



## APPENDIX II

## THE CONGRESS-LEAGUE SCHEME

(a) That having regard to the fact that the great communities of India are the inheritors of ancient civilisations and have shown great capacity for government and administration, and to the progress in education and public spirit made by them during a century of British Rule, and further having regard to the fact that the present system of Government does not satisfy the legitimate aspirations of the people and has become unsuited to existing conditions and requirements, the Congress is of opinion that the time has come when His Majesty the King-Emperor should be pleased to issue a Proclamation announcing that it is the aim and intention of British policy to confer Self-Government on India at an early date.

(c) That in the reconstruction of the Empire, India shall be lifted towards Self-Government by granting the Reforms contained in the scheme prepared by the All-India Congress Committee in concert with the Reform Committee appointed by the All-India Muslim League (detailed below).

(c) That in the reconstruction of the Empire, India shall be lifted from the position of a dependency to that of an equal partner in the Empire with the Self-Governing Dominions.

## REFORM SCHEME

## I-PROVINCIAL LEGISLATIVE COUNCILS

1. Provincial Legislative Councils shall consist of four-fifths elected and of one-fifth nominated members.

2. Their strength shall be not less than 125 members in the major Provinces, and from 50 to 75 in the minor Provinces.

3. The members of Councils should be elected directly by the people on as broad a franchise as possible.

4. Adequate provision should be made for the representation of important minorities by election, and the Muslims should be represented through special electorates on the Provincial Legislative Councils in the following proportions:—

Punjab—	one-half of the elected Indian Members.		
United Provinces—	30 p. c.	"	"
Bengal—	40 p. c.	"	"
Bihar—	25 p. c.	"	"
Central Provinces—	15 p. c.	"	"
Madras—	15 p. c.	"	"
Bombay—	One-third	"	"

Provided that no Muslim shall participate in any of the other elections to the Imperial or Provincial Legislative Councils, save and except those by electorates representing special interests.

Provided further that no bill, nor any clause thereof, nor a resolution introduced by a non-official member affecting one or the other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceeded with, if three-fourths of the members of that community in the particular Council, Imperial or Provincial, oppose the bill or any clause thereof or the resolution.



## THE HISTORY OF THE CONGRESS

5. The head of the Provincial Government should not be the President of the Legislative Council but the Council should have the right of electing its president.

6. The right of asking supplementary questions should not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

7. (a) Except customs, post, telegraph, mint, salt, opium, railways, army and navy, and tributes from Indian States, all other sources of revenue should be Provincial.

(b) There should be no divided heads of revenue. The Government of India should be provided with fixed contributions from the Provincial Governments, such fixed contributions being liable to revision when extraordinary and unforeseen contingencies render such revision necessary.

(c) The Provincial Council should have full authority to deal with all matters affecting the internal administration of the Province, including the power to raise loans, to impose and alter taxation and to vote on the Budget. All items of expenditure, and all proposals concerning ways and means for raising the necessary Revenue should be embodied in Bills and submitted to the Provincial Council for adoption.

(d) Resolution on all matters within the purview of the Provincial Government should be allowed for discussion in accordance with rules made in that behalf by the Council itself.

(e) A resolution passed by the Provincial Legislative Council shall be binding on the Executive Government, unless vetoed by the Governor-in-Council, provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

(f) A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

8. A special meeting of the Provincial Council may be summoned on a requisition by not less than one-eighth of the members.

9. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Government should not be required therefor.

10. All Bills passed by Provincial Legislatures shall have to receive the assent of the Governor before they become Law, but may be vetoed by the Governor-General.

11. The term of office of the members shall be five years.

## II-PROVINCIAL GOVERNMENTS

1. The head of every Provincial Government shall be a Governor who shall not ordinarily belong to the Indian Civil Service or any of the permanent services.

2. There shall be in every Province an Executive Council which, with the Governor, shall constitute the Executive Government of the Province.

3. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Councils.

4. Not less than one-half of the members of the Executive Council shall consist of Indians to be elected by the elected members of the Provincial Legislative Council.

5. The term of office of the members shall be five years.

## III-IMPERIAL LEGISLATIVE COUNCIL

1. The strength of the Imperial Legislative Council shall be 150.

2. Fourth-fifths of the members shall be elected.





3. The franchise for the Imperial Legislative Council should be widened as far as possible on the lines of the electorates for Muslims for the Provincial Legislative Councils, and the elected members of the Provincial Legislative Councils should also form an electorate for the return of members of the Imperial Legislative Council.

4. One-third of the Indian elected members should be Muslims elected by separate Muslim electorates in the several Provinces, in the proportion, as nearly as may be, in which they are represented on the Provincial Legislative Councils by separate Muslim electorates.

Vide provisos to section 1, clause 4.

5. The President of the Council shall be elected by the Council itself.

6. The right of asking supplementary questions shall not be restricted to the member putting the original question but should be allowed to be exercised by any other member.

7. A special meeting of the Council may be summoned on a requisition by not less than one-eighth of the members.

8. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Executive Government should not be required therefor.

9. All Bills passed by the Council shall have to receive the assent of the Governor-General before they become law.

10. All financial proposals relating to sources of income and items of expenditure shall be embodied in Bills. Every such Bill and the Budgets as a whole shall be submitted for the vote of the Imperial Legislative Council.

11. The term of office of members shall be five years.

12. The matters mentioned herein below shall be exclusively under the control of the Imperial Legislative Council.

(a) Matters in regard to which uniform legislation for the whole of India is desirable.

(b) Provincial legislation in so far as it may affect inter-Provincial fiscal relations.

(c) Questions affecting purely Imperial Revenue, excepting tributes from Indian States.

(d) Questions affecting purely Imperial expenditure, except that no resolution of the Imperial Legislative Council shall be binding on the Governor-General-in-Council in respect of military charges for the defence of the country.

(e) The right of revising Indian tariffs and customs duties, of imposing, altering, or removing any tax or cess, modifying the existing system of currency and banking, and granting any aids or bounties to any or all deserving and nascent industries of the country.

(f) Resolutions on all matters relating to the administration of the country as a whole.

13. A resolution passed by the Legislative Council should be binding on the Executive Government unless vetoed by the Governor-General in Council; provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

14. A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance if supported by not less than one-eighth of the members present.

15. When the Crown chooses to exercise its power of veto in regard to a Bill passed by the Provincial Legislative Council or by the Imperial Legislative Council, it should be exercised within twelve months from the date on which it is passed, and the Bill shall cease to have effect as from the date on which the fact of such veto is made known to the Legislative Council concerned.





16. The Imperial Legislative Council shall have no power to interfere with the Government of India's direction of the military affairs and the foreign and political relations of India, including the declaration of war, the making of peace and the entering into treaties.

#### IV. THE GOVERNMENT OF INDIA

1. The Governor-General of India will be the head of the Government of India.

2. He will have an Executive Council, half of whom shall be Indians.

3. The Indian members should be elected by the elected members of the Imperial Legislative Council.

4. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Council of the Governor-General.

5. The power of making all appointments in the Imperial Civil Services shall vest in the Government of India, as constituted under this scheme, due regard being paid to existing interests subject to any laws that may be made by the Imperial Legislative Council.

6. The Government of India shall not ordinarily interfere in the local affairs of a Province, and powers not specifically given to a Provincial Government shall be deemed to be vested in the former. The authority of the Government of India will ordinarily be limited to general supervision and superintendence over the Provincial Governments.

7. In legislative and administrative matters the Government of India, as constituted under this scheme, shall, as far as possible, be independent of the Secretary of State.

8. A system of independent audit of the accounts of the Government of India should be instituted.

#### V. THE SECRETARY OF STATE IN COUNCIL

1. The Council of the Secretary of State for India should be abolished.

2. The salary of the Secretary of State should be placed on the British Estimates.

3. The Secretary of State should, as far as possible, occupy the same position in relation to the Government of India, as the Secretary of State for the Colonies does in relation to the Governments of the Self-Governing Dominions.

4. The Secretary of State for India should be assisted by two Permanent Under-Secretaries, one of whom should always be an Indian.

#### VI. INDIA AND THE EMPIRE

1. In any Council or other body which may be constituted or convened for the settlement or control of Imperial affairs, India shall be adequately represented in like manner with the Dominions and with equal rights.

2. Indians should be placed on a footing of equality in respect of status and rights of citizenship with other subjects of His Majesty the King throughout the Empire.

#### VII. MILITARY AND OTHER MATTERS

1. The military and naval services of His Majesty, both in their commissioned and non-commissioned ranks, should be thrown open to Indians and adequate provision should be made for their selection, training and instruction in India.

2. Indians should be allowed to enlist as volunteers.

3. Executive Officers in India shall have no judicial powers entrusted to them, and the judiciary in every Province shall be placed under the highest Court of that Province.



## APPENDIX II-A

### MULSHIPETA SATYAGRAHA

Mulshipeta is about 30 miles from Poona. In 1920 The Tata Power Company launched a scheme of bunding the streams and waterfalls in that mountainous area for supplying electricity to G.I.P. Railway, B.B.C.I. Railway and the Bombay City. Mulshipeta was renowned for its excellent paddy crop and the Mavalas—the inhabitants of that area—were the sturdy fighters in the army of Shivaji. When they (Mavalas) saw the army of labourers in their land they were confounded and consulted their friends in Poona as to the measures to be adopted for saving their land. The atmosphere was surcharged with Non-co-operation at that time. About 51 villages and 11,000 men, women and children were on the point of being rendered homeless and landless. A meeting was held in the peta under the Presidentship of Syt. N. C. Kelkar and call the Mavalas gave out that they would either get back the land or die in the Satyagraha fight. Noting this grim determination, the Poona leaders got ready to take the lead in the fight.

Consequently a draft pledge was prepared and it was agreed, that if 1,200 Mavalas would sign it, the fight was to be commenced. Mr. V. M. Bhuskute visited whole area and obtained about 1,300 signatures and in spite of Baramati, the leaders proceeded to launch the fight. The whole Maharashtra was agitated over the question. Help in form of men and money was forthcoming. The Mavalas themselves contributed about 1,000 rupees worth of rice for the fight. The 16th of April 1921, the Rama Navami day, was chosen for the commencement of Satyagraha. It is claimed that Maharashtra undertook the fight as part of the programmes of Congress though not directly under its authority. If it succeeded the prestige of the Congress would be enhanced and Gandhiji's cult would be vindicated. If it failed, the responsibility would be theirs.

On Rama Navami day 1,200 Mavalas with women and children and all prominent leaders from Poona were present at the scene. They went and sat on the dam. Immediately 5,000 labourers of the Company stopped work. This Satyagraha went on for about a month strictly in accordance with the principles of Gandhi's Non-violence. It became successful, inasmuch as the Company discontinued the work. But the turning point came in the Monsoon. Like other peasants, the Mavalas were burdened with heavy debts and were at the mercy of the Sowkars. The latter were perturbed over the affair. They were afraid that if Satyagraha continued they would receive less compensation from the Company and they were backed by a section of leaders in this behalf. Negotiations went on with the Engineers and managers of the Company for getting adequate compensation. The Mavalas were ignorant of these attempts. The Company depending on these assurances gave promises of liberal compensation. The Managers of the Company entered into agreement with the Government and land was acquired under the Land Acquisition Act. The Mavalas were out for land and wanted no such return however liberal it might be. It must be stated here that Maharashtra like other places was split up into "Pro-Changers and No-Changers". Most of the No-Changers were faithful followers of Gandhi and they determined to support the Mavalas in their fight for land. They had two opponents now. Sowkars and the Company. This struggle went on for two years and half. The second campaign was started in December 1921. Arrests, convictions, intimidations and oppression were in full swing. S. M. Paranjpye, Dr. Phatak, G. N. Kanitkar, S. K. Damle, S. D. Deo, Vasukaka Joshi, H. G. Phatak, P. M. Bapat, V. M. Bhuskute, Dastane, Dr. Palsule, J. S. Karandikar and many others were arrested and convicted. In all 125 Mavalas, 500 volunteers and leaders including women suffered imprisonment. Rs. 7,500 were spent for the fight.





When all the local and outside leaders went behind the prison bars, Sowkars made their utmost to persuade the Mavalas to accept the compensation and in this attempt they were helped by those leaders who were not keen about the fight. Ultimately the Satyagraha had to be abandoned. Mr. P. M. Bapat and his colleagues made supreme sacrifices to the end for the cause. It must be stated that as a result of this Satyagraha the peasants were given rather fair compensation for the land. But the sum went into the coffers of Sowkars and thousands of peasants were rendered landless and homeless.

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## APPENDIX III

## THE FARIDPUR PROPOSALS

1. That joint electorates with adult suffrage should form the basis of representation in the future constitution of India.

2. (a) That with adult suffrage, reservation of seats only for minorities less than 25 per cent in the Federal and Provincial Legislatures should be permitted, on the basis of population with the right to contest additional seats.

(b) That in the provinces where Muslims are in a minority of less than 25 per cent, seats shall be reserved for them on a population basis with the right to contest additional seats, but in case other communities are given weightage, Muslims shall be similarly treated and the present weightage enjoyed by them shall be maintained.

(c) If adult franchise is not established, or franchise is not extended so as to reflect the proportion of the population on the electoral register, in the Punjab and Bengal seats shall be reserved for the Muslims, until adult suffrage is established or franchise is extended so as to reflect the proportion of population on the electoral register, in such position of minority or even of equality.

3. That the representation of Muslims in the Federal legislature shall be one-third of the respective houses.

4. That all appointments shall be made by a Public Service Commission, according to a minimum standard of efficiency, without at the same time depriving any community of its fair share in the services and that in the case of lower grades no monopoly shall be permitted.

5. That in the Federal and Provincial Cabinets, Muslim interests shall be adequately recognised by means of a convention agreed to by all the parties in the different legislatures.

6. That Sind shall be constituted into a separate Province.

7. That the N. W. F. Province and Baluchistan, shall have exactly the same form of Government and administration as other Provinces in British India.

8. That the future constitution of the country shall be federal and the residuary powers shall vest in the federating units.

9. (a) That there shall be a provision of fundamental rights in the constitution guaranteeing to all the citizens the protection of their cultures, language, script, education, profession and practice of religion, religious endowments and economic interests.

(b) That the fundamental rights and personal laws shall be effectively protected by specific provision to the embodied in the Constitution.

(c) That there shall be no change in the Constitution so far as fundamental rights are concerned except with the concurrence of a three-fourth majority of each house of the federal legislature.





Strictly Confidential.

**APPENDIX TO PROCEEDINGS**  
**ALTERNATIVE PROPOSALS AND FORMULAE**  
**THE BHOPAL FORMULAE**

A

**All Parties Formula**

- (a) Joint Electorates to be introduced at the end of ten years with adult suffrage, provided that if the majority of the Muslim Members in any Legislature, Federal or Provincial, agree to accept Joint Electorates at any time before the expiry of ten years, separate electorates will be abolished *qua* such Legislature,

or

- (b) First election under the new constitution to be on the basis of separate electorates and a referendum on the question of joint versus separate electorates at the beginning of the 5th year of the first legislature.

B

**Alternative Scheme—Nationalist Party**

- (a) Joint electorates to be adopted for the first ten years on the expiry of which period a referendum should be held on the question of electorates.
- (b) In the first Legislature 50 per cent of the Muslim Members to be elected by joint electorate and 50 per cent. by separate electorates. In the second legislature, 2/3 to be elected by joint and 1/3 by separate electorates. Thereafter joint electorates and adult suffrage.

C

**Amendment to above**

In the first legislature, 2/3 members to be elected by separate and 1/3 by joint electorates.

**Some Friends' Suggestion**

50 : 50 for second legislature and joint thereafter and adult suffrage thereafter.

Separate electorate for first 5 years, Joint next five years, and a referendum at the beginning of the 9th year to obtain the community's verdict on the two,

or

2/3 representatives to be chosen by separate and 1/3 joint electorates, and referendum at the beginning of the 5th year.

D

**A Proposal—Shaukat Ali**

When Joint electorates are introduced, whether in whole or in part, Maulana Mohammed Ali's formula should be accepted for the first 20 years.





CSL

## THE FARIDPUR PROPOSALS

### F

#### Proposal at the 2nd Meeting at Bhopal

First five years Separate Electorates, after that Joint Electorates with Maulana Mohammed Ali's formula. This formula, however, it will be open to the Muslim members of any Legislature to drop by a sixty per cent. majority.

### G

#### Final Formula at Simla

First ten years Separate Electorates, after that Joint Electorates, unless the Muslim Members of any Legislature by a 2/3 majority vote against the introduction of Joint Electorates.





## APPENDIX IV

## THE G. O. ON THE CLASSIFICATION OF PRISONERS

## Text of the Press Communiqué

Important decisions of the Government of India regarding the Jail Rules are announced in a Press Communiqué which runs:

The Government of India have for sometime had under consideration the amendment of jail rules in certain respects. The matter had been referred to Local Governments who have formulated their views after extensive consultation of unofficial opinion. A conference of the provincial representatives was thereupon held and the Government of India have also had discussions with some prominent members of the Legislative Assembly. The problems under examination have been found difficult and complex and have led to the expression of widely divergent opinions. The Government of India have endeavoured to give due weight to these even when they have not been able to accept in full the representations made. The conclusions at which they have arrived on the more important points and which are designed to secure on matters of principle substantial uniformity throughout India, are now announced.

## CLASSIFICATION OF PRISONERS

Convicted prisoners will be divided into three divisions or classes, A, B and C. Prisoners will be eligible for class 'A' if (1) they are non-habitual prisoners of good character (2) they, by social status, education and habit of life, have been accustomed to a superior mode of living and (3) they have not been convicted of (a) offences involving elements of cruelty, moral degradation or personal greed, (b) seditious or premeditated violence, (c) seditious offences against property, (d) offences relating to possession of explosives, fire-arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed, (e) abetment or incitement of offences falling within these sub-clauses.

Prisoners will be eligible for class 'B' who, by social status, education or habit of life have been accustomed to a superior mode of living. Habitual prisoners will not be excluded automatically. The classifying authority will be allowed discretion to suggest their inclusion in this class, having regard to their character and antecedents, subject to confirmation or revision by the Local Government.

Class 'C' will consist of prisoners who are not classified in classes 'A' and 'B'.

The classifying authorities are High Courts, Sessions Judges, District Magistrates, Stipendiary Presidency Magistrates, Sub-divisional Magistrates and Magistrates of the first class (the two latter through the District Magistrate) in cases tried by them originally or in any other case. The District Magistrate should make an initial recommendation for classification in classes A or B to the Local Government, by whom these recommendations will be confirmed or reviewed.

## PRIVILEGES OF PRISONERS

Certain forecasts of their decisions which have been brought to the notice of the Government of India indicate considerable misapprehension in regard to this tripartite division and its effect upon the existing classes of prisoners. It should be clearly understood that all prisoners within the





'A' Class are eligible for the privileges of that class. No class of prisoners will be eligible for any additional privileges on grounds of race. All privileges now given to special class prisoners will be continued to 'A' class prisoners, such as separate accommodation, necessary articles of furniture, reasonable facilities for association and exercises, and suitable sanitary and bathing arrangements.

In other matters, the following decisions have been arrived at:

The diet of classes 'A' and 'B' will be superior to the ordinary prison diet given to prisoners in class C and will be based on a flat rate of cost per prisoner, within the limits of which the actual food may vary. The cost of the superior diet provided in the classes A and B should be borne by the Government, as special class prisoners are under the existing rules permitted to supplement prison diet at their own expense. This privilege will be retained as at present as regards 'A' class prisoners.

The existing rules regarding privileges of special class prisoners to wear their own clothes will continue. As regards 'A' class prisoners, if they desire to have clothing at Government expense, they will be provided with that prescribed for 'B' class prisoners. 'B' class prisoners will wear prison clothing modified in certain respects and of a better type than that worn by C class prisoners.

#### ACCOMMODATION

A separate jail in each Province for classes A and B is desirable, and its provision though it must depend on the available financial resources of the Local Governments, should be regarded as the goal to be aimed at. Meanwhile, the Government of India hope that Local Governments will carefully review the resources of the jails now existing in the Provinces and endeavour, by such measures as are within their power, to secure the end in view.

In addition to separate accommodation, the Government of India desire to emphasise the necessity of a special staff to deal with 'A' and 'B' class prisoners, and are of opinion that this matter should receive the earliest possible attention.

In accordance with the principle already applied, the importance of which is reaffirmed, the tasks allotted to prisoners in 'A' and 'B' classes should be assigned after due consideration on medical grounds, and with careful regard to the capacity, character, previous modes of life and antecedents of the prisoners.

#### PRISONERS' INTELLECTUAL REQUIREMENTS

The Government of India accept the principle that reasonable facilities, subject to safeguards, should be provided by the Government for the intellectual requirements of the educated and literate prisoners. Local Governments will be requested to examine the condition of jail libraries in the Provinces and in cases where those are non-existent or defective, to take early steps to establish or improve them. Literate prisoners may be allowed to read books and magazines from outside subject to the approval of the Jail Superintendent.

Newspapers will be allowed to 'A' class prisoners on the same conditions as under the existing rules, they are allowed to special class prisoners, that is, in special circumstances and with the approval of Local Government. As regards literate prisoners generally, where the Local Governments publish a jail newspaper or where they intend to publish it, this publication will be available once a week for literate prisoners. Where the Local Governments are unable to publish a weekly newspaper, the Government of India have decided that a few copies of a weekly paper approved



by the Local Government should be provided at Government expenses for 'A' and 'B' classes of prisoners.

"A" class prisoners will be allowed to write and receive one letter and have one interview a fortnight, instead of once a month as at present. "B" class prisoners will be allowed to write and receive one letter and have an interview once a month instead of at the considerably longer intervals now permitted under the various jail manuals. Publication of matters discussed at interviews or of the substance of the letters received from prisoners may entail the withdrawal or curtailment of the privilege.

#### TREATMENT OF UNDER-TRIAL PRISONERS

The Government of India accept the principle that some differentiation of treatment is desirable in the case of under-trial prisoners who, by social status, education or habit of life, have been accustomed to a superior mode of living. There will, therefore, be two classes of under-trial prisoners based on the previous standard of living only. The classifying authority will be the trying court, subject to the approval of the District Magistrate. The diet provided for 'A' and 'B' class convicted prisoners will be given to the former and the diet of 'C' class prisoners to the latter. Under-trial prisoners in either class, will be allowed to supplement this diet by private purchase through the jail authorities. Under the existing rules, they are allowed to wear their own clothing. The suggestion has been made that in cases where under-trial prisoners are inadequately clad or are unable to obtain clothing from outside, suitable clothing, which should not be prison clothing, should be provided by jail authorities. The Government of India commend this suggestion for adoption to the Local Governments.

The Government of India are of opinion that the interpretation of the existing rules in a liberal spirit, together with the modifications now proposed and the provision of better cellular accommodation, will effect improvements in the directions which enquiry has indicated as desirable. They, therefore, hope that Local Governments will make every effort to improve the existing accommodation and will at once utilize and adapt their existing resources to the best possible advantage. In many of the opinions received by the Government of India, stress had been laid on the desirability of separating under-trial prisoners, who are habituals or charged with grave offences, from those who have not been previously convicted. On this subject, the Government of India consider that no further orders are necessary as they understand that this is the existing practice.

The Local Governments are now being invited to amend their jail manuals in the light of these principles, and to frame rules where necessary under Section 60 of the Prisoners Act. Pending such revision they are being requested as far as possible to give immediate practical effect to these changes.





## APPENDIX IV-A

### PEACE PROPOSALS IN JULY AND AUGUST 1930

#### The Correspondence

Sir Tej Bahadur Sapru and Mr. Jayakar have made the following statement embodying the correspondence that passed between them and the Congress leaders in jail in the course of the last two months:

"The facts connected with the efforts which we have been making for over two months for the restoration of peaceful conditions in the country are as follows:

(1) On the 20th June 1930 Pandit Motilal Nehru gave an interview to Mr. George Slocombe, Special Correspondent of "The Daily Herald" (London) with regard to his views about attending the Round Table Conference. The interview has already appeared in India.

(2) Shortly thereafter Mr. Slocombe had a conversation with Pandit Motilal Nehru in Bombay as the result of which certain terms were drafted by Mr. Slocombe and submitted to Pandit Motilal Nehru and approved by him at a meeting in Bombay at which Pandit Motilal Nehru, Mr. Jayakar and Mr. Slocombe alone were present. One copy of these terms was sent to Mr. Jayakar by Mr. Slocombe as agreed upon by Pandit Motilal Nehru as the basis of his (Mr. Jayakar's) or any third party's approach to the Viceroy.

(3) Mr. Slocombe likewise addressed a letter to Dr. Sapru at Simla forwarding a copy of these terms. In the course of this letter Mr. Slocombe said that Pandit Motilal Nehru had agreed to our acting as intermediaries for the purpose of approaching the Viceroy on the basis of these terms. We give below the full text of this document:

#### THE BASIS OF THE NEGOTIATIONS

The statement submitted to Pandit Motilal Nehru in Bombay on June 25, 1930, and approved as the basis of an informal approach to the Viceroy by a third party ran as follows:

If in certain circumstances the British Government and the Government of India, although unable to anticipate the recommendations that may in perfect freedom be made by the Round Table Conference or the attitude which British Parliament may reserve for such recommendations, would nevertheless be willing to give a private assurance that they would support the demand for full responsible Government for India, subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain and as may be decided by the Round Table Conference;

Pandit Motilal Nehru would undertake to take personally such an assurance—or the indication received from a responsible third party that such an assurance would be forthcoming—to Mr. Gandhi and to Pandit Jawaharlal Nehru. If such an assurance were offered and accepted it would render possible a general measure of conciliation which would entail the simultaneous calling off of the civil disobedience movement, the cessation of Government's present repressive policy and a general measure of amnesty for political prisoners and would be followed by Congress participation in the Round Table Conference on terms to be mutually agreed upon."



## LETTER TO THE VICEROY

On the basis of this document, we interviewed the Viceroy in Simla more than once in the early part of July last and explained to him the situation in the country and ultimately wrote to him the following letter.

Simla, July 13.

Dear Lord Irwin.—We would beg leave to draw your Excellency's attention to the political situation in the country which in our opinion makes it imperative that some steps should be taken without any loss of time to restore normal conditions. We are alive to the dangers of the civil disobedience movement with which neither of us have sympathised nor have been associated, but we feel in the contest between the people and the Government, which has involved the adoption of a policy of repression and consequent embitterment of popular feeling the true and abiding interests of the country are apt to be sacrificed. We think it is our duty to our country and to Government that we should make an endeavour to ameliorate the present situation by discussing the question with some of the leaders of the movement in the hope and belief that we may be able to persuade them to help in the restoration of normal conditions.

If we have read Your Excellency's speech aright, we think, while your Excellency and your Government feel compelled to resist the civil disobedience movement, you are not less anxious to explore every possibility in finding an agreed solution of the constitutional problem. We need scarcely say that we believe that with the cessation of the movement, there will be no occasion for the continuance on the part of Government of the present policy and those emergency measures which have been passed by Government to implement that policy.

We, therefore, approach Your Excellency with a request that you may be pleased to permit us to interview Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru, so that we may put our points of view before them and urge them in the interest of the country to respond to our appeal to enable the big issue of constitutional advance being solved in a calm atmosphere. We desire to make it plain that in going to them we shall be going on our own behalf, and we do not profess to represent either the Government or any party in taking this step. If we fail in our attempt the responsibility will be ours.

Should Your Excellency be pleased to grant us permission to see these gentlemen in jail, we shall request you to issue necessary orders to the Local Governments concerned to allow us necessary facilities. We further request that if the necessary permission is granted to us we may be allowed to talk to them privately without there being any officer of Government present at our interview. We further submit that in our opinion it is desirable we should see them at the earliest possible date.

The reply to this letter may be sent to Mr. Jayakar at Hotel Cecil.

Yours sincerely,  
Tej Bahadur Sapru,  
M. R. Jayakar.

## THE VICEROY'S REPLY

To the above the Viceroy made the following reply:—

Dear Mr. Jayakar,—I have received your letter of 13th July. You and Sir Tej Bahadur Sapru state your desire to do all in your power to bring about the return of peaceful conditions in the country and ask for permission to approach Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru with this object. I had occasion in my address to the Legislature on





the 9th July to define the attitude of myself and of my Government both to the civil disobedience movement and to the constitutional issues. We consider the civil disobedience movement is doing unmixing harm to the cause of India and many important communities, classes and parties hold the same view. With their help, therefore, Government must continue to oppose it by all means in their power, but you rightly recognise we are not less anxious to see the achievement of the solution of the constitutional problem by agreement among all interests concerned.

It is evidently not possible for me to anticipate the proposals that will be made by the Government of India after they have had time to consider the Statutory Commission's Report or by the Round Table Conference and still less the decision of Parliament, but I made it plain in my speech that it remains my earnest desire, as it is that of my Government, and I have no doubt also that of His Majesty's Government to do everything, that we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with the making of provision for those matters in regard to which they are not at present in a position to assume responsibility. What those matters may be and what provisions may best be made for them will engage the attention of the conference, but I have never believed that with mutual confidence on both sides it should be impossible to reach an agreement. I, therefore, believe that by the action proposed, you may be able to assist in the restoration of normal conditions in the country, and it would not be right for me or my Government to interpose any obstacle to your efforts, nor do I think that those who have stood side by side with my Government in steadily opposing the civil disobedience movement and whose co-operation I so much value would wish me to do so. On hearing from you I will accordingly ask the Local Governments concerned to issue necessary instructions which will enable you to make your public spirited attempt in the cause of peace in India.

Yours sincerely,  
Irwin.

#### GANDHIJI'S NOTE TO NEHRU

With these two documents we interviewed Mr. Gandhi in Yeravada Jail, Poona, on the 23rd and 24th July 1930. During the interview, we explained to Mr. Gandhi the whole situation and gave him the substance of our conversation with the Viceroy. Mr. Gandhi gave us the following note and letter to be handed over to Pandits Motilal Nehru and Jawaharlal Nehru at Naini Jail, Allahabad.

"(1) So far as this question is concerned my personal position is that if the Round Table Conference is restricted to a discussion of the safeguards that may be necessary in connection with full self-government during the period of transition, I should have no objection, it being understood that the question of Independence should not be ruled out if anybody raised it. I should be satisfied before I could endorse the idea of the Congress attending the conference about its whole composition.

(2) If the Congress is satisfied as to the Round Table Conference, naturally civil disobedience would be called off. That is to say, disobedience of certain laws for the sake of disobedience but peaceful picketing of foreign cloth and liquor will be continued unless Government themselves can enforce prohibition of liquor and foreign cloth. But the manufacture of salt by the populace will have to be continued and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government salt depots or private depots. I will agree even if this clause is not made a clause in these terms, but is accepted as an understanding in writing.



(3) (a) Simultaneously with the calling off of civil disobedience, all Satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released.

(b) Properties confiscated under the Salt Act, the Press Act and the Revenue Act and the like should be restored.

(c) Fines and securities taken from the convicted Satyagrahis or under the Press Act should be refunded.

(d) All officers including village officers who have resigned or who may have been dismissed during the civil disobedience movement and who may desire to rejoin Government service should be restored.

N.B.—The foregoing should refer also to the Non-Co-operation periods.

(e) The Viceregal Ordinances should be repealed.

This opinion of mine is purely provisional because I consider a prisoner has no right to pronounce any opinion upon political activities of which he cannot possibly have full grasp while he is shut out of personal contact. I, therefore, feel my opinion is not entitled to the weight I should claim for it if I was in touch with the movement. Mr. Jayakar and Dr. Sapru may show this to Pandit Motilal Nehru, Pandit Jawaharlal Nehru, Mr. Vallabhbhai Patel and those who are in charge of the movement. Nothing is to appear in the press. This is not to be shown to the Viceroy at this stage. Even if the foregoing terms are accepted, I should not care to attend the conference unless in the event of going out of prison I gained self-confidence which I have not at present and unless among those Indians who would be invited there were preliminary conversations and agreement as to the minimum by which they should stand under all circumstances. I reserve to myself the liberty when occasion arises of testing every Swaraj scheme by its ability to satisfy the object underlying the eleven points mentioned in my letter to the Viceroy.

M. K. Gandhi,  
23rd July,  
Yeravada Central Prison".

#### GANDHI'S LETTER TO PANDIT MOTILAL

The following is Mr. Gandhi's covering letter to Pandit Motilal Nehru:

"My position is essentially awkward. Being temperamentally so built, I cannot give a decisive opinion on matters happening outside the prison walls. What I have, therefore, given to our friends is the roughest draft of what is likely to satisfy me personally. You may not know I was disinclined to give anything to Mr. Slocombe and wanted him to discuss things with you, but I could not resist his appeal, and let him publish the interview before seeing you. At the same time, I do not want to stand in the way of an honourable settlement if the time for it is ripe. I have grave doubts about it but after all Pandit Jawaharlal's must be the final voice. You and I can only give our advice to him. What I have said in my memorandum given to Sir Tej Bahadur Sapru and Mr. Jayakar is the utmost limit to which I can go, but Jawaharlal, for that matter also you may consider my position to be inconsistent with the intrinsic Congress policy or the present temper of the people. I should have no hesitation in supporting any stronger position upto the letter of the Lahore Resolution. You need, therefore, attach no weight to my memorandum unless it finds an echo in the hearts of you both. I know that neither you nor Jawahar were enamoured of the eleven points brought out in my first letter to the Viceroy, I do not know whether you still have the same opinion. My own mind is quite clear about them. They are to me the substance of Independence. I should have nothing to do with anything that would not give the power to give immediate effect to them. In restricting myself to





the three only in the memorandum, I have not waived the other eight, but three are now brought out to deal with the civil disobedience. I would be no party to any truce which would undo the position at which we have arrived to-day.

Yours sincerely,  
M. K. GANDHI,  
23rd July, 1930.  
Yerawada Mandir."

Accordingly on the 27th and 28th July we saw Pandits Motilal Nehru and Jawaharlal Nehru at Naini Jail, Allahabad and after a review of the entire position in the light of the Viceroy's letter and Mr. Gandhi's note and the letter referred to above, Pandits Motilal Nehru and Jawaharlal Nehru gave us the following two documents to be taken to Mr. Gandhi at Yeravada, Poona.

#### NEHRUS' NOTE TO GANDHI

Memorandum dated 28th, 1930 by Pandits Motilal Nehru and Jawaharlal Nehru, Central Prison, Naini, Allahabad.

"We have had a long conversation with Sir Tej Bahadur Sapru and Mr. Jayakar and they have informed us of the variation in events which led to their seeking interviews with Gandhiji and with us in our respective prison in order, if possible to terminate or suspend the present hostilities between the people of India and the British Government. We appreciate their earnest desire for peace and would gladly explore all avenues which might lead to it provided such peace was an honourable one for the people of India who have already sacrificed so much in the national struggle and meant freedom for our country. As representatives of the Congress we have no authority to alter in any material particular its resolutions but we might be prepared under certain circumstances to recommend various details provided the fundamental position taken up by the Congress was accepted. We are, however, faced with initial difficulty. Both of us are in prison and for sometime past have been cut off from the outside world and the national movement. One of us for nearly three months was not allowed any daily newspaper. Gandhiji has also been in prison for several months. Indeed almost all our colleagues, of the original Working Committee of the Congress, are in prison and the Committee itself has been declared an illegal organisation. Of the 360 members of the All-India Congress Committee which is the final authority in the National Congress organisation subject only to a full session of the Congress, probably 75 per cent are in prison. Cut off as we are from the national movement we cannot take upon ourselves the responsibility of taking a definite step without the fullest consultation with our colleagues and especially Gandhiji. As regards the Round Table Conference we feel untimely to achieve anything unless an agreement on all vital matters is previously arrived at. We attach great importance to such an agreement which must be definite and there must be no room for misunderstanding or misinterpretation. Sir Tej Bahadur Sapru and Mr. Jayakar have made very clear and Lord Irwin has also stated in his published letter to them that they are acting on their own behalf and cannot commit him or his Government. It is, however, possible they may succeed in paving way to such an agreement between the Congress and the British Government. As we are unable to suggest any definite terms for truce without consulting Gandhiji and other colleagues we refrain from discussing the suggestions made by Sir Tej Bahadur Sapru and Mr. Jayakar and by Gandhiji in the note of his dated 23rd July which has been shown to us. We might, however, agree generally with Gandhiji's 2nd and 3rd points, but we should like the details of these points and specially his point (1) to discuss with him and others before we can finally make our suggestions. We suggest this note of ours be treated confidential and be shown to such persons as see Gandhiji's note dated 23-7-30.



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PANDIT JAWAHARLAL'S LETTER

Letter dated 28-7-'30 from Pandit Jawaharlal Nehru, Central Prison, Naini, Allahabad to Mr. Gandhi, Yeravada Jail, Poona:—

28-7-'30.

Central Prison, Naini,

"My dear Bapuji,—It is a delight to write you again after a long interval even though it be from one prison to another. I would like to write at length, but I am afraid I cannot do so at present. I shall, therefore, confine myself to the matter in issue. Dr. Sapru and Mr. Jayakar came yesterday and had a long interview with father and me. To-day they are coming again. As they have already put us in possession of all facts and shown us your note and letters and we felt we could discuss the matter between us two and arrive at some decision even without waiting for a second interview. Of course if anything new turns up at the second interview we are prepared to vary any previously formed opinion. Our conclusions for the time being are given in the note which we are giving to Sir Tej Bahadur Sapru and Mr. Jayakar. This is more or less brief but it will, I hope give you some idea of how our minds are working. I might add that father and I are in full agreement in regard to what our attitude should be. I might confess your point (1) regarding the constitutional issue has not won me over nor does father fancy it. I do not see how, it fits in with our position or our pledges or the realities of to-day. Father and I entirely agree with you that we can be "no parties to any truce which would undo the position at which we have arrived today." It is because of this that fullest consideration is essential before any final decision is arrived at. I must confess I do not see an appreciable advance yet from the other side and I greatly fear a false or weak move on our part. I am expressing myself moderately. For myself I delight in warfare. It makes me feel that I am alive. Events of the last four months in India have gladdened my heart and have made me prouder of Indian men, women and even children that I had ever been, but I realise that most people are not warlike and like peace and so I try hard to suppress myself and take a peaceful view. May I congratulate you on the new India you have created by your magic touch! What the future will bring I know not but the past has made life worth living and our prosaic existence has developed something of epic greatness in it. Sitting here in Naini Jail, I have pondered on the wonderful efficacy of non-violence as a weapon and have become a greater convert to it than ever before. I hope you are not dissatisfied with the response of the country to the non-violence creed. Despite occasional lapses, the country has stuck to it wonderfully, certainly far more grimly than I had expected. I am afraid I am still somewhat of a protestant regarding your eleven points. Not that I disagree with any one of them. Indeed they are important. Yet I do not think they take the place of Independence. But I certainly agree with you that we should have "nothing to do with anything that would not give the nation power to give immediate effect to them." Father has been unwell the last eight days ever since he took an injection. He has grown very weak. This long interview last evening tired him out.

(Sd.) Jawaharlal.

Please do not be anxious about me. It is only a passing trouble and I hope to get rid over it in two or three days. Love.

(Sd.) Motilal Nehru".

P.S.—"We have had another talk with Sir Tej Bahadur Sapru and Mr. Jayakar. At their desire we have made some alterations in our note, but they do not make any vital difference. Our position is quite clear and I have no doubt whatever about it. I hope you will appreciate it."





Accordingly, Mr. Jayakar alone saw Mr. Gandhi on the 31st July, 1st August and 2nd August when Mr. Gandhi dictated to him the following notes:—

"(1) No constitutional scheme would be acceptable to Mr. Gandhi which did not contain a clause allowing India the right to secede from the Empire at her desire and another clause which gave the right and power to India to deal satisfactorily with his eleven points.

"(2) The Viceroy should be made aware of this position of Mr. Gandhi in order that the Viceroy should not consider later that these views of Mr. Gandhi had taken him by surprise when they were urged at the Round Table Conference. The Viceroy should also be made aware that Mr. Gandhi would insist at the Round Table Conference on a clause giving India the right to have examined by an independent tribunal all the British claims and concessions given to Britishers in the past."

### CONGRESS LEADERS' DEMANDS

After that a joint interview took place in Yeravda Jail, Poona, on the 14th and 15th August between us on the one hand and Mr. Gandhi, Pandits Motilal Nehru and Jawaharlal Nehru, Mr. Vallabhbhai Patel, Dr. Syed Mahomed, Mr. Jajramdas Daulat Ram and Mrs. Naidu on the other. As a result of our conversations with them on these occasions, the Congress leaders gave us a letter with permission to show it to the Viceroy. This letter is set out below:

Yeravada Central Prison,  
15th August, 1930.

Dear Friends,

We are deeply grateful to you for having undertaken the duty of trying to effect a peaceful settlement between the British Government and the Congress. After having perused the correspondence between yourselves and His Excellency the Viceroy and having had the benefit of protracted talks with you and having discussed among ourselves, we have come to the conclusion that the time is not yet ripe for securing a settlement honourable for our country. Marvellous as has been the mass awakening during the past five months and great as has been the suffering of the people among all grades and classes representing the different creeds, we feel that the sufferings have been neither sustained enough nor large enough for the immediate attainment of the end. Needless to mention we do not in any way share your view or the Viceroy's that civil disobedience has harmed the country or that it is ill-timed or unconstitutional. English history teems with instances of bloody revolts whose praises Englishmen have sung unstintingly and taught us to do likewise. It, therefore, ill-becomes the Viceroy or any intelligent Englishman to condemn a revolt that is in intention and that has overwhelmingly remained in execution peaceful, but we have no desire to quarrel with condemnation whether official or unofficial of the present civil disobedience campaign. The wonderful mass response to the movement is, we hold, its sufficient justification. What is, however, the point here is the fact that we gladly make common cause with you in wishing, if it is at all possible, to stop or suspend, civil disobedience. It can be no pleasure to us needlessly to expose the men, women and children of our country to imprisonment, lathi charges and worse. You will, therefore, believe us when we assure you and through you the Viceroy that we would leave no stone unturned to explore any and every channel for honourable peace, but we are free to confess as yet we see no such sign on the horizon. We notice no symptom of conversion of the English official world to the view that it is India's men and women who must decide what is best for India. We distrust the pious declarations of the good intentions, often well meant, of officials. The age-long ex-



plotation by the English of the people of this ancient land has rendered them almost incapable of seeing the ruin, moral, economic and political of our country which this exploitation has brought about. They cannot persuade themselves to see, that one thing needful for them to do is to get off our backs and do some reparation for the past wrongs by helping us to grow out of the dwarfing process that has gone on for a century of British domination, but we know you and some of our learned countrymen think differently. You believe a conversion has taken place, at any rate, sufficient to warrant participation in the proposed Conference. In spite, therefore, of the limitation we extent labouring under, we would gladly co-operate with you to the extent of our ability.

The following is the utmost response it is possible for us, circumstanced as we are, to make to your friendly endeavour.

We feel the language used by the Viceroy in the reply given to your letter about the proposed Conference is too vague to enable us to assess its value in terms of the National Demand framed last year in Lahore nor are we in a position to say anything authoritative without reference to a properly constituted meeting of the Working Committee of the Congress and if necessary to the A.I.C.C. but we can say that for us individually no solution will be satisfactory unless (a) it recognises in as many words the right of India to secede at will from the British Empire, (b) it gives to India complete national Government responsible to her people including the control of defence forces and economic control and covers all the eleven points raised in Gandhiji's letter to the Viceroy and (c) it gives to India the right to refer if necessary to an independent tribunal such British claims, concessions and the like including the so-called public debt of India as may seem to the National Government to be unjust or not in the interest of the people of India.

Note:—Such adjustments as may be necessitated in the interests of India during the transference of power to be determined by India's chosen representatives.

(2) If the foregoing appears to be feasible to the British Government and a satisfactory declaration is made to that effect, we should recommend to the Working Committee the advisability of calling off civil disobedience, that is to say disobedience of certain laws for the sake of disobedience, but peaceful picketing of foreign cloth and liquor will be continued unless Government themselves can enforce prohibition of liquor and foreign cloth. The manufacture of salt by the people will have to be continued and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government or private salt depots.

(3) Simultaneously with the calling off of civil disobedience (a) all the Satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released. (b) Properties confiscated under the Salt Act, the Press Act, the Revenue Act and the like should be restored, (c) Fines and securities taken from convicted Satyagrahis or under the Press Act should be refunded, (d) all the officers including village officers who have resigned or who may have been dismissed during the civil disobedience movement and who may desire to rejoin Government service should be re-instated.

Note:—The foregoing sub-clauses refer also the Non-Co-operation Period.

(e) All the Viceregal Ordinances should be repealed.





(4) The question of the composition of the proposed Conference and of the Congress being represented at it can only be decided after the foregoing preliminaries are satisfactorily settled."

Yours sincerely,

Motilal Nehru,  
M. K. Gandhi,  
Sarojini Naidu,  
Vallabhbhai Patel,  
Jairamdas Daulatram,  
Syed Mahomed,  
Jawaharlal Nehru.

#### PEACE-MAKERS' LETTER TO CONGRESSMEN

Copy of a letter dated Bombay 16th August 1930.

"We sent them the following reply from Winter Road Malabar Hill, Bombay, on 16-8-'30.

Dear Friends,—We desire to express our thanks to you all for the courteous and patient hearing which you have been good enough to give us on the several occasions on which we visited you either in Poona or in Allahabad. We regret we should have caused you so much inconvenience by these prolonged conversations and we are particularly sorry that Pandit Motilal Nehru should have been put to the trouble of coming down to Poona at a time when his health was so bad.

We beg formally to acknowledge receipt of the letter which you have handed us and in which you state the terms on which you are prepared to recommend to the Congress the calling off of civil disobedience and participation in the Round Table Conference. As we have informed you, we took up this work of mediation on the basis of (1) the terms of the interview given by Pandit Motilal Nehru, then the Acting President of the Congress, to Mr. Slocombe in Bombay on 20th June 1930 and particularly (2) the terms of the statement submitted by Mr. Slocombe to Pandit Motilal Nehru in Bombay on the 25th June 1930 and approved by him (Pandit Motilal Nehru) as the basis of an informal approach to the Viceroy by us.

Mr. Slocombe forwarded both the documents to us and we thereupon approached His Excellency the Viceroy for a mission to interview Mahatma Gandhi, Pandits Motilal Nehru and Jawaharlal Nehru in order to explore the possibilities of a settlement. A copy of the second document referred to above has been taken by you from us. We now find the terms embodied in the letter, you gave us on the 14th instant are such that, as agreed between us, it must be submitted to His Excellency the Viceroy for his consideration and we have to await his decision. We note your desire that material documents relating to these peace negotiations including your said letter to us should be published and we shall proceed to do this after His Excellency the Viceroy has considered your letter.

Before we conclude, you will permit us to say that we had reasons to believe, as we told you, that with the actual calling off of the civil disobedience movement the general situation would largely improve. Non-violent political prisoners would be released, all the Ordinances with the exception of those affecting the Chittagong and the Lahore Conspiracy Cases would be repealed and the Congress would get representation at the Round Table Conference larger than that of any other single political party. We need scarcely add that we emphasised also that in our opinion there was substantially no difference between the point of view adopted by Pandit Motilal Nehru in his interview and the statement sent to us by Mr. Slo-



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combe with Pandit Motilal's approval and His Excellency the Viceroy's letter to us.

Yours sincerely,  
T. B. Sapru,  
M. R. Jayakar.

VICEROY'S LETTER TO SIR T. B. SAPRU

Thereafter Mr. Jayakar alone took the letter of the Congress leaders to Simla on the 21st August and had conversations with the Viceroy. Sir Tej Bahadur Sapru joined him on the 25th. We then had several interviews with the Viceroy and some members of his Council between the 25th and 27th August. As a result of the same the Viceroy gave us a letter to show to the Congress leaders in Allahabad and Poona.

Viceregal Lodge,  
Simla, 28th August 1930.

The following is the text of that letter:

Dear Sir Tej Bahadur,—I have to thank you for informing me of the results of the conversations held by Mr. Jayakar and yourself with the Congress leaders now in prison and for sending me copies of their joint letter of the 15th August and of your reply thereto. I should wish you and Mr. Jayakar both to know how great has been my appreciation of the spirit in which you have pursued your self-imposed public spirited task of endeavouring to assist in the restoration of normal conditions in India. It is worth recalling the conditions under which you entered upon your undertaking. In my letter of 16th July, I assured you that it was the earnest desire of myself, my Government and I had no doubt also of His Majesty's Government, to do everything we could to assist the people of India to obtain as large a degree of management of their own affairs as could be shown to be consistent with the making of provision for those matters in regard to which they were not at present in a position to assume responsibility. It would be among the functions of the Conference to examine in the light of all the material available what those matters might be and what provision might be made for them. I had previously made two other points plain in my speech to the legislature on the 9th July. The first is that those attending the Conference would have the unfettered right of examining the whole constitutional problem in all its bearing. Secondly, that any agreement at which the Conference was able to arrive would form the basis of the proposals which His Majesty's Government would later submit to Parliament. I fear as you will not doubt recognise that the task you had voluntarily undertaken has not been assisted by the letter you have received from the Congress leaders. In view both of the general tone by which the letter is inspired and of its contents, as also of its blank refusal to recognise the grave injury to which the country has been subjected by the Congress policy, not the least in the economic field, I do not think any useful purpose would be served by my attempting to deal in detail with the suggestions there made and I must frankly say I regard discussion on the basis of the proposals contained in the letter as impossible. I hope if you desire to see the Congress Leaders again you will make this plain.

"There is one further comment I must make upon the last paragraph of your reply to them dated 16th August. When we discussed these matters, I said if the civil disobedience movement was in fact abandoned, I should not desire to continue the Ordinances (apart from those connected with the Lahore Conspiracy Case and Chittagong) necessitated by the situation which ex-hypothesi would no longer exist. But I was careful to make it plain that I was unable to give any assurance, if and when the civil disobedience movement ceases, that Local Governments would find it possible to release all persons convicted or under trial for offences in connection





with the movement not involving violence, and that while I should wish to see a generous policy pursued in this matter, the utmost that I could promise would be to move all the Local Governments to consider with sympathy all the cases individually on their merits.

"Upon the point of your reference to the representation of the Congress at the Conference in the event of their abandoning the civil disobedience movement and desiring to attend, my recollection is you explained that the demand of the Congress was not for predominant, in the sense of majority, representation at the conference and that I expressed the view that I should anticipate little difficulty in recommending to His Majesty's Government to secure that the Congress should be adequately represented. I added that if events so developed, I should be ready to receive a panel of names from the leaders of the Congress Party of those whom they would regard as suitable representatives. I feel that you and Mr. Jayakar would desire to be clearly informed of the position of myself and my Government as it may be desirable that the letters should be published at an early date in order that the public may be fully informed of the circumstances, in which your efforts have failed to produce the result you hoped and they so certainly deserved.

Yours sincerely,  
(Sd.) Irwin.

#### NOTES OF CONVERSATIONS WITH VICEROY

His Excellency the Viceroy also permitted us to mention to the Congress leaders the result of our conversations with him on certain specific points raised by us in connection with the letter of the Congress leaders. We left Simla on the 28th of August, and interviewed Pandit Motilal Nehru and Pandit Jawaharlal Nehru, and Dr. Syed Mahmood at Naini Jail, Allahabad, on August 30 and 31st. We showed them the said letter of the Viceroy, and placed before them the result of our conversations. We explained to them with reference to the several points raised in their letter to us of August 15 and not covered by the Viceroy's letter of 28th August, that we had reason to believe from the conversations we had with the Viceroy that a statement was possible on the following basis:—

(a) On the constitutional question the position would be as stated in the four fundamental points in para 2 of the Viceroy's letter to us of 28th August.

(b) With reference to the question whether Mr. Gandhi would be allowed to raise at the Round Table Conference the question of India's right to secede from the Empire at will, the position was as follows: "As the Viceroy has stated in his said letter to us, the Conference was a free Conference. Therefore, anyone could raise any points he liked, but the Viceroy thought it would be very unwise for Mr. Gandhi to raise this question now. If, however, he faced the Government of India with such a question, the Viceroy would say the Government were not prepared to treat it as an open question. If, in spite of this, Mr. Gandhi desired to raise the question, the Government would inform the Secretary of State of his intention to do so at the Round Table Conference."

(c) As regards the right to raise the question at the Round Table Conference of India's liability to certain financial burdens and to get them examined by an independent Tribunal, the position was that the Viceroy could not entertain any proposition amounting to total repudiation of all debts, but it would be open to anyone to raise, at the Round Table Conference, any question as to any financial liability of India and to call for its examination.

(d) As regards the granting of relief against the Salt Act, the position of the Viceroy was that (1) the Salt Tax was going to be provincialised if



the recommendation of the Simon Commission in that behalf was accepted, and (2) there has been already great loss of revenue and, therefore, the Government would not like to forego this source, but if the Legislature was persuaded to repeal the Salt Act and if any proposal was put forward to make good the loss of revenue occasioned by such repeal, the Viceroy and his Government would consider the question on its merits. It was not, however, possible for the Viceroy to condone open breaches of the Salt Act so long as it was Law. When goodwill and peace were restored and, if Indian leaders desired to discuss with H. E. the Viceroy and his Government how best economic relief could be given to the poorer classes on his behalf, the Viceroy would be glad to call a small conference of Indian leaders.

(e) With reference to picketing, the position was that if picketing amounted to nuisance to any class of people or was coupled with molestation or intimidation or the use of force, the Viceroy reserved to the Government the right of taking such action as the law allowed or taking of such legal power as might be necessary to meet any emergency that might arise. Subject to the above when peace was established, the Ordinance against picketing would be withdrawn.

(f) With regard to the re-employment of the officers who resigned or had been dismissed during the civil disobedience campaign, the position was that this matter was primarily a question for the discretion of Local Governments, subject, however to there being vacancies and as long as it did not involve dismissing men who had proved loyal, the Local Government would be expected to re-employ men who had thrown up their appointments in a fit of excitement or who had been swept off their feet.

(g) As for the restoration of Printing Presses confiscated under the Press Ordinance, there would be no difficulty.

(h) As regards the restoration of fines and properties confiscated under the Revenue Law, that required closer definition. As to the properties confiscated or sold under such law, there might be the rights of third parties involved. As to refunding fines, there were difficulties. In short, all that the Viceroy could say was that the Local Governments would exercise their discretion with justice and take all the circumstances into consideration and try to be as accommodating as they could.

(i) As to the release of prisoners the Viceroy had already explained his views in his letter to us dated July 28th.

#### NEHRUS' FINAL NOTE TO GANDHIJI

We made clear to Pandit Motilal Nehru and Pandit Jawaharlal Nehru and Dr. Syed Mahomed, during their said two interviews with us, that though the time before us was limited further progress with our negotiations was possible on the lines indicated above. They, however, expressed unwillingness to accept any settlement on this basis and gave us a note for Mr. Gandhi which is as follows:—

Naini Central Prison,  
31st August, 1930.

"We have had further interviews with Mr. M. R. Jayakar and Sir Tej Bahadur Sapru yesterday and today, and have had the advantage of long talks with them. They have given us a copy of the letter, dated August 23, addressed to them by His Excellency Lord Irwin. In this letter, it is stated clearly that Lord Irwin regards discussion on the basis of the proposals contained in our joint letter of August 15th, to Sir Tej Bahadur Sapru and Mr. Jayakar as impossible, and under the circumstances, he rightly concludes their efforts have failed to produce any result. This joint letter, as you know was written after a full consideration by the signatories to it,





and represented the utmost they were prepared to go in their individual capacities. We stated there that no solution would be satisfactory unless it fulfilled certain vital conditions, and that a satisfactory declaration to that effect was made by the British Government. If such a declaration was made, we would be prepared to recommend to the Working Committee the desirability of calling off of civil disobedience, provided simultaneously certain steps indicated in our letter were taken by the British Government in India.

"It was only after a satisfactory settlement of all these preliminaries that the question of the composition of the proposed London Conference and of the Congress being represented at it could be decided. Lord Irwin, in his letter, considers even a discussion on the basis of these proposals as impossible. Under the circumstances, there is or can be no common ground between us. Quite apart from the contents, the tone of the British Government in India clearly indicate that the Government has no desire for peace. The proclamation of the Working Committee as an illegal body in the Delhi Province soon after a meeting of it was announced to be held there, and the subsequent arrest of most of its members can have that meaning and no other. We have no complaint against these or other arrests or other activities of the Government, "uncivilised" and "barbarous" as we consider some of those to be. We welcome them. But, we feel we are justified in pointing out that a desire for peace and an aggressive attack on the very body, which is capable of giving peace and with which it is sought to treat, do not go well together. The proscription of the Working Committee all over India and the attempt to prevent its meetings must necessarily mean that the National struggle must go on, whatever the consequences, and that there will be no possibility of peace, for those who may have some authority to represent the people of India will spread out in British prisons all over India.

"Lord Irwin's letter and the action taken by the British Government make it plain that the efforts of Sir Tej Bahadur Sapru and Mr. Jayakar have been in vain. Indeed, the letter and some of the explanations that had been given to us take us back, in some respects, even from the position that was previously taken. In view of the great 'haitus' that exists between our position and Lord Irwin's, it is hardly necessary to go into details, but we should like to point out to you certain aspects of the letter. The first part of the letter is practically a repetition of his speech to the Legislative Assembly and of the phrases used in his letter dated July 16, addressed to Mr. Jayakar and Sir Tej Bahadur Sapru. As we pointed out in our joint letter, this phraseology is too vague for us to assess its value. It may be made to mean anything or nothing. In our joint letter we have made it clear that a complete National Government responsible to the people of India, including control over the Defence Forces and economic control, must be recognised as India's immediate demand. There is no question of what are usually called safeguards or any delay. Adjustments there necessarily must be for the transference of power and in regard to these we stated they were to be determined by India's chosen representatives.

As regards India's right of secession at will from the British Empire and her right to refer British claims and concessions to an independent tribunal, all that we are told is that the Conference will be a free conference and any point can be raised there. This is no advance on the previous statement made. We are further told, however, that if the British Government in India were definitely faced with the possibility of the former question being raised, Lord Irwin would say they were not to treat it as an open question. All they could do was to inform the Secretary of State of our intention to raise the question at the Conference.

"As regards the other proposition, we are told that Lord Irwin could only entertain the idea of a few individual financial transactions being





subjected for scrutiny. While such scrutiny may take place in individual cases, its scope will have to extend to the whole field of British claims including, as we have stated, the so-called Public Debt of India. We consider both these questions as of vital importance and previous agreement in our joint letter seems to us essential.

"Lord Irwin's reference to the release of prisoners is very restricted and unsatisfactory. He is unable to give an assurance that all of the non-violent civil disobedience prisoners even will be discharged. All he proposes to do is to leave the matter in the hands of the Local Governments. We are not prepared to trust in such a matter to the generosity or sympathy of Local Governments or local officials but apart from this, there is no reference in Lord Irwin's letter to other non-violent prisoners. There are a large number of Congressmen and others who were sent to prison for political offences prior to the civil disobedience movement. We might mention in this connection the Meerut Case prisoners who have already spent an year and a half as undertrials. We have made it clear in our joint letter that all these persons should be released.

"Regarding the Bengal and the Lahore Case Ordinances we feel no exception should be made in their favour as suggested by Lord Irwin. We have not claimed release for those political prisoners who may have been guilty of violence not because we would not welcome their release but because we felt that as our movement was strictly non-violent, we would not confuse the issue. But the least we can do is to press for ordinary trial for these fellow countrymen of ours and not by an extraordinary court constituted by an ordinance which denies them the right of appeal and the ordinary privileges of accused.

"Amazing events including the brutal assaults that have occurred even in open court during the so-called trial make it imperative that the ordinary procedure should be followed. We understand that some of the accused in protest against the treatment accorded to them have been on hunger-strike for a long period and are now at death's door. The Bengal Ordinance, we understand, has been replaced by an Act based on it and most objectionable, and the fact that an unrepresentative body like the present Bengal Council has passed it, does not make it any the better.

"As regards the further picketing of foreign cloth and liquor shops, we are told, Lord Irwin is agreeable to the withdrawal of the Picketing Ordinance, but he states that if he thinks it necessary, he will take fresh legal powers to combat picketing. Thus he informs us that he might re-enact the Ordinance or do something in Simla to it whenever he considers it necessary. The reply regarding the Salt Act and certain other matters referred to in our joint letter is also wholly unsatisfactory. We need not deal with it at any length here as you are an acknowledged expert on salt-reason to modify our previous position as regards these matters.

"Thus Lord Irwin has declined to agree to all the major propositions and many of the minor ones laid down in our joint letter. The difference in his outlook and ours is very great, indeed fundamental. We hope you will show his note to Mrs. Sarojini Naidu, Mr. Vallabhbhai Patel, Mr. Jai-ramdas Daulatram and in consultation with them give your reply to Mr. Jayakar and Sir Tej Bahadur Sapru. We feel that the publication of the correspondence must no longer be delayed, and we are not justified in keeping the public in the dark. Even apart from the question of publication, we are requesting Sir Tej Bahadur Sapru and Mr. Jayakar to send copies of all correspondence and relevant papers to Chaudhuri Khalik Uzaman, the Acting President of the Indian National Congress. We feel we ought to take no step without immediate information being sent to the Working Committee, which happens to be functioning."

(Sd.) Motilal,

(Sd.) Syed Mahmud,

(Sd.) Jawaharlal.





## LEADERS' JOINT REPLY

Yerawada Central Prison,  
5-9-1930.

We accordingly saw Mr. Gandhi and other Congress leaders in Yerawada Jail, Poona on the 3rd, 4th and 5th September, gave them the said letter, and discussed the whole question with them.

As a result of such conversations, they gave us the statement which is reproduced below:—

Dear Friends,—We have very carefully gone through the letter, written to you by H. E. the Viceroy dated 28-8-1930. You have kindly supplemented it with a record of your conversations with the Viceroy on points not covered by the letter. We have equally carefully gone through the Note signed by Pandit Motilal Nehru, Dr. Syed Mahmud and Pandit Jawaharlal Nehru, and sent by them through you. The note embodies their considered opinion on the said letter and the conversation.

We gave two anxious nights to these papers and we had the benefit of a full and free discussion with you on all the points arising out of these papers. And as we have told you we have all arrived at the definite conclusion that we see no meeting ground between the Government and the Indian National Congress so far as we can speak for the latter, being out of touch with the outside world. We unreservedly associate ourselves with the opinion contained in the Note sent by the distinguished prisoners in the Naini Central Prison, but these friends expect us to give in our own words our view of the position finally reached in the negotiations for peace which you, with patriotic motives, have carried on during the past two months at considerable sacrifice of your own time and no less inconvenience to yourselves. We shall, therefore, allude as briefly as possible to the fundamental difficulties that have stood in the way of peace being achieved.

The Viceroy's letter dated 16-7-30 is, we have taken, intended to satisfy, so far as may be, the terms of the interview, Pandit Motilal Nehru gave to Mr. George Slocombe on June 20th, and the statement submitted by Mr. Slocombe to him, on June 25 and approved by him. We are unable to read in the Viceroy's language in his letter of July 16 anything like satisfaction of the terms of the interview of the said statement. Here are the relevant parts of the interview and the statement.

In the interview it was stated, "If the terms of the Round Table Conference are to be left open we are expected to go to London to argue the case for Dominion Status. I should decline. If it was made clear, however, that the Conference would meet to frame a constitution for a Free India subject to such adjustments of our mutual relations as are required by the special needs and conditions of India and our past agitation, I for one would be disposed to recommend to the Congressmen to accept the invitation to participate in the conference. We must be masters in our household, but we are ready to agree to reasonable terms for the period of transference of power from a British administration in India to a responsible Indian Government. The Conference must be to meet British people discuss these terms as Nation to Nation and on an equal footing.

The statement contained the following: "The Government would give private assurance that they would support the demand for full responsible Government for India subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain and as may be decided by the Round Table Conference."



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Here is the relevant part of the Viceroy's letter. "It remains my earnest desire, as it is, that of my Government and I have no doubt also that of His Majesty's Government to do everything we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibilities. What those matters may be, and what provisions may best be made for them, will engage the attention of the conference, but I have never believed that, with mutual confidence on both the sides, it should be impossible to reach an agreement."

We feel that there is a vast difference between the two positions. Where Pandit Motilalji visualises a Free India enjoying a status different in kind from the present as a result of the deliberations of the proposed Round Table Conference, the Viceroy's letter merely commits him and his Government and the British Cabinet to an earnest desire to assist India to obtain as large a degree of the management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility. In other words, the prospect held out by the Viceroy's letter is one of getting, at the most, something more along the lines of reforms commencing with those known to us as the Landsdowne Reforms. As we had the fear that our interpretation was correct in our letter of 15-8-'30 signed also by Pandit Motilal Nehru, Dr. Syed Mahmud and Pandit Jawaharlal Nehru, we put our position negatively and said what would not in our opinion satisfy the Congress. The letter you have now brought from H. E. the Viceroy reiterates the original position taken up by him in his first letter and we are grieved to say contemptuously dismisses our letter as unworthy of consideration and regards discussion on the basis of the proposals contained in the letter as impossible.

You have thrown further light on the question by telling us that if Mr. Gandhi definitely faced the Government of India with such a question (i.e.) the right of secession from the Empire at India's will, the Viceroy would say, they were not prepared to treat it as an open question. We, on the other hand, regard the question as the central point in any constitution that India is to secure and one which ought not to need any argument. If India is now to attain full Responsible Government or full Self-Government or whatever other term it is to be known by, it can be only on an absolutely voluntary basis, leaving each party to sever the partnership or association at will. If India is to remain no longer a part of the Empire but is to become an equal and free partner in the Commonwealth, she must feel the want and warmth of that association and never otherwise. You will please observe this position is clearly brought out in the interview already alluded to by us. So long, therefore, as the British Government, or the British people regard this position as impossible or untenable, the Congress must, in our opinion, continue the fight for freedom.

The attitude taken up by the Viceroy over the very mild proposal made by us regarding the Salt Tax affords a further painful insight into the Government's mentality. It is as plain as daylight to us that, from the dizzy heights of Simla, the Rulers of India are unable to understand or appreciate the difficulties of the starving millions living in the plains whose incessant toll makes Government from such a giddy height at all possible.

If the blood of innocent people that was split during the past five months to sustain the monopoly of a gift of nature next in importance to poor people only to air and water, has not brought home to the Government the conviction of its utter immorality, no Conference of Indian leaders as suggested by the Viceroy can possibly do so. The suggestion that those who ask for the repeal of the monopoly should show a source of equivalent revenue adds insult to injury. This attitude is an indication that if Government can help it the existing crushingly expensive system shall con-





tinue to the end of time. We venture further to point out that not only does the Government here, but Governments all the world over, openly condone breaches of measures which have become unpopular but which for technical or other reasons cannot straightaway be repealed. We need not now deal with many other important matters in which too there is no adequate advance from the Viceroy to the popular position set forth by us. We hope we have brought out sufficient weighty matters in which there appears at present to be an unbridged gulf between the British Government and the Congress.

There need, however, be no disappointment, for the apparent failure of the Peace negotiations. The Congress is engaged in a grim struggle for Freedom. The nation has resorted to a weapon which the Rulers being unused to it will take time to understand and appreciate. We are not surprised that a few months' suffering has not converted them. The Congress desires to harm no single legitimate interest by whomsoever acquired. It has no quarrel with Englishmen as such, but it resents and will resent with all the moral strength at its command, the intolerable British domination. Non-violence being assured to the end, we are certain of the early fulfilment of the national aspiration. This we say, in spite of the bitter and often insulting language used by the powers that be in regard to civil disobedience.

Lastly, we once more thank you for the great pains you have taken to bring about peace, but we suggest that the time has not arrived when any further peace negotiations should be carried on with those in charge of the Congress organisation. As prisoners, we labour under an obvious handicap. Our opinion is based, as it must be, on second-hand evidence and runs the risk of being faulty. It would be naturally open to those in charge of the Congress organisation to see any of us. In that case, and when the Government itself is equally desirous for peace, they should have no difficulty in having access to us.

(Sd.) M. K. Gandhi,  
(Sd.) Sarojini Naidu,  
(Sd.) Vallabhbhai Patel,  
(Sd.) Jairamdas Doulatram

We content ourselves with publishing for the information of the public material facts and documents and in strict conformity with our duties and obligations as intermediaries, we refrain in this statement from putting our own interpretation or offering our own comments on the facts and documents set out above. We may mention that we have obtained the consent of H. E. The Viceroy, and the Congress leaders to the publication of the documents above set out.





## APPENDIX V.

## FORMS OF DECLARATION BY INDIAN MILLS

We hereby declare:

1. That we have full sympathy with the national aspirations of the people.
2. That not less than 75 per cent of the share capital of the Company is held by Indians. (The Special Committee nominated by the President of the Congress in this behalf may, however, permit exemptions in regard to this clause as special cases.)
3. That not less than 66 per cent of the Directors of the Company apart from the ex-officio Directors are and will continue to be Indian. In the event of the ex-officio Directors being non-Indians, the Indian Directors should form a majority in the Board.
4. That there is no foreign interest in the Managing Agents' firm.
5. That the partners of the Agents' firm or the firm are not interested in any foreign insurance companies or in the import trade of foreign yarn or foreign piecegoods.
6. That we will assist in the propagation of Swadeshi, firstly, by taking steps to eliminate the competition of mill cloth with khadi (i.e. handspun and handwoven cloth) and secondly, by refraining from exploiting in our own interest the situation arising out of the movement in respect of the price or quality of cloth.
7. That the ownership as well as the management of the mills is Indian and the personnel of the management is Indian in outlook and spirit and is pledged to safeguard Indian interest.

In pursuance of the above declarations, we hereby undertake to do as follows:

1. No person connected with the management of the mills will engage himself in propaganda hostile to the national movement or participate in any activity organised voluntarily or at the instance or on behalf of the British Government in India in opposition to the movement.
2. Recruitment of staff will be restricted to Indians, except for special reasons.
3. We shall pass as early as possible the insurance business of our Company to Indian Insurance Companies.
4. As far as possible we shall pass our Banking and shipping business to Indian Banks and Indian Steamship Companies.
5. We shall henceforth employ as far as possible, Indians as our auditors, solicitors, shipping agents, buying or selling brokers, contractors or suppliers of goods required for our mills.
6. We shall purchase, as far as possible, store articles of Indian manufacture and will only buy such foreign articles as are indispensable and as cannot be replaced by Indian Swadeshi articles (List of such foreign articles as are indispensable is enclosed herewith).
7. We shall not make use of any kind of foreign yarn or foreign silk or artificial silk or thread or yarn made in mills on the boycott list.
8. We shall not bleach or dye any yarn or cloth that is foreign or produced in mills that are placed on the boycott list.
9. We shall put our stamps distinctly on both ends of each piece of cloth manufactured in our mills and will not send any cloth outside without the proper stamps.





## FORMS OF DECLARATION BY INDIAN MILLS

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10. We shall not name, stamp or style any of our cloth as khadi.
11. We shall not make cloth of the following specifications:

Any cloth, grey or bleached, warp, and weft counts each coarser than 18 plain weave, one up and down, single or double and weft including checks plain weave, also those made on drop box and circular box and carpets. (18 counts shall include either single or multifold yarn the count of which (multifold) comes to 18 or less).

The mills, however, shall be at liberty to make drills, satins, tussers, twills, cloth on jacquards and dobby patterns in the body, dyed cloth made from dyed cotton, blankets and malidas.

12. We shall, as far as possible, do all our selling or buying business with or through Indian concerns.

13. Persons connected with management of our mills will wear Swadeshi cloth.

Name of the Company.....  
Address.....  
Name of the Agents or Proprietors.....

### FORM

#### DECLARATION BY NON-INDIAN MILLS

We hereby declare:

1. That we have full sympathy with the national aspirations of the people.

2. That not less than 75 per cent of the share capital of the company is held by Indians. (The Special Committee nominated by the President of the Congress in this behalf may, however, permit exemption in regard to this clause as special cases).

3. That not less than 66 per cent of the Directors of the Company apart from the ex-officio directors are and will continue to be Indians. (In the event of the ex-officio Directors being non-Indians, Indian Directors should form a majority in the Board.)

4. The partners of the Agents' firm are not in any way interested in the import trade of foreign yarn or foreign piecegoods.

5. That we will assist in the propagation of Swadeshi, firstly by taking steps to eliminate the competition of mill cloth with khadi (i.e. handspun and handwoven cloth) and, secondly, by refraining from exploiting in our own interest the situation arising out of the movement in respect of the price or quality of cloth.

6. That the personnel of the management is Indian in outlook and spirit and is pledged to safeguard Indian interest.

In pursuance of the above declaration we hereby undertake to do as follows:

1. No person connected with the management of the mills will engage himself in propaganda hostile to the national movement or participate in any activity organised voluntarily or at the instance or on behalf of the British Government in India in opposition to the movement.

2. Recruitment of staff will be restricted to Indians except for special reasons.

3. As far as possible we shall pass our Insurance, Banking and Shipping business to Indian Insurance Companies, Indian Banks and Indian Steamship Companies.

4. We shall henceforth employ, as far as possible, only Indians as our auditors, solicitors, shipping agents, buying or selling brokers, contractors or suppliers of goods required for our mills.



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5. We shall purchase, as far as possible, store articles of Indian manufacture and will only buy such foreign articles as are indispensable and as cannot be replaced by Indian Swadeshi Articles (A list of such foreign articles is enclosed herewith).

(To be supplied by the mills).

6. We shall not make use of any kind of foreign yarn or foreign silk or artificial silk or thread or yarn made in mills on the boycott list.

7. We shall not bleach or dye any yarn or cloth that is foreign or produced in mills that are placed on the boycott list.

8. We shall put our stamps distinctly at both ends on each piece of cloth manufactured in our mills and will not send any cloth outside without proper stamps.

9. We shall not name, stamp or style any of our cloth as khadi.

10. We shall not make cloth of the following specifications. Any cloth grey or bleached; warp and weft, counts each coarser than 18 plain weave, one up and down, single or double end weft including checks, plain weave, also those made on drop box and circular box and carpets (18 counts shall include either single or multifold yarn, the count of which (multifold) comes to 18 or less).

The mills, however, shall be at liberty to make drills, satins, tussers, twills, cloth on jacquards and dobby patterns in the body dyed cloth, made from dyed cotton blankets and malidas.

11. We shall henceforth do our selling or buying business as far as possible, with or through Indian concerns.

12. Persons connected with the management of our mills will wear Swadeshi cloth.

Name of the Company.....  
Managing Agents or Proprietors.....  
Address .....

### DECLARATION ISSUED BY THE BOMBAY PROVINCIAL CONGRESS COMMITTEE

We declare that we have full sympathy with the national aspirations of the people and appreciate the impetus given to the cause of Swadeshi by the National Movement.

For the protection of Khadi we agree not to stamp or sell as Khadi any cloth manufactured at our mills and not to manufacture any cloth below average 10 counts except of certain sorts to be agreed upon by the mills and your Committee. (Bombay Provincial Congress Committee).

To preserve and promote Swadeshi character of our mill industry the following scheme was approved of and we agree to and accept the same, namely:

(a) That ownership and management of the mills is and will continue Indian and national in outlook and spirit, pledged to safeguard Indian interest.

(b) That no person connected with the management of the mills will engage in any anti-national activities.

(c) That not less than 75 per cent of the share capital of the Company is and will continue to be held by Indians, except in cases and to the extent agreed to by the President of the Congress as special cases.

(d) That not less than 66 per cent of the Directors apart from the ex-officio Directors of every such Company are and will continue to be Indians.

(e) That the management and control of the company will remain and continue Indian, except in the case of Mills (a list is settled by consent) which are now managed by non-Indian Mill agents and which have accepted these terms giving this clause.





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(f) That recruitment of the staff will be restricted to Indians excepting for special reasons.

(g) That the mills will confine their purchases to Indian Swadeshi products as far as possible and will place their business with Indian Banking, Insurance and Shipping Companies as far as possible.

(h) That the Mills will not dye or bleach any foreign yarn or cloth which has been declared non-Swadeshi by the Bombay Provincial Congress Committee.

(i) That the Mills will not use foreign yarn and will not use mercerised yarn and artificial silk after 31st December, 1930.

(j) That the Mills will stamp every piece of cloth with their name.

(k) That no Millowner, Mill Agent or other persons connected with the control and the management of the Mills will directly or indirectly import or deal in foreign yarn or piecegoods.

(l) That the Mills will not exploit in their own interest the spirit of Swadeshi generated and encouraged by the national movement and will guard against profiteering by middlemen and will make Swadeshi goods available to the consuming public at reasonable rates and in particular

(i) will sell during the period ending 31st December 1930 the current sorts produced at the Mills at current rates or rates prevailing on 12th March, 1930, whichever at the time be lower.

(ii) will publish and circulate for the information of the general consuming public the selling prices of current sorts prevailing from time to time.

(iii) will meet the representatives of the Bombay Provincial Congress Committee from time to time and adopt such further means as may be mutually agreed upon to prevent profiteering and to secure a constant supply of Swadeshi piecegoods to the consuming public at reasonable prices.





## APPENDIX VI

The announcement by His Majesty's Government of the Communal Award has been made. The following is the full text:—

(1) In the statement made by the Prime Minister in December last, on behalf of His Majesty's Government, at the close of the second session of the Round Table Conference, which was immediately afterwards endorsed by both Houses of Parliament, it made plain that, if the communities in India were unable to reach a settlement acceptable to all parties on communal questions which the Conference had failed to solve, His Majesty's Government were determined that India's constitutional advance should not on that account be frustrated, and they would remove this obstacle by devising and applying themselves to a provisional scheme.

(2) On March 19 last, His Majesty's Government, having been informed that the continued failure of the communities to reach an agreement was blocking the progress of plans for the framing of the new constitution, stated that they were engaged upon a careful re-examination of the difficult and controversial questions which arise. They are now satisfied that, without the decision of at least some aspects of the problems connected with the position of the minorities under the new constitution no further progress can be made with the framing of the constitution.

## SCOPE OF THE SCHEME

(3) His Majesty's Government have accordingly decided that they will include provisions to give effect to the scheme set out below in the proposals relating to the Indian constitution to be laid in due course before Parliament. The scope of this scheme is purposely confined to the arrangements to be made for the representation of British Indian Communities in Provincial legislatures consideration of representation in the Legislature at the Centre being deferred for the reason given in paragraph 20 below. The decision to limit the scope of the scheme does not imply a failure to realise that the framing of the constitution will necessitate the decision of a number of other problems of great importance to minorities, but has been taken in the hope that, once a pronouncement has been made upon the basic question of the method and proportions of representation, the communities, themselves may find it possible to arrive at a *modus vivendi* on the other communal problems which have not as yet received the examination they require.

(4) His Majesty's Government wish it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to the revision of their decision, and will not be prepared to give consideration to any representation aimed at securing a modification of it, which is not supported by all the parties affected. But they are most desirous to close no door to an agreed settlement, should such happily be forthcoming. If, therefore, before the new Government of India Act is passed into law, they are satisfied that the communities who are concerned are mutually agreed upon a practicable alternative scheme, either in respect of any one or more of the Governor's Provinces, or in respect of the whole of British India, they will be prepared to recommend to Parliament that the alternative should be substituted for the provisions now outlined.

(5) Seats in the Legislative Councils in Governor's Provinces or in the Lower House, if there is an Upper Chamber, will be allocated as shown in para 24 below.





## SEPARATE ELECTORATES

(6) Election to the seats allotted to Muslim, European and Sikh constituencies will be by voters voting in separate communal electorates, covering between them the whole area of the Province (apart from any portions which may, in special cases, be excluded from the electoral area as "backward.")

Provision will be made in the constitution itself to empower revision of this electoral arrangement (and other similar arrangements mentioned below) after ten years, with the assent of the communities affected, for the ascertainment of which suitable means will be devised.

(7) All qualified electors, who are not voters either in a Muslim, Sikh, Indian Christian (see para 10), Anglo-Indian (see para 11) or European constituency, will be entitled to vote in a general constituency.

(8) Seven seats will be reserved for Mahrattas in certain selected plural number general constituencies in Bombay.

## DEPRESSED CLASSES

(9) Members of the "Depressed Classes" qualified to vote will vote in a general constituency. In view of the fact that, for a considerable period, these classes would be unlikely, by this means alone, to secure any adequate representation in a legislature, a number of special seats will be assigned to them as shown in para 24 below. These seats will be filled by election from special constituencies in which only members of the "Depressed Classes" electorally qualified will be entitled to vote. Any person voting in such special constituency will, as stated above, be also entitled to vote in a general constituency. It is intended that these constituencies should be formed in selected areas where the "Depressed Classes" are most numerous, and that, except in Madras they should not cover the whole area of the Province.

In Bengal, it seems possible that, in some general constituencies, the majority of voters will belong to the Depressed Classes. Accordingly, pending further investigation, no number has been fixed for members to be returned from special Depressed Class constituencies in that Province. It is intended to secure that the Depressed Classes should obtain not less than ten seats in the Bengal Legislature.

The precise definition in each Province of those who (if electorally qualified) will be entitled to vote in special Depressed Class constituencies has not yet been finally determined. It would be based as a rule on the general principles advocated in the Franchise Committee's Report. Modification may, however, be found necessary in some Provinces in Northern India where the application of the general criteria of untouchability might result in a definition unsuitable in some respects to the special conditions of the Province.

His Majesty's Government do not consider that these special Depressed Classes constituencies will be required for more than a limited time. They intend that the constitution shall provide that they shall come to an end after twenty years, if they have not previously been abolished under the general powers of electoral revision referred to in para 6.

## INDIAN CHRISTIANS

(10) Election to the seats allotted to Indian Christians will be by voters voting in separate communal electorates. It seems almost certain that the formation of Indian Christian constituencies covering the whole area of a province will be impracticable and that, accordingly, special Indian Christian constituencies will have to be formed only in one or two selected areas in a Province. Indian Christian voters in these areas will



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not vote in a general constituency, Indian Christian voters outside these areas will vote in a general constituency, special arrangements may be needed in Bihar and Orissa, where a considerable proportion of the Indian Christian Community belongs to aboriginal tribes.

### ANGLO-INDIANS

(11) Election to seats allotted to Anglo-Indians will be by voters voting in separate communal electorates. It is at present intended, subject to investigation of any practical difficulties that may arise, that Anglo-Indian constituencies shall cover the whole area of each Province, postal ballot being employed; but no final decision has yet been reached.

(12) The method of filling seats assigned for representatives from backward areas is still under investigation, and the number of seats so assigned should be regarded as provisional, pending final decision as to the constitutional arrangements to be made in relation to such areas.

### WOMEN

(13) His Majesty's Government attach great importance to securing that the new legislatures should contain at least a small number of women members. They feel that at the outset, this object could not be achieved without creating a certain number of seats specially allotted to women. They also feel it is essential that women members should not be drawn disproportionately from one community. They have been unable to find any system which would avoid this risk, and would be consistent with the rest of the scheme for representation which they have found it necessary to adopt, except that of limiting the electorate for each special woman's seat to voters from one community, subject to the exception explained in para 24 below. Special women's seats have accordingly been specifically divided, as explained in para 24 below, between the various communities. The precise electoral machinery to be employed in these special constituencies is still under consideration.

### SPECIAL INTEREST

(14) Seats allotted to "Labour" will be filled from non-communal constituencies. Electoral arrangements have still to be determined, but it is likely that, in most Provinces Labour constituencies will be partly Trade Union and partly special constituencies, as recommended by the Franchise Committee.

(15) Special seats allotted to Commerce and Industry, Mining and Planting will be filled by election through Chamber of Commerce and various Associations. Details of the electoral arrangements for these seats must await further investigation.

(16) Special seats allotted to Landholders will be filled by election by special Landholders' constituencies.

(17) The method to be employed for election to University seats is still under consideration.

(18) His Majesty's Government have found it impossible, in determining these questions of representation in provincial legislatures, to avoid entering into considerable detail. There remains nevertheless the determination of the constituencies. They intend that this task should be undertaken in India as early as possible.

It is possible, in some instances, delimitation of constituencies might be materially improved by a slight variation from the number of seats now given. His Majesty's Government reserve the right to make such slight variations for such purpose, provided they will not materially affect the essential balance between the communities. No such variations will, however, be made in the case of Bengal and the Punjab.





## SECOND CHAMBERS

(19) The question of the composition of Second Chambers in the Provinces has so far received comparatively little attention in the constitutional discussions and requires further consideration before a decision is reached which Provinces shall have a Second Chamber or a scheme is drawn up for their composition.

His Majesty's Government consider that the composition of the Upper House in a Province should be such as not to disturb, in any essential, the balance between the communities resulting from the composition of the Lower House.

(20) His Majesty's Government do not propose at present to enter into the question of size and composition of the Legislature at the centre, since this involves, among other questions, that of representation of Indian States, which still needs further discussion. They will, of course, when considering the composition, pay full regard to the claims of all communities for adequate representation therein.

## SEPARATION OF SIND

(21) His Majesty's Government have already accepted the recommendation that Sind should be constituted a separate Province, if satisfactory means of financing it can be found. As the financial problems involved still have to be reviewed in connection with other problems of federal finance, His Majesty's Government have thought it preferable to include, at this stage, figures for a legislature for the existing Province of Bombay, in addition to the schemes for separate legislatures for the Bombay Presidency proper and Sind.

(22) The figures given for Bihar and Orissa relate to the existing Province. The question of constituting a separate Province of Orissa is still under investigation.

(23) The inclusion, in para 24 below, of figures relating to the legislature for the Central Provinces, including Berar, does not imply that any decision has yet been reached regarding the future constitutional position of Berar.

(24) The following will be the allocation of seats in provincial legislatures (Lower House only):—

## MADRAS

General seats (including six women)	134
Depressed Classes	18
Representative from Backward areas	1
Muslims (including one woman)	29
Indian Christians (including one woman)	9
Anglo-Indians	2
Europeans	3
Commerce and Industry, Mining and Planning	6
Landholders	1
University	1
Labour	6
Total	210



# THE HISTORY OF THE CONGRESS

CSL

## BOMBAY

(Including Sind)

General (including five women)	97
Depressed Classes	10
Backward Areas	1
Muslims (including 1 woman)	63
Indian Christians	3
Anglo-Indians	2
Europeans	4
Commerce etc.	8
Landholders	3
University	1
Labour	8
<b>Total</b>	<b>200</b>

## BENGAL

General seats (including 2 women)	80
Depressed Classes	
Muslims (including 2 women)	119
Indian Christians	2
Anglo-Indians (including 1 woman)	4
Europeans	11
Commerce etc.	19
Landholders	5
University	2
Labour	8
<b>Total</b>	<b>250</b>

## UNITED PROVINCES

General seats (including 4 women)	132
Depressed Classes	12
Muslims (including 2 women)	66
Indian Christians	2
Anglo-Indians	1
Europeans	2
Commerce etc.	3
Landholders	6
University	1
Labour	3
<b>Total</b>	<b>228</b>

## PUNJAB

General seats (including one woman)	43
Sikhs (including 1 woman)	32
Muslims (including two women)	86
Indian Christians	2
Anglo-Indians	1
Europeans	1
Commerce etc.	1
Landholders	5
University	1
Labour	3
<b>Total</b>	<b>175</b>





## COMMUNAL QUESTION: PREMIER'S DECISION

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## BIHAR AND ORISSA

General seats (including 3 women)	99
Depressed Classes	7
Representatives from Backward Areas	8
Muslims (including 1 woman)	42
Indian Christians	2
Anglo-Indians	1
Europeans	2
Commerce etc.	4
Landholders	5
University	1
Labour	4
Total	175

## CENTRAL PROVINCES

(Including Berar)

General seats (including 3 women)	77
Depressed Classes	10
Representative from Backward Areas	1
Muslims	14
Anglo-Indians	1
Europeans	1
Commerce etc.	2
Landholders	3
University	1
Labour	2
Total	112

## ASSAM

General seats (including one woman)	44
Depressed Classes	4
Representatives from Backward Areas	9
Muslims	34
Indian Christians	1
Europeans	1
Commerce etc.	11
Labour	4
Total	108

## NORTH-WEST FRONTIER PROVINCE

General seats	9
Sikhs	3
Muslims	36
Landholders	2
Total	50

Seats are also allocated for Bombay without Sind and for Sind as follows:—

## BOMBAY WITHOUT SIND

General seats (including five women)	109
Depressed Classes	10
Representative from Backward Areas	1
Muslims (including one woman)	30
Indian Christians	3
Anglo-Indians	2
Europeans	3
Commerce etc.	7
Landholders	2
University	1
Labour	7
Total	175



SIND		
General seats (including one woman)	.....	19
Muslims (including one woman)	.....	34
Europeans	.....	2
Commerce etc.	.....	2
Landholders	.....	2
Labour	.....	1
Total	.....	60

### SPECIAL CONSTITUENCIES

As regards seats for Commerce and Industry, Mining and Planting, it is stated that the composition of bodies through which election of these seats will be conducted, though in most cases either predominantly European or predominantly Indian, will not be statutorily fixed. It is accordingly not possible in each Province to state with certainty how many Europeans and Indians respectively will be returned.

It is, however, expected that, initially, the numbers will be approximately as follows:—

- Madras: 4 Europeans and 2 Indians.
- Bombay: (including Sind): 5 Europeans and 3 Indians.
- Bengal: 14 Europeans and 5 Indians.
- United Provinces: 2 Europeans and 1 Indian.
- Punjab: 1 Indian.
- Bihar and Orissa: 2 Europeans and 2 Indians.
- Central Provinces (including Berar): 1 European and 1 Indian.
- Assam: 8 Europeans and 3 Indians.
- Bombay (without Sind): 4 Europeans and 3 Indians.
- Sind: 1 European and 1 Indian.

As regards general seats allocated to Bombay, whether inclusive or exclusive of Sind, it is stated seven of them will be reserved for Mahrattas.

As regards allocation of seats for Depressed Classes in Bengal this number, which will not exceed ten, has not yet been fixed. The number of general seats will be thirty, less the number of special Depressed Class seats.

As regards Landholders' seats in the Punjab, it is stated one of these will be a 'Zamindars' seat. Four Landholders' seats will be filled from special constituencies with joint electorates. It is probable from distribution of the electorate that the members returned will be one Hindu, one Sikh and two Muslims.

As regards allocation of one woman's seat among general seats in Assam, it is stated this will be filled from a non-communal constituency at Shillong.

### PREMIER'S EXPLANATORY STATEMENT

The text of the decision of His Majesty's Government regarding certain Communal problems connected with the framing of the new Indian Constitution has now reached India and is being published simultaneously in both the countries.

On its publication, the Prime Minister has issued the following statements:—

"Not only as the Prime Minister, but as a friend of India who has for the last two years taken a special interest in the questions of minorities I feel that I ought to add a word or two of explanation to the extremely important decision on communal representation that the Government are announcing today.

We never wished to intervene in the communal controversies of India. We made that abundantly clear during both the sessions of the R.T.C. when we strove hard to get Indians to settle this matter between themselves. We have realised from the very first that any decision that we may





make is likely, to begin with at any rate, to be criticised by every community purely from the point of view of its own complete demands, but we believe that in the end considerations of Indian needs will prevail and all communities will see that their duty is to co-operate in working the new constitution which is to give India a new place in the British Commonwealth of Nations.

#### SETTLEMENT SUBJECT TO REVISION BY AGREEMENT

Our duty was plain. As the failure of the communities to agree amongst themselves has placed an almost insurmountable obstacle in the way of any constitutional development, it was incumbent upon Government to take action in accordance, therefore, with the pledges that I gave on behalf of the Government at the Round Table Conference in response to repeated appeals from representative Indians and in accordance with the statement to British Parliament and approved by it. Government are today publishing a scheme of representation in Provincial Assemblies that they intend in due course to lay before Parliament unless in the meanwhile the communities themselves agree upon a better plan.

We should be only too glad if, at any stage before the proposed Bill becomes law, the communities can reach an agreement amongst themselves. But guided by the past experience, Government are convinced that no further negotiations will be of any advantage, and they can be no party to them. They will, however, be ready and willing to substitute for their scheme any scheme whether in respect of any one or more of Governor's Provinces or in respect of the whole of British India that is generally agreed and accepted by all the parties affected.

#### THE CASE FOR SEPARATE ELECTORATES

In order to appreciate the Government's decision, it is necessary to remember the actual conditions in which it is being given. For many years past, separate electorates, namely, the grouping of particular categories of voters in territorial constituencies by themselves has been regarded by minority communities as an essential protection for their rights. In each of the recent stages of constitutional development, separate electorates have consequentially found a place. However much Government may have preferred a uniform system of joint electorates, they found it impossible to abolish the safeguards to which minorities still attach vital importance. It would serve no purpose to examine the cause which in the past have led to this state of affairs. I am rather thinking of the future. I want to see the greater and the smaller communities working together in peace and amity so that there will be no further need for a special form of protection. In the meantime, however, Government have to face facts as they are, and must maintain this exceptional form of representation.

#### THE POSITION OF THE DEPRESSED CLASSES

There are two features of the decision to which I must allude. One has to do with the Depressed Classes and the other with the representation of women. Government would be quite unable to justify a scheme which omitted to provide what is really requisite for either.

Our main object in the case of the Depressed Classes has been while securing to them the spokesmen of their own choice in the legislatures of the Province where they are found in large numbers, at the same time to avoid electoral arrangements which would perpetuate their segregation. Consequently, Depressed Class voters will vote in general Hindu constituencies and an elected member in such a constituency will be influenced by his responsibility to this section of the electorate, but for the next 20 years there will also be a number of special seats filled from special Depressed Class electorates in the areas where these voters chiefly prevail. The anomaly of giving certain members of the Depressed Classes two votes is abundantly justified by the urgent need of securing that their claims



## THE HISTORY OF THE CONGRESS

should be effectively expressed and the prospects of improving their actual condition promoted.

### WOMEN'S RIGHTS

As regards women voters, it has been widely recognised in recent years that the women's movement in India holds one of the keys of progress. It is not too much to say that India cannot reach the position to which it aspires in the world until its women play their due part as educated and influential citizens. There are undoubtedly serious objections to extending to the representation of women the communal method, but if seats are to be reserved for women as such and woman members are to be fairly distributed among the communities, there is, in the existing circumstances no alternative.

With this explanation, I commend the scheme to Indian Communities as a fair and honest attempt to hold the balance between the conflicting claims in relation to the existing position in India. Let them take it though it may not for the moment satisfy the full claims of any of them as a workable plan for dealing with the question of representation in the next period of India's constitutional development. Let them remember, when examining the scheme, that they themselves failed when pressed again and again to produce to us some plan which would give general satisfaction.

### COMMUNAL CO-OPERATION AND CONDITION OF PROGRESS

In the end, only Indians themselves can settle this question. The most that Government can hope for is that their decision will remove an obstacle from the path of constitutional advance and will thus enable Indians to concentrate their attention upon solving the many issues that still remain to be decided in the field of constitutional advance. Let leaders of all Indian Communities show, at this critical moment in India's constitutional development, their appreciation of fact that communal co-operation is a condition of progress and that is their special duty to put upon themselves the responsibility of making the new constitution work.