

Lecture no 12

**THE WIDENNING OF GULF
BETWEEN CONGRESS & MUSLIM
LEAGUE (1930-40)**

Background

1. Nehru Report & Jinnah's 14 Points (1928-29)
2. The Round Table Conferences (1930-32)
3. Muslims under Congress Rule (1937-39)

NEHRU REPORT & JINNAH'S 14 POINTS (1928-29)

Important Features of Nehru Report

- India should be given Dominion Status with the Parliamentary form of Government.
- There should be a bi-cameral legislature consisting of senate and House of Representatives. The senate will comprise of two hundred members elected for seven years, while the House of Representatives should consist of five hundred members elected for five years.
- Governor-General will act on the advice of executive council. It was to be collectively responsible to the parliament.
- There should be Federal form of Government in India with **Residuary powers to be vested in Centre.**
- **There will be no separate electorate for minorities.** It claimed, “since separate electorate awakens communal sentiments therefore it should be scrapped, and joint electorate should be introduced”.

Important Features of Nehru Report (1928)

- System of weightage should not be adopted for any province.
- There will be no reserved seats for communities in Punjab and Bengal. However, reservation of Muslim seats could be possible in the provinces where Muslim population should be at least ten percent.
- Judiciary should be independent from the Executive.
- **There should be 1/4th Muslim Representation at Centre.**
- Sind should be separated from Bombay provided it proves to be financially self sufficient.
- Reforms should be introduced in NWFP.

The report was not acceptable to Muslims and both the Muslim members of the Committee did not sign it.

Jinnah's 14 Points (1929)

1. The form of the future constitution should be federal, with the **residuary powers to be vested in the provinces.**
2. **A uniform measure of autonomy shall be granted to all provinces.**
3. All legislatures in the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority in any province to a minority or even equality.
4. **In the Central Legislature, Muslim representation shall not be less than one third.**
5. **Representation of communal groups shall continue to be by separate electorates:** provided that it shall be open to any community, at any time, to abandon its separate electorate in favor of joint electorate.

Jinnah's 14 Points (1929)

6. Any territorial redistribution that might at any time be necessary shall not in anyway affect the Muslim majority in the Punjab, Bengal and the NWFP.
7. Full religious liberty i.e. liberty of belief, worship, and observance, propaganda, association, and education, shall be guaranteed to all communities.
8. No bill or resolution or any part thereof shall be passed in any legislature or any other elected body if three fourths of the members of any community in that particular body oppose such a bill, resolution or part thereof on the ground that it would be injurious to that community or in the alternative, such other method is devised as may be found feasible practicable to deal with such cases.
9. Sind should be separated from the Bombay Presidency.
10. Reforms should be introduced in the NWFP and Balochistan on the same footing as in other provinces.

Jinnah's 14 Points (1929)

11. Provision should be made in the Constitution giving Muslims an adequate share along with the other Indians in all the services of the State and in local self-governing bodies, having due regard to the requirements of efficiency.

12. The Constitution should embody adequate safeguards for the protection of Muslim culture and for the protection and promotion of Muslim education, language, religion and personal laws and Muslim charitable institutions and for their due share in the grants-in-aid given by the State and by local self-governing bodies.

13. No cabinet, either Central or Provincial, should be formed without there being a proportion of at least one-third Muslim ministers.

14. No change shall be made in the Constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation.

ROUND TABLE CONFERENCES (1930-32)

1st Round Table Conference (12 Nov 1930-19 Jan 1931)

- The Congress was absent because, it insisted that the conference must not discuss whether India should or should not receive responsible self-government on the assumed basis of a free India.
- All other parties attended the Conference.
- The Muslim delegation included Agha Khan, Maulana Mohammad Ali Johar, Mr. Jinnah, Maulvi Fazl ul Haq, Sir Muhammad Shafi, Sir Shahnawaz, Chaudhry Zafarullah and Ghulam Hussain Hidayatullah.
- Following most important decisions were taken:
 - I. To introduce a federal system of government in India.
 - II. To introduce Dominion Status and a responsible Central Government in India.
 - III. To abolish the dyarchy system in the provinces.
 - IV. To give Sindh a separate identity with a responsible government.
 - V. Princely states agreed to extend their cooperation in forming an All India Federation.

1st Round Table Conference (12 Nov 1930-19 Jan 1931)

- Nine subcommittees were formed to deal with different matters, i.e. federal structure, provincial constitution, minorities, franchise, defence services, Sindh, NWFP and Burma.
- However, there was a deadlock on the question of the distribution of subjects in the federal system.
- The minorities subcommittee too, could not reach a decisive conclusion.
- The Muslim delegation declared in the end that in those circumstances the only course was to repeat our claim that no advance is possible without safeguards for the Muslims of India.
- At the end, PM Mr. Macdonald issued a statement that the government had accepted the proposal for full responsible government in the provinces and a federal system in centre.

2nd Round Table Conference (7 Sep1931 - 1 Dec 1931)

- Gandhi was the sole representative of Congress.
- The Muslim delegation was almost same with addition of Allama Iqbal.
- Two committees were set up to carry out the work of the Conference on Federal structure and minorities. Gandhi was the member of the two committees.
- The most sensitive issue was before the Conference was the Hindu-Muslim relationship.
- Gandhi made three claims; (1) Congress alone represents the whole India, (2) the untouchables cannot be separated from the body of Hinduism, (3) Hindus & Muslims should live together in a United India.
- Gandhi demanded to put minority issue aside. Sir Muhammad Shafi did not agree. He demanded to incorporate Jinnah's 14 points in Constitution, but Gandhi rejected and re-presented Nehru report.

3rd Round Table Conference (17 Nov 1932 – 24 Dec 1932)

- Congress, and Labour Party did not take part.
- It was decided to setup a federal legislature in India consisting of elected representatives of the British India and of the representatives of the state to be nominated by respective ruler.
- To sum up, we can say that the first Conference did not gain success because of the absence of the Congress, the Hindu representative and the second Conference remained fail because of the presence of the Congress which even enhanced the level of hostility between the Hindu and the Muslims and the communal award proved even final blow to the relations of the two communities of Indian subcontinent.
- As result of these conferences British Government issued a White Paper based on the recommendations which was handed over to Select Committee. On July 4, 1935 a new constitution of India came into being which was approved by both of the Houses of the Parliament.

Pillars of the State

1. Legislature (قانون ساز ادارہ)
Uni (single), Bi (double) Bi-Cameral
2. Executive Body (عمل کروانی والا ادارا)
3. Judiciary