditure, but Bengal, which will acquire substantial additional sources of revenue in the shape of Customs, Income-Tax and Excise, could, if she were prepared to do so, join in financing defence expenditure in return for provision of troops for service in Bengal.

17. If, however, an administrative structure is to be set up it must be created by and be responsible to some political authority. The Central functions could not be handed over to some indeterminate body responsible to no one in respect of the North-Western group of Provinces. It seems to follow that if the transfer is to take place in this form there must be at least a Provisional Government based on some form of democratic foundation which will become responsible for the Central subjects. It may well be that the Muslim areas will wish to set up a Constituent Assembly of their own, but in any case we should on this hypothesis have to encourage them to do so. Whether such an Assembly should be Section B as contemplated by the Cabinet Mission, or a special body set up by the Provincial Legislatures would be for consideration. But on constitutional grounds the conclusion seems inescapable that some such body would have to be set up.

18. For all these reasons it is suggested that a decision would have to be taken at latest by September on the basis of which overt action could be taken. But it would be necessary to have, especially for the purpose of planning a division of the Army, a provisional decision some time before that date as to what areas will be separately recognised if later it is decided to divide the Central functions. A further reason for taking such a decision is that we require to know some time before transfer is effected with what authorities we are going to negotiate in regard to matters arising out of the transfer of power. The difficulties of these negotiations will be much increased if they have to be conducted with more than one authority. The nature of the legislation to be promoted in Parliament will also be affected, and probably substantially, by transfer to more than one authority, and a great deal of detailed work is involved which must proceed on some definite assumptions even if two alternatives have to be provided for.

19. Broadly speaking, the decisive factor will no doubt be what is judged to be the course of action least likely to give rise to serious consequences to law and order in India. It will, however, be a difficult matter of judgment to balance
the desirability on the one hand of maintaining peaceful conditions in India until our departure, against the desirability of establishing conditions which are least likely to result in civil war after our departure, even at the expense of greater difficulties in the interim period. The former requires the maintenance intact for as long as possible of the Indian Army. The latter will best be secured either by handing over to one Central authority or by seeing to it that the separately recognised parts of India are not left in a position in which they are incapable of exercising their new powers. If it is decided to partition the Central subjects it is suggested that the choice lies between alternatives 3 and 4 in paragraph 4 of this memorandum. Alternative 2 amounts to setting up full Pakistan and including Assam within it. The practical as distinct from the political considerations weigh in favour of Assam’s inclusion under the same authority for the Central subjects as Bengal. There is, however, much to be said for a refusal to recognise Eastern Pakistan, the arguments against which are very strong. If the Government of Bengal alone in Eastern India is recognised as a separate recipient of the Central subjects, the facts of the situation as between Bengal and Assam could be left to work themselves out in political terms subsequently. The political objections to the inclusion of the North-West Frontier in Pakistan appear to be very much less and the practical necessities of the situation make a strong case for its inclusion. It is suggested, therefore, that the recognition of North-Western Pakistan and the Province of Bengal as the separate recipients of the Central functions is likely to be the solution which would most nearly accord with the realities of the situation and would be the nearest equivalent to a Judgment of Solomon as between the conflicting claims. There would remain the question whether we should undertake the separation from the Punjab and Bengal of the predominantly Hindu areas on the West and East of these Provinces.

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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence

Telegram, Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 266

IMMEDIATE

CONFIDENTIAL

4 March 1947

No. 26–G. Punjab Situation. Yesterday March 3rd, Muslims in Lahore were jubilant and noisy. Non-Muslims especially Sikhs were correspondingly exasperated and at night very large non-Muslim meeting was held at which violent speeches were made by Congress and Sikh leaders.
2. Today, March 4th, there has been much communal tension. During the morning Student procession mostly Hindu clashed with Police and later raided Police office damaging property and injuring about 30 Policemen of whom two have since died. Police opened fire and three demonstrators are reported to have gunshot wounds. This afternoon communal rioting has broken out in Lahore City. So far six members of public reported dead and 59 treated in hospital of whom 20 injured seriously. Police are still engaged and I have no complete report. Troops are standing by.

3. Congress and Sikhs are determined to resist Muslim rule. Mamdot has made no progress in forming Coalition and now wants Muslim Ministry supported by a handful of Scheduled Caste and Indian Christians. Situation is grave and without Coalition communal trouble on a large scale seems inevitable. I have told Mamdot that he must convince me of firm Parliamentary majority before I consider putting him in and that his Muslim government would be so short-lived that it might be impossible to put him in at all. Alternative is Section 93 which would not be satisfactory but might possibly be preferred by Punjabis generally.

Repeated to Viceroy.

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell

R/3/1/183: ff 30-2

SECRET

GOVERNOR'S CAMP, UNITED PROVINCES, 4 March 1947

NO. U.P.–74

Dear Lord Wavell,

There has been a good deal of talk and correspondence lately about the Secretary of State's Services. I think Your Excellency may be interested to read a letter which my Secretary has just had from one of our English Collectors. It seems to me to state the Service point of view rather well and I have thought it worth while to send you a copy for this reason.¹

Yours sincerely,

F. V. Wylie

¹ On 6 March Mr Abell minuted to Lord Wavell: 'This is a cri de coeur and might go to S/S?' Lord Wavell replied: 'Yes the S. of S. has been desperately slow over this.' On 7 March, however, Mr Abell suggested that it might be 'more useful to urge Lord Mountbatten than the Secy of State in this matter.' R/3/1/183: ff 30, 41.
Enclosure to No. 482

SECRET
COPY OF A LETTER FROM AN ENGLISH COLLECTOR OF A DISTRICT IN THE UNITED PROVINCES.

"I hope that H.E. will forgive me for writing to you as "a toad beneath the harrow" to press through you upon H.M.G. the necessity of making an immediate announcement on the future of the services. Hitherto the question has pursued a dilatory course in which the only question seems to be whether compensation should or should not be paid and has been accompanied by a controversy which has been distressing to many of us and has seemed to miss the point. What is of more immediate importance is the effect on morale arising from the present uncertainty which requires the immediate attention of H.M.G.

2. A majority of British Officers are proud of the traditions of their service and of what they have seen that service capable of in the past. They wish that its ending should be not less honourable. Yet they are subjected to a dilemma between duty and interest which in the absence of a declaration by H.M.G. on either is intolerable and quite unfair for they are unable to determine either their interest or duty.

3. On the one hand H.M.G. has declared its intention to remain in control if necessary till June 1948 and has expressed its concern with the deterioration in the administrative machine. On the other hand no single word has been addressed to the services to express what is H.M.G.'s wish or attitude towards them. Any one who applies for leave preparatory to retirement is permitted to go. Any one who applies for leave with any vestige of excuse is permitted to go. Certain Officers are going on leave in the ordinary course and will be able during that period to assess the position in India and the opportunity of employment at home at ease with none of the acute anxieties which beset those who stay. In the forms for employment of officers in the Home and Foreign Services a premium has been set on those prepared to go at once and regardless of compensation. It is difficult to avoid the assumption that it is of little value whether we go or stay for the short period left to the service.

4. Those who stay have the prospect of a rapidly deteriorating machine with which to work. The change may not be so apparent in Secretariat appointments; it is grimly clear here. We are working in conditions which our predecessors would have found intolerable and we watch what we would consider the elementary principles of administration disregarded. We have no guarantee that we will be supported or which is more important that we will be able to support our own officers or that there is any authority capable of supporting us. You have only to read the evidence before the Calcutta Inquiry Committee to realize that and the meaning of "appeasement" applied to law
and order. In these circumstances it is essential that H.M.G. should make its intentions and wishes known.”

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. Political Series, January–March 1947, pp. 93–4

IMMEDIATE
SECRET

No. 408–S. Governor of the Punjab has asked Mammad to form a Ministry and to report progress by 8th March. Governor pointed out that Ministry ought to be formed in time to pass Budget by end of March otherwise technical recourse to Section 93 would be necessary.

2. Jenkins considers that possible positions within the next ten days are as follows:—

(i) Mammad may fail to form a Ministry which will mean that Governor is forced into Section 93.

(ii) Mammad may form a Ministry with token support from Scheduled Caste members, Anglo-Indians, &c. There would be immediate trouble with the Sikhs and a Section 93 situation could not be long delayed.

(iii) Mammad may form Ministry in alliance with the Congress and Sikhs or Sikhs alone. If this happens there is a fair chance of getting through without serious trouble.

3. Jenkins suggests that His Majesty’s Government should give serious consideration to their policy in positions (i) and (ii). Communal leaders are unlikely to accept Section 93 with equanimity. Use of force and perhaps proclamation of martial law over large areas would be difficult and unsatisfactory. He thinks that best policy in Section 93 situation may be to make the intention to maintain order clear, but to attempt in consultation with party leaders to evolve a long-term plan for the Punjab. He thinks it would be necessary for His Majesty’s Government to accept any plan agreed to by party leaders even though it involved partition.

4. Above is based on report dated yesterday. Today Jenkins reports that Mammad is making very little progress and non-Muslim attitude is hardening. Non-Muslim crowds have been moving about today tearing down Muslim League flags and tearing League badges off Muslim Leaguers. Procession of Hindu

1 See No. 476 dated 3 March.
students attacked police party and police office, and firing was necessary. No casualties reported yet.

5. Jenkins has suggested that Private Secretary to the Viceroy should go to Lahore for discussions with him, and I am sending Abell by air tomorrow. I have told him to instruct Governor as follows:—

(1) Mamdot should be allowed to take office if he can produce a parliamentary majority even though the Ministry may be unsatisfactory.

(2) If Governor is compelled to go into Section 93, which of course he will not do without consultation with me, he will have to make it clear that order will be strictly maintained. His Majesty's Government might then have to consider whether an attempt should be made to evolve a plan in consultation with the political leaders for the future of the Punjab.

(3) In the event of serious disorder other than in a Section 93 situation, he should support his Ministry as long as possible and not regard resort to Section 93 as an immediate solution. The Ministry should be given a fair run.

6. The Akalis and the Congress propose to hold an anti-Pakistan Day all over the Punjab on the 11th March. I shall see Patel tomorrow and try to persuade him that the Congress High Command must discourage this demonstration which may be very dangerous.² Patel has more than once taken the line with me that the Muslim League members of the Cabinet had no right to encourage demonstrations against the Government of the Punjab and I shall be able to quote his own opinions to him.

² Lord Wavell later noted on R/3/1/89: 'He promised he would do his best to help and said so twice.'

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P & J/8/663: f 305

IMMEDIATE

NEW DELHI, 5 March 1947, 1.40 am
Received: 5 March, 5.50 am

No. 409-S. My immediately preceding telegram. Jenkins now reports that there have been considerable disturbances today and some Moslems have been murdered in Lahore by non-Moslems. Mamdot has stated that he can form a Ministry composed of Moslems only but the Governor does not believe his statement that Khizar and Unionist Group of Moslems have agreed to support Mamdot. He has therefore asked for a list of Mamdot's supporters.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/1/30/40: 34

IMMEDIATE

NEW DELHI, 5 March 1947, 11.15 am

No. 411-P. States’ Negotiating Committee met corresponding Committee of Constituent Assembly 1st and 2nd March. Following is text of joint communiqué issued 2nd March:

Begins. The States’ Negotiating Committee of the Chamber of Princes and the States Committee of the Constituent Assembly concluded their deliberations this morning. They generally accepted the recommendations of their two Secretariats as regards the allocation of seats among the different States, and authorised the making of such minor modifications as are considered necessary by the parties concerned.

They also agreed that not less than 50 per cent. of the total representatives of States shall be elected by the elected members of Legislatures or, where such Legislatures do not exist, of other electoral colleges. The States would endeavour to increase the quota of elected representatives to as much above 50 per cent. of the total number as possible.

It was decided to set up a Committee consisting of the following members to consider the modifications referred to above and other matters of detail that might arise from time to time and to report, if necessary, to the two Negotiating Committees:

Dr. Pattabhi Sitaramayya, Sir N. Gopalaswamy Ayyangar, Sir V. T. Krishnamachari, Sir Sultan Ahmed, Sir B. N. Rau, Mir Maqbool Mahmood and Mr. H. V. R. Iengar.

The States’ Negotiating Committee will place the above conclusions before a general conference of Rulers and representatives of States for ratification at an early date. Ends.

2. Comment follows in my immediately succeeding telegram.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/1/30/40: f 35

NEW DELHI, 5 March 1947, 12.30 pm

IMMEDIATE SECRET

No. 412–P. Reference my immediately preceding telegram. States unanimously desire to co-operate in implementing Cabinet Mission plan but are divided on issue whether to commit themselves at present stage to participation in Constituent Assembly which H.M.G. themselves regard as unrepresentative.

2. States hope that position will become clearer in course of next few weeks and have therefore stalled. General Conference of Rulers will be summoned first week April ostensibly to ratify provisional agreement already reached with Constituent Assembly regarding method of selecting States representatives and distribution of seats. Real object of Conference will be to review position of States in light of new situation created by H.M.G.'s Statement of 20th February with particular reference to bearing of that Statement on status of present Constituent Assembly in relation to Cabinet Mission plan. On result of this review will depend decisions on two issues now before States.

(1) Whether to accept invitation to nominate representatives immediately to certain Committees of Constituent Assembly, and

(2) Whether to send representatives selected in accordance with agreed procedure to Constituent Assembly at present intermediate stage, i.e. before representatives of Sections have settled Provincial and Group Constitutions and have reassembled in final Constituent Assembly for purpose of settling Union Constitution.

Chiefs of Staff Committee. C.O.S. (47) 36th Meeting

L/WS/1/1045: ff 63-71

Those present at this Staff Conference held on 5 March 1947 at 11.30 am were:
Mr Alexander (in the Chair), Admiral Sir John H. D. Cunningham, Field Marshal Viscount Montgomery of Alamein, Air Marshal Sir William Dickson, Lieutenant-General Sir Leslie G. Hollis

Also present were: Rear-Admiral Viscount Mountbatten of Burma, Lord Ismay of Wormington, General Sir Geoffry A. P. Scoones, Major-General R. Laycock, Sir Eric Miéville
India—Debate

The Conference had before them a Report\(^1\) by the Joint Planning Staff covering an aide mémoire for use by the Minister of Defence in the Debate on India, with which the Chiefs of Staff were in general agreement.

In discussion of the aide mémoire seriatim, the following points were made:

*Paragraph 3—Strength of British Forces*

Lord Montgomery said that there were five British Brigade Groups, twelve British independent Battalions and three Armoured Car Regiments in India. The rundown of the twelve independent battalions was in progress and if the release scheme was to continue, nine of these battalions would have left India by July, 1947. At the request of India, the remaining three independent battalions were being maintained in India and formed into an infantry brigade. He emphasized that the maintenance of law and order in India depended so much on the solidarity of the Indian Army. He did not think the position would be made any more secure by maintaining any further British independent battalions in India.

Sir William Dickson said that of the six Squadrons of the R.A.F. in India, three were transport squadrons. He considered it important that these Squadrons should be kept up to strength until power was transferred to the Indian Government. The Royal Indian Air Force were entirely dependent upon the Royal Air Force Maintenance Services and, if and when these Services were withdrawn, the effectiveness of the Royal Indian Air Force would be seriously impaired.

*Paragraph 4(b)—Internal Security*

The Chiefs of Staff were not convinced that it was most unlikely that any Indian Government would request the use of British troops in India. They thought it was important that any such request from the Indian Government should be unsolicited and that it was important that in any statement made, every effort should be made to avoid giving the impression that His Majesty’s Government was “angling” for a request for assistance from the Indian Government.

They referred to the recent statement by the Lord Chancellor in the House of Lords that it was the intention of the Government to withdraw British troops when the transfer of power took place.\(^2\) They thought it would be dangerous to start any withdrawal of British troops beyond the rundown of the nine independent Battalions until after power had been transferred.

*Lord Mountbatten* agreed that it was important that no withdrawal

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\(^{1}\) J.P.(47)23(Final). L/WS/1/1045: ff 74–9. See Annex to these minutes for the text of the aide mémoire with the modifications agreed at the meeting.

of British forces should take place until power had been transferred to the Indian Government. He asked if the Chiefs of Staff would give him an estimate of the time it would take to withdraw the British Armed Forces from India after power had been transferred. He asked that this matter be included in the examination of other subjects being prepared for him by the Chiefs of Staff.

Paragraph 5—Employment of Gurkhas

Lord Montgomery said that a War Office representative was shortly proceeding to New Delhi to discuss with the Indian Government the employment by His Majesty’s Government of Gurkha troops for Imperial purposes. Provided the Indian Government agreed, it was proposed to make an offer in Nepal for eight Gurkha battalions, together with their training and depot facilities. He emphasized that this offer would not be made unless the Indian Government expressed their approval to it. If the offer were accepted, it was proposed to use the Gurkha battalions to provide the infantry element of a division in Malaya.

Paragraph 6—Andamans and Nicobars

The Chiefs of Staff said they understood the Under-Secretary of State for India might be asked in the House of Commons if, in the transference of power to India in 1948, it was proposed to include the Andaman and Nicobar Islands, in view of the fact that these islands have no racial connection in India. The India Office had asked for their comments on alternative answers which had been submitted to the Prime Minister. The Chiefs of Staff said they would much prefer, if the Question had to be answered, it to be said that the future position of the Andamans and Nicobars would be the subject of negotiations with the Government of India, which takes over responsibility after June 1948, and that it was not desired to prejudice these negotiations by making any statement in advance.

The Minister of Defence then referred to a Memorandum which had been circulated by the India Office to the India and Burma Committee, concerning the position which would arise in the event of there being no one central Government in India to which power could be transferred by June, 1948. He asked for the comments of the Chiefs of Staff on this memorandum as soon as possible.

Lord Montgomery said he had not yet seen the memorandum by the India Office, but considered it important that the Indian Armed Forces be retained under central control so long as we were responsible for the maintenance of law and order. He thought it would be most dangerous to attempt to "split" the Indian Army as a result of there being more than one Government in India, and that it was essential that any such re-organisation of the Armed Forces should take place inside India. Further, he considered it to be
important to give no indication that, if it was necessary, plans were being made for such a re-organisation in advance of their execution.

The Chiefs of Staff agreed with the views of the Chief of the Imperial General Staff and were of the opinion that any reference to the possibility of having to re-organise the Indian Armed Forces should be avoided as far as possible in the Debate. They suggested that, at the most, it might be said that this would be a matter for consideration at the time in the light of the circumstances then obtaining. They undertook to examine the memorandum by the India Office referred to by the Minister of Defence.

The Conference:

(a) Approved the aide mémoire for use by the Minister of Defence in the Debate on India, as amended in discussion.

(b) Invited the Chiefs of Staff to include the point at ‘X’ above in their examination of subjects on which Viscount Mountbatten wished to consult the Chiefs of Staff before he left for India.

(c) Took note that the Chiefs of Staff would examine the defence implications contained in the Memorandum by the India Office, referred to by the Minister of Defence.

Annex to No. 487

India—Defence Arrangements

Aide Mémoire for use by the Minister of Defence in the Debate on India.

It is convenient to classify the main questions of Indian Defence in two periods:

Phase I — from now until June 1948.

Phase II — after June 1948

There are certain other points not related to these periods of time which we have discussed in separate paragraphs below.

Phase I — from now until June 1948.

2. During this period there is unlikely to be any complete constitutional change and the responsibility for the defence and security of India will remain unaltered. The present system of responsibility can be summarised as follows:

(a) External Defence. In the event of an external threat to the security of India, it will remain the responsibility of H.M.G. to secure India’s defence. For this purpose such British forces of all three Services as circumstances require or allow would be made available.

(b) Internal Security. The use of British troops in aid of the civil power in India will remain the same during Phase I as up till now. That is to say, British forces can be called out to assist to keep law and order on behalf of any Indian Government, provincial or central, by law established, and

* See No. 474.  * No. 480.
under these circumstances are used with the strictest impartiality in dealing with any communal strife.

At the same time there will remain a safeguard against the misuse of British forces in these duties since H.M.G. have an ultimate control over the use of British troops in India under Section 314 of the Government of India Act, by which the Government of India is required to comply with directives issued by the Secretary of State. Moreover, the established right of appeal from Commanders to the Commander-in-Chief, through normal military channels will continue.

(c) Employment of British Personnel in the Indian Armed Forces. The terms of service for British Officers and Other Ranks serving with the Indian Armed Forces will continue during this Phase as at present.

3. It would be preferable to avoid disclosing the strength of British Forces in India but, if the Minister is pressed to, we suggest he might limit the information given to the following broad statement of the present position and the contemplated run down:

<table>
<thead>
<tr>
<th>Royal Navy</th>
<th>Nil</th>
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<tbody>
<tr>
<td>Army</td>
<td></td>
</tr>
<tr>
<td>Present strength:</td>
<td>6 Brigades</td>
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<tr>
<td></td>
<td>8 Battalions</td>
</tr>
<tr>
<td>Strength at</td>
<td></td>
</tr>
<tr>
<td>July 1947:</td>
<td>6 Brigades</td>
</tr>
<tr>
<td>R.A.F.</td>
<td></td>
</tr>
<tr>
<td>Present strength:</td>
<td>6 Squadrons</td>
</tr>
<tr>
<td></td>
<td>3 A.O.P. Flights</td>
</tr>
</tbody>
</table>

There is no plan at present for further reduction in either the Army or the R.A.F. up to June 1948. No decision has been taken as to the timing and rate of withdrawal of forces on the transfer of power.

Phase II—after June 1948.

4. Since the whole question of the status of India in Phase II is a matter for the most careful and intricate negotiation, the Minister will no doubt wish to avoid prejudging these negotiations by making firm statements on defence points during this Phase. We suggest that he might deal with these points as follows:

(a) External Defence. This was the subject of a recent Parliamentary Question and it is suggested that the Minister should take exactly the same line as was taken in the answer to this Question:

"The Government have declared their intention to transfer full power to Indian hands not later than June 1948, and the responsibility for the security of India from external aggression will fall upon India from the date when full power is transferred. If India decides to remain within the British Commonwealth, the position as between His Majesty’s
Government and India will be similar to that now existing between His Majesty's Government in the United Kingdom and the British Commonwealth. If India decides to leave the British Commonwealth the continued security of India will, of course, be a matter of great interest to the British Commonwealth. His Majesty's Government will naturally be very willing to enter into discussions with India as to mutual assistance in matters of external defence subject, of course, to the obligations of both parties under the United Nations Charter.”

It is quite possible that the Minister will be asked what effect the transfer of power will have on the maintenance of strategic facilities for the defence of the Commonwealth. The answer to this question depends upon the future relationship of India with the Commonwealth, but no doubt the question would be covered by any discussions we may have with India on mutual assistance in matters of defence.

(b) Internal Security. In writing to the India Office on the military considerations of a future Treaty with India, the Chiefs of Staff stated⁶ that

“As the value of a military alliance with India depended upon the maintenance of law and order in India, the presence of British forces might prove desirable for at least some time to come. If therefore the Indians were to ask for British troops to help the Indian Government maintain internal security we should accede to this request to assist India. It would, however, be necessary to have certain safeguards to prevent misemployment of our forces; to guarantee the maintenance of our contingents which in particular would have to provide for an all-British chain of responsibility; and to allow for withdrawal of these forces if there was a more urgent claim for their services elsewhere.”

We adhere to these views. It appears to us most important that in any statements made on this matter every effort is made to avoid giving the impression that His Majesty's Government is “angling” for a request for assistance from the Indian Government. We feel that any approach for the use of British troops to help in maintaining internal security in India should come, unsolicited, from the Indian Government.

As regards British forces now in India, we suggest that the Minister might wish to make it clear that they will remain in India until the transfer of power takes place, and that there can be no question of any withdrawal starting before the transfer has taken place. We think that this is what the Lord Chancellor intended when he recently stated⁷ in the House of Lords, “It is the intention of the Government to withdraw British troops when the transfer of power takes place, for in no circum-

⁶ In para. 23 of the report which was sent with Hollis’ letter of 4 October 1946 to Monteath (Vol. VIII, No. 408).
⁷ See note 2 above.
stances could British forces be placed under the control of the new Indian authorities or any authority not responsible to this country.”

(c) Employment of British Personnel in the Indian Armed Forces. The employment of British Service personnel in the armed forces of an independent India will raise difficult and complicated issues. If asked for by India, however, the matter would be the subject of negotiation and would be sympathetically considered by His Majesty’s Government. We deal with the question of the future of British Officers and Other Ranks now serving with the Indian Armed Forces in paragraph 7 below.

Employment of Gurkhas

5. It is quite possible that the Minister will be asked questions on the employment of Gurkhas, but since this also is the subject of negotiations with the Governments of India and Nepal, it would be desirable to leave the position as open as possible.

The present position is that the Government of India have stated that they wish to retain some Gurkha Units in the post war Indian Army officered by Indians; that they do not view favourably the employment by H.M.G. of Gurkha troops for Imperial purposes, but they realize the difficulties inherent in the matter and are prepared to settle the matter by negotiation between H.M.G., India and Nepal. They have agreed that these negotiations should in the first instance be conducted between H.M.G. and the Government of India and it is expected that negotiations will start in New Delhi in the third or fourth week of March, to be conducted on behalf of H.M.G. by the U.K. High Commissioner, assisted by War Office representatives. The War Office are now preparing the brief for the negotiations.

It is suggested that any statement in Parliament should be restricted to saying that the question of the future of Gurkha troops and whether any would be available for employment by H.M.G. must await the result of negotiations between H.M.G., the Government of India and the Government of Nepal.

Andamans and Nicobars

6. The future position of the Andamans and Nicobars will be the subject of negotiations with the Government of India which takes over responsibility after June 1948. It is suggested, therefore, that if the Minister is questioned regarding the future of these islands, he might reply on the following lines—

“The future position of the Andamans and Nicobars will be the subject of negotiations with the Government of India, which takes over responsibility after June, 1948. I do not wish to prejudice these negotiations by making any statement in advance.”

Future of British personnel now serving with Indian Armed Forces

7. It is hoped that a number of Officers will be willing to continue to serve the
future Government of India and that the Government will be willing to employ them: in this case special arrangements will have to be made as stated in paragraph 4(c) above.

The future of other British personnel of the Royal Indian Navy, the Indian Army and the Indian Medical Service has been discussed with the Admiralty and the War Office, and it is hoped that it will be possible for the majority of Indian Army Officers with less than 20 years service to be transferred to British Services. Arrangements are also under discussion for the transfer of as many R.I.N. Officers as possible to the Royal Navy and of I.M.S. Officers to the R.A.M.C., the R.N. and R.A.F. Medical Services. All British personnel serving with the R.I.A.F. are attached from the R.A.F. and will automatically return to the R.A.F.

We understand that the future of Officers for whom employment is not available under the above terms, together with the question of compensation for loss of career, is still under consideration along with that of the Civil Services.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

*Telegram, L/P/J/10/83A: f 18*

**IMMEDIATE**

NEW DELHI, 5 March 1947, 5.45 pm

Received: 5 March, 3.40 pm


2. Resolution in Assembly was postponed to first week of April, and Defence Member is now pressing for a Government decision on policy to be adopted. The demand for restoration of forfeited payment of all I.N.A. men, in addition to release of convicts, has now been dropped in view of fact that His Majesty's Government would have to pay the bill under the terms of financial agreement.

3. You authorised me in your telegram 1052 of January 22nd² to overrule my Cabinet on this matter if necessary. Unless you wish me to delay the case

¹ No. 422. ² No. 296.
till Mountbatten takes over, I shall have to permit discussion in Cabinet and then overrule my Government.\(^3\)

\(^3\) In tel. 3100 of 7 March Lord Pethick-Lawrence told Lord Wavell he would wish to consult his colleagues and he assumed the matter would not come up at the following week’s Interim Cabinet meeting. In tel. 449-S of 10 March Lord Wavell confirmed that it would not be necessary to deal with the case at the meeting of 12 March. L/P &J/10/83A: f 17; L/WS/1/1578: f 28.

In a minute of 7 March 1947 Lord Ismay said he had spoken to Lord Mountbatten about the I.N.A. question and Lord Mountbatten preferred that Lord Wavell should be authorised by H.M.G. to take whatever decision he thought right. Lord Mountbatten had added that if the subject were raised again when he arrived in India, he would take the line that he was not prepared to re-open the case until he had ample time (about three months) in which to inform himself of all the considerations involved. L/WS/1/1578: f 33.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P &S/13/1831: ff 152–3

SECRET

INDIA OFFICE, 5 March 1947, 7pm

No. 2989. Your telegram 27th February 369–P.\(^1\) I entirely agree with approach to relaxation of Paramountcy on lines contemplated at last Residents’ Conference which appears to have tackled the question in businesslike and realistic fashion. I also agree that Crown Representative should have maximum discretion in carrying out policy of relaxation with a view to greatest possible devolution by end of 1947 but avoiding any step which would prejudice future unity of India in regard to defence and communications. Object, in fact, is to enable States to stand on their own feet, to encourage them to stand together, but to do everything to encourage them to cooperate to the full with British India.

2. One point which I feel you and the Political Adviser should bear prominently in mind is the desirability for pressing forward to maximum extent the negotiations envisaged in paragraph 4 of Memorandum of May 12th, 1946,\(^2\) on States’ Treaties and Paramountcy for future regulation of matters of common concern, particularly in economic and financial field, between States and British India. I recognise that much must depend on discussions of general principles with Constituent Assembly but I am concerned at possibility of administrative vacuum in such matters resulting on transfer of power.

\(^1\) No. 471. \(^2\) Vol. VII, No. 262.
No. 27-G. Punjab situation. Night of 4th-5th March was quiet in Lahore. District Magistrate has imposed curfew 20-00 to 07-00 hours and banned meetings, processions and gatherings of five or more persons. Communal rioting broke out again early this morning. Details not yet reported but trouble is widespread and some persons have been killed. Non-Muslims are still truculent especially Giani Kartar Singh and unlawful demonstrations are beginning. Inspector-General, Police, considers Lahore situation extremely grave. Only incident reported outside Lahore is stoppage of train by Hindu-Sikh mob near Kamoke Gujranwala District and burning of signal cabin. Trouble expected in Amritsar on 6th and 7th for which dates Sikhs have planned aggressive demonstrations in connection with Holi and Hola festivals. Report just received of serious communal rioting in Multan City with heavy casualties. Troops called out and extra police sent for.

2. Coalition Ministers called on me in a body at 21-45 hours on 4th and told me that their resignations must take effect forthwith. Non-Muslim Ministers could not approve action taken by Police against demonstrators of Hindu and Sikh communities. This decision left me without a Ministry. I have had inconclusive discussion with Mamdot who claimed yesterday and still claims a Parliamentary majority. This includes all Muslim Unionists and my own information is that with one exception they are not at present likely to join League. Mamdot suggested either further time to consider coalition or formation of Ministry with vacancies reserved for Non-Muslims. When I told him that I could not handle situation without a Government and suggested Section 93 to give him time, he jibbed and said that he would see me again at 16-30 hours. Muslim Government with support only from Scheduled Castes, etc., would probably cause immediate mass rising of Sikhs. I explained this to Mamdot and told him that if I put him in office as he seemed to wish he must take the entire responsibility for maintaining order. I will telegraph again this evening.

Repeated to Secretary of State for India.
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The Nawab of Mamdot to Sir E. Jenkins

R/3/1/176: ff 16-18

MAMDOT VILLA, DAVIES ROAD, LAHORE,
5 March 1947

Dear Sir Evan,
During my interview with your Excellency on the evening of March 4th, I submitted that, in view of the disturbances which had occurred in Lahore, I wished the new Ministry to assume office and responsibility at once, even though my negotiations with the Panthic Akali Party had not yet concluded. I further explained that the Council of Ministers to be formed immediately would be expanded in due course in the light of these or other negotiations; but that the Ministry as initially proposed was by itself in a position to command a majority of the Legislature.

Your Excellency desired further assurance on this last point and expressed the view that you would not like to take the risk of handing over the administration to a Ministry which might not stay in office for more than a very short period.

During my interview with your Excellency today, your Excellency informed me that, the Care-Taker Ministry having quitted office last night, the problem of substituting a new authority—either a new Ministry or the Governor acting under section 93 of the Government of India Act—had become urgent. Your Excellency further suggested that the best course would be for your Excellency to assume the necessary powers of administration under section 93 to fill the vacuum at once and for such period as I might require in order to form a Ministry commanding a stable majority.

I submitted, and I wish to repeat the submission, that the Ministry, the appointment of which I am recommending, was already in a position to face the legislature successfully and should be given an opportunity of proving it on the floor of the House.

Your Excellency having formally summoned me to assist in the formation of a Council of Ministers, the stage of inquiry whether the Ministry, the formation of which I am advising, is likely to command a majority of the House, is really over. The likelihood, presumed by your Excellency when summoning me, can now be contradicted only by an adverse vote of the House.

I have no reason to doubt the assurances of support which I have received from various groups of M.L.A.s. outside the Muslim League Party and I have no manner of doubt that the Ministry which I am proposing will be able to command a majority [sic] of at least 90 to begin with. This number comprises
the Muslim League Party of 80 plus 3 other Muslim members, 4 members of the
Scheduled Castes, 1 European and 2 Indian Christians. This number is most
likely to go up to about 100 before the Legislature resumes its session.

I submit that, while opinions and conjectures may differ about the likely
amount of support for the proposed Ministry, the only course fair to me at this
stage is to put them to actual test. As for the risk (which to [my] mind does not
exist) that the Ministry may fall as soon as it faces the Assembly, I submit that,
in theory, such a risk is involved in the formation of any Ministry at any time.
Normal constitutional procedure should not, however, be deviated from
because of the presence of a theoretical risk of this nature.

In view of these observations, I trust your Excellency will permit me to submit immediately for your approval the names of Ministers for the new Cabinet.

Yours sincerely,

IFTIKHAR HUSAIN KHAN

1 i.e. Malik Khizar Hyat Khan’s Ministry which Sir E. Jenkins had asked to carry on temporarily; see No. 476, para. 6.

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Sir E. Jenkins to the Nawab of Mamdot

R/3/1/176: f 19

GOVERNMENT HOUSE, LAHORE, 5 March 1947

My dear Khan Sahib,

Thank you for your letter of 5th March 1947.1 Since our interview today, very
serious communal rioting has broken out in Multan, and the situation in
Lahore has deteriorated greatly. Rioting is also reported in Amritsar. In these
very grave conditions you suggest that I accept your very general assurance
that you command a majority in the Assembly and ask you to instal a new
Ministry forthwith. I asked you at one of our earlier interviews to let me have
the names of your supporters, and today I added that in the case of those who
are not members of your own party I should be glad to have a statement signed
by them to the effect that they are prepared to support your Government in
the House on all questions of confidence. I still think that these stipulations are
reasonable, and shall be grateful if you will be good enough to comply with
them. In the meantime I cannot continue indefinitely without a Ministry, and
to fill the gap I have, with the concurrence of the Governor-General, made a
proclamation under section 93 of the Government of India Act, 1935. I need

1 No. 491.
hardly say that I consider the early establishment of a stable Ministry in the Punjab most important, and I hope that within the next few days you will be able to let me have proposals much more definite than those contained in your letter. I can assure you that the risks involved in any hasty action are anything but theoretical—they are as grave as could well be imagined.

2. My personal belief is that no Government which does not command the confidence of Punjabis generally can solve our present problems, and it is for you to consider whether in the additional time now available you should not resume negotiations with the other communities. May I also suggest that at the present juncture a statement by yourself and the leaders of the Hindus and Sikhs condemning the present communal outbreak would have an excellent effect? I have reason to believe that a move on your part for the issue of such a statement would be well received.

Yours sincerely,

E. M. JENKINS

5 March 1947

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell


IMMEDIATE

CONFIDENTIAL

No. 28–G. Punjab situation. Multan rioting is reported serious with 20 dead, many injured and many fires. Rioting has broken out at Amritsar many (7 group omitted) one dead and five seriously injured. There have been incidents in Rawalpindi likely to lead to rioting. Position in Lahore has deteriorated with many dead and widespread incendiary. We shall be lucky if we escape communal rioting throughout Punjab on unprecedented scale.

2. Mamdot failed to keep appointment at 16–30 hours and asked for time at 18–00 hours. He again failed to come and after denying that appointments were made sent me letter demanding immediate appointment of Ministry with support of ninety members of Assembly including Muslim League 80, other Muslims 3, Scheduled Castes 4, Indian Christians 2 and European 1. No names were given and I was simply asked to accept assertion that League would in fact command majority. Private information suggests that Mamdot commands only 3 votes outside League including 1 Muslim and 2 Scheduled Castes.

3. Risk of installing League Ministry of this kind even with assumed Par-
liametary majority is enormous. Without such majority installation of Ministry would in my judgment be fraud on constitution and Instrument of Instructions. I should simply be inviting one of Parties to present communal conflict to assume charge of it without even satisfying myself of its Parliamentary competence to do so. I have therefore informed Mamdot\(^2\) that I must insist on earlier stipulations that he submit (a) list of names of his supporters, and (b) Statement by those who are not members of Muslim League that they will support him in Assembly on all questions of confidence. With Your Excellency’s concurrence obtained this morning I have made Proclamation under Section 93 having first prorogued Assembly. It is quite impossible to handle present situation without powers of Government. I have asked Mamdot to renew his efforts to negotiate with other communities and have made it clear to him that I consider early establishment of stable Ministry most important.

4. I think renewed attempt at negotiations with (? Sikhs) will fail though Swaran Singh hinted to me this afternoon that it might succeed. I need instructions on the following two most probable situations. First Mamdot produces evidence of assured Parliamentary majority for purely League Ministry. (? Second) Mamdot fails to produce such evidence.

5. In first situation normal course would be to put Mamdot in office. There would then be immediate Sikh rising with Hindu support. Police, troops and myself would immediately be involved on Muslim side in what would in fact be civil war for possession of Punjab. I am not clear how or at what stage we could extricate ourselves. Constitution[al] niceties no longer matter since we are approaching final struggle for power. Events of last two days have modified my provisional view that League must be forced to take responsibility. I would personally advocate Section 93 coupled with attempt to mediate between the communities.

6. In second situation Section 93 seems inevitable but again should be coupled with attempt to mediate.

7. His Majesty’s Government must be quite clear as to realities. During the next sixteen months order can be maintained in Punjab whether under communal Ministry or Section 93 only by use of force. Under communal ministry British officers and Indian Army will be used to conquer Punjab for the community in power. Under Section 93 administration would have limited tenure and would hand over to chaos.

8. Immediate orders are also needed as to treatment of services during remaining period of British connection. I consider power should be taken to hold members of security services up to date not later than end of June 1948 and that rights of all officers who [to] leave should be safeguarded so that refusal

\(^{1}\) No. 491.  
\(^{2}\) No. 492.
of leave now carries with it right to all leave due on release whether before or after age of retirement.

Repeated to Secretary of State.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICE ROY'S HOUSE, NEW DELHI,
5 March 1947

Thank you for your letters, dated the 21st and 27th February.1

2. The principal events of last week have been the fall of the Punjab Ministry and the Budget.

3. You have had reports by telegram about the Punjab situation. Khizar evidently made up his mind with a minimum of consultation and a maximum of speed, which has been markedly absent from other Indian political decisions in my time. The Punjab Ministry was certainly a rather artificial set-up, and its fall leaves the Punjab face to face with the Pakistan issue. The latest reports are that Mamdot has made very little progress with Ministry-building, and there are already disturbances by non-Muslims directed against Muslims. By the time this letter reaches you, you will have had further reports by telegram. It is undoubtedly a dangerous situation; and it may be that the communities will not have the sense to come to terms among themselves until they have learnt a bitter lesson. Meanwhile the strain on the Services and on the Army is likely to be considerable. The news of the first disturbances will come at an awkward time for your Commons debate.

4. It seems likely too that the fall of the Unionist Ministry in the Punjab will put an intolerable strain on the Congress Ministry in the North-West Frontier Province. That also is an unnatural arrangement, and it may not last very long. Unfortunately neither in the North-West Frontier Province nor in the Punjab are the League leaders impressive; nor are they likely to be moderate or wise.

5. Liaquat's budget has been most interesting, and from a political point of view, most ingenious. He has had to face a considerable deficit and can produce unanswerable justification for fairly heavy taxation. He has framed a socialistic budget which appeals to the genuine socialist in the Congress party but horrifies the capitalists. Thus, while securing considerable popular support from elements of all parties, he has driven a wedge deep into the Congress party.
Nehru and Matthai had accepted the proposals at the meeting with me, but will have to meet considerable criticism inside the Congress group. Birla’s Hindustan Times has voiced the outcry of the millionaires, who see their immense profits threatened by the proposals, the most controversial of which is the tax of 25% on all profits over a lakh of rupees for companies, firms, and individuals alike. The budget has had a good Press on the whole, as the millionaires are by no means popular; and it is interesting that comment in the Assembly has been largely on non-party lines. I gather the Muslim Leaguers are very pleased with themselves, but the influence of the capitalists is very strong in Congress, and it is not impossible that amendments may be carried in the Assembly.

6. The budget is also of course a blow to British interests in India, which are capitalist. Clive Street is very gloomy, and everyone realises that even if British business in India were to become unprofitable, it might be very difficult to get out one’s money because the Indian Government now has the power to put control over foreign exchange, and any lack of confidence will only precipitate the need to impose control. The Stock Exchanges in Calcutta, Bombay, and Madras have been kept closed since the budget speech was made.

7. I have sent you the account of my interviews with Bhopal and Sir C. P. Ramaswami Aiyar on the 3rd. The Princes have not really committed themselves yet to co-operation with the Constituent Assembly and they are still watching events. Bhopal, as I reported, is gloomy.

8. Compared with the Punjab and the Frontier, the ministerial troubles in Madras are a storm in a tea cup. Prakasam has a majority of the Congress party against him, and though the High Command are believed to be in favour of keeping the present Ministry in position until the budget is passed, there is little doubt that Prakasam himself will have to resign in due course.

9. I have seen Auchinleck’s personal telegram to Montecath dated the 3rd March about the fixing of a date when British officers of the Indian Army and R.I.N. who are not eligible for transfer should be retired and paid compensation. I agree with Auchinleck and hope that this matter is receiving most urgent consideration.

10. Patel has asked me what is happening about the proposals for compensation for the Secretary of State’s Services. I have told him that I have reminded His Majesty’s Government. I have no doubt he will expect an answer very soon.

1 Nos. 444 and 473. 2 Nos. 477 and 478.
3 Not traced. It would appear from tel. 2933 of 4 March from Lord Pethick-Lawrence to Lord Wavell that Field Marshal Auchinleck had proposed that 1 July 1947 should be fixed as the date from which Officers who were too old to transfer to the British Military Services should be eligible for compensation. R/3/1/183: f 36.
[Para. 11, on the decision of King Ibn Saud that no Muslim from the Indian Army should be included in the Military Mission going to Saudi Arabia; para. 12, on the improvement in the time taken to transmit bags; and para. 13, saying he would make enquiries about matters raised in paras. 5 and 7 of No. 473, omitted.]

14. I have not had time yet to read the Hansards about the debate in the Lords. I have only seen the summaries. Halifax's intervention seems to have been very valuable. I hope the debate in the Commons today and tomorrow will be on a high level and constructive.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/8/663: ff 295-6

IMMEDIATE SECRET

India Office, 5 March 1947, 11.55 pm

No. 3021. Your telegram 408-S.² Punjab situation.

1. I entirely agree with instructions you have given to Governor. It seems to me essential that if Muslim League are able to command majority in Legislature even without Sikh or Congress support, they should be kept in office until outvoted in Legislature or law and order situation clearly justifies resort to Section 93. I trust that your efforts with Patel will succeed in averting proposed anti-Pakistan day on March 11th which would clearly be most dangerous.

2. If driven into Section 93 I agree that Jenkins should make intention to maintain law and order clear and take strong action to that end. It would seem desirable, if possible, to reassert law and order before any consultations with party leaders such as he proposes. Conference would be more likely to succeed if atmosphere had cooled. But this is matter for judgment on the spot.

3. I will consider with my colleagues as soon as possible position in regard to partition of Punjab. Obvious difficulty is that such a decision trenches on field of Constituent Assembly but it may be unavoidable. It is desirable if possible to avoid discussion on that basis until after meetings of Congress and Muslim League Working Committees.

[4.] Crucial question appears to be attitude of Sikhs. Please let me have in consultation with Jenkins your suggestions as to character of such a partition which I assume would only be necessary if Sikhs could not otherwise be satisfied. On a long-term view best solution would be Sikh/Muslim League
agreement giving Sikhs assurances as to their long-term position. May it not be desirable to try and secure this before contemplating partition?

1 With his Minute 52/47 of 5 March Lord Pethick-Lawrence submitted to Mr Attlee Nos. 481, 483 and 484 together with the draft of this telegram for which he sought Mr Attlee’s concurrence. Mr Attlee approved it the same day. L/P &J/8/663: f 297.

2 No. 483.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/149: f 46

SECRET

17 YORK ROAD, NEW DELHI, 6 March 1947

Dear Lord Wavell,

Information has reached me that certain instructions have been issued by the Political Department to weed out and destroy some of the records in their custody and to transfer some records to other people; further that the Records Office at Delhi has been asked to transfer the so-called “Crown” records, which comprise matters relating to the States, to the British High Commissioner in India.

2. I do not know how far this information is correct. I hope it is not so because these records must contain information of great historical value and they should not be destroyed or transferred to other hands. May I beg of you to inquire into this matter and to stop any such vandalism of valuable material? In any event I hope the matter will be fully considered before any step is taken.1

Yours sincerely,

JAWAHARLAL NEHRU

1 Mr Abell minuted to Lord Wavell: ‘I will enquire. But Political Dept records are certainly not records which the Govt of India can inherit.’ Lord Wavell minuted: ‘No, but matters of historical interest are presumably not being destroyed.’
Those present at this Meeting held at 10 Downing Street, S.W.1, on 6 March 1947 at 11 am were: Mr Attlee (in the Chair), Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Mr A. V. Alexander, Viscount Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr J. Westwood, Mr A. Creech Jones, Mr G. A. Isaacs, Mr George Tomlinson.

Also present during discussion of item 1 was: Mr William Whiteley.

The Cabinet discussed two points which were likely to be raised in the House of Commons that day on the resumption of the debate on India.

(a) **The Chancellor of the Exchequer** said that it was possible that Mr. Churchill might refer to the question of India's sterling balances. If so, he would argue that a substantial part of this debt should be wiped out in consideration of our defence of India during the war. Though Mr. Churchill might put this claim in an extreme form, it was important that nothing should be said by the Government spokesmen which would prevent the Government from using this argument in the forthcoming negotiations with Indian Ministers about these sterling balances.

(b) Government spokesmen were likely to be pressed to make some statement about the future of European members of the Secretary of State Services and the Indian Armed Forces. While it was important that nothing should be said to prejudice the question whether compensation should be paid to those who were willing to continue serving in India, an unequivocal assurance should be given that the Government would ensure that no injustice was done to its servants in India. It should be said that the Government fully accepted their obligations in this matter, but Government spokesmen should decline to be drawn into making a more detailed statement, on the ground that the details were now under discussion.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence


IMMEDIATE
SECRET

NEW DELHI, 6 March 1947

No. 423–S. Your No. 3021 of 6th March.¹ Punjab situation.

2. You will have since received Governor's No. 28–G of 5th March.² Disturbances are continuing today in spite of Section 93 declaration. I saw Patel yesterday and he promised to use his influence to discourage Anti-Pakistan Day on 11th March. I suggested to Liaquat that he might go to Lahore and give his advice to the League Leaders there, but he was not prepared to do this and has gone off for a rest to Dehra Dun. I saw Baldev Singh today. He thinks no agreement between the Muslims and the Sikhs is at all likely and he is sure that if the League form a Ministry there will be serious disturbances.

3. Mamdot has produced no convincing evidence that he has a majority at all, let alone stable majority. He should still be given the chance of forming a Ministry. But whenever a purely Muslim Ministry is formed, there will be trouble and the trouble will be intensified if the Congress and the Sikhs are given a handle for criticism of the Governor and myself in that (a) there is no evidence of majority, and/or (b) there is no minority representative in the Cabinet. I am sure there was no alternative to the Section 93 Declaration last night.

4. The worst of Section 93 is that it may be difficult to get out of it. If Governor has to wait till League produce a coalition, he may wait a long time; secondly, the League are likely to start an agitation in due course against the Section 93 administration; thirdly, the League will not learn their lesson until responsibility is on their shoulders.

5. Nevertheless I do not (repeat not) recommend inviting Mamdot to form a Ministry until he can produce an assured majority. An assured majority, however small, should be enough to justify formation of Ministry provided that there is at least one minority representative of some sort. I take it that there should be at least this much compliance with paragraph VII of Instrument of Instructions.³ Orissa has a purely Caste Hindu Ministry, and Sind a purely

¹ No. 495 which was sent late on 5 March.
² No. 493.
³ Paragraph VII of the Instrument of Instructions to Governors (1936) read: 'In making appointments to his Council of Ministers Our Governor shall use his best endeavours to select his Ministers in the following manner, that is to say, to appoint in consultation with the person who in his judgment is most likely to command a stable majority in the Legislature those persons (including so far as practicable members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among his Ministers.' Parl. Papers, H. of C. paper No. I, vol. XX, 1936–7, pp. 1031–8.
Muslim Ministry, but in these Provinces population figures are very different. Majority community is 5/8ths and 3/4ths respectively of total population.

6. One hopes that if Ministry is to be formed, it will be ready in time to face the Budget session, but each day that passes makes this less likely.

7. In the absence of a Ministry with assured majority, I think we must watch events for the moment. I am anxious to put in my successor on as good a wicket as I can, but there is likely to be trouble whatever we do.

8. Governor, in paragraph 8 of his telegram 28–G, asks for orders about the Services. Requirements probably vary from Province to Province. For instance Wylie is at present of opinion that he should let his men go gradually between now and June 1948. But if we compel men to remain in service till June 1948 we must give them assurance that they will get compensation and their earned leave when they go. We must have a firm decision first about the terms and an assurance that leave earned will not be forfeited by those who stay on till the end. On this basis I think we could probably get the necessary men to stay on voluntarily in most Provinces. These decisions should be taken before Jenkins’ point is settled.

9. In paragraph 3 of your No. 3021 you asked for preliminary ideas about partition. I am asking Governor for suggestions, but agreement on partition is most unlikely and we must first exhaust possibilities of agreement on the basis of long-term assurances to Sikhs.

499

Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)


6 March 1947

I enclose a copy of a telegram¹ I have sent off this evening to the Secretary of State. I agree generally with the line you have taken, but I hope every effort will be made to secure a coalition since Section 93 certainly does not provide a satisfactory solution.

2. You will find it difficult to apply your mind to a preliminary scheme for partition, but as the Secretary of State wants suggestions, please let me have your views as soon as you can. As you see from my telegram, I agree with the Secretary of State that we must first exhaust the possibilities of an agreement on the basis of long-term assurances to the Sikhs. Baldev Singh told Abell today that in his view His Majesty’s Government ought to tell both
parties that they insist on Group B, but will divide the Punjab into two Pro-
vinces, one predominantly Muslim and one predominantly non-Muslim.
The latter Province would not have the option of opting out of Group B until
the end of 10 years, i.e. it could not join Group A immediately. When Abell
asked Baldev Singh in which Province Lahore would go, he said that it must
go in the non-Muslim Province, which obviously would be quite unacceptable
to the Muslims.

3. I am afraid you have a lot of anxieties at present, but I know no one better
capable of dealing with such a situation, and I have complete confidence
in you.

1 No. 498.

500

Field Marshal Viscount Wavell to Rear-Admiral Viscount Mountbatten
of Burma

R/3/1/183: f 42

7 March 1947

My dear Dickie,

I sent you on the 7th March a telegram suggesting that you should try to get a
decision about the Secretary of State’s Services and the British officers of the
Indian Army who are too old to be transferred to the British Army. I think
you will be interested in the enclosed extract from a letter which has been sent
to me by the Governor of the United Provinces. H.M.G. have been desperately
slow over this business and I am sure you should try to get a decision before you
leave for India.

Yours,

WAVELL

1 In tel. 429-S of 7 March Lord Wavell suggested to Lord Mountbatten that he should ‘make a
determined effort to get a decision before you leave England about the terms for winding up of the
Secretary of State’s Services’ and for the retirement of British Officers of the Indian Army. He
added that ‘the lack of policy on these points is bad for morale and it is unwise to let the uncertainty
continue’. R/3/1/183: f 43.

2 See Enclosure to No. 482.
Many thanks for Your Excellency's letter No. 90/13 of 6th March.1 Yesterday there were some signs that the communities might be prepared to take a more reasonable line. Firoz, when he saw me in the morning, was strongly in favour of a coalition of some kind and said that he personally was prepared to make concessions to the Sikhs. He had not consulted Mamdot and is, as Your Excellency knows, unreliable and disloyal to his colleagues. After I had seen Firoz, I saw a non-Muslim deputation which included Sardar Ujjal Singh and Giani Kartar Singh. Sardar Ujjal Singh suggested that I should mediate and asked me to put in writing my general views about a settlement. He agreed with me that civil war and partition were both unthinkable, and that we should go in for a united Punjab under some Government acceptable to a large proportion of Punjabis. In the evening a Peace Committee consisting of Mamdot, Firoz, Daultana, Iftikhar-ud-Din, Shaukat, Tara Singh, Sachar, Singha (the Speaker), Gopi Chand Bargava (one of the Lahore Congress Leaders), Swaran Singh and Gibbon (the Anglo-Indian M.L.A.) was formed. I am not sure that Tara Singh really joined this Committee, as I understand he was in Amritsar yesterday and is still there. But the fact that many of the persons responsible for the present communal outbreak have met and are co-operating with one another is encouraging. Swaran Singh suggested the formation of a committee of this kind, and I passed the suggestion on to Mamdot.

2. At the moment I feel that the best thing I can do is to take up Ujjal Singh's suggestion and let him have a paper of some kind about the terms of a possible settlement. I enclose a copy of a draft I have prepared. It is designedly written in an impersonal and non-technical way and avoids any suggestions so definite as to be converted into commitments or demands. It is intended simply to get things started, and for this limited purpose I do not think it can do any harm. The only possible difficulty is that negotiations of the kind I think necessary, if we are to have any chance of success, would to some extent cut across the proceedings of the Constituent Assembly. Section B of the Assembly is, however, completely inactive with the Muslims non-co-operating, and at some stage the Punjab will either have to make its own constitution or brief the Punjab delegates so that a constitution may be drafted by Section B. A brief approved by the leaders of all three communities would be invaluable.
3. In my paper I have dismissed partition as impracticable, and this is the right line to take at present. If we are forced back upon partition, I could not in advance of discussions with the party leaders make any definite proposal. The crux, as Your Excellency has pointed out, is Lahore and indeed a great part of the Lahore Division where land and other economic interests are largely in non-Muslim hands.

4. If Your Excellency thinks I may safely communicate my paper to Ujjal Singh, will you kindly send me a telegram, and I will send for him as soon as possible. I would of course explain that the paper does not set out to propound any precise solution, but merely suggests that in a united Punjab safeguards of a satisfactory kind could be provided for the minorities. I should like to see Ujjal Singh tomorrow, if possible, and I am therefore sending this letter and the paper by the afternoon air service to Delhi.

5. Amritsar was my main anxiety yesterday. By the evening the city was completely out of control. There was some difficulty in securing reinforcements—we are so tied up now that neither the Area Commander (Bruce) nor I wish to commit reserves until we are quite sure about the need for committing them. The death-roll does not seem to be very high, but the figures we have are only for the corpses which have passed through the hospital mortuary. Most of the population seem to have produced arms, including fire-arms, and many buildings are burning. Masses of people, including many women and children, running away from the city added to the confusion and made it even more difficult than usual to deal with looting. The Area Commander and I decided last night that the situation must be dealt with in a big way. Police reinforcements were despatched by midnight and two British Battalions, which were moved in this morning, must be well into the city by now. They have been instructed to restore order and in particular to disarm the population.

Lahore is rather quieter, though still very uneasy. I have no further reports from Multan. Bad rioting is reported from Rawalpindi with 25 dead and perhaps 100 injured. Rioting has continued in Sialkot and Jullundur.

These affairs always go through three stages—frenzy, funk and recrimination. At Lahore we are reaching the second stage. If we can clean Amritsar up in the next 24 hours, we should be able to cope adequately with any trouble elsewhere. The Police, especially the senior officers, have done magnificently, and we have first class co-operation with the Army.

Enclosure to No. 501

THE PUNJAB PROBLEM

The population of the Punjab according to the census of 1941 is distributed approximately as follows:

1 No. 499.
<table>
<thead>
<tr>
<th>Commissioners Division</th>
<th>Muslims (Round millions)</th>
<th>Non-Muslims</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Rawalpindi</td>
<td>...</td>
<td>9</td>
</tr>
<tr>
<td>2. Multan</td>
<td>...</td>
<td>4</td>
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<tr>
<td>3. Lahore</td>
<td>...</td>
<td>3</td>
</tr>
<tr>
<td>4. Jullundur</td>
<td>...</td>
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<tr>
<td>5. Ambala</td>
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<td></td>
<td>16</td>
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</tbody>
</table>

The Rawalpindi and Multan Divisions may fairly be described as Muslim country, and the Jullundur and Ambala Divisions as non-Muslim country. The Lahore Division is common ground; it has a Muslim majority, but it includes a great part of the Sikh “Holy Land” and economic interests which are largely non-Muslim.

2. It is evident that no one community can rule the Punjab with its present boundaries except by conquest. There has been so much talk about “civil war” that it is worth considering what its consequences would be.

In the first place it would cause misery and suffering on a scale unknown in the Punjab for more than a century.

Secondly, it might, and probably would, destroy the Punjab economically. The Punjab as we know it is largely an artificial creation of Irrigation Engineers. During a period of anarchy our vast canal system would not be maintained and parts of it might be deliberately destroyed. Without it we could support perhaps two-thirds of our 1947 population, which must be roughly 30 million.

Thirdly, it would be inconclusive. It is unlikely that any one community could conquer and hold the entire Punjab; and the result of a “civil war” would in fact be a partition, the parties to which would have destroyed the administrative machine, the irrigation system, and the other props of orderly Government.

3. If we reject, as we obviously must, the idea of “civil war”, we are left with two peaceful solutions:—

(ii) an agreed partition of the Punjab between Muslims and non-Muslims; or,

(ii) a united Punjab with its present boundaries under a constitution and a Government that all communities will accept.

4. Let us first examine alternative (i)—the agreed partition.

The Muslims would clearly take the Rawalpindi and Multan Divisions. The non-Muslims would take the Jullundur and Ambala Divisions. But it is not clear how the Lahore Division should be divided. On population
alone Amritsar should go to the non-Muslim State, and the other five districts (Lahore, Gurdaspur, Sialkot, Gujranwala and Sheikhpura) to the Muslim State. But when we get down to details we inevitably find that crude population figures are not necessarily the only criterion. Within districts communities are not evenly distributed—city and town populations often have a different communal composition from that of the adjoining countryside; and in some districts the population of Tahsils differs widely. For example, in Gurdaspur with 590,000 Muslims and 560,000 non-Muslims, the Pathankot Tahsil is predominantly non-Muslim while in the other three Tahsils the Muslims have small majorities. Again even within a Tahsil there may be fairly solid communal blocks—the Riarki tract of the Batala Tahsil of Gurdaspur adjoins the Manjha and resembles it in many ways, though the Batala Tahsil as a whole (including Batala City) has a small Muslim majority.

The mere settlement of the principles of partition would be extraordinarily difficult, and it is worth considering whether if partition were achieved the Punjab would be the better for it.

Let us assume that we have drawn our line—say (for the sake of argument) to include Gurdaspur and Amritsar in the non-Muslim State and Lahore, Sialkot, Gujranwala and Sheikhpura in the Muslim State. Before long the following disadvantages will become apparent:—

1. Our minorities problem will not be solved. Both States (particularly the non-Muslim State) will have considerable and probably discontented minorities. Punjabis as a whole will be no safer and no more comfortable than they are now.

2. We shall have cut across a section of Punjabis homogeneous in speech, and in many other ways, to create an artificial frontier for which geographically, economically, linguistically and socially there is no justification whatever. Subjects of the Muslim State will doubtless have to produce passports and undergo Customs examination on entering the non-Muslim State and vice versa, although many of them will own property and have near relations on both sides of the frontier.

3. Lahore must go to one State or the other—it cannot be in both. But Lahore has been created by all Punjabis and not by Muslims or non-Muslims alone.

4. The non-Muslim State will have the lion’s share of our power resources; the Muslim State will inherit the colony districts which are a joint creation of all Punjabis over half a century.

5. We shall have reduced what might be a powerful country to two petty States incapable of real economic development, overloaded with overhead charges, and useful only as “buffers” between the rest of India and the outer world.

Partition solves no problems and does not really make sense.
5. Let us revert therefore to alternative (ii) a United Punjab.

This is not impossible of achievement provided we think as Punjabis, and put our own safety and welfare first. It is sometimes said that this condition cannot be satisfied, since the Muslim League and the Congress must take orders from their respective High Commands, leaving the Sikhs as the only independent community capable of thinking and acting as Punjabis. To an impartial observer it would seem that this contention is now incorrect. By the end of June 1948 one of two things will have happened—a Central Government will have been formed or agreed upon by the Muslim League and the Congress; or there will be (so far as the Punjab is concerned) a vacuum at the Centre. In both these positions the only Government suited to a United Punjab is a Coalition supported, if not by all, at least by a large proportion of Punjabis. Such a Coalition could “tune in” to a Central Government formed by the Muslim League and the Congress; equally it could administer the Punjab independently if it were called upon to do so.

6. If we are to form such a coalition, we must first be clear on certain basic principles:—

(i) The Muslims must be prepared to negotiate with the non-Muslims as Punjabis, and must be authorised to take their own decisions; further they must recognize that the non-Muslims can reasonably ask for guarantees about their long-term future in the Punjab.

(ii) The non-Muslims on their part must recognize that the Muslims are the majority community, and must in certain matters take the lead—not by reason of personal superiority but on account of their numbers. Like the Muslims, Hindus who act on the instructions of a High Command must obtain authority to negotiate for themselves.

7. Should negotiations be opened, they would apparently have to cover the following ground:—

(1) the settlement of the framework (not the details) of the final constitution of the Punjab;
(2) the appointment of a special committee to draw up the final constitution;
(3) after stage (1) but while stage (2) proceeds the formation of a Ministry to carry on ad interim.

8. (1) The framework of the final constitution.
The non-Muslims will presumably wish to be sure of the following rights:—

A. Representation:—

(i) in the Legislature;
(ii) in the Cabinet;
(iii) in the Services.

These are matters on which preliminary comment would be unprofitable.

B. Protection against decisions in the Legislature or the Cabinet adversely affecting a minority community.
C. Autonomy in matters of religion and culture.

Heads B and C are really negative and positive aspects of the same thing. Under Head B there are several possible devices so far as the Legislature is concerned, for example:

(a) A second Chamber to which all Bills would be referred plus any other business in the Lower House in respect of which the majority of the members belonging to any one community voted for such a reference. The second Chamber would have to be so constituted that Muslims and non-Muslims in it were equal in numbers.

(b) A special tribunal to decide on a reference made at the instance of the majority of the members of the Legislature belonging to any one community whether a proposal or measure adversely affects that community or not. If the special tribunal decides in the affirmative, the proposal or measure should not be carried save by a majority of the House including a two-thirds majority of the community affected.

(c) A rule of procedure under which certain special measures should not be carried in the House without a prescribed majority of the members of all communities, e.g., measures relating generally to education, religion, etc., or in the case of measures confined to one community without a prescribed majority of the members of that community, e.g., measures relating to the Hindu Law of marriage or inheritance, the composition of Gurdwara Committees, and the like.

Experience does not suggest that any safeguard under Head B is needed in the Cabinet. Cabinets do not work by votes, and in a Coalition resignation is a very powerful sanction.

Under Head C.—It would be possible to set aside annually a sum for expenditure on religious and cultural subjects, to distribute it among the communities on a population basis, and to delegate to the representatives of each community power to spend their share as they thought fit.

It will doubtless be recognised that arrangements of this kind perpetuate communal divisions and make them worse; but they are preferable to a partition.

9. (2) Appointment of a negotiating committee.—If the communities could decide broadly what devices they will accept, a committee would be needed to work out the details and put them into final shape. This cuts across the work of the Constituent Assembly; but at some stage the parties will have to instruct their delegates what line to take, and at present the Muslim delegates are not attending the Assembly at all.

10. (3) Formation of “ad interim” Ministry.—This would follow immediately on the acceptance of the long-term framework. The composition of the Assembly would not be changed, but any agreement about representation in the
Cabinet and the Services could be introduced at once. Neutral referees could be found on minority “protection” issues, and budget allotments for religious and cultural purposes could be made.

11. There is little doubt that given goodwill and commonsense the Punjab can be kept in one piece, and governed by a Ministry acceptable to Punjabis.

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Rear-Admiral Viscount Mountbatten of Burma to Lord Pethick-Lawrence

Mountbatten Papers. Official Correspondence Files: Compensation for Members of the Services, Part I(a)

undated

Secretary-of-State for India.

I have now read the Aide Mémoire which you were kind enough to have prepared for me entitled “Situation as Regards Compensation for the Secretary-of-State’s Services”.1

I do not know whether the fresh scheme mentioned at the end of this paper has yet been approved by the Cabinet but frankly I am disturbed about it. The author of the note admits that many of the members of the Services in question will regard a scheme of the kind now contemplated as involving a breach of faith. As at present informed, I would share their view.

I am charged with getting a last gallop out of these very tired Officials, and it would enormously strengthen my hand if I were authorised to offer them definite terms not less favourable than those which they had already been promised, or at least led to expect.

It seems to me that here at least is a vital problem which we ourselves have the power to solve, provided that H.M.G. are prepared, in the last resort, to foot the bill. Whatever the cost may be, it would seem to be well worth while, having regard to the issues at stake.

I would be grateful if I might be given an opportunity of discussing this matter with the India Committee at an early date in the hope that I may be able to take out with me a clear-cut decision.

1 A copy of the undated aide mémoire is in Mountbatten Papers. It explained that the fresh scheme of compensation for the Services then under contemplation was based on the principle ‘that no payment by way of compensation shall be made until actual loss is shown to have been suffered and is to be on the lines that, on termination of appointment under the Secretary of State in India, H.M.G. will endeavour to find suitable employment for officers who are not offered, or are not willing to accept, continued employment in India on existing terms as regards pay, pension, etc. under the new Indian Government; a tribunal is to be established to assess whether the employment found for an officer can be regarded as comparable in respect of pay and prospects with that which he held in India and if not to assess the extent of compensation due to him; those for whom no further employment has been found within a prescribed period, say six months, to be given compensation in full’.
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Cabinet

Defence Committee. Paper D.O.(47)22

Mountbatten Papers. Official Correspondence Files: Gurkhas,
Future of the

THE FUTURE OF THE GURKHAS
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA
INDIA OFFICE, 7 March 1947

Admiral Mountbatten has suggested that he should have an opportunity of discussing the question of the future of the Gurkhas with the Defence Committee before his departure for India, and the Prime Minister has agreed to this suggestion.

This memorandum is submitted as a basis for this discussion.

1. Relations between Great Britain and Nepal were first satisfactorily established by the Segauli Treaty of 1815, after the Nepal War, and have remained on a cordial footing ever since. Although this Treaty made no specific provision for the enlistment of Gurkhas into British Services, enlistment started in 1815, and resulted in an eventual establishment in the Indian Army of ten Regiments of two Battalions each, a total strength of approximately 20,000 men.

2. Our right to recruit Gurkhas is based upon two notifications published by Prime Ministers of Nepal in 1885 and 1888 which merely encouraged Nepalese subjects to enlist “in the British Army”.

There has been no Treaty provision binding His Majesty’s Government to enlist Gurkhas.

Nor has there been any written undertaking that Gurkha units would be officered only by British officers, though there has been an understanding to this effect, which has hitherto been observed.

3. During the 1914-1918 War a total of 114,000 Gurkhas were enlisted, and after its termination the establishment was again reduced to the pre-War strength of 20 Battalions, and remained so until the recent war.

4. During the recent War the 20 Battalions were expanded to form a total of 51 Battalions comprising 44 Infantry and Parachute Battalions, 6 Training Battalions and one Garrison Battalion.

In the process of demobilization the War-raised Battalions are now being
disbanded; and the first intention was to reduce to the pre-War establishment of 20 regular Battalions, until future requirements were known.

5. With the constitutional changes in prospect, however, it appeared doubtful whether any Gurkha troops would be required in the future Indian National Army, for which India's own resources would be likely to be ample and to receive first consideration; and having regard, on the one hand to Nepal's economic need to export her manpower, and on the other to His Majesty's Government's desire to honour their debt to her by helping her (and, at the same time, themselves), the possibility of His Majesty's Government employing some Gurkha troops in Imperial forces was considered. Correspondence between the Viceroy, myself and the Secretary of State for War resulted in a letter to me dated 31st May 1946, in which Mr. Lawson stated that the ultimate object was the formation of a British/Gurkha Division and that "we are, therefore, in a position to make a firm bid for permanent employment under the Crown of a minimum of 8 Gurkha Battalions"; he stated that Treasury sanction for these 8 Battalions had been received. He also said "the remaining 12 regular Gurkha Battalions are likely to be required in the future for conversion, so far as is agreed and possible, into the divisional troops of the division. Treasury sanction for this has not, however, been obtained". (At this stage the Indian Government had not shown any intention of retaining any Gurkha Battalions.) A copy of Mr. Lawson's letter was sent to the Viceroy on the 6th June.¹

6. The Viceroy telegraphed on the 20th June 1946 to say that he felt he could not proceed until it was possible to take the opinion of the Interim Indian Government when formed, and that he would try to get a decision as soon as possible after its formation. It was not until the 8th November, 1946,² that the Government of India raised the matter officially with me, and gave the following as their views:

"(a) That Gurkha Battalions should be retained in the post-war Indian Army and that they should be officered by Indian Officers."
(The Government of India have not indicated the number of Battalions they wish to retain but the Viceroy has informed me³ that the Cabinet decided on 23rd October 1946 that nine battalions should be retained.)

"(b) That they are opposed to the employment of Gurkha troops by His Majesty's Government for Imperial purposes. They recognize, however, the difficulties inherent in the situation and suggest the settlement of the question by negotiation between His Majesty's Government in the United Kingdom, Nepal and India."

The War Office were informed accordingly on the 15th November and on the 27th November the Army Council agreed to the despatch of a telegram to
the Government of India, suggesting that negotiations should, in the first instance, be held between His Majesty's Government and the Government of India to endeavour to reconcile their divergent interests.

7. I asked the Viceroy for his advice as to whether negotiations between His Majesty's Government and the Government of India should be conducted through him, or through the United Kingdom High Commissioner, and I suggested that the latter channel would be the more appropriate. I felt that it would be more in keeping with our policy of treating India as a Dominion for the High Commissioner to handle this question on behalf of His Majesty's Government, and also that it would place the Viceroy, as Governor-General in Council, in a difficult position, if he had to conduct the negotiations. The Viceroy agreed that it would be most embarrassing if he were asked to conduct the negotiations, and concurred in my suggestion that the channel should be through the United Kingdom High Commissioner.

8. On the 16th January the Government of India, who had agreed that negotiations should, in the first instance, be conducted between themselves and His Majesty's Government on the matters at issue between these two authorities alone, telegraphed that they would like negotiations to start not later than the 1st February. The War Office were informed accordingly on the 16th January but replied on the 21st January that their representative could not be ready before the 1st March. The Government of India were informed of this on the 24th January.

9. On 7th February Mr. Bellenger wrote to me saying that:

"The indications are that the Army vote will scarcely be sufficient to provide for the British troops required for vital defence and internal security commitments. The cost of Gurkhas could not be justified at the expense of cutting down the number of British units below what is considered essential for peace commitments and war expansion.

The problems of training and the general shortage of manpower also make it difficult to decide at the present time whether it is desirable to include a Gurkha element within the Post War Army."

He regretted, therefore, that the War Office could not participate in negotiations on 1st March, or indeed until they had had much more time to examine their post-war requirements more fully, but they wished the prospect of negotiations to be kept open.

10. I replied to Mr. Bellenger on the 14th February pointing out the difficulty of explaining to the Government of India the reasons for this sudden and unexpected change of front, and urging him to reconsider his decision to postpone negotiations indefinitely. I pointed out that the Government of

1 See Vol. VII, No. 467. 2 See No. 16. 3 See Vol. VIII, No. 534, para. 9.
India could not be expected to keep Gurkha Units in being for an indefinite period, against the possibility of negotiations at an unknown date, and emphasized that, if His Majesty’s Government did not take advantage of the present opportunity to negotiate, they might not have another.

I added that the political side must also be borne in mind; and that if Gurkha manpower above the battalions India may require is thrown upon the market, there are bound to be economic consequences for Nepal which can only lead to political estrangement.

11. Mr. Bellenger replied on 20th February saying that the whole problem had been reconsidered, and agreeing to proceed with negotiations “with the object of arranging a temporary transfer of a few Gurkha Battalions to the service of His Majesty’s Government for possibly a term of four or five years without prejudice to our actions at a later date”.

The delay involved has necessitated postponing the date for the start of negotiations and the Government of India have agreed that negotiations should now start during the latter half of March, but have asked that delay should be as short as possible.

12. On the 28th February a complicating factor was introduced, the Viceroy telegraphing to me that he understood the Defence Department wished an immediate approach to be made to the Nepal Government, to secure release from the present understanding by which Indian officers are not posted to Gurkha Battalions.

I replied on the 1st March, saying that I recognized that the question whether Gurkhas who are recruited to the Indian National Army should serve under Indian officers is a matter solely between the Governments of India and Nepal, but, since the discussion of this particular question would inevitably raise the general question of the future recruitment of Gurkhas, it seemed most desirable that His Majesty’s Government and the Government of India should reach agreement before either starts negotiations with Nepal. I said that I thought it would be embarrassing if this particular matter was taken up bilaterally, by the Government of India with Nepal, before the wider negotiations have made some progress. I suggested that the Viceroy should approach his Ministers on the above lines, in the hope of persuading them to defer the action contemplated.

13. The Government of Nepal had not previously been informed officially of the forthcoming negotiations between His Majesty’s Government and the Government of India, or told that, if the outcome is favourable, His Majesty’s Government would wish to negotiate with Nepal. His Majesty’s Minister in Kathmandu has, however, now been given authority to inform the Maharaja in confidence of His Majesty’s Government’s wish to embark on negotiations, and the Government of India have been informed that this has been done.

P.-L.
504

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P/J/8/663: ff 280-1

IMMEDIATE

INDIA OFFICE, 7 March 1947, 9 pm

3103. Your telegram 423-S of 6th March.¹ Punjab situation. I agree that there was no alternative to Section 93.

2. I understand that you differ from Governor’s view in paragraph 5 of his 28-G² (viz: that Muslim League Ministry without Sikh or Hindu representation should not be put in office because it would lead to immediate Sikh/Hindu rising) to the extent that you would accept Ministry provided it contains at any rate one Minority representative of some sort. I agree that if such a Ministry were proposed, with satisfactory evidence that it would have a stable majority, it would be difficult to refuse to place it in power tho[ugh] to satisfy requirements of Art. VII of Inst[ument] of Instructions minority representative should represent important community. A genuine Muslim/Sikh Coalition would, of course, solve our troubles; but failing that no such minority representation in a Muslim League Ministry as Mamdot contemplates is likely substantially to ease situation. I should prefer to watch events in law and order sphere at any rate for a time before entrusting responsibility to such a Ministry, and to explore possibilities of securing a genuine coalition with Sikhs and/or Hindus by negotiations. In this connection I note Governor’s view that leaders are thoroughly frightened and it seems possible that, if time were given, chances of a Coalition might improve. Against this is, of course, consideration that placing of responsibility on Muslim League might promote that result, but at present it looks as if cost of that in terms of casualties would be high, and once in power League might be less accommodating towards Sikhs. If we became involved in supporting Muslim League Ministry in drastic steps to suppress Hindu/Sikh revolt, is it not likely that serious situation would arise at once between yourself and your Government over use of troops for this purpose?

3. For these reasons if Mamdot produces a Ministry which purports to command a small majority in the legislature but does not include a genuine representative of at least one of the important minority parties, I should have thought it better to remain in section 93 for two or three days in the hope that Governor’s mediation will produce results. But I realise that in rapidly changing situation you will of course exercise your discretion as occasion demands.

5.[4.] I agree with paragraph 8 of your telegram. We have compensation

¹ No. 498.
² No. 493.
under urgent consideration. In the meantime while emergency continues could not Governor hold position by refusing to authorise leave or to forward applications for premature retirement?

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/24

PRIVATE AND SECRET

INDIA OFFICE, 7 March 1947

Received: 10 March

Thank you for your letter of 26th February, which reached me in very good time owing, I presume, to the taking over of the carrying of the bags by B.O.A.C. from R.A.F. Transport Command. Certainly there has been no improvement in the weather here to account for the change!

2. The information contained in paragraph 8 of your letter was very interesting and not out of keeping with things which Cariappa has said recently in conversation with my P.S.O., General Scoones. In a conversation which they had on 3rd March, the question of whether India would or would not remain in the Commonwealth arose. Cariappa said that, before he left India in December, he had seen Nehru and had asked him this very question. Nehru replied that he saw no reason why India should leave the Commonwealth provided His Majesty’s Government did nothing to antagonise India in the meantime. Cariappa added that he was going to India at the end of March and would see Nehru and ask him this question again.

3. I entirely agree with the view expressed in paragraph 6 of your letter of 19th February that these belated and interminable enquiries into communal disturbances serve little useful purpose and are only likely to prolong the communal feeling which the disturbances aroused. It may interest you to know that the Muslim League’s report on the disturbances in Bihar and the United Provinces between October and November last has been circulated widely in this country by the Muslim India Information Centre and was quoted by Cranborne during last week’s debate in the House of Lords.

4. I was very glad to receive your telegrams of the 5th March (Nos. 411 and 412-P) about the meeting between the States Negotiating Committee and the corresponding Committee of the Constituent Assembly. It looks as though the States, after making a fair start in the direction of negotiating with the Constituent Assembly, are now in the light of the Statement of 20th February inclined to be more hesitant. But it is a point to the good that the principle of
elected representation has been accepted. The Rulers’ conference is, I see, fixed for some weeks ahead. I shall be interested to hear its conclusions and, in the meantime, I hope you will continue to keep me informed of any developments. There is little or nothing that we can do from this end, but it is very important, in case there may be Parliamentary questions or the like, that we should be as fully as possible in the picture. As it happens the debate in the House of Commons has not touched to any great extent on the States.

5. Our principal preoccupation here this week has naturally been the House of Commons Debate\(^4\) (apart, of course, from the urgent attention we have had to give to the grave developments in the Punjab, with which I do not propose to deal in this letter in view of the telegrams I have sent to you). On a subject such as India especially, one is struck by the altogether lower level of debate in the Commons (apart from the front bench speeches) than in the Lords. Anderson argued the Opposition’s case well, after Cripps’ broad exposition of the Government’s case, and Churchill spoke trenchantly today. The Opposition attack was, however, very ably countered by Alexander, who followed Churchill and, with the winding-up for the Government in the Prime Minister’s hands, one can be sure that by the end of the debate the Government’s case will have been fully put. There is no indication as yet that the Conservatives in the Commons will follow the lead of the Conservative peers and refrain from pressing to a division their amendment to the Government’s Motion “that this House takes note of the Statement on India made on 20th February by the Prime Minister and approves the policy set out therein”. The Opposition’s amendment proposes to leave out from the word “House” to the end and to add the words “while reaffirming its determination to provide for the orderly attainment by India of self-government as soon as possible, is unable to accept His Majesty’s Government’s latest declaration on Indian policy, Command Paper No. 7047, which, by fixing an arbitrary date, prejudices the possibility of working out a suitable constitutional plan either for a united or a divided India, which ignores obligations expressed to minorities or sections of opinion, which contains no proposals for security or compensation for members of the Indian Services, and which offers no help to, or association with, India in her hour of destiny”.

6. A certain amount of attention has been focussed here recently on the Andaman and Nicobar Islands. The Chiefs of Staff have been giving consideration to the future of the Islands and have recently represented that, from the strategic point of view, it is most desirable that we should retain British sovereignty over the Islands and that, if that is not possible, we should

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\(^{1}\) No. 469.  
\(^{2}\) No. 434.  
\(^{3}\) Nos. 485 and 486.  
at least conclude a special agreement with India allowing us full freedom to take what defensive measures we consider necessary and to establish such facilities as we require. These recommendations are still under consideration here.

7. Meanwhile, a question has been put down by a Conservative Member in the House of Commons for answer next Monday and it has been necessary to decide what line to take in public on the matter. It is clearly desirable to avoid saying anything which might, on the one hand, suggest that His Majesty's Government is expecting to retain the Islands or, on the other hand, close the door to the possibility of our obtaining at least some of the facilities in the Islands which the Chiefs of Staff consider necessary. The draft reply eventually agreed upon runs as follows:—

“The question of the future administration of the Andaman and Nicobar Islands is one of a number of questions which will have to be considered in connection with the arrangements for the transfer of power, and I regret that I am unable to anticipate the decision upon it in advance of the consideration and determination of those arrangements generally”.

8. As you will appreciate, consideration of this matter is still in a very early stage here, but I should value a purely private and personal expression of your views on the proposition.

9. I had a visit from Sir George Schuster on Monday, during the course of which he asked whether there was any indication of a desire on the part of the authorities concerned in India for discussions with this country as to the maintenance and development of commercial relations between the two countries in the future. The sort of thing Sir George Schuster appeared to have in mind was a visit to India during the next cold weather by a delegation drawn from, for example, the Federation of British Industries with, possibly, a scientist like Professor A. V. Hill added.

10. Sir George Schuster’s enquiry links up with a tentative proposal put privately to Matthai by Stafford Cripps in December last, to which as yet only an interim reply has been received. Cripps’ suggestion was, in effect, that a small trade mission from this country should visit India in order to advise the Government of India how to draw up their plans for the industrial development of India in a manner which might enable United Kingdom industry to help them to the best advantage. I understand that Schuster is one of the people in mind as a possible leader of such a mission.

11. I should be interested to know whether you have any views as to the possible usefulness of such a mission. The function of any such mission would, I think, have to be very clearly defined and there could be no question of its being empowered to discuss the future of commercial relations generally
between the two countries. With the sterling balances problem still unsettled
and with no clear idea as yet of what we should ask for an independent Government of India to embody in a commercial treaty, consideration of commercial
relations would seem better kept to government channels at the present stage.

[Para. 12, relating to the steps being taken by the Maharaja of Manipur to
frame a new constitution for the State, omitted.]

13. Our Ambassador in Oslo has reported on Krishna Menon’s visit to
Norway between 15th and 19th February. Menon wrote his name in the
Embassy book on arrival and was asked whether he would like the Ambassador
to do anything for him; as he had no request to make, Collier left it at that.
Before leaving for Stockholm, Menon told the Press that he had come to open
negotiations for diplomatic relations between Norway and India and skilfully
parried leading questions. The Norwegian Foreign Minister told our Ambas-
sador that Menon, while pressing for the early establishment of a Norwegian
Legation at Delhi, had admitted that owing to shortage of suitable staff it
might be a long time before there was an Indian representative at Oslo. Dr.
Lange had replied that, while an exchange of diplomatic representatives was
accepted in principle, the Norwegian Government would not commit them-
selves on this point without consulting other European Governments likely to
be concerned.

[Para. 14, on an honour for Miss N. Halls, omitted.]

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Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)


SECRET

8 March 1947

No. 442–S. Secretary of State has agreed¹ that you are bound to stay in Section
93 for a few days at any rate and that negotiations for a coalition are desirable.

2. I doubt whether the League will get authority from Jinnah to negotiate on
long-term issues. He will hardly allow Mamdot to sign away any fraction of
the claim for Pakistan.

3. Unless the League are prepared, after consultation with Jinnah, to
negotiate on the big issues I do not think you should hand a written memo-
randum to Ujjal Singh, though I entirely agree with the contents of your note.²

4. If the League will not negotiate on long-term issues is there any chance
of securing an ad hoc coalition of all parties to restore order, without com-

¹ No. 504.  ᵃ Enclosure to No. 501.
mitments on long-term issues? It might be easier to negotiate inside the Cabinet than out, and a coalition once formed under League leadership might remain. You would have an advantage over my Central Government in having a Premier.

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Mr Harris to Mr Addis

L/WS/1/1578: f 31

INDIA OFFICE, 8 March 1947

Dear Addis,

Will you please refer to the Viceroy’s telegram No. 416-S of 5th March,¹ about the release of I.N.A. convicts.

The Secretary of State’s view on the matter is as follows:—

(a) that it would be better that the matter should be dealt with by Lord Wavell rather than reserved for Lord Mountbatten to handle;

(b) that the Viceroy should be authorised to proceed on the lines approved by the India and Burma Committee² and communicated to him in the Secretary of State’s telegram No. 1052 of 22nd January.³

The Secretary of State has, however, mentioned the matter to Sir Stafford Cripps who is inclined to think that the matter should be reserved for Lord Mountbatten to handle.

The Secretary of State feels that a decision should be reached as early as possible and he would, therefore, be grateful if he might have an opportunity of discussing the matter with the Prime Minister on Monday morning. I understand from you that 10 a.m. would be a convenient time at No. 10, Downing Street.

I am sending copies of this letter to the Private Secretaries to the President of the Board of Trade and the Minister of Defence. If the Prime Minister should wish them to be present for the discussion on Monday morning, no doubt you will arrange accordingly.

Yours sincerely,

R. M. J. HARRIS

¹ No. 488  ² No. 295.  ³ No. 296.
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Rear-Admiral Viscount Mountbatten of Burma to Field Marshal Viscount Wavell

Telegram, R/3/1/183: f 47

IMPORTANT PRIVATE INDIA OFFICE, 8 March 1947, 1.56 pm SECRET Received: 9 March, 6 am

No. 3156. For Viceroy from Mountbatten.

Thank you so much for your No. 429–S.1 This matter has been much in my mind. I have already pressed the Prime Minister strongly for a decision2 to enable me to be in a position to announce definite and equitable terms to British officials and officers concerned immediately after arrival in Delhi.3

1 See No. 500, note 1. 2 See No. 518.

3 Lord Wavell minuted: 'Good, I wonder whether he will get it.'

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Mr Menon to Mr Turnbull

L/P & J/10/65: f 56

SECRET NEW DELHI, 8 March 1947

Dear Frank,

I enclose the following papers for your information:

(1) Summary of the proceedings of the joint meeting of the States’ Negotiating Committee set up by the Chamber of Princes and the States’ Committee set up by the Constituent Assembly.1

(2) Proceedings of the meeting of the Sub-Committee on Fundamental Rights.2

(3) Proceedings of the meeting of the Sub-Committee on Minorities.3

2. The Union Powers Committee is now sitting. There are two competing views. One view is that if there is no prospect of the Muslim League coming in, the Constituent Assembly need not tie itself down to the Cabinet Delegation’s plan and can go forward to have a strong Centre. The other view is that whether the Muslim League comes in or not, the new Constitution should be framed within the four corners of the Cabinet Delegation’s plan and the Union powers should conform to that plan.

3. It will not perhaps surprise you to learn that Nehru is a protagonist of the latter view and he has strongly advocated that even if the Muslim League does not come in now, it should not be made impossible for them to adhere later. Further, the Princes would be very much opposed to have a Centre other than that adumbrated in the Cabinet Delegation’s plan. This view is likely to prevail but I shall let you know more when I get the proceedings.

Yours sincerely,

V. P. MENON

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Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/224: ff 73-5

CONFIDENTIAL

GOVERNMENT HOUSE, PESHAWAR, 8 March 1947

D.O. No. GH-27

2. Our League Direct Action Campaign is growing in volume, and I do not feel that my Ministry realise that the flood may quite conceivably sweep them away. I had a long talk with them to-day on the whole subject in the light of the alarming developments in the Punjab. The present position is that we have got practically the whole Opposition in jail, with the Assembly session starting the day after tomorrow. I told them there were four courses which they could follow. The first was to go on as at present, with the Opposition in jail, and say and do nothing. This would mean that the movement would continue to smoulder, and might well break into violence under the stimulus of Punjab events, and in any case would pillory them before the world as imprisoning the Opposition during an Assembly session. The second was to make an announcement, saying that they would welcome a return to constitutional processes, to release the M.L.A. unilaterally in order that they might take part in the Assembly proceedings, and to place a ban on processions but to allow meetings. This was the course which I originally favoured, and I should I think have been able to persuade Dr. Khan Sahib to take it had it not been for the developments in the Punjab, but as things are I agree with him that it would be dangerous. The third course was to appeal to the electorate for a fresh mandate. I pointed out to all the Ministers, including the Hindu representative, that the position in the House did not represent the position in the country. The minorities have 25 per cent of the members, although their population is only 7 per cent of our total, and in the country they count for practically nothing, which showed that the Ministry had to consider afresh whether they had the majority of Pathans behind them. Even at the last election the scales were almost equal. I told them
that there had been a swing-away from them during the past year, and I said that they were always underrating their opponents—a fatal thing to do. They just refused to admit that the position is in fact like this, in spite of the recent Mardan election, and are determined to cling to power as long as they can. They even said that on no account would they agree to another general election before a new constitution had been framed. I told them that I was quite certain they would be forced into appealing to the electorate again long before that date, and they would do well continually to assess their position with the electorate. I said, however, that to meet the immediate difficulty the best course would be to maintain the law with one hand, but on the other to make overtures through go-betweens for a settlement, on the ground that the time had more than come when Pathans should give up their internecine squabbles and begin to consider how the various parties could at least co-operate in constitutional disagreement to find the proper place for the Pathan race in the new India. I said that this was my strong advice, but that given the present position in which my responsibility in any case would come to an end little more than a year from now I was not prepared to override them, and they must take the full responsibility for the decision they now took. Whatever they did I would do my best to help them through. They refused entirely to open negotiations of any kind at present, and the most I could get them to agree to was to go on as at present, keeping the Opposition in jail, but to make an announcement that they favoured constitutional processes and did not wish to keep any one locked up longer than necessary. At the same time they were determined—and rightly—to maintain the law, whether broken collectively or individually. An announcement on these lines will be issued by Dr. Khan Sahib to-day. I think myself that by hanging on without making any substantial move towards reconciliation the position of the Ministry will gradually grow weaker, and that they do not realise how far public opinion is falling away from them. There are also signs that the Mohmands and some of the Wazirs are beginning to growl.

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Pandit Nehru to Field Marshal Viscount Wavell


9 March 1947

During the last three days the Congress Working Committee has anxiously considered the situation in the country and more specially the announcement made by Mr. Attlee on February 20th. They have passed some resolutions and I
am enclosing three of these for your information. I hope you will be good enough to send them to His Majesty’s Government.

2. You will notice that the Working Committee have welcomed Mr. Attlee’s statement. We have purposely not gone into any details because the major decisions mentioned in it govern the situation. There are many matters which are not clear. Presumably light will be thrown upon them later on. For the present we did not think it necessary to draw special attention to any of these matters. It is clear, however, that an early decision will be required in regard to our future work in the Interim Government.

3. It is our intention, as you will observe from one of the resolutions sent, to approach the Muslim League for a joint meeting to consider the situation. We want to do everything in our power to get the League representatives into the Constituent Assembly, so that all of us might function in terms of the Cabinet Mission’s statement of May 16th, 1946.

4. If unfortunately this is not possible, then we shall try to lay down a course of action which avoids friction and conflict. It is with this object in view that we have sought a meeting with the League and have also suggested the division of the Punjab into two parts. This principle would, of course, apply to Bengal also.

5. This proposal that we are making is not pleasant for us to contemplate, but such a course is preferable to an attempt by either party to impose its will upon the other. Recent events in the Punjab have demonstrated, if such demonstration was necessary, that it is not possible to coerce the non-Muslim minority in the Province, just as it is not possible or desirable to coerce the others. We have suggested a way out which we consider fair to all parties.

6. In this connection I should like to remove a misapprehension. Sir Stafford Cripps, in his speech in the House of Commons, has said that “we could not accept the forcing of unwilling Provinces into a united Indian Government if they have not been represented in the making of the constitution. To that principle which has the assent of the Congress, we understand, we adhere ...”. Reference has been made here to “Provinces”. There appears to be some confusion about the use of the word “Province” in this connection. The word used in the British Government’s statement of December 6th, 1946, was “areas”, and when Congress assent is referred to it can only have reference to areas. Indeed Sir Stafford Cripps himself refers to areas also in the course of his speech.

7. This distinction is important as both in Bengal and Punjab there are very large non-Muslim minorities. In the event of Bengal or Punjab, as Provinces, deciding by a bare majority not to adhere to a Union, the question immediately arises about Western Bengal and Eastern Punjab which are predominantly
non-Muslim areas and which have no intention whatever of separating themselves from the Indian Union.

8. It is in order to get over all these difficulties that we have suggested a partition of the Punjab and the same principle applies to Bengal. If the Muslim League accepts the British Cabinet's scheme of May 16th and co-operates in the Constituent Assembly, then this question does not arise in this form. But even so it is worth considering whether Bengal and Punjab should not both be divided into smaller Provinces. In the event of the Muslim League not accepting the Cabinet Delegation's scheme and not coming into the Constituent Assembly, the division of Bengal and Punjab becomes inevitable.¹

Enclosure to No. 511

RESOLUTIONS PASSED BY THE CONGRESS WORKING COMMITTEE ON MARCH 8TH, 1947, AT NEW DELHI.

1. PRIME MINISTER ATTLEE'S DECLARATION OF FEBRUARY 20TH, 1947.

1. The Working Committee welcome the declaration made on behalf of the British Government of their definite intention to transfer power finally by a date not later than June 1948 and to take steps to that end in advance.

2. The transfer of power, in order to be smooth, should be preceded by the recognition in practice of the Interim Government as a Dominion Government with effective control over the services and administration, and the Viceroy and Governor-General functioning as the constitutional head of the Government. The Central Government must necessarily function as a Cabinet with full authority and responsibility. Any other arrangement is incompatible with good government and is peculiarly dangerous during a transitional period full of political and economic crises.

3. The Congress has already expressed its acceptance of the British Cabinet Mission's scheme of May 16th, 1946, and has further accepted the interpretations put upon it by the British Cabinet on December 6th, 1946. In accordance therewith, the Constituent Assembly has been functioning and has appointed various committees to carry on its work. It has become all the more essential now to expedite this work so that the constitution for an Indian Union and its constituent units should be finally prepared and given effect to well within the stated period to facilitate the final transfer of power.

4. The Working Committee welcome the decision of a number of States to join the Constituent Assembly and trust that all the States and their peoples

² Lord Wavell telegraphed the text of Pandit Nehru's letter to Lord Pethick-Lawrence in tel. 454-S of 10 March. L/P &F/10/78: f 47.
will be effectively represented in this task of making a constitution for an Indian Union. The Committee invite afresh the representatives of the Muslim League, who have been elected to the Constituent Assembly, to join in this historic undertaking.

5. The work of the Constituent Assembly is essentially voluntary. The Working Committee have frequently stated that there can or should be no compulsion in the making of a constitution for India. It is the fear of compulsion or coercion that has given rise to distrust and suspicion and conflict. If this fear goes, as it must, it will be easy to determine India's future so as to safeguard the rights of all communities and give equal opportunities to all. It has been made clear that the constitution framed by the Constituent Assembly will apply only to those areas which accept it. It must also be understood that any Province or part of a Province which accepts the constitution and desires to join the Union cannot be prevented from doing so. Thus there must be no compulsion either way, and the people will themselves decide their future. This peaceful and co-operative method is the only way to make democratic decisions with the maximum of consent.

6. In this hour when final decisions have to be taken, and the future of India has to be shaped by Indian minds and hands, the Working Committee earnestly call upon all parties and groups, and all Indians generally, to discard violent and coercive methods, and co-operate peacefully and democratically in the making of a constitution. The time for decision has come and no one can stop it or stand by and remain unaffected. The end of an era is at hand and a new age will soon begin. Let this dawn of the new age be ushered in bravely, leaving hates and discords in the dead past.

2. INVITATION TO MUSLIM LEAGUE TO MEET REPRESENTATIVES OF CONGRESS.

In view of new developments which are leading to a swift transfer of power in India, it has become incumbent on the people of India to prepare themselves jointly and co-operatively for this change so that this may be effected peacefully and to the advantage of all. The Working Committee, therefore, invite the All-India Muslim League to nominate representatives to meet representatives of the Congress in order to devise means to meet it.

The Working Committee will keep in close touch with the representatives of the Sikhs and other groups concerned, with a view to co-operating with them in the steps that may have to be taken and in safeguarding their interests.

3. PUNJAB.

During the past seven months India has witnessed many horrors and tragedies which have been enacted in the attempt to gain political ends by brutal violence,
murder and coercion. These attempts have failed, as all such attempts must fail, and have only led to greater violence and carnage.

The Punjab, which had thus far escaped this contagion, became six weeks ago the scene of an agitation, supported by some people in high authority, to coerce and break a popular Ministry which could not be attacked by constitutional methods. A measure of success attended this, and an attempt was made to form a Ministry dominated by the group that led the agitation. This was bitterly resented and has resulted in increased and widespread violence. There has been an orgy of murder and arson and Amritsar and Multan have been scenes of horror and devastation.

These tragic events have demonstrated that there can be no settlement of the problem in the Punjab by violence and coercion, and that no arrangement based on coercion can last. Therefore it is necessary to find a way out which involves the least amount of compulsion. This would necessitate a division of the Punjab into two Provinces, so that the predominantly Muslim part may be separated from the predominantly non-Muslim part.

The Working Committee commend this resolution, which should work to the advantage of all the communities concerned, and lessen friction and fear and suspicion of each other. The Committee earnestly appeal to the people of the Punjab to put an end to the killing and brutality that are going on and to face the tragic situation, determined to find a solution which does not involve compulsion of any major group and which will effectively remove the causes of friction.3

3 These three resolutions of the Congress Working Committee were circulated to the India and Burma Committee in Paper IBN(47)9 of 10 March 1947. Ibid: ff 80–2.

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Field Marshal Viscount Wavell to Pandit Nehru

Wavell Papers. Political Series, January–March 1947, p. 111

NO. 592/88. 9 March 1947

Thank you for your letter of today's date,1 with which you sent copies of three resolutions passed by the Congress Working Committee. The full text of these has been telegraphed to the Secretary of State, and I shall inform him of the comments which you now make, and in particular the point in Sir Stafford Cripps' speech to which you have drawn attention.

2. I am sure that the Congress will make every effort to secure the cooperation of the Muslim League, as I am convinced that the best chance for

1 No. 511.
the peaceful and orderly progress of India lies in the wholehearted acceptance by both parties of the plan laid down by the Cabinet Mission last year. Until the results of your approach to the Muslim League are known, it would, I think, be premature to consider the question of partition of the Punjab and Bengal.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell


NO. 654. 9 March 1947

I am greatly obliged for the loan of Your Excellency’s aircraft. I flew in it to Rawalpindi this morning and had a conference with the Army Commander, the Rawalpindi Area Commander (Key), the Commissioner, the Deputy Inspector-General of Police, and the Deputy Commissioner. Bennett, the Inspector-General of Police, accompanied me.

2. I gave the conference an appreciation of the situation in the Punjab as a whole. I have already reported events very fully to Your Excellency and need not go over them again in this letter. I ended my appreciation by saying that Lahore, Amritsar, Multan and Rawalpindi had all been seriously disturbed; that there had been smaller disturbances at Sialkot, Jullundur, Kamoke in the Gujranwala district, and one or two other places; and that communal tension was acute in almost all districts. The danger points were Lahore, Amritsar, Multan and Rawalpindi. Lahore was now under control but was still most uneasy, and incidents in Lahore always affected the rest of the Punjab. Amritsar had probably had the worst outbreak yet reported. The known casualties were not particularly high, but there had been an enormous amount of damage by incendiariism, and the City was without electric light, vegetables and fodder for its innumerable cattle. Multan city and Cantonment were reported to be under control, but the trouble was spreading rapidly to the rural areas. The District authorities had at their disposal only their normal strength of Police plus small police reinforcements and a weak battalion of the 3rd Dogra Regiment. They had asked for further help. Those present would know more than I did about the details of the Rawalpindi situation.

In the past communal trouble had seldom occurred in two important places at the same time. We had therefore been able to concentrate our resources and to come down very quickly on each outbreak as it occurred. On this occasion, however, outbreaks had been widespread, and it had been impossible for us to
reinforce at all points simultaneously. We had had to leave it to District Officers and the local Military Commanders to deal with each situation as it arose.

There were two very disturbing factors in the situation. In the first place, the Sikhs regarded the Muslim League agitation and the present communal disturbances as an attack particularly upon them. They felt that they had suffered more than the Muslims and had been caught unprepared. They were therefore likely to have their revenge, and if trouble spread to the rural areas in Muslim districts and was not checked, we must expect similar trouble in Sikh districts and later in the Ambala Division where the Hindu Jats are dominant. Secondly, the resolution of the Congress Working Committee on the Punjab, which appeared in this morning’s newspapers, demanded the partition of the Punjab and would almost certainly be treated by the Muslims as a challenge. Unfortunately the resolution had been accompanied by a Joint statement of Congress and Sikh leaders in the Punjab to the effect that they are “in no circumstances willing to give the slightest assurance or support to the Muslim League in the formation of a Ministry”, as they “are opposed to Pakistan in any shape or form”. In the light of the Sikh attitude and of the resolution and statement it appeared to me that we might be faced with persistent communal trouble gradually spreading to the rural areas all over the Punjab. A coalition now seemed most improbable; the Muslims would insist upon Pakistan, which they are still quite unable to define; and the Hindus and Sikhs would demand the Ravi as the boundary of the non-Muslim State.

3. The Army Commander had received reports about the Multan situation from the Lahore Area Commander, and said he was flying in two Battalions of the Airborne Division. The first of these Battalions was leaving Rawalpindi today; the second would be despatched from Karachi tomorrow. He was also bringing into the Punjab a Brigade allotted to him by General Headquarters.

4. The Rawalpindi Area Commander then gave an appreciation of the local situation. During the last four days there had been several serious incidents. Rawalpindi City had been disturbed with a good many casualties, but was now under control. The trouble had quickly spread to the rural area, and there had been an organised raid on Murree by a party of Muslims in cars or lorries. These persons had attacked mainly property belonging to Kirpa Ram (the

1 Enclosure to No. 511, item 3.
2 The statement read as follows: ‘In no circumstances are we willing to give the slightest assurance or support to the Muslim League in the formation of a Ministry, as we are opposed to Pakistan in any shape or form. It is a most extraordinary event that an administration supported by a Nationalist Coalition which is still in a majority should be dissolved and attempts should be made to set up an administration of a purely communal character which by itself does not command a majority.’ Abell to Harris, tel. 82-G.T. of 10 March 1947. Mountbatten Papers, Official Correspondence Files: Punjab, Part I(a): f 39.
well-known draper), and several large buildings including at least three hotels, had been burnt. There were five companies of troops in or near Murree, but the raid was cleverly carried out and substantial contact with the raiders does not seem to have been made. At about the same time there was an attack on the Frontier Mail at Taxila. The area bounded by the Grand Trunk Road from Taxila to Gujar Khan and eastwards by a line drawn roughly from Gujar Khan through Kahuta, Murree and back to Taxila was disturbed. (About six villages were to be seen burning as we approached Rawalpindi in the aircraft this morning.) A Battalion of Gurkhas had been sent to Murree, and Military patrols, including detachments from the Norfolks, were operating in the disturbed area and along the Grand Trunk Road. Railway Security had been introduced from Taxila to Jhelum, but trains were not yet running northward of Rawalpindi. The disturbed area is full of crowds of villagers armed with lathis, spears, axes, agricultural implements, and in some cases firearms. One or two patrols had been fired on, but on the whole the people showed little hostility to authority as such.

The Commissioner and D.I.G., Police, said that no estimate could be made of casualties in the villages. There was reason to think that in several villages the Hindus had been massacred. The Deputy Commissioner said that he was making arrangements in consultation with the Area Commander for the accommodation of refugees; but he did not wish to invite non-Muslims to leave their villages since in many villages the Muslims were definitely protecting them.

5. The civil authorities seemed to have no special needs, and I said that my only comment on what I had heard was that although most of us knew a great deal about the suppression of communal disturbances in cities, we had had little experience of dealing with such disturbances in a large rural area with bad communications. I thought we should have to develop our technique as we gained experience; at present, as in Rohtak last November, villagers misbehaved themselves when police and troops were not about and were submissive in the presence of authority. The Army Commander remarked that if communal trouble developed in the rural parts of a large number of districts, it would be virtually uncontrollable—the D.I.G. of Police had already observed that conditions in many of the villages affected were not known, since they were approachable only by bridle-paths or tracks, and it took a long time to deal with them.

6. All the civil officials present said that there was a certain amount of moderate Muslim opinion in favour of peace, but that the local notables dared not co-operate with the authorities, as they would have done under the old official régime or a Unionist Ministry, because they felt that they must keep in with their party. The right solution therefore was to announce that
the Section 93 régime would continue for a specified period in the first instance—say, for three months. If this were done, the local notables would come down on the side of the Administration for the time being at least. This opinion is interesting from civil officials serving in a Muslim area, since they tend to discount the case for the minorities and the seriousness of communal trouble.

7. The Commissioner mentioned some indiscipline among the police. The incident was discussed after the conference by the I.G. and the D.I.G., and I gathered that it was not really serious.

8. The conference was, I think, useful, and I am very glad that troops are being sent to Multan and that the Army Commander has secured an additional Brigade. I hope to go to Multan in the same way tomorrow morning. The Lahore Area Commander and the Inspector-General of Police will accompany me, and the Army Commander has ordered the Brigadier who is taking the two airborne Battalions in to stay at Multan tomorrow until he has seen me. On Tuesday I hope to visit Jullundur and Ambala.

9. I found Abell’s letter No. 90/13 of 8th March to Abbott awaiting me on my return. The resolution of the Congress Working Committee and the statement by the Congress and Sikh leaders of the Punjab may alter the situation for the worse. It is almost certain that the resolution and the statement were co-ordinated and that the Congress and the Sikhs would meet the formation of a Muslim League Government by a demand for instant partition. I shall have to wait for a day or two to study Muslim reactions. The Muslim League will, I fear, treat the resolution and statement as a challenge—it seems that they are still trying to form a Ministry with a small technical majority. As soon as Muslim reactions are clear, I will see what can be done to mediate; but I have little hope of success, and there is an unpleasant undercurrent in the resolution and the statement which may mean that the Congress intend to turn the heat on the British officials and myself.

10. I note the Secretary of State’s views about the Services. I have also had Your Excellency’s instructions on my letter No. 653 of 7th March.\(^5\)

11. There is not much in the four Intelligence reports received so far today (1600 hours). A great deal of political intrigue is going on in Lahore. Some persons were stabbed in Lahore yesterday, but today has been reasonably quiet so far. The curfew came off for four hours in Amritsar at 10 a.m. today, and at 1-10 p.m. Intelligence reported that there had been no incidents. Amritsar casualties seen by the Civil Surgeon now amount to 100 dead (Muslims 64, Sikhs 31, Hindus 4, and Christian 1) and 151 injured (Muslims

\(^3\) This summarised No. 504. Wavell Papers, Official Correspondence: India, Jan. 1946—March 1947, pp. 276-7.

\(^4\) No. 506.

\(^5\) No. 501.
97, Sikhs 27 and Hindus 27); but the city is still full of fallen buildings and rubble and the real casualties must be considerably higher. The figures do not bear out the Sikh contention, which is true of Rawalpindi and Lahore, that the Muslims have been victorious. In Amritsar they were on top for some time, but the Sikhs seem to have got into a Muslim quarter and killed a large number of the inhabitants in one operation.

12. It is most unfortunate that our affairs are controlled for the Muslims from Bombay and for the Hindus (including for the moment the Sikhs) from Delhi. We will do our best to keep the trouble out of the rural areas; but if we fail, widespread massacres are inevitable and we may have to concentrate on the points where we can protect most people.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/89: ff 60–1

17 YORK ROAD, NEW DELHI, 9 March 1947

Dear Lord Wavell,
I have received a letter from Sardar Baldev Singh in regard to recent happenings in the Punjab. We have all been greatly exercised over the Punjab situation as it has developed during the past six weeks. Sardar Baldev Singh, being himself a Punjabi and intimately connected with provincial politics, is naturally even more affected by these developments. He has asked me to convey to you and through you to HMG what the Sikhs feel in this matter. I have suggested to Sardar Baldev Singh to write to you himself.

2. The views that Sardar Baldev Singh has expressed on behalf of the Sikhs are generally shared by the Hindus of the Punjab. There are some Muslims also who are in agreement with them. Although unfortunately this has become a communal issue, it is not essentially so. The recent trouble started by the demand of the Muslim League to coerce and break up the Coalition Ministry in the Province. The first point to which Sardar Baldev Singh wishes to draw special attention, and I wholly agree with him in this matter, is the way certain members of the Interim Government actively participated in the Punjab agitation and encouraged the attempts to upset the Coalition Government there. This is patently opposed not only to constitutional procedure, but seemed to us wholly lacking in propriety. It put us in a very embarrassing position.

3. The present position is that any attempt to set up a Muslim League Ministry in the Punjab in the circumstances will not only give rise to grave
apprehensions in the minds of the Sikhs, Hindus and certain others in the Punjab, but also lead to conflict. Indeed it has led to conflict on a severe scale already, and recent events have made the position worse. This apprehension and conflict are obviously due to the fact that the Muslim League openly want to make the whole of the Punjab a Pakistan area and wish to use a League Ministry to that end.

4. As I have written to you separately, a proper and fair solution of this difficulty appears to be the division of the Punjab into a predominantly Muslim area and a predominantly non-Muslim area. The Congress has recommended this and I understand that the Sikhs are also agreeable to it and indeed desire it.

5. I earnestly hope that no steps will be taken in the Punjab which may add to the apprehensions of the non-Muslim League elements in the Province. If any such thing is done it can only lead to trouble.

Yours sincerely,

JAWAHARLAL NEHRU

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1 No. 511.
2 Lord Mountbatten saw this letter in circulation in London, side-lined para. 4, and noted that he would like it followed up. Colonel Erskine-Crum noted it for the agenda for the Viceroy’s 1st Staff Meeting. Mountbatten Papers, Official Correspondence Files: Punjab, Situation in, Part I(a): f1A.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 214-15

SECRET 10 March 1947

HIS EXCELLENCY’S NOTE OF INTERVIEW WITH PANDIT JAWAHARLAL NEHRU ON 10TH MARCH 1947

1. We began by talking about the situation in the Punjab, and I asked Nehru whether he had any suggestions to offer. He said that the situation was very dangerous and disturbing; and was principally due to a struggle between two fairly equally balanced parties to be in power over the whole Province by June 1948. The Province had remained tranquil under an uneasy equilibrium for a long time, but now that that equilibrium was broken, it was going to be difficult to restore it again. There was not much prospect of a Coalition Government, since the parties mistrusted one another so profoundly; nor could
Section 93 continue indefinitely. The only suggestion he had to offer was that there might as a temporary measure be two ministries under the Governor, one for the Eastern part of the Province and one for the Western. This would not be intended to prejudice the issue of partition, but might enable the administration of the Province to be carried on temporarily. I said that I would have the proposal examined, but I was rather doubtful of its being a practical one. Did he propose that there should be fresh elections or that the existing Assembly should split in two parts according to the districts they came from? He did not seem to have thought the matter out very much, but he said that he did not see that an election was necessary, what he proposed was merely a temporary arrangement. I said that I thought the difficulties of such a solution were probably insurmountable, and that certainly a Coalition Government for the whole Province would be very much preferable.

2. We then had some general talk on the political future, particularly with regard to the possible partition of the Punjab and Bengal. Nehru agreed that the Cabinet Mission plan was the best solution if it could be carried through; and that the only real alternative was a partition of the Punjab and Bengal. I said that I did hope the Congress would make a really determined effort to get agreement with the League on the Mission plan, and asked what steps had been taken. Nehru said that he was intending to have an informal talk with Liaquat Ali Khan as soon as possible and that they expect an official reply from the League to the Congress resolution.¹

Nehru was quite sober and realistic in what he said, but did not seem really hopeful of a settlement with the League.

3. We then got on somehow to the Food problem in India; I told Nehru of the pessimistic report of the Rice Controller, Sir Harold Sanderson, who passed through Delhi recently; and he said that the really tragic factor at the moment was the rust disease in the wheat crop in Central India, the crops looked magnificent but were quite useless.

4. We then had some talk on the Inter-Asian Conference, which apparently holds its first meeting on the 22nd. The public meetings are to be held in the Purana Qila. There seemed to be quite a lot of people coming; but I gathered there had already been some trouble, by the Arabs protesting against any Jews coming from Palestine, and China protesting against Tibet being separately represented. I gather that Chatham House, the corresponding American institute of international affairs, Australia, and New Zealand, will be represented by observers.

¹ Enclosure to No. 511, item 2.
Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/WS/1/1578: f 29

MOST IMMEDIATE

INDIA OFFICE, 10 March 1947, 12 noon

No. 3180. My telegram No. 3100 dated 7th March.¹ Release of I.N.A. convicts. I have now consulted my colleagues. We do not repeat not wish matter to be deferred until Mountbatten has taken over and agree that you should permit discussion in Cabinet and, if necessary, overrule your colleagues. In these circumstances we feel that the sooner the matter is disposed of, the better.

¹ See No. 488, note 3.

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Cabinet

India and Burma Committee. Paper I.B.(47)29

L/P&J/10/86: ff 3–7

INDIA: GOVERNOR-GENERAL’S INSTRUMENT OF INSTRUCTIONS
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 10 March 1947

I mentioned at the meeting of the Committee on 18th February (I.B.(47)12th meeting)¹ that it might be desirable to amend the Governor-General’s Instrument of Instructions before Lord Mountbatten takes over the appointment.

2. A copy of the relevant provisions of the Instrument of Instructions is annexed. It will be seen that the general tenor of the Instrument is the execution and fulfilment of the intentions of Parliament enshrined in the Act of 1935. In particular, the Governor-General is instructed at the end of paragraph VII of the Instrument “so to order the administration of his Government as to further the policy of the Act for its conversion into a Federation of all-India”, and in paragraph XVI, so to “exercise the trust reposed in him that the partnership between India and the United Kingdom within our Empire may be furthered to the end that India may attain its due place among our Dominions”.

3. These provisions, although they do not literally conflict with the policy now laid down (since we still desire that there should be a Federation, though not that under the Act of 1935, and that India should remain in the Commonwealth), are not consistent with its spirit. Strictly speaking, no doubt there

¹ No. 426.
should be a new Instrument, but on the other hand it does not seem to me on fuller consideration that there is anything in the Instrument which is directly inconsistent with carrying out our policy, up to the time when we pass legislation here enabling power actually to be transferred.

4. Amendment or revision of the Governor-General’s Instrument requires an Address to the Crown from both Houses. It would, therefore, give an opportunity for controversial debates in both Houses, and it is quite possible that the House of Lords, if called upon to express a positive opinion, would reject the resolution.

5. Further, the Instruments of Instructions to Governors contain a number of provisions which cannot be strictly carried out, and have not, in fact, been strictly carried out for some time. It would be anomalous to amend the Governor-General’s Instrument and not that of Governors, but to amend the Governors’ Instruments would mean overtly recognising that the Governors’ special powers have virtually ceased to exist.

6. As the House of Lords did not press to a division their recent Motion, we are justified in saying that Parliament has acquiesced in the policy which we have adopted, and, so far as the Instrument might be regarded as inconsistent with that policy, we can, I think, safely leave it as it is. This conclusion is, however, subject to the proviso that, if we decide to give any written instructions to Lord Mountbatten, they must not be inconsistent with the present Instrument. We could not place him in a position in which he had a written directive from H.M.G. which was inconsistent in any respect with the Instrument of Instructions from the Crown by which he is required to be guided.

7. The question of amending the Instruments may arise in a different light when Parliament has passed the legislation necessary for an orderly transfer of power. If, when that stage has been reached, the Governor-General and the Governors still have a substantial period of office and responsibility ahead of them, it may be thought unsuitable and embarrassing that they should continue to operate under their present Instructions, which will then be even more anomalous than they are now. In that case we might, without serious difficulty or loss of time, get a revised version of the Instruments through Parliament as a necessary appendage of the Legislation. But that is only a possibility and we need not now concern ourselves with it further.

P.-L.

Annex to No. 517

EXTRACTS FROM THE GOVERNOR-GENERAL’S INSTRUMENT

[There follow the fifth para. of the preamble and paras. VII-XVII of the Instructions.]
Cabinet

India and Burma Committee. Paper I.B.(47)31

R/30/1/9: ff 184-5

Compensation for Members of the Indian Services Appointed by the Secretary of State and for Officers of the Indian Fighting Services

Note by the Prime Minister

Cabinet Office, 10 March 1947

I circulate herewith for the consideration of my colleagues a Minute which has been addressed to me by the Viceroy Designate on the question of compensation for Members of the Indian Services appointed by the Secretary of State and for Officers of the Indian Fighting Services.

C. R. A.

Enclosure to No. 518

7 March 1947

Prime Minister.

Compensation for Members of the Indian Services Appointed by the Secretary of State and for Officers of the Indian Fighting Services

1. I have now read the previous papers on the above subject and I beg leave to submit the following expression of my views.

2. I cannot exaggerate the importance that I attach to my having authority to announce definite and equitable terms to the British officials and officers in question immediately on my arrival in India. If I can clear away uncertainty from their minds and offer them terms which they consider reasonable, I should hope to be able to restore their morale and to get the best work out of them during these last 15 critical months.

3. Broadly speaking, I am in entire agreement with the Secretary of State for India that the fighting services must be compensated, and compensated by the method originally proposed for the civilian services. I also entirely agree with his views as expressed in I.B.(47)23 of the 28th February, 1947, that the alternative draft scheme propounded in the Annex2 is impracticable and would be regarded as a breach of faith.

4. I myself would be content to stand on the original scheme set forth in the

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1 R/30/1/9: ff 196-202
2 See No. 502, note 1.
despatch to the Governor-General (S. and G.10890/46 of 26th November, 1946), subject to the proviso that it shall apply only to British nationals. I gather that the reason for not proceeding with it is that the Indian Government have refused to foot the bill. I most earnestly recommend in the interests not only of equity, but also of our own material benefit, that this obstacle should not be allowed to stand in the way, and I ask that I should be authorised to inform British officials and British officers of the fighting services that His Majesty’s Government, are prepared to guarantee the terms. This does not mean that we abandon our claim vis-à-vis the Indian Government to discharge their obligations in this matter. I would here reiterate that my recommendation in principle relates only to British officers and not to Indian officers and officials. But we may find that some of the latter by consequence of their loyal support of our policy in the past have undeniable claims to be treated in the same way as their British colleagues. I submit that essentially this is a matter in which we should look after our own nationals and leave other nationals to be looked after by their own Governments.

5. I am sending a copy of this minute to the Secretary of State for India.

MOUNTBATTEN OF BURMA

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/89: f 78

IMMEDIATE

CONFIDENTIAL

10 March 1947, 11.20 pm

Received: 11 March, 12.25 am

No. 39—G. Addressed Viceroy repeated Secretary of State.

Punjab situation. My immediately preceding telegram.1 I visited Multan today. The city is quiet under curfew but about 30 incidents have been reported from villages. Troops are operating in rural area.

2. Mamdot, Daultana and Firoz saw me by appointment on my return. They gave no indication that they were in a position to form or wished to form a Ministry. They were most apprehensive about attitude of Sikhs and said that their overtures had been rebuffed. They asked me to mediate and I am trying to get hold of Swaran Singh who seems unfortunately to be out of Lahore.

3. Two police officers who saw Tara Singh at Amritsar today say that he is extremely excited; asserts that ‘Civil War’ has already begun and threatens
attacks on police stations and a mass Sikh rising. Murder of Labh Singh a former President of S.G.P.C. in Jullundur recently is probably main cause of his resentment. We are doing what we can to get him off the boil. Anti-Pakistan Day tomorrow may give some trouble but I hope not.

4. Move now seems to be on foot to re-establish Hindu-Sikh Coalition with Muslim Unionists. I am sure Khizar will not co-operate and Muslim League have warned me that if such Ministry is formed Muslims will not tolerate it.

1 In tel. 38-G of 10 March, Sir E. Jenkins reported that the general position was little changed. The authorities were in control of the immediate situation in the cities and they hoped to regain control shortly in the rural areas of Rawalpindi, Attock and Multan. Acute tension continued almost everywhere. R/3/1/89: f 77.

§20

Note by Dewan Chaman Lal (Extract)

R/3/1/89: ff 87–95

10/11 March 1947

A NOTE FOR THE HON’BLE PT. JAWAHARLAL NEHRU CONCERNING THE RECENT HAPPENINGS IN THE PUNJAB

[11.] ... After very careful examination, the position as I see it is that the Muslim League Assembly Party in the Punjab cannot claim the support of a majority in the Assembly. Mr Feroze Khan Noon admitted the fact that they could not form a ministry and that even if they were called upon to do so they would be defeated the very first day. In this situation the resolution of the Congress Working Committee was released suggesting a partition of the Punjab. This resolution has had a tremendous reassuring effect on the general political situation in the Punjab, as far as the Hindus and Sikhs are concerned, and steps to implement it would go a long way in bringing a breath of reality into the present abnormal situation.

12. This situation would certainly have not arisen had the Ministry continued in office. At any rate it would not have assumed its present serious aspect. Both Ministers, Mr Swaran Singh and Mr Lahiri Singh informed me that they had been told by Malik Khizar Hayat Khan that the Governor had tried for some time to persuade him to join up with the League in order to

1 Dated 10 March, signed 11 March. Pandit Nehru forwarded it to Lord Wavell on 11 March. Mr Abell acknowledged receipt of the note the same day and added that Lord Wavell had asked him to say 'that he knows it to be quite untrue that the Governor brought any pressure on Malik Khizar Hayat Khan to join the Muslim League.' R/3/1/89: f 97.

2 Enclosure to No. 511, item 3.
form a more stable ministry, suggesting that after the position had been stabilised, if he so chose, he could retire. It seemed to the Ministers and to all those who knew this fact that rather than join the Muslim League, Malik Khizar Hayat Khan would prefer to tender his resignation. I am aware that some British Press Correspondents were informed by the Governor that he had tried to induce Malik Khizar Hayat Khan to stick on to his job. But the two Ministers were definite in regard to the pressure put upon Khizar Hayat Khan.

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Sardar Baldev Singh to Field Marshal Viscount Wavell
R/3/1/89: ff 83-4

I BHA GWAN DAS ROAD, NEW DELHI, 11 March 1947

Dear Lord Wavell,

Since my talk with you last week about the Punjab affairs, distressing events have taken place in the Province. These are undoubtedly engaging your mind too. The situation seems to be somewhat under control now and I do hope the danger of any deterioration will be most firmly checked. Hindus and Sikhs have, it appears, been attacked and victimised on so large a scale over a wide area as to leave an impression as if a premeditated plan existed to swamp down even the bare expression of any popular non-Muslim view in favour of the late Coalition Ministry.

I make no secret of my conviction that Muslim League’s onslaught on the Coalition Ministry had been engineered in the way it was because the League had despaired of being able to defeat it by constitutional methods. We watched the manœuvre with grave misgivings from its very start; and you will remember how Singh opinion reacted almost instinctively to declare, as Master Tara Singh did in a press Statement, that the League’s move was in fact an attempt to establish its own domination in the Punjab.

It would be relevant here for me to observe that throughout the period when the League were staging its demonstrations and in the course of which extreme lawlessness was preached and practised, the police and the administration generally stood literally aside. Magistrates and judges sitting in courts were assaulted and Government property destroyed. The Union Jack was removed from court buildings and other places, trampled and displaced by League flags—the police still doing nothing. Strict censorship prevented facts being known but I have now heard from reliable eye witnesses and officials how things were allowed to drift to force the collapse of the Ministry.

I wish to lay the greatest emphasis on the fact that the Muslim League
has not achieved its objective by just or constitutional methods. It was in fact sheer hooliganism of the vilest type. The fact that its leader has not been able to secure a majority even to this day is significant. I cannot understand how when palpably illegal and unconstitutional methods were employed to oust a coalition which enjoyed a majority in the Legislature, a minority group could have been invited to capture office.

The issue is one of extreme gravity at this crucial period in view of the latest Statement of H.M.G.'s policy. The British Government will hand over power to Indian hands by June 1948. According to their scheme, the Authority or Authorities who receive it, will be such as are in seat or seats of power at the time. The League's illegal onslaught on the Coalition and its design to capture power at this time is ominous in the context of impending changes and I firmly hold that it would be quite improper and contrary to the intentions of H.M.G. to allow this to happen in utter defiance of all propriety and constitutional practice. It seems to me to be unbelievable that H.M.G. could recognise unconstitutional and illegitimate activities at this stage as that would obviously and immediately expose the country to all manner of adventurers.

I stress this as conditions in the Punjab have become delicate and you and the Governor have to exercise the greatest care if my Province is to be saved from an inevitable disaster. You know the impossible attitude adopted by the Muslim League in coming to a settlement with the Sikhs. The British Cabinet Delegation and you assured us last year that everything would be done to secure to the Sikhs the rights they legitimately claimed in the Province which is their Homeland by using your good offices with both the major Political Parties. Beyond fine phrases and lip comfort, nothing has been done by the Muslim League in this direction. It would therefore be by-passing an essential settlement if meanwhile the ruse that has been played in the Punjab were allowed to succeed. Once in power, the Muslim League would obviously dictate its terms and I write to warn you most solemnly that the Sikhs will not be willing to expose themselves to a position of this type even inferentially.

In view of H.M.G.'s latest Statement, a completely new situation has arisen in India,—and more so in the Punjab. We had built up the Coalition there, after much labour and great care. It was an inter-communal Ministry, held up as a model by the highest personages. The League had not been kept out as is falsely stated in its quarters. On the contrary, it was asked to join and the invitation was always there. It remained out because of its deliberate design to dominate the Province—and to this neither Sikhs nor Unionists nor Congress could agree. It was for such exclusive communal domination that the present move was made. The proof, if any were needed that their intentions are not clean when they now seek our collaboration, is their refusal to collaborate in the Coalition. For that reason, the Sikhs cannot and will not join any Ministry
if it is now formed by the Muslim League. At this stage therefore and in view particularly of the assurance given to us, to which you were a party that the major Political Parties will be persuaded, obviously before any radical constitutional changes, to concede our just demands, it would be a travesty of justice and a mockery of the constitution, now in effect spent, if power is allowed to pass into these hands.

The Sikh case has been made clear to H.M.G. In view of the impossible stand taken by the League and the mischief now perpetrated, the only solution is a division of the Punjab and the creation of a new Province embracing the contiguous area where non-Muslims form a clear majority as a whole and have larger property interests. The demand was put forward before the British Cabinet Delegation last year and repeated by me in my letters\(^1\) to the Secretary of State after the publication of the Statement of May 16. Now that H.M.G. have clearly defined the period when they will hand over power, the satisfaction of Sikh demand has become an immediate and relevant issue and it follows that nothing may meanwhile be done in the Punjab to prejudice this demand. The Sikhs have been recognised as one of the three major communities by H.M.G. Of all they have, almost everything is in the Punjab. They cannot sit by and see another community being given a place of political vantage in their own Province by dubious means.

I make these observations with considerable restraint. Grave issues involving the life and property of vast masses are at stake. As it is, there is widespread feeling in the Punjab that the administration and the Police there have shown a marked discrimination against Hindu and Sikh demonstrators in contrast with what they did when League was in the field. Lathi charges, large scale firings, and other repressive measures have now been resorted to whereas little or nothing was done before. Then League leaders even holding office in the Interim Government were openly encouraging revolt against authority and no one seems to have pulled them up. Non-Muslims have well-nigh lost all faith in the administration and fear that the worst may yet happen. I only hope not and expect that you will kindly still intervene. I, on behalf of my community, do urge, with all earnestness, that no League Ministry should be formed and immediate steps should be taken by H.M.G. to divide the Province so that by June 1948, power can be handed over to the respective representatives of the two areas.

I shall be grateful if you will please convey the contents of this letter to H.M.G.\(^2\)

\(^2\) Mr Abell acknowledged receipt of this letter on 11 March and stated that its contents had been conveyed to the Secretary of State. R/3/1/89; f 85. It was circulated to the India and Burma Committee under the reference I.B.(47)38 of 18 March. L/P &J/8/663: ff 188–91.
Record of Meeting held at the India Office on 11 March 1947 at 5.30 pm to discuss
India's future relations with the Commonwealth

SECRET

Present:
Sir D. Monteath (in the Chair)
Sir W. Croft
General Sir G. Scoones
Mr. Turnbull
Mr. Donaldson
Lord Ismay
Sir Orme Sargent
Mr. M. E. Dening
Sir Eric Machtig
Sir J. Stephenson
Sir Thomas Lloyd
Sir G. Laithwaite

India Office
Foreign Office
Dominions Office
Colonial Office
Burma Office

Sir D. Monteath said that the purpose of the meeting was to consider the
draft Cabinet Paper\(^1\) which had been circulated some time previously. Broadly,
there were three alternatives: India might be a full cooperating Member of the
Commonwealth owing allegiance to the Crown; (This was in practice un-
likely to happen); India a sovereign Republic associated with the Common-
wealth on the Eire pattern; and India a foreign State in close Treaty relations
with the United Kingdom. The India Office had had some discussion with the
Dominions Office, the broad conclusion of which had been that the worst
position would be if India were formally in the Commonwealth but were
not, in fact, a cooperative Member. In that case the United Kingdom would
incur substantial obligations to India and would be able to rely on nothing in
return. The Eire precedent was, in the opinion of the Dominions Office, not one
which we should wish to repeat.

Sir Eric Machtig said that the Dominions Office view was that there should
be discussions with Indians to see what sort of arrangements could be made
with them. On the basis of what the Indians were prepared to do we should
consider whether or not India could be regarded as remaining in the Common-
wealth. The Dominions Office much disliked the Eire precedent but there were

\(^1\) Enclosure to No. 338.
special factors in Eire’s case which made it it not totally intolerable. These did not exist in the case of India. If Indians made a constitution which provided appropriately for the King’s position, and if the arrangements they were prepared to agree to were good enough, it might be possible to have India in the Commonwealth as a sovereign Republic, but the Dominions would have to be consulted before we could agree to that.

Sir Orme Sargent thought that India was very unlikely to be willing to remain in the Commonwealth; that her only reason for doing so would be if she thought that she would get in that way military and other assistance on the cheap. Sir D. Monteath pointed out that there were elements in India—the Princes and the Indian business interests—which might want to retain the Commonwealth connection. Sir Orme Sargent thought that relations with India were bound to take a Treaty form and not that of allegiance to the Crown. The Irish position had been arrived at by drifting into it, and would have been rejected in its present form if that had been originally proposed. Sir Eric Machtig said that the Dominions Office disliked the idea of a Treaty as regulating relations between two parts of the Commonwealth but such a conception was not impossible provided that two necessities were covered: the constitutional position of the King and satisfactory mutual arrangements. We should have to see what the Indians were prepared to do before any decision could be reached.

Lord Ismay thought that there were too many imponderables in the situation for any conclusion to be reached. He thought every effort should be made to keep India in the Commonwealth and that the main objective in the next 18 months should be to get friendly relations with India in the subsequent period. When the Indians found themselves independent they might well want to stay in the Commonwealth. He did not agree with paragraph 8 of the proposed Cabinet Memorandum which argued that a Treaty relationship would be more reliable than a Commonwealth relationship. Whatever rights you might have by Treaty would be valueless in time of war unless there was a will to cooperate. We should try to prevent Indian leaders from saying or doing anything in the near future which would prevent them from coming into the Commonwealth. He thought it would be mistaken to put up a paper to Ministers in which the objections to India coming into the Commonwealth were presented as equal to if not outweighing the advantages.

It was pointed out that there was general agreement that we wanted India’s full cooperation within the Commonwealth. The point of the discussion was to try and ascertain what was the minimum cooperation of which we must be assured to make India’s presence in the Commonwealth an advantage rather than a danger. Sir Thomas Lloyd said that the Colonial Office saw two difficulties which would arise if India were within the Commonwealth. Firstly, the difficulty of resisting Indian pressure at international conferences on matters
relating to Indians in colonial territories would be increased if India were within the Commonwealth; and, secondly, if a hybrid status within the Empire were created for India, that would be a bad precedent for other parts of the Empire which were moving towards dominion status. Such a status might come to be regarded as second-class membership and the white Dominions might insist that all coloured peoples could only come into the Commonwealth as second-class members. These might seem to be relatively minor considerations but the weight to be given to them would increase to the extent to which it may be found that India’s relations with us, if she came into the Commonwealth, were likely to be sketchy and of questionable value.

Sir Orme Sargent said that, if India simply remained within the Commonwealth, without our relationships being defined, we should be morally bound to assist in her defence while she would have no obligation to come to our assistance. This was the position in the case of the Dominions. It worked out all right with people of the same outlook as ours, but he could not believe that it would be a satisfactory form of relationship with the Indians who were totally different in outlook and fanatically nationalist. In the long run he thought a Treaty relationship with India would be necessary.

There was some discussion on the kind of arrangements which we should wish to obtain with India. It was pointed out that, while broadly what we should want to obtain would be the same whether India were in the Commonwealth or out of it, there were certain matters which would be different if India was in the Commonwealth. For example, Indians could hardly be refused immigration rights into the Colonies if India were a Member of the Commonwealth. It was agreed that the paper to be put up to Ministers should be primarily concerned with proposals as to what arrangements we should seek to obtain with India by way of governing her future relationships with this country. It should then point out that if we can get satisfaction as to these arrangements and also keep India in the Commonwealth that would be advantageous. But if India went out certain disadvantages would be avoided.

It was pointed out that the Prime Minister in his Statement of the 15th March [1946] had said that if India wished to remain within the Commonwealth she would be welcome to do so. Would it not be difficult to set this undertaking aside if the Indians took the line that they wished to remain in the Commonwealth but were not willing to make any special arrangements as to foreign affairs and defence? The Indians might point to the Eire precedent, say that they had made similar provision for the King’s position as had been made by Eire, and that they regarded themselves as remaining within the Commonwealth. It was felt that this point could be met by the contention that the position of India was entirely different to that of Eire and that due cooperation in defence and foreign affairs, and possibly in some other matters, was an essential feature
of the Commonwealth relationship and that India could not be retained in the Commonwealth without assurances in regard to them.

There was also discussion as to whether part of India could remain in the Commonwealth. It was felt that if we gave our support to Pakistan that would be the best guarantee against civil war between the two parts of India. On the other hand, a promise of such support would involve us in considerable financial commitments and to support Pakistan in such circumstances would finally drive Hindustan out of the Commonwealth.

Sir W. Croft said that he feared that the Indians would not be disposed to come to firm arrangements with us in the defence and foreign policy field. Their confidence in our ability to support them would be less than their fear of Russia, unless they felt that there were others, and in particular the Americans, acting with us. He had felt that there was better hope of satisfactory arrangements if they were thrown into a wider international setting, but the Foreign Office had been rather against that. Sir Orme Sargent said that the objection to a regional arrangement under the United Nations was that the Russians would claim to have a part in it. It was not inconceivable that the Americans in their present mood might be prepared to act with us in some way in these matters. Lord Ismay thought that the Indians would not be unimpressed by the fact that in two successive wars the United States had in fact come to our assistance and that it would not be at all impossible that they could be persuaded of the advantages of arrangements with us.

It was agreed that the draft Cabinet Paper was not appropriate for submission to Ministers as it stood. It was further agreed that the India Office would undertake the preparation [?] of a Paper] in consultation with the Departments concerned setting out the heads of the arrangements which we should wish to have with India. The position of India in relation to the Commonwealth could then be presented to Ministers as a pendant to the question of the relations which we desire to secure whether India remained in the Commonwealth or not.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/89: f 99

IMMEDIATE
CONFIDENTIAL

11 March 1947, 10.50 pm
Received: 12 March, 5.10 am

No. 41-G. Addressed Viceroy repeated Secretary of State.
Punjab situation. My immediately preceding telegram.1 I visited Jullundur and Ambala today. Jullundur is quieter and under control. Ambala narrowly
escaped a riot yesterday and police and troops are patrolling city. On return I had a long talk with Baldev Singh and Swaran Singh. Upshot was that Sikhs would be prepared to join in informal discussion with League under my chairmanship provided League Leaders (a) made open effort to stop outrages in Rawalpindi, Attock and Multan and (b) obtained authority from their High Command to negotiate freely with minorities. Sikhs are intensely excited and Tara Singh who is now in Lahore though fairly reasonable with officials is still talking in terms of civil war. Mamdot is being contacted tonight and I intend to see him tomorrow morning.2

1 In tel. 40-G of 11 March, Sir E. Jenkins reported that the situation was broadly unchanged. Trouble in the rural area of Rawalpindi was partially under control though spreading southwards. Rural areas of Attock and Multan were still considerably disturbed. R/3/1/89: f 98.
2 In tel. 43-G of 13 March, Sir E. Jenkins said that the Nawab of Mamdot was unable to give any indication of Mr Jinnah’s attitude. Ibid: f 105.

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Cabinet

India and Burma Committee. Paper I.B.(47)34

L/P&J/10/78: ff 62–6

ARRANGEMENTS FOR TRANSFER OF POWER
PROPOSALS BROUGHT BY MR. SUDHIR GHOSH
NOTE BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 12 MARCH 1947

I think my colleagues will be interested to see the suggestions by a member of the Interim Government of India embodied in the document at Annex I which was given to me semi-officially by Mr. Sudhir Ghosh, together with the comments thereon prepared in my department (Annex II).

P.–L.

Annex I to No. 524

DOCUMENT HANDED TO THE SECRETARY OF STATE BY
MR. SUDHIR GHOSH ON 10TH MARCH, 1947

There is growing realisation after the announcement of the 20th February, that it may not be possible to have a constitution acceptable to all the parties framed before June 1948. The practical needs of the situation might be met by an approach to the problem of parting with power by Great Britain different from the one contemplated on the basis of the State Paper. Under the State
Paper it is contemplated that the whole of the present constitutional structure will be broken up and a new one created by Indians themselves meeting in a Constituent Assembly. Now that a date has been fixed for the final transfer of power from British hands, we have to consider whether the present constitutional structure under the 1935 Act cannot be adapted to the new plan. A rough outline is as follows:—

(1) Parliament should as soon as possible enact a short Bill enabling H.M. in Council to make suitable amendments to the Government of India Act 1935 to further the object contemplated in the Statement of the 20th February.

(2) These provisions will be the minimum necessary to secure that full powers will be granted to the Central Government, that the control of Whitehall will no longer be exercised and that the Central Government acts in responsibility to a duly elected Legislature.

(3) There should be provision specifying the ratio of Muslims in the Executive Council, expressed either as a ratio to Caste Hindus or to the whole Council.

(4) The Constituent Assembly will be the Central Legislature and the present Legislature will cease to function.

(5) Legislation affecting exclusively Muslims will require a double majority.

(6) So far as the States are concerned, provision will be made for the accession of States on the subjects of Defence, External Affairs and Communications on terms to be negotiated between the States and the Central Government. If any States do not accede before June 1948, the functions of Paramountcy insofar as they affect these 3 subjects will be transferred to the Central Government: and the remainder of Paramountcy will revert to the States.

(7) India will be recognised as a Dominion by an amendment of the Statute of Westminster.

(8) Emphasis should be laid that this Constitution is only provisional and that it is open to Indians to replace it by a Constitution framed by themselves.

(9) In the provinces the special responsibilities of the Governors will disappear and those functions in which they now act in their discretion will become functions on which they will be aided and assisted by the Ministries.

(10) European representation in the Provincial Legislatures should go. But this does not necessarily mean that any special representation they might get, for instance, in Commerce and Industry constituencies will disappear.

(11) A provision should be included in the Provincial Constitution that if 2 or more Provinces desire that they should jointly work for the economic or social uplift of particular regions and work out schemes in this behalf, H.M. in Council would implement such schemes after consultation with the Central Government.
Annex II to No. 524

NOTE ON PROPOSALS HANDED TO THE SECRETARY OF STATE BY MR. SUDHIR GHOSH

These proposals amount to the transfer of full power during the interim period without any concession to the Muslim League point of view. It is, however, an interesting feature of them that they contemplate the grant of full Dominion Status to India, in the interim period, under an amended version of the existing constitution and further contemplate that this constitution would continue after June 1948, because a new constitution could not be framed by that date. Thus, if something of this sort were done, India would achieve complete independence as a part of the Commonwealth, and might remain in that position for a substantial period.

2. The only safeguards proposed for the Muslims in the proposed interim constitution are:

(a) A fixed ratio of Muslims in the Executive Council. (This could, of course, be fulfilled by the appointment of non-League Muslims).

(b) A majority of Muslim votes in the Legislature would be required for legislation “affecting exclusively Muslims”. (This is much more restrictive than the Cabinet Mission’s formula which required a double majority for matters which raise a major communal issue. Legislation affecting exclusively Muslims would only be such matters as the amendment of personal law relating to Muslims).

Moreover, the proposals give to the Congress a Central Legislature (the Constituent Assembly) in which the Hindus have an overwhelming majority based on strict population proportion while the existing Provincial Legislatures remain. The existing Provincial Legislatures are, of course, weighted in favour of minorities and, in practice, this is much more advantageous to the Hindus and Sikhs than to the Muslims because the Hindu and Sikh minorities are a larger proportion of the population in Bengal and the Punjab than the Muslims are in any Hindu Province. The Centre would retain the present wide field of central functions, and there would be no devolution of authority from the Centre such as is necessary if there is to be any prospect of the Muslims being satisfied.

The proposals contemplates that any States which do not accede to the proposed interim constitution before June, 1948, would become subject to Paramountcy control of the Central Government in respect of Foreign Affairs, Defence and Communications.

The proposals are thus flatly contrary to the recent Statements of Policy made by H.M.G., since they amount to putting the Muslim areas under a Central constitution dominated by the Hindus with authority over the whole of the present central field, whereas H.M.G. have said that, if a constitution has been
framed by a Constituent Assembly in which the Muslim League are not represented, they would not contemplate forcing such a constitution upon any unwilling parts of the country and will have to consider to whom the powers of the Central Government should be handed over on the due date, whether as a whole to some form of Central Government or to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people. The proposal in regard to the States is also contrary to the statement that Paramountcy will not be transferred to any Indian Government.

The proposals curiously omit any reference to the Viceroy's position except the statement that the provisions to be made by Order-in-Council should be the minimum necessary to secure that full powers will be granted to the Central Government. This obviously means, as the Congress Working Committee has recently stated, that the Viceroy should become a constitutional monarch. A crucial point which is not mentioned is whether the intention is that the discretionary powers of the Viceroy to control a Governor in the exercise of his special powers should be exercised by the Central Government. Properly speaking, the proposals should not imply that, because paragraph 9 proposes that the discretionary and individual judgment functions of Governors will be exercised on advice. But it seems likely that if there were a breakdown of the Provincial constitution, the Central Government would consider itself entitled to control the Provincial situation.

Item 11 of these proposals is curious and it is not clear what it is intended to provide for. Since the proposals as a whole are intended to eliminate British control, it is odd that it should be proposed that Orders-in-Council should be used to implement schemes agreed upon between Provinces for the economic or social up-lift of particular regions. The Central Legislature under Section 103 of the Act has power to legislate within the Provincial Legislative List in respect of two or more Provinces if resolutions requesting it to do so have been passed by all the Chambers of the Legislatures of the Provinces concerned. Unless, therefore, constitutional changes are contemplated, paragraph 11 of the proposals seems to be unnecessary. It may be that this provision is intended to provide for the splitting up of Provinces in order to deal with the communal problem in the Punjab and Bengal. If, however, it is intended to give satisfaction to the Muslims as regards the devolution of power from the Centre to the Muslim areas, it is obviously inadequate.
I have talked to Sir B. N. Rau about the idea of having two Ministries in the Punjab. He proposes that there should be one Legislature and a few common subjects, including the Public Services, Finance, and Law and Order. The other Departments would be in charge of two Ministers on a regional basis. Proposals concerning joint subjects would be dealt with by the full Cabinet, and proposals in the divided departments which affected both regions would have to be dealt with by the two Ministers in consultation. Sir B. N. Rau says that the departments themselves would not have to be split up at once, but could simply put up papers to the Minister concerned.

2. I pointed out to Sir B. N. Rau, (a) that any such arrangement would not cover the controversial subject of Law and Order, or the vital matter of Finance; (b) that the sharing of responsibility would cause confusion in the departments; and (c) that, apart from the confusion and delay that would be caused before the new arrangement could get into working order, it would be most unlikely to have a decisive effect on the situation or to satisfy either party. I suggested that it would be better, if the situation does not yield to any other treatment, to set up Committees as might be necessary to consider a proper partition of the Punjab to take effect in, say, a year’s time.

3. Sir B. N. Rau is going to put up a note to Pandit Nehru on his proposal and I suggest we can leave it at that for the moment. Your Excellency could ask at your next interview with Pandit Nehru if you might see the note.

4. I will inform the Governor’s Secretary of what is in the wind, but I am quite sure that the proposal will, on administrative grounds, be entirely unacceptable to the Governor.

G. E. B. ABELL,—12-3-47.

Agree, the Governor should know of the proposal, but it seems unworkable.

W.,—12-3-47.

I will tell the Governor.

G. E. B. ABELL,—12-3-47.

1 Sir B. N. Rau’s note may be found in Mountbatten Papers, Official Correspondence Files: Punjab, situation in, Part 1 (a).
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICEROY’S HOUSE, NEW DELHI,
12 March 1947

Thank you for your letter of the 7th March.¹ This has just arrived, and I will cover in my letter next week the points you have raised.

2. Since I last wrote, the Punjab has had a very bad week. You have had reports by telegram of the disturbances in Lahore and Multan, the riots and arson in Amritsar, and a considerable tale of trouble elsewhere. It is not possible yet to give the full number of casualties even in the towns, and the extent to which the villages will become affected is not yet certain; already there have been many attacks on Hindus and Sikhs by Muslims, especially in the Rawalpindi area. So far as I can judge at present, the police and the army have done excellent work, and the administration has shown itself capable still of standing up to a sudden strain. It has been accepted tacitly as inevitable that the Province should for the moment be in Section 93. But it is a most unsatisfactory position to have got into, and I do not know yet how we shall manage to get out again. Every effort is of course being made to persuade the parties to agree on a coalition, but tension is so high that the conditions for compromise could hardly be less favourable. The Central Punjab is really the battleground for Pakistan. I shall be anxious about the possible effects on the Indian Army if the trouble continues and spreads.

3. The resolutions of the Congress Working Committee² are, I am afraid, unlikely to lead to a settlement between the Congress and the League. Chundrigar was reported as having said that there was no need for calling the Muslim League Working Committee together, but he has since denied this report. Judging by Dawn, there is no inclination on the part of the League to start negotiating with the Congress.³ The resolution proposing a partition of the Punjab has had a very bad reception by the Muslim League. It is clear that they expect to succeed to the whole of the Punjab and the whole of Bengal and they quote Cripps’ speech in the Commons, and attach significance to his reference to “Provinces” where previously His Majesty’s Government in their Statement of December 6th spoke of “areas”.⁴ I am afraid that any political statement is examined from a legalistic rather than from a practical standpoint.

4. There will be great administrative confusion if partition is decided upon at the last moment. If the Punjab and Bengal are to be partitioned, or if whole
Provinces are to secede from the Central Government, there is an immense amount of administrative work to be done, and if that is not done in time there will be nothing but confusion in June 1948 so far as these Provinces are concerned. My successor will have to take a decision on this at an early date.

5. Nehru in his last interview with me on the 10th March\(^5\) seemed quite unconscious of these difficulties, and suggested that two ministries on a regional basis should be set up in the Punjab immediately; he has no conception of the administrative difficulty of such a proposal.

6. Baldev Singh sent me a letter\(^6\) on behalf of the Sikhs in the Punjab expressing the concern of the community at the turn which events have taken, and insisting that the Muslim League should not be put in power. I send a copy of the letter in this bag.

7. The budget proposals are now before a Select Committee, which is due to report on the 14th. They have caused great excitement among industrialists, and much heart-searching in the Congress High Command. Nehru has found himself in an embarrassing position in that he knew beforehand what taxes the Finance Member proposed to impose, but had apparently not grasped the full implications. He is personally sympathetic to what has become known here as "the poor man's budget", but is not strong enough to stand up inside the party to pressure by big business, which provides the financial backing for the Congress. It is not possible to say yet how far the Congress Assembly Party will go in opposition to Liaquat Ali's proposals.

8. At a Cabinet meeting recently it was decided to abandon control of oilseeds on an all-India basis. Over the past few months, it has been necessary for the Government of India to give way on textile and jute prices, and there is a danger that it may progressively become more difficult to enforce any all-India controls. I pointed this out to Rajendra Prasad and Matthai at subsequent interviews, and while both agreed, they stated that the Congress High Command had had to give way over oilseeds as a result of outside pressure.

9. I see I have not yet answered paragraph 10 of your letter of the 21st

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\(^1\) No. 505.
\(^2\) See Enclosure to No. 511.
\(^3\) At a Press Conference in Bombay on the same day as the Viceroy's letter (12 March), Mr Jinnah was reported as saying that there was no other solution which would be a credit and honour to the millions of Muslims of India except Pakistan.

Mr Jinnah continued: 'We have got to stand on our own legs. Our ideology, our goal, our basic and fundamental principles and our programme are not only different from the Hindu organisations but are in conflict. It is obvious, therefore, that the two cannot be put together and work in cooperation. There is no common ground for co-operation or harmonious working . . . Let us move on and move together and, Insha Allah, (God Willing) we shall have Pakistan.' India and Burma Committee Paper IBN4710 of 20 March 1947. L/P 8J/10/78: ff 22-3.

\(^4\) See No. 511, para. 6.  
\(^5\) No. 515.  
\(^6\) No. 521.
February, in which you referred to some comments by N. M. Dalal on the appointment of Bhabha to the Cabinet. Undoubtedly the main reason for Bhabha’s appointment was that he employs Vallabhbhai Patel’s son. He is not regarded by the Parsi community as representative, and some criticism has been heard. On the other hand, he has done quite reasonably well as a Member of the Cabinet, and usually talks sense in Cabinet meetings. Though he has not much personality, he is not such a bad choice as I thought at first.

[Para. 10, explaining how proposals relating to the future of the Indian Ecclesiastical Establishment became public knowledge, omitted.]

11. I enclose a copy of a brochure issued by the Secretary of the Asian Relations Conference due to begin in New Delhi on the 23rd March. The Conference is ostensibly non-official and non-political, but, as you will notice, some of the subjects are very much political. There have been certain difficulties over Delegations, as China objected to Tibet having been invited separately, and the Arabs objected to Jews coming from Palestine. The Conference is Nehru’s baby; and he will be opening it.

[Para. 12, saying Governors were being consulted about listed posts; and para 13, saying Lord Wavell proposed to ask Sir T. Shone to comment on recommendations for honours in favour of members of the British mercantile community, omitted.]

14. Mountbatten is having a good Press, and I think that he will find on his arrival a lot of goodwill towards himself personally.

15. Corfield has seen the Nizam, who was pleased with the withdrawal of the restrictions on his powers and undertook to carry on more or less as at present so far as consultation with the Resident is concerned. He was much interested in the relationship between Mountbatten and the King.

7 No. 444.
8 A copy of this brochure, giving general information on the Conference, is on L/P &S/12/4639.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/89: ff 111–12

SECRET

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI,
13 March 1947

Dear Lord Wavell,

As you know, events in the Punjab and in the Frontier Province have been distressing us very greatly. Conditions there do not seem to be improving.
Last night I had a telephone conversation with Sardar Baldev Singh who was in Lahore and the account he gave me of what was happening round about Rawalpindi was terrible. Evidently press and other reports do not give all the facts.

In the Frontier Province the agitation led by the Muslim League has now definitely taken a communal turn. The demands of the Muslim League there have been, and are, refund of the fines levied on and realised from the Nandihar tribes in the Hazara area and the return of a Sikh woman who was forcibly converted and I believe raped. These demands are very extraordinary. You know the circumstances in which action was taken against the Nandihar tribes and a relatively moderate fine was imposed upon them. This fine was agreed to and has in fact been paid. No further operations were undertaken. To ask for the return of this fine is to put an end to the whole administration of the tribal areas. Also, to ask for the return of the Sikh woman is fantastic and immoral. She was forcibly taken away and she does not want to return. She has been mishandled and ill-treated. The question to consider should be what punishment to inflict on those who treated her in this way. Instead of this a demand is put forward by the Muslim League and supported by agitation for her return to her original captors. No government can agree to such demands, whatever the consequences.

I have avoided visiting the Punjab, as I did not wish to interfere in any way, but I feel now that I must go there. I receive moving appeals from friends in the Punjab and yesterday Sardar Baldev Singh also suggested how very desirable it was for me to go there. I have, therefore, decided to pay a brief visit to the Punjab to meet people there informally and to see things for myself. I intend going there tomorrow (Friday) afternoon by air. I shall go to Lahore first and subsequently I should like to go to Amritsar and Rawalpindi. If possible, I might pay a brief visit to Peshawar. I expect to be away for the weekend, returning on Monday.

It is difficult to leave my work and important engagements here at this time, but I feel that everything else should be put aside for the moment and I must give first priority to a visit to the Punjab.¹

Yours sincerely,

JAWAHARLAL NEHRU

¹ Lord Wavell minuted: ‘Governor Punjab saw this letter while N. was here, and discussed it with N. He agrees to N.’s visit to Lahore and Pindi. N. said nothing about going to Peshawar.’
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Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell

Telegram, L/P & J/8/660: f 217

IMMEDIATE

PESHAWAR, 13 March 1947, 7.25 pm
Received in India Office: 13 March, 11.50 am

No. CA/18. North-West Frontier Province situation. After their victory in Mardan election in the middle of February local League started on direct action against Ministry, partly stimulated by events in the Punjab but making their cause of action the measures taken to control Hazara situation. Particular point was made of case of Sikh woman who after the murder of her husband in disturbances was married to Mohammedan and after staying some days in Premier's house had made free statement before both parties that she wished to return to Sikh relations and had therefore been released under law (action taken by authorities in this case was lawful and just). On February 21st large and dangerous procession formed in Peshawar city, marched into cantonment, overpowering police, and surrounded Premier's house of which windows were broken but fortunately no loss of life occurred. Meanwhile League leaders instituted picketing of courts and public buildings and had been defying bans Section 144 in Mardan and elsewhere. As a result of this and of demonstrations in Peshawar League leaders, including most of M.L.As., were arrested with the result that with budget session starting on March 10th main body of Opposition was in jail. Arrests were however made for bailable offences or under security sections and those arrested could have obtained freedom by giving security or bail. On my advice Ministry, though reluctant, have refrained from arrest of Manki Mullah.

2. While strongly supporting Ministry in action taken to maintain law and control dangerous demonstrations, I urged them to open negotiations with League leaders on basis of statement of February 20th before Assembly met. This they refused to do and League demonstration was staged at Assembly Hall on March 10th. It was necessary to support police with troops. Mob made ugly rushes and troops had to open controlled fire. Seven rounds fired, 15 casualties sustained of which two have subsequently died. This clash has on the whole steadied situation but immediate result was that 17 cases of stabbing Hindus took place on the same afternoon in Peshawar City. In consultation with military I decided to occupy city forthwith and impose curfew. Portion of British battalion in Peshawar with other troops was utilised for this purpose and had reassuring effect all round. Communal incidents have now spread to villages east and south of Peshawar where there have been some murders and
some forcible conversion of Sikhs. On 10th all telephone lines round Peshawar were cut and poles damaged. Trunks now restored.

3. Elsewhere in Province situation in Hazara which was returning to normal has deteriorated. Gurdwaras have been burnt, individual Sikhs murdered and forced conversions have taken place. Main bazaar in large village of Ot Gaj(?)/bullah is reported destroyed by fire. Picketing continues and large demonstrations have taken place in districts of Mardan, Kohat, Bannu and Dera Ismail but so far without casualties.

4. Tribes have hitherto taken no overt action and are unlikely to do so if control is maintained in Peshawar and other chief urban centres and flow of food can be assured. Shortage of food will lead to tribal invasion of more than one part of frontier on considerable scale and maintenance of food traffic is the most essential need of the whole situation.

5. I visited all parts of Peshawar city on March 11th and was well received by all communities. Hindus and Sikhs are frightened and stray stabbing assaults by Moslems are still taking place. On March 12th large funeral procession was taken out by League in city to escort body of one man killed by firing on March 10th. As this was outside curfew hours it was decided to let it go. Curfew in Peshawar City is still being enforced. Today Moslem shops have opened but Hindus still remain closed. I am hopeful that if flow of food consignments can be maintained we have turned the corner, but situation may deteriorate under influence of leaders, either Congress or League, from elsewhere or if Congress are foolish enough to send up Advisory Committee of Constituent Assembly to enquire into tribal problems or interfere in other ways. Doctor Khan Sahib is displaying his usual courage but Ministry is naturally disturbed.

Repeated to Secretary of State for India, Governor of the Punjab and Governor of Sind.

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Cabinet

India and Burma Committee. I.B.(47)14th Meeting

L/PO/6/120: ff 169–80

Those present at this Meeting held in the Prime Minister’s Room, House of Commons, S.W.1, on 13 March 1947 at 5.15 pm were: Mr Attlee (in the Chair), Mr Hugh Dalton, Sir Stafford Cripps, Viscount Addison, Lord Pethick-Lawrence, the Earl of Listowel
Also present were: Mr Henderson, Rear-Admiral Viscount Mountbatten of Burma, Sir David Monteth, General Lord Ismay, Sir William Croft, General Sir Geoffrey Scoones, Sir Eric Miéville, Mr J. A. Simpson; Mr S. E. V. Luke, Mr E. A. Armstrong, Mr F. F. Turnbull, Mr R. E. Field (Secretariat)

1. Joint Standing Committee on Indian Affairs

The Committee had before them a memorandum by the Secretary of State for India (I.B.(47)33), to which was attached a letter addressed to the Prime Minister by Sir Ralph Glyn, M.P., suggesting that the Standing Joint Committee on Indian Affairs which existed between 1921 and 1929 should be revived. In his memorandum the Secretary of State pointed out that the circumstances of today were very different from those in which the Standing Joint Committee was originally set up. Its primary purpose then was to watch the development of Indian affairs under the Act of 1921 and to advise Parliament on Indian matters in regard to which Parliament has specific functions to perform. But the stage had now been reached at which, with the approval of Parliament, the Government of India was treated as nearly as possible as a Dominion Government: Parliament had to a very considerable extent waived its functions in respect of the administration of India. It would therefore be undesirable now to have the day-to-day administration discussed by a Committee of Parliament. For these reasons the Secretary of State considered that Sir Ralph Glyn’s proposals should not be adopted.

After a short discussion the Committee:—

(1) Endorsed the view expressed by the Secretary of State.

(2) Took note that the Prime Minister would inform Sir Ralph Glyn accordingly.

2. Governor General’s Instrument of Instructions

(Previous Reference: I.B.(47)12th Meeting, Item 7)4

The Committee had before them a memorandum by the Secretary of State for India (I.B.(47)29) on the question of amending the Governor General’s Instrument of Instructions before Lord Mountbatten took up his appointment.

The Secretary of State pointed out that the general tenor of the Instrument was the execution and fulfilment of the intentions of Parliament enshrined in the Act of 1935 and that its provisions, although they did not literally conflict with the policy now laid down, were not consistent with its spirit. Strictly, there should be a new instrument; but it did not seem that there was anything in the instrument which would be directly inconsistent with the execution of the policy of his Majesty’s Government up to the time when legislation would be passed by Parliament enabling power actually to be transferred. Parliament might be regarded as having acquiesced in the policy
adopted by His Majesty’s Government and the conclusion of the Secretary of State was that the instrument might safely be left as it was. This conclusion was, however, subject to the proviso that if it were decided to give written instructions to Lord Mountbatten, they must not be inconsistent with the present Instrument.

Lord Mountbatten said that he saw no cause for concern as regards the existing Instrument of Instructions, which was in accordance with the draft directive which he had discussed with the Prime Minister.

The question was raised whether there was any need for a formal directive and it was suggested that it might be sufficient if the Prime Minister were to address a letter to Lord Mountbatten. It was pointed out, on the other hand, that even a letter might be regarded as in some sense a directive and that, if such a letter were published it might be argued that it represented an alteration to the Instrument of Instructions and, as such, ought to be subject to the approval of both Houses of Parliament. As against this, it was recalled that a directive had been given to Lord Wavell on his assumption of office.

The Prime Minister said that he was satisfied that there was no need to alter the Instrument of Instructions. The proposed directive to the Viceroy would not be in any way inconsistent with the Instrument, but the technical question remained whether the issue of a formal directive involved a change in the Instructions. He did not think that it did, but he would look at the text of the draft directive in the light of the discussion.

The Committee:—

1. Agreed that the Instrument of Instructions should not be amended at present.
2. Took note that the Prime Minister would redraft the proposed directive in the form of a letter and would give further consideration to the question whether its issue would involve any technical inconsistency with the Instrument of Instructions.

3. Compensation terms for Members of the Indian Services appointed by the Secretary of State and for Officers of the Indian Fighting Services

(Previous Reference: I.B.(47) 9th Meeting, Minute 1)

The Committee had before them the following papers:—

I.B.(47)23—memorandum by the Secretary of State for India commenting on proposals (annexed) prepared by the Parliamentary Under-Secretary of State for India and the President of the Board of Trade for a scheme of compensation related to the provision of alternative employment;

I.B.(47)31—memorandum by the Prime Minister covering a note by the Viceroy Designate of India;

1 R/30/1/9: ff 190-4. 2 No. 426. 3 No. 517. 4 Vol. IV, Enclosure to No. 172.
5 No. 361. 6 R/30/1/9: ff 196-202. 7 No. 518.
I.B.(47)28—note by the Treasury on the prospects of further employment of British members of the Secretary of State’s Services in India and Burma;
I.B.(47)13 and 26—memorandum by the Secretary of State for India recommending payment of compensation to members of the Indian Fighting Services on the same basis as for members of the Secretary of State’s Services other than the Indian Civil Service.
I.B.(47)35—memorandum by the Secretary of State for Burma recommending that compensation, on the same basis as for the Indian Services, should be granted to members of the Services in Burma.

(a) Compensation Terms

The Secretary of State for India reminded the Committee that at their meeting on 7th February they had invited the Parliamentary Under-Secretary of State, in consultation with the President of the Board of Trade and the Treasury, to draw up a scheme of compensation on the lines discussed, which might be communicated to the Government of India in substitution for the scheme discussed with Sardar Patel (annexed to I.B.(46)45). He thought that this scheme, which was annexed to I.B.(47)23, was open to strong objections on the grounds set out in his memorandum (I.B.(47) 23). A further objection was that the terms of the proposals discussed with Sardar Patel had become widely known in India; and in view of this leakage it was difficult to see how less favourable terms could now be put forward. He therefore recommended that we should adhere to the terms communicated to the Viceroy in his despatch of 26th November. For the reasons set out in I.B.(47)13 and 26 it would, in his view, be necessary to offer compensation to the members of the Fighting Services on the same basis as members of the Secretary of State’s Service[s] other than the Indian Civil Service.

Viscount Mountbatten said that he had received a telegram from the Viceroy urging that an immediate decision was essential to the maintenance of the morale of the Services. Their morale had been seriously affected by the prolonged uncertainty about their future. He felt that it was essential that he should be able, on his arrival, to reassure the Services and ensure their whole-hearted co-operation during the remaining period of British administration.

The Committee considered that, in view of the leakage of the compensation terms discussed with Sardar Patel, it would not now be possible to put forward less favourable terms. It would be generally thought that His Majesty’s Government should be prepared themselves to accept terms no less favourable than those which they had put forward as equitable to the Government of India.

The Chancellor of the Exchequer said that he was anxious to help the Viceroy-designate in his difficult task. He must not however be held to regard the scale of compensation proposed as reasonable. It was unfortunate that pledges had in the past been given without consultation with the Treasury and that the proposals approved by the Cabinet in November last had not
remained confidential. It was essential to bear in mind the interests of the British tax-payer. Was it necessary at this stage to say that, if the Government of India refused to meet the cost involved, responsibility would be assumed by His Majesty’s Government? The question of India’s sterling balances was still unsettled. If the Government of India refused to accept responsibility for payment of compensation, he thought it would have to be made clear to them that this matter would have to be taken into account in future discussions on sterling balances.

The Committee agreed that the first consideration must be to reassure the members of the Services that the obligation for payment of equitable compensation would be honoured; it was not their concern from what source the necessary funds would be found. It would not be possible to avoid making any reference to the latter point, but it would be sufficient to indicate at this stage that it would be a matter for negotiation in connection with the general financial settlement involved in the transfer of power.

The Committee agreed that the announcement regarding compensation should be in the following terms:

“His Majesty’s Government accept the obligation to see that the pledge given by the Secretary of State for India to members of his Services in respect of compensation for termination of appointment is honoured and undertake that they shall be granted compensation on the scales laid down in Tables which will be published forthwith.

The source from which these monies will ultimately come must be a matter to be dealt with hereafter, but so far as the members of the Secretary of State’s Services are concerned they have the assurance of His Majesty’s Government that they will receive the monies to which they will become entitled”.

(b) Treatment of Indian Officers

The Committee next considered whether there should be any differentiation of treatment, with regard to payment of compensation, between British and Indian members of the Services concerned.

The Secretarv of State for India said that, after full consideration, he had reached the conclusion that differentiation of treatment would constitute a breach of the pledges given by His Majesty’s Government.

It was further pointed out that no differentiation had in the past been made in respect of Indian members of these Services; they were equally under the protection of the Secretary of State. Moreover, the Viceroy would greatly depend on the loyalty of the Indian members of the Services during the next fifteen months and they must therefore equally be reassured as to their future. An argument for differentiation was no doubt that Indians might be expected

11 See No. 96. 12 See No. 502, note 1. 13 See No. 500, note 1.
more readily to remain in the service of the Government of India or Provincial Governments after the transfer of power; on the other hand, many might subsequently find themselves seriously prejudiced by reason of past loyalty to the British Administration in India. Moreover, the Committee had decided to reject a scheme of compensation related to provision of alternative employment, and this factor could hardly be taken into account for Indians alone.

The Parliamentary Under-Secretary of State for India pointed out that Sardar Patel had particularly objected to the proposals for payment of compensation to Indian officers, on the grounds that this would encourage them to leave the public service at a time when the future Government of India would have most need of them. He had, however, maintained throughout the discussions the view taken by His Majesty’s Government that they could not suggest any discrimination against Indian officers. One of the purposes of the alternative scheme prepared in the light of the Committee’s previous discussion had been to provide an inducement to officers to remain in the service of the Indian Government or Governments or to transfer to alternative employment under the Crown.

The Committee felt, however, that proposals involving discrimination against Indian officers could not be sustained, particularly in view of the leakage of the earlier proposals under which no such differentiation had been proposed. It was for the Government of India, after the transfer of power, to take steps to induce officers to remain, if it desired to retain their services.

[Section (c), relating to compensation for members of the Services in Burma, omitted.]

The Committee:—

(1) Agreed that His Majesty’s Government should adhere to the proposed terms of compensation for members of the Secretary of State’s Services set out in the despatch of 26th November from the Secretary of State to the Viceroy (annex to I.B. (46) 45).

(2) Approved the recommendations made by the Secretary of State for India in I.B. (47) 13 regarding the terms of compensation to be granted to members of the Indian Fighting Services.

(3) Agreed that, if the Government of India declined to accept the expenditure involved as a charge on Indian funds, it should be made clear to them that such expenditure would have to be taken into account in connection with the negotiations for the settlement of India’s sterling balances.

(4) Invited the Viceroy-designate to take an early opportunity of informing the Indian Cabinet of His Majesty’s Government’s conclusions, and subsequently to advise the Secretary of State for India regarding a suitable date for a simultaneous announcement in the terms suggested at ‘X’ above to be made in India and the United Kingdom, and for a
similar announcement regarding compensation terms for members of the Fighting Services.

(5) Agreed that these announcements should be made in this country by means of an arranged Question and Answer, and that the detailed terms should be set out in a White Paper to be issued on the same day.

(6) Invited the Secretary of State for India to inform the Viceroy, for communication to Sardar Patel, that the Viceroy-designate would in due course lay before the Indian Cabinet the conclusions of His Majesty’s Government regarding the payment of compensation to members of the Services.\textsuperscript{15}

[(7) relating to compensation for members of the Burma Services, omitted.]

4. Date for termination of British Services in India, Civil and Military
(Previous Reference: I.B.(47) 9th Meeting, Minute 1)\textsuperscript{16}

The Committee had before them a memorandum by the Secretary of State for India (I.B.(47)30)\textsuperscript{17} on the date for the termination of British services in India, civil and military.

THE SECRETARY OF STATE FOR INDIA said that, having reached a conclusion on compensation for the Indian Services, the Committee must also decide the date for bringing these Services to an end, as it was necessary that both points should be covered in the same announcement. Now that a date had been fixed for withdrawal from India he proposed that the same date should govern the termination of the Services.

There was general agreement with this view.

THE SECRETARY OF STATE said that a peculiar difficulty arose over Indian Army officers. The Viceroy had forwarded and supported a proposal from the Commander-in-Chief that Indian Army officers should be eligible for compensation with effect from 1st July, 1947. The reason was that accelerated Indianisation was having the result that a number of British officers of the Indian Army were failing to secure promotions and appointments which they would normally and on merits have received and in consequence they had to be retired earlier than would normally have been the case. On the original conception of Indianisation this difficulty would not have arisen, but the present policy was to promote Indian officers to vacancies irrespective of the claims of more senior, and possibly more competent, British officers. A claim for compensation was then created independently of the actual transfer of power to a new Indian Government. The alternatives were to grant compensation to

\textsuperscript{15} This sentence was added to the minutes by the Cabinet Office on 19 March 1947.

\textsuperscript{16} The conclusions regarding the payment of compensation reached at this Meeting were formally set out in the Secretary of State’s Despatch, Services No. 1 of 20 March 1947, to the Governor-General of India in Council. L/S &G/7/913: ff 13–28.

\textsuperscript{17} Mountbatten Papers, Official Correspondence Files: Withdrawal of British Forces, Part I.
the officers immediately affected or to instruct the Commander-in-Chief to discontinue the present policy.

These officers were affected by three factors:—

(i) Contraction of the military services from war to peace;
(ii) Indianisation;
(iii) Impending transfer of power.

These factors were in themselves distinguishable from each other but it was difficult to discriminate them clearly in individual cases and to say in all cases which was decisive, or how much each contributed to the result. He himself considered that the date from which officers became entitled to retire with compensation should be the same for the military services as for the Civil Services, but he hoped that it would be possible to find some means of dealing justly with officers who were adversely affected by the present policy.

The Committee were informed that there were at present some 800 officers with more than 20 years' service in the Indian Army, although the total might be somewhat reduced by 1st July, and that of the three factors referred to by the Secretary of State the first would disappear by 1st July.

After discussion, the Committee, subject to further consideration of the actual wording, accepted a statement on the following lines, i.e. that compensation should be payable as from the date of the termination of the Service, which would coincide with the date of the transfer of power; if, however, any officer was certified as having been compulsorily retired after 1st July, 1947, as a result of the process of winding up the Service he should be entitled to compensation as from the date of his retirement.

It was agreed that the formula should be applied to all other ranks likely to be affected. The fact that compensation was given did not, however, make it any less necessary to absorb as many as possible of those affected into the British Army where there were already serious shortages, e.g. of experienced Warrant Officers.

The Secretary of State for India referred to the fact that the new and more favourable pension scales introduced in December, 1945, for the British Services had been applied by the Government of India to the combatant officers of the Indian Army. But officers of the Specialist and Technical Corps of the Indian Army and of the other two Services had been reserved for further consideration, and the indications were that the Government of India would not agree to extend the 1945 code to them. The compensation rights of the men covered by the proposal before the Committee would not be affected; but their pensions, both currently and in the future, would be less than the pensions of others who had received the benefit of the 1945 code.

The Committee:—

(i) Agreed that the date for the termination of the Secretary of State’s Services should be the date of transfer of power in India.
(2) Agreed that the date from which officers and other ranks of the Fighting Services entitled to retire with compensation should be the same as for the Civil Service, but, for individuals compulsorily retired before that date under the policy of Indianisation now being carried out, an adjustment should be made on the lines agreed at 'X' above.

5. Transfer of Power to more than one authority

The Committee considered a memorandum by the Secretary of State for India (I.B.(47)27) covering a note prepared in the India Office examining in detail the implications of handing over power to more than one authority. They also had before them a note by the Secretary of State for India (I.B.(47)34) covering a memorandum given to him semi-officially by Mr. Sudhir Ghosh, making certain proposals for the modification of the Government of India Act, 1935, to further the objects contemplated in the Statement of 20th February.

(a) Note Annexed to I.B.(47)34

The Committee were informed that the author of this memorandum was Sir B. N. Rau. They considered that it was of great interest as indicating an increasing realisation on the part of Indian political leaders of the immense complexity of the political problems involved in the transfer of power; the same impression could be gained from the Congress Resolutions on the Statement of 20th February. Sir B. N. Rau's memorandum might, indeed, be regarded as a tentative approach to the question whether arrangements might be devised under which the final British withdrawal might be deferred. The Committee thought that every opportunity should be taken to bring home to Indian leaders both the need for facing these practical problems without delay, and a recognition of the fact that the responsibility for working out effective plans was a matter for them and not for His Majesty's Government. The memorandum annexed to I.B.(47)34 would provide useful material for the Viceroy's discussions with the Indian leaders on these questions; but it should be made clear that it was for them to work out detailed plans.

The Prime Minister thought that, in view of the indications that Indian leaders were disposed to consider, at least [as] an interim measure, the possible adaptation of the Act of 1935, to meet the immediate situation created by the Statement of 20th February, the Act ought to be carefully examined from this point of view.

(b) Indian Army

Viscount Mountbatten said that he was increasingly impressed by the
confusion that would result if no central organisation could be found to which some at least of the powers now exercised by the Central Government could be transferred. In particular, it was in his view essential that the unity of the Indian Army should be maintained. He thought that the Indian leaders themselves would sooner or later realise that the retention of the Indian Army under central control was vital both to the external security of India and to the maintenance of internal law and order. He might warn the Interim Government that he would not allow them to use British bayonets to keep law and order, but only to protect British lives. He proposed to arrange for the early return to India of the senior Indian Officers now at the Imperial Defence College, as it was certain that their advice would be in favour of the maintenance of the unity of the Indian Army.

The Prime Minister thought that, even in the absence of a Unitary Central Government, it need not be assumed that the Indian Army would necessarily have to be disrupted. It might be possible to reach agreement on the establishment of a special ad hoc authority to assume control of a unified Army.

(c) Dominion Status
The Committee agreed that the Viceroy should encourage any moves that might be initiated by Indian leaders in favour of the continuance of India within the British Commonwealth. It was, however, advisable to avoid the use of the term “Dominion Status” in any such discussions, since there were [was] some prejudice in India against this phrase. It would be preferable to employ the phrase “continued association with the British Commonwealth”.

It was agreed that an informal meeting of Ministers should be held at 10, Downing Street later in the evening to discuss further matters with the Viceroy-designate.

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Cabinet

Meeting of Ministers on Indian Questions. GEN 174/1st Meeting

L/P&EJ/10/78: ff 54–9

Those present at this Meeting held at 10 Downing Street, S.W.1, on 13 March 1947 at 9.30 pm were: Mr Attlee (in the Chair), Lord Pethick-Lawrence, Sir Stafford Cripps

Also present were: Rear-Admiral Viscount Mountbatten of Burma, General Lord Ismay, Sir David Montecath, General Sir Geoffrey Scoones, Sir William
Croft, Sir Eric Miéville; Mr S. E. V. Luke, Mr E. A. Armstrong, Mr F. F. Turnbull (Secretariat)

1. Draft Directive to the Viceroy-Designate
Ministers considered the draft of a directive¹ to be sent in the form of a letter by the Prime Minister to the Viceroy-designate. Various amendments were approved in the course of discussion.

2. Defence of India—Future of the Andaman and Nicobar Islands

LORD MOUNTBATTEN said that he presumed that it would be for His Majesty’s Government, and not for him as Viceroy, to negotiate with the future Indian Government regarding the future defence requirements of His Majesty’s Government in regard to India or the regions adjacent to India.

This was confirmed by Ministers.

Lord Mountbatten said that he understood that the Chiefs of Staff attached great importance to the Andaman and Nicobar Islands as possible bases in the Commonwealth scheme of defence. There was an excellent fleet anchorage at Nancowri and a first-class airfield at Car-Nicobar.

Ministers took note that this question was being considered by the Chiefs of Staff. They felt that it would be inexpedient for the matter to be raised with the Government of India at this stage.

3. Future relations between India and adjacent countries

(a) Nepal

LORD MOUNTBATTEN said that he understood that the Government of Nepal attached great importance to two matters—first, the maintenance of their position of complete independence and secondly the continuance of recruitment of Gurkhas for the British and Indian Armies. He understood that a Mission under General Lyne was about to proceed to Delhi, and thence to Kathmandu, to discuss the future recruitment of Gurkhas with the Governments of India and of Nepal.

In discussion, the point was made that Lower Nepal was part of the catchment area for important hydro-electric and irrigation schemes in India; this would contribute considerably to the bargaining strength of Nepal.

(b) Kalat

The Meeting was informed that the Khan of Kalat, who ruled part of Baluchistan, had made a claim for the rendition of Quetta, though this was possibly only a bargaining manoeuvre.

(c) Afghanistan

The Meeting was informed that the relations between Afghanistan and India were governed *inter alia* by a Treaty of 1923 under which the Afghans had

¹ R/30/1/8a: ff 127–34; see Enclosure to No. 543 for the letter as sent to Lord Mountbatten.
rights to duty-free entry of imports through India. If power could not be transferred to a unitary India, difficulties would arise over the negotiation of transit rights for Afghanistan unless the provinces of Sind, the Punjab and the North West Frontier were grouped under one Government.

It was suggested in discussion that the responsibility for finding a solution of this problem would fall upon the authorities of an independent India, and not upon His Majesty’s Government.

Lord Mountbatten asked whether it was not desirable that Afghanistan and other States on the borders of India, such as Nepal, Sikkim and Bhutan, should be formally acquainted with the policy of His Majesty’s Government in regard to India as announced on 20th February.

It was felt that this was desirable. The question whether the communication should be made by His Majesty’s Government or by the Government of India was discussed. There was much to be said in favour of the former alternative, but the position was complicated by the fact that the British representative in Afghanistan was paid by the Government of India and communications with the countries adjacent to India was conducted by the Foreign Office through the India Office and the Government of India. Ministers, therefore, felt that the matter required investigation and the India Office were invited to consider it in consultation with the Foreign Office.

(d) The United Kingdom High Commissioner in India
Reference was made to the fact that the United Kingdom High Commissioner in India had been given the responsibility of supervising the negotiations with the Government of Nepal on the future of the Gurkhas.

The Meeting was informed that the approach to the Government of Nepal on this question would be a joint approach on behalf of both His Majesty’s Government and the Government of India, and that the United Kingdom High Commissioner had been brought into the question at the special request of the present Viceroy.

The question was raised whether any special directive was needed in order to define the relationship between the Viceroy and the High Commissioner.

Lord Mountbatten felt, and Ministers agreed, that this course was not desirable; the Viceroy and the High Commissioner should, however, maintain the closest liaison.

4. Redrawing of Provincial Boundaries
Lord Mountbatten asked whether, if and when it became clear that the rival communities in India could not reach agreement on a unitary State, it would be for him to initiate or permit discussions for the redrawing of the boundaries of provinces, such as the Punjab and Bengal, on lines more likely to correspond with communal divisions.

It was pointed out that this possibility was already being explored by the
Indians themselves, but that the matter was one to which the Viceroy Designate should certainly give his attention.

5. Indian Army during the Transitional Period

**General Scoones** said that so long as His Majesty’s Government were responsible for the preservation of law and order in India, British troops must remain. British troops were dependent on Indian Army administrative services and could not themselves maintain law and order in India without the help of the Indian Army. Therefore the Indian Army, as a whole, must be maintained while British troops were in India. At the end of the transition period British troops would leave India and their departure would be regulated by a previously prepared plan. If power was to be transferred, otherwise than to a unitary State, it seemed that a plan would have to be made for the division of the Indian Army; otherwise there might be confusion, and it might be difficult for British troops to execute their planned withdrawal. The difficulty would be to keep secret any plan for the division of the Indian Army. Any such plan should be worked out by British officers in the first instance.

There was general agreement that planning was necessary both for the withdrawal of the British Army and the division, if that were necessary, of the Indian Army. The former plan would be executed after the transfer of power and would have to be the subject of consultation with Indians. Some doubt was expressed whether it was essential that the latter plan should be secret. It was pointed out that, as this plan would have to be executed by Indians, it would be necessary to consult with the Members of the Interim Government about it. Was it not also desirable to bring the Indian Government face to face at an early stage with the practical difficulties of the situation with regard to the future of the Army? It was suggested, on the other hand, that if it became known that the division of the Indian Army on communal lines was being discussed, the effect on the morale of the Indian Army would be serious.

Ministers felt that the future of the Indian Army was a matter with which the Viceroy should deal in the report which he would make to His Majesty’s Government in October, 1947. In the meantime, it would be desirable for the British military authorities in India to work out secretly a plan of division in the light of the developing situation. At a suitable moment it would be necessary to ascertain from the Indian leaders their ideas on the future of the Army, and it might be that we could help them at that stage by revealing our own plan. Even though the Indian Parties might be unable to agree on the basis of a unitary State, it was possible that they might be prepared to adopt some arrangement whereby the unity of the Army might be preserved after the transfer of power, e.g., they might agree to the establishment of a joint committee representative of the main communities, to control the Army until such time as its future could be decided upon. It was possible that they might
wish to retain the British Commander-in-Chief as head of the Indian Army, but this would depend on whether India stayed within the Commonwealth.

6. Position of the Viceroy in Relation to the Interim Government

**Lord Mountbatten** said that he understood that the Indian Cabinet was prepared to meet only when convened by the Viceroy. Would it be likely to contribute to a more harmonious relation between the Congress and Muslim League Ministers in the Cabinet if, after calling a meeting of the Cabinet, he were to invite Mr. Nehru, in his capacity as Vice President, to take the Chair? If such an arrangement were found acceptable, it might be possible to accustom Ministers to meetings under Mr. Nehru’s Vice-Chairmanship and, ultimately, the Viceroy himself might even absent himself from such meetings altogether.

**The President of the Board of Trade** thought that this proposal was not free from difficulty. It might, perhaps, be preferable for the Ministers of the Interim Government to become accustomed to working together through the medium of Cabinet Committees. He himself felt that the phase during which Congress wished to eliminate the Muslim League Leaders was over.

It was felt that, if Congress continued to press for the removal of the Muslim League Ministers from the Cabinet, the Viceroy should stress the fact that the possibility of His Majesty’s Government being able to transfer power to a unitary Government in India would be reduced if the Muslim League ceased to be represented in the Interim Government.

7. The Indian States

**Lord Mountbatten** suggested that the policy adopted by Napoleon in Germany might provide a valuable precedent for dealing with the problem of the States. By his Act of Mediation Napoleon had combined some of the smaller German kingdoms and duchies into groups of more manageable size. The displaced Rulers of these States retained many of their privileges, such as salutes, State flags and Civil List revenue, and they were given hereditary places in the Upper Chamber of the new State thus created. Similar arrangements might facilitate consolidation of small Indian States into larger units.

Ministers felt that there was much to be said in favour of this suggestion. It was pointed out that schemes for the coalescence of small Indian States had already been started, for example in Kathiawar and Central India and the Deccan States, although in general such schemes were as yet limited in scope.

8. Indian National Army

**Lord Mountbatten** referred to the desire of Indian Ministers to release members of the Indian National Army. These men had been sentenced to varying terms of imprisonment on a combination of charges, the primary one
in each case being treason. He himself had felt strongly that a profound mistake had been made in putting the treason charge in the forefront instead of charging these men only with definite criminal offences such as murder and brutality. It was true that none had been convicted who had not committed bad criminal offences, but nationalist sentiment in India had fastened on the treason charge in their criticism of the convictions. He fully understood the Army point of view in regard to these cases, but the political issues involved were grave. He suggested that, if the present Viceroy had not dealt with the matter, or if it were raised again some months after his own arrival, he might propose that an amnesty should be given to all prisoners except those convicted on criminal charges. In this way the sentences against those convicted both for treason and for criminal offences would be reviewed but would not be wholly remitted. He felt that this would be a useful gesture which would not involve the immediate release of those guilty of crime. It would also forestall a general release of these men on the day of the transfer of power which would be injurious to a friendly atmosphere at that time and to our future relations with India. He hoped that in any case it would not be necessary for him to apply the veto to the motion which the Indian Ministers were about to put forward. If this were to be his first act as Viceroy, it might well compromise his influence with the Indian parties for a long time to come.

The Secretary of State for India said that the present Viceroy had been given instructions² to use his veto when the matter came up in the Indian Cabinet, which would be either this week or next week. He recognised the force of Lord Mountbatten’s suggestion for an amnesty, but it would be embarrassing to His Majesty’s Government if the suggestion were to be put into effect immediately after the present Viceroy had exercised his veto on the instructions of His Majesty’s Government. For this reason it might be well to postpone the action proposed by Lord Mountbatten for two or three months.

There was general support for this point of view.

The Prime Minister said that the new Viceroy should take every opportunity to impress upon Indian Ministers the folly of encouraging and condoning mutiny in the Indian Forces. By doing so they were merely creating trouble for themselves in the future.

Lord Mountbatten said he understood that a number of members of the I.N.A. had not yet been brought to trial. In their case he felt that the charge should be framed on the grounds of murder, brutality, etc., and not on treason. Ministers agreed with this view.

² No. 516.
Mr Krishna Menon to Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Official Correspondence Files: Political Situation in India and Constitutional Position of Viceroy (2)

INDIA HOUSE, ALDWYCH, LONDON, W.C.2,
13 March 1947

My dear Lord Louis Mountbatten,
I enclose the last page of my notes, which was inadvertently left out of the copy I gave you.¹

As I told you, there are a number of matters to be included in it if the basic idea appears to be of any use. If you need me, I shall be glad to see you again before I leave. Your A.D.C. apparently knows how to get in touch with me. I recognise the importance of hastening slowly, but it appears that in India things will not rest as they are. There is a grave threat of famine also, which may add to complications, but at the same time makes effective central authority essential.

I was glad to see you and to have had our talk. Perhaps you will let me know sometime what you think of what I have said.

Yours sincerely,

V. K. KRISHNA MENON

Section I.
The problems are:—
(1) The crisis in the Interim Government.
(2) The machinery for taking over.
(3) The Princes.
(4) Indo-British relations.
(1) and (2) are obviously closely inter-connected, and (4) is closely connected with (1) and (2), both severally and jointly.

Section II. The crisis in the Government.
(1) The decision of the Congress to force the issue of a genuine coalition or the dismissal of the League members is in suspense for the moment, pending (a) the arrival of the new Viceroy and (b) the slight hopes of response from the League to a further approach.

(2) The resolving of the crisis, in my view, rests basically on the relation of the Ministry to the Viceroy—that is, British power.
The assumption of a new role by the Viceroy quite obviously (not merely willy nilly) is essential to a change for the better in the present situation.
(3) The Attlee declaration, apart from all other causes, makes it both logical
and incumbent on the British side that its power (as distinct from its influence) should not only rapidly diminish (to vanishing point in 1948) but that immediately there should be a change in this relationship whereby the entire onus of administration is in the hands of the Interim Government.

It is the failure on the part of Lord Wavell to accept this position, and his unfortunate excursion in the contrary direction since the middle of last September, that is largely responsible for the present crisis.

(4) When the Viceroy assumes this new role (analogous to that of the King in England or the Governor General of a Dominion) certain consequences follow:—

(a) Leadership (as distinct from multiple leadership) emerges in the Government.

(b) If the Government contains Moslem Leaguers, they will either tend to merge into a genuine coalition or be reduced to impotence.

(c) If the League is in opposition within the Government or a constitutional opposition outside, the Congress, which has the leadership, will be forced at every step into behaving as though it were a partner in a genuine Coalition.

(d) If on the other hand the League (or indeed any group) are in unconstitutional opposition, relying on violence and anarchy, there would be a Central Government strong and resolute enough to deal with the situation.

(5) i) The result of the step thus suggested is to bring right into the forefront the main long term issue both in the way of (a) the future constitution and unity of India, (b) the authority for taking over, and

   ii) to render the problem of I(4), Indo-British relations, capable of approach by the British side in more practical terms and in a friendly atmosphere.

(6) Failing the assumption of this new role by the Viceroy, a crisis of some kind or another will be precipitated within the first few weeks of his arrival. This is inevitable, and if this happens I(2), I(3) and I(4) become far more complicated, and the economic, political and administrative situation in India will approach disaster.

(7) A strong Government, capable of enforcing its authority centrally and of co-operating with the Provinces, is indispensable for dealing with the economic situation which in the next 12 months threatens to be disastrous (famine included).

(8) In the new situation, the role of the Viceroy is by no means a negative one. His influence would be very potent and his assistance sought. His role would be historic and would make the regime not one of surrender and abdication, but one of a new leadership.

1 The complete notes are reproduced here. It is evident from this and an earlier letter on the file that Mr Krishna Menon had had an interview with Lord Mountbatten on 13 March.
Section III. Taking over.

(1) In July 1948 it is obvious there must be machinery for taking over. This machinery may well be

(a) that which is established under a new constitution by a Constituent Assembly with or without Moslem League participation; or

(b) the Interim Government (under Dominion conditions) or

(c) the de facto repositories of power and power relationships: or

(d) some machinery arbitrarily decided by the outgoing authority.

I do not propose to deal with the question of what constitution may emerge by one process or another.

The immediate problem is what has to be done for obtaining comparatively stable conditions for (a), (b), (c) and (d) above, or some combination of these.

In hard reality this poses the question, what about the Moslem League and, in a lesser way, the Princes, and what solution or way out can be found by the Viceroy using his great influence as contemplated in II above?

(2) What I propose here is intended as a realistic approach rather than a crystallised formula, and I think aloud in this way.

Recognise, if the League so desires it, its claim for “Moslem homelands”—Pakistans.

This recognition is possible only on the basis that the homelands are to be limited to those areas where at present the Moslem population is predominant, and where the League holds an appreciable majority of elected seats.

In other words, it is impossible to think in terms of homelands on the basis of British provinces. This is not a question of whittling down Pakistan or driving a bargain on it, but of seeking the only method which would enable a Pakistan to be created at all.

Therefore I propose the following:

(a) A Western Pakistan in the North-West, to include the Moslem majority districts of the Punjab together with the Moslem districts of Sind, with an approach to the sea at Karachi, irrespective of the composition of the population on this boundary. Any attempt to provide a homeland which is boxed in on all four sides is an unfair offer from the League point of view.

The port of Karachi, irrespective of its predominant non-Moslem population and all-India importance, to be included in Western Pakistan, thus giving the League a first-class sea and air port and a great city.

The remainder of the Punjab to be constituted into a separate province of all-India.

The question of the remainder of Sind has to be thought out.

(b) Eastern Pakistan in the North-East, to include the districts of Eastern Bengal which are predominantly Moslem, and certain areas of Assam, thus partitioning Bengal (shades of Curzon!)
The problems here are (i) the comparatively strong opposition in Bengal to partition and (ii) Calcutta.

I believe that partition is the price that will have to be paid for any stability in Bengal.

With regard to Calcutta, any solution which hands over Calcutta to Pakistan will be unstable and impractical. The reasons are well known.

On the other hand, the League has to be given a port on the East, and the solution is that as part of the compromise settlement India should build a large-sized city and port in Chittagong, that is, provide the money for it however many millions it may cost.

(c) Question of powers and status. The Pakistanis shall be styled as autonomous states, and not provinces. They should have all the attributes of statehood except foreign relations and defence. These two cannot in any event, before 1948, be made available to any Pakistan, because any new state created would have no foreign relations by that time even if it succeeds in getting recognition, except with the co-operation of the rest of India. This is therefore a problem of the future, and is dealt with further below.

Defence is equally not capable of being vested in any Pakistan at the time of its creation. Even if it were, it would confer little power on Pakistanis, as the heavier defence of all-India would reduce the defence power of the Pakistanis to impotence.

On the other hand it is proposed that the Pakistanis as here contemplated should have vaster powers than for the groups under the Cabinet plan. Therefore they should be given not merely the title of autonomous states, but all the competence except the two mentioned above, that is to say all tariffs, currency, control of communications, including posts and railways, flag, external trade, control of resources and independent heads of states. They should also be accorded the right to secede from India and establish themselves as independent states when they are in a position to obtain foreign recognition and to build up their defences sufficiently effectively for the independent protection of their homelands. This right of secession must be genuinely conceded, irrespective of whether it will be used. All these rights and functions can obviously be made amenable to any agreements of give and take with India.

(d) The Pakistanis would, as different from the provinces, maintain a High Commissioner or Agent General, or some such functionary of the semi-ambassadorial level at New Delhi, who would be the link on the problems of defence and foreign relations and be a general liaison in the neighbourly relations contemplated. Obviously no taxation will be levied in the Pakistanis, except by their own Governments. They would make an agreed contribution annually to the Government of India in respect of defence and foreign policy, which shall not be varied except with consent.

(e) The inclusion of areas other than those mentioned here need not in
principle be ruled out. For example, if the League is able to make terms with
the rest of the Punjab and bring such areas into its Pakistan, it should be
permitted, but such consent must be a matter of plebiscite in which at least
75 per cent of the population votes in favour of such incorporation.

(f) It should be pointed out here that in this arrangement the Pakistanis
receive a far higher status of independence and considerably more powers and
functions than the present provinces claimed for Pakistan would receive if
power were handed over in July 1948 on the basis then likely to exist in the
absence of any agreement of this kind. For provinces, in spite of autonomy,
have much less power than contemplated for the Pakistan as herein.

Section III. [IV]. The Princes.

(1) It is too late now to challenge or refute the stand unfortunately taken by the
British Government on the question of paramountcy. I myself think that the
position so taken is a preposterous one, but the purpose of these proposals is to
deal with the situation as we find it. Therefore we have to take as a starting
point the fact that after July 1948 the States will be released from feudatory
allegiance.

At the same time, their economic and military dependence on India and
their geographical encirclement are hard facts which no argument about
paramountcy can dispose of.

(2) Therefore in the absence of a constitution emerging the following rela-
tionship and arrangements may be contemplated at the change-over.

(3) The Viceroy in the next 15 months will still be the representative of the
paramount power. At the same time as Governor General he has become a
constitutional head. He cannot exercise his relationship with the Princes
except with the aid of the economic, administrative and political power
which, as head of British India, is with him.

Here is a context where influence rather than power can forge a solution, and
if nothing better can be obtained within the next 15 months, the States can be
brought into relation by agreement with the all-India Government, which alone
will have competence in foreign affairs and defence. If the States resist, they
would have to be allowed to retain their competence in all other matters, but
equally they cannot expect out of their relationship with the all-India Govern-
ment any support for the maintenance of their autocracies as hitherto under
British rule. The problem of popular freedom in the States will have to be ameni-
able to the forces of popular awakening. The all-India Government should
undertake, for the sake of peace, non-interference in matters of dynasty etc.

The Viceroy’s role and the favourable terms which he can obtain for the
States by his influence with the all-India Government can be hoped to effect
(a) grouping of small States; (b) acceptance by smaller and larger States of
all-India competence in various matters such as communications, tariffs,
currency, minerals, etc; (c) conversely it would obtain for these areas, most of which are backward, economic, administrative and other assistance from all-India; (d) under the arrangement here contemplated, there will be no danger of anarchy or balkanisation at the time of the change-over.

Section IV[V]. Indo-British relations.
It should be said at the outset that any attempt to bring in Dominion status by the back door would create suspicion in India and defeat its purpose. What has to be sought frankly is not any constitutional hegemony of the Commonwealth, or any detraction of India’s independence. This would be going back on the Attlee statement of withdrawal.

What then can be the basis of Indo-British relations?

(a) Reciprocity of citizenship.
(b) Agreements with regard to mutually suitable arrangements concerning the liquidation and re-arrangement of relationships which now exist.
(c) Long term treaty of alliance in all respects consistent with the obligations owing to and the spirit of the United Nations. There is room for the discussion of Most Favoured Nation clauses.

Reciprocity of citizenship rather than a common crown is frankly the hard core of Indo-British relations.

Section V[VI].
The creation of Pakistan and the conferring on it of rights and functions far in excess of the Cabinet plan will evoke protests and opposition from Congress and other groups. Mr. Jinnah would regard it, on the other hand, as a truncated Pakistan. But for either side the alternatives are far worse, and for the British it would involve a repudiation of the solemn pledges of the Attlee declaration and the prospect of having to deal with anarchy or the termination of relationships in such ways as are injurious to both sides.

It may be further pointed out that the proposals here are not based upon theoretical considerations, and are largely, in fact, a planned approach to what would willy nilly be the position if in July 1948 no constitution has emerged.

Finally, even if a constitution emerges, the approach in these proposals would at present be called for, but it would have to be made clear that this is no substitute for constitution making which is untouched by them.

It may also be added that these proposals concede to Mr. Jinnah his demand for two Constituent Assemblies.
Pandit Jawaharlal Nehru spent rather over an hour with me this evening from 7 o'clock.

2. We talked first about the immediate situation. He said that since he arrived in Lahore at 4 p.m. he had done nothing but see a large number of people. He felt that the solution to our immediate problem in seriously disturbed areas, such as Rawalpindi, was to hand over to the Military Commanders. Rightly or wrongly the communities had lost confidence in the services—the non-Muslims suspected Muslim officials and vice versa. I explained the difficulties about Martial Law and said that as I understood the position it could no longer be imposed by proclamation and Ordinance. It represented in fact a decision taken by a Military Commander on his own responsibility, usually because the civil administration had completely ceased to function or his operations or troops were endangered. The Military Commander acted in the exercise of a recognised power under the common law; he had no statutory backing and was answerable afterwards for his actions. Pt. J. L. Nehru said that he was not well up in the legal technicalities, but the "short point" was that the people should feel that really firm measures were being taken to suppress the agitation. I replied that in my opinion certain offences, such as attempted murder, kidnapping and its variants, robbery and dacoity and their variants, rape, and arson, should be made punishable with death. The principle of "minimum force" should also be abrogated. I said that I had made these proposals to the Viceroy in a letter¹ I was despatching today. Pt. J. L. Nehru seemed to agree with these measures, and said that if we were to stop trouble in the central and eastern Punjab, the north and west must be pacified within a few days. In Bihar firm action by the Army had had an electric effect. I replied that troops were operating in large numbers in the disturbed areas and had been told to interpret the principle of "minimum force" in a sensible way. Pt. J. L. Nehru asked if it was possible to extend the restrictions on gatherings, the carrying of weapons, etc. to the rural areas. I replied that it was possible and that action had been taken to my knowledge in Rawalpindi and Multan. I was less sure about Attock. (G. S. might see that suitable orders issue to D. C. Attock and D. C. Jhelum. The point is that unless restrictions are in force in seriously disturbed areas, the police and troops cannot act automatically against gatherings which are in all probability unlawful. They have to ask what the people
are doing, declare them to be unlawful, and so on, which is an indefinite and unsatisfactory procedure).

3. We then passed to a discussion of the long-term problem. Pt. J. L. Nehru said that some sort of partition was inevitable, but it must be made within the framework of the present constitution and by methods which could be established by convention and not by legislation. He thought a Muslim Area, a Central Area and a Non-Muslim Area should be recognised, and that Ministers should be so appointed that each area was for certain purposes autonomous. The Ministers of all three Areas should sit jointly for other purposes—that is to say for matters of common concern. I said that the same idea had occurred to me, viz. that we should avoid a physical partition, but adopt devices which would give confidence to all communities. The arrangement would be a cumbersome one and might lead to trouble in the Departments. For example, there would have to be at least two and possibly three separate sections of the Education Department, each working under its own Minister. I referred to the arrangements for Scotland, and Pt. J. L. Nehru took this point up and said that the analogy was not at all a bad one. Bills affecting Scotland had to be passed in Parliament, but were first referred to a Grand Committee consisting of the Scottish Members, whose advice was by convention accepted.

4. Pandit J. L. Nehru ended our conversation by saying that if I were here on Sunday evening, he would like to see me again. I said that I would be very glad to see him.

5. During our conversation he put through a telephone call to Dr. Khan Sahib at Peshawar and subsequently transmitted a message by G. S. to H. E. the Viceroy in reply to a message from the Viceroy which I handed to him.

E. M. JENKINS

1 Not traced.
2 According to Wavell, The Viceroy's Journal, p. 428, Lord Wavell had sent Pandit Nehru a message asking him not to go to Peshawar and he agreed 'though protesting'. See also Nos. 549 and 550.
Thank you for your letter of 5th March,\(^1\) which I received on 10th March.

2. The Punjab situation seems likely to remain grave for some time. I think Jenkins is to be congratulated on getting it under control in the urban areas; the task of controlling it in the rural districts must be much more difficult. His latest telegram No. 43–G of the 12th March\(^2\) does not hold out much hope of a settlement between the parties until the High Commands of League and Congress respectively permit the matter to be dealt with on a local basis. I am afraid they are unlikely to do this because there is so much at stake in the all-India field. It looks, therefore, as though we cannot hope for any solution of the Punjab troubles without a political détente at the Centre.

3. In paragraph 3 of your letter of 26th February,\(^3\) you referred briefly to the trouble which occurred in the North-West Frontier Province following the abduction of a Sikh girl. I have now seen Caroe’s detailed account of this incident in his letter to you of 22nd February,\(^4\) which has given me a fuller realisation of its gravity. The danger of the Muslim League endeavouring to stage in the North-West Frontier Province a repetition of recent events in the Punjab seems very real and, in fact, there have been Press reports suggesting that the process has actually begun, though I have had no telegram\(^5\) from Caroe and the position now appears to have improved. I presume that the trouble is not on a scale which is likely to lead to a political crisis at any rate in the near future.

4. As regards the Princes, I note from records of interviews\(^6\) which you were good enough to send me that Bhopal and C. P. Ramaswami Aiyer confirm that beneath the surface there is considerable cleavage in their ranks and that some of their Dewans are becoming more interested in their future prospects under a Congress Raj. It will certainly be a pity if Bhopal, who has stood loyally by the Mission’s plan, fails to maintain a body with which the Constituent Assembly can negotiate, though no-one can expect the Princes to abstain from making terms with the present Centre individually if they see their interests to lie in so doing.

5. As to a north-western and southern Federation, the latter presumably would be the more viable as it would be composed of Princes and States. The former seems hardly likely to succeed in maintaining itself, even if it comes to
birth. In any case His Majesty's Government must leave such projects to their sponsors. The policy of relaxing Paramountcy which is now we agree inevitable is hardly compatible with planning the future of the States when power has been transferred.

6. As to Thorium, it is somewhat remarkable that hitherto we have heard so little objection from the Interim Government to the agreement with Travancore.  

7. I suppose that now in any case the States are coming to realise more forcibly than before how poor are their prospects for a future in isolation from the authorities in British India to whom power is ultimately transferred.

8. There have been of late a disquieting number of indications of the subversive activities of the Communists in India. First, and perhaps most important, is Burrows' letter to you of the 25th February, of which he kindly sent me a copy, containing a report of the paying over to C.P.I. funds of half a lakh of rupees by the Russian representative on the World Youth Delegation at present visiting India. There have also been references in recent letters to Communist activities amongst aboriginals both in Bengal and Bombay. It is satisfactory that, generally speaking, both the Central and Provincial Governments appear to be alive to the danger and to have the necessary courage to counter it. In this connection I have been concerned recently with the question whether the passport of Gabriel Carritt should contain a restrictive clause denying him right of entry to India. It seems likely that the Passport Office will meet the Government of India's wishes in this matter but the question may well be raised by one or other of the Communist members in the House of Commons.

9. I was most interested in what you said in paragraphs 5 and 6 of your letter of 5th March about the character of Liaquat's Budget, with the general tendency of which (I must, of course, except the additional export duty on tea) I have naturally a great deal of sympathy myself. Apart from the merits of the case, there can surely be no doubt that any Government in India which looks for popular support must use its fiscal machine to correct in some measure the enormous disparities in wealth and the accompanying concentration of economic power in a relatively few hands. Of course, as you say, United Kingdom interests in India must suffer their share of the burden, but whilst we may regret anything which reduces our overseas income at the present

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1. No. 494.  
2. R/3/189: f 105; see No. 523, note 2.  
3. No. 469.  
4. No. 450.  
5. See however No. 528.  
7. See No. 469, note 6.  
8. L/P &S/(S)/File 1058 of 1946.  
9. The India Office had passed on to the Passport Office a recommendation of the Govt of India (Home Dept) that Gabriel Carritt, described as an active communist, should be refused passport facilities for India. L/P &S/8/743.
juncture, we cannot expect to go on enjoying the old advantages indefinitely, above all at the expense of social justice in India.

10. I note incidentally your remark about possible difficulties in getting United Kingdom capital out of India. It is true that the Government of India may have to impose control even on movements into sterling, and I gather that this was recognised in the recent sterling balances talks. But it is also true that they are so dependent on our goodwill in the matter of releases from the sterling balances (their prospective balance of payments, apart from such use of the sterling balances as we can permit, being heavily in deficit) that we shall not be without means, if required, to influence them in the direction of fair treatment for our own people.

[Para. 11, on the proposals of the Madras Ministry in regard to Zamindari legislation, omitted.]

12. In my last two letters I have reported on the Debates in the House of Lords and the House of Commons respectively. Looking back upon them, it is an interesting feature that in the House of Commons, as in the House of Lords, a speech in support of the Government’s policy by a member of the Opposition with long first-hand experience of India contributed substantially to crystallising opinion (though, of course, in the House of Commons, unlike the House of Lords, the support of a substantial majority for the Government’s policy was never in question). Halifax’s part in the House of Lords debate was played in the House of Commons debate by Sir Stanley Reed.

13. The Cabinet yesterday accepted a recommendation by the Foreign Secretary in favour of the withdrawal of Force 401 from Iraq in view of the improvement of the internal situation in Persia, and a telegram will shortly be issuing to the Defence Department seeking the concurrence of the Government of India in this course of action and their agreement that there should be no public announcement, a point to which the Cabinet attach considerable importance. It was recognised by the Cabinet that the withdrawal of the Force, although it was the right course, involved taking some risk in an area of great strategic importance.

14. Sudhir Ghosh called to see me on Monday and left with me a document which I understood emanated from Patel. It amounts, in effect, to tentative proposals for effecting the transfer of power in accordance with His Majesty’s Government’s Statement of 20th February, and is manifestly a kite of the kind which Congress leaders are only too wont to fly. The proposals are open to serious objections but they contain one interesting and possibly significant feature, namely, that they appear to contemplate that India might have Dominion Status on a provisional basis after the date fixed for the final transfer of power and pending the working out of a new constitution and a decision on the question of India’s ultimate relationship with the
British Commonwealth. The proposals are, of course, in no sense official and were given to me on an entirely informal basis, but they are interesting as a straw in the wind.

15. Krishna Menon has been continuing his peregrinations to European capitals which I mentioned in paragraph 13 of my letter of 7th March,\(^\text{11}\) and we now have a report from our Ambassador at Prague on Menon’s visit to Czechoslovakia between the 3rd and 6th March.

16. During this time he was received by the President, and had two interviews with Masaryk and Clementis, at which nothing of importance was discussed except the exchange of diplomatic representatives with India. This was agreed upon in principle.

17. Sir P. Nichols asked Menon to lunch and reports that he behaved in a perfectly friendly manner and talked a good deal, explaining that owing to the lack of trained personnel it seemed unlikely that the Government of India would establish a diplomatic post in Prague for some time.

18. It is also reported that Menon had unofficial meetings with the Prime Minister and the latter’s Adviser on questions of international communist policy, Jan Vodicka, at which the possibility was discussed of direct contact between the Communist Party of Czechoslovakia and Indian Nationalist Leaders.

19. You will, I think, like to know that I have made a further approach to the Minister of Food with the object of trying to obtain for India a proportion of the flour which the Ministry has recently purchased out of the Australian surpluses. In my approach I have stressed the alarming proportions of the prospective gap between requirements and supplies during the period before the end of June, and the serious effects which a breakdown of the Indian food administration would have upon the arrangements for the peaceful transference of power.

[Para. 20, on a candidate for a judicial vacancy in Bengal; para. 21, on a talk with the leader of the Indian National Cadet Corps Organisation Committee; and para. 22, saying Sir John Hubback’s term of office as one of the Secretary of State’s Advisers was coming to an end that week, omitted.]

23. I am sorry that it has taken rather long to fix up the various detailed arrangements for your return journey to this country, but I trust that you are generally satisfied with the arrangements that have now been made. I much look forward to seeing you.

\(^{10}\) Annex I to No. 524. \(^{11}\) No. 505.
Mr Attlee to Lord Pethick-Lawrence, Mr Alexander and Sir S. Cripps

L/P&EJ/10/78: f 43

Prime Minister’s Personal Minute: Serial No. M. 129/47

10 Downing Street, 15 March 1947

I attach a copy of the letter\(^1\) which it is proposed to send Lord Mountbatten for observations. This text includes certain amendments which were suggested by Lord Mountbatten. I should be glad of your comments by Monday so that it can be despatched.

C. R. A.

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\(^1\) This draft was the same as the final text (for which see Enclosure to No. 543) except for a few minor amendments proposed by Lord Pethick-Lawrence.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/149: f 54

NO. 1299/2.

15 March 1947

Dear Pandit Nehru,

In your letter of 6th March\(^1\) you asked me to inquire into the action being taken by the Political Department in regard to their records.

1. There are very large quantities of these records, the great majority being of only ephemeral interest. It is impossible, in the short period remaining before the lapse of paramountcy, to classify all these records and distribute them to the authorities to whom they will be of most interest or use. It is therefore proposed—and action is already being taken accordingly in Residencies and Political Agencies—to weed out and destroy, under capable supervision, such records as (a) possess no historical interest and (b) are patently valueless for purposes of future reference. The rest, after transfer to the custody of the U.K. High Commissioner in India, can be classified at leisure and preserved in such form as may be decided on by the parties most concerned.

2. You refer also to Political Department records in the Records Office at Delhi. The enclosed note recorded on 6th March by an Officer of the Political
Department will indicate, I think, that the approach being made to the problem is not so unsympathetic as you had been led to believe.²

Yours sincerely,

WAVERELL

Enclosure to No. 535

Minute by Mr Wakefield

6 March 1947

I visited the Imperial Record Department this afternoon and discussed with Dr. Sen the future of records of the Political Department in his charge.

2. The Imperial Record Department has no records earlier than 1740. It has no Political Department records after 1880.

3. Included in the so-called “Political Department” records are documents relating to territories which were once States but now form part of British India. There are also documents concerned with the relations of India with foreign countries. These documents are not records of the Crown Representative and no difficulties in regard to their disposal will arise on the lapse of paramountcy.

4. Dr. Sen pointed out that if the records of the Crown Representative were separated from the other records and removed from the Imperial Record Department the series of records—which had already been indexed—would be broken. This would be unfortunate from the point of view of the archivist; while, from the point of view of the historian, dispersal of records made research more difficult.

5. I assured Dr. Sen that there was no question whatever of destroying any of the records in his custody (which have already been weeded). He was much relieved at this assurance, but expressed the hope that the Crown Representative’s records might be left in the Imperial Record Department even if proprietary rights in them were transferred by the Crown Representative to the U.K. High Commissioner for India. The Director of Archives could, on behalf of the U.K. High Commissioner, enforce the same restrictions in regard to rights of access and rights of publication as he exercises now on behalf of the Crown Representative.

6. I expressed the fullest sympathy with his desire not to see his “collection” broken up and promised to see what could be done to resolve the difficulty.

E. B. WAKEFIELD

¹ No. 496.
² Lord Wavell minuted on 18 March: ‘Maulana Azad raised this question today. Someone has obviously raised the suspicion that we are destroying records of historical value to India to save our own faces or those of the Princes. He asked for some representative of the G. of I. to be associated in the sorting of the records. I said that this was impossible but that I would ask one of the Political Department to see him and tell him what was being done. Please arrange.'
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/89: f 126

IMMEDIATE

CONFIDENTIAL

16 March 1947, 12.15 am
Received: 16 March, 7 am

No. 52-G. Addressed Viceroy repeated Secretary of State. Punjab situation. My immediately preceding telegram.¹ There has been no further approach to me by any Punjab Leader. Nehru talked with me for an hour on 14th evening.² He advocated martial law in disturbed areas but was unaware of conditions in which martial law can be imposed. Similar demand has been made by others including Baldev Singh. Nehru said quite rightly that disturbances must be suppressed with utmost firmness. This is in fact being done but politicians seldom appreciate difficulty of regaining control in broken country with bad communications. With long term purposes Nehru advocated national [notional]³ partition on territorial basis and [Ministers]⁴ deliberating separately on matters allocated to new provinces. Legislature would be divided similarly by convention though formal vote of House as a whole would be needed to give effect to any measure (gr. crpt) and Legislature as a whole would deal as now with matters of common concern. Nehru’s point is that arrangement must be such as to fit by convention into framework of present constitution. There may be something in this.

[Para 2, on Sir E. Jenkins’ visit that day to Sargodha, Mianwali and Lyallpur, omitted.]

³ Situation still very grave with talk of reprisals and civil war. I visit Attock and Rawalpindi tomorrow.

¹ In tel. 51-G of 16 March Sir E. Jenkins reported that Rawalpindi and Attock districts and part of Jhelum district were still gravely disturbed. The death roll in many villages was known to be heavy but no estimate could be given. Tension was acute in Mianwali and Sargodha but Multan seemed quieter. R/3/1/89: f 125.
² See No. 532.
³ and ⁴ Cf No. 532, para. 3.
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Sir E. Jenkins (Punjab) to Lord Pethick-Lawrence

Telegram, L/P & F/8/663: f 240

MOST IMMEDIATE  
CONFIDENTIAL  
LAHORE, 16 March 1947, 11.50 am  
Received: 16 March, 1.45 am

No. 53-G. Your telegram 3359 of March 13th. Following are very approximate casualty figures up to evening of March 14th.


4. Urban figures are complete for deaths officially verified and injured treated in hospital. Rural figures are quite incomplete.

5. We do not repeat not issue classified casualty lists here as this inflames communal feeling. Unclassified dead and injured can doubtless be classified except for decomposed corpses but complete classification has not been attempted yet. Your reply in the House ( will, omitted) of course be published here.

1 Asking for details of casualties to Muslims, Hindus and Sikhs in the Punjab to enable a reply to be given to a Question in Parliament on 17 March. L/P & F/8/663: f 241.

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Sir E. Jenkins (Punjab) to Mr Abell

Telegram, R/3/1/89: f 130

IMMEDIATE  
CONFIDENTIAL  
17 March 1947, 12.05 am  
Received: 17 March, 7.30 am

No. 55-G. Addressed PSV, repeated Secy of State.

Punjab situation. Immediately preceding telegram. I spent today in Attock

1 In tel. 54-G of 17 March, Sir E. Jenkins reported that there was little change in the Punjab situation. The situation in the Multan rural area was improving. In Rawalpindi, Attock and Jhelum districts control was being re-established but feeling was extremely bad and outrages were still being reported. R/3/1/89: f 129.
and Rawalpindi. We already have something like 25,000 refugees on our hands from these two districts and Jhelum and must cater for 35,000. Attacks on non-Muslims have been organized with extreme savagery. Deputy Commissioner Rawalpindi believes that in his district alone there may be 5,000 casualties including killed, injured and missing. Military opinion is that we shall regain physical control within a week but feeling between communities is very bad indeed and there is no sign of improvement.

2. I saw Ghazanfar Ali, Mamdot, Iftikharuddin at Rawalpindi. They seemed genuinely shocked at brutality and treachery shown by members of their party and undertook to do everything possible to stop disturbances.

I had further talk with Nehru this evening. He was well satisfied with progress in Multan which he visited today. He made various suggestions about special legislation now being considered. He returns to Delhi after visiting Amritsar tomorrow. Ends.

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Cabinet

Defence Committee. D.O.(47)8th Meeting, Minute 2

L/WS/1/1023: ff 12-14

Those present at this Meeting held at 10 Downing Street, S.W.1, on 17 March 1947 at 2.45 pm were: Mr Attlee (in the Chair), Mr Alexander, Mr Hugh Dalton, Mr G. A. Isaacs, Viscount Hall, Mr F. J. Bellenger

Also present during discussion of item 2 were: Sir S. Cripps, Viscount Addison, Lord Pethick-Lawrence, Rear-Admiral Viscount Mountbatten of Burma, Admiral Sir John H. D. Cunningham, Marshal of the Royal Air Force Lord Tedder, Lieutenant-General Sir Frank Simpson, Sir David Montech, General Lord Ismay, Sir Eric Miéville, General Sir Geoffrey A. P. Scoones

The future of the Gurkhas

The Committee had before them a memorandum by the Secretary of State for India (D.O.(47)22) about the employment of Gurkhas in the service of His Majesty’s Government.

The Prime Minister said that he was surprised that this question, which had considerable man-power implications, had not previously been submitted to the Defence Committee. The serious shortage of man-power in the United Kingdom at present made it most important that every practicable method of meeting the needs of the Armed Forces from sources other than the United Kingdom should be adopted. In view of this, he felt that there was a strong
case for the inclusion of a substantial number of Gurkhas in the Armed Forces.

He was not clear why in this matter it had been found necessary to consult with the Government of India and he thought that it would have been sufficient to have negotiated direct with the Government of Nepal.

The Secretary of State for India said that hitherto all Gurkhas, other than those employed in the Nepalese forces, had been part of the Indian Army. For this reason it had been found necessary to obtain the agreement of the Indian Government to the employment of Gurkhas in the British Army and in fact up to the present the Indian Government had opposed our proposals.

The Minister of Defence stressed the importance of making every effort to obtain 25,000 Gurkhas for employment in the British Army. It was true that even if this were done we should not be able to release an equivalent number of British members of the Services during the current year, since it would take some months to organise and train the Gurkhas; but the benefit would be felt in later years. He was concerned that the War Office representative who took part in the negotiations should realise the importance attached to our obtaining 25,000 Gurkhas and he felt that this proposal should be pressed forward whether or not the agreement of the Indian Government was obtained.

The Secretary of State for War said that the examination of the possibility of employing Gurkhas in His Majesty’s Forces had started in 1945 and that when he had become Secretary of State for War the negotiations with the Indian Government had already reached an advanced stage. It had now been decided that the War Office could accept up to 25,000 Gurkhas for a limited period of some 4 to 5 years. After this period the reorganisation of the post-war British Army would have been carried far enough to show whether or not it would be desirable to retain Gurkhas as a permanent part of the British Army. The Army was at the present time in an unbalanced state, since there was a surplus of British infantry and a deficiency of man-power in the other arms. The surplus infantry would, during the next 4 to 5 years, be absorbed by release or drafted into other arms, and when this had been done, the terms of employment of Gurkhas, whose greatest value was as infantry, could be determined. Should the Defence Committee feel that, in view of the serious man-power situation in this country, Gurkhas should be permanently enlisted in the British Army, he would not object in principle. But it should be recognised that, unless they could be used in any part of the world, their employment would not be economical.

Sir Frank Simpson said that the negotiations with the Indian Government had been delayed because it had been found necessary first to decide the size and role of our post-war Army. This had now been done and, as a result, a War

1 No. 503.
Office representative was going to India within the next few days to re-open negotiations with the Indian Government. It was unlikely that we should have a defence commitment in Burma for very much longer and he did not feel that it would be possible to use Gurkha units in all the areas where British troops were required. For example, their use in Palestine would be undesirable.

He suggested that it would not be advisable to commit ourselves permanently to employing a large number of Gurkhas before the reorganisation of the regular Army had been carried out. For this reason Gurkhas should, in his view, be enlisted for a period of 5 years at most.

Viscount Mountbatten said that his experience as Supreme Commander, South East Asia, during the war, had convinced him that Gurkhas were suitable for employment in any units other than the most technical. As fighting troops they were satisfactory and it should be possible to form and train a Gurkha division, all components of which, including the divisional troops, could be made up of Gurkhas.

The President of the Board of Trade urged that in view of the serious man-power shortage every effort should be made to obtain 25,000 Gurkhas for permanent service with His Majesty's Forces. It appeared that the negotiations which had been proceeding since 1945 had been on the basis of a common United Kingdom-Indian approach to the Nepalese Government and it would be unfortunate if these negotiations were now taken up unilaterally with Nepal. He did not think that the Indian Government would in the last resort prove obstructive and clearly the offer of long-term employment instead of a 5-year engagement was likely to prove attractive to the Nepalese Government.

The Committee:—

(1) Agreed that in the forthcoming negotiations with the Government of India and the Government of Nepal the representatives of His Majesty's Government should make every effort to secure agreement to the employment of up to 25,000 Gurkhas in the Regular British Army and that there should be no suggestion of a time limit to their employment.

(2) Invited the Secretary of State for War, in the light of the discussion, to arrange for the preparation, as a matter of urgency, of a draft brief for use by the War Office representative in the forthcoming negotiations and to circulate the draft to the Committee.
Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

R/3/1/89: ff 131–4

SECRET

GOVERNMENT HOUSE, LAHORE
NO. 657.

17 March 1947

Dear Lord Wavell,

I do not seem to have sent Your Excellency any detailed account of the communal disturbances in the Punjab since my letter No. 654 of 9th March was written. I have of course sent daily situation reports by telegram, and my fortnightly letter of 14th March mentioned the disturbances very briefly. It may help if I now set out the main developments since 9th March.

2. I visited Multan on 10th March, Jullundur and Ambala on 11th, Amritsar on 12th, Rohtak and Delhi on 13th, Sargodha, Mianwali and Lyallpur on 15th, and Attock and Rawalpindi on 16th. These visits were very useful, and except the one to Amritsar were all made in Your Excellency’s aircraft.

3. Major disturbances in the cities and towns have been confined to Lahore, Amritsar, Multan, Rawalpindi and Jullundur. Lesser disturbances have occurred at Ludhiana, Sialkot, Kamoke in the Gujranwala district, Hoshiarpur, and Khushab in the Shahpur district.

In Lahore the rioting differed little in kind from communal rioting of the past. Casualties were fairly heavy, but there was no extraordinary destruction of property.

In Amritsar the main feature of the rioting was incendiaryism. Several important streets look as though they had had a heavy raid, with many houses and shops completely down and the road and pavements heaped high with rubble. The electric transmission lines were broken, and for some time the greater part of the city was in darkness. Casualties were heavy; the Muslims suffered worse than the other communities.

At Multan the trouble was started on 5th March by a sudden procession of non-Muslim students shouting “Qaid-i-Azam murda-bad”. Between 12 noon and 3.15 p.m. it is estimated that about 150 people—nearly all Hindus—lost their lives. There was much incendiaryism, but the damage as compared with that in Amritsar is small.

At Rawalpindi, as in Lahore, the rioting seems to have followed the pattern of earlier communal riots. I have not been through Rawalpindi City, but from the air it does not appear that many buildings have been burnt. Casualties were fairly heavy.

1 No. 513.  
There is nothing special to note about the other cities and towns. Jullundur had the worst of the lesser outbreaks, and Ludhiana probably came next.

The urban disturbances were brought under control pretty quickly with the aid of troops.

3. The rural disturbances have been far more serious. The major outbreaks are so far confined to the Rawalpindi and Attock districts, the part of the Jhelum district round Chakwal, and the Multan district.

Trains have been attacked in Mianwali, and there is a report in this morning about the looting of an entire train on the Khushab-Kundian line somewhere near the Mianwali border.

4. In the rural areas gravely affected there has been extreme savagery. In the triangle Taxile-Murree-Gujar Khan there was a regular butchery of non-Muslims, particularly Sikhs. Cruelty and treachery seem to have been common. General Messervy told me that he had seen in hospital a child whose hands had been cut off; there are at least two well-authenticated stories of non-Muslims being lured into “peace committees” and then murdered; and in one village, Sasali, a party of Sikhs, who surrendered to the Muslim attackers on a promise that their lives would be spared, were murdered out of hand. The most brutal killings seem to have been in the triangle to which I have referred, but there has been frightful brutality outside it, and everywhere in the district looting and arson have been common.

In Attock the Chauntra area, which is very close to Rawalpindi, was affected in much the same way. In the rest of the district there seem to have been fewer killings than in Rawalpindi, but quite as much burning and looting. A common method of attack has been for the Muslims in a village to put white flags on their houses and to invite the Muslims of the neighbouring villages to come in and deal with property not so marked.

In the Chakwal neighbourhood of the Jhelum district a large village, Dhudial, was sacked, but the Police and troops were able to inflict fairly heavy casualties on the attackers.

In Multan murder, arson and looting were much the same as in the districts of the Rawalpindi Division, but the area affected (the Sadar Police Station and part of the Shujabad tahsil) is flat and relatively easy to control. The troops seem to have inflicted fairly heavy casualties on a mob at an early stage, and though the loss of life and property must have been heavy, it is certainly less than that in the Rawalpindi district.

5. The affected districts of the Rawalpindi Division are now under the operational control of the 7th Indian Division (Major-General Lovett). By improvisation the Division now includes six Brigades with, I think, two independent forces. It is operating from Campbellpur and Rawalpindi in the north to the line Jhelum-Chakwal-Tallagang in the south, and is extending its
operations southward into Shahpur and westward into Mianwali. Yesterday when I was at Campbellpur and Rawalpindi and presided at conferences with the Army Commander and the Divisional Commander, their opinion was that we should shortly regain complete physical control, and there is no doubt that the number of outrages is rapidly decreasing.

6. Multan is under the Lahore Area, and the Army Commander allotted to it a Brigade Headquarters and two Battalions of the Airborne Corps at Karachi. Here, as I have mentioned above, control is being rapidly regained. The Army Commander and the Commander, Lahore Area, were due to meet in Multan today.

7. It is very difficult to account for this extraordinarily violent rural movement. General Messervy thinks that there are some signs of organisation and conspiracy—in parts of Rawalpindi outbreaks seem to have occurred almost simultaneously, and the raid at Murree, to which I referred in my letter of 9th March, appears to have been carefully planned and carried out. All Muslims in the affected districts seem to be involved in or sympathetic to the movement. The Commander 7th Division told me when I saw him yesterday that attacks on non-Muslims had been led in some cases by retired Army officers—some of them pensioners with honorary Commissioned rank. The Muslim section of the local notables, to whom I spoke at Campbellpur yesterday, were extremely sulky, and though some of them are beginning to be frightened, there is little doubt that they believe that the movement was inevitable and are not prepared to oppose it. The most probable theory is that the growth of the Pakistan idea from 1943 onwards, the extreme communalism of the election campaign of 1945–46, the frustration which followed it, the propaganda against the Coalition Ministry, the Muslim League agitation, H.M.G.’s statement of 20th February, and Khizar’s resignation combined to touch off an explosive mixture which had been forming for some time. The Muslims say that they were influenced by rumours of a large Sikh Army marching on the north; also that the movement is a spontaneous outburst against black-marketing by non-Muslims. It is more likely that they believe that by exterminating non-Muslims now they will make their districts a safe base for operations against the other communities in due course. No educated man could reasonably believe the story about the Sikh army, and though opportunity has been taken to wipe out economic scores, resentment at the controls and the way in which non-Muslims make money out of them was not in my judgment the immediate cause of the trouble.³

³ Sir D. Montefeth commented on this para as follows: 'The view used to be held—and Sir E. Jenkins was, I think, among those who held it—that a Moslem movement would, compared with one staged as in 1942 by Congress, be a flop in the rural areas owing to lack of the organised network which Congress local committees afford. Para: 7 of this letter seems to show that the M.L. organisation in the villages has been underestimated. D.T.M. 27.iii. L/P 8&J/8/663: f 182.
8. The disturbances have produced a crop of special problems:—

(1) The non-Muslims are vehemently bitter against the civil services and particularly against the Police. The District Officers in the Rawalpindi Division were not happy about police morale and were inclined to make the most of any indication that the police would not do their duty. There have also been complaints of partiality against the troops—the Commander 7th Indian Division told me that one of these complaints was justified. I shall now be bombarded with demands (they have in fact already begun) for the transfer of Muslim officials from the districts affected, for the use of non-Muslim troops, for the issue of arms licences to non-Muslims, and so on. We can only do our best with the resources we have, and as long as I am in Section 93 I do not propose to issue arms licences so that the minorities in any part of the Province may be able to fight more effectively against the other community.

(2) The ordinary law, even as supplemented by the Punjab Public Safety Ordinance, 1946, is inadequate for disturbances on this scale. Certain offences common during communal disturbances must be made punishable with death, and the troops and police should have authority to use more than the minimum force in dealing with rioters. Troops should also in my opinion have power to arrest and search on a reasonable suspicion that an offence has been committed. These matters have already been referred to Your Excellency and are being dealt with. I am referring separately a measure to give us power to impose collective fines and to deal much more comprehensively and promptly than the Police Act permits with the assessment and distribution of compensation.

(3) Damage to property in Amritsar and Multan was exceptionally heavy, and the similar damage in the rural area must be very great indeed. There will be demands for rehabilitation, compensation from public funds, and so on, since penal compensation will not cover more than a small proportion of the loss. Legally I suppose that the State is not liable for damage caused by civil commotion, and I do not think that in a Section 93 administration I can do much more than see that damage is properly registered and leave it to a popular Ministry to decide what compensation, if any, should be given. In the cities the problem of dealing with unsafe and fallen buildings will be a considerable one. Legislation may be necessary to enable us to remove the material of the buildings concerned (the Municipal Act already gives us power to demolish), to sell it and to pay a share of the proceeds to the owners. I have had demolition and the removal of material put in hand at Amritsar and Multan, and we are looking into the legal side of the business.

(4) We seem to have lost comparatively little food in the cities, but some cloth is known to have been destroyed, and in the rural areas the situation in these respects will not be clear for some days. Under our controls the rural areas are served by “depots”, the stocks in which at any given time are relatively unimportant; but it is probable that many depots have been destroyed or looted,
and the whole distribution system, both for cloth and food, must have been impaired. The Civil Supplies Department is in very close touch with the Districts and with the authorities of the North Western Railway, and we have food ready in railway wagons at different centres, so that it may be despatched urgently to any place which is seriously short.

(5) When I was at Rawalpindi yesterday, the total number of refugees was estimated at nearly 30,000, and we must be prepared to receive at least 35,000 and perhaps more from the Rawalpindi Division. The refugees are at present held at various places including a large camp managed by the Army in Rawalpindi Cantonment. We shall probably take over the Military Camp at Wah, which is now vacant, and the old M.T. Centre at Kala near Jhelum. I have entrusted an experienced officer with the task of preparing plans and financial estimates, and he is going to Rawalpindi very shortly if he has not already left.

(6) The investigation of offences and their trial will be an enormous problem. A very large number of statements will have to be taken from the refugees and searches will have to be made for stolen property. I am having a special staff mobilized with two or three Magistrates attached to it to get this work started at the refugees’ camps. The Punjab Public Safety Ordinance, 1946, provides for a simplified form of trial, and I shall have to see that Judges and Magistrates are available in sufficient numbers. Under a scheme of Khizar’s we are just recruiting 55 temporary Magistrates from the Bar, who will be able to take over a good deal of the routine work.

9. Visits from Members of Council have been a great plague. Sardar Baldev Singh was here some days ago, and took round with him several politicians and journalists, who sent sensational stories to the Press. Nehru followed him, as you know, and though he has been tactful in public and affable to me, his visit may on a longer view do harm. These all-India politicians have no contacts with any one but their own followers and allies. Nishtar turned up yesterday and expected us to lay on a programme for him with practically no notice. I recently asked my Secretary to inform Abell that we are not in a position to tie up officials and policemen to escort Members of Council. If they want to come to the Punjab, they must do so under their own steam and make such arrangements for their transport, etc. as they think fit. They are not administratively concerned with what is going on and their presence here tends to harden the feeling between the communities rather than to improve it. The Deputy Commissioner of Multan, an extremely energetic person, has just complained of the waste of time caused by visits from very important persons, and I have much sympathy with him.

Yours sincerely,

E. M. JENKINS

* and * Documents on these subjects are not in India Office Records.
541

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/1/30/40: f 47

EXPRESS SECRET

NEW DELHI, 18 March 1947, 8.10 pm

No. 550-P. Reference my telegram No. 412-P., March 5th,1 about issue dividing States. Without waiting for General Conference of Rulers in early April certain States have made positive declaration of their intention to join Constituent Assembly as soon as possible. These States include Bikaner, Jaipur, Jodhpur, Gwalior, Rewa, Bhavnagar, Cochin and Patiala. Baroda and Udaipur also have similar intention.

2. It would, I am afraid, be a mistake to think that this decision by certain States will strengthen claim of Constituent Assembly to be regarded as representative all-India body. On the contrary, the cleavage among States is primarily along communal lines. The States mentioned above have been given grounds to hope that by making immediate declaration of intention to join Constituent Assembly they will obtain more favourable terms from Congress-controlled Hindustan than if they waited.

3. Maintenance of common front by States was important stabilizing factor in all-India situation. Breach of unity now exhibited will remove this factor and will also, by weakening Chamber of Princes and depriving it of its present representative status, render adjustment of future relations between States and British India more complex.

1 No. 486.

542

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/149: f 59

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI, 18 March 1947

Dear Lord Wavell,

Thank you for your letter of the 15th March 19471 with reference to the action being taken by the Political Department in regard to their records.

I appreciate what you say, but I am rather apprehensive that useful records might be unknowingly destroyed. I suppose the process of weeding out and destruction is entrusted to some member of the staff of the Residency or
Political Agency. Such persons are not likely to possess much historical knowledge or be in a position to judge the historical or cultural value of the documents. May I suggest that some eminent historian be requested to supervise this process of weeding out? This might take a little more time but this delay should not come in the way of anything.

Probably the best course would be to collect all the records in the Imperial Record Department in New Delhi for examination by a group of competent persons.

It is not quite clear to me why any of these papers should be transferred to the custody of the U.K. High Commissioner in India. This transfer, I suppose, is on the presumption that the U.K. High Commissioner will be the legatee of the Crown Representative in regard to such matters. All these old papers relate to a period when there was no Crown Representative and when the Government of India was in charge of such matters. The fact that about ten or eleven years ago the Crown Representative's office and functions were separated from those of the Governor General in Council does not, I take it, put an end to the Government of India's interest and responsibility in regard to these papers.

I would suggest therefore for your consideration that these records and papers be sent to the Imperial Record Department, full facilities being offered to all concerned to consult them there. Subsequently they can be closely examined by competent historians.²

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 535.
² Mr Abell minuted on this letter: 'Obviously Pandit Nehru will force us to come into the open fairly soon and say, what is perfectly true, that the files relating to the Indian States are not records which belong to an Indian Government of India but to the British Government of India or (subsequent to 1937) to the Crown Representative and his department.' Lord Wavell added: 'See my note written after talk with Azad [see No. 535, note 2]. I told him fairly plainly that the records belonged to the British Government and C.R. I suppose they hope to unearth all sorts of old scandals and to prove that the Princes were creatures of the British. But we must not of course destroy anything of historical value.' R/3/1/149: f 60. Lord Wavell does not appear to have sent a reply to this letter.
543
Mr Attlee to Lord Pethick-Lawrence

L/P&J/10/79: ff 527–32

Prime Minister’s Personal Minute: Serial No. M. 134/47

10 Downing Street, 18 March 1947

Secretary of State for India.
Thank you for your Minute of March 17. I enclose a copy of the letter which I have sent to Viscount Mountbatten. You will see that I have incorporated the amendments which you suggested. I am sending copies of this Minute and enclosure to the Minister of Defence and the President of the Board of Trade.

C. R. A.

Enclosure to No. 543

Mr Attlee to Rear-Admiral Viscount Mountbatten of Burma

18 March 1947

My dear Mountbatten,
The statement which was issued at the time of the announcement of your appointment sets out the policy of the Government and the principles in accordance with which the transfer of power to Indian hands should be effected.

My colleagues of the Cabinet Mission and I have discussed with you the general lines of your approach to the problems which will confront you in India. It will, I think, be useful to you to have on record the salient points which you should have in mind in dealing with the situation. I have, therefore, set them down here.

It is the definite objective of His Majesty’s Government to obtain a unitary Government for British India and the Indian States, if possible within the British Commonwealth, through the medium of a Constituent Assembly, set up and run in accordance with the Cabinet Mission’s plan, and you should do the utmost in your power to persuade all Parties to work together to this end, and advise His Majesty’s Government, in the light of developments, as to the steps that will have to be taken.

Since, however, this plan can only become operative in respect of British India by agreement between the major Parties, there can be no question of compelling either major Party to accept it.

If by October 1 you consider that there is no prospect of reaching a settlement on the basis of a unitary government for British India, either with or without the co-operation of the Indian States, you should report to His Majesty’s
Government on the steps which you consider should be taken for the handing over of power on the due date.

It is, of course, important that the Indian States should adjust their relations with the authorities to whom it is intended to hand over power in British India; but as was explicitly stated by the Cabinet Mission, His Majesty's Government do not intend to hand over their powers and obligations under paramountcy to any successor Government. It is not intended to bring paramountcy as a system to a conclusion earlier than the date of the final transfer of power, but you are authorised, at such time as you think appropriate, to enter into negotiations with individual States for adjusting their relations with the Crown.

You will do your best to persuade the rulers of any Indian States in which political progress has been slow to progress rapidly towards some form of more democratic government in their States. You will also aid and assist the States in coming to fair and just arrangements with the leaders of British India as to their future relationships.

The date fixed for the transfer of power is a flexible one to within one month; but you should aim at June 1, 1948, as the effective date for the transfer of power.

In your relations with the Interim Government you will be guided by the general terms of the Viceroy's letter of May 30, 1946,² to the President of the Congress Party, and of the statement made by the Secretary of State for India in the House of Lords on March 13, 1947.³ These statements made it clear that, while the Interim Government would not have the same powers as a Dominion Government, His Majesty's Government would treat the Interim Government with the same consultation and consideration as a Dominion Government, and give it the greatest possible freedom in the day to day exercise of the administration of the country.

It is essential that there should be the fullest co-operation with the Indian leaders in all steps that are taken as to the withdrawal of British power so that the process may go forward as smoothly as possible.

The keynote of your administration should therefore be the closest co-operation with the Indians and you should make it clear to the whole of the Secretary of State's Services that this is so, and that it is their duty to their countries to work to this end.

You should take every opportunity of stressing the importance of ensuring that the transfer of power is effected with full regard to the defence requirements of India. In the first place you will impress upon the Indian leaders the great importance of avoiding any breach in the continuity of the Indian Army and of maintaining the organisation of defence on an all Indian basis. Secondly

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¹ Sending amendments to the draft enclosed with No. 534. R/3/1/8a: ff 118–20.
you will point out the need for continued collaboration in the security of the Indian Ocean area for which provision might be made in an agreement between the two countries. At a suitable date His Majesty's Government would be ready to send military and other experts to India to assist in discussing the terms of such an agreement.

You will no doubt inform Provincial Governors of the substance of this letter.

Yours sincerely,

C. R. ATTLEE

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Chiefs of Staff Committee. Paper C.O.S.(47)59(o)

L/WS/1/1045: ff 17–24

INDIA DEFENCE ARRANGEMENTS
REPORT BY THE CHIEFS OF STAFF
MINISTRY OF DEFENCE, S.W.1, 18 March 1947

We have prepared a report on certain problems relating to Indian defence arrangements on which Viscount Mountbatten requires our advice. We have taken into account two papers¹ from the India Office.

2. It is necessary to examine defence arrangements generally in India:—
(a) From now until the date of the transfer of power, i.e. June, 1948.
(b) After June 1948.

3. We have already expressed views on this subject,² and these have been made known to the India Office and Viscount Mountbatten. We have now been asked to consider the defence requirements after June 1948 on the following alternative assumptions:—
(a) Power is transferred to a unified India within the Commonwealth.
(b) Power is transferred to a unified India as an independent state outside the Commonwealth.
(c) It has been found impossible to implement the Cabinet Mission Plan and it has been necessary to transfer power to a divided India, e.g. Hindustan, Pakistan and Indian States.

4. As this paper deals only with defence arrangements in India we consider that the attitude of India (i.e. whether friendly or otherwise) is more relevant to our examination than her status (i.e. whether within or outside the Commonwealth). We have therefore altered the above assumptions to:—
(a) Case A. Power is transferred to a unified and friendly India within or outside the Commonwealth.
(b) Case B. Power is transferred to a unified and non-co-operative India outside the Commonwealth.

c) Case C. It has been found impossible to implement the Cabinet Mission Plan and it has been necessary to transfer power to a divided India, e.g. Hindustan, Pakistan and Indian States.

5. In connection with Case C. (the transfer of power to a divided India), the India Office have asked certain questions. We consider that these will be answered as far as practicable in the course of our examination and we have not, therefore, attempted to answer them individually.

The questions can be summarised as follows:—

(a) If there is to be a period during which India will be vulnerable to outside aggression owing to disruption and division in the Indian armed forces, what will be the best time to face the risks involved?

(b) As the British forces in India depend administratively on the Indian Army, should the division of the latter be postponed until after the withdrawal of British troops?

(c) What is to be gained by starting the re-organisation while we can still control it, and is this gain offset by the risk of being involved in trouble ourselves?

(d) If we have to hand over to more than one authority, what would be the best division?

(e) What effect would the transfer of power to several authorities have on possible future defence negotiations, and what would our requirements be?

6. Finally, we have answered two further specific questions:—

(a) What will be the time required to withdraw all British forces remaining in India in June 1948?

(b) What are the proposals for the future employment and service of British Officers and Other Ranks now employed in the fighting Services?

Fundamental Considerations

7. We have already stated the following fundamental considerations which should be borne in mind when considering the future of India:—

(a) That it is important for India to remain within the Commonwealth.

(b) That India should remain unified in defence matters.

1 The first of these papers (C.O.S.(47)32(0)) circulated a letter from General Scoones to Lieutenant-General Sir L. Hollis dated 11 February 1947 which explained the basis on which the India Office was considering future relations with India. Inter-Service advice was particularly sought on "whether it is desirable to seek agreement in first Treaty (covering matters arising out of the transfer of power) to the temporary retention of a nucleus of British Service personnel to maintain base facilities, etc."

The second of the papers (C.O.S.(47)43(0)) circulated No. 480 and a letter dated 4 March in which Sir D. Montceath raised certain defence questions on it.

2 See note 1 above, para. 2.

3 See No. 480.

4 See Vol. VIII, Nos. 224 and 339.
(c) That the Indian armed forces remain modern and efficient.

Bearing these in mind we examine the three possible cases which may arise on the transfer of power to India.

**CASE A. — UNIFIED AND FRIENDLY INDIA**

8. If power is transferred to a unified and friendly India within the Commonwealth, we should expect India to be prepared to play her part in the same way as other members of the Commonwealth. In these circumstances general co-operation in defence matters should be simpler.

If India remains unified and friendly but does not elect to be a member of the Commonwealth, we should hope to conclude a Treaty of friendship and alliance with her.

In both cases we consider that the system of responsibility for external defence from June 1948 onwards would be as follows:—

(a) **Land**. India would be responsible for her own defence on land, except that, if she were attacked by a major power, we would be prepared to assist by the provision of certain specialised British units, some of which would have to be stationed in the country before the outbreak of war.

(b) **Air**. If Royal Air Force units are withdrawn, India could not possess a modern air force or maintain an efficient air defence system for many years to come. Her first aim, therefore, should be to build up a small but efficient modern air force both for internal security and to provide a nucleus base organisation which will enable her to receive our reinforcing squadrons. These would include long range bombers as well as fighters. The most rapid way in which the R.I.A.F. could be built up would be by an agreement by which a limited number of Royal Air Force units would remain in India after the handing over of power. These units would have the dual purpose of providing a nucleus upon which India could build up a maintenance and training organisation for the R.I.A.F. and of maintaining the basic facilities essential for the reception of modern air force reinforcements. Without complete units we could only assist by the loan of a limited number of volunteers. This alone would be a very unsatisfactory alternative and would very seriously prejudice the re-building of the R.I.A.F. In addition we require for ourselves certain facilities for the transit of air forces through India.

(c) **Sea**. India will not for the present be able to meet commitments for defence against seaborne invasion or for the security of sea communications in the Indian Ocean other than to a limited extent in Indian coastal waters; nor will she be able to provide any maritime air forces. We would, therefore, have to be prepared to accept such naval and maritime air force commitments in this area as the Indians are unable to undertake.

9. In this connection the India Office has asked3 us to give the details and
implications of retaining a nucleus of supervisory technical personnel, should they [we] consider it necessary to do so, at any of the existing bases and installations in India during the period between the handing over of power and the signature of a Treaty of Friendship and Alliance. We consider that it would be desirable for existing bases and installations to be kept up in the interim period to enable us to fulfil our obligations which we expect to incur under the Treaty. We should have to rely largely on the Indians to maintain these bases etc., though we would wish to leave British technical and maintenance personnel to assist them. It is impossible, we consider, at this stage to state the number or location of such bases and installations without referring the matter to India, a course which, at the moment, is undesirable. We can, however, state that if we are to maintain our air routes to the Far East and Ceylon for medium range aircraft, it would be essential to retain air staging facilities on these routes and for efficient working it would be desirable to retain small R.A.F. units at the following airfields:

**In India:** Mauripur
- Palam or Agra
- Dum Dum or Kharagpur
- Poona
- Nagpur

**In the Andamans and Nicobars:**
- Port Blair
- Car Nicobar (subject to survey now being undertaken)

The number of personnel required at the above mentioned air staging posts and the system of command, terms of service, welfare and pay arrangements of the technical staffs to be employed at bases and installations, when these are known, are matters which will require separate examination.

We have already stated, vide J.P. (46)205 (Final)⁶ that our strategic requirements can only be assured if British sovereignty over the Andaman and Nicobar Islands is maintained, whatever the future of India and Burma.

**CASE B.—UNIFIED BUT NON-COOPERATIVE INDIA**

10. If power is transferred to an India which is unified but not disposed to co-operate with Britain, defence will be entirely her own responsibility. It will always, however, remain of great importance to us to deny the use of her manpower, resources and potential bases to any possible aggressor.

We consider that in peace this will be a political matter. In war, should India be threatened but still persist in her non-cooperative attitude, the maintenance of our sea communications through the Indian Ocean and the existence of fully developed air bases in the Middle East covering the North West

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⁵ See note ¹ above. ⁶ L/WS/1/1045: ff 95–8.
approaches to India will remain our only means of assisting her against external aggression. To a lesser degree the maintenance of (air) bases in Burma and Malaya will provide a measure of defence for her Eastern frontier.

CASE C.—DIVIDED INDIA

11. If power is transferred to a divided India, our major concern in the country will still be to ensure that whatever form the division might take the country is defended against external aggression.

From a military point of view we consider that the main danger would come from the West, and for this reason we would wish the power in control of the Indus Valley to be able to resist invasion from the West. It seems reasonable to assume that this power will be Pakistan. Pakistan would not be able to maintain sufficient armed forces to do this since the provision of equipment and munitions comes mainly from Hindu India. It would, therefore, be necessary to give this State military assistance. By doing so British influence in this area would act as a deterrent to any outside aggression and would give a measure of confidence to Afghanistan.

When previously considering the division of India we have always visualised the division being organised and agreed between the parties concerned. It now appears that this may not necessarily be the case and that what may well occur is an arbitrary partition of the country by the major parties. This situation would greatly increase the danger of communal disturbance and even civil war. If, therefore, agreement is reached to give military support to Pakistan, or other power in control of the Western Frontier, in certain circumstances it will be impossible to ensure that British forces would not become involved in communal disturbances or civil war.

We also feel that in the event of serious aggression from the East—which is a possibility that cannot be ruled out—the Indian power in control of that area would at the least need air assistance. We would, therefore, want to come to an agreement with the controlling power affording us the use of the North Eastern group of air bases.

Division of the Armed Forces

12. If power is transferred to a divided India the Armed Forces as we know them today will probably cease to exist. It is possible that if good advice were available the various new governments could reform their own armed forces. Better still, these governments might be prepared to adopt a common defence policy and the establishment of some central machinery to implement it. It should be our aim to encourage and assist such activities.

13. In any event, there must be no splitting of the Indian armed forces while we are responsible for the defence of India. British troops are dependent on
Indian Army administrative units for their maintenance and they could not carry out on their own, and without the assistance of the Indian armed forces, the task of preservation of law and order in India. Furthermore, to split the Indian armed forces would endanger British formations in the country and encourage communal strife at a time when the stability of the country is in the balance. The Indian armed forces must therefore remain efficient and under unified control until the time of handing over power.

14. With regard to the prior planning of the reorganisation of Indian armed forces, it is our view that since their nationalisation is progressing so rapidly it would be impossible to prepare detailed secret plans for a division of the Services, since such plans would soon become common knowledge and would invite premature disintegration.

Nevertheless, the Commander-in-Chief will no doubt consider how far he can go in preparing the necessary reorganisation without sacrificing secrecy. An essential part of any preparations would be the repatriation of Indian forces overseas. The Commander-in-Chief alone could answer the question as to what would be the best division to adopt.

15. Any provision of armed forces after our departure, if the various governments cannot agree to a continuation of a common defence policy, must rest with the new governments of India. It would, however, be in our interests to give them advice on this matter should they be prepared to take it.

TIMING OF WITHDRAWAL OF BRITISH FORCES REMAINING IN INDIA AFTER JUNE 1948

16. We have been asked what time will be required to withdraw the British forces remaining in India after June, 1948. We must emphasise that anything like a firm answer to this question can only be given after careful examination now in India, and in the Service ministries at home. We must not, therefore, commit ourselves to any definite period until this examination has been made.

We have, however, made a purely tentative estimate based on the assumption that we will be leaving a unified and friendly India, that sufficient shipping will be available and that the Indian transportation facilities system and port facilities do not deteriorate during the next eighteen months. It is not possible at this stage to state what time would be required to withdraw if the country is divided or non-cooperative.

17. On the assumptions given above our tentative estimate is that it might be possible to withdraw all Army Units and R.A.F. Squadrons within three months from June, 1948. The withdrawal of Army and Air Force stores and equipment could probably be completed within four months. There are no R.N. personnel in India except the C.in-C., Indian Navy. The withdrawal of
naval armament stores and the few remaining Admiralty civilians could be completed within the four months mentioned above.

18. The time which would be required to withdraw the R.A.F. administrative personnel who staff formation headquarters and the large number of administrative, supply and maintenance units in India is much more difficult to assess. The rundown of these units and headquarters staffs will depend primarily upon the progress made in the disposal of large quantities of R.A.F. equipment in India and the handing over of stations and installations to the R.I.A.F. However, it is reasonable to assume that an appreciable rundown in the R.A.F. administrative organisation will take place before June, 1948. It should, therefore, be possible to withdraw the R.A.F. administrative personnel, less any remaining by agreement with the Government of India, within four months from June, 1948.

19. In view of the decision to leave British forces in India until June, 1948 their withdrawal will take place after the transfer of power. On the assumptions we have taken in working out the timing of this withdrawal—i.e. a unified and friendly India—this could be accomplished without danger or difficulty.

If, however, they were withdrawing from a divided or non-cooperative India, not only would the time required be greater but there might be considerable danger and difficulty.

BRITISH OFFICERS AND OTHER RANKS EMPLOYED BY THE INDIAN ARMED FORCES.

20. We examine the future of British Officers and Other Ranks at present employed by the Government of India at Annex.7

CONCLUSIONS

21. We conclude that:—

(a) If power is transferred to a unified and friendly India
   (i) India would be responsible for the main burden of her defence on land. We would have to be prepared to accept the major portion of the sea and air defence.
   (ii) In the period between the handover of power and any future Treaty of Friendship and Alliance we would wish to leave technical and supervisory personnel to maintain certain existing bases. We should also wish to station in India some complete R.A.F. units to prevent the R.I.A.F. becoming totally ineffective and to operate our air transit routes to the Far East.

(b) If power is transferred to a unified and non-co-operative India, her defence will be her own responsibility but would be of great importance to us.
(c) If power is transferred to a divided India
   (i) We should strive to get the various governments to agree to a common defence policy and the necessary central machinery to implement it. Failing this, it would be in our interests to advise the various authorities on how to constitute their own forces should we be asked to do so.

(ii) If a division of the Indian armed forces is inevitable it is important that it should not be made while we are responsible for the defence of India. Detailed plans for such a division should not be made before our departure but no doubt the Commander-in-Chief will consider how far he can go in preparing for the necessary reorganisation without sacrificing essential secrecy.

(iii) We should wish to support the power controlling the Western Frontier and the Indus Valley, probably Pakistan but adequate safeguards would have to be provided to ensure\(^7\) that British personnel were not involved in communal disturbances or civil war.

(iv) We will also want to come to an agreement with the power controlling the Eastern Frontier to allow us the use of the North Eastern group of airfields in case of aggression from the East.

(d) (i) No firm estimate of the time required for evacuation after June, 1948 can be given without examination of the problem by all Government Departments concerned. We must not, therefore, commit ourselves to any definite time until this examination has been made.

(ii) Our tentative estimate is that if evacuation takes place from a united and friendly India it might be possible to withdraw the combatant units of the three British Services within three months, provided the necessary shipping is made available in good time. A further month would be required to complete the withdrawal of the remaining stores, equipment and administrative personnel.

(e) A substantial proportion of British Officers and Other Ranks now serving in the Indian Army will be re-employed in the British Service.

TEDDER

J. H. D. CUNNINGHAM

F. E. W. SIMPSON, V.C.I.G.S.
Meeting of Ministers. MISC/M (47) 8

L/P&J/10/98: ff 86-92

Those present at this Meeting held on 18 March 1947 at 2.30 pm were: Mr Alexander (in the Chair), Viscount Hall, Mr P. J. Noel-Baker, Mr J. Freeman, Rear-Admiral Viscount Mountbatten of Burma, Sir David Montecath, Marshal of the Royal Air Force Lord Tedder, Admiral Sir John H. D. Cunningham, Lieutenant-General Sir Frank E. W. Simpson, General Lord Ismay, General Sir Geoffrty A. P. Scoones, Lieutenant-General Sir Leslie C. Hollis

Minute 1

India—Defence Arrangements

The meeting had before them a report (C.O.S.(47)59(0)) by the Chiefs of Staff on certain problems relating to Indian defence arrangements on which Viscount Mountbatten had asked for advice.

The First Lord of the Admiralty said he was in general agreement with the report by the Chiefs of Staff. The Royal Indian Navy consisted only of a few units, but consideration was being given to the possibility of India purchasing three cruisers from the Royal Navy at some later date. Their ability to do so was, however, very limited by finance considerations. As regards naval stores, there should be little difficulty in arranging for their evacuation in the time estimated, although difficulty was being experienced in arranging for the storage elsewhere of some 10,000 tons of explosives now in India.

Lord Tedder emphasised the very provisional nature of the estimates made in the report of the time which it might take to withdraw British forces remaining in India after June 1948. As regards the Indian attitude towards the Royal Air Force, they appeared to have the impression that the Royal Air Force wished, for their own purposes, to remain in India after June 1948. This was a wrong impression. If all Royal Air Force Units were withdrawn at that time, however, the Indian Air Force would disintegrate and could not be expected to operate efficiently for some considerable time, possibly not for as long as twenty years. He thought it was important to make the Indian Government aware of this position.

The Secretary of State for Air said that he was in general agreement with the report by the Chiefs of Staff. He agreed with the remarks of the Chief of the Air Staff concerning the Royal Indian Air Force, and said that in fact great difficulty would be experienced in obtaining volunteers in the Royal Air Force to remain in India after June 1948. He agreed it was important to remove any impression which India had that the Royal Air Force wished to
remain in India after that date for their own purposes. On the other hand he agreed with the Minister of Defence that it was equally important that India should not turn elsewhere for assistance, although there were indications that India would be unlikely to turn to Russia or the U.S.A. for such help.

Lord Tedder drew attention to paragraph 11 of the report, in which it was stated that if power was transferred to a divided India, our major concern in the country would still be to ensure that whatever form the division might take, the country was defended against external aggression, and that therefore it would be necessary to give Pakistan military assistance in order to resist invasion from the West. In that event, there was the danger that arms supplied by us, and even perhaps British forces, would become involved in communal disturbances or civil war.

Lord Mountbatten pointed out that once a division of India had taken place, it was unlikely that either Pakistan or areas under Congress control would for some time be in possession of organised armed forces. To lend military assistance to Pakistan, therefore, and not to Congress, would raise serious political considerations. This point emphasised once again the extreme inadvisability of dividing the armed forces of India.

Sir David Montgomerie said that the Moslem League had already stated their willingness to co-operate with the Hindus in defence matters, provided they had their own Army. He suggested that every effort should be made to ensure unification of India in defence matters after control was handed over. So long, however, as we remained responsible for law and order in India, he stressed the importance of keeping the Indian armed forces under a single control. It was, therefore, important to keep from the Indian armed forces during that period any knowledge of plans for dividing them in the event of power being handed over to a divided India.

Lord Mountbatten said that the problem he had to face was that of making known to the Indian Leaders the consequences on the Indian armed forces of withdrawing British armed forces from India. He hoped that senior Indian Officers would advise the Indian authorities on this matter, but he was not convinced, especially in the case of Royal Indian Air Force Officers, that they were sufficiently senior for their opinions to carry weight. He was considering other measures which might be taken to convey to Indian Statesmen a true understanding of the future position regarding their armed forces and of their dependence hitherto on British forces. He wondered whether to offer to give the Indian armed forces an opportunity to operate without British assistance for a period, of say a month, before we handed over power. This might allow the Indian leaders to appreciate fully the limitations of their own armed forces.

Lord Tedder said that so far as the Royal Indian Air Force was concerned,
they might be able to continue to operate for a very short period without the
maintenance at present supplied by the Royal Air Force, but that thereafter it
would disintegrate. He doubted whether a trial such as suggested by Lord
Mountbatten was practicable.

The Minister of Defence said he considered it important that considera-
tion should be given without delay to the future of Indian armed forces in the
event of power being handed over to a divided India. It was for consideration
whether the members of the Indian armed forces should be returned to their
respective areas, where they would have to be reformed into units. Considera-
tion of such matters would have to take place in advance of power actually
being handed over. He thought that the Indian Minister of Defence and Indian
Political Leaders would have to be made fully aware of the position regarding
the armed forces of India and their dependence hitherto on British assistance.
He considered it important also that our undertaking to protect the minori-
ties in India should be borne in mind.

Lord Mountbatten said that at some stage, a Committee would have to
investigate in secret the whole question of dividing up the armed forces of
India. He agreed as to the importance of preventing knowledge of such
consideration reaching the Indian armed forces, so long as we retain respon-
sibility for the maintenance of law and order in India. On the other hand,
unless the position was examined in advance by the Indian authorities, there
was a danger that they might take a political decision without such knowledge,
from which they could not withdraw at some later date when the defence
implications were fully brought home to them.

He suggested that it was too early to attempt to take any decision on this
important question until it could be seen more clearly how the political
situation in India would develop. The question of the armed forces would then
have to be considered in the light of the situation at that time.

Lord Ismay said he thought the military arrangements in India must follow
the political situation. If it became apparent in September that power could not
be handed over to a unified India, consideration would have to be given to the
future of the armed forces when we left India. It would be difficult to deny
knowledge of such consideration to the Indian armed forces. He was convinced
that the armed forces of India could not be handed over to one party in the
event of India being divided.

Lord Tedder said that the Chiefs of Staff wished to draw attention to the
importance of maintaining the armed forces of India under a unified control so
long as we remained responsible for law and order in India. The Commander-
in-Chief, India, would be able to advise the Viceroy nearer the time in the
light of circumstances then obtaining, as to how far it would be possible to
plan for handing over the armed forces to a divided India when our forces
left.
THE SECRETARY OF STATE FOR AIR said he thought it might be possible, even if power were handed over to a divided India, for such subjects as defence, foreign policy and communications to be kept under unified control if, as suggested by Mr. Churchill, the various Governments in India were each represented on the United Nations Organisation. There were already signs that Pandit Nehru was disturbed by the problems confronting India, and it might be found that a solution on those lines might be acceptable.

THE MINISTER OF DEFENCE said he thought such a solution should be approached with reserve, in view of its possible implications in other parts of the Empire.

LORD MOUNTBATTEN said there were indications that the Indian authorities might be willing to accept Independent Dominion Status for a period of say five years. In that event, he asked for the views of the Chiefs of Staff on whether British forces would be allowed to remain in India.

THE CHIEFS OF STAFF pointed out that a guarantee had been given that British troops would withdraw from India at the time of handing over power. If India elected to remain within the Commonwealth as a free member, arrangements for defence would be considerably facilitated, and the position would be governed by the considerations contained in paragraphs 8 and 9 of their report.

LORD MOUNTBATTEN thanked the Chiefs of Staff for the advice contained in their report, and had no further questions to put to them for the present. He informed the Chiefs of Staff of the decision taken by the India and Burma Committee\(^a\) regarding the underwriting of the terms of compensation to British personnel in the Indian armed forces.

THE MEETING:
Took note of the report by the Chiefs of Staff.

[Minute 2, on 'The Future of the Gurkhas', omitted. It recorded a discussion on the terms of the draft brief drawn up in accordance with the instructions of the Defence Committee at its Meeting the previous day; see No. 539, conclusion (2).]

\(^a\) See No. 529, minute 3.

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Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell (Extract)

L/P&E/J/5/154: f 62

F.J.B.—21.  GOVERNMENT HOUSE, CALCUTTA, 19 March 1947

2. The movement for partitioning Bengal is gathering momentum. Hindu opinion is at present very divided. For once Sarat Bose and Gandhi see eye to
eye, and both condemn the movement, of which Syamaprasad Mookerjee and the Hindu Mahasabha are the chief protagonists. Suhrawardy has made a number of speeches on the subject, his line being that Bengal must be independent of the Centre, that Hindu and Muslim Bengalis must work in harmony for the common prosperity of the Province, and that one-party rule in this and other Provinces must end. His sentiments have been echoed by two of his colleagues, but I doubt if the rank and file of the Party have the vision to realise that they cannot hope by means of their present political power (which is to some extent the artificial creation of British rule) to dominate the Hindus with whom the economic power still rests: and I see that, possibly under pressure from the Party, Suhrawardy has had to "explain" that when he speaks of a League-Congress coalition in Bengal he is assuming coalitions in other (Congress-dominated) Provinces too . . . .

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Maulana Azad to Lord Pethick-Lawrence

L/I/1/626: f 20

MEMBER FOR EDUCATION, INDIA, NEW DELHI,
19 March 1947

My dear Lord Pethick-Lawrence,

I am writing to you after a long time and hope that this will find you in the best of health and spirit.

There is, I understand, a collection of articles of historical and national interest to India, including paintings and statuary, in the India House and India Office at London. The growth of national consciousness here has led to a continually increasing demand for their repatriation. Some of these exhibits are essential for the proper appreciation of Indian History and Culture. The Government of India have already decided to establish a National Cultural Museum, and these articles on return will be placed there. This demand is not inspired by any parochial or chauvinistic motive and I am sure you will have a great deal of sympathy with it. I also feel that the spirit of cooperation in which you and your Government have tried to deal with the Indian problem will be in evidence on this question and make an amicable settlement easy. I will, therefore, appreciate it very much if you would let me have your reaction to this proposal of restoration of articles in India House and India Office, and also a list of the collections there.¹

Yours sincerely,

A. K. AZAD

¹ Lord Pethick-Lawrence acknowledged Maulana Azad’s letter on 24 March and promised to look into the matter at once and communicate with him at an early date. Further correspondence did not in fact take place until July—August 1947. L/I/1/626: f 21–2.
Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/1/30/40: ff 48-9

CONFIDENTIAL

NEW DELHI, 19 March 1947, 1 pm

No. 552-P. Reference paragraph 2 of your telegram No. 2989, March 5th. Negotiations between States and British India.

2. You will since have seen Political Adviser’s letter of 24th February* to His Highness the Chancellor. Reply* has now been received from Chancellor in following terms:—

“I can assure His Excellency that the States are anxious, in their own interests, to have these matters settled at the earliest possible moment and, in any case, before the end of the interim period. But it does not, in my opinion, seem practicable for the States to settle these matters with authorities who may subsequently have no power to implement agreements reached, and the States are not yet clear with whom they should conduct negotiations in order to arrive at such settlements. In your letter of 24th February you refer to “the competent British India authorities, whether of the Interim Government or the Constituent Assembly”. It appears to me that the Constituent Assembly as at present constituted apart from not being fully representative of British India does not under the Cabinet Mission’s Plan possess authority to settle these matters for the interim period. The only competent authorities for this purpose are the Interim Government and the Crown with whom the States still continue to be in political relations. The Interim Government, however, can only exercise authority during the interim period, and is hardly in a position to bind a successor the scope of whose authority is still unknown.

It is therefore necessary that the position should be further clarified and I should be informed of the real purpose of these negotiations, and the intentions of His Majesty’s Government in regard to the authorities to whom they are likely to transfer power as contemplated in paragraph 10 of the Statement of 20th February. Such guidance will, I trust, be forthcoming in the near future.” The Chancellor adds the further specific request that full clarification may be given him before meeting of Standing Committee at end of March.

3. The Chancellor will be in Delhi from 21st to 24th March and my successor will no doubt see him, and will give him such further explanation of His Majesty’s Government’s intentions as you have afforded him. In the meantime Political Department are taking up with appropriate Departments of Central Government certain questions relating to administrative arrangements

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1 No. 489.  
2 No. 455.  
3 This reply, dated 14 March 1947, is on R/1/30/40 at ff 40-1.
on lapse of paramountcy and are trying to arrange joint discussions with States on Departmental level. You will realise however that acceleration of paramountcy retraction now necessary will itself tax straitened resources of Political Department to utmost and that they cannot simultaneously with contraction complete the task which paragraph 4 of Memorandum* contemplated would be performed by direct negotiations.


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Pandit Nehru to Field Marshal Viscount Wavell

L/P & J/8/660: ff 181-2

SECRET

17 YORK ROAD, NEW DELHI,
19 March 1947

Dear Lord Wavell,

When I was in Lahore I received your message asking me not to proceed to Peshawar as I had intended to do. In deference to your wishes I cancelled my visit to Peshawar. I must say, however, that I was hurt by this development. It was not merely the personal aspect, though that cannot be ignored, but even more so the public aspect of the question. Am I to be prevented from performing my duty and shouldering the responsibility which has been cast upon me, because someone does not like me or does not approve of my going to the Frontier?

2. That someone presumably is Sir Olaf Caroe, the Governor. It is patent that he disapproves of my being in charge of the External Affairs Department. Long before I took charge of this, he tried to prevent my doing so by approaching you on the subject.1 Subsequently on the eve of my visit to the Frontier, he tried to prevent my going there. The incidents that happened during my visit may have been subsequently advanced as proof of the undesirability of my visit. They led me to a contrary conclusion and made me realise how inefficient and out-of-date the Frontier administration was. This administration had created a legend about itself and about conditions in the Frontier, and it did not like any one to interfere with this set-up. My experience during the past six months has convinced me that no substantial good can be done to the Frontier areas unless this set-up is changed.

3. I did not wish to raise this question till other and more vital matters had been settled. More especially I did not want to raise it at this stage on the eve of your departure from India. But this new development, which led to Sir Olaf Caroe objecting again to my visiting the Frontier, has compelled me to write.
I must ask your forgiveness for this. I cannot continue to shoulder my present responsibilities if I am prevented from doing my work in this way. It is an extraordinary position. Almost any one can go to Peshawar, but I must not do so, even for a brief and informal visit.

4. I had intended going to Peshawar chiefly because Dr. Khan Sahib, the Prime Minister, wanted me to go there and see him. Immediately after receiving your message, I telephoned to him and he again said that he wanted me to come. He further informed me that the Governor thought differently and that he had an argument with him that day on the subject.

5. From this and many other instances it is clear that there is no cooperation between the Prime Minister and the Governor. Indeed there is distrust and lack of confidence in each other, and the Frontier Ministry think that the Governor’s weight is usually cast on the side opposed to them. This is a position which can only lead to trouble, as indeed it has already done.

6. I think the time has come when this matter must be faced squarely and a solution found. That solution should be the retirement of the Governor. Sir Olaf Caroe should, therefore, be requested to retire from his present office at an early date.

7. I do not expect any action from you in the matter on the eve of your departure. Nevertheless this is an urgent question and I cannot silently submit to it. I thought it fair, to you and the Governor, as well as to myself, to point out the urgency of a change in the Governorship.

8. If you so wish, a copy of this letter can be sent to Sir Olaf Caroe.

Yours sincerely,

JAWAHARLAL NEHRU

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No such incident has been traced in India Office Records, but see also Pandit Nehru’s earlier observations in No. 46, para. 13.

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Field Marshal Viscount Wavell to Pandit Nehru

L/P & J/8/660: f 183

SECRET

THE VICEROY’S HOUSE, NEW DELHI, 19 March 1947

NO. 133/15.

Dear Pandit Nehru,

I have received your letter of the 19th March about your visit to Peshawar.

2. Sir Olaf Caroe did not object to your visit to Peshawar. When I informed him of your intention he replied that it was dangerous, that troops and police
were too fully occupied to allow of special measures for protection, but that "we will do our best". As I had heard also unofficially that there was some apprehension among the military authorities about your visit, I asked you on my own initiative to cancel the visit since I was apprehensive of your safety, and did not wish police diverted from their other duties at a critical time to protection duties. I may say that when I proposed to the Governor of the Punjab to pay a visit myself to Lahore during the troubles, he asked me not to do so for the same reason, i.e. that the Inspector General of Police, who was responsible for my safety, would have to use Police for my protection, whether I wanted it or not, and thus lessen the Police strength for dealing with rioters. I accepted this and did not go. I am very grateful to you that you similarly accepted my request; I realise how loth you must have been to abandon the project.

Yours sincerely,

WAVELL

551

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/24

PRIVATE AND SECRET

THE VICEROY’S HOUSE, NEW DELHI,

19 March 1947

Thank you for your letter of the 14th March. This will be my last letter to you in this series.

2. You have seen Jenkins’ telegrams about the situation in the Punjab. Though there is still danger of retaliation, things have settled down somewhat and I hope that the worst may be over. Nehru was most careful during his visit not to embarrass the authorities. The general tendency on the part of the Congress, and the non-Muslims generally, is to criticize the police, of whom the majority are Muslims, and to seek to put more reliance on the military authorities under the Defence Member. The Muslims, on the other hand, are inclined to suggest that the Defence Member interferes with military dispositions, so as to place Hindu troops where they can oppress Muslims. This of course is quite untrue. Jenkins has promulgated a drastic Ordinance to increase the penalties for certain offences and to give the Police additional powers; and I have issued a Central Ordinance to give the Military the same powers.

3. According to Colin Reid, the Daily Telegraph correspondent, who saw Jinnah recently, Jinnah has no intention of making any move in response to the Congress resolution until he is sent for by Mountbatten. Reid got the
impression that he might accept the Cabinet Mission’s Plan if the Congress accepted it in unequivocal terms. It however seems most unlikely that the Congress will so accept the Plan since events in the Punjab have made it very difficult for them to “let down the Sikhs” as they would put it.

4. The North-West Frontier Province agitation is being kept up, but Khan Sahib still offers a stout resistance. I think we are lucky that the disturbances have not been more serious on the Frontier. You have been kept informed by telegram. Nehru is making a grievance of the fact that I asked him not to visit Peshawar during his recent tour; and has proposed the removal of the Governor. I will send you his letter and my reply. It is possible that his accusations against the Governor may be stimulated by the fact that the judicial enquiry into the conduct of Mahbub Ali at Malakand during Nehru’s visit last winter has, I understand, exonerated Mahbub Ali and reflected on the actions of Abdul Ghaffar Khan and to some extent on those of Dr. Khan Sahib.

5. I have seen a report of the probability of a League agitation against the Assam Ministry, presumably on the lines of those in the Punjab and the North-West Frontier Province, but this has not yet been confirmed.

6. There are acute differences over the Budget, and we look like getting into a very difficult situation. The proposals have been considered in Select Committee, and on the most contentious measure—the business profits tax—Liaquat is prepared to accept certain amendments which have been agreed to by the non-Congress elements in the Select Committee. The limit of exemption would be not one lakh, as in the Budget proposals, but 5 or 6 per cent on the capital. Otherwise the business profits tax would be roughly as proposed by the Finance Member. The Congress want to make much more radical changes, which would, in the opinion of the Finance Department, leave us with no worth while yield from the tax. Liaquat is prepared to face the House on his proposals as amended by the Select Committee, and does not mind being voted down. The Congress, however, who see the possibility of a split in their own ranks if the matter is debated in the Assembly, want to have the matter taken again in the Cabinet. It is a difficult business and exposes the unreality of our “coalition”.

7. You asked me about the advisability of a trade mission from the U.K. I have consulted Shone, and agree with him that though such a delegation might receive a warm welcome, it is doubtful whether any practical results would accrue in the present state of affairs. It might well be that neither the Central nor the Provincial Governments were able or willing to speak with authority next autumn, and there is also the uncertainty about the sterling

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1 No. 533.  
2 Enclosure to No. 511, item 2.  
3 No. 549.  
4 No. 550.  
5 See No. 11, note 4.
balances. As Shone points out, the visit of an industrial mission would disclose that the U.K. could not supply India with machinery in the quantities that she wants. I doubt whether it is possible to reach a firm decision on this matter at present.

8. You referred in paragraphs 6–8 of your letter of the 7th March[^6] to the future of the Andaman and Nicobar Islands. You will remember that in paragraph 13 of the appreciation A–46(1) by the Chiefs of Staff here, which was sent to you with my top secret letter No. 592/76 of the 13th July 1946[^7], there was a short discussion of the value of these Islands, and the conclusion was that they should be developed if possible as a defensive outpost of Burma and Malaya. I do not think I can offer any strategic observations which will not be fully obvious to the Chiefs of Staff at home. But you will appreciate of course that the Islands are a part of India, and would not easily be given up by the Indian Government except in return for some very special consideration. The only chance of securing the use of the Island[s] as a defensive outpost would presumably be to get the matter covered in a general defence agreement.

[^6]: No. 505.

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Mr Tyson to Sir T. Shone (Extract)

R/3/1/280: ff 37-9

CENTRAL CONSTITUTIONAL COMMITTEE,
C/O THE EUROPEAN ASSOCIATION, 4 LYONS RANGE,
CALCUTTA, 20 March 1947

Dear Sir Terence,

I am directed to address you on behalf of the Central Constitutional Committee with regard to certain matters arising out of the Prime Minister's statement of 20th February 1947. The Committee do not consider there would be any value in their embarking at this stage on a discussion of the wider political aspects of that statement, and this letter will, therefore, deal only with matters directly affecting the British community in India.
2. Many members of our community were somewhat concerned at the silence of the statement regarding two matters of importance, namely,
(a) the maintenance of Law and Order and the protection of British lives and property during the period between now and the final transfer of power, and
(b) the protection of British business interests in India both before and after 30th June, 1948.¹

The C.C.C. are confident that both these matters are fully present in the mind of His Majesty’s Government and that the absence of reference to them in the statement merely resulted from the desire of His Majesty’s Government not to complicate or destroy the emphasis of a statement which was mainly concerned with the transfer of political power. The Committee nevertheless feel it right to communicate to H.M.G. through you their apprehensions in these two directions and they hope that an assurance regarding them will be forthcoming.

3. I propose to deal first with the problem of the security of British lives and property. Danger to British residents in India as a result either of some political movement of a temporary nature and [10r] the local breakdown in law and order is no new thing. In the past, however, it has always been felt that any widespread danger in either of these directions would rapidly be brought under control. Such control depended on
(i) the availability of British troops,
(ii) the Indian Army led by British officers and thoroughly loyal,
(iii) the existence of an efficient and well knit administration subject in the last resort to the control of Parliament.

The first of these factors will shortly disappear while the other two are already ceasing to operate, and the problem of security for British residents in India is thus beginning to assume more serious proportions.

4. There are three ways in which such security may be threatened in the not very distant future:
(a) By a general breakdown of law and order,
(b) By the emergence of some anti-British movement of a violent character,
(c) By an outbreak of civil war.

Each of these possibilities will be briefly discussed in turn.

5. It is not necessary to discuss the many factors which have contributed to the deterioration of administration and in the law and order situation—it is sufficient to say that all competent observers agree that such deterioration has taken place and is developing.

The growing communal tension and other factors in the struggle for power can be expected to make the situation continually and perhaps rapidly worse.

¹ The portion of the letter covering this subject is not printed; see however No. 81, note 3.
Recent events in many parts of India have demonstrated how easily disorder can become widespread and how helpless the authorities are to cope with it under present circumstances. This danger of a complete breakdown of law and order, and of a resulting orgy of plunder and murder is particularly great in the outlying districts where large numbers of Europeans live, as for example in the planting areas of Bengal and Assam, of Bihar and South India, where there are numerous other pockets of Europeans in rural areas elsewhere.

6. At the moment feeling towards the British is probably more friendly than it has been for some years and there is thus no immediate reason to expect the growth of any movement directed specifically against our community. There are signs, however, that both Hindus and Muslims are assuming that H.M.G. will have to make an award in June, 1948, and each hopes the award will be in its favour. Whatever then may be the decision of H.M.G. as to the Government or Governments to whom power is to be transferred it is likely to be regarded by one or other of the parties as a betrayal. The resulting anger may well provide the starting point for a violent anti-British movement throughout large parts of India.

Another, not dissimilar, potential danger arises from the crude form of communism which is rampant in many parts of India today. Already in some localities communist agitators have sought to stir up labour to personal violence against managers and employers, and in areas such as the planting districts, where the employing classes are mainly European, communism may assume an anti-British form and, in the event of any breakdown in law and order, lead to general attacks on British residents.

7. To put it briefly, the situation today is full of explosive elements. It is impossible to forecast when, where or in what form violence will break out, but in view of the special place occupied by the British in the life of the country they are by no means an unlikely target.

8. The British community is likely to be the object of a certain crude racialism because they are considered to have fallen from power and are popularly supposed to be wealthy whilst it is certain that they will be blamed for all the country’s misfortunes.

9. The third possibility to be borne in mind is that of the outbreak of civil war, or something akin to it, either when the final transfer of power takes place or possibly at an earlier date. Such an outbreak is not considered unlikely by many in close touch with the Indian political situation.

10. In view of these ugly possibilities, the question arises as to what protection or assistance the British community in India can expect from His Majesty’s Government between now and the full transfer of power.
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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&E/J/10/83A: f 7

NEW DELHI, 20 March 1947, 4.55 pm
Received: 20 March, 3.45 pm

566–S. We took the case in the Cabinet last night about the release of I.N.A. men. There was no dissent from the Defence Member’s proposal that the men should not (sic) [should be] released. I said I was very sorry to have to overrule my colleagues at my last meeting for the first time since I have been Viceroy but in the light of the C. in C’s views on the effect on morale of the Army I had no alternative. I undertook to report the views of my colleagues to you and the fact that I had overruled them.

2. Nehru, as was inevitable, said that this raised serious issues; but he was clearly anxious to save me embarrassment and only added that the question was bound to come up again since the Government had to take some line on the resolution which was certain to be passed shortly in the Assembly.

3. In answer to Defence Member, I had to say that I was already in close touch with H.M.G. on the subject though I did not say specifically that I had your authority to overrule my colleagues.

4. The thing went off as well as I could expect and we discussed a number of other items amicably afterwards.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&E/J/10/78: f 21

IMPORTANT

NEW DELHI, 20 March 1947, 8.20 pm
Received: 20 March, 6.50 pm

No. 567–S. A crisis is threatened over the budget. The Congress under strong pressure from business interests have attacked business profits tax and have put forward in Select Committee proposals which would make it ineffective. The Select Committee have however reported that business profits tax with certain amendments proposed by non-Congress interests in the Select Committee and accepted by Finance Member should go forward. The Congress having been defeated in the Select Committee and being anxious not to expose in the
Assembly differences of opinion inside their own party are pressing that budget proposals should be reconsidered in Cabinet.

2. I have asked Finance Member to try and settle matter with his colleagues informally and he has agreed to try, though I fear I may be faced ultimately with necessity of a Cabinet meeting to discuss line that Government should take on report of Select Committee.

3. If no settlement is reached, not only differences within the Interim Government, but differences in Congress party itself will be exhibited in the Legislature.

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Note by Sir E. Jenkins

R/3/1/176: ff 45-6

20 March 1947

Raja Ghazanfar Ali came to see me at 4 p.m. today. He opened in rather a complacent way about the riots in the Rawalpindi and Attock districts and in the Chakwal Sub-Division. He took great credit for having kept Gujrat and the greater part of Jhelum quiet. He scouted the idea that the outbreak was organised or that the League had anything to do with it.

He worked gradually up to the suggestion that I might now put a Muslim League Ministry into power. He suggested a general election and said that this would give the electorate an opportunity of deciding whether the Punjab should be partitioned or not.

He expressed some apprehension about the new Central Ordinance. He said that the very wide powers which it gave to the Army might lead to further communal trouble, which would extend to the Army itself—for example, if a non-Muslim N.C.O. were to fire on Muslims or to search Muslim houses in villages with strong Military connections, the resentment would spread to men from that village serving in the Army.

2. I was exasperated by Raja Ghazanfar Ali's complacency and dealt with him rather roughly. I said he did not appear to realise that what had occurred in Rawalpindi, Attock and the Chakwal Sub-Division was a general massacre of a most beastly kind. He could suggest, as he had suggested, in dealing with the conspiracy theory that the non-Muslims had been provocative, but the provocation was certainly not such as to justify the slaughter and savagery that had occurred.

As regards a Muslim League Government, I said I would resign sooner than see one in office at this juncture, and I thought practically every British officer
in the Punjab would do the same. The massacre had been conducted in the name of the Muslim League, and senior Military Officers thought that it had been carefully planned and organised. Non-Muslims with some justice now regarded the Muslims as little better than animals, and for my own part I thought that British officers would find it difficult to work with or under such people.

I could see no object whatever in a general election. It would not alter the basic position that no single community could rule the Punjab except by actual conquest. If a Muslim League Government took office, there would be immediate fighting, and the Government would find it impossible to hold even a single session of the Assembly. I considered Raja Ghazanfar Ali’s political views so irresponsible as to be hardly worth discussing.

As regards the effect of the Central Ordinance on the Army, I knew that the Military Commanders would see that the powers were used with due discretion, and we were all aware of the importance of keeping communalism out of the Armed Forces.

I said that the troubles of the Muslim League were due to folly and bad leadership. The League had given the impression that the Muslims were a kind of ruling race in the Punjab and would be good enough to treat with generosity their fellow Punjabis, such as the Sikhs, when their rule was established. They could not explain what they meant by “Pakistan”, and unless they were prepared to deal with other Punjabis as equals, they would make no progress at all. It was a ludicrous position in which the so-called League leaders had to take orders from Bombay from a person entirely ignorant of Punjab conditions. If Raja Ghazanfar Ali argued, as he did, that the Central picture must be complete before any picture of the Punjab could even be sketched, my reply was that his whole conception of the future of India was topsy turvy. A Punjab divided into two or three States or in a condition of chaos and civil war could not possibly fit into any conceivable all-India picture. Surely the right course was to determine the future of the units in a way acceptable to their inhabitants and then to sketch the all-India picture (Raja Ghazanfar Ali said that he thought there was something in this.)

At the end of the interview Raja Ghazanfar Ali said that I had distorted and misrepresented the League’s views and that he would send me a number of statements by Mr. Jinnah showing he had never intended to treat the minorities, and particularly the Sikhs, in the way I suggested. I said that the first task now was to restore order. I could not prevent the League making further blunders. They had already fooled away a kingdom, and it would in my judgment be futile now to attempt any final solution of the Punjab problem until feelings had settled down. The League did not seem to realise that the non-Muslims regarded the Muslims of Rawalpindi and Attock as little better than beasts, and hated the League profoundly. It was futile to suggest, as he had suggested,
that the League agitation was non-communal. It was manifestly communal from the first, and could not have been anything else.

3. After this rather stormy interview, I saw Malik Khizar Hayat Khan at about 4.45 p.m. He said that the Shahpur district was now quiet. The gatherings there had been assembled by the circulation of “chits” written in Urdu, which informed the recipients that a large Sikh Jatha was arriving at such and such a place and that all Muslims should assemble to resist it. This summons had been obeyed not only by Muslim Leaguers, but by other Muslims.

He was very sorry about the communal outbreak and felt in a way responsible for it. He had himself thought that there would be protests, including meetings and processions, by Hindus and Sikhs, but he had not expected the very strong Muslim reaction to his resignation. He thought the outbreak had been well-handled so far, and hoped that we would succeed in restoring and maintaining order.

As regards the future, he gave me a pretty strong hint that several of the Muslim Unionists were now likely to join the League. He did not intend to do so himself and would carry out his programme of visiting Europe during the summer. He thought a purely League Government with the backing of a few Scheduled Caste or Christian Members could not work at all—there would be immediate bloodshed on a much wider scale than hitherto.

We discussed the possibility of a “notional” partition such as that mentioned by Pandit Nehru to me. The Malik Sahib said that from the purely administrative point of view this arrangement would be impossible. The Cabinet would be rather like the present Central Interim Government with the different sections pulling different ways.

We had some desultory conversation about the future. The Malik Sahib was very pessimistic and said that in the absence of a settlement at the Centre, there was in his opinion practically no hope of a stable Government in the Punjab.

The Malik Sahib finally said that he would like to keep in touch with me, and to this I cordially agreed.

E. M. J.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&S/13/1831: ff 140–1

IMMEDIATE

INDIA OFFICE, 21 March 1947, 3.20 pm

3805. Your telegram 19th March 552–P. It is not, of course, possible to indicate to Chancellor at present stage precisely to what authority or authorities
H.M.G. will eventually transfer power. But discussion of future regulation of matters of common concern is practical issue which could presumably be carried some distance though not, of course, to conclusion in absence of final constitutional picture.

2. Chancellor's dilemma in paragraph 2 of your telegram is of course real so far as binding commitments are concerned, but some preliminary discussions might perhaps take place with Interim Government (no doubt on initial assumption of continuance of unified India) with a view to narrowing field of controversy in subsequent discussions in Constituent Assembly. Even if Chancellor feels that he cannot usefully initiate discussions with Interim Government, he might at any rate encourage his fellow-rulers to clear their minds in regard to their desiderata on matters of common concern between their individual States and British India.

3. It would in any case I suggest be to interest of Interim Government themselves to initiate such discussions and I am dealing with this point in letter I am writing by fast air mail to Mountbatten.

4. Please pass this telegram and your 552-P to Mountbatten.

1 No. 548.

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Lord Pethick-Lawrence to Rear-Admiral Viscount Mountbatten of Burma

L/P&S/13/1831: ff 134-8

INDIA OFFICE, 21 March 1947

My dear Mountbatten,

In his telegram No. 369-P of 27th February¹ your predecessor referred to the effect of H.M.G.'s Statement of 20th February on the question of relaxation of paramountcy in Indian India. This was one of the matters discussed by Corfield and the Residents at their most useful conference held in December, the minutes² of which were forwarded by your Political Secretary under No. FA.6 of 21st January. Wavell suggested that maximum discretion in applying the general policy approved for progressive relaxation of paramountcy should be given. I gladly agreed to this being done, on the lines contemplated by Corfield and the Residents, in my telegram No. 2989³ of March 5th, for I am convinced that this is a sphere in which political officers generally should be given every encouragement to work on their own initiative within the broad framework

¹ No. 471. ² L/P&S/13/1831: ff 171-90. ³ No. 489.
laid down. There is however one aspect of this phased devolution in paramountcy which as it seems to us here, may occasion some greater difficulty. However much we may recognise the desirability at this stage that our withdrawal of paramountcy should be planned and implemented in as tidy and orderly a manner as practicable, it seems extremely likely that, in certain Agencies in which the comparative weakness—I put it no higher—of the States concerned has for varying periods necessitated fairly constant tutelage, the intervention of political officers may well require to be continued on more or less the present basis beyond the period contemplated in other Agencies, and possibly up to the date of our departure. One has in mind, in this connection, States such as those in Bundelkhand, or in Orissa and the Punjab, where there has been and still is a constant call on political officers for advice to rulers and for dealing with disturbers of the peace. Even in Hyderabad despite the recent steps taken to remove restrictions on the Nizam’s power\(^4\) it is not easy to envisage an entirely orderly and progressive withdrawal of control. This is a matter which, I am aware, has not been overlooked by your Political Adviser for, in paragraph I(a)\(^4\) of the minutes referred to, the attention of Residents was drawn to it. You will I am sure agree that we cannot afford to create by premature withdrawal such a vacuum as to induce wild disorder, and it seems as well to face the fact that we shall have to exercise or refrain from exercising our powers of intervention in the light of all the prevailing circumstances. Of course we may at any time find ourselves in the difficulty that the Central Government may be opposed to the use of force to support our intervention in a particular State, and may be able—to an increasing extent as time goes on—to put effective obstacles in the way of our doing so. We must therefore encourage, by every means in our power, the creation of “regular constitutional channels” for the exercise of Rulers’ powers on the lines advocated by the Chancellor, and thus reduce the occasions for intervention, and I hope we may rely on the good sense of the Interim Government not to provoke by obstructive action the creation of new foci of disorder.

2. In this connection I should be most grateful if I could receive periodically from your Political Department some survey on broad lines of what Indian States are doing to integrate themselves:

- (a) with their peoples, thus eliminating the need for close paramountcy control, and
- (b) with the future structure of British India.

Ideally this would take the form of a survey of progress in the retraction of paramountcy, and would be prepared, say, monthly or at such other intervals as to you and Corfield may seem most suitable. This would provide most useful background for enabling me and my colleagues to estimate from time to time the prospects of H.M.G.’s policy, in so far as it relates to the States, being
achieved within the time limit now fixed. I would not of course propose to use
any such appreciation for quotation in Parliament or in public unless in con-
sultation with you, but I feel that a brief survey prepared from the standpoint
of the States as a whole, with any developments of interest in particular
States or groups of States being included as annexures, would provide a
fairly accurate picture of the States’ situation as a whole and some corrective to
the rather tendentious statements in the Indian press which come to our notice.

3. We cannot dissociate from the question of the relaxation by the Crown
of Paramountcy the increasingly urgent question of the renegotiation or re-
affirmation by the States and British India of the existing arrangements in
respect of such matters of common concern as Customs, Excise, Posts and Tele-
graphs, Railways and communications generally, Salt, and the like. There are
also important matters of relationship with the new India affecting only one
State, for instance, the future of Berar. I suggested to your predecessor in my
telegram of March 5th that he and the Political Adviser might keep pro-
mienently in mind the desirability of pressing forward the discussions on these
matters of common concern which we envisaged in paragraph 4 of the Cabinet
Mission’s Memorandum of May 12th, 1946, on States Treaties and Para-
mountcy; since when I have seen a letter from the Political Adviser to the
Chancellor pressing him on this matter and I have received Wavell’s telegram of
the 18th March No. 552–P giving the Chancellor’s reaction. It would be
wrong to deny the force in the Chancellor’s point that it is difficult for the
States to know with whom these discussions should take place: he argues that
discussions with the Interim Government cannot bind the future Government
of India, and discussions with the Constituent Assembly (even if it is regarded
as being fully representative) can only relate to the future making no provision
for any necessary adjustments during the interim period. On the other hand, we
cannot hope for more at this stage than discussions of a very preliminary char-
acter and these I think could probably best be conducted with the Interim
Government if they are prepared to cooperate. Indeed, I should have thought
that it would be very much in the interests of the Interim Government to
initiate such discussions themselves. In particular, in the case of Berar they
might well be able to induce a more cooperative attitude in the Hyderabad
Government if they were to approach the Nizam with some proposal in regard
to Berar which would maintain Hyderabad’s sovereignty while retaining the
administrative arrangements roughly on the present basis and some proposition
to enable him to secure unrestricted entry into India of the goods he needs from
abroad. However, this is a delicate and controversial matter on which I
propose to write to you separately. Indeed, it might considerably facilitate the
future course of general constitutional negotiations if the Interim Government

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4 See No. 465. 5 Vol. VII, No. 262. 6 No. 455. 7 No. 548.
were to make it clear that they were ready, so far as they are concerned, to discuss any matter of common concern on the basis of continuing in general the present arrangements between British India and the States, except in so far as adjustments may prove in future to be necessary as a result of the operation of any new constitutional arrangements which may be made by the Constituent Assembly and agreed to by individual States.

4. It is difficult to tell at present how long the Chancellor will be able to hold his team together. I have received Wavell’s telegram No. 550–P of the 18th March\(^8\) which indicates a very considerable break-away of Hindu States from his leadership. I agree that there have been great advantages at any rate to the smaller States in the common front which Bhopal has been able to maintain. On the other hand, in the last resort, it is the individual States which will have to decide on their own future, and there may possibly be some advantage on a long view in the adherence of several leading and influential States to the Constituent Assembly in its present form, particularly if Bhopal and the Muslim States find themselves compelled to follow the lead of the Hindu States. This development seems to make it more desirable than ever that the Interim Government should take the initiative in approaching the States in matters of common concern and, if possible, narrowing the field of future controversy. But no doubt you will bear in mind that the Crown Representative will have to be aware of what is going on between the Interim Government and the States as constitutionally they have no contact with one another.

Yours sincerely,

PETHICK-LAWRENCE

\(^8\) No. 541.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/89: f 146

IMMEDIATE 21 March 1947, 10.10 pm
CONFIDENTIAL Received: 22 March, 4 am

No. 66–G. Addressed Viceroy rptd. Secretary of State. Punjab situation. My immediately preceding telegram\(^1\) We appear to have re-established control everywhere and are now faced with many large administrative problems. Number of refugees in Rawalpindi Division reported today to be 44,000 of whom 40,000 may have to be settled in camps for an indefinite period. Investigation and trial of criminal cases, imposition and recovery of collective
fines and assessment of recovery and distribution of compensation will place very great strain on administrative machine. I have authorised immediate recruitment of Additional Police. Further telegraphic reports seem unnecessary unless a set back occurs.

1 In tel. 65-G of 21 March, Sir E. Jenkins reported that the situation continued to improve and that he would send no further telegram unless there was something special to report. In tel. 3891 of 22 March Lord Pethick-Lawrence thanked Sir E. Jenkins and all those working under him for their 'vigorous handling of a most difficult and dangerous situation.' R/31/89: ff 145, 157.

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India Office Press Release

L/1/1/1544: f 15

TEXT OF LORD WAVELL'S BROADCAST FROM ALL-INDIA RADIO, NEW DELHI ON 21ST MARCH

This is a short personal message to the people of India to say good-bye and farewell—God be with you and fare you well—as those words mean. They come from my heart for I owe much to India where I have spent more than thirteen years of my life. As a child I played and grew up for two and a half years in the Nilgiri Hills where the sun and air of a fine climate gave my body a good start in life. As a young subaltern I spent five years in Northern India and they were certainly some of the best years of my life. They were devoted perhaps more to sport than to hard work or to hard thinking but you learn the elements of my profession of soldiering in a land which has always bred fine soldiers. In these years I came closest to knowledge of the common Indian people. I learnt enough of the language to speak with the villagers where I camped and shot, with my Shikaris in the hills of Kashmir where I was several times alone with them for many weeks, and with the soldiers of India with whom I served. My first independent command on active service was a detachment of 33 Indian soldiers: a V.C.O., 8 Sikhs, 8 Punjabi Mussalmans, 8 Dogras and 8 Pathans—all magnificent men. I also acted as transport officer to an Indian mountain battery for several weeks' march, and a friend in the Royal Engineers used to allow me to come out sometimes with his company of Madras Sappers and Miners. So that I left India with some knowledge of and a great affection for Indian soldiers and Indian peasants.

During two world wars it was my fortune to see much of the prowess of the Indian soldier and to profit by it.

My last service in India has been the longest, two years as Commander-in-Chief and nearly three and a half years as Viceroy. They have been years of hard work and heavy responsibility. I shall be glad if I have during them done
anything to repay India my debt for the five years I enjoyed as a young man and for the skill and gallantry of the Indian Army, which served under me through a number of campaigns, in success or failure, in good times or bad, but always with the value and endurance of true warriors.

I am conscious of the mistakes I have made in these years, but I hope you will know that I have always tried to work for the welfare of India’s inhabitants and for the advancement of India towards self rule.

I am a soldier and my first words of farewell must be to the soldiers of India, in admiration and in gratitude. I believe that the stability of the Indian Army may perhaps be a deciding factor in the future of India. It has shown how all communities may work together to meet a common danger with comradeship and self-devotion. To all those with whom I have worked in these last years, within or without—Rulers of States, Ministers, officials and non-officials—I give deep-felt thanks for their kindness, friendship and support. I would say a special word of gratitude and encouragement to the men of the Service[s], at the centre and in the Provinces. I know and sympathise with their difficulty in these times of stress. I know to what strains they have been subjected and I know with what courage and hard work they have met them. They have been very devoted servants of India.

My successor is known to many of you personally and to all by reputation as a great leader in war and an ardent supporter of progress. I can assure you of his goodwill towards India and of his vigour in showing it.

You have hard, dangerous and difficult years ahead, but you will overcome them. I have always believed steadfastly in the future of India. I thank you and wish you good fortune. Goodbye, and may the world go well with you.

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Field Marshal Sir C. Auchinleck to Mr Abell

Mountbatten Papers. Official Correspondence Files: Political Situation in India and Constitutional Position of Viceroy (2)

TOP SECRET AND PERSONAL

NEW DELHI, 22 March 1947

D.O. NO. 80/P-1/47.

My dear Abell,

I enclose an account by General Messervy, GOC-in-C Northern Command, giving his personal opinions on the recent communal outbreak in the Punjab.

I think H.E. may like to see this.

I invite particular attention to the remarks in para. 5, in view of the allegations which are certain to be made by interested parties. I would like to add
that I am in entire agreement with the opinion expressed by General Messervy in para. 9 of the note. Unless effective action is taken by the leaders to compose their differences and restore mutual confidence between the two main communities in the Punjab, I fear that the large part of the Army which is drawn from the Punjab may become infected with communalism. This is a contingency which no one can contemplate with equanimity at this juncture.

I shall be obliged if you will return the note to me when the Viceroy has read it.

Yours sincerely,

C. J. Auchinleck

Enclosure to No. 560

Note by General Messervy

TOP SECRET AND PERSONAL
SOME REMARKS ON THE DISTURBANCES IN THE NORTHERN PUNJAB

1. Causes
The first cause was politico-religious. The Muslim League, though a political party, has been framing its main propaganda on religious lines for some time. This has undoubtedly had a great effect on all Muslims in the Punjab. Pakistan and Islam together provide an almost irresistible force on the minds of the mass of comparatively uneducated Muslims. When the intensive Muslim League campaign succeeded in forcing the resignation of the Unionist Punjab Government and was followed by militant anti-Pakistan statements by Master Tara Singh and other Sikh leaders, Muslim feelings were roused to a pitch of fanaticism. It only needed a spark to set alight the raging fires of religious passion. This was provided by anti-Pakistan meetings and processions in such places as Lahore, Amritsar, Multan and Rawalpindi. In Multan the Hindu-Sikh processionists were even so madly unwise as to raise the cry of ‘Qaid-i-Azam Murdabad’. In the predominantly Muslim areas of Rawalpindi and Multan Divisions the fires spread rapidly to the rural areas.

There have been also two minor causes. The first is the economic element. Scarcity of cloth and some items of food, such as sugar, has undoubtedly been taken advantage of by the Hindu-Sikh bania community to profiteer and indulge in black market operations. The Govt controls were also mostly in the hands of Sikh or Hindu agents and clerks. The Muslim peasant and labourer was only too ready to get some of his own back when he got the chance. The second is the ‘goonda’ element in every community, which is always ready to take full advantage of such disturbances to practise arson, loot and dacoity.
2. The Course of the Disturbances
In the cities events followed the usual course, well known to us for many years, but attacks were fiercer, more sudden, and more savage than ever. In the rural areas attacks were launched by large mobs of Muslim peasants who banded together from several hamlets and villages to destroy and loot Sikh and Hindu shops and houses in their area. In some areas arson and loot were the main objects, and casualties inflicted on the Hindu-Sikh community were not great. In others savagery was carried to an extreme degree and men, women and children were hacked or beaten to death, if not burned in their houses. There were also quite a number of cases of forcible conversion of males and abduction of females. Having served for 34 years, mostly in the Punjab and with Punjab troops I would never have believed that agitation could have aroused the normally chivalrous and decent P.M. peasant to such frenzied savagery as was widely prevalent. Much of this savagery was undoubtedly deliberately intensified by the wildest rumours, the commonest of which was an impending attack by a large Sikh Army. It is interesting that on no occasion as far as is known has a second major attack been made on any village or area in a village. The passion of the mob burns itself out and the survivors are generally left unmolested. There has also been a widespread desire to rid many areas of all Sikhs and Hindus, entirely for ever. Some former sites of houses have even already been ploughed up.

3. Police
Considering that they are about 90% Muslim, I think that the police on the whole have done well. The Hindu-Sikh community, however, who have suffered will not accept this view except in a few exceptional cases. Their almost unanimous indictment is that the Police took no steps to defend or save them and they accuse them in many cases of having even directed and participated in the attacks. When Pandit Nehru drove out of the Refugee Camp after his visit the cry which went up from the multitude was “Punjab Police Murdabad”. I had never heard this before. I fear that the police in the rural areas have shown partiality, but not to the extent of which they are accused by the refugees.

4. Junior Officials
Junior Officials are accused vehemently of the same partiality as the rural police, though there are some pleasing exceptions. Obviously they were powerless in most cases, and in others were probably affected by the surge of fanaticism around them.

5. Army
The Army has been steady and disciplined throughout. The rough proportion
of troops employed is about 2/3 Hindu-Sikh and 1/3 Muslim. There have been a few cases reported of Muslim troops not acting with the energy and alacrity with which they should have done, and of Hindu-Sikh troops taking action against others than mobs or looters. Two special cases are under enquiry. The first is one of a Muslim officer with two platoons of 17 Rajput who is alleged to have withdrawn in front of a large mob at Jhand (Campbellpore district) without taking action; the second is of alleged terrorisation by some Hindu-Sikh troops of 1/2 Punjab under a Sikh officer, in villages near Rawalpindi. If either of these stories can be proved to be true the officers concerned will of course be court-martialled. I mention these cases with no intent to belittle in any way the magnificent behaviour of the troops, but to show that such happenings are possible and in my opinion will increase as the entirely impartial influence of the British officer becomes less.

6. Pensioners and Ex-Soldiers

The Districts affected are as heavily recruited as any in India. There is little doubt, I fear, that ex-soldiers and pensioners, some of the latter even including VCOs and Hon. Commissioned officers, have been heavily involved in many areas. In others they did well and helped to save many of the minority communities. The forfeiture of pensions and grants of land in the bad cases should be an excellent deterrent.

7. Martial Law

I have several times considered advising the imposition of Martial Law in Rawalpindi Division, and about the 10th March this was fully discussed between Major-Gen Key and the Commissioner, D.C. and D.I.G. Police. Maj-Gen Key advised me that Martial Law was not required as the Army already had all the powers of action necessary, and the necessary restrictions on the civil population could be imposed under the Punjab Ordinances. It was better to carry on action in support of the Civil authorities and Police than for the Army to take over control and be supported by the Civil authorities and Police. In effect the action taken would be the same either way. If the Army took over control, the rural police and junior civil officers would be apt to throw in their hands even more than they had already done, thinking that the responsibility had now been shifted. I agreed with this view.

Pandit Nehru and Sardar Baldev Singh obviously favoured Martial Law. Their main argument was the psychological factor which would undoubtedly have an effect both in the area of the disturbances and outside. There is a good deal in this argument but not enough, in my opinion, to have made the declaration of Martial Law advisable. There was another aspect which deterred me. This was primarily a political struggle. It was essential for the Army to take every possible step to restore law and order and to prevent arson, loot and
murder. This it could do in support of the civil and police. But to declare Martial Law might only in the end make things worse, as it might appear, and be used as political propaganda, that Martial Law had been imposed and the Army used as an anti-Pakistan instrument.

The extra powers which have been imposed by the Punjab Government, or asked for by legislation at the Centre, are necessary in disturbances such as we have experienced to strengthen the hands of both the Civil and Military authorities. These are:—

(a) Pensioners actively engaged in the disturbances, or not cooperating with Government to prevent them, to lose their pensions.

(b) Land grants of participants or non-cooperators similarly to be forfeited.

The above are already in force.

(c) Powers of arrest given to all military officers.

(d) Death penalty for arson, looting and murderous attacks.

(e) Collective fines on towns and villages involved.

(f) Abrogation of the Minimum Force principle.

These have not yet been promulgated.

8. Refugees in the Rawalpindi Division

Refugees in the Rawalpindi Division are likely to amount to some 40,000 homeless and largely destitute persons. This is a big problem. We are planning eventually to form camps to take the whole number at Wah and Kala (near Jhelum). Other refugees, who may amount to about an equal number will either be persuaded to return to their homes or be absorbed in other Sikh-Hindu communities in towns or large villages. Some 4,000 have already been absorbed in Rawalpindi City.

9. Prevention of Outbreaks in Other Districts of the Punjab

I have concentrated all available troops in the Punjab. Flag marches and patrols are being carried out widely wherever tension is greatest. But it must be clearly understood that such preventive action is only a palliative. We are dealing with the symptoms of disease and cannot eradicate the disease by military action. The disease comes from the political leaders of all parties. The only complete cure is for them to come to some agreement. An agreement now between the Sikh and Muslim leaders would result in immediate peace in the Punjab. Failing this unlikely contingency the avoidance of provocative statements and the impressing on their followers of the necessity of avoiding bloodshed and protecting minorities is the only hope.

F. W. MESSERVY
Lieut-General
General Officer Commanding-in-Chief
Northern Command
THE INTERIM GOVERNMENT.

THE CABINET.

It is a very unreal coalition. Though neither side shows any sign of wanting to leave the Government and though Cabinet meetings are carried on in a superficially friendly atmosphere, it is almost impossible to get members of the opposing groups to discuss things among themselves and they seldom meet except in my presence at Cabinet meetings. Meanwhile they go their opposite ways in the country and even in the Legislature the façade of the coalition is very thin. The League will on no account accept Nehru as de facto head of the Government.

Nevertheless the existence of the Coalition is one of the reassuring features of the situation. If committees of the Cabinet could be started things might begin to improve. A couple of committees to decide (a) internal and (b) external appointments are badly needed. Nehru has agreed in principle but does not really like the proposal and objects to discussing the composition of the committees till the status of the League in the government is decided.

The differences over the budget have been very acute and have not yet been resolved. Liaquat’s proposals were accepted at a preliminary meeting with Nehru and Matthai early in February and were explained to the full Cabinet on the morning when the budget speech was made. The convention is that the Cabinet trusts the Finance Member and accepts his taxation proposals but in view of the division in the Cabinet I took the precaution of bringing in Nehru (Congress) and Matthai (Indian Christian—late Finance Member) at an early stage. The precaution did not prevent a crisis. When the speech was made big business which has a tight hold on the Congress and can curb even the socialist Nehru, made a concerted howl which still echoes round the country. It demanded substantial concessions to industry which it claimed would be seriously handicapped if the budget proposals were passed. The budget was referred to a select committee of the legislature and there, though some modifications in the direction of leniency were made, the proposals of the Congress for the complete emasculation of the Business Profits tax were voted down. The Congress then demanded a new discussion in Cabinet. The Finance Member objects. I have pointed out the objections to exposing in the house the

1 It is assumed that this note was prepared by Lord Wavell for his meeting with Lord Mountbatten on 22 March 1947; see No. 562.
acute differences in the Cabinet, and have recommended that informal discussions between the Finance Member and his colleagues be held. Over this matter I sympathise with the Finance Member whose line has been quite reasonable throughout; he has however exposed the acute difference of outlook between the Socialists (e.g. Nehru) and the Capitalists (e.g. Patel) in the Congress.

At the last meeting on the 19th March I had to overrule my colleagues for the first time. They all wanted to release the I.N.A. men who were convicted of murder and brutality. The Chief had objected and I supported his point of view. H.M.G. had already said they agreed to my overruling my colleagues. They took it quite well though they are likely to return to the charge when the resolution on the subject is passed, as it certainly will be, by the Assembly.

The most important members of the Cabinet are:

Congress. Nehru and Patel. You know Nehru—quixotic, emotional, socialist. Patel is very different, a tough, determined party boss: attractive in his own way but ruthless and a communalist. He is strongly influenced by the capitalists and lives in the pocket of one of them, G. D. Birla.

League. Liaquat Ali Khan.²

Others. Dr. Matthai (able and experienced but weak); and S. Baldev Singh (Defence Member): rather a light weight, but a fairly representative Sikh—very well off.

The composition is 6 Congress (including one scheduled caste) 5 League (including one scheduled caste), 1 Sikh, 1 Indian Christian, and 1 Parsee.

The League take it with a good grace when they are outvoted, as they fairly often are.³ An important weapon of the Viceroy is the power to control the agenda of the Cabinet. Contentious cases can often be held back for discussion.

The standard of debate in the Cabinet is usually high, and the geniality of the proceedings belies what is going on in the countryside.

Relations with the departments of the Government of India.

A pledge has been given that the Governor-General will not interfere in the "day to day administration" and this is of course observed. The Governor-General’s role is now almost entirely political and provided an administrative scheme involves no serious political difficulty he can hardly intervene except by persuasion. The members of the Government are free to administer their departments almost exactly as they like provided that important appointments are referred to the Viceroy and important or contentious cases come to the Cabinet. There is not nearly enough inter-departmental discussion now at the Minister level and the League Members of the Cabinet run their departments in complete isolation from the members of the Congress group.

In these circumstances there is a strong temptation (seldom resisted) to use patronage for party benefit: and the departments tend to become havens for officials with the right party views.
A tendency in the Members to seek to use their position at the centre to dictate to provincial Governments in the provincial sphere (e.g. law and order) has to be resisted from time to time.

1 Lord Wavell wrote in manuscript against Mr Liaquat Ali Khan's name: 'Very sensible, level-headed and quite imperturbable.'
2 Lord Wavell added in the margin: 'Knowing they will be out-voted, they seldom press matters to a vote.'

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Minutes of Meeting between Field Marshal Viscount Wavell and Rear-Admiral Viscount Mountbatten of Burma

Mountbatten Papers. Minutes of Miscellaneous Meetings (Numbered)

TOP SECRET

Those present at this Meeting held at The Viceroy's House, New Delhi on Saturday 22 March 1947 at 10.30 pm were: (in addition to the Viceroy and Viceroy-designate) Lord Ismay, Sir Eric Miéville, Mr Abell

LORD MOUNTBATTEN asked the Viceroy what he thought the next step should be, how we could build up on the statement of the 20th February. He mentioned the probable demand by Congress for early Dominion status.

H.E. THE VICEROY said that everything ultimately depended on securing the co-operation of both the major communities. He gave a brief account of the course of events since the Government Mission's visit to India and showed the difficulties that had arisen about the position of the Government and the distribution of Portfolios. He explained that the Moslem League members had refused to serve in the Cabinet under the leadership of Pandit Nehru, and had insisted that they came into the Government under the existing Constitution, and did not recognise Pandit Nehru as in any sense a Prime Minister.

LORD MOUNTBATTEN asked whether the claim to the Premiership was not the crux of the problem inside the Cabinet. LORD WAVELL agreed that it was.

There was some discussion of the failure of the Indian politicians to appreciate how little time there was to arrange the transfer of power before June, 1948, and the question was raised whether the partition of Punjab and Bengal could take place inside the Cabinet Mission's plan. LORD MOUNTBATTEN pointed out the great difficulty of getting out of Section 93 in the Punjab. He said he thought there must be some strong authority to which to hand over in India, and that any solution must be based on the Indian Army. He thought there was

1 Though included in the numbered series of Minutes of Miscellaneous Meetings in the Mountbatten Papers, this particular meeting is not numbered.
such complacency among Indian politicians and that it would be a good thing
to have a list of awkward questions which would be put to them in all discus-
sions. He added that people still did not seem to believe that the British would
go in June, 1948; this should be reiterated. He thought the Government of
India might recall senior Indian Officers like Cariappa, Chaudhuri, etc., from
courses in England and start Committees of Indian officers who would ap-
preciate the realities and put them across to the leaders.

Lord Wavell asked what H.M. Government would do if the Congress
insisted on the League leaving the Central Government. Lord
Mountbatten said that the attitude of H.M. Government was that Congress
would realise that it was fatal to do this.

There was then some discussion about the importance of maintaining
liaison with the India Office and pressing for quick decisions. Lord
Mountbatten said a decision\(^2\) had been obtained as the result of considerable
pressure about compensation for the Services. He added that H.M. Govern-
ment expected, by the 1st October, a clear cut plan for transferring power in
India.

\(^2\) See No. 529, minute 3.
Glossary

Adibasis Tribal people originating in central India.
Afridis A Pathan tribe.
Ahmedzai Wazirs A Pathan tribe.
Ahoms Shan tribe from which Assam takes its name.
Ahrar Lit.: free, free man. Militant pro-Congress Muslim political and religious organisation founded in 1928.
Akali Lit.: Worshipper of the eternal one. Particularly strict devotee of the sikh faith. In modern usage, a member of the extreme Sikh nationalist party.
Aman Rice grown on low wet ground, sown July-August and reaped in December; winter rice, the main rice crop.
Arya Samaj Hindu reform movement founded by Swami Dayanand Saraswati (1824–83).
Bakrid Muslim festival commemorating Abraham's willingness to sacrifice his son.
Bania Hindu trader or shopkeeper.
Caste Hindu A Hindu not belonging to the Scheduled Castes, i.e. not an untouchable.
Chaprassi A messenger, orderly.
Charkh The common Indian bedstead.
Chaukidar (Chowkidar) Watchman, village watchman.
Conch-bracelets Commonly worn by married Hindu women, usually of glass.
Crore 100 lakhs or ten million.
Darbar (Durbar) Court; ceremonial assembly; government of a Princely State.
Daurs A Pathan tribe.
Diwan (Dewan) Minister; in Princely States Chief Minister; also Council of State.
Dogra Inhabitant (Hindu) of the Duggar tract of the Himalayan foothills mostly comprised in the Jammu territory of Kashmir. Dogras were recruited in considerable numbers to the army.
Faqir Lit.: with back broken; poor, needy; Muslim religious mendicant.
Fatwa The written verdict of a Muslim law officer; judicial decision, decree.
Gadi (Gaddi) Lit.: Cushion; hence throne.
Giani (Gyani) Title of respect given to the learned in the sikh religion and scriptures.
Goala A cowherd; one whose business it is to attend cattle or sell milk.
Gurdwara sikh temple.
GURKHA Ruling race of Nepal.
HARIJAN Lit.: the people of God; term coined by Gandhi for the untouchables. Title of one of Gandhi's newspapers.
HARTAL Shopkeepers' strike, strike.
HOLA Name of a Sikh festival occurring one day after Holi.
HOLI A Hindu and Sikh festival in the spring.
INDIAN NATIONAL ARMY (I.N.A.) Of about 70,000 men of the Indian Army who became Japanese prisoners of war, some 20,000 defected and joined the I.N.A. commanded from late 1943 by Subhas Chandra Bose.
JAGIR An assignment of land revenue; sometimes conditional on the maintenance of troops, or other service.
JAT The great agricultural tribe of north-west India found in the Punjab, western United Provinces, Rajasthan, Sind and Baluchistan and comprising people of the Muslim, Hindu and Sikh faiths.
JATHA Company, party, organised band of people proceeding somewhere for the purpose of political demonstration.
JEHAD A religious war of Muslims against unbelievers.
JI Lit.: life, soul. As a suffix to a name denotes affectionate respect.
JIRGA A Council of elders.
KALMA A word, speech; the Muslim confession of faith, 'There is but one God and Mohammed is the apostle of God'.
KORAN The sacred book of the Mohammedans, consisting of oral revelations by Mohammed, collected and committed to writing after his death.
KOTWAL The chief police-station in a city.
LAKH 100,000.
LAMBARDAR Headman of a village, responsible for collecting the land revenue, for which he was paid a 5% commission; hence lambardari system.
LATHI Thick stick, usually bamboo, sometimes bound with iron rings.
LEGHARIS A Baluch tribe.
LUNGI A cloth coming down to the knees worn by Muslims.
MAHASABHA Lit.: Great Assembly. Hindu Mahasabha: a political party based on militant Hinduism.
MAHSUDS A pathan tribe.
MARATHAS (MAHRATTAS) Warrior caste of western India.
MARWARIS Strictly a native of Marwar in Rajputana; often settled elsewhere in India; loosely used for grocer or trader, synonymous with BANIA.
MAULANA Lit.: our Master. Title of respect accorded to Muslim judges, heads of religious orders and persons of great learning.
MAULVI Judge or Doctor of Law. Title of respect often given to learned Muslims, sometimes to Muslim priests.
MOHARRAM (MUHARRUM) The first month of the Muslim year, of which the first ten days are held as days of mourning by Shiias.
Mohmands A pathan tribe.
Mullah Doctor of Islamic law, learned man, teacher; in India the term is applied to the man in charge of a mosque and to a Muslim school teacher.
Nandihars A pathan tribe.
Nawab Originally a Governor under the Moghul Empire; thence a title of rank conferred on Muslim nobles.
Nawabzada Son of a nawab.
Panthic Party (Sikh) Formed spring 1946 in Punjab Assembly to resist idea of Pakistan.
Pargana A fiscal area; a sub-division of a tahsil.
Parsees Descendants of Zoroastrian refugees who fled from Persia on its conquest by Muslims in the eighth century AD; chiefly settled in western India; distinguished as merchants, shippers and traders.
Pathan Generic name given to Pushtu-speaking peoples inhabiting North-West Frontier of India and Afghanistan.
Purana Qila Old Fort; used particularly of the Old Fort at Delhi.
Qaid-i-Azam The Supreme Leader.
Qaid-i-Azam Murda-Bad Death to the Supreme Leader.
Raj Kingdom, rule, sovereignty.
Ramlila Dramatic presentation of the adventures of Rama, performed publicly.
Rashtriya Swayam Sevak Sangh (R.S.S.S.) The paramilitary arm of militant Hindu nationalism.
Red Shirts Congress volunteer movement of N.W.F.P. started by Khan Abdul Ghaffar Khan.
Sanad Grant, charter, certificate; deed of grant by a Sovereign of an office, privilege or right.
Santal (Santhal) A tribe of Chota Nagpur, Bihar and Bengal.
Sardar (Sirdar) Lit.: a chief, leader. Title borne by all sikhs, also by some Hindus and Muslims.
Scheduled Castes or Depressed Classes. At the lower end of the scale of castes; considered to cause pollution by touch.
Shinwaris A pathan tribe.
Shri (Sri) Sanskrit term used by Hindus to denote ‘Mr’.
Sikh Lit.: disciple. Follower of Guru Nanak (1469–1538), the first of the line of ten Gurus (religious preceptors) who formulated the Sikh faith and welded the Sikhs into an independent community.
Tahsil A revenue sub-division of a district.
Wazirs A pathan tribe.
Yusufzais A pathan tribe living in the Mardan tahsil of the Peshawar district.
ZAILDAR A headman chosen to give assistance to the administration in a zail or group of villages in the collection of land revenue and detection of crime etc., for which he received some remuneration.
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WITH BIOGRAPHICAL NOTES


The extensive correspondence of the Secretary of State (Lord Pethick-Lawrence) and the Viceroy (Lord Wavell), whether written or telegraphed, can be readily followed in the Summary of Documents at the beginning of the Volume and for that reason it is not listed again in this Index.

Neither previous nor subsequent changes in office are listed unless they have an immediate relevance to the contents of this Volume. A list giving the names of principal holders of office in this period is to be found on pages xxxvi-xxxviii.

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