

MEMORANDUM SUBMITTED TO THE CABINET MISSION

“The Britishers knew that it was no longer possible for them to keep India in bondage. So on March 15, 1946, the British Prime Minister, Clement Attlee, acknowledged India’s right to attain full independence within or even without the British Common Wealth and said that they would not allow a minority to place their veto on the advance of the majority.

The British Premier sent out a delegation of three Cabinet Ministers, Sir Stafford Cripps, A.V. Alexander and Lord Pethick Lawrence who was then the Secretary of State for India to discuss with Indian party leaders on the spot the question of resolving the Political dead lock. The British Cabinet delegation reached New Delhi on March 24th, 1946, numerous interviews, high level discussions and delicate deliberations took place in the Viceregal Lodge.

Amidst this atmosphere two representatives of the Minority Communities were interviewed by the mission on April 5, 1946. They were Dr. B.R. Ambedkar and Master Tara Singh. Dr. Ambedkar placed a memorandum before the commission.....”¹ The Memorandum is as follows :

All - India

Scheduled Castes Federation

MEMORANDUM

Submitted By

DR. B. R. AMBEDKAR

TO THE

CABINET MISSION

ON

5th April 1946

¹: Keer, Pp. 378-379.

**Resolution of the Working Committee of the All-India
Scheduled Castes Federation passed at its meeting
held in Delhi on 2nd April 1946**

Part I

General

1. The Working Committee of the All-India Scheduled Castes Federation at its meetings held in Delhi on 2nd April 1946, having given its best consideration to the question of helping the Cabinet Mission to achieve the purpose which it has in view, namely, to make India a self-governing country :

Resolves to place before the Mission its considered views on the problem of how best to achieve the said purpose in a manner which will not merely grant freedom to the Hindu majority but will also free the minority communities and Scheduled Castes in particular from the tyranny of the majority community, which not being political is not liable to be altered and which being communal is a majority fixed for ever.

2. The Working Committee, cannot refrain from repudiating the insinuation made against the Scheduled Castes that they have been putting a veto on the political advancement of India. In the opinion of the working Committee there can be no doubt that responsibility for holding up political advancement of India lies entirely upon the majority community which has arrogantly and unjustifiably claimed to itself the right to determine what safeguards the minority communities and in particular the Scheduled Castes should have and has never cared, indeed has always avoided to produce its blue print of the safeguards for the minority communities and for the Scheduled Castes. All that the Scheduled Castes have done is to insist - and will not hesitate to do so in future - firstly, upon the inclusion of proper safeguards in the Constitution itself for the protection of their rights and liberties and secondly, upon the acceptance by the majority of their right to determine the nature and character of the safeguards they want.

3. The Working Committee thinks it unnecessary to state to the Mission that this stand taken by the Scheduled Castes has been accepted by His Majesty's Government as just and binding upon them as will be seen from the pledges given to the Scheduled Castes by the representatives of His Majesty's Government from time to time in unequivocal terms and which are set out in Appendix I to this Resolution. The Working Committee trusts that the Mission, in the final conclusions that may be reached as a result of the negotiations it has launched upon, will not depart from the pledges given to the Scheduled Castes and will not, in their hurry to settle, allow any other party to dictate to the Scheduled Castes what safeguards they should have.

4. Before proceeding to set out its views on the various issues arising out the purpose of the Mission, the Working Committee desires to draw the attention of the Mission to the results of the Primary elections which have recently taken place in different Provinces, especially because these elections have conclusively proved that the All-India Scheduled Castes Federation is the only organisation, which can claim to speak for the Scheduled Castes of India, and that neither the Congress nor any of the mushroom organisations has any right to speak on their behalf.

PART II

VIEWS ON FINAL CONSTITUTION FOR FREE INDIA

5. In regard to the final Constitution of a free India, the Working Committee of the Federation desires to make it plain to the Mission that the Scheduled Castes will never accept any Constitution which does not contain the following safeguards :

- (i) True and adequate representation in all the Legislature-Central and Provincial;
- (ii) True and adequate representation in all the Executives-Central and Provincial ;

- (iii) Provision for election through separate electorates ;
- (iv) Adequate representation in the Public Services ;
- (v) Adequate representation on the Public Service Commission—Federal and Provincial;
- (vi) Provision of adequate sum in the annual budgets of the Provincial and Central Government for the higher education of the Scheduled Castes ; and
- (vii) Provision for new and separate settlements.

6. Without in any way minimising the importance and necessity of any of the foregoing safeguards, the Working Committee regards (1) the provision for separate electorates, (2) provision for adequate representation in the Legislature, in the Executive and in the Services and (3) provision for new and separate settlements, as the most fundamental.

7. As regards the provision for separate electorates, the Working Committee invites the attention of the Mission to the following facts :-

- (i) This demand is not a new demand. It was put forth at the Round Table Conference by the representatives of the Scheduled Castes.
- (ii) Mr. Gandhi had strongly opposed it. But notwithstanding his opposition, His Majesty's Government felt convince of the necessity of Separate Electorates for the Scheduled Castes, and by their Communal Award of 1932, did grant to the Scheduled Castes Separate Electorates.
- (iii) Before the system of Separate Electorates could come into operation Mr. Gandhi declared that he would fast unto death if the Separate Electorates granted to the Scheduled Castes were not withdrawn and did actually enter upon such a fast. The Scheduled Castes under the pressure of Mr. Gandhi's fast—unto death were coerced into giving up their Separate Electorates.

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- (iv) The Poona Pact, which took the place of the Communal Award, (1) has saddled the Scheduled Castes with two elections : (a) Primary and (b) Final, the former through Separate Electorates and the latter through Joint Electorates, and (2) has placed the small number of Scheduled Caste voters in joint constituencies at the mercy of a vast number of Caste Hindu voters.
- (v) The results of the final elections, as compared with those of the primary elections which are set out in Appendix II, have conclusively proved that the System of Joint Electorates and reserved seats has made a mockery of the right given to the Scheduled Castes to send their true representatives to the Legislature and is a fraud upon the Scheduled Castes.

8. If the Scheduled Castes have not been able to send a single candidate to the Provincial Legislatures, who is elected by the votes of the Scheduled Castes and who can therefore be said to be the true representative of the Scheduled Castes, it is because the joint electorates in which seats have been reserved for the Scheduled Castes have, by reason of the enormous disparity in the voting strength of the Scheduled Castes and the Caste Hindus, become rotten boroughs from the point of view of the Scheduled Castes and pocket boroughs from the point of view of Caste Hindus, who have been able to put up Scheduled Caste candidates, wishing to be their tools and get them elected in the Joint Electorates exclusively with Caste Hindu votes.

9. Having regard to the bitter experience of the System of Joint Electorates which the Scheduled Castes have had in the past, the Working Committee desires to convey to the Mission the deep seated conviction of the Scheduled Castes that the need of restoring Separate Electorates has become paramount, as they believe and rightly that Separate Electorates form the only guarantee against the nullification by the Caste Hindus of their constitutional safeguards and that without Separate Electorates no amount of political safeguards will be of any avail to the Scheduled Castes.

10. On the question of provision for adequate representation in the Legislature, Executive and Services, the Working Committee condemns out-right the offer of token representation often made to the Scheduled Castes and expresses its strong opposition to the grant of weightage to other minorities which cannot but deprive the Scheduled Castes of their due share. The Working Committee wishes to emphasize the fact that the Scheduled Castes form the third important element in the national life of India and that they will not be satisfied unless they are given substantial representation in accordance with their need and their numbers.

The Working Committee would be happy if it could convey to the Mission the horror the Scheduled Castes feel at the mere thought of Police and Revenue Services, manned as they are entirely by Caste Hindus, who are oppressing, tyrannising and discriminating against, the Scheduled Castes even when they are working under the British Government, deriving further support for their acts of tyranny and oppression from a Legislature and an Executive dominated by Caste Hindus. Unless provision is made for, a substantial representation of the Scheduled Castes in the Legislature, Executive and Public Services, there can be no safety to the Scheduled Castes, surrounded as they will be by an indifferent Legislature, a Pro-Hindu Executive and an anti-Scheduled Caste Policy.

11. As to the provision for separate settlements, it is the considered opinion of the Working Committee that :-

- (a) The existing village system has the effect of making the Scheduled Castes in the villages slaves of the Caste Hindus. And if notwithstanding that the Penal Code does not recognize slavery, the Scheduled Castes in every village all over India are in fact the slaves of the Hindus, it is because of the village system. Indeed, a more effective method of enforcing slavery upon the Untouchables could not have been devised.
- (b) The existing village system under which everyone knows who is a touchable and who is an Untouchable, has the effect of making Untouchability permanent. Indeed, a more effective method of making Untouchability permanent could not have been found.

(c) Under the village system —

- (i) The Scheduled Castes are not allowed to live inside the village. They have to live on the outskirts. They are not allowed to take water from the village well. They are not allowed to send their children to the village schools. No barber in the village will shave them. They are a community apart, with no son of communion with the Caste Hindu residents of the village.
- (ii) They have no independent means of livelihood. They own no land. There is no avenue open to them for earning an independent living. The Hindu village is the only market they have. But no Hindu can buy from them. A majority of them live by begging food from their Hindu patrons in the village. They form a mass of landless labour, utterly destitute, a class of hereditary paupers, waiting to eke out such livelihood as they can from such employment and on such wages as the Hindu landowners may give.
- (iii) They have to do forced labour day in and day out on pain of being driven away from their quarters by the Hindu landholders, who look upon them as a cheap labour force, on which all of them can draw, and are, therefore, always ready to combine against the Scheduled Castes.
- (iv) They have to live a life of degradation, dishonour and ignomy from generation to generation. It is a state of eternal perdition. They cannot wear clean clothes, they cannot wear ornaments, they cannot eat rich food, they cannot sit on a chair in the presence of a Hindu and they must do all the dirty jobs.
- (v) The tyranny of the village Hindus upon the Scheduled Castes is so great and has become so pervasive that as the last election has shown, the Scheduled Castes cannot even exercise their right to vote for a candidate of their choice, if the Hindu villagers do not like him.

- (vi) The village system makes any progress on the part of Scheduled Castes impossible inasmuch as it enables the Hindus to use that most formidable weapon of social boycott with which they always threaten the Scheduled Castes and which they use to hold them down and compell them to abandon any act or movement however beneficial it may be from the point of view of the Scheduled Castes, if it happens to offend Hindu interests or Hindu sentiments.

12. So long as this village organisation remains unbroken, there can be no doubt that the Scheduled Castes will continue to remain the Untouchables, subject to the tyranny and oppression of the Caste Hindus and will never be able to enjoy free, full and honourable life. The Working Committee has, after long and mature deliberation, come to the conclusion that for the better protection of the Scheduled Castes from the tyranny and oppression of the Caste Hindus, which may assume vast magnitude under *Swaraj*, which is only another name for Hindu *Raj*, and to enable the Scheduled Castes to develop to their fullest manhood, to give them economic and social security, as also to pave the way for the removal of Untouchability, radical change must be made in the village system if the Scheduled Castes are to be freed from the ills from which they are suffering for so many centuries at the hands of the Hindus. Realising the necessity of a change being made in the village system, the Working Committee holds that it is imperative to make provision in the Constitution of India along the following lines : -

- (i) The Constitution should provide for the transfer of the Scheduled Castes from their present habitations and form separate Scheduled Castes villages, away from and independent of Hindu villages.
- (ii) For the settlement of the Scheduled Castes in new villages a provision should be made in the Constitution for the establishment of a Settlement Commission,

- (iii) All Government land, which is cultivable and which is not occupied, shall be handed over to the commission to be held in trust for the purpose of making new settlements of the Scheduled Castes.
- (iv) The Commission should be given the right to purchase new land from private owners in fulfilment of the scheme of settlement of the Scheduled Castes.
- (v) The Constitution should impose an obligation upon the Central Government to grant to the Settlement Commission a minimum sum of Rupees five crores per annum to enable the Commission to carry out their duty in this behalf.

PART III

Treaty Between India And H. M. G.

13. The Working Committee has given its best consideration, to the proposal of a treaty between Free India and His Majesty's Government. The Working Committee understands that the idea behind the Treaty is to give protection to the minorities and to other interests to whom His Majesty's Government has given pledge, even after India has become independent. The Working Committee while appreciating the intention behind the proposal of a Treaty, is unable to follow how it is possible to have such a Treaty overriding the Constitution, having regard to the fact that India is to be a free and independent country, and if the Treaty is not to override the Constitution, of what good can it be to the minorities. The Working Committee has come to the conclusion that the Scheduled Castes would prefer to have their safeguards embodied in the Consitution instead of being set out in a treaty, which has no binding force.

PART - IV

Constituent Assembly

14. The Working Committee is definitely of opinion : -

- (i) That the Constituent Assembly is unnecessary and incompetent for dealing with purely constitutional questions.
- (ii) That the Constituent Assembly will be useless for dealing with communal questions, for no minority will be prepared to accept the decisions of the majority.
- (iii) That the Constituent Assembly would be open to corrupt practices and it will give a free hand to a strong and wealthy party to buy members of the Scheduled Castes to vote - with them.
- (iv) That in the Constituent Assembly, the Scheduled Castes would be completely out-numbered and they cannot, therefore, have any effective say in its decisions.

For these reasons, the Working Committee is opposed to the project of a Constituent Assembly.

PART V

Views On Interim Government

15. No interim Government shall be acceptable to the Scheduled Castes unless and until the following conditions precedent are fulfilled : -

- (i) That provision is made for proper representation of the Scheduled Castes in the Central Legislative Assembly by the abolition of the nominated official block and filling the seats thus rendered vacant by the nomination of sufficient number of Scheduled Castes representatives.
- (ii) That provision is made for representation of the Scheduled Castes by allotting to them in the Executive Council not less than half the seats that may be allotted to the Muslims.

- (iii) That no alteration, which will adversely affect the Scheduled Castes, shall be made in the Government of India Resolution of 1943 regarding representation of the Scheduled Castes in the Public Services without the consent of the Governor General.
- (iv) That the financial provision made by the Government of India for the higher education of the Scheduled Castes shall not be abrogated or modified to the prejudice of the Scheduled Castes without the consent of the Governor General.
- (v) That the principles underlying the safeguards for the Scheduled Castes in the Final Constitution of a Free India are accepted in advance by the Parties, as was stated by Lord Wavell in his letter of 15th August 1944 to Mr. Gandhi.

PART VI

Views On Pakistan

16. The Working Committee is aware of the demand for Pakistan. The Scheduled Castes are deeply concerned in the issues involved in this demand. The Working Committee, however, feels that no useful purpose would be served by expressing the views of the Scheduled Castes thereon at this stage and prefers to reserve its views till it is known that there is no escape from it.

APPENDIX I

Pledges And Pronouncements

1. "The authors stated that the Depressed Classes also should learn the lesson of self-protection. It is surely fanciful to hope that this result can be expected from including a single member of the community in an assembly where there are sixty or seventy Caste Hindus. To make good the principles of paras, 51, 152, 154 and 155 of the Report we must treat the outcaste more generously. We think there should be in each council enough representatives of the Depressed Classes to save them from being entirely submerged, and at the same time to stimulate some capacity for collective action. In the case of Madras, we suggest that they should be given six seats; in Bengal, the United Provinces and Bihar and Orissa, we would give them four; in the Central Provinces and, Bombay two and elsewhere one. In these respects we think that the Committee's report clearly requires modification."

—*Extract from the Fifth Despatch of the Government of India dated 23rd April, 1919 on the Report of the Southborough Committee on Franchise.*

2. “Nor must forget the essential necessity in the interests of Indian unity, of the inclusion of the Indian States in any Constitutional scheme.

I need refer only to two of them—the great Muslim minority and the Scheduled Castes—there are the guarantees that have been given to the minorities in the past; the fact that their position must be safeguarded, and that those guarantees must be honoured.”

—*Extract from the speech made by Lord Linlithgow, at the Orient Club, Bombay, on January 10, 1940.*

3. “These are two main points which have emerged. On these two points, His Majesty’s Government now desires me to make their position clear. The first is as to the position of the minorities in relation to any future Constitutional scheme

It goes without saying that they (H. M. Government) could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of Government whose authority is directly denied by large and powerful elements in India’s national life. Nor could they be parties to the coercion of such elements into submission to such a Government.”

—*Extract from the Statement by Lord Linlithgow on 8th August 1940.*

4. “Congress leaders have built up a remarkable organization, the most efficient political machine in India..... if only they had succeeded, if the Congress could in fact speak, as it professes to speak, for all the main elements in India’s national life, then however advanced their demands, our problem would have been in many respects far easier than it is to-day. It is true that they are numerically the largest single party in British India, but their claim in virtue of that fact to speak for India is utterly denied by very important elements in India’s complex national life. These others assert their right to be regarded not as more numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stand the great Muslim community. They will have nothing to do with a constitution framed by a constituent assembly elected by a majority vote in geographical

constituencies. They claim the right in any constitutional discussions to be regarded as an entity against the operations of a mere numerical majority. The same applies to the great body what are known as the Scheduled Castes who feel, in spite of Mr. Gandhi's earnest endeavours on their behalf, that as a community, they stand outside the main body of the Hindu community which is represented by the Congress."

—*Extract from the speech by The Rt. Hon'ble Mr. L. S. Amery, Secretary of State for India, in the House of Commons on August 14, 1940.*

5. "3. Without recapitulating all the * reasons in detail, I should remind you that His Majesty's Government * at time made it clear;

- (a) That their offer of unqualified freedom after the cessation of hostilities was made conditional upon the framing of a Constitution agreed by the main elements of India's national life and the negotiation of the necessary treaty arrangements with His Majesty's Government.
- (b) That it is impossible during the period of hostilities to bring about any change in the Constitution by which means alone a "National Government" such as you suggest could be made responsible to the Central Assembly.

The object of these conditions was to ensure the fulfilment of their duty to safeguard the interests of the racial and religious minorities, of the Depressed Classes and their Treaty obligations to the Indian States,"

—*Extract from the letter by Lord Wavell to Mr. Gandhi, dated 15th August, 1944.*

* Illegible

Appendix II

Constituency	Primary Election		Final Election	
	Votes cast in favour of Congress Candidate	votes cast in favour of Federation Candidate	Votes cast in favour of Congress Candidate	Votes cast in favour of Federation Candidate
I - Bombay City				
1. Bombay (Parel, Byculla)	2,096	11,096	43,456	39,498
2. Bombay City (North and Suburban)	2,088	12,899	59,646	42,510
II - Central Provinces				
1. Nagpur - Umrer	270	1,933	Results of the Final Elections not available	
2. Hinghanghat - Wardha	342	1,339		
3. Bhandara -Sakoli	976	3,187		
4. Yeotmal-Darwa	514	452		
III - Punjab				
1. Karnal	519	1,691	Non - Congress returned unopposed	
2. Ambala-Simla	1,392	6,509	10,503	7,533
3. Hoshiarpur (West)	641	6,577	16,307	19,134
4. Jullundar	775	7,750	18,018	21,476
5. Ludhiana - Ferozapore	812	5,986	24,352	Figures not available

Appendix II — Contd.

Constituency	Primary Election			Final Election	
	Votes cast in favour of Congress Candidate	votes cast in favour of Federation Candidate	Other	Votes cast in favour of Congress Candidate	Votes cast in favour of Federation Candidate
IV - Madras					
1. Amalapuram	2,683	10,540	2,321		
2. Coconada	1,411	7,590	...		
3. Bandar	4,914	12,182	11,442		
4. Guddappah	3,482	1,360	...		
5. Penukonda	2,564	2,567	...	Results not known	
6. Thiru- vannomala	1,960	1,874	...		
7. Tindivanam	2,785	2,679	209		
8. Mannar - gudi	2,893	No candidate	6,505		
9. Pollachi	2,430	791	337		
10. Namakal	2,336	2,069	...		

Note : - In the Primary Election a voter has only one vote while in the Final Election a voter has as many votes as there are seats. Except in the Madras Presidency where the distribution system is compulsory, in all other Provinces the voter is free to distribute his votes as he likes.

Appendix III

Relative strength of Caste Hindu voters and Scheduled Caste voters in Constituencies in which seats are reserved for Scheduled Castes in Bombay Province

	Name of the General Constituency	Total of voters	Total of General voters	Total of Scheduled Caste voters
1.	Bombay City North & Bombay Sub - urban Dist.	2,10,268	1,67,002	34,266
2.	Bombay City (Byculla and Parel)	1,70,511	1,52,991	28,520
3.	Kaira District	1,46,584	1,39,266	7,318
4.	Surat District	90,435	85,670	4,765
5.	Thana South	72,416	67,749	4,667
6.	Ahmadnagar South	82,989	75,607	7,382
7.	East Khandesh East	1,01,486	91,377	10,109
8.	Nasik West	1,11,969	99,271	12,698
9.	Poona West	91,368	77,389	13,979
10.	Satara North	1,05,352	94,200	11,152
11.	Solapur North-East	74,296	64,583	9,713
12.	Belgaum North-East	97,725	79,422	18,303
13.	Bijapur North	69,478	60,485	8,993
14.	Kolaba District	1,07,638	1,02,637	5,001
15.	Ratnagiri North	36,531	33,002	3,329

Note: - In the above table, General voters mean Caste Hindu voters. This table shows how the Scheduled Caste voters are vastly outnumbered by the Caste Hindu voters and how impossible it is for the Scheduled Caste voters to win the reserved seat in the joint electorate by dint of their voting strength, even if everyone of the Scheduled Caste voter were to come to poll. Exactly the same sort of situation exist in other Provinces.