

below a letter addressed to me by Sri Narayan Swami of the All-Travancore Pulayar Cheramar Aykia Maha Sangham. It is dated 24th November 1938.

Camp Mayyanad,
Quilon. 24-11-1938.

To
Dr. Ambedkar,
Bombay,

RESPECTED SIR,

I have unaffected pleasure to draw your attention to the following facts for obtaining the valuable advice from you. Being the leader of a Harijan Community of the Travancore State, I think, it is my paramount duty to suggest you definitely all the grievances that the Harijans of this State are enduring.

1. The Temple Entry Proclamation issued by His Highness The Maharaja is indeed a boon to Harijans; but the Harijans are enjoying all the other social disabilities except the temple Entry. The Government do not take any step for the amelioration of the Harijans.

2. Among 15 lakhs of Harijans, then are a few graduates, half a dozen undergraduates and 50 school finals and more than 200 vernacular certificates holders. Though the Government have appointed a Public Service Commission, appointments to the Harijans are very few. All the appointments are given to Savarnas. If a Harijan is appointed, it will be for one week or two weeks. According to the rules of the recruitment in Public Service, the applicant is allowed to apply only after a year again. While a Savarna will be appointed for a year or more. When the list of the appointments is brought before the Assembly, the number of appointments will be equal to the communal representation; but the duration of the post of all the Harijans will be equal to one Savarna. This kind of fraud is associating with the officials. Thus the public service is a common property of the Savarnas. No Harijan is benefited by it.

3. There was a proclamation from H. H. The Maharaja, a few years ago that three acres of ground should be given to each Harijan to live in; but the officials are Savarnas who are always unwilling to carry out the proclamation. Even though the Government is willing to grant large extent of ground for pasturing near towns, not a piece of the ground is given to the Harijans. The Harijans are still living in the compounds of the Savarnas and are undergoing manifold difficulties. Though large extents of ground lay in "Reserve," the applications of the Harijans for granting grounds are not at all regarded with importance or listened to. The most parts of the lands are benefited by the Savarnas.

4. The Government nominates every year, for the election of members of the Assembly, one member from each Harijan Community. Though they are elected to present the grievances of the Harijans before the Assembly, they are found to be the machinery of the Government, viz., the toys of the Savarna officers, who are benefited by them. Thus the grievances of the Harijans cannot be redressed any way.

5. All the Harijans of Travancore are labourers in the fields and compounds. They are the servants of the Savarnas who behave with them as beasts—nobody to look after for protection. Every Harijan gets only 2 chs (one anna) as the wage in most parts of the State. The social disabilities are the same to them even after the Temple Entry. The workers in the factories in various parts of the State of Travancore and the Officers of the State are all Savarnas and they are at present agitating for responsible Government. Now the Harijans are demanding jobs in Government and in factories but the agitation in Travancore is a Savarna agitation by which the Savarnas are making arrangements to get rid of Harijans in Public Service and factories. They plead for higher salaries and more privileges. They pay the least care to the Harijan labourers while the people of Travancore are maddened with the agitation of the workers in the factories. The standard of salary of Harijan worker is very low while the standard of a factory worker is thrice the former.

6. Due to starvation and want of proper means of livelihood, the heads of the children of Harijans are heated as a result of which they are likely to fail in school. Before proclamation, the duration of Concession in high schools was for 6 years; now, it has been reduced to three years by which a good number of students stopped their education after their failure.

7. There is a department for the Depressed Classes, the head of which is Mr. C. O. Damodaran (the protector of the Backward Communities). Though every year a big amount is granted for the expenditure, at the end of the year, two-thirds of the sum is lapsed by his sagacity. He used to submit reports to the Government that there is no way of spending the amount. Ninety-five per cent of the sum allotted for the Depressed Class is spent as the salary of the officials who are always Savarnas and 5 per cent, is benefited. Now the Government is going to make some colonies in three parts of Travancore. The officers are Savarnas. This scheme is, in my opinion, not a success for the Government do not pay greater attention to it. I regret that Travancore Government spends one anna for the Harijan cause, while Cochin State spends a rupee for the same.

8. The majority of the subjects of Travancore are now agitating strongly for Responsible Government under an organization 'The

State Congress.' The leaders of this popular organisation belong to the four major communities of the State, namely, the Nair, Mahomedan, Christian and Ezhava community. The President of the State Congress Mr. Thanu Pillai issued a statement in which he stressed that special concessions would be given to the Depressed Class. All the leaders of the Depressed Class have been awaiting for a time to see the attitude of the State Congress. Now we come to understand that there is no reality in the promise of these leaders.

9. Now I am sure that the leaders have neglected the cause of the Depressed Class. The State Congress was started on the principles of nationalism and now it has become an institution of communalism. Communal spirit is now working among the leaders. In every public speech, statement or article, the leaders mention only these four major communities, while they have no thought on us. I fear, if this is the case of the leaders of the political agitation of Travancore, the situation of the Depressed Class will be more deplorable when the Responsible Government is achieved, for the entire possession of the Government will be then within the clutches of the above mentioned communities and the Depressed Classes' rights and privileges will be devoured by the former. In the meetings of the working committee of the States Congress, two-thirds of the time was devoted in discussion concerning the strike of the Alleppey Coir Factories; but nothing was mentioned in the meeting about the Harijan workers who are undergoing manifold difficulties. The workers in Factories are Savarnas and the agitation for obtaining Responsible Government is a kind of anti-Harijan movement. The motive of every leader of the State Congress is to improve the situation (circumstance) of the Savarna. The leaders of the major communities have some mercenary attitude who are going to sacrifice the Depressed for their progress.

10. These are the conditions of the Depressed Class of the State. What are the ways by which we have to establish our rights in the State ? I humbly request you to be good enough to render me your advice at this occasion. I am awaiting for the reply.

Excuse me for the trouble,

Yours faithfully,

SRINARAYANASWAMI."

If the plan of Temple Entry is ultimately to deprive the Untouchables of their statutory rights, then the movement is not only not spiritual but it is positively mischievous and it would be the duty of all honest people to warn the Untouchables.

APPENDIX VI

**RECOGNITION OF UNTOUCHABLES
AS A SEPARATE ELEMENT**

Pronouncements of the British Government on the position of the Untouchables in the Constitution of India.

INTRODUCTION

The necessity for recalling the pronouncements of the Viceroy and of the Secretaries of State has arisen because of the recent criticism in the Press against the reply of 15th August 1944 given by Lord Wavell to Mr. Gandhi stating that the Scheduled Castes are a separate element in the national life of India and that their consent to the new Constitution was essential before power is transferred to Indian hands. This criticism is based upon the supposition that the Cripps's proposals did not recognize the Scheduled Castes as a separate element and did not make their consent necessary. Reliance is placed upon the fact that the Cripps's proposals spoke of "racial and religious minorities" only and it is argued that the Scheduled Castes are neither a racial nor a religious minority.

It is hardly necessary to point out how ignorant this criticism is. The Scheduled Castes are really a religious minority. The Hindu religion by its dogma of untouchability has separated the Scheduled Castes from the main body of the Hindus in a manner which makes the separation far more real and far wider than the separation which exists either between Hindus and Muslims or Hindus and Sikhs or Hindus and Christians. It is difficult to concede of a more effective method of separation and segregation than the principle of untouchability and it is only those who are actuated by malicious spirit of finding excuses to deny the Scheduled Castes their claim to political rights would indulge in this kind of jugglery. Those who regard the statement of Lord Wavell as a new departure have completely forgotten what attitude His Majesty's Government has taken in the matter of the Scheduled Castes from the very beginning when the transfer of political power from British to Indian hands was thought of. Ever since 1917 when the Montagu-Chelmsford Report advocated responsible Government, the British Government have taken a definite stand that they would, under no circumstances, transfer power to Indian hands until they were satisfied that the position of the Scheduled Castes was safeguarded by adequate Constitutional provisions. A few of the many declarations made by Secretaries of State and Viceroys of India from 1917 to 1941 are collected together in the following pages. It will be found that the

recognition that the Scheduled Castes are a separate and important element in the national life of the country and that their consent is necessary are in no way new proposals. Both the statements have been made by responsible representatives of His Majesty's Government, viz., the Secretary of State and the Viceroy long before the Cripps's proposals came into being. Particular attention is drawn to Mr. Amery's statement on 14th August 1940 and Lord Linlithgow's statement on 10th January 1940. It is hoped that a perusal of these declarations will enable those who are trying to negative the claim of the Scheduled Castes for political rights to realise that their propaganda is both foolish and malicious.

(1)

Extract from the Montagu-Chelmsford Report on Indian Constitutional Reform—1917.

155 ... We have shown that the political education of the ryot cannot be a very rapid, and may be a very difficult process. Till it is complete, he must be exposed to the risk of oppression by people who are stronger and cleverer than he is : and until it is clear that his interests can safely be left in his own hands or that the legislative councils represent and consider his interest, we must retain power to protect him. So with the depressed classes. We intend to make the best arrangements that we can for their representation, in order that they too may ultimately learn the lesson of self-protection. But if it is found that their interests suffer and that they do not share in the general progress, we must retain the means in our own hands of helping them.

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(2)

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

13. We have analysed in the statement (printed at the top of the next page) the interests which in the committee's opinion should be represented by non-official nomination.

We accept these proposals generally. But there is one community whose case appears to us to require more consideration than the committee gave it. The Report on Indian Constitutional Reforms clearly recognizes the problem of the depressed classes and gave a pledge respecting them. "We intend to make the best arrangements that we can for their representation." The castes described as "Hindus—others" in the committee's report, though they are defined in varying terms, are broadly speaking all the same kind of people. Except for differences in the rigidity of their ex-

<i>Name of Province</i>	<i>Depressed Classes</i>	<i>Anglo-Indians</i>	<i>Indian Christians</i>	<i>Labour</i>	<i>Excluded Tracts</i>	<i>Military Interest</i>	<i>Industrial Interest other than Planting & Mining</i>	<i>Aborigines</i>	<i>Domiciled Bengalis</i>	<i>Others</i>	<i>Total</i>	<i>Percentage of total Membership</i>
1	2	3	4	5	6	7	8	9	10	11	12	13
Madras	2	—	—	—	2	—	—	—	—	2	6	5
Bombay	—	1	1	1	—	—	—	—	—	2	6	5
Bengal	1	—	1	1	—	—	—	—	—	22	5	4
United Provinces ...	1	1	1	—	—	—	—	—	—	2	5	4
Punjab	—	2*	1	—	—	1	—	—	—	2	6	7
Bihar and Orissa ...	1	1	1	1	—	—	1	1	1	2	9	9
Central Provinces ...	1	1*	—	—	2	—	—	—	—	1	5	7
Assam	—	1*	1	1	1	—	—	—	—	1	5	9
Total	7	7	6	4	5	1	1	1	1	14	47	—

* Europeans and Anglo-Indians.

clusion they are all more or less in the position of the Madras Panchamas, definitely outside that part of the Hindu community which is allowed access to their temples. They amount to about one-fifth of the total population, and have not been represented at all in the Morley-Minto Councils. The committee's report mentions the depressed classes twice, but only to explain that in the absence of satisfactory electorates they have been provided by nomination. It does not discuss the position of these people or their capacity for looking after themselves. Nor does it explain the amount of nomination which it suggests for them. Para 24 of the report justifies the restriction of the nominated seats on grounds which do not suggest that the committee were referring to the depressed classes. The measures of representation which they propose for this community is as follows :—

—	<i>Total Population</i>	<i>Population of Depressed Classes</i>	<i>Total Seats</i>	<i>Seats for Depressed Classes</i>
	(millions)	(millions)		
Madras	39.8	6.3	120	2
Bombay	19.5	.6	113	1
Bengal	45.0	9.9	127	1
United Provinces ...	47.0	10.1	120	1
Punjab	19.5	1.7	85	—
Bihar and Orissa ...	32.4	9.3	100	1
Central Provinces ...	12.2	3.7	72	1
Assam	6.0	0.3	54	—
Total	221.4	41.9	791	7

These figures speak for themselves. It is suggested that one-fifth of the entire population of British India should be allotted seven seats out of practically eight hundred. It is true that in all the councils there will be roughly a one-sixth proportion of officials who may be expected to bear in mind the interests of the depressed ; but that arrangement is not, in our opinion, what the Report on reforms aims at. 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 151, 152, 154 and 155 of the Report we must treat the out-castes 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.

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(3)

Extract from Lord Birkenhead's speech as Secretary of State for India in the House of Lords on the 30th March 1927 on the appointment of Statutory Commission.

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..... Let me take the case of the depressed classes. There is in India a vast population even in relation to the numbers with which we are dealing, a population of sixty millions of the depressed classes. Their condition is not quite as terrible, quite as poignant as it has been in the past, but it is still terrible and poignant. They are repelled from all social intercourse. If they come between the gracious light of the sun and one who despised them the sun is disfigured for that man. They cannot drink at the public water-supply. They must make diversions of miles in order to satisfy thirst and they are tragically known and they have been known for generations as the "untouchables." There are sixty millions of them in India. Am I to have a representative of them upon this Commission ? Never, never would I form a Commission nor would anyone in a democratic country, nor would my friends opposite recommend it, from which you have excluded a member of this class which more than any other requires representation if you are indeed to put the matter to a mixed jury of the kind I am indicating.

(4)

Extract from the Report of the Simon Commission, Vol. II.

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78. ... In no other province has it been possible to get an estimate of the number of the depressed classes who are qualified to vote. It is clear that even with a considerable lowering of the franchise—which would no doubt increase the proportion of the depressed class voters—there would be no hope of the depressed classes getting their own representatives elected in general constituencies without special provision being made to secure it. In the long run the progress of the depressed classes, so far as it can be secured by the exercise by them of political influence, will depend on their getting a position of sufficient importance for other elements to seek their support and to consider their needs.

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80. It will be seen, therefore, that we do not recommend allocating seats to the depressed classes on the basis of their full population ratio. The scale of reserved representation suggested will secure a substantial increase in the number of the M.L.C's. drawn from the depressed classes. The poverty and want of education which so widely prevail amongst them make it extremely doubtful whether a large number of adequately equipped members could be at once provided, and it is far better that they should be represented by qualified spokesmen rather than by a larger number of ineffectives who are only too likely to be subservient to higher castes. The re-distribution of seats which is now being attempted among different kinds of representatives cannot be permanent, and provision must be made for its revision. But we think that our proposal is adequate for the present, especially as the representation of opinion by reservation of seats does not exclude the possibility of the capture of other seats not so reserved.

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(5)

Extract from the Government of India's Despatch on Proposals for Constitutional Reform (as set out by the Simon Commission).

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35. *The Representation of the Depressed Classes.*—The suggestions made by the Commission for the representation of the depressed classes have been much criticized by the provincial Governments. The difficulty of framing for each province a definition of the “depressed classes” is probably inherent in any scheme for the special representation of this class other than by nomination; but the

Appendix I

Commission's proposals place a peculiarly embarrassing duty on the Governor to certify candidates authorised to stand for the depressed classes ; and the proportion of representation which the Commission suggest, namely, in the ratio of three-quarters of the proportion of the depressed classes population to the total population of the electoral area of the provinces, seems likely to be unduly high. The Government of the United Provinces have calculated that in that province the Commission's proposal would result in the return to the provincial legislature of no less than forty members in place of the single nominated member who at present represents the community. The whole problem of the representation of the depressed classes will require careful investigation by the Franchise Committee ; and at this stage we only wish to make plain that in our view their adequate representation should be secured by the best means that may be found practicable. Though there are some differences of opinion within the community, recent meetings of depressed classes associations have re-affirmed their belief in separate electorates.

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(6)

Extract from the Terms of Reference to the Lothian Committee (on Franchise) 1932.

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3. You are aware that the present electorate in Indian provinces amounts to less than 3 per cent, of the population of the areas returning members to provincial Councils, and it is obvious that under this limited franchise, the majority of the people and many large and important sections of the community can enjoy no effective representation in the Legislatures. The principle of a responsible Federal Government, subject to certain reservations and safeguards, has been accepted by His Majesty's Government while it has been decided that the Governors' provinces are to become responsibly governed units, enjoying the greatest possible measure of freedom from outside interference and dictation in carrying out their own policies in their own sphere. In these circumstances, it is clearly necessary so to widen the electorate that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions.

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6. It is evident from the discussions which have occurred in various connections in the Conference that the new Constitution must make adequate provision for the representation of the De-

pressed Classes and that the method of representation by nomination is no longer regarded as appropriate. As you are aware, there is difference of opinion whether the system of separate electorates should be instituted for the Depressed Classes and your Committee's investigations should contribute towards the decision of this question by indicating the extent to which the Depressed Classes would be likely, through such general extension of the franchise as you may recommend, to secure the right to vote in ordinary electorates. On the other hand, should it be decided eventually to constitute separate electorates for the Depressed Classes, either generally or in those provinces in which they form a distinct and separate element in the population, your committee's inquiry into general problem of extending the franchise should place you in possession of facts which would facilitate the devising of a method of separate representation for the Depressed Classes.

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(7)

Extract from the Statement issued by H. E. Lord Linlithgow the Viceroy and Governor-General of India, dated 17th October 1939.

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"Be that as it may, His Majesty's Government recognise that when the time comes to resume consideration of the plan for the future federal Government of India, and of the plan destined to give effect to the Assurance given in Parliament by the late Secretary of State, to which I have just referred, it will be necessary to reconsider in the light of the then circumstances to what extent the details of the plan embodied in the Act of 1935 remain appropriate.

And I am authorised now by His Majesty's Government to say that at the end of the war they will be very willing to enter into consultation with representatives of the several communities, parties and interests in India, and with the Indian Princes, with a view to securing their aid and co-operation in the framing of such modifications as may seem desirable."

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(8)

Extract from a Statement made on 7th November 1939 by Lord Zetland, Secretary of State for India in the House of Lords.

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"The Congress have further consistently taken the line, which they still maintain, that the fact that there are racial and religious minorities in India is of no relevance in that connexion, and that

it has always been the intention of the Congress to secure, through the Constitution to be framed by Indians themselves, such protection for their rights as may prove acceptable to the minorities.

His Majesty's Government find it impossible to accept this position. The long-standing British connexion with India has left His Majesty's Government with obligations towards her which it is impossible for them to shed by disinteresting themselves wholly in the shaping of her future form of Government. Moreover, one outstanding result of the recent discussions in which the Governor-General has been engaged with representatives of all parties and interests in India has been to establish beyond doubt the fact that a declaration in the sense proposed, with the summary abandonment by His Majesty's Government of their position in India, would be far from acceptable to large sections of the Indian population."

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(9)

Extract from the Speech made by H. E. Lord Linlithgow, Viceroy and Governor-General at the Orient Club, Bombay, on January 10, 1940.

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

There are the insistent claims of the minorities.

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.

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(10)

Extract from a Speech made by the Right Hon'ble Mr. L. S. Amery, Secretary of State for India in the House of Commons on August 14, 1940.

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"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 mere numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stands 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 that 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.

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(11)

Extract from the Speech of the Right Hon'ble Mr. L. S. Amery, Secretary of State for India in the House of Commons on 23rd April 1941.

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"India's future Constitution should be devised by Indians for themselves and not by the British Government. India's future Constitution should be essentially an Indian Constitution, framed in accordance with the Indian conception of Indian conditions and Indian needs. The only essential condition is that the Constitution itself and the body which is to frame it must be the outcome of agreement between principal elements in India's national life.

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(12)

Extract from a Statement by H. E. Lord Linlithgow, Viceroy and Governor-General of India on 8th August 1940.

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"These are two main points which have emerged. On these two points, His Majesty's Government now desire me to make then-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."

APPENDIX VII

MINORITIES AND WEIGHTAGE

Views of the Montagu-Chelmsford Report and of the Simom Commission on the inequitous distribution of weightage.

(1)

MONTAGU-CHELMSFORD REPORT.

Extract from the Montagu-Chelmsford Report on Indian Constitutional Reforms.

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163. Important minorities, it is proposed, should be represented by election. This appears to point to **Minority representation** a system of which latter are specified only for Muhammadans, who are no longer to be allowed to vote in the general electorates as well as in their own special ones. We have elsewhere touched upon the difficulty of denying to certain other communities such as the Sikhs in the Punjab, a concession which is granted to Muhammadans. The authors of the scheme have also agreed upon, and set forth the proportions of the seats to be reserved for the special Muslim electorates in the various provinces. We are not aware on what basis, other than that of negotiation, the figured were arrived at. Separate electorates are proposed in all province even where Muhammadans are in a majority: and wherever they are numerically weak, the proportion suggested is in excess of their numerical strength or their present representation. At the same time, nearly all the Muslim associations which addressed us urged upon us that it should be still further increased. Now a privileged position of this kind is open to the objection, that if any other community hereafter makes good a claim to separate representation, it can be satisfied only by deduction from the non-Muslim seats, of else by a rateable deduction from both Muslim and non-Muslim; and Hindu Muslim opinions are not likely to agree which process should be adopted. While, therefore, for reasons that we explain subsequently, we assent to the maintenance of separate representation for Muhammadans, we are bound to reserve our approval of the particular proposals set before us until we have ascertained what the effect upon other interests will be, and have made fair provision for them. We agree with the authors of the scheme that Muhammadans should not have votes both in their own special, and in the general electorates—and we welcome the Muslim League's assent to the revision in this respect of existing arrangements."

(2)

Extract from the Report of the Indian Statutory Commission, Vol. II.

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NUMBER OF MUHAMMADAN SEATS

Para 85. We now take up the question of the proportion of seats in the various provincial councils to be set aside for Muhammadan members.

The Lucknow Pact, as we have already pointed out, included an agreement between Hindus and Moslems as to the proportion of Indian elected seats allotted in each province to the Muhammadan community, and its terms have been followed closely in the allocation of Muhammadan seats in the existing provincial legislatures. The Pact is no longer accepted by either side as offering a fair basis of representation and the rival contentions now put forward are indicated in paragraph 70 above. It is very much to be hoped that a renewed effort will be made between the two communities themselves to arrive at a fresh accommodation: but in the absence of agreement, a decision will have to be reached by others, on the assumption that separate electorates remain. Our own opinion is that in view of the existing position and of the weakness of the Moslem minority in six out of the eight¹ provinces, the present scale of weightage in favour of Muhammadans in those provinces might properly be retained. Thus, the proportion to be allotted to them, of seats filled from the "general" constituencies (other than the European general constituencies) would be determined as at present. But a claim has been put forward for a guarantee of Muhammadan representation which goes further than this—see paragraph 70 above and Appendix VII at the end of this chapter. This claim goes to the length of seeking to preserve the full security for representation now provided for Moslems in these six provinces and at the same time to enlarge in Bengal and the Punjab the present proportion of seats secured to the community by separate electorates to figures proportionate to their ratio of population. This would give Muhammadans a fixed and unalterable majority of the "general constituency" seats in both provinces. We cannot go so far. The continuance of the present scale of weightage in the six provinces could not—in the absence of a new general agreement between the communities—equitably be combined with so great a departure from the existing allocation in Bengal and the Punjab.

It would be unfair that Muhammadans should retain the very considerable weightage they now enjoy in the six provinces, and that there should at the same time be imposed, in face of Hindu-Sikh opposition, a definite Moslem majority in the Punjab and in

¹ Burma is not in question.

Bengal unalterable by any appeal to the electorate. On the other hand, if by agreement separate electorates in Bengal were abandoned, so that each community in that province was left to secure such seats as it could gain by appeal to a combined electorate, we should not, on that account, seek to deprive the Moslem community of its existing weightage in the six provinces where they are in a minority. In the same way in the Punjab, if Moslems, Sikhs and Hindus were prepared to seek election through a joint electorate covering all three communities, here again we should still be prepared to see this combined with the preservation of the present numerical proportion secured to the Muhammadans by separate electorates in the six other provinces.

We make this last suggestion, which really involves giving the Moslem community the advantage of a choice between two courses to follow, because we sincerely desire to see all practicable means attempted for reducing the extent of separate electorates and for giving the other system a practical trial.

APPENDIX VIII

CRIPPS PROPOSALS

DRAFT DECLARATION FOR DISCUSSION WITH INDIAN LEADERS

The conclusions of the British War Cabinet set out below are those which Sir Stafford Cripps has brought with him for discussion with Indian Leaders, and the question as to whether they will be implemented will depend upon the outcome of those discussions which are now taking place.

His Majesty's Government having considered the anxieties expressed in this country and in India as to the fulfilment of promises made in regard to the future of India have decided to lay down in precise and clear terms, the steps which they propose shall be taken for the earliest possible realisation of self-government in India. The object is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and other Dominions by a common allegiance to the Crown but equal to them in every respect, in no way subordinate in any aspect of its domestic or external affairs.

His Majesty's Government, therefore, make the following Declaration:—

- (a) Immediately upon cessation of hostilities, steps shall be taken to set up in India, in manner described hereafter, an elected body charged with the task of framing a new Constitution for India.
- (b) Provision shall be made, as set out below, for participation of Indian States in the Constitution-making body.
- (c) His Majesty's Government undertake to accept and implement forthwith the Constitution so framed subject only to:—
 - (i) The right of any Province of British India that is not prepared to accept the new Constitution, to retain its present constitutional position, provision being made for its subsequent accession if it so decides.

With such non-acceding Provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution giving them the same full status as the Indian Union and arrived at by a procedure analogous to that here laid down.

- (ii) The signing of a Treaty which shall be negotiated between His Majesty's Government and the Constitution-making body. This Treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with undertakings given by His Majesty's Government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in future its relationship to other Member States of the British Commonwealth.

Whether or not an Indian State elects to adhere to the Constitution, it will be necessary to negotiate a revision of its Treaty arrangements so far as this may be required in the new situation.

- (d) The Constitution-making body shall be composed as follows unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities:—

Immediately upon the result being known of Provincial Elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of Provincial Legislatures shall as a single electoral college proceed to the election of the Constitution-making body by the

system of proportional representation. This new body shall be in number about 1/10th of the number of the electoral college.

Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of representatives of British India as a whole and with the same powers as British Indian Members.

- (e) During the critical period which now faces India and until the New Constitution can be framed, His Majesty's Government must inevitably bear the responsibility for and retain the control and direction of the defence of India as part of their world war effort, but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the peoples of India. His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the united nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.

APPENDIX IX

OBJECTIONS TO CRIPPS PROPOSALS

Statement by B. R. Ambedkar showing how the Cripps Proposals would affect the Untouchables

The War Cabinet proposals show a sudden *Volte Face* on the part of His Majesty's Government. The putting forth of these proposals, which were denounced by them as an invasion of minority rights, is an indication of their complete surrender of right to win might. This is Munich mentality, the essence of which is to save oneself by sacrificing others, and it is this mentality which is writ large on these proposals. It is reported that the American and English people are annoyed at Indians not welcoming the proposals of His Majesty's Government relating to the constitutional advancement of India and thereby allowing the mission of Sir Stafford Cripps to fail. One can forgive the Americans for their attitude, but surely the English people and Sir Stafford Cripps ought to know better. It does not seem to have been sufficiently realised that the

proposals of His Majesty's Government now put forth as the best are the very proposals which have been rejected and condemned by His Majesty's Government as the worst, only a few months previously. Those who realise this cannot but help saying that this is the ugliest part of the whole business of constitutional advance, which His Majesty's Government is now suddenly and contrary to its previous declarations, rushing to undertake. The proposals fall into three parts: (1) There is to be a constituent assembly with a right to frame the Constitution for India. This Assembly is to have the fullest power to frame such constitution as the majority in the Assembly may choose to decide; (2) The new Constitution is not to include all of the present Provinces of India but only such Provinces as may be willing to be bound by it. For this the Provinces have been given a right to decide whether they shall join the new Constitution or stay out of it. This is left to be done by a plebiscite in which a bare majority is declared enough to decide the issue ; (3) The Constituent Assembly shall be required to enter into a treaty with the British Government. The treaty is to contain provisions for the safety and security of racial and religious minorities. After such a treaty is signed, the British Government is to withdraw its sovereignty and the Constitution framed by the Constituent Assembly is to come into operation.

Such, in brief outline, is the scheme of His Majesty's Government.

The proposal regarding Constituent Assembly is not a new proposal. It was put forth by the Congress when the war broke out and what is important is that this proposal of the Congress was rejected by His Majesty's Government. This is what Mr. Amery said in the House of Commons on August 14, 1940, regarding Constituent Assembly :—

“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 mere numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stands 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

and are determined only to accept a Constitution whose actual structure will secure their position as an entity against the operations of a mere numerical majority. The same applies to the great body of 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."

This statement was made by Mr. Amery when he was elucidating the announcement made by the Viceroy on 8th August 1941 in which he had given the following pledge to the minorities on behalf of His Majesty's Government:—

"There are two main points which have emerged. On these two points. His Majesty's Government now desire 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."

Again on the 23rd April 1941, Mr. Amery referred to the demand of the Constituent Assembly and expressed himself in the following terms:—

"India's future Constitution should be devised by Indians for themselves and not by the British Government. India's future Constitution should be essentially an Indian Constitution, framed in accordance with the Indian conception of Indian conditions and Indian needs. The only essential condition is that the Constitution itself and the body which is to frame it, must be the outcome of agreement between principal elements in India's national life."

Such were the views and pledges given by H. M. Government regarding Constituent Assembly, which is now conceded. Regarding the demand for Pakistan, it was a demand put forward by the Muslim League. This demand was also rejected by His Majesty's Government. This is what Mr. Amery said in regard to it in the House of Commons on August 1, 1940:—

"This reaction against the dangers of what is called the Congress Raj or Hindu Raj has gone so far as to lead to a growing demand from Muslim quarters for a complete breaking up of India into separate Hindu and Muslim dominions. I need say nothing to-day of the manifold and to my mind, insuperable objections

to such a scheme, at any rate in its extreme form. I would only note that it merely shifts the problem of permanent minorities to somewhat smaller areas, without solving it."

Again on April 23, 1941, he referred to it in his speech in the House of Common and spoke about it in the following terms :—

"I am not concerned here to discuss the immense practical difficulties in the way of this so-called Pakistan project nor need I go back to the dismal record of India's history in the 18th century or to the disastrous experience of the Balkan countries before our eyes, to-day, in order to point out the terrible dangers inherent in any break up of the essential unity of India, at any rate in its relation to the outside world. After all, there is no British achievement in India of which we have reason to be proud than the unity...we have given her."

Such were the views of His Majesty's Government only a year ago regarding Constituent Assembly and Pakistan.

It is quite obvious that the proposal for a Constituent Assembly is intended to win over the Congress, while the proposal for Pakistan is designed to win over the Muslim League. How do the proposals deal with the Depressed Classes ? To put it shortly, they are bound hand and foot and handed over to the caste Hindus. They offer them nothing; stone instead of bread. For the Constituent Assembly is nothing short of a betrayal of the Depressed Classes. There can be no doubt as to what the position of the Depressed Classes will be in the Constituent Assembly; nor can there be any doubt regarding the political programme of the Constituent Assembly. In the Constituent Assembly, there may be no representatives of the Depressed Classes at all because no communal quotas are fixed by these proposals. If they are there, they cannot have a free, independent and decisive vote. In the first place, the representatives of the Depressed Classes will be in a hopeless minority. In the second place, all decisions of the Constituent Assembly are not required to be by a unanimous vote. A majority vote is enough to decide any question no matter what its constitutional importance is. It is clear that under this system the voice of the Depressed Classes in the Constituent Assembly cannot count. In the third place, the present system of proportional representation by which the members to the Constituent Assembly are to be elected under the terms contained in His Majesty's proposals cannot but result in the caste Hindus having virtually the right to nominate the representatives of the Depressed Classes to the Constituent Assembly. Such representatives of the Depressed Classes will be the tools of the caste Hindu. In the fourth place, the Constituent Assembly will be filled with the Congressites who will form the dominant majority party able to

carry out its own programme. There is no doubt that Mr. Gandhi, whatever may be said about his endeavours in the matter of the social uplift of the Depressed Classes, is totally opposed to giving political recognition to the Depressed Classes in the Constitution as a separate and distinct element in the national life of India. That being the case, the programme of the majority party in the Constituent Assembly will be to wipe out the political safeguards already granted to the Depressed Classes in the present Constitution. Any one, who realises what is implied in the Constituent Assembly, will admit that His Majesty's Government by their proposals have literally thrown the Depressed Classes to the wolves. It may be said that while there is the Constituent Assembly which may deny constitutional safeguards to the Depressed Classes, His Majesty's Government have been careful to include in their proposals the provisions for a treaty with the Constituent Assembly the object of which is to secure the interests of the Depressed Classes. This proposal of a treaty is evidently borrowed from the plan adopted by His Majesty's Government for the settlement of the Irish dispute. The proposal regarding the treaty does not say what are the safeguards His Majesty's Government will decide to include in the treaty. This is an important point because there may be a difference of opinion between His Majesty's Government and the Depressed Classes on the nature, number and method of the political safeguards that may be necessary to protect the interests of the Depressed Classes under the new Constitution. The second and equally important question about the treaty is what is going to be the sanction behind the treaty. Will the treaty be a part of the Constitution framed by the Constituent Assembly, so that any provision in the Constitution which is repugnant with the treaty will be null and void? Or, will the treaty be just a treaty between the two governments; the Indian National Government and His Majesty's Government, as any trade treaty? If the treaty is to be of the former kind, it will be the law of the land and will have legal sanction of the Indian Government behind it. If, on the other hand, the treaty is to be of the latter kind, it is obvious it will not be the law of the land and will have no legal sanction behind it. Its sanction will be political sanction. Now a treaty cannot override the Constitution framed by the National Government for the obvious reason that such a thing, as was found in the case of Irish Free State, is incompatible with Dominion Status. The only sanction behind such a treaty will be political sanction. It is obvious that the use of such sanction must depend upon the colour of the Government and the state of public opinion. Given this fact, the questions that arise are two: (1) What are the means which His Majesty's Government will have at its disposal to enforce the treaty obligations? (2) Secondly, will His Majesty's Government be prepared to use these means to

coerce the Indian National Government to abide by the terms of the treaty ? With regard to the first question, it is obvious that the means for enforcing the treaty are twofold—use of force and trade war. As to the military force, the Indian army will not be available. It will be entirely transferred to the control of the new Indian National Government. His Majesty's Government will have therefore lost this means of enforcing the treaty. It is impossible to believe that His Majesty's Government will send its own army to compel the National Government to obey the treaty. A trade war is not possible. It is a suicidal policy and the experience of the Irish war with the Irish Free State for the recovery of land annuities shows that a nation of shopkeepers will not sanction it even though it may be for their interest and honour. The treaty therefore is going to be an empty formula, if not a cruel joke, upon the Depressed Classes. His Majesty's Government has sent out these proposals to be welcomed by Indians. But neither His Majesty's Government nor Sir Stafford Cripps have offered any explanation as to why they are offering to Indians the very proposals which His Majesty's Government had been condemning in scathing terms only a few months ago. A year ago, His Majesty's Government said that they would not grant Constituent Assembly because that would be a coercion of the minorities. His Majesty's Government is now prepared to grant Constituent Assembly and to coerce the minorities. A year ago, His Majesty's Government said that they will not allow Pakistan because that is Balkanization of India. To-day, they are prepared to allow the partition of India. How can the Government of a Great Empire lose all sense of principle ? The only explanation is that His Majesty's Government has, as a result of the course of the war, become panic-stricken. The proposals are the result of loss of nerve. How great is the panic that has overtaken His Majesty's Government can be easily seen if one compared the demands made by the Congress and the Muslim League and the concessions made to them by these proposals. The Congress demanded that the Constitution should be framed by a Constituent Assembly by a mere majority vote. On the other hand, when the Viceroy announced that the British Government will not be a party to the coercion of the minorities involved in the demand by the Congress, the Working Committee of the Congress at its meeting at Wardha held on August 22, 1940, passed the following resolution :—

“The Committee regrets that although the Congress has never thought in terms of coercing any minority, much less of asking the British Government to do so, the demand for a settlement of a Constitution though through a Constituent Assembly of duly elected representatives has been misrepresented as coercion and the issue of minorities has been made into an insuperable barrier to Indians progress.”